COLLIER COUNTY
Collier County Hearing Examiner

AGENDA

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

February 25, 2021

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 Alexandra.Casanova@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. PL20200001982 VA - Request for an after-the-fact 2.2-foot variance from the required 3-foot rear yard setback for pools and spas adjacent to open space as provided for in the Parklands Planned Unit Development (PUD) Zoning District. The request is to allow the pool at 0.8 feet from the rear property line located at Lot 119, Parklands - Plat One, AKA: 4121 Amelia Way, in Section 09, Township 48 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commissioner District 3

B. PETITION NO. PL202000001934 ABW - Bayshore Wine and Food Venue-The applicant requests that the Hearing Examiner consider a minimum distance waiver pursuant to Section 5.05.01.A.6. of the Land Development Code for an establishment to be known as the Bayshore Wine and Food Venue that seeks to sell alcohol for consumption on-site with a minimum separation distance of less than 500 feet from an existing establishment whose primary function is the sale of alcoholic beverages for consumption on-site and two churches. [Coordinator: Nancy Gundlach, Principal Planner] Commissioner District 4.

4. Other Business

5. Public Comments

6. Adjourn

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.A
Item Summary: PETITION NO. PL20200001982 VA - Request for an after-the-fact 2.2-foot variance from the required 3-foot rear yard setback for pools and spas adjacent to open space as provided for in the Parklands Planned Unit Development (PUD) Zoning District. The request is to allow the pool at 0.8 feet from the rear property line located at Lot 119, Parklands - Plat One, AKA: 4121 Amelia Way, in Section 09, Township 48 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commissioner District 3

Meeting Date: 02/25/2021

Prepared by:
Title: Planner – Zoning
Name: John Kelly
02/03/2021 6:30 PM

Submitted by:
Title: Manager - Planning – Zoning
Name: Ray Bellows
02/03/2021 6:30 PM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Rose Burke		Review Item	Completed
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	02/08/2021 10:30 AM
Zoning	Ray Bellows	Review Item	Completed	02/08/2021 11:36 AM
Zoning	Anita Jenkins	Review Item	Completed	02/08/2021 5:37 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	02/25/2021 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION- ZONING SERVICES SECTION

HEARING DATE: FEBRUARY 25, 2021

SUBJECT: PETITION VA-PL20200001982; 4121 AMELIA WAY - VARIANCE

PROPERTY OWNER/APPLICANT:

Eitan and Patricia May Waxman
4121 Amelia Way
Naples, FL 34119

REQUESTED ACTION:

To have the Collier County Hearing Examiner (HEX) consider an application for an after-the-fact variance from Exhibit B of Ordinance 12-30, as amended, the Parklands RPUD, to reduce the rear yard setback, for pools and spas adjacent to open space, from 0.8 feet for an existing pool that is accessory to a single-family residence at the subject location.

GEOGRAPHIC LOCATION:

The subject property is located at 4121 Amelia Way and is legally recognized as Lot 119, Parklands – Plat One, in Section 09, Township 48 South, Range 26 East, Collier County, Florida, consisting of 0.18 acres *(See location map below).*

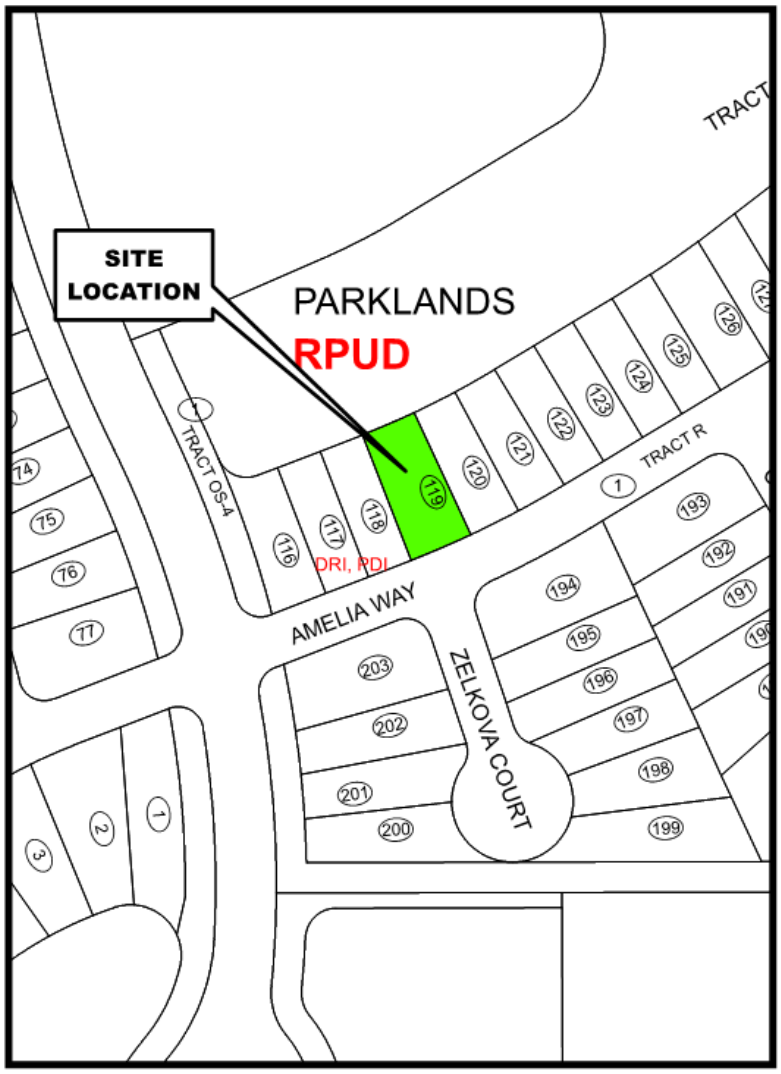
PURPOSE/DESCRIPTION OF PROJECT:

The petitioner seeks a Variance to allow for the continued existence of a pool that was constructed in accord with an approved Collier County Building Permit, No. PRBD20200625789. Records reveal the permit was applied for on June 26, 2020 and issued, following completion of the review process, on July 8, 2020. Zoning Services Staff has reviewed the permit file and believes the permit was issued in error as the approved site plan shows the proposed pool to be 9 inches (0.75 feet) from the rear property line whereas the RPUD development regulations require a 3-foot rear yard setback for pools and spas adjacent to open space; said 3.0 rear yard setback was also printed on the issued permit. The property owner was first alerted to the setback problem when their contractor presented an As-Built Survey to the County, upon completion of construction, revealing the pool was constructed 0.8 feet from the rear property line, 2.2 feet shy of the required 3.0 feet.

Attachment: VA-PL20200001982 Staff Report 012921 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)



Location Map



Zoning Map

Petition Number: PL20200001982

SURROUNDING LAND USE AND ZONING:

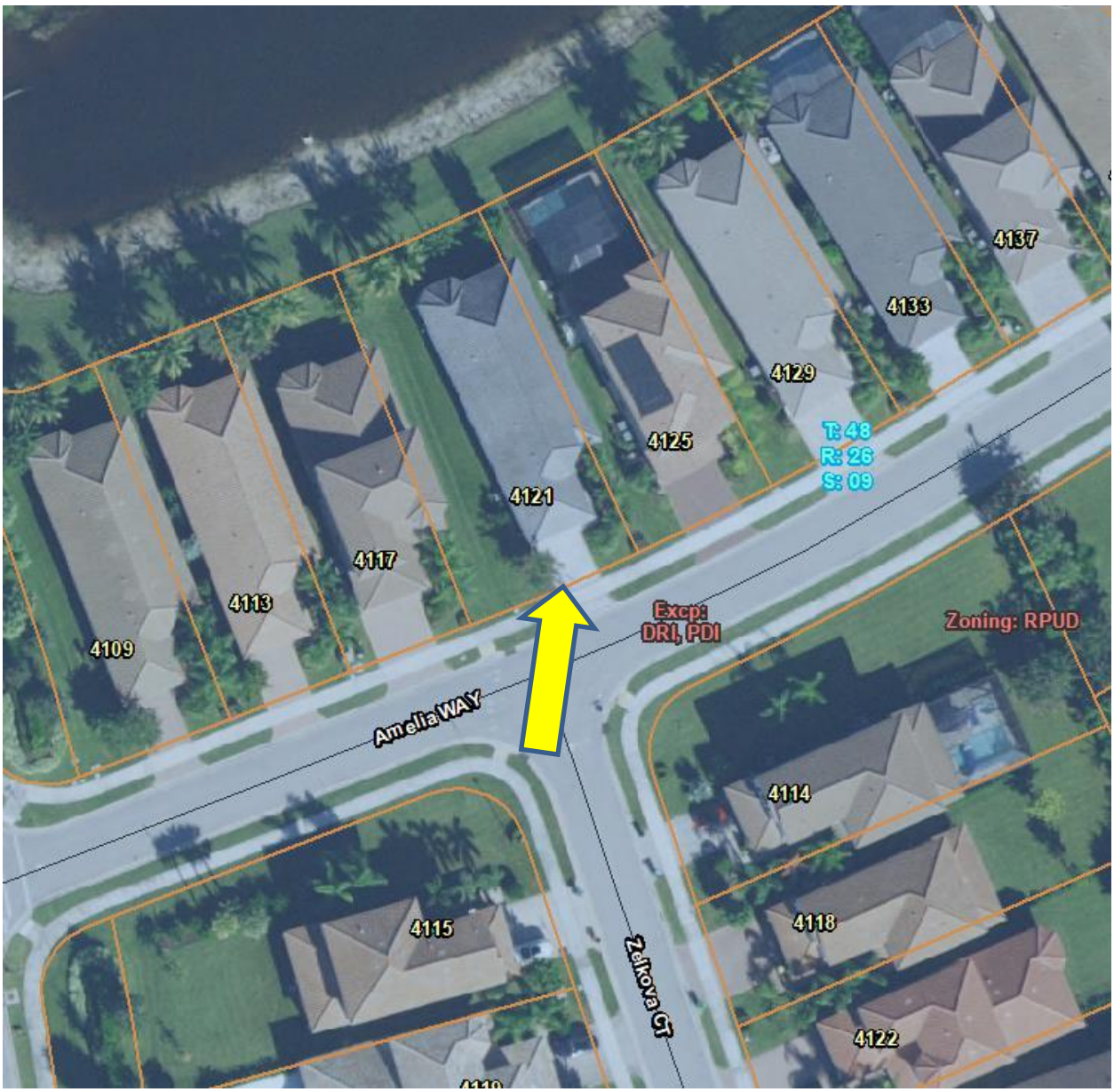
This section of the staff report identifies the land uses and zoning classifications for properties surrounding boundaries of the subject property:

North: Lake / Lake Maintenance Easement as per the Parklands RPUD Master Plan

South: Amelia Way (Right-of-Way) then a single-family residence located within the Parklands RPUD

East: Single-family residence within the Parklands RPUD

West: Single-family residence within the Parklands RPUD



Collier County GIS

Attachment: VA-PL20200001982 Staff Report 012921 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

The subject property is in the Urban, Urban Residential Subdistrict, on the County's Future Land Use Map (FLUM) of the Future Land Use Element (FLUE) of the GMP. The GMP does not address individual Variance requests but deals with the larger issue of the actual use. The existing single-family use is consistent with the FLUM of the GMP. The requested variance does not have any impact on this property's consistency with the County's GMP.

ZONING DIVISION 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 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?

No; however, the subject property does abut a lake and therefor does qualify for the "Rear Yard Setback, Pools and Spas adjacent to Open Space" RPUD development standard for single-family detached dwellings.

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 applicant's pool contractor submitted a site plan to Collier County as part of the building permit process and said site plan was approved despite depicting a 9-inch (0.75-foot) separation from the rear property line. Had the setback issue been caught prior to construction of the pool the pool could have been redesigned to comply with the required setback.

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?

Yes, modifying the existing pool to comply with the required setback would be cost prohibitive. The requested variance is needed to bring the existing pool into compliance with setback requirements and will further allow for the residence to maintain a clear title in the event of sale.

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 existing pool. Additionally, the pool may be enclosed at a later time as the RPUD development standards allow for a zero setback for screen enclosures adjacent to open space.

e. Will granting the Variance confer on the applicant any special privilege that is denied

Attachment: VA-PL20200001982 Staff Report 012921 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

by these zoning regulations to other lands, buildings, or structures in the same zoning district?

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. As such, 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.

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 general purpose and intent of the LDC for residential single-family zoned districts is to promote lands for single-family housing in areas of low density. The requested Variance will be in harmony with the general intent and purpose of the Land Development Code and will not harm public safety, health and 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.?

Yes, the rear of the subject property abuts a lake/open space.

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.

The subject property comprises 0.18 acres located within the Parklands Residential Planned Unit Development (RPUD), as per Ordinance 12-30, as amended, which is within the corresponding Parklands Development of Regional Impact (DRI). Collier County records reveal the subject property is improved with a 1-story single-family residence constructed in 2017. The petitioner purchased the property in 2019 and shortly thereafter retained a pool contractor to satisfy permitting requirements for the construction of a pool to the rear of the residence. A building permit, No. PRBD20200625789, was applied for on June 26, 2020 at which time plans were provided to the County for review and approval purposes. Said plans were approved by the County on July 7, 2020, and the permit was subsequently issued on July 8, 2020. Upon completion of construction, an As-Built Survey was provided to the County to demonstrate compliance with setback requirements. It was at this time County Staff first recognized there was an issue with the rear yard setback; a condition that was then made known to the petitioner/property owner. The petitioner, to retain and maintain the already constructed pool, then filed an application seeking an after-the-fact Variance for the subject pool. Zoning Staff has since obtained the building permit file and was able to determine that despite the printed permit stating that the rear yard setback for the pool is 3 feet, the plans submitted for review clearly demonstrate that the pool is 9 inches (0.75 feet) from the rear property line. Given that the Parklands RPUD development standards state that

Attachment: VA-PL20200001982 Staff Report 012921 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

the rear yard setback for pools and spas adjacent to open space is 3 feet, Zoning Services Staff must conclude that the building permit for the pool was issued in error as the pool was constructed in accord with the approved site plan. A 2.2-foot after-the-fact Variance is required to reduce the rear yard setback for pools and spas adjacent to open space to 0.8 feet thereby allowing for the continued existence of the subject pool.

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:

There are no concurrent land use applications under review at the present time

RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner approve Petition VA-PL20200001982, to reduce the minimum rear yard setback, pools, and spas adjacent to open space, from 3 feet to 0.8 feet to allow for the continued existence of an existing pool. As a condition of approval, the applicant must satisfy all requirements of Building Permit No. PRBD20200625789 and obtain a Certificate of Occupancy/Completion.

Attachments:

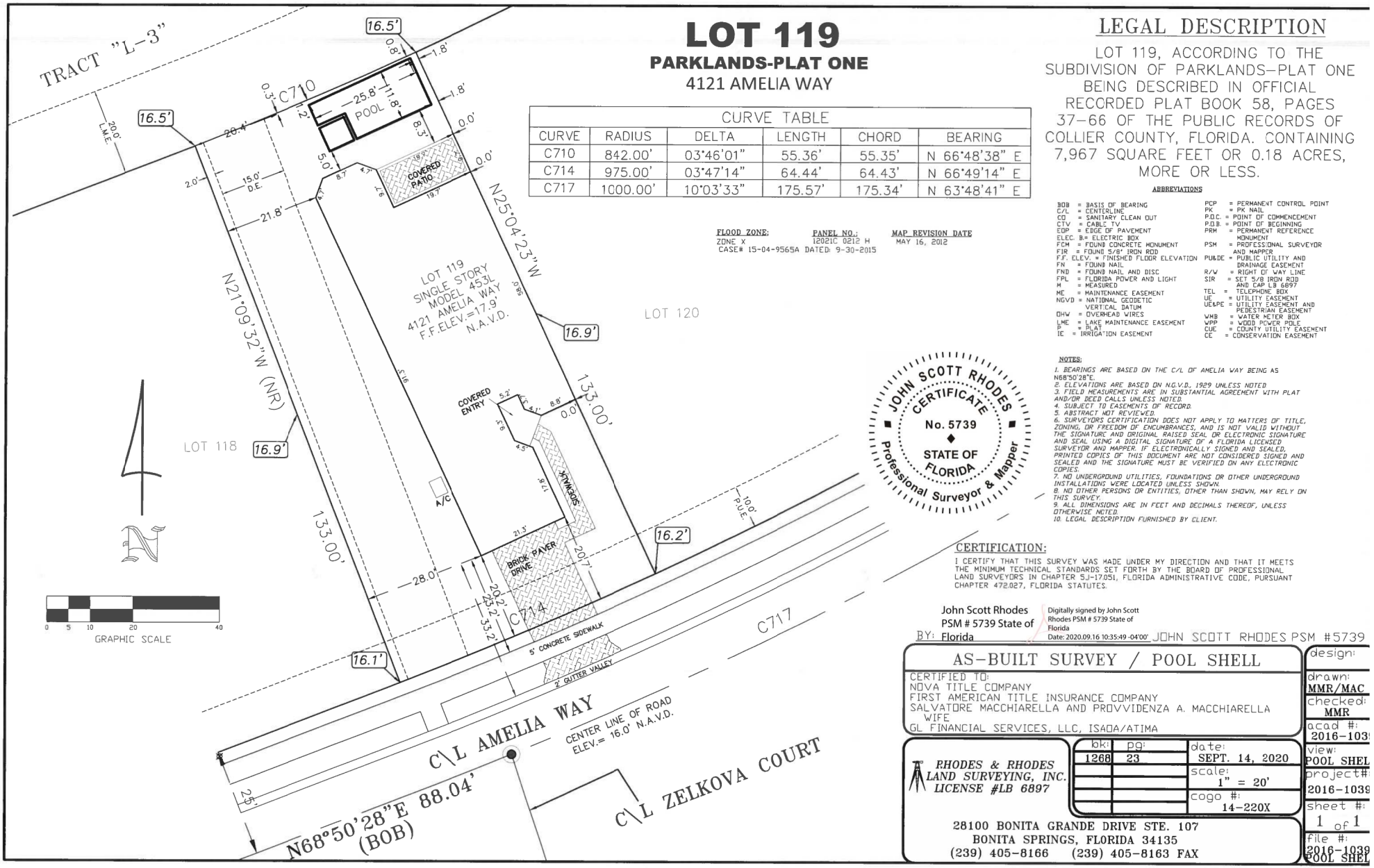
A. Survey and Public Hearing Sign Posting
B. HEX No. 2014-24 and Ordinance No. 12-30
C. File – Building Permit PRBD20200625789
D. Applicant's Backup; Application, Narrative, Authorizations, etc.

Attachment: VA-PL20200001982 Staff Report 012921 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

LOT 119

PARKLANDS-PLAT ONE

4121 AMELIA WAY



CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C710	842.00'	03°46'01"	55.36'	55.35'	N 66°48'38" E
C714	975.00'	03°47'14"	64.44'	64.43'	N 66°49'14" E
C717	1000.00'	10°03'33"	175.57'	175.34'	N 63°48'41" E

FLOOD ZONE: ZONE X
PANEL NO.: 12021C 0212 H
MAP REVISION DATE: MAY 16, 2012
CASE# 15-04-9565A DATED: 9-30-2015

LEGAL DESCRIPTION

LOT 119, ACCORDING TO THE SUBDIVISION OF PARKLANDS–PLAT ONE BEING DESCRIBED IN OFFICIAL RECORDED PLAT BOOK 58, PAGES 37–66 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA. CONTAINING 7,967 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

ABBREVIATIONS

BOB = BASIS OF BEARING
C/L = CENTERLINE
CO = SANITARY CLEAN OUT
CTV = CABLE TV
EOP = EDGE OF PAVEMENT
ELEC. B.= ELECTRIC BOX
FCM = FOUND CONCRETE MONUMENT
FIR = FOUND 5/8" IRON ROD
F.F. ELEV. = FINISHED FLOOR ELEVATION
FN = FOUND NAIL
FND = FOUND NAIL AND DISC
FPL = FLORIDA POWER AND LIGHT
M = MEASURED
ME = MAINTENANCE EASEMENT
NGVD = NATIONAL GEODETIC VERTICAL DATUM
OHW = OVERHEAD WIRES
LME = LAKE MAINTENANCE EASEMENT
P = PLAT
IE = IRRIGATION EASEMENT
PCP = PERMANENT CONTROL POINT
PK = PK NAIL
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
PRM = PERMANENT REFERENCE MONUMENT
PSM = PROFESSIONAL SURVEYOR AND MAPPER
PUE/DE = PUBLIC UTILITY AND DRAINAGE EASEMENT
R/W = RIGHT OF WAY LINE
SIR = SET 5/8 IRON ROD AND CAP LB 6897
TEL = TELEPHONE BOX
UE = UTILITY EASEMENT
UE&PE = UTILITY EASEMENT AND PEDESTRIAN EASEMENT
WMB = WATER METER BOX
WPP = WOOD POWER POLE
CUE = COUNTY UTILITY EASEMENT
CE = CONSERVATION EASEMENT

NOTES:
1. BEARINGS ARE BASED ON THE C/L OF AMELIA WAY BEING AS N68°50'28"E.
2. ELEVATIONS ARE BASED ON N.G.V.D., 1929 UNLESS NOTED.
3. FIELD MEASUREMENTS ARE IN SUBSTANTIAL AGREEMENT WITH PLAT AND/OR DEED CALLS UNLESS NOTED.
4. SUBJECT TO EASEMENTS OF RECORD.
5. ABSTRACT NOT REVIEWED.
6. SURVEYORS CERTIFICATION DOES NOT APPLY TO MATTERS OF TITLE, ZONING, OR FREEDOM OF ENCUMBRANCES, AND IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR ELECTRONIC SIGNATURE AND SEAL USING A DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. IF ELECTRONICALLY SIGNED AND SEALED, PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.
7. NO UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER UNDERGROUND INSTALLATIONS WERE LOCATED UNLESS SHOWN.
8. NO OTHER PERSONS OR ENTITIES, OTHER THAN SHOWN, MAY RELY ON THIS SURVEY.
9. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
10. LEGAL DESCRIPTION FURNISHED BY CLIENT.

JOHN SCOTT RHODES CERTIFICATE No. 5739 STATE OF FLORIDA Professional Surveyor & Mapper

CERTIFICATION:

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT CHAPTER 472.027, FLORIDA STATUTES.

BY: John Scott Rhodes PSM # 5739 State of Florida
Digitally signed by John Scott Rhodes PSM # 5739 State of Florida
Date: 2020.09.16 10:35:49 -04'00'
JOHN SCOTT RHODES PSM #5739

AS–BUILT SURVEY / POOL SHELL

CERTIFIED TO:
NOVA TITLE COMPANY
FIRST AMERICAN TITLE INSURANCE COMPANY
SALVATORE MACCHIARELLA AND PROVVIDENZA A. MACCHIARELLA WIFE
GL FINANCIAL SERVICES, LLC, ISAOA/ATIMA

RHODES & RHODES LAND SURVEYING, INC. LICENSE #LB 6897

bk:	pg:	date:
1268	23	SEPT. 14, 2020
		scale: 1" = 20'
		cogo #: 14-220X

28100 BONITA GRANDE DRIVE STE. 107
BONITA SPRINGS, FLORIDA 34135
(239) 405-8166 (239) 405-8163 FAX

design:
drawn: MMR/MAC
checked: MMR
acad #: 2016-103
view: POOL SHEL
project#: 2016-1039
sheet #: 1 of 1
file #: 2016-1039 POOL SHEL

Attachment: Attachment A - Survey and Sign Posting (14943 : PL20200001982 VA - 4121 Amelia Way -

KellyJohn

From: KellyJohn
Sent: Friday, February 05, 2021 3:05 PM
To: KellyJohn
Cc: AlexandraCasanovaVEN
Subject: VA-PL20200001982 - 4121 Amelia Way - Public Hearing Sign Posting
Attachments: IMG_0376.JPG; IMG_0377.JPG; IMG_0378.JPG; IMG_0379.JPG

To Whom It May Concern;

At approximately 1:10 P.M. this date I personally posted a Public Hearing sign to the front of the above location, immediately adjacent to the public right-of-way. The advertised HEX hearing date is February 25, 2021, for a Variance.

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

NOTE: Email Address Has Changed
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 A - Survey and Sign Posting (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)





Attachment: Attachment A - Survey and Sign Posting (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)





HEX NO. 2014 – 24

HEARING EXAMINER DECISION

PETITION NO. PDI-PL20140000248 – Parklands Associates I, LLLP requests an insubstantial change to Ordinance No. 12-30, the Parklands Residential Planned Unit Development, to reduce rear yard setbacks for single family accessory structures for pools on open space/waterfront lots from five feet to three feet and for screen enclosures from three feet to zero feet, and to add a new provision for landscape buffer easements and lake maintenance easements to be platted separately. The subject property consists of 642± acres located approximately two miles north of Immokalee Road (CR 846) and immediately adjacent to the Lee County line, east of the Quail Creek subdivision and north of the Terafina/Riverstone PUD in Section 9, Township 48 South, Range 26 East, Collier County, Florida.

DATE OF HEARING: August 14, 2014

STAFF RECOMMENDATION: Approval.

FINDINGS:

Based on the applicant's written petition, testimony at the hearing of the applicant and the recommendation of staff, the Hearing Examiner finds that the criteria set forth in Sections 10.02.13 E.1 and 10.02.13 E.2 of the Land Development Code has been met and the petition should be approved.

ANALYSIS:

No members of the public were present during this hearing; however, one letter of objection was received. The objector was concerned that this application would remove an easement, described as 600 feet north to south, along the border between the Parklands PUD and the Terafina PUD (also known as Riverstone). In reviewing file documents and testimony from the applicant, the border between the two PUDs requires a preservation area that meets the approximate size as portrayed by the objector. During review of this application it was clear that the previously dedicated preservation area is not impacted.

DECISION:

The Hearing Examiner hereby approves Petition Number PDI-PL20140000248, filed by Robert L. Duane, AICP, of Robert Duane and Associates, representing Kevin Ratterree of Parklands Associates I, LLLP, with respect to the property as described in the Parklands RPUD, Ordinance No. 12-30, for the following insubstantial changes:

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

- to reduce rear yard setbacks for single family accessory structures for pools on open space/waterfront lots from five feet to three feet; and
- to reduce rear yard setbacks for screen enclosures from three feet to zero feet; and
- to add a new provision for landscape buffer easements and lake maintenance easements to be platted separately.

Said changes are fully described in the Parklands RPUD amendment attached as Exhibit "A".

ATTACHMENTS: Exhibit A – RPUD Amendment

LEGAL DESCRIPTION: Described in Exhibit D of Ordinance No. 12-30, the Parklands RPUD

APPEALS:

This decision becomes effective on the date it is rendered. Pursuant to Ordinance 2013-25, as amended, a Hearing Examiner Decision may be appealed to the Board of County Commissioners, Collier County. Appeals must be filed within 30 days of the date the Hearing Examiner Decision is rendered.

RECORD OF PROCEEDINGS AND EXHIBITS: SEE CLERK OF COURT, MINUTES AND RECORDS DEPARTMENT. DECISIONS OF THE HEARING EXAMINER FOR VARIANCES, CONDITIONAL USES, AND BOAT DOCK EXTENSIONS SHALL BE NOTED ON THE ZONING MAP FOR INFORMATIONAL PURPOSES.

8-19-2014
Date

Mark Strain, Hearing Examiner

Approved as to form and legality:

Heidi Ashton-Cicko
Managing Assistant County Attorney

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

THE PARKLANDS RPUD-PDI

INSUBSTANTIAL CHANGES

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

EXHIBIT B
DEVELOPMENT STANDARDS
THE PARKLANDS RPUD

A. TABLE

PERMITTED USES AND STANDARDS	Single-Family Detached (R)	Single Family Zero Lot Line (R)	Two Family &Duplex (R)	Single-Family Attached And Townhouse (more than 2 units)(R) *11	Multi-Family Dwellings (Except Townhouse) (R)	Model Homes (R)	Guard Gate House (ROWs)	Preserve Area Structure (P)	Recreation Site (RS)
Minimum Lot Area	5,000 SF*1	4,000 SF*1	3,500 SF*1,2,10	3,500 SF*1,2,10	9,000 SF*1	*5	N/A	N/A	1 acre
Minimum Lot Width*3	50'	40'	35'*10	35'*10	90'	*5	N/A	N/A	100'
Minimum Lot Depth	100'	100'	100'	100'	100'	*5	N/A	N/A	100'
Front Yard Setbacks	20'*4	20'*4	20'*4	20'*4	N/A	*5	*6	N/A	25'
Front Yard Accessory Setbacks	20'	20'	20'	20'	N/A	*5	*6	N/A	10'
Side Yard Setbacks	6'	O' or 10	7.5'	7.5'	N/A	*5	*6	N/A	10'
Side Yard Accessory Setbacks	S.P.S.*9	S.P.S.*9	S.P.S.*9	S.P.S.*9	N/A	*5	*6		10'
Rear Yard Setbacks	15'	15'	15'	15'	N/A	*5	*6	N/A	10'
Rear Yard Accessory setbacks	5'	5'	5'	5'	N/A	*5	*6	N/A	10'
Rear Yard Setback. Pools and Spas adjacent to Open Space: *13	3'	3'	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Rear Yard Setback Screen enclosures Adjacent to Open Space: *13	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Maximum Building Height Zoned Actual	2 stories not to exceed 30' 40'	2 stories not to exceed 30' 40'	2 stories not to exceed 30' 40'	2 stories not to exceed 30' 40'	2 stories not to exceed 50' 60'	 *5 *5	2 stories not to exceed 30' 40'	2 stories not to exceed 25' 35'	 35' 50'
Distance Between Principal & Accessory Structures	10'	10'	10'	10'	20'*7	*5	N/A	N/A	10
Distance Between Principal Structures	10'	0' or 10'	15'	15'	30'	*5	N/A	N/A	10
Floor Area Minimum	1,000 SF	1,000 SF	1,000 SF	1,000 SF	750 SF	*5	N/A	N/A	N/A
Setbacks from Preserve Areas – Principal Structures*8	25'	25'	25'	25'	25'	*5	25'	N/A	25'
Setbacks from Preserve Areas – Accessory Structures*8	10'	10'	10'	10'	10'	*5	10'	N/A	10'
Setback from Track Boundary	N/A	N/A	N/A	N/A	25'*12	N/A	N/A	10'*8	25'
Setback from Internal Drives or Travel ways.	N/A	N/A	N/A	N/A	20'	N/A	N/A	~~N/A~~ 10'	~~N/A~~ 25'

(All distances are in feet unless otherwise noted. See next page footnotes)

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

B. FOOTNOTES

*1 SF refers to square feet. All other measurements are in linear feet.
*2 3,500 SF of lot area per dwelling unit.
*3 Minimum lot width may be reduced by 20% for cul-de-sac lots provided the minimum lot area requirement is maintained.
*4 Front yards shall be measured as follows:
A. If the parcel is served by a public right-of-way, setback is measured from the adjacent right-of-way line.
B. If the parcel is served by a private road, setback is measured from the back of curb or edge of pavement (if not curbed).
C. If the parcel has private road frontage on two sides, the setback is measured from the side with the shortest frontage with the other frontage designated as a side yard.
D. The garage must be setback a minimum of 23 feet for front-entry and 15 feet for side entry.
*5 Same as Residential Zoning District where model home is located.
*6 Minimum 5' from road edge of pavement or back of curb and minimum 15' from Logan Boulevard North ROW line.
*7 May be reduced to 10' between multi-family buildings or garages.
*8 Not applicable to boardwalks which may be constructed up to the preserve tract boundary.
*9 S.P.S. means same as principal structure
*10 Per unit
*11 Maximum of ten (10) units attached in one building.
*12 The perimeter buffer will not be located within the 25' setback or will be located outside of the track boundary.
*13 Open Space Lots shall apply to that portion of the rear lot line that abuts a separate landscape buffer tract, water management/lake tract, and /or open space tract.

C. LANDSCAPE AND MAINTENANCE EASEMENTS

Landscape buffers easements and lake maintenance easements shall be platted separately.

****

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

RECEIVED
AUG 3 2012
By

ORDINANCE NO. 12-30

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NO. 2004-41, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE, WHICH ESTABLISHED 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 A PLANNED UNIT DEVELOPMENT ZONING DISTRICT TO A RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) ZONING DISTRICT FOR THE PROJECT TO BE KNOWN AS THE PARKLANDS RPUD, TO CHANGE THE PUD BY REDUCING THE RESIDENTIAL DWELLING UNITS FROM 1603 DWELLING UNITS TO 850 RESIDENTIAL DWELLING UNITS, INCREASING THE PRESERVE TO 341 ACRES, DELETING GOLF COURSES AS A PERMITTED USE, REVISING DEVELOPMENT STANDARDS, REQUESTING DEVIATIONS FROM THE LAND DEVELOPMENT CODE, AND ELIMINATING A 7.23± ACRE PARK ON PROPERTY LOCATED EAST OF QUAIL WEST AND SOUTH OF THE LEE-COLLIER LINE IN SECTION 9, TOWNSHIP 48 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, CONSISTING OF 642.34+/- ACRES; PROVIDING FOR REPEAL OF ORDINANCE NO. 03-42; AND PROVIDING AN EFFECTIVE DATE.

FILED
2012 JUL 30 PM 4:10
CLERK OF CIRCUIT COURT

WHEREAS, the Board of County Commissioners approved Ordinance No. 2003-42, the Parklands PUD on September 9, 2003; and

WHEREAS, County staff approved a minor amendment to the PUD on October 25, 2005 to relocate an internal roadway; and

WHEREAS, Bruce Anderson, Esquire of Roetzel & Andress and Robert Duane, AICP of Hole Montes, representing Parklands Associates I, LLLP, petitioned the Board of County Commissioners to change the PUD by reducing the residential dwelling units from 1603 dwelling units to 850 residential dwelling units, increasing the preserve to 341± acres, deleting golf courses as a permitted use, revising development standards, requesting deviations from the Land Development Code, and eliminating a 7.23± acre park.

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

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 9, Township 48 South, Range 26 East, Collier County, Florida is changed from a Planned Unit Development zoning district to a Residential Planned Unit Development (RPUD) for a project to be known as the Parklands RPUD, to allow construction of a maximum of 850 residential dwelling units in accordance with the Parklands RPUD document, attached hereto as Exhibits "A" through "F", and incorporated by reference herein. The appropriate zoning atlas map or maps, as described in Ordinance No. 2004-41, as amended, the Collier County Land Development Code, is/are hereby amended accordingly.

SECTION TWO:

Ordinance No. 03-42 is hereby repealed in its entirety.

SECTION THREE:

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by super-majority vote of the Board of County Commissioners of Collier County, Florida, this 24th day of July, 2012.

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:

Heidi Ashton-Cicko 7/12/12
Heidi Ashton-Cicko
Managing Assistant County Attorney

This ordinance filed with the Secretary of State's Office the 30th day of July, 2012 and acknowledgement of that filing received this 3rd day of August, 2012.
By _____, Deputy Clerk

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

Attachments: Exhibit A – Permitted Uses
Exhibit B – Development Standards
Exhibit C – Master Plan
Exhibit C-1 – Boundary Marker and Project Entrance Signs
Exhibit C-2 – Typical Roadway Sections
Exhibit C-3 - Logan Boulevard North Sections
Exhibit D – Legal Description
Exhibit E – List of Deviations
Exhibit F – Developer Commitments

CP\11-CPS-01080\75

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

EXHIBIT A
PERMITTED USES

THE PARKLANDS RPUD

1. GENERAL USES PERMITTED THROUGHOUT THE RPUD EXCEPT IN THE PRESERVE AREA (P)

   A. Permitted Principal Uses:

      1. Agricultural uses including related accessory uses and structures. Agricultural uses in any particular tract shall be completely terminated prior to the issuance of any residential building permits for that area.

      2. Water management facilities and related structures including lakes with or without bulkheads or other architectural or structural bank treatments.

      3. Playgrounds, playfields, lakes, commonly owned open space, and pedestrian sidewalks/bikepaths.

      4. Model homes and sales centers.

      5. Guardhouses, gatehouses, and access control structures (located outside the Logan Boulevard North ROW).

      6. Any other principal use which is comparable in nature with the foregoing uses, and is approved through the process set forth in the LDC at the time of the request for such use.

   B. Permitted Accessory Uses

      1. Utility storage buildings, irrigation water and effluent storage tanks and ponds, all to serve the RPUD.

      2. Signs, as permitted by the LDC provisions in effect at the time building permits are requested with deviations as stated in Exhibit E of this Ordinance.

      3. Open space uses and structures including, but not limited to nature trails, riding trails, fitness trails and shelters, boardwalks, gazebos and picnic areas.

      4. Docks, piers and the like, for residential use constructed for purposes of lake recreation for residents of the project.

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

5. Any other accessory use which is comparable in nature with the foregoing uses, and is approved through the process set forth in the LDC at the time of the request for such use.

2. RESIDENTIAL (R)

A. Permitted Principal Uses

1. Single-family detached dwellings.

2. Single-family zero lot line dwellings.

3. Single-family attached and townhouse dwellings.

4. Two-family and duplex dwellings.

5. Multi-family dwellings.

6. Model homes conforming to housing types described in 2.A.1 through 2.A.5 above.

7. Any other principal use which is comparable in nature with the foregoing uses, and is approved through the process set forth in the LDC at the time of the request for such use.

B. Permitted Accessory Uses

1. Customary accessory uses and structure, including but not limited to private garages and swimming pools, spas, screen enclosures, gazebos, and recreational facilities designed to serve the development.

2. Signs as permitted by the LDC provisions in effect at the time building permits are requested including the standards of Exhibits B and E of this Ordinance.

3. Common area recreation and utility facilities.

4. Any other accessory use which is comparable in nature with the foregoing uses, and is approved through the process set forth in the LDC at the time of the request for such use.

C. Density

1. A maximum number of 850 dwelling units may be constructed as set forth in the Development Standards Table.

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

2. Single-family housing types may be mixed within the model home row area (only). This means that a single-family detached (zero-lot-line and non-zero-lot-line) and single-family attached, may be on adjoining lots provided that each housing type meets applicable development standards specified in Exhibit B. Single-family and multi-family housing types may not be mixed on the same platted tract. The setbacks between mixed housing types shall be the most restrictive, i.e., the housing type requiring the largest setback.

3. RECREATION SITE (RS)

A. Permitted Principal Uses

1. Community center/clubhouse with dining facilities, health spas, tennis club and other recreational facilities intended primarily to serve the RPUD residents and guests. The developer shall commence construction of the community center/clubhouse on the recreation site (RS) prior to issuance of the building permit for the 250th dwelling unit and shall complete construction within one year, unless delayed by natural disaster or other calamity beyond the control of the developer.

2. Commercial/retail establishments including tennis equipment sales, gift shops, restaurants, cocktail lounges and similar uses intended primarily to serve the RPUD residents and guests.

3. Maintenance and storage buildings.

4. Any other principal use which is comparable in nature with the foregoing uses, and is approved through the process set forth in the LDC at the time of the request for such use.

B. Permitted Accessory Uses

1. Parks, tennis courts, shuffleboard courts, volleyball courts, tot lots and other facilities for outdoor recreation.

2. Customary accessory uses and structures incidental to recreational areas and/or facilities, and structures constructed for the purposes of maintenance, storage, or shelter with appropriate screening and landscaping.

3. Any other accessory use which is comparable in nature with the foregoing uses, and is approved through the process set forth in the LDC at the time of the request for such use.

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

4. PRESERVE (P)

A. Any uses permitted in preserve areas by LDC 3.05.07.H.1.h in effect at the time of RPUD approval.

B. Any other use which is comparable in nature with the foregoing uses, and is approved through the process set forth in the LDC at the time of the request for such use.

5. SCHOOL SITE (S)

A. Permitted Principal Uses

1. No uses other than a public elementary school shall be allowed on the School Site unless the developer records a notice in the public records that this restriction has been waived in whole or in part. In the event of turnover, the master homeowner's association shall thereafter be responsible for recording such notice. If so waived, any of the principal and accessory general and residential uses permitted in the RPUD are also permitted on the School Site. This restriction may be recorded in the public records and shall be included in the deed to the School Board.

B. Permitted Accessory Uses

1. Access control structures, pedestrian sidewalks, communication facilities and similar uses accessory to a school site.

6. OPEN SPACE/BUFFERS (OS/B)

A. The perimeter buffer along the western property line shall be 35 feet in width and may be located within the area previously conveyed to Collier County as right of way (60 feet in width) and subsequently conveyed back by Collier County (per O.R. Book 3603, Page 858). The portion of the perimeter buffer located along the northern property line adjacent to the development area shall be 35 feet in width. The southern, northern and eastern perimeters that are contained in the preserve area shall be deemed to satisfy the LDC requirements for buffers along these perimeters.

B. A final determination shall be made of the type of buffers required at the time of SDP or plat approval based on the adjacent land uses.

7. PRESERVE BUFFERS (PB)

A. Preserve buffers are intended to buffer and protect the large preserve areas from impacts associated with The Parklands development and Logan Boulevard North.

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

B. In addition to uses permitted in LDC 3.05.07.H.1.h, developer may supplement existing native vegetation with landscape features, buffers, berms and native landscaping materials.

8. LAKES (L)

A. If requested by the developer, the minimum lake setback to right-of-way, road access easement, or external property line, including those adjacent to Logan Boulevard North, shall be reduced to a minimum of twenty (20) feet if the right-of-way or roadway access easement is protected in the vicinity of the lake by a guardrail and landscaping. Notwithstanding the foregoing, this provision does not operate as a waiver of the Collier County Code of Laws and Ordinances.

9. SIGNAGE

A. Boundary Markers: Two boundary markers or monuments may be located at the project development area, adjacent to Logan Boulevard North right-of-way (see Exhibit C-1). Refer to new Deviations Nos. 3, 5 and 8 in Exhibit E.

B. Project Entrance Signs: Two ground or wall-mounted Parcel Entrance Signs may be located at the main entrance of the RPUD on Logan Boulevard North (see Exhibit C-1). Refer to Deviations Nos. 3, 4, 5 and 8 in Exhibit E.

10. CROSS SECTIONS

A. See Exhibit C-2 typical roadway cross sections and Exhibit C-3, Logan Boulevard North cross sections. Refer to Deviations Nos. 10, 11, 12 and 13 in Exhibit E.

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

EXHIBIT B
DEVELOPMENT STANDARDS

THE PARKLANDS RPUD

PERMITTED USES AND STANDARDS	Single-Family Detached (R)	Zero Lot Line (R)	Two Family &Duplex (R)	Single-Family Attached/ Townhouse (more than 2 units) (R)*11	Multi-Family Dwellings (except Townhouse) (R)	Model Homes (R)	Guard Gate House (ROWs)	Preserve Area Structure (P)	Recreati Site (RS)
Minimum Lot Area	5,000 SF*1	4,000 SF*1	3,500SF*1,2, 10	3,500 SF*1,2, 10	9,000 SF*1	*5	N/A	N/A	1 acre
Minimum Lot Width*3	50'	40'	35'*10	35'*10	90'	*5	N/A	N/A	100'
Minimum Lot Depth	100'	100'	100'	100'	100'	*5	N/A	N/A	100'
Front Yard Setbacks	20'*4	20'*4	20'*4	20'*4	N/A	*5	*6	N/A	25'
Front Yard Accessory Setbacks	20'	20'	20'	20'	N/A	*5	*6	N/A	10'
Side Yard Setbacks	6'	0' or 10	7.5'	7.5'	N/A	*5	*6	N/A	10'
Side Yard Accessory Setbacks	S.P.S.*9	S.P.S. *9	S.P.S. *9	S.P.S. *9	N/A	*5	*6		10'
Rear Yard Setbacks	15'	15'	15'	15'	N/A	*5	*6	N/A	10'
Rear Yard Accessory setbacks	5'	5'	5'	5'	N/A	*5	*6	N/A	10'
Maximum Building Height Zoned Actual	2 stories not to exceed 30' 40'	2 stories not to exceed 30' 40'	2 stories not to exceed 30' 40'	2 stories not to exceed 30' 40'	2 stories not to exceed 50' 60'	 *5 *5	2 stories not to exceed 30' 40'	2 stories not to exceed 25' 35'	 35' 50'
Distance Between Principal & Accessory Structures	10'	10'	10'	10'	20'*7	*5	N/A	N/A	10'
Distance Between Principal Structures	10'	0' or 10'	15'	15'	30'	*5	N/A	N/A	10'
Floor Area Minimum	1,000 SF	1,000 SF	1,000 SF	1,000 SF	750 SF	*5	N/A	N/A	N/A
Setbacks from Preserve Areas – Principal Structures*8	25'	25'	25'	25'	25'	*5	25'	N/A	25'
Setbacks from Preserve Areas – Accessory Structures	10'	10'	10'	10'	10'	*5	10'	N/A	10'
Setback from Tract Boundary	N/A	N/A	N/A	N/A	25'*12	N/A	N/A	10'*8	25'
Setback from Internal Drives or Travelways	N/A	N/A	N/A	N/A	20'	N/A	N/A	N/A	N/A

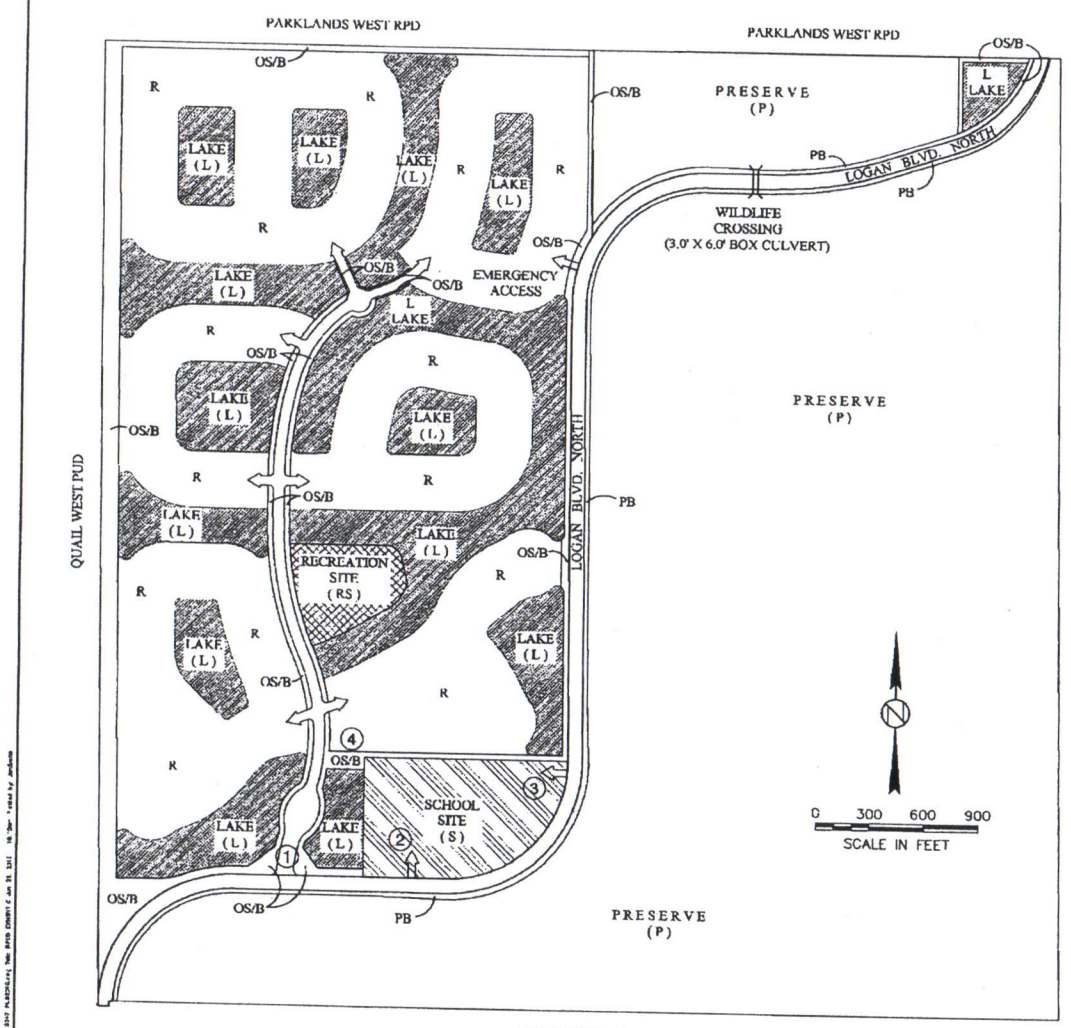
(See footnotes on Page 7 of 20)

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

*1 SF refers to square feet. All other measurements are in linear feet.
*2 3,500 SF of lot area per dwelling unit.
*3 Minimum lot width may be reduced by 20% for cul-de-sac lots provided the minimum lot area requirement is maintained.
*4 Front yards shall be measured as follows:
A. If the parcel is served by a public right-of-way, setback is measured from the adjacent right-of-way line.
B. If the parcel is served by a private road, setback is measured from the back of curb or edge of pavement (if not curbed).
C. If the parcel has private road frontage on two sides, the setback is measured from the side with the shortest frontage with the other frontage designated as a side yard.
D. The garage must be setback a minimum of 23 feet for front-entry and 15 feet for side entry.
*5 Same as Residential Zoning District where model home is located.
*6 Minimum 5' from road edge of pavement or back of curb and minimum 15' from Logan Boulevard North ROW line.
*7 May be reduced to 10' between multi-family buildings and garages.
*8 Not applicable to boardwalks which may be constructed up to the preserve tract boundary.
*9 S.P.S. means same as principal structure.
*10 Per unit.
*11 Maximum of ten (10) units attached in one building.
*12 The perimeter buffer will not be located within the 25' setback or will be located outside of the tract boundary.

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way -

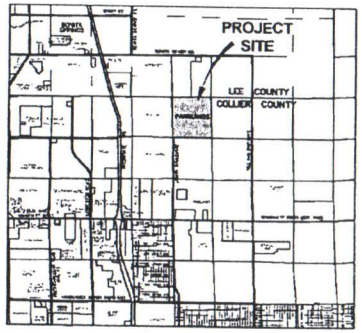


LAND USE SUMMARY

RESIDENTIAL	(R)	114.8± AC.	17.9%±
OPEN SPACE			
RECREATION SITE	(RS)	6.1± AC.	1.0%±
LAKES/LAKE MAINTENANCE EASEMENTS	(L)	86.8± AC.	13.5%±
PRESERVE	(P)	341.2± AC.	52.6%±
PRESERVE BUFFERS	(PB)	7.6± AC.	1.7%±
OTHER OPEN SPACE & BUFFERS	(OS/B)	24.8± AC.	3.8%±
SUBTOTAL OPEN SPACE		466.5± AC.	72.6%±
RIGHTS-OF-WAY			
COUNTY (LOGAN BOULEVARD)		16.7± AC.	2.6%±
INTERNAL		29.2± AC.	4.6%±
SCHOOL SITE	(S)	15.0± AC.	2.3%±
TOTAL SITE AREA		642.2± AC.	100.0%±

LAND USE LEGEND

R	RESIDENTIAL
RS	RECREATION SITE
OS/B	OPEN SPACE/ BUFFERS
PB	PRESERVE BUFFER
L	LAKE/ LAKE MAINTENANCE EASEMENT
P	PRESERVE
S	SCHOOL SITE



LOCATION MAP

NOTES

MAXIMUM NUMBER OF DWELLING UNITS IS 850 ON 642.2± ACRES FOR A MAXIMUM DENSITY OF 1.32 DWELLING UNITS PER ACRE.

OPEN SPACE PROVIDED IS 466.5± ACRES WHICH REPRESENTS APPROXIMATELY 72.6% OF PROJECT AREA WHICH EXCEEDS 60% REQUIRED BY L.D.C.

NATIVE VEGETATION PROVIDED IS 130.67± ACRES LOCATED WITHIN 341.2± ACRES OF PRESERVES WHICH EXCEEDS THE MINIMUM 32.7± ACRES OF PRESERVATION (25% OF 130.87 ACRES)

(1) THE PARKLANDS MAIN ACCESS WILL HAVE A POTENTIAL FUTURE TRAFFIC SIGNAL.

(2) THE SCHOOL SITE'S FIRST ACCESS WILL BE LOCATED A MINIMUM OF 660 FEET FROM THE PARKLANDS MAIN ACCESS.

(3) THE SCHOOL SITE'S SECOND ACCESS WILL BE LOCATED A MINIMUM OF 660 FEET FROM THE SCHOOL SITE'S FIRST ACCESS AND WILL HAVE A POTENTIAL FUTURE TRAFFIC SIGNAL.

(4) A PEDESTRIAN CONNECTION WILL BE PROVIDED BETWEEN THE PARKLANDS MAIN SPINE ROAD AND THE SCHOOL SITE AND MAY BE GATED BY THE DEVELOPER.

LETTER	REVISIONS	DATE
A	EDIT NOTE 3, PER COUNTY ATTORNEY	08/28/2012
B	REVISIONS PER COMMENTS FROM COUNTY, SFWMD AND SCHOOL DISTRICT	8/2012
C	ACREAGE AND ABOVE DEVIATIONS	11/2011
D	LAND USE AND DEVIATIONS	7/2011
E	MISC. REVISIONS PER COUNTY & OWNER	5/2011

PARKLANDS

DESIGNED BY R.D./GHH — DATE 08/2010
DRAWN BY JDN — DATE 08/2010
CHECKED BY R.D./GHH — DATE 09/2010
VERTICAL SCALE N/A — HORIZONTAL SCALE AS SHOWN

HOLE MONTES ENGINEERS/PLANNERS/SURVEYORS

950 Encore Way
Naples, FL 34110
Phone: (239) 254-2000
Florida Certificate of Authorization No.1772

CONCEPTUAL MASTER PLAN
EXHIBIT C

REFERENCE NO. 10047PUD — DRAWING NO. 4664-1
PROJECT NO. 2010.047 — SHEET NO. 1 OF 1

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way -

Sign Location Plan
Scale: N.T.S.

Project Entrance Sign
Scale: 1/4"=1'-0"

Boundary Marker
Scale: 1/4"=1'-0"

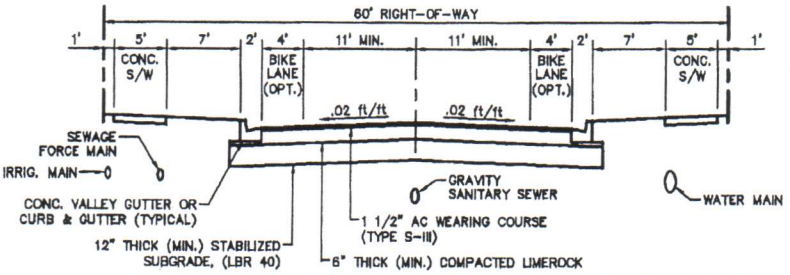
REVISED 07/2011 REVISIONS PER OWNER

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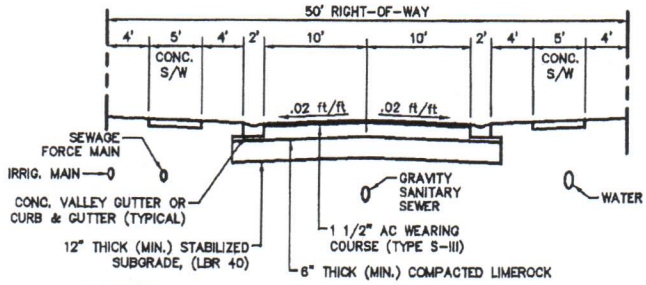
Project L.D.
Sign Program
09/15/10
AS NOTED

Parklands Collier
by G.L.Homes
Collier County, Florida
EXHIBIT "C-1"

GLHOMES
LANDSCAPE ARCHITECTURE
1100 SAWGRASS CORPORATE PKWY SUITE 400
SUNRISE, FLORIDA 33323

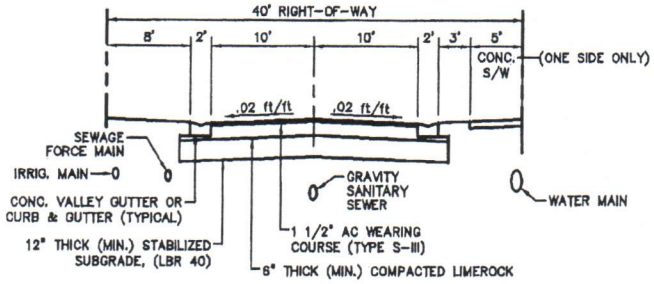


INTERIOR ROAD SECTION (60' R.O.W.)

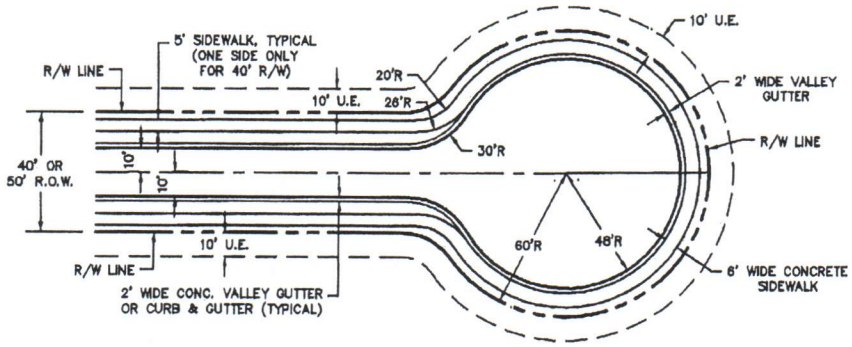


NOTE :
MINOR DETAILS OF ROAD SECTIONS AND UTILITY PLACEMENT SUBJECT TO CHANGES IN FINAL DESIGN

INTERIOR ROAD SECTION (50' R.O.W.)



INTERIOR ROAD SECTION (40' R.O.W.)



CUL-DE-SAC DIMENSIONING

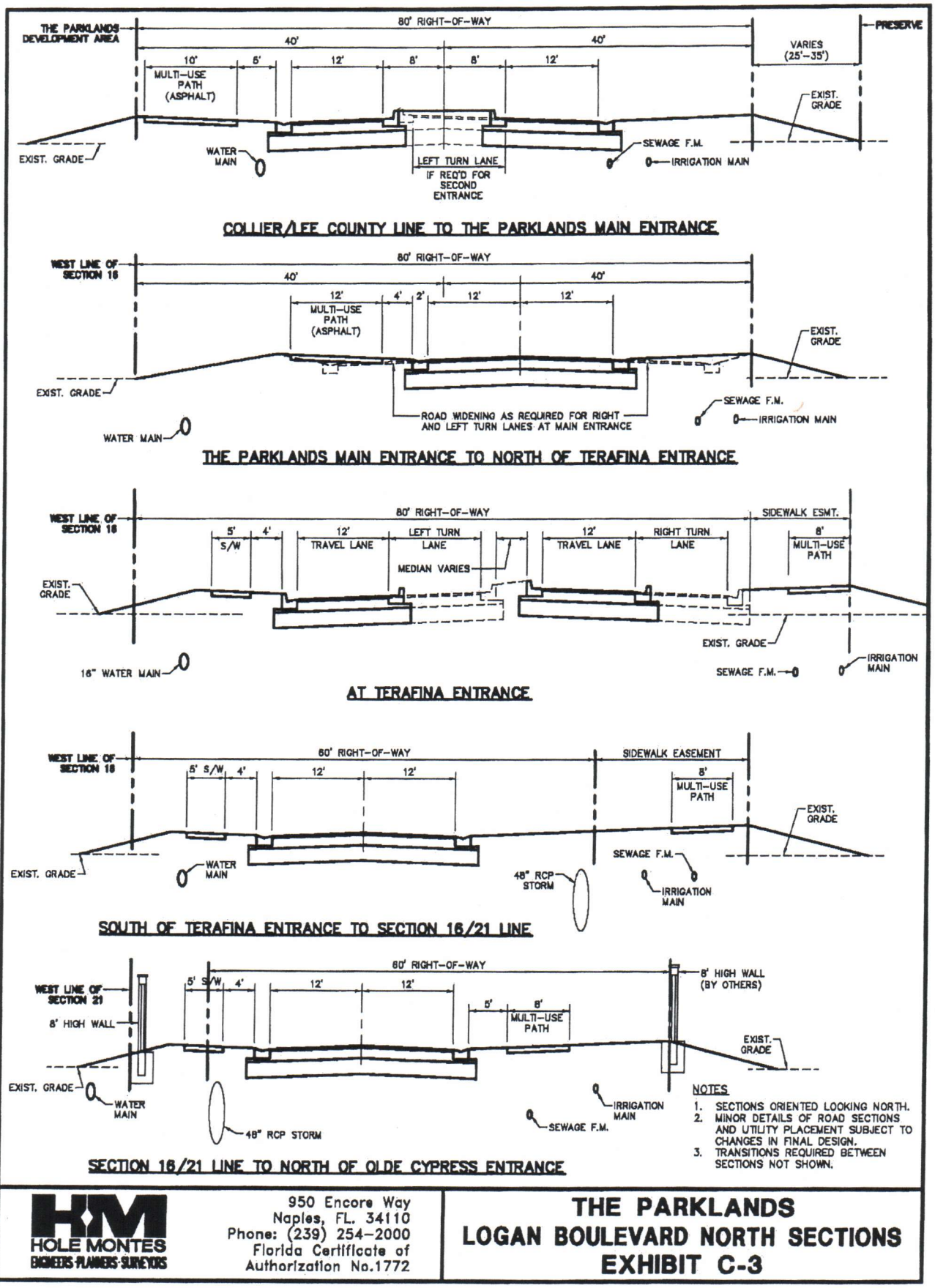
REVISED 11/2011 LOGAN BLVD. SECTION REMOVED & DEPICTED ON NEW EXH. C-3
REVISED 07/2011 CUL-DE-SAC DIMENSIONS AND MISC.

HOLE MONTES
ENGINEERS · PLANNERS · SURVEYORS
950 Encore Way
Naples, FL. 34110
Phone: (239) 254-2000
Florida Certificate of Authorization No.1772

THE PARKLANDS
Typical Internal Roadway Sections & Details
EXHIBIT C-2

H:\2010\2010047\DW\EXHIBITS\PUD 2010\C-2_INTERNAL RD_XSEC.dwg Tab: INTERNAL ROWs Nov 29, 2011 - 10:51am Plotted by: JonSmith

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)



HOLE MONTES
ENGINEERS · PLANNERS · SURVEYORS
950 Encore Way
Naples, FL. 34110
Phone: (239) 254-2000
Florida Certificate of Authorization No.1772

THE PARKLANDS
LOGAN BOULEVARD NORTH SECTIONS
EXHIBIT C-3

H:\2010\2010047\DW\EXHIBITS\PUD 2010\C-3_LOGAN BLVD_XSEC.dwg Tab: LOGAN BLVD ROWs Jun 11, 2012 - 11:33am Plotted by: DawnSuzor

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

EXHIBIT D
LEGAL DESCRIPTION

THE PARKLANDS RPUD

All of Section 9, Township 48 South, Range 26 East, Collier County, Florida, less and except the South 30 feet conveyed to Collier County in Official Records Book 484, Page 533, Official Records Book 548, Page 881, and Official Records Book 548, Page 883, all in the public records of Collier County, Florida.

Together with the West 60 feet of the South 30 feet of Section 9, Township 48, Range 26 East, Collier County, Florida.

Containing 642.239 acres, more or less.

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

EXHIBIT E
LIST OF REQUESTED DEVIATIONS FROM LDC

THE PARKLANDS RPUD

1. **Deviation No. 1** seeks relief from LDC Section 5.04.04.B.3.e, Model Homes and Model Sales Centers, which provides that a temporary use permit for a model home (occupied or unoccupied) shall be issued initially for a period of three (3) years.

   The requested deviation is to allow the model homes to remain in effect up to ten (10) years without requiring a conditional use.

2. **Deviation No. 2** seeks relief from LDC Section 5.04.04.B.5.c, Model Homes and Model Sales Centers, which provides that a maximum of five (5) models, or a number of corresponding to ten (10) percent of the total number of platted lots, whichever is less, per platted, approved development shall be permitted prior to final plat approval as specified above.

   The requested deviation provides up to 16 model homes and a sales center to be permitted in the RPUD. Each time the developer applies for a model building permit, he shall be required to inform the County how many model homes are in operation.

3. **Deviation No. 3** seeks relief from LDC Section 5.06.02.B.6., Development Standards for Signs within Residential Districts, which allows on-premises signs within residential districts. Two ground signs with a maximum height of 8 feet or wall, residential entrance or gate signs with a maximum height of 8 feet may be located at each entrance to multi-family or single-family development and mobile home or recreational vehicle park.

   The requested deviation is to allow two (2) entrance signs and two (2) boundary marker signs depicted in Exhibit C-1. These signs will be a maximum 10 feet in height. The boundary markers will be located adjacent to the project development along Logan Boulevard North. (See Deviation No. 5 for height. See Deviation No. 4 for copy area).

4. **Deviation No. 4** seeks relief from LDC Section 5.06.02.B.6.b, Development Standards for Signs within Residential District, which allows the ground or wall sign not to exceed a combined area of 64 square feet and shall not exceed the height and length of the wall or gate upon which it is located.

   The requested deviation is to allow the two project entrance signs with a maximum area of 64 square feet per side and a total area of 128 square feet (both sides) and two boundary marker signs with a maximum area of 32 square feet per side and a total area of 64 square feet (both sides).

5. **Deviation No. 5** seeks relief from LDC Section 5.06.02.B.6 which provides that on-premise signs within residential districts are allowed a maximum height of 8 feet.

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

The requested deviation is to allow a maximum height of 10 feet for the two entrance signs and two boundary marker signs. Sign height will be measured per the LDC.

6. **Deviation No. 6** seeks relief from LDC Section 5.06.02.B.5.b, Development Standards for Signs within Residential District, which allows directional signs to be combined into one sign with a maximum height of 8 feet and a maximum area of 24 square feet.

   The requested deviation is to allow for no limitation on the number of combined signs provided they are separated by a minimum distance of 100 feet or a road right-of-way.

7. **Deviation No. 7** seeks relief from LDC Section 5.06.02.B.5.a, Development Standards for Signs within Residential District, which allows on premise directional signs be set back a minimum of 10 feet from the edge of the roadway, paved surface or back of the curb, as applicable.

   The requested deviation is to allow the directional sign to be located five feet from a roadway or platted easement, excluding public roadways, if it does not result in public safety concerns or obscure visibility of the motoring traffic.

8. **Deviation No. 8** seeks relief from LDC Section 5.06.02.B.1.a, Development Standards for Signs within Residential District, which allows a maximum height of 8 feet within residential zoning districts, and as applicable to designated residential portions of RPUD zoned properties, or as otherwise provided within this Code.

   The requested deviation is to allow the height of the entry and boundary marker signs to be 10 feet.

9. **Deviation No. 9** seeks relief from LDC Section 5.04.06.A.3.d, Temporary Signs, which requires that temporary signs shall not exceed 32 square feet in area in sign area.

   The requested deviation is to allow temporary signs and banners to be 48 square feet in area.

10. **Deviation No. 10** seeks relief from LDC Section 6.06.01.O and Appendix B which require cul de sacs and local streets to have a minimum 60-foot-wide right-of-way.

    The requested deviation is to allow both 40-foot-wide and 50-foot-wide right-of-way widths for internal streets (See also Exhibit C-2). This does not apply to the internal main spine road which connects directly to Logan Boulevard North.

11. **Deviation No. 11** seeks relief from LDC Section 6.06.02.A.1, Sidewalks, Bike Lane and Pathway Requirements, which requires sidewalks on both sides of a local street that is adjacent to the site.

    The requested deviation is to allow a sidewalk five feet in width on just one side of the street for local roadways 40 feet in width (see also Exhibit C-2). This does not include the main spine road which connects directly to Logan Boulevard North.

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

12. **Deviation No. 12** seeks relief from LDC Section 6.06.01.O and Appendix B, (Street System Requirements), which requires 4 travel lanes and median separator with a right-of-way width as required for a major collector or arterial roadway.

    The requested deviation is to allow construction of Logan Boulevard North with 2 travel lanes within a 60-foot-wide or 80-foot-wide right-of-way as depicted on Exhibit C-3.

13. **Deviation No. 13** seeks relief from LDC Section 6.06.02.A.1, and Appendix B (Sidewalks, Bike Lane and Pathway Requirements) which requires 6-foot-wide sidewalks on both sides of an arterial or major collector roadway.

    The requested deviation is to require only one 10-foot-wide or 12-foot-wide multi-use path on one side of Logan Boulevard North or a combination of an 8-foot-wide multi-use path and 5-foot-wide sidewalk as depicted on Exhibit C-3.

14. **Deviation No. 14** seeks relief from LDC Section 4.03.08.A.4, Facilities and Service Improvement Requirements, which requires no more than 4,000 average daily trips per project access point.

    The requested deviation is to permit one project access point on Logan Boulevard North for the first 650 dwelling unit building permits based on a maximum trip generation rate of 566 peak hour two-way trips. If more than 650 dwelling unit building permits are issued, a second project access point in lieu of an emergency access shall be required on Logan Boulevard North.

15. **Deviation No. 15** relates to Collier County Code of Ordinances Section 22-110(a)(3)b, excavation review provisions of the applicable laws and County ordinances, that require approval by the Board during the rezone and/or preliminary subdivisions plat process to remove and have off-site excavated material in an amount in excess of ten percent (and in excess of 20,000 cubic yards) of the total volume excavated. This deviation serves to satisfy the requirement that intentions to remove the material must be clearly stated during the development review and approval process.

    The requested deviation is to allow the off-site removal of fill in excess of ten percent and in excess of 20,000 cubic yards of excavated material for the construction of Logan Boulevard North. Use of the excavated material on-site and for the construction of Logan Boulevard North shall not require a traffic study.

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

EXHIBIT F
DEVELOPER COMMITMENTS

THE PARKLANDS RPUD

1. GENERAL

A. The Parklands DRI was approved prior to the adoption of the Collier County Growth Management Plan and continues to be vested for consistency and concurrency in accordance with Section 163.3167(5), Florida Statutes, and is exempt from any transportation related or other moratoria. Nothing herein shall be construed as limiting or modifying the vested rights of the Parklands development.

B. The buildout of the project shall be governed by the dates set forth in the DRI Development Order or any amendments thereto.

C. The developer shall obtain and utilize all available on site fill needed for the construction of Logan Boulevard North. The County shall administratively review and permit the lake excavations depicted on the RPUD master plan, and give consideration to deeper lakes (in accordance with SFWMD requirements) so as to maximize the amount of on-site fill that can be generated for the Logan Boulevard North so as to minimize hauling of imported fill for the project needs and Logan Boulevard North construction.

D. The developer shall commence construction of the community center/clubhouse on the recreation site (RS) prior to issuance of the building permit for the 250th dwelling unit and shall complete construction within one year, unless delayed by natural disaster or other calamity beyond the control of the developer.

2. TRANSPORTATION

A. Except as may be provided by written agreement with the County, the developer shall construct a two (2) lane road, known as Logan Boulevard North Phase 1, extending from the present terminus of Logan Boulevard North at the Olde Cypress development north to the first entrance to the Parklands. Phase 1 of Logan Boulevard North will be completed prior to the issuance of the first certificate of occupancy. The developer shall not be entitled to impact fee credits for the construction of Logan Boulevard North Phase 1. Phase 2 of Logan Boulevard North extends from the first entrance to the Parklands north to Bonita Beach Road. The timing and terms for construction of Logan Boulevard North Phase 2 shall be as established in the Developers Contribution Agreement.

B. The developer(s), its successor(s) in title, or assignee(s), shall be responsible for the cost of a traffic signal at the main development entrance on Logan Boulevard North located within the Parklands RPUD when determined warranted and approved by Collier County Transportation Staff. Contingent upon the completed

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

installation, inspection, burn-in period, and final approval the traffic signal (as defined by the applicable Developer Contribution Agreement), said traffic signal shall be conveyed to Collier County for ownership and maintenance. If a traffic signal is not warranted, as determined by Collier County Transportation's staff, the developer's obligation for the traffic signal shall end 12 months after the date of the last residential C.O.

C. The project main entrance from Logan Boulevard North shall have two lanes in and two lanes out.

D. The developer shall provide a second project entrance on Logan Boulevard North prior to the issuance of the first building permit for the 651st dwelling unit. This entrance shall not be signalized. Its location may differ from that shown on Exhibit C, the Master Plan, but it must comply with Access Management Policy in effect at the time. If only one entrance is provided on Logan Boulevard North (because less than 651 dwelling units are constructed), an entrance for emergency vehicles shall be provided as generally depicted on the RPUD Master Plan. The emergency entrance shall be constructed concurrently with the adjacent tract and internal roadway.

E. No new or additional access points to Logan Boulevard North (in excess of that depicted on the RPUD Master Plan) shall be permitted.

3. UTILITIES

A. The developer, its assigns or successors shall negotiate with the County for the use of treated sewage effluent within the project limits for irrigation purposes, subject to availability. The developer shall be responsible for providing all on-site piping and pumping facilities from the County's point of delivery to the project and negotiate with the County to provide full or partial on-site storage facilities, as required by the DEP, consistent with the volume of treated wastewater to be utilized and subject to availability of treated effluent.

B. Connection to the County's off-site water and/or sewer facilities along CR 846 (Immokalee Road) will be made by the developer, its assigns or successors at no cost to the County after legal access is available. The cost of connection shall include, but shall not be limited to, all engineering design, and preparation of construction documents, permitting, modification or refitting of sewage pumping facilities, interconnection with County off-site facilities, and water and/or sewer lines necessary to make the connection(s). The developer may share these expenses with other users, if applicable, or if the developer funds more than its proportionate share of these costs, then the County shall collect and reimburse the developer when other users connect (on a proportionate basis) to the system.

C. Detailed hydraulic design reports for the water distribution and wastewater collection and transmission systems to serve the project shall be submitted to the Public Utilities Division prior to or concurrent with submission of construction

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

documents during subdivision or site development plan review for the project. Design of the utilities improvements shall include the following:

1. The developer shall grant a 15-foot-wide utility easement (at no cost to the County) in one of the western residential tracts from the internal roadway to the western project boundary abutting Quail West for a future interconnection of the water distribution mains. The developer shall choose the location of the easement. The County shall be responsible for the costs of the interconnection and for obtaining a utility easement in Quail West.

2. The wastewater improvements will include extending the wastewater force main serving Olde Cypress and Terafina along Logan Boulevard North as required to serve The Parklands. The developer will also provide a design acceptable to Public Utilities PPMD which is hydraulically compatible with the Olde Cypress and Terafina pumping stations. The Parklands collection system will be designed with one (sub)master pumping station connected to the extended force main and will consist of duplex variable frequency drive (VFD) submersible pumps meeting the requirements of Public Utilities PPMD. Should development patterns in the area or design standards change significantly prior to development of the Parklands, other design alternatives may be considered.

4. ENVIRONMENTAL

A. Buffers shall be provided around wetlands, extending at least fifteen (15) feet landward from the edge of wetland preserves in all places and averaging twenty-five (25) feet from the landward edge of wetlands except where natural buffers are not possible or not feasible. In this event, only structural buffers shall be required and shall be constructed in accordance with the State of Florida Environmental Resources Permit (ERP) Rules and shall be subject to review and approval by County Manager or his designee. (No structural buffers are to be permitted in preserve area).

B. The project provides for 341.2 acres of preserve area as depicted on the RPUD Master Plan. Based on the environmental assessment, 131.6 acres of native vegetation exists on the site, therefore, only 32.9 acres was required to be preserved.

C. One management plan for the entire project shall be submitted in accordance with the requirements and procedures of the LDC for listed species including but not limited to Black Bear, Gopher Tortoise and listed birds. The management plan shall be submitted prior to development of the first phase of the project.

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5. SCHOOL

A. The developer, or its successors or assigns, agrees to donate to the Collier County School District, subject to school impact fee credits, a fifteen (15) acre school site in the location depicted on the RPUD Master Plan. The developer or his successors or assigns:

1. Will convey the fee simple title for the school site to the School District prior to the commencement of construction, or within 90 days of request by the School District.

2. The site shall only be used for a public elementary school with access control structures, pedestrian sidewalks, communication facilities and similar uses accessory to a school site. (See Section 5.A.1). No uses other than a public elementary school shall be allowed on the school site unless the developer records a notice in the public records that this restriction has been waived in whole or in part. In the event of turnover, the master homeowner's association shall thereafter be responsible for recording such notice. (See also Exhibit A, Section 5.A.1). If so waived, any of the principal and accessory residential uses permitted in the RPUD are also permitted on the school site. This restriction may be recorded in the public records and shall be included in the deed to the School District.

3. The Parklands water management system will accept the stormwater runoff from the school site and provide the necessary storage and attenuation. The school site will provide water quality or pretreatment as required.

4. The School District will be responsible for the construction of all access improvements into the school site.

6. PUD MONITORING

A. One entity (hereinafter the Managing Entity) shall be responsible for PUD monitoring until close-out of the PUD, and this entity shall also be responsible for satisfying all PUD commitments until close-out of the PUD. At the time of this PUD approval, the Managing Entity is Parklands Associates I, LLLP. Should the Managing Entity desire to transfer the monitoring and commitments to a successor entity, then it must provide a copy of a legally binding document that needs to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of its obligations upon written approval of the transfer by County staff, and the successor entity shall become the Managing Entity. As Owner and Developer sell off tracts, with the exception of individual residential lots, the Managing Entity shall provide written notice to County that includes an acknowledgement of the commitments required by the PUD by the new owner and the new owner's agreement to comply with the Commitments through the Managing Entity, but the Managing Entity shall not be

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relieved of its responsibility under this Section. When the PUD is closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD commitments.

7. DEVELOPMENT OF REGIONAL IMPACT (DRI)

A. 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 as amended.

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

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 2012-30

which was adopted by the Board of County Commissioners on the 24th day of July, 2012, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 26th day of July, 2012.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Martha Vergara
Deputy Clerk

Attachment: Attachment B - HEX 2014-24 and Ord 12-30 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS

PERMIT

PERMIT #: PRBD2020062578901
ISSUED: BY:
MASTER #: COA:

PERMIT TYPE: PL
APPLIED DATE: 06-26-20 APPROVAL DATE: 07-07-20

JOB ADDRESS: 4121 Amelia WAY, Naples
JOB DESCRIPTION: CONSTRUCTION OF POOL/SPA WITH DECK
4121 Amelia WAY, Naples
JOB PHONE:

SUBDIVISION #: BLOCK:
LOT:
FLOOD MAP: ZONE: ELEVATION:
FOLIO #: 66035003346 SECTION-TOWNSHIP-RANGE: 9-48-26

OWNER INFORMATION:
WAXMAN, EITAN PATRICIA MAY WAXMAN #
176
1925 CRESTVIEW WAY
176
NAPLES, FL 34119

CONTRACTOR INFORMATION:
JACKSON POOLS, INC.
13401 RICKENBACKER PKWY

FORT MYERS, FL 33912

CERTIFICATE #: C14588 PHONE:

FCC CODE:
CONSTRUCTION CODE: 0220
JOB VALUE: $60,500.00 TOTAL RES SQFT: 0 TOTAL COMM SQFT: 0

SETBACKS FRONT: REAR: 3' Pool / 0' Screen LEFT: 10' RIGHT: 0'
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 additional 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, FEDERAL AND STATE LAWS REQUIRE THE PERMITTEE (EITHER THE OWNER OR CONTRACTOR) TO SUBMIT A NOTICE OF 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 INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Attachment: Attachment C - Permit PRBD20200625789 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

RECEIVED
JUN 22 2020

Collier County
Growth Management Department

BUILDING PERMIT APPLICATION

2800 North Horseshoe Drive, Naples, FL 34104 (239) 252-2400
PermittingDept@CollierCountyFL.gov

Directions: Applicants must complete all fields. Please follow the *Building Permit Application Instructions* to complete this Application.

Section A. Permit Number A.1. Permit # *(Staff to Provide)*: PRBD20200625789

Section B. Permit Information B.1. Primary Permit # *(if any)*: B.2. Master Permit #:

B.3. Building Type: ☒ 1&2 Family Dwelling/Townhouse ☐ 3+ Units/Multi-Family ☐ Commercial ☐ Mobile/Manufactured Home ☐ Guest House

Section C. Property Information

C.1. Parcel/Folio #: 66035003346 C.6. Subdivision Lot #:

C.2. Job Street Address: 4121 Amelia Way, Naples C.7. Project Name: WAXMAN

C.3. Owner Name: EITAN WAXMAN C.8. SDP/PL#:

C.4. Owner Phone: C.9. Jurisdiction: ☒ Collier County ☐ City of Everglades

C.5. Email: Amanda@JacksonPools.com

Section D. Contractor Information D.1. Permittee Type: ☒ Contractor ☐ Design Professional ☐ Owner-Builder

D.2. Contact Name: Amanda D'Armenia D.3. License: CPC022504

D.4. Company Name: Jackson Pools Inc.

D.5. Company Address: 13401 Rickenbacker Pkwy D.9. Company Phone: 239.495.6700

D.6. Qualifier Name: Chad Jackson D.10. Fax #:

D.7. Email: Amanda@JacksonPools.com

For Contractors: *The above email address is my preferred method of contact for all correspondence regarding this permit.* ☒ Yes

Section E. Permit Information **Building Permit Type includes: New Construction, Addition, Alteration, Chickee/Tiki Hut, Dumpster Enclosure, Pergola, Tenant Build-out, etc.* E.1. Declared Value: $ 60,500.00

E.2. Permit Type: ☐ Alum Structure ☐ Awnings ☐ Building* ☐ Carport/Shed ☐ Cell Tower ☐ Demolition ☐ Detached Garage ☐ Electrical ☐ Fence ☐ Fire ☐ Gas ☐ Marine ☐ Mechanical ☐ Plumbing ☒ Pool ☐ Roof ☐ Shutters/Doors/Windows ☐ Sales/Const. Trailer ☐ Screen Enclosure ☐ Solar ☐ Sign/Flagpole ☐ Water Feature

E.3. Description of Work: *The Description of work must convey an account of work identified on the construction plans.*

Construction of pool, spa w/ Deck.

E.4. Occupancy Type: RESIDENTIAL SF *See Instructions*

E.5. Construction Type: ☐ IA ☐ IB ☐ IIA ☐ IIB ☐ IIIA ☐ IIIB ☐ IV ☐ VA ☒ VB *See Instructions*

E.6. Is Structure in a Flood Zone: ☒ No ☐ Unknown ☐ Yes, additional form required. *See Instructions*

E.7. Is Structure Fire Sprinkled: ☒ No ☐ Yes

E.8. Type of Water Supply: ☒ Collier County ☐ Well ☐ City of Naples ☐ Ave Maria ☐ City of Everglades ☐ Immokalee ☐ Other

E.9. Type of Sewage Disposal: ☒ Sewer ☐ Septic

E.10. Vegetation Removal: ☐ Yes ☒ No A Vegetation Removal Affidavit is required for any new structure or addition on all parcels larger than 1 acre.

E.11. Private Provider: ☒ No ☐ Yes ☐ Plan Review & Inspections ☐ Inspections Only

E.12. Threshold Building: ☒ No ☐ Yes

E.13. Repairs from Disaster Event: ☒ No ☐ Yes *Name of Disaster Event:*

E.14. Change of Occupancy: ☒ No ☐ Yes

E.15. Is this a Permit by Affidavit: ☒ No ☐ Yes

E.16. Subcontractors: *Check All that Apply:* ☒ Electrical ☐ Plumbing ☐ Mechanical ☐ Roofing ☐ Septic ☐ Electric from house

Section F. Area of Construction Activity (Work Area Only)

Total Number of Stories: Floor (Story) work is being performed on: # Bedrooms: # Bathrooms:

Living /Int. Sq. Ft.: Addt'l. Sq. Ft.: Non-Living/Ext. Sq. Ft.: Total Sq. Ft.: 332

PLEASE DO NOT WRITE BELOW, FOR STAFF USE ONLY

PMR Date: 7/6 Days Review: 5 Sets of Plans: 3

Attachment: Attachment C - Permit PRBD20200625789 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

Collier County
Growth Management Department

BUILDING PERMIT APPLICATION

2800 North Horseshoe Drive, Naples, FL 34104 (239) 252-2400
PermittingDept@colliercountyfl.gov

Secton I. A Required Page for ALL Building Permit Applicatons

ACKNOWLEDGEMENT OF COLLIER COUNTY REGULATIONS BY OWNER OR AGENT OF OWNER

NOTICE OF ADDITIONAL RESTRICTIONS: In addition to the requirements 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 enties such as the Water Management District, State agencies, or Federal agencies.

WARNING OF POSSIBLE DEED RESTRICTIONS: The land subject to this permit may be subject to deed, and other restrictions that may limit or impair the landowner's rights. Collier County is not responsible for the enforcement of these restrictions, nor are Collier County employees authorized to provide legal or business advice to the public relative to these restrictions. The landowner or any applicant acting on behalf of the landowner is cautioned to seek professional advice.

WARNING OF WORK IN THE COUNTY RIGHT-OF-WAYS: This permit does not authorize construction or installation of any structure or utility, above or below ground, within any right of way or easement reserved for access, drainage or utility purposes. This restriction specifically prohibits fencing, sprinkler systems, landscaping other than sod, signs, water, sewer, cable and drainage work therein. If such improvements are necessary, a separate permit for that purpose must be obtained from the Growth Management Department.

NOTICE OF CLEARING RESTRICTIONS: The issuance of a building permit for a single-family dwelling allows up to one (1) acre of native vegetation to be cleared. Clearing more than one (1) acre may be allowed for accessory structures and requires a separate Vegetation Removal Permit. Properties located in the following zoning district overlays may not be allowed to clear one (1) acre: Rural Fringe Mixed Use District (RFMU), Big Cypress Area of Concern (ACSC), and Special Treatment Overlay (ST). There may be additional restrictions related to clearing native vegetation and impacts to wetlands or protected species found on the property. State and Federal agency permits may be required. Contact the Growth Management Department's Environmental Services at (239) 252-2400 for additional information. Issuance of a Demolition Permit for a structure does not authorize removal of vegetation beyond the footprint of the structure. A Demo Permit is not a clearing permit.

WORK IN THE SPECIAL FLOOD HAZARD AREA: Be advised that Substantial Damage/Substantial Improvement requirements will apply to structures located in the Special Flood Hazard Area with Finished Floor Elevations below the Base Flood Elevation.

CERTIFICATION: Application is hereby made to obtain a permit to do the work and installations as indicated. I, **THE OWNER OR AGENT OF OWNER**, certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. The permit or application fee may have additional fees imposed for failing to obtain permits prior to commencement of construction. The approved permit and/or permit application expires if work is not commenced within 180 days from the date of issuance. I, **THE OWNER OR AGENT OF OWNER** understand that only licensed contractors may be employed and that the structure cannot be used or occupied until a certificate of occupancy is issued. By signing this permit applications, I, **THE OWNER OR AGENT OF OWNER**, agree that I have retained the contractor identified on this application to provide contracting services for the trade for which he or she is listed. I understand it is the responsibility of the property owner to notify the Building Plan Review and Inspection Division should the contractor responsible for providing said contracting services no longer be willing to provide his or her services. I, **THE OWNER OR AGENT OF OWNER**, understand the review and issuing of this permit does not exempt me from complying with all County Codes and Ordinances. Furthermore, I, **THE OWNER OR AGENT OF OWNER** understand the owner is responsible for all construction work on the property.

Job Street Address: 4121 Amelia Way, Naples

Signature of Owner of Agent of Owner (An original signature is required)

CHAD JACKSON
Print Name of Owner or Agent of Owner

State of FL County of LEE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 19 day of JUNE, 2020, by (printed name of owner or agent of owner) Chad JACKSON

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: _____

AMANDA NICOLE D'ARMENIA
Notary Public - State of Florida
Commission # GG 128346
My Comm. Expires Jul 26, 2021
Bonded through National Notary Assn.

NOTICE OF COMMENCEMENT INFORMATION

Per Florida Statutes 713.135, a Notice of Commencement (NOC) is required for construction of improvements totaling more than $2,500. with certain exceptions. For A/C Repairs or Replacements a notice of commencement is required for improvements more than or equal to $7,500. The applicant shall file with the issuing authority prior to the first inspection either a certified copy of the recorded NOC or a notarized statement that the NOC has been filed for recording, along with a copy thereof. In order to comply with the state requirement, permits will be placed in inspection hold until proof of the NOC is filed with the building permitting and inspection department. The issuing authority shall not perform or approve subsequent inspections until the applicant files by mail, facsimile, hand delivery, email or any other means such as a certified copy with the issuing authority.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION IF YOU INTEND TO OBTAIN FINANCING.

Attachment: Attachment C - Permit PRBD20200625789 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

Collier County
Growth Management Department

BUILDING PERMIT APPLICATION

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PermittingDept@colliercountyfl.gov

Secton I. A Required Page for **ALL** Building Permit Applicatons

ACKNOWLEDGEMENT OF COLLIER COUNTY REGULATIONS BY **THE QUALIFIER**

NOTICE OF ADDITIONAL RESTRICTIONS: In addition to the requirements 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 enties such as the Water Management District, State agencies, or Federal agencies.

WARNING OF POSSIBLE DEED RESTRICTIONS: The land subject to this permit may be subject to deed, and other restrictions that may limit or impair the landowner's rights. Collier County is not responsible for the enforcement of these restrictions, nor are Collier County employees authorized to provide legal or business advice to the public relative to these restrictions. The landowner or any applicant acting on behalf of the landowner is cautioned to seek professional advice.

WARNING OF WORK IN THE COUNTY RIGHT-OF-WAYS: This permit does not authorize construction or installation of any structure or utility, above or below ground, within any right of way or easement reserved for access, drainage or utility purposes. This restriction specifically prohibits fencing, sprinkler systems, landscaping other than sod, signs, water, sewer, cable and drainage work therein. If such improvements are necessary, a separate permit for that purpose must be obtained from the Growth Management Department.

NOTICE OF CLEARING RESTRICTIONS: The issuance of a building permit for a single-family dwelling allows up to one (1) acre of native vegetation to be cleared. Clearing more than one (1) acre may be allowed for accessory structures and requires a separate Vegetation Removal Permit. Properties located in the following zoning district overlays may not be allowed to clear one (1) acre: Rural Fringe Mixed Use District (RFMU), Big Cypress Area of Concern (ACSC), and Special Treatment Overlay (ST). There may be additional restrictions related to clearing native vegetation and impacts to wetlands or protected species found on the property. State and Federal agency permits may be required. Contact the Growth Management Department's Environmental Services at (239) 252-2400 for additional information. Issuance of a Demolition Permit for a structure does not authorize removal of vegetation beyond the footprint of the structure. A Demo Permit is not a clearing permit.

WORK IN THE SPECIAL FLOOD HAZARD AREA: Be advised that Substantial Damage/Substantial Improvement requirements will apply to structures located in the Special Flood Hazard Area with Finished Floor Elevations below the Base Flood Elevation.

CERTIFICATION: Application is hereby made to obtain a permit to do the work and installations as indicated. I, **THE QUALIFIER**, certify that I have not performed any work or installation prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. The permit or application fee may have additional fees imposed for failing to obtain permits prior to commencement of construction. The permit application or approved permit expires if work is not commenced within 180 days from the date of issuance. I, **THE QUALIFIER** understand that the structure cannot be used or occupied until a certificate of occupancy is issued. By signing this permit application, I, **THE QUALIFIER**, agree that I have been retained by the property owner to provide contracting services for the trade for which I am listed. Furthermore, it is my responsibility to notify the Building Plan Review and Inspection Division should I no longer be **THE QUALIFIER** responsible for providing said contracting services. I, **THE QUALIFIER**, agree that I understand the review and issuing of this permit does not exempt me from complying with all County Codes and Ordinances.

Job Street Address: 4121 Amelia Way, Naples, 34119

Signature of Qualifier (An original signature is required)

CHAD Jackson
Print Name of Qualifier

State of FL County of LEE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 19 day of JUNE, 2020, by (printed name of qualifier) CHAD Jackson

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: _____

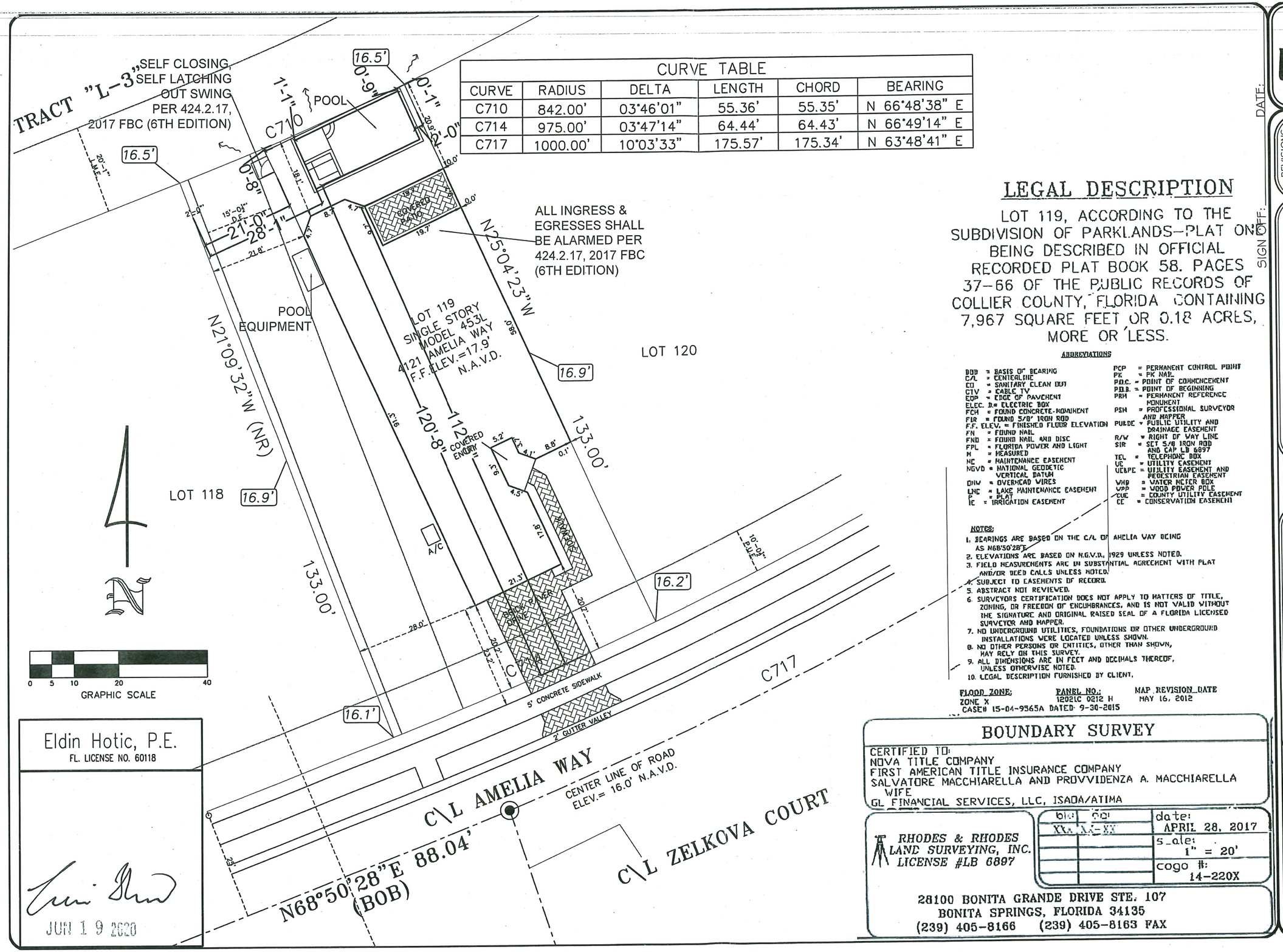
AMANDA NICOLE D'ARMENIA
Notary Public – State of Florida
Commission # GG 128346
My Comm. Expires Jul 26, 2021
Bonded through National Notary Assn.

NOTICE OF COMMENCEMENT INFORMATION

Per Florida Statutes 713.135, a Notice of Commencement (NOC) is required for construction of improvements totaling more than $2,500. with certain exceptions. For A/C Repairs or Replacements a notice of commencement is required for improvements more than or equal to $7,500. The applicant shall file with the issuing authority prior to the first inspection either a certified copy of the recorded NOC or a notarized statement that the NOC has been filed for recording, along with a copy thereof. In order to comply with the state requirement, permits will be placed in inspection hold until proof of the NOC is filed with the building permitting and inspection department. The issuing authority shall not perform or approve subsequent inspections until the applicant files by mail, facsimile, hand delivery, email or any other means such as a certified copy with the issuing authority.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION IF YOU INTEND TO OBTAIN FINANCING.

Attachment: Attachment C - Permit PRBD20200625789 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)



CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C710	842.00'	03°46'01"	55.36'	55.35'	N 66°48'38" E
C714	975.00'	03°47'14"	64.44'	64.43'	N 66°49'14" E
C717	1000.00'	10°03'33"	175.57'	175.34'	N 63°48'41" E

LEGAL DESCRIPTION

LOT 119, ACCORDING TO THE SUBDIVISION OF PARKLANDS–PLAT ONE, BEING DESCRIBED IN OFFICIAL RECORDED PLAT BOOK 58, PAGES 37–66 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA CONTAINING 7,967 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

ABBREVIATIONS

BOB = BASIS OF BEARING	PCP = PERMANENT CONTROL POINT
C/L = CENTERLINE	PK = PK NAIL
CO = SANITARY CLEAN OUT	P.O.C. = POINT OF COMMENCEMENT
CTV = CABLE TV	P.O.B. = POINT OF BEGINNING
EOP = EDGE OF PAVEMENT	PRM = PERMANENT REFERENCE MONUMENT
ELEC. B.= ELECTRIC BOX	PSM = PROFESSIONAL SURVEYOR AND MAPPER
FCM = FOUND CONCRETE-MONUMENT	PUE/DE = PUBLIC UTILITY AND DRAINAGE EASEMENT
FIR = FOUND 5/8" IRON ROD	R/W = RIGHT OF WAY LINE
F.F. ELEV. = FINISHED FLOOR ELEVATION	SIR = SET 5/8 IRON ROD AND CAP LB 6897
FN = FOUND NAIL	TEL = TELEPHONE BOX
FND = FOUND NAIL AND DISC	UE = UTILITY EASEMENT
FPL = FLORIDA POWER AND LIGHT	UE&PE = UTILITY EASEMENT AND PEDESTRIAN EASEMENT
M = MEASURED	WMB = WATER METER BOX
ME = MAINTENANCE EASEMENT	WPP = WOOD POWER POLE
NGVD = NATIONAL GEODETIC VERTICAL DATUM	CUE = COUNTY UTILITY EASEMENT
OHW = OVERHEAD WIRES	CE = CONSERVATION EASEMENT
LNE = LAKE MAINTENANCE EASEMENT	
P = PLAT	
IE = IRRIGATION EASEMENT	

NOTES:

1. BEARINGS ARE BASED ON THE C/L OF AMELIA WAY BEING AS N68°50'28"E.
2. ELEVATIONS ARE BASED ON N.G.V.D., 1929 UNLESS NOTED.
3. FIELD MEASUREMENTS ARE IN SUBSTANTIAL AGREEMENT WITH PLAT AND/OR DEED CALLS UNLESS NOTED.
4. SUBJECT TO EASEMENTS OF RECORD.
5. ABSTRACT NOT REVIEWED.
6. SURVEYORS CERTIFICATION DOES NOT APPLY TO MATTERS OF TITLE, ZONING, OR FREEDOM OF ENCUMBRANCES, AND IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
7. NO UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER UNDERGROUND INSTALLATIONS WERE LOCATED UNLESS SHOWN.
8. NO OTHER PERSONS OR ENTITIES, OTHER THAN SHOWN, MAY RELY ON THIS SURVEY.
9. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
10. LEGAL DESCRIPTION FURNISHED BY CLIENT.

FLOOD ZONE: ZONE X
PANEL NO.: 12021C 0212 H
MAP REVISION DATE: MAY 16, 2012
CASE# 15-04-9565A DATED: 9-30-2015

Eldin Hotic, P.E.
FL. LICENSE NO. 60118

JUN 19 2020

BOUNDARY SURVEY

CERTIFIED TO:
NOVA TITLE COMPANY
FIRST AMERICAN TITLE INSURANCE COMPANY
SALVATORE MACCHIARELLA AND PROVVIDENZA A. MACCHIARELLA WIFE
GL FINANCIAL SERVICES, LLC, ISAOA/ATIMA

RHODES & RHODES LAND SURVEYING, INC.
LICENSE #LB 6897

drawn by: KVW	date: APRIL 28, 2017
checked by: XX.X.-XX	scale: 1" = 20'
	cogo #: 14-220X

28100 BONITA GRANDE DRIVE STE. 107
BONITA SPRINGS, FLORIDA 34135
(239) 405-8166 (239) 405-8163 FAX

Jackson Pools, Inc.
CPC022504

DATE:
SIGN OFF:
REVISIONS

- LEGAL NOTICE -
THIS DOCUMENT INFORMATION IS PROPRIETARY TO *JACKSON POOLS, INC.*, AND NO PART OF THIS DRAWING SHALL BE REPRODUCED AND/OR DISCLOSED TO OTHERS OR USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS FURNISHED, WITHOUT PRIOR WRITTEN PERMISSION FROM *JACKSON POOLS, INC.*

JACKSON POOLS
13401 RICKENBACKER PKWY, UNIT 1
FORT MYERS, FL 33913
239-495-6700
FAX 239-949-0686
WEBSITE: WWW.JACKSONPOOLS.COM

JOB FILE 3930

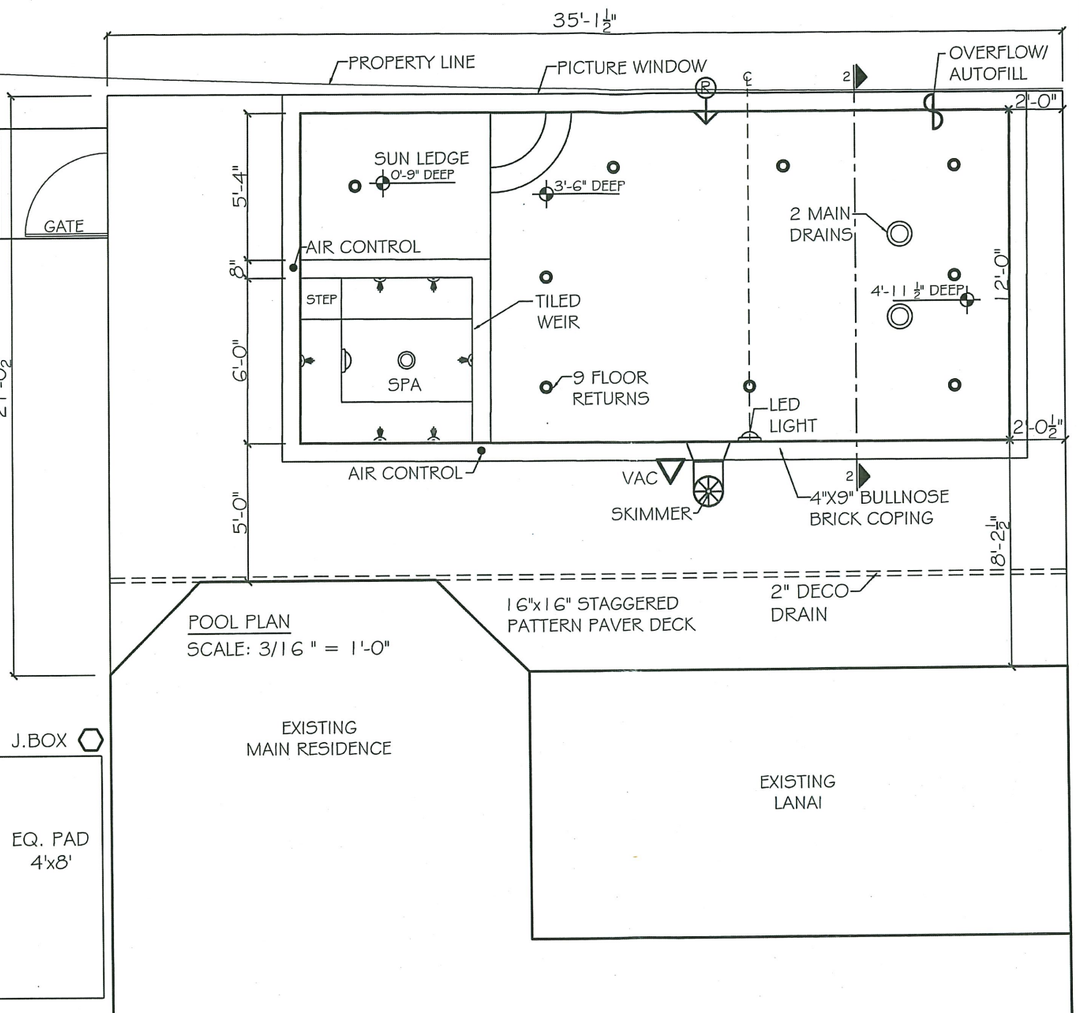
SITE PLAN
WAXMAN POOL
4121 Amelia Way
Naples, FL 34119
Phone: 239-250-6504
PRINTED JUN 08 2020
DRAWN KVW
SCALE: 1"-20'= 1'-0"

A1

Attachment: Attachment C - Permit PRBD20200001982 VA - 4121 Amelia Way - Waxman) (14943 : PL20200001789

DECK AREA 332 SQ.FT.
DECK PERIMETER 77' FT.
POOL AREA 312 SQ.FT.
POOL PERIMETER 76' FT.
SPA AREA: 38
SPA PERIMETER: 25'
SHALLOW DEPTH 3.6"
DEEP DEPTH 4.11½"

SUNSHELF = 38 SF



POOL PLAN
SCALE: 3/16" = 1'-0"

NOTE:
OVERFLOW NEEDS TO BE AT LEAST 10-0" FROM POOL

N
W
E
S

Eldin Hotic, P.E.
FL. LICENSE NO. 60118

JUN 19 2020

Jackson Pools, Inc.
CPC022504

DATE:
SIGN OFF:

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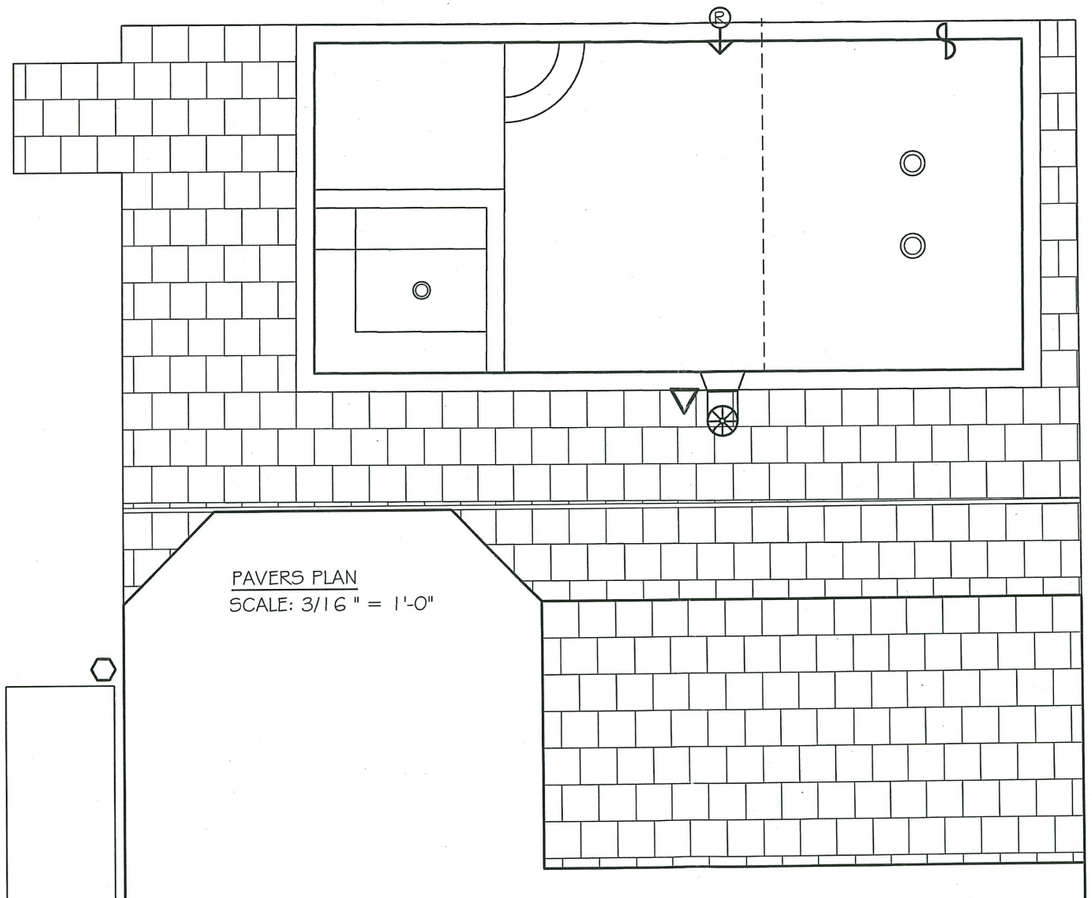
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FORT MYERS, FL 33913
239-495-6700
FAX 239-949-0686
WEBSITE: WWW.JACKSONPOOLS.COM

JOB FILE 3930

POOL PLAN
WAXMAN POOL
4121 Amelia Way
Naples, FL 34119
Phone: 239-250-6504
PRINTED JUN 08 2020
DRAWN KVW
SCALE: 3/16"= 1'-0"

A2

Attachment: Attachment C - Permit PRBD2020006257789 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)



PAVERS PLAN
SCALE: 3/16 " = 1'-0"

Eldin Hotic, P.E.
FL. LICENSE NO. 60118

JUN 19 2020

SIGN OFF: DATE:

Jackson Pools, Inc.
CPC022504

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239-495-6700
FAX 239-949-0686
WEBSITE: WWW.JACKSONPOOLS.COM

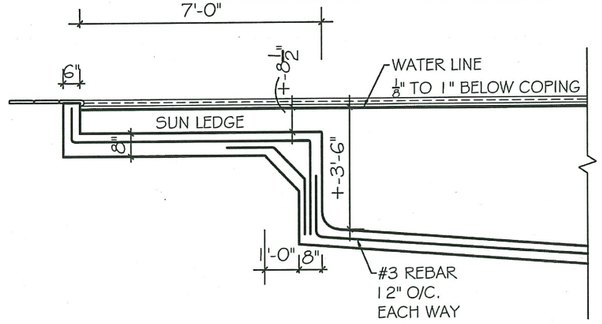
JOB FILE 3930

POOL PAVERS
WAXMAN POOL
4121 Amelia Way
Naples, FL 34119
Phone: 239-250-6504

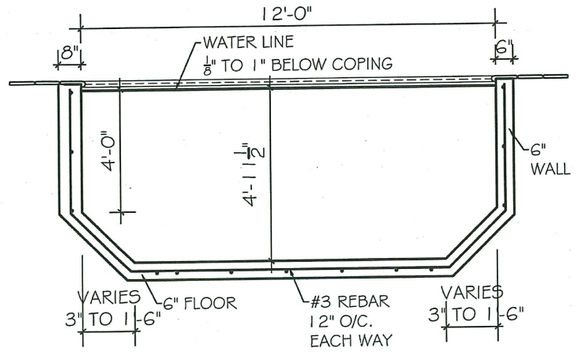
PRINTED JUN 08 2020
DRAWN KVW
SCALE: 3/16"= 1'-0"

A3

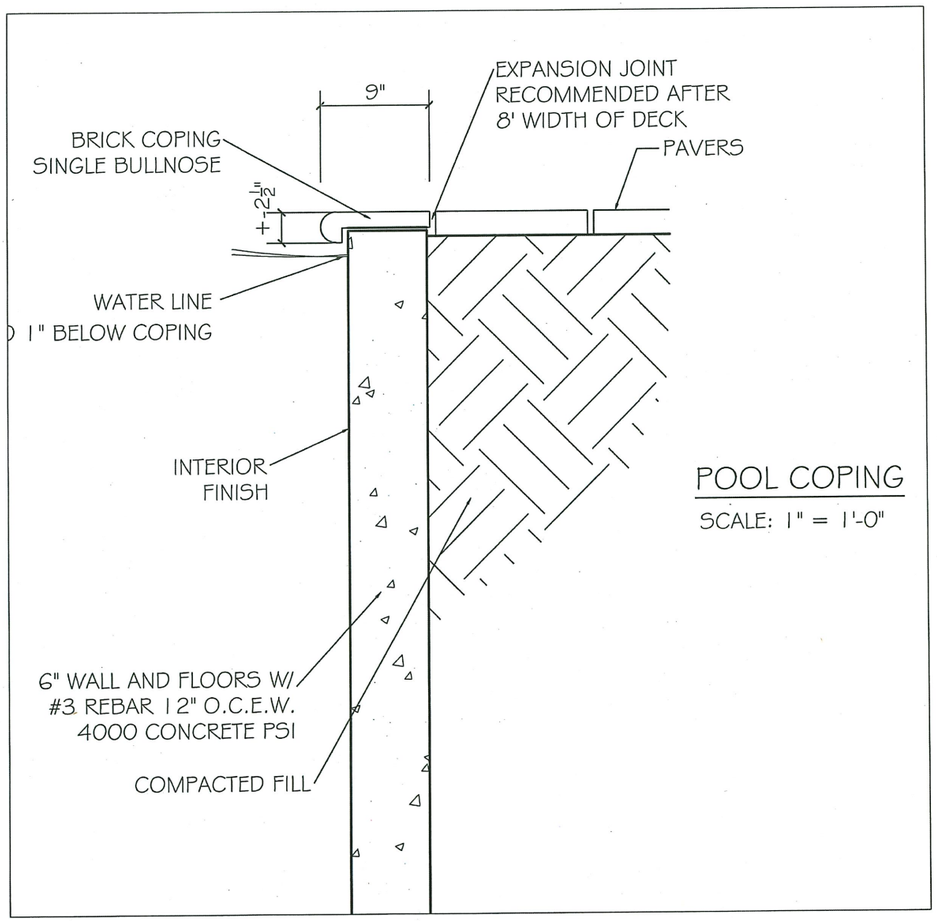
Attachment: Attachment C - Permit PRBD20200001982 VA - 4121 Amelia Way - Waxman) (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)



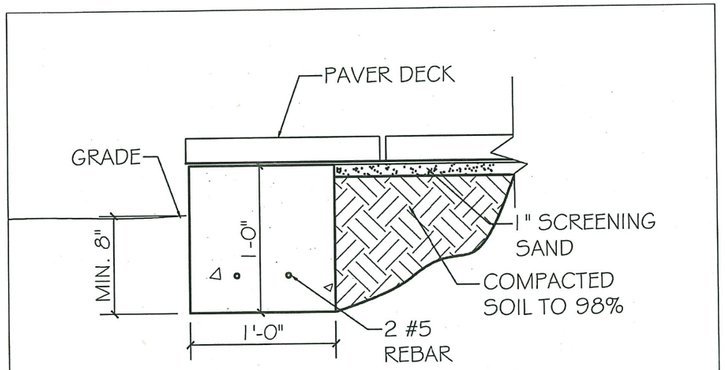
SECTION 1-1
SCALE: 1/4 " = 1'-0"



SECTION 2-2
SCALE: 1/4 " = 1'-0"



POOL COPING
SCALE: 1" = 1'-0"



FOOTER DETAIL
SCALE: 1" = 1'-0"

Eldin Hotic, P.E.
FL. LICENSE NO. 60118

JUN 19 2020

DATE:
SIGN OFF:

Jackson Pools, Inc.
CPC022504

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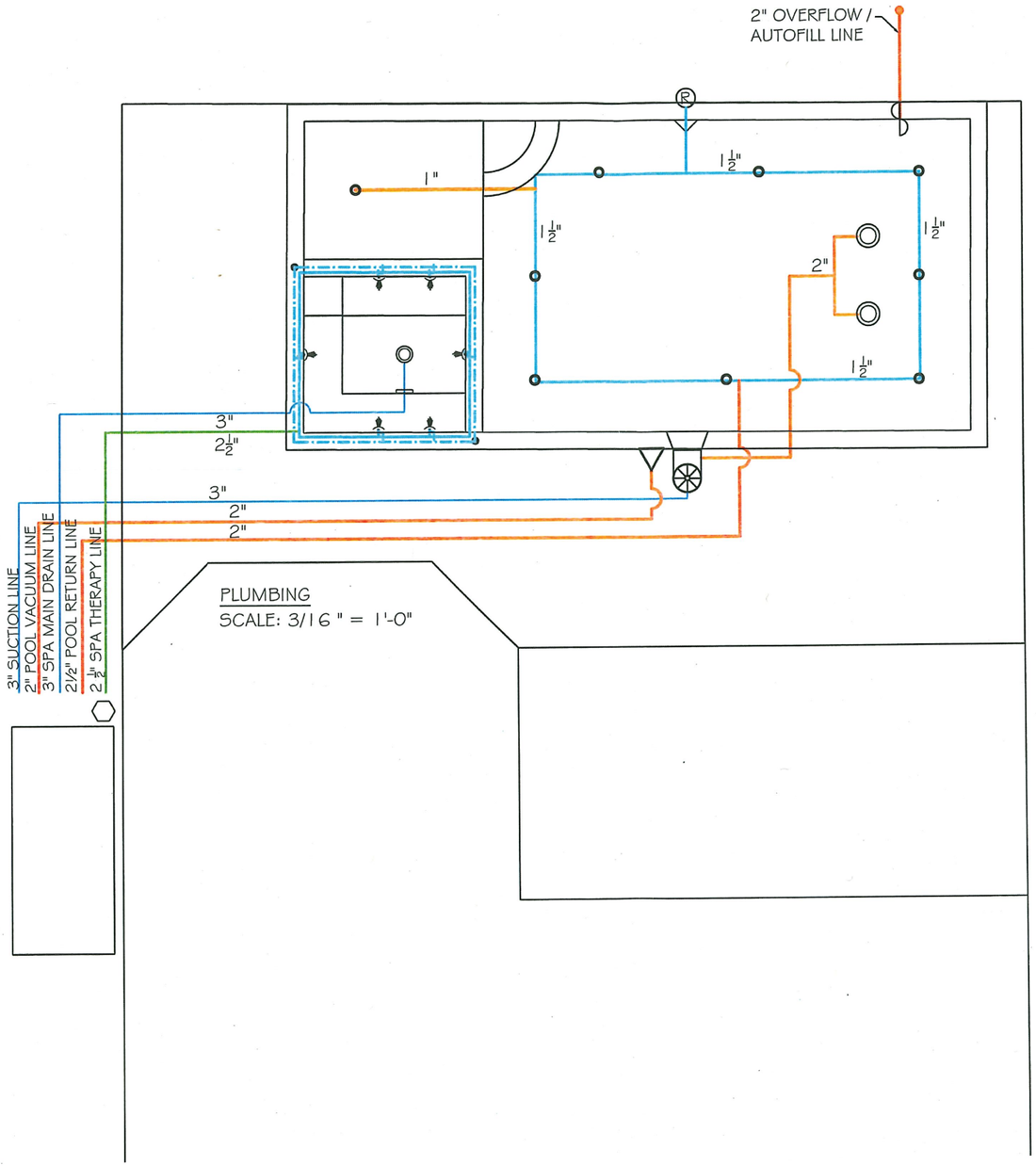
JOB FILE
3930

SECTIONS
WAXMAN POOL
4121 Amelia Way
Naples, FL 34119
Phone: 239-250-6504

PRINTED JUN 08 2020
DRAWN KVW
SCALE: NOTED

A4

Attachment: Attachment C - Permit PRBD20200625789 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)



PLUMBING
SCALE: 3/16" = 1'-0"

Eldin Hotic, P.E.
FL. LICENSE NO. 60118

JUN 19 2020

SIGN OFF: DATE:

Jackson Pools, Inc.
CPC022504

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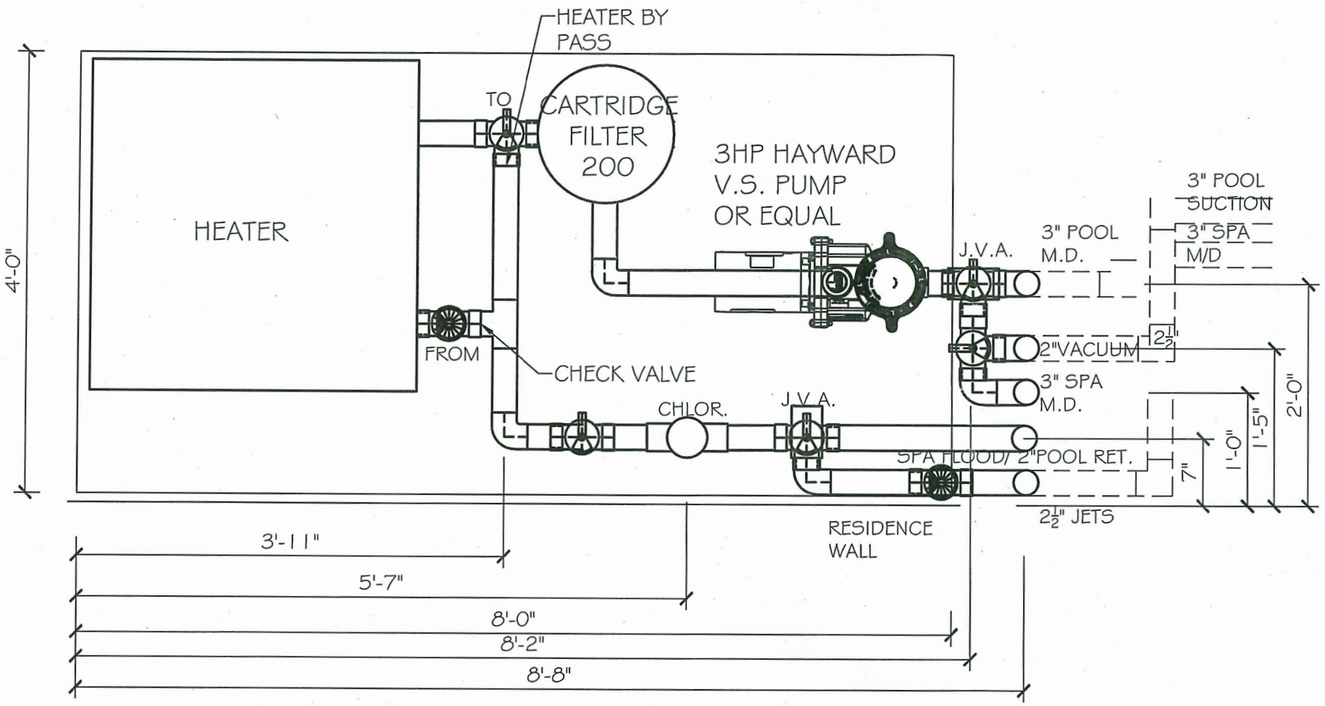
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PLUMBING
WAXMAN POOL
4121 Amelia Way
Naples, FL 34119
Phone: 239-250-6504
PRINTED JUN 08 2020
DRAWN KVW
SCALE: NOTED

A5

Attachment: Attachment C - Permit PRBD20200625789 (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)



EQUIPMENT

SCALE: 3/4" = 1'-0"

Eldin Hotic, P.E.
FL. LICENSE NO. 60118

JUN 19 2020

SIGN OFF: DATE:

Jackson Pools, Inc.
CPC022504

REVISIONS

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JOB FILE 3930

EQUIPMENT
WAXMAN POOL
4121 Amelia Way
Naples, FL 34119
Phone: 239-250-6504
PRINTED JUN 08 2020
DRAWN
SCALE: NOTED

A6

Attachment: Attachment C - Permit PRBD20200001982 VA - 4121 Amelia Way - Waxman) (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

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): EITAN + TRICIA WAXMAN

Name of Applicant if different than owner: _____

Address: 4121 AMELIA WAY **City:** NAPLES **State:** FL **ZIP:** 34119

Telephone: _____ **Cell:** 239.250.6504 **Fax:** _____

E-Mail Address: WETRADE07@GMAIL.COM

Name of Agent: _____

Firm: _____

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

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

E-Mail Address: _____

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

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

Collier County

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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: 66035C0336 **Section/Township/Range:** 9 / 48 / 26

Subdivision: PARKLAND **Unit:** 1 **Lot:** 119 **Block:** ____

Metes & Bounds Description: ____ **Total Acreage:** 0.18

Address/ General Location of Subject Property: 4121 AMELIA WAY, NAPLES 34119

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	PUD - Parklands	Residential
S	PUD - "	"
E	PUD - "	"
W	PUD - "	"

Minimum Yard Requirements for Subject Property:

Front: 20' **Corner Lot:** Yes ☐ No ☒

Side: 15'/0' **Waterfront Lot:** Yes ☐ No ☒

Rear: 3' pool
0' screen

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 - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
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2800 NORTH HORSESHOE DRIVE
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(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: GRS MANAGEMENT
Mailing Address: 9990 COCONUT RD SUITE 380 **City:** BONITA SPRINGS **State:** FL **ZIP:** 34135

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 - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
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2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

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.

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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)	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	1	☒	☐
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 - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

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

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

NOV·24·20
Date

ETAN WAXMAN TRICIA WAXMAN
Printed Name

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

ADDRESSING CHECKLIST

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

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

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

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

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

See attached

PARCEL NO 66035003346, 4121 AMELIA WAY, 34119

09-48-2

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

66035003346, PARKLANDS PLAT ONE LOT 119

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

4121 AMELIA WAY, NAPLES, 34119

- **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: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

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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: EITAN WAXMAN

Phone: 239.250.6507 **Email/Fax:** WETRADE07@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 66035003346

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Approved by: _____ **Date:** 10-13-2020

Updated by: _____ **Date:** _____

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

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

Collier County Property Appraiser
Property Summary

Parcel No 66035003346 | Site Address *Disclaimer 4121 AMELIA WAY | Site City NAPLES | Site Zone *Note 3411

Name / Address WAXMAN, EITAN
PATRICIA MAY WAXMAN
1925 CRESTVIEW WAY
176

City NAPLES | State FL | Zip 34119

Map No.	Strap No.	Section	Township	Range	Acres *Estimated
3B09	537659 1193B09	9	48	26	0.18

Legal PARKLANDS PLAT ONE LOT 119

Millage Area 122
Sub./Condo 537659 - PARKLANDS PLAT 1
Use Code 1 - SINGLE FAMILY RESIDENTIAL

Millage Rates *Calculations

School	Other	Total
5.016	5.7924	10.8084

Latest Sales History
(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
07/30/19	5658-3287	$ 487,000
06/16/17	5407-2323	$ 480,300

2020 Preliminary Tax Roll
(Subject to Change)

	Land Value	$ 112,908
(+)	Improved Value	$ 349,765
(=)	Market Value	$ 462,673
(=)	Assessed Value	$ 462,673
(=)	School Taxable Value	$ 462,673
(=)	Taxable Value	$ 462,673

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

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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:

Both owners must be in section A

Name and Address	% of Ownership
EITAN WAXMAN	50
4121 AMELIA WAY	
NAPLES, 34119	
TRICIA WAXMAN,	50
4121 AMELIA WAY NAPLES FL 34119	

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
	50
~~NAPLES FL 34119~~	

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 D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

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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 Aug/2019

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

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

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

Collier County

COLLIER COUNTY GOVERNMENT
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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

J. H

Agent/Owner Signature

NOV. 14. 2020

Date

Agent/Owner Name (please print)

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

INSTR 5747911 OR 5658 PG 3287 E-RECORDED 8/2/2019 10:24 AM PAGES 2
CLERK OF THE CIRCUIT COURT AND COMPTROLLER, COLLIER COUNTY FLORIDA
DOC@.70 $3,409.00 REC $18.50
CONS $487,000.00

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

Prepared by:
Sam J. Saad III
2670 Airport Road S.
Naples, FL 34112

File No 8749 10560
Consideration: 487,000.00
Parcel Identification No 66035003346

[Space Above This Line For Recording Data]

WARRANTY DEED

(STATUTORY FORM – SECTION 689.02, F.S.)

This indenture made the 30 day of ~~August~~ July ce, **2019** between **Salvatore Macchiarella and Provvidenza A. Macchiarella, husband and wife**, whose post office address is **1229 Anvil Court, Addison, IL 60101**, of the County of DuPage, State of Illinois, Grantors, to **Eitan Waxman and Patricia May Waxman, husband and wife**, whose post office address is **1925 Crestview Way, #176, Naples, FL 34119**, of the County of Collier , State of Florida, Grantees:

Witnesseth, that said Grantors, for and in consideration of the sum of TEN DOLLARS (U.S.$10.00) and other good and valuable considerations to said Grantors in hand paid by said Grantees, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantees, and Grantees' heirs and assigns forever, the following described land, situate, lying and being in Collier, Florida, to-wit:

Lot 119 of the Plat of PARKLANDS - PLAT ONE, according to the Plat thereof, as recorded in Plat Book 58, at Page 37, of the Public Records of Collier County, Florida.

COLLIER COUNTY CLERK OF THE CIRCUIT COURT COPY

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any members of the household of the Grantor(s) reside thereon, or on adjacent or contiguous lands

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

Subject to taxes for 2019 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any.

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

And Grantors hereby covenant with the Grantees that the Grantors are lawfully seized of said land in fee simple, that Grantors have good right and lawful authority to sell and convey said land and that the Grantors hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, Grantors have hereunto set Grantors' hand and seal the day and year first above written.

Signed, sealed and delivered in our presence as to both:

WITNESS

Salvatore Macchiarella

VALERIE A. MEDINA
WITNESS PRINTED NAME

WITNESS

Provvidenza A. Macchiarella

Eleni Karahalios
WITNESS PRINTED NAME

STATE OF Illinois
COUNTY OF Dupage

The foregoing instrument was acknowledged before me this 30 day of July ~~August,~~ 2019, by Salvatore Macchiarella and Provvidenza Macchiarella.

COLLIER COUNTY
COPY
CLERK OF THE CIRCUIT COURT

"OFFICIAL SEAL"
CECILIA CINQUEGRANI
Notary Public, State of Illinois
My Commission Expires 07/03/22

Signature of Notary Public
Print, Type/Stamp Name of Notary

Personally Known: ✓ OR Produced Identification: Drivers License
Type of Identification Produced: Drivers License

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20200001982

I, Tricia Waxman (print name), as _____ (title, if applicable) of _____ (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_____ 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.

T Waxman
Signature

Dec 7 2020
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [✓] physical presence or [ ] online notarization this 7 day of December, 2020 by (printed name of owner or qualifier) Patricia M Waxman

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

[ ] Are personally known to me

[ ] Has produced a current drivers license _____

[✓] Has produced Canada - Passport as identification.

Notary Signature: _____

FABIAN GIL
Notary Public - State of Florida
Commission # GG 217672
My Comm. Expires Jun 30, 2022

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

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20200001982

I, EITAN WAXMAN (print name), as _____ (title, if applicable) of _____ (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 _____ 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**

DEC. 7-20 **Date**

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [✓] physical presence or [ ] online notarization this 7 day of December, 2020 by (printed name of owner or qualifier) Eitan Waxman.

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

[ ] Are personally known to me

[✓] Has produced a current drivers license FL-DL

[ ] Has produced _____ as identification.

Notary Signature: _____

FABIAN GIL
Notary Public - State of Florida
Commission # GG 217672
My Comm. Expires Jun 30, 2022

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

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

Page 3 of 6 Nature of Petition:

1.) Request for an after-the-fact 2.2-foot variance from the required 3-foot rear yard setback for an accessory structure (pool) as provided for in the Parklands Planned Unit Development (PUD) Zoning District. The request is to allow the pool at 0.8 feet from the rear property line located at Lot 119, Parklands - Plat One, AKA: 4121 Amelia Way, in Section 09, Township 48 South, Range 26 East, Collier County, Florida. [PL20200001982]

The Pool has already been placed on the rear side of the home. The home was purchased August 6, 2019 and the pool was Placed on August 1, 2020. Why Encroachment is necessary is that the permitting department gave us a permit based on the plans that were Submitted Permit Number (PRBD2020062578901) . We constructed the pool to the plans and during inspection were informed that we had a difference in the water offset to the accessory offset. The construction design of the pool has all the plumbing inside the shell which allows it to have the cage right on the pool wall for the near zero edge look. We are asking for a Variance (described above) for the pool.

3. Pursuant to LDC Section 9.04.00

A) No Special Conditions

B) No Special Conditions

c) No Hardships are seen

d) Yes this variance will be all that is needed

e) No Special Privilege

f) Yes will be in Harmony

G) No

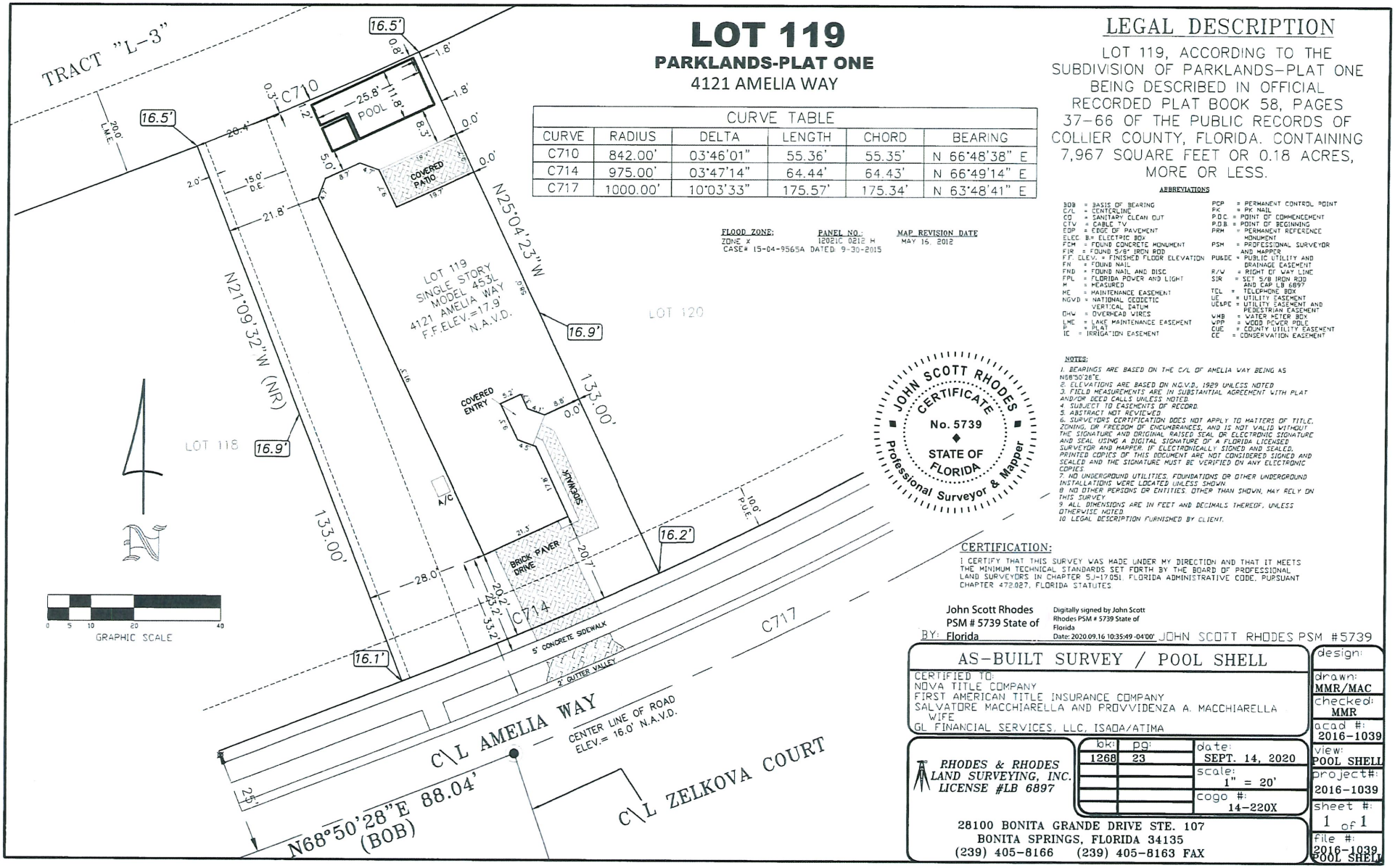
h) Yes

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

LOT 119

PARKLANDS-PLAT ONE

4121 AMELIA WAY



CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C710	842.00'	03°46'01"	55.36'	55.35'	N 66°48'38" E
C714	975.00'	03°47'14"	64.44'	64.43'	N 66°49'14" E
C717	1000.00'	10°03'33"	175.57'	175.34'	N 63°48'41" E

FLOOD ZONE: ZONE X CASE# 15-04-9565A DATED 9-30-2015

PANEL NO.: 12021C 0212 H

MAP REVISION DATE: MAY 15, 2012

LEGAL DESCRIPTION

LOT 119, ACCORDING TO THE SUBDIVISION OF PARKLANDS-PLAT ONE BEING DESCRIBED IN OFFICIAL RECORDED PLAT BOOK 58, PAGES 37-66 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA. CONTAINING 7,967 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

ABBREVIATIONS

BOB = BASIS OF BEARING
C/L = CENTERLINE
CO = SANITARY CLEAN OUT
CTV = CABLE TV
EOP = EDGE OF PAVEMENT
ELEC B= ELECTRIC BOX
FCM = FOUND CONCRETE MONUMENT
FIR = FOUND 5/8" IRON ROD
F.F. ELEV. = FINISHED FLOOR ELEVATION
FN = FOUND NAIL
FND = FOUND NAIL AND DISC
FPL = FLORIDA POWER AND LIGHT
M = MEASURED
ME = MAINTENANCE EASEMENT
NGVD = NATIONAL GEODETIC VERTICAL DATUM
OHW = OVERHEAD WIRES
LME = LAKE MAINTENANCE EASEMENT
PL = PLAT
IE = IRRIGATION EASEMENT
PCP = PERMANENT CONTROL POINT
PK = PK NAIL
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
PRM = PERMANENT REFERENCE MONUMENT
PSM = PROFESSIONAL SURVEYOR AND MAPPER
PU&DE = PUBLIC UTILITY AND DRAINAGE EASEMENT
R/W = RIGHT OF WAY LINE
SIR = SET 5/8 IRON ROD AND CAP LB 6897
TEL = TELEPHONE BOX
UE = UTILITY EASEMENT
UE&PE = UTILITY EASEMENT AND PEDESTRIAN EASEMENT
WMB = WATER METER BOX
WPP = WOOD POWER POLE
CUE = COUNTY UTILITY EASEMENT
CE = CONSERVATION EASEMENT

NOTES:
1. BEARINGS ARE BASED ON THE C/L OF AMELIA WAY BEING AS N68°50'28"E.
2. ELEVATIONS ARE BASED ON N.G.V.D., 1929 UNLESS NOTED
3. FIELD MEASUREMENTS ARE IN SUBSTANTIAL AGREEMENT WITH PLAT AND/OR DEED CALLS UNLESS NOTED.
4. SUBJECT TO EASEMENTS OF RECORD.
5. ABSTRACT NOT REVIEWED
6. SURVEYORS CERTIFICATION DOES NOT APPLY TO MATTERS OF TITLE, ZONING, OR FREEDOM OF ENCUMBRANCES, AND IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR ELECTRONIC SIGNATURE AND SEAL USING A DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. IF ELECTRONICALLY SIGNED AND SEALED, PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES
7. NO UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER UNDERGROUND INSTALLATIONS WERE LOCATED UNLESS SHOWN
8. NO OTHER PERSONS OR ENTITIES OTHER THAN SHOWN, MAY RELY ON THIS SURVEY.
9. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED
10. LEGAL DESCRIPTION FURNISHED BY CLIENT.

JOHN SCOTT RHODES CERTIFICATE No. 5739 STATE OF FLORIDA Professional Surveyor & Mapper

CERTIFICATION:

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT CHAPTER 472.027, FLORIDA STATUTES

John Scott Rhodes PSM # 5739 State of Florida

BY: Digitally signed by John Scott Rhodes PSM # 5739 State of Florida Date: 2020.09.16 10:35:49 -04'00' JOHN SCOTT RHODES PSM #5739

AS-BUILT SURVEY / POOL SHELL

CERTIFIED TO:
NOVA TITLE COMPANY
FIRST AMERICAN TITLE INSURANCE COMPANY
SALVATORE MACCHIARELLA AND PROVVIDENZA A. MACCHIARELLA WIFE
GL FINANCIAL SERVICES, LLC, ISAOA/ATIMA

RHODES & RHODES LAND SURVEYING, INC. LICENSE #LB 6897

28100 BONITA GRANDE DRIVE STE. 107
BONITA SPRINGS, FLORIDA 34135
(239) 405-8166 (239) 405-8163 FAX

blk: 1268	pg: 23	date: SEPT. 14, 2020	
		scale: 1" = 20'	
		cogo #: 14-220X	

design:
drawn: MMR/MAC
checked: MMR
acad #: 2016-1039
view: POOL SHELL
project#: 2016-1039
sheet #: 1 of 1
file #: 2016-1039 POOL SHELL

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA -

COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS

PERMIT

PERMIT #: PRBD2020062578901
ISSUED: BY:
MASTER #: COA:

PERMIT TYPE: PL
APPLIED DATE: 06-26-20 APPROVAL DATE: 07-07-20

JOB ADDRESS: 4121 Amelia WAY, Naples
JOB DESCRIPTION: CONSTRUCTION OF POOL/SPA WITH DECK
4121 Amelia WAY, Naples
JOB PHONE:

SUBDIVISION #: BLOCK:
LOT:
FLOOD MAP: ZONE: ELEVATION:
FOLIO #: 66035003346 SECTION-TOWNSHIP-RANGE: 9-48-26

OWNER INFORMATION:
WAXMAN, EITAN PATRICIA MAY WAXMAN #
176
1925 CRESTVIEW WAY
176
NAPLES, FL 34119

CONTRACTOR INFORMATION:
JACKSON POOLS, INC.
13401 RICKENBACKER PKWY

FORT MYERS, FL 33912

CERTIFICATE #: C14588 PHONE:

FCC CODE:
CONSTRUCTION CODE: 0220
JOB VALUE: $60,500.00 TOTAL RES SQFT: 0 TOTAL COMM SQFT: 0

SETBACKS FRONT: REAR: 3' Pool / 0' Screen LEFT: 10' RIGHT: 0'
SEWER: WATER:
CONTACT NAME:
CONTACT PHONE:

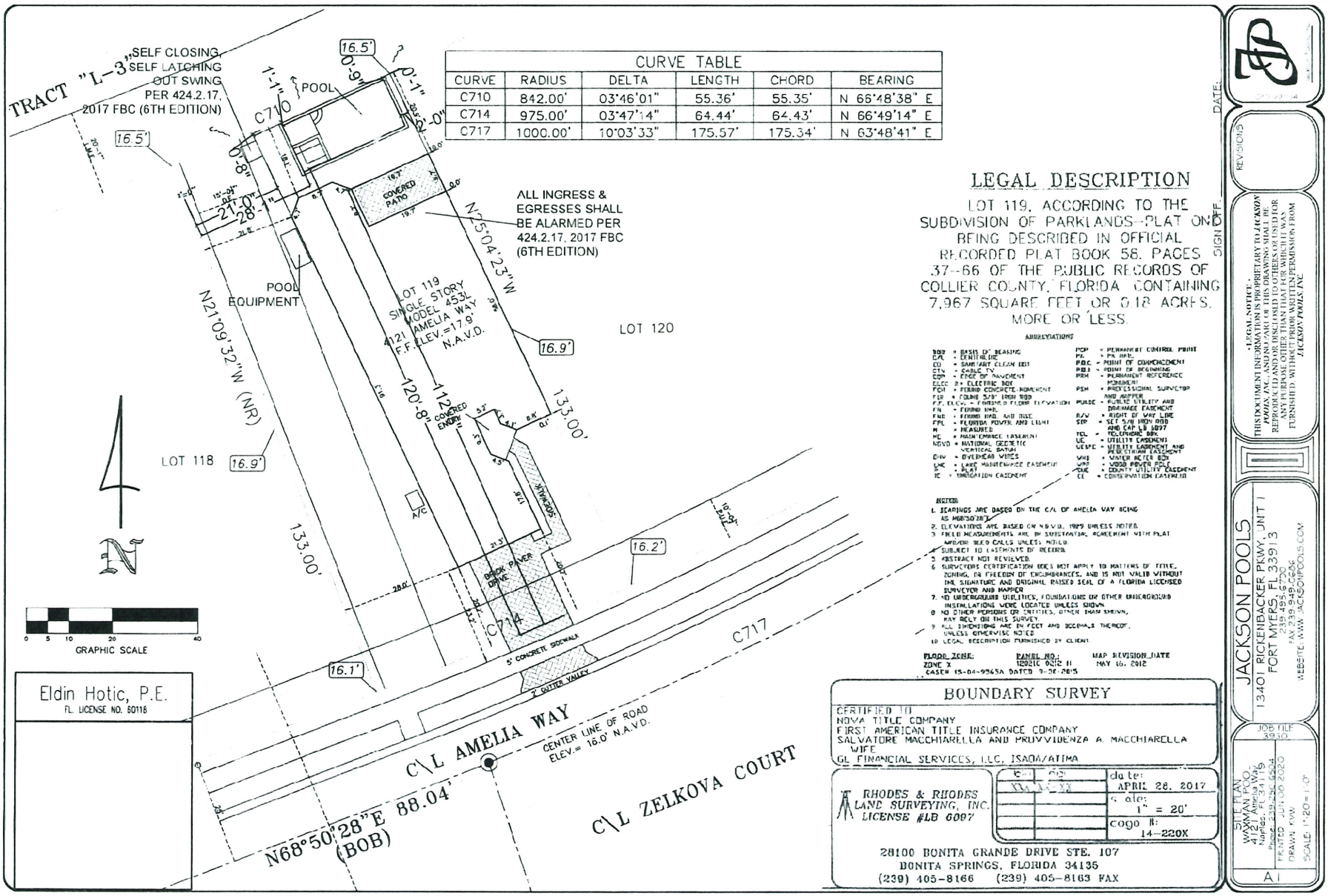
Per Collier County Ordinance No. 2002-01, as it may be amended, all work must comply with all applicable laws, codes, ordinances, and any additional stipulations or conditions of this permit. This permit expires if work authorized by the permit is not commenced within six (6) months from the date of 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, FEDERAL AND STATE LAWS REQUIRE THE PERMITTEE (EITHER THE OWNER OR CONTRACTOR) TO SUBMIT A NOTICE OF 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 INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)



CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C710	842.00'	03°46'01"	55.36'	55.35'	N 66°48'38" E
C714	975.00'	03°47'14"	64.44'	64.43'	N 66°49'14" E
C717	1000.00'	10°03'33"	175.57'	175.34'	N 63°48'41" E

LEGAL DESCRIPTION

LOT 119, ACCORDING TO THE SUBDIVISION OF PARKLANDS-PLAT ONE BEING DESCRIBED IN OFFICIAL RECORDED PLAT BOOK 58, PAGES 37-66 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA CONTAINING 7,967 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

ABBREVIATIONS

BOB = BASIS OF BEARING	POP = PERMANENT CONTROL POINT
C/L = CENTERLINE	PT = PK NAIL
CO = SANITARY CLEAN OUT	PBC = POINT OF COMMENCEMENT
CTV = CABLE TV	POB = POINT OF BEGINNING
EOP = EDGE OF PAVEMENT	PRM = PERMANENT REFERENCE MONUMENT
ELEC B = ELECTRIC BOX	PSM = PROFESSIONAL SURVEYOR AND MAPPER
FCM = FERRID CONCRETE MONUMENT	PUDE = PUBLIC UTILITY AND DRAINAGE EASEMENT
FIR = FOUND 5/8" IRON ROD	R/W = RIGHT OF WAY LINE
FF. ELEV. = FINISHED FLOOR ELEVATION	SIR = SET 5/8 IRON ROD AND CAP LB 6097
FN = FERRID NAIL	TEL = TELEPHONE BOX
FND = FERRID NAIL AND DISC	UE = UTILITY EASEMENT
FPL = FLORIDA POWER AND LIGHT	UEAPE = UTILITY EASEMENT AND PEDESTRIAN EASEMENT
M = MEASURED	WME = WATER METER BOX
ME = MAINTENANCE EASEMENT	WPP = WOOD POWER POLE
NGVD = NATIONAL GEODETIC VERTICAL DATUM	CUE = COUNTY UTILITY EASEMENT
OHW = OVERHEAD WIRES	CE = CONSERVATION EASEMENT
LME = LAKE MAINTENANCE EASEMENT	
P = PLAT	
IE = IRRIGATION EASEMENT	

NOTES:
1. BEARINGS ARE BASED ON THE C/L OF AMELIA WAY BEING AS N68°50'28"E.
2. ELEVATIONS ARE BASED ON N.G.V.D. 1929 UNLESS NOTED.
3. FIELD MEASUREMENTS ARE IN SUBSTANTIAL AGREEMENT WITH PLAT AND/OR RECORD CALLS UNLESS NOTED.
4. SUBJECT TO EASEMENTS OF RECORD.
5. ABSTRACT NOT REVIEWED.
6. SURVEYORS CERTIFICATION DOES NOT APPLY TO MATTERS OF TITLE, ZONING, OR FREEDOM OF ENCUMBRANCES, AND IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
7. NO UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER UNDERGROUND INSTALLATIONS WERE LOCATED UNLESS SHOWN.
8. NO OTHER PERSONS OR ENTITIES, OTHER THAN SHOWN, MAY RELY ON THIS SURVEY.
9. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
10. LEGAL DESCRIPTION FURNISHED BY CLIENT.

FLOOD ZONE: ZONE X — PANEL NO.: 12021C 0412 H — MAP REVISION DATE: MAY 16, 2012
CASE# 15-04-9365A DATED 9-30-2015

Eldin Hotic, P.E.
FL LICENSE NO. 80118

BOUNDARY SURVEY

CERTIFIED TO:
NOVA TITLE COMPANY
FIRST AMERICAN TITLE INSURANCE COMPANY
SALVATORE MACCHIARELLA AND PRUVVIDENZA A. MACCHIARELLA WIFE
GL FINANCIAL SERVICES, LLC, ISAOA/ATIMA

RHODES & RHODES LAND SURVEYING, INC.
LICENSE #LB 6097

date: APRIL 28, 2017
scale: 1" = 20'
cogo #: 14-220X

28100 BONITA GRANDE DRIVE STE. 107
BONITA SPRINGS, FLORIDA 34135
(239) 405-8166 (239) 405-8163 FAX

DATE:
SIGN OFF:
REVISIONS

LEGAL NOTICE:
THIS DOCUMENT INFORMATION IS PROPRIETARY TO JACKSON POOLS, INC., AND NO PART OF THIS DRAWING SHALL BE REPRODUCED AND OR DISCLOSED TO OTHERS OR USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS FURNISHED WITHOUT THE WRITTEN PERMISSION FROM JACKSON POOLS, INC.

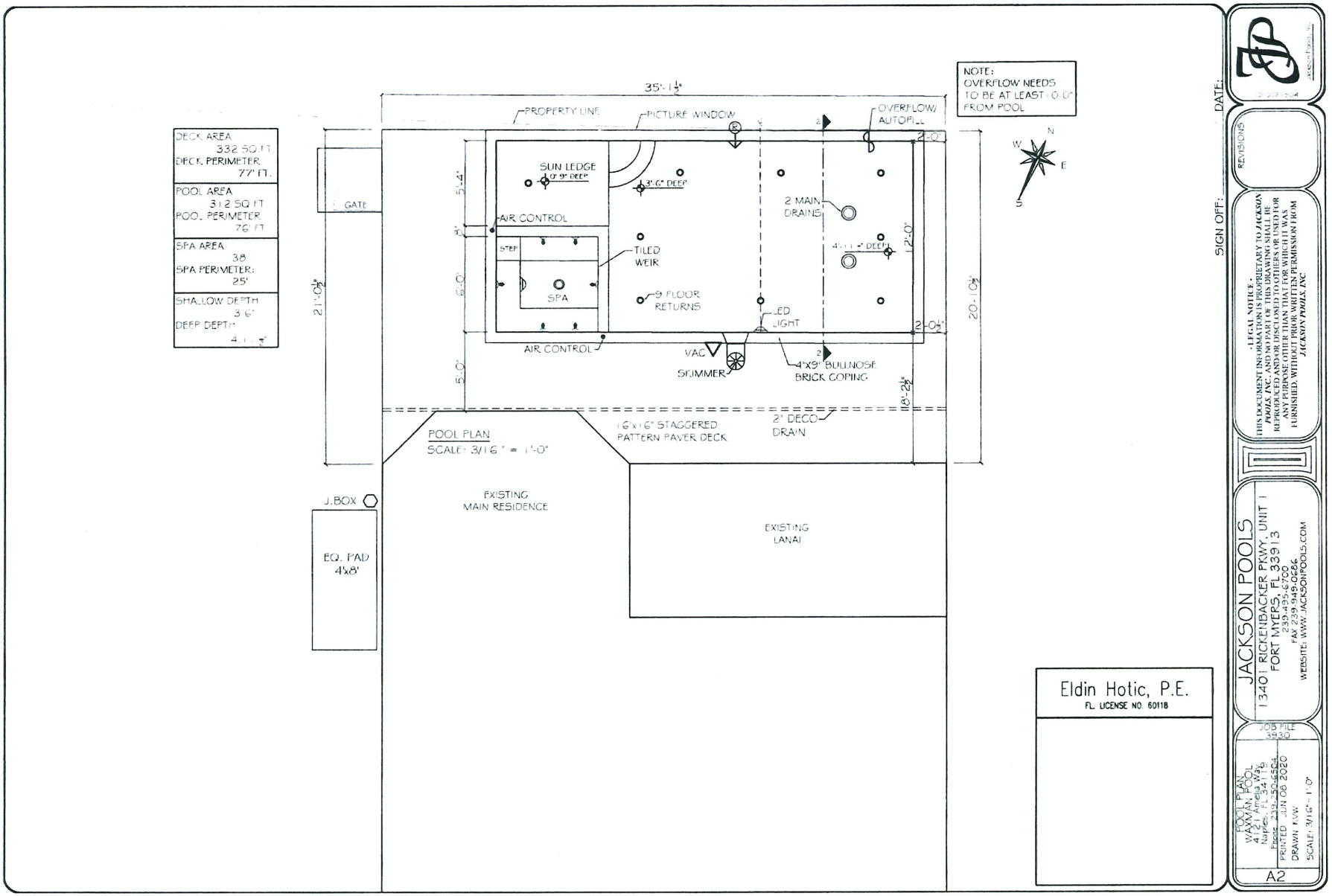
JACKSON POOLS
13401 RICKENBACKER PKWY, UNIT I
FORT MYERS, FL 33913
239-495-1720
FAX 239-275-7966
WEBSITE: WWW.JACKSONPOOLS.COM

JOB FILE 3930

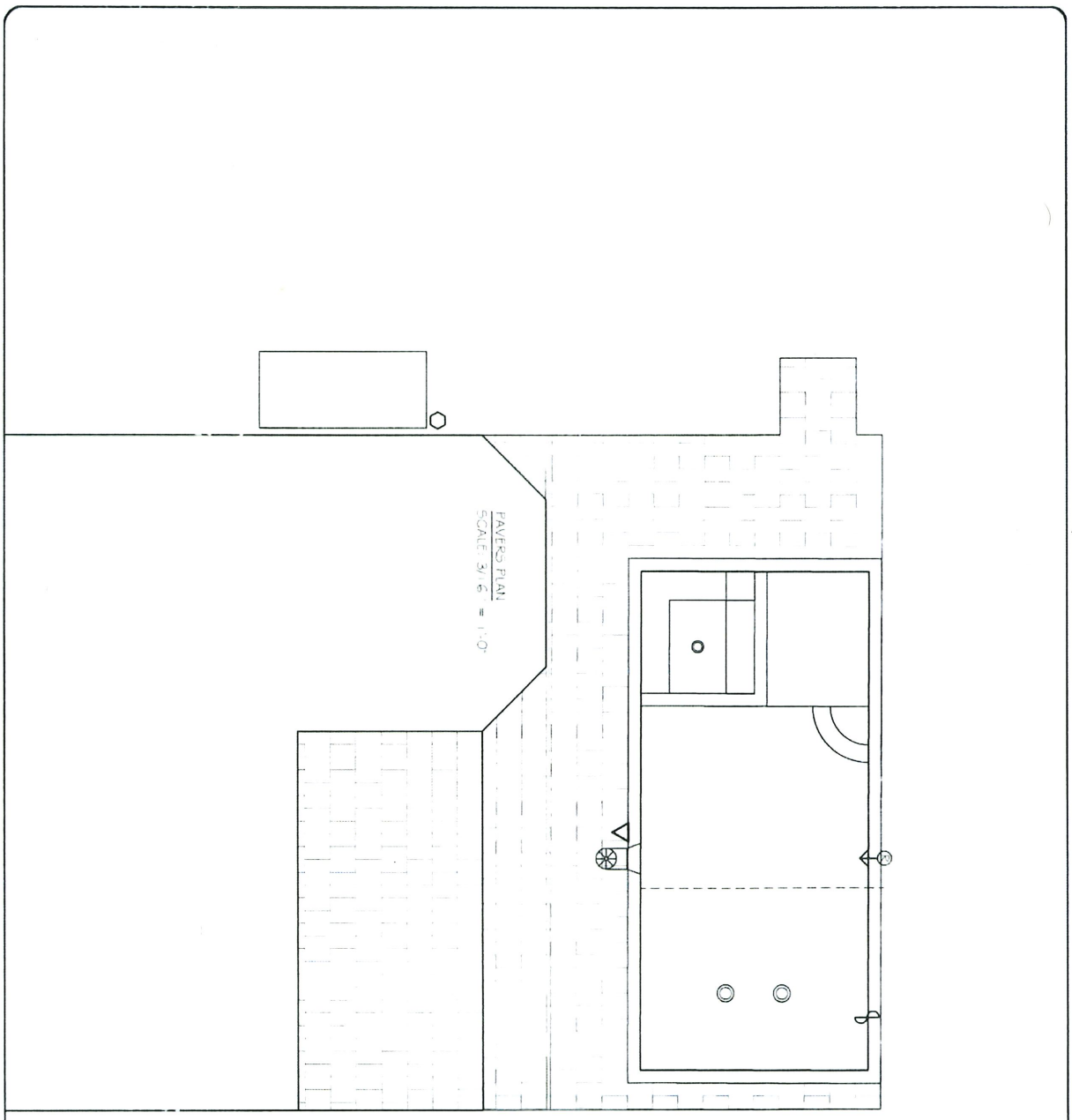
SITE PLAN
WAXMAN POOL
4121 Amelia Way
Naples, FL 34119
PHONE 239-256-6844
DRAWN KVW 10-06-2020
SCALE: 1"=20'-0"

A1

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA -



Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA -



Eldin Hotic, P.E.
FL LICENSE NO. 60118

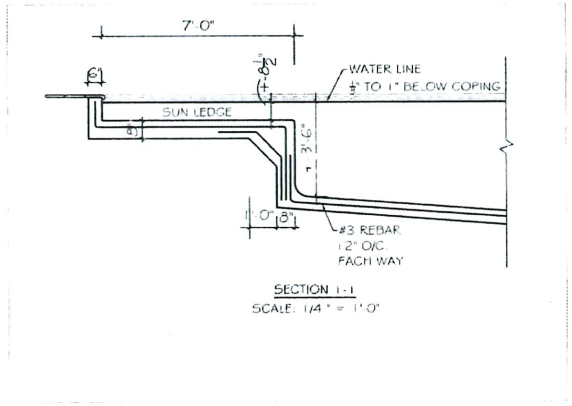
SIGN OFF: _____ DATE: _____

POOL PAVERS
WAXMAN, POOL
412 Amelia Way
Naples, FL 34110
Phone: 239-250-6504
PRINTED: JUN 08 2020
DRAWN: KVW
SCALE: 3/16" = 1'-0"
A3
SHEET TITLE

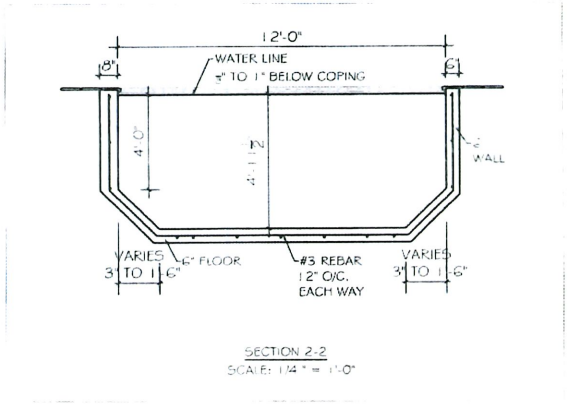
JACKSON POOLS
13401 RICKENBACKER PKWY, UNIT 1
FORT MYERS, FL 33913
239-495-6700
FAX 239-949-0686
WEBSITE: WWW.JACKSONPOOLS.COM

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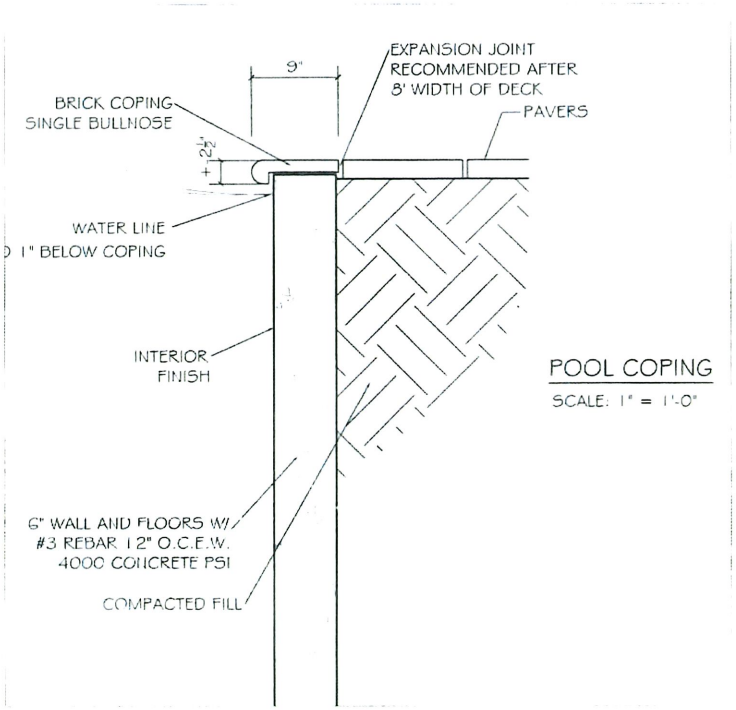
REVISIONS



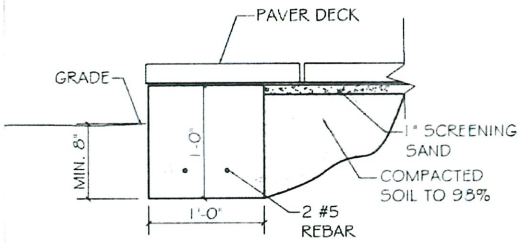
SECTION 1-1
SCALE: 1/4" = 1'-0"



SECTION 2-2
SCALE: 1/4" = 1'-0"



POOL COPING
SCALE: 1" = 1'-0"



FOOTER DETAIL
SCALE: 1" = 1'-0"

Eldin Hotic, P.E.
FL. LICENSE NO. 60118

SIGN OFF: DATE:

REVISIONS

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JACKSON POOLS
13401 RICKENBACKER PKWY, UNIT 1
FORT MYERS, FL 33913
239-495-6700
FAX 239-949-0686
WEBSITE: WWW.JACKSONPOOLS.COM

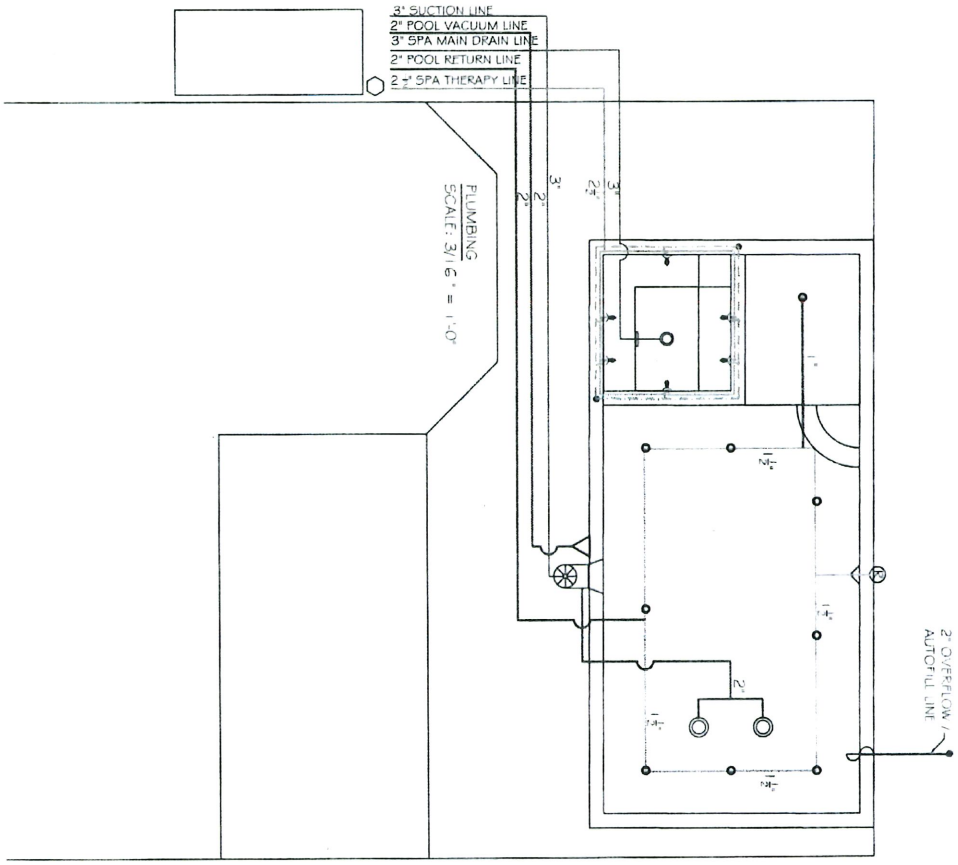
JOB FILE
3930

SECTIONS
WAXMAN POOL
4121 Amelia Way
Naples, FL 34114
Phone 239-250-6504

PRINTED JUN 08 2020
DRAWN KVW
SCALE: NOTED

A4

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA -



Eldin Hotic, P.E.
FL LICENSE NO. 60118

SIGN OFF: DATE:

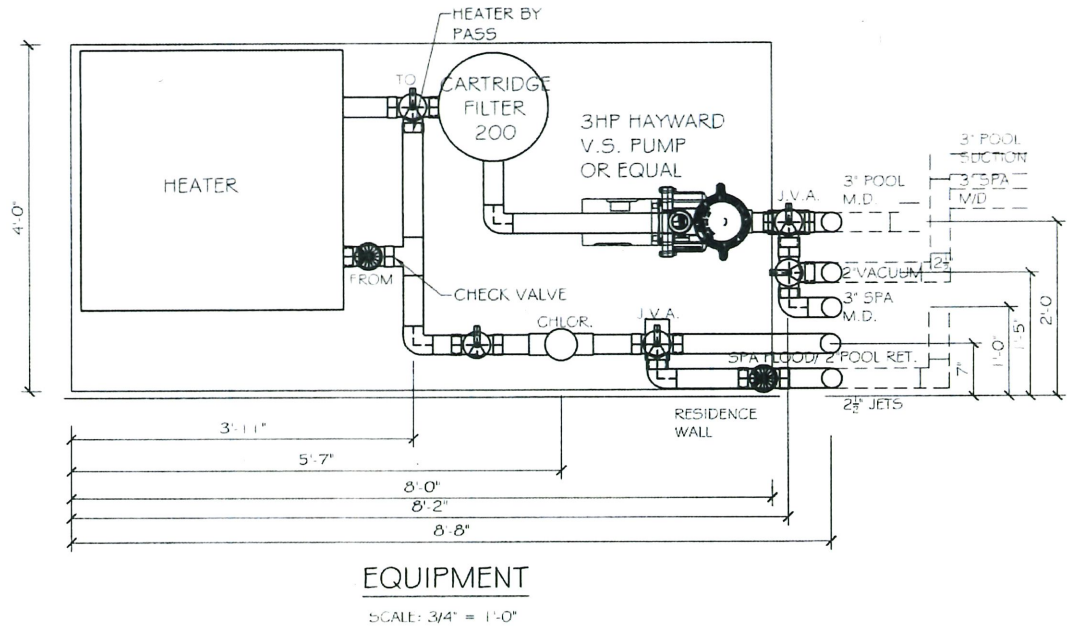
PLUMBING
WAXMAN POOL
4121 Amelia Way
Naples, FL 34119
Phone: 239-250-6504
PRINTED: JUN 08 2020
DRAWN: KVW
SCALE: NOTED
A5
JOB FILE 3930

JACKSON POOLS
13401 RICKENBACKER PKWY, UNIT 1
FORT MYERS, FL 33913
239-495-6700
FAX 239-949-0686
WEBSITE: WWW.JACKSONPOOLS.COM

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REVISIONS

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA -



EQUIPMENT

SCALE: 3/4" = 1'-0"

SIGN OFF DATE

Eldin Hotic, P.E.
FL. LICENSE NO. 60118

JACKSON POOLS
3401 RICKENBACKER PKWY, UNIT I
FORT MYERS, FL 33913
239-495-6700
FAX 239-949-0696
WEBSITE: WWW.JACKSONPOOLS.COM

REVISIONS

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JOB FILE 2330

EQUIPMENT
WAXMAN POOL
4425 Ames Way
Naples, FL 34119
Phone: 239-250-6504

PRINTED 01/06/2020
DRAWN
SCALE: NOTED

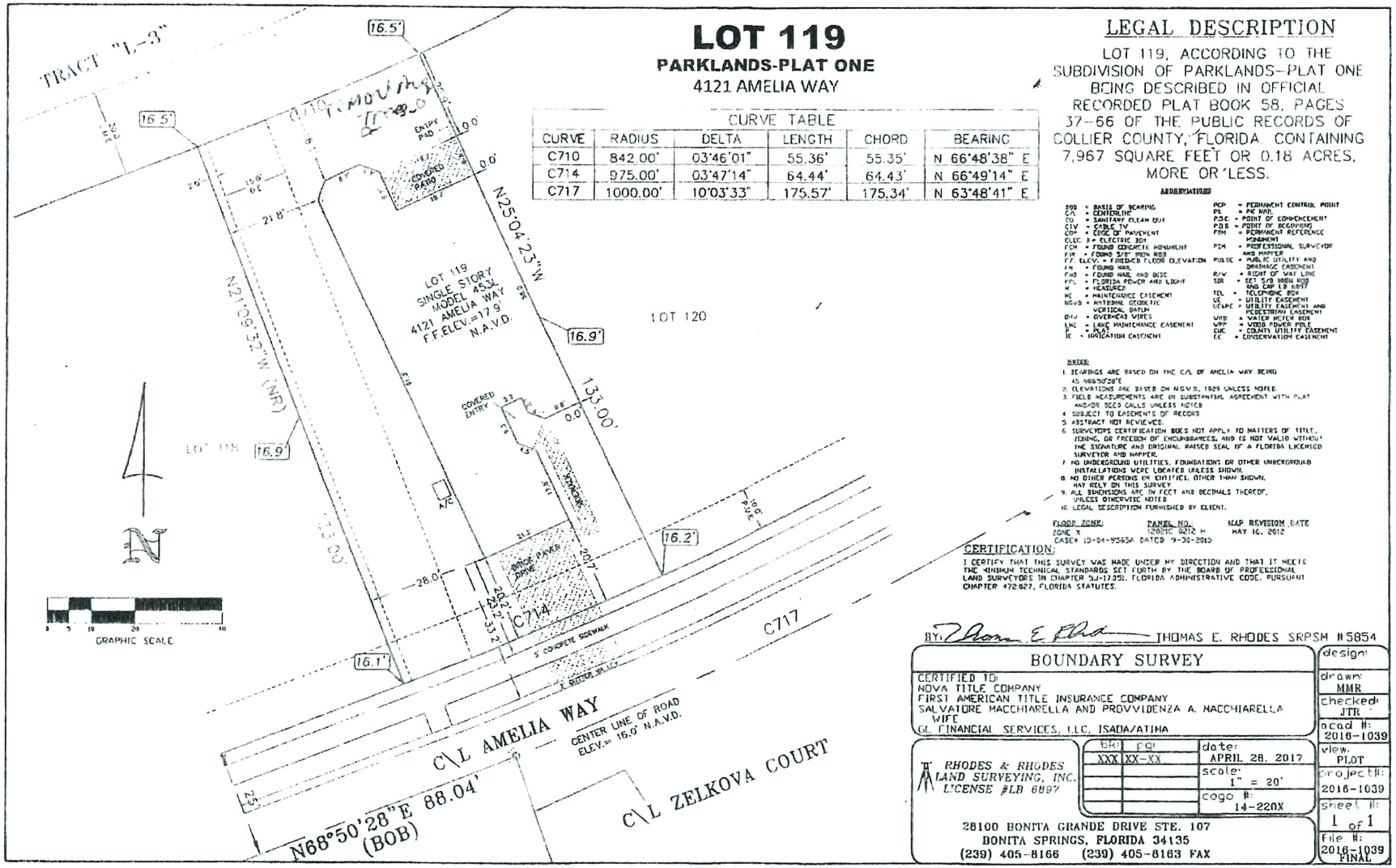
AC

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA -

LOT 119

PARKLANDS-PLAT ONE

4121 AMELIA WAY



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C710	842.00'	03°46'01"	55.36'	55.35'	N 66°48'38" E
C714	975.00'	03°47'14"	64.44'	64.43'	N 66°49'14" E
C717	1000.00'	10°03'33"	175.57'	175.34'	N 63°48'41" E

LEGAL DESCRIPTION

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ABBREVIATIONS

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SS = SANITARY CLEAN OUT
CTV = CABLE TV
EOP = EDGE OF PAVEMENT
ELEC. = ELECTRIC BOX
FCM = FOUND CONCRETE MONUMENT
FIR = FOUND 5/8" IRON ROD
F.F. ELEV. = FINISHED FLOOR ELEVATION
FN = FOUND NAIL
FND = FOUND NAIL AND DISC
FPL = FLORIDA POWER AND LIGHT
M = MEASURED
ME = MAINTENANCE EASEMENT
NGVD = NATIONAL GEODETIC VERTICAL DATUM
OHW = OVERHEAD WIRES
LME = LAKE MAINTENANCE EASEMENT
P = PLAT
IE = IRRIGATION EASEMENT
PCP = PERMANENT CONTROL POINT
PC = PC NAIL
POC = POINT OF COMMENCEMENT
POB = POINT OF BEGINNING
PRM = PERMANENT REFERENCE MONUMENT
PSM = PROFESSIONAL SURVEYOR AND MAPPER
PUDE = PUBLIC UTILITY AND DRAINAGE EASEMENT
R/W = RIGHT OF WAY LINE
SIR = SET 5/8 IRON ROD AND CAP LB 6897
TEL = TELEPHONE BOX
UE = UTILITY EASEMENT
UEAPE = UTILITY EASEMENT AND PEDESTRIAN EASEMENT
WMB = WATER METER BOX
WPP = WOOD POWER POLE
CUE = COUNTY UTILITY EASEMENT
CE = CONSERVATION EASEMENT

NOTES:
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3. FIELD MEASUREMENTS ARE IN SUBSTANTIAL AGREEMENT WITH PLAT AND/OR DEED CALLS UNLESS NOTED.
4. SUBJECT TO EASEMENTS OF RECORD
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9. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
10. LEGAL DESCRIPTION FURNISHED BY CLIENT.

FLOOD ZONE: ZONE X — PANEL NO. 12021C 0212 H — MAP REVISION DATE MAY 16, 2012
CASE# 15-04-9565A DATED 9-30-2015

CERTIFICATION:

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT CHAPTER 472.027, FLORIDA STATUTES.

BY: _____ THOMAS E. RHODES SRPSM #5854

BOUNDARY SURVEY

CERTIFIED TO:
NOVA TITLE COMPANY
FIRST AMERICAN TITLE INSURANCE COMPANY
SALVATORE MACCHIARELLA AND PROVVIDENZA A. MACCHIARELLA WIFE
GL FINANCIAL SERVICES, LLC, ISADA/ATIMA

RHODES & RHODES LAND SURVEYING, INC.
LICENSE #LB 6897

BK	PG	date: APRIL 28, 2017
XXX	XX-XX	scale: 1" = 20'
		cogo #: 14-220X

28100 BONITA GRANDE DRIVE STE. 107
BONITA SPRINGS, FLORIDA 34135
(239) 405-8166 (239) 405-8163 FAX

design:
drawn: MMR
checked: JTR
acad #: 2016-1039
view: PLOT
project#: 2016-1039
sheet #: 1 of 1
file #: 2016-1039 FINAL

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA -

INSPECTION JOB CARD – COLLIER COUNTY, FLORIDA
FOR INSPECTIONS PHONE 252-3726

Please Note All Conditions

PERMIT NUMBER: PRBD2020062578901	APPLICATION NUMBER: PRBD20200625789	ISSUED:
JOB DESCRIPTION:	CONSTRUCTION OF POOL/SPA WITH DECK 4121 Amelia WAY, Naples	
JOB LOCATION:	4121 Amelia WAY, Naples	
LEGAL DESCRIPTION:	PARKLANDS PLAT ONE LOT 119	
FOLIO #: 66035003346	SECTION-TOWNSHIP-RANGE: 9 - 48 - 26	
OWNER NAME:	WAXMAN, EITAN PATRICIA MAY WAXMAN # 176	
CONTRACTOR:	JACKSON POOLS, INC.	

SETBACKS:

FRONT:		REAR:	3' Pool / 0' Screen	LEFT:	10'	RIGHT:	0'	SPECIAL:		FLOOD ZONE:	FZX

DESCRIPTION	OUTCOME	COMMENTS
700 - Pool Bonding		
701 - Pool Final		
704 - Pool Shell Reinforcement (NOTE:Survey may be required within 10 days)		
706 - Pool Plumbing Rough		Hayward Tri Star 950 VS Pump W/ 2 In. Branch drain
707 - Pool Plumbing Final		
708 - Pool Electrical Final		
709 - Pool Pipe Pressure Test		
711 - Pool Footings		
714 - Pool Equipotential Bonding Grid		
801 - Site Drainage		
810 - Exotic Vegetation Removal		
814 - Erosion/Silt		

OPEN CONDITIONS Condition Type:	Condition Description:
Inspection Hold	Sub Contractor (Electrical)

NOTE: If you are unable to schedule your inspection, please contact the inspection desk at 252-2406

NOISE ORDINANCE: Collier County Codes of Laws and Ordinances 54-92(f) Construction Sound. NOISE LIMITATIONS are in effect at all times. Work permitted, RESIDENTIAL Areas – 6:30 AM to 7:00 PM Monday thru Saturday; NON-RESIDENTIAL Areas (more than 500 feet from Residential Area) 6:00AM to 8:00PM Monday thru Saturday.

No Work on Sundays or Holidays. RADIOS, LOUDSPEAKERS, ETC. – Must not disturb peace, quiet and comfort of neighboring inhabitants.

FREE CABLE LOCATIONS – Call 48 Hours prior to digging/FPL 434-1222/UTS 1-800-542-0088/PalmerCATV 783-0638 and all other applicable utilities.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. FS § 713.135

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

INSPECTION JOB CARD – COLLIER COUNTY, FLORIDA
FOR INSPECTIONS PHONE 252-3726

NOTE: If you are unable to schedule your inspection, please contact the inspection desk at 252-2406.
NOISE ORDINANCE: Collier County Codes of Laws and Ordinances 54-92(f) Construction Sound. NOISE LIMITATIONS are in effect at all times. Work permitted, RESIDENTIAL Areas – 6:30 AM to 7:00 PM Monday thru Saturday; NON-RESIDENTIAL Areas (more than 500 feet from Residential Area) 6:00AM to 8:00PM Monday thru Saturday.
No Work on Sundays or Holidays. RADIOS, LOUDSPEAKERS, ETC. – Must not disturb peace, quiet and comfort of neighboring inhabitants.
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Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

AFFIDAVIT OF COMPLIANCE

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 13th day of December, ~~2010~~ 2020 by Erin Waxman and Patricia Waxman, who is personally known to me or who has produced Florida Driver's License as identification.

(Signature of Notary Public)

Terri Taworski
Printed Name of Notary

(Notary Seal)

TERRI TAWORSKI
Notary Public, State of Florida
Commission# GG 340455
My comm. expires July 6, 2023

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

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: PL20200001982 | Buffer: 150' | Date: 1/8/2021 | Site Location: 66035003346

NAME1	NAME2	NAME3	NAME4	NAME5	NAME6	FOLIO
AUGUSTINE, JIMMY & ZOE	4133 AMELIA WAY				NAPLES, FL 34119---0	66035003401
CHITA, VIOREL & NICOLETA	4129 AMELIA WAY				NAPLES, FL 34119---0	66035003388
CORREA, ALEJANDRO	ELENA GONZALEZ CORREA	4117 AMELIA WAY			NAPLES, FL 34119---0	66035003320
CRISO, LOUIS A & JEAN M	4137 AMELIA WAY				NAPLES, FL 34119---0	66035003427
DEMYAN, BRET A & CAROLYN A	4114 ZELKOVA COURT				NAPLES, FL 34119---0	66035004840
FONG, DUNCAN ALEXANDER	JENNIFER LEOTA BARRELL	4125 AMELIA WAY			NAPLES, FL 34119---0	66035003362
JOSEFSSON, LEIF E & ELEONOR E	4109 AMELIA WAY				NAPLES, FL 34119---0	66035003281
KASSOLIS, JONATHAN	4115 ZELKOVA COURT				NAPLES, FL 34119---0	66035005027
KELLY, SCOTT	JENNIFER JAMESON-KELLY	4119 ZELKOVA COURT			NAPLES, FL 34119---0	66035005001
ROBLES, RONALDO W & ELISSA J	4113 AMELIA WAY				NAPLES, FL 34119---0	66035003304
SHARON, NIR & WENDY	4118 ZELKOVA CT				NAPLES, FL 34119---0	66035004866
STONECREEK PROPERTY OWNERS	ASSOCIATION INC	1600 SAWGRASS CORPORATE PKWY	SUITE 400		SUNRISE, FL 33323---0	66035000640
STONECREEK PROPERTY OWNERS	ASSOCIATION INC	1600 SAWGRASS CORPORATE PKWY	SUITE 400		SUNRISE, FL 33323---0	66035000747
STONECREEK PROPERTY OWNERS	ASSOCIATION INC	1600 SAWGRASS CORPORATE PKWY	SUITE 400		SUNRISE, FL 33323---0	66035000925
TYNSKI, JASON	SUNSHINE ROSE KEULING	4143 CRESCENT CT			NAPLES, FL 34119---0	66035004824
WAXMAN, EITAN	PATRICIA MAY WAXMAN	4121 AMELIA WAY			NAPLES, FL 34119---0	66035003346

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA -

Sample letter for Notification of Variance

Jan 25, 2021

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:

Parklands Plat One Lot 119
4121 Amelia Way, Naples FL, 34119

It is our intent to ask the County for an after-the-fact 2.2 foot variance from the required 3-foot rear yard setback for an accessory structure (pool) as provided for in the Parklands Planned Unit Development (PUD) Zoning District. The request is to allow the pool at 0.8 feet from the rear property line located at Lot 119, Parklands – Plat one, AKA: 4121 Amelia Way, in Section 09, Township 48 South, Range 26 East, Collier County, Florida. (PL20200001982) on the aforementioned property. In any event, please be advised that we are interested in assuring you that our request should not adversely affect your property interest.

Sincerely,

Eitan & Tricia Waxman
4121 Amelia Way,
Naples, FL 34119

Attachment: Attachment D - Backup with Application and Supporting Docs (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

Collier County

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): PL20200001982

EITAN + TRICIA WAXMAN

Regarding the above subject petition number(s), [redacted] (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: EITAN WAXMAN, TRICIA WAXMAN Date: DEC. 1. 2020

Signature: E. Wax

☑ 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: Virtual Quasi-Judicial Public Hearing Waiver (14943 : PL20200001982 VA - 4121 Amelia Way - Waxman)

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.B
Item Summary: PETITION NO. PL202000001934 ABW - Bayshore Wine and Food Venue-The applicant requests that the Hearing Examiner consider a minimum distance waiver pursuant to Section 5.05.01.A.6. of the Land Development Code for an establishment to be known as the Bayshore Wine and Food Venue that seeks to sell alcohol for consumption on-site with a minimum separation distance of less than 500 feet from an existing establishment whose primary function is the sale of alcoholic beverages for consumption on-site and two churches. [Coordinator: Nancy Gundlach, Principal Planner] Commissioner District 4.

Meeting Date: 02/25/2021

Prepared by:
Title: Planner, Principal – Zoning
Name: Nancy Gundlach
02/08/2021 10:00 AM

Submitted by:
Title: Manager - Planning – Zoning
Name: Ray Bellows
02/08/2021 10:00 AM

Approved By:

Review:

Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	02/08/2021 2:21 PM
Growth Management Operations & Regulatory Management	Rose Burke		Review Item	Completed
Zoning	Ray Bellows	Review Item	Completed	02/09/2021 9:05 AM
Zoning	Anita Jenkins	Review Item	Completed	02/17/2021 9:46 AM
Hearing Examiner	Andrew Dickman	Meeting Pending	02/25/2021 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: ZONING DIVISION – ZONING SERVICES SECTION
GROWTH MANAGEMENT DEPARTMENT

HEARING: FEBRUARY 25, 2021

SUBJECT: PETITION ABW-PL202000001934, BAYSHORE WINE AND FOOD VENUE

APPLICANT/AGENT:

Maddox & Partners, LLC
1350 Jewel Box Avenue
Naples, FL 34102

Robert J. Mulhere, FAICP, President
Hole Montes, Inc.
950 Encore Way
Naples, FL34110

OWNER:

Naples 3.0 Holdings, Inc.
1350 Jewel Box Avenue
Naples, FL 34102
(See Attachment A-*Ownership Flow Chart*)

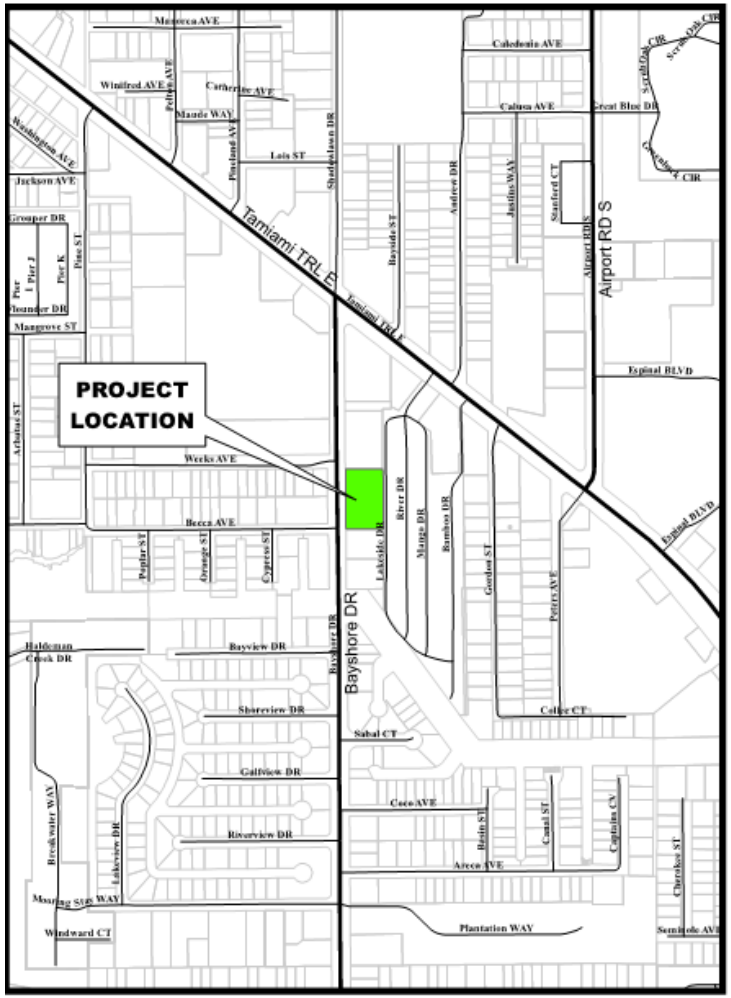
REQUESTED ACTION:

The applicant requests that the Hearing Examiner consider a minimum distance waiver pursuant to Section 5.05.01.A.6. of the Land Development Code for an establishment to be known as the Bayshore Wine and Food Venue that seeks to sell alcohol for consumption on-site with a minimum separation distance of less than 500 feet from an existing establishment whose primary function is the sale of alcoholic beverages for consumption on-site and two churches.

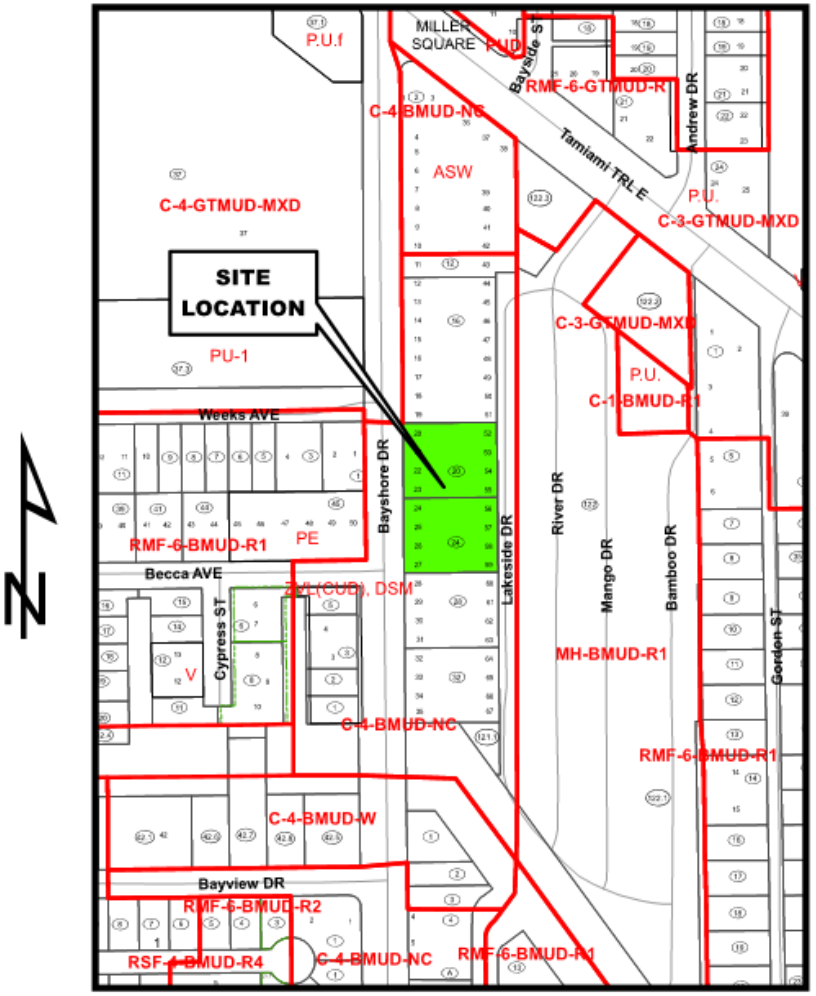
GEOGRAPHIC LOCATION:

The subject property is located on the east side of Bayshore Drive between Weeks Avenue and Becca Avenue in Section 11, Township 50 South, Range 25 East, Collier County, Florida. (See Location Map on following page.)

Attachment: Staff Report for Bayshore Wine and Food 2-10-21 (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)



Location Map



Zoning Map

Petition Number: PL20200001934

Attachment: Staff Report for Bayshore Wine and Food 2-10-21 (14959 : PL20200001934, Bayshore Wine

PURPOSE/DESCRIPTION OF PROJECT:

The applicant is requesting approval of a waiver from the minimum separation distance of 500 feet from other such establishments that sell alcohol for on-site consumption and derive less than fifty-one percent of its sales from food items for the proposed Bayshore Wine and Food Venue. The other establishment which sells alcohol for on-site consumption and derives less than fifty-one percent of their sales from food items is as follows:

Celebration Food Truck Park	Unit 12105	100.3 feet

The applicant is also requesting a waiver from the separation distance for two churches located within 500 feet of the proposed establishment:

Revelation Church of Jesus Christ of the Apostolic	2740 Bayshore Drive	311.7 feet
Iglesio del Evangelio de Cristo	2727 Bayshore Drive	281.5 feet

Please see a depiction of the sites on Attachment B-*Separation Exhibit.*

CONSIDERATIONS:

The Bayshore Wine and Food Venue is located in the Bayshore Gateway Triangle Redevelopment Overlay, specifically within the Bayshore Mixed-Use Overlay District, Neighborhood Commercial Subdistrict. The property is zoned C-4-BMUD-NC. The proposed Bayshore Wine and Food Venue furthers the CRA objectives for redevelopment of this area into an arts and entertainment district, with a mix of unique and transformative uses.

According to the petitioner, the Bayshore Wine and Food Venue is a unique multi-use concept. (See Attachment C-*Application.*) The proposed mix of uses will not function as a typical bar, but rather as an upscale Wine and Food venue, with three distinct elements:

(1) a retail Wine/Charcuterie/Gourmet Market
(2) a Private Members-Only Club for wine aficionados; and as
(3) a Wine and Food venue open to the public.

Please note, the separation requirement only applies to the Wine and Food venue which is open to the public. The separation requirement does not apply to the Private Members-Only Wine Club as private clubs are exempt from the separation requirement. Please note, the separation requirement does not apply to the retail sale of alcoholic beverages (but rather only establishments that generate more than 50% of revenue from the sale of alcoholic beverages for on-site consumption. Establishments that sell alcohol for on-site consumption, but which generate more than 50% of their revenue from the sale of food or nonalcoholic beverages (restaurants rather than bars), are not subject to this requirement.

Attachment: Staff Report for Bayshore Wine and Food 2-10-21 (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

The decision to waive all or part of the distance requirement shall be based upon the following factor as established in Section 5.05.01.A.6. of the Collier County Land Development Code. (Staff response is italicized):

FACTOR: The nature and type of natural or manmade boundary, structure, or other feature lying between the proposed establishment and an existing school, child care center, public library, church, public park, or public playground which is determined by the BZA/Hearing Examiner to lessen the need for the total 500-foot distance requirement. Such boundary, structure, or other feature may include, but is not limited to, lakes, marshes, nondevelopable wetlands, designated preserve areas, canals, and major rights-of-way.

The subject site is separated from Celebration Park and from Revelation Church of Jesus Christ of the Apostolic (2740 Bayshore Drive) by a 4-lane roadway (Bayshore Drive). The Iglesio del Evangelio de Cristo church (2727 Bayshore Drive) is located on the same side of Bayshore as the proposed Bayshore Wine and Food Venue, within a commercial center.

FACTOR: The paths of vehicular and pedestrian traffic which could be taken between the alcoholic beverage establishment and the school, childcare center, public library, church, public park, or public playground.

It is assumed that patrons of the proposed Bayshore Wine and Food Venue will arrive by vehicle and park in the onsite parking. Patrons may also arrive as pedestrians, using the County's improved sidewalk and right-of-way to access the site. The Celebration Food Truck Park and the Proposed Bayshore Wine and Food Venue are located across Bayshore Drive from each other. Pedestrians moving from one location to the other would need to cross Bayshore Drive. According to information submitted by the Applicant, pedestrians traveling from the churches to the venue, (or vice versa) would need to travel:

- *+/- 775 feet at a minimum from the Revelation Church of Jesus Christ of the Apostolic (2740 Bayshore Drive) to the venue; and,*
- *+/- 520 at a minimum foot from Iglesio del Evangelio de Cristo (2727 Bayshore Drive) to the venue.*

FACTOR: The hours of operation and the noise and light which could potentially be generated from the premises selling alcoholic beverages.

As stated in the application, the hours of operation for the proposed public wine bar are from 10 a.m. to 12 a.m. daily. The petitioner has offered to limit outdoor amplified music to the hours of 11:00 a.m. to 10:00 p.m. on Friday and Saturday, and 11:00 a.m. to 9:00 p.m. on Sunday through Thursday, which staff supports for compatibility with the adjacent residential neighbors.

Attachment: Staff Report for Bayshore Wine and Food 2-10-21 (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

RECOMMENDATION:

Staff recommends that the Hearing Examiner approve Petition ABW-PL20200001934, for a waiver of the 500-foot separation requirement between two establishments selling alcoholic beverages for on-premise consumption, and a waiver of the 500-foot separation from the two churches, in accordance with Attachment B-*Separation Exhibit* and subject to the following condition of approval:

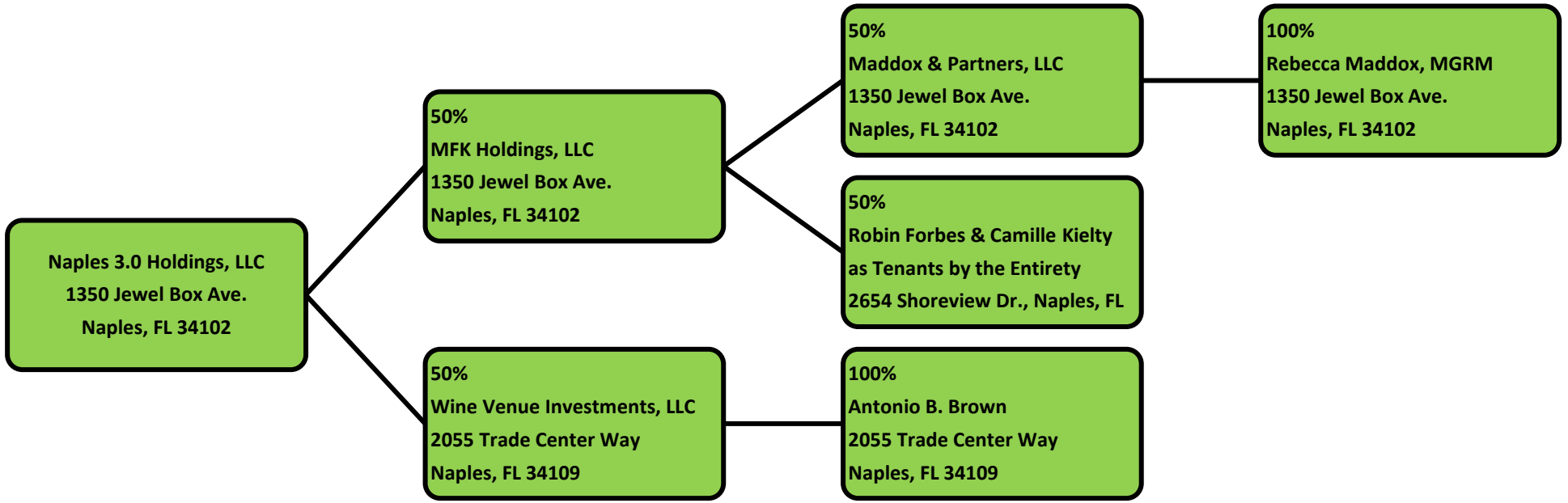
1. *Outdoor amplified music shall be limited to the hours of 11:00 a.m. to 10:00 p.m. on Friday and Saturday, and 11:00 a.m. to 9:00 p.m. on Sunday through Thursday.*

Attachments:

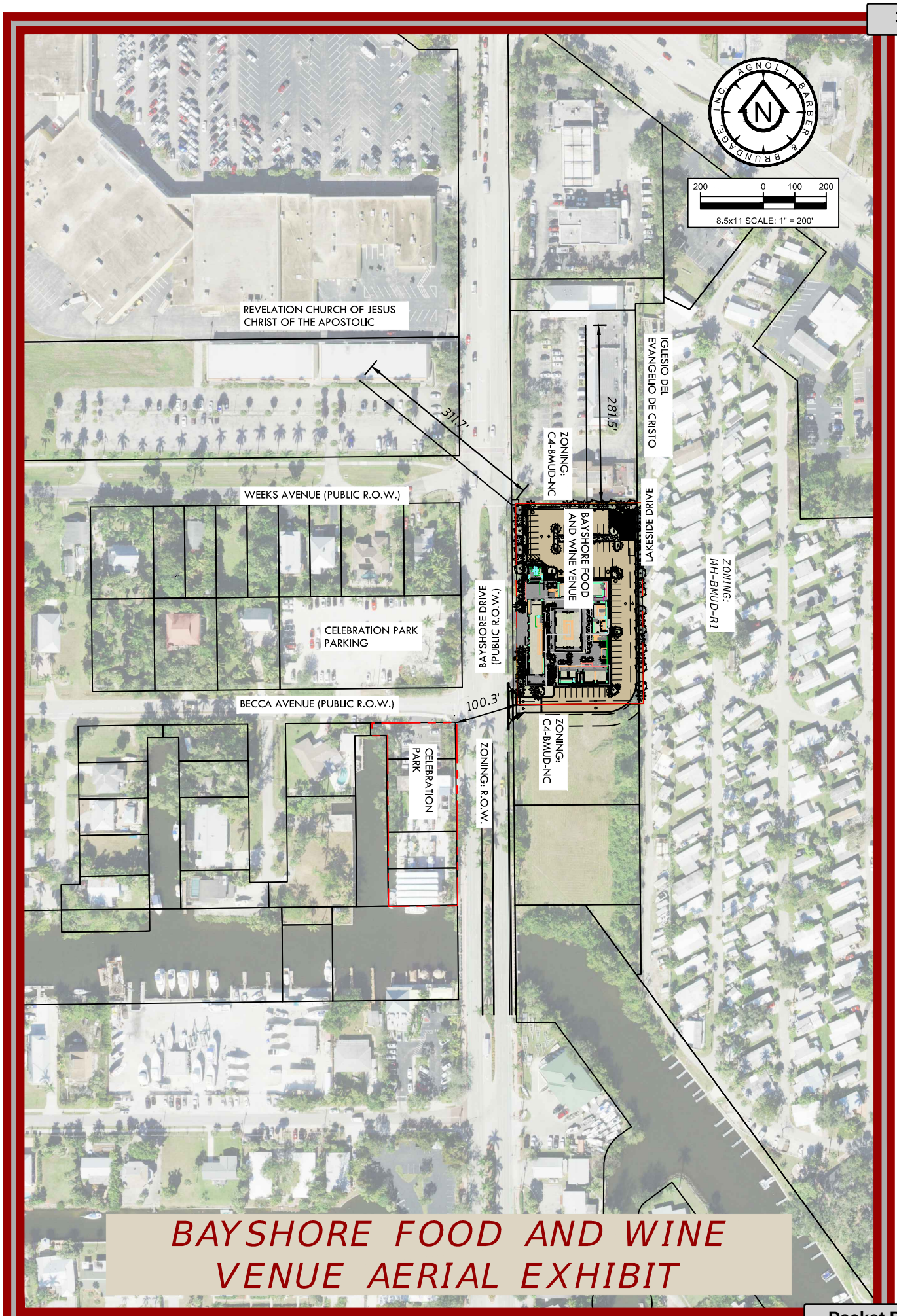
Attachment A-*Ownership Flow Chart*
Attachment B-*Separation Exhibit*
Attachment C-*Application*

Attachment: Staff Report for Bayshore Wine and Food 2-10-21 (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

NAPLES 3.0 HOLDINGS, LLC



Attachment: Attachment A-Ownership Flow Chart (14959 : PL20200001934, Bayshore



Attachment: Attachment B-Separation Exhibit 1-12-21 (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

APPLICATION

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

Collier County

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GROWTH MANAGEMENT DIVISION
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(239) 252-2400 FAX: (239) 252-6358

Waiver from Separation Requirements for Businesses Selling Alcoholic Beverages for On-Premise Consumption

LDC subsection 5.05.01 A.6 & Code of Laws section 2-83 – 2-90
Chapter 6 E. of the Administrative Code

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT CONTACT INFORMATION

Name of Applicant(s): Maddox & Partners, LLC

Address: 1350 Jewel Box Avenue City: Naples State: FL ZIP: 34102

Telephone: 203-733-0665 Cell: _____ Fax: _____

E-Mail Address: rebecca@three60market.com

Name of Agent: Robert J. Mulhere, FAICP, President

Firm: Hole Montes, Inc.

Address: 950 Encore Way City: Naples State: FL ZIP: 34110

Telephone: 239-254-2000 Cell: _____ Fax: 239-254-2099

E-Mail Address: bobmulhere@hmeng.com

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. #: 71580220009 & 71580240005 Section/Township/Range: 11 / 50 / 25

Subdivision: Royal Palm Terrace Unit: _____ Lot: _____ Block: _____

Metes & Bounds Description: See attached Survey

Address/ General Location of Subject Property: South of US 41, Corner of Bayshore & Becca Ave.
Located within the CRA, across Bayshore from the Celebrations FTP

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

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

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ZONING INFORMATION

Current Zoning of Subject Property: C-4-BMUC-NC

Adjacent Zoning and Land Use information:

	Zoning	Land Use
N	C-4-BMUD-NC	C-4 Retail Center
S	C-4-BMUD-NC	Vacant
E	MH-BMUD-R1	Developed Residential
W	RMF-6-BMUD-R1	Developed Residential

WAIVER REQUEST DETAIL

1. Provide a statement, attached on a separate sheet, describing the extent of the waiver requested (in linear feet) from the required 500 ft. separation. NOTE: This distance is measured as the shortest distance between the lot on which the existing establishment is located and the lot on which the alcoholic beverages are to be sold, with the exception of establishments located in shopping centers which shall be measured to the outer wall of the establishment.

2. Provide a description, attached on a separate sheet, of all proposed uses for the subject site or structure, including the following:
   a. Total square footage of subject structure.
   b. Square footage dedicated to each proposed use.
   c. Proposed hours of operation.
   d. Indication of entertainment and type.
   e. A description addressing each of the criteria identified in LDC subsection 5.05.01 A.6.a. - d.

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

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SUBMITTAL REQUIREMENTS CHECKLIST

See Chapter 6 E. of the Administrative Code for submittal requirements. This completed checklist is to be submitted with application packet 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)	14	x	
Completed Addressing Checklist	1	x	
Pre-Application Meeting Notes	1		x
Survey or Boundary sketch to scale, including reduced 8 ½ in. x 11 in. copies	14	x	
Affidavit of Authorization, signed & notarized	1	x	
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	x	

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:

- ☐ **Alcoholic Beverage Separation Requirement Waiver:** $1,000.00
- ☐ **Estimated Legal Advertising Fee for the Office of the Hearing Examiner:** $500.00

All checks payable to: Board of County Commissioners

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

Agent/Owner Signature — Date: 10-8-2020

Robert J. Mulhere, FAICP, President
Applicant/Owner Name (please print)

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

PRE-APPLICATION MEETING WAIVER

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

Stephanie Karol

From: BellowsRay <Ray.Bellows@colliercountyfl.gov>
Sent: Thursday, September 24, 2020 1:23 PM
To: Bob Mulhere
Cc: ScottChris; Stephanie Karol; McLeanMatthew
Subject: RE: Bayshore Wine and Food Venue

Hi Bob,

I have approved the waiver of the pre-app meeting. However, the assigned planner may want to schedule a follow-up Zoom meeting to address any questions.

Ray

Raymond V. Bellows, Zoning Manager
Zoning Division - Zoning Services Section
Growth Management Department
Telephone: 239.252.2463; Fax: 239.252.6350

Collier County

Exceeding expectations, every day!

Tell us how we are doing by taking our Zoning Division Survey at https://goo.gl/eXjvqT.

From: Bob Mulhere <BobMulhere@hmeng.com>
Sent: Thursday, September 24, 2020 9:11 AM
To: BellowsRay <Ray.Bellows@colliercountyfl.gov>
Cc: ScottChris <Chris.Scott@colliercountyfl.gov>; Stephanie Karol <StephanieKarol@hmeng.com>; McLeanMatthew <Matthew.McLean@colliercountyfl.gov>
Subject: Bayshore Wine and Food Venue

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.

Ray, as you know, we had a meeting (Zoom) with staff on September 9 regarding the SDP (PL20190002611), for the above refenced project. One staff comment was that we need a Waiver from LDC Section LDC Section 5.05.01 A.6, since the Wine and Food Venue is located across Bayshore from Celebration Food Truck Park (less than 500').

I have prepared the waiver application and I plan to submit tomorrow or possibly Monday. The application is straight forward. I am requesting a waiver of the pre-app meeting requirement, as I don't really see the need to wait to have that scheduled. Please advise if you concur.

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

AFFIDAVIT OF AUTHORIZATION

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL-20200001934

I, REBECCA J. MADDOX (print name), as MGR (title, if applicable) of NAPLES 3.0 HOLDINGS, 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 ROBERT J. MULHERE, FAICP, PRESIDENT/HOLE MONTES, 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.

Rebecca J Maddox — **Signature**

11-24-20 — **Date**

REBECCA J. MADDOX, MGR, NAPLES 3.0 HOLDINGS, LLC

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [✓] physical presence or [ ] online notarization this 24 day of November, 2020, by (printed name of owner or qualifier) Rebecca J. Maddox.

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

[ ] Are personally known to me

[✓] Has produced a current drivers license FL

[ ] Has produced _____ as identification.

Notary Seal

Notary Signature: Wei Su

Wei Su
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG973694
Expires 5/30/2024

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

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

PROPERTY OWNERSHIP DISCLOSURE FORM

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

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(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 C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

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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
NAPLES 3.0 HOLDINGS, LLC	
1350 JEWEL BOX AVE., NAPLES, FL 34102	
(MFK HOLDINGS, LLC)*	50%
(WINE VENUE INVESTMENTS, LLC)**	50%

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:

* Its Manager is Maddox & Partners, LLC
** Its Manager is Antonio B. Brown

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

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(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

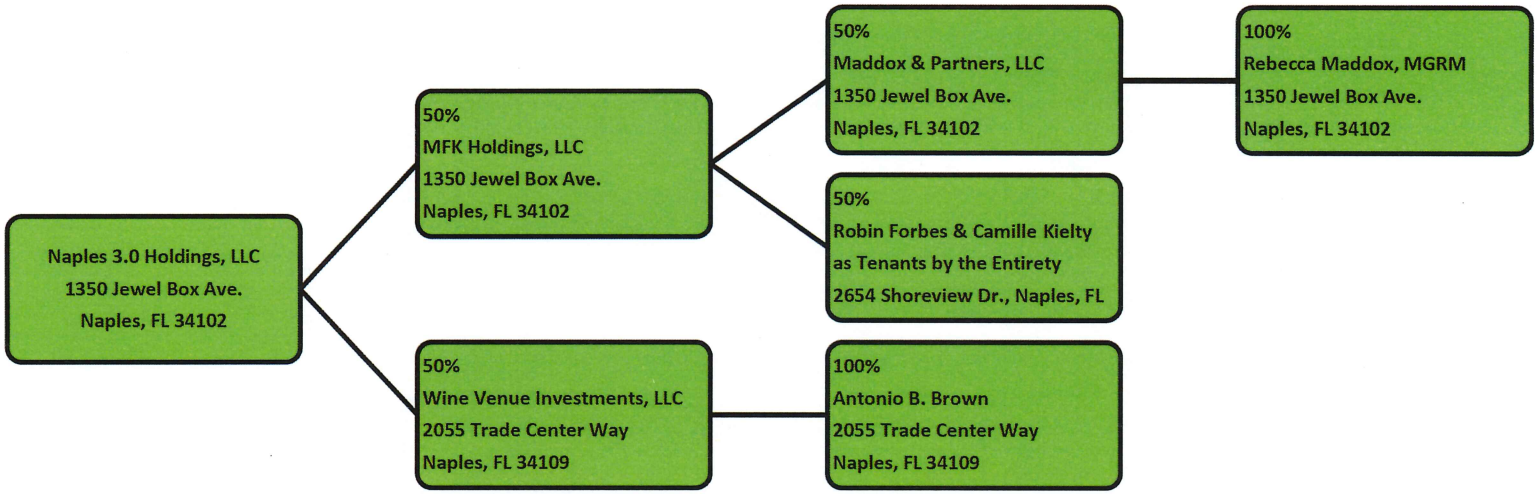
Rebecca Maddox
Agent/Owner Signature

10-5-2020
Date

Rebecca Maddox
Agent/Owner Name (please print)

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

NAPLES 3.0 HOLDINGS, LLC



Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

ADDRESSING CHECKLIST

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

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 Waiver from Separation Requirement

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

See attached Property Appraiser Record

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

71580220009 and 71580240005

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

- **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)*

Bayshore Wine Venue (under review for SDP-PL-20190002611)

PROPOSED STREET NAMES *(if applicable)*

N/A

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

SDP___-____ or AR or PL # 20190002611 (under review)

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
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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)

N/A

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

Applicant Name: Robert Mulhere

Phone: 239-825-9373 **Email/Fax:** bobmulhere@hmeng.com

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

FOR STAFF USE ONLY

Folio Number 71580220009

Folio Number 71580240005

Folio Number

Folio Number

Folio Number

Folio Number

Approved by: WF **Date:** 9/24/2020

Updated by: **Date:**

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

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

NARRATIVE & JUSTIFICATION

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

Narrative and Justification
Waiver from Separation Requirement for Bayshore Food and Wine Venue

LDC Section 5.05.01 Paragraphs A.1 and A.2

Background:

The subject property is located on the east side of Bayshore Drive, at the intersection of Becca Avenue and Bayshore Drive, across from the Celebration Food Truck Park. The property is located within the Bayshore Gateway Triangle CRA, specifically within the Bayshore Mixed Use Overlay District, Neighborhood Commercial Subdistrict. The property is zoned C-4-BMUD-NC.

The proposed use is unique. It is a "transformative multi-use concept," and will include a retail Wine/Charcuterie/Gourmet Market, a Private Members-Only Club for wine aficionados, with temperature-controlled wine vaults with "5-Star Concierge Service," and a chef-designed "Kitchen of the Future" for world class gastronomic events, as well as a wine and food venue open to the public, all housed in architecturally stunning indoor and outdoor spaces.

A Site Development Plan has already been submitted and is under review (PL-20190002611).

This is the latest concept in a series of entertainment/culinary venues by Rebecca Maddox that are transforming the Bayshore Arts District (BAD), recently named "Southwest Florida's Coolest New District" by Gulfshore Life Magazine.



Architectural Rendering – Corban Architecture, Naples, FL

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)



Architectural Rendering – Corban Architecture, Naples, FL

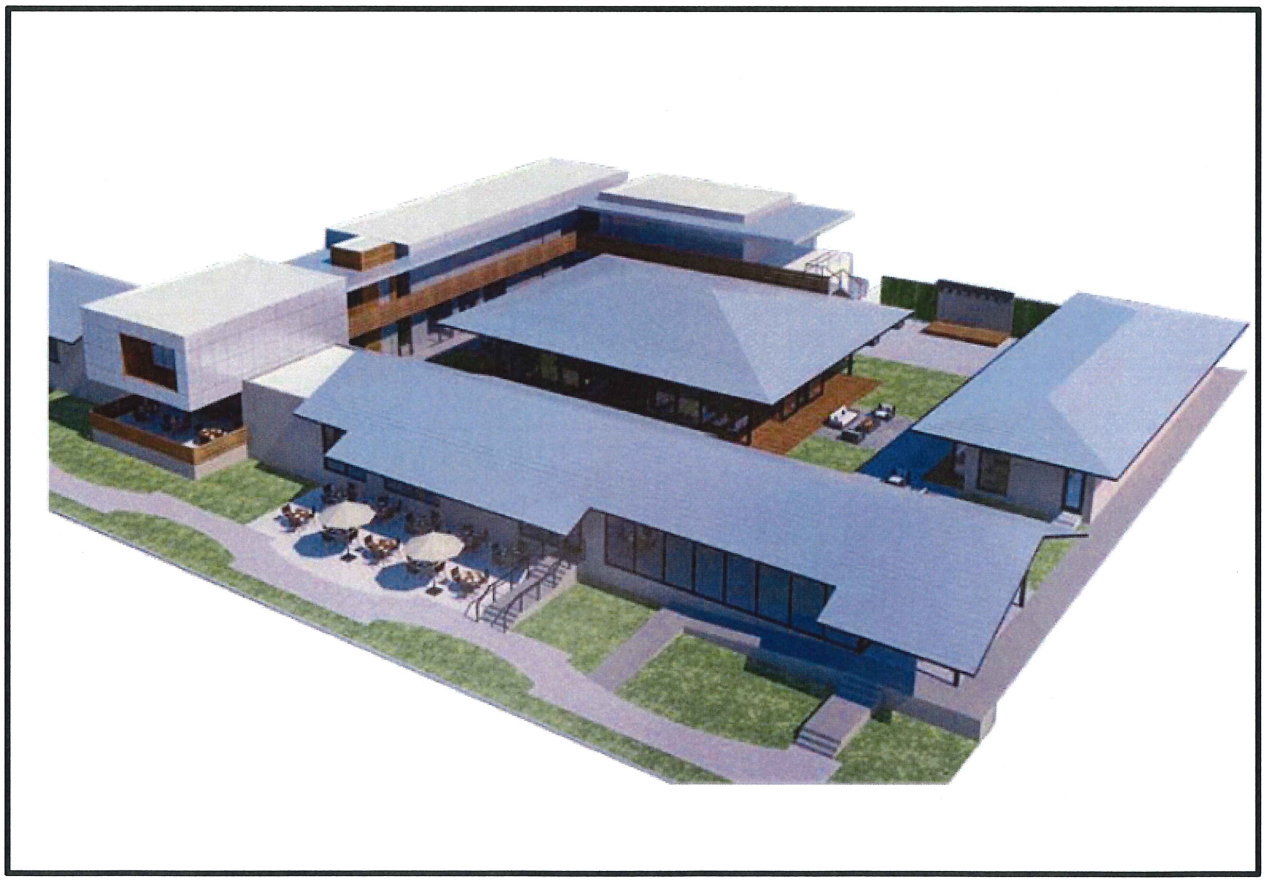


Architectural Rendering – Corban Architecture, Naples, FL

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)



Architectural Rendering – Corban Architecture, Naples, FL



Architectural Rendering – Corban Architecture, Naples, FL

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

Analysis:

Site Specifics:

a. Total square footage of subject structure; and

b. Square footage dedicated to each proposed use.

Response: The SDP, as submitted, identifies the following square footage for each use:

Retail:	**696 square feet**
Restaurant:	**5,120 square feet**
General Office:	**1,042 square feet**
Warehousing:	**2,922 square feet**
Total:	**9,780 square feet**

c. Proposed hours of operation.

Response: Hours of operation will be those typical to any retail and/or restaurant operation and may vary for the private club functions. Hours of operation are anticipated to be from 10:00 AM to 12:00 AM.

d. Indication of entertainment and type.

Response: It is anticipated that there will be live entertainment on site, subject to all applicable Collier County regulations and required permitting for amplified sound.

e. LDC Section 5.05.01.A.1 and A.2 read as follows:

5.05.01 - Businesses Serving Alcoholic Beverages

A. Sale of alcoholic beverages. The County Manager or designee, may authorize the sale of alcoholic beverages for consumption on-site, subject to compliance with all zoning restrictions and the following locational criteria:

1. No such use shall be located within 500 feet of any established elementary, middle, or high school, childcare center, public library, church, public park, or public playground. This does not include beach access points. The distance of 500 feet shall be measured as the shortest distance between the lot on which the school, childcare center, public library, church, public park, or public playground is located and the lot on which the alcoholic beverages are to be sold, except that establishments located in shopping centers shall be measured to the outer wall of the establishment.

2. *No such use shall be located within 500 feet of any existing establishment whose primary function is the sale of alcoholic beverages for consumption on-site. The distance of 500 feet shall be measured as the shortest distance between the **lot** on which the existing establishment is located and the **lot** on which the alcoholic beverages are to be sold, except that establishments located in **shopping centers** shall be measured to the outer wall of the establishment.*

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

A waiver under LDC Section 5.05.01.A. paragraphs 1. and 2. is necessary since the proposed Bayshore Food and Wine Venue is located (see attached exhibits):

- Across the street from the Celebration Food Truck Park (100.3 feet from the that establishment measured from the closest point on the Celebration Food Truck Park parcel to the closest point on the proposed Bayshore Wine and Food Venue parcel); and,
- 311.7' from Revelation Church of Jesus Christ of the Apostolic (2740 Bayshore Drive); and,
- 281.5' from Iglesio del Evangelio de Cristo (2727 Bayshore Drive), both of which are measured from the outer wall of the Church Unit/Suite to the closest point on the subject property.)

LDC Section 5.05.01.A.6, which address such waivers, reads as follows:

5.05.01 - Businesses Serving Alcoholic Beverages

6. *The BZA may, by resolution, grant a waiver of part or all of the minimum distance requirement set forth herein if it is demonstrated by the applicant and determined by the BZA that the site proposed for the sale and consumption of alcoholic beverages is separated from an established business whose primary function is the sale of alcoholic beverages for consumption on-site, from the school, child care center, public library, church, public park or public playground by natural or manmade boundaries, structures, or other features which offset or limit the necessity for such minimum distance requirement. The BZA's decision to waive part or all of the distance requirement shall be based upon the following factors:*

   a. *The nature and type of natural or manmade boundary, structure, or other feature lying between the proposed establishments .... which is determined by the BZA to lessen the need for the total 500-foot distance requirement. Such boundary, structure, or other feature may include, but is not limited to, lakes, marshes, nondevelopable wetlands, designated preserve areas, canals, and major rights-of-way.*

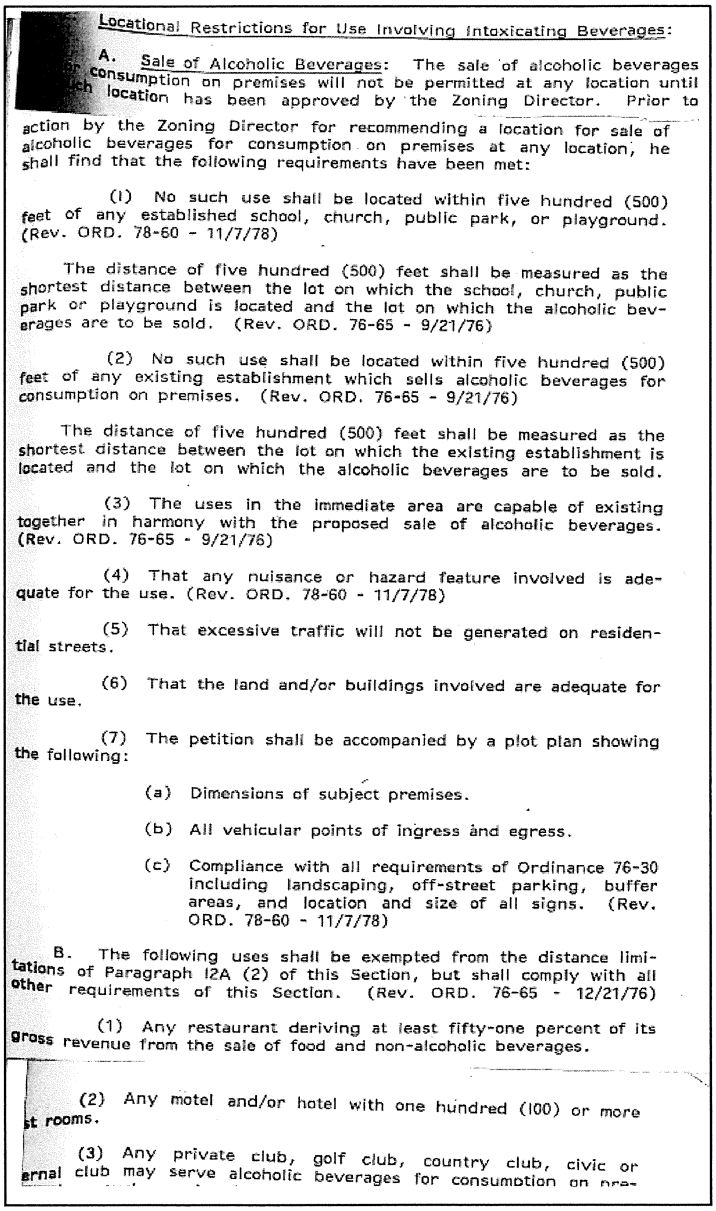
Response: The site is separated from Celebration Park and from Revelation Church of Jesus Christ of the Apostolic (2740 Bayshore Drive) by a 4-lane roadway (Bayshore Drive). The Iglesio del Evangelio de Cristo church (2727 Bayshore Drive) is located on the same side of Bayshore as the proposed Bayshore Food and Wine Venue, within a commercial center. The features which justify the waiver are the following:

- **The CRA has long promoted redevelopment of this area into an arts and entertainment district. Over the past several years, Rebecca Maddox and her partners have invested <u>private sector money</u> into transforming the area to meet these objectives. It is not reasonable nor in the best interest of furthering these objectives to have the separation requirement apply in this case.**

- **The purpose of the separation requirement is to reduce the likelihood of a proliferation of such establishments in one area or neighborhood, and to address any perceived negative impacts on of such a use on nearby schools, childcare centers, public libraries, churches, or public parks public playground. These location restrictions are found in the County's zoning regulations, in one form or another, as far back as the late 1950's. Below is the relevant section from the 1974**

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

Zoning Ordinance (as amended). Given the unique nature of the proposed use and the CRA objectives, this restriction does not make sense.



Locational Restrictions for Use Involving Intoxicating Beverages:

A. Sale of Alcoholic Beverages: The sale of alcoholic beverages for consumption on premises will not be permitted at any location until such location has been approved by the Zoning Director. Prior to action by the Zoning Director for recommending a location for sale of alcoholic beverages for consumption on premises at any location, he shall find that the following requirements have been met:

(1) No such use shall be located within five hundred (500) feet of any established school, church, public park, or playground. (Rev. ORD. 78-60 - 11/7/78)

The distance of five hundred (500) feet shall be measured as the shortest distance between the lot on which the school, church, public park or playground is located and the lot on which the alcoholic beverages are to be sold. (Rev. ORD. 76-65 - 9/21/76)

(2) No such use shall be located within five hundred (500) feet of any existing establishment which sells alcoholic beverages for consumption on premises. (Rev. ORD. 76-65 - 9/21/76)

The distance of five hundred (500) feet shall be measured as the shortest distance between the lot on which the existing establishment is located and the lot on which the alcoholic beverages are to be sold.

(3) The uses in the immediate area are capable of existing together in harmony with the proposed sale of alcoholic beverages. (Rev. ORD. 76-65 - 9/21/76)

(4) That any nuisance or hazard feature involved is adequate for the use. (Rev. ORD. 78-60 - 11/7/78)

(5) That excessive traffic will not be generated on residential streets.

(6) That the land and/or buildings involved are adequate for the use.

(7) The petition shall be accompanied by a plot plan showing the following:

(a) Dimensions of subject premises.

(b) All vehicular points of ingress and egress.

(c) Compliance with all requirements of Ordinance 76-30 including landscaping, off-street parking, buffer areas, and location and size of all signs. (Rev. ORD. 78-60 - 11/7/78)

B. The following uses shall be exempted from the distance limitations of Paragraph 12A (2) of this Section, but shall comply with all other requirements of this Section. (Rev. ORD. 76-65 - 12/21/76)

(1) Any restaurant deriving at least fifty-one percent of its gross revenue from the sale of food and non-alcoholic beverages.

(2) Any motel and/or hotel with one hundred (100) or more st rooms.

(3) Any private club, golf club, country club, civic or ernal club may serve alcoholic beverages for consumption on pre-

- **The proposed mix of uses will not function as a typical bar, but rather as an upscale food and wine venue, with three distinct elements: (1) a retail Wine/Charcuterie/Gourmet Market; (2) a Private Members-Only Club for wine aficionados; and (3) as a wine and food venue open to the public. The proposed Bayshore Wine and Food Venue furthers the CRA objectives for redevelopment of this area into an arts and entertainment district, with a mix of unique and transformative uses. These uses do not in any way have the potential negative impacts that the separation requirement was intended to address. Conversely,**

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

applying this request would have a negative impact on private investment in a project that will clearly advance the objectives for this area.

- **The separation requirement does not apply to the retail sale of alcoholic beverages (but rather only establishments which generate more than 50% of revenue from the sale of alcoholic beverages for on-stie consumption. Establishments which sell alcohol for on-site consumption, but which generate more than 50% of their revenue from the sale of food or nonalcoholic beverages (restaurants rather than bars), are not subject to this requirement. Private clubs are exempt from the separation requirement. Each of the three entities proposed to operate from the subject site will be separate corporate entities, to meet State of Florida licensing requirements. Thus, the separation requirement only applies to Food and Wine venue which is open to the public. Since the Bayshore Food and Wine Venue is not yet developed, it is not certain that more than 50% of the revenue generated from the Food and Wine venue open to the public will be from the sale of alcoholic beverage for onsite consumption. Nevertheless, given the significant investment in developing the Bayshore Food and Wine Venue, and out if an abundance of caution, we are requesting the waiver from distance requirement as it applies to Celebration Food Truck Park, and to the two existing churches.**

b. *The paths of vehicular and pedestrian traffic which could be taken between the alcoholic beverage establishments ….*

Response: It is assumed that patrons of the proposed Bayshore Wine and Food Venue will arrive by vehicle and park in the onsite parking. Patrons may also arrive via bicycle or as pedestrians, using the County's improved sidewalk and right-of way to access the site. The Celebration Food Truck Park and the Proposed Bayshore Food and Winer Venue are located across Bayshore Drive from each other. Pedestrians moving from one location to the other would need to cross Bayshore Drive. At the present time, the CRA and MSTU are developing plans to provide upgraded pedestrian and bicycle facilities along Bayshore Drive, and to enhance the safety for multimodal users. Pedestrians traveling from the churches to the venue, (or vice versa) would need to travel:

- **+/- 775 feet at a minimum from the Revelation Church of Jesus Christ of the Apostolic (2740 Bayshore Drive) to the venue; and,**
- **+/- 520 at a minimum foot from Iglesio del Evangelio de Cristo (2727 Bayshore Drive) to the venue.**

c. *The hours of operation and the noise and light which could potentially be generated from the premises selling alcoholic beverages.*

Response: The proposed venue includes a retail wine/charcuterie/gourmet market, a private members-only club for wine aficionados, a public wine bar, and a gourmet kitchen facility for preparing food for both the private club and the

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

public wine bar. The hours of operation for the proposed public wine bar are 10:00 am to 12:00 AM daily.

Conclusion:

The request for a waiver of the 500-foot separation between establishments whose primary function is the sale of alcoholic beverages for consumption on-site and from the two churches located in units within commercial centers, to allow for: (1) a 100.3-foot separation between the Celebration Food Truck park and the Bayshore Wine and Food Venue; (2) a 311.7' separation from Revelation Church of Jesus Christ of the Apostolic (2740 Bayshore Drive); and, (3) a 281.5' separation from Iglesio del Evangelio de Cristo (2727 Bayshore Drive) is justified based upon the following:

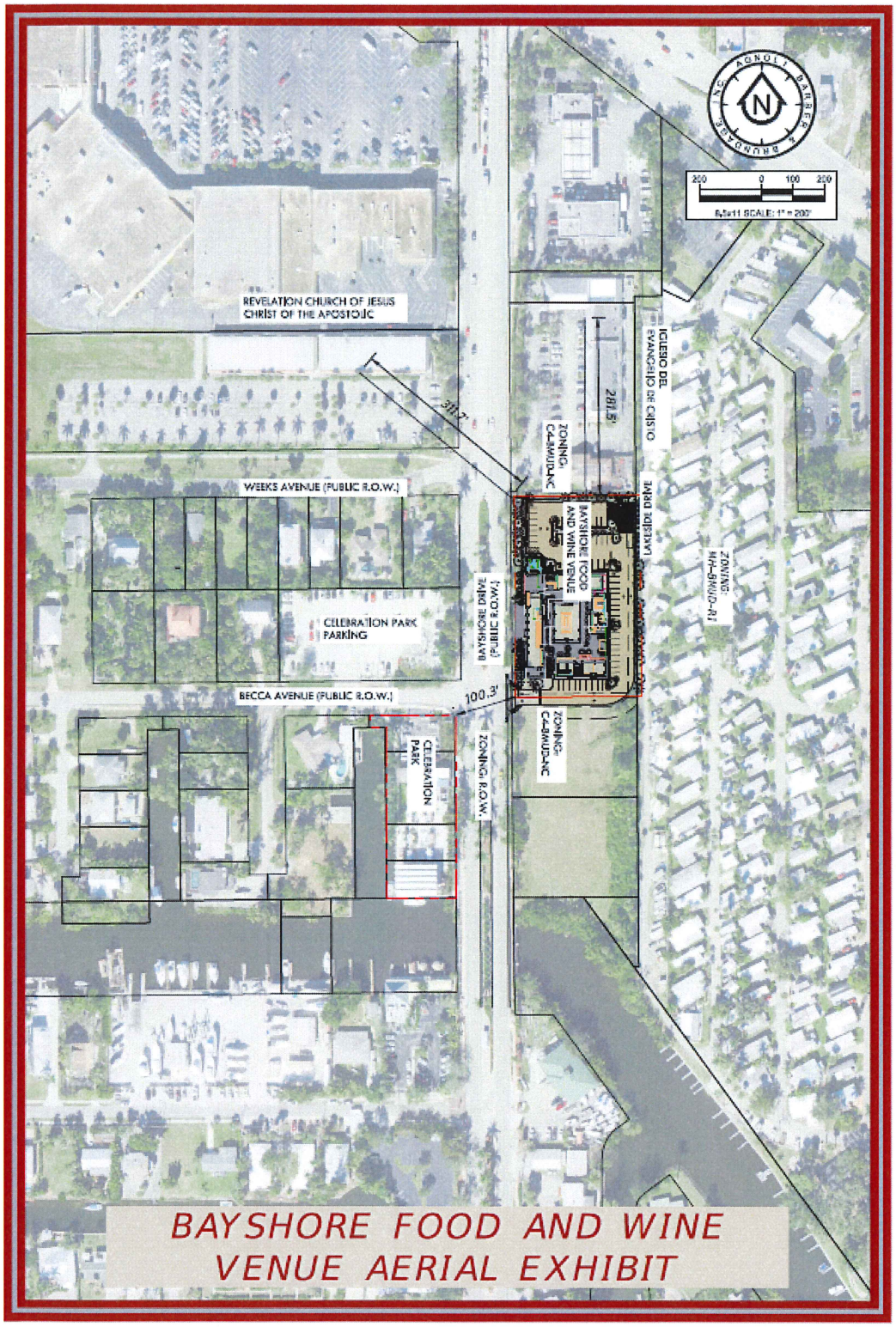
- There are substantive manmade and natural boundaries, structures, and other features which offset or limit the necessity for such minimum distance requirement.
- It makes no sense to apply this standard in the CRA for a use that will further the CRA objectives. The Bayshore Wine and Food Venue will be a state-of-the-art facility that advances the goals and objectives of the CRA with private sector investment by an entity with a proven track record of success. Moreover, the are no negative elements associated with this unique mix of uses which are the basis for the separation requirement. In the words of Rebecca Maddox, the concept was developed to serve "a culture and community with a common passion for exceptional wine and food." It will be an "[a]n expression of excellence that exceeds expectations…[a]n exclusive gathering place for oenophiles, gourmands and those who seek the extraordinary."
- It is arguable as to whether the separation requirement applies to the two churches located within commercials centers, given the LDC definition of Church:

  Church: A building or group of buildings and/or structures providing a place of assembly for worship, ceremonies, or rituals pertaining to a particular system of beliefs.

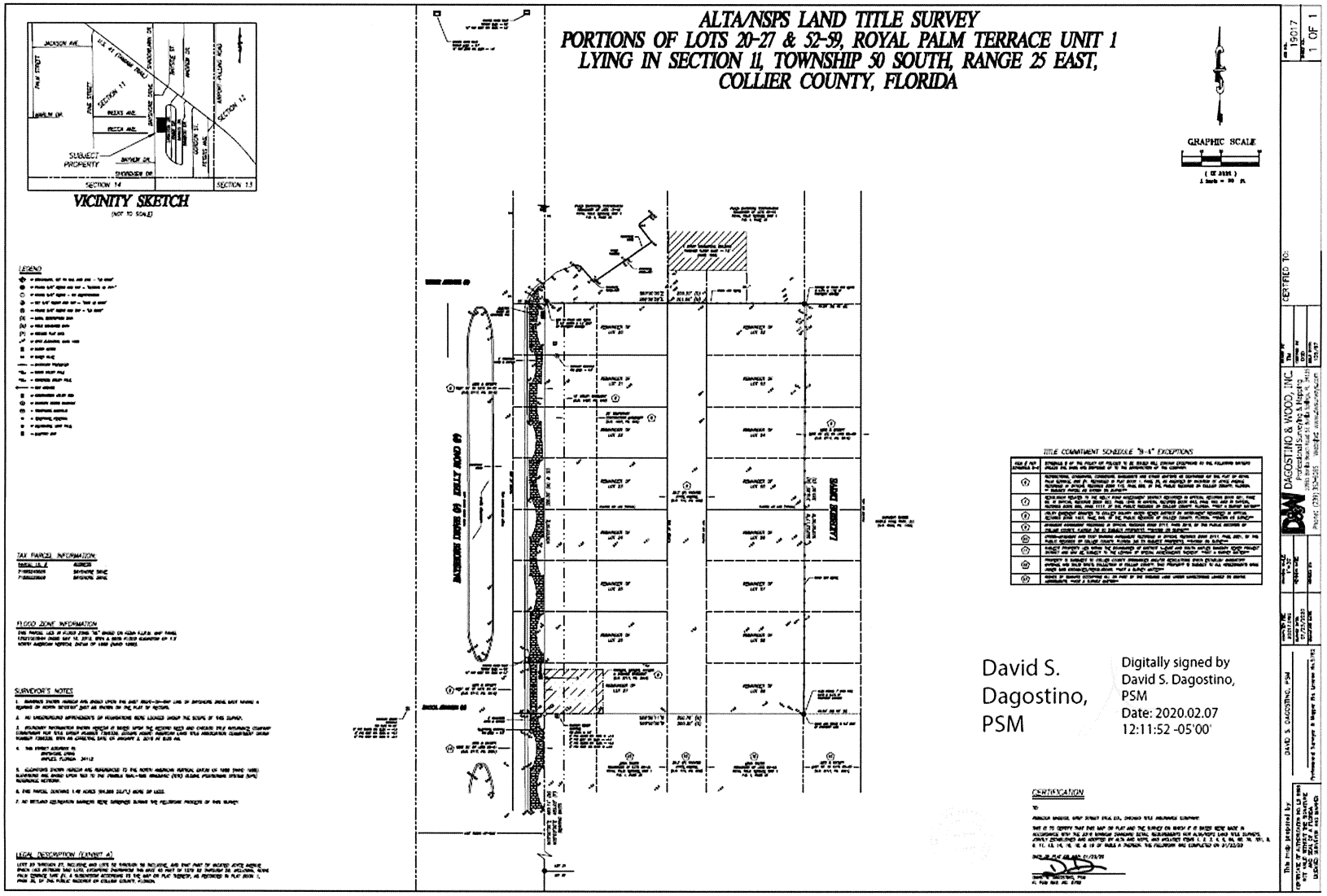
  A leased unit within a commercial center (shopping center or commercial center not meeting the LDC definition of shopping center) is not "a building or group of buildings or structures…".

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

Aerial Exhibit



Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)



Survey

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

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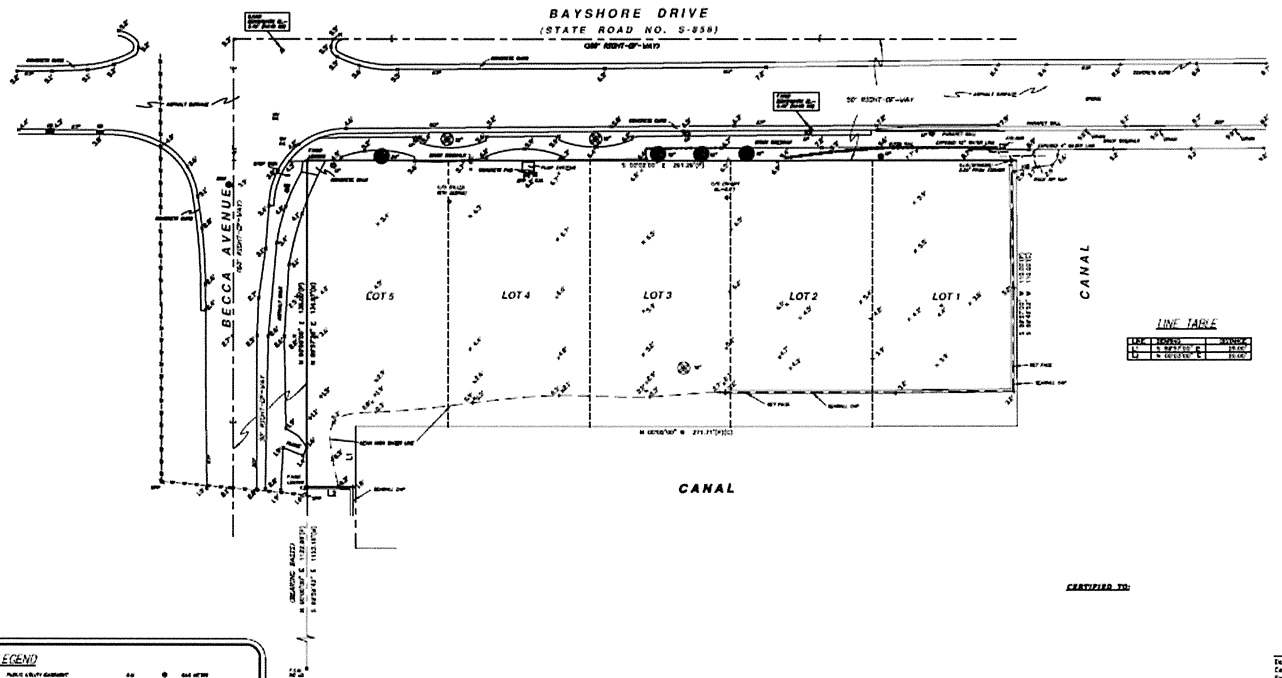
SKETCH OF SURVEY

REAL PROPERTY DESCRIPTION:

LOTS 1-5, INCLUSIVE, LINDEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 14 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

NOTES:

1. BEARINGS SHOWN HEREON ARE REFERRED AND HERE TO THE SOUTH RIGHT-OF-WAY LINE OF BECCA AVENUE, BEING DUE EAST.
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESTRICTIONS AND REQUIREMENTS OF RECORD.
3. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
4. ELEVATIONS SHOWN HEREON ARE NORTH AMERICAN VERTICAL DATUM OF 1988, (NAVD 88).
5. THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE AE, PANEL 0667, MAP NO. 12021C0667G, DATED MAY 16, 2012.
6. IMPROVEMENTS, OTHER THAN THOSE SHOWN HEREON, MAY EXIST BUT WERE NOT LOCATED.
7. LEGAL DESCRIPTION SUPPLIED BY CLIENT.



TREE LEGEND

LEGEND

CERTIFIED TO:

DATE OF SURVEY: OCTOBER 7, 2020

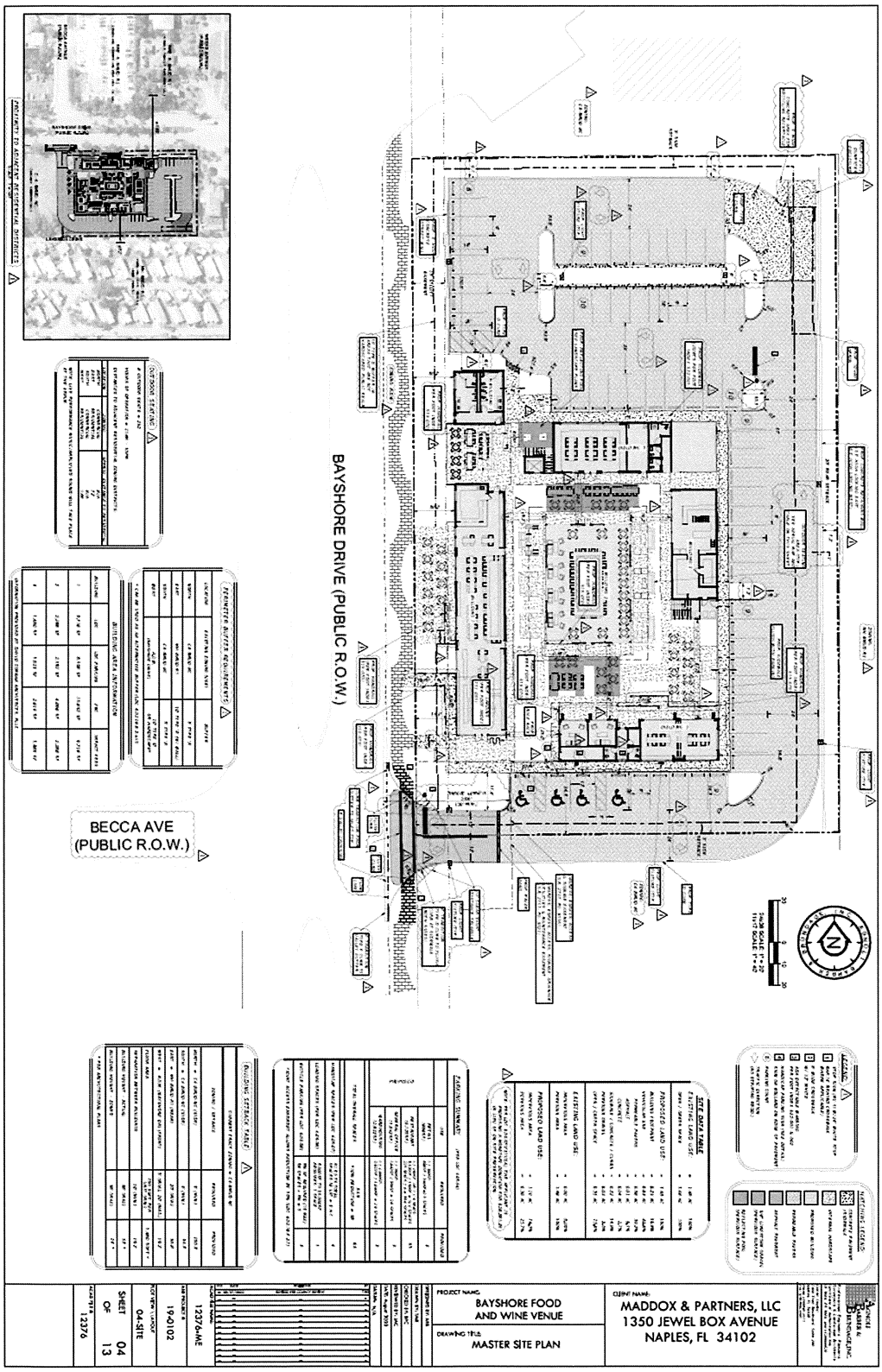
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

David B. Brems, PLS
Certificate Number 4520
Peter B. Grabosky, PSM
Certificate Number 6165

NAPLES 2.0 LLC

BOUNDARY SURVEY

Bruns & Bruns, Inc.
Surveying & Land Planning
1072 6th Avenue North
Naples, Florida 34102 (239) 261 - 5965



Proposed (Submitted) Site Plan

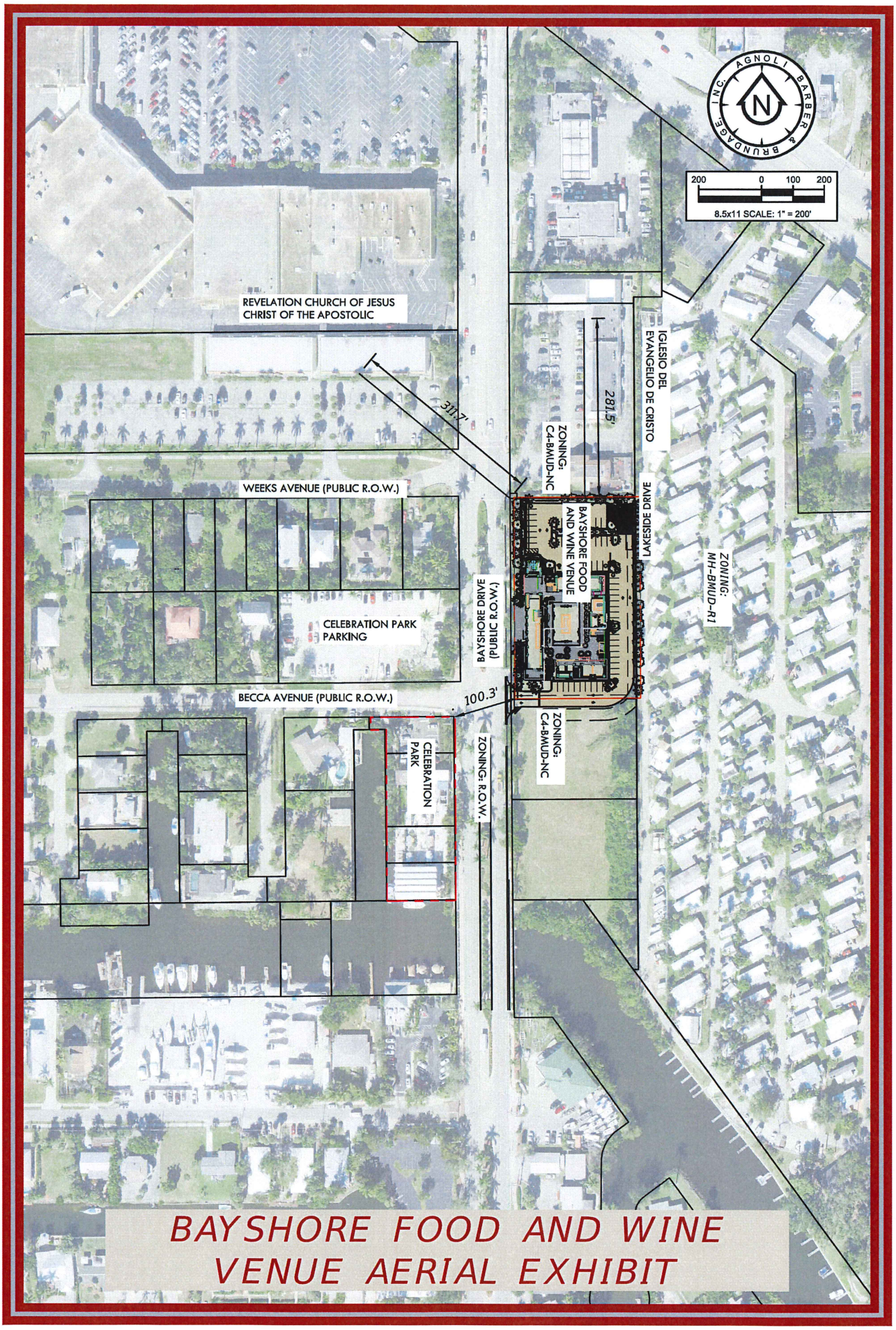
Packet Pg. 121

3.B.d

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

AERIAL

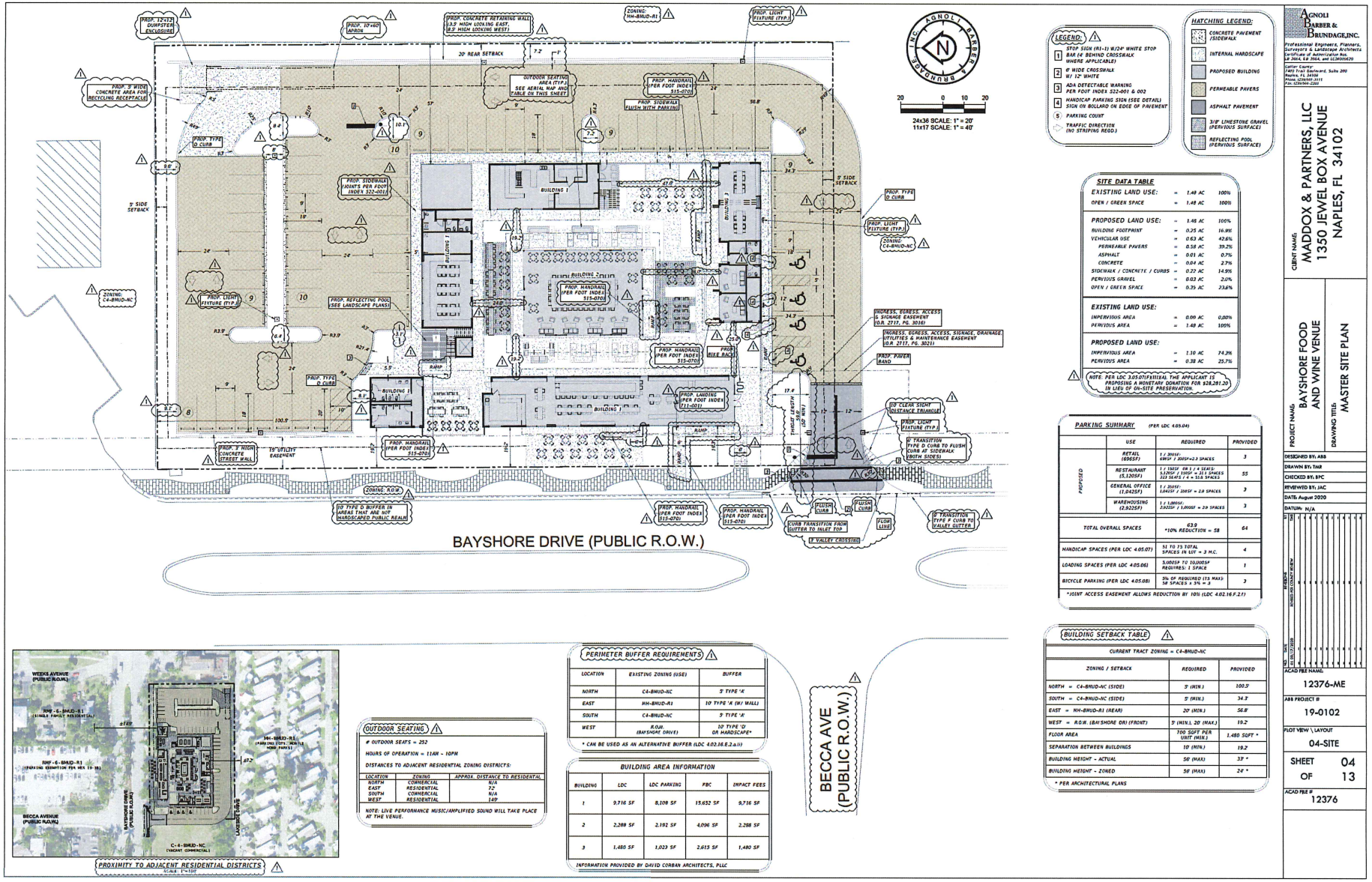
Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)



Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

MASTER SITE PLAN

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)



PROXIMITY TO ADJACENT RESIDENTIAL DISTRICTS

LEGEND:

1. STOP SIGN (R1-1) W/24" WHITE STOP BAR 6' BEHIND CROSSWALK WHERE APPLICABLE)
2. 6' WIDE CROSSWALK W/ 12" WHITE
3. ADA DETECTABLE WARNING PER FOOT INDEX 522-001 & 002
4. HANDICAP PARKING SIGN (SEE DETAIL) SIGN ON BOLLARD ON EDGE OF PAVEMENT
5. PARKING COUNT

TRAFFIC DIRECTION (NO STRIPING REQD.)

HATCHING LEGEND:

- CONCRETE PAVEMENT /SIDEWALK
- INTERNAL HARDSCAPE
- PROPOSED BUILDING
- PERMEABLE PAVERS
- ASPHALT PAVEMENT
- 3/8" LIMESTONE GRAVEL (PERVIOUS SURFACE)
- REFLECTING POOL (PERVIOUS SURFACE)

SITE DATA TABLE

EXISTING LAND USE:	=	1.48 AC	100%
OPEN / GREEN SPACE	=	1.48 AC	100%
PROPOSED LAND USE:	=	1.48 AC	100%
BUILDING FOOTPRINT	=	0.25 AC	16.9%
VEHICULAR USE	=	0.63 AC	42.6%
PERMEABLE PAVERS	=	0.58 AC	39.2%
ASPHALT	=	0.01 AC	0.7%
CONCRETE	=	0.04 AC	2.7%
SIDEWALK / CONCRETE / CURBS	=	0.22 AC	14.9%
PERVIOUS GRAVEL	=	0.03 AC	2.0%
OPEN / GREEN SPACE	=	0.35 AC	23.6%
EXISTING LAND USE:			
IMPERVIOUS AREA	=	0.00 AC	0.00%
PERVIOUS AREA	=	1.48 AC	100%
PROPOSED LAND USE:			
IMPERVIOUS AREA	=	1.10 AC	74.3%
PERVIOUS AREA	=	0.38 AC	25.7%

NOTE: PER LDC 3.05.07(F)(1)(A), THE APPLICANT IS PROPOSING A MONETARY DONATION FOR $26,281.20 IN LIEU OF ON-SITE PRESERVATION.

PARKING SUMMARY (PER LDC 4.05.04)

	USE	REQUIRED	PROVIDED
PROPOSED	RETAIL (6965F)	1 / 300SF: 6965F / 300SF=2.3 SPACES	3
	RESTAURANT (5,120SF)	1 / 150SF OR 1 / 4 SEATS: 5,120SF / 150SF = 33.5 SPACES 223 SEATS / 4 = 55.8 SPACES	55
	GENERAL OFFICE (1,042SF)	1 / 350SF: 1,042SF / 350SF = 2.9 SPACES	3
	WAREHOUSING (2,922SF)	1 / 1,000SF: 2,922SF / 1,000SF = 2.9 SPACES	3
TOTAL OVERALL SPACES		63.9 *10% REDUCTION = 58	64
HANDICAP SPACES (PER LDC 4.05.07)		51 TO 75 TOTAL SPACES IN LOT = 3 H.C.	4
LOADING SPACES (PER LDC 4.05.08)		5,000SF TO 10,000SF REQUIRES: 1 SPACE	1
BICYCLE PARKING (PER LDC 4.05.08)		5% OF REQUIRED (15 MAX): 58 SPACES x 5% = 3	3

*JOINT ACCESS EASEMENT ALLOWS REDUCTION BY 10% (LDC 4.02.16.F.2.f)

OUTDOOR SEATING

OUTDOOR SEATS = 252

HOURS OF OPERATION = 11AM - 10PM

DISTANCES TO ADJACENT RESIDENTIAL ZONING DISTRICTS:

LOCATION	ZONING	APPROX. DISTANCE TO RESIDENTIAL
NORTH	COMMERCIAL	N/A
EAST	RESIDENTIAL	75'
SOUTH	COMMERCIAL	N/A
WEST	RESIDENTIAL	149'

NOTE: LIVE PERFORMANCE MUSIC/AMPLIFIED SOUND WILL TAKE PLACE AT THE VENUE.

PERIMETER BUFFER REQUIREMENTS

LOCATION	EXISTING ZONING (USE)	BUFFER
NORTH	C4-BMUD-NC	5' TYPE 'A'
EAST	HH-BMUD-R1	10' TYPE 'A' (W/ WALL)
SOUTH	C4-BMUD-NC	5' TYPE 'A'
WEST	R.O.W. (BAYSHORE DRIVE)	10' TYPE 'D' OR HARDSCAPE*

* CAN BE USED AS AN ALTERNATIVE BUFFER (LDC 4.02.16.E.2.a.ii)

BUILDING AREA INFORMATION

BUILDING	LDC	LDC PARKING	PBC	IMPACT FEES
1	9,716 SF	8,108 SF	15,652 SF	9,716 SF
2	2,288 SF	2,192 SF	4,096 SF	2,288 SF
3	1,480 SF	1,023 SF	2,615 SF	1,480 SF

INFORMATION PROVIDED BY DAVID CORBAN ARCHITECTS, PLLC

BUILDING SETBACK TABLE

CURRENT TRACT ZONING = C4-BMUD-NC

ZONING / SETBACK	REQUIRED	PROVIDED
NORTH = C4-BMUD-NC (SIDE)	5' (MIN.)	100.9'
SOUTH = C4-BMUD-NC (SIDE)	5' (MIN.)	34.3'
EAST = HH-BMUD-R1 (REAR)	20' (MIN.)	56.8'
WEST = R.O.W. (BAYSHORE DR) (FRONT)	5' (MIN.), 20' (MAX.)	19.2'
FLOOR AREA	700 SQFT PER UNIT (MIN.)	1,480 SQFT *
SEPARATION BETWEEN BUILDINGS	10' (MIN.)	19.2'
BUILDING HEIGHT - ACTUAL	50' (MAX)	33' *
BUILDING HEIGHT - ZONED	50' (MAX)	34' *

* PER ARCHITECTURAL PLANS

AGNOLI BARBER & BRUNDAGE, INC.
Professional Engineers, Planners, Surveyors & Landscape Architects
Certificate of Authorization Nos. LB 3664, LB 3964, and LC26000620
3960 Tamiami Trail North, Suite 200
Naples, FL 34103
Phone: (239)690-3111
Fax: (239)434-2265

CLIENT NAME: MADDOX & PARTNERS, LLC
1350 JEWEL BOX AVENUE
NAPLES, FL 34102

PROJECT NAME: BAYSHORE FOOD AND WINE VENUE

DRAWING TITLE: MASTER SITE PLAN

DESIGNED BY: ABB
DRAWN BY: TAR
CHECKED BY: BPC
REVIEWED BY: JAC
DATE: August 2020
DATUM: N/A

NO.	DATE	REVISIONS / ISSUANCES
1	08.24.2020	ADMIN REVIEW

ACAD FILE NAME: 12376-ME
ABB PROJECT #: 19-0102
PLOT VIEW \ LAYOUT: 04-SITE
SHEET 04 OF 13
ACAD FILE #: 12376

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

CHURCH WAIVER EXHIBIT

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

Church Waiver Exhibit

LDC Section 5.05.01A.1



2740 Bayshore - Revelation Church of Jesus Christ of the Apostolic (350' measured from the outer wall of the Church Unit/Suite to the closest point on the subject property.)

2727 Bayshore - Iglesio del Evangelio de Cristo (280' measured from the outer wall of the Church Unit/Suite to the closest point on the subject property.)

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

SKETCH OF SURVEY

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

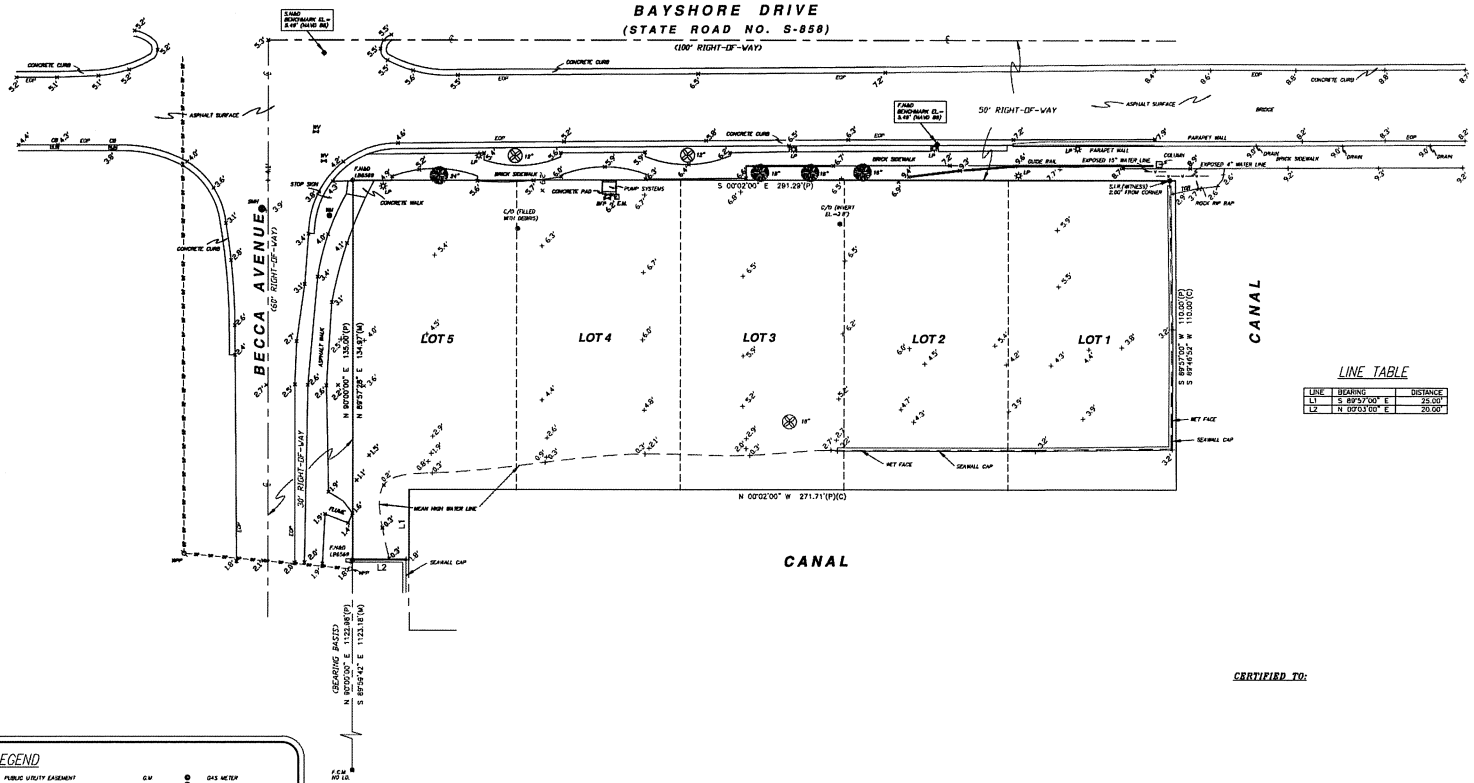
SKETCH OF SURVEY

REAL PROPERTY DESCRIPTION:

LOTS 1–5, DEWERE LANDING, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 14 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

NOTES:

1) BEARINGS SHOWN HEREON ARE ASSUMED AND REFER TO THE SOUTH RIGHT-OF-WAY LINE OF BECCA AVENUE, BEING DUE EAST.
2) THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
3) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
4) ELEVATIONS SHOWN HEREON ARE NORTH AMERICAN VERTICAL DATUM OF 1988. (N.A.V.D. 88).
5) THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE AE 7, DATED MAY 16, 2012.
6) IMPROVEMENTS OTHER THAN THOSE SHOWN HEREON HAVE NOT BEEN LOCATED.
7) LEGAL DESCRIPTION SUPPLIED BY CLIENT.



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89°57'00" E	25.00'
L2	N 0703'00" E	20.00'

TREE LEGEND

MAHOGANY TREE
PALM TREE

LEGEND

F.C.M.	FOUND CONCRETE MONUMENT	P.U.E.	PUBLIC UTILITY EASEMENT	G.M.	GAS METER
P.R.M.	PERMANENT REFERENCE MONUMENT	A.E.	ACCESS EASEMENT	GUY	GUY WIRE OR POLE
P.C.P.	PERMANENT CONTROL POINT	L.M.&D.E.	LAKE MAINTENANCE & DRAINAGE EASEMENT	H.R.	HANDICAP PARKING
F.I.R.	FOUND 5/8" IRON ROD	A/C	AIR-CONDITION	INV.	INVERT
S.I.R.	SET 5/8" IRON ROD LB3241	BFP.	BACK FLOW PREVENTER	LP	LIGHT POST
F.D.H.	FOUND DRILL HOLE	BOC	BACK OF CURB	LPGT	LOW PRESSURE GAS TANK
F.N&D	FOUND NAIL & DISC	BLP	BOAT LIFT PILE	M.E.	MITERED END DRAIN OUTLET
S.N&D	SET NAIL & DISC LB3241	BP	BRICK PAVER	P.E.	POOL EQUIPMENT
LB	LICENSED BUSINESS	CATV	CABLE RISER TELEVISION	SAN	SANITARY MANHOLE
NO I.D.	NO IDENTIFICATION	CB	CATCH BASIN	SWMH	STORM WATER MANHOLE
NAVD	NORTH AMERICAN VERTICAL DATUM	℄	CENTERLINE	UTS	TELEPHONE BOX
PLS	PROFESSIONAL LAND SURVEYOR	C/O	CLEAN-OUT	OHP	OVERHEAD POWER LINES
PSM	PROFESSIONAL SURVEYOR & MAPPER	D.V.	CONCRETE DAVIT	TOB	TOP OF BANK
(M)	MEASURED	EOP	EDGE OF PAVEMENT	UMH	UTILITY MANHOLE
(P)	PLAT	E.M.	ELECTRIC METER	UTP	UTILITY PEDESTAL
(C)	CALCULATED	EL.	ELEVATION	WM	WATER METER
M.E.	MAINTENANCE EASEMENT	G.U.	EXISTING ELEVATION	WV	WATER VALVE
D.E.	DRAINAGE EASEMENT	FFE	FINISH FLOOR ELEVATION	W	WELL
U.E.	UTILITY EASEMENT	FH	FIRE HYDRANT	WPP	WOOD POWER POLE
I.E.	IRRIGATION EASEMENT	FPL	FLORIDA POWER & LIGHT CO.	Y.D.	YARD DRAIN

(NOTE: NOT ALL SYMBOLS & ABBREVIATIONS MAY BE USED)

CERTIFIED TO:

David B. Bruns, PLS
Certificate Number 4520
Peter D. Gratosky, PSM
Certificate Number 6985

DATE OF SURVEY: OCTOBER 7, 2016

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

NAPLES 2.0 LLC

BOUNDARY SURVEY

SCALE: 1" = 20'	DATE:	DRAWN: P.D.G.	CHECKED: D.B.B.	FIELD BOOK: 225 PAGE: 1-2
				FILE NO:
				ACAD FILE: DLL0731-5
				REVISIONS:

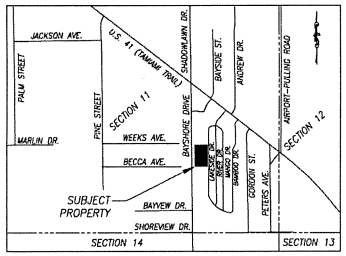
Bruns & Bruns, Inc.
Surveying & Land Planning
1072 6th Avenue North
Corporation No. 128 3241
Naples, Florida 34102 (239) 261 – 5965

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

LAND TITLE SURVEY

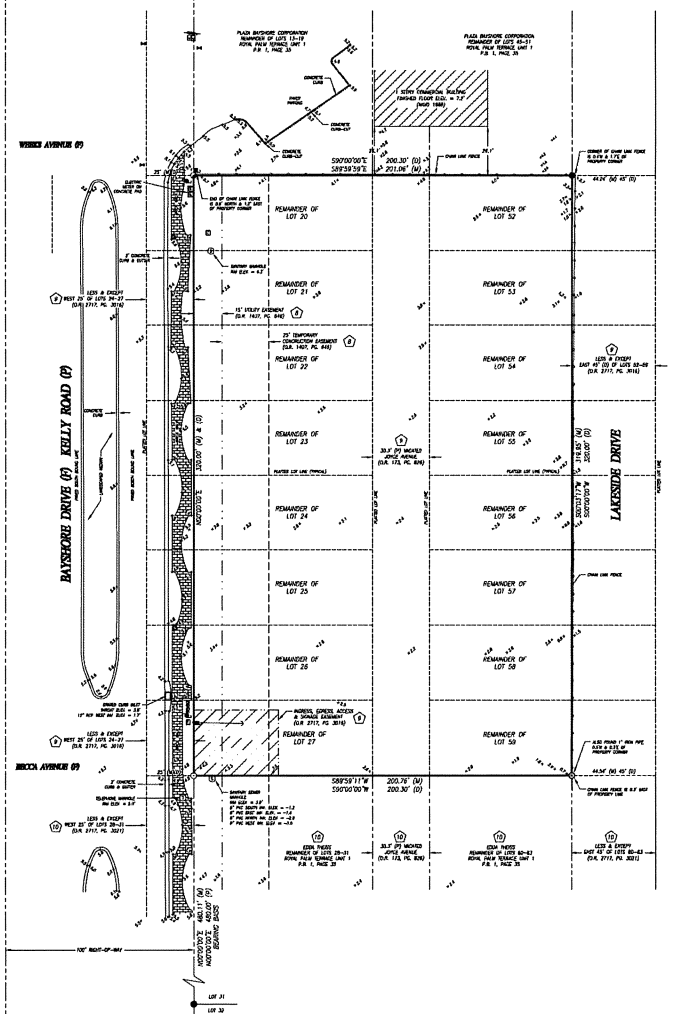
Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

ALTA/NSPS LAND TITLE SURVEY
PORTIONS OF LOTS 20-27 & 52-59, ROYAL PALM TERRACE UNIT 1 LYING IN SECTION 11, TOWNSHIP 50 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA



VICINITY SKETCH
(NOT TO SCALE)

GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.



LEGEND

- ⊕ = BENCHMARK, SET PK NAIL AND DISK – "LB 6996"
- ● = FOUND 5/8" REBAR AND CAP – "NATION LB 7671"
- ○ = FOUND 5/8" REBAR – NO IDENTIFICATION
- ⊙ = SET 5/8" REBAR AND CAP – "DAVID LB 6996"
- ⊗ = FOUND 5/8" REBAR AND CAP – "LB 6949"
- (D) = LEGAL DESCRIPTION DATA
- (M) = FIELD MEASURED DATA
- (P) = RECORD PLAT DATA
- +.+ = SPOT ELEVATION, NAVD 1988
- = WATER METER
- = WATER VALVE
- = BACKFLOW PREVENTER
- = WOOD UTILITY POLE
- = CONCRETE UTILITY POLE
- = GUY ANCHOR
- = COMBINATION UTILITY BOX
- = SANITARY SEWER MANHOLE
- = TELEPHONE MANHOLE
- = TELEPHONE PEDESTAL
- = DECORATIVE LIGHT POLE
- = ELECTRIC BOX

TAX PARCEL INFORMATION:

PARCEL I.D. #	ADDRESS
71580243205	BAYSHORE DRIVE
71580229009	BAYSHORE DRIVE

FLOOD ZONE INFORMATION

THIS PARCEL LIES IN FLOOD ZONE "AE" BASED ON FEMA F.I.R.M. MAP PANEL 12071C0394H DATED MAY 16, 2012, WITH A BASE FLOOD ELEVATION OF 7.0' NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE BASED UPON THE EAST RIGHT-OF-WAY LINE OF BAYSHORE DRIVE EAST HAVING A BEARING OF NORTH 00°00'00" EAST AS SHOWN ON THE PLAT OF RECORD.
2. NO UNDERGROUND IMPROVEMENTS OR FOUNDATIONS WERE LOCATED UNDER THE SCOPE OF THIS SURVEY.
3. BOUNDARY INFORMATION SHOWN HEREON IS BASED UPON THE RECORD DEED AND CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE ORDER NUMBER 7396339, ISSUING AGENT: AMERICAN LAND TITLE ASSOCIATION COMMITMENT ORDER NUMBER 7396339, WITH AN EFFECTIVE DATE OF JANUARY 2, 2019 AT 8:00 AM.
4. THE STREET ADDRESS IS:
   BAYSHORE DRIVE
   NAPLES, FLORIDA 34112
5. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988). ELEVATIONS ARE BASED UPON TIES TO THE TRIMBLE REAL-TIME KINEMATIC (RTK) GLOBAL POSITIONING SYSTEM (GPS) REFERENCE NETWORK.
6. THIS PARCEL CONTAINS 1.48 ACRES (64,284 SQ.FT.) MORE OR LESS.
7. NO WETLAND DELINEATION MARKERS WERE OBSERVED DURING THE FIELDWORK PROCESS OF THIS SURVEY.

LEGAL DESCRIPTION (EXHIBIT A)

LOTS 20 THROUGH 27, INCLUSIVE AND LOTS 52 THROUGH 59 INCLUSIVE, AND THAT PART OF VACATED JOYCE AVENUE WHICH LIES BETWEEN SAID LOTS, EXCEPTING THEREFROM THE EAST 45 FEET OF LOTS 52 THROUGH 59, INCLUSIVE, ROYAL PALM TERRACE UNIT #1, A SUBDIVISION ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 35, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

TITLE COMMITMENT SCHEDULE "B-II" EXCEPTIONS

ITEM # PER SCHEDULE B-II	SCHEDULE B OF THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY.
6	RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF ROYAL PALM TERRACE UNIT #1, RECORDED IN PLAT BOOK 1, PAGE 35, AS AMENDED BY VACATION OF JOYCE AVENUE RECORDED IN OFFICIAL RECORDS BOOK 133, PAGE 404, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA. ** SUBJECT PARCEL AS SHOWN ON SURVEY**
7	RESOLUTION RELATED TO THE KELLY ROAD ASSESSMENT DISTRICT RECORDED IN OFFICIAL RECORDS BOOK 631, PAGE 69, IN OFFICIAL RECORDS BOOK 813, PAGE 1245, IN OFFICIAL RECORDS BOOK 843, PAGE 1763, AND IN OFFICIAL RECORDS BOOK 860, PAGE 1117, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA. **NOT A SURVEY MATTER**
8	UTILITY EASEMENT GRANTED TO COLLIER COUNTY WATER-SEWER DISTRICT BY INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 1407, PAGE 648, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA. **SHOWN ON SURVEY**
9	EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 2111, PAGE 3016, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA (AS TO SUBJECT PROPERTY). **SHOWN ON SURVEY**
10	CROSS-EASEMENT AND COST SHARING AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 2712, PAGE 3021, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA (AS TO SUBJECT PROPERTY). **SHOWN ON SURVEY**
11	SUBJECT PROPERTY LIES WITHIN THE BOUNDARIES OF DISTRICT 1-EAST AND SOUTH NAPLES SANITARY SEWER PROJECT DISTRICT AND MAY BE SUBJECT TO THE LEVYING OF SPECIAL ASSESSMENTS THEREOF. **NOT A SURVEY MATTER**
12	PROPERTY IS SUBJECT TO COLLIER COUNTY ORDINANCES AND/OR RESOLUTIONS WHICH ESTABLISH MANDATORY GARBAGE AND SOLID WASTE COLLECTION IN COLLIER COUNTY. SAID PROPERTY IS SUBJECT TO ALL ASSESSMENTS MADE UNDER SAID ORDINANCES/RESOLUTIONS. **NOT A SURVEY MATTER**
13	RIGHTS OF TENANTS OCCUPYING ALL OR PART OF THE INSURED LAND UNDER UNRECORDED LEASES OR RENTAL AGREEMENTS. **NOT A SURVEY MATTER**

CERTIFICATION

TO:

REBECCA MADDOX, GREY STREET TITLE CO., CHICAGO TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6A, 6B, 7A, 7B1, 8, 9, 11, 13, 14, 16, 18, & 19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 01/23/20

DATE OF PLAT OR MAP: 01/23/20

DAVID S. DAGOSTINO, PSM
FL PSM REG. NO. 5762

David S. Dagostino, PSM
Digitally signed by David S. Dagostino, PSM
Date: 2020.02.07 12:11:52 -05'00'

CERTIFIED TO:

DAGOSTINO & WOOD, INC.
Professional Surveying & Mapping
10981 Bonita Beach Road SE Bonita Springs, FL 34135
Phone: (239) 352-6985 Website: www.dwsurveys.com

JOB NO. 19017
SHEET NO. 1 OF 1
DRAWN BY: DSD
CHECKED BY: DSD
FIELD BK: 1125/67
DRAWING FILE: 19017 ALTA
SURVEY DATE: 01/23/2020
SIGNATURE DATE:
REVISION DATE:
REVISED BY:

This map prepared by: DAVID S. DAGOSTINO, PSM
Professional Surveyor & Mapper Fla. License No.5762
CERTIFICATE OF AUTHORIZATION NO. LB 6996
NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

PROPERTY OWNER LETTER, LIST OF PROPERTY OWNERS & AFFIDAVIT OF COMPLIANCE

Attachment: Attachment C-Application (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

HOLE MONTES
ENGINEERS · PLANNERS · SURVEYORS

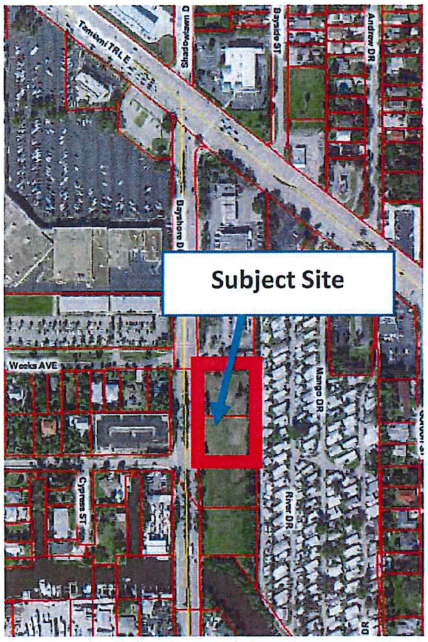
950 Encore Way • Naples, Florida 33919 • Phone 239.254-2000 • Fax: 239.254-2099

January 19, 2021

Re: Bayshore Wine and Food Venue (ABW)
Alcoholic Beverage Distance Waiver (PL20200001934)

Dear Property Owner:

You are receiving this letter because you own property located within 150 feet of the proposed Bayshore Food and Wine Venue, to be developed in the near future and located as depicted below:



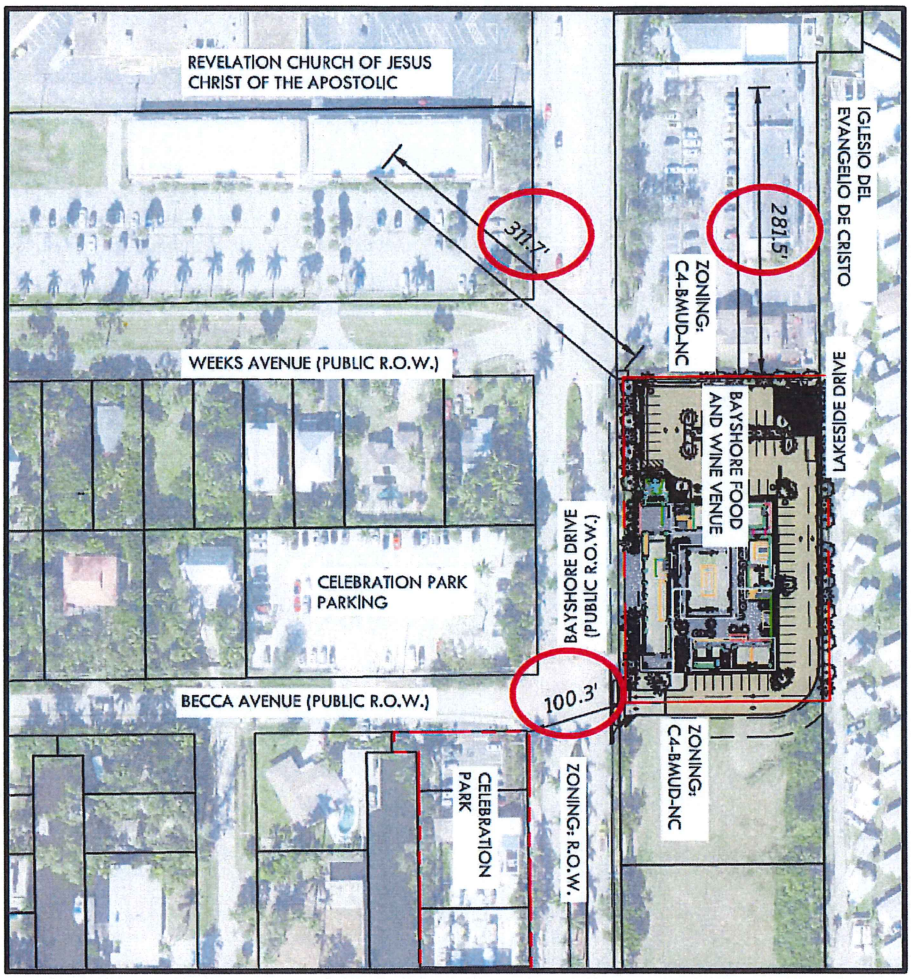
LDC Section 5.05.01.A. requires a minimum of 500-foot separation between an establishment deriving the majority of its revenue from the sale of alcoholic beverages for on-site consumption and any existing establishment deriving the majority of revenue from the sale of alcoholic beverages. LDC Section 5.05.01.A. also requires a 500-foot separation between any establishment deriving the majority of its revenue from the sale of alcoholic beverages for on-site consumption and any established elementary, middle, or high school, childcare center, public library, church, public park, or public playground. This does not include beach access points.

The applicant is proposing to develop a unique and "transformative multi-use concept," which will include a retail Wine/Charcuterie/Gourmet Market, a Private Members-Only Club for wine aficionados, with temperature-controlled wine vaults with "5-Star Concierge Service," and a chef-designed "Kitchen of the Future" for world class gastronomic events, as well as a wine and food venue open to the public, all housed in architecturally stunning indoor and outdoor spaces.

The proposed Bayshore Food and Wine Venue is located across Bayshore Drive from the existing Celebration Food Truck Park and is also located within 500 feet of two churches located in existing commercial centers north of the site. See the attached aerial exhibit which deposits the location of the Bayshore Food and Wince Venue and the distance from it to the Celebration Food Truck Park and the two churches.

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

The applicant is seeking a waiver from LDC Section 5.05.01.A.1. and A.2., as provides for in LDC Section 5.05.01.A.6., for a portion of the 500-foot separation requirement, as depicted below:



If you have any questions regarding the requested waiver, you may call (239-254-2000) or email me (bobmulhere@hmeng.com).

Very truly yours,

HOLE MONTES, INC.

Robert J. Mulhere, FAICP
President/CEO
RJM/sek
cc: Nancy Gundlach, AICP, PLA
Principal Planner, Collier County Zoning Services

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

label size 1" x 2 5/8" compatible with Avery ®5160/8160
Étiquette do format 25 mm x 67 mm compatible avec Avery ®5160/8160

04A

BAYSHORE REDEVELOPMENT GP LLC
1350 JEWEL BOX AVE
NAPLES, FL 34102---0

GRIMES, RICHARD H
2898 WEEKS AVE
NAPLES, FL 34112---5700

HARMONY SHORES MHP LLC
3415 RADIO RD #109
NAPLES, FL 34104---0

LAFAYETTE N INGRAM III TRUST
2278 QUEENS WAY
NAPLES, FL 34112---5424

NAPLES 2.0 LLC
2055 TRADE CENTER WAY
NAPLES, FL 34109---0

NAPLES 3.0 HOLDINGS LLC
1350 JEWEL BOX AVE
NAPLES, FL 34102---0

NAPLES 3.0 HOLDINGS LLC
1350 JEWEL BOX AVE
NAPLES, FL 34102---7523

PLAZA BAYSHORE CORP
15275 COLLIER BLVD #201 / 269
NAPLES, FL 34112---0

RIGHT TIME MANAGEMENT LLC
1505 DOLPHIN LANE
NAPLES, FL 34102---0

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

label size 1" x 2 5/8" compatible with Avery ®5160/8160
Étiquette do format 25 mm x 67 mm compatible avec Avery ®5160/8160

AFFIDAVIT OF COMPLIANCE

I hereby certify that pursuant to Collier County Land Development Code, Section 5.05.01, I did give notice by mail to the following property owners and/or condominium and civic associations whose members may be affected by an application request for a Waiver from Separation Requirements for Businesses Selling Alcoholic Beverages for On-Premise Consumption. *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 the attached letter and 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, 2021 by means of X physical presence or _____ online notarization, by Robert J. Mulhere, who is personally known to me _____ or who has produced _____ as identification.

Signature of Notary Public

(Notary Seal)

Printed Name of Notary

STEPHANIE KAROL
Notary Public - State of Florida
Commission # GG 965839
My Comm. Expires Mar 9, 2024
Bonded through National Notary Assn.

Attachment: Attachment C-Application (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

LynchDiane

From: JANE KING <jdkingii@comcast.net>
Sent: Monday, February 8, 2021 2:09 PM
To: GundlachNancy
Subject: Hearing for Bayshore Food and Wine

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.

Hello Ms. Gundlach.

I am writing concerning the upcoming hearing for the proposed change to the Bayshore Food and Wine venue.

As a 56 year resident of S.W. Florida with the last 25+ years residing in the Bayshore community I am a bit concerned with the proposed change. Having been involved since the creation of the CRA in this area I am fully aware of the area and what the proposed ideas were in beginning. With our first meetings in the church on Shadowlawn, many were concerned about what was coming. It was brought up several times to David Jackson that no one wanted a bunch of bars. We have not changed that stance.

This project I know is in the " entertainment district" but we were led to believe that it would be dining establishments and not geared for standalone bars. We still remember when there were several on Bayshore and some of the issues created.

When the petitioner first addressed this under the "Bayshore Food and Wine" title it sounded like a dining establishment. Now they wish to have zoning changed so they basically will have what can only be called a wine bar it seems. If not why do they need the change?

First, the rule was put in place for a reason. I personally am tired of all the developers and individuals who purchase land they know is not zoned or permitted for their use and then want the county to change the rules for them.

Next is the track record of the petitioner. Celebration Park tried to skirt the rules from the beginning on some issues. We still have to either close our sliders or listen to the music from there and we are not next door but down the creek a bit. With that track record I am skeptical about what the future would hold for the location.

Finally this project was in the works before COVID. At that time there was a pre-school next door. How was that going to work?

I and others are asking the Planning Board to not change the rule. Lets continue with the proper vision for the Bayshore area.

Thank you.

Sincerely

Attachment: Letter of Objection-King- 2-8-21 (14959 : PL20200001934, Bayshore Wine and Food Venue ABW)

James King

Attachment: Letter of Objection-King- 2-8-21 (14959 : PL202000001934, Bayshore Wine and Food Venue ABW)

Collier County

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

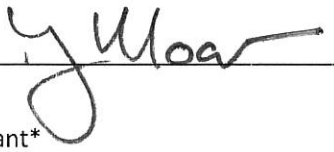
For Petition Number(s): ABW-PL20200001934

Naples 3.0 Holdings, LLC/Rebecca Maddox

Regarding the above subject petition number(s), _____ (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: Michael G. Moore, Esquire

Date: 2/8/2021

Signature: 

☐ 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: Hybrid Virtual Quasi-Judicial Public Hearing Waiver (2-8-2021) - Signed (14959 : PL20200001934, Bayshore Wine and Food Venue