COLLIER COUNTY
Collier County Hearing Examiner

AGENDA

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

February 11, 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. PL20200001309 BDE - 75 Pelican St W - Request for a 30-foot boat dock extension over the maximum 20 feet allowed by Section 5.03.06.E.1 of the Land Development Code, for a total protrusion of 50 feet, to replace the existing dock facility with a boat dock facility with two boatlifts, one for a 33-foot vessel and the other for two personal watercraft, located on Lot 109, less the Westerly 5 feet thereof, Isles of Capri No. 1, as recorded in Plat Book 3, Page 41 of the Public Records of Collier County, also known as 75 Pelican Street W, in Section 31, Township 51 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commissioner District 1

B. PETITION NO. PL20200001732 VA - 689 35th Avenue NW - An after-the-fact variance request from Section 4.02.01.A, Table 2.1, of the Collier County Land Development Code to reduce the minimum side yard setback from 30 feet to 17.1 feet on the east side, and to 15.77 feet for a roof overhang, for an existing single family dwelling in the Estates (E) zoning district located at 689 35th Avenue NW and further described as the West 180 feet of Tract 36, Golden Gate Estates Unit No. 37, in Section 16, Township 48 South, Range 27 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commissioner District 5

C. * This item has been continued from the November 12, 2020 HEX Meeting, to the December 10, 2020 HEX Meeting, to the January 14, 2021 HEX Meeting, and further continued to the February 11, 2021 HEX Meeting.*** PETITION NO. VA PL20190002701– CitySwitch II-A, LLC request two variances from LDC Section 5.05.09(G)(7)(b), to reduce the eastern boundary setback of 125 feet to 60.5 feet and from the western boundary setback of 125 feet to 82.2 feet for a proposed 250 foot communications tower on a parcel in the east ½ of the northwest ¼ of the southwest ¼ of the northeast ¼ of the northwest ¼ of Section 15, Township 49 South, Range 27 East, Collier County, Florida. [Coordinator: Timothy Finn, Principal Planner] Commissioner District 5**

4. Other Business

5. Public Comments

6. Adjourn

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.A
Item Summary: PETITION NO. PL20200001309 BDE - 75 Pelican St W - Request for a 30-foot boat dock extension over the maximum 20 feet allowed by Section 5.03.06.E.1 of the Land Development Code, for a total protrusion of 50 feet, to replace the existing dock facility with a boat dock facility with two boatlifts, one for a 33-foot vessel and the other for two personal watercraft, located on Lot 109, less the Westerly 5 feet thereof, Isles of Capri No. 1, as recorded in Plat Book 3, Page 41 of the Public Records of Collier County, also known as 75 Pelican Street W, in Section 31, Township 51 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commissioner District 1

Meeting Date: 02/11/2021

Prepared by:
Title: Planner – Zoning
Name: John Kelly
01/22/2021 5:22 PM

Submitted by:
Title: Manager - Planning – Zoning
Name: Ray Bellows
01/22/2021 5:22 PM

Approved By:

Review:

Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	01/22/2021 5:44 PM
Growth Management Operations & Regulatory Management	Rose Burke		Review Item	Completed
Zoning	Ray Bellows	Review Item	Completed	01/27/2021 5:45 PM
Zoning	Anita Jenkins	Review Item	Completed	02/01/2021 12:45 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	02/11/2021 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION- ZONING SERVICES SECTION

HEARING DATE: FEBRUARY 11, 2021

SUBJECT: BDE-PL20200001309, 75 PELICAN STREET WEST - GAYNOR

PROPERTY OWNER:

Jill B. Gaynor
75 Pelican Street West
Naples, FL 34113

AGENT:

Jeff Rogers
Turrell, Hall & Associates, Inc.
3584 Exchange Ave.
Naples, FL 34104

REQUESTED ACTION:

The petitioner requests a 30-foot boat dock extension over the maximum 20 feet allowed by Section 5.03.06.E.1 of the Land Development Code, for a total protrusion of 50 feet, to replace the existing dock facility with a boat dock facility with two boatlifts, one for a 33-foot vessel and the other for two personal watercraft, for the benefit of the subject property.

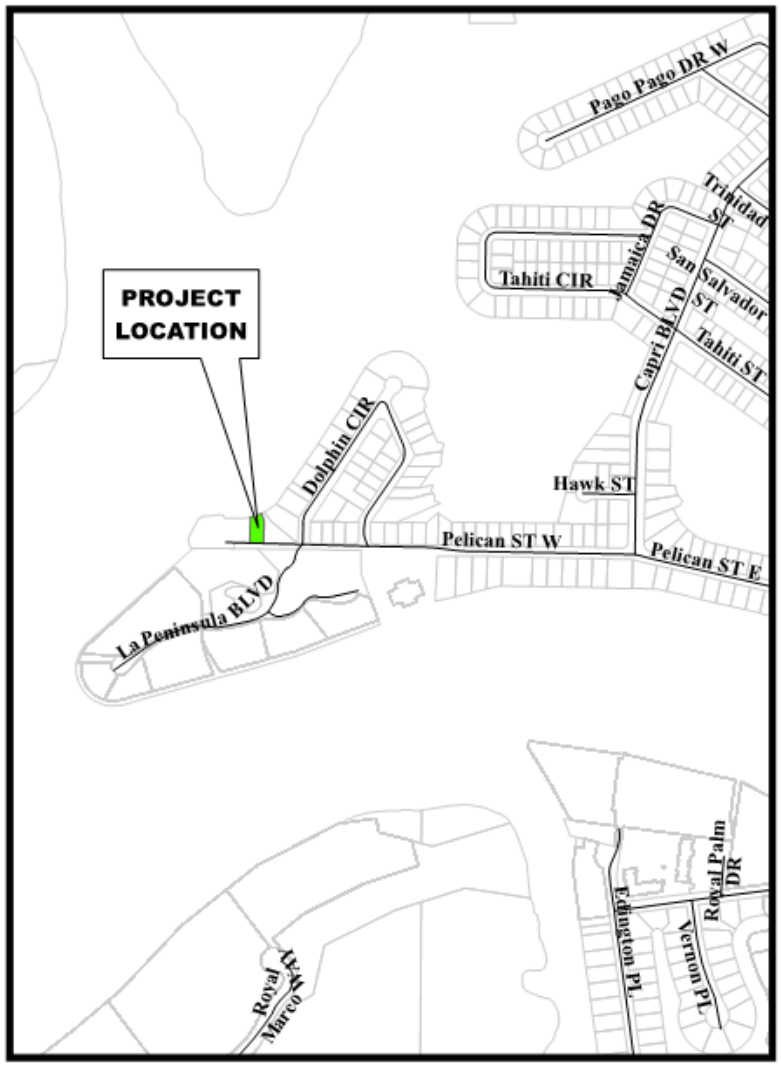
GEOGRAPHIC LOCATION:

The subject property is located at 75 Pelican Street West, on the north side of Pelican Street West approximately one third mile west of Capri Boulevard, and is legally described as Lot 109, less the westerly 5 feet thereof, Isles of Capri No 1, as recorded in Plat Book 3, Page 41 of the Public Records of Collier County, in Section 31, Township 51 South, Range 26 East. Collier County, Florida. *(See location map on the following page and full legal description within Attachment A)*

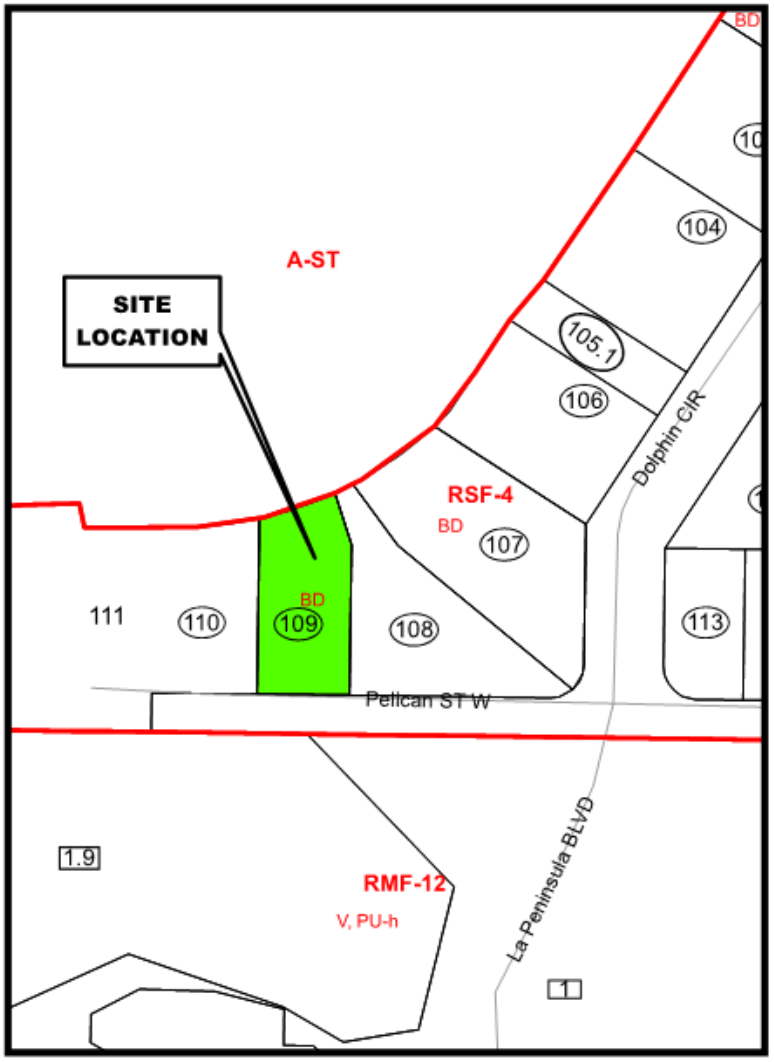
PURPOSE/DESCRIPTION OF PROJECT:

The petitioner seeks to replace the existing dock facility, approved by petition No. BD-PL20180002024 and HEX No. 2019-06, that allowed for a 23-foot boat dock extension (total 43-foot protrusion), with a new 42-foot finger pier type dock facility comprising two boatlifts, one on either side of the pier and each with a 2-foot wide catwalk, to accommodate a 33-foot vessel and two personal watercraft, with a total dock facility protrusion of 50 feet (combination of dock and moored vessel), as depicted within the proposed site plan; see Attachment A.

Attachment: Staff Report BDE-PL20200001309 012221 (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)



Location Map



Zoning Map

Petition Number: PL20200001309

Attachment: Staff Report BDE-PL20200001309 012221 (14826 : PL20200001309 BDE - 75 Pelican St W -

SURROUNDING LAND USE & ZONING:

North: Capri Pass, a waterway, located within a Rural Agricultural (A) zoning district and Special Treatment (ST) overlay

South: Pelican Street West, then a mixture of residential uses, with a zoning designation of RMF-12

East: Single-family residence within a Residential Single Family-4 (RSF-4) zoning district

West: Single-family residence within a Residential Single Family-4 (RSF-4) zoning district



Collier County - GIS

Attachment: Staff Report BDE-PL20200001309 012221 (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

ENVIRONMENTAL EVALUATION:

Environmental Planning Staff has reviewed this petition and has no objection to the granting of this request. The property is located adjacent to an ST overlay zone which will require an ST-permit for the proposed docking facilities prior to issuance of the building permits. The proposed docking facilities will be constructed waterward of the existing riprap shoreline. The shoreline does not contain native vegetation. A submerged resources survey provided by the applicant found no submerged resources in the area 200 feet beyond the proposed docking facility. Exhibit sheet 7 of 7 provides an aerial with a note stating that no seagrasses were observed within 200 feet. This project does not require an Environmental Advisory Council Board (EAC) review, because this project did not meet the EAC scope of land development project reviews as identified in Chapter 2, Article VIII, Division 23, Section 2-1193 of the Collier County Code of Laws and Ordinances.

STAFF ANALYSIS:

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

Primary Criteria:

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

   Criterion met. The property is located within a residential single-family zoning district and comprises a single boat dock facility with two slips, each with a boatlift; one to accommodate a 33-foot vessel and the other two personal watercraft. The proposed dock protrudes 50 feet, dock and vessel combination, from the top of rip-rap line.

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

   The applicant's agent states:

   The reason for this BDE request is due to the applicant's vessel draft and restrictive water depths. The applicant is not allowed to dredge due to the subject parcel being located within the Rookery Bay Aquatic Preserve. The applicant owned shoreline length is 59-feet and with 30-feet being within setbacks the only dock design option in

Attachment: Staff Report BDE-PL20200001309 012221 (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

order to accommodate the applicant's vessels is to push the dock out into the waterway as far as the State will allow to reach adequate depths. The proposed dock will accommodate a 33-feet vessel which will have approximately 24" draft plus the area needed for the boat-lift in order to allow the vessel to float on or off the lift. Also, as designed the proposed protrusion is consistent with all the other docks previously approved along this shoreline and is actually one of the least protruding docks in the area.

Criterion met. Staff concurs with the explanation provided above and as demonstrated by Attachment A, Sheet 05 of 07 – Cross Section AA.

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

Criterion met. The proposed dock facility is to protrude a maximum of 50-feet into the waterway which is less than the neighboring dock facilities. Additionally, said dock facility will not impact navigation as the marked channel is located to the north.

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

Criterion met. The dock facility is proposed to protrude 50-feet into a waterway that is approximately 1,500 feet wide or under 4% of the width of said waterway.

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

Criterion met. The dock is proposed to maintain required setbacks from the riparian lines, there are no recognized impediments to the navigation of neighboring docked vessels.

Secondary Criteria:

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

The applicant's agent states:

The existing dock facility was approved under BD-PL20180002024 but was not compliant with state regulations and therefore needs to be re-designed to become

Attachment: Staff Report BDE-PL20200001309 012221 (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

compliant. Additionally, the previously submitted Warranty Deed and State Certificate which added land north of the platted subject lot up to the MHWL. The platted lot contained 75-feet of width, but the deeded parcel was that lot minus 5-feet which resulted in an actual lot width of approximately 70-feet. The State Certificate then added the land extending up to the MHWL to the deeded parcel which resulted in an oddly shaped northern boundary line for the parcel that contains 59-feet of shoreline.

Criterion met. The information provided above is consistent with Staff findings. As demonstrated within the survey provided as part of Attachment A, the lot today has 58.89 feet of water frontage which, as per Section 5.03.06.E.6, allows for 7.5-foot side/riparian setbacks.

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

Criterion met. The dock facility was designed without excessive decking and has sufficient area to allow for safe access to the vessel(s).

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

Criterion not met. The proposed 33-foot vessel, absent the addition of two personal watercraft, exceeds the 50 percent threshold; 50-percent of 59.89 feet is 29.45 feet.

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

The applicant's agent states:

The proposed dock will impact views less than the existing adjacent docking facilities as the proposed dock has less protrusion and the overall area of over-water structure than the other docks. Therefore, no new impacts to neighboring property views of the waterway will result from the proposed project.

Criterion met. The proposed boat dock facility satisfies LDC setback requirements from the riparian lines.

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

Attachment: Staff Report BDE-PL20200001309 012221 (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

Criterion met. The submerged resources survey reveals no seagrass beds are located within 200 feet of the proposed dock facility, there will be no impact to seagrass beds.

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

Criterion is not applicable. The provisions of the Collier County Manatee Protection Plan do not apply to individual docks behind individual residences.

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

APPEAL OF BOAT DOCK EXTENSION TO BOARD OF COUNTY COMMISSIONERS:

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

STAFF RECOMMENDATION:

Based on the above findings, staff recommends that the Hearing Examiner APPROVE Petition BDE- PL20200001309, with the condition that an ST permit must be sought and approved prior to the issuance of any permits to construct the subject dock facility, in accord with the following documents contained within Attachment A: i. Legal Description and ii. Proposed Site with Dimensions.

Attachments:

A) Legal Description, Survey, Plans, and Sign Posting
B) Prior BDE HEX Decision
C) Applicant's Backup; application and supporting documents

Attachment: Staff Report BDE-PL20200001309 012221 (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

Legal Description

Lot 109, less the Westerly 5 feet thereof, Isle of Capri, No. 1, according to the map or plat thereof as recorded in Plat Book 3, Page 41, Public Records of Collier County, Florida.

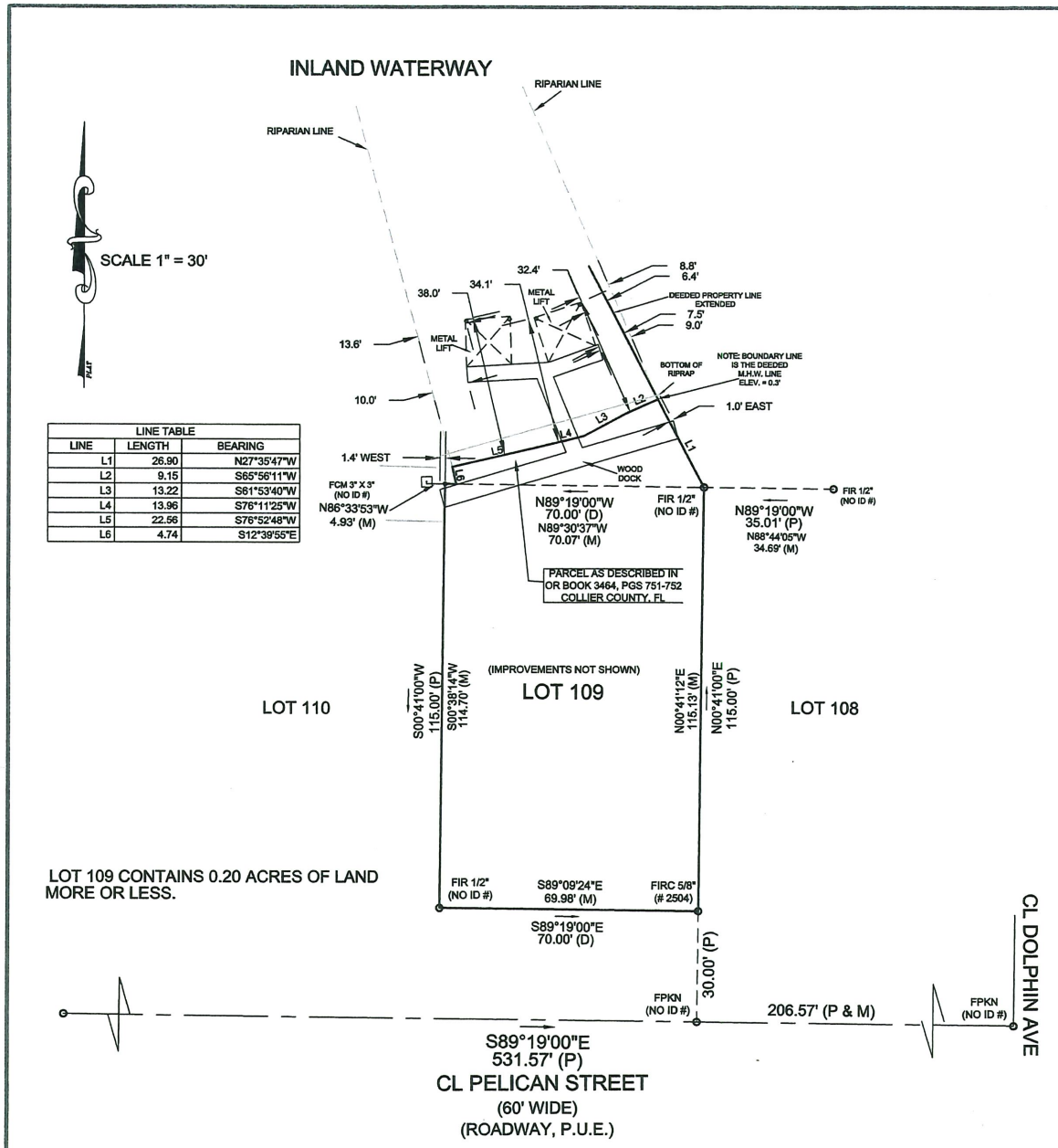
Together with:

A portion of Section 31, Township 51 South, Range 26 East, Collier County lying northerly of Lot 109, Isles of Capri No.1, according to the Plat thereof, recorded in Plat Book 3, Page 41, of the Public Records of Collier County, Florida and southerly of the line described in Official Records Book 3464 at Page 0751 of the Public Records of Collier County, Florida being more particularly described as follows:

Beginning at the Northeast corner of Lot 109, Isles of Capri No.1, according to the Plat thereof, recorded in Plat Book 3, Page 41, of the Public Records of Collier County, Florida; thence run North 27°35'47" West, for a distance of 26.90 feet to the Point of Beginning of the line described in Official Records Book 3464 at Page 0751 of the Public Records of Collier County, Florida; thence along said described line the following four (4) courses: South 65°56'11" West, for a distance of 9.15 feet; South 61°53'40" West, for a distance of 13.22 feet; South 76°11'25" West, for a distance of 13.96 feet; South 76°52'48" West, for a distance of 22.56 feet to the Point of Terminus of said described line; Thence South 12°39'55" East, for a distance of 4.74 feet the northwesterly corner of said Lot 109, less the Westerly 8 feet thereof; thence run South 89°19'00" East, along the north line of said Lot 109, for a distance of 67.00 feet to the Point of Beginning.

Parcel Identification Number: 52344120005

Attachment: Attachment A - Legal Description, Survey, Plans and Posting (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)



NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF PELICAN STREET AS SHOWN IN PLAT BOOK 3 PAGE 41 OF COLLIER COUNTY, BEING SOUTH 89°19'00" EAST.
2. IMPROVEMENTS OTHER THAN THOSE SHOWN ARE NOT A PART OF THIS SURVEY.
3. SAID DESCRIBED LAND IS SUBJECT TO ALL SUBDIVISION REGULATIONS, RESERVATIONS, RESTRICTIONS, ZONING AND RIGHTS-OF- WAY OF RECORD.
4. DATE OF FIELD SURVEY OCTOBER 15, 2019.
5. THIS SURVEY MAP IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
6. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS, UTILITIES OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
7. ELEVATIONS SHOWN ARE BASED ON N.A.V.D. DATUM OF 1988. DESCRIPTION OF BENCHMARK IS AS FOLLOWS: SPKN&D #6004 IN BRICK DRIVE AT SW CORNER. ELEV. = 5.11'
8. SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE " " AS INDICATED ON FEMA FLOOD ZONE MAP PANEL NO DATED: BASE ELEVATION DETERMINED AT N/A
9. NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. ALL INFORMATION HAS BEEN SUPPLIED BY THE CLIENT. IT IS POSSIBLE THAT THERE ARE DEEDS, EASEMENTS, OR OTHER INSTRUMENTS (RECORDED OR UNRECORDED) WHICH MAY AFFECT THE SUBJECT PROPERTY. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SURVEYOR.
10. THE PURPOSE OF THIS SURVEY IS TO SHOW THE COMPLETED DOCK IMPROVEMENTS WITH RESPECT TO THE PROPERTY LINES. PROPERTY LINES ARE SHOWN AS PLAT

LEGEND

UPDATED RIPRAP LOCATION
DATE OF REVISION 09-04-2020

LEGEND

O = FOUND (') IRON ROD (SURVEYOR ID #) (FIR)
◉ = SET 1/2" IRON ROD (PSM #6004)(SIRC)
■ = SET 4" X 4" CONCRETE MONUMENT (PSM #6004)(SCM)
⊡ = FOUND CONCRETE MONUMENT (SURVEYOR ID #)(FCM)
⊕ = BENCHMARK (FOUND OR SET) R/W = RIGHT OF WAY(R.O.W.)
O = FOUND NAIL OR PK NAIL AND DISC (SURVEYOR ID #) (FPKN)
◉ = SET PK NAIL AND DISC (PSM #6004) (SPKN&D) FD. = FOUND
FN&TT = FOUND NAIL AND TIN TAB BM = BENCHMARK
(M) = FIELD MEASUREMENT (C) = CALCULATED MEASUREMENT
P.C.P. = PERMANENT CONTROL POINT (#) C.L.= CENTERLINE
P.R.M. = PERMANENT REFERENCE MONUMENT (#) (PG) = PAGE
(P) OR (D) = PLAT OR RECORDED(DEED) MEASUREMENT
(PB) = PLAT BOOK PL EXT = PROPERTY LINE EXTENDED
CMP = CORRUGATED METAL PIPE CATV=CABLE TV
FF = FINISHED FLOOR U.T.S.= UNITED TELEPHONE RISER
W = WELL CONC = CONCRETE CB = CATCH BASIN OR INLET
WV = WATER/GATE VALVE R.C.P. = REINFORCED CONCRETE PIPE
S = SANITARY SEWER PROP = PROPERTY X = SPOT ELEVATION
TOB = TOP OF BANK TOS = TOP OF SLOPE EOW = EDGE OF WATER
BOS = BOTTOM OF BANK BOS = BOTTOM OF SLOPE EO = EDGE OF
CBS=CONCRETE BLOCK & STUCCO VG = VALLEY GUTTER
ELEC. = ELECTRIC TRANS = TRANSFORMER JAC = JACUZZI
DE = DRAINAGE EASEMENT SWE = SIDEWALK EASEMENT
LBE = LANDSCAPE BUFFER EASEMENT IE = IRRIG. EASEMENT
PUE = PUBLIC UTILITY EASEMENT UE = UTILITY EASEMENT
LMA(E)= LAKE MAINTENANCE ACCESS EASEMENT
LME = LAKE MAINTENANCE EASEMENT A.E.= ACCESS EASEMENT
CUE = COUNTY (U.E.)

MAP OF SPECIFIC PURPOSE SURVEY LOT 109

LESS THE WESTERLY 5 FEET ALONG WITH THAT PORTION (AS DESCRIBED)
OF
ISLES OF CAPRIS NO.1

AS RECORDED IN
PLAT BOOK 3 PAGE(S) 41
AND AS DESCRIBED IN OR BOOK 5140, PG 2968
OF THE PUBLIC RECORDS OF
COLLIER COUNTY, FLORIDA

75 PELICAN STREET WEST

CERTIFIED TO:
TURRELL-HALL & ASSOCIATES

CERTIFICATION:
I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

Digitally signed by Court H. Gregory
DN: cn=Court H. Gregory, o=Court Gregory Surveying Inc, ou, email=cgs6004@comcast.net, c=US
Date: 2020.09.17 14:06:19 -04'00'

SIGNED_____
COURT H. GREGORY PSM #6004
DATE 09/17/2020
DATE OF FIELD SURVEY 10-15-2019

LB #7112
PSM # 6004

C.G.S.

Court Gregory Surveying, Inc.
761 Teton Court
Naples, Florida 34104

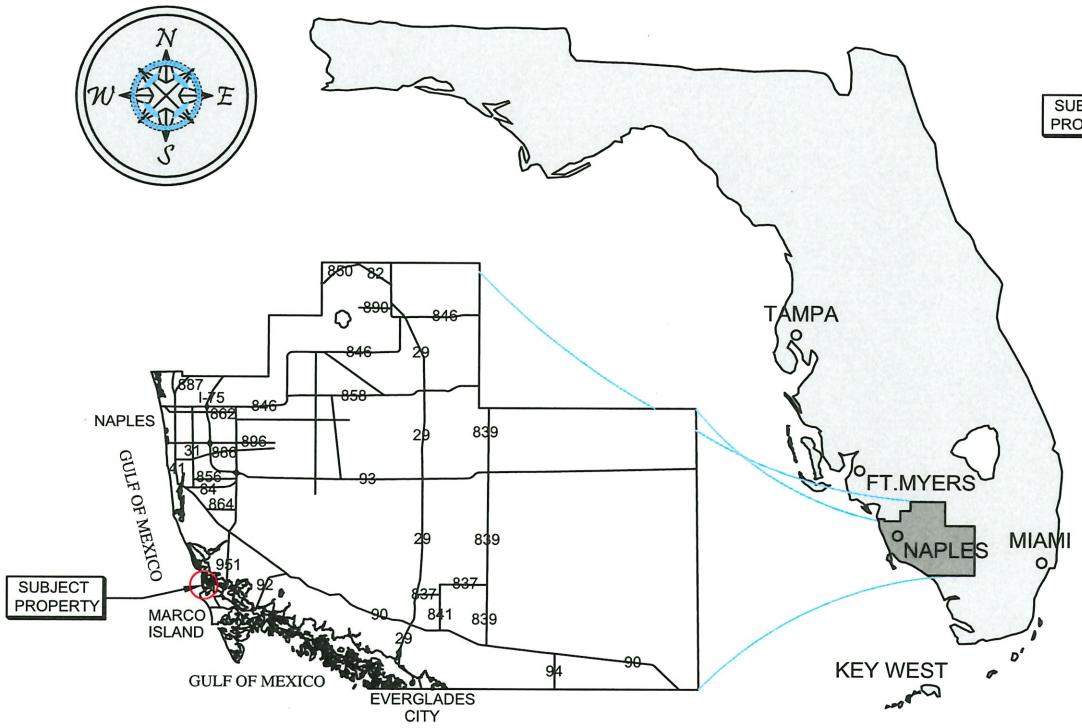
(239)643-7845 office
cgs6004@comcast.net
(239)643-3707 cell

Date 09/17/2020
Job # EN40129A2020
Fb MI-40 Pg 59

Attachment: Attachment A - Legal Description, Survey, Plans and Posting (14826 : PL20200001309 BDE -

p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg LOCATION 8/7/2020

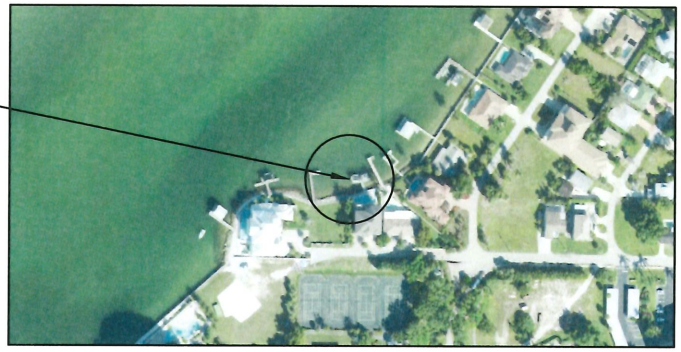
STATE OF FLORIDA



COLLIER COUNTY



VICINITY MAP



COUNTY AERIAL

SITE ADDRESS:
<> 75 PELICAN ST W
NAPLES, FL 34113

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

<> LATITUDE: N 25.977399°
<> LONGITUDE: W -81.736682°

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

GAYNOR DOCK

LOCATION MAP

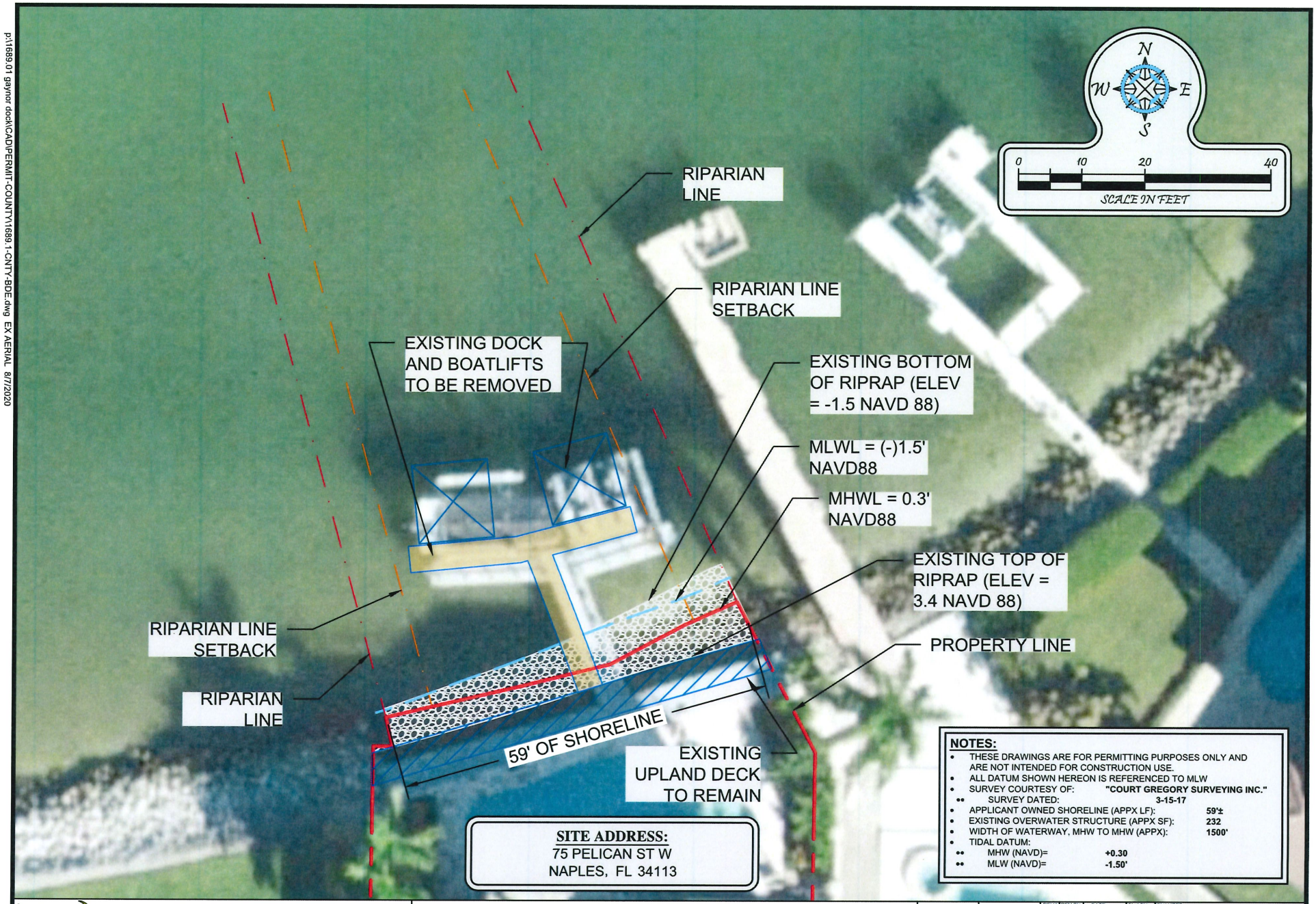
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	08-07-20	3.	-	-	-	-
JOB NO.:	1689	4.	-	-	-	-
SHEET NO.:	01 OF 07	5.	-	-	-	-

SECTION- 31 TOWNSHIP- 51S RANGE- 26E

Attachment: Attachment A - Legal Description, Survey, Plans and Posting (14826 : PL20200001309 BDE -

p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg EX AERIAL 8/7/2020



NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL DATUM SHOWN HEREON IS REFERENCED TO MLW
- SURVEY COURTESY OF: **"COURT GREGORY SURVEYING INC."**
  - SURVEY DATED: **3-15-17**
- APPLICANT OWNED SHORELINE (APPX LF): **59'±**
- EXISTING OVERWATER STRUCTURE (APPX SF): **232**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1500'**
- TIDAL DATUM:
  - MHW (NAVD)= **+0.30**
  - MLW (NAVD)= **-1.50'**

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

GAYNOR DOCK

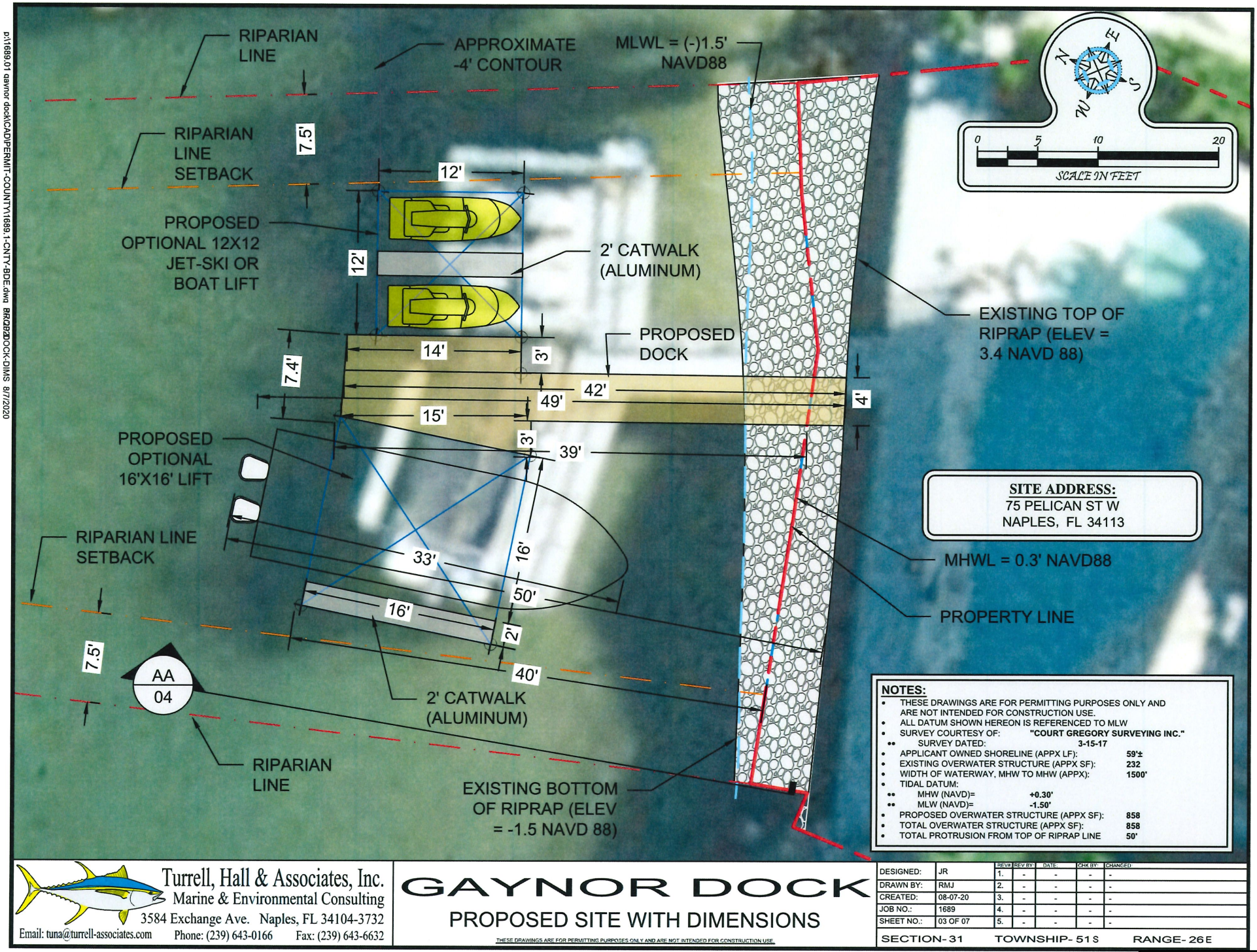
EXISTING AERIAL WITH DIMENSIONS

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

		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	08-07-20	3.	-	-	-	-
JOB NO.:	1689	4.	-	-	-	-
SHEET NO.:	02 OF 07	5.	-	-	-	-

SECTION- 31 TOWNSHIP- 51 S RANGE- 26 E

Attachment: Attachment A - Legal Description, Survey, Plans and Posting (14826 : PL20200001309 BDE -



NOTES:

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  - SURVEY DATED: **3-15-17**
- APPLICANT OWNED SHORELINE (APPX LF): **59'±**
- EXISTING OVERWATER STRUCTURE (APPX SF): **232**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1500'**
- TIDAL DATUM:
  - MHW (NAVD)= **+0.30'**
  - MLW (NAVD)= **-1.50'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **858**
- TOTAL OVERWATER STRUCTURE (APPX SF): **858**
- TOTAL PROTRUSION FROM TOP OF RIPRAP LINE **50'**

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GAYNOR DOCK

PROPOSED SITE WITH DIMENSIONS

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DESIGNED:	JR	1.	-	-	-	-
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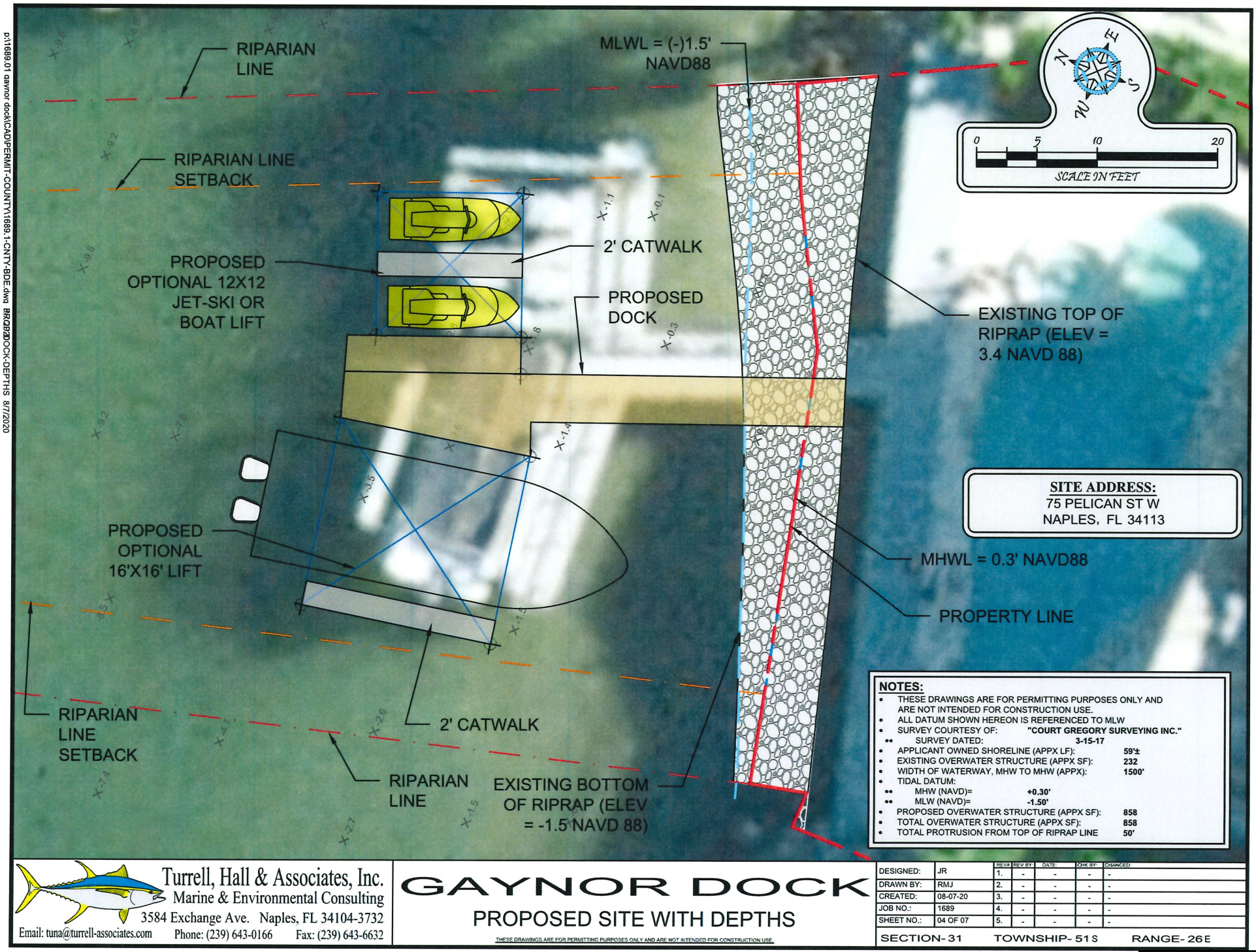
SECTION- 31 TOWNSHIP- 51S RANGE- 26E

p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg BRIDGE DOCK-DIMS 8/7/2020

Attachment: Attachment A - Legal Description, Survey, Plans and Posting (14826 : PL20200001309 BDE -

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p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg BRADBDOCK-DEPTHS 8/7/2020



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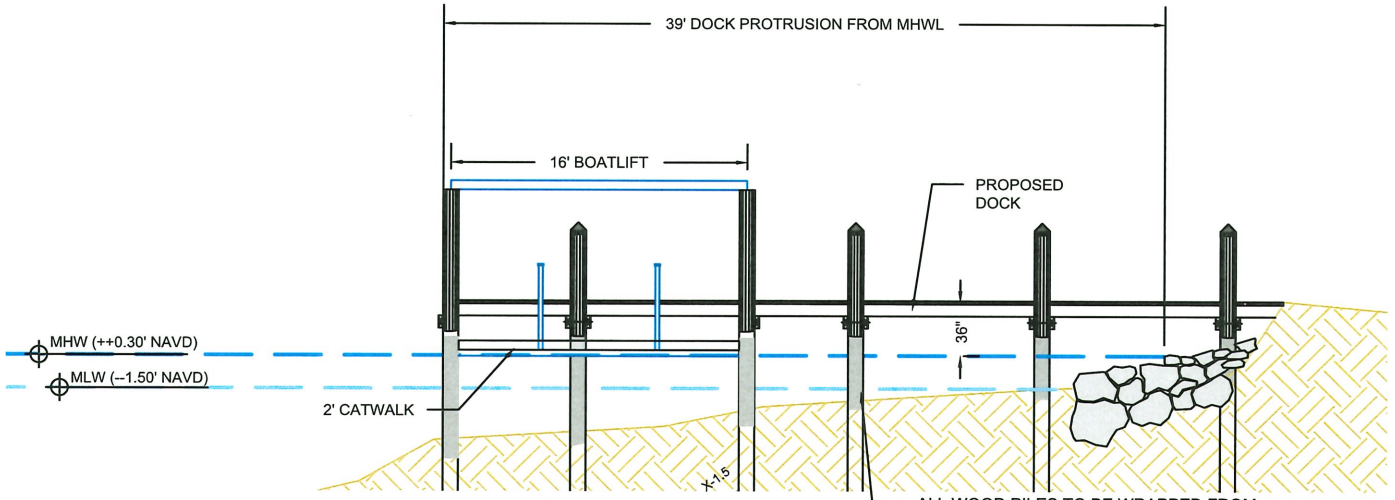
PROPOSED SITE WITH DEPTHS

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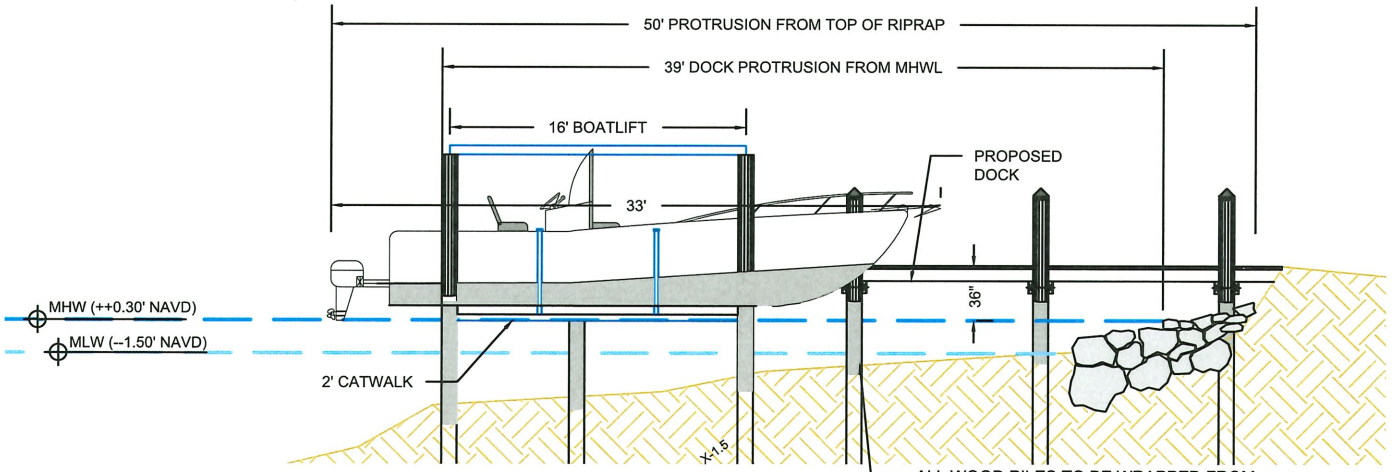
SECTION- 31 TOWNSHIP- 51 S RANGE- 26 E

p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg SECTION AA 8/7/2020



CROSS SECTION AA

SCALE: 1" = 10'



CROSS SECTION AA WITH BOAT

SCALE: 1" = 10'

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GAYNOR DOCK

CROSS SECTION AA

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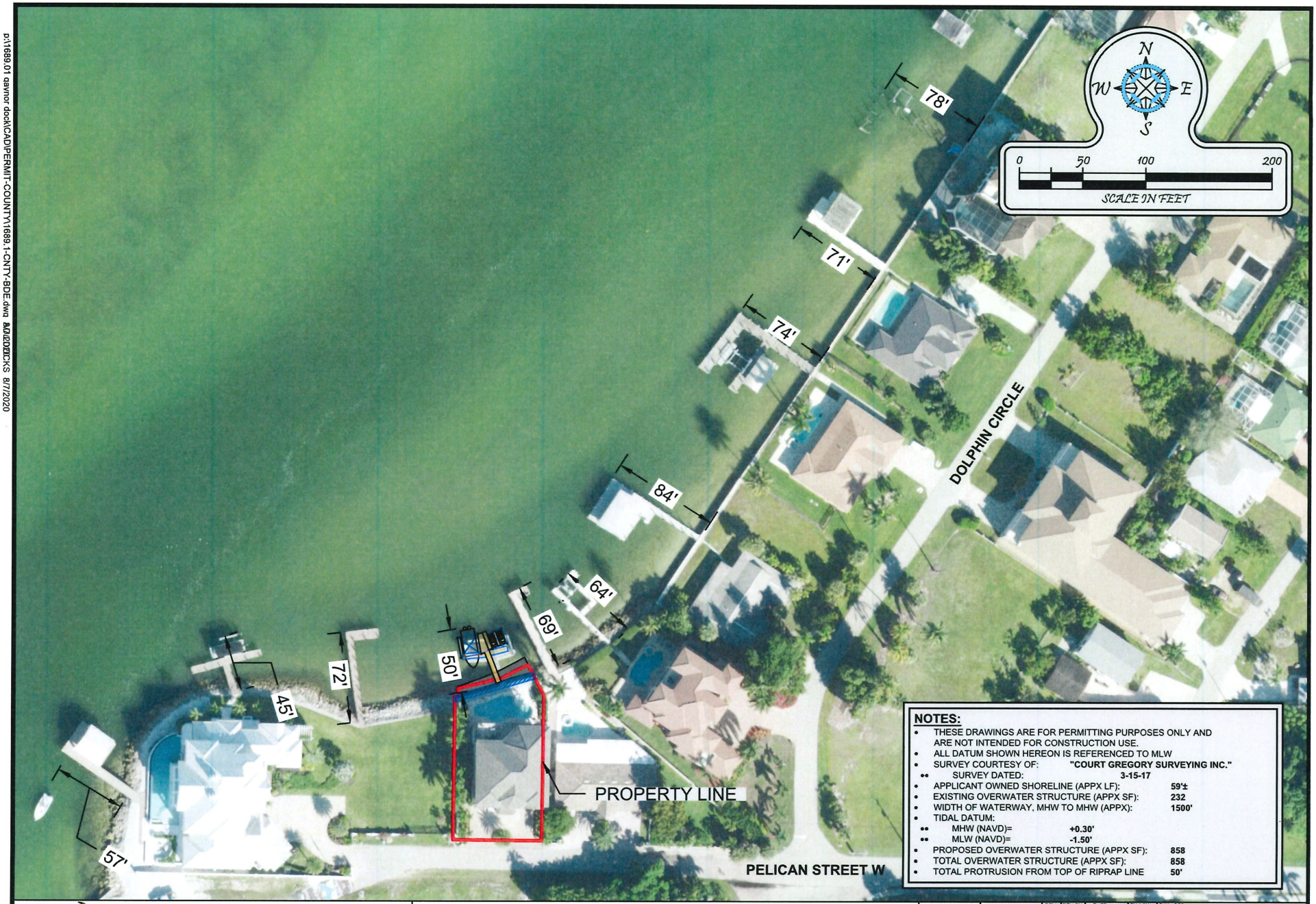
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DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	08-07-20	3.	-	-	-	-
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SHEET NO.:	05 OF 07	5.	-	-	-	-

SECTION- 31 TOWNSHIP- 51S RANGE- 26E

Attachment: Attachment A - Legal Description, Survey, Plans and Posting (14826 : PL20200001309 BDE -

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GAYNOR DOCK

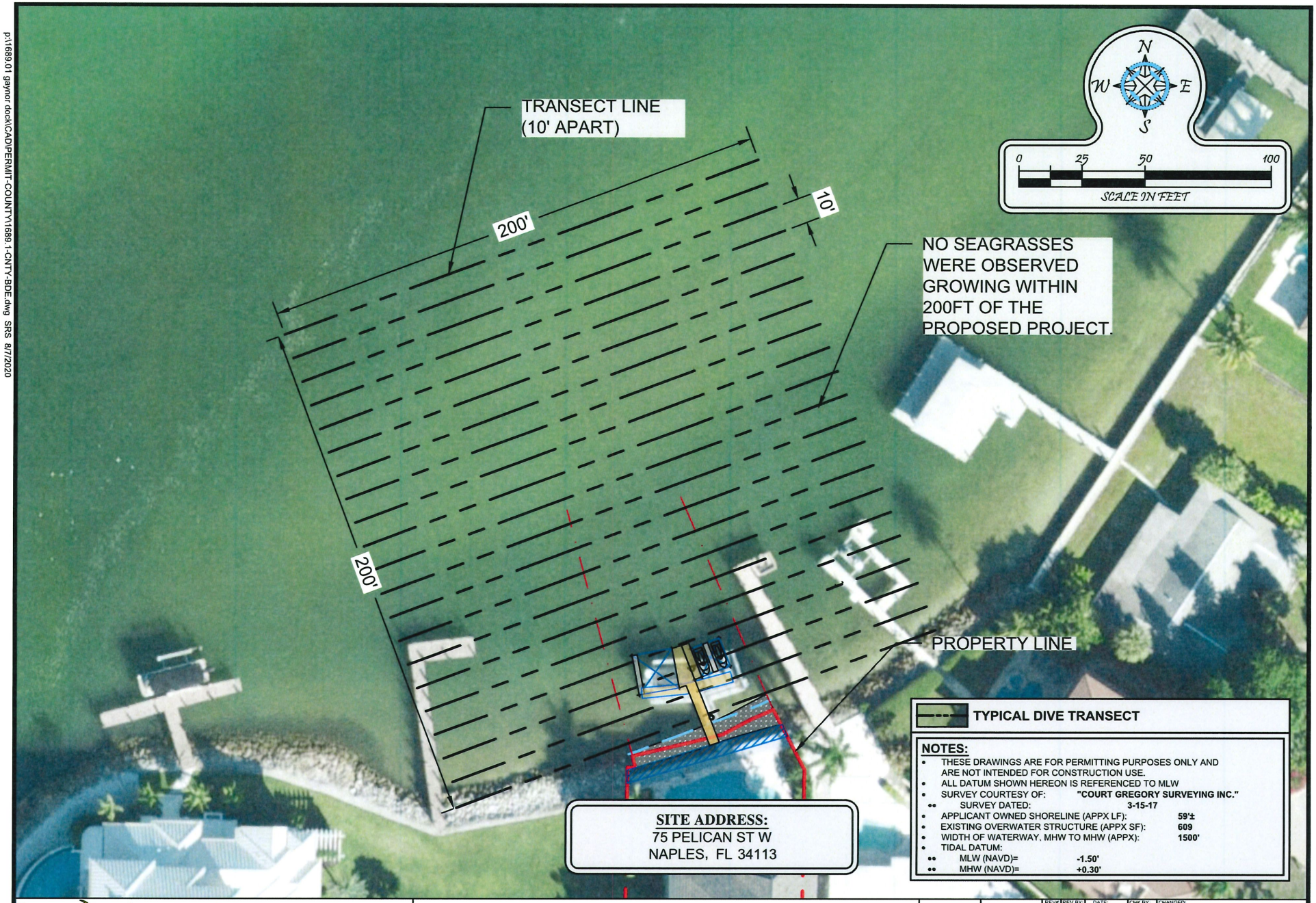
ADJACENT DOCK PROTRUSIONS

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SECTION- 31 TOWNSHIP- 51S RANGE- 26E

p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg SRS 8/7/2020



TYPICAL DIVE TRANSECT

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  - SURVEY DATED: **3-15-17**
- APPLICANT OWNED SHORELINE (APPX LF): **59'±**
- EXISTING OVERWATER STRUCTURE (APPX SF): **609**
- WIDTH OF WATERWAY. MHW TO MHW (APPX): **1500'**
- TIDAL DATUM:
  - MLW (NAVD)= **-1.50'**
  - MHW (NAVD)= **+0.30'**

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GAYNOR DOCK

SUBMERGED RESOURCE SURVEY

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		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	08-07-20	3.	-	-	-	-
JOB NO.:	1689	4.	-	-	-	-
SHEET NO.:	07 OF 07	5.	-	-	-	-

SECTION- 31 TOWNSHIP- 51S RANGE- 26E

Attachment: Attachment A - Legal Description, Survey, Plans and Posting (14826 : PL20200001309 BDE -

KellyJohn

From: KellyJohn
Sent: Tuesday, January 26, 2021 6:16 PM
To: KellyJohn; AlexandraCasanovaVEN
Subject: BDE-PL20200001309 75 Pelican St W - Public Hearing Sign Posting for HEX 2/11/21
Attachments: IMG_0365.JPG; IMG_0367.JPG

The required Public Hearing Sign for the HEX Meeting on February 11, 2021 was posted by me at approximately 1:45 P.M. this date.

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 - Legal Description, Survey, Plans and Posting (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)





Attachment: Attachment A - Legal Description, Survey, Plans and Posting (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

HEX NO. 2019-06

HEARING EXAMINER DECISION

PETITION NO. BD-PL20180002024 – Jill Gaynor requests a 23-foot boat dock extension over the maximum 20 feet allowed by Section 5.03.06 of the Land Development Code, for a total protrusion of 43 feet, for a boat dock facility with one boat slip and two personal watercraft, located at 75 Pelican Street W, on the north side of Pelican Street W. approximately one third mile west of Capri Boulevard, in Section 31, Township 51 South, Range 26 East, Collier County, Florida.

DATE OF HEARING: January 24, 2019

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 Section 5.03.06 of the Land Development Code has been met and the petition should be approved.

ANALYSIS:

No members of the public attended this meeting other than the applicant's representative, and no objections have been received.

A dock extension was requested and approved previously for seventy-six (76) feet; this request reduces and reconfigures the dock facility with a reduced extension request of forty-three (43) feet.

DECISION:

The Hearing Examiner hereby approves Petition No. BD-PL20180002024, filed by Nick Pearson of Turrell, Hall & Associates, Inc, representing Jill Gaynor, for a 23-foot boat dock extension over the maximum 20 feet allowed by the Land Development Code for a total protrusion of 43 feet for a boat dock facility with one boat slip and two personal watercraft on the property described herein, in accordance with the Proposed Site Plan attached as Exhibit "A", and as subject to the condition(s) set forth below.

ATTACHMENTS: Exhibit A – Proposed Site Plan
Exhibit B – Legal Description

LEGAL DESCRIPTION: See Exhibit B.

Attachment: Attachment B - HEX 2019-06 (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

CONDITIONS:

1. All other applicable state or federal permits must be obtained before commencement of the development.

2. A ST permit must be approved prior to the issuance of permits to construct the dock.

DISCLAIMER:

Pursuant to Section 125.022(5) F.S., issuance of a development permit by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

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 or the Board of Zoning Appeals, as appropriate. 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.

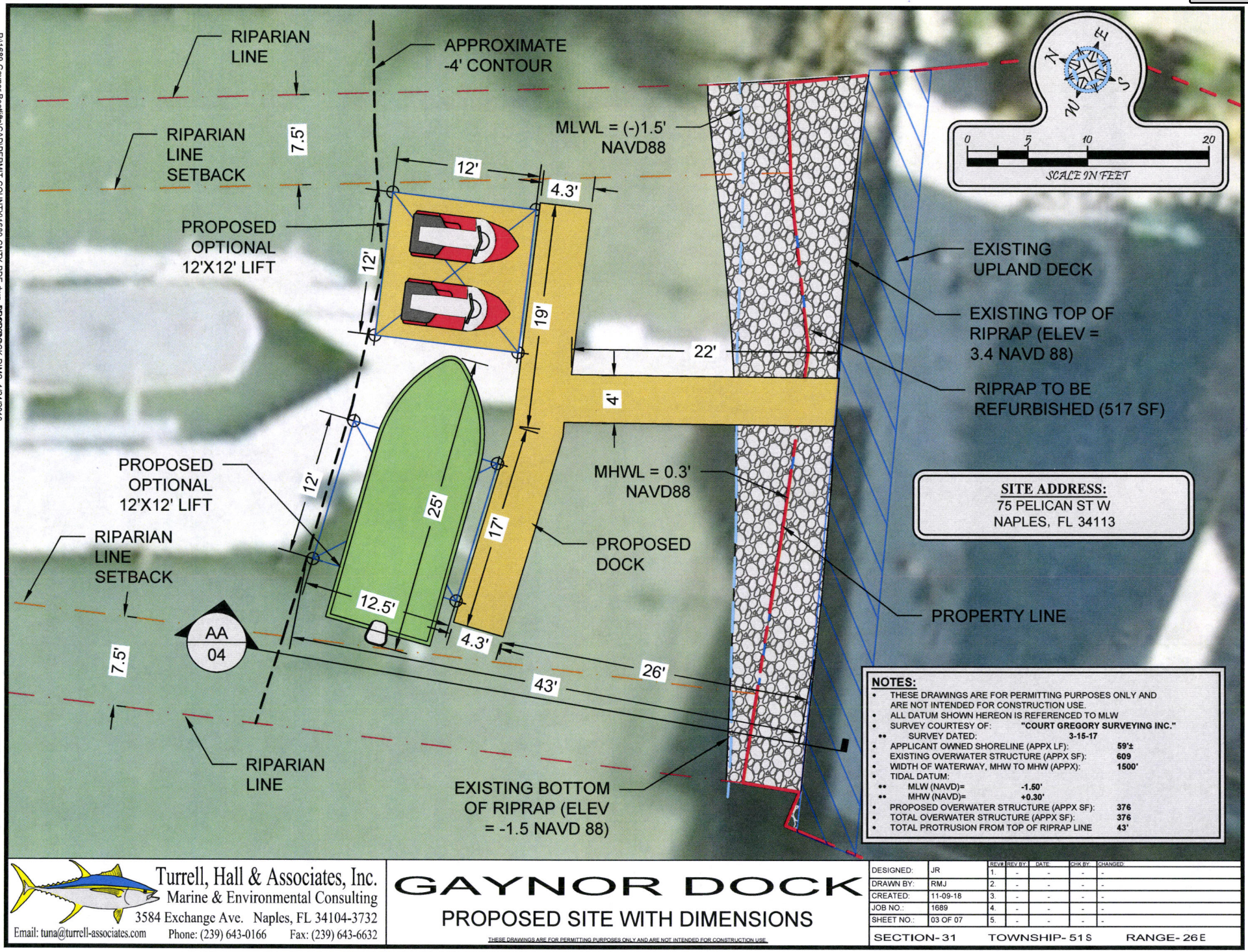
2-4-19
Date

Mark Strain, Hearing Examiner

Approved as to form and legality:

Scott A Stone
Assistant County Attorney

Attachment: Attachment B - HEX 2019-06 (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)



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GAYNOR DOCK

PROPOSED SITE WITH DIMENSIONS

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DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	11-09-18	3.	-	-	-	-
JOB NO.:	1689	4.	-	-	-	-
SHEET NO.:	03 OF 07	5.	-	-	-	-

SECTION- 31 TOWNSHIP- 51 S RANGE- 26 E

EXHIBIT A

P:\1689-Gaynor Boatlifts\CAD\PERMIT-COUNTY\1689-CNTY-BDE.dwg 1/24/2019 8:20:00 AM CK-DIMS 1/24/2019

Attachment: Attachment B - HEX 2019-06 (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

Exhibit B

Legal Description

Lot 109, less the Westerly 5 feet thereof, Isle of Capri, No. 1, according to the map or plat thereof as recorded in Plat Book 3, Page 41, Public Records of Collier County, Florida.

Together with:

A portion of Section 31, Township 51 South, Range 26 East, Collier County lying northerly of Lot 109, Isles of Capri No.1, according to the Plat thereof, recorded in Plat Book 3, Page 41, of the Public Records of Collier County, Florida and southerly of the line described in Official Records Book 3464 at Page 0751 of the Public Records of Collier County, Florida being more particularly described as follows:

Beginning at the Northeast corner of Lot 109, Isles of Capri No.1, according to the Plat thereof, recorded in Plat Book 3, Page 41, of the Public Records of Collier County, Florida; thence run North 27°35'47" West, for a distance of 26.90 feet to the Point of Beginning of the line described in Official Records Book 3464 at Page 0751 of the Public Records of Collier County, Florida; thence along said described line the following four (4) courses: South 65°56'11" West, for a distance of 9.15 feet; South 61°53'40" West, for a distance of 13.22 feet; South 76°11'25" West, for a distance of 13.96 feet; South 76°52'48" West, for a distance of 22.56 feet to the Point of Terminus of said described line; Thence South 12°39'55" East, for a distance of 4.74 feet the northwesterly corner of said Lot 109, less the Westerly 8 feet thereof; thence run South 89°19'00" East, along the north line of said Lot 109, for a distance of 67.00 feet to the Point of Beginning.

Parcel Identification Number: 52344120005

Attachment: Attachment B - HEX 2019-06 (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

DOCK FACILITY EXTENSION OR BOATHOUSE ESTABLISHMENT PETITION

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

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

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT INFORMATION

Name of Property Owner(s): Jill Gaynor

Name of Applicant if different than owner: _____

Address: 75 Pelican Street West **City:** Naples **State:** FL **ZIP:** 34113

Telephone: _____ **Cell:** 502-396-1859 **Fax:** _____

E-Mail Address: jgaynor@prempack.com & jgaynor@hs-specialists.com

Name of Agent(s): Jeff Rogers

Firm: Turrell, Hall & Associates, Inc.

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

Telephone: 239-643-0166 **Cell:** 239-784-0081 **Fax:** 239-643-6632

E-Mail Address: Jeff@thanaples.com

PROPERTY LOCATION

Section/Township/Range: 31 / 51 / 26 **Property I.D. Number:** 52344120005

Subdivision: ISLES OF CAPRI **Unit:** 1 **Lot:** 109 **Block:** _____

Address/ General Location of Subject Property:
75 W Pelican St., Naples FL

Current Zoning and Land use of Subject Property:
Single-family Residential (RSF-4)

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

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

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	A-ST	Capri Pass
S	RMF-12	Misc Residential
E	RSF-4	Residential Single-family
W	RSF-4	Residential Single-family

DESCRIPTION OF PROJECT

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

This proposed project consist of a removing the existing dock in order to then construct the proposed docking facility. The proposed docking facility and boat-lift canopy will then be constructed which will accommodate a 33-foot vessel and two jetskis on the two proposed boat-lifts.

The overall protrusion from the most restrictive point is 50-feet out, therefore a 30-foot BDE is being requested.

SITE INFORMATION

1. **Waterway Width:**
   1600 ft. Measurement from ☐ plat ☐ survey ☐ visual estimate
   ■ other (specify) aerial
2. **Total Property Water Frontage:**
   59 ft.
3. **Setbacks:**
   Provided: 7.5 ft.
   Required: 7.5 ft.
4. **Total Protrusion of Proposed Facility into Water:**
   50 ft.
5. **Number and Length of Vessels to use Facility:**
   1. 33 ft.
   2. 12 & 12 PWC ft.
6. **List any additional dock facilities in close proximity to the subject property and indicate the total protrusion into the waterway of each:**
   There are numerous other docking facilities along the subject shoreline that protrude 45-84' out into the subject waterway.
7. **Signs are required to be posted for all petitions. On properties that are 1 acre or larger in size, the applicant shall be responsible for erecting the required sign. What is the size of the petitioned property?** .21 Acres

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

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8. Official Interpretations or Zoning Verifications:

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

PRIMARY CRITERIA

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

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

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

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

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

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

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

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SECONDARY CRITERIA

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

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

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

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

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

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

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Pre-Application Meeting and Final Submittal Requirement Checklist for:

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

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

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

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

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

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

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

FEE REQUIREMENTS:

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

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

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

All checks payable to: Board of County Commissioners.

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

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

Signature of Petitioner or Agent

9.22.20
Date

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

PRIMARY CRITERIA

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

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

   The subject property is zoned as a single-family residential property which warrants no more than 2 slips per the CC-LDC. The proposed project consists of one dock with two boatlifts to accommodate one vessel up to 33-feet and two PWC. The proposed dock extends out 50-feet from the top of riprap therefore we are requesting a 30-foot boat dock extension from the allowed 20-feet.

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

   The reason for this BDE request is due to the applicant's vessel draft and restrictive water depths. The applicant is not allowed to dredge due to the subject parcel being located within the Rookery Bay Aquatic Preserve. The applicant owned shoreline length is 59-feet and with 30-feet being within setbacks the only dock design option in order to accommodate the applicant's vessels is to push the dock out into the waterway as far as the State will allow to reach adequate depths. The proposed dock will accommodate a 33-feet vessel which will have approximately 24" draft plus the area needed for the boat-lift in order to allow the vessel to float on or off the lift. Also, as designed the proposed protrusion is consistent with all the other docks previously approved along this shoreline and is actually one of the least protruding docks in the area.

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

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

The proposed docking facility is consistent with the other docks along the subject shoreline. As proposed the dock and boatlift will not impact navigation as the marked channel is located north of the docking facility and to access to the subject property is a local knowledge channel. As proposed the dock will not impact navigation within subject waterway.

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

   The approximate waterway width is 1,500-feet wide. The proposed dock protrusion from the MHWL is 46-feet which is under 4% width of the waterway.

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

   The proposed docking facility originates from the applicant's upland single-family residential lot with an existing single-family residence. There is an existing dock on site and the proposed dock and associated boatlifts are within the applicant's riparian area which as designed meets the required side yard setbacks. Therefore, will not result in any impacts to the neighboring views.

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

SECONDARY CRITERIA

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

   The existing docking facility was approved under BD-PL20180002024 but again was not compliant with state regulations and therefore needs to be re-designed to become compliant. Additionally, the previously submitted Warranty Deed and State Certificate which added land north of the platted subject lot up to the MHWL. The platted lot contained 75-feet of width, but the deeded parcel was that lot minus 5-feet which resulted in an actual lot width of approximately 70-feet. The State Certificate then added the land extending up to the MHWL to the deeded parcel which resulted in an oddly shaped northern boundary line for the parcel that contains 59-feet of shoreline.

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

   The proposed docking facility has been designed to comply with state regulations while also providing maximum depth for mooring of vessels and allowing for safe access to each lift by providing sufficient (but not excessive) decking area.

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

   The existing docking facility has been designed to moor one vessel at 33-feet in length and 2 personal watercrafts (PWC) on the proposed decked over boatlift. Therefore, this criterion is not met.

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

   The proposed dock will impact views less than the existing adjacent docking facilities as the proposed dock has less protrusion and the overall area of over-water structure than the other docks. Therefore, no new impacts to neighboring property views of the waterway will result from the proposed project.

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

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

There are no seagrass beds present on the property nor the neighboring properties within 200' of the existing dock structure

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

   The proposed work is a single-family dock facility and therefore not subject to Manatee Protection Requirements

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

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PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership
Jill B Gaynor	100

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

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

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

g. Date subject property acquired _____

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

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

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(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

Jill B Gaynor
Agent/Owner Signature

8/10/20
Date

Jill B Gaynor
Agent/Owner Name (please **print**)

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20200001309

I, Jill Gaynor (print name), as Owner (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 Jeff Rogers - Turrell, Hall & Associates, 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.

Jill B Gaynor
Signature

8/10/20
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [ ] physical presence or [ ] online notarization this ____ day of _____, 20___, by (printed name of owner or qualifier) _____.

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

[ ] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

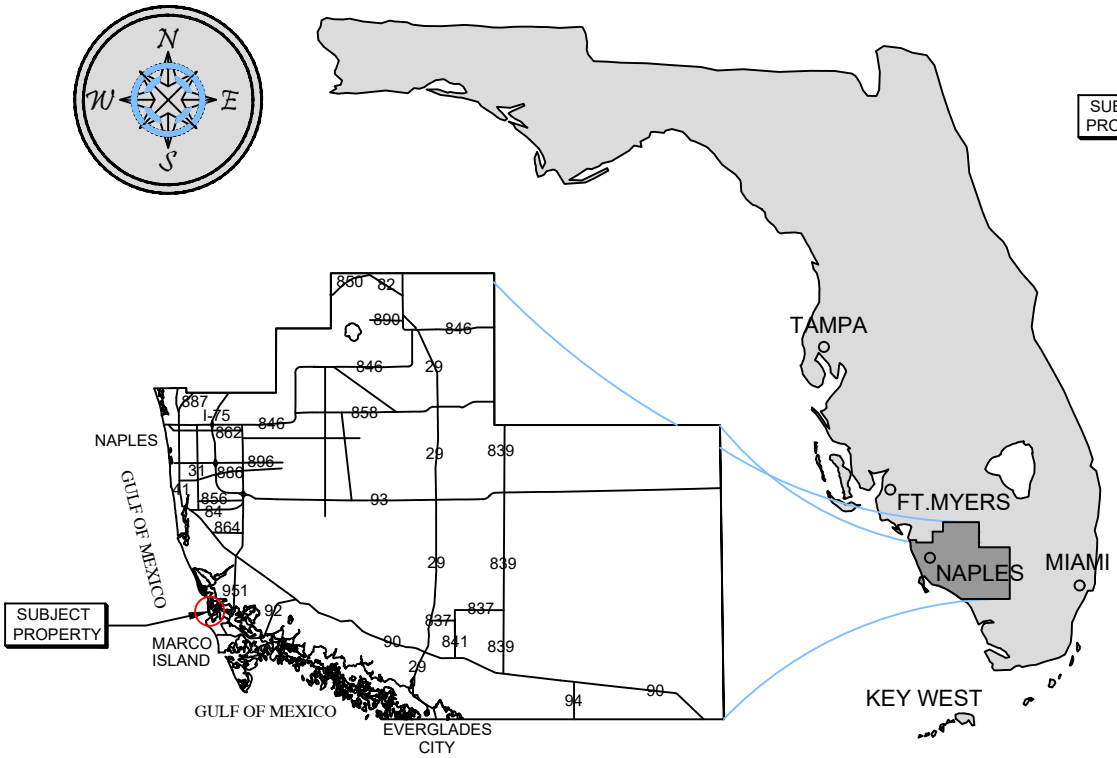
Notary Signature: _____

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

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg LOCATION 8/7/2020

STATE OF FLORIDA



COLLIER COUNTY



VICINITY MAP



COUNTY AERIAL

SITE ADDRESS:
<> 75 PELICAN ST W
NAPLES, FL 34113

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

<> LATITUDE: N 25.977399°
<> LONGITUDE: W -81.736682°

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

GAYNOR DOCK

LOCATION MAP

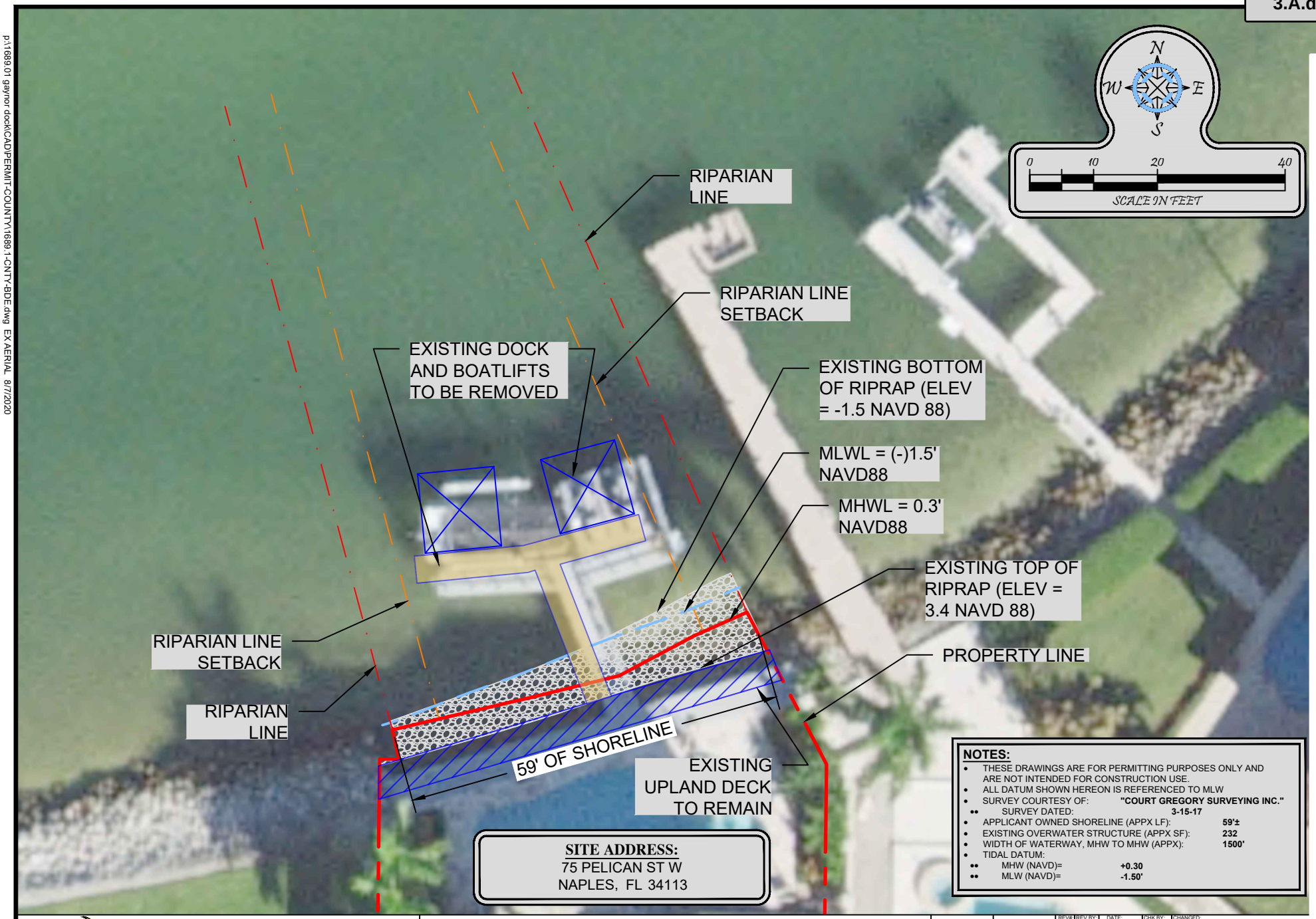
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	08-07-20	3.	-	-	-	-
JOB NO.:	1689	4.	-	-	-	-
SHEET NO.:	01 OF 07	5.	-	-	-	-

SECTION- 31 TOWNSHIP- 51 S

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg EX AERIAL 8/7/2020



SITE ADDRESS:
75 PELICAN ST W
NAPLES, FL 34113

NOTES:

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- ALL DATUM SHOWN HEREON IS REFERENCED TO MLW
- SURVEY COURTESY OF: **"COURT GREGORY SURVEYING INC."**
  - SURVEY DATED: **3-15-17**
- APPLICANT OWNED SHORELINE (APPX LF): **59'±**
- EXISTING OVERWATER STRUCTURE (APPX SF): **232**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1500'**
- TIDAL DATUM:
  - MHW (NAVD)= **+0.30**
  - MLW (NAVD)= **-1.50'**

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Marine & Environmental Consulting
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GAYNOR DOCK

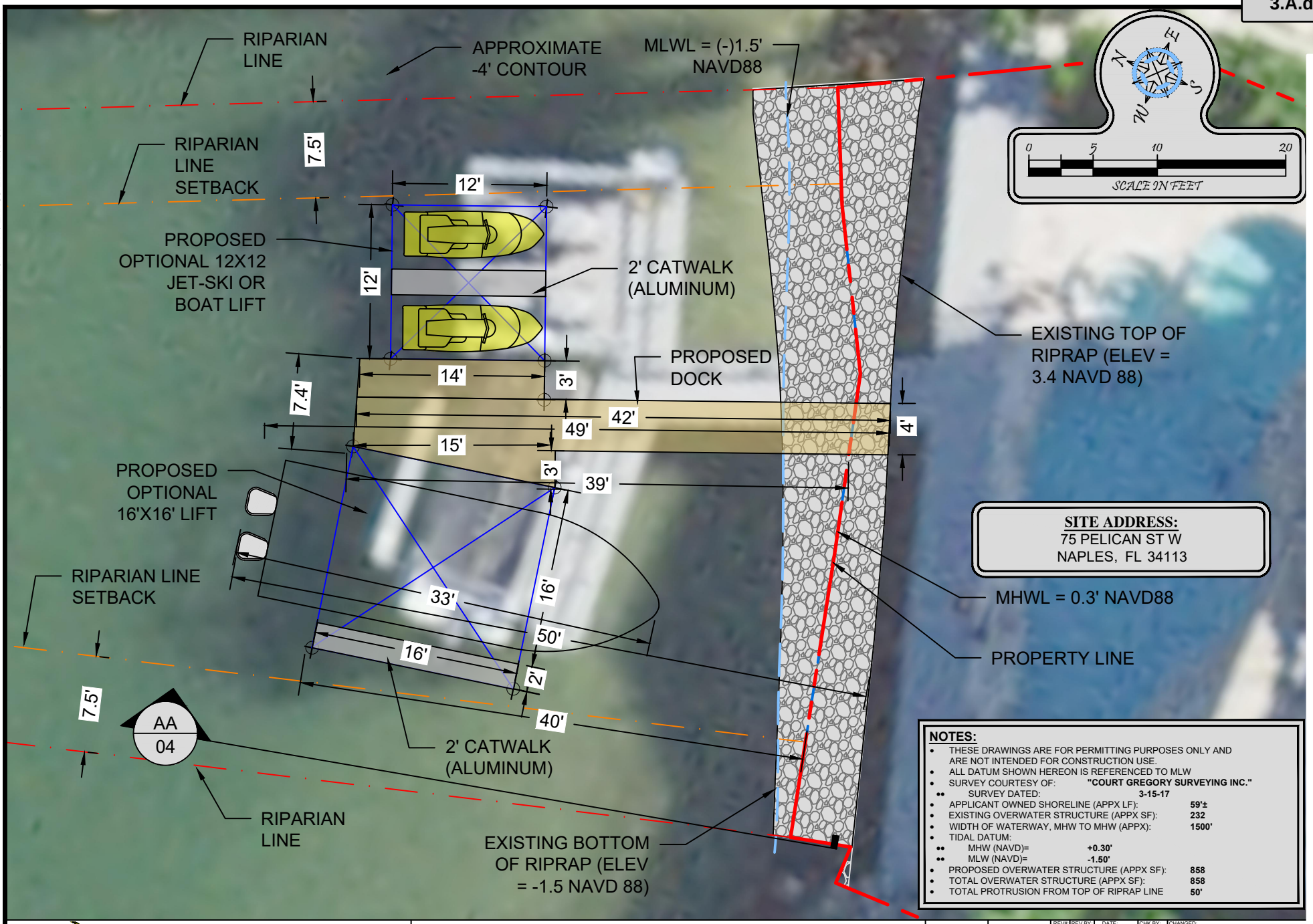
EXISTING AERIAL WITH DIMENSIONS

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

		REV#:	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	08-07-20	3.	-	-	-	-
JOB NO.:	1689	4.	-	-	-	-
SHEET NO.:	02 OF 07	5.	-	-	-	-

SECTION- 31 TOWNSHIP- 51 S

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)



SITE ADDRESS:
75 PELICAN ST W
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- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1500'**
- TIDAL DATUM:
  - MHW (NAVD)= **+0.30'**
  - MLW (NAVD)= **-1.50'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **858**
- TOTAL OVERWATER STRUCTURE (APPX SF): **858**
- TOTAL PROTRUSION FROM TOP OF RIPRAP LINE **50'**

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GAYNOR DOCK

PROPOSED SITE WITH DIMENSIONS

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		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	08-07-20	3.	-	-	-	-
JOB NO.:	1689	4.	-	-	-	-
SHEET NO.:	03 OF 07	5.	-	-	-	-

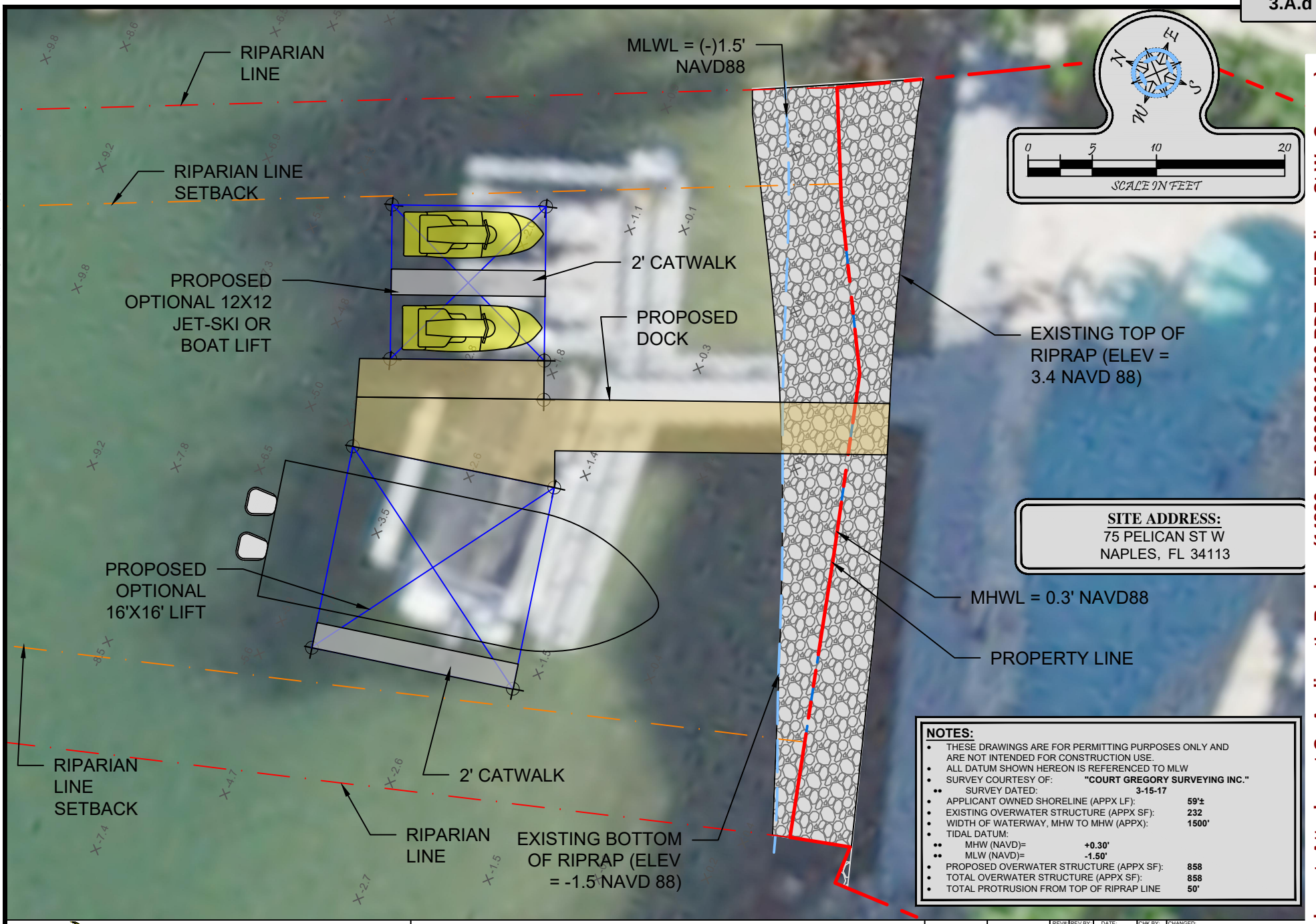
SECTION- 31 TOWNSHIP- 51 S

p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg PROPOSED DOCK-DIMS 8/7/2020

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg 8/7/2020 BRADDOCK-DEPTHS



SITE ADDRESS:
75 PELICAN ST W
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- TOTAL PROTRUSION FROM TOP OF RIPRAP LINE **50'**

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GAYNOR DOCK

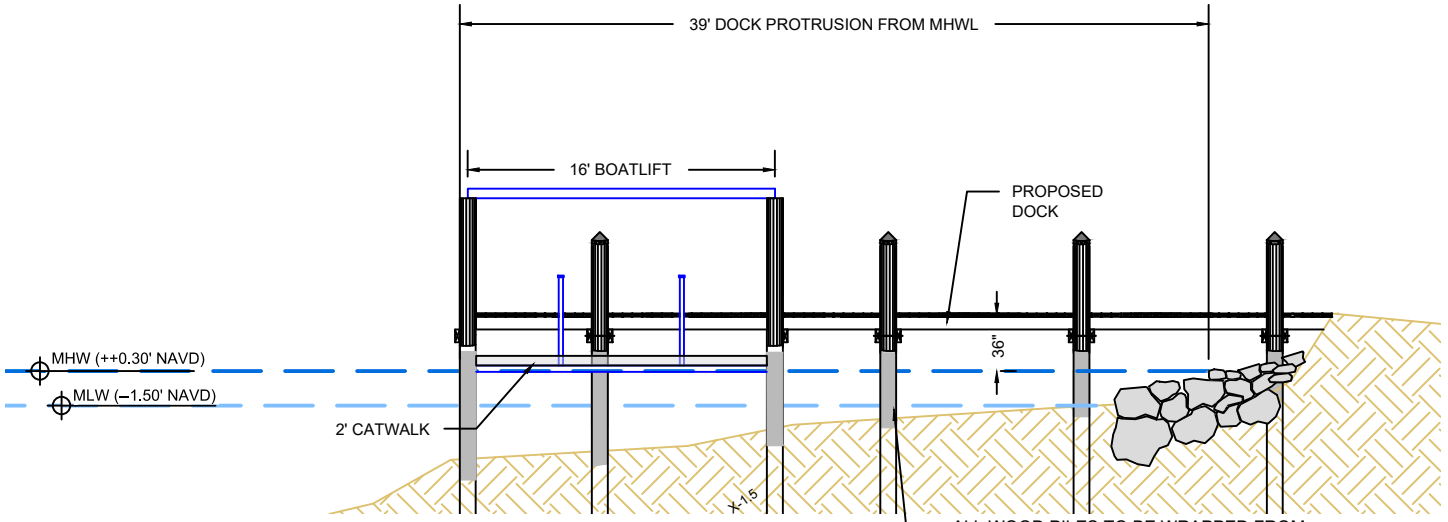
PROPOSED SITE WITH DEPTHS

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		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	JR	1.	-	-	-	-
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CREATED:	08-07-20	3.	-	-	-	-
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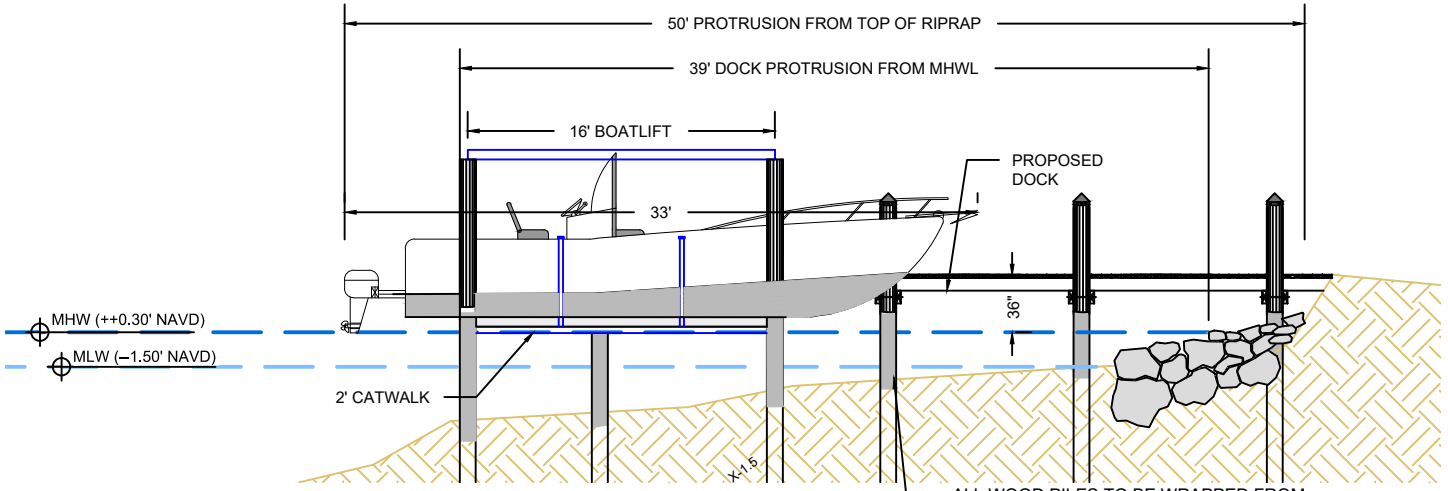
SECTION- 31 TOWNSHIP- 51 S

p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg SECTION AA 8/7/2020



CROSS SECTION AA

SCALE: 1" = 10'



CROSS SECTION AA WITH BOAT

SCALE: 1" = 10'

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Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

GAYNOR DOCK

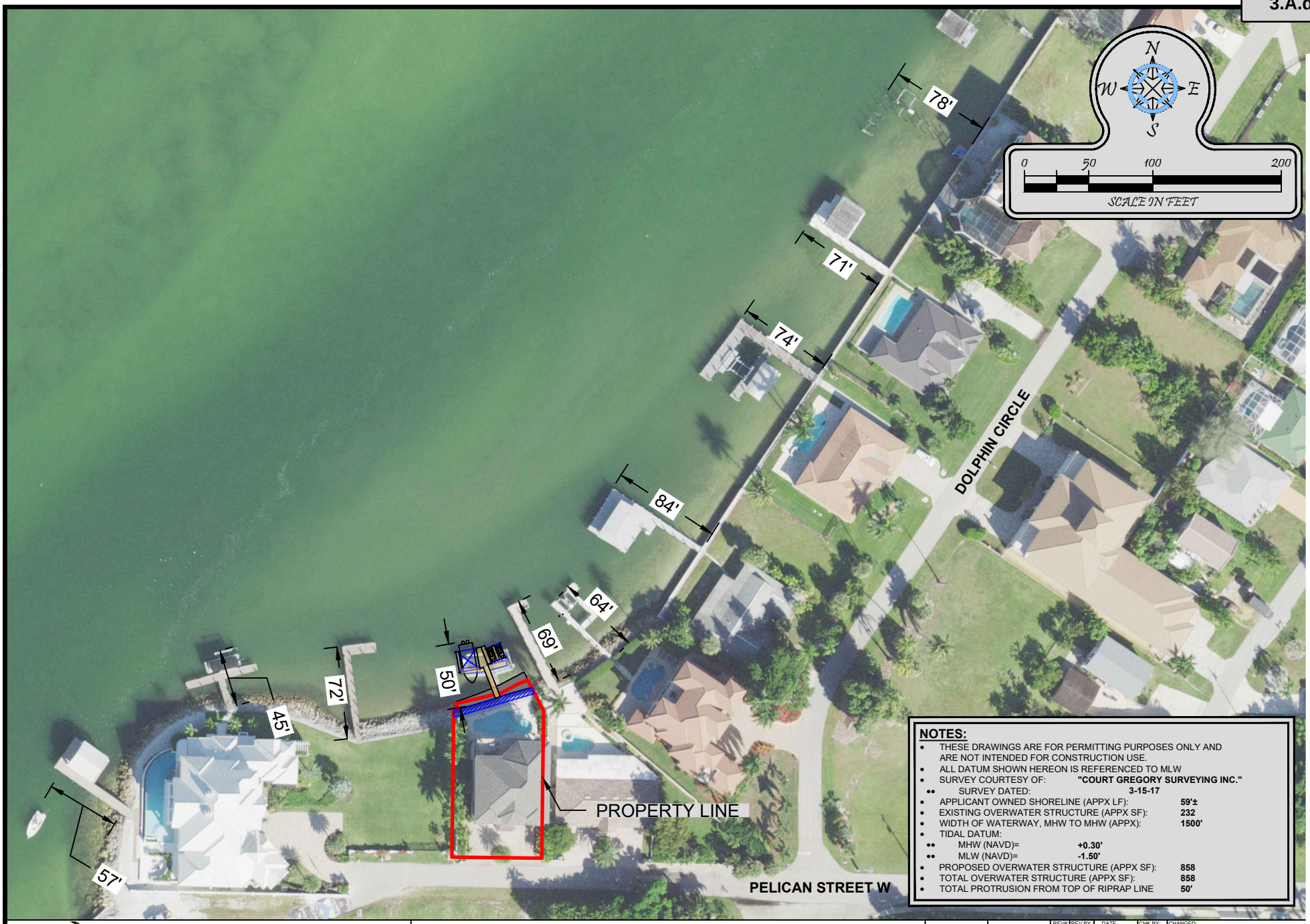
CROSS SECTION AA

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

		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	08-07-20	3.	-	-	-	-
JOB NO.:	1689	4.	-	-	-	-
SHEET NO.:	05 OF 07	5.	-	-	-	-

SECTION- 31 TOWNSHIP- 51 S

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)



NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL DATUM SHOWN HEREON IS REFERENCED TO MLW
- SURVEY COURTESY OF: **"COURT GREGORY SURVEYING INC."**
  - SURVEY DATED: **3-15-17**
- APPLICANT OWNED SHORELINE (APPX LF): **59'±**
- EXISTING OVERWATER STRUCTURE (APPX SF): **232**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1500'**
- TIDAL DATUM:
  - MHW (NAVD)= **+0.30'**
  - MLW (NAVD)= **-1.50'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **858**
- TOTAL OVERWATER STRUCTURE (APPX SF): **858**
- TOTAL PROTRUSION FROM TOP OF RIPRAP LINE **50'**

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

GAYNOR DOCK

ADJACENT DOCK PROTRUSIONS

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

		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	08-07-20	3.	-	-	-	-
JOB NO.:	1689	4.	-	-	-	-
SHEET NO.:	06 OF 07	5.	-	-	-	-

SECTION- 31 TOWNSHIP- 51 S

p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg 8/07/2020 JACKS 8/7/2020

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

p:\1689.01 gaynor dock\CAD\PERMIT-COUNTY\1689.1-CNTY-BDE.dwg SRS 8/7/2020



TYPICAL DIVE TRANSECT

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL DATUM SHOWN HEREON IS REFERENCED TO MLW
- SURVEY COURTESY OF: **"COURT GREGORY SURVEYING INC."**
  - SURVEY DATED: **3-15-17**
- APPLICANT OWNED SHORELINE (APPX LF): **59'±**
- EXISTING OVERWATER STRUCTURE (APPX SF): **609**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1500'**
- TIDAL DATUM:
  - MLW (NAVD)= **-1.50'**
  - MHW (NAVD)= **+0.30'**

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

GAYNOR DOCK

SUBMERGED RESOURCE SURVEY

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

		REV#:	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	08-07-20	3.	-	-	-	-
JOB NO.:	1689	4.	-	-	-	-
SHEET NO.:	07 OF 07	5.	-	-	-	-

SECTION- 31 TOWNSHIP- 51 S

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

GAYNOR DOCK
75 PELICAN ST. W
NAPLES, FL 34113

SUBMERGED RESOURCE SURVEY

AUGUST 10, 2020

PREPARED BY:



TURRELL, HALL & ASSOCIATES, INC
3584 EXCHANGE AVENUE, STE B
NAPLES, FL 34104

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

1.0 INTRODUCTION

The Gaynor residence is located at 75 Pelican St. W and can be identified by parcel #52344120005. The property is bound to the East and West by single family residences, to the South by several tennis courts, and to the north by Capri Pass. The property is located at Section 6, Township 52, and Range 26. The landward portion of the property currently contains a single family residence. The seaward portion of the property contains a privately owned dock that extends into state owned submerged land.

Turrell, Hall & Associates was contracted to provide environmental permitting services pertaining to the proposed dock addition, which includes completion of a Submerged Resource Survey (SRS). This survey will provide planning and assistance to both the owner(s) and government agencies reviewing the proposed project. The proposed project consists of replacing the current Jet Ski lift with a platform lift. The existing dock will not be altered in any other way.

The SRS survey was conducted on August 1st of 2018. Surface conditions consisted of partly cloudy skies, light to moderate winds out of the southeast, and an air temperature of 90° F. The tide was at mid-level upon arrival to the site, allowing for observance of some of the bottom lands from the dock. However, winds, tidal currents, and boat activity both contributed to choppy waves in the pass and high turbidity in the water column, causing reduced visibility. High tide at the project site occurred at 6:26 A.M. (2.5 ft.) and low tide occurred at 12:43 P.M. (0.8 ft.). The water temperature was 85° F.

2.0 OBJECTIVE

The objective of the submerged resource survey was to identify and locate any existing submerged resources within 200' of the proposed project. The survey provided onsite environmental information to help determine if the proposed project would impact any existing submerged resources and if so would assist in reconfiguring the proposed dock in order to minimize any impacts. The general scope of work performed at the site is summarized below.

- Turrell, Hall & Associates personnel conducted a site visit in order to verify the location of any submerged resources.

- Turrell, Hall & Associates personnel identified submerged resources at the site (or the lack there of), estimated the percent coverage, and delineated the approximate limits of any submerged resources observed.

- Turrell, Hall & Associates personnel delineated limits via a handheld GPS (Garmin Model 76csx).

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

3.0 METHODOLOGY

Turrell, Hall & Associates biologists intentionally designed the methodology of the Submerged Resource Survey to cover the entire property shoreline for the proposed dock installation. The components for this survey included:

- Review of aerial photography of survey area
- Establish survey transects lines overlaid onto aerials
- Physically swim transects, GPS locate limits of submerged resources, and determine approximate percent of coverage
- Document and photograph all findings

The survey area was evaluated systematically by following the established transects, spaced approximately 10-feet apart as shown on the attached exhibit. The existing dock provided a reference point for easily identifiable land markers such as dock pilings which assisted in maintaining position within each transect.

4.0 RESULTS

The substrate found within the surveyed area consists of 1 distinct classification: sand with a high volume of shell debris. This substrate was found throughout the entire surveyed area. The shoreline consists of rip-rap rocks supporting a variety of fish as well as sessile and motile invertebrates such as barnacles and mud crabs. Some of the rip-rap rocks carried historic fragments or remains of oysters, but no live individuals were observed. Algae was observed covering parts of the submerged rip-rap but was not observed in the underlying substrate. The majority of the project site was devoid of vegetative growth, presumably because of a combination of shallow depths, high wave action and volatile tidal currents. Such conditions also create highly turbid waters, reducing penetration of the water column by sunlight. A list of observed species can be seen below in Table 1.

Table 1 – Observed fish species

Common Name	**Scientific Name**
Striped Mullet	*Mugil cephalus*
Sheepshead	*Archosargus probatocephalus*
Crevalle Jack	*Caranx hippos*
Barnacle	*Amphibalanus spp.*
Mud Crab	*Panopius* herbstii

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

5.0 CONCLUSIONS

The submerged resource survey conducted at the project site yielded few findings at best. Barnacles, mud crabs, and historic indicators of oysters could be seen on the rip-rap and pilings. Algae was observed on parts of the rip-rap, but nowhere else around the project site. Seagrasses were not observed anywhere near the project site. All fish species were observed swimming in and around the existing docking facility.

Negative impacts to submerged resources are not expected with the proposed project.

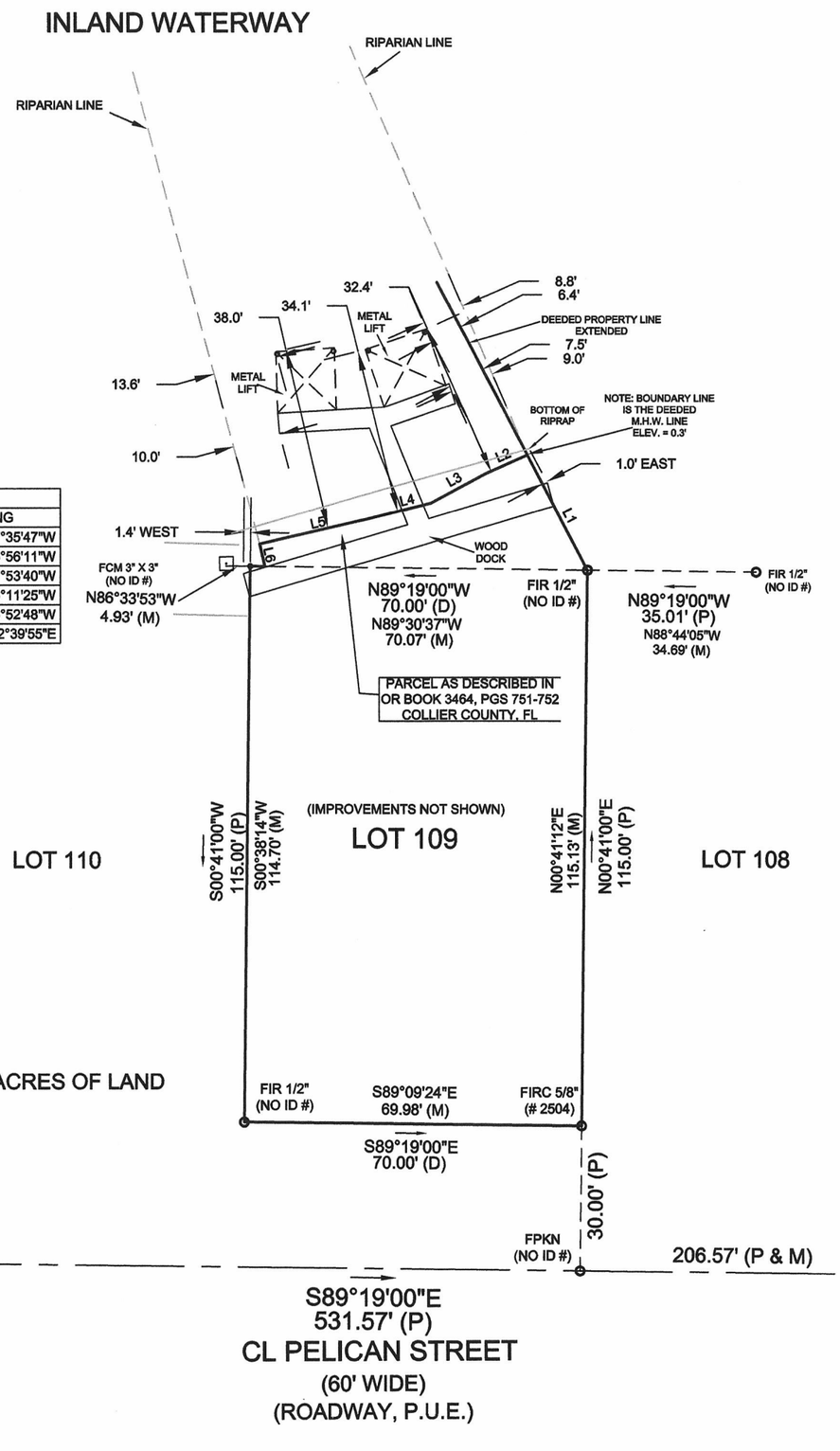
	
RIP-RAP SHORELINE	SAND AND SHELL BOTTOM SEDIMENT

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)



SCALE 1" = 30'

LINE TABLE		
LINE	LENGTH	BEARING
L1	26.90	N27°35'47"W
L2	9.15	S65°56'11"W
L3	13.22	S61°53'40"W
L4	13.96	S76°11'25"W
L5	22.56	S76°52'48"W
L6	4.74	S12°39'55"E



NOTES:

1.THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF PELICAN STREET AS SHOWN IN PLAT BOOK 3 PAGE 41 OF COLLIER COUNTY, BEING SOUTH 89°19'00" EAST.

2.IMPROVEMENTS OTHER THAN THOSE SHOWN ARE NOT A PART OF THIS SURVEY.

3.SAID DESCRIBED LAND IS SUBJECT TO ALL SUBDIVISION REGULATIONS, RESERVATIONS, RESTRICTIONS, ZONING AND RIGHTS-OF- WAY OF RECORD.

4.DATE OF FIELD SURVEY OCTOBER 15, 2019.

5.THIS SURVEY MAP IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

6.SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS, UTILITIES OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

7.ELEVATIONS SHOWN ARE BASED ON N.A.V.D. DATUM OF 1988. DESCRIPTION OF BENCHMARK IS AS FOLLOWS: SPKN&D #6004 IN BRICK DRIVE AT SW CORNER. ELEV. = 5.11'

8.SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE " " AS INDICATED ON FEMA FLOOD ZONE MAP PANEL NO DATED: BASE ELEVATION DETERMINED AT N/A

9. NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. ALL INFORMATION HAS BEEN SUPPLIED BY THE CLIENT. IT IS POSSIBLE THAT THERE ARE DEEDS, EASEMENTS, OR OTHER INSTRUMENTS (RECORDED OR UNRECORDED) WHICH MAY AFFECT THE SUBJECT PROPERTY. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SURVEYOR.

10. THE PURPOSE OF THIS SURVEY IS TO SHOW THE COMPLETED DOCK IMPROVEMENTS WITH RESPECT TO THE PROPERTY LINES. PROPERTY LINES ARE SHOWN AS PLAT

LEGEND

UPDATED RIPRAP LOCATION

DATE OF REVISION 09-04-2020

LEGEND

= FOUND (") IRON ROD (SURVEYOR ID #) (FIR)
= SET 1/2" IRON ROD (PSM #6004)(SIRC)
= SET 4" X 4" CONCRETE MONUMENT (PSM #6004)(SCM)
= FOUND CONCRETE MONUMENT (SURVEYOR ID #)(FCM)
= BENCHMARK (FOUND OR SET) R/W = RIGHT OF WAY(R.O.W.)
= FOUND NAIL OR PK NAIL AND DISC (SURVEYOR ID #) (FPKN)
= SET PK NAIL AND DISC (PSM #6004) (SPKN&D) FD. = FOUND
FN&TT = FOUND NAIL AND TIN TAB BM = BENCHMARK
(M) = FIELD MEASUREMENT (C) = CALCULATED MEASUREMENT
P.C.P. = PERMANENT CONTROL POINT (#) C.L.= CENTERLINE
P.R.M. = PERMANENT REFERENCE MONUMENT (#) (PG) = PAGE
(P) OR (D) = PLAT OR RECORDED(DEED) MEASUREMENT
(PB) = PLAT BOOK PL EXT = PROPERTY LINE EXTENDED
CMP = CORRUGATED METAL PIPE CATV=CABLE TV
FF = FINISHED FLOOR U.T.S.= UNITED TELEPHONE RISER
= WELL CONC = CONCRETE CB = CATCH BASIN OR INLET
= WATER/GATE VALVE R.C.P. = REINFORCED CONCRETE PIPE
= SANITARY SEWER PROP = PROPERTY X = SPOT ELEVATION
TOB = TOP OF BANK TOS = TOP OF SLOPE EOW = EDGE OF WATER
BOS = BOTTOM OF BANK BOS = BOTTOM OF SLOPE EO = EDGE OF
CBS=CONCRETE BLOCK & STUCCO VG = VALLEY GUTTER
ELEC. = ELECTRIC TRANS = TRANSFORMER JAC = JACUZZI
DE = DRAINAGE EASEMENT SWE = SIDEWALK EASEMENT
LBE = LANDSCAPE BUFFER EASEMENT IE = IRRIG. EASEMENT
PUE = PUBLIC UTILITY EASEMENT UE = UTILITY EASEMENT
LMA(E)= LAKE MAINTENANCE ACCESS EASEMENT
LME = LAKE MAINTENANCE EASEMENT A.E.= ACCESS EASEMENT
CUE = COUNTY (U.E.)

MAP OF
SPECIFIC PURPOSE SURVEY
LOT 109

LESS THE WESTERLY 5 FEET ALONG WITH THAT PORTION (AS DESCRIBED)

OF

ISLES OF CAPRIS NO.1

AS RECORDED IN
PLAT BOOK 3 PAGE(S) 41
AND AS DESCRIBED IN OR BOOK 5140, PG 2968
OF THE PUBLIC RECORDS OF
COLLIER COUNTY, FLORIDA

75 PELICAN STREET WEST

CERTIFIED TO:
TURRELL-HALL & ASSOCIATES

CERTIFICATION:
I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

SIGNED_____
COURT H. GREGORY PSM #6004
DATE 09/17/2020
DATE OF FIELD SURVEY 10-15-2019

LB #7112
PSM # 6004

C.G.S.

Court Gregory Surveying, Inc.
761 Teton Court
Naples, Florida 34104

(239)643-7845 office
cgs6004@comcast.net
(239)643-3707 cell

Date 09/17/2020
Job # EN40129A2020
Fb MI-40 Pg 59

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

INSTR 5108764 OR 5140 PG 2968 RECORDED 4/15/2015 4:22 PM PAGES 2
DWIGHT E. BROCK, CLERK OF THE CIRCUIT COURT, COLLIER COUNTY FLORIDA
DOC@.70 $22,400.00 REC $18.50
CONS $3,200,000.00

Prepared by and return to:
William G. Morris, P.A.
Law Offices of William G. Morris, P.A.
247 North Collier Boulevard Suite 202
Marco Island, FL 34145
239-642-6020
File Number: **15RE006**

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 9th day of **MarchApril, 2015** between **Don G. Mitchell and Kimberly Mitchell, husband and wife** whose post office address is **85 West Pelican Street, Naples, FL 34113**, grantor, and **Jill B. Gaynor, a married woman** whose post office address is **3509 Waterleaf Court, Louisville, KY 40207**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Collier County, Florida** to-wit:

Lot 109, less the Westerly 5 feet thereof, Isle of Capri, No. 1, according to the map or plat thereof as recorded in Plat Book 3, Page 41, Public Records of Collier County, Florida.

Together with:

A portion of Section 31, Township 51 South, Range 26 East, Collier County lying northerly of Lot 109, Isles of Capri No.1, according to the Plat thereof, recorded in Plat Book 3, Page 41, of the Public Records of Collier County, Florida and southerly of the line described in Official Records Book 3464 at Page 0751 of the Public Records of Collier County, Florida being more particularly described as follows:

Beginning at the Northeast corner of Lot 109, Isles of Capri No.1, according to the Plat thereof, recorded in Plat Book 3, Page 41, of the Public Records of Collier County, Florida; thence run North 27°35'47" West, for a distance of 26.90 feet to the Point of Beginning of the line described in Official Records Book 3464 at Page 0751 of the Public Records of Collier County, Florida; thence along said described line the following four (4) courses: South 65°56'11" West, for a distance of 9.15 feet; South 61°53'40" West, for a distance of 13.22 feet; South 76°11'25" West, for a distance of 13.96 feet; South 76°52'48" West, for a distance of 22.56 feet to the Point of Terminus of said described line; Thence South 12°39'55" East, for a distance of 4.74 feet the northwesterly corner of said Lot 109, less the Westerly 8 feet thereof; thence run South 89°19'00" East, along the north line of said Lot 109, for a distance of 67.00 feet to the Point of Beginning.

Parcel Identification Number: 52344120005

Subject to the following exceptions: (a) ad valorem and non ad valorem real property taxes for the year of closing and subsequent years; (b) zoning, building code and other use restrictions imposed by governmental authority; (c) outstanding oil, gas and mineral interests of record, if any, and (d) restrictions, reservations and easements common to the subdivision, provided that none of the foregoing shall prevent use of the Property for residential purposes.

COLLIER COUNTY FLORIDA CLERK OF THE CIRCUIT COURT

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

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

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, subject to the following exceptions: (a) ad valorem and non ad valorem real property taxes for the year of closing and subsequent years; (b) zoning, building code and other use restrictions imposed by governmental authority; (c) outstanding oil, gas and mineral interests of record, if any, and (d) restrictions, reservations and easements common to the subdivision.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: PEGILEE H. MORRIS

(Seal)
Don G. Mitchell

Witness Name: Carey L Chard

(Seal)
Kimberly Mitchell

COLLIER COUNTY CLERK OF THE CIRCUIT COURT COPY

State of Florida
County of Collier

The foregoing instrument was acknowledged before me this 9TH day of April, 2015 by Don G. Mitchell and Kimberly Mitchell, who [_] are personally known or [X] have produced a driver's license as identification.

[Notary Seal]

PEGILEE H. MORRIS
MY COMMISSION # FF 142993
EXPIRES: July 17, 2018
Bonded Thru Budget Notary Services

Notary Public

Printed Name: PEGILEE H. MORRIS

My Commission Expires: JULY 17, 2018

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

Trustees No. 40198(5067-11)

CERTIFICATE

Upon application of Don G. Mitchell, a single man, whose address is 75 West Pelican Street, Naples, Florida 34113, and pursuant to Section 92.16 and sub-section 253.12(9), Florida Statutes, the undersigned, on behalf of the BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, pursuant to Rule 18-21.019, Florida Administrative Code, hereby certifies that the boundary separating the lands of private ownership from the adjacent state owned sovereignty lands on July 1, 1975, is described as follows:

ARTISAN ENTERPRISES
4532 TAMIAMI TR E
NAPLES FL 34112

RECORDED In the OFFICIAL RECORDS of COLLIER COUNTY, FL
12/15/2003 at 11:13AM DWIGHT B. BROCK, CLERK
COPIES 2.00
MISC 1.00

DESCRIPTION

THE WATERWARD BOUNDARY LINE AS OF JULY 1, 1975, LYING ALONG JOHNSON BAY, IN SECTION 31, TOWNSHIP 51 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, SAID LINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 109, ISLES OF CAPRI NO. 1 AS RECORDED IN PLAT BOOK 3, PAGE 41 OF THE COLLIER COUNTY, FLORIDA; THENCE NORTH 27° 35' 47" WEST FOR 26.90 FEET TO THE MEAN HIGH WATER LINE AND THE POINT OF BEGINNING; THENCE ALONG THE MEAN HIGH WATER LINE FOR THE FOLLOWING FOUR CALLS; SOUTH 65° 56' 11" WEST FOR 9.15 FEET; THENCE SOUTH 61° 53' 40" WEST FOR 13.22 FEET; THENCE SOUTH 76° 11' 25" WEST FOR 13.96 FEET; THENCE SOUTH 76° 52' 48" WEST FOR 22.59 FEET TO THE POINT OF TERMINUS.

COPY
CLERK OF THE CIRCUIT COURT

The above legal description was prepared by David B. Burns, Florida Professional Surveyor and Mapper No. 4520.

NOTE: (1) This certificate is issued without a title examination of all tidally influenced land or tidally influenced islands bordering or being on sovereignty land, which have been permanently extended, filled, added to existing lands, or created before July 1, 1975, by fill, lying landward of the above described waterward boundary line, and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida may not have any right, title or interest in any of these lands. (2) The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida has not determined or verified the riparian rights lines of the applicant's privately owned uplands. (3) This certificate does not constitute a determination by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida that the applicant owns the filled area that extends from applicant's lands that are immediately upland of the filled area.

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

Trustees No. 40198(5067-11)

*** OR: 3464 PG: 0752 ***

In Witness Whereof, I have hereunto set my hand and have caused to be affixed hereto the official seal of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida at its office in Tallahassee, Leon County, Florida, this 1ST day of DECEMBER, 2003.

(SEAL)
Board of Trustees of the
Internal Improvement Trust
Fund of the State of Florida

Witness

(Typed or Printed Name of Witness)

Witness

(Typed or Printed Name of Witness)

BOARD OF TRUSTEES OF THE
INTERNAL IMPROVEMENT TRUST
FUND OF THE STATE OF FLORIDA

By: _____
Terry E. Wilkinson, Chief
Bureau of Survey and Mapping
Division of State Lands
State of Florida Department of
Environmental Protection
as agent for and on behalf of the Board
of Trustees of the Internal Improvement
Trust Fund of the State of Florida

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 1ST day of DECEMBER, 2003, by Terry E. Wilkinson, Chief, Bureau of Survey and Mapping, Division of State Lands, Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. He is personally known to me or has produced a driver's license as identification.

State of Florida at Large,
Notary Public

Henry Miller
MY COMMISSION EXPIRES
November 30, 2004
#CC985120
Bonded thru
Troy Fain-Insurance
NOTARY PUBLIC STATE OF FLORIDA

(Typed, Printed or Stamped Name of Notary)

Commission No. CC985120

My Commission Expires: NOV. 30, 2004

APPROVED AS TO FORM
& LEGALITY

DEP Attorney

Department of Environmental Protection
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

COLLIER COUNTY
COPY
CLERK OF THE CIRCUIT COURT

Attachment: Attachment C - Applicant's Backup (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

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): BDE-PL20200001309

Regarding the above subject petition number(s), Jill B. Gaynor (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: Jill B Gaynor Date: 12/20/2020

Signature: Jill B Gaynor

☑ 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 Hearing Waiver (14826 : PL20200001309 BDE - 75 Pelican St W - Gaynor)

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.B
Item Summary: PETITION NO. PL20200001732 VA - 689 35th Avenue NW - An after-the-fact variance request from Section 4.02.01.A, Table 2.1, of the Collier County Land Development Code to reduce the minimum side yard setback from 30 feet to 17.1 feet on the east side, and to 15.77 feet for a roof overhang, for an existing single family dwelling in the Estates (E) zoning district located at 689 35th Avenue NW and further described as the West 180 feet of Tract 36, Golden Gate Estates Unit No. 37, in Section 16, Township 48 South, Range 27 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commissioner District 5

Meeting Date: 02/11/2021

Prepared by:
Title: Planner – Zoning
Name: John Kelly
01/22/2021 5:29 PM

Submitted by:
Title: Manager - Planning – Zoning
Name: Ray Bellows
01/22/2021 5:29 PM

Approved By:

Review:

Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	01/22/2021 5:44 PM
Growth Management Operations & Regulatory Management	Rose Burke		Review Item	Completed
Zoning	Ray Bellows	Review Item	Completed	01/27/2021 5:57 PM
Zoning	Anita Jenkins	Review Item	Completed	02/01/2021 12:47 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	02/11/2021 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION- ZONING SERVICES SECTION

HEARING DATE: FEBRUARY 11, 2021

SUBJECT: PETITION VA-PL20200001732; 689 35TH AVENUE NW VARIANCE

PROPERTY OWNER/AGENT:

Owner/Applicant:

Raymond Piedra
689 35th Avenue NW
Naples, FL 34120

Agents:

Magdevys Rodriguez
409 17th Street SW
Naples, FL 34117

REQUESTED ACTION:

To have the Collier County Hearing Examiner (HEX) consider an after-the-fact variance request from Section 4.02.01.A, Table 2.1, of the Collier County Land Development Code to reduce the minimum side yard setback from 30 feet to 17.1 feet on the east side, and to 15.77 feet for a roof overhang, for an existing single family dwelling in the Estates (E) zoning district.

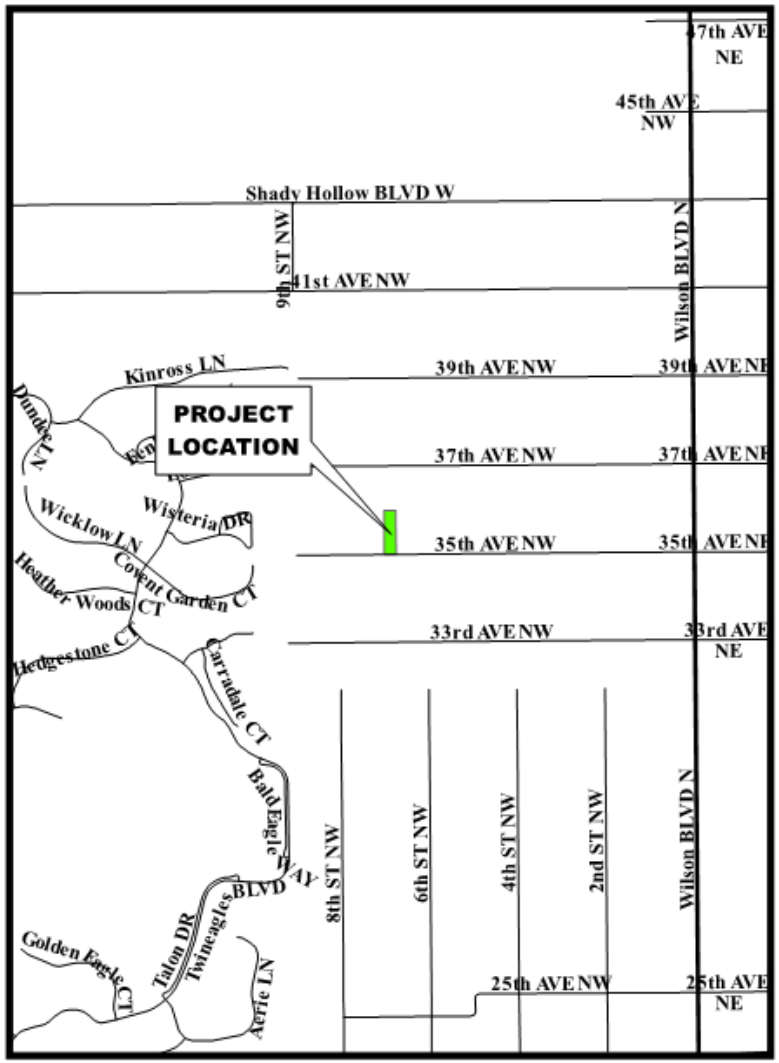
GEOGRAPHIC LOCATION:

The subject property is located at 689 35th Avenue NW, approximately 0.85 miles west of Wilson Boulevard, and is further described as the West 180 feet of Tract 36, Golden Gate Estates Unit No. 37, in Section 16, Township 48 South, Range 27 East, Collier County, Florida, consisting of 2.73 acres *(See location map on page 2)*.

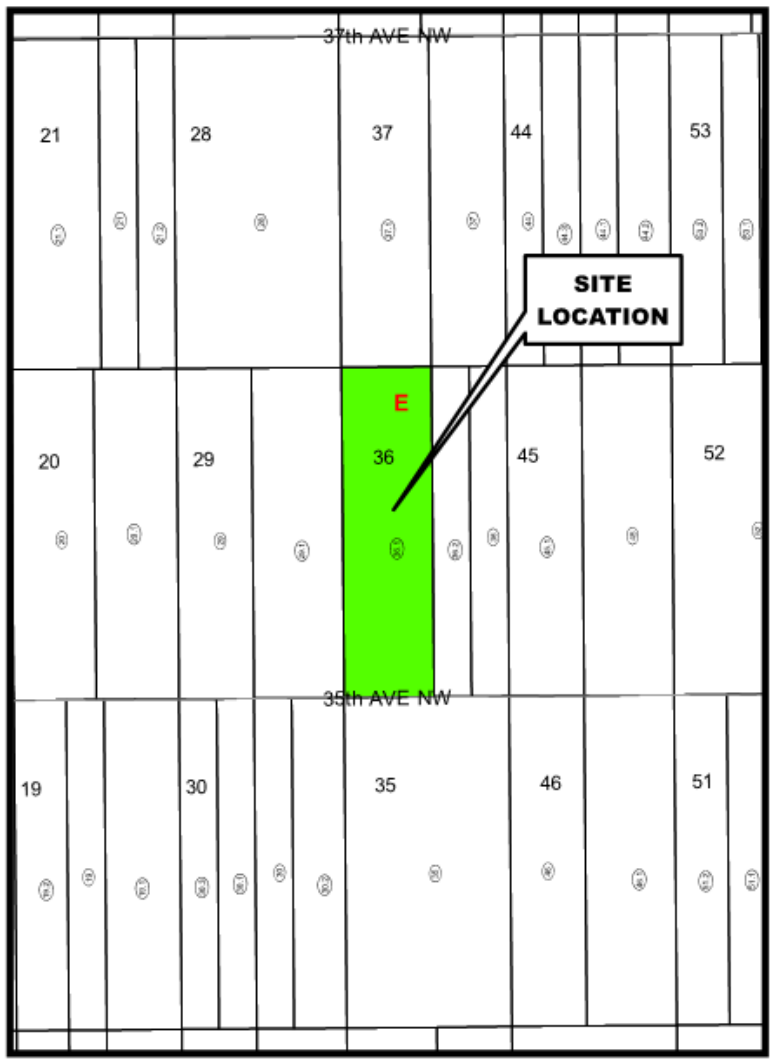
PURPOSE/DESCRIPTION OF PROJECT:

The single-family dwelling existing on this property was constructed on the wrong lot; it was reviewed and permitted to be placed on the adjoining lot to the east which is legal nonconforming due to lot width. As the subject lot is conforming, full side yard setbacks of 30-feet are required; whereas the non-conforming lot enjoys reduced setbacks. The applicant has purchased the subject property and seeks to bring the residence into compliance by means of this variance. The provided survey reveals the residence is 17.1 feet from the east property line and building plans reveal a roof overhang of 1'-4" (1.33 feet). Typically, a roof overhang may encroach up to three feet into a required yard *(See Attachment A, Boundary Survey and Foundation Plan)*.

Attachment: VA-PL20200001732 689 35th Ave NW Staff Report - 012121 (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)



Location Map



Zoning Map

Petition Number: PL20200001732

Attachment: VA-PL20200001732 689 35th Ave NW Staff Report - 012121 (14827 : PL20200001732 VA - 689

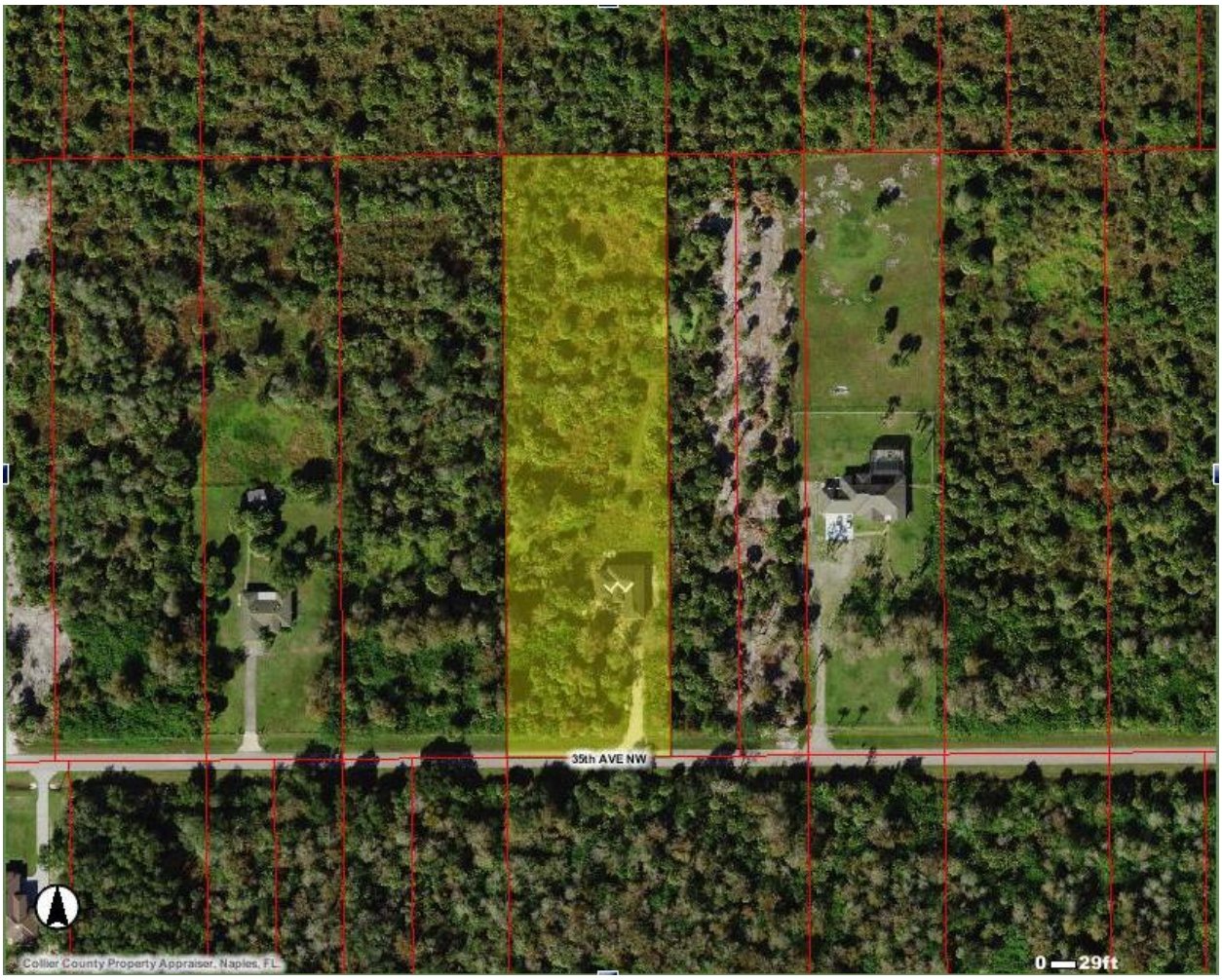
SURROUNDING LAND USE AND ZONING:

North: Unimproved, Single-family residential, within the Estates (E) zoning district

East: Unimproved, Single-family residential, within the Estates (E) zoning district

South: 35th Avenue NW then unimproved, Single-family residential, within the Estates (E) zoning district

West: Unimproved, Single-family residential, within the Estates (E) zoning district



Collier County Property Appraiser

GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

The subject property is in the Estates Designation district land use classification on the County's Future Land Use Map (FLUM). This land use category is designed to accommodate large lot residential uses including single-family projects. As stated, the applicant seeks a Variance for an existing single-family dwelling which is an authorized land use. The Growth Management Plan (GMP) does not address individual variance requests related to land use.

Attachment: VA-PL20200001732 689 35th Ave NW Staff Report - 012121 (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

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?

Yes, A wetland determination completed by an environmental consultant revealed the presence of wetlands on the site. The applicant will need to provide an Exemption Letter or Environmental Resource Permit from the Florida Department of Environmental Protection (DEP) prior to the approval of a building permit for the offending residence. Additionally, Building Permit application No. PRBD20201043213 cannot be issued until such time as the subject variance is approved. As previously noted, the subject property is legally conforming with respect to lot area and width whereas the lot the structure was intended for is legal non-conforming as a result of area and width; the subject residence would have been in full compliance if constructed on the correct lot where the side setback requirement is 10 percent of the lot width or 7.5 feet.

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 states that the surveyor staked out the wrong lot for construction which resulted in the residence being constructed on the wrong lot. Staff has no reason to disbelieve the applicant. Said statement is consistent with information provided to the Building Department.

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, this is an after-the-fact Variance request as the residence has already been constructed in accordance with an approved building permit; No. PRBD20201043213. Unfortunately, the plans were reviewed with the residence being on a legal nonconforming lot that enjoys reduced side yard setbacks. The applicant has since purchased the subject property and would like to allow the residence to remain; re-locating the residence is not financially feasible.

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 building design and roof system. The residence was constructed 17.1 feet from the eastern property line and an additional 1.33 feet, to 15.77 feet, is requested to allow the roof overhang. Granting of the requested variance will have no adverse impact to health, safety, and welfare.

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

Attachment: VA-PL20200001732 689 35th Ave NW Staff Report - 012121 (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

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 granting of the 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.?

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

h. Will granting the Variance be consistent with the 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.

Zoning staff has verified that the subject single-family residence was constructed in accord with a building permit that was approved on September 7, 2018, No. PRBD20180744333. The accompanying Site plan reveals that it was to be constructed on property identified as 677 35th Avenue NW, Folio No. 38552480001, a legal nonconforming lot of record of 1.14 acres and being 75 feet in width; the applicable side yard setbacks were 7.5 feet. The Chief Building Official was formally notified that the subject residence was constructed on the wrong lot and it was determined that a new building permit would be required for the offending residence on the subject property; the previously issued building permit remains tied to 677 35th Avenue NW until such time as the owner is ready to move forward with a new structure. A new building permit (No. PRBD20201043213) has been applied for, for the offending residence at 689 35th Avenue NW.

ENVIRONMENTAL ADVISORY COUNCIL (EAC) RECOMMENDATION:

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

RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner approve variance petition VA-PL20200001732, to reduce the minimum side yard setback on the east side from 30 feet to 17.1

Attachment: VA-PL20200001732 689 35th Ave NW Staff Report - 012121 (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

feet for the building and to 15.77 feet for the roof overhang, as depicted within Attachment A, with the condition that the applicant pursue issuance of Building Permit No. PRBD20201043213 and obtain a Certificate of Occupancy upon completion of construction for the single family residence located at 689 35th Avenue SW.

Attachments:

Attachment A: Boundary Survey and Foundation Plan
Attachment B: Applicant's Backup Package, including Application and Sign Posting Information

Attachment: VA-PL20200001732 689 35th Ave NW Staff Report - 012121 (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

PROPERTY ADDRESS: VACANT LAND 35th AVENUE N.W., NAPLES , FLORIDA 34120
LEGAL DESCRIPTION: THE WEST 180 FEET OF TRACT 36, GOLDEN GATE ESTATES, UNIT No. 37, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7 , AT PAGES 88 AND 89 , OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

182 BIG SPRINGS DRIVE
NAPLES, FLORIDA 34113

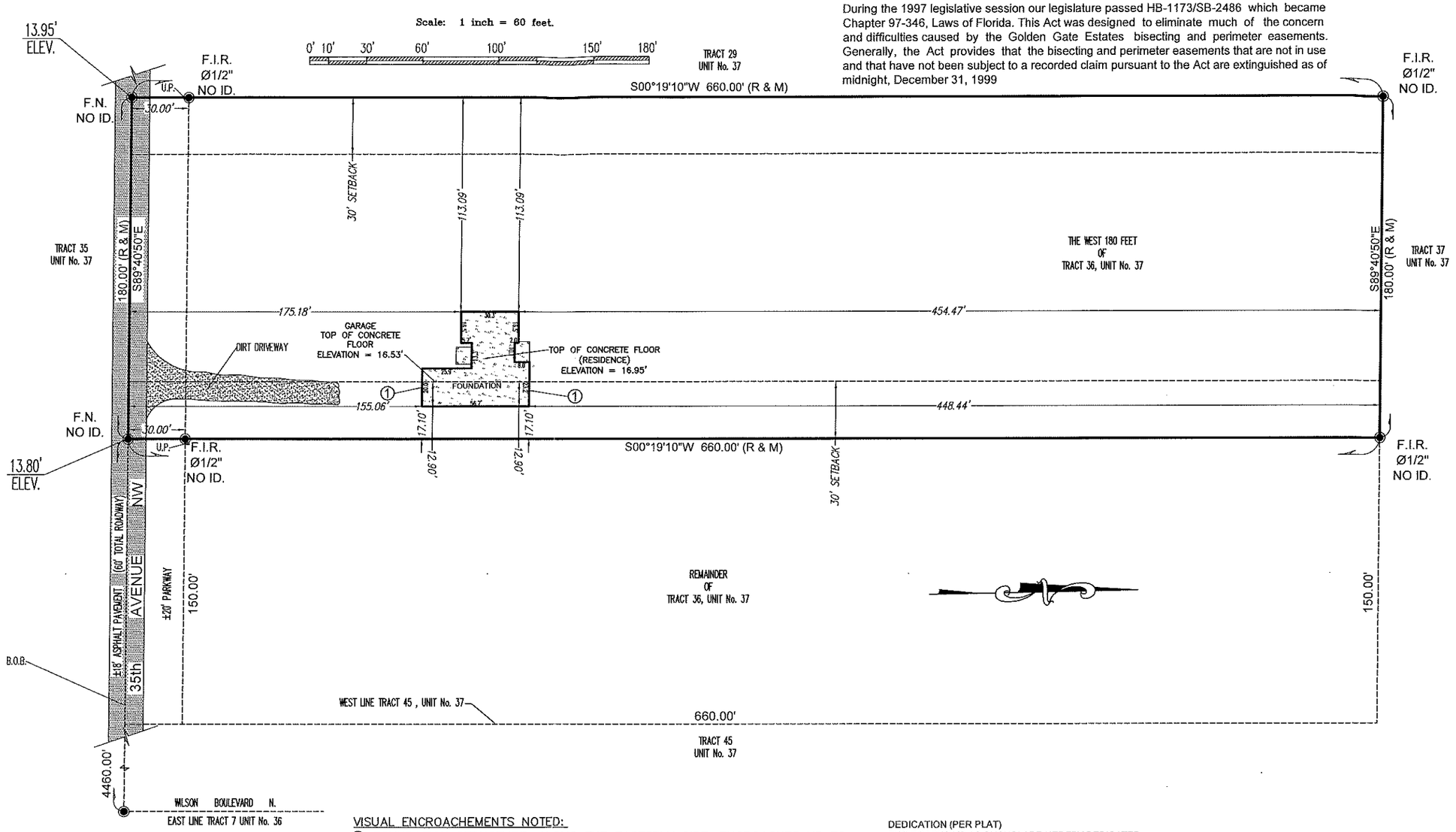
GUSTAVO INTERIAN, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER

PH. (305) 989-4632
interiang@yahoo.com

BOUNDARY SURVEY
(FOUNDATION)
SCALE 1" = 60'

SURVEYOR'S NOTES:
1-THERE MAY BE EASEMENTS RECORDED IN THE PUBLIC RECORDS NOT SHOWN ON THIS SURVEY.
2-THIS SURVEY IS FOR PERMITTING PURPOSES.
3-BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF 35th AVENUE NW AS BEING S89°40'50"E AS SHOWN ON RECORD PLAT.
4-THE RELATIVE DISTANCE ACCURACY IS BETTER THAN 1 FOOT IN 7,500 FEET.
5- DRIVEWAYS OR PORTIONS THEREOF WITHIN ROADS RIGHT-OF-WAYS ARE NOT NOTED AS ENCROACHMENTS OR VIOLATIONS.
6-NO FENCE WILL BE NOTED AS "ENCROACHED" DUE BOUNDARY VIOLATIONS IF LEGAL OWNERSHIP CANNOT BE DETERMINED.

This survey is certified only to the persons and/or the entities listed and only for this particular transaction. Any use or reproduction of this survey without the express written permission of the surveyor is prohibited. The use of this survey in any subsequent transactions is not authorized.
The surveyor expressly disclaims any certification to any parties in future transactions.



During the 1997 legislative session our legislature passed HB-1173/SB-2486 which became Chapter 97-346, Laws of Florida. This Act was designed to eliminate much of the concern and difficulties caused by the Golden Gate Estates bisecting and perimeter easements. Generally, the Act provides that the bisecting and perimeter easements that are not in use and that have not been subject to a recorded claim pursuant to the Act are extinguished as of midnight, December 31, 1999

LEGEND
A.E. = Access Easement
A.S. = Accessory Setback
B/C = Block Corner
B.O.B. = Basis OF Bearing
(C) = Calculated
℄ = Center Line
CONC. = Concrete
C.U.E. = County Utility Easement
D.E. = Drainage Easement
D.U.E. = Drainage & Utility Easement
D.P.U.E. = Drainage Public Utility Easement
Δ = Delta
F.F.EL. = Finish Floor Elevation
F.I.P. = Found Iron Pipe
F.I.R. = Found Iron Rod
F.N. = Found Nail
F.N&D. = Found Nail & Disc
I.D. = Identification
I.E. = Irrigation Easement
L = Length
(MEAS) = (M) = Measured
(P) = Plat
P.C. = Point of Curvature
P.B. = Plat Book
PG. = Page
P.S. = Principal Setback
P.U.E. = Public Utility Easement
S.W.E. = Sidewalk Easement
R = Radius
(R) = Record
R/W = R-O-W = Right of Way
U.E. = Utility Easement
U.P. = Utility Pole
W.T.S. = Water Treatment System

SYMBOLS
AIR CONDITIONER
POOL PUMP
WATER HEATER
CABLE TV
CATCH BASIN
WATER METER
CONCRETE POLE
WOOD POLE
C.B.S WALL.
0.00' EXISTING ELEVATION
UTILITY POLE
MANHOLE
ELECTRIC BOX
COVERED AREA
CHAIN LINK FENCE (C.L.F.)
METAL FENCE (M.F.)
OVERHEAD LINES
PLASTIC FENCE (P.F.)
WOOD FENCE (W.F.)
WIRE FENCE (WR.F.)

VISUAL ENCROACHEMENTS NOTED:
①-FOUNDATION STRUCTURE, ALONG THE EASTERLY SIDE, ENCROACHES UP TO 12.90 FEET INTO THE EAST 30.00 FOOT SETBACK.

DEDICATION (PER PLAT)
THE ROADWAYS AS SHOWN ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC .

BASED ON THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY AGENCY REVISED ON 05-16-12 THE HEREIN DESCRIBED PROPERTY IS SITUATED WITHIN:
ZONE AH BASE FLOOD ELEVATION 15' COMMUNITY NUMBER 120067
PANEL NUMBER 0240 SUFFIX H

LEGAL NOTES
THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
EXAMINATION OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THE PROPERTY. THIS SURVEY IS SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR EASEMENTS OF RECORDS. LEGAL DESCRIPTION PROVIDED BY CLIENT.
UNDERGROUND ENCROACHMENTS, IF ANY, ARE NOT SHOWN. THIS FIRM HAS NOT ATTEMPTED TO LOCATE FOOTING AND/OR FOUNDATIONS AND / OR UNDERGROUND IMPROVEMENTS OF ANY NATURE. IF SHOWN, BEARINGS ARE REFERRED TO AN ASSUMED MERIDIAN. IF SHOWN, ELEVATIONS ARE REFERRED TO N.A.V.D. OF 1988.

DATE OF FIELD WORK 07-29-2020
REVISED ON
REVISED ON

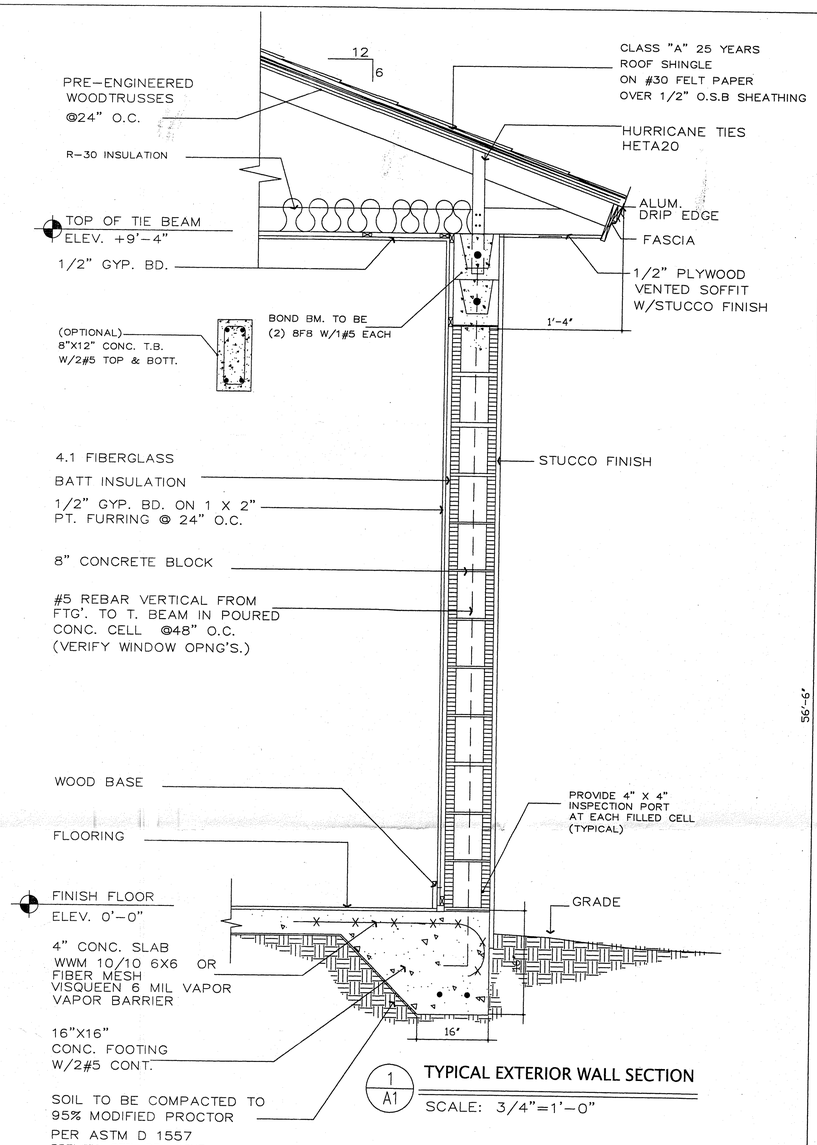
THIS CERTIFIES THAT THIS SURVEY OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY SUPERVISION. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

GUSTAVO INTERIAN P.S.M 6461

CERTIFIED TO:
-ICARE HEALTH NETWORK LLC.

ORDER NO. 20-

Attachment: Attachment A - Survey and Foundation Plan (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

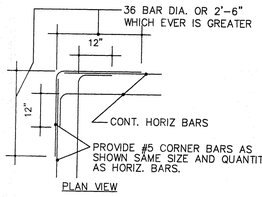


1 / A1 TYPICAL EXTERIOR WALL SECTION

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

FOOTING SCHEDULE:

F-1	2'-0"X2'-0"X12" CONC. FTG. W/4#4 E.W.
F-2	2'-6"X2'-6"X12" CONC. FTG. W/5#4 E.W. N/A
F-3	3'-0"X3'-0"X16" CONC. FTG. W/5#4 E.W.
F-4	32" X 32" X 16" CONC. FTG. W/5#5 E.W.



2 / A1 DETAIL

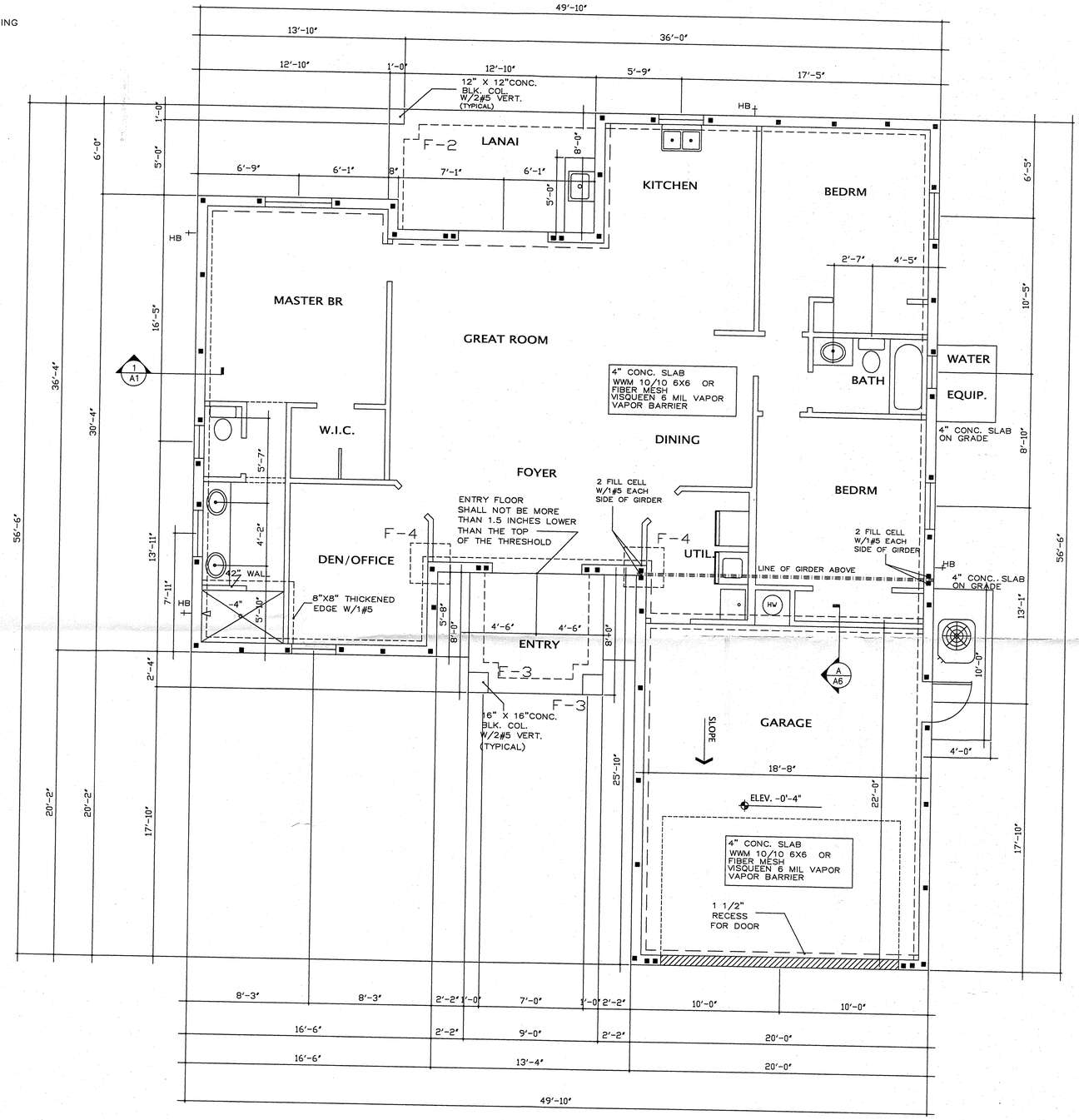
TYP. CORNER DET. FOR FTGS., WALLS, AND TIE BEAMS

MASONRY WALL REINFORCEMENT NOTES

1. WALL REINFORCEMENT SHALL BE DOWELED FROM FOUNDATION AND BE CONTINUOUS THROUGH SOLID GROUTED CELLS AND BE HOOKED OVER TOP REINFORCEMENT OF UPPER BEAMS. MINIMUM LAP SPLICE SHALL BE 48 BAR DIAMETERS. FOR HORIZONTAL WALL REINFORCEMENT, @ EVERY OTHER COURSE.
2. WALL REINFORCEMENT IS AS FOLLOWS: #5 @ 48" O.C. PROVIDE 1 #5 AT ALL WALL INTERSECTIONS, CORNERS, & EACH SIDE OF OPENINGS AND 2 #5 EACH SIDE OF OPENINGS LARGER THAN 6'-0".
3. WALL SEGMENTS BELOW AND ABOVE THE OPENINGS SHALL BE REINFORCED SAME AS WALL.
5. MASONRY GROUT = 2,500 PSI.
6. MASONRY WALL COMPRESSIVE STRENGTH OF f'm=1500 PSI.
7. MORTAR TYPE M OR S WITH 1900 PSI COMPRESSIVE STRENGTH.

FOUNDATION/GROUND FLOOR NOTES

1. FLOOR SLAB IS A 4" CONC. SLAB-ON-GRADE (f'c=3000 psi) WITH 6 X 6 W14 X W14 W.W.F. @ MID-DEPTH (NOT SHOWN) ON WELL COMPACTED & TREATED SOIL OVER 6 MIL VAPOR BARRIER. REFER TO DETAIL. SOIL SHALL BE COMPACTED TO 95% MODIFIED PROCTOR PER ASTM D 1557 IN LIFTS NOT TO EXCEED 12".
2. FOUNDATIONS ARE DESIGNED FOR 2000 PSF. GENERAL CONTRACTOR SHALL VERIFY THE VALIDITY OF THIS ASSUMPTION.
3. CENTER OF LOAD SHALL COINCIDE WITH CENTER OF FOOTING U.N.O.
4. ALL CONCRETE TO HAVE A MINIMUM 3000 PSI COMPRESSIVE STRENGTH WITH THE WATER/CEMENT RATIO OF 0.5 MAXIMUM.
5. • INDICATES ADDITIONAL #5 IN CMU WALLS.
6. REFER TO ARCHITECTURE PLANS FOR ALL DIMENSIONS.
7. ALL REINFORCEMENT SHALL BE GRADE 60.
8. BUILDING PAD SHALL BE COMPACTED 5'-0" EACH SIDE OF THE BUILDING AND SLOPE AT 30 DEGREES TO GRADE. FOOTING SHALL EMBED AT LEAST 12". IF THESE CONDITIONS CAN NOT BE MET, THE BUILDING SHALL BE ON STEM WALL FOUNDATION. NOTIFY ENGINEER PRIOR TO CONSTRUCTION.



FOUNDATION PLAN

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

Exhibit 5

THIS DESIGN HAS BEEN PREPARED UNDER SUPERVISION, DIRECTION AND CONTROL BY:

RDA CONSULTING ENGINEERS, LLC.
RONNY DE AZA, PE
LIC. No. 78411

3606 ENTERPRISE AVE. SUITE 251
NAPLES, FLORIDA 34104
P. 239-302-3280 F. 239-302-3281
ronnydeaza@rdafl.com

DESIGN SEVEN
434 29TH ST. S.W.
NAPLES, FLORIDA 34117
(239) 404-1647
E-MAIL: DESIGNSEVEN7@BROADCAST.NET
RESIDENTIAL DESIGN

RAYMOND PIEDRA RESIDENCE AT:
35TH AVENUE NW
NAPLES, FLORIDA

ICARE HEALTH NETWORK LLC.

FOUNDATION PLAN

0' 1' 2' 4' 8'

DATE: 10-12-20
DRAWN BY: AR
PROJECT NO.:
16'

RONNY DE AZA LICENSE No. 78411 STATE OF FLORIDA PROFESSIONAL ENGINEER

© DESIGN SEVEN 2000

SHEET NO.: 7 / A1

Attachment: Attachment A - Survey and Foundation Plan (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

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): Raymond Piedra

Name of Applicant if different than owner: _____

Address: 689 35th Ave NW City: Naples State: FL ZIP: 34120

Telephone: _____ Cell: 239-289-0749 Fax: _____

E-Mail Address: amagdevys@gmail.com

Name of Agent: Magdevys Rodriguez

Firm: _____

Address: 409 17th ST SW City: Naples State: FL ZIP: 34117

Telephone: _____ Cell: 239-789-0749 Fax: _____

E-Mail Address: amagdevys@gmail.com

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

Exhibit 1

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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NAPLES, FLORIDA 34104
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PROPERTY INFORMATION

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

Property I.D. Number: 38552440009 **Section/Township/Range:** 16 / 48 / 27

Subdivision: Golden Gate Estates **Unit:** 37 **Lot:** ____ **Block:** ____

Metes & Bounds Description: Unit 37 W 180FT of TR 36 **Total Acreage:** 2.73

Address/ General Location of Subject Property: 689 35th Ave NW Naples FL 34120

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	E- Estates Distric	Residential - vacant
S	E- Estates Distric	Residential - vacant
E	E- Estates District	Residential - SFH
W	E- Estates District	Residential - vacant

Minimum Yard Requirements for Subject Property:

Front: 75 **Corner Lot:** Yes ☐ No ☒

Side: 30 **Waterfront Lot:** Yes ☐ No ☒

Rear: 75

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 B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
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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: N/A
Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

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

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

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

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

NATURE OF PETITION

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

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

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

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

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

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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NAPLES, FLORIDA 34104
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b) Are there special conditions and circumstances which do not result from the action of the applicant such as pre-existing conditions relative to the property which is the subject of the variance request.

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

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

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

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

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

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

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

☐ Yes ☑ No If yes, please provide copies.

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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

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

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

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

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

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

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

FEE REQUIREMENTS

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

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

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

All checks payable to: Board of County Commissioners.

The completed application, all required submittal materials, and the permit fee shall be submitted to:

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

Raymond
Applicant Signature

11-10-2020
Date

Raymond Piedra
Printed Name

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
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 Department at 239-252-5724 or submit in person to the Addressing Department 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 Department.

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)*
GOLDEN GATE EST UNIT 37 W 180FT OF TR 36

FOLIO (Property ID) NUMBER(s) of above *(attach to, or associate with, legal description if more than one)*
38552440009

STREET ADDRESS or ADDRESSES *(as applicable, if already assigned)*
xxx 35th ave nw, Naples FL 34120

- **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)

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 B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

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

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

house already in place unpermitted. need to apply for setback variance

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

Applicant Name: Raymond piedra

Phone: 239-289-0749 **Email/Fax:** amagdevys@gmail.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 38552440009

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Approved by: WF **Date:** 8/10/2020

Updated by: _____ **Date:** _____

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

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Collier County

COLLIER COUNTY GOVERNMENT
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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
Raymond Piedra	100%
409 17th st sw, Naples FL 34120	

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 B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

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

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

g. Date subject property acquired 07-23-2020

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

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

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
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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

Raymond Piedra dotloop verified 08/25/20 2:00 PM EDT PAG7-Z5C0-BZ1P-A5O1

Agent/Owner Signature

08/25/2020
Date

Raymond Piedra
Agent/Owner Name (please print)

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

INSTR 5898591 OR 5792 PG 2749 E-RECORDED 7/27/2020 8:18 AM PAGES 2
CLERK OF THE CIRCUIT COURT AND COMPTROLLER, COLLIER COUNTY FLORIDA
DOC@.70 $245.00 REC $18.50
CONS $35,000.00

Prepared by and return to:
Tonya Beadle
Gulf Coast Title Services, LLC
13180 Livingston Rd, Suite 206
Naples, FL 34109
(239) 593-7900
File Number: **2020-165**

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this ~~21st~~ 23rd **day of July, 2020** between **Steven Holder, a single person** whose post office address is **4096 Skyway Drive, Naples, FL 34112**, grantor, and **Raymond Piedra, a married man,** whose post office address is 409 17th Street SW, Naples, FL 34117, grantee.

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Collier County, Florida** to-wit:

The West 180 feet of Tract 36, Golden Gate Estates Unit No. 37, according to the map or plat thereof as recorded in Plat Book 7, Page 88, Public Records of Collier County, Florida.

Parcel Identification Number: 38552440009

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

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **12/31/2019**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

COLLIER COUNTY
COPY
CLERK OF THE CIRCUIT COURT

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Signed, sealed and delivered in our presence:

Witness
Printed Name: Tonya Beadle

Witness
Printed Name: Karrie Walling

Steven Holder

State of Florida
County of Collier

The foregoing instrument was acknowledged before me by means of [X] physical presence or [_] online notarization, this 23 day of July, 2020 by Steven Holder who [_] is personally known or [X] has produced a driver's license as identification.

[Seal]

TONYA BEADLE
State of Florida-Notary Public
Commission # GG 71642
My Commission Expires
February 09, 2021

Notary Public
Print Name:
My Commission Expires:

COLLIER COUNTY
COPY
CLERK OF THE CIRCUIT COURT

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) _____

I, Raymond Piedra (print name), as owner (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 Nanis Ortega, Magdevys Rodriguez 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**

8/25/2020 **Date**

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [✔] physical presence or [ ] online notarization this 25 day of August, 2020, by (printed name of owner or qualifier) _____.

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

[✔] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

Notary Signature: _____

NOTARY PUBLIC STATE OF FLORIDA
ELIZABETH VIAMONTE
MY COMMISSION # GG 983620
EXPIRES: August 8, 2024
Bonded Thru Notary Public Underwriters

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

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

On June 12, 2018 Geometric completed the Lot Boundary Survey for the property located at 677 35h ave nw, Naples FL 34120. but surveyed and staked the incorrect lot. After Geometric completed the initial Lot Boundary Survey and staked the incorrect lot, Geometric was paid to complete the Footprint Survey. Geometric completed the Footprint Survey on the wrong lot. After the Lot Boundary Survey was complete and the Footprint Survey were completed, Icare health network, LLC started construction on he lot at 677 35th ave nw, Naples FL 34120, had its builder begin constructing the home. After the concrete pad was poured, Defendant's representative returned to the lot to install the metal stakes that are used by future surveyors.

Icare health network as owner of the property located on 677 35th ave sw had its builder relied on Geometric's Lot Boundary Survey and Footprint to begin its construction.

Well after construction had begun, Geometric returned to Icare Health Network, LLC lot to complete the Spot Survey, which it completed on November 14, 2018.

Due to Geometric incorrectly surveying, measuring and staking the wrong lot three times he property was built on the adjacent lot PID#38552440009.

The property built on 38552440009, was a result of the mistake by the surveyor. The property currently sits at 17.10 feet from the property line to the east, the property needs to be at least 30 feet from the current property line.

We need a variance to allow that home to stay in its place and finish construction. The property was built by code and everything with inspections up to date.

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Variance Petition: PL20200001732
Property at: 689 35th Ave NW, Naples FL 34120

Raymond Piedra
409 17th st sw
Naples FL 34120
239-289-0749
amagdevys@gmail.com

Nature of the petition

1. I'm requesting An after-the-fact variance request from Section 4.02.01.A, Table 2.1, of the Collier County Land Development Code to reduce the minimum side yard setback from 30 feet to 17.1 feet on the east side, and to 15.77 feet for a roof overhang, for an existing single family dwelling in the Estates (E) zoning district located at 689 35th Avenue NW and further described as the West 180 feet of Tract 36, Golden Gate Estates Unit No. 37, in Section 16, Township 48 South, Range 27 East, Collier County, Florida. [PL20200001732] I Acquired this property on or about July 20, 2020. The existing structure was already in place on the property. The structure was wrongfully built on the wrong parcel due to a mistake by the surveying company. Permits were issued to be built on the adjacent property to the east 677 35th ave nw, naples FL 34120(Own by Icare Health Network, LLC) and the surveyor stacked the wrong lot on the footprint survey. Icare health network as owner of the property located on 677 35th ave sw had its builder relied on Geometric's Lot Boundary Survey and Footprint to begin its construction on the lot. *Due to* Geometric incorrectly surveying, measuring and staking the wrong lot three times he property was built on the adjacent lot PID#38552440009. (689 35th ave nw, Naples FL 34120) The property built on 38552440009, was a result of the mistake by the surveyor. I need a variance to allow that home to stay in its place and finish the construction. The property was built by code and everything with inspections up to date.

Existing Building permit:
Application Number:
PRBD20201043213

Individuals involved:
Raymond Piedra, property Owner.
Magdevys Rodriguez, married to property owner.
Icare health Network LLC(own by Magdevys Rodriguez), owns the property to the east.

2. No site alterations would be necessary

3. **A).**No

B). I acquired this property on or about July 20, 2020. The existing structure was already in place on the property. The structure was wrongfully built on the wrong parcel due to a mistake by the surveying company. Im not aware of any special conditions or circumstances regarding the variance requested.

Exhibit 2

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

C) Yes. Im proposing for the house to stay in its place. It will not affect negatively any of the neighbors sorrounding properties. Im requesting to reduce the minimum side yard setback from 30 feet to 17.1 feet on the east side, and to 15.77 feet for a roof overhang, for an existing single family dwelling in the Estates. If this is not approved it will create a lot of hardship for myself.

D). Yes, the requested setback reduction is the minimum variance possible,

E). reduce the minimum side yard setback from 30 feet to 17.1 feet on the east side, and to 15.77 feet for a roof overhang for the existing single family.

F). Yes- it should not affect any other property owners in the neighborhood.

G). No

H). Yes

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

PROPERTY ADDRESS: VACANT LAND 35th AVENUE N.W., NAPLES , FLORIDA 34120
LEGAL DESCRIPTION: THE WEST 180 FEET OF TRACT 36, GOLDEN GATE ESTATES, UNIT No. 37, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7 , AT PAGES 88 AND 89 , OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

182 BIG SPRINGS DRIVE
NAPLES, FLORIDA 34113

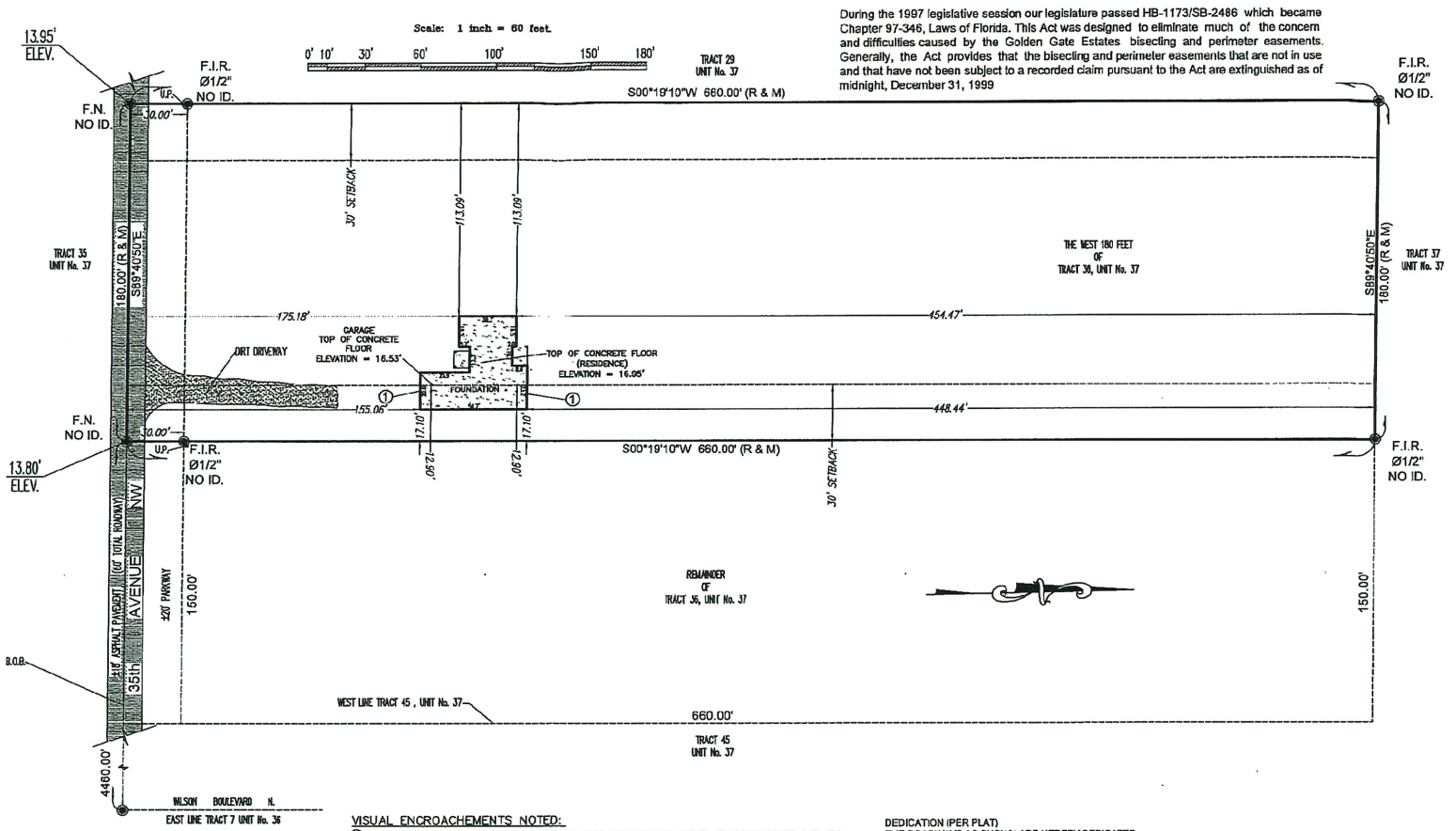
GUSTAVO INTERIAN, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER

PH. (305) 989-46
interiang@yahoo.co

BOUNDARY SURVEY
(FOUNDATION)
SCALE 1" = 60'

SURVEYOR'S NOTES:
1-THERE MAY BE EASEMENTS RECORDED IN THE PUBLIC RECORDS NOT SHOWN ON THIS SURVEY.
2-THIS SURVEY IS FOR PERMITTING PURPOSES.
3-BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF 35th AVENUE NW AS BEING S89°40'50"E AS SHOWN ON RECORD PLAT.
4-THE RELATIVE DISTANCE ACCURACY IS BETTER THAN 1 FOOT IN 7,500 FEET.
5- DRIVEWAYS OR PORTIONS THEREOF WITHIN ROADS RIGHT-OF-WAYS ARE NOT NOTED AS ENCROACHMENTS OR VIOLATIONS.
6-NO FENCE WILL BE NOTED AS "ENCROACHED" DUE BOUNDARY VIOLATIONS IF LEGAL OWNERSHIP CANNOT BE DETERMINED.

This survey is certified only to the persons and/or the entities listed and only for this particular transaction. Any use or reproduction of this survey without the express written permission of the surveyor is prohibited. The use of this survey in any subsequent transactions is not authorized.
The surveyor expressly disclaims any certification to any parties in future transactions.



During the 1997 legislative session our legislature passed HB-1173/SB-2486 which became Chapter 97-346, Laws of Florida. This Act was designed to eliminate much of the concern and difficulties caused by the Golden Gate Estates bisecting and perimeter easements. Generally, the Act provides that the bisecting and perimeter easements that are not in use and that have not been subject to a recorded claim pursuant to the Act are extinguished as of midnight, December 31, 1999

LEGEND
A.E. = Access Easement
A.S. = Accessory Setback
B/C = Block Corner
B.O.B. = Basis OF Bearing
(C) = Calculated
℄ = Center Line
CONC. = Concrete
C.U.E. = County Utility Easement
D.E. = Drainage Easement
D.U.E. = Drainage & Utility Easement
D.P.U.E. = Drainage Public Utility Easement
Δ = Delta
F.F.EL. = Finish Floor Elevation
F.I.P. = Found Iron Pipe
F.I.R. = Found Iron Rod
F.N. = Found Nail
F.N&D. = Found Nail & Disc
I.D. = Identification
I.E. = Irrigation Easement
L = Length
(MEAS) = (M) = Measured
(P) = Plat
P.C. = Point of Curvature
P.B. = Plat Book
PG. = Page
P.S. = Principal Setback
P.U.E. = Public Utility Easement
S.W.E. = Sidewalk Easement
R = Radius
(R) = Record
R/W = R O W = Right of Way
U.E. = Utility Easement
U.P. = Utility Pole
W.T.S. = Water Treatment System

SYMBOLS
AIR CONDITIONER
POOL PUMP
WATER HEATER
CABLE TV
CATCH BASIN
WATER METER
CONCRETE POLE
WOOD POLE
C.B.S WALL.

0.00' EXISTING ELEVATION
UTILITY POLE
MANHOLE
ELECTRIC BOX
COVERED AREA
CHAIN LINK FENCE (C.L.F.)
METAL FENCE (M.F.)
OVERHEAD LINES
PLASTIC FENCE (P.F.)
WOOD FENCE (W.F.)
WIRE FENCE (WR.F.)

VISUAL ENCROACHEMENTS NOTED:
①-FOUNDATION STRUCTURE, ALONG THE EASTERLY SIDE, ENCROACHES UP TO 12.90 FEET INTO THE EAST 30.00 FOOT SETBACK.

DEDICATION (PER PLAT)
THE ROADWAYS AS SHOWN ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC .

BASED ON THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY AGENCY REVISED ON 05-16-12 THE HEREIN DESCRIBED PROPERTY IS SITUATED WITHIN:
ZONE AH BASE FLOOD ELEVATION 15' COMMUNITY NUMBER 120067
PANEL NUMBER 0240 SUFFIX H

LEGAL NOTES
THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
EXAMINATION OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THE PROPERTY. THIS SURVEY IS SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR EASEMENTS OF RECORDS. LEGAL DESCRIPTION PROVIDED BY CLIENT.
UNDERGROUND ENCROACHMENTS, IF ANY, ARE NOT SHOWN. THIS FIRM HAS NOT ATTEMPTED TO LOCATE FOOTING AND/OR FOUNDATIONS AND / OR UNDERGROUND IMPROVEMENTS OF ANY NATURE. IF SHOWN, BEARINGS ARE REFERRED TO AN ASSUMED MERIDIAN. IF SHOWN, ELEVATIONS ARE REFERRED TO N.A.V.D. OF 1988.

DATE OF FIELD WORK 07-29-2020
REVISED ON
REVISED ON

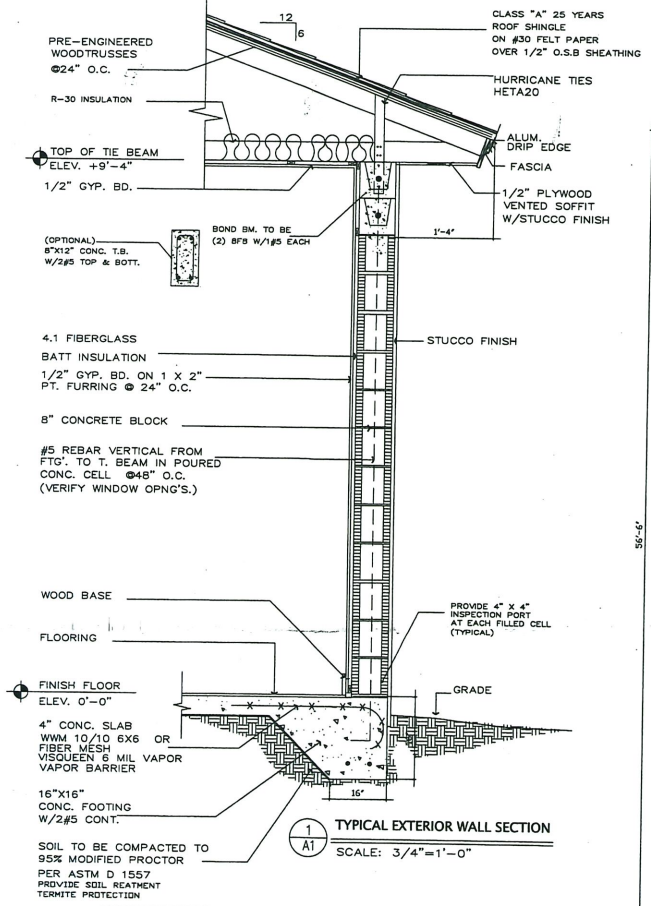
THIS CERTIFIES THAT THIS SURVEY OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY SUPERVISION. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

GUSTAVO INTERIAN P.S.M 6461

CERTIFIED TO:
-ICARE HEALTH NETWORK LLC.

ORDER NO. 20-3896W

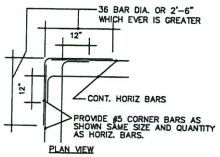
Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW -



1/A1 TYPICAL EXTERIOR WALL SECTION
SCALE: 3/4"=1'-0"

FOOTING SCHEDULE:

F-1	2'-0"X2'-0"X12" CONC. FTG. W/4#4 E.W.
F-2	2'-6"X2'-6"X12" CONC. FTG. W/5#4 E.W. N/A
F-3	3'-0"X3'-0"X16" CONC. FTG. W/5#4 E.W.
F-4	32" X 32" X 16" CONC. FTG. W/5#5 E.W.



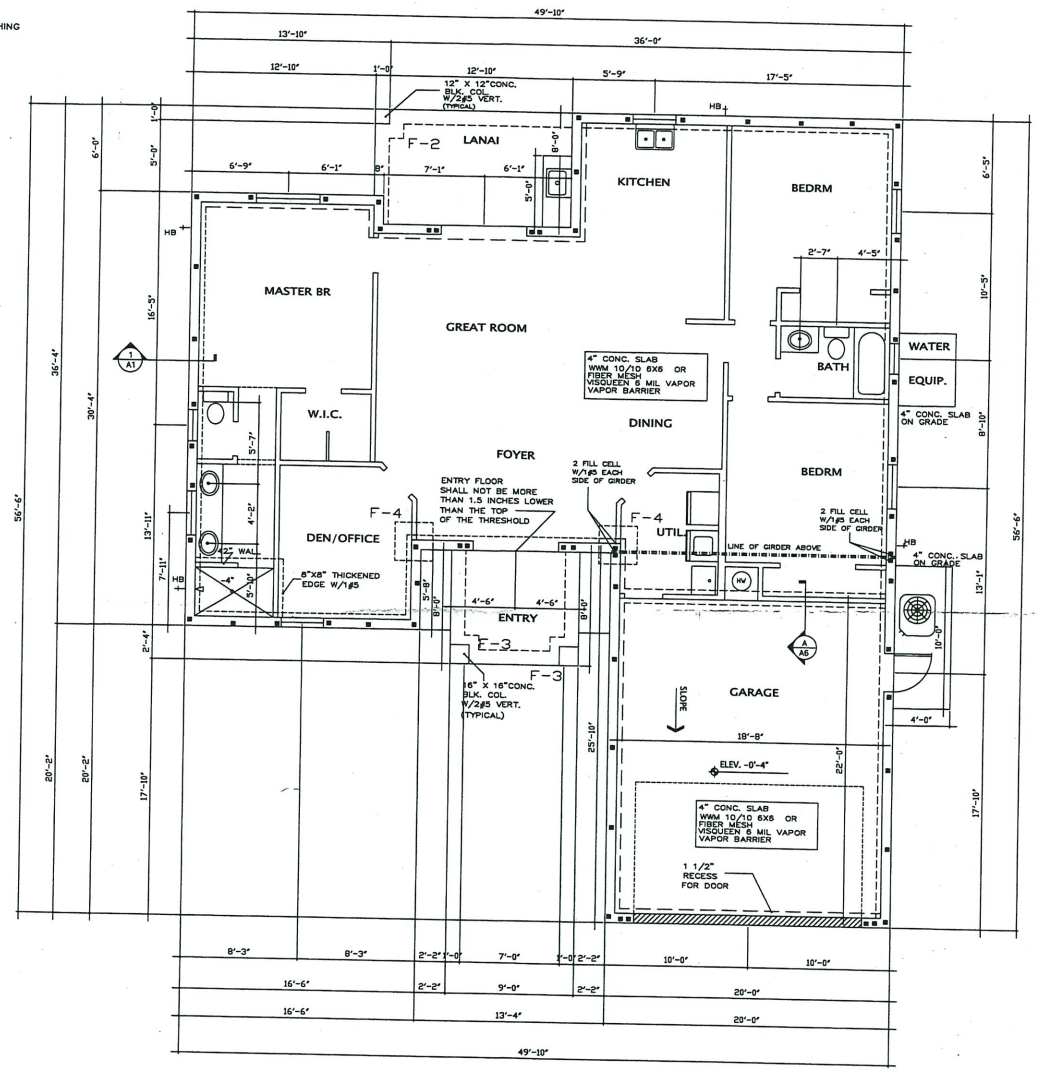
2/A1 DETAIL
TYP. CORNER DET. FOR FTGS., WALLS, AND TIE BEAMS

MASONRY WALL REINFORCEMENT NOTES

1. WALL REINFORCEMENT SHALL BE DOWELED FROM FOUNDATION AND BE CONTINUOUS THROUGH FILLED GROUTED CELLS AND BE HOOKED OVER TOP REINFORCEMENT OF UPPER BEAMS. MINIMUM LAP SPLICE SHALL BE 40 BAR DIAMETERS. FOR HORIZONTAL WALL REINFORCEMENT, 8 EVERY OTHER COURSE.
2. WALL REINFORCEMENT IS AS FOLLOWS: #5 @ 48" O.C. PROVIDE 1 #5 AT ALL WALL INTERSECTIONS, CORNERS, & EACH SIDE OF OPENINGS AND 2 #5 EACH SIDE OF OPENINGS LARGER THAN 6'-0".
3. WALL SEGMENTS BELOW AND ABOVE THE OPENINGS SHALL BE REINFORCED SAME AS WALL.
5. MASONRY GROUT = 2,500 PSI.
6. MASONRY WALL COMPRESSIVE STRENGTH OF F'm=1500 PSI.
7. MORTAR TYPE M OR S WITH 1900 PSI COMPRESSIVE STRENGTH.

FOUNDATION/GROUND FLOOR NOTES

1. FLOOR SLAB IS A 4" CONC. SLAB-ON-GRADE (f'c=3000 psi) WITH 6 X 6 X W1.4 X W1.4 WWF, 8 MIL-30 MIL VAPOR BARRIER (OR EQUAL) OVER 6 MIL VAPOR BARRIER OVER 4" CLEAN STONE. SEE DETAIL. STONE SHALL BE COMPACTED TO 95% MODIFIED PROCTOR PER ASTM D 1557 OR TO REFUSAL, WHICHEVER IS LESS.
2. FOUNDATIONS ARE DESIGNED FOR 2000 PSF. GENERAL CONTRACTOR SHALL VERIFY THE VALIDITY OF THIS ASSUMPTION.
3. CENTER OF LOAD SHALL COINCIDE WITH CENTER OF FOOTING LOAD.
4. ALL CONCRETE TO HAVE A MINIMUM 3000 PSI COMPRESSIVE STRENGTH WITH THE WATER/CEMENT RATIO OF 0.5 MAXIMUM.
5. * INDICATES ADDITIONAL #5 IN CMU WALLS.
6. REFER TO ARCHITECTURE PLANS FOR ALL DIMENSIONS.
7. ALL REINFORCEMENT SHALL BE GRADE 60.
8. BUILDING PAD SHALL BE COMPACTED 3'-0" EACH SIDE OF THE BUILDING AND SLOPE AT 30 DEGREES TO GRADE. FOOTING SHALL BEAR AT LEAST 12", IF THESE CONDITIONS CAN NOT BE MET, THE BUILDING SHALL BE ON STEM WALL FOUNDATION. NOTIFY ENGINEER PRIOR TO CONSTRUCTION.



FOUNDATION PLAN
SCALE: 1/4"=1'-0"

Exhibit 5

THIS DESIGN HAS BEEN PREPARED UNDER SUPERVISION, DIRECTION AND CONTROL BY:
RDA CONSULTING ENGINEERS, LLC.
RONNY DE AZA, PE
LIC. No. 78411
3606 ENTERPRISE AVE. SUITE 251
NAPLES, FLORIDA 34104
P. 239-302-3280 F. 239-302-3281
ronnydeaza@dcfl.com

DESING SEVEN
434 29TH ST. S.W.
NAPLES, FLORIDA 34117
(239) 404-1647
E-MAIL: DESINGSEVEN@COMCAST.NET
RESIDENTIAL DESIGN

RAYMOND PIEDRA RESIDENCE AT:
35TH AVENUE NW
NAPLES, FLORIDA

ICARE HEALTH NETWORK LLC.

FOUNDATION PLAN

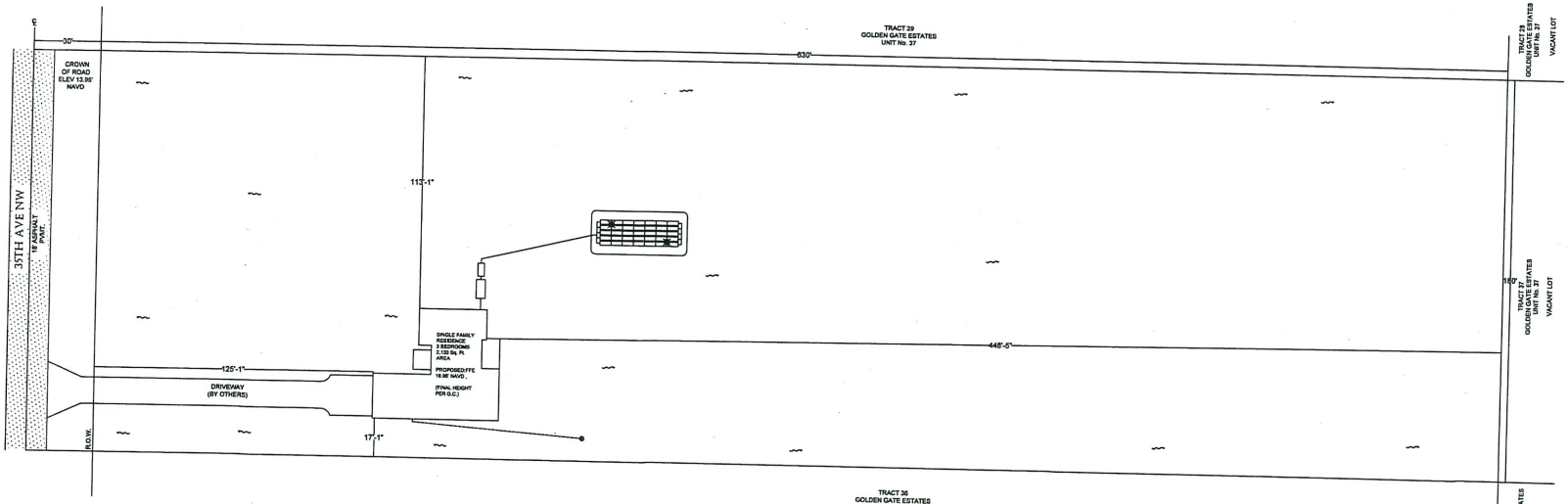
DATE: 10-12-20
DRAWN BY: AR
PROJECT NO.:

RONNY DE AZA LICENSE No. 78411 STATE OF FLORIDA PROFESSIONAL ENGINEER

SHEET NO.: 7 A1

© DESING SEVEN 2000

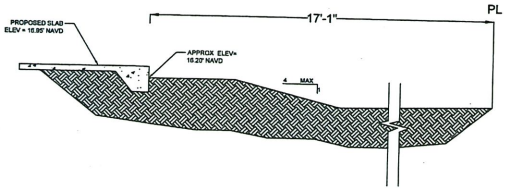
Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW -



STORMWATER TYPE I LAYOUT PLAN

Scale: 1:300

SECTION A-A
BOTH SIDES
N.T.S



Lot Impervious Area Tabulation			
Lot	113400.00 Sq. Ft.		100%
Single Family Residence	2133 Sq. Ft.		1.88%
Asphalt Driveway	1620 Sq. Ft.		1.43%
Conc. Pads	64 Sq. Ft.		0.06%
Total Impervious Area	3817 Sq. Ft.		3.37%

THE EXISTING RESIDENCE, PROPOSED ADDITION, CONCRETE AND TILE AREAS, ARE IN COMPLIANCE WITH THE LAND DEVELOPMENT CODE SECTION 6.05.03

THE TOTAL IMPERVIOUS AREA IS UNDER THE 25% ALLOWABLE AREA. A STORMWATER TYPE I PLAN IS REQUIRED.

RONNY DE AZA LICENSE No. 78411 STATE OF FLORIDA PROFESSIONAL ENGINEER

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY RONNY DE AZA LICENSE No. 78411 STATE OF FLORIDA PROFESSIONAL ENGINEER

ON THE DATE ADJACENT TO THE SEAL.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES

RDA CONSULTING ENGINEERS
800 HARBOUR DRIVE, SUITE 210
NAPLES, FL 34103

CERTIFICATE OF AUTHORIZATION: 31149
RONNY DE AZA, P.E. # 78411.

THE ABOVE NAMED PROFESSIONAL ENGINEER SHALL BE RESPONSIBLE FOR THE SUBMITTED SHEETS IN ACCORDANCE WITH RULE 61G15-23.004, F.A.C.

Exhibit 4

REVISIONS
NO. DESC. DA

RDA Consulting Engineers, LLC
800 Harbour Dr,
Suite 210
Naples, FL 34103
Phone: 239-649-1551
Fax: 239-649-7112

PROJECT: XXXX 35th Ave NW
PARCEL ID:38552440009

Prepared For:
Icare Health Network
Edel Rodriguez

PROJECT No:
RDA20783

SHEET TITLE.
STORMWATER PLAN
SHEET NO.:
C1

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW -

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)*: PRBD20201043213

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

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

Section C. Property Information

C.1. Parcel/Folio #: 38552440009 C.6. Subdivision Lot #: GOLDEN GATE EST UNIT 37

C.2. Job Street Address: 689 35th Ave N.W C.7. Project Name:

C.3. Owner Name: PIEDRA, RAYMOND C.8. SDP/PL#:

C.4. Owner Phone: 239-289-0749 C.9. Jurisdiction: ☒ Collier County ☐ City of Everglades

C.5. Email: ANJPERMITTINGSOLUTIONS@GMAIL.COM

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

D.2. Contact Name: PIEDRA, RAYMOND D.3. License:

D.4. Company Name:

D.5. Company Address: D.9. Company Phone: 239-289-0749

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

D.7. Email: ANJPERMITTINGSOLUTIONS@GMAIL.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: $ 200,000.00

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.*

NEW SFR

E.4. Occupancy Type: *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 of 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: 1 Floor (Story) work is being performed on: 1 # Bedrooms: 3 # Bathrooms: 2

Living /Int. Sq. Ft.: 1494 Addt'l. Sq. Ft.: Non-Living/Ext. Sq. Ft.: 639 Total Sq. Ft.: 2133

PLEASE DO NOT WRITE BELOW, FOR STAFF USE ONLY

PMR Date: _____ Days Review: 5 Sets of Plans: 4

Exhibit 3

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

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: 689 35th Ave NW

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

PIEDRA, RAYMOND
Print Name of Owner or Agent of Owner

State of FL County of COLLIER

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization this 19TH day of OCT, 20 20, by (printed name of owner or agent of owner) PIEDRA, RAYMOND

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: Anaris Ortega

ANANIS ORTEGA
MY COMMISSION #GG324565
EXPIRES: JAN 27, 2023
Bonded through 1st State Insurance

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 B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

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 THE QUALIFIER

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Job Street Address: 689 35th Ave NW

Signature of Qualifier (an original signature is required) — PIEDRA, RAYMOND (Print Name of Qualifier)

State of fl County of collier

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 19th day of Oct, 20 20, by (printed name of qualifier) PIEDRA, RAYMOND

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: Ananis Ortega

ANANIS ORTEGA
MY COMMISSION #GG324565
EXPIRES: JAN 27, 2023
Bonded through 1st State Insurance

NOTICE OF COMMENCEMENT INFORMATION

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Collier County
Growth Management Department

2800 North Horseshoe Drive, Naples, FL 34104 (239) 252-2942
floodinforequest@CollierCountyFL.gov

Floodplain Management Information

This form is designed to reduce the number of Correction Comments received by the Building Division. The flood zone, BFE, and proposed finished floor elevation must also be identified on the construction plans pursuant to the Florida Building Code.

This supplemental form must be provided for:

1. New buildings in the VE, AE, AH, and A flood zones. *See Flood Zone Definitions for additional information.*
2. Alterations to existing buildings in the VE, AE, AH, and A flood zones.

To determine the flood zone and Base Flood Elevation (BFE) you can:

1. Use the County's Digital Flood Insurance Rate Map
2. Use the FEMA Map Service Center at https://msc.fema.gov/portal/home
3. Contact the Floodplain Management Section at floodinforequest@CollierCountyfl.gov or 239-252-2390

New Construction

1. DFIRM Information: Flood Zone: AH BFE: 15 ft. NAVD.
2. Proposed Finished Floor Elevation/Lowest Floor Elevation: 16.95 ft. NAVD.
3. Wet Floodproofing (Flood Openings): ☐ Yes. If yes, provide the size (ICC-ES report), locations and height from the ground. ☒ No.

Existing Buildings

1. DFIRM Information: Flood Zone: _____ BFE: _____ ft. NAVD.
2. Existing Finished Floor Elevation/Lowest Floor Elevation: _____ ft. NAVD.
3. Is there an elevation certificate available for this structure?
   ☐ Yes. If yes, please provide with building permit application submittal package.
   ☐ No.
   ☐ Unknown.
4. Is the work greater than 25% of the market value of the structure? This value is determined by dividing the Declared Value on the Building Permit Application by the Collier County Property Appraiser's Improved Value (+20%) for the structure. See example on second page.

   ☐ Yes, the work is greater than 25% of the market value of the structure. If yes, please complete the 50% forms here: https://www.colliercountyfl.gov/your-government/divisions-a-e/building-review/analysis-of-substantial-improvement
   ☐ No. *Staff will evaluate the level of work to ensure it is less than 25% of the market value of the structure. Staff may request that additional documentation or 50% paperwork is provided.*
5. Will the permit alter an enclosure below an elevated building, crawl space greater than 5 ft. or a detached accessory structure with flood openings?
   ☐ Yes. If yes, complete a Non-Conversion Agreement https://www.colliercountyfl.gov/home/showdocument?id=84999
   ☐ No. *Staff will confirm this is accurate and may request additional documentation.*

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Collier County
Growth Management Department

2800 North Horseshoe Drive
Naples, FL 34104
239.252.2400
www.colliercountyfl.gov

Vegetation Removal Affidavit

The purpose of this affidavit is to inform you of the vegetation removal regulations. By signing this affidavit you are stating that you will comply with the Collier County Land Development Code (LDC) Section 3.05.00. The Collier County Land Development Code Sec. 3.05.00 states it shall be unlawful to remove, or otherwise destroy, vegetation, which includes placing of additional fill, without first obtaining a vegetation removal or vegetation removal and fill permit from the Growth Management Division.

- No vegetation removal permit shall be issued until all applicable federal, state, and county approvals have been obtained. These approvals may include, but are not limited to: Building permits; Special Treatment (ST) development permits; State and Federal agency (USACOE, FDEP, USFWS, FFWCC), permits or approvals for impacts to wetlands or listed species; or other applicable agency reviews, permits, or exemptions; other county approvals.
- Native vegetation cannot be removed before the ISSUANCE of a Building Permit which allows for clearing up to ONE ACRE. Parcels located in Rural Fringe Mixed Use district, Big Cypress Area of Critical State Concern, Special Treatment (ST) overlays or with wetlands may not be able to clear up to ONE ACRE. Additional reviews or permits are required for these areas.
- Informal Wetland Determinations can and should be obtained from the County or FDEP for properties in the Golden Gate Estates or outside approved subdivisions. Clearing in wetlands will require a permit from the FDEP, prior to clearing of vegetation.
- If clearing is not covered under the building permit issued for your home, a Vegetation Removal Permit (VRP) will be required. One exception is that a VRP may be issued in conjunction with the issuance of a perimeter fence permit.

Note: Native vegetation includes ALL woody non-exotic trees, shrubs, and ground cover.

Permit Information		Acreage Information	
Permit Number:		Lot Area (Acres):	2.73
Permit Type:	SFR	Proposed acreage to be removed:	1 ACRE OR LESS
Location Address:	689 35th Ave NW	Existing acreage previously removed:	0
Folio:	38552440009	Total cleared area (Proposed and Existing):	1 ACRE OR LESS
Applicant's Name:	PIEDRA, RAYMOND	**If the total cleared area exceeds ONE ACRE a Vegetation Removal Permit (VRP) will be required. Failure to obtain a VRP and/or abide by the LDC may result in a violation and fines.**	
Contractor Name (If applicable):			
State Registration No.:			

Signature of Applicant: _____ Date: 10/19/2020

State of FL County of COLLIER

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 19TH day of OCT, 20 20, by (printed name of owner or qualifier) PIEDRA, RAYMOND

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: _____

ANANIS ORTEGA
MY COMMISSION #GG324565
EXPIRES: JAN 27, 2023
Bonded through 1st State Insurance

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Collier County
Growth Management Department
2800 N. HORSESHOE DRIVE, NAPLES, FL 34104
(239) 252-2400

OWNER-BUILDER AFFIDAVIT

Florida Statutes are quoted here in part for your information to indicate the authority for exemptions for homeowners from qualifying as contractors and to express any applicable restrictions and responsibilities.

OWNERS MUST PERSONALLY APPEAR AT THE BUILDING DIVISION TO SIGN THIS DOCUMENT AND IT MUST BE WITNESSED & NOTARIZED BY A MEMBER OF GROWTH MANAGEMENT DEPARTMENT STAFF

Initial	By Signing this affidavit, I attest that:
RP	I understand that state law requires construction to be done by a licensed contractor and have applied for an owner-builder permit under an exemption from the law. The exemption specifies that I, as the owner of the property listed, may act as my own contractor with certain restrictions even though I do not have a license.
RP	I understand that building permits are not required to be signed by a property owner unless he or she is responsible for the construction and is not hiring a licensed contractor to assume responsibility.
RP	I understand that, as an owner-builder, I am the responsible party of record on a permit. I understand that I may protect myself from potential financial risk by hiring a licensed contractor and having the permit filed in his or her name instead of my own name. I also understand that a contractor is required by law to be licensed in Florida and to list his or her license numbers on all permit and contracts.
RP	**I understand that I may build or improve a one-family or two-family residence or a farm outbuilding. I may also build or improve a commercial building if the costs do not exceed $75,000. The building or residence must be for my own use or occupancy. It may not be built or substantially improved for sale or lease. If a building or residence I have built or substantially improved myself is sold or leased within 1 year after the construction is complete, the law will presume that I built or substantially improved it for sale or lease, which violates this exemption.**
RP	I understand that, as the owner-builder, I must provide direct, on-site supervision of the construction.
RP	I understand that I may not hire an unlicensed individual person to act as my contractor or to supervise persons working on my building or residence. It is my responsibility to ensure that persons whom I employ have the licenses required by the law and by county ordinance.
RP	I understand that it is a frequent practice of unlicensed persons to have the property owner obtain an owner-builder permit that erroneously implies that the property owner is providing his or her own labor and materials. I, as an owner-builder, may be held liable and subjected to serious financial risk for any injuries sustained by an unlicensed person or his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an owner-builder and am aware of the limits of my insurance coverage for injuries to workers on my property.
RP	I understand that I may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on my building who is not licensed must work under my direct supervision and be employed by me, which means I must comply with laws requiring the withholding of federal income tax and social security contributions under the Federal Insurance Contributions Act (FICA) and must provide workers' compensation for the employee. I understand that my failure to follow these laws may subject me to serious financial risk. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern owner-builders as well as employers. I also understand that the construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.
RP	I am aware of construction practices and I have access to the Florida Building Code.
RP	I understand that I may obtain more information regarding my obligations as an employer from the Internal Revenue Service, the United States Small Business Administration, the Florida Department of Financial Services, and the Florida Department of Revenue. I also understand that I may contact the Florida Construction Industry Licensing Board at 1-850-487-1395 or at www.myflorida.com/dbpr/pro/cilb/ for more information about licensed contractors.
RP	I am aware of, and consent to; an owner-builder building permit applied for in my name and understand that I am the party legally and financially responsible for the proposed construction activity at the address listed below.

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Collier County
Growth Management Department
2800 N. HORSESHOE DRIVE, NAPLES, FL 34104
(239) 252-2400

OWNER-BUILDER AFFIDAVIT

Initial	
RP	I agree to notify the building department immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure or in the permit application package
RP	Licensed contractors are regulated by laws designed to protect the public. If you contract with a person who does not have a license, the Construction Industry Licensing Board, the Department of Business and Professional Regulation and the building department may be unable to assist you with any financial loss that you sustain as a result of a complaint. Your only remedy against an unlicensed contractor may be in civil court. It is also important for you to understand that, if an unlicensed contractor or employee of an individual or firm is injured while working on your property, you may be held liable for damages. If you obtain an owner-builder permit and wish to hire a licensed contractor, you will be responsible for verifying whether the contractor is properly licensed and the status of the contractor's workers' compensation coverage.

A violation of this exemption is a misdemeanor of the first degree punishable by a term of imprisonment not exceeding 1 year and a $1,000.00 fine in addition to any civil penalties. Additionally, the local permitting jurisdiction shall withhold final approval, revoke the permit, or pursue any action or remedy for unlicensed activity against the owner and any person performing work that requires licensure under the permit issued.

MUST BE WITNESSED & NOTARIZED BY A MEMBER OF GROWTH MANAGEMENT DEPARTMENT STAFF

I, Raymond Piedra (Print Name) do hereby state that I am qualified and capable of performing the requested construction involved with the permit application filed and agree to the conditions specified above.

Signature and Notary

Signature of Owner-Builder: [signature]

Property Address: 689 35th Ave NW.

State of Florida County of Collier

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization this 19 day of October, 2020, by (printed name of owner or qualifier) Raymond Piedra

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

☐ Are personally known to me

☑ Has produced a current drivers license FLDL exp. 8/5/27

☐ Has produced _____ as identification.

Notary Signature: [signature]

NOTARY PUBLIC STATE OF FLORIDA

LINA M. DUQUE
Commission # GG 963564
Expires February 27, 2024
Notary Seal
Bonded Thru Budget Notary Services

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Collier Environmental Consultants Inc.

3211 68th Street SW
Naples, Florida 34105
Telephone (239) 263-2687
marcoe@prodigy.net

DATE: 7/23/2020

ATTENTION: _____

BUYER: _____

PROPERTY LEGAL DESCRIPTION:
UNIT 37 WEST 180' of TRACT 36 FOLIO # 38552440009

SOILS:
#27 Holopaw FS (Hydric)
HYDRIC SOILS PRESENT YES ( ) NO ( ) DISTURBED SOILS (X) (Fill)

HYDROLOGY: Altered
INDICATORS _____

VEGETATION PRESENT: WETLAND AREAS - Cypress, Red maples, swamp fern
upland areas - palmetto, cabbage palm, slash pine
UPLAND VEGETATION PRESENT YES (✓) NO ( )
WETLAND VEGETATION PRESENT YES (✓) NO ( )
COMMENTS: Altered Site Test F.A.C. 62-340-300 (3)(a)
Previous condition - Fallow Farm Field
* JURISDICTIONAL WETLANDS PRESENT: YES (✓) NO ( )
COMMENTS: small areas identified on aerial
* This is an opinion, Jurisdiction can only be asserted by a State and/or Federal Agency

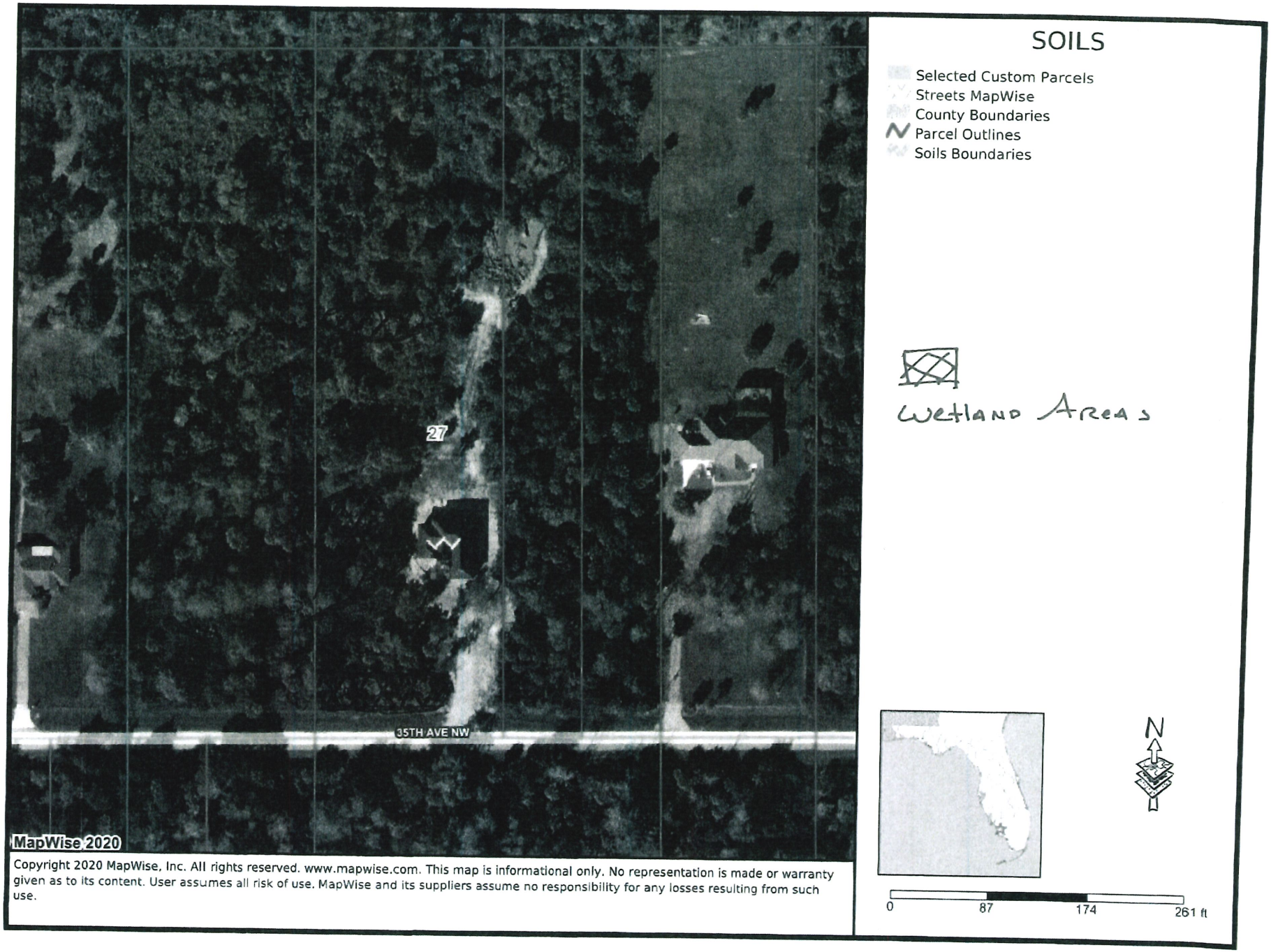
SHOULD AN ENVIRONMENTAL RESOURCE PERMIT BE REQUIRED FROM THE DEPARTMENT OF ENVIRNMENTAL PROTECTION AND US ARMY CORP OF ENGINEERS? YES ( ) NO ( ) Already impacted, Permit issued
House built on wrong lot
WAS THE PROPERTY SURVEYED? YES ( ) NO (X)*
* If the property is not surveyed with the corners marked this assessment is based on estimated boundaries. The actual boundaries may vary.

Environmental Resource Permits can be obtained through the Florida Department of Environmental Protection and the US Army Corp of Engineers. Impacts to wetlands may require Mitigation. The actual cost of mitigation will vary based on the quality of the wetlands and the amount of impacts proposed. Mitigation will consist of payment to an approved mitigation bank.

Marco A. Espinar 7/23/2020
Date

A permit was issued for the neighboring parcel. A house was started on the wrong lot

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

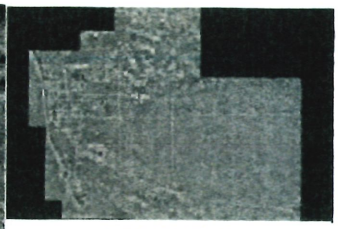


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Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW -

2012





MAP LEGEND
Major Roads
Street Names
Parcels
Aerials 2012 [6IN]
Aerials 2012 [2FT]
Collier County

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

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

2015

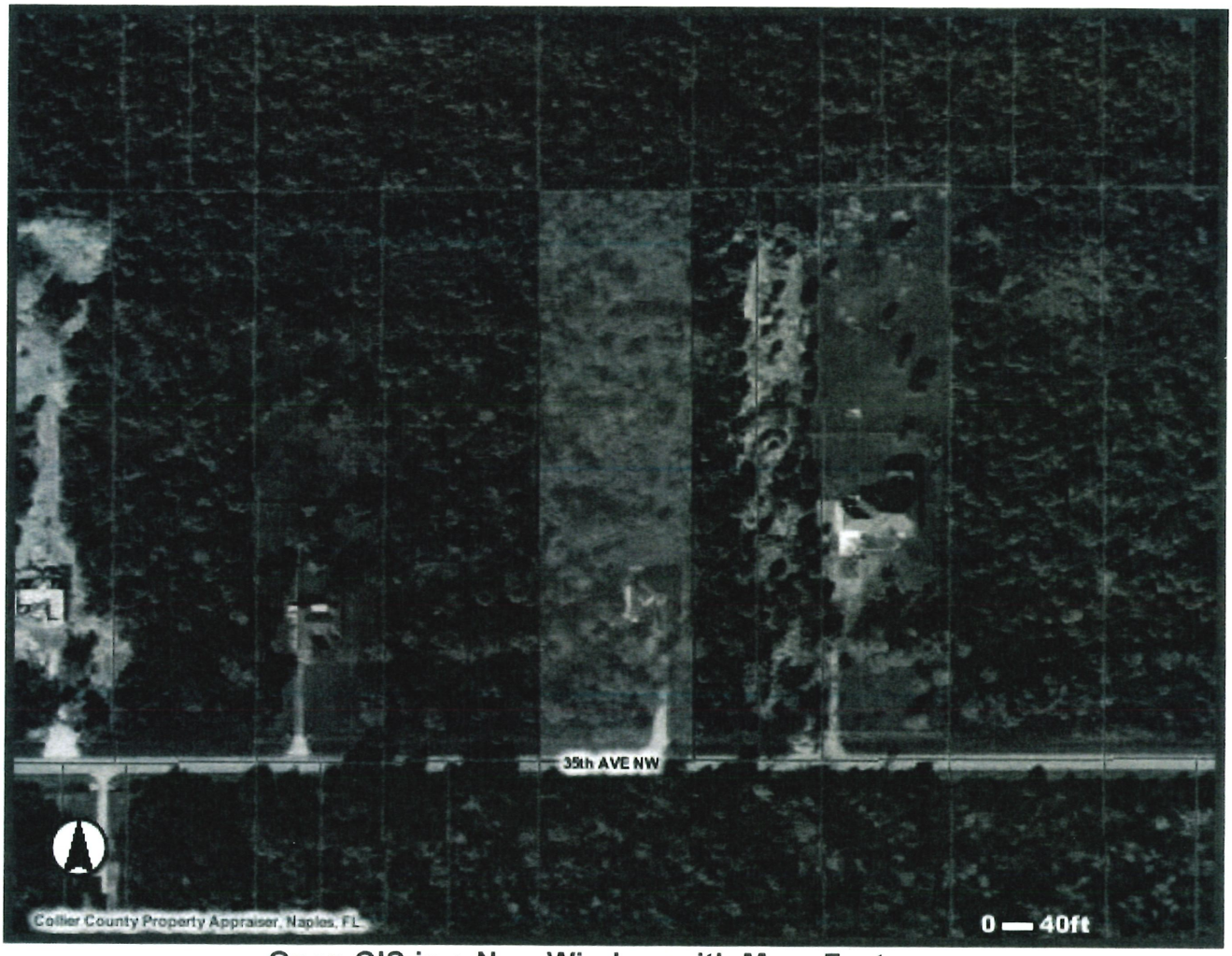


2004. Collier County Property Appraiser. While the Collier County Property Appraiser is committed to providing the most accurate and up-to-date information, no warranties expressed or implied are provided for the data herein, its use, or its interpretation.

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Collier County Property Appraiser
Property Aerial

Parcel No	38552440009	Site Address *Disclaimer		Site City		Site Zone *Note	



Open GIS in a New Window with More Features.

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Collier County Property Appraiser
Property Detail

Parcel No	38552440009	Site Address *Disclaimer		Site City		Site Zone *Note	

Name / Address	HOLDER, STEVEN
	4096 SKYWAY DR

City	NAPLES	State	FL	Zip	34112-2924

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

Tax Yr	Issuer	Permit #	CO Date	Tmp CO	Final Bldg	Type

Land

#	Calc Code	Units
10	ACREAGE	2.73

Building/Extra Features

#	Year Built	Description	Area	Adj Area

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Care360®

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 10 day of NOVEMBER 2020, ~~2010~~ by _____, who is personally known to me or who has produced _____ as identification.

Valdes f.
(Signature of Notary Public)

Fernanda Abdelnur
Printed Name of Notary

(Notary Seal)

Fernanda Abdelnur
Comm.#HH042329
Expires: Sept. 14, 2024
Bonded Thru Aaron Notary

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

First Class Mail

List of property owners with 150ft

West:

725 35TH AVE NW
pid#38551920009
Mailing: TUTTLE JR TR, ROGER W
2406 SE 15TH TER
Cape Coral, FL 33990

East:
677 35TH AVE NW
pid#38552480001
Icare Health Network, LLC
409 17th st sw
Naples FL 34117

651 35TH AVE NW
pid#38552400007
MORERA, GUADALUPE
3520 5TH AVE NW
Naples, FL 34120

NEAPOLITAN CPU
NOV 05 2020
NAPLES FL 34103

South:

PID#38552360008
INKATESHTA, GENNADY
1749 E 16TH ST APT 3B
BROOKLYN, NY 11229

PID#38552040001
CODERRE JR, WALTER N
525 4TH AVE
LaBelle, FL 33935

PID#38551960001
CODERRE JR, WALTER N
525 4TH AVE

Neapolitan CPU
838 Neapolitan Way
Naples, FL 34103

#008946 11/05/2020 2:36:46PM
01 CLERK01 000000

9@ 0.55 $4.95
Forever

ITEMS 9Q
***TOTAL $4.95
CASH $10.00
CHANGE $5.05

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

LaBelle, FL 33935

North

PID#38552520000
KHANNA, VIVEK=& PUJA
17406 MATINAL RD #5524
San Diego, CA 92127

PID#38552560002
RAMM, LOUIS
751 7TH ST
CARLSTADT, NJ 07072-1736

PID#38551840008
CIPOLLA, STEVEN J=& NANCY
2047 PRINCE DR
Naples FL 34110

NEAPOLITAN CPU
NOV 05 2020
NAPLES FL 34103

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW -

Raymond Piedra
409 17th ST SW
Naples FL 34117

FT MYERS FL 339
5 NOV 2020 PM 1 L



ICare Health Network
409 17th ST SW
Naples FL 34117

34117-331309



Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW -

Notification of Variance

Property at: 689 35th Ave SW, Naples FL 34120 - Raymond Piedra

---

11/02/2020

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:

The subject property is located on the north side of 35th ave nw about 4595 feet from Wilson Blvd North the nearest intersection. Legal Description: Golden Gate Estates Unit 37 W180 FT of TR 36

It is our intent to ask the County to allow us to maintain the current existing structure in its current location on the aforementioned property. We seek an after-the-fact variance request from Section 4.02.01.A, Table 2.1, of the Collier County Land Development Code to reduce the minimum side yard setback from 30 feet to 17.1 feet on the east side, and to 15.77 feet for a roof overhang, for an existing single family dwelling in the Estates (E) zoning district. I'm asking the county to please approve my petition for a variance to allow my current structure to stay in place. The current structure on my property will not affect negatively any of the nearby properties. Please feel free to contact me if you have any questions. We are interested in assuring you that our request should not adversely affect your property interest.

Sincerely,
Raymond Piedra
409 17th st sw
Naples FL 34120
239-289-0749
raymondpiedra@gmail.com

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS

PERMIT

PERMIT #: PRBD2018074433301 PERMIT TYPE: BD
ISSUED: BY: APPLIED DATE: 07-19-18 APPROVAL DATE: 09-07-18
MASTER #: COA: PRBD20180744333

JOB ADDRESS: 677 35th AVE NW, Unit:undefined
JOB DESCRIPTION: NEW SINGLE FAMILY HOME JOB PHONE:
677 35TH AVE NW UNIT 37
3 Bedroom 2 Bath RT

SUBDIVISION #: BLOCK: LOT:
FLOOD MAP: ZONE: ELEVATION:
FOLIO #: 38552480001 SECTION-TOWNSHIP-RANGE: 16-48-27

OWNER INFORMATION:
ICARE HEALTH NETWORK LLC
409 17TH ST SW
NAPLES, FL 34117-

CONTRACTOR INFORMATION:
T METRO CONSTRUCTION LLC
1681 GOLDEN GATE BLVD W
NAPLES, FL 34120-

CERTIFICATE #: <NO LICENSE#> PHONE:

FCC CODE:
CONSTRUCTION CODE: 0220
JOB VALUE: $200,629.98 TOTAL RES SQFT: 2133 TOTAL COMM SQFT: 0

SETBACKS FRONT: 75 REAR: 75 LEFT: 7.5 RIGHT: 7.5
SEWER: Septic WATER: New
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 B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Building Permit - PRBD20180744333

Parcel – 38552480001

Unfortunately, the building was constructed on the wrong lot (see Folio 38552440009), see screen shots below. Currently all inspections to date have been conducted on the wrong parcel and hence wrong permit. As of this letter the current building permit noted above will have all inspections reset back to pending and construction will commence on the correct parcel noted above. This document will note line where the building on the wrong lot is. An alert will be added to the wrong parcel for the "unpermitted" structure. They are seeking a variance for side yard setback and then will hopefully permit the structure. If the variance is approved and a building permit is applied for and then issued for the same structure and layout then inspections noted below can then be recorded on that new permit.



Wrong parcel aerial image 2018



Wrong parcel aerial image 2020

Inspections noted as passed on the following screen shots will be reset back to pending for the permit noted. These inspections can be transferred to the "wrong" folio if and when the same building is permitted on the wrong lot.

Respectfully noted,

Jonathan Walsh, PE

Chief Building Official

WalshJonathan

Digitally signed by WalshJonathan
DN: E=Jonathan.Walsh@colliercountyfl.gov, CN=WalshJonathan, OU=ORM User Accounts, OU=GMD PR Operations and Regulatory Mgmt, OU=Planning and Regulation, OU=GMD, OU=Divisions, DC=bcc, DC=colliergov, DC=net
Date: 2020.07.28 10:07:50-04'00'

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Application Number	PRBD20180744333
Type	Building
Status	Inspections Commenced
Inspector	

Description	Type	Property Alert
38552480001	Property	High
677 35th AVE NW, Unit:undefined	Address	

View Master Project | View All Activities on this Application | Add a new person or business to Address Book

Show Permits on this Application

Show Inspection Zones on this Application

Inspection Tracking

Show Me: All Permit Inspections | Inspector Note | Refresh | Generate Email | Select Inspection(s)

Link	Inspection	Assigned To	Date Scheduled	Start Time	End Time	Duration	Outcome	Appointment
.....	153- Shearwall/Stucco Lath	IVR user for Inspectio				60	Cancellation By C	Add
.....	107 - Truss/Sheathing/Bucks	Alejandro Pantoja	12/05/2018			60	Pass	Remove
.....	111 - Dry-in/Flashing	Jim Meisberger	12/10/2018			60	Pass	Remove
.....	118 - Lintel Beam	Jim Meisberger	11/20/2018			60	Pass	Remove
.....	119 - Fill Cells	Jim Meisberger	11/20/2018			60	Pass	Remove
.....	200 - Plumbing Underground	LEGACY: Jim Kerrigan	11/05/2018			45	Pass	Remove
.....	508 - TV/Telephone Rough	Donald Wincer	12/10/2018			45	Pass	Remove

Stop Work Order | Maintain Time Tracking | Bulk Inspection Update

Comments

Application Number	PRBD20180744333
Type	Building
Status	Inspections Commenced
Inspector	

Description	Type	Property Alert
38552480001	Property	High
677 35th AVE NW, Unit:undefined	Address	

View Master Project | View All Activities on this Application | Add a new person or business to Address Book

Show Permits on this Application

Show Inspection Zones on this Application

Inspection Tracking

Show Me: All Permit Inspections | Inspector Note | Refresh | Generate Email | Select Inspection(s)

Link	Inspection	Assigned To	Date Scheduled	Start Time	End Time	Duration	Outcome	Appointment
.....	508 - TV/Telephone Rough	Donald Wincer	12/10/2018			45	Pass	Remove
.....	201 - Plumbing Rough-in	Danny Bilek	12/04/2018			45	Pass	Remove
.....	300 - A/C Rough	LEGACY: Jim Kerrigan	12/11/2018			45	Pass	Remove
.....	501 - Electrical Rough	Donald Wincer	12/10/2018			45	Pass	Remove
.....	151 - Shearwall/Nailing	Alejandro Pantoja	12/05/2018			60	Pass	Remove
.....	152 - Shearwall/Water Barrier	Legacy: Steve Belyea	12/12/2018			60	Pass	Remove
.....	100 - Footings	Alejandro Pantoja	11/07/2018			60	Pass	Remove

Stop Work Order | Maintain Time Tracking | Bulk Inspection Update

Application Number	PRBD20180744333
Type	Building
Status	Inspections Commenced
Inspector	

Description	Type	Property Alert
38552480001	Property	High
677 35th AVE NW, Unit:undefined	Address	

View Master Project | View All Activities on this Application | Add a new person or business to Address Book

Show Permits on this Application

Show Inspection Zones on this Application

Inspection Tracking

Show Me: All Permit Inspections | Inspector Note | Refresh | Generate Email | Select Inspection(s)

Link	Inspection	Assigned To	Date Scheduled	Start Time	End Time	Duration	Outcome	Appointment
.....	100 - Footings	Alejandro Pantoja	11/07/2018			60	Pass	Remove
.....	133 - Monolithic Slab	Alejandro Pantoja	11/07/2018			60	Pass	Remove
.....	505 - Temporary Power Residen	Donald Wincer	12/10/2018			45	Pass with notes	Remove
.....	136 - Impact Glass					60	Pending	Add
.....	109 - Insulation					45	Pending	Add
.....	115 - Building Final					60	Pending	Add
.....	134 - Roofing Final					60	Pending	Add

Stop Work Order | Maintain Time Tracking | Bulk Inspection Update

Comments

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Collier County
Growth Management Department

BUILDING PERMIT APPLICATION

2800 N. HORSESHOE DR., NAPLES, FL 34104 | TEL: (239)252-2400

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

A.1. Permit # *(Staff to provide)*: PRBD20180744333

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

B.3. Building Type: ◯ 1 & 2 Family dwelling/Townhouse ◯ Mobile/Manufactured home ◯ Residential 3+ units/Multi-family ◯ Commercial

B.4. Permittee Type: ◉ Contractor ◯ Design Professional ◯ Owner Builder

Property Information

B.5. Parcel/Folio #: 38552480001
B.6. Job Street Address: 677 35th ave ne
Naples, Fl 34120
B.7. Owner Name: ICARE HEALTH NETWORK LLC
B.8. Owner Phone: 239-289-5750
B.9. Subdivision: GOLDEN GATE EST UNIT 37
Lot/Block/Unit: UNIT 37
B.10. SDP/PL#:
B.11. *PL# Filename:

*Optional – Search existing Filenames on

Contractor Information

B.12. License #: CCC 1524523
B.13. Company Name: T METRO CONSTRUCTION, LLC
B.14. Qualifier Name: Antonio Abin
B.15. Contact Name: Antonio Abin
B.16. Company Address: 1681 GOLDEN GATE BLVD W
Naples Fl 34120
B.17. Company Phone: 239-289-8551
B.18. Fax #:
B.19.a. **Email 1: Anjpermittingsolutions@gmail.com
B.19.b. **Email 2:

☐ **Do not use Email(s) as primary contact method.

C.1. Subcontractors: ☑ ELEC ☑ PLUMB ☑ MECH ☑ Roof ☑ Septic ☐ Low Voltage ☐ Shutters ☐ ELECT from house ☐ Gas
C.2. Permit Type: Building (New Construction)
C.3. Fire Permit Type:
C.4. Construction Type: Type VB (unprotected)
C.5. Occupancy: Residential, 1 & 2 Family New or Guest Hou
C.6. Water Service: Well
C.7. Sewer Service: Septic
C.8. Fire Sprinkled:
C.9. Permit by Affidavit:
C.10. Private Provider:
C.11. Threshold Building:
C.12. Vegetation Clearing:

D.1. Description of Work *(provide below)*: New single family Home
D.2. Project Name *(if any)*: Edel's Home
D.3. Declared Value: $ 150,000

D.4. Residential Sq. Ft.:	D.4.a. New Const.	D.4.b. Work Area (Sq. Ft.)	D.4.c. Work Area (Sq. Ft.)	D.4.d. Totals by Area
New Const. *(Complete D.4.a. & D.4.b.)*	# Stories:	D.4.b.i. Living: 1,494	D.4.c.i. Living:	TOTAL Living: 1,494
Addition *(Complete D.4.a. & D.4.b.)*	# Units:	D.4.b.ii. Non-living: 639	D.4.c.ii. Non-living:	TOTAL Non-living: 639
Alteration *(Complete D.4.c.)*	# Bedrooms: 3	TOTAL: 2,133	TOTAL: 0	
	# Bathrooms: 2			

D.5. Commercial Sq. Ft.:	D.5.a. New Const.	D.5.b. Work Area (Sq. Ft.)	D.5.c Work Area (Sq. Ft.)
New Const. *(Complete D.5.a. & D.5.b.)*	# Stories:	Interior:	Interior:
Addition *(Complete D.5.a. & D.5.b.)*	# Units:	Exterior:	Exterior:
Alteration *(Complete D.5.c.)*		TOTAL: 0	TOTAL: 0

E.1. Final Review Date: E.2. Number of Plan Sets: 4 E.3. Review Days: WT (1) 5 10 15

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

NOTICE OF COLLIER COUNTY ADDITIONAL REGULATIONS

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 entities 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.

By initialing, I am acknowledging that I have read and understand this Notice of Collier County Additional Regulations.

A.A.

_____

Initials

Owner or Agent of Owner's or Contractor's initials are required.

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

Collier County

BUILDING PERMIT APPLICATION

2800 N. HORSESHOE DR., NAPLES, FL 34104 | TEL: (239) 252-2400

ACKNOWLEDGEMENT OF COLLIER COUNTY REGULATIONS

Application is hereby made to obtain a permit to do the work and installations as indicated. I 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 not commenced within 180 days from the date of issuance. The permittee further understands that only licensed contractors may be employed and that the structure will not be used or occupied until a certificate of occupancy is issued. By signing this permit application, I agree that I have been retained by the owner/permittee 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 contractor responsible for providing said contracting services. I further agree that I understand that the review and issuing of this permit does not exempt me from complying with all County Codes and Ordinances. It is further understood that the property owner/permittee is the owner of the permit.

Note: An Owner-Builder must complete Sections A and B and the Owner-Builder Affidavit form.

SECTION A. OWNER or AGENT OF OWNER ACKNOWLEDGEMENT. The Contractor may sign as the Agent of Owner so long as Contractor's contract with Owner permits such action:

[signature] Antonio Abin

(Signature of Owner or Agent of Owner) (Print name of Owner or Agent of Owner)

The foregoing instrument was acknowledged before me this 16th day of July, 2018 by Antonio Abin (name of person) who ___ is personally known to me, or who X has produced identification (type of identification): FL DL

Notary Signature: [signature] Seal:

NOTARY PUBLIC STATE OF FLORIDA
Mileisy Rodriguez
COMMISSION # FF194553
EXPIRES: February 1, 2019
www.AaronNotary.com

SECTION B. CONTRACTOR ACKNOWLEDGEMENT:

[signature] Antonio Abin

(Signature of Contractor) (Print name of Contractor)

The foregoing instrument was acknowledged before me this 16th day of July, 2018 by Antonio Abin (name of person) who ___ is personally known to me, or who X has produced identification (type of identification): FL DL

Notary Signature: [signature] Seal:

NOTARY PUBLIC STATE OF FLORIDA
Mileisy Rodriguez
COMMISSION # FF194553
EXPIRES: February 1, 2019
www.AaronNotary.com

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 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. IF YOU INTEND TO OBTAIN FINANCING, 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.

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

GEOMETRIC SURVEYING INC.
2804 DEL PRADO BLVD S, SUITE 202
CAPE CORAL, FL 33904
(239)-540-6257

2018 07441333



LOCATION SKETCH
SCALE = N.T.S.

VIEW OF SUBJECT PROPERTY
677 35th AVENUE NW, NAPLES, FLORIDA 34120
PARCEL ID NO. 38552480001

ABBREVIATIONS

A	= ARC
A/C	= AIR CONDITIONER PAD
A.E.	= ANCHOR EASEMENT
A.R	= ALUMINUM ROOF
A.S.	= ALUMINUM SHED
ASPH	= ASPHALT
B.C	= BLOCK CORNER
BLDG	= BUILDING
B.M	= BENCH MARK
B.O.B	= BASIS OF BEARING
B.S.L.	= BUILDING SETBACK LINE
(C)	= CALCULATED
C.B	= CATCH BASIN
C.B.S.	= CONCRETE BLOCK STUCCO
C.B.W	= CONCRETE BLOCK WALL
CH.	= CHORD
CH.B.	= CHORD BEARING
CL	= CLEAR
C.O	= CLEAN OUT
C.L.F.	= CHAIN LINK FENCE
C.M.E.	= CANAL MAINTENANCE EASEMENT
CONC.	= CONCRETE
C.U.P.	= CONCRETE UTILITY POLE
C.P.	= CONCRETE PORCH
C.S.	= CONCRETE SLAB
C.W.	= CONCRETE WALK
D.E.	= DRAINAGE EASEMENT
D.H.	= DRILL HOLE
D.M.E.	= DRAINAGE MAINTENANCE EASEMENT
DRIVE	= DRIVEWAY
°	= DEGREES
EB	= ELECTRIC BOX
E.T.P.	= ELECTRIC TRANSFORMER PAD
ELEV.	= ELEVATION
ENCR.	= ENCROACHMENT
F.H.	= FIRE HYDRANT
F.I.P.	= FOUND IRON PIPE
F.I.R.	= FOUND IRON ROD
F.F.E.	= FINISHED FLOOR ELEVATION
F.N.D.	= FOUND NAIL & DISK
FT.	= FEET
NFIP.	= NATIONAL FLOOD INSURANCE PROGRAM
F.N.	= FOUND NAIL
H	= HIGH OR (HEIGHT)
IN.&EG.	= INGRESS AND EGRESS EASEMENT
I.C.V.	= IRRIGATION CONTROL VALVE
ID?	= IDENTIFICATION ILLEGIBLE
I.F.	= IRON FENCE
L.B.	= LICENSED BUSINESS
L.P.	= LIGHT POLE
Lvf.E	= LOWEST FLOOR ELEVATION
L.M.E.	= LAKE MAINTENANCE EASEMENT
'	= MINUTES
(M)	= MEASURED
M.B.	= MAIL BOX
M.E.	= MAINTENANCE EASEMENT
M.H.	= MANHOLE
N.A.P.	= NOT A PART OF
NAVD	= NORTH AMERICAN VERTICAL DATUM 1988
NGVD	= NATIONAL GEODETIC VERTICAL DATUM 1929
NO ID	= NO IDENTIFICATION
N.T.S.	= NOT TO SCALE
# OR NO.	= NUMBER
O/S	= OFFSET
O.H.	= OVERHEAD
O.H.L.	= OVERHEAD UTILITY LINES
O.R.B.	= OFFICIAL RECORDS BOOK
O.V.H.	= OVERHANG
PVMT	= PAVEMENT
PL	= PLANTER
P.B.	= PLAT BOOK
P.G.	= PAGE
P.L.	= PROPERTY LINE
P.C.C.	= POINT OF COMPOUND CURVATURE
P.C.P.	= PERMANENT CONTROL POINT
P.C.	= POINT OF CURVATURE
P.O.T.	= POINT OF TANGENCY
P.O.C.	= POINT OF COMMENCEMENT
P.O.B.	= POINT OF BEGINNING
P.R.C.	= POINT OF REVERSE CURVATURE
PWY.	= PARKWAY
P.R.M.	= PERMANENT REFERENCE MONUMENT
P.S.M.	= PROFESSIONAL SURVEYOR & MAPPER
P.L.S.	= PROFESSIONAL LAND SURVEYOR
P.P.	= POWER POLE
P.P.S.	= POOL PUMP SLAB
P.U.E.	= PUBLIC UTILITY EASEMENT
(R)	= RECORD
R.R.	= RAIL ROAD
RES.	= RESIDENCE
R/W	= RIGHT-OF-WAY
RAD.	= RADIUS OR RADIAL
RGE.	= RANGE
R.O.E.	= ROOF OVERHANG EASEMENT
SEC.	= SECTION
STY.	= STORY
SWK.	= SIDEWALK
S.I.R.	= SET IRON ROD
S.I.P.	= SET IRON PIPE
S.N.D.	= SET NAIL & DISK
S	= SOUTH
S.P.	= SCREENED PORCH
S.V.	= SEWER VALVE
"	= SECONDS
T	= TANGENT
TB	= TELEPHONE BOOTH
T.B.M.	= TEMPORARY BENCHMARK
T.U.E.	= TECHNOLOGY UTILITY EASEMENT
TSB	= TRAFFIC SIGNAL BOX
T.S.P.	= TRAFFIC SIGNAL POLE
TWP.	= TOWNSHIP
UTIL	= UTILITY
U.E.	= UTILITY EASEMENT
U.P.	= UTILITY POLE
W.M.	= WATER METER
W.F.	= WOOD FENCE
W.P.	= WOOD PORCH
W.R.	= WOOD ROOF
W.V.	= WATER VALVE
M.L.	= MONUMENT LINE
℄	= CENTER LINE
△	= DELTA

LEGEND

- = OVERHEAD UTILITY LINES
- = CENTERLINE
- = CONCRETE BLOCK STUCCO WALL
- = CHAIN LINK FENCE
- = IRON FENCE
- = WOOD FENCE
- = WIRE FENCE
- = BUILDING SETBACK LINE
- = UTILITY EASEMENT
- = LIMITED ACCESS R/W
- = RGE, TWP, SEC, ¼SEC LINE
- = NON-VEHICULAR ACCESS R/W
- = EXISTING ELEVATIONS

SURVEYOR NOTES :

- THERE MAY BE EASEMENTS RECORDED IN THE PUBLIC RECORDS NOT SHOWN ON THIS SURVEY
- EXAMINATIONS OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THE PROPERTY
- THIS SURVEY MAY BE SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS, ENCUMBRANCES OR EASEMENTS OF RECORD THE SAME THAT MAY NOT BE NOTED OR DEPICTED HEREON
- LEGAL DESCRIPTIONS PROVIDED BY CLIENT OR ATTESTING TITLE COMPANY
- BOUNDARY SURVEY MEANS A DRAWING AND/ OR A GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD, COULD BE DRAWN AT A SHOWN SCALE AND/OR NOT TO SCALE; THE WALLS OR FENCES MAY BE EXAGGERATED FOR CLARITY PURPOSES
- EASEMENTS AS SHOWN ARE PER PLAT, UNLESS NOTED OR DEPICTED OTHERWISE.
- THE TERM "ENCROACHMENT" REFERS TO ABOVE GROUND INTRUSIONS OF IMPROVEMENTS ONTO SUBJECT PROPERTY FROM ADJOINERS PROPERTY OR ONTO ADJOINERS PROPERTY FROM SUBJECT PROPERTY
- ARCHITECTS AND ENGINEERS SHALL VERIFY ZONING REGULATIONS, RESTRICTIONS, SETBACKS AND WILL BE RESPONSIBLE FOR SUBMITTING PLANS WITH CORRECT INFORMATION TO BUILDING AND ZONING OFFICIALS OR ANY OTHER AUTHORITIES FOR APPROVAL OF PLANS FOR NEW CONSTRUCTION. THEY WILL ALSO BE RESPONSIBLE FOR SUBMITTING PLANS WITH CORRECTPROPOSED BUILDING HEIGHTS AND PROPOSED FINISHED FLOOR ELEVATION WITH DATUM FOR NEW BUILDINGS TO THE PROPER AUTHORITIES IN NEW CONSTRUCTION
- UNLESS OTHERWISE SHOWN RECORD AND MEASURED CALLS ARE IN SUBSTANTIAL AGREEMENT
- UNDERGROUND UTILITIES ARE NOT DEPICTED HEREON
- UNLESS OTHERWISE NOTED, THIS FIRM HAS NOT ATTEMPTED TO LOCATE UNDERGROUND FOOTINGS AND/OR FOUNDATIONS
- **FENCE OWNERSHIP NOT DETERMINED.**
- THIS PLAN OF SURVEY, HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON, THE CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTY
- FENCE TIES ARE TO CENTERLINE OF THE SAME
- WALL TIES ARE TO THE THE FACE OF THE SAME

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE SKETCH OF THIS BOUNDARY SURVEY WAS PREPARED UNDER MY SUPERVISION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5J-17.050-052 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472 OF THE FLORIDA STATUTES AND THAT THE SKETCH HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

BY _____ 11/14/2018
MIGUEL J. GARAY (DATE OF FIELDWORK)

PROFESSIONAL SURVEYOR AND MAPPER LS# 6594 STATE OF FLORIDA
(NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER)

REVISED ON _____

REVISED ON _____

FLOOD ZONE INFORMATION:

THE NFIP FLOOD MAPS HAVE DESIGNATED THE HEREIN DESCRIBED LAND TO BE SITUATED IN:

FLOOD ZONE:	"AH"
BASE FLOOD ELEVATION:	14.50 FT.
COMMUNITY:	120067
PANEL:	0240
SUFFIX:	H
DATE OF FIRM:	05/16/2012

THE SUBJECT PROPERTY DOES LIE IN A SPECIAL FLOOD HAZARD AREA.

DRAWN BY:	AHV
FIELD DATE:	11/14/2018
SURVEY NO:	18-000560
SHEET:	1 OF 2

SEAL
MIGUEL J. GARAY
LICENSE NUMBER 6594
STATE OF FLORIDA
PROFESSIONAL SURVEYOR & MAPPER

L.S.#6594 L.B.#820

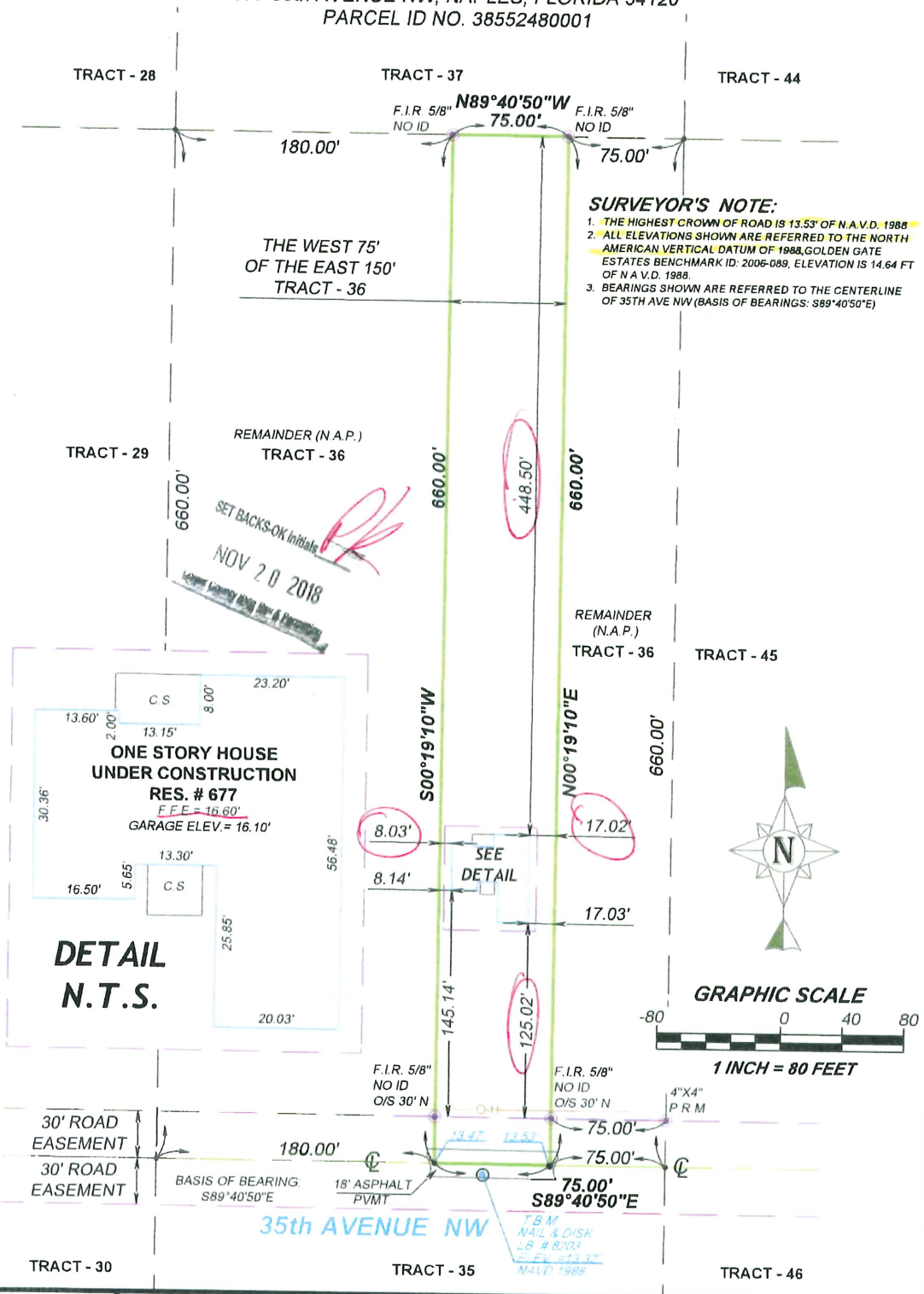
THIS PAGE IS NOT VALID WITHOUT ALL OTHERS

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

GEOMETRIC SURVEYING INC.
2804 DEL PRADO BLVD S, SUITE 202
CAPE CORAL, FL 33904
(239)-540-6257

MAP OF BOUNDARY SURVEY

677 35th AVENUE NW, NAPLES, FLORIDA 34120
PARCEL ID NO. 38552480001



SEAL

MIGUEL J. GARAY
LICENSE NUMBER 6594
STATE OF FLORIDA
PROFESSIONAL SURVEYOR & MAPPER

L.S.#6594 L.B.#8203

LEGAL DESCRIPTION:
THE WEST 75 FEET OF THE EAST 150 FEET OF TRACT NO. 36, GOLDEN GATE ESTATES, UNIT NO. 37, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 88, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

CERTIFICATION:
ICARE HEALTH NETWORK, LLC.

THIS PAGE IS NOT VALID WITHOUT ALL OTHERS

DRAWN BY:	AHV
FIELD DATE:	11/14/2018
SURVEY NO:	18-000560
SHEET:	2 OF 2

Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

SIGN POSTING INSTRUCTIONS

(CHAPTER 8, COLLIER COUNTY ADMINISTRATIVE CODE FOR LAND DEVELOPMENT)

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

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

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

- - - -





Attachment: Attachment B - Applicant's Backup (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

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): PL20200001732

Regarding the above subject petition number(s), Raymond Piedra (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: Raymond Piedra Date: 1/31/21

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: Hearing Waiver (14827 : PL20200001732 VA - 689 35th Avenue NW - Piedra)

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.C
Item Summary: *** This item has been continued from the November 12, 2020 HEX Meeting, to the December 10, 2020 HEX Meeting, to the January 14, 2021 HEX Meeting, and further continued to the February 11, 2021 HEX Meeting.*** PETITION NO. VA PL20190002701– CitySwitch II-A, LLC request two variances from LDC Section 5.05.09(G)(7)(b), to reduce the eastern boundary setback of 125 feet to 60.5 feet and from the western boundary setback of 125 feet to 82.2 feet for a proposed 250 foot communications tower on a parcel in the east ½ of the northwest ¼ of the southwest ¼ of the northeast ¼ of the northwest ¼ of Section 15, Township 49 South, Range 27 East, Collier County, Florida. [Coordinator: Timothy Finn, Principal Planner] Commissioner District 5

Meeting Date: 02/11/2021

Prepared by:
Title: – Zoning
Name: Tim Finn
01/25/2021 11:07 AM

Submitted by:
Title: Manager - Planning – Zoning
Name: Ray Bellows
01/25/2021 11:07 AM

Approved By:

Review:

Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	01/27/2021 11:35 AM
Growth Management Operations & Regulatory Management	Rose Burke		Review Item	Completed
Zoning	Ray Bellows	Review Item	Completed	01/27/2021 5:41 PM
Zoning	Anita Jenkins	Review Item	Completed	02/01/2021 12:44 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	02/11/2021 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION- ZONING SERVICES SECTION

HEARING DATE: NOVEMBER 12, 2020

SUBJECT: PETITION VA-PL20190002701 (KAPOK ST CELL TOWER)

PROPERTY OWNER/CONTRACT PURCHASER/AGENT:

Owner:

Johannes Steffens
542 Ethel Ave SE
Grand Rapids, MI 49506

Applicant/Contract Purchaser:

CitySwitch II-A, LLC
1900 Century Place, Suite 320
Atlanta, GA 30345

Agents:

Kendal Lotze
Ignite Wireless
102 Mary Alice Park Rd.
Cumming, GA 30040

Jim Alderman
J&J Wireless Consultants LLC
6122 7th Ave W
Bradenton, FL 34209

Jeff Wright
Henderson, Franklin,
Starners & Holt, P.A.
8889 Pelican Bay Blvd, Suite 400
Naples, FL 34108

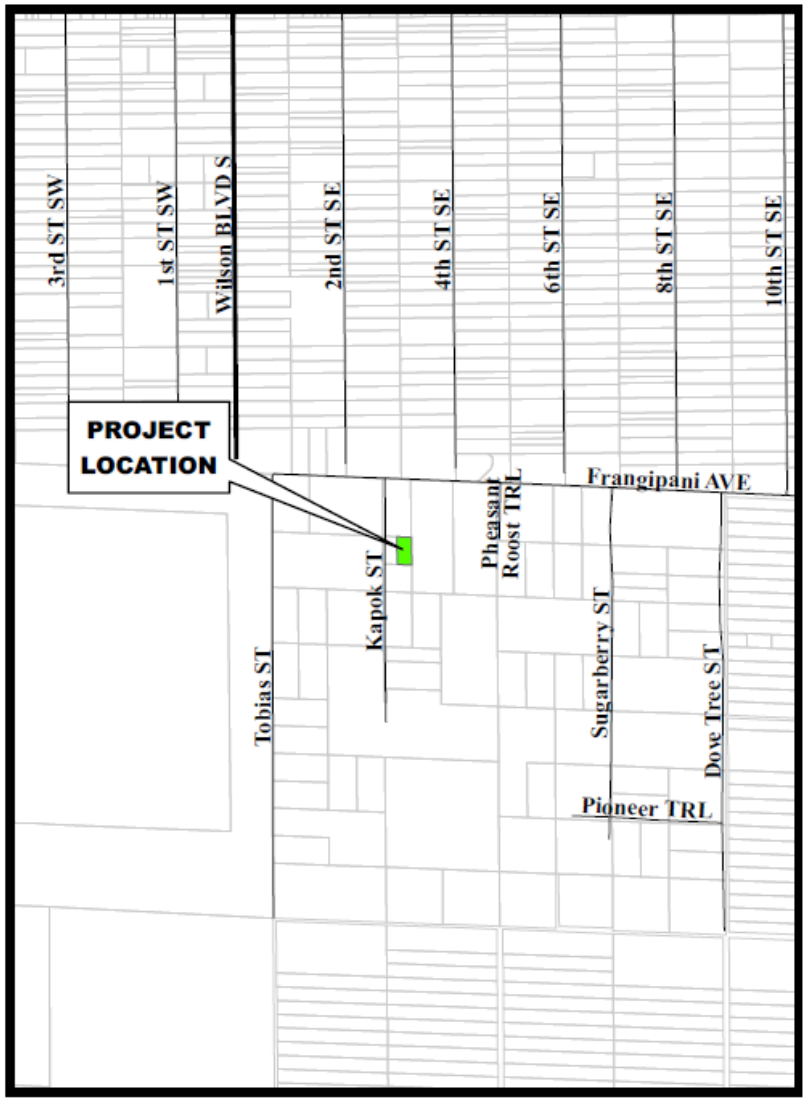
REQUESTED ACTION:

To have the Collier County Hearing Examiner (HEX) consider an application for two variances from the Collier County Land Development Code (LDC) Section 5.05.09(G)(7)(b), to reduce the eastern boundary setback of 125 feet to 60.5 feet and from the western boundary setback of 125 feet to 82.2 feet for a proposed 250 foot communications tower.

GEOGRAPHIC LOCATION:

The subject property is located on a parcel in the east ½ of the northwest ¼ of the southwest ¼ of the northeast ¼ of the northwest ¼ of Section 15, Township 49 South, Range 27 East, Collier County, Florida. *(See location map on page 2)*.

Attachment: Staff Report - Kapok St Cell Tower (14783 : PL20190002701 Kapok St. Cell Tower)



Location Map



Zoning Map

Petition Number: PL20190002701

Attachment: Staff Report - Kapok St Cell Tower (14783 : PL20190002701 Kapok St. Cell Tower)

PURPOSE/DESCRIPTION OF PROJECT:

Per LDC 5.05.09(G)(7)(b), which provides (in part) that communications towers "*shall be separated . . . from all other surrounding property boundaries by a distance not less than one-half (1/2) the height of the tower and its antennas, or the tower's certified collapse area, whichever distance is greater.*" Because the proposed tower is 250' tall, the separation requirement would be 125' (a greater distance than the tower's certified collapse area). The petitioner is requesting a reduction from the eastern and western boundary setbacks to situate a proposed communication tower.

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: Developed agricultural, with a current zoning designation of Agricultural zoning designation with the Rural Fringe Mixed Use receiving and North Bell Meade Overlay districts

East: Developed agricultural, with a current zoning designation of Agricultural zoning designation with the Rural Fringe Mixed Use receiving and North Bell Meade Overlay districts

South: Undeveloped land, with a current zoning designation of Agricultural zoning designation with the Rural Fringe Mixed Use receiving and North Bell Meade Overlay districts

West: Undeveloped land, with a current zoning designation of Agricultural zoning designation with the Rural Fringe Mixed Use receiving and North Bell Meade Overlay districts



Collier County Property Appraiser

Attachment: Staff Report - Kapok St Cell Tower (14783 : PL20190002701 Kapok St. Cell Tower)

GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

The subject property is located within the Agriculture Rural Fringe Receiving lands of 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. As previously noted, the petitioner seeks variances requesting a reduction from the eastern and western boundary setbacks to situate a proposed communication tower. The subject 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.

STAFF ANALYSIS:

The request are variances from LDC 5.05.09(G)(7)(b), which provides (in part) that communications towers "*shall be separated . . . from all other surrounding property boundaries by a distance not less than one-half (1/2) the height of the tower and its antennas, or the tower's certified collapse area, whichever distance is greater.*" Because the proposed tower is 250' tall, the separation requirement would be 125' (a greater distance than the tower's certified collapse area). *(See Attachment A – Kapok St Certified Fall Radius Letter)* As indicated on the site drawing included with this submittal, the proposed communications tower meets this 125' distance separation requirement with respect to the *northern* and *southern* property boundaries. Additionally, the proposed tower is separated from surrounding property boundaries in all directions by a distance that far exceeds its certified collapse area (i.e., it meets the *lesser* of the two distance measurements provided in the LDC, in all directions). However, because the proposed tower does not meet the *greater* of the two LDC distance measurements with respect to eastern and western boundaries, a variance is necessary. More specifically the petitioner is seeking two variances from the required 125' separation requirement, to allow (1) for the eastern boundary, a separation of 60.5; and (2) for the western boundary, a separation of 82.2. *(See Attachment B – Zoning Drawings, Sheet C-1 - Overall Site Plan)* The LDC does allow for essential services which includes communication towers (LDC 2.03.08.A.2.a.3.x). Per LDC Section 1.08.02, an essential service requires that government entities such as police, fire, EMS, etc. have use of the tower for their designated needs. The communications tower will be utilizing the First Responder Network Authority (FirstNet) which is a nationwide wireless network broadband network that will be dedicated to first responders for use in disasters, emergencies and daily public safety work. *(See Attachment C – FirstNet Info)* Furthermore, it should be noted that the proposed tower does not require a conditional use but is subject to this variance. *(See Attachment D – Zoning Verification* Letter dated 3-17-20)

Moreover, staff has been receiving opposition letters regarding the close proximity of another tower to be located at 550 Frangipani Avenue approximately 2065 feet east of the Kapok St site. *(See Attachment F – Opposition Letters)* This 185-foot communications tower has not been built and is currently under SDP review (PL20200000886). The residents feel that these two communications towers will create deleterious effects upon their community. Currently, the LDC does not have any distance separation provisions to guide staff as to how far apart one communication tower can be from another tower. As such, staff will be amending the LDC to address communication tower distance separation requirements in the near future. It should be noted, that the applicant has stated that in regard to shared tower use, that there are not any towers that would provide necessary and adequate capacity and geographic coverage area to achieve their

Attachment: Staff Report - Kapok St Cell Tower (14783 : PL20190002701 Kapok St. Cell Tower)

emergency services objectives, and sharing another tower would not be a feasible option. *(See Attachment G – Shared Tower Use Response)*

The decision to grant a variance is based on the criteria in LDC Section 9.04.03. A. through H. (in bold font below). Staff has analyzed this petition relative to these provisions and offers the following responses:

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

Yes, the property is rectangular, and the proposed structure is unique (a 250' tall essential services communications tower) with a required 125 ft separation requirement from all property boundaries. The proposed tower meets the separation requirement with respect to the northern (181.9 ft separation) and southern (152.8 ft separation) boundaries. However, the eastern (60.5 ft separation) and western (82.2 ft separation) boundaries do not meet the 125 ft separation requirement as the rectangular shape of the parcel are significantly narrowed on the eastern and western parcel boundaries thus preventing the applicant from complying with the 125 ft requirement.

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, while the property is large enough to safely accommodate the proposed communications tower, its rectangular shape makes it necessary to obtain variances to meet LDC separation requirements for the eastern and western boundaries

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, because of the rectangular shape of this lot this would bestow an undue hardship on the owner preventing construction of a 250-communication tower as presented in the overall site plan. Moreover, there is a need for important essential services communications for this area.

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 proposed would be the minimum Variance to allow the reduction of the eastern boundary setback of 125 feet to 60.5 feet and from the western boundary setback of 125 feet to 82.2 feet for a proposed 250-foot communications tower. Approval of the Variance would not have a negative impact on standards of health, safety, and welfare of the abutting parcels.

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

Attachment: Staff Report - Kapok St Cell Tower (14783 : PL20190002701 Kapok St. Cell Tower)

Yes, by definition, a Variance bestows some dimensional relief from the zoning regulations specific to a site. LDC Section 9.04.02 provides relief through the Variance process for any dimensional development standard, such as the requested eastern and western boundary setback decrease. 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?

The granting of the variance will be in harmony with the intent and purpose of the LDC and will not be injurious to the neighborhood, or other detrimental to the public welfare.

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

The applicant states, *"Essential public services communications towers are critically important in this fairly remote area of the County. Population in this area is less dense than urban areas, and communications at this location can be challenging in storm and other emergency events."* Staff concurs with this statement and further notes that currently there is not any existing residences to the east and west of the subject property and is not within the 125-foot separation requirement.

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

Approval of this Variance will not affect or change the requirements of the GMP.

ENVIRONMENTAL ADVISORY COUNCIL (EAC) RECOMMENDATION:

This project does not require Environmental Advisory Council (EAC) review, as this project did not meet the EAC scope of land development project reviews as identified in Section 2-1193 of the Collier County Codes of Laws and Ordinances.

RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner (HEX) approve Petition VA-PL20190002701, Kapok St Cell Tower Variance for two variances from LDC Section 5.05.09(G)(7)(b), to reduce the eastern boundary setback of 125 feet to 60.5 feet and from the western boundary setback of 125 feet to 82.2 feet for a proposed 250 foot communications tower.

Attachments:

A) Kapok St Certified Fall Radius Letter
B) Zoning Drawings – Revised 08/05/2020
C) FirstNet Information
D) Zoning Verification Letter dated 3-17-20
E) Application/Backup Materials
F) Opposition Letters
G) Shared Tower Use Response

Attachment: Staff Report - Kapok St Cell Tower (14783 : PL20190002701 Kapok St. Cell Tower)

Sabre Industries™
Towers and Poles

November 18, 2019

Tim Cook
CitySwitch
1900 Century Place NE, Suite 320
Atlanta, GA 30345

RE: Proposed 250' Sabre Self-Supporting Tower for Kapok Street, FL

Dear Mr. Cook,

Upon receipt of order, we propose to design a tower for the above referenced project for an ASCE 7-16 Ultimate Wind Speed of 160 mph, Structure Class II, Exposure C, Topographic Category 1 in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the tower will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within one or more of the tower members in the upper portion. This would result in a buckling failure mode, where the loaded member would bend beyond its elastic limit (beyond the point where the member would return to its original shape upon removal of the wind load).

Therefore, it is likely that the overall effect of such an extreme wind event would be localized buckling of a tower section. Assuming that the wind pressure profile is similar to that used to design the tower, the tower is most likely to buckle at the location of the highest combined stress ratio in the upper portion of the tower. This would result in the portion of the tower above the failure location "folding over" onto the portion of the tower below the failure location. ***Please note that this letter only applies to the above referenced tower designed and manufactured by Sabre Towers & Poles.*** In the unlikely event of total separation, this would result in collapse within a 100' x 100' compound.

Sincerely,

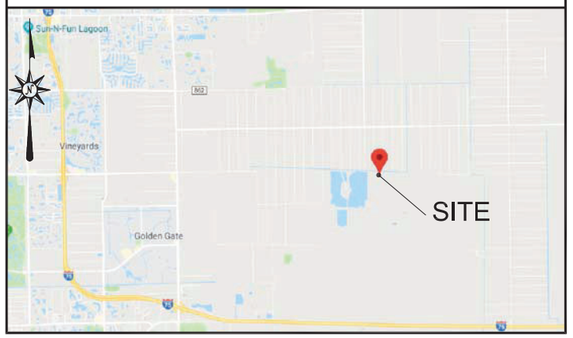
ROBERT E. BEACOM LICENSE No. 73225 STATE OF FLORIDA PROFESSIONAL ENGINEER
11/18/19

Robert E. Beacom, P.E., S.E.
Engineering Supervisor

Sabre Towers and Poles • 7101 Southbridge Drive • P.O. Box 658 • Sioux City, IA 51102-0658
P: 712-258-6690 **F**: 712-279-0814 **W**: www.SabreTowersandPoles.com

Attachment: Attachment A - Kapok St Certfied Fall Radius Letter (14783 : PL20190002701 Kapok St. Cell Tower)

VICINITY MAP



ZONING DRAWINGS

CITYSWITCH

CITY SWITCH SITE ID:
FLC009

CITY SWITCH SITE NAME:
KAPOK STREET

SITE ADDRESS:
(TBD) KAPOK ST.
NAPLES, FL 34117

LOCAL MAP



Dennis D. Abel, PE
Florida License No. 62750
This item has been digitally signed and sealed by Dennis D. Abel, PE, on the date indicated herein. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed by Dennis Abel
Date: 2020.08.05 08:27:46 -04'00'

APPROVALS

TITLE	SIGNATURE	DATE
REPRESENTATIVE		
SITE OWNER		

SCOPE OF WORK

CITY SWITCH PROPOSES TO INSTALL AN UNMANNED TELECOMMUNICATIONS FACILITY CONSISTING OF A 250'–0" LATTICE TOWER WITH 10' LIGHTNING ROD. THE TOWER WILL BE PLACED INSIDE A 75'–0"x75'–0" FENCED COMPOUND, INSIDE A 100'–0"x100'–0" LEASE AREA.

SHEET INDEX

SHEET NO.	DESCRIPTION	REV. NO.	REVISION DATE
T–1	TITLE SHEET	2	08/05/20
S–1	SURVEY SHEET 1	2	10/01/19
S–2	SURVEY SHEET 2	2	10/01/19
S–3	SURVEY SHEET 3	2	10/01/19
GN–1	GENERAL NOTES	1	03/23/20
GN–2	GENERAL NOTES	1	03/23/20
C–1	OVERALL SITE PLAN	2	08/05/20
C–2	COMPOUND DETAILS	1	03/23/20
C–3	FENCE DETAILS	1	03/23/20

SITE SUMMARY

SITE TYPE:	NEW SITE DESIGN
TOWER TYPE:	LATTICE
TOWER HEIGHT:	250'–0"
APPURTENANCE HEIGHT:	260'–0"
TYPE OF OCCUPANCY:	TELECOMMUNICATIONS
TOWER LATITUDE:	26°12'36.949"N (N 26.210264°)
TOWER LONGITUDE:	81°36'00.470"W (W 81.600131°)
ZONING JURISDICTION:	COLLIER COUNTY
COUNTY:	COLLIER COUNTY
PARCEL NUMBER:	00307840002
ZONED:	A
PARCEL SIZE:	57,324.1± SQ.FT.
LEASE AREA SIZE:	10,000± SQ.FT.
POWER COMPANY:	TBD
CONTACT:	TBD
TELEPHONE COMPANY:	TBD
CONTACT:	TBD

PROJECT DIRECTORY

LAND OWNER:	JOHANNES STEFFENS – –
CO–APPLICANT/CARRIER:	–
APPLICANT/TOWER OWNER:	CITY SWITCH II, LLC 1900 CENTURY PLACE, SUITE 320 ATLANTA, GA 30345 CONTACT: GARY COOPER PHONE: (404) 600–1485
SITE DESIGN:	FDH INFRASTRUCTURE SERVICES 6521 MERIDIEN DRIVE RALEIGH, NC 27616 CONTACT: JAMES R. BILLUPS, PE, CFM PHONE: (919) 755–1012

NOTE: ANY CHANGES TO THE APPROVED PLANS MUST BE APPROVED BY THE PROPERTY OWNER.

DIRECTIONS

FROM SOUTHWEST FLORIDA INTERNATIONAL AIRPORT:
FOLLOW CHAMBERLIN PKWY TO DANIELS PKWY. HEAD NORTHWEST ON REGIONAL LANE TOWARD CHAMBERLIN PKWY. RESTRICTED USAGE ROAD. TURN LEFT ONTO CHAMBERLIN PKWY. TURN LEFT ONTO DANIELS PKWY. TURN LEFT TO MERGE ONTO I–75 S TOWARD NAPLES. TAKE EXIT 111 TOWARD NAPLES PARK. USE THE LEFT 2 LANES TO TURN LEFT ONTO IMMOKALEE RD (SIGNS FOR AVE MARIA/HODGES UNIVERSITY). TURN RIGHT ONTO WILSON BLVD N. TURN LEFT ONTO GOLDEN GATE BLVD E. TURN RIGHT ONTO 10TH ST SE. TURN RIGHT ONTO 10TH ST SE/FRANGIPANI AVE. CONTINUE TO FOLLOW FRANGIPANI AVE. TURN LEFT ONTO KAPOK ST. SITE ACCESS WILL BE ON THE LEFT.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING:

1. FLORIDA BUILDING CODE
2. ANSI/TIA/EIA–222–G
3. NATIONAL ELECTRIC CODE
4. LOCAL BUILDING CODE
5. CITY/COUNTY ORDINANCES
6. 2012 INTERNATIONAL RESIDENTIAL CODE
7. 2012 INTERNATIONAL BUILDING CODE
8. 2012 INTERNATIONAL FIRE CODE
9. 2012 INTERNATIONAL PLUMBING CODE
10. 2012 INTERNATIONAL MECHANICAL CODE
11. 2012 INTERNATIONAL FUEL GAS CODE
12. 2009 INTERNATIONAL ENERGY CONSERVATION CODE
13. 2011 NATIONAL ELECTRICAL CODE
14. 2009 INTERNATIONAL WILDLAND–URBAN INTERFACE CODE

GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION, THEREFORE HANDICAP ACCESS IS NOT REQUIRED. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

UNDERGROUND SERVICE ALERT

UTILITIES PROTECTION CENTER, INC.

811

48 HOURS BEFORE YOU DIG

LEGAL DESCRIPTION

REFER TO TOPOGRAPHICAL SURVEY AND SITE PLAN FOR LEGAL DESCRIPTION OF PARENT PARCEL AND LEASE AREA.

PREPARED FOR:
CITYSWITCH
1900 CENTURY PLACE, SUITE 320
ATLANTA, GA 30345

PREPARED BY:
FDH INFRASTRUCTURE SERVICES
ENGINEERING INNOVATION
6521 MERIDIEN DRIVE
RALEIGH, NC 27616
PHONE: (919)-755-1012
FAX: (919)-755-1031

DENNIS DANIEL ABEL LICENSE No 62750 STATE OF FLORIDA PROFESSIONAL ENGINEER

FDH INFRASTRUCTURE SERVICES, LLC
FL COA #28282

DENNIS D. ABEL, P.E. 08/05/20
STATE LICENSE NO. 62750

DRAWN BY: VAH
CHECKED BY: JRB

SUBMITTALS

DATE	DESCRIPTION	REV	ISSUED BY
12/03/19	ZONING DRAWING	0	JRB
03/23/20	ZONING DRAWING	1	JRB
08/05/20	ZONING DRAWING	2	JRB

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. REPRODUCTION OR CAUSING TO BE REPRODUCED THE WHOLE OR ANY PART OF THESE DRAWINGS WITHOUT THE PERMISSION OF FDH INFRASTRUCTURE SERVICES IS PROHIBITED.

SITE NAME:
KAPOK STREET

SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1

Attachment: Attachment B - Zoning Drawings (14783 : PL20190002701 Kapok St. Cell Tower)

0 40' 80'

SCALE: 1" = 40'

PARENT PARCEL
JOHANNES STEFFENS
PARCEL NUMBER:00307840002
INSTRUMENT NUMBER 4954686
ORIGINAL 5016, PAGE 1369

ESTES FAM TRUST
PARCEL NUMBER:00307800000

LINE	BEARING	DISTANCE
L1	S 00°00'00" E	17.50'
L2	N 90°00'00" W	35.00'
L3	S 00°00'00" E	17.57'
L4	N 00°00'00" W	30.01'
L5	N 00°00'00" W	9.63'
L6	N 90°00'00" W	35.00'
L7	N 00°00'00" W	17.50'

BOOK 139, PAGE 331 (9.)

WOODED

POB
100' X 100' LEASE AREA
10,000 SQ.FT±
0.23 ACRES±

N 90°00'00" E 100.00'

N 00°00'00" W 100.00'

S 00°00'00" E 100.00'

N 90°00'00" W 100.00'

N 90°00'00" E 100.00'

74'±

CENTER OF TOWER

46.0'

24.7'

POC
LEASE AREA AND ACCESS EASEMENT
NORTHEAST CORNER
SECTION 15, T-49-S, R-27-E
FOUND CONCRETE MONUMENT

N 90°00'00" W 3784.69'

S 00°23'48" E 669.01'

12' GATE

BARBED WIRE FENCE

N 00°23'48" W 2677.73'

POB
INGRESS/EGRESS AND
UTILITY EASEMENT
10,926.43 SQ.FT±
0.25 ACRES±

J RICHARD SMITH
PARCEL NUMBER:00309440002

SOUTHEAST CORNER
SE 1/4 OF NE 1/4
SECTION 15, T-49-S, R-27-E
FOUND 1" OPEN TOP PIPE

TREELINE
10' GRASS TRAIL
TREELINE

L1 L2 L3 L4 L5 L6 L7

152'±

N 29°40'33" E 41.56'

N 58°54'00" E 70.09'

S 29°40'33" W 57.33'

S 58°54'00" W 86.81'

S 88°01'25" E 160.12'

N 88°01'25" W 168.01'

op — TREELINE

12' GATE

1,734 FT± TO FRANGIPANI AVE

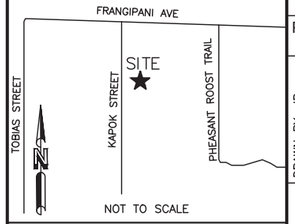
KAPOK STREET
GRAVEL ROAD

JOHANNES STEFFENS
PARCEL NUMBER:00307880004
INSTRUMENT NUMBER 4954686
ORIGINAL 5016, PAGE 1369

TOWER INFO

LATITUDE: 26°12'36.949" NORTH
LONGITUDE: 81°36'00.470" WEST
(NAD 83)
GROUND ELEVATION: 10.6'
ABOVE MEAN SEA LEVEL (NAVD88)

VICINITY MAP



FLORIDA EAST

GRID NORTH

GRID TO TRUE NORTH CONVERGENCE
−0°15'

TRUE NORTH TO MAGNETIC DECLINATION
5°59' W

COMBINED SCALE FACTOR
0.999985569

LEGEND

- ○ = 5/8" REBAR SET
- ● = FOUND PROPERTY MARKER
- ■ = FOUND CONCRETE MONUMENT
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- POE = POINT OF ENDING
- ▲ = CALCULATED POINT
- ⊘ = POWER POLE
- ⊕ = TEMP. BENCHMARK (NAIL IN FENCE POST) ELEV.=12.04'
- —·——·—op— = OVERHEAD POWER

FLOOD NOTE

By graphic plotting only, the subject property appears to lie in Zone 'AH' of the Flood Insurance Rate Map Community Panel No. 12021C0430H, which bears an effective date of May 16, 2012 and IS in a special flood hazard area.
Zone 'AH': The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood.

NO.	REVISION	DATE	BY
1.	UPDATED EASEMENT	9/18/19	JR
2.	ADDRESSED TITLE	10/01/19	JR

PROJECT NO.
19-1586

DRAWN BY: JR
CHECKED BY: TAS
FIELD CREW: NA
APPROVED BY: WHS
DATE: 09/09/19
SCALE: AS SHOWN

SHEET 1 OF 3

RAWLAND TOWER SURVEY

FOR:

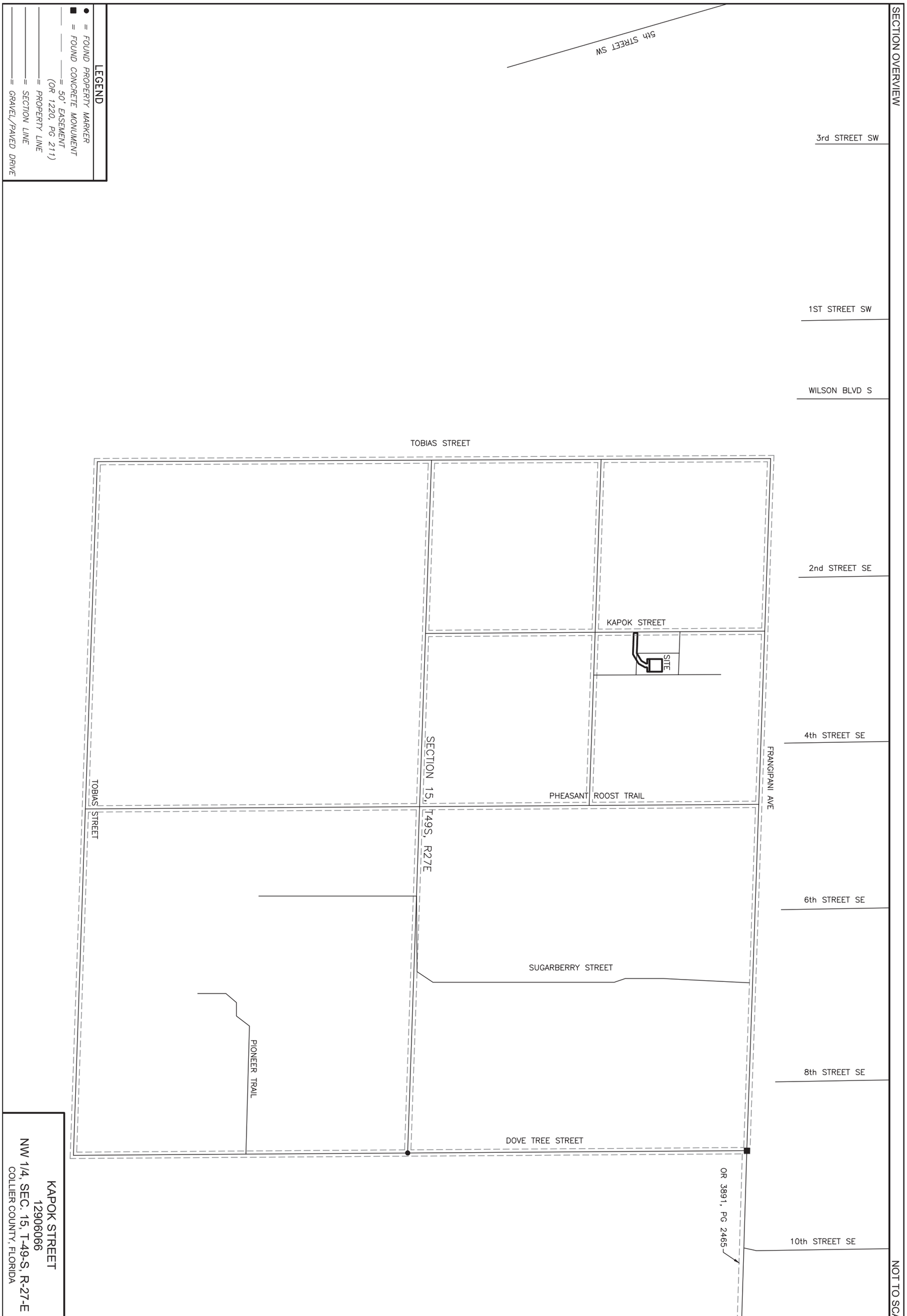
FDH-NC
6521 MERIDIEN DRIVE SUITE 107
RALEIGH, NC 27616

SMW Engineering Group, Inc.
158 Business Center Drive
Birmingham, Alabama 35244
Ph: 205-252-6985
www.smweng.com

SMW ENGINEERING GROUP, INC.

KAPOK STREET
12906066
NW 1/4, SEC. 15, T-49-S, R-27-E
COLLIER COUNTY, FLORIDA

Attachment: Attachment B - Zoning Drawings (14783 : PL20190002701 Kapok St. Cell Tower)



KAPOK STREET
12906066
NW 1/4, SEC. 15, T-49-S, R-27-E
COLLIER COUNTY, FLORIDA

SMW Engineering Group, Inc.
158 Business Center Drive
Birmingham, Alabama 35244
Ph: 205-252-6985
www.smweng.com

RAWLAND TOWER SURVEY

FOR:
FDH-NC
6521 MERIDIEN DRIVE SUITE 107
RALEIGH, NC 27616

DRAWN BY: JR
CHECKED BY: TAS
FIELD CREW: NM
APPROVED BY: WHS
DATE: 09/18/19
SCALE: AS SHOWN
SHEET 2 OF 3

PROJECT NO. 19-1586

NO.	REVISION	DATE	BY
1.	UPDATED EASEMENT	9/18/19	JR
2.	ADDRESSED TITLE	10/01/19	JR

Attachment: Attachment B - Zoning Drawings (14783 : PL20190002701 Kapok St. Cell Tower)

PARENT TRACT
TITLE

Situate in the County of Collier, State of Florida:
The E1/2 of the NW1/4 of the SW1/4 of the NE1/4 of the NW1/4 of Section 15, Township 49 S, Range 27 E. in Collier County, Florida.
Tax ID: 00307840002
Being part of the same property conveyed to Johannes Steffens, grantee, from D. Gary Woodhead, grantor, by deed recorded 03/12/2014, as Book 5016, Page 1369 of the Collier County Records.

INSTRUMENT NUMBER 4954686, ORIGINAL 5016, PAGE 1369

The SW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E; and
The E 1/2 of the NW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E, in Collier County, Florida.

PARENT TRACT ACCESS (ORIGINAL 1220, PAGE 211)

Subject to: a 50 foot mutual right of way easement extending 25 feet on either side of all Section lines, including the eigth, quarter and half Section line, which easement is for the use and benefit of the adjacent property owners.

100' x 100' LEASE AREA (AS-SURVEYED)

A portion of the Johannes Steffens tract described in Instrument Number 4954686, Original 5016, Page 1369 as recorded in the Clerk of the Circuit Court for Collier County, Florida, being in the Northwest 1/4 of Section 15, Township 49 South, Range 27 East, Collier County, Florida, and being more particularly described as follows;
COMMENCING at a concrete monument found marking the Northeast corner of said Section 15; Thence along the East line of said Section 15; S 00°23'48" E a distance of 669.01 feet to a point; Thence leaving said East line, N 90°00'00" W a distance of 3784.69 feet to a set 5/8" rebar and the POINT OF BEGINNING; Thence S 00°00'00" E a distance of 100.00 feet to a set 5/8" rebar; Thence N 90°00'00" W a distance of 100.00 feet to a set 5/8" rebar; Thence N 00°00'00" W a distance of 100.00 feet to a set 5/8" rebar; Thence N 90°00'00" E a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,000 square feet (0.23 acres) of land more or less.

INGRESS/EGRESS & UTILITY EASEMENT (AS-SURVEYED)

A portion of the Johannes Steffens tract described in Instrument Number 4954686, Original 5016, Page 1369 as recorded in the Clerk of the Circuit Court for Collier County, Florida, being in the Northwest 1/4 of Section 15, Township 49 South, Range 27 East, Collier County, Florida, and being more particularly described as follows;
COMMENCING at a concrete monument found marking the Northeast corner of said Section 15; Thence along the East line of said Section 15; S 00°23'48" E a distance of 669.01 feet to a point; Thence leaving said East line, N 90°00'00" W a distance of 3784.69 feet to a set 5/8" rebar; Thence S 00°00'00" E a distance of 100.00 feet to a set 5/8" rebar and the POINT OF BEGINNING; Thence S 00°00'00" E a distance of 17.50 feet to a point; Thence N 90°00'00" W a distance of 35.00 feet to a point; Thence S 00°00'00" E a distance of 17.57 feet to a point; Thence S 29°40'33" W a distance of 57.33 feet to a point; Thence S 58°54'00" W a distance of 86.81 feet to a point; Thence N 88°01'25" W a distance of 168.01 feet to a point; Thence N 00°00'00" W a distance of 30.01 feet to a point; Thence S 88°01'25" E a distance of 160.12 feet to a point; Thence N 58°54'00" E a distance of 70.09 feet to a point; Thence N 29°40'33" E a distance of 41.56 feet to a point; Thence N 00°00'00" W a distance of 9.63 feet to a point; Thence N 90°00'00" W a distance of 35.00 feet to a point; Thence N 00°00'00" W a distance of 17.50 feet to a set 5/8" rebar; Thence N 90°00'00" E a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,915.72 square feet (0.25 acres) of land more or less.

PLOTTABLE EXCEPTIONS

Old Republic National Title Insurance Company
Commitment for Title Insurance Commitment No. 01-19050945-01T
Date August 02, 2019 @ 7:00 am
Schedule B, Section II

Exception No.	Instrument	Comment
1-8		Standard exceptions. Contain no survey matters.
9	Book 139, Page 331	Does affect subject access easement and parent parcel. As shown hereon. Said document describes a 50 foot mutual right-of-way easement, 25 feet on each side along all section lines.

SURVEYOR'S CERTIFICATION

I hereby certify that this sketch and description, to the best of my knowledge and belief, accurately represents lands surveyed and was done in accordance with the technical standards for property surveys in Florida as set forth in Chapter 180-7 of the rules of the Florida Board of Registration for Professional Engineers and Land Surveyors and as set for Professional Engineers and Land Surveyors and as set forth in Florida Plat Act O.C.G.A. 15-6-67.

I certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Florida to the best of my knowledge, information, and belief.

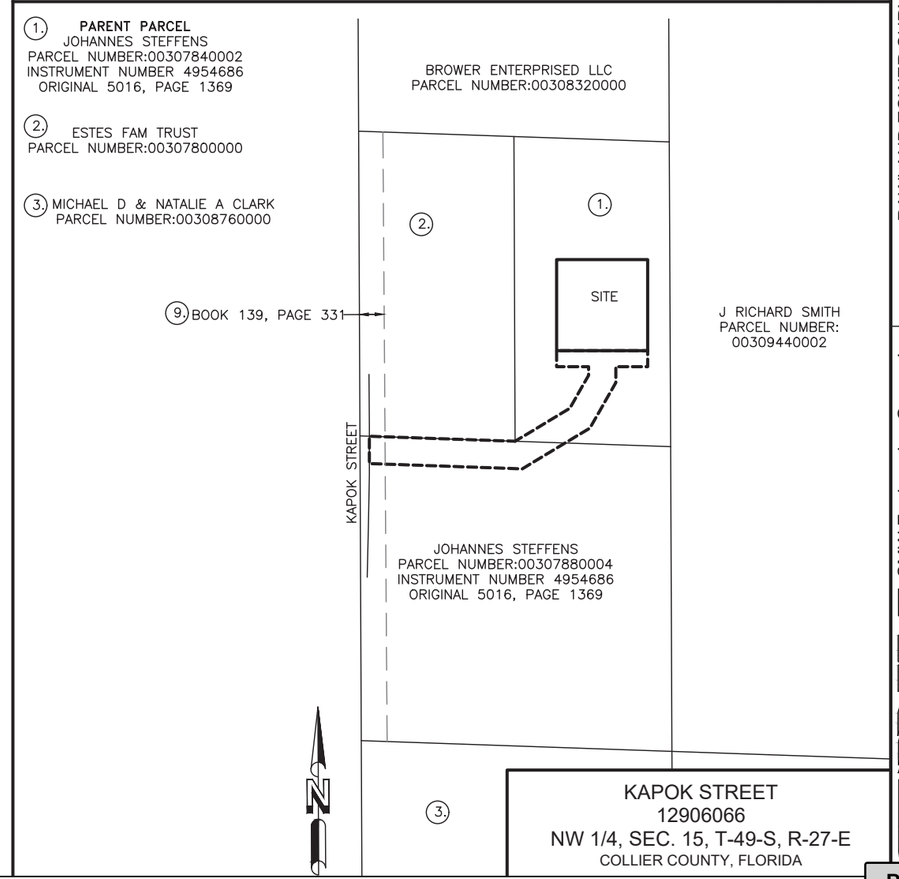
William H. Sommerville, III
Florida License No. 0006141

WILLIAM H. SOMMERVILLE III CERTIFICATE NO. LS6141 STATE OF FLORIDA REGISTERED LAND SURVEYOR

SURVEYOR'S NOTES

1. This is an Rawland Tower Survey, made on the ground under the supervision of a Florida Registered Land Surveyor. Date of field survey is September 6, 2019.
2. The following surveying instruments were used at time of field visit: Topcon DM55 Total Station, Reflectorless and Hiper SR RTK Network Rover with static capability.
3. Bearings are based on Florida East State Plane Coordinates NAD 83 by GPS observation.
4. No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown.
5. Benchmark used is a GPS Continuously Operating Reference Station, PID DF7052. Onsite benchmark is as shown hereon. Elevations shown are in feet and refer to NAVD 88.
6. This survey was conducted for the purpose of an Rawland Tower Survey only, and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity.
7. Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.
8. This Survey was conducted with the benefit of an Abstract Title search.
9. Surveyor hereby states the Geodetic Coordinates and the elevation shown for the proposed centerline of the tower are accurate to within +/- 20 feet horizontally and to within +/- 3 feet vertically (FAA Accuracy Code 1A).
10. Survey shown hereon conforms to the Minimum Requirements as set forth by the State Board for a Class "A" Survey.
11. Field data upon which this map or plat is based has a closure precision of not less than one-foot in 15,000 feet (1':15,000') and an angular error that does not exceed 10 seconds times the square root of the number of angles turned. Field traverse was not adjusted.
12. This survey is not valid without the original signature and the original seal of a state licensed surveyor.
13. This survey does not constitute a boundary survey of the Parent Tract. Any parent tract property lines shown hereon are from supplied information and may not be field verified.
14. Zoning: (as supplied by client)
    Zoning Jurisdiction: Collier County Florida
    Zoning District: Agricultural (A)
    Surrounding Zoning: North-RFMUO-NBMO, South-RFMUO-NBMO, East-RFMUO-NBMO, West-RFMUO-NBMO
    Setbacks: Front-1/2 tower height, Rear-1/2 tower height, Side-1/2 tower height
15. Per Collier County Road Maintenance Division, Kapok Street in not a county maintained roadway.

PARENT TRACT OVERVIEW — NOT TO SCALE



NO.	REVISION	DATE	BY
1.	UPDATED EASEMENT	9/18/19	JR
2.	ADDRESSED TITLE	10/01/19	JR

PROJECT NO. 19-1586

DRAWN BY: JR
CHECKED BY: TAS
FIELD CREW: NA
APPROVED BY: WHS
DATE: 09/09/19
SCALE: AS SHOWN
SHEET 3 OF 3

RAWLAND TOWER SURVEY

FOR:
FDH-NC
6521 MERIDIEN DRIVE SUITE 107
RALEIGH, NC 27616

SMW Engineering Group, Inc.
158 Business Center Drive
Birmingham, Alabama 35244
Ph: 205-252-6985
www.smweng.com

SMW ENGINEERING GROUP, INC.

Attachment: Attachment B - Zoning Drawings (14783 : PL20190002701 Kapok St. Cell Tower)

GENERAL NOTES:

1. EVERY EFFORT HAS BEEN MADE IN THE CONSTRUCTION DOCUMENTS TO PROVIDE A COMPLETE SCOPE OF WORK. MINOR DISCREPANCIES IN THE DRAWINGS AND/OR SPECIFICATIONS SHALL NOT EXCUSE CONTRACTORS FROM COMPLETING THE PROJECT AND IMPROVEMENTS IN ACCORDANCE WITH THE INTENT OF THESE DOCUMENTS.

2. BIDDING REQUIREMENTS
   a. PRIOR TO THE SUBMISSION OF BIDS, VISIT THE JOB SITE TO BECOME FAMILIAR WITH ALL CONDITIONS AFFECTING THE PROPOSED PROJECT. VISIT THE SITE WITH THE CONSTRUCTION DOCUMENTS TO VERIFY FIELD DIMENSIONS AND CONDITIONS TO CONFIRM THAT THE PROJECT WILL BE ACCOMPLISHED AS SHOWN.
   b. PROVIDE NOTIFICATION TO OWNER'S REPRESENTATIVE IN WRITING OF ANY CONFLICTS, ERRORS, OR OMISSIONS PRIOR TO SUBMISSION OF PRICE PROPOSAL. IN THE EVENT OF DISCREPANCIES, PRICE THE MORE COSTLY OR EXTENSIVE WORK, UNLESS DIRECTED OTHERWISE.
   c. WHEN TOWER IS OWNED BY A THIRD PARTY, CONTACT TOWER OWNER REPRESENTATIVE FOR PARTICIPATION IN BID WALK.
   d. WHERE ANCHORING TO A CONCRETE ROOF SLAB, CONFIRM (PRIOR TO SUBMITTING BID) THE PRESENCE OF POST TENSION TENDONS. INCLUDE PROVISIONS FOR X-RAY PROCEDURES TO LOCATE THE TENDONS PRIOR TO CONSTRUCTION.

3. DRAWINGS ARE NOT TO BE SCALED. WRITTEN DIMENSIONS TAKE PRECEDENCE. CONSTRUCTION DOCUMENTS ARE INTENDED FOR DIAGRAMMATIC PURPOSES ONLY, UNO.

4. FURNISH ALL MATERIALS, EQUIPMENT, LABOR, AND ANY REQUIREMENTS NECESSARY TO COMPLETE PROJECT AS DESCRIBED IN THE CONSTRUCTION DOCUMENTS.

5. SUPERVISE AND DIRECT THE PROJECT DESCRIBED IN THE CONSTRUCTION DOCUMENTS. PROVIDE ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.

6. ALL WORK PERFORMED ON THE PROJECT AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY, MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES APPLICABLE TO THE WORK.

7. CONSTRUCTION COORDINATION REQUIREMENTS
   a. NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES PRIOR TO START OF WORK.
   b. OBTAIN ALL PERMITS. SCHEDULE AND COORDINATE ALL INSPECTIONS.
   c. PROVIDE, AT THE PROJECT SITE, A FULL, CURRENT SET OF CONSTRUCTION DOCUMENTS FOR USE BY ALL PERSONNEL INVOLVED WITH THE PROJECT.
   d. RECEIVE WRITTEN AUTHORIZATION TO PROCEED WITH CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED BY THE CONSTRUCTION DOCUMENTS.
   e. PERFORM WORK DURING OWNER'S PREFERRED HOURS TO AVOID DISTURBING NORMAL BUSINESS.
   f. PROVIDE FALL PROTECTION IN ACCORDANCE WITH FEDERAL, STATE, LOCAL, AND OWNER REQUIREMENTS.
   g. IF FAA LIGHTING AND MARKING IS PRESENT ON SITE AND IS POWERED BY ELECTRICAL SERVICE THAT IS TO BE INTERRUPTED, MAINTAIN THE NECESSARY LIGHTS DURING CONSTRUCTION AND NOTIFY THE PROPER AUTHORITIES IN THE EVENT OF A DISRUPTION.
   h. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF PROJECT AREA DURING CONSTRUCTION.
   i. STRUCTURAL COMPONENTS OF ADJACENT FACILITIES SHALL NOT BE ALTERED BY THIS CONSTRUCTION PROJECT, UNO. ENSURE THAT EXCAVATION DOES NOT AFFECT ADJACENT STRUCTURES.
   j. SEAL ALL PENETRATIONS THROUGH FIRE-RATED AREAS WITH U.L. LISTED OR FIRE MARSHALL-APPROVED MATERIALS, IF APPLICABLE.
   k. BURIED UTILITIES MAY EXIST IN THE AREA AND UTILITY INFORMATION SHOWN MAY NOT BE COMPLETE. CONTACT THE UTILITY LOCATE SERVICE A MINIMUM OF 48 HOURS PRIOR TO CONSTRUCTION.
   l. COORDINATE ALL POWER INSTALLATION WITH POWER COMPANY AS REQUIRED. REPORT POWER INSTALLATION COORDINATION SOLUTION(S) TO OWNER'S REPRESENTATIVE.
   m. PROTECT EXISTING IMPROVEMENTS, EASEMENTS, PAVING, CURBING, ETC. DURING CONSTRUCTION. UPON COMPLETION OF WORK, REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION ON OR ABOUT THE PROPERTY.
   n. KEEP GENERAL WORK AREA CLEAN AND HAZARD FREE DURING CONSTRUCTION AND DISPOSE OF ALL DIRT, DEBRIS, AND RUBBISH. REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY OR PREMISES. SITE SHALL BE LEFT IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR SMUDGES OF ANY NATURE.
   o. MAINTAIN THE INTEGRITY OF THE BUILDING ENVELOPE AND CONSTRUCT BARRIERS IN THE AREA OF WORK TO PREVENT DAMAGE FROM WEATHER AS WELL AS FROM CONSTRUCTION DUST AND DEBRIS.

8. INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO MANUFACTURER'S SPECIFICATIONS, UNO, OR WHERE LOCAL CODES OR ORDINANCES DIRECT OTHERWISE.

9. ANY SUBSTITUTIONS OF MATERIALS AND/OR EQUIPMENT, MUST BE APPROVED BY OWNER'S REPRESENTATIVE.

10. DOCUMENT ALL CHANGES MADE IN THE FIELD BY MARKING UP THE APPROVED CONSTRUCTION DRAWINGS AND SUBMITTING THE REDLINED SET TO OWNER'S REPRESENTATIVE UPON COMPLETION. DOCUMENT ALL WORK PERFORMED WITH PHOTOGRAPHS TO BE SUBMITTED WITH REDLINED CONSTRUCTION DRAWINGS.

11. PROVIDE SUPPORTS FOR CABLES TO THE ELEVATION OF ALL INITIAL AND FUTURE ANTENNAS IN ACCORDANCE WITH ALL MANUFACTURER'S REQUIREMENTS.

12. A STRUCTURAL ANALYSIS AND A MOUNT ANALYSIS (IF REQUIRED) TO DETERMINE THE STRUCTURAL CAPACITY TO SUPPORT THIS PROPOSED EQUIPMENT WAS PERFORMED OUTSIDE THE SCOPE OF THIS PROJECT.

13. CONFIRM THAT THE REQUIREMENTS OF THE STRUCTURAL ANALYSIS, MOUNT ANALYSIS AND ANY ASSOCIATED MODIFICATIONS HAVE BEEN FOLLOWED AND COMPLETED AS REQUIRED TO SUPPORT THE EQUIPMENT ASSOCIATED WITH THIS PROJECT.

SPECIAL INSPECTIONS:

1. WHEN REQUIRED, PROVIDE SPECIAL INSPECTIONS PERFORMED BY AN INDEPENDENT INSPECTOR, APPROVED BY OWNER'S REPRESENTATIVE AND THE LOCAL JURISDICTION.

2. THE SPECIAL INSPECTOR SHALL PROVIDE A COPY OF THE REPORT TO THE OWNER'S REPRESENTATIVE, STRUCTURAL ENGINEER, CONTRACTOR, AND BUILDING OFFICIAL.

ABBREVIATIONS

A/C	AIR CONDITIONING
AFF	ABOVE FINISHED FLOOR
AGL	ABOVE GROUND LEVEL, ABOVE GRADE LEVEL
AWS	ADVANCED WIRELESS SERVICE
BBU	BATTERY BACKUP UNIT
BLDG	BUILDING
BLK	BLOCKING
CLG	CEILING
CLR	CLEAR
CONC	CONCRETE
CONT	CONTINUOUS
D	DEPTH
DBL	DOUBLE
DEG	DEGREE
ø, DIA	DIAMETER
DIAG	DIAGONAL
DN	DOWN
DET	DETAIL
DWG	DRAWING
E	EXISTING
EA	EACH
ELEV, EL	ELEVATION
ELEC	ELECTRICAL
EQ	EQUAL
EQUIP	EQUIPMENT
EXT	EXTERIOR
FIF	FIBER INTERFACE FRAME, FACILITY INTERFACE FRAME
FIN	FINISH
FLUOR	FLUORESCENT
FLR	FLOOR
FT	FOOT, FEET
GA	GAUGE
GALV	GALVANIZED
GC	GENERAL CONTRACTOR
GRND	GROUND
GSM	GLOBAL SYSTEM MOBILE
GYP	GYPSUM BOARD
HORZ	HORIZONTAL
HR	HOUR
HT	HEIGHT
ID	INSIDE DIAMETER
IN	INCH, INCHES
INSUL	INSULATION
INT	INTERIOR
L	LENGTH
LBS	POUNDS
LTE	LONG TERM EVOLUTION
MAX	MAXIMUM
MECH	MECHANICAL
MTL	METAL
MFR	MANUFACTURE
MGR	MANAGER
MIN	MINIMUM
MISC	MISCELLANEOUS
NA	NOT APPLICABLE
NIC	NOT IN CONTRACT
NO	NUMBER
NTS	NOT TO SCALE
OC	ON CENTER
OD	OUTSIDE DIAMETER
PCS	PERSONAL COMMUNICATION SERVICE
PDU	POWER DISTRIBUTION UNIT
PROJ	PROJECT
PROP	PROPERTY
PT	PRESSURE TREATED
PVC	POLYVINYL CHLORIDE
REQ	REQUIRED
RF	RADIO FREQUENCY
RM	ROOM
RO	ROUGH OPENING
RRH	REMOTE RADIO HEAD
SHT	SHEET
SIM	SIMILAR
SPEC	SPECIFICATION
SF	SQUARE FOOT
SS	STAINLESS STEEL
STL	STEEL
SUSP	SUSPENDED
TMA	TOWER MOUNTED AMPLIFIER
TND	TINNED
TYP	TYPICAL
UMTS	UNIVERSAL MOBILE TELECOMMUNICATION SERVICE
UNO	UNLESS NOTED OTHERWISE
VERT	VERTICAL
W/	WITH
W/O	WITHOUT
WCS	WIRELESS COMMUNICATION SERVICE
WP	WATER PROOF

Dennis D. Abel, PE
Florida License No. 62750
This item has been digitally signed and sealed by Dennis D. Abel, PE, on the date indicated herein. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed by Dennis Abel
Date: 2020.08.05 08:28:09 -04'00'

PREPARED FOR:
CITYSWITCH
1900 CENTURY PLACE, SUITE 320
ATLANTA, GA 30345

PREPARED BY:
FDH INFRASTRUCTURE SERVICES
ENGINEERING INNOVATION
6521 MERIDIEN DRIVE
RALEIGH, NC 27616
PHONE: (919)-755-1012
FAX: (919)-755-1031

DENNIS DANIEL ABEL LICENSE No 62750 STATE OF FLORIDA PROFESSIONAL ENGINEER

FDH INFRASTRUCTURE SERVICES, LLC
FL COA #28282

DENNIS D. ABEL, P.E. 08/05/20
STATE LICENSE NO. 62750

DRAWN BY: VAH
CHECKED BY: JRB

SUBMITTALS

DATE	DESCRIPTION	REV	ISSUED BY
12/03/19	ZONING DRAWING	0	JRB
03/23/20	ZONING DRAWING	1	JRB
08/05/20	ZONING DRAWING	2	JRB

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. REPRODUCTIO OR CAUSING TO BE REPRODUCED THE WHOLE OR AN PART OF THESE DRAWINGS WITHOUT THE PERMISSION FDH INFRASTRUCTURE SERVICES IS PROHIBITED.

SITE NAME:
KAPOK STREET

SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
GENERAL NOTES

SHEET NUMBER
GN-1

Attachment: Attachment B - Zoning Drawings (14783 : PL20190002701 Kapok St. Cell Tower)

SITE NOTES:

1. CLEAR AND GRUB SITE OF ALL VEGETATION, PAVING, GRAVEL BASE AND OTHER DEBRIS NOT TO REMAIN. SUBGRADES ARE TO BE SET PRIOR TO LANDSCAPE INSTALLATION.
2. PROVIDE ELEVATION OF SUBGRADE WITHIN 0.10 FOOT OF ELEVATIONS SHOWN ON PLAN MINUS DEPTH OF TOPSOIL, FILL, AND MULCH.
3. ROUGH GRADE ALL AREAS WITHIN 1 FOOT OF ELEVATIONS INDICATED BEFORE PLANTING. PROVIDE POSITIVE DRAINAGE AWAY FROM EQUIPMENT SLABS, BUILDINGS AND THROUGH ALL PLANTER AREAS TO AVOID LOW SPOTS AND STANDING WATER.
4. REWORK (DRY, SCARIFY, ETC.) ALL MATERIAL NOT SUITABLE FOR SUB GRADE IN ITS PRESENT STATE. AFTER REWORKING, IF THE MATERIAL REMAINS UNSUITABLE, UNDERCUT AND REPLACE WITH SUITABLE MATERIAL AT CONTRACTOR'S EXPENSE. ALL SUB GRADES AND AGGREAGATE BASE COURSES SHALL BE PROOF ROLLED WITH A FULLY LOADED TANDEM DUMP TRUCK, AND ANY SOFT SPOTS SHALL BE REWORKED OR REPLACED UNTIL PASSING PROOF ROLL.
5. BLEND NEW GRADES NATURALLY INTO EXISTING GRADES.
6. MAINTAIN POSITIVE DRAINAGE ON THE SITE AT ALL TIMES, INCLUDING KEEPING ALL EXISTING AND NEW DITCHES, PIPES AND OTHER DRAINAGE STRUCTURES FREE FROM OBSTRUCTION. ANY DAMAGE RESULTING FROM FAILURE TO COMPLY SHALL BE REMEDIED BY CONTRACTOR
7. IF REQUIRED, MAINTAIN CONTINUOUS EROSION CONTROL ON THE DOWNSTREAM SIDE OF THE SITE.
8. IN LANDSCAPE AREAS, FINISH GRADES ARE TO FOLLOW THE GRADES AND EDGE DETAILS INDICATED AND BE MOUNDED 6 INCHES IN THE CENTER OF THE BED ABOVE THE EDGE OF THE LANDSCAPE AREA.
9. DO NOT PLACE FILL OR EMBANKMENT MATERIAL ON FROZEN GROUND. DO NOT PLACE FROZEN MATERIALS, SNOW OR ICE IN ANY FILL OR EMBANKMENT.
10. NOTIFY OWNER'S REPRESENTATIVE IF MODIFICATIONS TO THE PROPOSED GRADING SEEM NECESSARY AND OBTAIN APPROVAL PRIOR TO START OF WORK.
11. FOOTINGS SHALL BEAR ON FIRM, NATURAL, UNDISTURBED SOIL, OR ON ENGINEERED FILL (COMPACTED TO 95% ASTM D698). ENSURE THAT EXCAVATIONS ARE FREE OF ORGANIC MATERIAL, DEBRIS, OR OTHER FOREIGN MATERIAL. NOTIFY OWNER'S REPRESENTATIVE IF ANY UNUSUAL CONDITIONS ARE ENCOUNTERED.
12. FILL AND SLAB BASE MATERIAL SHALL BE 3/4" MINUS CRUSHED ROCK PLACED IN 8" (MAXIMUM) LOOSE LIFTS AND COMPACTED TO 98% ASTM D698.

CONCRETE NOTES:

1. CONCRETE AND REINFORCING SHALL CONFORM TO THE FOLLOWING REQUIREMENTS:

CONCRETE CONSTRUCTION	ACI 318
CEMENT	ASTM C150, PORTLAND CEMENT TYPE II, UNO
REINFORCING STEEL	ASTM A615 (INCLUDING SUPPLEMENT S1), GRADE 60, fy=60 Ksi, UNO
WELDED WIRE FABRIC	ASTM A185
SPIRAL REINFORCEMENT	ASTM A615, GRADE 60, fy=60 KSI
ANCHOR BOLTS	ASTM A307
GRADE 60 REBAR WELDING	ASTM A706

   NOTES: ANY BARS SO NOTED ON THE DRAWINGS SHALL BE GRADE 60, fy=60 KSI. REINFORCING COMPLYING WITH ASTM A615(S1) MAY BE WELDED ONLY IF MATERIAL PROPERTY REPORTS INDICATING CONFORMANCE WITH WELDING PROCEDURES SPECIFIED IN A.W.S. D14 ARE SUBMITTED.

2. CONCRETE PROTECTION (COVER) FOR REINFORCING STEEL SHALL BE AS FOLLOWS:

FOOTINGS AND OTHER UNFORMED SURFACES, EARTH FACE		3"
FORMED SURFACES EXPOSED TO EARTH OR WEATHER	(≥ #6 BARS)	2"
FORMED SURFACES EXPOSED TO EARTH OR WEATHER	(≤ #5 BARS)	1-1/2"
SLABS AND WALLS	(INTERIOR FACE)	3/4"

3. AIR ENTRAIN ALL CONCRETE WITH SURFACES EXPOSED TO WEATHER WITH AN AIR-ENTRAINING AGENT CONFORMING TO ASTM C260, C494, C618, C989 AND C1017. AIR ENTRAIN CONCRETE EXPOSED TO FREEZING AND THAWING WHILE MOIST IN ACCORDANCE WITH ACI 318, SECTION 4.4.1.
4. DETAIL REINFORCING STEEL (INCLUDING HOOKS AND BENDS) IN ACCORDANCE WITH ACI 315 AND 318. LAP ALL CONTINUOUS REINFORCEMENT AT LEAST 30 BAR DIAMETERS OR A MINIMUM OF 2'-0". PROVIDE CORNER BARS AT ALL WALL AND FOOTING INTERSECTIONS. LAP CORNER BARS AT LEAST 30 BAR DIAMETERS OR A MINIMUM OF 2'-0". LAP ADJACENT MATS OF WELDED WIRE FABRIC A MINIMUM OF 8" AT SIDES AND ENDS.
5. PERFORM WELDING OF GRADE 60 REINFORCING BARS (IF REQUIRED) USING LOW HYDROGEN ELECTRODES. PERFORM WELDING OF GRADE 40 REINFORCING BARS (IF REQUIRED) USING E70 XX ELECTRODES. DO NOT WELD WITHIN 4" OF COLD BENDS IN REINFORCING STEEL.
6. DO NOT FIELD BEND REINFORCING PARTIALLY EMBEDDED IN CONCRETE UNLESS SPECIFICALLY SO DETAILED OR APPROVED BY THE ENGINEER.
7. SUPPORT BARS ON CHAIRS OR DOBIE BRICKS.
8. FURNISH NON-SHRINK GROUT BY AN APPROVED MANUFACTURER. MIX AND PLACE IN STRICT ACCORDANCE WITH THE MANUFACTURER'S PUBLISHED RECOMMENDATIONS. GROUT STRENGTH SHALL BE AT LEAST EQUAL TO THE MATERIAL ON WHICH IT IS PLACED (3 KSI, MINIMUM).
9. ALL EXPANSION ANCHORS TO BE HILTI BRAND, UNO. TEST ADHESIVE ANCHORS TO CONFIRM CAPACITY UNLESS WAIVED BY ENGINEER AND LOCAL JURISDICTION.

STRUCTURAL STEEL NOTES:

1. STRUCTURAL STEEL SHALL CONFORM TO THE FOLLOWING REQUIREMENTS:

WIDE FLANGE SHAPES	ASTM A992, GRADE 50
SHAPES, PLATES, ANGLES, & RODS	ASTM A36, Fy 36 KSI
SPECIAL SHAPES AND PLATES	ASTM A572, Fy 50 KSI
PIPE COLUMNS	ASTM A53, Fy 35 KSI
STRUCTURAL TUBING	ASTM A500, Fy 46KSI
ANCHOR BOLTS	ASTM A307
CONNECTION BOLTS	ASTM A325 TWIST-OFF

2. BASE STRUCTURAL STEEL DESIGN, FABRICATION AND ERECTION (INCLUDING FIELD WELDING, HIGH STRENGTH FIELD BOLTING, EXPANSION BOLTS, AND THREADED EXPANSION ANCHORS) ON THE AISC "SPECIFICATION FOR THE DESIGN, FABRICATION, AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS" LATEST EDITION.
3. HOT DIP GALVANIZE AFTER FABRICATION PER A123/A123M-00 ALL STEEL EXPOSED TO WEATHER AND WHERE NOTED.
4. CONFORM TO ALL AISC AND AWS STANDARDS FOR WELDING. PERFORM WELDING BY ANSI/AWS D1.1 CERTIFIED WELDERS USING E70 XX ELECTRODES. USE ONLY PRE-QUALIFIED WELDS AS DEFINED BY AWS.
5. PROVIDE COLD-FORMED STEEL FRAMING MEMBERS OF THE SHAPE, SIZE, AND GAGE SHOWN ON THE PLANS. PROVIDE MINIMUM SECTION PROPERTIES INDICATED. ALL COLD-FORMED STEEL FRAMING SHALL CONFORM TO THE AISI "SPECIFICATION FOR THE DESIGN OF COLD-FORMED STEEL STRUCTURAL MEMBERS."
6. FOR BOLTED CONNECTIONS, USE 3/4" DIA., BEARING-TYPE, A325 BOLTS WITH A MINIMUM OF TWO BOLTS, UNO.
7. FOR NON-STRUCTURAL CONNECTIONS FOR STEEL GRATING, USE 5/8" DIA. A307 BOLTS, UNO.
8. PREPARE AND PAINT IN ACCORDANCE WITH THE PAINT MANUFACTURERS WRITTEN INSTRUCTIONS, UNO.
9. TOUCH UP ALL FIELD DRILLING, WELDING AND CUT SURFACES WITH 2 COATS OF GALVACON (ZINC RICH PAINT) OR APPROVED EQUAL.

Dennis D. Abel, PE
Florida License No. 62750
This item has been digitally signed and sealed by Dennis D. Abel, PE, on the date indicated herein. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed by Dennis Abel
Date: 2020.08.05 08:28:21 -04'00'

PREPARED FOR:

CITYSWITCH

1900 CENTURY PLACE, SUITE 320
ATLANTA, GA 30345

PREPARED BY:

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SITE LOCATION:
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RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
GENERAL NOTES

SHEET NUMBER
GN-2

Attachment: Attachment B - Zoning Drawings (14783 : PL20190002701 Kapok St. Cell Tower)

NOTES:

1. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
2. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
3. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION, THERE IS NO HANDICAP ACCESS REQUIRED.
4. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
5. UTILITIES TO BE CONFIRMED DURING SITE VISIT.
6. SITE PLAN AND PROPERTY LINES DEVELOPED FROM SURVEY COMPLETED BY SMW ENGINEERING GROUP, INC. DATED 10/01/2019.
7. PROPOSED SITE IS LOCATED IN EXISTING FLOOD ZONE AH ACCORDING TO FEMA PANEL # 12021C0430H DATED MAY 16, 2012.

PARCEL INFORMATION:

OWNER: JOHANNES STEFFENS

ZONING: A

LAND USE: VACANT

PARCEL NUMBER: 00307840002

APPROXIMATE TOWER SETBACKS*	
PROPERTY LINE	SETBACK DISTANCE
NORTH	182'±
SOUTH	153'±
EAST	60'±
WEST	82'±

*THESE APPROXIMATE SETBACKS ARE BASED UPON AN ASSUMED BASE OF TOWER DIMENSION FROM FOUNDATION LEG TO ADJACENT FOUNDATION LEG OF 25'. ACTUAL SETBACKS MAY BE SLIGHTLY MORE OR LESS DEPENDENT UPON ACTUAL TOWER FOUNDATION LEG DIMENSIONS.

IMPERVIOUS AREAS			
PARCEL ID	AREA	PROPOSED IMPERVIOUS SURFACE	% IMPERVIOUS SURFACE
00307880004	104,805.9 SQ.FT.	2,082.8 SQ.FT.	1.99%
0030784002	57,102.59 SQ.FT.	8,380.67 SQ.FT.	14.68%

OVERALL SITE PLAN

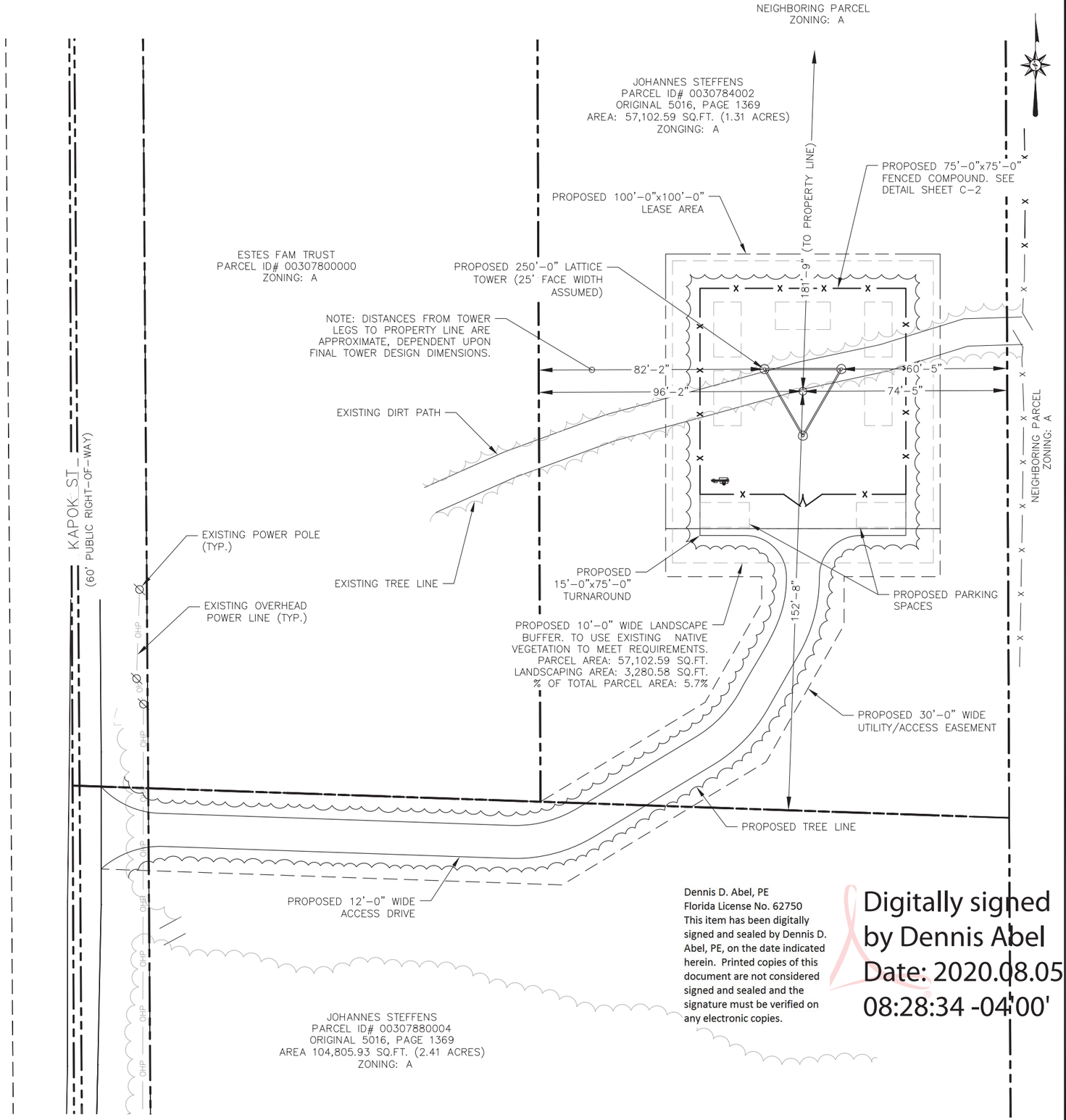
11"x17" SCALE: 1" = 40'
24"x36" SCALE: 1" = 20'

40' 20' 0 40' 80'

1"=40'

LEGEND:

- OHP — OVERHEAD POWER
- —x—x— PROPOSED CHAIN-LINK FENCE
- —x—x— EXISTING FENCE
- — — — — EXISTING EASEMENT
- — — — — PROPOSED EASEMENT
- ROW — RIGHT-OF-WAY
- — — — — PROPOSED LEASE AREA
- EXISTING ROAD / TURNAROUND
- — — — PROPERTY LINE



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Florida License No. 62750
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Digitally signed by Dennis Abel
Date: 2020.08.05 08:28:34 -04'00'

PREPARED FOR:

CITYSWITCH

1900 CENTURY PLACE, SUITE 320
ATLANTA, GA 30345

PREPARED BY:

FDH INFRASTRUCTURE SERVICES
ENGINEERING INNOVATION

6521 MERIDIEN DRIVE
RALEIGH, NC 27616
PHONE: (919)-755-1012
FAX: (919)-755-1031

DENNIS DANIEL ABEL LICENSE No 62750 STATE OF FLORIDA PROFESSIONAL ENGINEER

FDH INFRASTRUCTURE SERVICES, LLC
FL COA #28282

DENNIS D. ABEL, P.E. 08/05/20
STATE LICENSE NO. 62750

DRAWN BY: VAH
CHECKED BY: JRB

SUBMITTALS			
DATE	DESCRIPTION	REV	ISSUED BY
12/03/19	ZONING DRAWING	0	JRB
03/23/20	ZONING DRAWING	1	JRB
08/05/20	ZONING DRAWING	2	JRB

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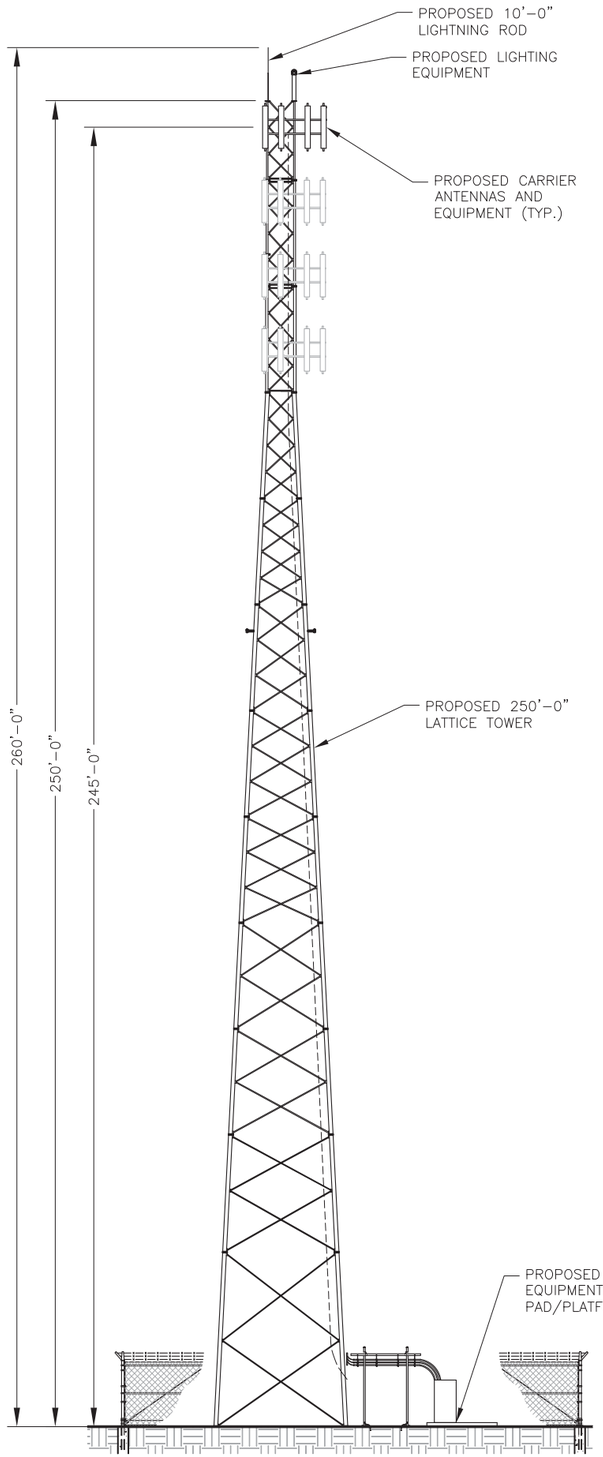
SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
OVERALL SITE PLAN

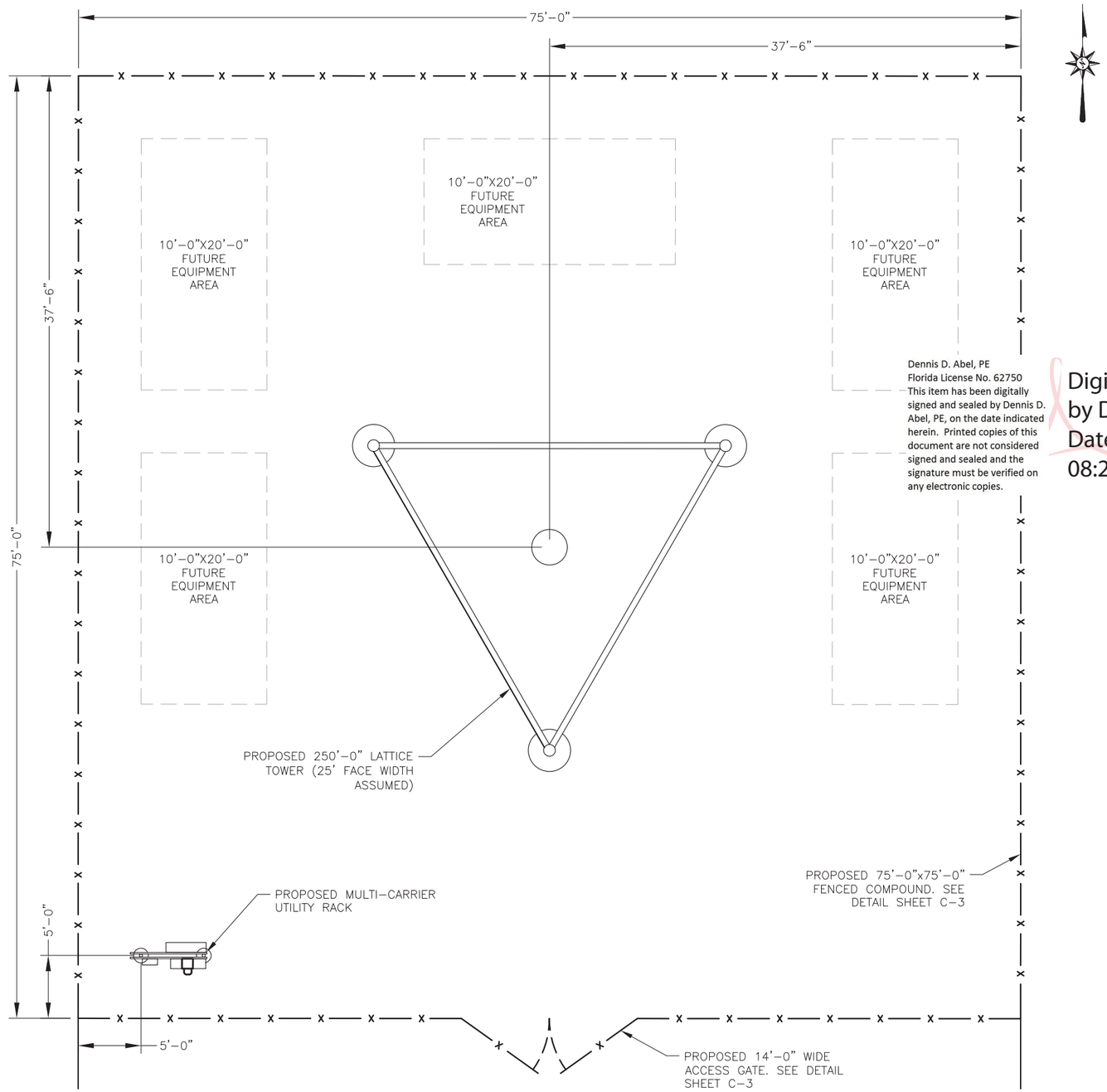
SHEET NUMBER
C-1

Attachment: Attachment B - Zoning Drawings (14783 : PL20190002701 Kapok St. Cell Tower)



TOWER ELEVATION

11"x17" SCALE: N.T.S
24"x36" SCALE: N.T.S



OVERALL SITE PLAN

11"x17" SCALE: 1" = 10'
24"x36" SCALE: 1" = 5'

10' 0 10' 20'

1"=10'

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SUBMITTALS			
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KAPOK STREET

SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

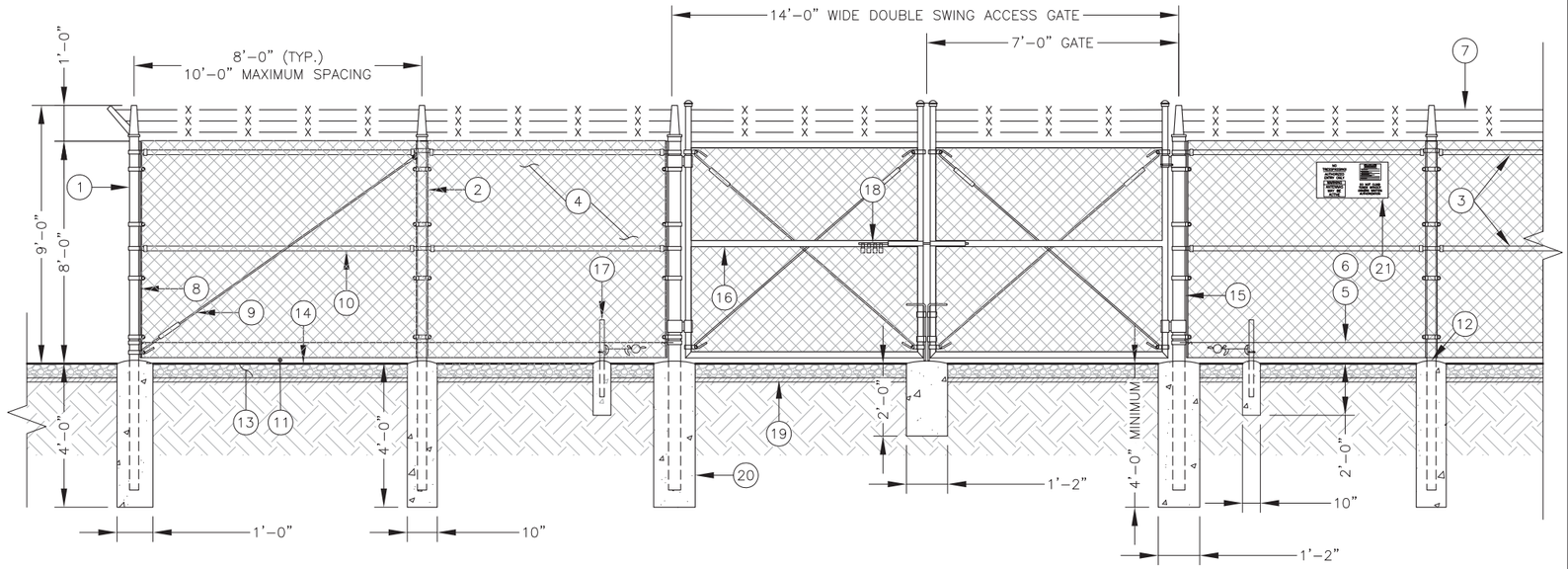
SHEET TITLE
COMPOUND DETAILS

SHEET NUMBER
C-2

Attachment: Attachment B - Zoning Drawings (14783 : PL20190002701 Kapok St. Cell Tower)

CALLOUTS:

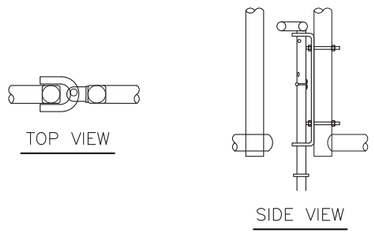
1. 3" O.D. GALVANIZED STEEL SCHEDULE 40 CORNER POSTS (PER ASTM–F1083).
2. 2–1/2" NOMINAL GALVANIZED STEEL, SCHEDULE 40 INTERMEDIARY LINE POSTS (PER ASTM–F1083). LINE POSTS SHALL BE EQUALLY SPACED AT MAXIMUM 10' O.C.
3. 1–5/8" O.D. ROUND TOP RAIL & BRACE PIPE RAIL (PER ASTM–F1083).
4. 9 GAUGE FABRIC CORE WIRE WITH 2" MESH (TO CONFORM TO ASTM–A392).
5. 9 GAUGE ALUMINUM TIE WIRE. PROVIDE HOG RING FABRIC TIES SPACED 12" O.C. FOR POSTS AND GATES AND 24" O.C. FOR RAILS AND WIRE.
6. 9 GAUGE ALUMINUM TENSION WIRE.
7. 3 STRANDS 14 GAUGE BARBED WIRE WITH 4 POINT BARBS. SPACE BARBS APPROXIMATELY 5" O.C.
8. 3/16"x3/4" STRETCHER BAR; TO EXTEND FULL HEIGHT OF FENCE.
9. 3/8" DIAGONAL ROD WITH GALVANIZED STEEL TURNBUCKLE OR DIAGONAL THREADED ROD.
10. 1–5/8" DIAMETER CORNER POST BRACE.
11. MAINTAIN A 1" MAXIMUM CLEARANCE FROM FINISHED GRADE.
12. PROVIDE CROWNED/PITCHED FINISH FOR FENCE POST PIER FOUNDATIONS; TO EXTEND 1" ABOVE GRADE.
13. 6" CRUSHED STONE (TYP.).
14. FINISHED GRADE SHALL BE UNIFORM AND LEVEL.
15. 4" O.D. GALVANIZED STEEL SCHEDULE 40 GATE POSTS (PER ASTM–F1083).
16. 1–1/2" NOMINAL PIPE FOR GATE FRAME BRACE RAIL (PER ASTM F–1083).
17. DUCK BILL OPEN GATE HOLDER. CONTRACTOR TO VERIFY EXACT LOCATION PRIOR TO INSTALLATION.
18. MULTI–TENTANT LOCKING DEVICE.
19. PROPOSED GEOTEXTILE FABRIC.
20. CONCRETE PIER FOUNDATION; TO ACHIEVE A MINIMUM STRENGTH OF 3000 PSI AT 28 DAYS. CONCRETE DEPTH TO BE A MINIMUM OF 6" BELOW FROST LINE (48" MINIMUM, TYP.).
21. 12"x24" NO TRESPASSING SIGN.



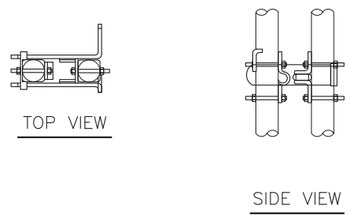
FENCING DETAIL
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.

NOTES:

1. ALL FENCING TO BE INSTALLED PER ASTM F–567. ALL SWING GATES TO BE INSTALLED PER ASTM F–900.
2. BARBED WIRE PERMIT REQUIRED SHALL BE COMPLETED IF LOCAL ORDINANCE REQUIRES.
3. POST & GATE PIPE SIZES ARE INDUSTRY STANDARDS. ALL PIPE TO BE GALVANIZED (HOT DIP, ASTM A120 GRADE "A" STEEL). ALL GATE FRAMES SHALL BE WELDED. ALL WELDINGS SHALL BE COATED WITH (3) COATS OF GOLD GALV. (OR EQUAL). ALL OPEN POSTS SHALL HAVE END–CAPS.
4. ALL SIGNS MUST BE MOUNTED ON INSIDE OF FENCE FABRIC USING GALVANIZED HOG–RING WIRE.
5. MUSHROOM ANCHOR AND PLUNGER REQUIRED FOR GATE. GENERAL CONTRACTOR RESPONSIBLE FOR GATE LOCK.



DROP ROD ASSEMBLY DETAIL
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.



LATCH ASSEMBLY DETAIL
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.

MULTILOCK INSTALLATION:

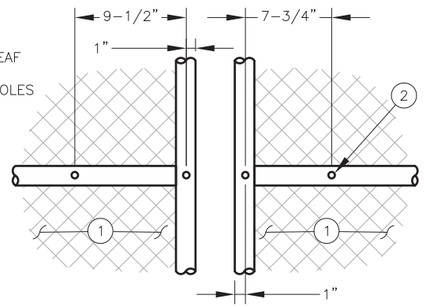
1. DRILL 3/8" HOLES IN THE GATE LEAF USING THE GATE DIMENSIONS PROVIDED.
2. SLIDE THE CARRIAGE BOLTS IN THE SLOTS ON THE BACK OF PART "B" AND PUSH THE BOLTS THROUGH THE HOLES DRILLED IN THE GATE FIGURE. PUT THE NUT AND THE LOCKNUT ON AND TIGHTEN AND CUT THE EXCESS BOLT OFF. DO THE SAME WITH PART "A".
3. ADD THE NUMBER OF SLEEVES NEEDED FOR THE NUMBER OF LOCKS AND SLIDE THE LOCKING BAR INTO PLACE THROUGH BOTH PART "A" AND PART "B". NOW INSTALL THE LOCKS.
4. IF THE GATE HAS NO CENTER BAR IN THE GATE LEAF YOU MAY NEED TO MOUNT THE STYMIELOCK VERTICALLY USING THE SAME DIMENSIONS GIVEN ON THE GATE FACE.
5. VERTICAL APPLICATION MAY ALSO BE USED ON SLIDING GATES WITH MULTIPLE LOCKS.

GATE LOCK ASSEMBLY:

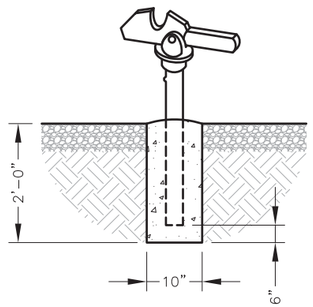
1. "STYMIELOCK" MULTILOCKING DEVICE OR APPROVED EQUAL.

CALLOUTS:

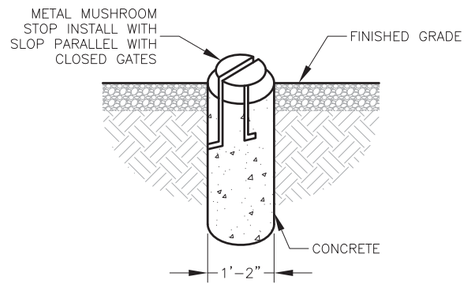
1. GATE LEAF
2. 3/8" HOLES (TYP.)



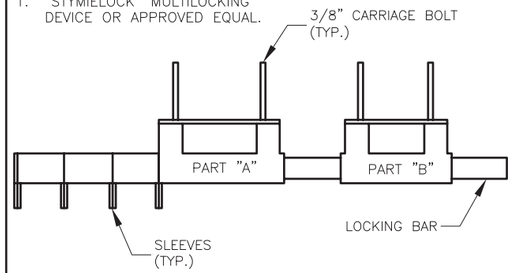
GATE FACE – ACCOMODATING MULTI–TENTANT LOCK
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.



GATE KEEPER DETAIL
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.



MUSHROOM STOP DETAIL
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.



GATE LOCK ASSEMBLY DETAIL
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.

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Date: 2020.08.05 08:29:07 -04'00'

PREPARED FOR:
CITYSWITCH
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PREPARED BY:
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FDH INFRASTRUCTURE SERVICES, LLC
FL COA #28282

DENNIS D. ABEL, P.E. 08/05/20
STATE LICENSE NO. 62750

DRAWN BY: VAH
CHECKED BY: JRB

SUBMITTALS

DATE	DESCRIPTION	REV	ISSUED BY
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SITE NAME:
KAPOK STREET

SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
FENCE DETAILS

SHEET NUMBER
C-3

Attachment: Attachment B - Zoning Drawings (14783 : PL20190002701 Kapok St. Cell Tower)

Transforming public safety communications

The First Responder Network Authority (FirstNet) has entered into a public-private partnership with AT&T to build the first nationwide wireless broadband network dedicated to first responders for use in disasters, emergencies and daily public safety work.

FirstNet provides initial funding, 20 MHz of spectrum and deep public safety expertise to the partnership. AT&T brings a proven track record and strong commitment to public safety, as well as the commercial expertise and nationwide resources to deploy, maintain and operate the network.

This 25-year partnership offers the best overall value to America and its public safety responders – both from an investment perspective and in terms of the lifesaving technology it will put in the hands of law enforcement, fire and emergency medical personnel in communities across the nation.

FirstNet will serve...

FIRST RESPONDERS — fire, police, EMS — IN — COMMUNITIES — counties, cities, tribal, rural — ACROSS — THE NATION — 50 states, 5 territories & DC

Technology first responders need to save lives, protect communities

MODERNIZED

innovative **app & device ecosystem**



network **improvements & upgrades**

commercially proven **cybersecurity** solutions

PRIORITIZED

emergency communications receive highest **priority**

rapid buildout with publicsafety input

nationwide **public safety solutions** leveraging existing infrastructure

SPECIALIZED

robust **coverage** where **public safety** needs it

connectivity for advanced **mobile data**

24h highly available **customer care**

FirstNet™

Learn more at FirstNet.gov/mediakit

Attachment: Attachment C - FirstNet Info (14783 : PL20190002701 Kapok St. Cell Tower)

TOP10 FREQUENTLY ASKED QUESTIONS



1. What is the First Responder Network Authority?

The First Responder Network Authority is the independent authority established by Congress to deliver a nationwide broadband network dedicated to public safety. The Network is strengthening public safety users' communications capabilities, enabling them to respond more quickly and effectively to accidents, disasters, and emergencies.

The First Responder Network Authority is led by a Board of leaders and executives from the public safety community; federal, state, and local governments; and the technology, finance, and wireless sectors. It has a staff of about 200 employees with expertise in public safety, telecommunications, customer service, technology, procurement, and other areas needed to develop the Network. It is headquartered in Reston, VA, and has a technology center and lab in Boulder, CO.

2. What led to the creation of the First Responder Network Authority?

The 9/11 terrorist attacks brought to the forefront the many communications challenges that first responders face during emergencies and disasters. These issues were captured in the *9/11 Commission Report*, which identified gaps in emergency communications and recommended a nationwide network for law enforcement, fire, and emergency medical personnel communications.

The public safety community united to fulfill the 9/11 Commission's recommendation. Public safety organizations and associations advocated before Congress for a dedicated, reliable wireless network for first responders. Their advocacy efforts led to the passage of legislation in 2012 to create the agency to deploy the Network in all U.S. states and territories, including rural communities and tribal nations.

3. How has public safety been involved in the vision for the FirstNet network?

Public safety officials have worked closely with the First Responder Network Authority since its inception in 2012 to ensure the Network meets first responders' needs – today and in the future. The agency's outreach and consultation efforts have connected the organization to more than 1.8 million first responders and state public safety and technology executives across the country.

Specifically, the First Responder Network Authority has consulted extensively with state single points of contact (SPOCs) in each of the 50 U.S. states, 5 territories, and the District of Columbia, as well as local/municipal, tribal and federal public safety leaders. It also coordinates with public safety through the Public Safety Advisory Committee (PSAC), which provides guidance and subject matter expertise from a first responder perspective. Public safety leaders at the national, state and local levels continue to advocate for and support deployment of the Network.

4. How was AT&T selected to build, operate, and maintain the FirstNet network?

The First Responder Network Authority and the Department of Interior made the 25-year award based on the determination of the overall best value solution for FirstNet and public safety. The buildup to the award included a fair, competitive procurement process that began in January 2016 with release of the Network RFP.

The procurement process followed the Federal Acquisition Regulation (FAR) and encouraged offerors to provide innovative solutions that could meet or exceed the needs of public safety.

The procurement was open to all entities, whether traditional wireless companies or new entrants, provided their proposal could meet the RFP's statement of objectives. AT&T was selected on a best-value award that considered financial sustainability and was based on more than just a technically acceptable solution at the lowest cost. The evaluation of proposals assessed the offerors' ability to submit a cost-effective and innovative model, and to meet or exceed the 16 objectives and evaluation factors outlined in the FirstNet RFP.

5. Why is the Network being built and operated through a public-private partnership?

The First Responder Network Authority and AT&T are modernizing and improving public safety communications by leveraging private sector resources, infrastructure, and cost-saving synergies to deploy and operate the Network. This public-private model also helps keep costs down for American taxpayers. To do this, Congress used the sale of communications airwaves (or spectrum) to fund FirstNet's initial operations and help start network deployment; the $7 billion FirstNet received in initial funding came from FCC spectrum auction revenue, not taxpayer funds.

If the federal government were to build, maintain and operate this Network, the estimated cost would be tens of billions of dollars over 25 years. The Government Accountability Office has estimated it could cost up to $47 billion over 10 years to construct and operate the Network.

With this partnership approach, the First Responder Network Authority and AT&T do not need any additional federal funding to build and operate the Network – it is a fully funded, self-sustaining Network. In return, America's first responders get services far above and beyond what they have today over a first-class broadband network dedicated to their communications needs.

Attachment: Attachment C - FirstNet Info (14783 : PL20190002701 Kapok St. Cell Tower)

6. What are the key terms this public-private partnership?

Congress intended for the Network to be built and operated as a public-private partnership that brings together the best of the private sector, including commercial best practices, infrastructure, and resources – with the First Responder Network Authority's public safety expertise. This approach will lead to a fully-funded, self-sustaining Network that will serve public safety for years to come. This business model is built upon the efficient use of resources, infrastructure, cost-saving synergies, and incentives, including:

- 20 MHz of federally owned spectrum and $6.5 billion in initial funding to the partnership; in return AT&T will deploy and operate a nation- wide high-speed broadband network for public safety over 25 years.
- AT&T will invest about $40 billion over the life of the contract to build, operate, deploy, and maintain the Network, and together with the First Responder Network Authority will help ensure the Network evolves with the needs of public safety.
- AT&T can use FirstNet's spectrum when it is not being used by public safety for other, commercial purposes. The company will prioritize first responders over any other commercial users.
- First Responder Network Authority will oversee the contract to ensure it delivers innovation, technology and customer care to public safety through various mechanisms, including subscriber adoption targets, milestone buildouts, disincentive fees and other mechanisms outlined in the contract.

7. What will the FirstNet Network provide first responders that they don't have today?

Today, in emergencies and at large events, heavy public use can lead to wireless communications networks becoming overloaded and inaccessible. In those instances, public safety users are treated the same as any other commercial or enterprise user, and communications can be limited due to congestion and capacity issues.

With the FirstNet Network, public safety will get a dedicated "fast lane" that provides highly secure communications every day and for every emergency. It will deliver specialized features to public safety that are not available on wireless networks today – such as priority access; preemption; more network capacity; and a resilient, hardened connection. The Network will deliver more than just a public-safety-dedicated wireless connection – it is also creating devices and apps ecosystems that will connect first responders to innovative, life-saving technologies.

8. How will the Network benefit first responders and help them do their jobs better?

FirstNet will improve communications, response times and outcomes for first responders from coast-to-coast, in rural and urban areas, inland and on boarders – leading to safer, and more secure communities. The Network will provide first responders with innovation and robust capacity so they can take advantage of advanced technologies, tools and services during emergencies, such as:

- Applications that allow first responders to reliably share videos, text messages, photos and other information during incidents in near real-time;
- Advanced capabilities, like camera-equipped connected drones and robots, to deliver images of wildfires, floods or other events;
- Improved location services to help with mapping capabilities during rescue and recovery operations; and
- Wearables that could relay biometric data of a patient to the hospital or alert when a fire fighter is in distress.

Network technology will also be tested and validated through the FirstNet Innovation and Test Lab, located in Boulder, CO, so first responders will have the proven tools they need in disasters and emergencies.

9. What's happening with FirstNet now?

All 50 states, five U.S. territories and Washington, D.C., have "opted in," to FirstNet, meaning each has accepted its individual State Plan detailing how the network will be deployed in their state/territory.

The First Responder Network Authority's public-private partnership with AT&T provides first responders with immediate access to mission-critical capabilities over the FirstNet network. This includes priority and preemption features that give first responders their own "fast lane" on the public safety network to communicate and share information during emergencies, large events, or other situations when commercial networks could become congested. FirstNet is the only broadband network to provide ruthless preemption for public safety.

Key FirstNet activities include:

Expanding the Network and Building Out Band 14: The First Responder Network Authority has issued work orders to deploy the RANs. This gave AT&T the green light to expand FirstNet's footprint and deploy Band 14 capacity and coverage throughout the nation, providing first responders with the bandwidth and mission critical connections they need to communicate, share information, and use innovative technologies every day and in every emergency.

Driving public safety innovation: FirstNet is also unlocking a new technology marketplace for public safety, enabling first responders to benefit from advancements in innovation. The FirstNet App Catalog store will be filling up with FirstNet-approved mobile apps that are optimized for public safety use over the Network.

Securing emergency communications: FirstNet's first-of-its-kind core infrastructure will give first responders the dedicated, highly secure, non-commercial network they deserve. The FirstNet Core, delivered in March 2018, provides full encryption of public safety data over FirstNet and end-to-end cyber security. FirstNet subscribers also have access to a dedicated Security Operations Center, offering 24/7/365 support.

Engaging with public safety: The First Responder Network Authority will continue to engage with public safety in the states, territories, federal agencies, and tribal nations to ensure the network meets their needs and incorporate their feedback in the design of future FirstNet products and services.

10. How can I learn more?

Stay up-to-date on the First Responder Network Authority activities and the building and deployment of FirstNet at www.firstnet.gov. Follow us on Twitter, Facebook and YouTube.

Attachment: Attachment C - FirstNet Info (14783 : PL20190002701 Kapok St. Cell Tower)

Collier County
Growth Management Department
Zoning Services Section

March 17, 2020

Jeff Wright
Henderson, Franklin, Starnes, & Holt
8889 Pelican Bay Blvd. #400
Naples, FL 34108

ZLTR-PL20200000328; Zoning Verification Letter for a parcel located east of Kapok St. in Section 15, Township 49, Range 27 of unincorporated Collier County, Florida. Property ID/Folio Number: 00307840002; comprising of +/- 1.25 acre.

Mr. Wright,

This letter is in response to a Zoning Verification Letter (ZLTR) Application that you submitted on or about February 17th, 2020. The applicant has requested verification of the questions listed below in bold print in conjunction with a previously issued zoning letter PL20190001999 issued on 9/18/2019, which are followed by Staff's responses.

Questions:

1. **That LDC 5.05.09.G.2 ("permitted ground-mounted towers") applies to this property rather than LDC 5.05.09.G.3 ("conditional use essential services").**
   Staff has reviewed the LDC section referenced and has concluded that LDC 5.05.09.G.2 is the applicable section for the proposed ground-mounted tower.
2. **That neither a conditional use nor a variance would be required to allow a maximum 250' tall essential service ground mounted communication tower at this location.**
   It is the determination of staff that this proposed tower will not require a conditional use pursuant to the above referenced LDC section. The proposed tower will still be subject to the required setback of half of the tower height (125ft) and if the proposed tower cannot meet the required setback then a variance will be required to approve said tower at 250 ft in height.

The information presented in this verification letter is based on the Collier County LDC and/or Growth Management Plan in effect as of this date. It is possible that subsequent amendment(s) to either of these documents could affect the validity of this verification letter. It is also possible that development of the subject property could be affected by other issues not addressed in this letter, such as, but not limited to, concurrency related to the provision of adequate public facilities, environmental impact, and other requirements of the Collier County LDC or related ordinances.

This letter represents a determination of Zoning Services Section staff. Should you disagree with this determination, you may request an Official Interpretation by the Zoning Director of the provisions of the Land Development Code pursuant to Sections 1.06.01.A and 10.02.02.F.1 of that Code. The fee for an Official Interpretation is identified in the most recent GMD Fee Schedule Resolution as approved by the Board of County Commissioners. To obtain copies of any document referenced herein, please contact Kathleen VanSickle with the GMD Records Section at (239)252-2536. The LDC may be viewed online at www.municode.com / Municode Library / Florida / Collier County. Validated Ordinances may be viewed

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online via the Clerk of Court's website, www.collierclerk.com / Records Search / BMR Records / Boards, Minutes, Records / BMR Validated Ordinances.

Disclaimer: Issuance of a development permit by the County does not create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All other applicable state or federal permits must be obtained before commencement of the development.

Should you require additional information, please do not hesitate to call my office at (239) 252-2471.

Researched and prepared by:

Parker Klopf, Planner
Zoning Services Section

Reviewed by:

Raymond Bellows, Zoning Manager
Zoning Services Section

CC: GMD – Addressing

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Collier County Property Appraiser
Property Summary

Parcel No	00307840002	Site Address *Disclaimer		Site City		Site Zone *Note	

Name / Address	STEFFENS, JOHANNES
	542 ETHEL AVE SE
City	GRAND RAPIDS
State	MI
Zip	49506-2724

Map No.	Strap No.	Section	Township	Range	Acres *Estimated
4C15	000100 019 4C15	15	49	27	1.25

Legal	15 49 27 E1/2 OF NW1/4 OF SW1/4 OF NE1/4 OF NW1/4 1 1/4 AC OR 1952 PG 1606

Millage Area	287	Millage Rates	*Calculations
Sub./Condo	100 - ACREAGE HEADER	School	Other	Total
Use Code	99 - ACREAGE NOT ZONED AGRICULTURAL	5.083	6.3071	11.390

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

Date	Book-Page	Amount
11/14/13	5016-1369	$ 0
03/15/13	4896-3875	$ 14,300
06/01/94	1952-1606	$ 15,000
08/01/92	1743-1191	$ 0
06/01/88	1360-263	$ 0
09/01/86	1220-211	$ 10,000

2019 Certified Tax Roll
(Subject to Change)

	Land Value	$ 16,8
(+)	Improved Value	
(=)	Market Value	$ 16,8
(-)	10% Cap	$ 8,6
(=)	Assessed Value	$ 8,2
(=)	School Taxable Value	$ 16,8
(=)	Taxable Value	$ 8,2

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

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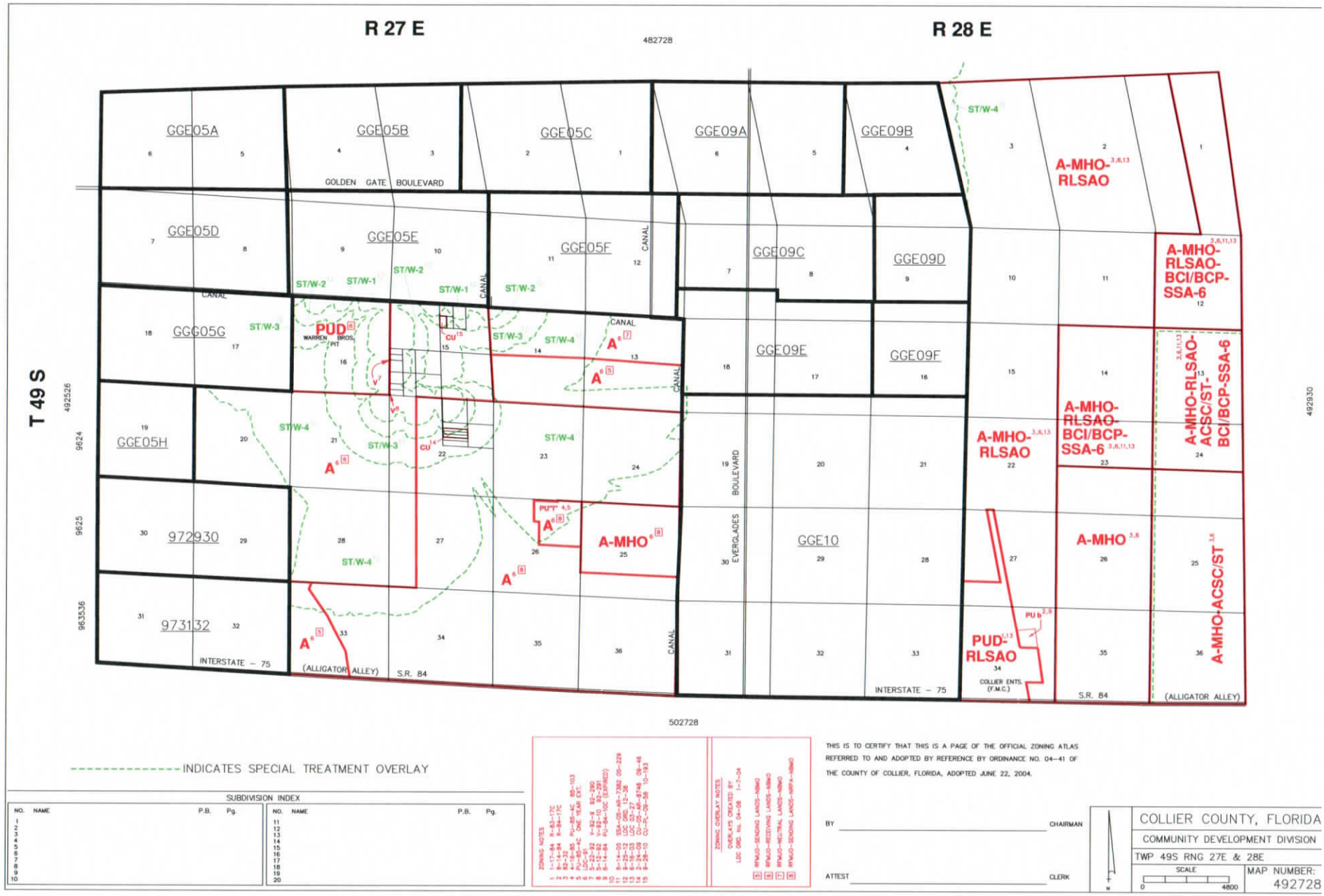
Collier County Property Appraiser
Property Aerial

Parcel No	00307840002	Site Address *Disclaimer		Site City		Site Zone *Note	



Open GIS in a New Window with More Features.

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INDICATES SPECIAL TREATMENT OVERLAY

SUBDIVISION INDEX

NO.	NAME	P.B.	Pg.	NO.	NAME	P.B.	Pg.
1				11			
2				12			
3				13			
4				14			
5				15			
6				16			
7				17			
8				18			
9				19			
10				20			

ZONING NOTES

1 1-17-84 A-83-17C
2 8-14-84 A-84-17C
3 83-2 8-85 PU-85-4C, 85-103
4 85-5 6-85 PU-85-4C ONE YEAR EXT.
5 6-5-91 CU-91-12
6 5-12-92 V-92-9, 92-290
7 5-12-92 V-92-10, 92-291
8 8-14-84 PU-84-10C (EXPIRED)
9 8-14-05 SSA-05-06-7382, 05-229
10 8-25-13 LDC ORD. 12-36
11 8-25-13 LDC ORD. 13-18
12 8-24-09 CU-05-AR-8748, 09-46
13 8-28-10 CU-PL-09-56, 10-193

ZONING OVERLAY NOTES

OVERLAYS CREATED BY LDC ORD. No. 04-08 1-7-04

RFMUO-SENDING LANDS-HBMO
RFMUO-RECEIVING LANDS-HBMO
RFMUO-NEUTRAL LANDS-HBMO
RFMUO-SENDING LANDS-HPFA-HBMO

THIS IS TO CERTIFY THAT THIS IS A PAGE OF THE OFFICIAL ZONING ATLAS REFERRED TO AND ADOPTED BY REFERENCE BY ORDINANCE NO. 04-41 OF THE COUNTY OF COLLIER, FLORIDA, ADOPTED JUNE 22, 2004.

BY _____ CHAIRMAN

ATTEST _____ CLERK

COLLIER COUNTY, FLORIDA
COMMUNITY DEVELOPMENT DIVISION
TWP 49S RNG 27E & 28E
SCALE 0 4800
MAP NUMBER: 492728

Attachment: Attachment D - Zoning Verification Letter - 3-17-20 (14783 : PL20190002701 Kapok St. Cell

NOTES:

1. ALL LOCATIONS WERE APPROXIMATED USING AERIAL IMAGERY & COLLIER COUNTY GIS.
2. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
3. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
4. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION. THERE IS NO HANDICAP ACCESS REQUIRED.
5. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
6. UTILITIES TO BE CONFIRMED DURING SITE VISIT.
7. PROPOSED SITE IS LOCATED IN EXISTING FLOOD ZONE AH ACCORDING TO FEMA PANEL #12021C0043J4 DATED 5/16/2012.



OVERALL SITE PLAN

11"x17" SCALE: 1" = 50'
24"x36" SCALE: 1" = 25'

50' 25' 0 50' 100'

1"=50'

LEGEND:

- OVERHEAD POWER
- PROPOSED CHAIN-LINK FENCE
- EXISTING FENCE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- ROW — RIGHT-OF-WAY
- PROPOSED LEASE AREA
- EXISTING ROAD / TURNAROUND
- PROPERTY LINE

PREPARED FOR:

IgniteWireless

102 MARY ALICE PARK RD., SUITE 505
CUMMING, GA 30040

PREPARED BY:

FDH INFRASTRUCTURE SERVICES
ENGINEERING INNOVATION

6521 MERIDIEN DRIVE
RALEIGH, NC 27616
PHONE: (919)-755-1012
FAX: (919)-755-1031

PRELIMINARY

DRAWN BY: L
CHECKED BY: JR

SUBMITTALS

DATE	DESCRIPTION	REV	ISSUED
08/22/19	CONCEPT DRAWING	A	JRE

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. REPRODU OR CAUSING TO BE REPRODUCED THE WHOLE OR PART OF THESE DRAWINGS WITHOUT THE PERMISSIO FDH INFRASTRUCTURE SERVICES IS PROHIBITED

SITE NAME:
KAPOK

SITE LOCATION:
N 26.210261
W -81.600181

SITE NUMBER:
FLC009

SHEET TITLE
LEASE EXHIBIT

SHEET NUMBER
LE-1

Attachment: Attachment D - Zoning Verification Letter - 3-17-20 (14783 : PL20190002701 Kapok St. Cell

5.05.09 - Communications Towers

A. Purpose and intent. This section applies to specified communication **towers** that support any antenna designed to receive or transmit electromagnetic energy, such as, but not limited to, telephone, television, radio, or microwave transmissions. This section sets standards for construction and facilities siting; and is intended to minimize, where applicable, adverse visual impacts of **towers** and antennas through careful design, siting, and vegetation screening; to avoid potential damage to **adjacent** properties from **tower** failure; to maximize the use of specified new communication **towers** and, thereby, to minimize the need to construct new **towers** ; to maximize the shared use of specified **tower** sites to minimize the need for additional **tower** sites; to lessen impacts new ground mounted **towers** could have on migratory and other species of birds; to prevent unnecessary habitat fragmentation and/or disturbance in siting and designing new **towers** ; and to consider the concerns of the Collier Mosquito Control District as to low flying mosquito control aircraft safety.

B. Definitions unique to communications **towers** , section 5.05.09.

1. As used herein " *antenna* " does not include (a) wire antennas or (b) "receive only" dishes that have an outside diameter of less than 40 inches.
2. *Effective radius* means a radius of 6 miles from the respective **tower** unless a lesser radius is approved.
3. *Lesser effective radius* means an approved radius of less than 6 miles.
4. " *Unavailable to the* ***applicant " means a tower that cannot accommodate the applicant's proposed antenna or a site that cannot accommodate the applicant's tower , antenna, and related facilities.***
5. " *Unavailable* " means that no additional **tower** or site capacity is available to anyone.

C. Migratory Birds and other Wildlife Considerations.

1. *Ground Mounted* ***towers . Except to the extent not feasible for the respective new ground mounted tower 's intended purpose(s), each new ground mounted tower that will exceed a height of 75 feet (above ground), exclusive of antennas, but will not exceed a height of 199 feet above natural grade , exclusive of antennas, should not be guyed. If the applicant proposes that a new ground mounted tower within this height range be guyed, the applicant shall have the burden of proving the necessity of guying the tower .***
2. *Bird Diverter Devices.* Each new ground mounted guyed **tower** installed on or after February 20, 2004, greater then 75 feet in height above natural **grade** , exclusive of antennas, shall have installed and maintained bird diverter devices on each guy wire (to reduce injuries to flying birds).
3. *Habitat Loss.* In addition to the requirements in Chapters 3 and 10, **towers** and other on-site facilities shall be designed, sited, and constructed to minimize habitat loss within the **tower** footprint. At such sites, road **access** and fencing, to the extent feasible, shall be utilized to minimize on-site and **adjacent** habitat fragmentation and/or disturbances.
4. *Security Lighting* . When feasible, security lighting to protect on-ground facilities/equipment shall be down-shielded to try to keep such light within the outermost geographic boundaries of the **tower's** footprint.

D. Shared use of **towers** . A **tower** with a height in excess of 185 feet above natural **grade** shall not be approved, unless the **applicant** demonstrates that no old or approved **tower** within the effective radius can accommodate the **applicant's** proposed antenna and ancillary equipment. **Towers** owned by or leased to any government are exempt from these shared use provisions, except as to sharing with other governments.

1. For the purpose of discovering availability for use of **towers** within the effective radius, the **applicant** shall contact the owner of all old and approved **towers** , within the effective radius, that can possibly accommodate the needs of the **applicant** . The county manager or designee

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may preapprove the minimum allowable height to determine which **towers** may be available for use by the **applicant** . A list of all owners contacted, the date of each contact, the form and content of each contact, and all responses shall be a part of the **conditional use** application. As an accommodation to **applicants** , the county manager or designee shall retain all shared use plans, records of past responses, and a list of old and approved **towers** . If the owner of an old **tower** does not respond to the **applicant's** inquiry within a reasonable time, generally 30 days or less, or the owner of an old **tower** will not rent space to the **applicant** at a reasonable rental for a reasonable time period, such old **tower** shall be deemed unavailable to that **applicant** . If the old **tower** is a **nonconforming structure** , additional antennas may be installed thereon in accordance with an approved shared use plan, provided however, no structural **alterations** may be made to the **tower** , and the height of the **tower** inclusive of its antennas may not be increased.

2. Lesser effective radius. If the **applicant** asserts that the effective radius for the intended use is less than 6 miles, the **applicant** shall provide evidence that the asserted lesser effective radius is based on physical and/or electrical characteristics. Based on the evidence submitted by the **applicant** , the County Manager or designee may establish a lesser effective radius. If a radius can be increased by signal amplification or other means, such means must be considered in determining the lesser effective radius. The antenna manufacturer's specifications shall be conclusive, unless the **applicant** can prove they are incorrect in the specific case.

3. If an approved **tower** within the **applicant's** approved effective radius may have capacity available for the antenna proposed by the **applicant** , the application for a new **tower** shall not be complete without the following information regarding each such possibly available approved **tower** . Such information shall also be provided for old **towers** to the extent it can be obtained.

   Identification of the site of each possibly available **tower** by coordinates, **street** address or legal description, existing uses, and **tower** height.

   Whether shared use by the **applicant** of the **tower** is prohibited (or is not feasible) for any reason.

   If it has been determined that the **tower** owner will allow structural changes, whether the **tower** can accommodate the proposed antenna if reasonable structural changes are made. If so, the **applicant** shall specify what structural changes would be required and an approximation of the costs of such changes. If the costs of the required changes are financially impracticable, such **tower** shall be deemed unavailable to the **applicant** .

4. The **applicant** shall contact the owner of each possibly available approved **tower** to request the needed information. To enable the **tower** owner to respond, the **applicant** shall provide the following information regarding the **applicant's** proposed antenna and equipment:

   a. All output frequencies of transmitter.

   b. Type of modulation, polarization of radiation, and proposed use of antenna.

   c. Manufacturer, type, manufacturer's model number, a diagram of the antenna's radiation pattern, and the manufacturer's specifications.

   d. Power input to antenna and gain of antenna in decibels with respect to an isotopic radiator.

   e. Range in feet of maximum and minimum height of antenna above base of **tower** .

   f. A list of necessary ancillary equipment and description of the type of transmission cable to be used.

   g. Any other pertinent information needed to enable the owner to respond in full to the inquiry.

E. Shared use of **tower** sites. A **tower** with a height in excess of 185 feet above natural **grade** shall not be approved on a new **tower** site unless the **applicant** demonstrates that the proposed **tower, antennas, and accessory structures or uses** cannot be located on any conforming old site or

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approved site situated within the effective radius. Sites owned by any government or leased to any government are exempt from these shared use provisions except to other governments.

1. Except as to each old site or approved site determined by the County Manager or designee, or in a shared use plan to be unavailable to the **applicant** , the **applicant** shall contact the **owner** of all other conforming old sites and approved **tower** sites, within the effective radius, containing sufficient land area to possibly accommodate the needs of the **applicant** .

2. For each such possibly available **tower** site, the application for a new **tower** site shall not be complete without the following information:

   a. Identification of the proposed new **tower** site by coordinates, **street** address or legal description, area, existing uses, topography, and significant natural features.

   b. Evidence that no old and no approved **tower** site within the effective radius can accommodate the **applicant's** needs.

   c. If the owner of an old **tower** site does not respond to the **applicant's** simple letter of interest inquiry within thirty (30) days, or the **owner** of an old **tower** site will not rent land to accommodate the **applicant's** needs for a reasonable period of time at reasonable rentals, such old **tower** site shall be deemed unavailable to the **applicant** .

   d. The **applicant** is not required to supply this information to owners of conforming old sites unless the old site appears to be available to the **applicant** by a shared use plan or the site's **owner** has responded positively to the **applicant's** initial letter of inquiry. To enable the site owner to respond, the **applicant** shall provide the site owner (and the owner of any **tower** on the site) with the dimensional characteristics and other relevant data about the **tower** , and a report from a professional engineer licensed in the State of Florida, or other qualified expert, documenting the following:

   e. **tower** height and design, including technical, engineering, and other pertinent factors governing the intended uses and selection of the proposed design. An elevation and a cross section of the **tower structure** shall be included.

   f. Total anticipated capacity of the **tower** , including number and types of antennas and needed transmission lines, **accessory use** needs including specification of all required ancillary equipment, and required **building** and parking space to accommodate same.

   g. Evidence of structural integrity of the proposed **tower** as required by the **building** official and, for metal **towers** , a statement promising full compliance with the then latest edition of the standards published by the Electronic Industries Association (currently EIA/TIA 222-E), or its successor functional equivalent, as may be amended for local application.

3. If the site owner, or owner of a **tower** on the respective site, asserts that the site cannot accommodate the **applicant's** needs, the respective **owner** shall specify in meaningful detail reasons why the site cannot accommodate the **applicant** . To the extent information is current and correct in the respective **tower** site's approved shared use plan, the site owner or **tower** owner can refer the **applicant** to the respective shared use plan. If the shared use plan is not then up-to-date, the plan shall be brought up-to-date immediately by the owner and the written reply to the **applicant** shall specify to what extent the shared use plan is incorrect, incomplete, or otherwise not up-to-date.

4. No provision in a shared use plan, land lease, mortgage, option to purchase, lease-option, contract for deed, or other controlling document shall provide, or have the effect, that the site is exclusive to one (1) **tower** , unless there is good reason for such restriction, other than the prevention of competition or a desire or inclination not to cooperate in good faith. If the site size is physically and electrically compatible with the installation on-site of any other **tower** , no such document shall prevent other **towers** , except for reasons approved by the County Manager or designee. An unapproved document provision of **tower** exclusivity shall be grounds to disapprove an application for **tower** site approval.

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F. Required sharing. Each new **tower** in excess of 185 feet in height (shared use **tower**), except **towers** that are approved to be perpetually unavailable, shall be designed to structurally accommodate the maximum amount of additional antenna capacity reasonably practicable. Although it is not required that a new **tower** be constructed at additional expense to accommodate antennas owned by others, no new **tower** shall be designed to accommodate only the **tower** owner's proposed antennas when, without additional expense, antenna space for other owners can be made available on the **tower** .

1. Shared use plans. Each shared use plan shall be in a standard format that has been approved by the County Manager or designee. Each shared use plan shall specify in detail to what extent there exists **tower** and/or site capacity to accommodate additional antennas and/or additional **towers** , ancillary equipment, and **accessory uses** . Available antenna capacity on a **tower** shall be stated in detailed clearly understandable terms, and may be stated in equivalent flat plate area and total additional available transmission line capacity. The **tower** owner (as to **tower** shared use plans) and the landowner (as to site shared use plans) shall update its respective approved shared use plans by promptly filing pertinent update information with the County Manager or designee. **Owners** of old **towers** and/or old sites may file shared use plans in accord with this section.

2. Reservation of capacity. If an **applicant** for a shared use **tower** does not plan to install all of its proposed antennas during initial construction of the **tower** , the **applicant** must specify the planned schedule of installing such later added antennas as part of the shared use plan. An **applicant** cannot indefinitely prevent the use of unused available antenna space on a **tower** by reserving to itself such space. No available space can be reserved for the owner or anyone else, unless approved in the shared use plan. If an antenna is not installed by the scheduled deadline, the reserved space shall automatically be rendered available for use by others, unless the shared use plan has, by the deadline, been amended with the approval of the County Manager or designee. Deadlines may be extended even if the **tower** is a **nonconforming structure** . If space has been reserved in a shared use plan for future additional antenna use by the **tower** owner and it becomes clear that such space will not be utilized by the owner, the shared use plan shall be amended promptly to reflect the availability of such space.

3. Reservation of site capacity. The policy stated above applies also to additional **tower** space on an approved **tower** site to prevent indefinite reservation of available site space.

4. Height bonus for sharing. Notwithstanding anything to the contrary in any County ordinance, any existing conforming or **nonconforming tower** may be permitted a one-time increase in height, provided:

   a. Any such increase in height does not exceed thirty (30) feet or twenty (20) percent of the height of the existing **tower** , whichever is less;

   b. The cost of such increase in height does not exceed fifty (50) percent of the actual replacement cost of the **tower** at the time of the application;

   c. A shared use plan covering the **tower** with the increased height is first approved by the County Manager or designee;

   d. The increase in height does not cause the proposed **tower** to exceed any required maximum height requirement for **towers** or make a legally conforming **tower** become **nonconforming** ;

   e. Substantiated proof that such proposed antenna(s) may not be placed on the existing **tower** by relocating or adjusting existing antennas and equipment shall be submitted by an appropriate professional engineer certified to practice in the State of Florida; and

   f. A site **development plan** shall be submitted for review and approval if an increase in **tower** height requires placement of, or addition to, an antenna equipment **building** or support **building** .

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5. Filing shared use plans. Each approved shared use plan shall be filed and recorded in the Office of the Collier County Clerk of Court prior to any site **development plan** approval. A copy of the initial shared use plan shall be filed with, and approved by, the County Manager or designee prior to **conditional use** approval.

6. Shared use plans for old **towers** and old **tower** sites. Initial shared use plans and amendments for old **towers** require approval of the County Manager or designee. Initial shared use plans and amendments for old **tower** sites require approval of the BCC, except where an amendment reduces site and/or antenna capacity.

7. Transmitting and receiving equipment serving similar kinds of uses shall, to the extent reasonable and commercially practicable, be placed on a shared use **tower** in such a manner that any of the users in a group can operate approximately equal to other users in the group utilizing substantially similar equipment.

8. Once a shared use plan for a **tower** is approved, additional antennas may be added to that **tower** in accordance with the approved shared use plan without additional **conditional use** approval even if the **tower** is then a **nonconforming structure** . The shared use plan shall be immediately updated to reflect each such change. Likewise, once a new shared use plan for a **tower** site is approved, additional **towers** and **accessory buildings** and uses may be added to that site in accordance with the plan without additional **conditional use** approval, even if the site is then **nonconforming** . The shared use plan shall be immediately updated to reflect each change.

9. For each **tower** with a height in excess of 185 feet that is approved, the **tower owner** shall be required, as a condition of approval, to file an approved shared use plan, except when a government **tower** is approved to be perpetually unavailable. To the extent that there is capacity for other antennas on the **tower** , the plan shall commit the **tower owner** and all successor owners to allow shared use of the **tower** in accordance with the shared use plan for antennas of others at reasonable rates. The initial proposed rates (or a range of reasonable rates) shall be specified in the shared use plan, and shall be amended each time the rates are changed. When antenna space on a **tower** is rented to others, each rental agreement shall be filed with the shared use plan. Any agreement that purports to reserve antenna space for future use must be approved by the County Manager or designee.

10. For each new shared use **tower** site that is approved, the **owner** shall be required, as a condition of approval, to file an approved shared use plan, except as to a government site that is approved to be perpetually unavailable. If there is land available on the site to accommodate additional **towers** and **accessory** facilities, the plan shall commit the landowner and successor owners to accommodate such additional facilities on the site at reasonable rents (or a range of reasonable rents) which shall be specified in the shared use plan. When land is rented for facilities on the site, the rental agreement shall be filed with the shared use plan. Any agreement that purports to reserve land for future use of a **tower** and other facility space must be approved by the County Manager or designee.

11. Each new **tower** owner or site owner, as the case may be, shall agree, as a condition of approval, to respond, in writing, in a comprehensive manner within thirty (30 days) to each request for information from a potential shared use **applicant** . Government owners need to reply only to requests from another government. To the extent that correct and up-to-date information is contained in an approved shared use plan, the owner may refer the **applicant** to the shared use plan for the information. If the shared use plan is incorrect, incomplete, or otherwise not up-to-date, the respective owner shall, in the response, specify, in detail, such information, and shall immediately bring the shared use plan up-to-date.

12. The **tower** owner or site owner, as the case may be, shall, as a condition of approval, negotiate in good faith for shared use of **tower** space and/or site space by **applicants** in accordance with its shared use plan.

13. All conditions of approval regarding a **tower** shall run with the ownership of the **tower** and be binding on all subsequent owners of the **tower** . All conditions of approval regarding an

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approved **tower** site shall run with the land and be binding on all subsequent owners of the **tower** site.

G. **Development** standards for communication **towers** .

1. Except to the extent that amateur radio **towers** , and ground-mounted antennas with a height not to exceed twenty (20) feet, are exempted by subsection 5.05.09 herein, no new **tower** of any height shall be permitted in the RSF-1 through RSF-6, RMF-6, VR, MH, TTRVC, and E zoning districts. However, notwithstanding other provisions of this section, including the separation requirements of subsection5.05.09(F)(7) below, **towers** may be allowed to any height as a **conditional use** in the E zoning district only on sites approved for a specified **essential service** listed in subsection 5.05.09((F)(3) below. There shall be no exception to this subsection except for **conditional use** applications by a government for a governmental use.

2. Permitted ground-mounted **towers** . **Towers** not exceeding the stated maximum heights are a permitted use, subject to other applicable provisions of this section, including separate requirements and shared use provisions. **towers** that exceed those specified maximum heights require a variance in accordance with section 9.04.00.

   a. All commercial and industrial zoning districts and urban designated area agricultural zoning districts: Any **tower** up to seventy-five (75) feet in height is a permitted use, provided the base of such **tower** is separated a minimum distance of seventy-five (75) feet from the nearest boundary with any **parcel** of land zoned RSF-1 through RSF-6, RMF-6, E, RMF-12, RMF-16, RT, VR, MH, TTRVC, or PUD permitting six (6) residential **dwelling units** or less. Any **tower** that exceeds seventy-five (75) feet in height, up to a height of 185 feet, is a lawful use, only if permitted or otherwise provided in the respective zoning district, and the base of such **tower** is separated from the nearest boundary of any **parcel** of land zoned RSF-1 through RSF-6, RMF-6, E, RMF-12, RMF-16, RT, VR, MH, TTRVC, or PUD zoning of six (6) residential **dwelling units** or less, by a minimum distance in feet determined by multiplying the height of the **tower** (in feet) by a factor of two and one-half (2.5). (The minimum separation distance is two and one-half (2 ½) times the height of the **tower** .) **towers** which do not meet the separation requirement may apply for a variance in accordance with section 9.04.00.

   b. Agricultural zoning districts within the rural designated area: **Towers** shall not exceed 250 feet in height.

   c. All agricultural zoning districts: No **tower** that exceeds 250 feet in height exclusive, of any antenna affixed thereto, shall be allowed on any site comprising less than ten (10) acres under common ownership or control, except such **towers** can be approved as a **conditional use** on sites of less than ten (10) acres if the **applicant** cannot, with economic feasibility, acquire title to, or control of, a suitable **tower** site of at least ten (10) acres in the required geographic vicinity of the proposed **tower** site.

3. **Essential services** —Specified **conditional uses** Except in the RSF-1 through RSF-6, and RMF-6 zoning districts, **towers** may be allowed to any height as a **conditional use** on sites approved for a **conditional use essential service** for any of the following **conditional uses** : safety service facilities including, but not necessarily limited to, **fire stations** , sheriff's substation or facility, emergency medical services facility, and all other similar uses where a communications **tower** could be considered an **accessory** or logically associated use with the safety service **conditional use** on the site. In addition, communications **towers** can be approved as a **conditional use** for a stand-alone **essential service** facility, provided the **tower** is to be owned by, or to be leased to, a governmental entity, and the primary uses of the **tower** are for governmental purposes.

4. New **towers** shall be installed only on rooftops in the RMF-12, RMF-16, and RT zoning districts, except amateur radio **towers** with a height not to exceed seventy-five (75) feet above the natural **grade** , and ground-mounted antennas with a height not to exceed twenty (20) feet above the natural **grade** , are permitted within these zoning districts.

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5. Ground-mounted **monopole communication towers** up to 150 feet in height above the natural **grade** , including antennas affixed thereto, may be allowed as a **conditional use** within these zoning districts. The height of each **monopole communication tower** shall be limited to the height necessary for its use at its location.

6. Rooftop **towers** , **antenna structures** , and antennas.

   a. Rooftop **towers** , **antenna structures** , and antennas are allowed in all zoning districts except the RSF-1 through RSF-6, RMF-6, and E zoning districts.

   b. Rooftop **towers** , **antenna structures** , and antennas are, as specified, subject to the following:

      i. Permitted uses. Rooftop **antenna structures** and antennas are a permitted use up to a height of twenty (20) feet above the maximum roofline, provided the height of the maximum roofline is twenty (20) feet or more above the average natural **grade** . If the maximum roofline is less than twenty (20) feet above the average natural **grade** , an **antenna structure** and/or antenna is a permitted use up to a height that equals the distance from the average natural **grade** to the maximum roofline. For example, if the distance from the average natural **grade** to the maximum point of the roofline is fifteen (15) feet, an **antenna structure** and/or antenna is a permitted use up to a height of fifteen (15) feet above the maximum roofline. Any **antenna structure** , **tower** , or antenna that exceeds its permitted use height, as provided herein, shall require **conditional use** approval, and the maximum allowable height of the **structure** , **tower** , and all antennas shall be determined in each specific case. Distance from RSF-1 through RSF-6, and RMF-6 zoning districts shall be a major consideration in determining the allowable height of rooftop facilities.

      ii. **Towers** and **antenna structures** shall be set back from the closest outer edge of the roof a distance of not less than ten (10) percent of the rooftop length and width, but not less than five (5) feet, if the antenna can function at the resulting location.

      iii. **Antenna structures** and dish type antennas shall be painted to make them unobtrusive.

      iv. Except for antennas that cannot be seen from **street** level, such as panel antennas on parapet walls, antennas shall not extend out beyond the vertical plane of any exterior wall.

      v. Where technically feasible, dish type antennas shall be constructed of open mesh design.

      vi. Where feasible, the design elements of the **building** (i.e., parapet wall, screen enclosures, other mechanical equipment) shall be used to screen the communications **tower** , **structure** , and antennas.

      vii. The **building** and roof shall be capable of supporting the roof-mounted antenna, **structure** , and **tower** .

      viii. No rooftop shall be considered a **tower** site. This section does not require any sharing of any rooftop, rooftop **tower** , or **antenna structure** .

7. With the exception of rooftop **towers** and **towers** on **essential services** sites, each new communication **tower** shall meet the following separation requirements:

   a. Each new **tower** that exceeds 185 feet in height shall be located not less than two and one-half (2.5) times the height of the **tower** from all RSF-1 through RSF-6, and RMF-6 zoning districts, including PUDs where the **adjacent** use(s) is/are, or comparable to, the RSF-1 through RSF-6 and RMF-6 zoning districts. If a part of a PUD is not developed, and it is inconclusive whether the part of a PUD area within such minimum separation distance from the proposed **tower** site may be developed with a **density** of six (6) units per acre or

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less, it shall be presumed that the PUD area nearest to the proposed site will be developed at the lowest **density** possible under the respective PUD.

b. In addition, each such new **tower** that exceeds a height of seventy-five (75) feet, excluding antennas, shall be separated from all boundaries of surrounding property zoned RMF-12, RMF-16, E, RT, VR, MH, TTRVC, H, and the residential areas of PUDs with existing or planned **densities** greater than six (6) units per acre by not less than the total height of the **tower** including its antennas; and from all other surrounding property boundaries by a distance not less than one-half (1/2) the height of the **tower** and its antennas, or the **tower's** certified collapse area, whichever distance is greater.

8. All owners of approved **towers** are jointly and severally liable and responsible for any damage caused to off-site property as a result of a collapse of any **tower** owned by them.

9. Placement of more than one (1) **tower** on a land site is preferred and encouraged, and may be permitted, provided, however, that all **setbacks** , design, and landscape requirements are met as to each **tower** . **structures** may be located as close to each other as technically feasible, provided **tower** failure characteristics of the **towers** on the site will not likely result in multiple **tower** failures in the event that one (1) **tower** fails, or will not otherwise present an unacceptable risk to any other **tower** on the site. It shall be the policy of the County to make suitable County-owned land available for **towers** and ancillary facilities at reasonable rents.

10. Any **accessory buildings** or **structures** shall meet the minimum **yard** requirements for the respective zoning district. **accessory uses** shall not include offices, long-term vehicle storage, outdoor storage, broadcast studios except for temporary emergency purposes, or other **structures** and/or uses that are not needed to send or receive transmissions, and in no event shall such uses exceed twenty-five (25) percent of the **floor area** used for transmission or reception equipment and functions. Transmission equipment shall be automated, to the greatest extent economically feasible, to reduce traffic and congestion. Where the site **abuts** , or has **access** to, a **collector street** , **access** for motor vehicles shall be limited to the **collector street** . All equipment shall comply with the then applicable noise standards.

11. For new commercial **towers** exceeding 185 feet in height, a minimum of two (2) parking spaces shall be provided on each site. An additional parking space for each two (2) employees shall be provided at facilities which require on-site personnel. Facilities which do not require on-site personnel may utilize impervious parking.

12. All new **tower** bases, guy anchors, outdoor equipment, **accessory buildings** , and **accessory structures** shall be fenced. This provision does not apply to amateur radio **towers** , or to ground-mounted antennas that do not exceed twenty (20) feet above **grade** .

13. **Tower** lighting. **Towers** and antennas with a height greater than 150 feet shall be required to have red beacon or dual mode lights, unless exempted, in writing, by the Collier County Mosquito Control District. Such lights shall meet the then existing Federal Aviation Administration ("FAA") technical standards. No other **towers** or antennas shall be artificially lighted, except as required by the FAA, the Federal Communications Commission, or other applicable laws, ordinances, or regulations. If the FAA rules require lighting, then the **applicant** shall comply with such rules.

New **towers** exceeding 199 feet. Each new **tower** that will have a height in excess of one hundred and ninety-nine (199) feet above ground, exclusive of antennas, and such **tower** shall be lighted no more than is otherwise required by state and/or federal law, rule, or regulation. Unless otherwise then required by law, rule or regulation, only white strobe lights shall be used at night, unless otherwise required by the FAA, in which case red strobe-type lights shall be used. Such lights shall not exceed the minimum number, minimum intensity, and minimum light flashes per interval of time (requiring the longest allowable duration between light flashes) required by state or federal law, rule, or regulation. Solid red (or pulsating red) warning lights shall not be used at night.

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14. Effective January 1, 1992, all guyed **towers** , including old **towers** , exceeding 185 feet in height shall be inspected every two (2) years. Such self-supporting **towers** shall be inspected every four (4) years. Each inspection shall be by a qualified professional engineer or other qualified professional inspector, and any inspector-recommended repairs and/or maintenance should be completed without unnecessary delay. At a minimum, each inspection shall include the following:

    a. **Tower structure** : Including bolts, loose or damaged members, and **signs** of unusual stress or vibration.

    b. Guy wires and fittings: Check for age, strength, rust, wear, general condition, and any other **signs** of possible failure.

    c. Guy anchors and foundations: Assess for cracks in concrete, **signs** of corrosion, erosion, movement, secure hardware, and general site condition.

    d. Condition of antennas, transmission lines, lighting, painting, insulators, fencing, grounding, and elevator, if any.

    e. For guyed **towers** : **Tower** vertical alignment and guy wire tension (both required tension and present tension).

15. A copy of each inspection report shall be filed with the County Manager not later than December 1 of the respective inspection year. If the report recommends that repairs or maintenance are required, a letter shall be submitted to the County Manager to verify that such repairs and/or maintenance have been completed. The County shall have no responsibility under this section regarding such repairs and/or maintenance.

16. Any **tower** that is voluntarily not used for communications for a period of one (1) year shall be removed at the **tower** owner's expense. If a **tower** is not removed within three (3) months after one (1) year of such voluntary non-use, the County may obtain authorization, from a court of competent jurisdiction, to remove the **tower** and **accessory** items, and, after removal, shall place a lien on the subject property for all direct and indirect costs incurred in dismantling and disposal of the **tower** and **accessory** items, plus court costs and attorney's fees.

17. For all ground-mounted guyed **towers** in excess of seventy-five (75) feet in height, the site shall be of a size and shape sufficient to provide the minimum **yard** requirements of that zoning district between each guy anchor and all property lines.

18. All new metal **towers** , including rooftop **towers** , except amateur radio **towers** , shall comply with the standards of the then latest edition published by the Electric Industries Association (currently EIA/TIA 222-E) or the publication's successor functional equivalent, unless amended for local application by resolution of the BCC. Each new amateur radio **tower** with a height of seventy-five (75) feet or less shall require a **building** permit specifying the exact location and the height of the **tower** exclusive of antennas. Each new ground-mounted dish type antenna that does not exceed a height of twenty (20) feet shall require a **building** permit.

19. Within the proposed **tower's effective radius** , information that specifies the **tower's** physical location, in respect to public parks, designated **historic buildings** or districts, areas of critical concern, and **conservation** areas, shall be submitted as part of the **conditional use** application. This shall also apply to site plan applications and/or permit applications for rooftop installations that do not require **conditional use** approval.

20. No communication **tower** shall be located on any land or water if such location thereon creates, or has the potential to create, harm to the site as a source of biological productivity, as indispensable components of various hydrologic regimes, or as irreplaceable and critical habitat for native species of flora or fauna.

21. Any existing **native vegetation** on the site shall be preserved and used to meet the minimum landscape requirements as required by section 4.06.00. The site plan shall show existing significant vegetation to be removed and vegetation to be replanted to replace that lost. **native**

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vegetation may constitute part or all of the required **buffer** area if its opacity exceeds eighty (80) percent.

22. As to communications **towers** and antennas, including rooftop **towers** , **antenna structures** , and antennas, the height provisions of this section supersede all other height limitations specified in this Code.

23. All existing and proposed ground mounted and rooftop **towers** and antennas with a height greater than 150 feet shall be required to have a solid red beacon or dual mode lights unless exempted in writing by the Collier Mosquito Control District. Such lights shall meet the then existing Federal Aviation Administration (FAA) technical standards. The total **structure** height shall include all appendages and attachments, such as antennas, lights, lightening rods, or any other accessory device that would extend the height of the **tower.** All existing **towers** shall have six months (180 days) from June 16, 2005, to comply with the requirement. If the FAA rules require lighting, then the **applicant** shall comply with such rules.

24. A copy of each application for a **tower** in excess of 150 feet shall be supplied by the **applicant** to the Collier Mosquito Control District or designee.

H. Alligator **Alley** communication **towers** .

1. Notwithstanding other provisions of section 5.05.09, and irrespective of the zoning classification(s) of the underlying fee at each respective **tower** site, two (2) new communication **towers** shall be permitted at locations and heights herein specified within the I-75 **right-of-way** east of the toll booth (Alligator **Alley**). Two (2) of the four (4) **towers** shall be constructed to replace two (2) existing Florida Department of Transportation **towers** . The four (4) new telecommunication **tower** sites shall be located approximately at:

   a. Mile marker 52.2. The height of the **tower** shall not exceed 250 feet, including antennas;

   b. Mile marker 92.6 (Everglades Blvd). The height shall not exceed 250 feet, including antennas;

   c. The site of an existing FDOT **tower** located on State Road 29. The height shall not exceed 310 feet, including antennas;

   d. The site of an existing FDOT **tower** located at mile marker 63.2 at the I-75 Rest Area. It will replace an existing **tower** located on the north side of I-75 at mile marker 63.3. The height shall not exceed 280 feet, including antennas.

   e. Each **tower** shall be constructed with a capacity to provide for a minimum of four (4) to eight (8) co-users, including Florida Department of Transportation ("FDOT"), the U.S. Fish and Wildlife Service ("FWS"), the National Park Service ("NPS"), the Department of Forestry ("DOF"), and County agencies, where practical.

2. Each **tower** shall be constructed in accordance with the standards and requirements of section 5.05.09 and other applicable sections of this Code, except as expressly provided otherwise in this section.

3. Minimum **yard** requirements. There shall be no minimum **yard** requirement for these **towers** at these locations because each **tower** and all ancillary facilities must be contained within the I-75 **right-of-way** , and each proposed **tower** must maintain a separation distance from all **adjacent** residential property lines equal to one-half (½) of the **tower's** height or equal to a Florida professional engineer's certified collapse area (fall zone), whichever is greater, or a clear zone is maintained on adjoining property by a use **easement** applicable to such adjoining property **owner** . No habitable residential or non-residential **structure** , including offices, shall be allowed within any certified collapse area (fall zone) for any of these **towers** .

4. **Access** . Physical **access** to each **tower** site shall be as approved by FDOT.

5. Parking. Sufficient unpaved area shall be provided on, or **adjacent** to, each **tower** site to accommodate temporary parking for one (1) vehicle for servicing or maintaining the communication **tower** .

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6. **Landscape buffer** . A **landscape buffer** no less than ten (10) feet wide with trees planted twenty-five (25) feet on center shall be developed and maintained around the perimeter of each **tower** site and other related equipment, **structures** , and **buildings** . This **buffer** shall encompass all **structures** including the **tower** base. At least one (1) row of **native vegetation** shall be planted within the **buffer** to form a continuous hedge of at least three (3) feet in height at planting. The **buffer** must be maintained in good condition. This **landscape buffer** may be waived by the County Manager or designee where the **buffer** is not practical due to public safety concerns.

7. A site **development plan** and construction plans shall be submitted to the County Manager or designee for review and approval prior to any construction of any such **tower** . No changes, additions, or **alterations** may be made to any approved site **development plan** or construction plans for any such **tower** without County approval.

8. **Tower** lighting. In addition to the requirements for **tower** lights specified in section 5.05.09 of this Code, **towers** located in the Big Cypress Preserve and the Florida Panther National Wildlife Preserve shall be lighted in accordance with the USFWS guidance system requirements for **tower** lighting.

9. Notwithstanding any other provision in this Code, and notwithstanding the underlying zoning of the respective **tower** site, subject to the following, the communication **towers** and **accessory** facilities ("facilities") listed above, and all such future facilities, are lawful uses, if located within the confines of the I-75 **right-of-way** east of the Alligator **Alley** toll booth to the eastern boundary of Collier County.

10. The **tower** and related facilities shall be subject to **conditional use** approval whenever the **tower** is to exceed a height of twenty (20) feet. **towers** that are to be twenty (20) feet or less in height require only **building** permit approval from the County.

    a. As all such facilities must be located within the I-75 **right-of-way** , the facilities must be subject to approval from the owner of that **right-of-way** , including such conditions as may be required by that owner. The owner of said **right-of-way** is the State of Florida, by and through the Florida Department of Transportation.

    b. The facilities must be owned by, or leased to, a governmental entity. The primary uses of the facilities shall be governmental uses. Private uses of the facilities, if any, shall always be incidental and subordinate to the governmental uses.

    c. Notwithstanding any other provision in section 5.05.09, the facilities shall be subject to the **tower** sharing requirements of section 5.05.09 if the **tower** is to exceed a height of 120 feet, unless the **tower** is a **monopole** . If the **tower** is to be used only for governmental uses, the **tower** need be shared only with other governmental entities. If the **tower** is to be occupied by an antenna under control of a non-governmental occupant of the **tower** and is to be used for any non-governmental use(s), the **tower** sharing requirements that apply to non-government occupants shall be adhered to as a prerequisite to occupancy of the **tower** .

I. Wireless emergency telephone service. Notwithstanding any other provisions of this section 5.05.09, the following provisions shall apply to communications **towers** that provide wireless emergency telephone service.

1. These facilities are **essential services** .

2. Each **applicant** for these permits is required to clearly inform County staff by means of an emboldened "notice" in a cover letter or on the first page of the permit application, substantially as follows: *This Application is subject to the expedited timelines specified in Chapter 365.172, Florida Statutes.*

3. **Applicants** for these permits need not provide staff with evidence that a proposed wireless communications facility complies with federal regulations, but staff may require from such **applicant** proof of proper FCC licensure, and staff may request the FCC to provide information

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as to the provider's compliance with federal regulations to the extent then authorized by federal law. The County has no permitting jurisdiction with regard to wireless communications facilities located (or to be located) on property owned by the State of Florida, including State-owned **rights-of-way** .

4. Co-located facilities. Provided the then existing zoning applicable to the proposed site allows E911 facilities without a need to rezone, a need to obtain **conditional use** approval, or any other required process (such as, for example, having an agreement amended), the County shall grant or deny a properly completed application requesting co-location of E911 Service, or co-location for wireless telephone service, not later then forty-five (45) business days after the date that a properly completed application is initially submitted to staff in accordance with all applicable permit application requirements in this section 5.05.09. Co-location of such facilities on a then existing above-ground **tower** or other above-ground **structure** shall not be subject to the land **development** regulations pursuant to Section 163.3202, Florida Statutes, provided the height of the then existing **tower** or **structure** is not thereby increased. Co-location of such antenna, or co-location of related equipment, shall be subject to applicable **building** regulations, and with all then existing permits or agreements applicable to that **tower** or to the underlying property. Nothing herein, including the forty-five (45) business days timeline, shall relieve the permit holder for, or owner of, the then existing **tower** or **structure** from complying with applicable permit requirements, or applicable agreement(s), or with applicable land **development** regulation (including aesthetic requirement), or compliance with any other then applicable law(s).

5. New **towers** or antennas. Pursuant to Section 365.172, Florida Statutes, the County shall grant or deny an application requesting location of a new wireless telephone service **tower** , or for location of antenna(s) for wireless telephone service, not later then ninety (90) business days after the date that an application that fully complies with the requirements of this section 5.05.09 is submitted, provided the then existing zoning applicable to the proposed site allows the E911 facilities without need to rezone, the need to apply for **conditional use** approval, or other required procedures. Provided further that nothing herein shall affect permit compliance of such facilities with applicable federal regulations, applicable zoning and/or land **development** regulations (including aesthetic requirements), or with applicable **building** regulations.

6. Sufficiency notice. Within twenty (20) business days of receiving the permit application for any facility listed above in paragraphs (4) and (5) above, staff shall in writing notify the permit **applicant** whether the application is, or is not, properly completed. If such permit application is not properly completed, staff shall with specificity notify the **applicant** of any and all deficiencies, which if cured will thereby render the application being properly completed. Staff should also notify the **applicant** whether the applicable zoning classification allows the applied-for use(s) without rezoning, without **conditional use** approval, or without any other related ancillary approval process or permission.

7. Default approval.

   a. An application for E911 service, co-location of wireless telephone service, or new location for wireless telephone service or antennae shall be deemed to have been automatically granted provided that:

      i. Such service or facility is allowed in the applicable zoning district without a rezone, without the need to apply for a **conditional use** , or without the need to apply for some other permit;

      ii. The County fails to either grant or deny the applied-for permit within the time frames set forth in paragraphs (4) and (5) above, as applicable; and

      iii. The **applicant** has not agreed to an extension of time, as provided in paragraph (8) below.

   b. However, the applied-for permit shall not be deemed granted if final action requires action by the BCC, but such action is prevented due to emergency conditions beyond the

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County's control. In such instance, the time for final action on the application shall be extended until the next regularly scheduled meeting of the BCC. The permit shall be deemed to be granted if the BCC fails to take final action at that time.

8. Waiver. Extensions of the above-described applicable timelines (deadlines) shall not be effective except to the extent voluntarily agreed to by the permit **applicant** . Narrow exception: a one-time timeline waiver may be required if there then exists an emergency that directly affects the administration of all of the County's communications **tower** permitting activities which had been formally declared by the County, by the State of Florida, or by the federal government.

(Ord. No. 05-27, § 3.HH)

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COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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): Johannes Steffens

Name of Applicant if different than owner: CitySwitch II-A, LLC

Address: 1900 Century Place, Suite 320 **City:** Atlanta **State:** GA **ZIP:** 30345

Telephone: (404) 857-0858 **Cell:** (414) 403-4927 **Fax:**

E-Mail Address: kevin.saso@cityswitch.com

Name of Agent: Kendal Lotze

Firm: Ignite Wireless

Address: 102 Mary Alice Park Rd **City:** Cumming **State:** GA **ZIP:** 30040

Telephone: (407) 239-0846 **Cell:** (Preferred) (770) 862-8089 **Fax:**

E-Mail Address: Kendal@ignitewireless.com

Name of Agent: Jim Alderman

Firm: J&J WirelessConsultants LLC

Address: 6122 7th Ave W **City:** Bradenton **State:** FL **ZIP:** 34209

Telephone: **Cell:** (954) 303-3170 **Fax:**

E-Mail Address: jjwirelessconsult@yahoo.com

Name of Agent: Jeff Wright

Firm: Henderson, Franklin, Starners & Holt, P.A.

Address: 8889 Pelican Bay Boulevard, Suite 400 **City:** Naples **State:** FL **ZIP:** 34108

Telephone: (239) 344-1371 **Cell:** **Fax:** (239)344-1508

E-Mail Address: jeff.wright@henlaw.com

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(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: 00307840002 **Section/Township/Range:** 15 / 49 / 27

Subdivision: 100 - ACREAGE HEADER **Unit:** _____ **Lot:** _____ **Block:** _____

Metes & Bounds Description: 15 49 27 E1/2 OF NW1/4 OF SW1/4 OF NE1/4 OF NW1/4 1 1/4 AC OR 1952 PG 1606 **Total Acreage:** 1.25

Address/ General Location of Subject Property: Kapok Street, Naples, Florida 34117

Latitude/Longitude: 26.210264, -81.600131

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	A (RFMUO-NBMO)	69 - ORNAMENTALS, MISC AGRICULTURAL
S	A (RFMUO-NBMO)	99 - ACREAGE NOT ZONED AGRICULTURAL
E	A (RFMUO-NBMO)	60 - GRAZING LAND SOIL CAPABILITY CLASS I
W	A (RFMUO-NBMO)	99 - ACREAQGE NOT ZONED AGRICULTURAL

Minimum Yard Requirements for Subject Property:

Front: 50'
Side: 30'
Rear: 50'

Corner Lot: Yes ☐ No ■

Waterfront Lot: Yes ☐ No ■

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

ASSOCIATIONS

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

Name of Homeowner Association: Frangipani Agricultural Community Civic Association
Mailing Address: 512 Frangipani Avenue **City:** Naples **State:** FL **ZIP:** 34117

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.

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

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

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

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

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

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

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

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

☒ Yes ☐ No If yes, please provide copies.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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

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

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

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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

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

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

FEE REQUIREMENTS

- ☐ **Pre-Application Meeting:** $500.00
- ☒ **Variance Petition:**
  - o **Residential-** $2,000.00
  - o **Non-Residential-** $5,000.00
  - o **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

Kendal Lotze
Applicant Signature

4/10/2020
Date

Kendal Lotze
Printed Name

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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

PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership
Johannes Steffens	100%

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

g. Date subject property acquired 11/14/2013

[X] **Leased: Term of lease** 30 Years **years /months**

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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www.colliergov.net

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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

Kendal Lotze
_____
Agent/Owner Signature

4/10/2020
Date

Kendal Lotze
Agent/Owner Name (please print)

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
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 Department at 239-252-5724 or submit in person to the Addressing Department 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 Department.

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)*

Parcels 19 & 20

The E1/2 of the NW1/4 of the SW1/4 of the NE1/4 of the NW1/4 of Section 15, Township 49 S, Range 27 E. in Collier County, Florida.

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

Parcel ID Number: 00307840002

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)

PROPOSED PROJECT NAME *(if applicable)*

Kapok Street/FLC009

PROPOSED STREET NAMES *(if applicable)*

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

SDP___-____ or AR or PL # PL20190002701

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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GROWTH MANAGEMENT DIVISION
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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)

N/A

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

Applicant Name: CitySwitch II, LLC

Phone: 770-862-8089 **Email/Fax:** kendal@ignitewireless.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 00307840002

Folio Number 00307880004

Folio Number

Folio Number

Folio Number

Folio Number

Approved by: Annis Moxan **Date:** 6/11/2020

Updated by: **Date:**

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20190002701

I, Johannes Steffens (print name), as an individual owner (title, if applicable) of Parcel Number: 00307840002 (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 CitySwitch II-A LLC to act as our/my representative in any matters regarding this petition including 1 through 2 above.

Notes:

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

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

Johannes Steffens
Signature

4-2-2020
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [✓] physical presence or [ ] online notarization this 2nd day of April, 2020 by (printed name of owner or qualifier) Johannes Steffens.

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

[ ] Are personally known to me

[ ] Has produced a current drivers license _____

[✓] Has produced Drivers License as identification.

Notary Signature: Nathan Seymour

NATHAN SEYMOUR
NOTARY PUBLIC – STATE OF MICHIGAN
COUNTY OF KENT
MY COMMISSION EXPIRES 05/04/2026
Acting in the County of Kent

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20190002701

I, Abby Mazzetti (print name), as Senior VP, Development & Operations (title, if applicable) of CitySwitch II-A, 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 J&J Wireless Consultants LLC, Ignite Wireless, Inc. and Jeff Wright, Attorney at Law 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.

Abby Mazzetti
Signature

8/18/2020
Date

STATE OF ~~FLORIDA~~ Georgia
COUNTY OF ~~COLLIER~~ DeKalb

The foregoing instrument was acknowleged before me by means of [X] physical presence or [ ] online notarization this 8th day of August, 2020, by (printed name of owner or qualifier) Kendal Lotze.

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

[X] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

Notary Signature: _____

KENDAL LOTZE NOTARY PUBLIC FULTON COUNTY GEORGIA EXPIRES 9-11-2023

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

CITYSWITCH

Collier County, FL
Zoning Division
2800 North Horseshoe Dr
Naples, FL 34104

Re: Variance Application for Wireless Telecommunications Tower
CitySwitch II, LLC
Kapok St./FLC009

To Whom It May Concern,

We are hereby applying for a Setback Variance of the required half of the tower height setback (125ft) as required by LDC 2.03.08.A.2.a.3.x. of the Collier County Zoning Regulations in order to construct and maintain a Wireless Telecommunications Tower on the property located at Kapok Street, Naples, FL 34117. We are proud to say that the proposed structure will be utilized by AT&T to support the deployment of FirstNet. If unfamiliar, in 2017 the Department of Commerce and First Responder Network Authority (FirstNet) signed a 25-year contract with AT&T to build the first nationwide wireless network for America's First Responders. The FirstNet network is planned to cover all 50 states, five U.S. territories and the District of Columbia, including rural communities and tribal lands. In 2018, CitySwitch was honored to execute an agreement with AT&T to assist in building the infrastructure needed for the deployment of FirstNet as well as their existing wireless network needs. Additional information on FirstNet can be found online at https://firstnet.gov/ .

Should you have any questions regarding the application and/or supporting documents provided, please feel free to contact Jim Alderman at 954-303-3170 or email at jjwirelessconsult@yahoo.com .

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Transforming public safety communications

The First Responder Network Authority (FirstNet) has entered into a public-private partnership with AT&T to build the first nationwide wireless broadband network dedicated to first responders for use in disasters, emergencies and daily public safety work.

FirstNet provides initial funding, 20 MHz of spectrum and deep public safety expertise to the partnership. AT&T brings a proven track record and strong commitment to public safety, as well as the commercial expertise and nationwide resources to deploy, maintain and operate the network.

This 25-year partnership offers the best overall value to America and its public safety responders – both from an investment perspective and in terms of the lifesaving technology it will put in the hands of law enforcement, fire and emergency medical personnel in communities across the nation.

FirstNet will serve...

FIRST RESPONDERS — fire, police, EMS — IN — COMMUNITIES — counties, cities, tribal, rural — ACROSS — THE NATION — 50 states, 5 territories & DC

Technology first responders need to save lives, protect communities

MODERNIZED

- innovative app & device ecosystem



- network improvements & upgrades

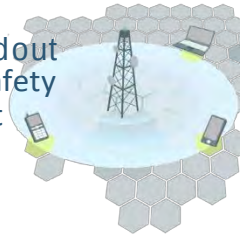


- commercially proven cybersecurity solutions

PRIORITIZED



- emergency communications receive highest priority
- rapid buildout with publicsafety input





- nationwide public safety solutions leveraging existing infrastructure

SPECIALIZED



- robust coverage where public safety needs it
- connectivity for advanced mobile data



- highly available customer care

FirstNet™

Learn more at FirstNet.gov/mediakit

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

TOP10 FREQUENTLY ASKED QUESTIONS



1. What is the First Responder Network Authority?

The First Responder Network Authority is the independent authority established by Congress to deliver a nationwide broadband network dedicated to public safety. The Network is strengthening public safety users' communications capabilities, enabling them to respond more quickly and effectively to accidents, disasters, and emergencies.

The First Responder Network Authority is led by a Board of leaders and executives from the public safety community; federal, state, and local governments; and the technology, finance, and wireless sectors. It has a staff of about 200 employees with expertise in public safety, telecommunications, customer service, technology, procurement, and other areas needed to develop the Network. It is headquartered in Reston, VA, and has a technology center and lab in Boulder, CO.

2. What led to the creation of the First Responder Network Authority?

The 9/11 terrorist attacks brought to the forefront the many communications challenges that first responders face during emergencies and disasters. These issues were captured in the *9/11 Commission Report*, which identified gaps in emergency communications and recommended a nationwide network for law enforcement, fire, and emergency medical personnel communications.

The public safety community united to fulfill the 9/11 Commission's recommendation. Public safety organizations and associations advocated before Congress for a dedicated, reliable wireless network for first responders. Their advocacy efforts led to the passage of legislation in 2012 to create the agency to deploy the Network in all U.S. states and territories, including rural communities and tribal nations.

3. How has public safety been involved in the vision for the FirstNet network?

Public safety officials have worked closely with the First Responder Network Authority since its inception in 2012 to ensure the Network meets first responders' needs – today and in the future. The agency's outreach and consultation efforts have connected the organization to more than 1.8 million first responders and state public safety and technology executives across the country.

Specifically, the First Responder Network Authority has consulted extensively with state single points of contact (SPOCs) in each of the 50 U.S. states, 5 territories, and the District of Columbia, as well as local/municipal, tribal and federal public safety leaders. It also coordinates with public safety through the Public Safety Advisory Committee (PSAC), which provides guidance and subject matter expertise from a first responder perspective. Public safety leaders at the national, state and local levels continue to advocate for and support deployment of the Network.

4. How was AT&T selected to build, operate, and maintain the FirstNet network?

The First Responder Network Authority and the Department of Interior made the 25-year award based on the determination of the overall best value solution for FirstNet and public safety. The buildup to the award included a fair, competitive procurement process that began in January 2016 with release of the Network RFP.

The procurement process followed the Federal Acquisition Regulation (FAR) and encouraged offerors to provide innovative solutions that could meet or exceed the needs of public safety.

The procurement was open to all entities, whether traditional wireless companies or new entrants, provided their proposal could meet the RFP's statement of objectives. AT&T was selected on a best-value award that considered financial sustainability and was based on more than just a technically acceptable solution at the lowest cost. The evaluation of proposals assessed the offerors' ability to submit a cost-effective and innovative model, and to meet or exceed the 16 objectives and evaluation factors outlined in the FirstNet RFP.

5. Why is the Network being built and operated through a public-private partnership?

The First Responder Network Authority and AT&T are modernizing and improving public safety communications by leveraging private sector resources, infrastructure, and cost-saving synergies to deploy and operate the Network. This public-private model also helps keep costs down for American taxpayers. To do this, Congress used the sale of communications airwaves (or spectrum) to fund FirstNet's initial operations and help start network deployment; the $7 billion FirstNet received in initial funding came from FCC spectrum auction revenue, not taxpayer funds.

If the federal government were to build, maintain and operate this Network, the estimated cost would be tens of billions of dollars over 25 years. The Government Accountability Office has estimated it could cost up to $47 billion over 10 years to construct and operate the Network.

With this partnership approach, the First Responder Network Authority and AT&T do not need any additional federal funding to build and operate the Network – it is a fully funded, self-sustaining Network. In return, America's first responders get services far above and beyond what they have today over a first-class broadband network dedicated to their communications needs.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

6. What are the key terms this public-private partnership?

Congress intended for the Network to be built and operated as a public-private partnership that brings together the best of the private sector, including commercial best practices, infrastructure, and resources – with the First Responder Network Authority's public safety expertise. This approach will lead to a fully-funded, self-sustaining Network that will serve public safety for years to come. This business model is built upon the efficient use of resources, infrastructure, cost-saving synergies, and incentives, including:

- 20 MHz of federally owned spectrum and $6.5 billion in initial funding to the partnership; in return AT&T will deploy and operate a nation- wide high-speed broadband network for public safety over 25 years.
- AT&T will invest about $40 billion over the life of the contract to build, operate, deploy, and maintain the Network, and together with the First Responder Network Authority will help ensure the Network evolves with the needs of public safety.
- AT&T can use FirstNet's spectrum when it is not being used by public safety for other, commercial purposes. The company will prioritize first responders over any other commercial users.
- First Responder Network Authority will oversee the contract to ensure it delivers innovation, technology and customer care to public safety through various mechanisms, including subscriber adoption targets, milestone buildouts, disincentive fees and other mechanisms outlined in the contract.

7. What will the FirstNet Network provide first responders that they don't have today?

Today, in emergencies and at large events, heavy public use can lead to wireless communications networks becoming overloaded and inaccessible. In those instances, public safety users are treated the same as any other commercial or enterprise user, and communications can be limited due to congestion and capacity issues.

With the FirstNet Network, public safety will get a dedicated "fast lane" that provides highly secure communications every day and for every emergency. It will deliver specialized features to public safety that are not available on wireless networks today – such as priority access; preemption; more network capacity; and a resilient, hardened connection. The Network will deliver more than just a public-safety-dedicated wireless connection – it is also creating devices and apps ecosystems that will connect first responders to innovative, life-saving technologies.

8. How will the Network benefit first responders and help them do their jobs better?

FirstNet will improve communications, response times and outcomes for first responders from coast-to-coast, in rural and urban areas, inland and on boarders – leading to safer, and more secure communities. The Network will provide first responders with innovation and robust capacity so they can take advantage of advanced technologies, tools and services during emergencies, such as:

- Applications that allow first responders to reliably share videos, text messages, photos and other information during incidents in near real-time;
- Advanced capabilities, like camera-equipped connected drones and robots, to deliver images of wildfires, floods or other events;
- Improved location services to help with mapping capabilities during rescue and recovery operations; and
- Wearables that could relay biometric data of a patient to the hospital or alert when a fire fighter is in distress.

Network technology will also be tested and validated through the FirstNet Innovation and Test Lab, located in Boulder, CO, so first responders will have the proven tools they need in disasters and emergencies.

9. What's happening with FirstNet now?

All 50 states, five U.S. territories and Washington, D.C., have "opted in," to FirstNet, meaning each has accepted its individual State Plan detailing how the network will be deployed in their state/territory.

The First Responder Network Authority's public-private partnership with AT&T provides first responders with immediate access to mission-critical capabilities over the FirstNet network. This includes priority and preemption features that give first responders their own "fast lane" on the public safety network to communicate and share information during emergencies, large events, or other situations when commercial networks could become congested. FirstNet is the only broadband network to provide ruthless preemption for public safety.

Key FirstNet activities include:

Expanding the Network and Building Out Band 14: The First Responder Network Authority has issued work orders to deploy the RANs. This gave AT&T the green light to expand FirstNet's footprint and deploy Band 14 capacity and coverage throughout the nation, providing first responders with the bandwidth and mission critical connections they need to communicate, share information, and use innovative technologies every day and in every emergency.

Driving public safety innovation: FirstNet is also unlocking a new technology marketplace for public safety, enabling first responders to benefit from advancements in innovation. The FirstNet App Catalog store will be filling up with FirstNet-approved mobile apps that are optimized for public safety use over the Network.

Securing emergency communications: FirstNet's first-of-its-kind core infrastructure will give first responders the dedicated, highly secure, non-commercial network they deserve. The FirstNet Core, delivered in March 2018, provides full encryption of public safety data over FirstNet and end-to-end cyber security. FirstNet subscribers also have access to a dedicated Security Operations Center, offering 24/7/365 support.

Engaging with public safety: The First Responder Network Authority will continue to engage with public safety in the states, territories, federal agencies, and tribal nations to ensure the network meets their needs and incorporate their feedback in the design of future FirstNet products and services.

10. How can I learn more?

Stay up-to-date on the First Responder Network Authority activities and the building and deployment of FirstNet at www.firstnet.gov. Follow us on Twitter, Facebook and YouTube.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

VARIANCE PETITION APPLICATION (PL20190002701)
KAPOK STREET, NAPLES, FL 34117
Parcel ID# 00307840002
PROJECT NARRATIVE & SEPARATE SHEET RESPONSES

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.

Applicant is proposing to build a 250' tall, essential services and other shared services communications tower on the subject property ("Property"). The Property (Parcel ID #00307840002) is located within the "agricultural" zoning designation, within RFMUD receiving and North Bell Meade Overlay Districts. The Property is vacant and unimproved. For reference, see the Zoning Verification Letters dated Sept. 18, 2019 and March 17, 2020, which are included with this submittal.

Applicant is requesting a variance from LDC Section 5.05.09.G.7, which provides (in part) that communications towers "*shall be separated . . . from all other surrounding property boundaries by a distance not less than one-half (1/2) the height of the tower and its antennas, or the tower's certified collapse area, whichever distance is greater.*" (Emphasis added.) Because the proposed tower is 250' tall, the separation requirement would be 125' (a greater distance than the tower's certified collapse area).

As indicated on the site drawing included with this submittal, the proposed communications tower meets this 125' distance separation requirement with respect to the *northern* and *southern* Property boundaries. Additionally, the proposed tower is separated from surrounding property boundaries in all directions by a distance that far exceeds its certified collapse area (i.e., it meets the *lesser* of the two distance measurements provided in the LDC, in all directions). However, because the proposed tower does not meet the *greater* of the two LDC distance measurements with respect to eastern and western boundaries, a variance is necessary.

More specifically, Applicant is seeking a variance from the required 125' separation requirement, to allow (1) for the eastern boundary, a separation of 60' (65' less than required); and (2) for the western boundary, a separation of 82' (43' less than required). If measured based on the tower's certified collapse area, the proposed tower exceeds applicable separation requirements: the western boundary is approximately 46' beyond the tower's certified collapse area; the eastern boundary is approximately 24.7' feet beyond the tower's certified collapse area.

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

Not applicable – site is unimproved, and there is no known or proposed dredging/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:

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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

Yes. The circumstances particular to the location and the structure are unique.

The Property is rectangular, and the proposed structure is unique (a 250' tall essential services communications tower). The proposed tower meets the separation requirement with respect to the northern and southern boundaries. The eastern and western boundaries meet the LDC's "certified collapse area" measurement, and the nearest structures are approximately 250' away from the Property's perimeter. The certified collapse area is an alternative measurement provided in the LDC to ensure safety of nearby property and structures. This unique set of circumstances is peculiar to this Property and proposed structure.

Additionally, the County's code was written in 2005, and recent technological advances have made it possible to design communications towers that can withstand hurricane force winds. In the "highly unlikely" event of a structural failure, the proposed tower will be designed and built to buckle and fall within a 100' x 100' compound (see Nov. 18, 2019 Certified Collapse Area letter included with this submittal).

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. **Yes. While the Property is large enough to safely accommodate the proposed communications tower, its rectangular shape makes it necessary to obtain a variance to meet LDC separation requirements for the eastern and western boundaries.**

c) Will a literal interpretation of the provisions of this zoning code work unnecessary and undue hardship on the applicant or create practical difficulties on the applicant. **Yes. The proposed tower is a permitted use at this location that will accommodate critically important essential services communications. Applicant has demonstrated, through an engineer's certification, that the proposed structure is designed to meet the underlying purpose of the separation requirement (i.e., distance and safety with respect to neighboring properties).**

Without the variance, to enjoy the permitted use, the applicant would be required to substantially decrease the tower's height and effectiveness for essential services communications. It would be an unnecessary and undue hardship to interpret the zoning code literally under these circumstances – particularly when the proposed tower meets one of two measurements specifically articulated in the LDC to ensure safety and protection of neighboring properties (i.e., the tower's certified collapse area).

d) Will the variance, if granted, be the minimum variance that will make possible the reasonable use of the land, building or structure and which promote standards of health, safety or welfare. **Yes. Applicant is proposing the minimum variance necessary to make reasonable use of the land and proposed structure.**

e) Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district. **No. The Applicant is not requesting and special privilege, and granting the requested variance will not give Applicant any special privilege that is denied to other property in this zoning district. Communications towers of this height are a permitted use in this zoning district, and the tower is designed to withstand**

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

hurricane force winds, and to buckle within a 100' x 100' collapse area, in the highly unlikely event of a total structural failure.

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

Yes. The location and nature of the proposed variance meets the intent and purpose of the LDC separation requirement at issue: i.e., the safety of neighboring property and structures. The tower will not be injurious or detrimental to the neighborhood or to the public, and in the unlikely event of structural failure, the tower is designed to fall within a 100' x 100' certified collapse area. The outside perimeter of the certified collapse area is located a considerable distance from neighboring land boundaries (46.0' to the western boundary; 24.7' to the eastern boundary), and several hundred feet from any neighboring structure. The tower will provide a benefit to the public, and is designed to prevent any detrimental impacts.

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. **Essential public services communications towers are critically important in this fairly remote area of the County. Population in this area is less dense than urban areas, and communications at this location can be challenging in storm and other emergency events.**

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Aug 18, 2020

Collier County, FL
Zoning Division
2800 North Horseshoe Dr
Naples, FL 34104

RE: Review Comment Letter RV2 Cover Letter: Variance -PL20190002701; Kapok St Cell Tower

To whom it may concern,

Please see the below Review Comment Letter dated July 30, 2020. Based on the recommendation from Timothy Finn, I will provide an answer to each comment in the Review Comment Letter detailing our response and answer to the requested changes that goes along with the additional documentation being provided. My comments will be in red so that they will be easy to distinguish from the comments from the reviewers.

July 30, 2020

Kendal Lotze
Ignite Wireless
102 Mary Alice Park Rd
Cumming, GA 30040

RE: Variance -PL20190002701; Kapok St Cell Tower

Dear Mr. Lotze:

The following comments regarding the above referenced project that was submitted on 7-1-20, are being provided as requested. Please be aware that this is not a comprehensive list and is only being provided as a courtesy. All reviews must be completed prior to resubmittal.

Rejected Review: Zoning Review; Reviewed By: Timothy Finn

1. REV 2: The parcel number that is illustrated is 00308760002, which is incorrect. Please revise the parcel to 00307840002. This has been corrected on the document named (Kapok_Owner Affidavit of Authorization_Updated_8.4.2020) .

REV 1: Affidavit of Authorization - Provide the petition number (PL20190002701) and revise the parcel number to 00307840002. Please delete references of Kendal Lotze/Ignite Wireless as this affidavit of authorization only authorizes the property owner (Johannes Steffens) to give consent to the contract purchaser (CitySwitch II, LLC) to act on the property owners behalf. This has been corrected on the document named (Kapok_Owner Affidavit of Authorization_Updated_8.4.2020).

2. The Zoning Drawings (Sheet C-1) setbacks do not match the Project Narrative setback numbers. In the Project Narrative & Separate Sheet responses document, in Section 1 it is explained that the applicant is seeking a variance from the required 125’ separation requirement, to allow (1) for the eastern boundary, a separation of 60’ (65’ less than required); and (2) for the western boundary, a separation of 82’ (43’ less than required). However, in the Zoning Drawings, Sheet Number C-1, the western setback is illustrated at 96'-2" and the eastern setback is

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

illustrated at 74'-5". Please revise these setback numbers for both documents to be consistent with each other. This has been corrected on the drawings named (Kapok Street - FLC009 - Zoning - Rev 2 - 8_5_20) and it now correctly matches the Project Narrative & Separate Sheet response document.

3. Pursuant to LDC 5.05.09(D)(E) and (F) for shared tower use, please demonstrate that either you can or can not work an arrangement for a shared tower use? Please see the Collier County Communication Towers Map as Towers 1 and 18 are in proximity to the Kapok St Cell Tower property. Moreover, there is a Site Development Plan (SDP) application (PL20200000886) for a proposed cell tower to be located at 550 Frangipani Avenue located approximately 2065 feet to the east of the Kapok St Cell Tower property. Please explain why you can't share this tower? This has been addressed in the supplemental attached document named (Kapok_RESPONSE TO STAFF COMMENT_8.4.2020).

Rejected Review: County Attorney Review; Reviewed By: Sally Ashkar

1. Your application states that the applicant is CitySwitch II, LLC, while the affidavits of authorization state that the applicant is CitySwitch II-A LLC. Which is correct? They both appear to be active companies. Please reconcile and update the affidavits or application. CitySwitch II-A, LLC is the correct applicant company and this has been corrected on the application named (Kapok_Variance Application_Revised_8.18.2020).

2. What role does J&J Wireless Consultants have in this application? If they are an additional agent, they should be listed on the application in addition to Ignite. J&J Wireless Consultants, Ignite Wireless, Inc. and Jeff Wright are all agents of CitySwitch II-A, LLC. This has been corrected and added onto the application named (Kapok_Variance Application_Revised_8.18.2020) and affidavit of authorization named (Kapok_Affidavit of Authorization_New_8.18.2020) .

3. Please show the measurements in your cover letter for the proposed separation for the eastern and western boundary on your site plan. There appears to be some inconsistency between the two documents. The separation measurements should be accurately shown on the site plan. This has been corrected on the drawings named (Kapok Street - FLC009 - Zoning - Rev 2 - 8_5_20) and it now correctly matches the Project Narrative & Separate Sheet response document.

4. Is City Switch leasing the property from Johannes Steffens or is it a contract purchaser? Please provide evidence of legal use of the property. CitySwitch II-A, LLC is leasing the property from Johannes Steffens. A redacted copy of the lease agreement is provided and named (Kapok Street_Redacted Lease).

GENERAL COMMENTS: [Timothy Finn]

1. Additional comments or stipulations may be forthcoming once a sufficient application has been submitted for review. This correspondence should not be construed as a position of support or non-support for any issues within the petition. Staff will analyze the petition and the recommendation will be contained in the staff report prepared for the Collier County Planning Commission (CCPC) or Hearing Examiner (Hex). Acknowledged.
2. Please be advised that pursuant to the LDC, an application can be considered closed if there has been no activity on the application for a period of six (6) months. That six months period will be calculated from the date of this letter. Acknowledged.
3. Please ensure that all members of your review team that may testify before the Hex/CCPC and the Board of County Commissioners (BCC) are registered as lobbyists

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

with the county pursuant to the regulations regarding that issue. Acknowledged.

4. When addressing review comments, please provide a cover letter outlining your response to each comment. Include a response to all comments. Acknowledged, all comments have been addressed.
5. Please put revised dates on all exhibits and in the title block of the Site Plan. The PUD document should include a footer that reflects the project name, petition number, date and page X of Y for the entire document. ***Documents without this information will be rejected.*** Acknowledged, all revised documents and drawings have dates.
6. A partial resubmittal cannot be accepted; please do not resubmit until you can respond to ALL review comments. Acknowledged.
7. Note the adopted fee schedule requires payment of additional fees for petitions that require more than four resubmittals; please contact the appropriate staff and resolve issues to avoid this fee. Acknowledged.

Timothy Finn, AICP
Principal Planner

Cc: Kendal Lotze, Ignite Wireless, Sally Ashkar

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

VARIANCE PETITIION APPLICATION (PL20190002701)
KAPOK STREET, NAPLES, FL 34117
PARCEL ID# 00307840002
RESPONSE TO STAFF COMMENT: TIMOTHY FINN #3

Staff comment:
Pursuant to LDC 5.05.09(D)(E) and (F) for shared tower use, please demonstrate that either you can or can not work an arrangement for a shared tower use? Please see the Collier County Communication Towers Map as Towers 1 and 18 are in proximity to the Kapok St Cell Tower property. Moreover, there is an Site Development Plan (SDP) application (PL20200000886) for a proposed cell tower to be located at 550 Frangipani Avenue located approximately 2065 feet to the east of the Kapok St Cell Tower property. Please explain why you can't share this tower?

Response:

While we would consider any offer for another entity/provider to share the proposed tower on Kapok St., we are not aware of any other towers that would provide necessary and adequate capacity and geographic coverage area to achieve our objectives, and sharing another tower at another location is not a feasible option. To our knowledge, there is no applicable separation requirement with respect to a tower at the Kapok St. location relative to other towers in the vicinity.

As to the SDP application (PL20200000886) referenced in the staff comment, which relates to a proposed 185' tower over 2,000 feet away from the proposed Kapok St. tower, that application was submitted on 7/27/2020, according to the County's website. The proposed Kapok St. tower is 250', over 1/3 higher than the tower if the application referenced by staff.

While the application for PL20200000886 was submitted on July 27, 2020, in the case of the Kapok St. Tower, a preapplication meeting was first held November 12, 2019. As a result of that meeting, applicant prepared a variance application, and a second pre-application meeting was held on December 4, 2019 for the variance. At the December 4, 2019 pre-application meeting, applicant was advised (in error) that the tower use was *not allowed by right*, and that a conditional use would be required.

Following a subsequent application for zoning interpretation, on March 17, 2020, staff formally determined the use was a permitted use at this location, and that a conditional use was *not* required, but reiterated that a variance would be necessary. Applicant has since filed the variance application that is presently under review.

Applicant first formally requested approval requirements for the tower in *August 2019* (see ZLTR-PL20190001999), and has been diligently pursuing approval of the tower since then. Applicant has engaged in sincere, costly, and diligent efforts over the past 11 months. This has included two pre-application meetings, two ZVL's, and uncertainty created by erroneous "conditional use" instruction. Given Applicant's significant efforts, the lack of any codified tower separation requirement, the lack of any record of any tower application being filed until 7/27/2020, and the significant investment incurred to date, it is appropriate for Applicant to move forward with its plans at this location, which have been a matter of public record for almost a year.

Concurrent with these efforts, Applicant notified the Federal Aviation Administration ("FAA") of its plans, and the FAA issued a formal "Determination of No Hazard to Air Navigation" on October 23, 2019 for the proposed Kapok St. tower. FAA notification is the industry standard for putting other would-be tower owners on notice that there is a tower application pending. The tower application referenced by staff (PL20200000886) has not, to our knowledge, registered with or received any such determination from the FAA.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

INSTR 4954686 OR 5016 PG 1369 RECORDED 3/12/2014 2:55 PM PAGES 3
DWIGHT E. BROCK, CLERK OF THE CIRCUIT COURT, COLLIER COUNTY FLORIDA
DOC@.70 $0.70 REC $27.00

Recording requested by: Johannes Steffens
When recorded, mail to:
Name: John Steffens
Address: 542 Ethel AVE SE
City/State/Zip: GRAND RAPIDS MI 49506
Property Tax Parcel/Account Number:

Space above reserved for use by Recorder's Office
Document prepared by:
Name Johannes Steffens
Address 542 Ethel Ave SE
City/State/Zip Grand Rapids MI 49506

COPY
COLLIER COUNTY
CLERK OF THE CIRCUIT COURT

Warranty Deed

This Warranty Deed is made on 11/14/2013, between D.GARY WOODHEAD, Grantor, of 1759 GARDEN ST, City of LABELLE, State of FLORIDA, and JOHANNES STEFFENS, Grantee, of 542 ETHEL AVE SE, City of GRAND RAPIDS, State of MICHIGAN 49506.

For valuable consideration, the Grantor hereby sells, grants, and conveys the following described real estate, in fee simple, to the Grantee to have and hold forever, along with all easements, rights, and buildings belonging to the described property, located at 1160 KAPOK ST, City of NAPLES, State of FLORIDA 34117:

THE SW1/4 OF THE SW1/4 OF THE NE1/4 OF THE NW1/4 OF SECTION 15, TOWNSHIP 49 S, RANGE 27 E;
AND:
THE E1/2 OF THE NW1/4 OF THE SW1/4 OF THE NE1/4 OF THE NW1/4 OF SECTION 15, TOWNSHIP 49 S, RANGE 27 E. IN COLLIER COUNTY, FLORIDA.

The Grantor warrants that it is lawful owner and has full right to convey the property, and that the property is free from all claims, liabilities, or indebtedness, and that the Grantor and its successors will warrant and defend title to the Grantee against the lawful claims of all persons. Taxes for the tax year of 2013 shall be prorated between the Grantor and Grantee as of the date of recording of this deed.

please see attached explanation document

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

3.C.f

Dated: 11-14-2013

D. Gary Woodhead
Signature of Grantor

D. GARY WOODHEAD
Name of Grantor

Lindsey Packer
Signature of Witness #1

Lindsey Packer
Printed Name of Witness #1

Carl E Wols
Signature of Witness #2

Carl E. Wolsley
Printed Name of Witness #2

COLLIER COUNTY COPY CLERK OF THE CIRCUIT COURT

State of NORTH CAROLINA County of DARE

On Nov. 14, 2013, the Grantor, D. Gary Woodhead, personally came before me and, being duly sworn, did state, acknowledge and prove that he/she is the person described in the above document and that he/she signed the above document in my presence.

Cynthia O. Veal
Notary Signature

Notary Public,
In and for the County of Dare State of North Carolina
My commission expires: 8-14-2015 Seal

CYNTHIA O VEAL
NOTARY PUBLIC
DARE COUNTY, NC
My Commission Expires 8-14-2015

Send all tax statements to Grantee.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Whereas

on a Warranty Deed dated March 15, 2013 and recorded on March 15, 2013 as
INSTR 4811865 or 4896 PG 2975 by the CLERK OF THE CIRCUIT COURT, COLLIER COUNTY FLORIDA
between
D. Gary Woodhead, Grantor, of 1759 Garden St, LaBelle FL and
Johannes Steffens, Grantee, of 542 Ethel Ave SE, Grand Rapids MI
conveying Title to
1160 KAPOK ST in the City of NAPLES in the State of FLORIDA,
Property Tax Parcels 00307880004 and 00307840002,

certain mistakes where made in the spelling of names, to wit:
D. Gerry Woodhead instead of D. Gary Woodhead,
and a deficient property description was entered of tax parcel 00307880004, to wit:
THE SW1/4 OF THE NW 1/4 OF THE SW1/4 OF THE NE1/4 OF THE NW1/4 OF SECTION 15, TOWNSHIP 49 S, RANGE 27 E,
instead of the correct description:
THE SW1/4 OF THE SW1/4 OF THE NE1/4 OF THE NW1/4 OF SECTION 15, TOWNSHIP 49 S, RANGE 27 E,

COLLIER COUNTY CLERK OF THE CIRCUIT COURT COPY

D. Gary Woodhead, Grantor does hereby execute a corrected Warranty Deed conveying ownership of
Property Tax Parcels 00307880004 and 00307840002 commonly known as
1160 KAPOK ST in the City of NAPLES in the State of FLORIDA
to Johannes Steffens, Grantee for the consideration paid in hand on March 15, 2013 of
$14,222 (FOURTEEN THOUSAND TWO HUNDRED TWENTY TWO DOLLARS)

Dated: 11/14/13

D. Gary Woodhead

Signature of Grantor

Name of Grantor: D. GARY WOODHEAD

Johannes Steffens

Signature of Grantee

Name of Grantee: JOHANNES E. STEFFENS

Cynthia O. Veal

CYNTHIA O VEAL
NOTARY PUBLIC
DARE COUNTY, NC
My Commission Expires 8-14-2015

exp 8-14-15

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Sabre Industries
Towers and Poles

November 18, 201

Tim Cook
CitySwitch
1900 Century Place NE, Suite 320
Atlanta, GA 30345

RE: Proposed 250' Sabre Self-Supporting Tower for Kapok Street, FL

Dear Mr. Cook,

Upon receipt of order, we propose to design a tower for the above referenced project for an ASCE 7-16 Ultimate Wind Speed of 160 mph, Structure Class II, Exposure C, Topographic Category 1 in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structura Standard for Antenna Supporting Structures and Antennas".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the tower will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within one o more of the tower members in the upper portion. This would result in a buckling failure mode, where the loaded member would bend beyond its elastic limit (beyond the point where the member would return to its original shape upon removal of the wind load).

Therefore, it is likely that the overall effect of such an extreme wind event would be localized buckling of a tower section. Assuming that the wind pressure profile is similar to that used to design the towe the tower is most likely to buckle at the location of the highest combined stress ratio in the upper portion of the tower. This would result in the portion of the tower above the failure location "folding over" onto the portion of the tower below the failure location. ***Please note that this letter only applies to the above referenced tower designed and manufactured by Sabre Towers & Poles.*** In the unlikely event of total separation, this would result in collapse within a 100' x 100' compound.

Sincerely,

ROBERT E. BEACOM
LICENSE
No. 73025
STATE OF
FLORIDA
PROFESSIONAL ENGINEER
11/18/19

Robert E. Beacom, P.E., S.E.
Engineering Supervisor

Sabre Towers and Poles • 7101 Southbridge Drive • P.O. Box 658 • Sioux City, IA 51102-0658
P: 712-258-6690 F: 712-279-0814 W: www.SabreTowersandPoles.com

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

ZONING DRAWINGS

CITYSWITCH

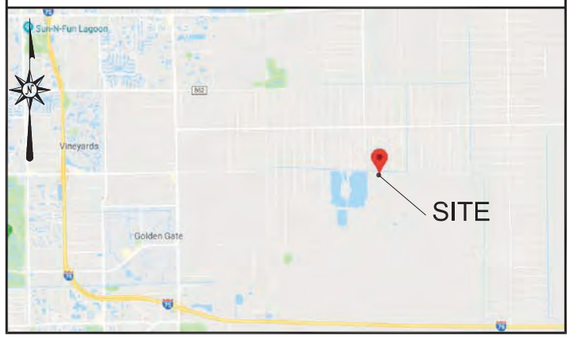
CITY SWITCH SITE ID:
FLC009

CITY SWITCH SITE NAME:
KAPOK STREET

SITE ADDRESS:
(TBD) KAPOK ST.
NAPLES, FL 34117

NOTE: ANY CHANGES TO THE APPROVED PLANS MUST BE APPROVED BY THE PROPERTY OWNER.

VICINITY MAP



LOCAL MAP



SITE SUMMARY

SITE TYPE:	NEW SITE DESIGN
TOWER TYPE:	LATTICE
TOWER HEIGHT:	250'–0"
APPURTENANCE HEIGHT:	260'–0"
TYPE OF OCCUPANCY:	TELECOMMUNICATIONS
TOWER LATITUDE:	26°12'36.949"N (N 26.210264°)
TOWER LONGITUDE:	81°36'00.470"W (W 81.600131°)
ZONING JURISDICTION:	COLLIER COUNTY
COUNTY:	COLLIER COUNTY
PARCEL NUMBER:	00307840002
ZONED:	A
PARCEL SIZE:	57,324.1± SQ.FT.
LEASE AREA SIZE:	10,000± SQ.FT.
POWER COMPANY:	TBD
CONTACT:	TBD
TELEPHONE COMPANY:	TBD
CONTACT:	TBD

PROJECT DIRECTORY

LAND OWNER:	JOHANNES STEFFENS – –
CO–APPLICANT/CARRIER:	–
APPLICANT/TOWER OWNER:	CITY SWITCH II, LLC 1900 CENTURY PLACE, SUITE 320 ATLANTA, GA 30345 CONTACT: GARY COOPER PHONE: (404) 600–1485
SITE DESIGN:	FDH INFRASTRUCTURE SERVICES 6521 MERIDIEN DRIVE RALEIGH, NC 27616 CONTACT: JAMES R. BILLUPS, PE, CFM PHONE: (919) 755–1012

DIRECTIONS

FROM SOUTHWEST FLORIDA INTERNATIONAL AIRPORT:
FOLLOW CHAMBERLIN PKWY TO DANIELS PKWY. HEAD NORTHWEST ON REGIONAL LANE TOWARD CHAMBERLIN PKWY. RESTRICTED USAGE ROAD. TURN LEFT ONTO CHAMBERLIN PKWY. TURN LEFT ONTO DANIELS PKWY. TURN LEFT TO MERGE ONTO I–75 S TOWARD NAPLES. TAKE EXIT 111 TOWARD NAPLES PARK. USE THE LEFT 2 LANES TO TURN LEFT ONTO IMMOKALEE RD (SIGNS FOR AVE MARIA/HODGES UNIVERSITY). TURN RIGHT ONTO WILSON BLVD N. TURN LEFT ONTO GOLDEN GATE BLVD E. TURN RIGHT ONTO 10TH ST SE. TURN RIGHT ONTO 10TH ST SE/FRANGIPANI AVE. CONTINUE TO FOLLOW FRANGIPANI AVE. TURN LEFT ONTO KAPOK ST. SITE ACCESS WILL BE ON THE LEFT.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING:

1. FLORIDA BUILDING CODE
2. ANSI/TIA/EIA–222–G
3. NATIONAL ELECTRIC CODE
4. LOCAL BUILDING CODE
5. CITY/COUNTY ORDINANCES
6. 2012 INTERNATIONAL RESIDENTIAL CODE
7. 2012 INTERNATIONAL BUILDING CODE
8. 2012 INTERNATIONAL FIRE CODE
9. 2012 INTERNATIONAL PLUMBING CODE
10. 2012 INTERNATIONAL MECHANICAL CODE
11. 2012 INTERNATIONAL FUEL GAS CODE
12. 2009 INTERNATIONAL ENERGY CONSERVATION CODE
13. 2011 NATIONAL ELECTRICAL CODE
14. 2009 INTERNATIONAL WILDLAND–URBAN INTERFACE CODE

GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION, THEREFORE HANDICAP ACCESS IS NOT REQUIRED. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

UNDERGROUND SERVICE ALERT

UTILITIES PROTECTION CENTER, INC.

811

48 HOURS BEFORE YOU DIG

LEGAL DESCRIPTION

REFER TO TOPOGRAPHICAL SURVEY AND SITE PLAN FOR LEGAL DESCRIPTION OF PARENT PARCEL AND LEASE AREA.

Dennis D. Abel, PE
Florida License No. 62750
This item has been digitally signed and sealed by Dennis D. Abel, PE, on the date indicated herein. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed by Dennis Abel
Date: 2020.08.05 08:27:46 -04'00'

APPROVALS

TITLE	SIGNATURE	DATE
REPRESENTATIVE		
SITE OWNER		

SCOPE OF WORK

CITY SWITCH PROPOSES TO INSTALL AN UNMANNED TELECOMMUNICATIONS FACILITY CONSISTING OF A 250'–0" LATTICE TOWER WITH 10' LIGHTNING ROD. THE TOWER WILL BE PLACED INSIDE A 75'–0"x75'–0" FENCED COMPOUND, INSIDE A 100'–0"x100'–0" LEASE AREA.

SHEET INDEX

SHEET NO.	DESCRIPTION	REV. NO.	REVISION DATE
T–1	TITLE SHEET	2	08/05/20
S–1	SURVEY SHEET 1	2	10/01/19
S–2	SURVEY SHEET 2	2	10/01/19
S–3	SURVEY SHEET 3	2	10/01/19
GN–1	GENERAL NOTES	1	03/23/20
GN–2	GENERAL NOTES	1	03/23/20
C–1	OVERALL SITE PLAN	2	08/05/20
C–2	COMPOUND DETAILS	1	03/23/20
C–3	FENCE DETAILS	1	03/23/20

PREPARED FOR:
CITYSWITCH
1900 CENTURY PLACE, SUITE 320
ATLANTA, GA 30345

PREPARED BY:
FDH INFRASTRUCTURE SERVICES
ENGINEERING INNOVATION
6521 MERIDIEN DRIVE
RALEIGH, NC 27616
PHONE: (919)-755-1012
FAX: (919)-755-1031

DENNIS DANIEL ABEL LICENSE No 62750 STATE OF FLORIDA PROFESSIONAL ENGINEER

FDH INFRASTRUCTURE SERVICES, LLC
FL COA #28282

DENNIS D. ABEL, P.E. 08/05/20
STATE LICENSE NO. 62750

DRAWN BY: VAH
CHECKED BY: JRB

SUBMITTALS

DATE	DESCRIPTION	REV	ISSUED BY
12/03/19	ZONING DRAWING	0	JRB
03/23/20	ZONING DRAWING	1	JRB
08/05/20	ZONING DRAWING	2	JRB

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. REPRODUCTION OR CAUSING TO BE REPRODUCED THE WHOLE OR AN PART OF THESE DRAWINGS WITHOUT THE PERMISSION OF FDH INFRASTRUCTURE SERVICES IS PROHIBITED.

SITE NAME:
KAPOK STREET

SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

0 40' 80'

SCALE: 1" = 40'

PARENT PARCEL
JOHANNES STEFFENS
PARCEL NUMBER:00307840002
INSTRUMENT NUMBER 4954686
ORIGINAL 5016, PAGE 1369

ESTES FAM TRUST
PARCEL NUMBER:00307800000

LINE	BEARING	DISTANCE
L1	S 00°00'00" E	17.50'
L2	N 90°00'00" W	35.00'
L3	S 00°00'00" E	17.57'
L4	N 00°00'00" W	30.01'
L5	N 00°00'00" W	9.63'
L6	N 90°00'00" W	35.00'
L7	N 00°00'00" W	17.50'

BOOK 139, PAGE 331 (9.)

WOODED

POB
100' X 100' LEASE AREA
10,000 SQ.FT±
0.23 ACRES±

N 90°00'00" E 100.00'

N 00°00'00" W 100.00'

S 00°00'00" E 100.00'

74'±

CENTER OF TOWER

N 90°00'00" W 100.00'

N 90°00'00" E 100.00'

46.0'

24.7'

L7 L6 L5 L4 L3 L2 L1

152'±

41.56'

N 29°40'33" E 70.09'

S 29°40'33" W 57.33'

S 58°54'00" W 86.81'

N 58°54'00" E 70.09'

S 88°01'25" E 160.12'

N 88°01'25" W 168.01'

TREELINE

10' GRASS TRAIL

TREELINE

12' GATE

BARBED WIRE FENCE

POC
LEASE AREA AND ACCESS EASEMENT
NORTHEAST CORNER
SECTION 15, T-49-S, R-27-E
FOUND CONCRETE MONUMENT

S 00°23'48" E 669.01'

N 90°00'00" W 3784.69'

N 00°23'48" W 2677.73'

POB
INGRESS/EGRESS AND
UTILITY EASEMENT
10,926.43 SQ.FT±
0.25 ACRES±

J RICHARD SMITH
PARCEL NUMBER:00309440002

SOUTHEAST CORNER
SE 1/4 OF NE 1/4
SECTION 15, T-49-S, R-27-E
FOUND 1" OPEN TOP PIPE

1,734 FT± TO FRANGIPANI AVE

KAPOK STREET
GRAVEL ROAD

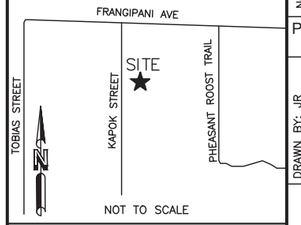
op

JOHANNES STEFFENS
PARCEL NUMBER:00307880004
INSTRUMENT NUMBER 4954686
ORIGINAL 5016, PAGE 1369

TOWER INFO

LATITUDE: 26°12'36.949" NORTH
LONGITUDE: 81°36'00.470" WEST
(NAD 83)
GROUND ELEVATION: 10.6'
ABOVE MEAN SEA LEVEL (NAVD88)

VICINITY MAP



FLORIDA EAST

GRID NORTH

GRID TO TRUE NORTH CONVERGENCE
−0°15'

TRUE NORTH TO MAGNETIC DECLINATION
5°59' W

COMBINED SCALE FACTOR
0.999985569

LEGEND

- ○ = 5/8" REBAR SET
- ● = FOUND PROPERTY MARKER
- ■ = FOUND CONCRETE MONUMENT
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- POE = POINT OF ENDING
- ▲ = CALCULATED POINT
- ⊘ = POWER POLE
- ⊕ = TEMP. BENCHMARK (NAIL IN FENCE POST) ELEV.=12.04'
- —·——·—op—= OVERHEAD POWER

FLOOD NOTE

By graphic plotting only, the subject property appears to lie in Zone 'AH' of the Flood Insurance Rate Map Community Panel No. 12021C0430H, which bears an effective date of May 16, 2012 and IS in a special flood hazard area.
Zone 'AH': The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood.

KAPOK STREET
12906066
NW 1/4, SEC. 15, T-49-S, R-27-E
COLLIER COUNTY, FLORIDA

NO.	REVISION	DATE	BY
1.	UPDATED EASEMENT	9/18/19	JR
2.	ADDRESSED TITLE	10/01/19	JR

PROJECT NO. 19-1586

DRAWN BY: JR
CHECKED BY: TAS
FIELD CREW: NA
APPROVED BY: WHS
DATE: 09/09/19
SCALE: AS SHOWN

SHEET 1 OF 3

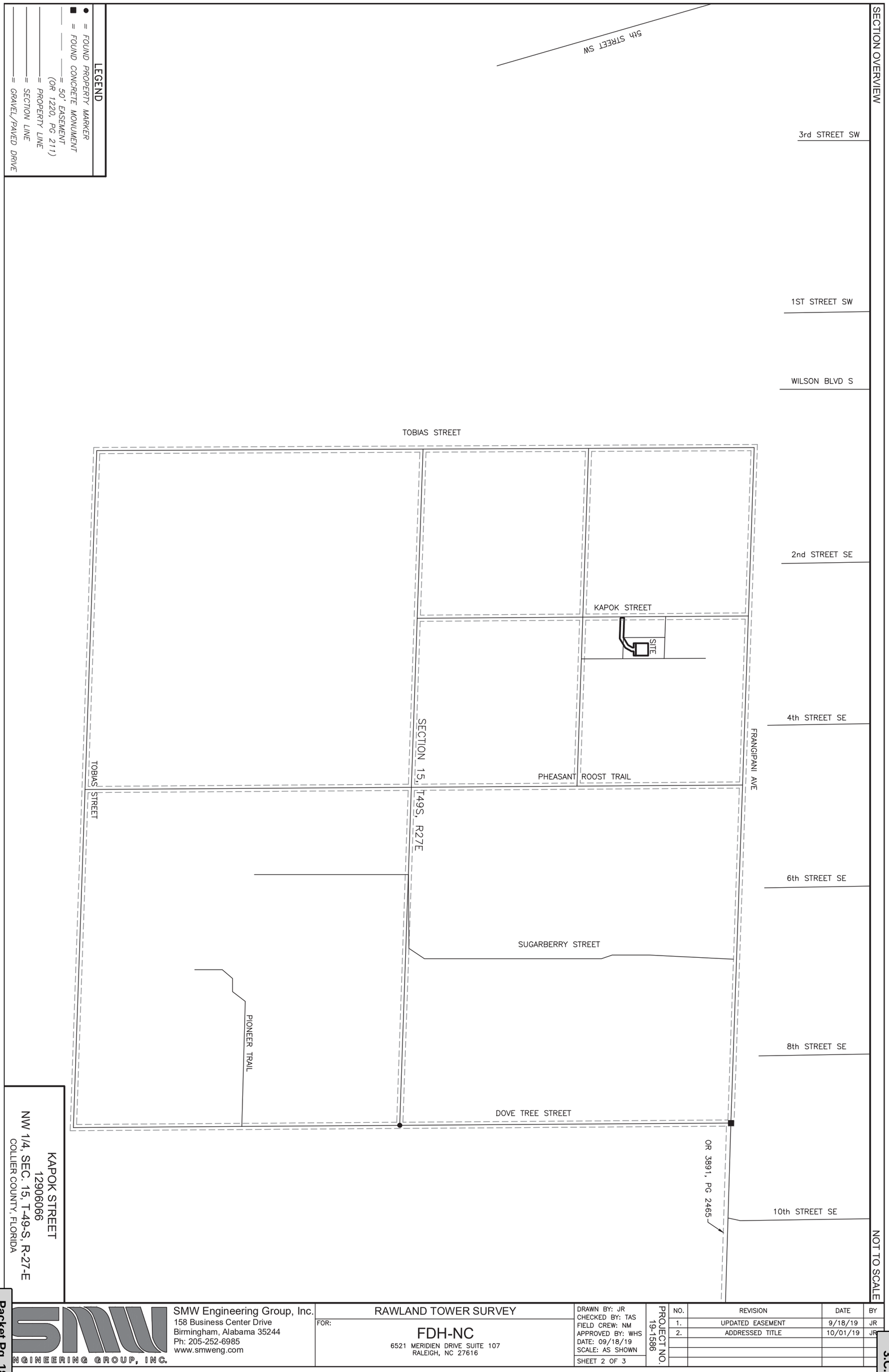
RAWLAND TOWER SURVEY

FOR: FDH-NC
6521 MERIDIEN DRIVE SUITE 107
RALEIGH, NC 27616

SMW Engineering Group, Inc.
158 Business Center Drive
Birmingham, Alabama 35244
Ph: 205-252-6985
www.smweng.com

SMW ENGINEERING GROUP, INC.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



KAPOK STREET
12906066
NW 1/4, SEC. 15, T-49-S, R-27-E
COLLIER COUNTY, FLORIDA

SMW Engineering Group, Inc.
158 Business Center Drive
Birmingham, Alabama 35244
Ph: 205-252-6985
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RAWLAND TOWER SURVEY

FOR:
FDH-NC
6521 MERIDIEN DRIVE SUITE 107
RALEIGH, NC 27616

DRAWN BY: JR
CHECKED BY: TAS
FIELD CREW: NM
APPROVED BY: WHS
DATE: 09/18/19
SCALE: AS SHOWN
SHEET 2 OF 3

PROJECT NO. 19-1586

NO.	REVISION	DATE	BY
1.	UPDATED EASEMENT	9/18/19	JR
2.	ADDRESSED TITLE	10/01/19	JR

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

PARENT TRACT
TITLE

Situate in the County of Collier, State of Florida:
The E1/2 of the NW1/4 of the SW1/4 of the NE1/4 of the NW1/4 of Section 15, Township 49 S, Range 27 E. in Collier County, Florida.
Tax ID: 00307840002
Being part of the same property conveyed to Johannes Steffens, grantee, from D. Gary Woodhead, grantor, by deed recorded 03/12/2014, as Book 5016, Page 1369 of the Collier County Records.

INSTRUMENT NUMBER 4954686, ORIGINAL 5016, PAGE 1369

The SW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E; and
The E 1/2 of the NW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E, in Collier County, Florida.

PARENT TRACT ACCESS (ORIGINAL 1220, PAGE 211)

Subject to: a 50 foot mutual right of way easement extending 25 feet on either side of all Section lines, including the eigth, quarter and half Section line, which easement is for the use and benefit of the adjacent property owners.

100' x 100' LEASE AREA (AS-SURVEYED)

A portion of the Johannes Steffens tract described in Instrument Number 4954686, Original 5016, Page 1369 as recorded in the Clerk of the Circuit Court for Collier County, Florida, being in the Northwest 1/4 of Section 15, Township 49 South, Range 27 East, Collier County, Florida, and being more particularly described as follows;
COMMENCING at a concrete monument found marking the Northeast corner of said Section 15; Thence along the East line of said Section 15; S 00°23'48" E a distance of 669.01 feet to a point; Thence leaving said East line, N 90°00'00" W a distance of 3784.69 feet to a set 5/8" rebar and the POINT OF BEGINNING; Thence S 00°00'00" E a distance of 100.00 feet to a set 5/8" rebar; Thence N 90°00'00" W a distance of 100.00 feet to a set 5/8" rebar; Thence N 00°00'00" W a distance of 100.00 feet to a set 5/8" rebar; Thence N 90°00'00" E a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,000 square feet (0.23 acres) of land more or less.

INGRESS/EGRESS & UTILITY EASEMENT (AS-SURVEYED)

A portion of the Johannes Steffens tract described in Instrument Number 4954686, Original 5016, Page 1369 as recorded in the Clerk of the Circuit Court for Collier County, Florida, being in the Northwest 1/4 of Section 15, Township 49 South, Range 27 East, Collier County, Florida, and being more particularly described as follows;
COMMENCING at a concrete monument found marking the Northeast corner of said Section 15; Thence along the East line of said Section 15; S 00°23'48" E a distance of 669.01 feet to a point; Thence leaving said East line, N 90°00'00" W a distance of 3784.69 feet to a set 5/8" rebar; Thence S 00°00'00" E a distance of 100.00 feet to a set 5/8" rebar and the POINT OF BEGINNING; Thence S 00°00'00" E a distance of 17.50 feet to a point; Thence N 90°00'00" W a distance of 35.00 feet to a point; Thence S 00°00'00" E a distance of 17.57 feet to a point; Thence S 29°40'33" W a distance of 57.33 feet to a point; Thence S 58°54'00" W a distance of 86.81 feet to a point; Thence N 88°01'25" W a distance of 168.01 feet to a point; Thence N 00°00'00" W a distance of 30.01 feet to a point; Thence S 88°01'25" E a distance of 160.12 feet to a point; Thence N 58°54'00" E a distance of 70.09 feet to a point; Thence N 29°40'33" E a distance of 41.56 feet to a point; Thence N 00°00'00" W a distance of 9.63 feet to a point; Thence N 90°00'00" W a distance of 35.00 feet to a point; Thence N 00°00'00" W a distance of 17.50 feet to a set 5/8" rebar; Thence N 90°00'00" E a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,915.72 square feet (0.25 acres) of land more or less.

PLOTTABLE EXCEPTIONS

Old Republic National Title Insurance Company
Commitment for Title Insurance Commitment No. 01-19050945-01T
Date August 02, 2019 @ 7:00 am
Schedule B, Section II

Exception No.	Instrument	Comment
1-8		Standard exceptions. Contain no survey matters.
9	Book 139, Page 331	Does affect subject access easement and parent parcel. As shown hereon. Said document describes a 50 foot mutual right-of-way easement, 25 feet on each side along all section lines.

SURVEYOR'S CERTIFICATION

I hereby certify that this sketch and description, to the best of my knowledge and belief, accurately represents lands surveyed and was done in accordance with the technical standards for property surveys in Florida as set forth in Chapter 180-7 of the rules of the Florida Board of Registration for Professional Engineers and Land Surveyors and as set for Professional Engineers and Land Surveyors and as set forth in Florida Plat Act O.C.G.A. 15-6-67.

I certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Florida to the best of my knowledge, information, and belief.

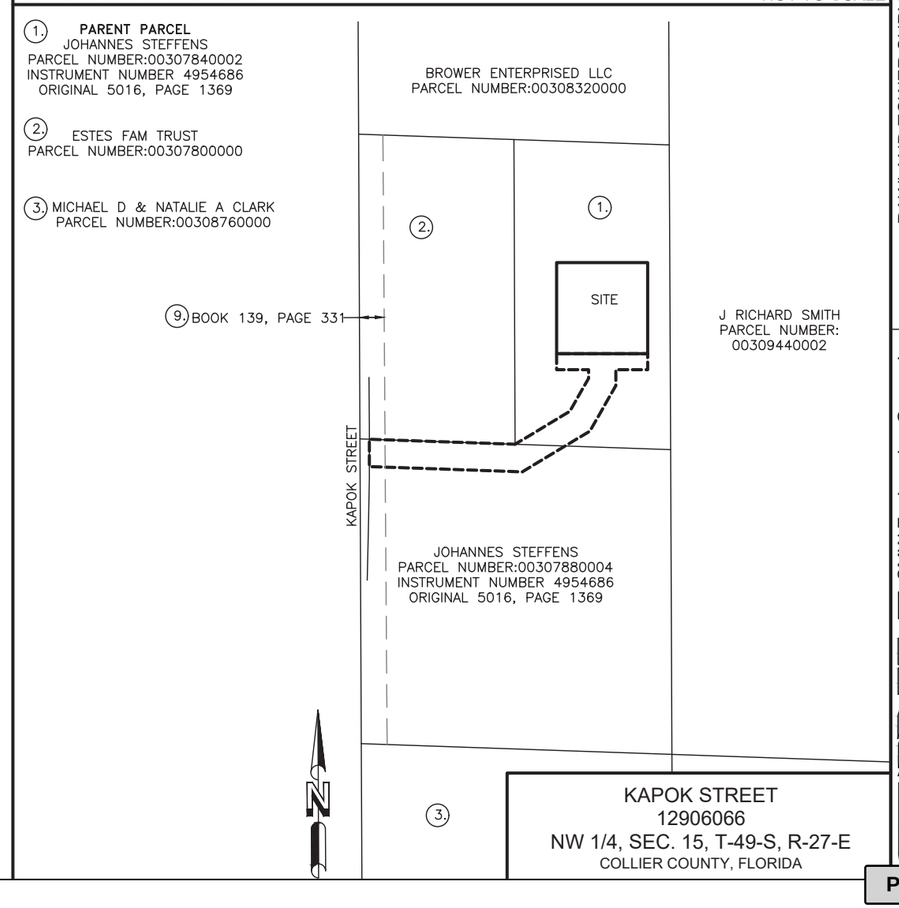
William H. Sommerville, III
Florida License No. 0006141

WILLIAM H. SOMMERVILLE III - CERTIFICATE NO. LS6141 - STATE OF FLORIDA - REGISTERED LAND SURVEYOR

SURVEYOR'S NOTES

1. This is an Rawland Tower Survey, made on the ground under the supervision of a Florida Registered Land Surveyor. Date of field survey is September 6, 2019.
2. The following surveying instruments were used at time of field visit: Topcon DM55 Total Station, Reflectorless and Hiper SR RTK Network Rover with static capability.
3. Bearings are based on Florida East State Plane Coordinates NAD 83 by GPS observation.
4. No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown.
5. Benchmark used is a GPS Continuously Operating Reference Station, PID DF7052. Onsite benchmark is as shown hereon. Elevations shown are in feet and refer to NAVD 88.
6. This survey was conducted for the purpose of an Rawland Tower Survey only, and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity.
7. Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.
8. This Survey was conducted with the benefit of an Abstract Title search.
9. Surveyor hereby states the Geodetic Coordinates and the elevation shown for the proposed centerline of the tower are accurate to within +/- 20 feet horizontally and to within +/- 3 feet vertically (FAA Accuracy Code 1A).
10. Survey shown hereon conforms to the Minimum Requirements as set forth by the State Board for a Class "A" Survey.
11. Field data upon which this map or plat is based has a closure precision of not less than one-foot in 15,000 feet (1':15,000') and an angular error that does not exceed 10 seconds times the square root of the number of angles turned. Field traverse was not adjusted.
12. This survey is not valid without the original signature and the original seal of a state licensed surveyor.
13. This survey does not constitute a boundary survey of the Parent Tract. Any parent tract property lines shown hereon are from supplied information and may not be field verified.
14. Zoning: (as supplied by client)
    Zoning Jurisdiction: Collier County Florida
    Zoning District: Agricultural (A)
    Surrounding Zoning: North-RFMUO-NBMO, South-RFMUO-NBMO, East-RFMUO-NBMO, West-RFMUO-NBMO
    Setbacks: Front-1/2 tower height, Rear-1/2 tower height, Side-1/2 tower height
15. Per Collier County Road Maintenance Division, Kapok Street in not a county maintained roadway.

PARENT TRACT OVERVIEW — NOT TO SCALE



NO.	REVISION	DATE	BY
1.	UPDATED EASEMENT	9/18/19	JR
2.	ADDRESSED TITLE	10/01/19	JR

PROJECT NO. 19-1586

DRAWN BY: JR
CHECKED BY: TAS
FIELD CREW: NA
APPROVED BY: WHS
DATE: 09/09/19
SCALE: AS SHOWN
SHEET 3 OF 3

RAWLAND TOWER SURVEY

FOR:

FDH-NC
6521 MERIDIEN DRIVE SUITE 107
RALEIGH, NC 27616

SMW Engineering Group, Inc.
158 Business Center Drive
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Ph: 205-252-6985
www.smweng.com

SMW ENGINEERING GROUP, INC.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

GENERAL NOTES:

1. EVERY EFFORT HAS BEEN MADE IN THE CONSTRUCTION DOCUMENTS TO PROVIDE A COMPLETE SCOPE OF WORK. MINOR DISCREPANCIES IN THE DRAWINGS AND/OR SPECIFICATIONS SHALL NOT EXCUSE CONTRACTORS FROM COMPLETING THE PROJECT AND IMPROVEMENTS IN ACCORDANCE WITH THE INTENT OF THESE DOCUMENTS.

2. BIDDING REQUIREMENTS
   a. PRIOR TO THE SUBMISSION OF BIDS, VISIT THE JOB SITE TO BECOME FAMILIAR WITH ALL CONDITIONS AFFECTING THE PROPOSED PROJECT. VISIT THE SITE WITH THE CONSTRUCTION DOCUMENTS TO VERIFY FIELD DIMENSIONS AND CONDITIONS TO CONFIRM THAT THE PROJECT WILL BE ACCOMPLISHED AS SHOWN.
   b. PROVIDE NOTIFICATION TO OWNER'S REPRESENTATIVE IN WRITING OF ANY CONFLICTS, ERRORS, OR OMISSIONS PRIOR TO SUBMISSION OF PRICE PROPOSAL. IN THE EVENT OF DISCREPANCIES, PRICE THE MORE COSTLY OR EXTENSIVE WORK, UNLESS DIRECTED OTHERWISE.
   c. WHEN TOWER IS OWNED BY A THIRD PARTY, CONTACT TOWER OWNER REPRESENTATIVE FOR PARTICIPATION IN BID WALK.
   d. WHERE ANCHORING TO A CONCRETE ROOF SLAB, CONFIRM (PRIOR TO SUBMITTING BID) THE PRESENCE OF POST TENSION TENDONS. INCLUDE PROVISIONS FOR X-RAY PROCEDURES TO LOCATE THE TENDONS PRIOR TO CONSTRUCTION.

3. DRAWINGS ARE NOT TO BE SCALED. WRITTEN DIMENSIONS TAKE PRECEDENCE. CONSTRUCTION DOCUMENTS ARE INTENDED FOR DIAGRAMMATIC PURPOSES ONLY, UNO.

4. FURNISH ALL MATERIALS, EQUIPMENT, LABOR, AND ANY REQUIREMENTS NECESSARY TO COMPLETE PROJECT AS DESCRIBED IN THE CONSTRUCTION DOCUMENTS.

5. SUPERVISE AND DIRECT THE PROJECT DESCRIBED IN THE CONSTRUCTION DOCUMENTS. PROVIDE ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.

6. ALL WORK PERFORMED ON THE PROJECT AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY, MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES APPLICABLE TO THE WORK.

7. CONSTRUCTION COORDINATION REQUIREMENTS
   a. NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES PRIOR TO START OF WORK.
   b. OBTAIN ALL PERMITS. SCHEDULE AND COORDINATE ALL INSPECTIONS.
   c. PROVIDE, AT THE PROJECT SITE, A FULL, CURRENT SET OF CONSTRUCTION DOCUMENTS FOR USE BY ALL PERSONNEL INVOLVED WITH THE PROJECT.
   d. RECEIVE WRITTEN AUTHORIZATION TO PROCEED WITH CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED BY THE CONSTRUCTION DOCUMENTS.
   e. PERFORM WORK DURING OWNER'S PREFERRED HOURS TO AVOID DISTURBING NORMAL BUSINESS.
   f. PROVIDE FALL PROTECTION IN ACCORDANCE WITH FEDERAL, STATE, LOCAL, AND OWNER REQUIREMENTS.
   g. IF FAA LIGHTING AND MARKING IS PRESENT ON SITE AND IS POWERED BY ELECTRICAL SERVICE THAT IS TO BE INTERRUPTED, MAINTAIN THE NECESSARY LIGHTS DURING CONSTRUCTION AND NOTIFY THE PROPER AUTHORITIES IN THE EVENT OF A DISRUPTION.
   h. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF PROJECT AREA DURING CONSTRUCTION.
   i. STRUCTURAL COMPONENTS OF ADJACENT FACILITIES SHALL NOT BE ALTERED BY THIS CONSTRUCTION PROJECT, UNO. ENSURE THAT EXCAVATION DOES NOT AFFECT ADJACENT STRUCTURES.
   j. SEAL ALL PENETRATIONS THROUGH FIRE-RATED AREAS WITH U.L. LISTED OR FIRE MARSHALL-APPROVED MATERIALS, IF APPLICABLE.
   k. BURIED UTILITIES MAY EXIST IN THE AREA AND UTILITY INFORMATION SHOWN MAY NOT BE COMPLETE. CONTACT THE UTILITY LOCATE SERVICE A MINIMUM OF 48 HOURS PRIOR TO CONSTRUCTION.
   l. COORDINATE ALL POWER INSTALLATION WITH POWER COMPANY AS REQUIRED. REPORT POWER INSTALLATION COORDINATION SOLUTION(S) TO OWNER'S REPRESENTATIVE.
   m. PROTECT EXISTING IMPROVEMENTS, EASEMENTS, PAVING, CURBING, ETC. DURING CONSTRUCTION. UPON COMPLETION OF WORK, REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION ON OR ABOUT THE PROPERTY.
   n. KEEP GENERAL WORK AREA CLEAN AND HAZARD FREE DURING CONSTRUCTION AND DISPOSE OF ALL DIRT, DEBRIS, AND RUBBISH. REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY OR PREMISES. SITE SHALL BE LEFT IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR SMUDGES OF ANY NATURE.
   o. MAINTAIN THE INTEGRITY OF THE BUILDING ENVELOPE AND CONSTRUCT BARRIERS IN THE AREA OF WORK TO PREVENT DAMAGE FROM WEATHER AS WELL AS FROM CONSTRUCTION DUST AND DEBRIS.

8. INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO MANUFACTURER'S SPECIFICATIONS, UNO, OR WHERE LOCAL CODES OR ORDINANCES DIRECT OTHERWISE.

9. ANY SUBSTITUTIONS OF MATERIALS AND/OR EQUIPMENT, MUST BE APPROVED BY OWNER'S REPRESENTATIVE.

10. DOCUMENT ALL CHANGES MADE IN THE FIELD BY MARKING UP THE APPROVED CONSTRUCTION DRAWINGS AND SUBMITTING THE REDLINED SET TO OWNER'S REPRESENTATIVE UPON COMPLETION. DOCUMENT ALL WORK PERFORMED WITH PHOTOGRAPHS TO BE SUBMITTED WITH REDLINED CONSTRUCTION DRAWINGS.

11. PROVIDE SUPPORTS FOR CABLES TO THE ELEVATION OF ALL INITIAL AND FUTURE ANTENNAS IN ACCORDANCE WITH ALL MANUFACTURER'S REQUIREMENTS.

12. A STRUCTURAL ANALYSIS AND A MOUNT ANALYSIS (IF REQUIRED) TO DETERMINE THE STRUCTURAL CAPACITY TO SUPPORT THIS PROPOSED EQUIPMENT WAS PERFORMED OUTSIDE THE SCOPE OF THIS PROJECT.

13. CONFIRM THAT THE REQUIREMENTS OF THE STRUCTURAL ANALYSIS, MOUNT ANALYSIS AND ANY ASSOCIATED MODIFICATIONS HAVE BEEN FOLLOWED AND COMPLETED AS REQUIRED TO SUPPORT THE EQUIPMENT ASSOCIATED WITH THIS PROJECT.

SPECIAL INSPECTIONS:

1. WHEN REQUIRED, PROVIDE SPECIAL INSPECTIONS PERFORMED BY AN INDEPENDENT INSPECTOR, APPROVED BY OWNER'S REPRESENTATIVE AND THE LOCAL JURISDICTION.

2. THE SPECIAL INSPECTOR SHALL PROVIDE A COPY OF THE REPORT TO THE OWNER'S REPRESENTATIVE, STRUCTURAL ENGINEER, CONTRACTOR, AND BUILDING OFFICIAL.

ABBREVIATIONS

A/C	AIR CONDITIONING
AFF	ABOVE FINISHED FLOOR
AGL	ABOVE GROUND LEVEL, ABOVE GRADE LEVEL
AWS	ADVANCED WIRELESS SERVICE
BBU	BATTERY BACKUP UNIT
BLDG	BUILDING
BLK	BLOCKING
CLG	CEILING
CLR	CLEAR
CONC	CONCRETE
CONT	CONTINUOUS
D	DEPTH
DBL	DOUBLE
DEG	DEGREE
ø, DIA	DIAMETER
DIAG	DIAGONAL
DN	DOWN
DET	DETAIL
DWG	DRAWING
E	EXISTING
EA	EACH
ELEV, EL	ELEVATION
ELEC	ELECTRICAL
EQ	EQUAL
EQUIP	EQUIPMENT
EXT	EXTERIOR
FIF	FIBER INTERFACE FRAME, FACILITY INTERFACE FRAME
FIN	FINISH
FLUOR	FLUORESCENT
FLR	FLOOR
FT	FOOT, FEET
GA	GAUGE
GALV	GALVANIZED
GC	GENERAL CONTRACTOR
GRND	GROUND
GSM	GLOBAL SYSTEM MOBILE
GYP	GYPSUM BOARD
HORZ	HORIZONTAL
HR	HOUR
HT	HEIGHT
ID	INSIDE DIAMETER
IN	INCH, INCHES
INSUL	INSULATION
INT	INTERIOR
L	LENGTH
LBS	POUNDS
LTE	LONG TERM EVOLUTION
MAX	MAXIMUM
MECH	MECHANICAL
MTL	METAL
MFR	MANUFACTURE
MGR	MANAGER
MIN	MINIMUM
MISC	MISCELLANEOUS
NA	NOT APPLICABLE
NIC	NOT IN CONTRACT
NO	NUMBER
NTS	NOT TO SCALE
OC	ON CENTER
OD	OUTSIDE DIAMETER
PCS	PERSONAL COMMUNICATION SERVICE
PDU	POWER DISTRIBUTION UNIT
PROJ	PROJECT
PROP	PROPERTY
PT	PRESSURE TREATED
PVC	POLYVINYL CHLORIDE
REQ	REQUIRED
RF	RADIO FREQUENCY
RM	ROOM
RO	ROUGH OPENING
RRH	REMOTE RADIO HEAD
SHT	SHEET
SIM	SIMILAR
SPEC	SPECIFICATION
SF	SQUARE FOOT
SS	STAINLESS STEEL
STL	STEEL
SUSP	SUSPENDED
TMA	TOWER MOUNTED AMPLIFIER
TND	TINNED
TYP	TYPICAL
UMTS	UNIVERSAL MOBILE TELECOMMUNICATION SERVICE
UNO	UNLESS NOTED OTHERWISE
VERT	VERTICAL
W/	WITH
W/O	WITHOUT
WCS	WIRELESS COMMUNICATION SERVICE
WP	WATER PROOF

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ATLANTA, GA 30345

PREPARED BY:
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FDH INFRASTRUCTURE SERVICES, LLC
FL COA #28282

DENNIS D. ABEL, P.E. 08/05/20
STATE LICENSE NO. 62750

DRAWN BY: VAH
CHECKED BY: JRB

SUBMITTALS

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03/23/20	ZONING DRAWING	1	JRB
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SITE NAME:
KAPOK STREET

SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
GENERAL NOTES

SHEET NUMBER
GN-1

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

SITE NOTES:

1. CLEAR AND GRUB SITE OF ALL VEGETATION, PAVING, GRAVEL BASE AND OTHER DEBRIS NOT TO REMAIN. SUBGRADES ARE TO BE SET PRIOR TO LANDSCAPE INSTALLATION.
2. PROVIDE ELEVATION OF SUBGRADE WITHIN 0.10 FOOT OF ELEVATIONS SHOWN ON PLAN MINUS DEPTH OF TOPSOIL, FILL, AND MULCH.
3. ROUGH GRADE ALL AREAS WITHIN 1 FOOT OF ELEVATIONS INDICATED BEFORE PLANTING. PROVIDE POSITIVE DRAINAGE AWAY FROM EQUIPMENT SLABS, BUILDINGS AND THROUGH ALL PLANTER AREAS TO AVOID LOW SPOTS AND STANDING WATER.
4. REWORK (DRY, SCARIFY, ETC.) ALL MATERIAL NOT SUITABLE FOR SUB GRADE IN ITS PRESENT STATE. AFTER REWORKING, IF THE MATERIAL REMAINS UNSUITABLE, UNDERCUT AND REPLACE WITH SUITABLE MATERIAL AT CONTRACTOR'S EXPENSE. ALL SUB GRADES AND AGGREAGATE BASE COURSES SHALL BE PROOF ROLLED WITH A FULLY LOADED TANDEM DUMP TRUCK, AND ANY SOFT SPOTS SHALL BE REWORKED OR REPLACED UNTIL PASSING PROOF ROLL.
5. BLEND NEW GRADES NATURALLY INTO EXISTING GRADES.
6. MAINTAIN POSITIVE DRAINAGE ON THE SITE AT ALL TIMES, INCLUDING KEEPING ALL EXISTING AND NEW DITCHES, PIPES AND OTHER DRAINAGE STRUCTURES FREE FROM OBSTRUCTION. ANY DAMAGE RESULTING FROM FAILURE TO COMPLY SHALL BE REMEDIED BY CONTRACTOR
7. IF REQUIRED, MAINTAIN CONTINUOUS EROSION CONTROL ON THE DOWNSTREAM SIDE OF THE SITE.
8. IN LANDSCAPE AREAS, FINISH GRADES ARE TO FOLLOW THE GRADES AND EDGE DETAILS INDICATED AND BE MOUNDED 6 INCHES IN THE CENTER OF THE BED ABOVE THE EDGE OF THE LANDSCAPE AREA.
9. DO NOT PLACE FILL OR EMBANKMENT MATERIAL ON FROZEN GROUND. DO NOT PLACE FROZEN MATERIALS, SNOW OR ICE IN ANY FILL OR EMBANKMENT.
10. NOTIFY OWNER'S REPRESENTATIVE IF MODIFICATIONS TO THE PROPOSED GRADING SEEM NECESSARY AND OBTAIN APPROVAL PRIOR TO START OF WORK.
11. FOOTINGS SHALL BEAR ON FIRM, NATURAL, UNDISTURBED SOIL, OR ON ENGINEERED FILL (COMPACTED TO 95% ASTM D698). ENSURE THAT EXCAVATIONS ARE FREE OF ORGANIC MATERIAL, DEBRIS, OR OTHER FOREIGN MATERIAL. NOTIFY OWNER'S REPRESENTATIVE IF ANY UNUSUAL CONDITIONS ARE ENCOUNTERED.
12. FILL AND SLAB BASE MATERIAL SHALL BE 3/4" MINUS CRUSHED ROCK PLACED IN 8" (MAXIMUM) LOOSE LIFTS AND COMPACTED TO 98% ASTM D698.

CONCRETE NOTES:

1. CONCRETE AND REINFORCING SHALL CONFORM TO THE FOLLOWING REQUIREMENTS:

CONCRETE CONSTRUCTION	ACI 318
CEMENT	ASTM C150, PORTLAND CEMENT TYPE II, UNO
REINFORCING STEEL	ASTM A615 (INCLUDING SUPPLEMENT S1), GRADE 60, fy=60 Ksi, UNO
WELDED WIRE FABRIC	ASTM A185
SPIRAL REINFORCEMENT	ASTM A615, GRADE 60, fy=60 KSI
ANCHOR BOLTS	ASTM A307
GRADE 60 REBAR WELDING	ASTM A706

NOTES: ANY BARS SO NOTED ON THE DRAWINGS SHALL BE GRADE 60, fy=60 KSI. REINFORCING COMPLYING WITH ASTM A615(S1) MAY BE WELDED ONLY IF MATERIAL PROPERTY REPORTS INDICATING CONFORMANCE WITH WELDING PROCEDURES SPECIFIED IN A.W.S. D14 ARE SUBMITTED.

2. CONCRETE PROTECTION (COVER) FOR REINFORCING STEEL SHALL BE AS FOLLOWS:

FOOTINGS AND OTHER UNFORMED SURFACES, EARTH FACE	3"
FORMED SURFACES EXPOSED TO EARTH OR WEATHER (≥ #6 BARS)	2"
FORMED SURFACES EXPOSED TO EARTH OR WEATHER (≤ #5 BARS)	1-1/2"
SLABS AND WALLS (INTERIOR FACE)	3/4"

3. AIR ENTRAIN ALL CONCRETE WITH SURFACES EXPOSED TO WEATHER WITH AN AIR-ENTRAINING AGENT CONFORMING TO ASTM C260, C494, C618, C989 AND C1017. AIR ENTRAIN CONCRETE EXPOSED TO FREEZING AND THAWING WHILE MOIST IN ACCORDANCE WITH ACI 318, SECTION 4.4.1.
4. DETAIL REINFORCING STEEL (INCLUDING HOOKS AND BENDS) IN ACCORDANCE WITH ACI 315 AND 318. LAP ALL CONTINUOUS REINFORCEMENT AT LEAST 30 BAR DIAMETERS OR A MINIMUM OF 2'-0". PROVIDE CORNER BARS AT ALL WALL AND FOOTING INTERSECTIONS. LAP CORNER BARS AT LEAST 30 BAR DIAMETERS OR A MINIMUM OF 2'-0". LAP ADJACENT MATS OF WELDED WIRE FABRIC A MINIMUM OF 8" AT SIDES AND ENDS.
5. PERFORM WELDING OF GRADE 60 REINFORCING BARS (IF REQUIRED) USING LOW HYDROGEN ELECTRODES. PERFORM WELDING OF GRADE 40 REINFORCING BARS (IF REQUIRED) USING E70 XX ELECTRODES. DO NOT WELD WITHIN 4" OF COLD BENDS IN REINFORCING STEEL.
6. DO NOT FIELD BEND REINFORCING PARTIALLY EMBEDDED IN CONCRETE UNLESS SPECIFICALLY SO DETAILED OR APPROVED BY THE ENGINEER.
7. SUPPORT BARS ON CHAIRS OR DOBIE BRICKS.
8. FURNISH NON-SHRINK GROUT BY AN APPROVED MANUFACTURER. MIX AND PLACE IN STRICT ACCORDANCE WITH THE MANUFACTURER'S PUBLISHED RECOMMENDATIONS. GROUT STRENGTH SHALL BE AT LEAST EQUAL TO THE MATERIAL ON WHICH IT IS PLACED (3 KSI, MINIMUM).
9. ALL EXPANSION ANCHORS TO BE HILTI BRAND, UNO. TEST ADHESIVE ANCHORS TO CONFIRM CAPACITY UNLESS WAIVED BY ENGINEER AND LOCAL JURISDICTION.

STRUCTURAL STEEL NOTES:

1. STRUCTURAL STEEL SHALL CONFORM TO THE FOLLOWING REQUIREMENTS:

WIDE FLANGE SHAPES	ASTM A992, GRADE 50
SHAPES, PLATES, ANGLES, & RODS	ASTM A36, Fy 36 KSI
SPECIAL SHAPES AND PLATES	ASTM A572, Fy 50 KSI
PIPE COLUMNS	ASTM A53, Fy 35 KSI
STRUCTURAL TUBING	ASTM A500, Fy 46KSI
ANCHOR BOLTS	ASTM A307
CONNECTION BOLTS	ASTM A325 TWIST-OFF

2. BASE STRUCTURAL STEEL DESIGN, FABRICATION AND ERECTION (INCLUDING FIELD WELDING, HIGH STRENGTH FIELD BOLTING, EXPANSION BOLTS, AND THREADED EXPANSION ANCHORS) ON THE AISC "SPECIFICATION FOR THE DESIGN, FABRICATION, AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS" LATEST EDITION.
3. HOT DIP GALVANIZE AFTER FABRICATION PER A123/A123M-00 ALL STEEL EXPOSED TO WEATHER AND WHERE NOTED.
4. CONFORM TO ALL AISC AND AWS STANDARDS FOR WELDING. PERFORM WELDING BY ANSI/AWS D1.1 CERTIFIED WELDERS USING E70 XX ELECTRODES. USE ONLY PRE-QUALIFIED WELDS AS DEFINED BY AWS.
5. PROVIDE COLD-FORMED STEEL FRAMING MEMBERS OF THE SHAPE, SIZE, AND GAGE SHOWN ON THE PLANS. PROVIDE MINIMUM SECTION PROPERTIES INDICATED. ALL COLD-FORMED STEEL FRAMING SHALL CONFORM TO THE AISI "SPECIFICATION FOR THE DESIGN OF COLD-FORMED STEEL STRUCTURAL MEMBERS."
6. FOR BOLTED CONNECTIONS, USE 3/4" DIA., BEARING-TYPE, A325 BOLTS WITH A MINIMUM OF TWO BOLTS, UNO.
7. FOR NON-STRUCTURAL CONNECTIONS FOR STEEL GRATING, USE 5/8" DIA. A307 BOLTS, UNO.
8. PREPARE AND PAINT IN ACCORDANCE WITH THE PAINT MANUFACTURERS WRITTEN INSTRUCTIONS, UNO.
9. TOUCH UP ALL FIELD DRILLING, WELDING AND CUT SURFACES WITH 2 COATS OF GALVACON (ZINC RICH PAINT) OR APPROVED EQUAL.

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PREPARED BY:
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KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
GENERAL NOTES

SHEET NUMBER
GN-2

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

NOTES:

1. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
2. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
3. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION, THERE IS NO HANDICAP ACCESS REQUIRED.
4. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
5. UTILITIES TO BE CONFIRMED DURING SITE VISIT.
6. SITE PLAN AND PROPERTY LINES DEVELOPED FROM SURVEY COMPLETED BY SMW ENGINEERING GROUP, INC. DATED 10/01/2019.
7. PROPOSED SITE IS LOCATED IN EXISTING FLOOD ZONE AH ACCORDING TO FEMA PANEL # 12021C0430H DATED MAY 16, 2012.

PARCEL INFORMATION:

OWNER: JOHANNES STEFFENS

ZONING: A

LAND USE: VACANT

PARCEL NUMBER: 00307840002

APPROXIMATE TOWER SETBACKS*	
PROPERTY LINE	SETBACK DISTANCE
NORTH	182'±
SOUTH	153'±
EAST	60'±
WEST	82'±

*THESE APPROXIMATE SETBACKS ARE BASED UPON AN ASSUMED BASE OF TOWER DIMENSION FROM FOUNDATION LEG TO ADJACENT FOUNDATION LEG OF 25'. ACTUAL SETBACKS MAY BE SLIGHTLY MORE OR LESS DEPENDENT UPON ACTUAL TOWER FOUNDATION LEG DIMENSIONS.

IMPERVIOUS AREAS			
PARCEL ID	AREA	PROPOSED IMPERVIOUS SURFACE	% IMPERVIOUS SURFACE
00307880004	104,805.9 SQ.FT.	2,082.8 SQ.FT.	1.99%
0030784002	57,102.59 SQ.FT.	8,380.67 SQ.FT.	14.68%

OVERALL SITE PLAN

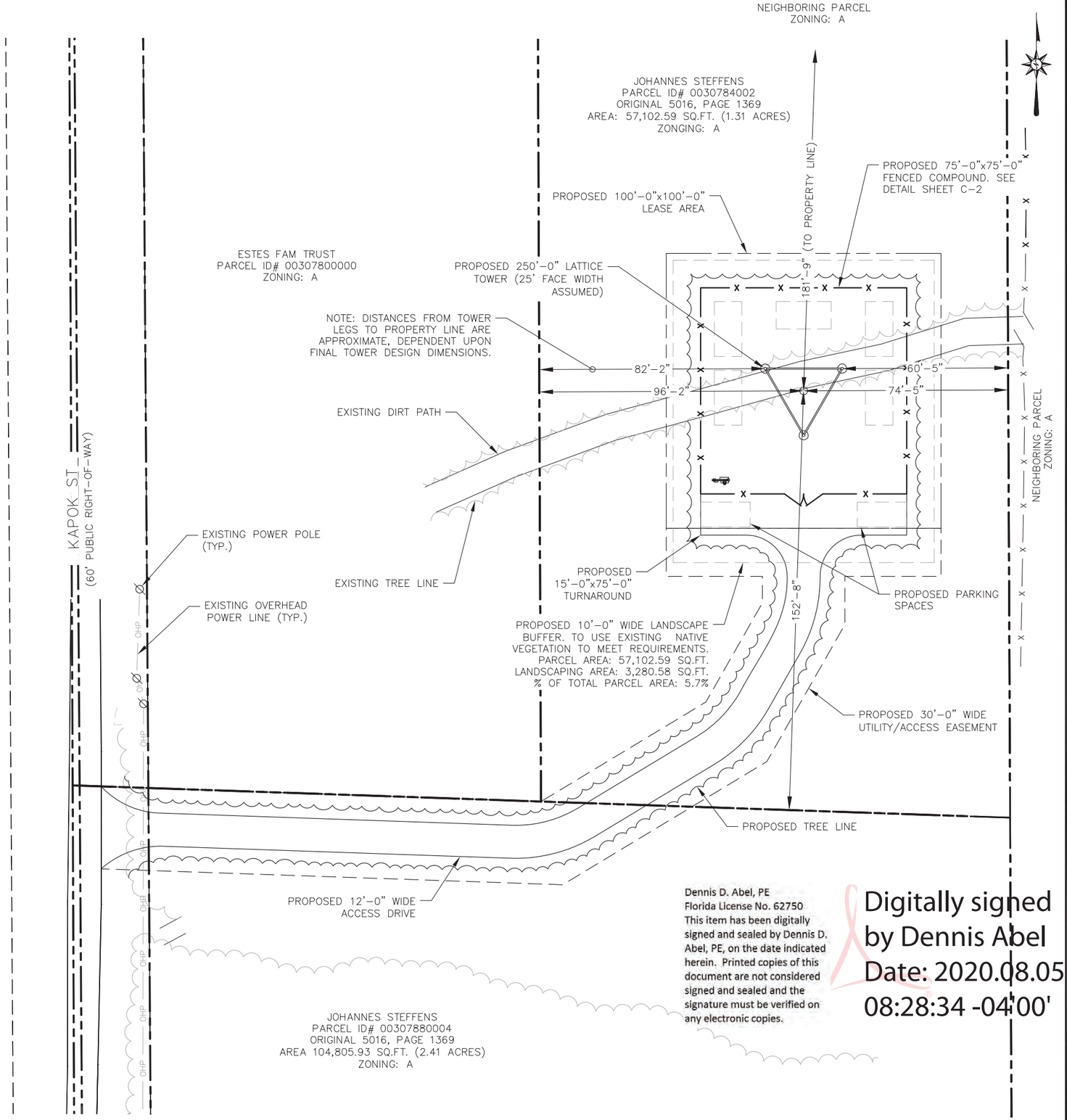
11"x17" SCALE: 1" = 40'
24"x36" SCALE: 1" = 20'

40' 20' 0 40' 80'

1"=40'

LEGEND:

- OHP — OVERHEAD POWER
- —x—x— PROPOSED CHAIN-LINK FENCE
- —x—x— EXISTING FENCE
- — — — — EXISTING EASEMENT
- — — — — PROPOSED EASEMENT
- ROW — RIGHT-OF-WAY
- — — — — PROPOSED LEASE AREA
- EXISTING ROAD / TURNAROUND
- PROPERTY LINE



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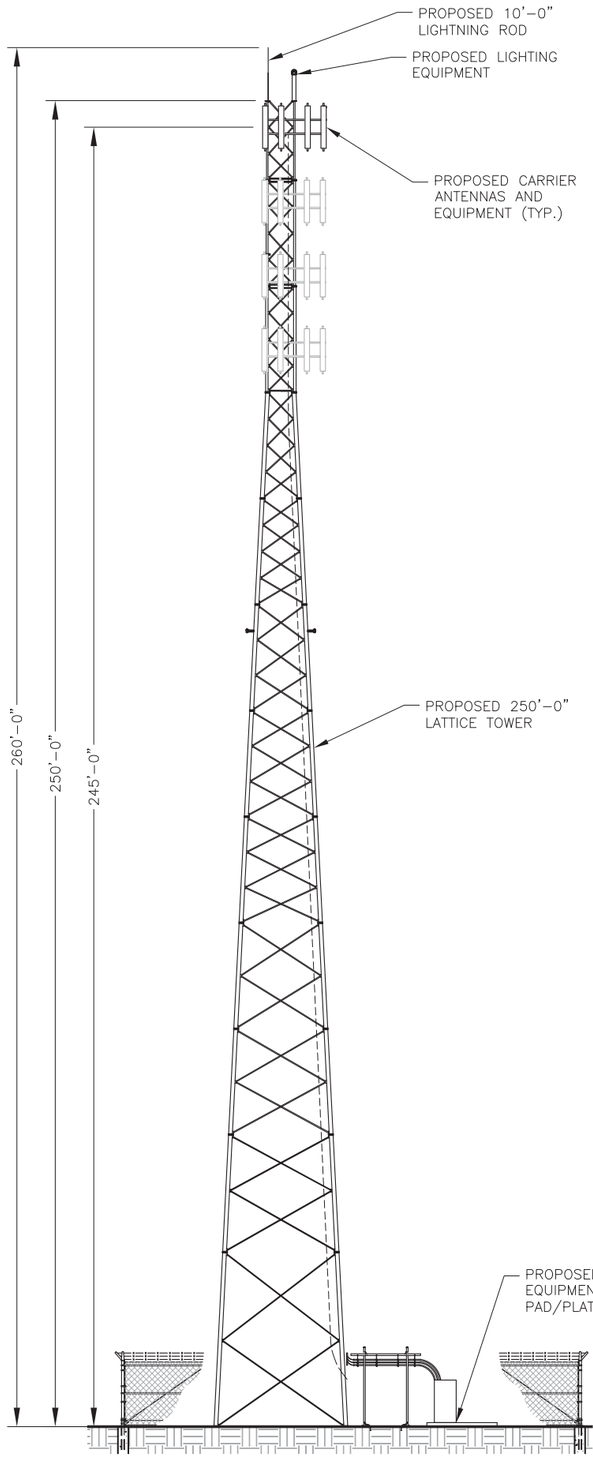
SITE LOCATION:
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RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
OVERALL SITE PLAN

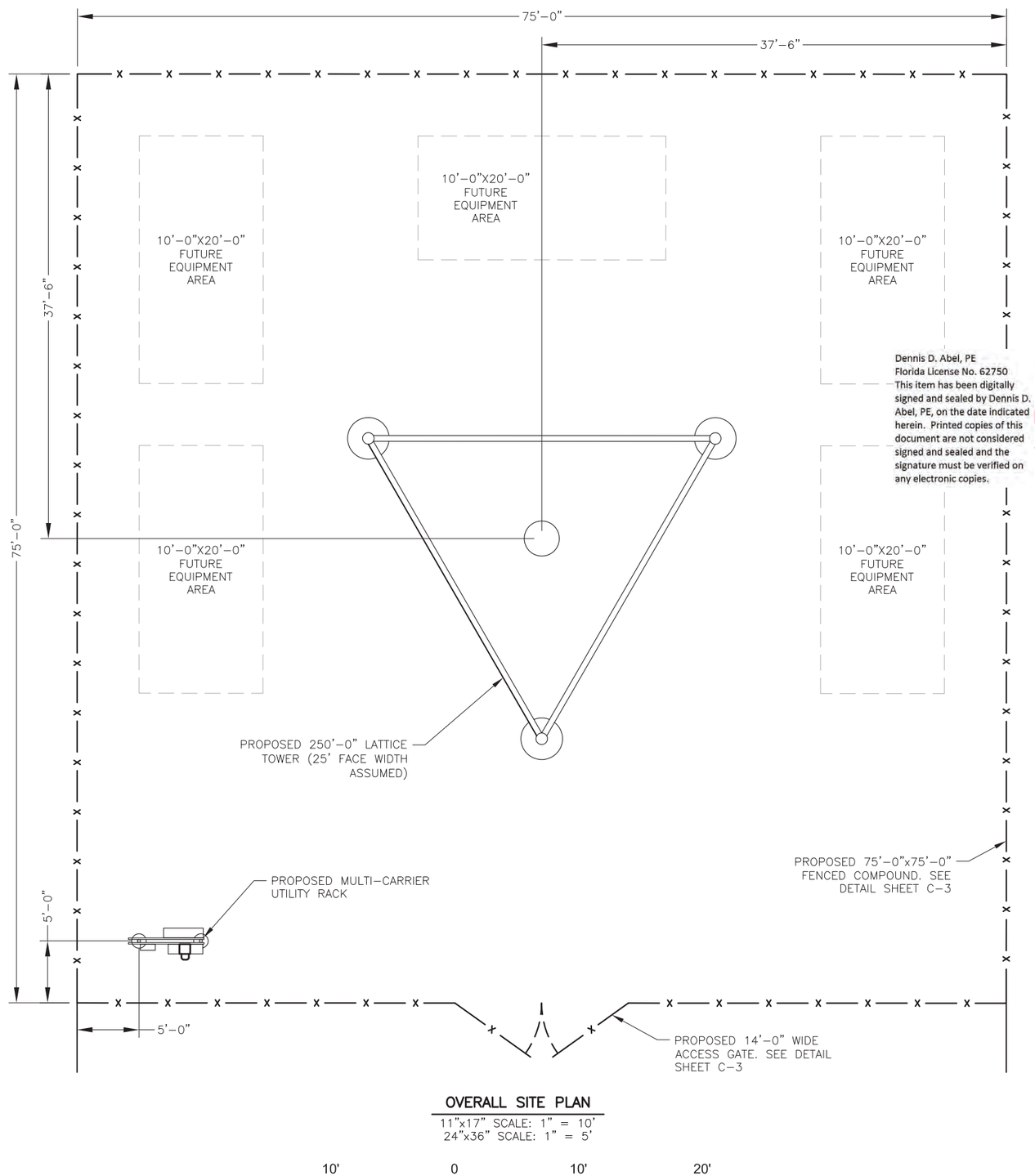
SHEET NUMBER
C-1

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



TOWER ELEVATION

11"x17" SCALE: N.T.S
24"x36" SCALE: N.T.S



OVERALL SITE PLAN

11"x17" SCALE: 1" = 10'
24"x36" SCALE: 1" = 5'

10' 0 10' 20'

1"=10'

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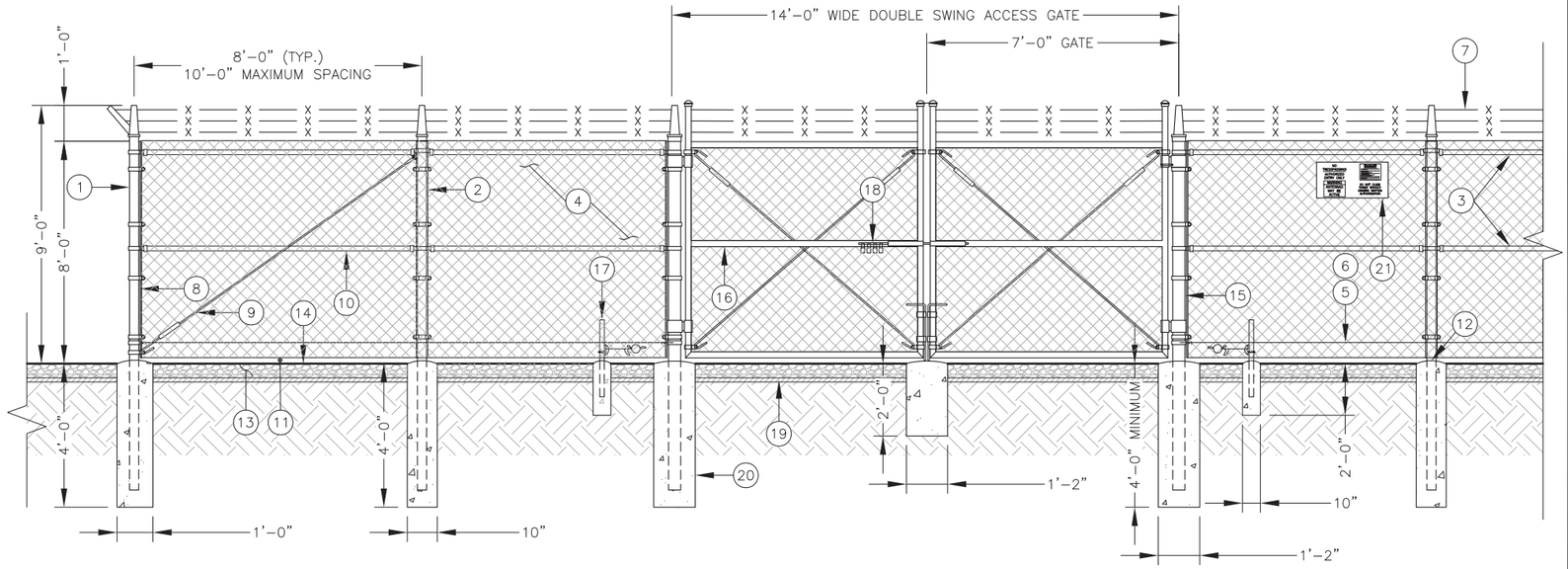
SHEET TITLE
COMPOUND DETAILS

SHEET NUMBER
C-2

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

CALLOUTS:

1. 3" O.D. GALVANIZED STEEL SCHEDULE 40 CORNER POSTS (PER ASTM–F1083).
2. 2–1/2" NOMINAL GALVANIZED STEEL, SCHEDULE 40 INTERMEDIARY LINE POSTS (PER ASTM–F1083). LINE POSTS SHALL BE EQUALLY SPACED AT MAXIMUM 10' O.C.
3. 1–5/8" O.D. ROUND TOP RAIL & BRACE PIPE RAIL (PER ASTM–F1083).
4. 9 GAUGE FABRIC CORE WIRE WITH 2" MESH (TO CONFORM TO ASTM–A392).
5. 9 GAUGE ALUMINUM TIE WIRE. PROVIDE HOG RING FABRIC TIES SPACED 12" O.C. FOR POSTS AND GATES AND 24" O.C. FOR RAILS AND WIRE.
6. 9 GAUGE ALUMINUM TENSION WIRE.
7. 3 STRANDS 14 GAUGE BARBED WIRE WITH 4 POINT BARBS. SPACE BARBS APPROXIMATELY 5" O.C.
8. 3/16"x3/4" STRETCHER BAR; TO EXTEND FULL HEIGHT OF FENCE.
9. 3/8" DIAGONAL ROD WITH GALVANIZED STEEL TURNBUCKLE OR DIAGONAL THREADED ROD.
10. 1–5/8" DIAMETER CORNER POST BRACE.
11. MAINTAIN A 1" MAXIMUM CLEARANCE FROM FINISHED GRADE.
12. PROVIDE CROWNED/PITCHED FINISH FOR FENCE POST PIER FOUNDATIONS; TO EXTEND 1" ABOVE GRADE.
13. 6" CRUSHED STONE (TYP.).
14. FINISHED GRADE SHALL BE UNIFORM AND LEVEL.
15. 4" O.D. GALVANIZED STEEL SCHEDULE 40 GATE POSTS (PER ASTM–F1083).
16. 1–1/2" NOMINAL PIPE FOR GATE FRAME BRACE RAIL (PER ASTM F–1083).
17. DUCK BILL OPEN GATE HOLDER. CONTRACTOR TO VERIFY EXACT LOCATION PRIOR TO INSTALLATION.
18. MULTI–TENTANT LOCKING DEVICE.
19. PROPOSED GEOTEXTILE FABRIC.
20. CONCRETE PIER FOUNDATION; TO ACHIEVE A MINIMUM STRENGTH OF 3000 PSI AT 28 DAYS. CONCRETE DEPTH TO BE A MINIMUM OF 6" BELOW FROST LINE (48" MINIMUM, TYP.).
21. 12"x24" NO TRESPASSING SIGN.

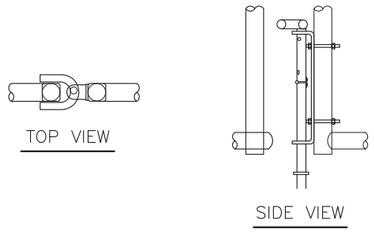


FENCING DETAIL

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24"x36" SCALE: N.T.S.

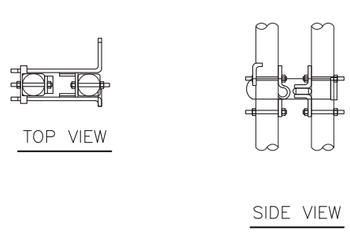
NOTES:

1. ALL FENCING TO BE INSTALLED PER ASTM F–567. ALL SWING GATES TO BE INSTALLED PER ASTM F–900.
2. BARBED WIRE PERMIT REQUIRED SHALL BE COMPLETED IF LOCAL ORDINANCE REQUIRES.
3. POST & GATE PIPE SIZES ARE INDUSTRY STANDARDS. ALL PIPE TO BE GALVANIZED (HOT DIP, ASTM A120 GRADE "A" STEEL). ALL GATE FRAMES SHALL BE WELDED. ALL WELDINGS SHALL BE COATED WITH (3) COATS OF GOLD GALV. (OR EQUAL). ALL OPEN POSTS SHALL HAVE END–CAPS.
4. ALL SIGNS MUST BE MOUNTED ON INSIDE OF FENCE FABRIC USING GALVANIZED HOG–RING WIRE.
5. MUSHROOM ANCHOR AND PLUNGER REQUIRED FOR GATE. GENERAL CONTRACTOR RESPONSIBLE FOR GATE LOCK.



DROP ROD ASSEMBLY DETAIL

11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.



LATCH ASSEMBLY DETAIL

11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.

MULTILOCK INSTALLATION:

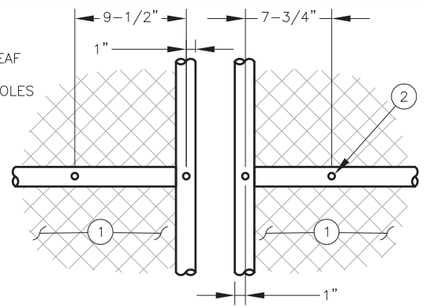
1. DRILL 3/8" HOLES IN THE GATE LEAF USING THE GATE DIMENSIONS PROVIDED.
2. SLIDE THE CARRIAGE BOLTS IN THE SLOTS ON THE BACK OF PART "B" AND PUSH THE BOLTS THROUGH THE HOLES DRILLED IN THE GATE FIGURE. PUT THE NUT AND THE LOCKNUT ON AND TIGHTEN AND CUT THE EXCESS BOLT OFF. DO THE SAME WITH PART "A".
3. ADD THE NUMBER OF SLEEVES NEEDED FOR THE NUMBER OF LOCKS AND SLIDE THE LOCKING BAR INTO PLACE THROUGH BOTH PART "A" AND PART "B". NOW INSTALL THE LOCKS.
4. IF THE GATE HAS NO CENTER BAR IN THE GATE LEAF YOU MAY NEED TO MOUNT THE STYMIELOCK VERTICALLY USING THE SAME DIMENSIONS GIVEN ON THE GATE FACE.
5. VERTICAL APPLICATION MAY ALSO BE USED ON SLIDING GATES WITH MULTIPLE LOCKS.

GATE LOCK ASSEMBLY:

1. "STYMIELOCK" MULTILOCKING DEVICE OR APPROVED EQUAL.

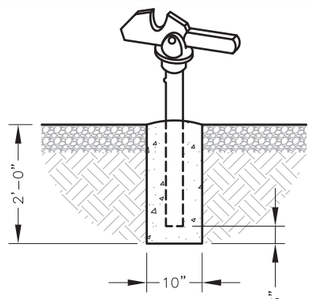
CALLOUTS:

1. GATE LEAF
2. 3/8" HOLES (TYP.)



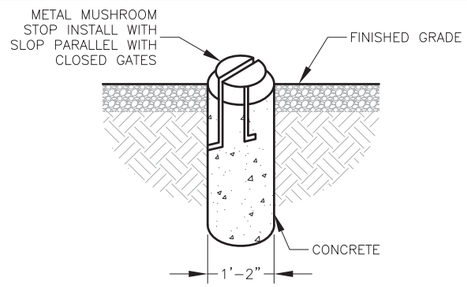
GATE FACE – ACCOMODATING MULTI–TENTANT LOCK

11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.



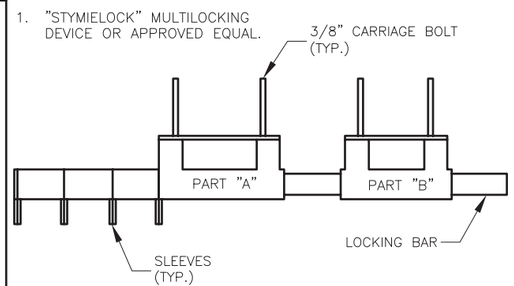
GATE KEEPER DETAIL

11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.



MUSHROOM STOP DETAIL

11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.



GATE LOCK ASSEMBLY DETAIL

11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.

Dennis D. Abel, PE
Florida License No. 62750
This item has been digitally signed and sealed by Dennis D. Abel, PE, on the date indicated herein. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed by Dennis Abel
Date: 2020.08.05 08:29:07 -04'00'

PREPARED FOR:
CITYSWITCH
1900 CENTURY PLACE, SUITE 320
ATLANTA, GA 30345

PREPARED BY:
FDH INFRASTRUCTURE SERVICES
ENGINEERING INNOVATION
6521 MERIDIEN DRIVE
RALEIGH, NC 27616
PHONE: (919)-755-1012
FAX: (919)-755-1031

DENNIS DANIEL ABEL LICENSE No 62750 STATE OF FLORIDA PROFESSIONAL ENGINEER

FDH INFRASTRUCTURE SERVICES, LLC
FL COA #28282

DENNIS D. ABEL, P.E. 08/05/20
STATE LICENSE NO. 62750

DRAWN BY: VAH
CHECKED BY: JRB

SUBMITTALS

DATE	DESCRIPTION	REV	ISSUED BY
12/03/19	ZONING DRAWING	0	JRB
03/23/20	ZONING DRAWING	1	JRB
08/05/20	ZONING DRAWING	2	JRB

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. REPRODUCTION OR CAUSING TO BE REPRODUCED THE WHOLE OR ANY PART OF THESE DRAWINGS WITHOUT THE PERMISSION OF FDH INFRASTRUCTURE SERVICES IS PROHIBITED.

SITE NAME:
KAPOK STREET

SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
FENCE DETAILS

SHEET NUMBER
C-3

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

0 40' 80'

SCALE: 1" = 40'

ESTES FAM TRUST
PARCEL NUMBER:00307800000

LINE	BEARING	DISTANCE
L1	S 00°00'00" E	17.50'
L2	N 90°00'00" W	35.00'
L3	S 00°00'00" E	17.57'
L4	N 00°00'00" W	30.01'
L5	N 00°00'00" W	9.63'
L6	N 90°00'00" W	35.00'
L7	N 00°00'00" W	17.50'

BOOK 139, PAGE 331 (9.)

PARENT PARCEL
JOHANNES STEFFENS
PARCEL NUMBER:00307840002
INSTRUMENT NUMBER 4954686
ORIGINAL 5016, PAGE 1369

POC
LEASE AREA AND ACCESS EASEMENT
NORTHEAST CORNER
SECTION 15, T-49-S, R-27-E
FOUND CONCRETE MONUMENT

POB
100' X 100' LEASE AREA
10,000 SQ.FT±
0.23 ACRES±

N 90°00'00" W 3784.69'

S 00°23'48" E 669.01'

N 90°00'00" E 100.00'

N 00°00'00" W 100.00'

S 00°00'00" E 100.00'

74'±

CENTER OF TOWER

12' GATE

BARBED WIRE FENCE

N 90°00'00" W 100.00'

N 90°00'00" E 100.00'

46.0'

24.7'

N 00°23'48" W 2677.73'

POB
INGRESS/EGRESS AND UTILITY EASEMENT
10,926.43 SQ.FT±
0.25 ACRES±

J RICHARD SMITH
PARCEL NUMBER:00309440002

WOODED

TREELINE
10' GRASS TRAIL
TREELINE

L7 L6 L5 L4 L3 L2 L1

152'±

N 29°40'33" E 41.56'

S 29°40'33" W 57.33'

N 58°54'00" E 70.09'

S 58°54'00" W 86.81'

S 88°01'25" E 160.12'

N 88°01'25" W 168.01'

TREELINE

op

1,734 FT± TO FRANGIPANI AVE

KAPOK STREET
GRAVEL ROAD

12' GATE

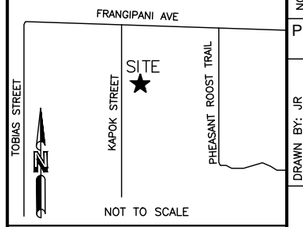
JOHANNES STEFFENS
PARCEL NUMBER:00307880004
INSTRUMENT NUMBER 4954686
ORIGINAL 5016, PAGE 1369

SOUTHEAST CORNER
SE 1/4 OF NE 1/4
SECTION 15, T-49-S, R-27-E
FOUND 1' OPEN TOP PIPE

TOWER INFO

LATITUDE: 26°12'36.949" NORTH
LONGITUDE: 81°36'00.470" WEST
(NAD 83)
GROUND ELEVATION: 10.6'
ABOVE MEAN SEA LEVEL (NAVD88)

VICINITY MAP



FLORIDA EAST

GRID NORTH

GRID TO TRUE NORTH CONVERGENCE
−0°15'

TRUE NORTH TO MAGNETIC DECLINATION
5°59' W

COMBINED SCALE FACTOR
0.999985569

LEGEND

- ○ = 5/8" REBAR SET
- ● = FOUND PROPERTY MARKER
- ■ = FOUND CONCRETE MONUMENT
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- POE = POINT OF ENDING
- ▲ = CALCULATED POINT
- ⊘ = POWER POLE
- ⊕ = TEMP. BENCHMARK (NAIL IN FENCE POST) ELEV.=12.04'
- —·——·—op—= OVERHEAD POWER

FLOOD NOTE

By graphic plotting only, the subject property appears to lie in Zone 'AH' of the Flood Insurance Rate Map Community Panel No. 12021C0430H, which bears an effective date of May 16, 2012 and IS in a special flood hazard area.
Zone 'AH': The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood.

NO.	REVISION	DATE	BY
1.	UPDATED EASEMENT	9/18/19	JR
2.	ADDRESSED TITLE	10/01/19	JR

PROJECT NO.
19-1586

DRAWN BY: JR
CHECKED BY: TAS
FIELD CREW: NM
APPROVED BY: WHS
DATE: 09/09/19
SCALE: AS SHOWN

SHEET 1 OF 3

RAWLAND TOWER SURVEY

FOR:

FDH-NC
6521 MERIDIEN DRIVE SUITE 107
RALEIGH, NC 27616

SMW Engineering Group, Inc.
158 Business Center Drive
Birmingham, Alabama 35244
Ph: 205-252-6985
www.smweng.com

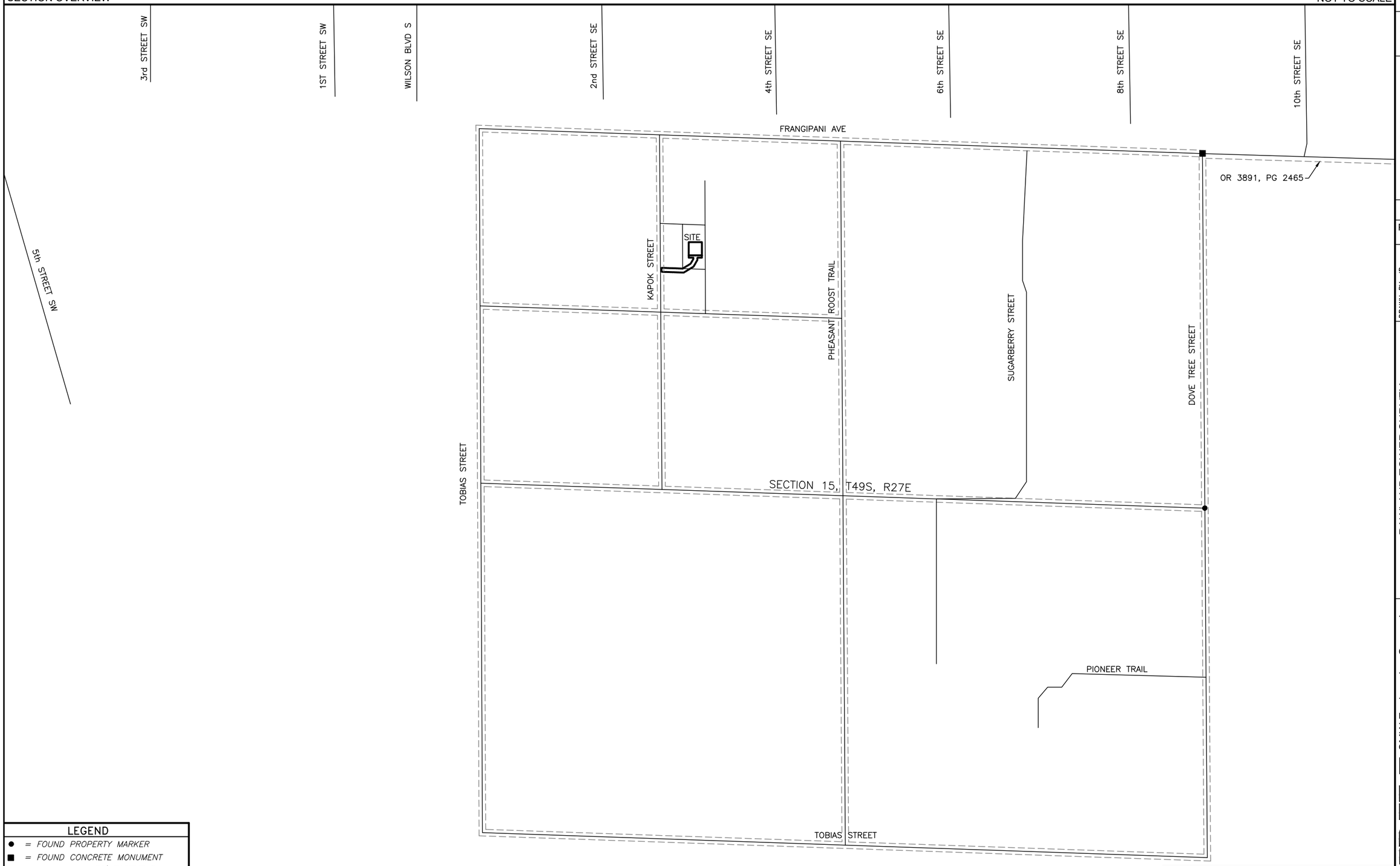
SMW ENGINEERING GROUP, INC.

KAPOK STREET
12906066
NW 1/4, SEC. 15, T-49-S, R-27-E
COLLIER COUNTY, FLORIDA

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

SECTION OVERVIEW

NOT TO SCALE



LEGEND

- ● = FOUND PROPERTY MARKER
- ■ = FOUND CONCRETE MONUMENT
- —— —— ——= 50' EASEMENT (OR 1220, PG 211)
- ——————= PROPERTY LINE
- ——————= SECTION LINE
- ——————= GRAVEL/PAVED DRIVE

KAPOK STREET
12906066
NW 1/4, SEC. 15, T-49-S, R-27-E
COLLIER COUNTY, FLORIDA

NO.	REVISION	DATE	BY
1.	UPDATED EASEMENT	9/18/19	JR
2.	ADDRESSED TITLE	10/01/19	JR

PROJECT NO. 19-1586

DRAWN BY: JR
CHECKED BY: TAS
FIELD CREW: NM
APPROVED BY: WHS
DATE: 09/16/19
SCALE: AS SHOWN
SHEET 2 OF 3

RAWLAND TOWER SURVEY

FOR:
FDH-NC
6521 MERIDIEN DRIVE, SUITE 107
RALEIGH, NC 27616

SMW Engineering Group, Inc.
158 Business Center Drive
Birmingham, Alabama 35244
Ph: 205-252-6985
www.smweng.com

SMW ENGINEERING GROUP, INC.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

PARENT TRACT
TITLE

Situate in the County of Collier, State of Florida:
The E1/2 of the NW1/4 of the SW1/4 of the NE1/4 of the NW1/4 of Section 15, Township 49 S, Range 27 E. in Collier County, Florida.
Tax ID: 00307840002
Being part of the same property conveyed to Johannes Steffens, grantee, from D. Gary Woodhead, grantor, by deed recorded 03/12/2014, as Book 5016, Page 1369 of the Collier County Records.

INSTRUMENT NUMBER 4954686, ORIGINAL 5016, PAGE 1369

The SW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E; and
The E 1/2 of the NW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E, in Collier County, Florida.

PARENT TRACT ACCESS (ORIGINAL 1220, PAGE 211)

Subject to: a 50 foot mutual right of way easement extending 25 feet on either side of all Section lines, including the eigth, quarter and half Section line, which easement is for the use and benefit of the adjacent property owners.

100' x 100' LEASE AREA (AS-SURVEYED)

A portion of the Johannes Steffens tract described in Instrument Number 4954686, Original 5016, Page 1369 as recorded in the Clerk of the Circuit Court for Collier County, Florida, being in the Northwest 1/4 of Section 15, Township 49 South, Range 27 East, Collier County, Florida, and being more particularly described as follows;
COMMENCING at a concrete monument found marking the Northeast corner of said Section 15; Thence along the East line of said Section 15; S 00°23'48" E a distance of 669.01 feet to a point; Thence leaving said East line, N 90°00'00" W a distance of 3784.69 feet to a set 5/8" rebar and the POINT OF BEGINNING; Thence S 00°00'00" E a distance of 100.00 feet to a set 5/8" rebar; Thence N 90°00'00" W a distance of 100.00 feet to a set 5/8" rebar; Thence N 00°00'00" W a distance of 100.00 feet to a set 5/8" rebar; Thence N 90°00'00" E a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,000 square feet (0.23 acres) of land more or less.

INGRESS/EGRESS & UTILITY EASEMENT (AS-SURVEYED)

A portion of the Johannes Steffens tract described in Instrument Number 4954686, Original 5016, Page 1369 as recorded in the Clerk of the Circuit Court for Collier County, Florida, being in the Northwest 1/4 of Section 15, Township 49 South, Range 27 East, Collier County, Florida, and being more particularly described as follows;
COMMENCING at a concrete monument found marking the Northeast corner of said Section 15; Thence along the East line of said Section 15; S 00°23'48" E a distance of 669.01 feet to a point; Thence leaving said East line, N 90°00'00" W a distance of 3784.69 feet to a set 5/8" rebar; Thence S 00°00'00" E a distance of 100.00 feet to a set 5/8" rebar and the POINT OF BEGINNING; Thence S 00°00'00" E a distance of 17.50 feet to a point; Thence N 90°00'00" W a distance of 35.00 feet to a point; Thence S 00°00'00" E a distance of 17.57 feet to a point; Thence S 29°40'33" W a distance of 57.33 feet to a point; Thence S 58°54'00" W a distance of 86.81 feet to a point; Thence N 88°01'25" W a distance of 168.01 feet to a point; Thence N 00°00'00" W a distance of 30.01 feet to a point; Thence S 88°01'25" E a distance of 160.12 feet to a point; Thence N 58°54'00" E a distance of 70.09 feet to a point; Thence N 29°40'33" E a distance of 41.56 feet to a point; Thence N 00°00'00" W a distance of 9.63 feet to a point; Thence N 90°00'00" W a distance of 35.00 feet to a point; Thence N 00°00'00" W a distance of 17.50 feet to a set 5/8" rebar; Thence N 90°00'00" E a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,915.72 square feet (0.25 acres) of land more or less.

PLOTTABLE EXCEPTIONS

Old Republic National Title Insurance Company
Commitment for Title Insurance Commitment No. 01-19050945-01T
Date August 02, 2019 @ 7:00 am
Schedule B, Section II

Exception No.	Instrument	Comment
1-8		Standard exceptions. Contain no survey matters.
9	Book 139, Page 331	Does affect subject access easement and parent parcel. As shown hereon. Said document describes a 50 foot mutual right-of-way easement, 25 feet on each side along all section lines.

SURVEYOR'S CERTIFICATION

I hereby certify that this sketch and description, to the best of my knowledge and belief, accurately represents lands surveyed and was done in accordance with the technical standards for property surveys in Florida as set forth in Chapter 180-7 of the rules of the Florida Board of Registration for Professional Engineers and Land Surveyors and as set for Professional Engineers and Land Surveyors and as set forth in Florida Plat Act O.C.G.A. 15-6-67.

I certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Florida to the best of my knowledge, information, and belief.

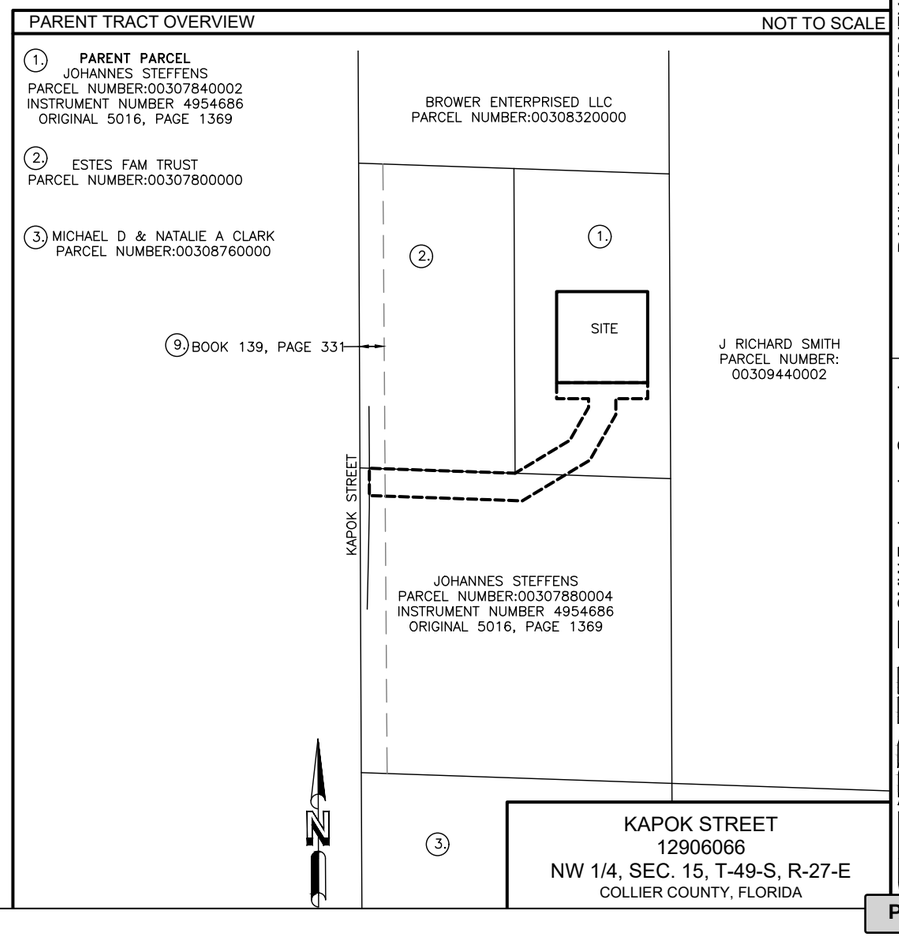
William H. Sommerville, III
Florida License No. 0006141

WILLIAM H. SOMMERVILLE III
CERTIFICATE
NO. LS6006141
STATE OF
FLORIDA
REGISTERED LAND SURVEYOR

SURVEYOR'S NOTES

1. This is an Rawland Tower Survey, made on the ground under the supervision of a Florida Registered Land Surveyor. Date of field survey is September 6, 2019.
2. The following surveying instruments were used at time of field visit: Topcon DM55 Total Station, Reflectorless and Hiper SR RTK Network Rover with static capability.
3. Bearings are based on Florida East State Plane Coordinates NAD 83 by GPS observation.
4. No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown.
5. Benchmark used is a GPS Continuously Operating Reference Station, PID DF7052. Onsite benchmark is as shown hereon. Elevations shown are in feet and refer to NAVD 88.
6. This survey was conducted for the purpose of an Rawland Tower Survey only, and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity.
7. Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.
8. This Survey was conducted with the benefit of an Abstract Title search.
9. Surveyor hereby states the Geodetic Coordinates and the elevation shown for the proposed centerline of the tower are accurate to within +/- 20 feet horizontally and to within +/- 3 feet vertically (FAA Accuracy Code 1A).
10. Survey shown hereon conforms to the Minimum Requirements as set forth by the State Board for a Class "A" Survey.
11. Field data upon which this map or plat is based has a closure precision of not less than one-foot in 15,000 feet (1':15,000') and an angular error that does not exceed 10 seconds times the square root of the number of angles turned. Field traverse was not adjusted.
12. This survey is not valid without the original signature and the original seal of a state licensed surveyor.
13. This survey does not constitute a boundary survey of the Parent Tract. Any parent tract property lines shown hereon are from supplied information and may not be field verified.
14. Zoning: (as supplied by client)
    Zoning Jurisdiction: Collier County Florida
    Zoning District: Agricultural (A)
    Surrounding Zoning: North-RFMUO-NBMO, South-RFMUO-NBMO, East-RFMUO-NBMO, West-RFMUO-NBMO
    Setbacks: Front-1/2 tower height, Rear-1/2 tower height, Side-1/2 tower height
15. Per Collier County Road Maintenance Division, Kapok Street in not a county maintained roadway.

PARENT TRACT OVERVIEW — NOT TO SCALE



NO.	REVISION	DATE	BY
1.	UPDATED EASEMENT	9/18/19	JR
2.	ADDRESSED TITLE	10/01/19	JR

PROJECT NO. 19-1586

DRAWN BY: JR
CHECKED BY: TAS
FIELD CREW: NA
APPROVED BY: WHS
DATE: 09/09/19
SCALE: AS SHOWN
SHEET 3 OF 3

RAWLAND TOWER SURVEY

FOR:

FDH-NC
6521 MERIDIEN DRIVE SUITE 107
RALEIGH, NC 27616

SMW Engineering Group, Inc.
158 Business Center Drive
Birmingham, Alabama 35244
Ph: 205-252-6985
www.smweng.com

SMW ENGINEERING GROUP, INC.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



June 22, 2020

BROWER ENTERPRISES LLC
5090 Tamarind Ridge Dr
Naples, FL 34119

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:

> [Description: Parcel Number: 00307840002. The E1/2 of the NW1/4 of the SW1/4 of the NE1/4 of the NW1/4 of Section 15, Township 49 S, Range 27 E. in Collier County, Florida.]

It is our intent to ask the County to allow us to receive a variance for the setback distance required for the proposed communication tower on the aforementioned property. Additionally, the proposed tower is separated from surrounding property boundaries in all directions by a distance that far exceeds its certified collapse area (i.e., it meets the lesser of the two distance measurements provided in the LDC, in all directions). However, because the proposed tower does not meet the greater of the two LDC distance measurements with respect to eastern and western boundaries, a variance is necessary. In order to provide you an opportunity to become fully aware of our intention, we will be contacting you directly within the next few days or you may choose to telephone the sender for further information. In any event, please be advised that we are interested in assuring you that our request should not adversely affect your property interest.

Sincerely,

Kendal Lotze,
(770) 862-8089
102 Mary Alice Park Rd, Suite 505
Cumming, GA 30040
kendal@ignitewireless.com

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

June 22, 2020

Richard J Smith
380 Frangipani Ave
Naples, FL 34117

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:

> [Description: Parcel Number: 00307840002. The E1/2 of the NW1/4 of the SW1/4 of the NE1/4 of the NW1/4 of Section 15, Township 49 S, Range 27 E. in Collier County, Florida.]

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Kendal Lotze,
(770) 862-8089
102 Mary Alice Park Rd, Suite 505
Cumming, GA 30040
kendal@ignitewireless.com

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

June 22, 2020

Johannes Steffens
542 Ethel Ave SE
Grand Rapids, MI 49506

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:

> [Description: Parcel Number: 00307840002. The E1/2 of the NW1/4 of the SW1/4 of the NE1/4 of the NW1/4 of Section 15, Township 49 S, Range 27 E. in Collier County, Florida.]

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102 Mary Alice Park Rd, Suite 505
Cumming, GA 30040
kendal@ignitewireless.com

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

IgniteWireless

June 22, 2020

ESTES FAM TRUST
18757 Aspesi Dr
Saratoga, CA 95070

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:

> [Description: Parcel Number: 00307840002. The E1/2 of the NW1/4 of the SW1/4 of the NE1/4 of the NW1/4 of Section 15, Township 49 S, Range 27 E. in Collier County, Florida.]

It is our intent to ask the County to allow us to receive a variance for the setback distance required for the proposed communication tower on the aforementioned property. Additionally, the proposed tower is separated from surrounding property boundaries in all directions by a distance that far exceeds its certified collapse area (i.e., it meets the lesser of the two distance measurements provided in the LDC, in all directions). However, because the proposed tower does not meet the greater of the two LDC distance measurements with respect to eastern and western boundaries, a variance is necessary. In order to provide you an opportunity to become fully aware of our intention, we will be contacting you directly within the next few days or you may choose to telephone the sender for further information. In any event, please be advised that we are interested in assuring you that our request should not adversely affect your property interest.

Sincerely,

Kendal Lotze,
(770) 862-8089
102 Mary Alice Park Rd, Suite 505
Cumming, GA 30040
kendal@ignitewireless.com

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Collier County Property Appraiser
Property Summary

Parcel No	00307840002	Site Address *Disclaimer		Site City		Site Zone *Note	

Name / Address	STEFFENS, JOHANNES
	542 ETHEL AVE SE
City	GRAND RAPIDS
State	MI
Zip	49506-2724

Map No.	Strap No.	Section	Township	Range	Acres *Estimated
4C15	000100 019 4C15	15	49	27	1.25

Legal	15 49 27 E1/2 OF NW1/4 OF SW1/4 OF NE1/4 OF NW1/4 1 1/4 AC OR 1952 PG 1606

Millage Area	287	Millage Rates	*Calculations	
Sub./Condo	100 - ACREAGE HEADER	School	Other	Total
Use Code	99 - ACREAGE NOT ZONED AGRICULTURAL	5.083	6.3071	11.3901

Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
11/14/13	5016-1369	$ 0
03/15/13	4896-3875	$ 14,300
06/01/94	1952-1606	$ 15,000
08/01/92	1743-1191	$ 0
06/01/88	1360-263	$ 0
09/01/86	1220-211	$ 10,000

2019 Certified Tax Roll

(Subject to Change)

	Land Value	$ 16,87
(+)	Improved Value	$
(=)	Market Value	$ 16,87
(-)	10% Cap	$ 8,63
(=)	Assessed Value	$ 8,23
(=)	School Taxable Value	$ 16,87
(=)	Taxable Value	$ 8,23

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Collier County Property Appraiser
Property Detail

Parcel No	00307840002	Site Address *Disclaimer		Site City		Site Zone *Note	

Name / Address	STEFFENS, JOHANNES				
	542 ETHEL AVE SE				
City	GRAND RAPIDS	State	MI	Zip	49506-2724

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

Tax Yr	Issuer	Permit #	CO Date	Tmp CO	Final Bldg	Type

Land

#	Calc Code	Units
10	ACREAGE	1.25

Building/Extra Features

#	Year Built	Description	Area	Adj Area

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

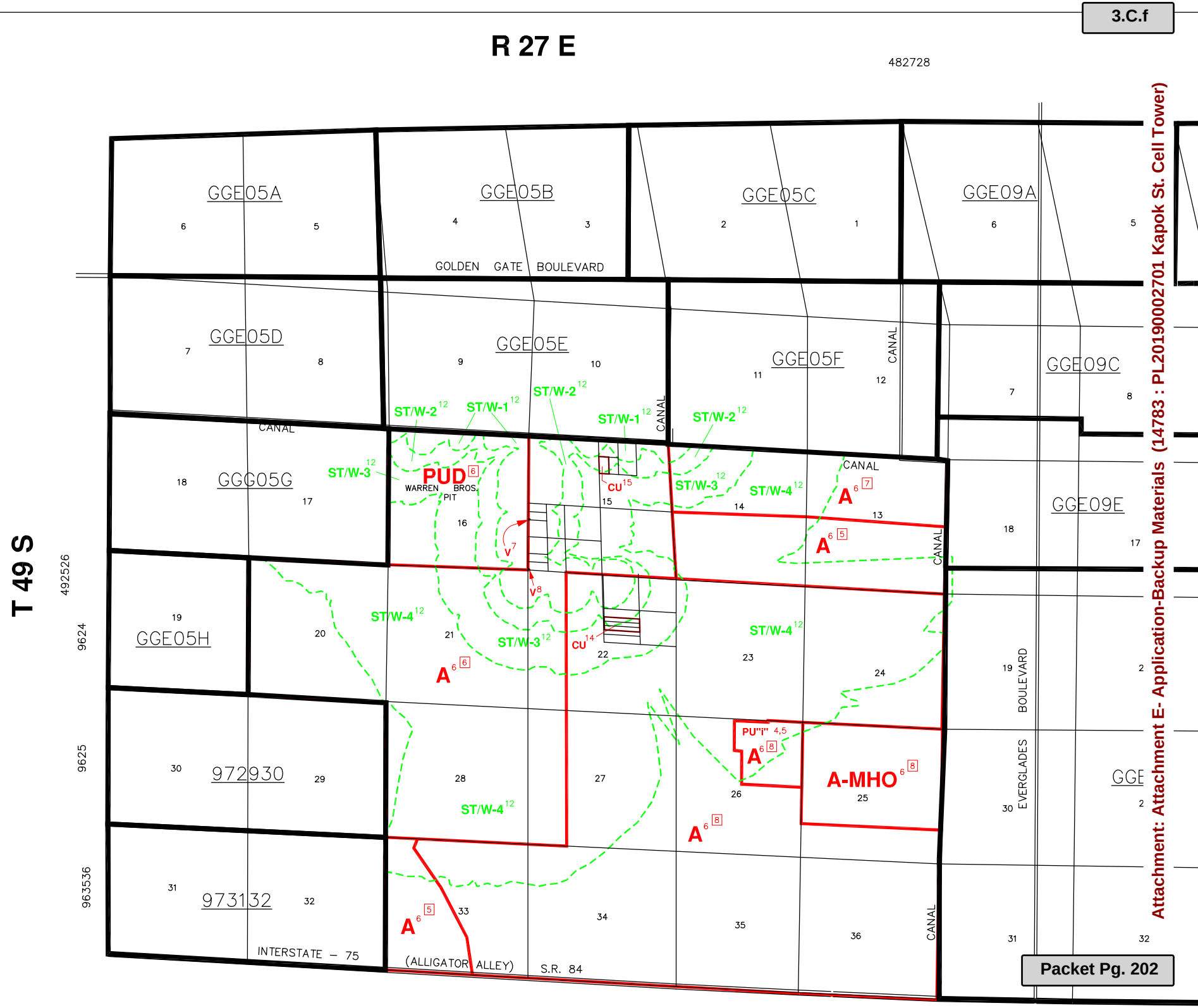
Collier County Property Appraiser
Property Aerial

Parcel No	00307840002	Site Address *Disclaimer		Site City		Site Zone *Note	

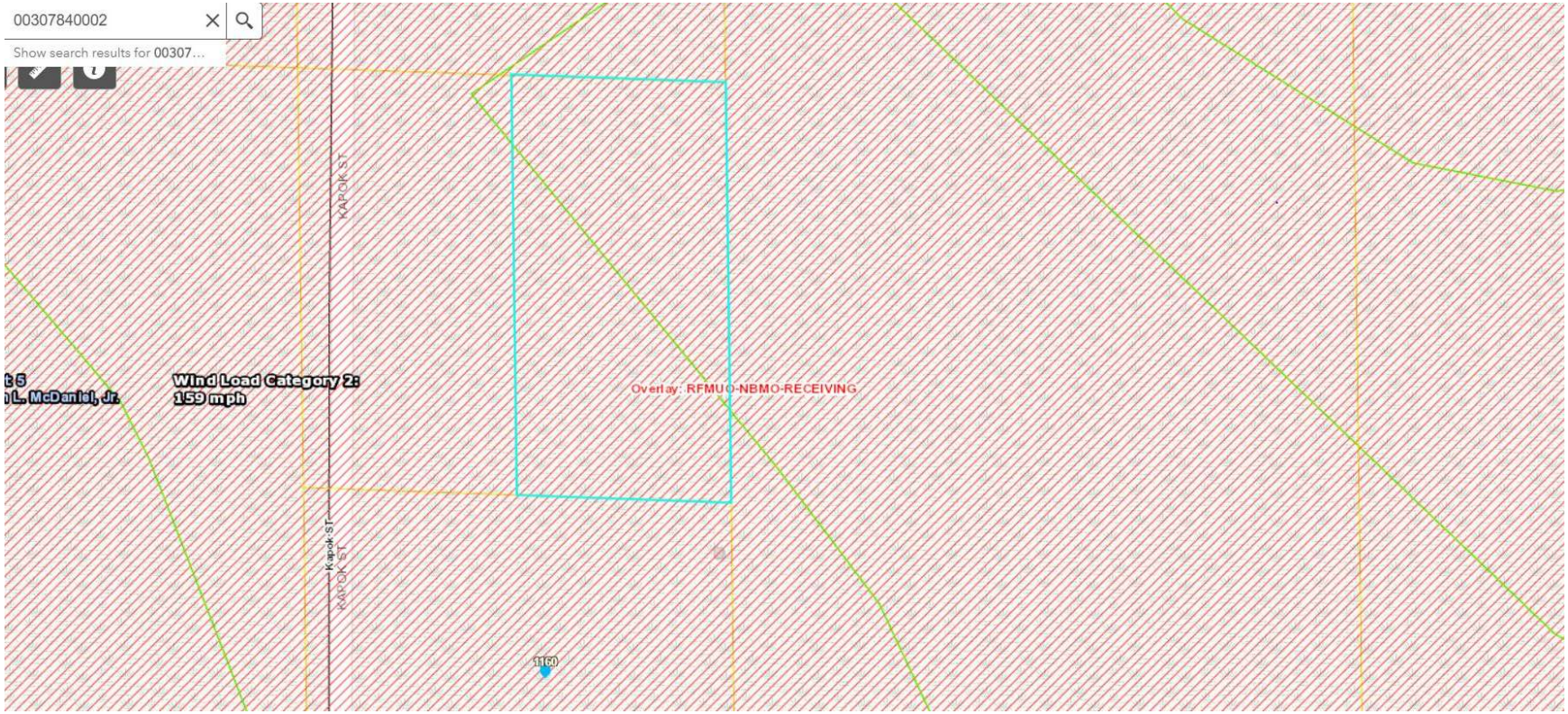


Open GIS in a New Window with More Features.

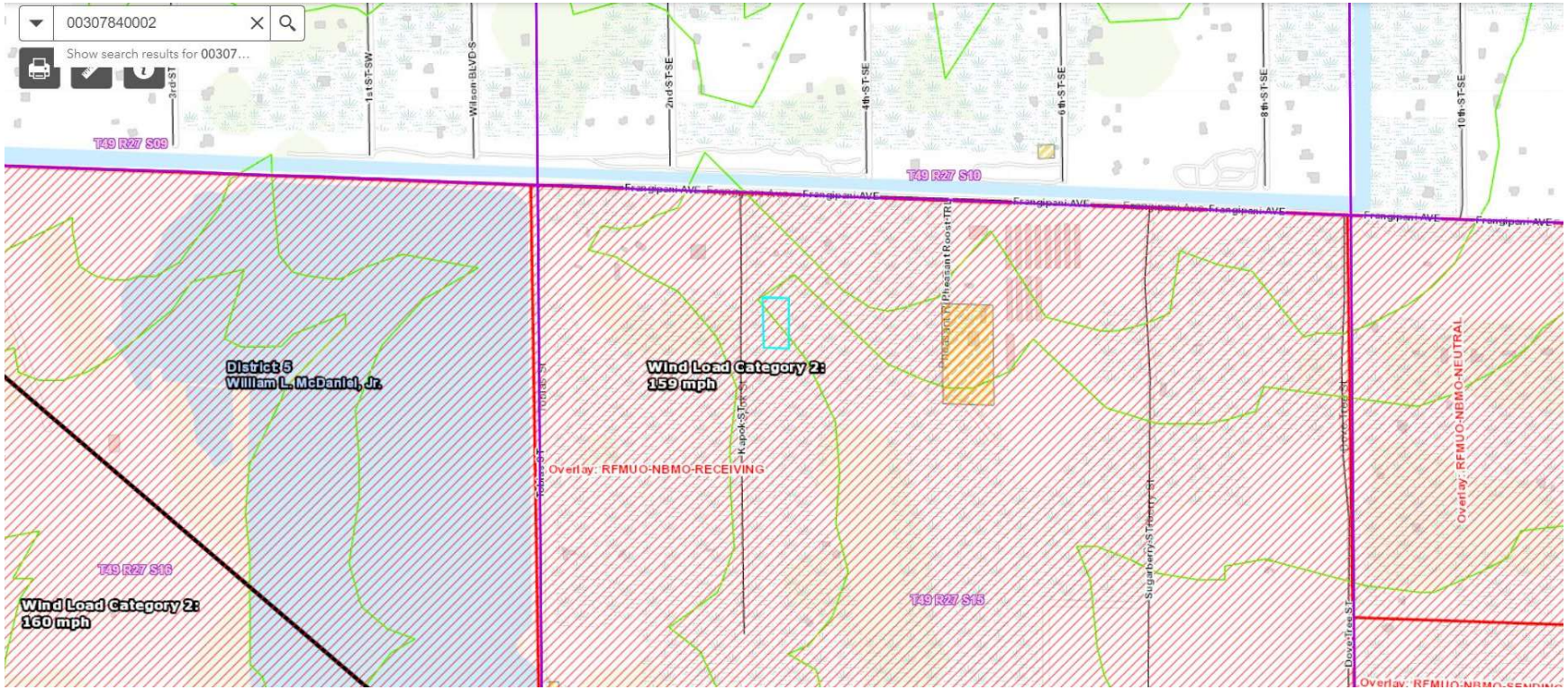
Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



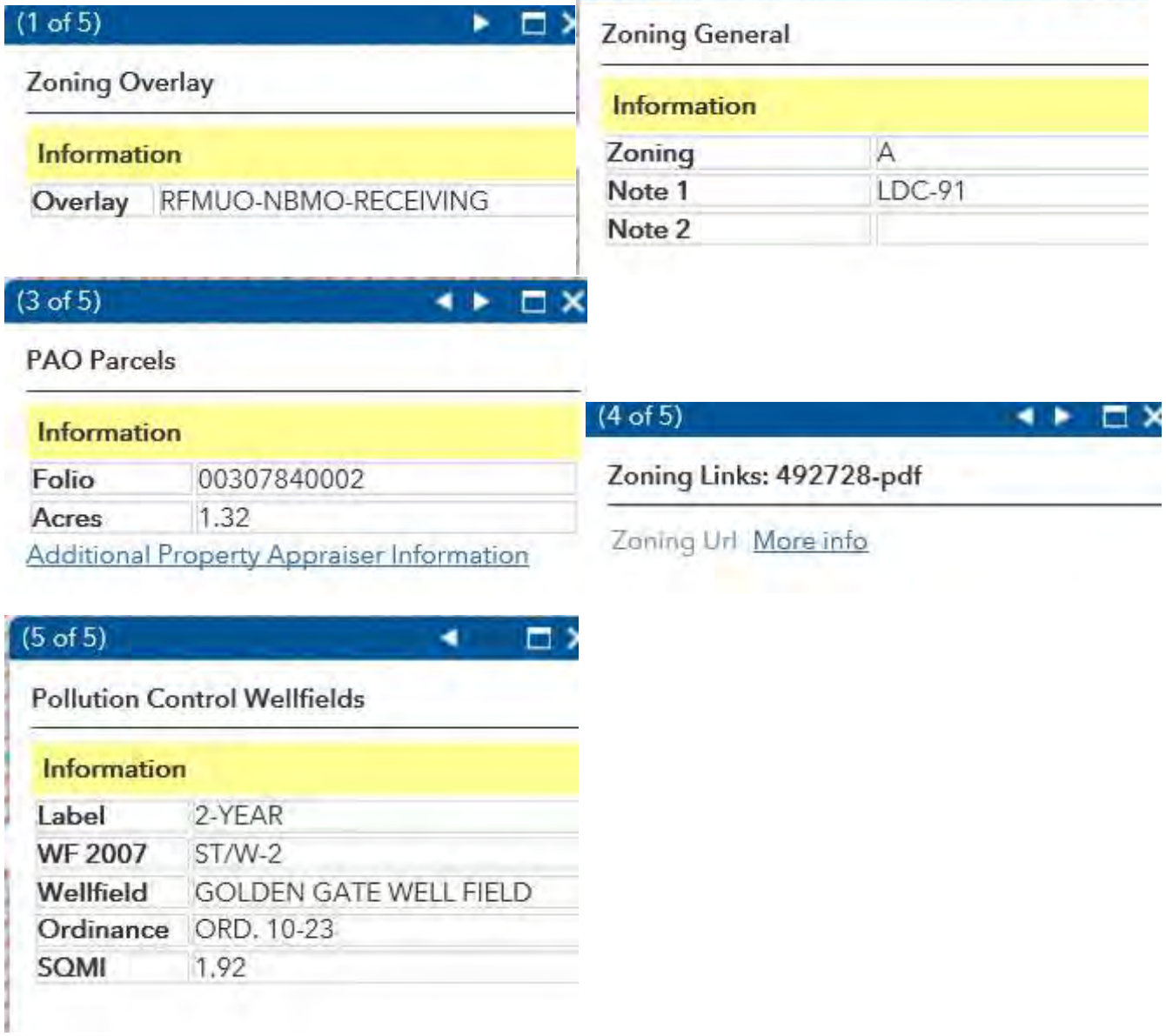
Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



(1 of 5)

Zoning Overlay

Information	
Overlay	RFMUO-NBMO-RECEIVING

(2 of 5)

Zoning General

Information	
Zoning	A
Note 1	LDC-91
Note 2	

(3 of 5)

PAO Parcels

Information	
Folio	00307840002
Acres	1.32

Additional Property Appraiser Information

(4 of 5)

Zoning Links: 492728-pdf

Zoning Url More info

(5 of 5)

Pollution Control Wellfields

Information	
Label	2-YEAR
WF 2007	ST/W-2
Wellfield	GOLDEN GATE WELL FIELD
Ordinance	ORD. 10-23
SQMI	1.92

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

HISTORIC RESEARCH:

State Historic Preservation Office records were reviewed to determine if any listed or eligible historic resources exist within the APE. Additionally, RESCOM reviewed the National Register of Historic Places (NRHP) online database and Google Earth layer to determine if any listed historic resources exist within the APE. RESCOM identified no historic resources within the project APEs that required SHPO evaluation. Historic resource information and photographs are included within the SHPO submission in Attachment A.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

ATTACHMENT A – SHPO CONSULTATION

Lead SHPO: Florida State Historic Preservation Office
Secondary SHPO (If Applicable): N/A

Date of Submission: October 24, 2019
FCC E-106 File Number: 0008846179
RESCOM's Findings:
☒ No Historic Properties in APE
☐ No Effect to Historic Properties in APE
☐ No Adverse Effect to Historic Properties in APE

Date of Response: November 22, 2019
SHPO'S Findings:
☒ No Historic Properties in APE
☐ No Effect to Historic Properties in APE
☐ No Adverse Effect to Historic Properties in APE
☐ Adverse Effect to Historic Properties in APE
☐ Conditional No Adverse Effect: _____
☐ Other: _____

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

jill.mcdevitt@rescom.org

From: Hall, Kristen D. <Kristen.Hall@dos.myflorida.com>
Sent: Friday, November 22, 2019 4:13 PM
To: jill.mcdevitt@rescom.org
Subject: SHPO Review Comments for Kapok TCNS# 189171

SUBJECT: SHPO Section 106 Cell Tower Review

DATE: November 22, 2019

DHR Project File No.: 2019-7264

Project Name: Kapok

Telecommunications Structure: Cell Tower

Site Address: Kapok Street, Naples, Collier County, Florida

RESCOM Environmental Corp for CitySwitch

Hello,

Thank you for submitting the above-referenced project for our review in accordance with Section 106 of the *National Historic Preservation Act* and the FCC *Nationwide Programmatic Agreement*. Based on the information provided, our office concurs with the finding of no historic properties in the area of potential direct and visual effects. We have also filed our comments on the FCC 106-E-file system. This email constitutes our official comments for this undertaking. We request that the following special condition regarding inadvertent discoveries be followed:

- If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities shall be notified in accordance with Section 872.05, Florida Statutes.

Our office asks for digital copies of the survey report, Survey Log, and map of the project area, saved as separate PDFs. These may be submitted to our office via email or mail. We ask that future survey report submissions include procedures to deal with unexpected discoveries (including the discovery of human remains in accordance with Chapter 872.05, *Florida Statutes*).

Please contact me if you have any questions.

Best,
Kristen

Kristen Hall

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Historic Sites Specialist | Bureau of Historic Preservation | Division of Historical Resources | Florida Department of State | 500 South Bronough Street | Tallahassee, Florida 32399 | 850.245.6342 | 1.800.847.7278 | Fax: 850.245.6439 |Kristen.Hall@DOS.MyFlorida.Com | dos.myflorida.com/historical



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Section 106 New Filing Submitted- Email ID #4030124

From: towernotifyinfo@fcc.gov
Sent: Wed, Oct 23, 2019 at 11:45 am
To: section106@rescom.org

The following new Section 106 filing has been submitted:

File Number: 0008846179
TCNS Number: 189171
Purpose: New Tower Submission Packet

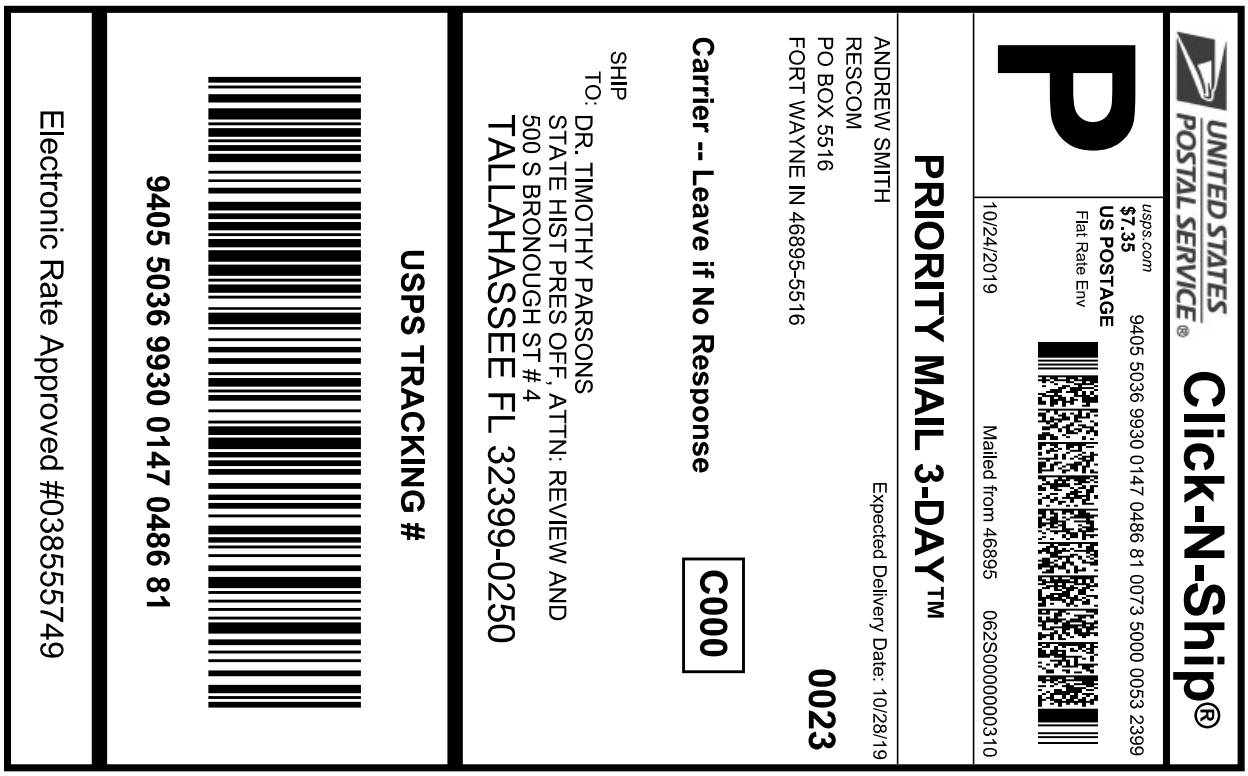
Notification Date: 7AM EST 10/24/2019

Applicant: CitySwitch, LLC
Consultant: RESCOM Environmental Corp
Positive Train Control Filing Subject to Expedited Treatment Under Program Comment: No
Site Name: Kapok
Site Address: Kapok St & Frangipani Ave
Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Site Coordinates: 26-12-36.9 N, 81-36-0.7 W
City: Naples
County: COLLIER
State:FL
Lead SHPO/THPO: Florida Division of Historical Resources

Consultant Contact Information:
Name: RESCOM Environmental Corp
Title: Architectural Historian
PO Box: 361
Address:
City: Petoskey
State: MI
Zip: 49770
Phone: 260-385-6999
Fax:
Email: section106@rescom.org

NOTICE OF FRAUDULENT USE OF SYSTEM, ABUSE OF PASSWORD AND RELATED MISUSE
Use of the Section 106 system is intended to facilitate consultation under Section 106 of the National Historic Preservation Act and may contain information that is confidential, privileged or otherwise protected from disclosure under applicable laws. Any person having access to Section 106 information shall use it only for its intended purpose. Appropriate action will be taken with respect to any misuse of the system.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



Cut on dotted line.

Instructions

1. Each Click-N-Ship® label is unique. Labels are to be used as printed and used only once. DO NOT PHOTO COPY OR ALTER LABEL.
2. Place your label so it does not wrap around the edge of the package.
3. Adhere your label to the package. A self-adhesive label is recommended. If tape or glue is used, DO NOT TAPE OVER BARCODE. Be sure all edges are secure.
4. To mail your package with PC Postage®, you may schedule a Package Pickup online, hand to your letter carrier, take to a Post Office™, or drop in a USPS collection box.
5. Mail your package on the "Ship Date" you selected when creating this label.

Click-N-Ship® Label Record

USPS TRACKING # :
9405 5036 9930 0147 0486 81

Trans. #:	475479934
Print Date:	10/24/2019
Ship Date:	10/24/2019
Expected Delivery Date:	10/28/2019

Priority Mail® Postage:	$7.35
Total:	$7.35

From: ANDREW SMITH
RESCOM
PO BOX 5516
FORT WAYNE IN 46895-5516

To: DR. TIMOTHY PARSONS
STATE HIST PRES OFF, ATTN: REVIEW AND COMPLIANCE
500 S BRONOUGH ST # 4
TALLAHASSEE FL 32399-0250

* Retail Pricing Priority Mail rates apply. There is no fee for USPS Tracking® service on Priority Mail service with use of this electronic rate shipping label. Refunds for unused postage paid labels can be requested online 30 days from the print date.

Thank you for shipping with the United States Postal Service!
Check the status of your shipment on the USPS Tracking® page at usps.com

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

October 23, 2019

Mr. Timothy Parsons, Ph.D., SHPO Director
Division of Historical Resources
500 South Bronough St.
R.A. Gray Building, Room 305
Tallahassee, FL 32399-0250

Re: Request for Section 106 Review:
Kapok
Kapok St. & Frangipani Ave.
Naples, FL 34117
TCNS#: 189171

Dear Dr. Parsons,

RESCOM Environmental Corp is requesting a Section 106 Review for the above referenced project. Enclosed is an FCC Form 620 with attachments summarizing RESCOM's findings. Based upon the observations documented within Form 620, it is RESCOM's opinion that the proposed project will not affect any historic properties within the APE. A conclusion of "no historic properties" is recommended and we respectfully request your concurrence.

Should you require further information, please do not hesitate to contact our office at (260) 385-6999. Thank you for your time and attention to this matter.

Sincerely,
RESCOM Environmental Corp

Jill McDevitt
Architectural Historian
jill.mcdevitt@rescom.org

Enclosures

cc: RESCOM file 19080047

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

January 2, 2020

Colleen Carroll
Ignite Wireless, Inc
102 Mary Alice Park Road, Suite 505
Cumming, GA 30040

RE: FCC NEPA Summary Report for:
Kapok
Kapok St. & Frangipani Ave.
Naples, Collier County, FL 34117
TCNS ID: **189171**

Dear Ms. Carroll,

RESCOM Environmental Corp has completed a NEPA Summary Report for the above referenced property. Based on the information presented in this report, the proposed project will have no adverse effect upon any of the National Environmental Policy Act (NEPA) Special Interest Items referenced in 47 CFR Subpart 1, Chapter 1, Sections 1.1301-1.1319. FEMA Flood Hazard mapping shows that the area is in a floodplain. **All essential equipment must be installed at an elevation of 14 feet amsl in order to proceed without an additional Environmental Assessment.**

Thank you for the opportunity to provide this service and we look forward to working with you in the future. If you have any questions or comments, please call our office at (231) 409-2563.

Sincerely,
RESCOM Environmental Corp

Andrew Smith
Project Manager
andrew.smith@rescom.org

RESCOM File 19080047

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

NEPA/NHPA SCREENING CHECKLIST

Project Type:	Site Type:	Site ID:	Location:
☒ New Antenna Facility ☐ Modification of Existing Facility	☒ FCC Tower Structure ☐ Utility Structure ☐ Other Non-Tower Structure	Kapok	Kapok St. & Frangipani Ave. Naples, Collier County, FL 34117

Will the facility be located in an officially designated wilderness area, per 47 CFR §1.1307(a)(1)?

Yes ☐	No ☒	N/A ☐	Consulting Agency To Contact: NPS, USFWS & BLM Comments: See attached documentation

Will the facility be located in a designated wilderness preserve, per 47 CFR §1.1307(a)(2)?

Yes ☐	No ☒	N/A ☐	Consulting Agency To Contact: NPS, USFS & BLM Comments: See attached documentation

Will the facility affect listed or proposed threatened or endangered species or designated critical habitats; or jeopardize the continued existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification of proposed critical habitats, as determined by the Secretary of the Interior pursuant to the Endangered Species Act of 1973, per 47 CFR §1.1307(a)(3)?

Yes ☐	No ☒	N/A ☐	Consulting Agency To Contact: USFWS & State Equivalent Comments: See attached documentation

Will the facility affect districts, sites, buildings, structures, or objects significant in American history, architecture, archaeology, engineering, or culture, that are listed, or are eligible for listing in the National Register of Historic Places, per 47 CFR §1.1307(a)(4)?

Yes ☐	No ☒	N/A ☐	Consulting Agency To Contact: SHPO, THPO & NHOs Comments: See attached documentation

Will the facility affect Indian religious sites, per 47 CFR §1.1307(a)(5)?

Yes ☐	No ☒	N/A ☐	Consulting Agency To Contact: THPO, NHOs & Bureau of Indian Affairs Comments: See attached documentation

Will the facility be located in a floodplain, per 47 CFR §1.1307(a)(6)?

Yes ☐	No ☒	N/A ☐	Consulting Agency To Contact: FEMA Comments: See attached documentation

Will the facility involve a significant change in surface features, per 47 CFR §1.1307(a)(7)?

Yes ☐	No ☒	N/A ☐	Consulting Agency To Contact: US Army Corps of Engineers Comments: See attached documentation

Will the facility be equipped with high intensity white lights in a residential neighborhood, per 47 CFR §1.1307(a)(8)?

Yes ☐	No ☒	N/A ☐	Consulting Agency To Contact: Not Applicable Comments: This category was not reviewed by RESCOM Environmental Corporation

Facilities that may result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR §1.1307 (b).

Yes ☐	No ☒	N/A ☐	Consulting Agency To Contact: Not Applicable Comments: This category was not reviewed by RESCOM Environmental Corporation

Preparer certifies that to the best of their knowledge the above information is accurate

Prepared By: _____ Company: RESCOM Environmental

(Print name): Andrew Smith Date: January 2, 2020

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

NEPA SUMMARY REVIEW

PROJECT OVERVIEW:
RESCOM Environmental completed a NEPA Summary for the above referenced project to determine potential affects to Special Interest Items 1-9 listed in 47 CFR Subpart 1, Chapter 1, Section 1.1307(a). This NEPA Impact Assessment was performed in consideration of 47 CFR Subpart 1, Chapter 1, Sections 1.1301-1.1319 and the Nationwide Programmatic Agreement for the Collocation of Wireless Antennas (NPAC). CitySwitch proposes the construction of a 250' self-supporting lattice style telecommunications tower within a 100' x 100' lease area.

REGULATORY SUMMARY:
Based on CFR 36, Part 800, Subpart B of the National Historic Preservation Act and the FCC's NPA, new construction projects are required to be submitted for Section 106 Review to State Historic Preservation Offices and interested Tribal Groups. Additionally, based on 47 CFR Subpart 1, Chapter 1, Section 1.1306 (Note 1), construction of new telecommunications facilities requires a review of impacts to the following Special Interest Items: wilderness areas, wildlife preserves, threatened and endangered species, designated floodplains, and changes to surface features.

AREA OF POTENTIAL EFFECTS:
Based on the height of the tower and procedures outlined by the NPA, the Area of Potential Effects (APE) for indirect visual effects is a 0.75-mile radius from the tower center. The Visual APE is largely buffered by residential development, mature trees and agricultural development. The APE for direct effects is limited to the subject property and leased areas.

HISTORIC RESEARCH:
State Historic Preservation Office records were reviewed to determine if any listed or eligible historic resources exist within the APE. Additionally, RESCOM reviewed the National Register of Historic Places (NRHP) online database and Google Earth layer to determine if any listed historic resources exist within the APE. RESCOM identified no historic resources within the project APEs that required SHPO evaluation. Historic resource information and photographs are included within the SHPO submission in Attachment A.

SITE RECONNAISSANCE:
RESCOM Environmental completed a site visit to photograph the subject property, adjacent properties, and any present historic resources within the indirect visual APE. An archaeological survey was conducted as ground disturbing activities are associated with the proposed project and archaeological clearance was recommended (See Attachment A).

SHPO CONSULTATION:
RESCOM consulted with the Florida State Historic Preservation Office's (SHPO) to conduct a Section 106 Review for the proposed project. RESCOM provided a cultural resources evaluation report for Section 106 Review to the SHPO on October 24, 2019, requesting concurrence of the "**no historic properties"** determination. RESCOM received a response from the SHPO on November 22, 2019 indicating concurrence of the determination of **"no historic properties."**

The SHPO consultation process allows additional consulting parties to comment on impacts to historic resources from federal undertakings. RESCOM consulted with the appropriate jurisdiction officials as well as a local historic preservation entity to seek comment on effects from the undertaking. Letters were mailed to these groups on October 9, 2019, outlining the proposed project and inviting them to comment on the potential for the proposed project to effect historic resources. RESCOM contacted the Naples Daily News and posted a "Public Participation" ad in the paper on September 14, 2019. The proposed project was described in detail and "questions, comments, and correspondence" were solicited from the public regarding potential effect to historic properties. RESCOM did not receive any response from the public concerning historic properties for this project.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

NEPA SUMMARY REVIEW

Per the NPA, the applicant must allow a period of 30 days for the public and all consulting parties to provide comment on the proposed project. All requirements with respect to SHPO consultation are complete. See Attachment A for full SHPO details.

TRIBAL CONSULTATION:
RESCOM utilized the Tower Construction Notification System (TCNS) maintained by the Federal Communications Commission (FCC) to identify any tribal entities with interest in the area of the proposed project. The FCC responded, assigning the project with TCNS number 189171. All tribal groups have either responded indicating no concern with the proposed project, provided an exclusion via TCNS, or been closed out by the FCC. Therefore, all requirements with respect to THPO consultation are complete. All Tribal consultation documentation is in Attachment B.

All Tribes do request immediate notification should human remains or objects under NAGPRA become uncovered during construction.

WILDERNESS AREAS & WILDLIFE PRESERVES:
RESCOM reviewed maps published by the National Forest Service, the US Fish and Wildlife Service (USFWS), and Wilderness.net, and found no Wildlife Preserves, Wilderness Areas, National Grasslands, National Forests, or National Scenic Trails are located at or near the subject property. Additionally, no Wildlife Preserves, Wilderness Areas, National Grasslands, National Forests, or National Scenic Trails were noted during the site visit (See Attachment C).

THREATENED & ENDANGERED SPECIES & CRITICAL HABITATS:
An informal biological assessment was conducted at the subject property to determine if habitats necessary to support listed species or critical habitats exist at the subject property and in the immediate vicinity. The informal biological assessment is based on visual observations of on-site conditions and general habitats as compared to data acquired from the U.S. Fish and Wildlife Service (USFWS).

Based on information obtained from the USFWS, habitats necessary to support federally listed threatened and endangered species do not occur at or in the vicinity of the subject property. Therefore, the proposed project could affect any listed threatened or endangered species. In addition, there are no designated critical habitats at or in the vicinity of the subject property (See Attachment C).

DESIGNATED FLOODPLAINS:
RESCOM reviewed flood insurance maps published by the Federal Emergency Management Agency. The subject property is within the boundary of a designated floodplain, however, project plans are being developed to ensure all essential equipment will be higher than 14 feet—1 foot above the mapped flood stage of between 12 and 13 feet (See Attachment C).

CHANGES TO SURFACE FEATURES:
RESCOM reviewed a digitized National Wetlands Inventory (NWI) map compiled with data maintained by the USFWS. Based on a review of the NWI map, the proposed project will not fall within a designated wetland. Furthermore, the scope of project does not call for wetland fill, water diversion, or deforestation. Therefore, the proposed project will not cause a significant change in surface features (See Attachment C).

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

NEPA SUMMARY REVIEW

CONCLUSIONS:

Based on information provided by the applicant, information acquired by RESCOM Environmental, and the outcome of the SHPO, THPO, and Public consultation processes, RESCOM has determined the proposed project will not adversely affect any of the Special Interest Items 1-9 listed in 47 CFR Subpart 1, Chapter 1, Sections 1.1301-1.1319 and the Nationwide Programmatic Agreement for the Collocation of Wireless Antennas (NPAC). **All essential equipment must be installed at an elevation of 14 feet amsl in order to proceed without an additional Environmental Assessment.**



Andrew Smith - Project Manager

January 2, 2020
Date

Attachments:

A. NEPA Regulatory Checklist
B. State Historic Preservation Office Consultations
C. Native American Tribal Consultations
D. Informal Biological Assessment & Maps

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

ATTACHMENT A – SHPO CONSULTATION

Lead SHPO: Florida State Historic Preservation Office
Secondary SHPO (If Applicable): N/A

Date of Submission: October 24, 2019
FCC E-106 File Number: 0008846179
RESCOM's Findings:
☒ No Historic Properties in APE
☐ No Effect to Historic Properties in APE
☐ No Adverse Effect to Historic Properties in APE

Date of Response: November 22, 2019
SHPO'S Findings:
☒ No Historic Properties in APE
☐ No Effect to Historic Properties in APE
☐ No Adverse Effect to Historic Properties in APE
☐ Adverse Effect to Historic Properties in APE
☐ Conditional No Adverse Effect: _____
☐ Other: _____

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

jill.mcdevitt@rescom.org

From: Hall, Kristen D. <Kristen.Hall@dos.myflorida.com>
Sent: Friday, November 22, 2019 4:13 PM
To: jill.mcdevitt@rescom.org
Subject: SHPO Review Comments for Kapok TCNS# 189171

SUBJECT: SHPO Section 106 Cell Tower Review

DATE: November 22, 2019

DHR Project File No.: 2019-7264

Project Name: Kapok

Telecommunications Structure: Cell Tower

Site Address: Kapok Street, Naples, Collier County, Florida

RESCOM Environmental Corp for CitySwitch

Hello,

Thank you for submitting the above-referenced project for our review in accordance with Section 106 of the *National Historic Preservation Act* and the FCC *Nationwide Programmatic Agreement*. Based on the information provided, our office concurs with the finding of no historic properties in the area of potential direct and visual effects. We have also filed our comments on the FCC 106-E-file system. This email constitutes our official comments for this undertaking. We request that the following special condition regarding inadvertent discoveries be followed:

- If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities shall be notified in accordance with Section 872.05, Florida Statutes.

Our office asks for digital copies of the survey report, Survey Log, and map of the project area, saved as separate PDFs. These may be submitted to our office via email or mail. We ask that future survey report submissions include procedures to deal with unexpected discoveries (including the discovery of human remains in accordance with Chapter 872.05, *Florida Statutes*).

Please contact me if you have any questions.

Best,
Kristen

Kristen Hall

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Historic Sites Specialist | Bureau of Historic Preservation | Division of Historical Resources | Florida Department of State | 500 South Bronough Street | Tallahassee, Florida 32399 | 850.245.6342 | 1.800.847.7278 | Fax: 850.245.6439 | Kristen.Hall@DOS.MyFlorida.Com | dos.myflorida.com/historical



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Section 106 New Filing Submitted- Email ID #4030124

From: towernotifyinfo@fcc.gov
Sent: Wed, Oct 23, 2019 at 11:45 am
To: section106@rescom.org

The following new Section 106 filing has been submitted:

File Number: 0008846179
TCNS Number: 189171
Purpose: New Tower Submission Packet

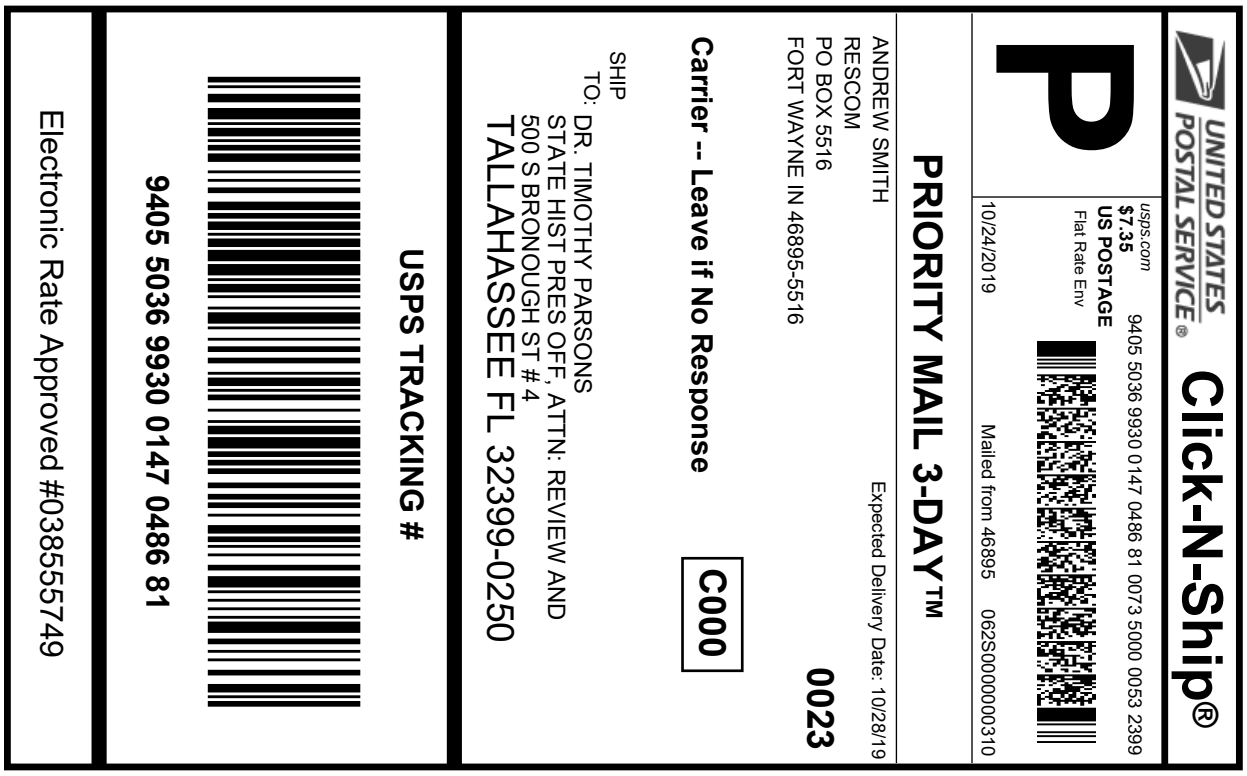
Notification Date: 7AM EST 10/24/2019

Applicant: CitySwitch, LLC
Consultant: RESCOM Environmental Corp
Positive Train Control Filing Subject to Expedited Treatment Under Program Comment: No
Site Name: Kapok
Site Address: Kapok St & Frangipani Ave
Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Site Coordinates: 26-12-36.9 N, 81-36-0.7 W
City: Naples
County: COLLIER
State:FL
Lead SHPO/THPO: Florida Division of Historical Resources

Consultant Contact Information:
Name: RESCOM Environmental Corp
Title: Architectural Historian
PO Box: 361
Address:
City: Petoskey
State: MI
Zip: 49770
Phone: 260-385-6999
Fax:
Email: section106@rescom.org

NOTICE OF FRAUDULENT USE OF SYSTEM, ABUSE OF PASSWORD AND RELATED MISUSE
Use of the Section 106 system is intended to facilitate consultation under Section 106 of the National Historic Preservation Act and may contain information that is confidential, privileged or otherwise protected from disclosure under applicable laws. Any person having access to Section 106 information shall use it only for its intended purpose. Appropriate action will be taken with respect to any misuse of the system.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



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Expected Delivery Date:	10/28/2019

Priority Mail® Postage:	**$7.35**
Total:	**$7.35**

From: ANDREW SMITH
RESCOM
PO BOX 5516
FORT WAYNE IN 46895-5516

To: DR. TIMOTHY PARSONS
STATE HIST PRES OFF, ATTN: REVIEW AND COMPLIANCE
500 S BRONOUGH ST # 4
TALLAHASSEE FL 32399-0250

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Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

October 23, 2019

Mr. Timothy Parsons, Ph.D., SHPO Director
Division of Historical Resources
500 South Bronough St.
R.A. Gray Building, Room 305
Tallahassee, FL 32399-0250

Re: Request for Section 106 Review:
Kapok
Kapok St. & Frangipani Ave.
Naples, FL 34117
TCNS#: 189171

Dear Dr. Parsons,

RESCOM Environmental Corp is requesting a Section 106 Review for the above referenced project. Enclosed is an FCC Form 620 with attachments summarizing RESCOM's findings. Based upon the observations documented within Form 620, it is RESCOM's opinion that the proposed project will not affect any historic properties within the APE. A conclusion of "no historic properties" is recommended and we respectfully request your concurrence.

Should you require further information, please do not hesitate to contact our office at (260) 385-6999. Thank you for your time and attention to this matter.

Sincerely,
RESCOM Environmental Corp

Jill McDevitt
Architectural Historian
jill.mcdevitt@rescom.org

Enclosures

cc: RESCOM file 19080047

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

QUICK REFERENCE

Form 620 1

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Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

RESUMES

FCC Form 620

FCC Wireless Telecommunications Bureau
New Tower ("NT") Submission Packet

Approved by OMB
3060 – 1039
See instructions for
public burden estimates

General Information

1) (Select only one) (NE) **NE** – New **UA** – Update of Application **WD** – Withdrawal of Application	
2) If this application is for an Update or Withdrawal, enter the file number of the pending application currently on file.	File Number:

Applicant Information

3) FCC Registration Number (FRN): 0014399034
4) Name: CitySwitch, LLC

Contact Name

5) First Name: Rob	6) MI:	7) Last Name: Raville	8) Suffix:
9) Title:			

Contact Information

10) P.O. Box:	**And /Or**	11) Street Address: 1200 Peachtree St, Mail Stop 114		
12) City: Atlanta			13) State: GA	14) Zip Code: 30309
15) Telephone Number: ( ) 260-385-6999		16) Fax Number: ( )		
17) E-mail Address: Section106@rescom.org				

Consultant Information

18) FCC Registration Number (FRN): 0012118097
19) Name: RESCOM Environmental Corp

Principal Investigator

20) First Name: Jill	21) MI:	22) Last Name: McDevitt	23) Suffix:
24) Title: Architectural Historian			

Principal Investigator Contact Information

25) P.O. Box: 361	**And /Or**	26) Street Address:		
27) City: Petoskey			28) State: MI	29) Zip Code: 49770
30) Telephone Number: ( ) 260-385-6999		31) Fax Number: ( )		
32) E-mail Address: Section106@rescom.org				

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Professional Qualification

33) Does the Principal Investigator satisfy the Secretary of the Interior's Professional Qualification Standards?	(X) Yes ( ) No

34) Areas of Professional Qualification:

( ) Archaeologist

(X) Architectural Historian

( ) Historian

( ) Architect

( ) Other (Specify) _____

Additional Staff

35) Are there other staff involved who meet the Professional Qualification Standards of the Secretary of the Interior?	(X) Yes ( ) No

If "Yes", complete the following:

36) First Name: Andrew	37) MI:	38) Last Name: Smith	39) Suffix:
40) Title: Archaeologist and Historian			

41) Areas of Professional Qualification:

(X) Archaeologist

( ) Architectural Historian

(X) Historian

( ) Architect

( ) Other (Specify) _____

This page may be copied to include additional staff.
Consultant Information Attachments required – See instructions for details.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Site Information

Tower Construction Notification System

1) TCNS Notification Number: 189171

Site Information

2) Site Name: Kapok		
3) Site Address: Kapok St & Frangipani Ave		
4) City: Naples	5) State: FL	6) Zip Code: 34117
7) County/Borough/Parish: Collier County		
8) Nearest Crossroads: Kapok St and Frangipani Ave		
9) **NAD 83** Latitude (DD-MM-SS.S): 26° 12' 36.9"	(X) **N** or ( ) **S**	
10) **NAD 83** Longitude (DD-MM-SS.S): 81° 36' 00.7"	( ) **E** or (X) **W**	

Tower Information

11) Tower height above ground level (include top-mounted attachments such as lightning rods): 250 (X) Feet ( ) Meters

12) Tower Type (Select One):

( ) Guyed lattice tower

(X) Self-supporting lattice

( ) Monopole

( ) Other (Describe):

Project Status

13) Current Project Status (Select One):

(X) Construction has not yet commenced

( ) Construction has commenced, but is not completed — Construction commenced on: _____/_____/_____

( ) Construction has been completed — Construction commenced on: _____/_____/_____

Construction completed on: _____/_____/_____

Site Information Attachments required – See instructions for details.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Determination of Effect

14) Direct Effects (Select One):

(X) No Historic Properties in Area of Potential Effects (APE)

( ) No Effect on Historic Properties in APE

( ) No Adverse Effect on Historic Properties in APE

( ) Adverse Effect on one or more Historic Properties in APE

15) Visual Effects (Select One):

(X) No Historic Properties in Area of Potential Effects (APE)

( ) No Effect on Historic Properties in APE

( ) No Adverse Effect on Historic Properties in APE

( ) Adverse Effect on one or more Historic Properties in APE

Determination of Effect Attachments required – See instructions for details.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultura significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	(X) Yes ( ) No

2a) Tribes/NHOs contacted through TCNS Notification Number: 189171 Number of Tribes/NHOs: 6

2b) Tribes/NHOs contacted through an alternate system: Number of Tribes/NHOs: _____

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN: See attachments for a complete list of Tribes and correspondence dates.

4) Tribe/NHO Name:

Contact Name

5) First Name:	6) MI:	7) Last Name:	8) Suffix:
9) Title:			

Dates & Response

10) Date Contacted _____/_____/_____ 11) Date Replied _____/_____/_____

( ) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other _____

This page may be copied to include additional Tribes/NHOs contacted.
Tribal/NHO Involvement Attachments may be required – See instructions for details.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Historic Properties

Properties Identified

1) Have any historic properties been identified within the APEs for direct and visual effect?	( ) Yes (X) No
2) Has the identification process located archaeological materials that would be directly affected, or sites that are of cultural or religious significance to Tribes/NHOs?	( ) Yes (X) No
3) Are there more than 10 historic properties within the APEs for direct and visual effect? If "Yes", you are required to attach a Cultural Resources Report in lieu of adding the Historic Property below.	( ) Yes (X) No

Historic Property

4) Property Name:
5) SHPO Site Number:

Property Address

6) Street Address:		
7) City:	8) State:	9) Zip Code:
10) County/Borough/Parish:		

Status & Eligibility

11) Is this property listed on the National Register? Source: _____	( ) Yes ( ) No
12) Is this property eligible for listing on the National Register? Source: _____	( ) Yes ( ) No
13) Is this property a National Historic Landmark?	( ) Yes ( ) No

14) Direct Effects (Select One):

( ) No Effect on this Historic Property in APE

( ) No Adverse Effect on this Historic Property in APE

( ) Adverse Effect on this Historic Property in APE

15) Visual Effects (Select One):

( ) No Effect on this Historic Property in APE

( ) No Adverse Effect on this Historic Property in APE

( ) Adverse Effect on this Historic Property in APE

This page may be copied to include additional Historic Properties.
Historic Property Attachments required – See instructions for details.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Local Government Involvement

Local Government Agency

1) FCC Registration Number (FRN):
2) Name: Collier County Historical Archaeological Preservation Board

Contact Name

3) First Name: Timothy	4) MI:	5) Last Name: Finn	6) Suffix:
7) Title: Planner			

Contact Information

8) P.O. Box:	And /Or	9) Street Address: 2800 North Horseshoe Dr N		
10) City: Naples			11) State: FL	12) Zip Code: 34107
13) Telephone Number: ( ) 239-252-1035		14) Fax Number: ( )		
15) E-mail Address: timothyfinn@colliergov.net				
16) Preferred means of communication: ( ) E-mail (X) Letter ( ) Both				

Dates & Response

17) Date Contacted 10/09/19 18) Date Replied _____/_____/_____

(X) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other _____

Additional Information

19) Information on local government's role or interest (optional):

To date, RESCOM has not received any response from this contact regarding the proposed project. Any future responses will be forwarded to the SHPO.

This page may be copied to include additional local government agencies.
Local Government Attachments required – See instructions for details.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Other Consulting Parties

Other Consulting Parties Contacted

1) Has any other agency been contacted and invited to become a consulting party?	(X) Yes ( ) No

Consulting Party

2) FCC Registration Number (FRN):
3) Name: Naples Historical Society

Contact Name

4) First Name: Elaine	5) MI:	6) Last Name: Reed	7) Suffix:
8) Title: President & CEO			

Contact Information

9) P.O. Box: 201	And /Or	10) Street Address:
11) City: Naples	12) State: FL	13) Zip Code: 34106
14) Telephone Number: ( ) 239-261-8164	15) Fax Number: ( )	
16) E-mail Address: ereed@napleshistoricalsociety.org		

17) Preferred means of communication:

( ) E-mail

(X) Letter

( ) Both

Dates & Response

18) Date Contacted 10/09/19 19) Date Replied _____/_____/_____

(X) No Reply

( ) Replied/No Interest

( ) Replied/Have Interest

( ) Replied/Other _____

Additional Information

20) Information on other consulting parties' role or interest (optional):

To date, RESCOM has not received a response from this contact. Any future response will be forwarded to the SHPO.

This page may be copied to include additional consulting parties.
Consulting Parties Attachments required – See instructions for details.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Designation of SHPO/THPO

1) Designate the Lead State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) based on the location of the tower.

SHPO/THPO

Name: Florida Division of Historical Resources

2) You may also designate up to three additional SHPOs/THPOs if the APEs include multiple states. If the APEs include other countries, enter the name of th National Historic Preservation Agency and any state and provincial Historic Preservation Agency.

SHPO/THPO Name: _____

SHPO/THPO Name: _____

SHPO/THPO Name: _____

Designation of SHPO/THPO Attachments may be required – See instructions for details.

Certification

I certify that all representations on this FCC Form 620 Submission Packet and the accompanying attachments are true, correct, and complete.

Party Authorized to Sign

First Name:	MI:	Last Name:	Suffix:
Jill		McDevitt	

Signature: 

Date: 10 / 23 / 19

FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

RESUMES

See Attachments for the resumes.

ADDITIONAL SITE INFORMATION

See Attachments for project drawings.

Project Name	Kapok
Project Address	Kapok St & Frangipani Ave, Naples, Collier County, FL 34117
Topographic Map	Belle Meade NE, USGS 7.5 Minute Topographical Map.
Project Coordinates	Latitude: N 26° 12’ 36.9”; Longitude: W 81° 36’ 00.7” UTM Coordinates: Zone: 17, Easting: 440041, Northing: 2899107
Project Description	Proposed construction of a 250’ self-supporting lattice style telecommunications tower within a 100’ x 100’ lease area.
Access Road Description	Access via proposed driveway off of Kapok St.
Utility Lines Description	Route to nearest power/telco on site.
Additional Construction Plans / Impacts	None.
Impact Statement	Minor ground disturbance to install footings and access drive.
Present Land Use	Existing grass and tree covered parcel.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

TRIBAL AND NHO INVOLVEMENT

See Attachments for supporting documentation related to Tribal Consultation.

RESCOM utilized the Tower Construction Notification System (TCNS) maintained by the Federal Communications Commission (FCC) to identify any tribal entities with interest in the area of the proposed project. The FCC responded via e-mail on September 6, 2019, indicating the following six tribal groups were forwarded information regarding the location of the proposed project:

- Eastern Shawnee Tribe of Oklahoma
- Miccosukee Tribe of Indians of Florida
- Muscogee Creek Nation
- Seminole Nation of Oklahoma
- Thlopthlocco Tribal Town
- Seminole Tribe of Florida

The FCC assigned this project with TCNS ID: 189171.

To date, RESCOM has not received a response from any of the above-mentioned Tribes. RESCOM will refer non-responding tribes to the FCC for final government-to-government consultation. All tribes do request immediate notification should human remains or objects under NAGPRA become uncovered during construction.

LOCAL GOVERNMENT

See Attachments for supporting documentation related to Local Government Consultation.

RESCOM identified Mr. Timothy Finn, Planner for the Collier County Historical Archaeological Preservation Board, as the Certified Local Government contact with jurisdiction in the area of the proposed project. A letter was sent via regular mail on October 9, 2019, outlining the proposed project and inviting comments on the potential for the proposed project to affect sites or structures of historic significance.

To date, RESCOM has not received a response from this contact regarding the proposed project. Any future responses will be forwarded to the Florida SHPO.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

PUBLIC INVOLVEMENT

See Attachments for supporting documentation related to Public Involvement

RESCOM contacted the Naples Daily News and placed a public participation legal notice in the paper on September 14, 2019. The public notice read as follows:

Notice of Initiation of the Section 106 Process: Public Participation

> CitySwitch proposes the construction of a lattice style telecommunications tower within a 100' x 100' lease area at Kapok St & Frangipani Ave, Naples, Collier County, FL. Members of the public interested in submitting comments on the possible effects on historic properties included in or eligible for inclusion in the National Register of Historic Places may send their comments to Andrew Smith, RESCOM Environmental Corp., PO Box 361 Petoskey, MI 49770 or call 260-385-6999.

To date, RESCOM has not received a response from a member of the public regarding the proposed project. Any future responses from members of the public will be forwarded to the Florida SHPO.

ADDITIONAL CONSULTING PARTIES

See Attachments for supporting documentation related to Additional Consulting Parties.

RESCOM identified Ms. Elaine Reed, President & CEO of Naples Historical Society, as an additional consulting party with interest in the area of the proposed project. A letter was sent to this contact via regular mail on October 9, 2019, outlining the proposed project and inviting this contact to comment on the potential for the proposed project to affect sites or structures of historic significance.

To date, RESCOM has not received a response from this contact regarding the proposed project. Any future responses will be forwarded to the Florida SHPO.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

DETERMINATION OF AREA OF POTENTIAL EFFECTS (APE)

APE for DIRECT EFFECTS

The DIRECT area of potential effect is defined by the FCC's Nationwide Programmatic Agreement as being "limited to the area of potential ground disturbance and any property, or any portion thereof that will be physically altered or destroyed by the Undertaking."

Potential Ground Disturbance or Physical Alteration			
Lease Area	Access Easement	Utility Easement	Misc.
Proposed construction of a 250' self-supporting lattice style telecommunications tower within a 100' x 100' lease area.	Utilize access via proposed drive off of Kapok St.	Utilize existing power and telco sources.	None.

Based on the project's scope of work, the APE for Direct Effects is limited to the tower area. An archaeological survey was conducted because ground disturbance will occur.

APE for INDIRECT EFFECTS

The INDIRECT area of potential effects is defined by the FCC's Nationwide Programmatic Agreement (NPA) as "the geographic area in which the Undertaking has the potential to introduce visual elements that diminish or alter the setting, including the landscape, where the setting is a character-defining feature of a Historic Property that makes it eligible for listing on the National Register." Based on the FCC's NPA, the indirect APE for projects involving telecommunications towers between 200' and 400' should be a 0.75-mile radius.

Area of Potential Introduction to Visual Elements		
Direction	Distance	Geographic Area
North	0.75 mile	Buffered by residential development and mature trees.
East	0.75 mile	Buffered by mature trees and agricultural development.
South	0.75 mile	Buffered by mature trees.
West	0.75 mile	Buffered by mature trees.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

HISTORIC PROPERTIES IDENTIFIED IN THE APE FOR VISUAL EFFECTS

See Attachments for supporting documentation related to Historic Resources in the Indirect Visual APE

RESCOM consulted the following resources to determine if historic properties exist within the indirect Visual APE which match the categories of historic properties which should be assessed for potential impacts. The categories for consideration are defined by the FCC's Nationwide Programmatic Agreement as properties which are either: currently listed on, determined eligible for listing on, or certified by the SHPO/THPO as in the process of being nominated for listing on the National Register of Historic Places.

AGENCY	RESOURCE	RESULTS
NRHP	Online Database – NPS Focus http://nrhp.focus.nps.gov/	None in APE
NRHP	Google Earth Layer http://nrhp.focus.nps.gov/natreg/docs/Download.html	None in APE
Florida SHPO	Florida Master Site File Search Results Dated August 29, 2019	None in APE

Based on the review of the above resources, there are no historic resources located in the APE for Visual Effects that match the categories for requiring assessment of potential impacts.

HISTORIC PROPERTIES IDENTIFIED IN THE APE FOR DIRECT EFFECTS

See Attachments for supporting documentation related to Historic Resources in the Direct APE.

RESCOM consulted the following resources to determine if historic properties exist within the Direct APE which match the categories of historic properties which should be assessed for potential impacts. The categories for consideration are defined by the FCC's Nationwide Programmatic Agreement as properties which are either: currently listed on, determined eligible for listing on, or certified by the SHPO/THPO as in the process of being nominated for listing on the National Register of Historic Places.

AGENCY	RESOURCE	RESULTS
NRHP	Online Database – NPS Focus http://nrhp.focus.nps.gov/	None in APE
NRHP	Google Earth Layer http://nrhp.focus.nps.gov/natreg/docs/Download.html	None in APE
Florida SHPO	Florida Master Site File Search Results Dated August 29, 2019	None in APE

Based on RESCOM's review of the above resources, there are no historic resources located in the APE for Direct Effects which match the categories for requiring assessment of potential impacts. An archaeological survey was conducted because ground disturbance will occur.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

PHOTOGRAPHS

See Attachments for Photographs.

MAPS

See Attachments for Maps.

DETERMINATION OF FINDINGS

Based on the review of SHPO and National Register databases and field reconnaissance performed, there are no historic resources located within the indirect Visual APE. Therefore, the proposed project has no historic properties located within the indirect Visual APE.

Based on the review of SHPO and National Register databases and field reconnaissance performed, there are no historic or archaeological resources located within the Direct APE. Therefore, the proposed project has no historic properties located within the Direct APE.

Based on the information provided in this report and the attached supporting documentation, RESCOM respectfully requests the Florida SHPO concur with our findings of "no historic properties" in the APE.

Jill McDevitt – Architectural Historian

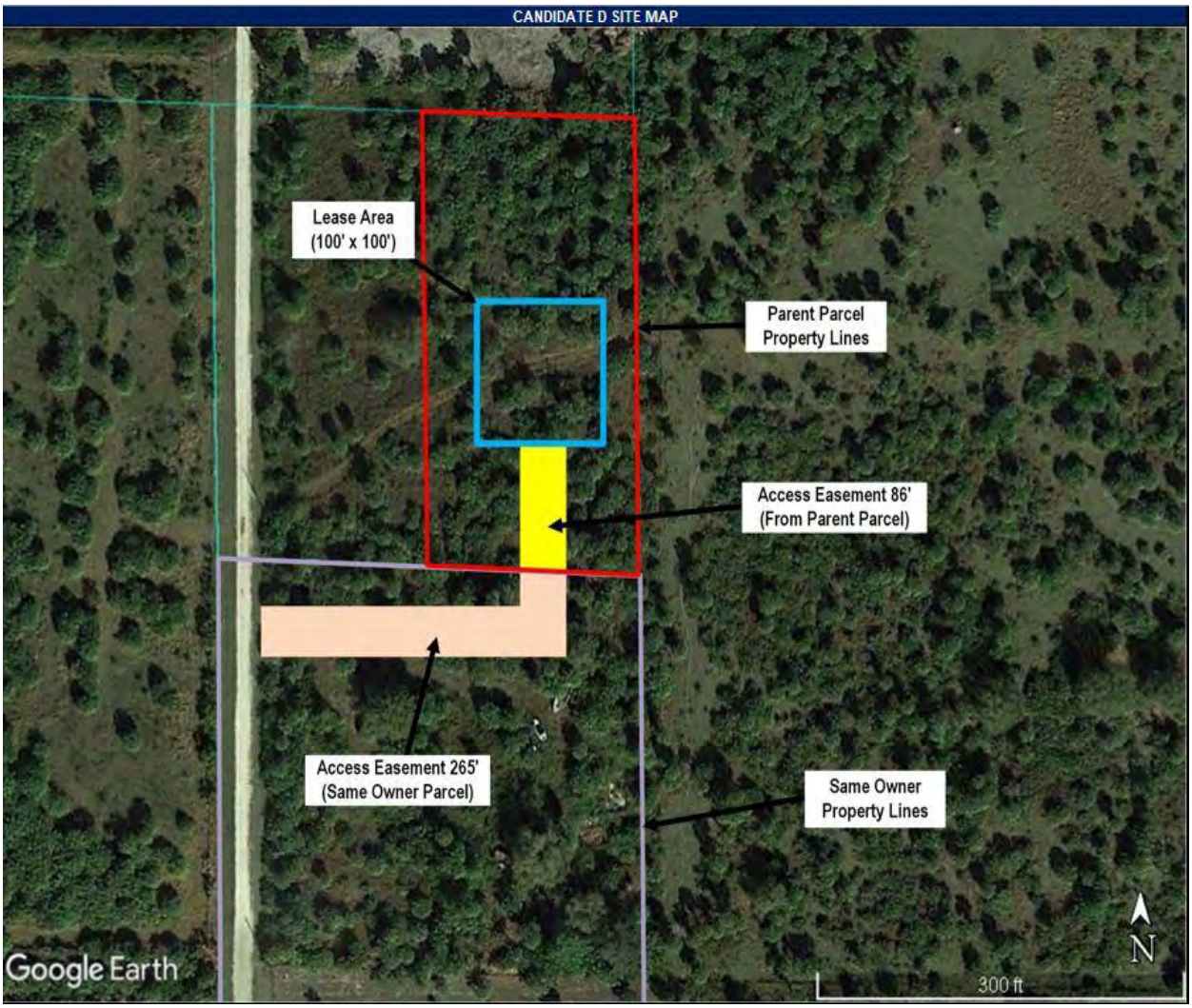
October 23, 2019
Date

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

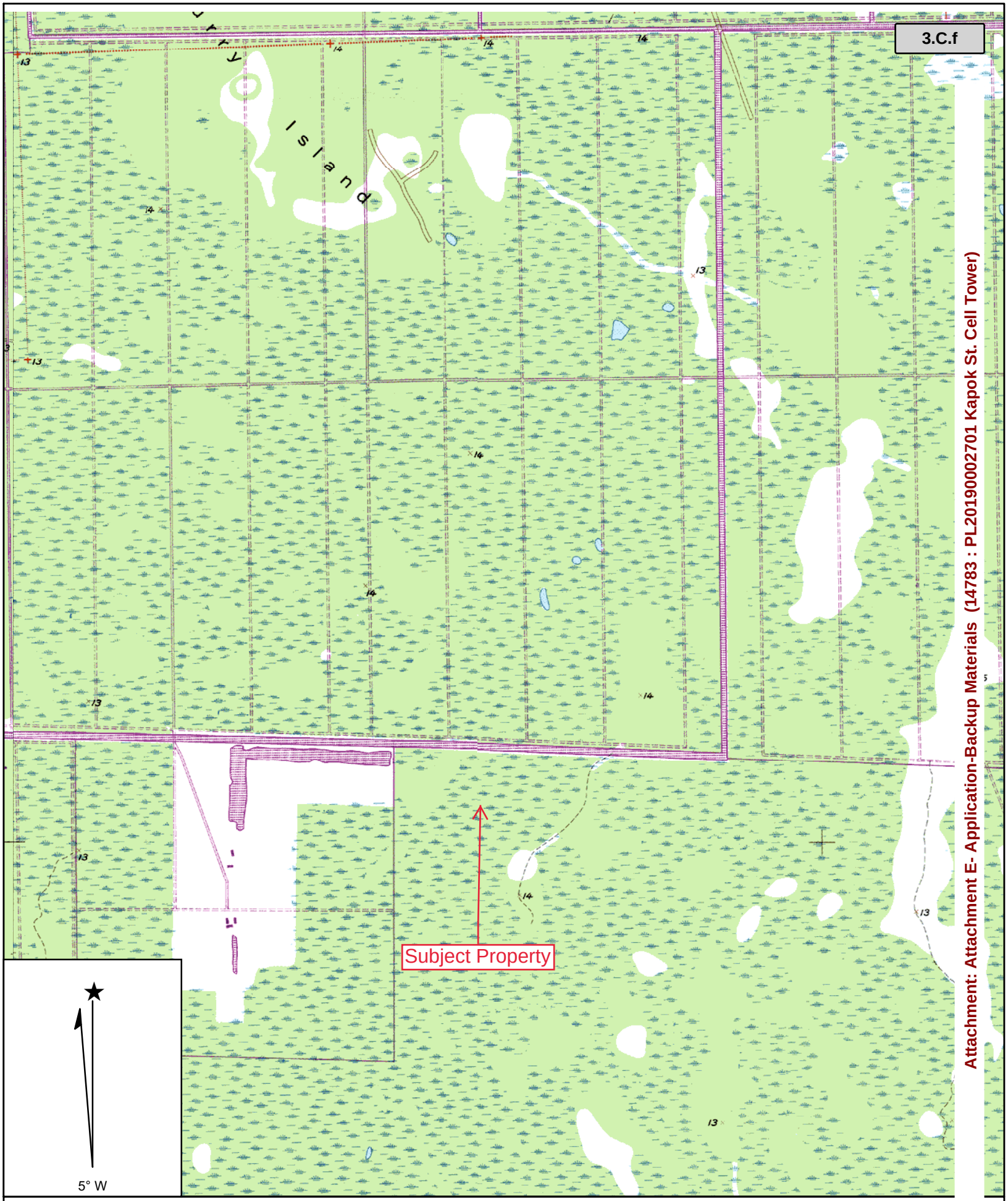
SUPPORTING DOCUMENTATION

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

SECTION 106 CONSULTATION
Applicant: CitySwitch
Project Name/Number: Kapok



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



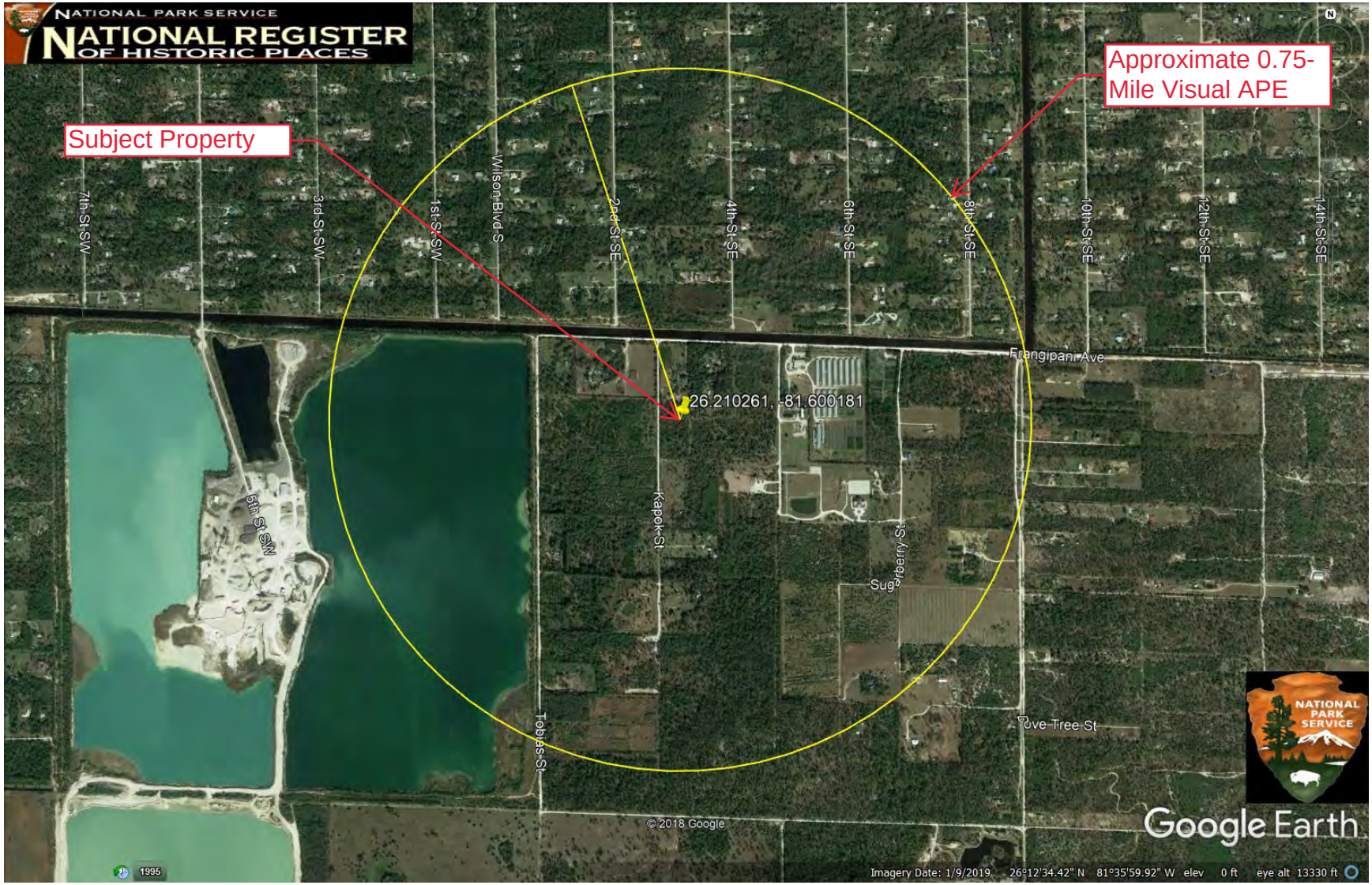
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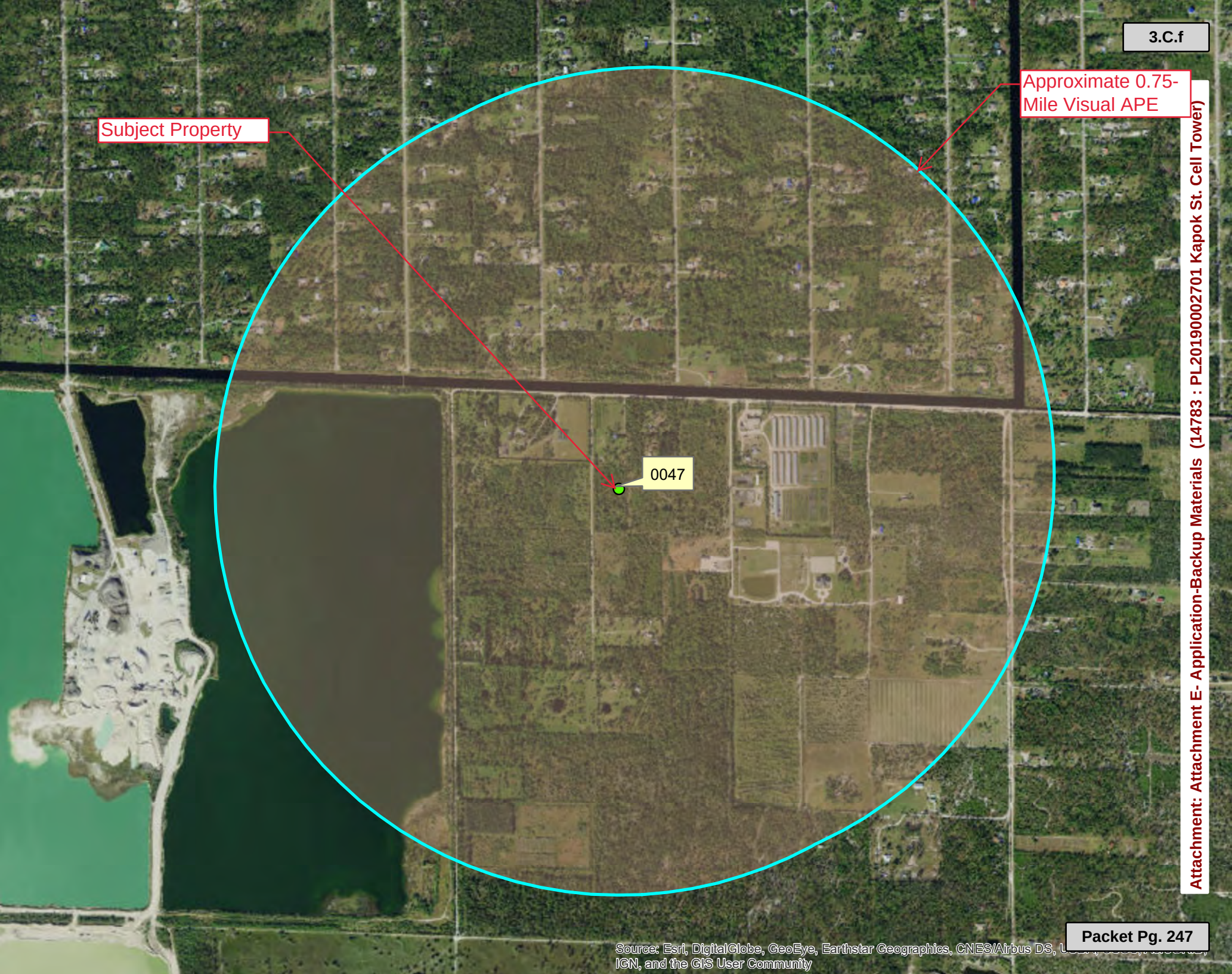
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NRHP Map



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SUBJECT PROPERTY PHOTOGRAPHS
KAPOK



Photograph 1 – Subject property, facing north.



Photograph 2 – Subject property, facing east.

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SUBJECT PROPERTY PHOTOGRAPHS
KAPOK



Photograph 3 – Subject property, facing south.



Photograph 4 – Subject property, facing west.

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SUBJECT PROPERTY PHOTOGRAPHS
KAPOK



Photograph 5 – Adjacent property, facing north.



Photograph 6 – Adjacent property, facing northeast.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

SUBJECT PROPERTY PHOTOGRAPHS
KAPOK



Photograph 7 – Adjacent property, facing east.



Photograph 8 – Adjacent property, facing southeast.

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SUBJECT PROPERTY PHOTOGRAPHS
KAPOK



Photograph 9 – Adjacent property, facing south.



Photograph 10 – Adjacent property, facing southwest.

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SUBJECT PROPERTY PHOTOGRAPHS
KAPOK



Photograph 11 – Adjacent property, facing west.



Photograph 12 – Adjacent property, facing northwest.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

October 9, 2019

Mr. Timothy Finn
Planner
Historic Archaeological Preservation Boa
2800 North Horseshoe Drive North
Naples, FL 34104

RE: Section 106 Invitation per the National Historic Preservation Act and the National Environmental Policy Act to the Certified Local Government:
Kapok
Kapok St. & Frangipani Ave.
Naples, FL 34117

Dear Mr. Finn,

CitySwitch is proposing a telecommunications project at the above address. Please consider this correspondence an invitation to comment on the possible effects the proposed project may have on sites or structures of historic significance. *This correspondence is not an attempt to satisfy the local zoning requirements.*

Enclosed for your review is a copy of a USGS 7.5-Minute topographic map, property photographs, site sketch and a table of information regarding the proposed project. As part of our research, RESCOM will submit the proposed project for Section 106 review per the National Historic Preservation Act and the National Environmental Policy Act to the State Historic Preservation Office. In addition, a public notification was placed in the local newspaper to solicit "questions, comments, and correspondences" from the public regarding the proposed project.

Should you require further information, please do not hesitate to contact our office or contact me directly at (260) 385-6999. Thank you for your time and attention to this matter.

Sincerely,
RESCOM Environmental Corp

Jamie Cochran-Smith
Archaeologist/Historian
jamie.cochran-smith@rescom.org

Enclosure

cc: RESCOM file 19080047

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

October 9, 2019

Ms. Elaine Reed, President & CEO
Naples Historical Society
P.O. Box 201
Naples, FL 34106

RE: Section 106 Invitation per the National Historic Preservation Act and the National Environmental Policy Act to the Local Historical Society:
Kapok
Kapok St. & Frangipani Ave.
Naples, FL 34117

Dear Ms. Reed,

CitySwitch is proposing a telecommunications project at the above address. Please consider this correspondence an invitation to comment on the possible effects the proposed project may have on sites or structures of historic significance. *This correspondence is not an attempt to satisfy the local zoning requirements.*

Enclosed for your review is a copy of a USGS 7.5-Minute topographic map, property photographs, site sketch and a table of information regarding the proposed project. As part of our research, RESCOM will submit the proposed project for Section 106 review per the National Historic Preservation Act and the National Environmental Policy Act to the State Historic Preservation Office. In addition, a public notification was placed in the local newspaper to solicit "questions, comments, and correspondences" from the public regarding the proposed project.

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Sincerely,
RESCOM Environmental Corp

Jamie Cochran-Smith
Archaeologist/Historian
jamie.cochran-smith@rescom.org

Enclosure

cc: RESCOM file 19080047

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

ARCHAEOLOGICAL RECORDS CHECK & PHASE IA ARCHAEOLOGICAL RECONNAISSANCE FOR THE PROPOSED KAPOK TELECOMMUNICATIONS TOWER SITE IN COLLIER COUNTY, FLORIDA.

October 3, 2019

PREPARED FOR:

Ignite Wireless, Inc.
102 Mary Alice Park Road.
STE 505
Cumming, GA 30040

PREPARED BY:

Eric Sanchez
RESCOM Environmental Corp.
P.O. Box 361
Petoskey, Michigan 49770
(231) 409-2563

RESCOM ID: 19080047



Andrew M. Smith, M.A.
Principal Investigator

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

INTRODUCTION

In response to a request from Ignite Wireless, Inc., RESCOM Environmental Corp., has completed a Phase Ia archaeological reconnaissance and records check for a proposed telecommunications tower site in Collier County, Florida (Figure 1). The project is located approximately 12-miles northeast of Naples, Florida at 26°12'36.9"N 81°36'00.7"W in the NE ¼ of the NW ¼ of Section 15, Township 49 S, Range 27 E, as seen on the as seen on the USGS 7.5' Belle Meade NE, FL, topographical quadrangle (Figure 2). The project area consists of a wooded and natural grass covered location and measures 100-ft by 100-ft for a proposed telecommunications tower site with a 351-ft by 30-ft access road to the north; approximately 0.50-acre in total (Figure 3).

RESCOM conducted an archaeological records check via the Florida Master Site File and no archaeological sites overlapping the project area. Fieldwork was conducted on September 25, 2019 by Jamie Cochran-Smith M.A., Ball State University 2011 and Andrew Smith M.A., Ball State University 2010, Principal Investigator and Secretary of Interior qualified professional archaeologist, and required 4 hours of fieldwork.

This report details the results of the records check and Phase Ia field reconnaissance and presents the conclusions and recommendations of RESCOM concerning any additional archaeological investigations.

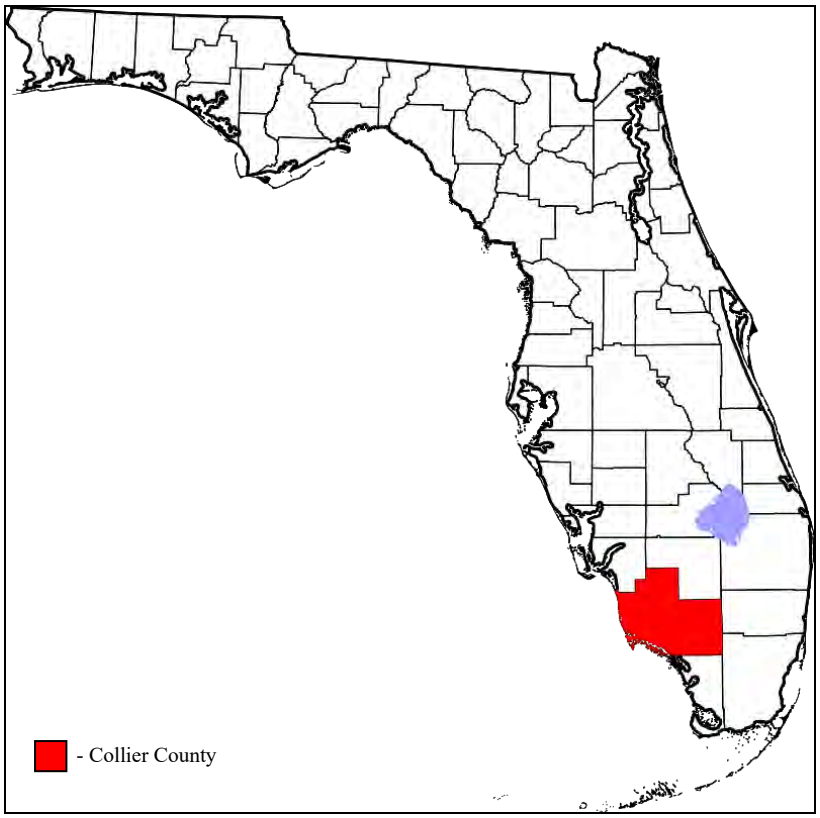


Figure 1. Location of Collier County within Florida.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

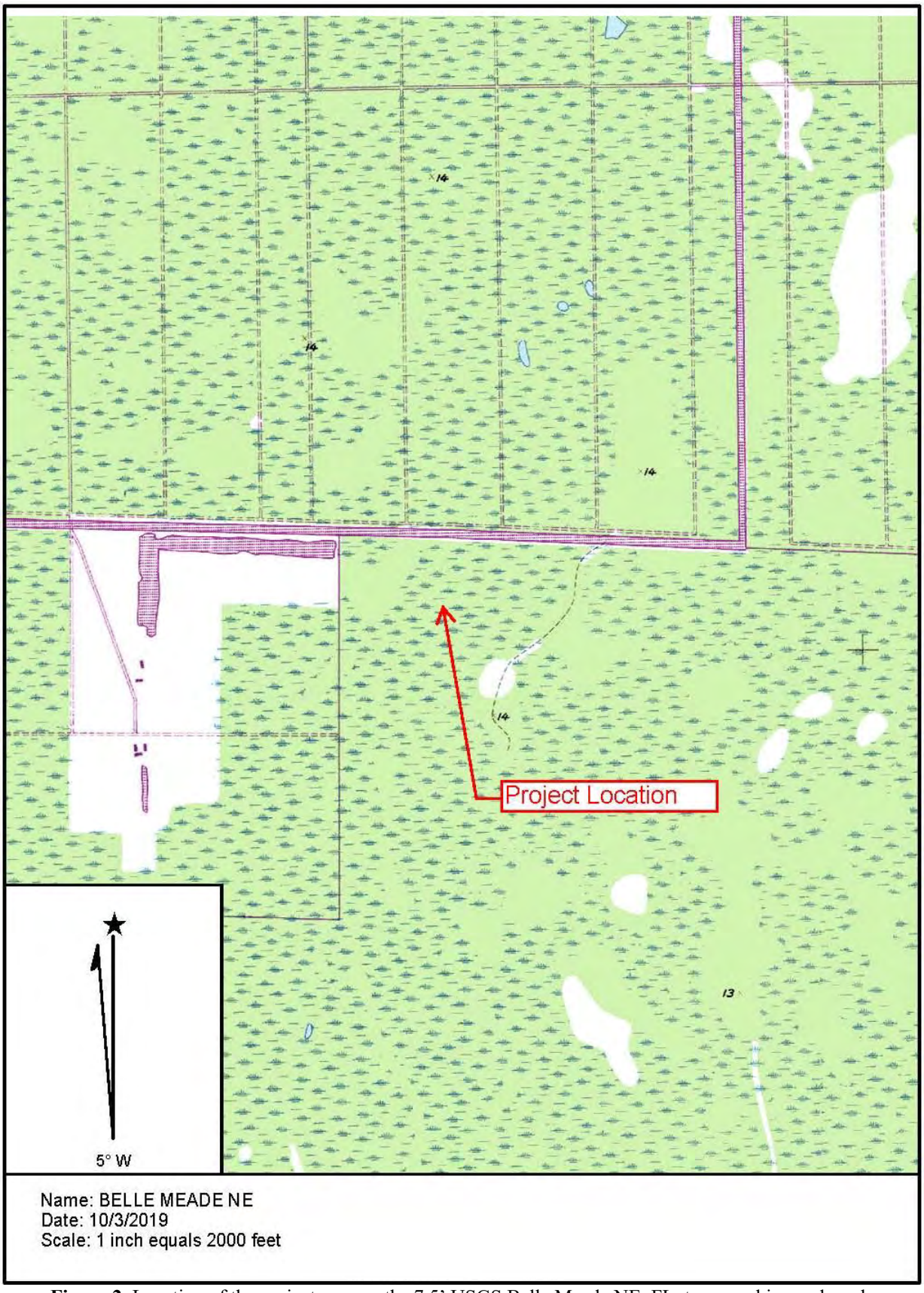


Figure 2. Location of the project area on the 7.5' USGS Belle Meade NE, FL, topographic quadrangle.

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Figure 3. Aerial photograph showing the project area and proposed work.

NATURAL SETTING

The project area is located in the southwest portion of the state and lies within the Floridian Section of the Coastal Plain province of the Atlantic Plain Physiographic Region (United States Geological Survey 2008). The landscape in this portion of the state also referred to as the Big Cypress region is primarily flat with elevation ranging from 5-ft to 30-ft. soils are typically poorly drained overlaying limestone, sandstones, and marls. Vegetation in the area consists of open scrub cypress, prairie grassland, pine flatwoods, and wetlands (Brooks 1981, Griffith et al 1997).

Soil within the project area consist of Riviera fine sand, limestone substratum, 0 to 2 percent slopes (Web Soil Survey; accessed September 17, 2019). The Riviera Series consists of very deep, poorly drained, very slowly permeable soils formed in stratified sandy and loamy marine sediments. Riviera fine sands are generally located on broad, low flats, flatwoods and in depressions in Southern Florida Lowlands (USDA 2014).

Prior to Euroamerican settlement the area was primarily covered in prairies and flatwoods, and though portions remain that way, particularly within the Big Cypress National Preserve, large areas have been cleared for development. Many aquatic as well as mammalian species would have been available throughout the prehistoric period. These species would have been representative of the mixed regional fauna and could have included any of the following: black bear, eastern cottontail, woodchuck, gray squirrel, fox squirrel, southern flying squirrel, beaver, raccoon, white-tailed deer, coyote, dog, grey fox, red fox, turkey, salamander, soft shelled turtle, common musk turtle, elegant slider turtle, garter snake, blue catfish, flathead, and several mussel species (Howell 1915).

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Given the environmental conditions of the project area and surrounding region, there is the potential for the project area to contain previously unrecognized archaeological sites. The following sections describe previous research conducted in and near the project area and provide a general background of regional prehistory.

CULTURAL HISTORY

Florida's history is long and complex, extending back at least 10,500 years and possibly further. Among the many people who have shaped its past are historic tribes as well as groups with and without historic tribal connections, including prehistoric groups, European explorers and settlers, and others. Florida's prehistory conforms well to what is generally known about the prehistory of much of the southeastern US with major cultural stages that include Paleo-Indian, Archaic, Woodland, Mississippian, Protohistoric, and Historic periods. For the purposes of this report, chronological sequences have been adapted from Bense (1994).

Paleoindian Period (~30,000-11,500 BP)

The Paleoindian period represents the earliest known occupation of North America by Native Americans. Paleoindian groups rapidly dispersed across a wide range of environments (Surovell 2000). These populations settled a dynamic landscape undergoing rapid climatic and environmental changes, which led to the retreat of the continental ice sheets northwards and increasing summer isolation (Haynes 1982; Shane 1994). It is generally thought that early Paleoindian groups were highly mobile, widely scattered, lightly equipped opportunists that lived in small, egalitarian bands (Drago 1976: 9; Fitting 1975: 38; Mason 1981: 82; Wright 1995: 50). They moved on a seasonal basis to more fully exploit a wide range of animal and plant resources while also in pursuit of large herd animals.

Although subject to increasing scrutiny, the Clovis period is regarded by most archaeologists as the earliest, or at least one of the earliest, known occupation(s) of the North American continent by Native Americans. The original Clovis hypothesis posited that groups of hunter-gatherers followed the Bering Land Bridge into North America roughly 11,500-12,000 years ago and rapidly dispersed across the mid-continent. Their degree or magnitude of mobility is shown by the fact that fluted points (Clovis, Folsom, and others) have been discovered hundreds of kilometers from where the raw materials were procured and where they were supposedly manufactured (Tankersley 1990, 1994; Tankersley et al. 1990).

One of the key problems with the Clovis hypothesis, however, stems from a dearth of evidence for Clovis occupation in those same regions where researchers would expect to see evidence of Clovis culture arise first and more fully (Dillehay 2000; Dixon 1999). This has led most archaeologists to consider other modes of mobility and regard the peopling of North America as complex and multidirectional. Even so, most arguments against pre-Clovis occupation place into question the reliability and consistency of radiometric dates, note the lack of a clear, widespread pre-Clovis stratigraphy and related material culture, and the cite the lack of corroborating data from other, interdisciplinary

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studies (Hofman 1989: 26). Currently, there is no evidence for possible pre-Clovis occupations in Florida.

Clovis Complexes/Early Paleoindian (ca. 11,500-11,000 BP)

Paleoindian settlement-subsistence strategies responded to environmental changes that characterize the Late Pleistocene. Although Paleoindian settlement patterns are poorly understood, Tankersley (1994:11) argues that such patterns shifted from landforms with relatively low relief and open habitats to landforms characterized by more rugged terrain and closed habitats. He has proposed an Early Paleoindian specialized hunter settlement model based on the recognition of big game-related and lithic procurement-related activities. Specifically, Early Paleoindian sites appear restricted to areas that attracted and concentrated large migrating herd mammals, which included shallow river crossings, kettle lakes, saline springs, marshes, sinkhole ponds, and sandy terraces of major streams that created open vegetation patches. Also, they may be concentrated along overlooks (e.g., crests of moraines) of riverine (aquatic and wetland) habitats and in proximity to lithic outcrops (i.e., in the glaciated regions, lithic resources occur primarily in various unconsolidated secondary deposits).

It is generally thought that Early Paleoindian groups were highly mobile (nomadic), widely scattered, lightly equipped opportunists that lived in small egalitarian bands (Dragoo 1976:9; Fitting 1975:38; Mason 1981:82; Wright 1995:50). They moved on a seasonal basis to more fully exploit a wide range of animal and plant resources while also in pursuit of large herd animals like mammoth and bison (Fagan 1991: 77; O'Brien and Wood 1998: 34-35, 39). Their degree or magnitude of mobility is shown by the fact that fluted projectile points (Clovis, Folsom, Dalton, and others) have been discovered hundreds of kilometers from where the raw chert materials were procured and where they were supposedly manufactured (Tankersley 1990, 1994; Tankersley et al. 1990). In Florida, the majority of Paleoindian points have been recovered along eroded deposits with little or no provenience data available (White 2002: 12).

The specialized hunting of large migratory herbivore prey required a small, efficient toolkit consisting of bifacial and flake knives, a variety of scrapers, gravers, burin-like tools including wedges, spoke-shaves, drills, hammerstones, billets (made of antler, bone, ivory, or wood), blades struck from specially prepared polyhedral chert cores, and fluted projectile points that could easily penetrate thick, tough animal hides (Mason 1981:86; Tankersley 1990:9, 1994:96). During the time period of 11,000-10,000 BP, the eastern U.S. experienced a climatic shift from frigid, boreal-like forests to warmer, deciduous forests. This gradual shift to a warmer, wetter climate coincides with evidence of the earliest occupation of the Piedmont Plateau in Florida, particularly near the Fall Line, though full occupation does not arise until the Late Paleoindian period. Subsistence patterns remained focused on large mammals during the Late to Middle Paleoindian transition, which is clearly reflected by the continued persistence of utilitarian chipped stone tool technologies.

Paleoindian components and sites in Florida are far more common than in other portions of the American southeast. Some of the most notable sites in Florida from the Middle to Late Paleoindian or Paleo-Archaic transitional periods in Florida include the Page-Ladson site in northwestern Florida (Dunbar 2014), the Vero Man site near Vero

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Beach (Viegas 2011), the Devil's Den site near Williston, the Melbourne site along Crane Creek, and the Warm Mineral Springs site near North Port (Purdy 2008), among others. No large kill sites have been identified in the state, though some isolated point finds may be interpreted as individual kill sites (Anderson et al. 1996: 61).

Middle Paleoindian (ca. 11,000-10,500 BP)

During the Middle Paleoindian period, the people inhabiting Florida began to settle in, particularly in places where food was abundant. Our understanding of these later Paleo-Indian cultures is, unfortunately, largely incomplete. A shift toward smaller, fluted points and unfluted lanceolates is evident from sites throughout the southeast, which likely indicates a shift in subsistence patterns as large game animals became increasingly scarce and people began to rely on smaller game. Paleoindian social structure appeared to be uniformly egalitarian. There is no evidence of social stratification found in the few burials that date to this period in the southeast. Ritual or ceremonial evidence from this period is even more scant and therefor difficult to interpret.

Late Paleoindian (10,500-10,000 BP)

The Late Paleoindian period is characterized by very gradual cultural change coinciding with the terminal period of the Pleistocene and the transition to a warmer, wetter Holocene climate and the start of the Archaic period around 8,000 BP. Earlier Clovis points were gradually displaced by the Beaver Lake, Mariana, and Cumberland points, and Hardaway lanceolates in Florida and denote the Paleoindian-Archaic transition. This change probably also reflects a shift in subsistence from mammoth and other mega-fauna, which at that point were nearly extinct, to hunting deer, and other mid-sized mammals exclusively. Dalton points also appear during the Late Paleoindian period, but their distribution, while exhibiting some variation regionally, encompasses nearly the entirety of the eastern half of the United States.

Environmental changes more in-line with modern conditions seem to have brought about changes in mobility. Occupations during this late period are characterized by small, short-term camps and "disposable" or "expedient" tool kits, generally fashioned out of broken points and reflect systems increasingly adapted to foraging (Binford 1980). The location and exploitation of lithic and other natural resources likely played an important role in Paleoindian people's decisions about where to establish occupations and mobility between these sites. An increasing reliance on local resources established a pattern of seasonal use and mobility that is clearly reflected in the Archaic period.

Early Archaic Period (10,000-8000 BP)

The Archaic period in Florida marks a subtle but increasingly obvious departure from the past and is largely associated with increasing sedentism, population size, and social complexity. It is also characterized by new and diverse lithic technologies and subsistence practices. Point types like Taylor, Bolen, Eva, Hardin and Palmer come into production, indicating new approaches to fastening and using these tools and weapons as evidenced by their notching. The introduction of the atlatl and dart certainly indicate

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changes in hunting methods and prey. With the extinction of mega-fauna, smaller game like deer, birds, fish, turtles, and squirrels become dietary staples during the Early Archaic period, necessitating these smaller projectile points and darts. There is also a marked increase in the number of plant food processing during this period, as well as the additional exploitation of coastal resources. O'Steen's research (1983: 68-69, 99) demonstrates that Early Archaic site density near the Ocmulgee river was highest in areas of greatest resource density and diversity, further promoting the link between populations and resources.

Social changes followed on the heels of these wide-ranging climatic changes and new resource procurement strategies. The size and membership of groups may have fluctuated significantly during this period of intense ecological change, depending on seasonality and other factors. Bands of hunters-gatherers lived throughout Florida, following resources as they became available or were used up. The Russell Cave site in northern Alabama is an example of such an Archaic period, seasonally occupied campsite (White 2002: 26-28). The stabilization of the climate made for optimal conditions for the expansion of coastal ecosystems, which led to increased exploitation (and reliance upon) these resources. As Anderson and Hanson (1988) have noted, large drainage systems may have served subsistence/resource needs, while social interaction (ceremonial, formal and informal exchange, mating, etc.) may have operated along and across watershed boundaries. These findings paint a picture of incredible human (and non-human) interaction on a dynamic landscape.

Middle Archaic Period (8000-5000 BP)

The Middle Archaic coincides with the apogee of the Altithermal, or Climactic Optimum, which brought severe drought to most of the Central US and led to warmer, drier conditions in the Southeast. Forests in Florida shifted toward pine and away from oak and hickory, with those latter varieties receding farther north into the Piedmont Plateau area. Native Americans in Florida started producing stemmed points, including Morrow Mountain, Guilford, Benton, Putnam, Smith, and Stone square-stemmed points (White 2002: 28). Flake tools are common, as are ground stone tools (probably for plant processing). It appears, based primarily on lithic evidence, that Middle Archaic people became more settled than their Early Archaic predecessors, perhaps a result of reduced territorial movement. Stone tools become increasingly made from local materials, suggesting a preference for nearby resources. Likewise, subsistence strategies tended to favor hunting, gathering, and foraging of local resources. Despite the increase in sedentism during this period, there are no known evidence for long-term habitation in Florida during the Middle Archaic.

Late Archaic Period (5000-3000 BP)

The extreme conditions of the Altithermal began to diminish around 3500 BP, leading to widespread and often significant developments throughout the Southeastern US. As wildlife population became more robust within the previously parched landscape, groups adopted broad-spectrum hunting, gathering, and collecting. Around the same time, the character of prehistoric communities in the eastern US begin to change. Populations

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become larger and trading became increasingly prevalent, notably in conjunction with the rise of Poverty Point in northeast Louisiana. Groups in the Southeastern US would seem to have started becoming even more seasonally sedentary as evidenced by a more intensive use of local, seasonal resources and the extensive reuse of earth ovens and cooking pits (Wyckoff and Brooks 1983: 15) even as riverine trade and a taste for exotic goods, perhaps facilitated by trade with Poverty Point peoples, was growing.

Subsistence practices largely continued as they had from the Middle Archaic, with diversified medium and small game hunting as well as reliance on riverine and coastal resources and plant foods, squash, beans, and nuts. The decline of Poverty Point (~ 3100 BP) was probably felt in Florida, especially in the western part of the state, in the form of diminished trade, as exchange networks that had been built up throughout the eastern US diminished with the site's abandonment. Artifacts associated with this period include large stone knives, darts, spear points with stemmed hafts, soapstone bowls and cooking slabs, atlatl weights, metates, and stone drills. Stemmed points (Stanley, Morrow Mountain, Guilford, Savannah River) replaced notched varieties, and cultural patterns between the Piedmont region and the Coastal Plain began to diverge. Late Archaic assemblages in Florida include Horr's Island at the southern-most tip, Norwood along the Gulf Coast, and Mount-Taylor-Orange along the Atlantic Coast. The earliest evidence for long-term habitation appears during this period as well, in the form of oval-pit houses and larger wattle and daub structures. The dead were cremated and/or buried, though, as in previous periods, there is no indication of social stratification or status evidenced through burials.

Shell rings (or shell middens) were a novel development among people living on coastal settlements during the Late Archaic, which were built up over the span of generations. These rings are usually formed from deposits of shell, bone, soil, and artifacts, which, in some instances, were over ten feet thick. While there is much debate over what these rings represent, there is at least moderate consensus among archaeologists that they were, minimally, places of daily habitation (Thompson and Andrus 2011: 315; Thompson and Turch 2009: 268). Another novel development in Florida is the production and/or exchange of pottery (Anderson 1995: 160). Pottery from this area is the oldest known example of prehistoric pottery in the United States.

Early Woodland (3000-2000 BP)

The Woodland period is generally associated with the fluorescence of pottery, agriculture, and social stratification. Early Woodland peoples in Florida appear to have continued with life as they had in the Late Archaic. House patterns remained circular, generally arranged around a plaza. Subsistence was still largely based on small to medium-sized game and foraging/gathering, though evidence for early horticulture dates to this period. Some traditions were modified, such as ceramic bowls that were made with new tempers and occasionally decorated with fabric impressions or grooved patterns and designs. Projectile points like Big Sandy, Bolen, Neuberger, Wade, and Stanley types replace older Late Archaic types. Other facets of cultural life in the Woodland period appear to be completely new. Most notably, burials appear to have been accompanied by greater ceremonialism and, increasingly, the period witnesses the development of clearly elite burials accompanied by ceramics and other goods.

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Shell ring sites, which flourished during the Late Archaic, were abandoned in the Early Woodland, likely due to rise in sea level and flooding events. In the eastern US, the Woodland period is associated with the rise of the Hopewell Interaction Sphere. The Hopewell phenomenon is known from data collected primarily from the lower Illinois River valley and the Scioto and central Ohio River valleys of southern Ohio. The trends of the preceding time periods continue with increasing sedentism, population growth, horticultural intensification, and investment in mortuary ceremonialism involving stone-lined mound construction and a diverse assemblage of exotic ceremonial artifacts (Brose and Greber 1979). The Hopewell Interaction Sphere was vast, stretching from what is modern day Ontario, Canada to the Gulf Coast of Texas. To the West, Hopewell reached as far as eastern Kansas.

Evidence of Hopewell influence is fairly abundant in Northern Florida. A more significant influence in the southern part of the state is the Pre-Glades culture. The Gulf Deptford phase along the Gulf Coast of Florida dates to the Early Woodland. Older yet is the Norwood phase along the same region as the Gulf Deptford. The St John's Phase was located along the Atlantic Coast.

Middle Woodland (2000-1600 BP)

The Glades culture was the dominant cultural presence throughout southern Florida. Glades culture is a continuation of earlier Pre-Glade cultures, and its material culture is characterized pottery tempered with sand, grit, and grog and designed made using cords, fabric, and brushing (Bense 1994: 137-140). Lithics within the Carolinas and Tennessee show a shift from small, square-stemmed stone points to triangular, concave base points. Lithics within Florida remained stemmed triangular-blade points along with the Flint Creek types Mound building (including burial mounds) is also common to Swift Creek and other peoples in Florida and throughout the Southeast, much more so in Middle-Late Woodland and later Mississippian periods than in previous Archaic sub-periods (Dumas 2015).

Other parts of the state exhibit different cultural spheres. Swift Creek culture dominated in northern-most Florida. In the Atlantic coastal region, the Middle Woodland is synonymous with St. Johns Ia culture, while Manasota culture characterized the Gulf Coast. Santa Rosa Swift Creek Culture could be found in the far western portion of the state. In each of these areas, Hopewell culture influenced both the structure of local communities, their burial practices, and even their investments in horticulture. Hopewell influence was pervasive and lasted well into the Late Woodland period.

Late Woodland (1600-1200 BP)

Populations (and settlements) grow significantly during the Late Woodland period and bow and arrow technology gains dominance over earlier atlatl technology—though it does not completely displace it until well into the Late Woodland. A number of cultural complexes arise in Florida at this time, including Glades in the southern part of the state, St John's II along the Atlantic Coast, and Weeden Island along the Gulf Coast and into the eastern portion of the state (Bense 1994: 162-181).

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Projectile points from this period reflect the transition to bow-and-arrow and are correspondingly thinner and smaller. Common point types include Broward stemmed and expanding stemmed types, Cooley contracting stem, Duval sub-types, Florida Copena Triangular types, and Yadkin and Leon types. A growing reliance on domesticated plant foods and horticulture does not displace hunting and fishing for food, but it does set the stage for Early Mississippian agriculture and a new social order that develops with and from it.

Late Prehistoric/Mississippian Period (1200-400 BP)

In the Eastern US, this period is described broadly as the Mississippian, and certain developments in Florida reflect local manifestations of Mississippian influence as well as resistance to that influence. The Mississippian Period is distinguished by the rise of chiefdom-level social organization in the mid-continent. These "emergent" Mississippian polities tended toward a highly integrated site-size hierarchy and ranked societies integrated into a complex socio-religious order and trade/surplus networks fueled by farming and surplus (Pauketat 2009). This period witnessed the revitalization and extension of vast trade networks of "exotic" goods vis-à-vis Cahokia, the largest and most influential of the Mississippian polities. Trade and migration extended to and from Oneota populations to the north and South and West into Caddo territories; Southeast into Gulf Coast Plaquemine, and Appalachian lands and East into Fort Ancient communities- a vast area known as the Southeastern Ceremonial Complex. Lithic production became increasingly specialized, crafted for optimum effect in hunting and warfare as evidenced by a vast range of small, triangular notched points and Ramey knives.

To some extent, activities in Florida can be understood as local adaptations and change within a wider context of influence form the Cahokia polity. Early Mississippian cultural phases in the state include St John's III culture along the Atlantic coast, Glades culture in far south Florida, Late Caloosa-Hatchee along the southern portion of the Gulf Coast, Safety Harbor along the remainder of the Gulf Coast, Cades Pond in central Florida, and Fort Walton in the eastern-most portion of the state. The earliest signs of a chiefdom in Florida are found on the Atlantic coast around 1150-1200 A.D, evidenced by small settlements with plazas and platform and burial mounds. Palisades and ditches are also found at sites in Florida's interior, reflecting the need for security during a time of heightened warfare and competition for political dominance.

Extensive trade networks brought exotic materials to Florida, and artistic traditions seemed to develop to a previously unknown level throughout the Mississippian world as a result. Projectile points, including ceremonial points that were highly decorative or made of exotic or delicate material, are found throughout the Eastern US, as are elaborately carved gorgets, pottery, pipes, and beads. Some objects, like beads, celts, and ornaments were fashioned from raw copper acquired through mining or trade. These items frequently served ritual or ceremonial purposes, and Native peoples throughout the Southeast frequently interred these goods in elite burials. Taken together, archaeologists regard these items and social developments of evidence of the Southeastern Ceremonial Complex (King 2018). Diagnostic projectile points for this period include Fort Ancient triangular blades and points, Jackson side-notched points, Madison and Mississippi triangular points, and Mouse Creek points.

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Locally, the Middle Mississippian phases are represented in Florida by the St John's IIb Culture along the Atlantic Coast, Glades III culture in the far south, Caloosa-Hatchee III culture along the southern portion of the Gulf Coast, Late Safety Harbor culture along the remainder of the Gulf Coast, Alachua culture in the central portion of the state, and Fort Walton culture in the far western portion of the state. Late Mississippian cultural complexes include the St, John's IIb culture along the Atlantic Coast, the Glades III culture in the far south, the Caloosa-Hatchee IV culture along the southern portion of the gulf coast, the Late Safety Harbor culture along the remainder of the Gulf Coast, the Lamar culture in the north of the state, and the Fort Walton culture in the far eastern portion of the state.

Protohistoric Period (1513 A.D. – 1670 A.D.)

By A.D. 1400, Cahokia and other Mississippian centers in the Eastern US began to falter. Overpopulation and internal political strife and instability coincided with soil erosion and depletion of nutrients in the soil from over-farming. The complex trade networks that had been developed were abandoned, and the power of elites increasingly depended on limited commodities rather than surplus. Evidence from burials in this period suggests chronic, deadly warfare in much of the eastern US. A combination of ecological pressures and upheavals within the alliance that linked them appears to have doomed Cahokia and other Mississippian centers.

The vacuum created by Cahokia's downfall presented new opportunities for some communities, and new centers rise up in Montreal, Fort Orange/Albany, Charleston, and elsewhere, permanently altering the patterns of exchange in eastern North America. The riverine trade system that had developed in the interior continent during the Mississippian gave way to one where goods arrived from and were directed to the Atlantic coast and, with the arrival of the first European explorers, Europe (Salisbury 1996: 449). Eventually, the Middle Mississippian economy turned away from maize surplus and toward trade in slaves, hides, beads, and, with the arrival of the very first Europeans, guns. (Beck 2013).

When the first Europeans reached North America[1], the continent's demographic and political map was in a state of profound flux, owed in no small part to the decline of Mississippian chiefdoms (Salisbury 1996: 449). The accounts of early Spanish chroniclers paint a picture of a mound building culture on the wane. Scarce accounts from the Ponce de Leon expedition describe pockets of plenty, communities surviving, even flourishing, against a larger background of warfare and illness (some of it brought on by Europeans), and food scarcity.

Historic Period (1670-Present)

European colonizers brought with them numerous tactical advantages, most notably guns and epidemic diseases (and their own immunity to them), that utterly devastated Indian

[1] The earliest chronicles of Europeans in Florida come from the Juan Ponce de Leon expedition, which first reached the shores of present-day east Florida on April 3, 1513. The Ponce de Leon expedition had a profound and largely negative effect on Native communities in the southeast, and effect that would grow only worse with the arrival of European settlers.

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communities. They also brought ideological, economic, political, and military systems organized, in part, for the possession of Indian lands and the subordination of Indian peoples. By the mid-eighteenth century, the rapid expansion of English colonies (and imposition of British colonial laws) had replaced older traditions of exchange and alliance linking natives and colonizers nearly everywhere east of the Appalachians, driving many Indians West and forcing them into a scattering of politically powerless enclaves (Salisbury 1996: 458).

The years leading up to and following the Revolutionary War were tumultuous for Native Americans, whose tribal leaders had, through a series of treaties and intertribal negotiations and conflict, largely (though not entirely) pledged neutrality during the war. Nevertheless, one of the first acts of the newly established Congress, was the creation of three departments of Indian Affairs. These departments were created to deal with what was already arising as the "Indian problem" in the purview of the newly established government of the United States of America, which included real and perceived interference with Colonial commerce, culture, and plans for westward expansion. The establishment of Arkansas Territory in 1819 included most of present-day Oklahoma until the Arkansas border was established in 1824 and then again in 1828 following objections from Choctaws and Cherokees.

From 1824 onward, Native Americans were subject to the jurisdiction of the Bureau of Indian Affairs, newly established as a division of the War Department. That same year, the Sac and Fox Nation and the Ioway Nations of Indians ceded their traditional lands in Missouri (7 Stat., 229. Proclamation, Jan. 18,1825: 207; 7 Stat 231. Proclamation Jan. 18, 1825). In the southern US, tribes had been nearly decimated by war with the federal government and with other tribes, leading tribes like the Creek, Choctaw, Chickasaw, and others to give up their lands in surrender hoping to keep at least a portion of it. The Indian Intercourse Act of 1834 established the legal boundaries of "Indian Country," (and eventually "Indian Territory"), which included modern-day Oklahoma, Arkansas, Kansas, Nebraska, and part of Iowa. The reservation ideology and subsequent system of land tenure and allotment and economic exploitation had developed over time, the wheels of which had been in motion since as early as 1790.

Violence against Native peoples continued, politically (at both the federal and state levels), economically, and interpersonally, as pressure mounted to push Native peoples off dwindling Native lands. The response of Native peoples varied, some seeking peaceful relations with Europeans, others looking to leverage the instability fomented by European tactics, while others retaliated. Indian removal to the west had been part of American policy since the Articles of Confederation, but the 1830 Indian Removal Act marked a change from voluntary relocation, the Jeffersonian Ideal earlier in the century, into one of forced removal, or the Jacksonian Ideal (Chapman 1965, Washburn 1975). The Five Civilized Tribes purchased new lands in present-day Oklahoma, but some relocated farther north. All remaining Native peoples were forcefully removed that same year and relocated to reservations under the 1830 Act. The forced relocation of Native Americans to Indian Territory, marked by resistance, setbacks, dislocation, and incredible suffering and death, took decades to accomplish. The path of removal, which brought Native peoples from the eastern and southeastern US to Indian Territory, is known as The Trail of Tears (1830-~1850) (Foreman 1934; Bailey 1972). The conditions, consequences, and routes of removal to (or establishment within) Indian Territory and the

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ceding of lands varied greatly from tribe to tribe. In Florida, this forced removal was largely marked by the three Seminole Wars, occurring from approximately 1817-1818, 1835-1842, and 1855-1858 resulting in great numbers of deaths and forced relocation of the Seminole people. It is estimated that only a few hundred Seminoles remained after these conflicts in the Everglades. The last, and one of the most devastating, forced removals east of the Mississippi was of the Cherokee in 1838, and an estimated 2000-6000 Cherokee died on the forced march to Oklahoma (Thornton 1991).

Florida's role in the Civil War was less substantial than some other states, though there were some major effects. There were many smaller skirmishes that took place in Florida and only one large battle known as the Battle of Olustee. More significant was the contribution of goods, particularly food for confederate troops that came from Florida. This led to a blockade of the state and occupation of several Florida ports by Union troops to effectively stifle their ability to serve the confederate army.

PREVIOUS INVESTIGATIONS

An archaeological records check was conducted via the Florida Master Site File on August 30, 2019 determined there are no previously recorded archaeological sites overlapping the project area or within a mile. Additionally, there are no historic structures or resources listed in the National Register of Historic Places or the Florida Master Site File database within the project area.

METHODS

Fieldwork was conducted on September 25, 2019 and recovered no artifacts. The project area at the time of the reconnaissance consisted of a wooded and natural grass covered location with no surface visibility (Figure 4). A pedestrian survey at 2-meter intervals was conducted throughout the entire project area in order to identify any cultural materials or possible prior disturbance. A shovel testing methodology was employed through the entire project area due to limited surface visibility. A total of twelve shovel tests were conducted in accordance with certain SHPO and Tribal methodologies (Figure 5). Shovel test intervals were determined based on the standards outlined by the Secretary of the Interior's Standards for Archeological Documentation. Shovel tests measured at least 35-cm by 35-cm and were excavated well into obvious subsoil. Soils from shovel tests were screened through ¼-inch mesh and exposed soil profiles were visually examined for cultural materials and/or evidence of buried cultural horizons. Shovel tests were backfilled upon completion.

RESULTS

No cultural materials or features were identified during the pedestrian survey or shovel testing. Soil encountered within the project area were consistent with the Riviera Series, a representative soil profile encountered consisted of an A Horizon of dark grayish brown (10YR 4/2) sand very friable with moderate roots (0-14cmbs) over a subsoil of very pale brown (10YR 8/2) sand (Figure 6).

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Figure 4. Photograph showing proposed tower location; note limited of surface visibility.



Figure 5. Project area with shovel test locations.

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Figure 6. Photograph showing representative soil profile encountered in the project area.

CONCLUSIONS AND RECOMMENDATIONS

In response to a request from Ignite Wireless, Inc., RESCOM Environmental Corp., has completed a Phase Ia archaeological reconnaissance and records check for a proposed telecommunications tower site in Collier County, Florida. The project is located approximately 12-miles northeast of Naples, Florida at 26°12'36.9"N 81°36'00.7"W in the NE ¼ of the NW ¼ of Section 15, Township 49 S, Range 27 E, as seen on the as seen on the USGS 7.5' Belle Meade NE, FL, topographical quadrangle. The project area consists of a wooded and natural grass covered location and measures 100-ft by 100-ft for a proposed telecommunications tower site with a 351-ft by 30-ft access road to the north; approximately 0.50-acre in total.

No cultural resources were discovered during the current survey. It is our recommendation that there are no archaeological sites eligible for listing on the National Register of Historic Places within the project area and we recommend archaeological clearance.

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3.C.f

Proposed Tower Structure Info - Email ID #6403526

From: towernotifyinfo@fcc.gov
Sent: Tue, Sep 3, 2019 at 1:20 pm
To: tcns@rescom.org

Dear Andrew Smith,

Thank you for submitting a notification regarding your proposed construction via the Tower Construction Notification System. Note that the system has assigned a unique Notification ID number for this proposed construction. You will need to reference this Notification ID number when you update your project's Status with us.

Below are the details you provided for the construction you have proposed:

Notification Received: 09/03/2019

Notification ID: 189171
Tower Owner Individual or Entity Name: CitySwitch
Consultant Name: Andrew Smith
P.O. Box: 5516
City: Fort Wayne
State: INDIANA
Zip Code: 46895
Phone: 260-385-6999
Email: tcns@rescom.org

Structure Type: LTOWER - Lattice Tower
Latitude: 26 deg 12 min 36.9 sec N
Longitude: 81 deg 36 min .7 sec W
Location Description: Kapok St & Frangipani Ave
City: Naples
State: FLORIDA
County: COLLIER

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Ground Elevation: 5.8 meters
Support Structure: 76.2 meters above ground level
Overall Structure: 76.2 meters above ground level
Overall Height AMSL: 82 meters above mean sea level

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWERCONSTRUCTION NOTIFICATION INFORMATION - Email ID #6404659

From: towernotifyinfo@fcc.gov
Sent: Fri, Sep 6, 2019 at 3:02 am
To: tcns@rescom.org
Cc: tcnsweekly@fcc.gov

Dear Applicant:

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this electronic mail message is to inform you that the following authorized persons were sent the notification that you provided through TCNS, which relates to your proposed antenna structure. The information was forwarded by the FCC to authorized TCNS users by electronic mail and/or regular mail (letter). We note that the review period for all parties begins upon receipt of the Submission Packet pursuant to Section VII.A of the NPA and notifications that do not provide this serve as information only.

Persons who have received the notification that you provided include leaders or their designees of federally-recognized American Indian Tribes, including Alaska Native Villages (collectively "Tribal Nations"), Native Hawaiian Organizations (NHOs), and State Historic Preservation Officers (SHPOs). For your convenience in identifying the referenced Tribal Nations and NHOs and in making further contacts, the City and State of the Seat of Government for each Tribal Nation and NHO, as well as the designated contact person, is included in the listing below. We note that Tribal Nations may have Section 106 cultural interests in ancestral homelands or other locations that are far removed from their current Seat of Government. Pursuant to the Commission's rules as set forth in the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA), all Tribal Nations and NHOs listed below must be afforded a reasonable opportunity to respond to this notification, consistent with the procedures set forth below, unless the proposed construction falls within an exclusion designated by the Tribal Nation or NHO. (NPA, Section IV.F.4).

The notification that you provided was forwarded to the following Tribal Nations and NHOs. A Tribal Nation or NHO may not respond until a full Submission Packet is provided. If, upon receipt, the Tribal Nation or NHO does not respond within a reasonable time, you should make a reasonable effort at follow-up contact, unless the Tribal Nation or NHO has agreed to different procedures (NPA, Section IV.F.5). In the event a Tribal Nation or NHO does not respond to a follow-up inquiry, or if a substantive or procedural disagreement arises between you and a Tribal Nation or NHO, you must seek guidance from the Commission (NPA, Section IV.G). These procedures are further set forth in the FCC's Second Report and Order released on March 30, 2018 (FCC 18-30).

1. NAGPRA & Section 106 Representative Fred Dayhoff - Miccosukee Tribe of Indians of Florida - Tamiami Station (PO Box: 440021) Miami, FL - hopel@miccosukeetribe.com - 239-695-4360 - regular mail

If the applicant/tower builder receives no response from the Miccosukee Tribe of Indians of Florida within 30 days after notification through TCNS, the Miccosukee Tribe of Indians of Florida has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder,
however, must immediately notify the Miccosukee Tribe of Indians of Florida in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

2. Compliance Review Supervisor THPO Compliance - Seminole Tribe of Florida - 30290 Josie Billie Hwy PMB 1004 Clewiston, FL - THPOcompliance@semtribe.com - 863-983-6549 (ext: 12245) - electronic mail

3. Historic Preservation Officer Theodore Isham - Seminole Nation of Oklahoma - (PO Box: 1498) Wewoka, OK - tcns-sno@sno-nsn.gov - 405-234-5218 - electronic mail
Exclusions: Please send all inquiries to email address: tcns-sno@sno-nsn.gov

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

If the applicant/tower builder receives no response from the Seminole Nation of Oklahoma within 30 days after notification through TCNS, the Seminole Nation of Oklahoma has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder, however, must immediately notify the Seminole Nation of Oklahoma in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

4. TCNS Coordinator Anne Edwards-Martel Ms - Muscogee (Creek) Nation - Highway 75 & Loop 56 (PO Box: 580) Okmulgee, OK - mcntcns@mcn-nsn.gov; section106@mcn-nsn.gov - 918-732-7639 - regular mail

5. Cell Tower Coordinator Kelly Nelson - Eastern Shawnee Tribe of Oklahoma - 70500 East 128 Road Wyandotte, OK - celltower@estoo.net - 918-666-2435 (ext: 1861) - regular mail
Exclusions: DO NOT EMAIL DOCUMENTATION; it will be deleted without being opened.
Submit one printed color copy by US postal mail or other parcel carrier of all documentation to:

Eastern Shawnee Tribe
Attn: Cell Tower Program
70500 E. 128 Rd.
Wyandotte, OK 74370

Provide a 1-page cover letter with the following information:
a. TCNS Number
b. Company Name
c. Project Name, City, County, State
d. Project type
e. Project coordinates
f. Contact information

The Eastern Shawnee Procedures document is available and highly recommended for guidance; send an email to celltower@estoo.net requesting our most current copy.

6. Mekko Ryan Morrow - Thlopthlocco Tribal Town - P.O. Box 188 Okemah, OK - thpo@tttown.org - 000-000-0000 - electronic mail
Exclusions: Thlopthlocco Tribal Town requests that all initial review materials required by applicable law be submitted by email directly to thpo@tttown.org. In addition, in the event archeological or cultural materials or human remains are discovered at any time during this undertaking, please notify Thlopthlocco Tribal Town immediately.

The notification that you provided was also forwarded to the following SHPOs in the State in which you propose to construct and neighboring States. The information was provided to these SHPOs as a courtesy for their information and planning. You need make no effort at this time to follow up with any SHPO that does not respond to this notification. Prior to construction, you must provide the SHPO of the State in which you propose to construct (or the Tribal Historic Preservation Officer, if the project will be located on certain Tribal lands), with a Submission Packet pursuant to Section VII.A of the NPA unless the project is excluded from SHPO review under Section III D or E of the NPA.

7. SHPO Lee Warner - Alabama Historical Commission - 468 South Perry Street Montgomery, AL - lwarner@mail.preserveala.org - 334-242-3184 - electronic mail

8. Deputy SHPO Elizabeth Ann Brown - Alabama Historical Commission - 468 South Perry

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Street Montgomery, AL - ebrown@mail.preserveala.org - 334-242-3185 - electronic mail

9. Deputy SHPO Compliance Review Laura A Kammerer - Div of Historical Resources, Dept of State - 500 S. Bronough St. Tallahassee, FL - lkammerer@dos.state.fl.us - 850-245-6333 - electronic mail

10. Historic Preservationist Robin Jackson - Florida Division of Historical Resources - 500 S. Bronough Street Tallahasse, FL - Robin.Jackson@DOS.myflorida.com - 850-245-6333 - electronic mail

TCNS automatically forwards all notifications to all Tribal Nations and SHPOs that have an expressed interest in the geographic area of a proposal. However, if a proposal for PTC wayside poles falls within a designated exclusion, you need not expect any response and need not pursue any additional process with that Tribal Nation or SHPO. In addition, a particular Tribal Nation or SHPO may also set forth policies or procedures within its details box that exclude from review certain facilities (for example, a statement that it does not review collocations with no ground disturbance; or that indicates that no response within 30 days indicates no interest in participating in pre-construction review).

Please be advised that the FCC cannot guarantee that the contact(s) listed above have opened and reviewed an electronic or regular mail notification. If you learn that any of the above contact information is no longer valid, please contact the FCC by emailing tcnshelp@fcc.gov. The following information relating to the proposed tower was forwarded to the person(s) listed above:

Notification Received: 09/03/2019
Notification ID: 189171
Excluded from SHPO Review: No
Tower Owner Individual or Entity Name: CitySwitch
Consultant Name: Andrew Smith
P.O. Box: 5516
City: Fort Wayne
State: INDIANA
Zip Code: 46895
Phone: 260-385-6999
Email: tcns@rescom.org

Structure Type: LTOWER - Lattice Tower
Latitude: 26 deg 12 min 36.9 sec N
Longitude: 81 deg 36 min 0.7 sec W
Location Description: Kapok St & Frangipani Ave
City: Naples
State: FLORIDA
County: COLLIER
Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Ground Elevation: 5.8 meters
Support Structure: 76.2 meters above ground level
Overall Structure: 76.2 meters above ground level
Overall Height AMSL: 82.0 meters above mean sea level

If you have any questions or comments regarding this notice, please contact the FCC using the electronic Help Request form located on the FCC's website at:

https://www.fcc.gov/wireless/available-support-services

You may also call the FCC Support Center at (877) 480-3201 (TTY 717-338-2824). Hours are from 8:00 a.m. to 6:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

Thank you,
Federal Communications Commission

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

3.C.f

Reply to Proposed Tower Structure (Notification ID: 189171) - EmailID #6407713

From: towernotifyinfo@fcc.gov
Sent: Thu, Sep 5, 2019 at 4:09 pm
To: tcns@rescom.org

Dear Andrew Smith,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from Cell Tower Coordinator Kelly Nelson of the Eastern Shawnee Tribe of Oklahoma in reference to Notification ID #189171:

The Cultural Preservation Office of the Eastern Shawnee Tribe of Oklahoma requires the following information regarding all proposed FCC projects.

DO NOT EMAIL DOCUMENTATION; IT WILL BE DELETED WITHOUT BEING OPENED.
Submit by US postal mail or other parcel carrier all the following information for all telecommunication projects to:

Eastern Shawnee Tribe of Oklahoma
Attn: Kelly Nelson
70500 E. 128 Rd.
Wyandotte, OK 74370

1. Provide a 1-page cover letter with the following information:
a. TCNS Number
b. Company Name
c. Project Name, City, County, State
d. Project type
e. Project coordinates
f. Total area surveyed in acres
g. Contact information.

2. Professional cultural/archaeological resource survey report.
3. Aerial and/or USGS topographic maps showing general project location (small scale).
4. Aerial, color USGS topographic, or planimetric maps showing project area (large scale).
5. Project site plan map depicting labeled shovel test locations.
6. Shovel Test Log.
7. Site photographs.

We request the opportunity to review and comment on scopes of work for projects whose purpose is to evaluate or mitigate archaeological sites discovered during a telecom project survey, and we also request to review the final reports for those projects.

NOTE: The 30 day review period begins when we, The Eastern Shawnee Tribe of Oklahoma, receive ALL required documentation for the TCNS submittal, not when it is sent out. We suggest sending TCNS submissions with a tracking number to reference and confirm when we receive it in our office.

The Eastern Shawnee Procedures document is recommended for guidance, send an email to Kelly Nelson at: celltower@estoo.net to request the most current copy.

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 09/03/2019
Notification ID: 189171
Tower Owner Individual or Entity Name: CitySwitch

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Consultant Name: Andrew Smith
P.O. Box: 5516
City: Fort Wayne
State: INDIANA
Zip Code: 46895
Phone: 260-385-6999
Email: tcns@rescom.org

Structure Type: LTOWER - Lattice Tower
Latitude: 26 deg 12 min 36.9 sec N
Longitude: 81 deg 36 min 0.7 sec W
Location Description: Kapok St & Frangipani Ave
City: Naples
State: FLORIDA
County: COLLIER

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Ground Elevation: 5.8 meters
Support Structure: 76.2 meters above ground level
Overall Structure: 76.2 meters above ground level
Overall Height AMSL: 82.0 meters above mean sea level

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Reply to Proposed Tower Structure (Notification ID: 189171) - EmailID #6433723

From: towernotifyinfo@fcc.gov
Sent: Wed, Oct 2, 2019 at 9:33 am
To: tcns@rescom.org
Cc: tcns.fccarchive@fcc.gov, THPOcompliance@semtribe.com

Dear Andrew Smith,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from Compliance Review Supervisor THPO Compliance of the Seminole Tribe of Florida in reference to Notification ID #189171:

We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 09/03/2019
Notification ID: 189171
Tower Owner Individual or Entity Name: CitySwitch
Consultant Name: Andrew Smith
P.O. Box: 5516
City: Fort Wayne
State: INDIANA
Zip Code: 46895
Phone: 260-385-6999
Email: tcns@rescom.org

Structure Type: LTOWER - Lattice Tower
Latitude: 26 deg 12 min 36.9 sec N
Longitude: 81 deg 36 min 0.7 sec W
Location Description: Kapok St & Frangipani Ave
City: Naples
State: FLORIDA
County: COLLIER

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Ground Elevation: 5.8 meters
Support Structure: 76.2 meters above ground level
Overall Structure: 76.2 meters above ground level
Overall Height AMSL: 82.0 meters above mean sea level

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Jill McDevitt, MSHP
Curriculum Vitae
jill.mcdevitt@rescom.org

Education
M.S. in Historic Preservation, Ball State University, May 2013
Creative Project Title: Façade Rehabilitation and Improvement Grant Program for Albion, Indiana; Susan Lankford, advisor
B.A. in History (minor in Mathematics), Saint Joseph's College, December 2010

Professional Qualifications
- Multiple years of historic resource research for National Register of Historic Places nominations and Determinations of Eligibility.
- Experience in grant writing and management for a non-profit organization.
- Proficient in Microsoft Office Suite, Adobe CS and AutoCAD.
- Fully aware of cultural resources management laws and their applications.

Selected Employment
RESCOM Environmental Corp
July 2018-present
Project Manager-Cultural Resources
Supervisor: Jamie Cochran-Smith, 260-385-6998
Conduct reviews of historic resources and prepare Section 106 reports for projects in multiple states. Evaluate historic properties for eligibility on the National Register of Historic Places as part of Section 106 Reviews. Coordination with SHPO and clients for review completion. Prepare Determination of Eligibility documentation for historic properties in Washington, Montana, Ohio and Colorado.

ARCH, Inc.
October 2016-March 2018
Executive Director
Managed historic preservation nonprofit advocacy organization. Supervised staff, prepared annual operating and project budgets, conducted public outreach and oversaw grant writing, fundraising and event planning. Managed a historic rehabilitation construction project. Participated as Consulting Party in Section 106 Reviews, including consultation on resource identification and mitigation.

ARCH, Inc.
May 2013-October 2016
Historic Preservation Specialist
Supervisor: Michael Galbraith, 260-469-3476
Conducted architectural field survey for Allen County Historic Sites and Structures Inventory including historic resource identification, documentation and assessment of National Register eligibility, researched and wrote National Register Nominations, a Historic Structure Report, and Historic Tax Credit Applications, Part I and II. Participated as Consulting Party in Section 106 Reviews, including consultation on resource identification and mitigation.

List of Professional Publications available upon request

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

CURRICULUM VITAE
ANDREW M. SMITH M.A.

EDUCATION:

Bachelor of Arts: Anthropology, Indiana University Fort Wayne, Indiana December 2005
Master of Arts: Anthropology, Ball State University Muncie, Indiana July 2010

PROFESSIONAL QUALIFICATIONS:

- Multiple years of experience in budgeting, planning and carrying out Section 106 compliance work.
- Extensive experience managing staff for grant and contracted archaeological investigations
- Coordination with lead agencies, SHPO's, THPO's and interested parties
- Proficient in Microsoft suite of programs, Adobe CS, as well as Golden Surfer, ESRI ArcGIS 10.1.
- Established history of completing complex projects.
- Fully aware of cultural resources management laws and their applications.

ARCHAEOLOGY AND RELATED EXPERIENCE:

NEPA-Cultural Resource Project Manager at RESCOM. July 2014 to Present
Supervisor: Joe Lee 231-947-4454

Completion and management of Phase I and Phase II Environmental Site Assessments (ESAs) and National Environmental Policy Act Assessments (NEPAs) for FCC projects.

Site Files Manager at Louisiana Division of Archaeology. February 2014 to July 2014
Supervisor: Rachel Watson 225-342-8165

Review of site submissions and maintenance of archaeological site data for the State of Louisiana in both print and digital format. Use of ArcGIS platform to spatially represent archaeological data and datasets within the State of Louisiana.

Interim Director at IPFW Archaeological Survey. June 2009 to Present
Supervisor: Richard Sutter 260-481-6676

Experience from Phase Ia surveys to Phase III mitigations. Use and supervision of those using surveying equipment, GPS, aerial and topographic maps, digital cameras, as well as resistivity and magnetometer/gradiometer equipment. Management of up to 15 personnel and overseeing all paperwork and documentation. Extensive laboratory experience and report writing. Direct consultation with the state historic preservation officers, as well as INDOT and NAGPRA representatives.

RESCOM Environmental Corp. · P.O. Box 361 ·Petoskey, MI 49770
Phone: (231) 409-2563 ·Fax: (231) 407-0726
www.rescom.org

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Staff Archaeologist at Ball State Applied Archaeology Laboratories (formerly Archaeological Resources Management Services). July 2006 to June 2009
Supervisor: Beth McCord 765-285-1834

Conducted field work and supervised personnel in the field and in the lab. Wrote technical reports. Participated in grant applications. Conducted research, fieldwork, labwork, and writing for grant compliance.

Archaeological Technician at CDimensions. January 2012
Supervisor: Eben Cooper 972-881-5577

Worked two weeks during vacation from my permanent job to gain Forest Service archaeological experience. Phase I survey, including shovel testing and walkover and site recording in accordance with USDA NFS standards.

LIST OF PUBLICATIONS AVAILABLE UPON REQUEST

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Naples Daily News
PART OF THE USA TODAY NETWORK
Published Daily
Naples, FL 34110

RESCOM ENVIRONMENTAL CORP
PO BOX 5516

FORT WAYNE, IN 46895

Affidavit of Publication

STATE OF WISCONSIN
COUNTY OF BROWN

Before the undersigned they serve as the authority, personally appeared said legal clerk who on oath says that he/she serves as **Legal Clerk** of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida; distributed in Collier and Lee counties of Florida; that the attached copy of the advertising was published in said newspaper on dates listed. Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said
Collier County, Florida; distributed in Collier and Lee counties of Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Published: September 14, 2019

Subscribed and sworn to before on September 16, 2019:

Notary, State of WI, County of Brown

TARA MONDLOCH
Notary Public
State of Wisconsin

My commission expires August 6, 2021

Publication Cost: $73.50
Ad No: 0003789201
Customer No: 2607508321C
PO #:

Notice of Initiation of the Section 106 Process: Public Participation

CitySwitch proposes the construction of a lattice style telecommunications tower within a 100' x 100' lease area at Kapok St & Frangipani Ave, Naples, Collier County, FL. Members of the public interested in submitting comments on the possible effects on historic properties included in or eligible for inclusion in the National Register of Historic Places may send their comments to Andrew Smith, RESCOMEnvironmental Corp., PO Box 361 Petoskey, MI 49770 or call 260-385-6999.
Sept 14, 2019 #3789201

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

ATTACHMENT B – TRIBAL CONSULTATION

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

TCNS #	Site Name	NOO Date	Number of Tribes			
189171	Kapok	9/6/2019	6			
Tribe	**TCNS Response**	**Second Contact Letter Date**	**Referral Date**	**15 Day Closeout Letter Date**	**Final Response Date**	**Completion Date**
Eastern Shawnee Tribe of Oklahoma	Requests additional information by mail	10/25/2019	12/16/2019	12/19/2019	1/2/2020	1/2/2020
Miccosukee Tribe of Indians of Florida	No interest if no response in 30 days	NA	NA	NA	NA	10/6/2019
Muscogee Creek Nation	Requests additional information by mail	10/25/2019	12/3/2019	12/5/2019	NA	12/20/2019
Seminole Nation of Oklahoma	Requests additional information electronically	10/25/2019	12/3/2019	12/5/2019	NA	12/20/2019
Seminole Tribe of Florida	No interest if no response in 30 days	NA	NA	NA	10/2/2019	10/2/2019
Thlopthlocco Tribal Town	Requests additional information electronically	10/25/2019	12/3/2019	12/5/2019	NA	12/20/2019

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

andrew.smith@rescom.org

From: Tiffany White <TWhite@estoo.net>
Sent: Thursday, January 2, 2020 1:54 PM
To: andrew.smith@rescom.org
Subject: 189171

The Cultural Preservation Department of the Eastern Shawnee Tribe of Oklahoma (ESTO) has received the documentation for the referenced TCNS project. ESTO has reviewed the project in accordance with Section 106 of the National Historic Preservation Act (NHPA). Based on the information provided and a review of our records, we find that this project will have **No Adverse Effect** on properties of sacred and/or cultural significance to the Tribe. The project site is within the area of the Eastern Shawnee Removal Trail (also known as Lewistown Seneca & Shawnee "Eastern Shawnee" Trail of Tears). Please be aware of inadvertent discoveries associated with historical removal times. However, ESTO has no objection to the project proceeding as described. Please note that any future changes to this project will require additional consultation.

In accordance with the NHPA of 1966 (16 U.S.C. § 470-470w-6), federally funded, licensed, or permitted undertakings that are subject to the Section 106 review process must determine effects to significant historic properties. As clarified in Section 101(d)(6)(A-B), historic properties may have religious and/or cultural significance to Indian Tribes. Section 106 of NHPA requires Federal agencies to consider the effects of their actions on all significant historic properties (36 CFR Part 800) as does the National Environmental Policy Act of 1969 (43 U.S.C. § 4321-4347 and 40 CFR § 1501.7(a).

However, if during construction cultural objects or human remains are inadvertently discovered, please stop work immediately and contact the Cultural Preservation Department of the Eastern Shawnee Tribe of Oklahoma.

Neyiwa,

Tiffany M White
TCNS/106 Intake Clerk
Eastern Shawnee Tribe of Oklahoma
918.666.2435 x 1862

IMPORTANT NOTICE: This e-mail message is intended to be received only by persons entitled to receive the confidential in nat
ESTOO.net may contain information that is confidential and legally privileged. Please do not read, copy, forward, or store t me
If you have received this message in error, please forward it to the sender and delete it completely from your computer sy n. [

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Reply to Proposed Tower Structure (Notification ID: 189171) - EmailID #6433723

From: towernotifyinfo@fcc.gov
Sent: Wed, Oct 2, 2019 at 9:33 am
To: tcns@rescom.org
Cc: tcns.fccarchive@fcc.gov, THPOcompliance@semtribe.com

Dear Andrew Smith,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from Compliance Review Supervisor THPO Compliance of the Seminole Tribe of Florida in reference to Notification ID #189171:

We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 09/03/2019
Notification ID: 189171
Tower Owner Individual or Entity Name: CitySwitch
Consultant Name: Andrew Smith
P.O. Box: 5516
City: Fort Wayne
State: INDIANA
Zip Code: 46895
Phone: 260-385-6999
Email: tcns@rescom.org

Structure Type: LTOWER - Lattice Tower
Latitude: 26 deg 12 min 36.9 sec N
Longitude: 81 deg 36 min 0.7 sec W
Location Description: Kapok St & Frangipani Ave
City: Naples
State: FLORIDA
County: COLLIER

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Ground Elevation: 5.8 meters
Support Structure: 76.2 meters above ground level
Overall Structure: 76.2 meters above ground level
Overall Height AMSL: 82.0 meters above mean sea level

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Proposed Construction of Communications Facilities Notification ofFinal Contacts - Email ID #25566

From: towernotifyinfo@fcc.gov
Sent: Thu, Dec 19, 2019 at 9:02 am
To: tcns@rescom.org
Cc: tcnsweekly@fcc.gov

T-Mobile
Andrew Smith
P.O. Box: 5516
Fort Wayne, IN 46895

Dear Applicant:

This letter addresses the proposed communications facilities listed below that you have referred to the Federal Communications Commission (Commission) for purposes of contacting federally recognized Indian Tribes, including Alaska Native Villages (collectively Indian Tribes), and Native Hawaiian Organizations (NHOs), as specified by Section IV.G of the Nationwide Programmatic Agreement (NPA). Consistent with the procedures outlined in the Commission's Wireless Infrastructure Second Report and Order (1), we have contacted the Indian Tribes or NHOs identified in the attached Table for the projects listed in the attached Table. You referred these projects to us between 12/12/2019 and 12/19/2019. Our contact with these Tribal Nations or NHOs was sent on 12/19/2019.

Thus, as described in the Wireless Infrastructure Second Report and Order (2), if you or Commission staff do not receive a statement of interest regarding a particular project from any Tribe or NHO within 15 calendar days of 12/19/2019, your obligations under Section IV of the NPA with respect to these Tribal Nations or NHOs are complete. If a Tribal Nation or NHO responds that it has concerns about a historic property of traditional religious and cultural significance that may be affected by the proposed construction within the 15 calendar day period, the Applicant must involve it in the review as set forth in the NPA, and may not begin construction until the process set forth in the NPA is completed.

You are reminded that Section IX of the NPA imposes independent obligations on an Applicant when a previously unidentified site that may be a historic property, including an archeological property, is discovered during construction or after the completion of review. In such instances, the Applicant must cease construction and promptly notify, among others, any potentially affected Tribal Nation or NHO. A Tribal Nation's or NHO's failure to express interest in participating in pre-construction review of an undertaking does not necessarily mean it is not interested in archeological properties or human remains that may inadvertently be discovered during construction. Hence, an Applicant is still required to notify any potentially affected Tribal Nation or NHO of any such finds pursuant to Section IX or other applicable law.

Sincerely,
Jill Springer
Federal Preservation Officer
Federal Communications Commission
jill.springer@fcc.gov

_____

1) See Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Deployment, Second Report and Order, FCC 18-30 (Mar. 30, 2018) (Wireless Infrastructure Second Report and Order).
2) See id. at paras. 111-112.

LIST OF PROPOSED COMMUNICATIONS TOWERS

TCNS# 189955 Referred Date: 12/18/2019 Location: Teft Rd, Spring Arbor, MI

Detailed Description of Project: Proposed extension of lattice tower.
Tribe Name: Crow Creek Sioux Tribe
Tribe Name: Lac Vieux Desert Band of Lake Superior Chippewa Indians

TCNS# 189954 Referred Date: 12/18/2019 Location: 26 Mile Rd, Macomb, MI

Detailed Description of Project: Upgrage of antennas on an existing transmission tower.
Tribe Name: Lac Vieux Desert Band of Lake Superior Chippewa Indians

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

TCNS# 189510 Referred Date: 12/17/2019 Location: CR3110, Clarksville, TX

Detailed Description of Project: Proposed construction of a lattice style telecommunications tower with antennas within a 50'x50' lease area. Project will include ground disturbance.

Tribe Name: Absentee-Shawnee Tribe of Indians of Oklahoma
Tribe Name: Alabama Quassarte Tribal Town
Tribe Name: Apache Tribe of Oklahoma
Tribe Name: Caddo Nation of Oklahoma
Tribe Name: Choctaw Nation of Oklahoma
Tribe Name: Coushatta Indian Tribe
Tribe Name: Eastern Shoshone Tribe
Tribe Name: Jena Band of Choctaw Indians
Tribe Name: Kialegee Tribal Town
Tribe Name: Kiowa Indian Tribe THPO
Tribe Name: Mescalero Apache Tribe
Tribe Name: Thlopthlocco Tribal Town
Tribe Name: Tonkawa Tribe
Tribe Name: United Keetoowah Band of Cherokee Indians in Oklahoma
Tribe Name: Wichita and Affiliated Tribes

TCNS# 189517 Referred Date: 12/17/2019 Location: FM 1249E, Kilgore, TX

Detailed Description of Project: Proposed construction of a monopole style telecommunications tower with antennas within a 50'x50' lease area. Project will include ground disturbance.

Tribe Name: Absentee-Shawnee Tribe of Indians of Oklahoma
Tribe Name: Alabama Quassarte Tribal Town
Tribe Name: Apache Tribe of Oklahoma
Tribe Name: Caddo Nation of Oklahoma
Tribe Name: Choctaw Nation of Oklahoma
Tribe Name: Coushatta Indian Tribe
Tribe Name: Eastern Shoshone Tribe
Tribe Name: Jena Band of Choctaw Indians
Tribe Name: Kiowa Indian Tribe THPO
Tribe Name: Mescalero Apache Tribe
Tribe Name: Thlopthlocco Tribal Town
Tribe Name: Tonkawa Tribe
Tribe Name: United Keetoowah Band of Cherokee Indians in Oklahoma
Tribe Name: Wichita and Affiliated Tribes

TCNS# 189955 Referred Date: 12/17/2019 Location: Teft Rd, Spring Arbor, MI

Detailed Description of Project: Proposed extension of lattice tower.

Tribe Name: Citizen Potawatomi Nation
Tribe Name: Fort Belknap Indian Community
Tribe Name: Hannahville Indian Community
Tribe Name: Ho-Chunk Nation
Tribe Name: Huron Potawatomi
Tribe Name: Keweenaw Bay Indian Community
Tribe Name: Ponca Tribe of Indians of Oklahoma
Tribe Name: Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin
Tribe Name: Wyandotte Nation

TCNS# 189512 Referred Date: 12/17/2019 Location: FM 1252 & CR370, Winona, TX

Detailed Description of Project: Proposed construction of a lattice style telecommunications tower with antennas within a 50'x50' lease area. Project will include ground disturbance.

Tribe Name: Alabama Quassarte Tribal Town
Tribe Name: Apache Tribe of Oklahoma
Tribe Name: Caddo Nation of Oklahoma
Tribe Name: Choctaw Nation of Oklahoma
Tribe Name: Coushatta Indian Tribe
Tribe Name: Eastern Shoshone Tribe
Tribe Name: Jena Band of Choctaw Indians
Tribe Name: Kiowa Indian Tribe THPO
Tribe Name: Mescalero Apache Tribe
Tribe Name: Thlopthlocco Tribal Town
Tribe Name: Tonkawa Tribe
Tribe Name: United Keetoowah Band of Cherokee Indians in Oklahoma
Tribe Name: Wichita and Affiliated Tribes

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

TCNS# 189954 Referred Date: 12/17/2019 Location: 26 Mile Rd, Macomb, MI

Detailed Description of Project: Upgrage of antennas on an existing transmission tower.
Tribe Name: Citizen Potawatomi Nation
Tribe Name: Fort Belknap Indian Community
Tribe Name: Hannahville Indian Community
Tribe Name: Ho-Chunk Nation
Tribe Name: Huron Potawatomi
Tribe Name: Keweenaw Bay Indian Community
Tribe Name: Otoe-Missouria Tribe of Indians
Tribe Name: Ponca Tribe of Indians of Oklahoma
Tribe Name: Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin
Tribe Name: Seneca-Cayuga Nation
Tribe Name: Wyandotte Nation

TCNS# 189480 Referred Date: 12/16/2019 Location: N Clybourn Ave, Chicago, IL

Detailed Description of Project: Collocation of antennas on an existing building.
Tribe Name: Absentee-Shawnee Tribe of Indians of Oklahoma
Tribe Name: Flandreau Santee Sioux Tribe
Tribe Name: Fort Belknap Indian Community
Tribe Name: Ho-Chunk Nation
Tribe Name: Iowa Tribe of Oklahoma
Tribe Name: Kaw Nation
Tribe Name: Keweenaw Bay Indian Community
Tribe Name: Menominee Indian Tribe of Wisconsin
Tribe Name: Otoe-Missouria Tribe of Indians
Tribe Name: Ottawa Tribe of Oklahoma
Tribe Name: Peoria Tribe of Indians of Oklahoma
Tribe Name: Ponca Tribe of Indians of Oklahoma
Tribe Name: Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin
Tribe Name: Sac and Fox Nation
Tribe Name: Sac and Fox Nation of Missouri
Tribe Name: Santee Sioux Nation
Tribe Name: Shawnee Tribe
Tribe Name: Wyandotte Nation

TCNS# 189506 Referred Date: 12/16/2019 Location: US-82, Seymour, TX
Detailed Description of Project: Proposed construction of a lattice style telecommunications tower with antennas within a 50'x50' lease area. Project will include ground disturbance.
Tribe Name: Apache Tribe of Oklahoma
Tribe Name: Comanche Nation
Tribe Name: Eastern Shoshone Tribe
Tribe Name: Kialegee Tribal Town
Tribe Name: Kiowa Indian Tribe THPO
Tribe Name: Mescalero Apache Tribe
Tribe Name: Tonkawa Tribe
Tribe Name: Wichita and Affiliated Tribes

TCNS# 189507 Referred Date: 12/16/2019 Location: CR 1346, Tyler, TX
Detailed Description of Project: Proposed construction of a monopole style telecommunications tower with antennas within a 50'x50' lease area. Project will include ground disturbance.
Tribe Name: Alabama Quassarte Tribal Town
Tribe Name: Apache Tribe of Oklahoma
Tribe Name: Caddo Nation of Oklahoma
Tribe Name: Choctaw Nation of Oklahoma
Tribe Name: Coushatta Indian Tribe
Tribe Name: Eastern Shoshone Tribe
Tribe Name: Jena Band of Choctaw Indians
Tribe Name: Kiowa Indian Tribe THPO
Tribe Name: Mescalero Apache Tribe
Tribe Name: Muscogee (Creek) Nation
Tribe Name: Thlopthlocco Tribal Town
Tribe Name: Tonkawa Tribe
Tribe Name: United Keetoowah Band of Cherokee Indians in Oklahoma
Tribe Name: Wichita and Affiliated Tribes

TCNS# 189512 Referred Date: 12/19/2019 Location: FM 1252 & CR370, Winona, TX

Detailed Description of Project: Proposed construction of a lattice style telecommunications

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

tower with antennas within a 50'x50' lease area. Project will include ground disturbance.
Tribe Name: Muscogee (Creek) Nation

TCNS# 189510 Referred Date: 12/19/2019 Location: CR3110, Clarksville, TX

Detailed Description of Project: Proposed construction of a lattice style telecommunications tower with antennas within a 50'x50' lease area. Project will include ground disturbance.
Tribe Name: Muscogee (Creek) Nation

TCNS# 189517 Referred Date: 12/19/2019 Location: FM 1249E, Kilgore, TX

Detailed Description of Project: Proposed construction of a monopole style telecommunications tower with antennas within a 50'x50' lease area. Project will include ground disturbance.
Tribe Name: Muscogee (Creek) Nation

TCNS# 189517 Referred Date: 12/19/2019 Location: FM 1249E, Kilgore, TX

Detailed Description of Project: Proposed construction of a monopole style telecommunications tower with antennas within a 50'x50' lease area. Project will include ground disturbance.
Tribe Name: Muscogee (Creek) Nation

TCNS# 189171 Referred Date: 12/18/2019 Location: Kapok St & Frangipani Ave, Naples, FL

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Tribe Name: Eastern Shawnee Tribe of Oklahoma

TCNS# 189510 Referred Date: 12/18/2019 Location: CR3110, Clarksville, TX

Detailed Description of Project: Proposed construction of a lattice style telecommunications tower with antennas within a 50'x50' lease area. Project will include ground disturbance.
Tribe Name: Northwestern Band of Shoshone Nation

TCNS# 189480 Referred Date: 12/18/2019 Location: N Clybourn Ave, Chicago, IL

Detailed Description of Project: Collocation of antennas on an existing building.
Tribe Name: Omaha Tribe of Nebraska
Tribe Name: Lac Vieux Desert Band of Lake Superior Chippewa Indians
Tribe Name: Eastern Shawnee Tribe of Oklahoma
Tribe Name: Crow Creek Sioux Tribe

TCNS# 189506 Referred Date: 12/18/2019 Location: US-82, Seymour, TX
Detailed Description of Project: Proposed construction of a lattice style telecommunications tower with antennas within a 50'x50' lease area. Project will include ground disturbance.
Tribe Name: Northwestern Band of Shoshone Nation

TCNS# 189512 Referred Date: 12/18/2019 Location: FM 1252 & CR370, Winona, TX

Detailed Description of Project: Proposed construction of a lattice style telecommunications tower with antennas within a 50'x50' lease area. Project will include ground disturbance.
Tribe Name: Northwestern Band of Shoshone Nation

TCNS# 189507 Referred Date: 12/18/2019 Location: CR 1346, Tyler, TX
Detailed Description of Project: Proposed construction of a monopole style telecommunications tower with antennas within a 50'x50' lease area. Project will include ground disturbance.
Tribe Name: Northwestern Band of Shoshone Nation

TCNS# 189954 Referred Date: 12/18/2019 Location: 26 Mile Rd, Macomb, MI

Detailed Description of Project: Upgrage of antennas on an existing transmission tower.
Tribe Name: Ottawa Tribe of Oklahoma
Tribe Name: Shawnee Tribe

TCNS# 189955 Referred Date: 12/18/2019 Location: Teft Rd, Spring Arbor, MI

Detailed Description of Project: Proposed extension of lattice tower.
Tribe Name: Ottawa Tribe of Oklahoma
Tribe Name: Shawnee Tribe

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

LEGEND:
* - Notification numbers are assigned by the Commission staff for sites where initial contact was not made through TCNS.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Proposed Construction of Communications Facilities Notification ofFinal Contacts - Email ID #25465

From: towernotifyinfo@fcc.gov
Sent: Thu, Dec 5, 2019 at 9:01 am
To: tcns@rescom.org
Cc: tcnsweekly@fcc.gov

CitySwitch
Andrew Smith
P.O. Box: 5516
Fort Wayne, IN 46895

Dear Applicant:

This letter addresses the proposed communications facilities listed below that you have referred to the Federal Communications Commission (Commission) for purposes of contacting federally recognized Indian Tribes, including Alaska Native Villages (collectively Indian Tribes), and Native Hawaiian Organizations (NHOs), as specified by Section IV.G of the Nationwide Programmatic Agreement (NPA). Consistent with the procedures outlined in the Commission's Wireless Infrastructure Second Report and Order (1), we have contacted the Indian Tribes or NHOs identified in the attached Table for the projects listed in the attached Table. You referred these projects to us between 11/28/2019 and 12/05/2019. Our contact with these Tribal Nations or NHOs was sent on 12/05/2019.

Thus, as described in the Wireless Infrastructure Second Report and Order (2), if you or Commission staff do not receive a statement of interest regarding a particular project from any Tribe or NHO within 15 calendar days of 12/05/2019, your obligations under Section IV of the NPA with respect to these Tribal Nations or NHOs are complete. If a Tribal Nation or NHO responds that it has concerns about a historic property of traditional religious and cultural significance that may be affected by the proposed construction within the 15 calendar day period, the Applicant must involve it in the review as set forth in the NPA, and may not begin construction until the process set forth in the NPA is completed.

You are reminded that Section IX of the NPA imposes independent obligations on an Applicant when a previously unidentified site that may be a historic property, including an archeological property, is discovered during construction or after the completion of review. In such instances, the Applicant must cease construction and promptly notify, among others, any potentially affected Tribal Nation or NHO. A Tribal Nation's or NHO's failure to express interest in participating in pre-construction review of an undertaking does not necessarily mean it is not interested in archeological properties or human remains that may inadvertently be discovered during construction. Hence, an Applicant is still required to notify any potentially affected Tribal Nation or NHO of any such finds pursuant to Section IX or other applicable law.

Sincerely,
Jill Springer
Federal Preservation Officer
Federal Communications Commission
jill.springer@fcc.gov

_____

1) See Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Deployment, Second Report and Order, FCC 18-30 (Mar. 30, 2018) (Wireless Infrastructure Second Report and Order).
2) See id. at paras. 111-112.

LIST OF PROPOSED COMMUNICATIONS TOWERS

TCNS# 187849 Referred Date: 12/04/2019 Location: Filer Ave E, Twin Falls, ID

Detailed Description of Project: Collocation of antennas on an existing monopole.
Tribe Name: Northwestern Band of Shoshone Nation
Tribe Name: Skull Valley Band of Goshute Indians

TCNS# 189170 Referred Date: 12/04/2019 Location: NW 312th St, Okeechobee, FL

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Tribe Name: Eastern Shawnee Tribe of Oklahoma

TCNS# 189172 Referred Date: 12/04/2019 Location: Smith Creek Rd & NF-13, Sopchoppy, FL

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Tribe Name: Seminole Nation of Oklahoma

TCNS# 189101 Referred Date: 12/04/2019 Location: King St, Alexandria, VA

Detailed Description of Project: Collocation of antennas on an existing building.
Tribe Name: Crow Creek Sioux Tribe
Tribe Name: Prairie Island Indian Community

TCNS# 189171 Referred Date: 12/04/2019 Location: Kapok St & Frangipani Ave, Naples, FL

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Tribe Name: Seminole Nation of Oklahoma
Tribe Name: Muscogee (Creek) Nation

TCNS# 187850 Referred Date: 12/04/2019 Location: Pole Line Rd E, Twin Falls, ID

Detailed Description of Project: Collocation of antennas on an existing monopole.
Tribe Name: Northwestern Band of Shoshone Nation
Tribe Name: Skull Valley Band of Goshute Indians

TCNS# 189173 Referred Date: 12/04/2019 Location: S Spring Garden Ave & W Volusia Ave, DeLand, FL

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within an 80' x 120' lease area. Proposed project will include ground disturbance.
Tribe Name: Seminole Nation of Oklahoma

TCNS# 187849 Referred Date: 12/03/2019 Location: Filer Ave E, Twin Falls, ID

Detailed Description of Project: Collocation of antennas on an existing monopole.
Tribe Name: Shoshone-Paiute Tribes
Tribe Name: Eastern Shoshone Tribe
Tribe Name: Shoshone-Bannock Tribes Heritage Tribal Office (HeTO)
Tribe Name: Kiowa Indian Tribe THPO

TCNS# 187850 Referred Date: 12/03/2019 Location: Pole Line Rd E, Twin Falls, ID

Detailed Description of Project: Collocation of antennas on an existing monopole.
Tribe Name: Shoshone-Paiute Tribes
Tribe Name: Eastern Shoshone Tribe
Tribe Name: Shoshone-Bannock Tribes Heritage Tribal Office (HeTO)
Tribe Name: Kiowa Indian Tribe THPO

TCNS# 189099 Referred Date: 12/03/2019 Location: Ackerman Ave, Clifton, NJ

Detailed Description of Project: Collocation of antennas on an existing smokestack.
Tribe Name: Delaware Nation
Tribe Name: Keweenaw Bay Indian Community
Tribe Name: Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin
Tribe Name: Wyandotte Nation
Tribe Name: Shawnee Tribe

TCNS# 189172 Referred Date: 12/03/2019 Location: Smith Creek Rd & NF-13, Sopchoppy, FL

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Tribe Name: Alabama-Coushatta Tribe of Texas
Tribe Name: Coushatta Indian Tribe
Tribe Name: Kialegee Tribal Town
Tribe Name: Muscogee (Creek) Nation

TCNS# 189173 Referred Date: 12/03/2019 Location: S Spring Garden Ave & W Volusia Ave, DeLand, FL

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within an 80' x 120' lease area. Proposed project will include ground disturbance.
Tribe Name: Coushatta Indian Tribe
Tribe Name: Muscogee (Creek) Nation
Tribe Name: Thlopthlocco Tribal Town

TCNS# 189101 Referred Date: 12/03/2019 Location: King St, Alexandria, VA

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Detailed Description of Project: Collocation of antennas on an existing building.
Tribe Name: Delaware Nation
Tribe Name: Flandreau Santee Sioux Tribe
Tribe Name: Cultural Heritage Partners
Tribe Name: Monacan Nation
Tribe Name: Chickahominy Indian Tribe
Tribe Name: The Upper Mattaponi Indian Tribe
Tribe Name: Nansemond Indian Tribe
Tribe Name: Cherokee Nation
Tribe Name: Shawnee Tribe

TCNS# 189171 Referred Date: 12/03/2019 Location: Kapok St & Frangipani Ave, Naples, FL

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Tribe Name: Muscogee (Creek) Nation
Tribe Name: Thlopthlocco Tribal Town

LEGEND:
* - Notification numbers are assigned by the Commission staff for sites where initial contact was not made through TCNS.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Confirmation of Manual Referral of a TCNS Notification

From: TCNS Help <TCNSHelp@fcc.gov>
Sent: Mon, Dec 16, 2019 at 10:46 am
To: tcns@rescom.org

189171 Eastern Shawnee Tribe OK.pdf (166.4 KB)

Your manual referral of a proposed tower structure notification has been successfully submitted. The Federal Communications Commission (FCC) will be processing this referral for purposes of contacting federally recognized Indian Tribes, including Alaska Native Villages, and Native Hawaiian Organizations as specified by Section IV.G of the Nationwide Programmatic Agreement and the Wireless Infrastructure Second Report and Order dated March 30, 2018. You will receive a Proposed Construction of Communications Facilities Notification of Final Contacts when the FCC has completed processing this referral. Below are the details you submitted.

Manual Referral System ID Number: TCNS7566
Referrer Name:
Referrer Email: tcns@rescom.org

Notification ID: 189171
SHPO Excluded:
E-106 File Number: 0008846179
Project Location: Kapok St & Frangipani Ave, Naples, FL, Collier Co.

Date Documentation Sent: 2019-10-25 10:43:05 EDT
Method Documentation Sent: Hard copy/physical delivery – refer after 36 days

Additional Comments:
Tribes Who Have Not Responded:
Eastern Shawnee Tribe of Oklahoma

Unsubscribe | Notification Preferences

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Confirmation of Manual Referral of a TCNS Notification

From: TCNS Help <TCNSHelp@fcc.gov>
Sent: Tue, Dec 3, 2019 at 3:11 pm
To: tcns@rescom.org

189171 Seminole Nation OK.pdf (126.1 KB)

Your manual referral of a proposed tower structure notification has been successfully submitted. The Federal Communications Commission (FCC) will be processing this referral for purposes of contacting federally recognized Indian Tribes, including Alaska Native Villages, and Native Hawaiian Organizations as specified by Section IV.G of the Nationwide Programmatic Agreement and the Wireless Infrastructure Second Report and Order dated March 30, 2018. You will receive a Proposed Construction of Communications Facilities Notification of Final Contacts when the FCC has completed processing this referral. Below are the details you submitted.

Manual Referral System ID Number: TCNS7199
Referrer Name:
Referrer Email: tcns@rescom.org

Notification ID: 189171
SHPO Excluded:
E-106 File Number: 0008846179
Project Location: Naples, FL

Date Documentation Sent: 2019-10-24 15:10:17 EDT
Method Documentation Sent: ONLY electronic delivery – refer after 31 days

Additional Comments:
Tribes Who Have Not Responded:
Seminole Nation of Oklahoma

Unsubscribe | Notification Preferences

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Confirmation of Manual Referral of a TCNS Notification

From: TCNS Help <TCNSHelp@fcc.gov>
Sent: Tue, Dec 3, 2019 at 3:12 pm
To: tcns@rescom.org

189171 Tribal Letters.pdf (196.6 KB)

Your manual referral of a proposed tower structure notification has been successfully submitted. The Federal Communications Commission (FCC) will be processing this referral for purposes of contacting federally recognized Indian Tribes, including Alaska Native Villages, and Native Hawaiian Organizations as specified by Section IV.G of the Nationwide Programmatic Agreement and the Wireless Infrastructure Second Report and Order dated March 30, 2018. You will receive a Proposed Construction of Communications Facilities Notification of Final Contacts when the FCC has completed processing this referral. Below are the details you submitted.

Manual Referral System ID Number: TCNS7200
Referrer Name:
Referrer Email: tcns@rescom.org

Notification ID: 189171
SHPO Excluded:
E-106 File Number: 0008846179
Project Location: Naples, FL

Date Documentation Sent: 2019-10-24 15:11:20 EDT
Method Documentation Sent: Hard copy/physical delivery – refer after 36 days

Additional Comments:
Tribes Who Have Not Responded:
Muscogee (Creek) Nation

Unsubscribe | Notification Preferences

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Confirmation - Referral of a Proposed Tower ConstructionNotification - Email ID #6530357

From: towernotifyinfo@fcc.gov
Sent: Tue, Dec 3, 2019 at 2:22 pm
To: tcns@rescom.org

Dear Andrew Smith,

Your referral of a proposed tower structure notification has been successfully submitted via the Tower Construction Notification System. The Federal Communications Commission (FCC) will be processing this referral for purposes of contacting federally recognized Indian Tribes, including Alaska Native Villages, and Native Hawaiian Organizations as specified by Section IV.G of the Nationwide Programmatic Agreement and the Wireless Infrastructure Second Report and Order dated March 30, 2018. You will receive a Proposed Construction of Communications Facilities Notification of Final Contacts when the FCC has completed processing this referral. Below are the details you provided in the referral of the tower you have proposed to construct:

Notification Received: 09/03/2019
Notification Referred: 12/03/2019

Notification ID: 189171
Tower Owner Individual or Entity Name: CitySwitch
Consultant Name: Andrew Smith
P.O. Box: 5516
City: Fort Wayne
State: INDIANA
Zip Code: 46895
Phone: 260-385-6999
Email: tcns@rescom.org

Structure Type: LTOWER - Lattice Tower
Latitude: 26 deg 12 min 36.9 sec N
Longitude: 81 deg 36 min 0.7 sec W
Location Description: Kapok St & Frangipani Ave
City: Naples
State: FLORIDA
County: COLLIER
Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Ground Elevation: 5.8 meters
Support Structure: 76.2 meters above ground level
Overall Structure: 76.2 meters above ground level
Overall Height AMSL: 82.0 meters above mean sea level

Entities Who Have Not Responded:

Muscogee (Creek) Nation
Contact Date: 09/05/2019

Thlopthlocco Tribal Town
Contact Date: 09/05/2019

**Note that the FCC will assign a unique Notification ID number for a site where the initial contact was not made through TCNS. You will need to reference this Notification ID number when you update your project's Status with us.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

October 25, 2019

Mr. Travis Patton, TCNS Coordinator
Eastern Shawnee Tribe of Oklahoma
Cultural Preservation Department
70500 E 128th Rd
Wyandotte, OK 74370

RE: INVITATION TO COMMENT UNDER SECTION 106
TCNS ID: 189171
Kapok
Kapok St & Frangipani Ave
Naples, Collier County, FL 34117

Dear Mr. Patton,

RESCOM Environmental Corp (RESCOM) was retained by Ignite Wireless to complete Section 106 Compliance as delegated by the FCC and outlined in 36 CFR Part 800 for the above referenced project.

Ignite Wireless proposes the construction of a 250' self-supporting lattice style telecommunications tower with an access drive at the above referenced location. In accordance with Ignite Wireless earlier communications via the FCC Tower Construction Notification System, Ignite Wireless and RESCOM respect the sovereign status of your Tribe and are writing to outline the project.

Enclosed for your review are maps and project drawings regarding the proposed project. An archaeological survey was conducted and did not discover any archaeological sites or materials; results and recommendations are detailed in the attached report.

Except to the extent that we have agreed otherwise, the 'Voluntary Best Practices for Expediting the Process of Communications Tower and Antenna Siting Review' provides that your Tribe should evaluate this submission and respond in writing with an opinion of interest or no interest. If you do not believe that all of the agreed upon materials have been enclosed, or if you have any other questions, please contact our office immediately so that we can reach a satisfactory resolution as soon as possible.

We appreciate your assistance in this matter. Please do not hesitate to contact us if you have any questions or comments.

Sincerely,
RESCOM Environmental Corporation

Andrew Smith, Project Manager
260-385-6999
tcns@rescom.org

RESCOM 19080047

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

October 25, 2019

Ms. Anne Edwards-Martel, TCNS Coordinator
Muscogee Creek Nation
Cultural Preservation Dept., P.O. Box 580
Okmulgee, OK 74447

RE: INVITATION TO COMMENT UNDER SECTION 106
TCNS ID: 189171
Kapok
Kapok St & Frangipani Ave
Naples, Collier County, FL 34117

Dear Ms. Edwards-Martel,

RESCOM Environmental Corp (RESCOM) was retained by Ignite Wireless to complete Section 106 Compliance as delegated by the FCC and outlined in 36 CFR Part 800 for the above referenced project.

Ignite Wireless proposes the construction of a 250' self-supporting lattice style telecommunications tower with an access drive at the above referenced location. In accordance with Ignite Wireless earlier communications via the FCC Tower Construction Notification System, Ignite Wireless and RESCOM respect the sovereign status of your Tribe and are writing to outline the project.

Enclosed for your review are maps and project drawings regarding the proposed project. An archaeological survey was conducted and did not discover any archaeological sites or materials; results and recommendations are detailed in the attached report.

Except to the extent that we have agreed otherwise, the 'Voluntary Best Practices for Expediting the Process of Communications Tower and Antenna Siting Review' provides that your Tribe should evaluate this submission and respond in writing with an opinion of interest or no interest. If you do not believe that all of the agreed upon materials have been enclosed, or if you have any other questions, please contact our office immediately so that we can reach a satisfactory resolution as soon as possible.

We appreciate your assistance in this matter. Please do not hesitate to contact us if you have any questions or comments.

Sincerely,
RESCOM Environmental Corporation

Andrew Smith, Project Manager
260-385-6999
tcns@rescom.org

RESCOM 19080047

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

October 25, 2019

Mr. Theodore Isham, Historic Preservation Officer
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884

RE: INVITATION TO COMMENT UNDER SECTION 106
TCNS ID: 189171
Kapok
Kapok St & Frangipani Ave
Naples, Collier County, FL 34117

Dear Mr. Isham,

RESCOM Environmental Corp (RESCOM) was retained by Ignite Wireless to complete Section 106 Compliance as delegated by the FCC and outlined in 36 CFR Part 800 for the above referenced project.

Ignite Wireless proposes the construction of a 250' self-supporting lattice style telecommunications tower with an access drive at the above referenced location. In accordance with Ignite Wireless earlier communications via the FCC Tower Construction Notification System, Ignite Wireless and RESCOM respect the sovereign status of your Tribe and are writing to outline the project.

Enclosed for your review are maps and project drawings regarding the proposed project. An archaeological survey was conducted and did not discover any archaeological sites or materials; results and recommendations are detailed in the attached report.

Except to the extent that we have agreed otherwise, the 'Voluntary Best Practices for Expediting the Process of Communications Tower and Antenna Siting Review' provides that your Tribe should evaluate this submission and respond in writing with an opinion of interest or no interest. If you do not believe that all of the agreed upon materials have been enclosed, or if you have any other questions, please contact our office immediately so that we can reach a satisfactory resolution as soon as possible.

We appreciate your assistance in this matter. Please do not hesitate to contact us if you have any questions or comments.

Sincerely,
RESCOM Environmental Corporation

Andrew Smith, Project Manager
260-385-6999
tcns@rescom.org

RESCOM 19080047

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

October 25, 2019

Mr. Mekko Ryan Morrow,
Thlopthlocco Tribal Town
Thlopthloccotribaltowntowers@gmail.com; CC: Thpo@tttown.org
P.O. Box 188
Okemah, OK 74859

RE: INVITATION TO COMMENT UNDER SECTION 106
TCNS ID: 189171
Kapok
Kapok St & Frangipani Ave
Naples, Collier County, FL 34117

Dear Mr. Morrow,

RESCOM Environmental Corp (RESCOM) was retained by Ignite Wireless to complete Section 106 Compliance as delegated by the FCC and outlined in 36 CFR Part 800 for the above referenced project.

Ignite Wireless proposes the construction of a 250' self-supporting lattice style telecommunications tower with an access drive at the above referenced location. In accordance with Ignite Wireless earlier communications via the FCC Tower Construction Notification System, Ignite Wireless and RESCOM respect the sovereign status of your Tribe and are writing to outline the project.

Enclosed for your review are maps and project drawings regarding the proposed project. An archaeological survey was conducted and did not discover any archaeological sites or materials; results and recommendations are detailed in the attached report.

Except to the extent that we have agreed otherwise, the 'Voluntary Best Practices for Expediting the Process of Communications Tower and Antenna Siting Review' provides that your Tribe should evaluate this submission and respond in writing with an opinion of interest or no interest. If you do not believe that all of the agreed upon materials have been enclosed, or if you have any other questions, please contact our office immediately so that we can reach a satisfactory resolution as soon as possible.

We appreciate your assistance in this matter. Please do not hesitate to contact us if you have any questions or comments.

Sincerely,
RESCOM Environmental Corporation

Andrew Smith, Project Manager
260-385-6999
tcns@rescom.org

RESCOM 19080047

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Reply to Proposed Tower Structure (Notification ID: 189171) - EmailID #6407713

From: towernotifyinfo@fcc.gov
Sent: Thu, Sep 5, 2019 at 4:09 pm
To: tcns@rescom.org

Dear Andrew Smith,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from Cell Tower Coordinator Kelly Nelson of the Eastern Shawnee Tribe of Oklahoma in reference to Notification ID #189171:

The Cultural Preservation Office of the Eastern Shawnee Tribe of Oklahoma requires the following information regarding all proposed FCC projects.

DO NOT EMAIL DOCUMENTATION; IT WILL BE DELETED WITHOUT BEING OPENED.
Submit by US postal mail or other parcel carrier all the following information for all telecommunication projects to:

Eastern Shawnee Tribe of Oklahoma
Attn: Kelly Nelson
70500 E. 128 Rd.
Wyandotte, OK 74370

1. Provide a 1-page cover letter with the following information:
a. TCNS Number
b. Company Name
c. Project Name, City, County, State
d. Project type
e. Project coordinates
f. Total area surveyed in acres
g. Contact information.

2. Professional cultural/archaeological resource survey report.
3. Aerial and/or USGS topographic maps showing general project location (small scale).
4. Aerial, color USGS topographic, or planimetric maps showing project area (large scale).
5. Project site plan map depicting labeled shovel test locations.
6. Shovel Test Log.
7. Site photographs.

We request the opportunity to review and comment on scopes of work for projects whose purpose is to evaluate or mitigate archaeological sites discovered during a telecom project survey, and we also request to review the final reports for those projects.

NOTE: The 30 day review period begins when we, The Eastern Shawnee Tribe of Oklahoma, receive ALL required documentation for the TCNS submittal, not when it is sent out. We suggest sending TCNS submissions with a tracking number to reference and confirm when we receive it in our office.

The Eastern Shawnee Procedures document is recommended for guidance, send an email to Kelly Nelson at: celltower@estoo.net to request the most current copy.

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 09/03/2019
Notification ID: 189171
Tower Owner Individual or Entity Name: CitySwitch

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Consultant Name: Andrew Smith
P.O. Box: 5516
City: Fort Wayne
State: INDIANA
Zip Code: 46895
Phone: 260-385-6999
Email: tcns@rescom.org

Structure Type: LTOWER - Lattice Tower
Latitude: 26 deg 12 min 36.9 sec N
Longitude: 81 deg 36 min 0.7 sec W
Location Description: Kapok St & Frangipani Ave
City: Naples
State: FLORIDA
County: COLLIER

Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Ground Elevation: 5.8 meters
Support Structure: 76.2 meters above ground level
Overall Structure: 76.2 meters above ground level
Overall Height AMSL: 82.0 meters above mean sea level

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWERCONSTRUCTION NOTIFICATION INFORMATION - Email ID #6404659

From: towernotifyinfo@fcc.gov
Sent: Fri, Sep 6, 2019 at 3:02 am
To: tcns@rescom.org
Cc: tcnsweekly@fcc.gov

Dear Applicant:

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this electronic mail message is to inform you that the following authorized persons were sent the notification that you provided through TCNS, which relates to your proposed antenna structure. The information was forwarded by the FCC to authorized TCNS users by electronic mail and/or regular mail (letter). We note that the review period for all parties begins upon receipt of the Submission Packet pursuant to Section VII.A of the NPA and notifications that do not provide this serve as information only.

Persons who have received the notification that you provided include leaders or their designees of federally-recognized American Indian Tribes, including Alaska Native Villages (collectively "Tribal Nations"), Native Hawaiian Organizations (NHOs), and State Historic Preservation Officers (SHPOs). For your convenience in identifying the referenced Tribal Nations and NHOs and in making further contacts, the City and State of the Seat of Government for each Tribal Nation and NHO, as well as the designated contact person, is included in the listing below. We note that Tribal Nations may have Section 106 cultural interests in ancestral homelands or other locations that are far removed from their current Seat of Government. Pursuant to the Commission's rules as set forth in the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA), all Tribal Nations and NHOs listed below must be afforded a reasonable opportunity to respond to this notification, consistent with the procedures set forth below, unless the proposed construction falls within an exclusion designated by the Tribal Nation or NHO. (NPA, Section IV.F.4).

The notification that you provided was forwarded to the following Tribal Nations and NHOs. A Tribal Nation or NHO may not respond until a full Submission Packet is provided. If, upon receipt, the Tribal Nation or NHO does not respond within a reasonable time, you should make a reasonable effort at follow-up contact, unless the Tribal Nation or NHO has agreed to different procedures (NPA, Section IV.F.5). In the event a Tribal Nation or NHO does not respond to a follow-up inquiry, or if a substantive or procedural disagreement arises between you and a Tribal Nation or NHO, you must seek guidance from the Commission (NPA, Section IV.G). These procedures are further set forth in the FCC's Second Report and Order released on March 30, 2018 (FCC 18-30).

1. NAGPRA & Section 106 Representative Fred Dayhoff - Miccosukee Tribe of Indians of Florida - Tamiami Station (PO Box: 440021) Miami, FL - hopel@miccosukeetribe.com - 239-695-4360 - regular mail

If the applicant/tower builder receives no response from the Miccosukee Tribe of Indians of Florida within 30 days after notification through TCNS, the Miccosukee Tribe of Indians of Florida has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder,
however, must immediately notify the Miccosukee Tribe of Indians of Florida in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

2. Compliance Review Supervisor THPO Compliance - Seminole Tribe of Florida - 30290 Josie Billie Hwy PMB 1004 Clewiston, FL - THPOcompliance@semtribe.com - 863-983-6549 (ext: 12245) - electronic mail

3. Historic Preservation Officer Theodore Isham - Seminole Nation of Oklahoma - (PO Box: 1498) Wewoka, OK - tcns-sno@sno-nsn.gov - 405-234-5218 - electronic mail
Exclusions: Please send all inquiries to email address: tcns-sno@sno-nsn.gov

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

If the applicant/tower builder receives no response from the Seminole Nation of Oklahoma within 30 days after notification through TCNS, the Seminole Nation of Oklahoma has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder, however, must immediately notify the Seminole Nation of Oklahoma in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

4. TCNS Coordinator Anne Edwards-Martel Ms - Muscogee (Creek) Nation - Highway 75 & Loop 56 (PO Box: 580) Okmulgee, OK - mcntcns@mcn-nsn.gov; section106@mcn-nsn.gov - 918-732-7639 - regular mail

5. Cell Tower Coordinator Kelly Nelson - Eastern Shawnee Tribe of Oklahoma - 70500 East 128 Road Wyandotte, OK - celltower@estoo.net - 918-666-2435 (ext: 1861) - regular mail
Exclusions: DO NOT EMAIL DOCUMENTATION; it will be deleted without being opened.
Submit one printed color copy by US postal mail or other parcel carrier of all documentation to:

Eastern Shawnee Tribe
Attn: Cell Tower Program
70500 E. 128 Rd.
Wyandotte, OK 74370

Provide a 1-page cover letter with the following information:
a. TCNS Number
b. Company Name
c. Project Name, City, County, State
d. Project type
e. Project coordinates
f. Contact information

The Eastern Shawnee Procedures document is available and highly recommended for guidance; send an email to celltower@estoo.net requesting our most current copy.

6. Mekko Ryan Morrow - Thlopthlocco Tribal Town - P.O. Box 188 Okemah, OK - thpo@tttown.org - 000-000-0000 - electronic mail
Exclusions: Thlopthlocco Tribal Town requests that all initial review materials required by applicable law be submitted by email directly to thpo@tttown.org. In addition, in the event archeological or cultural materials or human remains are discovered at any time during this undertaking, please notify Thlopthlocco Tribal Town immediately.

The notification that you provided was also forwarded to the following SHPOs in the State in which you propose to construct and neighboring States. The information was provided to these SHPOs as a courtesy for their information and planning. You need make no effort at this time to follow up with any SHPO that does not respond to this notification. Prior to construction, you must provide the SHPO of the State in which you propose to construct (or the Tribal Historic Preservation Officer, if the project will be located on certain Tribal lands), with a Submission Packet pursuant to Section VII.A of the NPA unless the project is excluded from SHPO review under Section III D or E of the NPA.

7. SHPO Lee Warner - Alabama Historical Commission - 468 South Perry Street Montgomery, AL - lwarner@mail.preserveala.org - 334-242-3184 - electronic mail

8. Deputy SHPO Elizabeth Ann Brown - Alabama Historical Commission - 468 South Perry

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Street Montgomery, AL - ebrown@mail.preserveala.org - 334-242-3185 - electronic mail

9. Deputy SHPO Compliance Review Laura A Kammerer - Div of Historical Resources, Dept of State - 500 S. Bronough St. Tallahassee, FL - lkammerer@dos.state.fl.us - 850-245-6333 - electronic mail

10. Historic Preservationist Robin Jackson - Florida Division of Historical Resources - 500 S. Bronough Street Tallahasse, FL - Robin.Jackson@DOS.myflorida.com - 850-245-6333 - electronic mail

TCNS automatically forwards all notifications to all Tribal Nations and SHPOs that have an expressed interest in the geographic area of a proposal. However, if a proposal for PTC wayside poles falls within a designated exclusion, you need not expect any response and need not pursue any additional process with that Tribal Nation or SHPO. In addition, a particular Tribal Nation or SHPO may also set forth policies or procedures within its details box that exclude from review certain facilities (for example, a statement that it does not review collocations with no ground disturbance; or that indicates that no response within 30 days indicates no interest in participating in pre-construction review).

Please be advised that the FCC cannot guarantee that the contact(s) listed above have opened and reviewed an electronic or regular mail notification. If you learn that any of the above contact information is no longer valid, please contact the FCC by emailing tcnshelp@fcc.gov. The following information relating to the proposed tower was forwarded to the person(s) listed above:

Notification Received: 09/03/2019
Notification ID: 189171
Excluded from SHPO Review: No
Tower Owner Individual or Entity Name: CitySwitch
Consultant Name: Andrew Smith
P.O. Box: 5516
City: Fort Wayne
State: INDIANA
Zip Code: 46895
Phone: 260-385-6999
Email: tcns@rescom.org

Structure Type: LTOWER - Lattice Tower
Latitude: 26 deg 12 min 36.9 sec N
Longitude: 81 deg 36 min 0.7 sec W
Location Description: Kapok St & Frangipani Ave
City: Naples
State: FLORIDA
County: COLLIER
Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
Ground Elevation: 5.8 meters
Support Structure: 76.2 meters above ground level
Overall Structure: 76.2 meters above ground level
Overall Height AMSL: 82.0 meters above mean sea level

If you have any questions or comments regarding this notice, please contact the FCC using the electronic Help Request form located on the FCC's website at:

https://www.fcc.gov/wireless/available-support-services

You may also call the FCC Support Center at (877) 480-3201 (TTY 717-338-2824). Hours are from 8:00 a.m. to 6:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

Thank you,
Federal Communications Commission

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

3.C.f

Proposed Tower Structure Info - Email ID #6403526

From: towernotifyinfo@fcc.gov
Sent: Tue, Sep 3, 2019 at 1:20 pm
To: tcns@rescom.org

Dear Andrew Smith,

Thank you for submitting a notification regarding your proposed construction via the Tower Construction Notification System. Note that the system has assigned a unique Notification ID number for this proposed construction. You will need to reference this Notification ID number when you update your project's Status with us.

Below are the details you provided for the construction you have proposed:

Notification Received: 09/03/2019

Notification ID: 189171
Tower Owner Individual or Entity Name: CitySwitch
Consultant Name: Andrew Smith
P.O. Box: 5516
City: Fort Wayne
State: INDIANA
Zip Code: 46895
Phone: 260-385-6999
Email: tcns@rescom.org

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Latitude: 26 deg 12 min 36.9 sec N
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Location Description: Kapok St & Frangipani Ave
City: Naples
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Detailed Description of Project: Collocation of antennas on a new lattice telecommunications tower, within a 100' x 100' lease area. Proposed project will include ground disturbance.
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Support Structure: 76.2 meters above ground level
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Overall Height AMSL: 82 meters above mean sea level

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

ATTACHMENT C – INFORMAL BIOLOGICAL ASSESSMENT & MAPS

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

September 13, 2019

Colleen Carroll
Ignite Wireless, Inc
102 Mary Alice Park Road, Suite 505
Cumming, GA 30040

RE: Informal Biological Assessment for the proposed construction of a telecommunications tower facility:
Kapok Tower
Kapok St & Frangipani Ave
Naples, Collier County, FL 34117

Dear Ms. Carroll,

RESCOM Environmental Corp has completed an Informal Biological Assessment (IBA) in conjunction with a NEPA assessment for the above referenced property. The purpose of this IBA is to address potential affects to threatened and endangered species and critical habitats as referenced in 47 CFR 1.1307 (a) 3. Additionally, this IBA addresses potential affects to migratory birds as referenced in the Note to 47 CFR 1.1307 (d).

Based on the information presented in this report, the proposed project is not likely to impact threatened and endangered species as contained in 50 CFR 17.11, 17.22, 222.23(a), 227.4, critical habitats as contained in 50 CFR 17.95, 17.96, and part 226, or migratory birds protected under the Migratory Bird Treaty Act.

Thank you for the opportunity to provide this service and we look forward to working with you in the future. If you have any questions or comments, please call our office at (231) 409-2563.

Sincerely,
RESCOM Environmental Corp

Andrew Smith
Project Manager
andrew.smith@rescom.org

RESCOM File 19080047

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

INFORMAL BIOLOGICAL ASSESSMENT

Site Name: Kapok Tower Site Number: _____

Site Location: Kapok St & Frangipani Ave, Naples, Collier County, FL 34117

Project Type: Proposed construction of a 250' self-supporting lattice style telecommunications tower

Unless stated otherwise, for the purpose of this report RESCOM Environmental Corp assessed the direct project area and a 30' buffer in all directions from the boundary of all proposed lease areas.

REGULATORY STATEMENT:
This Informal Biological Assessment (IBA) is being performed in conjunction with a NEPA assessment as required by the National Environmental Policy Act (NEPA) referenced in 47 CFR Subpart 1, Chapter 1, Sections 1.130-1.1319. This IBA addresses potential affects to threatened and endangered species and critical habitats as referenced in 47 CFR 1.1307 (a) 3. Additionally, this IBA addresses potential affects to migratory birds as referenced in the Note to 47 CFR 1.1307 (d). For the purposes of this report, RESCOM assessed threatened and endangered species as contained in 50 CFR 17.11, 17.22, 222.23(a), 227.4, critical habitats as contained in 50 CFR 17.95, 17.96, and part 226, and migratory birds protected under the Migratory Bird Treaty Act.

PROJECT OVERVIEW:
CitySwitch proposes the construction of a 250' self-supporting lattice style telecommunications tower within a 100' x 100' lease area. A proposed driveway off Kapok Street will be utilized for access. The proposed project will route utilities to the nearest power and telco sources.

Potential ground disturbance and habitat impact will be limited to the proposed 100' x 100' lease area, access easement, and utility easement.

LOCAL HABITAT:
RESCOM conducted a field reconnaissance of the proposed project area and determined the habitat at the subject property consists of a grass lot and dirt road. Habitats at the adjacent properties include scattered trees, grass lots, and bushes in all directions.

CRITICAL HABITAT, WILDLIFE REFUGES, AND WETLANDS:
RESCOM utilized the USFWS Information, Planning, and Conservation (IPaC) decision support system to determine if there are any critical habitats or National Wildlife Refuges within or near the proposed project area. Based on the IPaC results, there are no critical habitats or National Wildlife Refuges at or near the proposed project area.

Based on a review of the digitized National Wetlands Inventory maintained by the U.S. Fish and Wildlife Service (USFWS), the subject property is not within the boundary of a designated wetland. Additionally, no wetland indicators such as wetland vegetation or standing water were noted at the time of the field inspection. According to the Natural Resource Conservation Service (NRCS) Web Soil Survey, underlying soils consist of Riviera soils. Riviera series are not listed as hydric soils by the United States Department of Agriculture. The nearest body of water, a river, is

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

approximately 900 feet north of the subject property. Based on all of these factors there are no wetland areas at or near the subject property.

THREATENED & ENDANGERED SPECIES:
RESCOM utilized IPaC to determine if any listed or potentially listed Threatened & Endangered species exist within or within 30' of the proposed project area. RESCOM then reviewed various field guides and reference books to determine what habitats are necessary to support the listed or potentially listed species of the area. Necessary habitats were compared to the habitat found at and near the subject property. Based on this comparison, none of the listed or potentially listed Threatened & Endangered species identified by the USFWS are likely to be found at the subject property, or within a 30' buffer zone surrounding all proposed lease areas. A complete list of these species, their required habitat, and the potential project impact is as follows:

Species	Status*	Required Habitat	Potential Impact	Reasoning
American Alligator *Alligator mississippiensis*	LT	Prefer fresh water marsh, may occassionally be within brackish waters. Nests within swamps and marshes.	No Effect	No Suitable Habitat
American Crocodile *Crocodylus acutus*	LT	Coastal habitat, living in brackish and saltwater areas in mangrove swamps.	No Effect	No Suitable Habitat
Audubon's Crested Caracara *Polyborus plancus audubonii*	LT	Occurs in dry or wet prairie areas with scattered cabbage palms (Sabal palmetto). May also be found in lightly wooded areas. May use improved or semi-improved pasture with the presence of seasonal wetlands.	No Effect	No Suitable Habitat
Bartram's Hairstreak Butterfly *Strymon acis bartrami*	LE	Habitat includes pine rockland. Caterpillars feed only on pineland croton, an understory plant in pine rockland habitat.	No Effect	No Suitable Habitat
Cape Sable Seaside Sparrow *Ammodramus maritimus mirabilis*	LE	Preferred nesting habitat is a mixed marl prairie community which often includes muhly grass (Muhlenbergia filipes) and moderately dense clumped grasses, with open space permitting ground movements by the sparrow.	No Effect	No Suitable Habitat
Eastern Indigo Snake *Drymarchon corais couperi*	LT	Pine flatwoods, scrubby flatwoods, high pine, dry prairie, tropical hardwood hammocks, edges of freshwater marshes, coastal dunes, and human-altered habitats. Require a mix of habitats for full annual cycle.	No Effect	No Suitable Habitat

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Species	Status*	Required Habitat	Potential Impact	Reasoning
Everglade Snail Kite *Rostrhamus sociabilis plumbeus*	LE	Consists of freshwater marshes and the shallow vegetated edges of lakes where apple snails can be found, characterized as palustrine-emergent, long-hydroperiod wetlands often in organic peat substrate overlying oolitic limestone or sand or directly on limestone or marl.	No Effect	No Suitable Habitat
Florida Bonneted Bat *Eumops floridanus*	LE	This bat occurs in urban, suburban, and forested areas; it roosts in buildings (e.g., in attics, rock or brick chimneys of fireplaces, and especially under Spanish roof tiles, often in buildings dating from about 1920-1930), sometimes in tree hollows (including those made by woodpeckers), occasionally in foliage of palm trees (e.g., shafts of Royal Palm leaves); also has been found under rocks, in fissures in limestone outcrops, and near excavations (Layne 1978, Timm and Genoways 2004).	No Effect	No Suitable Habitat
Florida Grasshopper Sparrow *Ammodramus savannarum floridanus*	LE	The Florida grasshopper sparrow requires large treeless grasslands dominated by bunch grasses, low shrubs, and saw palmetto with enough interspersed bare ground for this ground-dwelling sparrow to forage effectively. This habitat is dependent on frequent burning, and the sparrows prefer prairies which have been burned within the previous two years. The prairie was historically maintained by frequent wildfires which were ignited by lightning, or prescribed fires set by cattle ranchers.	No Effect	No Suitable Habitat
Florida Leafwing Butterfly *Anaea troglodyta floridalis*	LE	Habitat includes pine rockland. Caterpillars feed only on pineland croton, an understory plant in pine rockland habitat.	No Effect	No Suitable Habitat
Florida Panther *Puma (=Felis) concolor coryi*	LE	Diverse habitat including wetlands, swamps, upland forests, and stands of saw palmetto.	No Effect	No Suitable Habitat

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Species	Status*	Required Habitat	Potential Impact	Reasoning
Florida Prairie-clover *Dalea carthagenensis floridana*	LE	Pine rocklands, edges of rockland hammocks, coastal uplands, marl prairie.	No Effect	No Suitable Habitat
Florida Scrub-jay *Aphelocoma coerulescens*	LT	The Florida scrub-jay is the only species of bird that is unique to Florida. Scrub-jays inhabit sand pine and xeric oak scrub, and scrubby flatwoods, which occur in some of the highest and driest areas of Florida – ancient sandy ridges that run down the middle of the state, old sand dunes along the coasts, and sandy deposits along rivers in the interior of the state.	No Effect	No Suitable Habitat
Garber's Spurge *Chamaesyce garberi*	LT	Sandy soils over limestone in pine rocklands, hammock edges, coastal rock barrens, grass prairies, salt flats, beach ridges, and swales.	No Effect	No Suitable Habitat
Ivory-billed Woodpecker *Campephilus principalis*	LE	Found in mature bottomland forest and cypress swamps with large hardwoods.	No Effect	No Suitable Habitat
Kirtland's Warbler *Dendroica kirtlandii*	LE	Occurs in young jack pine stands.	No Effect	No Suitable Habitat
Loggerhead Sea Turtle *Caretta caretta*	LT	Loggerheads nest on ocean beaches, generally preferring high energy, relatively narrow, steeply sloped, coarse-grained beaches. Take up residence in areas often characterized by accumulations of floating material.	No Effect	No Suitable Habitat
Miami Blue Butterfly *Cyclargus (=Hemiargus) thomasi bethunebakeri*	LE	Habitat includes tropical hardwood hammocks and associated margins. Caterpillars hatch and feed exclusively on gray nicker bean.	No Effect	No Suitable Habitat
Piping Plover *Charadrius melodus*	LT	Suitable breeding habitats include wide beaches with highly clumped vegetation such as around small alkaline lakes and reservoir beaches.	No Effect	No Suitable Habitat

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Species	Status*	Required Habitat	Potential Impact	Reasoning
Puma (=mountain Lion) *Puma (=Felis) concolor (all subsp. except coryi)*	LT	Diverse habitat including wetlands, swamps, upland forests, and stands of saw palmetto.	No Effect	No Suitable Habitat
Red Knot *Calidris canutus rufa*	LT	Breeds on the tundra; during migration and in the winter it can be found on tidal flats, rocky shores, and beaches.	No Effect	No Suitable Habitat
Red-cockaded Woodpecker *Picoides borealis*	LE	This endangered species is a habitat specialist that is strongly tied to old-growth pine forests that burn frequently, leaving the understory mostly clear of younger pines and hardwoods. They were once common in vast tracts of longleaf pine; now they also occur in loblolly, slash, and some other pine stands in the southeastern pine flatwoods.	No Effect	No Suitable Habitat
Wood Stork *Mycteria americana*	LT	Prefers freshwater and estaurine wetlands, primarily nesting in cypress or mangrove swamps. Feed in freshwater marshes, narrow tidal creeks, or flooded tidal pools.	No Effect	No Suitable Habitat

***LE**: Listed Endangered; **LT**: Listed Threatened; **PE**: Proposed Endangered; **PT**: Proposed Threatened

MIGRATORY BIRDS:

Based on the results of a field reconnaissance and review of available maps maintained by the U.S. Forest Service (USFS) and USFWS, the proposed project area is not located in a waterway, wildlife refuge, national wilderness area, grassland, forest area, ridge-line, coastline or area commonly known to have high incidences of fog or low clouds, where migratory birds may be found. The proposed project area is located in a primary flyway. While the probability that migratory birds will be found within the project area is minimal, the presence of migratory birds cannot be ruled out. The IPaC results suggest multiple migratory bird species may be located within the county of the project area.

The USFWS has established “Service Guidance on the Siting, Construction, Operation and Decommissioning of Communication Towers” to reduce potential impact to migratory birds. These guidelines suggest, if collocating on an existing tower or non-tower structure is not possible, that proposed towers be constructed 199’ or less in overall height, without the use of guy wires, and in a facility with a minimum possible footprint. Additionally, the USFWS suggests towers be unlit or lit with only white or red strobe lights. All necessary guy wires should have daytime visual markers on the wires. Lastly, towers should be designed to encourage future collocations.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

While the proposed tower will have an overall height of 250', according to the current available studies, such as the Michigan State Police Tower Study, towers above 500' appear to have more of an effect on migratory birds than towers that are shorter than 500'. Based on the construction drawings provided by CitySwitch, we have concluded that steps have been taken to adhere to the USFWS tower siting guidelines including constructing with a minimum facility footprint, and to accommodate future collocations.

CONCLUSIONS:

Based on the information presented in this report, habitats necessary to support listed and potentially listed Threatened & Endangered species and Critical Habitats do not exist at the subject property or in the vicinity. Therefore, the proposed project is not likely to impact Threatened & Endangered species as contained in 50 CFR 17.11, 17.22, 222.23(a), 227.4, critical habitats as contained in 50 CFR 17.95, 17.96, and part 226, or migratory birds protected under the Migratory Bird Treaty Act.

Joe Lee / Biologist
RESCOM Environmental Corp.

Andrew Smith / Report Preparer
RESCOM Environmental Corp.

RESCOM File 19080047

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

SUPPORTING DOCUMENTATION

U.S. Fish & Wildlife Service Information, Planning, and Conservation (IPaC) Results
U.S. Fish & Wildlife service National Wetlands Inventory
Natural Resource Conservation Service Web Soil Survey
North American Flyway Map

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecological Services Field Office
1339 20th Street
Vero Beach, FL 32960-3559
Phone: (772) 562-3909 Fax: (772) 562-4288
http://fws.gov/verobeach

In Reply Refer To:
Consultation Code: 04EF2000-2019-SLI-1080
Event Code: 04EF2000-2019-E-03329
Project Name: Kapok

August 30, 2019

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

South Florida Ecological Services Field Office
1339 20th Street
Vero Beach, FL 32960-3559
(772) 562-3909

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Project Summary

Consultation Code: 04EF2000-2019-SLI-1080

Event Code: 04EF2000-2019-E-03329

Project Name: Kapok

Project Type: COMMUNICATIONS TOWER

Project Description: New 250 ft Tower

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/26.21031128211728N81.60018047018193W



Counties: Collier, FL

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Endangered Species Act Species

There is a total of 25 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Florida Bonneted Bat Eumops floridanus No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8630	Endangered
Florida Panther Puma (=Felis) concolor coryi No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1763 Habitat assessment guidelines: https://ecos.fws.gov/ipac/guideline/assessment/population/8/office/41420.pdf	Endangered
Puma (=mountain Lion) Puma (=Felis) concolor (all subsp. except coryi) Population: FL No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6049	Similarity of Appearance (Threatened)
West Indian Manatee Trichechus manatus There is final critical habitat for this species. Your location is outside the critical habitat. This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements. Species profile: https://ecos.fws.gov/ecp/species/4469	Threatened

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Birds

NAME	STATUS
Audubon's Crested Caracara Polyborus plancus audubonii Population: FL pop. No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8250	Threatened
Cape Sable Seaside Sparrow Ammodramus maritimus mirabilis There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6584	Endangered
Everglade Snail Kite Rostrhamus sociabilis plumbeus There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7713 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/1221/office/41420.pdf	Endangered
Florida Grasshopper Sparrow Ammodramus savannarum floridanus No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/32	Endangered
Florida Scrub-jay Aphelocoma coerulescens No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6174	Threatened
Ivory-billed Woodpecker Campephilus principalis No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8230	Endangered
Kirtland's Warbler Setophaga kirtlandii (= Dendr oica kirtlandii) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8078	Endangered
Piping Plover Charadrius melodus Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot Calidris canutus rufa No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Red-cockaded Woodpecker Picoides borealis No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7614	Endangered
Wood Stork Mycteria americana	Threatened

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

NAME	STATUS
Population: AL, FL, GA, MS, NC, SC No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8477 Habitat assessment guidelines: https://ecos.fws.gov/ipac/guideline/assessment/population/124/office/41420.pdf	

Reptiles

NAME	STATUS
American Alligator Alligator mississippiensis No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/776	Similarity of Appearance (Threatened)
American Crocodile Crocodylus acutus Population: U.S.A. (FL) There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6604	Threatened
Eastern Indigo Snake Drymarchon corais couperi No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/646	Threatened
Loggerhead Sea Turtle Caretta caretta Population: Northwest Atlantic Ocean DPS There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1110	Threatened

Fishes

NAME	STATUS
Atlantic Sturgeon (gulf Subspecies) Acipenser oxyrinchus (=oxyrhynchus) desotoi There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/651	Threatened

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Insects

NAME	STATUS
Bartram's Hairstreak Butterfly Strymon acis bartrami There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4837	Endangered
Florida Leafwing Butterfly Anaea troglodyta floridalis There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6652	Endangered
Miami Blue Butterfly Cyclargus (=Hemiargus) thomasi bethunebakeri No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3797	Endangered

Flowering Plants

NAME	STATUS
Florida Prairie-clover Dalea carthagenensis floridana No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2300	Endangered
Garber's Spurge Chamaesyce garberi No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8229	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

U.S. Fish and Wildlife Service
National Wetlands Inventory

Wetland 19080047



August 30, 2019

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National
This page was pro

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Soil Map—Collier County Area, Florida



Map Scale: 1:7,400 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 100 200 400 600

Feet: 0 350 700 1400 2100

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Collier County Area, Florida
Survey Area Data: Version 11, Sep 18, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 6, 2015—Feb 12, 2015

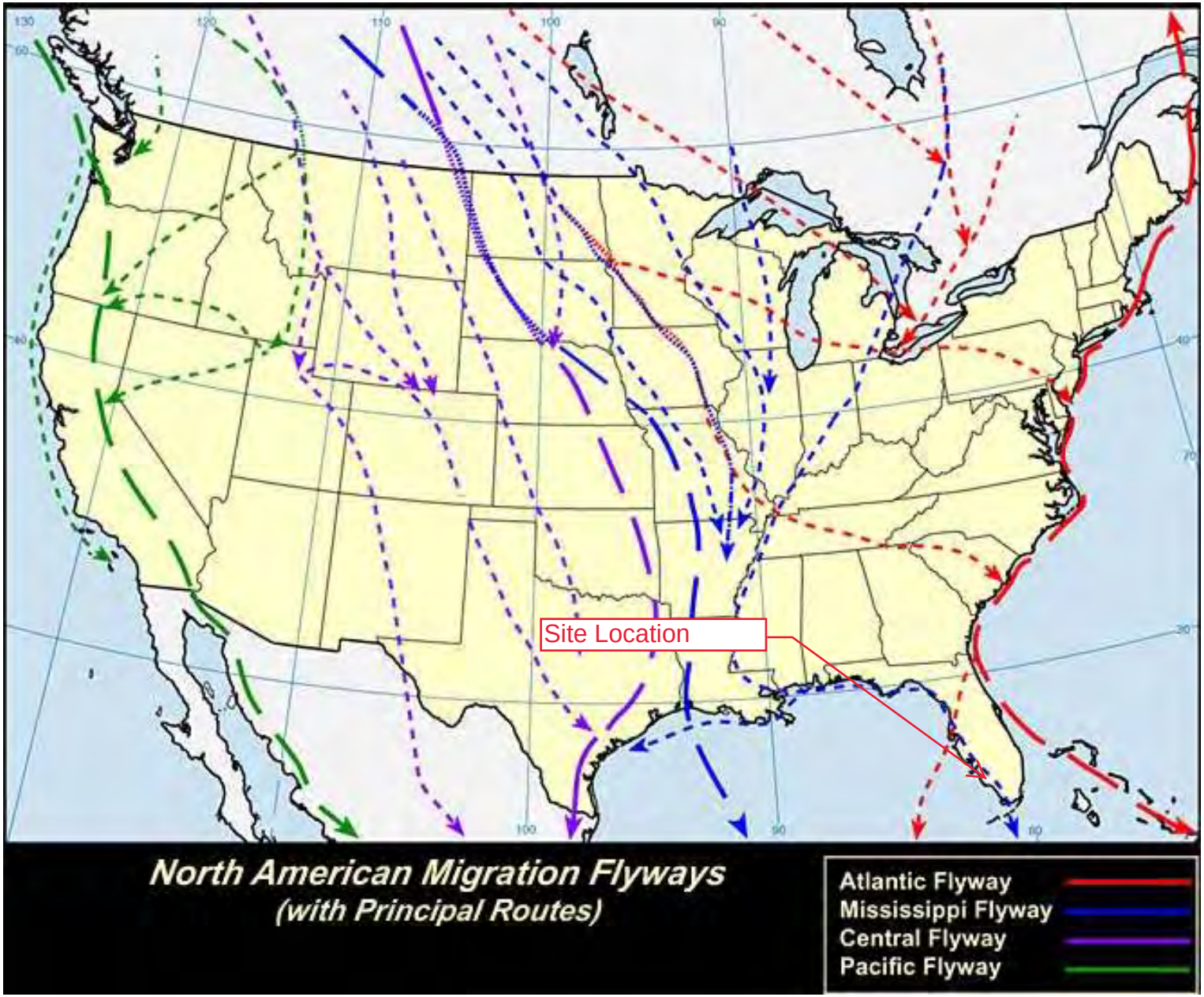
The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Map Unit Legend

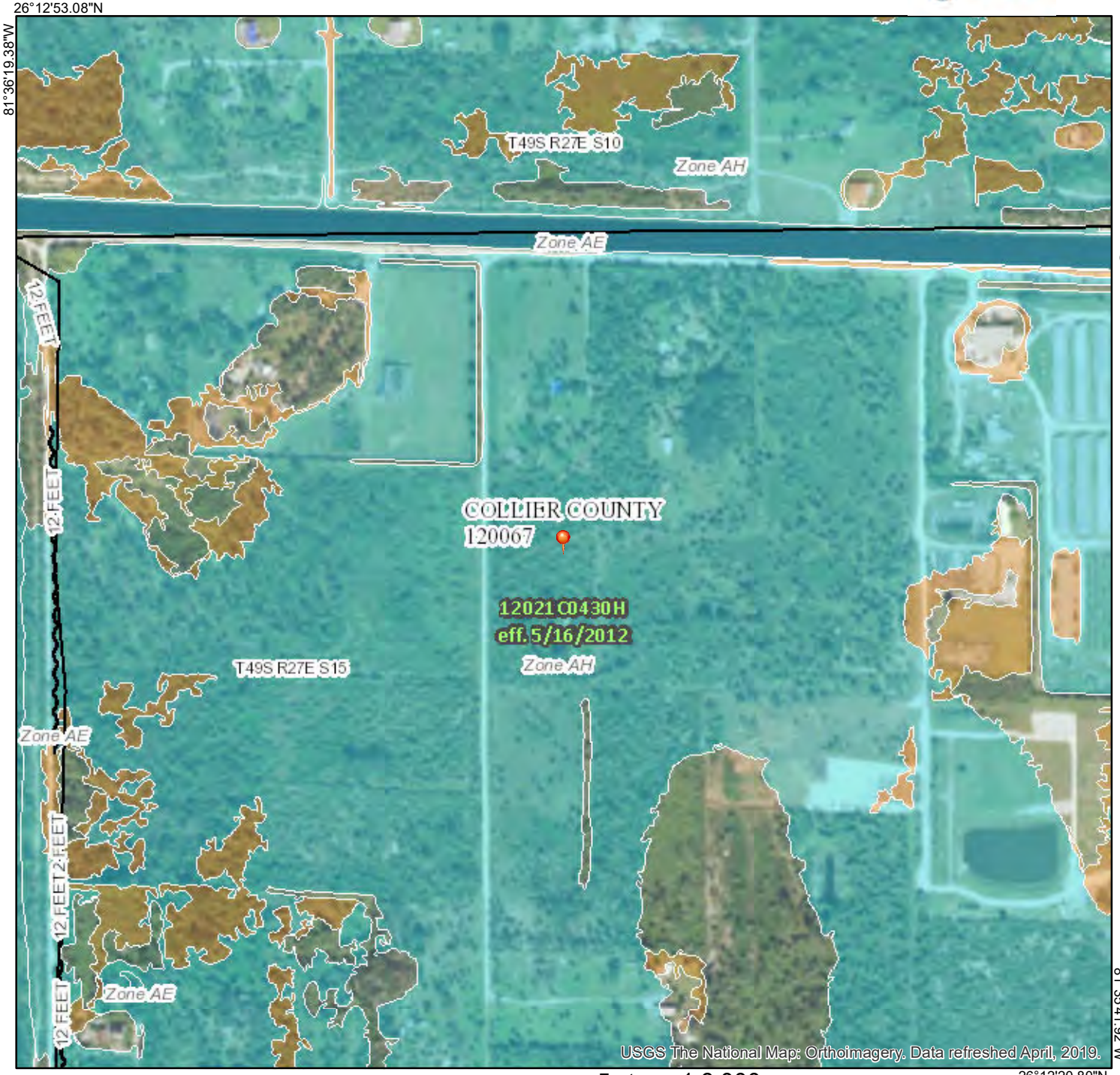
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
14	Pineda fine sand, limestone substratum, 0 to 2 percent slopes	13.3	6.6%
16	Oldsmar fine sand, 0 to 2 percent slopes	13.8	6.8%
18	Riviera fine sand, limestone substratum, 0 to 2 percent slopes	150.2	74.2%
21	Boca fine sand, 0 to 2 percent slopes	17.3	8.6%
99	Water	7.8	3.9%
Totals for Area of Interest		**202.4**	**100.0%**

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

National Flood Hazard Layer FIRMette



0 250 500 1,000 1,500 2,000 Feet

1:6,000

Legend

3.C.f

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- SPECIAL FLOOD HAZARD AREAS
  - Without Base Flood Elevation (BF Zone A, V, A99
  - With BFE or Depth Zone AE, AO, AH,
  - Regulatory Floodway
- OTHER AREAS OF FLOOD HAZARD
  - 0.2% Annual Chance Flood Hazar of 1% annual chance flood with a depth less than one foot or with d areas of less than one square mil
  - Future Conditions 1% Annual Chance Flood Hazard Zone X
  - Area with Reduced Flood Risk du Levee. See Notes. Zone X
  - Area with Flood Risk due to Levee
- OTHER AREAS
  - NO SCREEN Area of Minimal Flood Hazard Zo
  - Effective LOMRs
  - Area of Undetermined Flood Haza
- GENERAL STRUCTURES
  - Channel, Culvert, or Storm Sewer
  - Levee, Dike, or Floodwall
- OTHER FEATURES
  - 20.2 Cross Sections with 1% Annual Cl
  - 17.5 Water Surface Elevation
  - Coastal Transect
  - Base Flood Elevation Line (BFE)
  - Limit of Study
  - Jurisdiction Boundary
  - Coastal Transect Baseline
  - Profile Baseline
  - Hydrographic Feature
- MAP PANELS
  - Digital Data Available
  - No Digital Data Available
  - Unmapped

N

The pin displayed on the map is an appro point selected by the user and does not r an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This ma was exported on 8/30/2019 at 10:14:15 AM and does not reflect changes or amendments subsequent to this date an time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following r elements do not appear: basemap imagery, flood zone labe legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized area regulatory purposes.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

USA Federal Lands

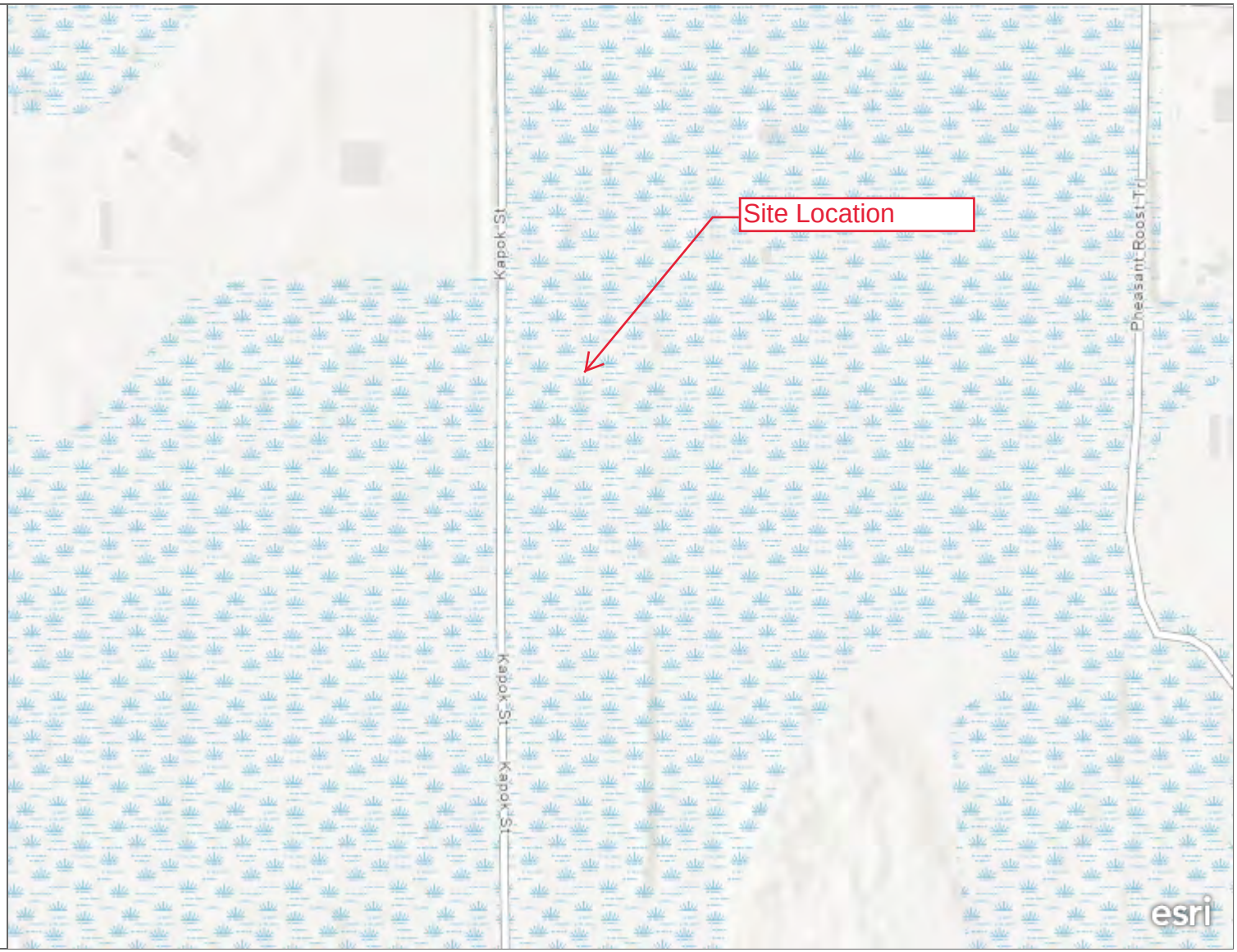
USA Federal Lands

NationalMapFederalLands

- Forest Service
- Department of Defense
- Bureau of Land Management
- US Fish and Wildlife Service
- National Park Service
- Bureau of Indian Affairs
- Bureau of Reclamation
- Other Agencies

World Hillshade

World Hillshade

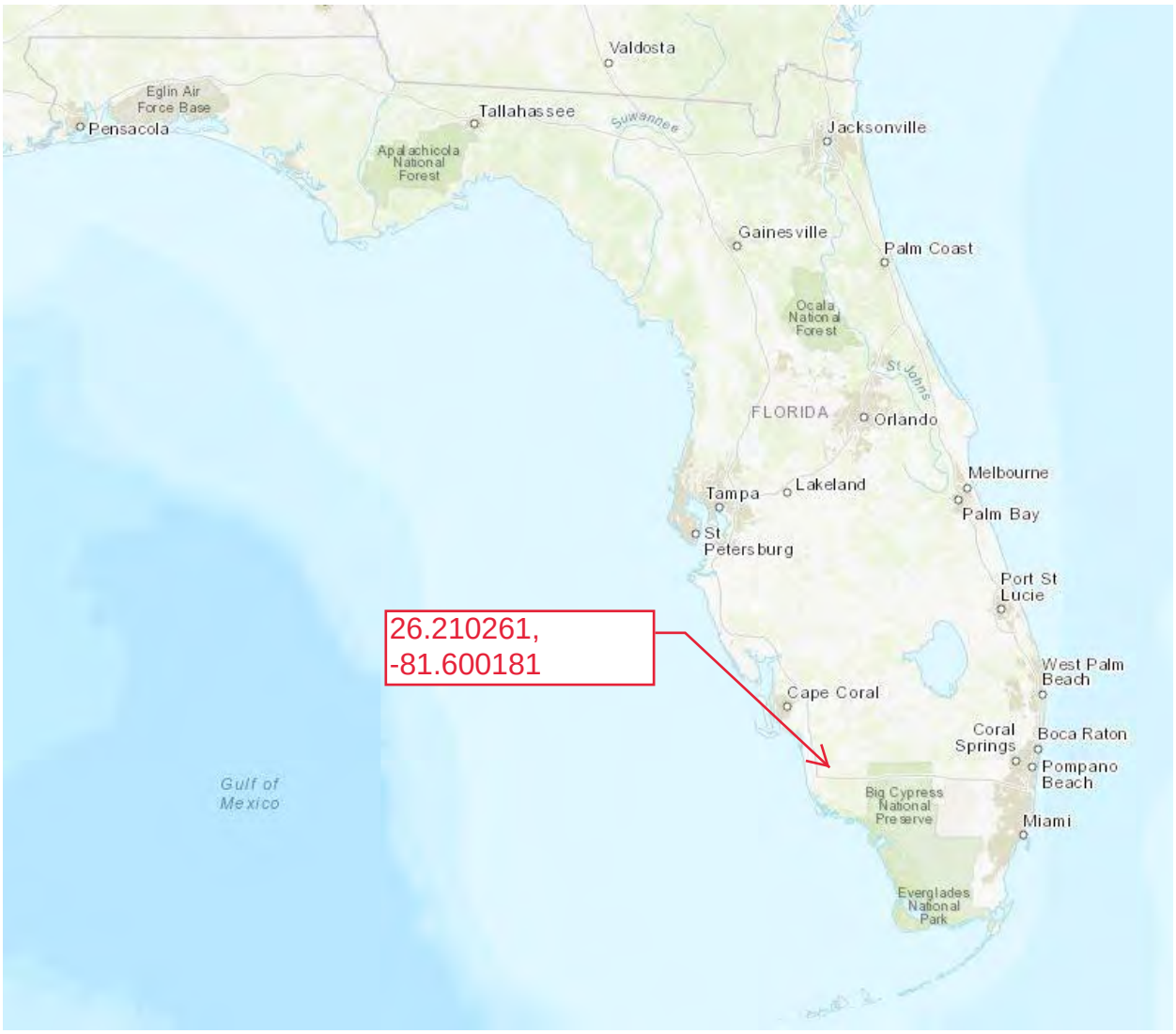


This web map presents the federal and tribal land areas of the United States

University of South Florida, County of Collier, FDEP, BuildingFootprintUSA, Esri, HERE, Garmin, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | nationamap.gov | University of South Florida, County of Collier, FDEP, BuildingFootprintUSA, Esri, HERE, Garmin, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

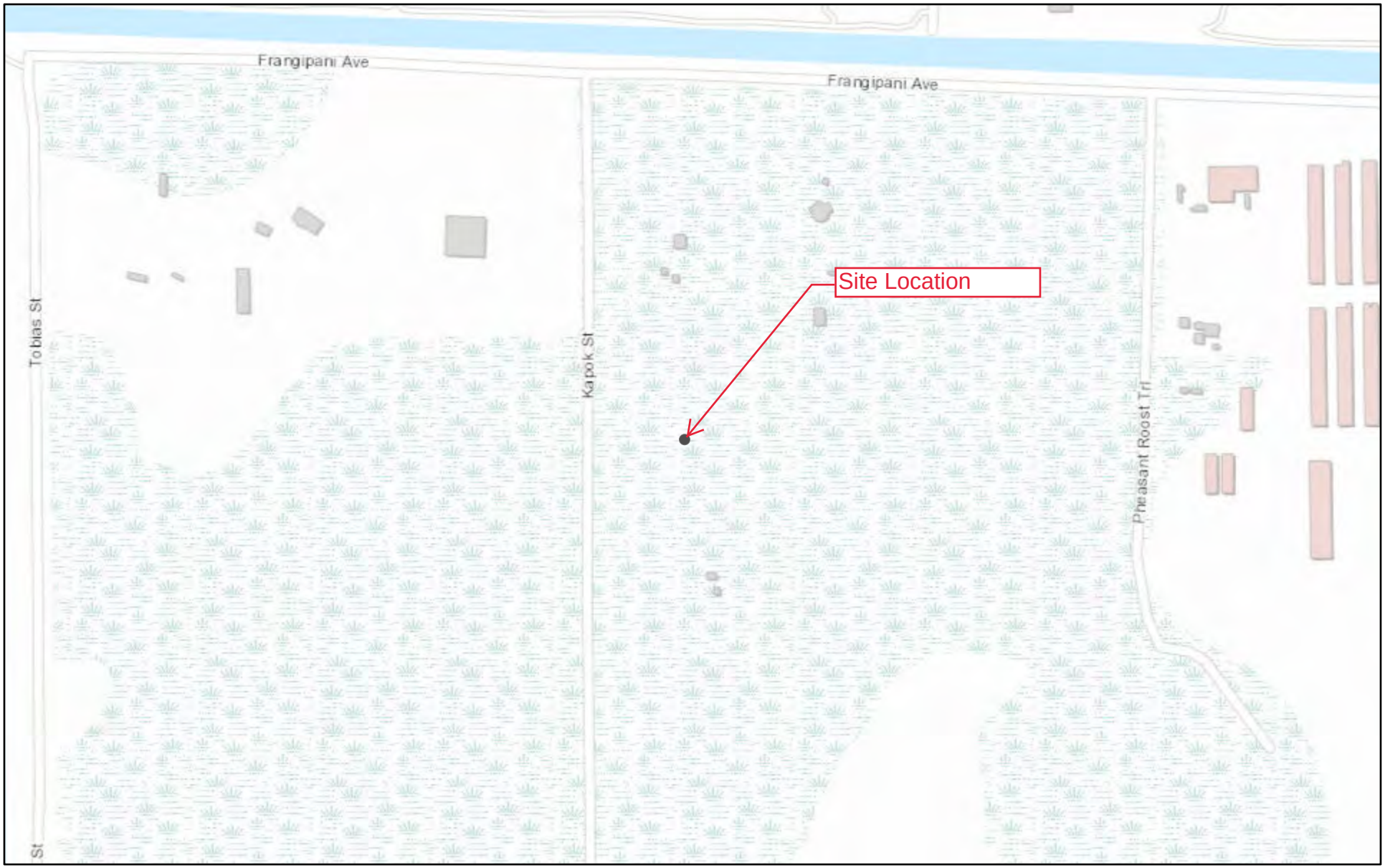
Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

National Trails Map



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Wilderness Map



10/17/2019, 2:38:06 PM

1:4,514

0 0.03 0.07 0.13 mi

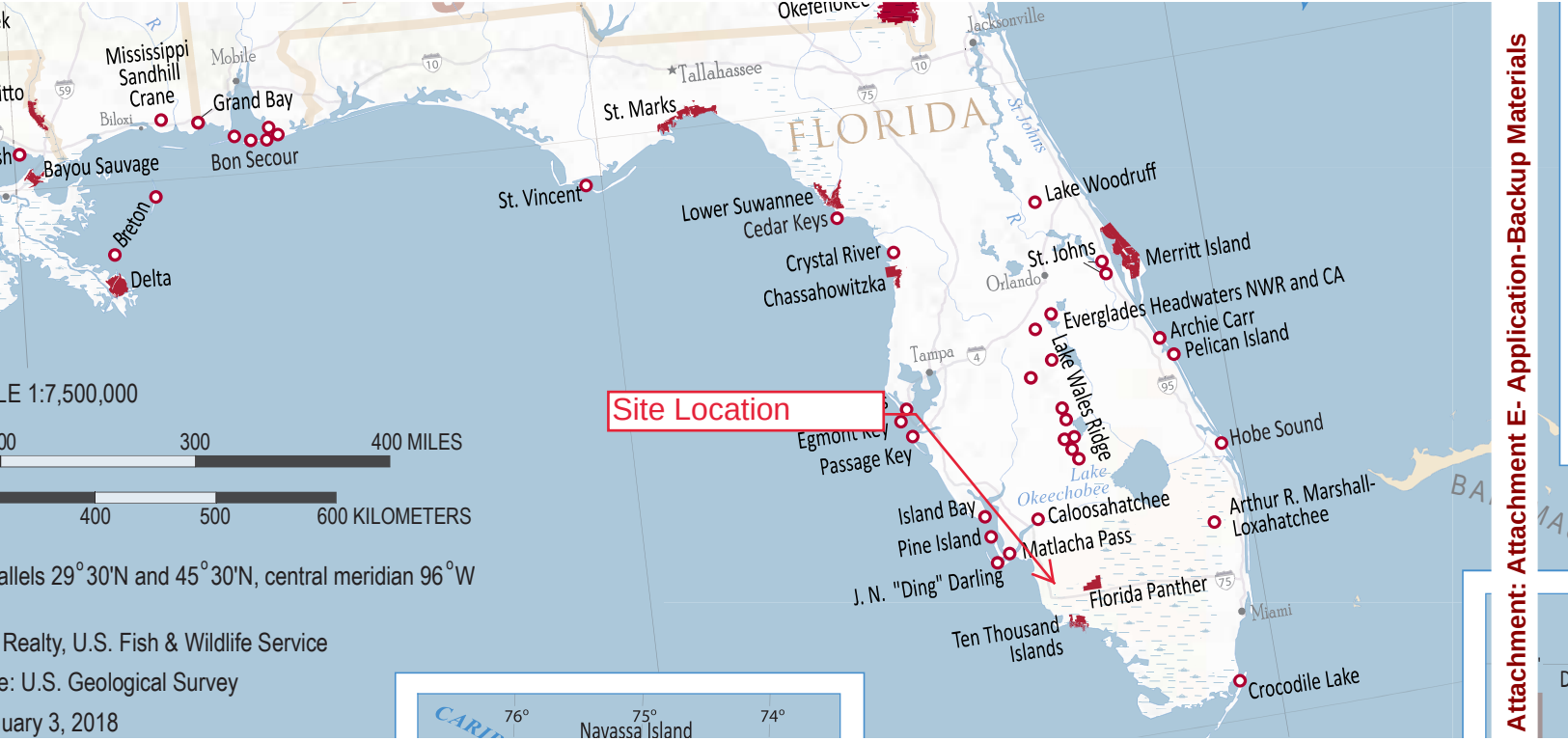
0 0.05 0.1 0.2 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

We

County of Collier, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Wilderness Institute, College of Forestry and Conservation, University of Montar

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



Attachment: Attachment E- Application-Backup Materials

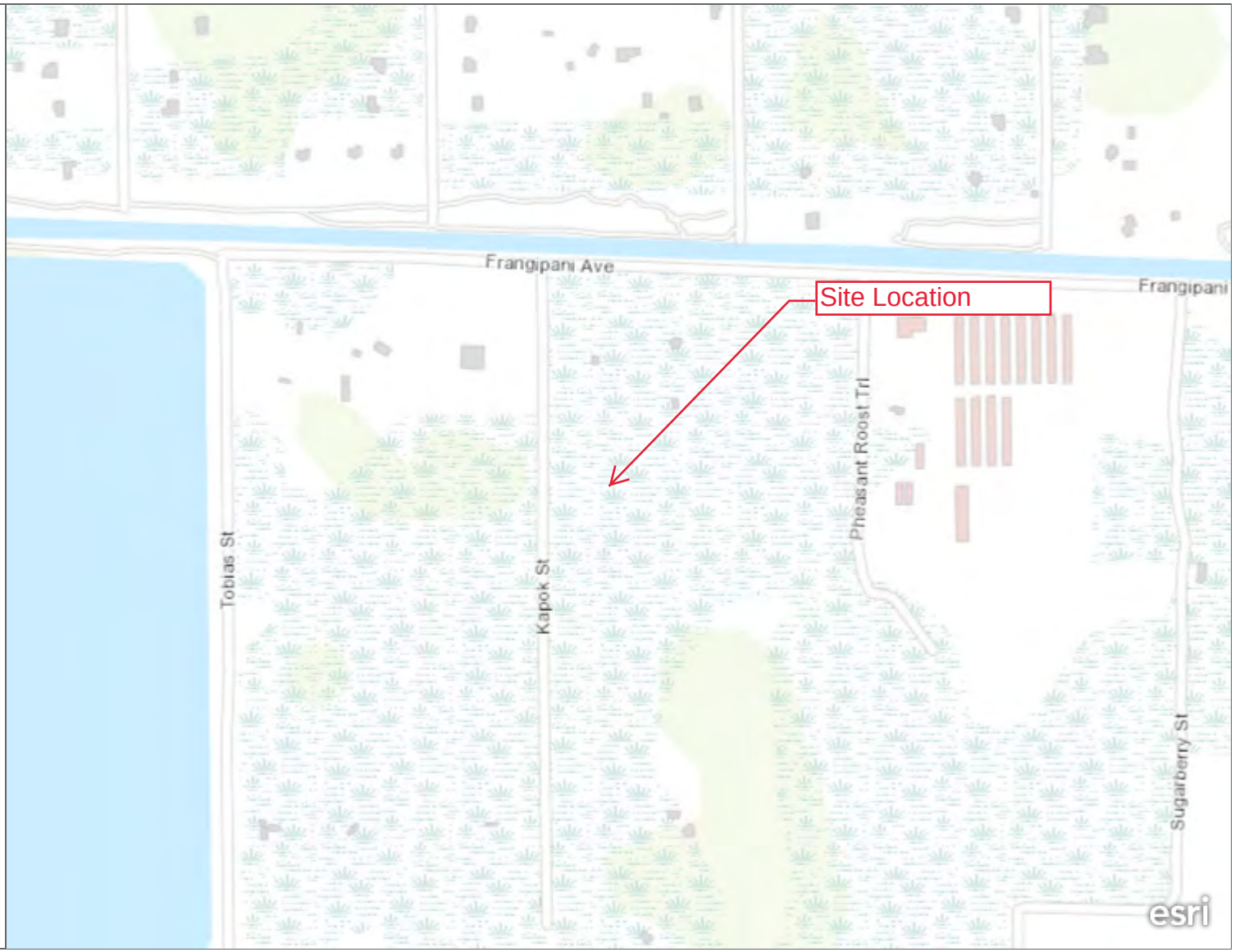
Critical Habitat for Threatened & Endangered Species [USFWS]

Final Linear Features

Final Polygon Features

Proposed Linear Features

Proposed Polygon Features

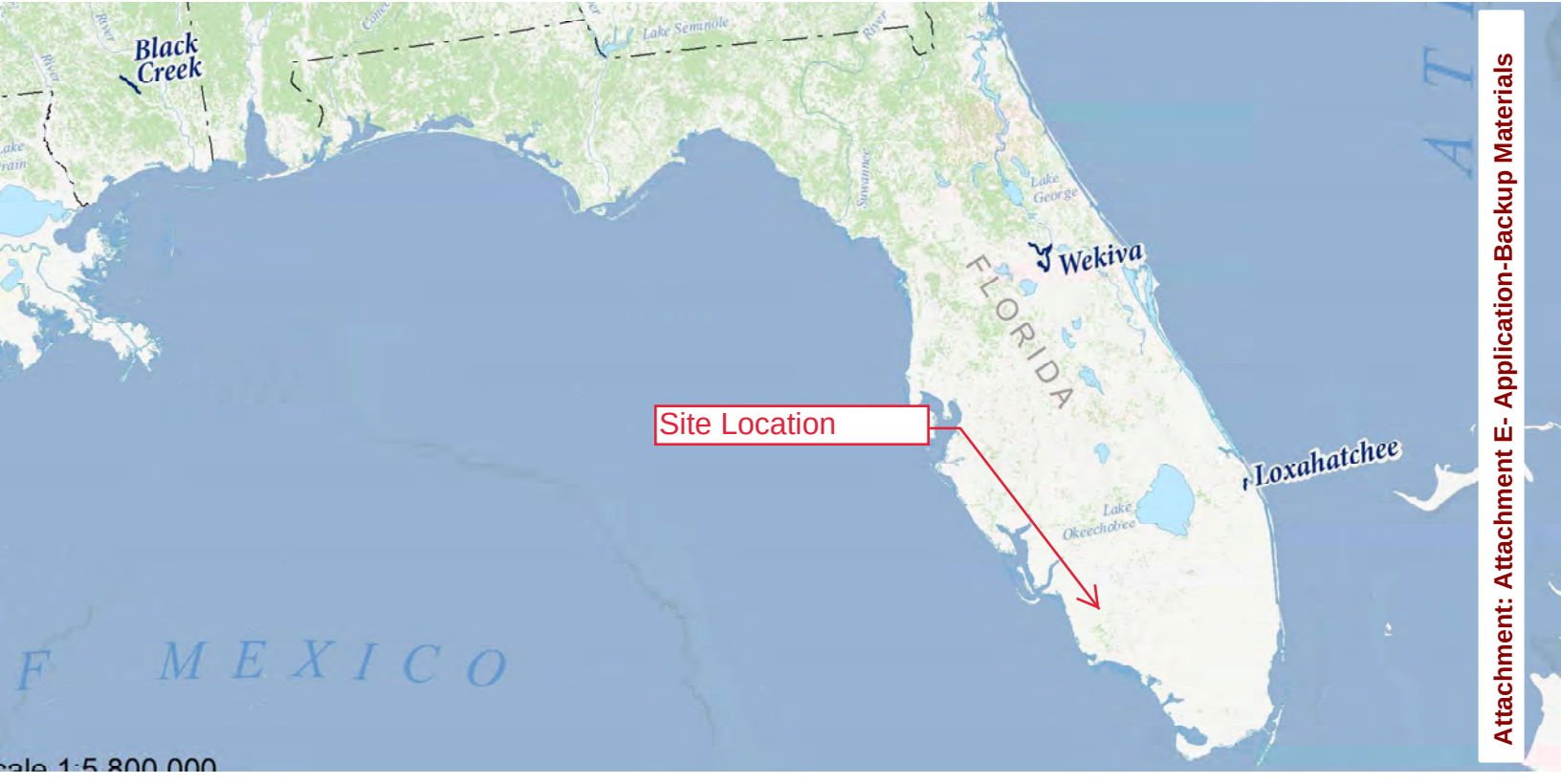


A specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection.

U.S. Fish and Wildlife Service | County of Collier, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

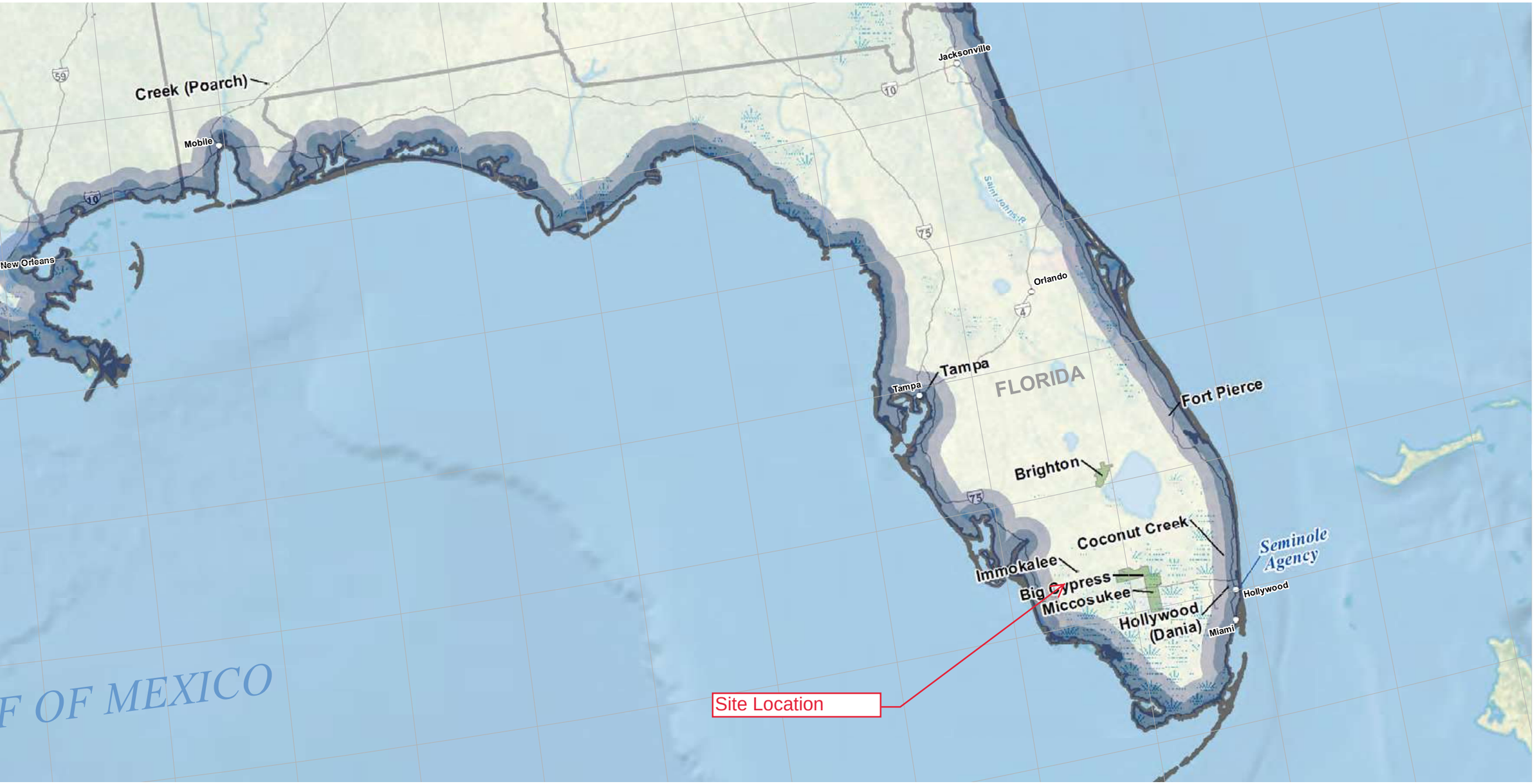
Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

US National Scenic Riverway Map



Attachment: Attachment E- Application-Backup Materials

Native American Reservation Map



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

LEASE AGREEMENT

THIS LEASE AGREEMENT ("**Lease**") dated as of the latter of the signature dates below (the "**Effective Date**"), is made this 15th day of April, 20[20 by and between, Johannes Steffens (the "**Landlord**"), whose address is 542 Ethel Ave SE, Grand Rapids MI 49506, and CitySwitch II-A, LLC, a Georgia limited liability company (the "**Tenant**"), whose address is 1900 Century Place NE, Suite 320, Atlanta, GA 30345.

WHEREAS, Landlord owns certain real property located the County of Collier, in the state of Florida, that is more particularly described or depicted in attached **Exhibit 1** (the "**Property**"); and,

WHEREAS, Tenant desires to lease from Landlord a certain portion of the Property, more particularly described or depicted in attached **Exhibit 2**.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree:

1. **RIGHT TO LEASE.**

(a) Landlord grants to Tenant right to lease a portion of the Property measuring approximately 100ft x 100ft (10,000 sf) square feet as described on attached **Exhibit 2**, together with unrestricted access for Tenant's uses from the nearest public right-of-way along the Property to the Premises as described on the attached **Exhibit 2** (collectively, the "**Premises**").

(b) From and after the Effective Date as set forth above for the time period set forth below (the "**Testing Period**"), and at any time during the term of this Lease, Tenant and its agents, engineers, surveyors and other representatives will have the right to enter upon the Property to survey and review title on the Property, inspect, examine, conduct soil borings, drainage testing, material sampling, and other geological or engineering tests or studies of the Property (collectively, the "**Tests**"), to apply for and obtain licenses, permits, approvals, or other relief required of or deemed necessary or appropriate at Tenant's sole discretion for its use of the Premises and include, without limitation, applications for zoning variances, zoning ordinances, amendments, special use permits, and construction permits (collectively, the "**Government Approvals**"), initiate the ordering and/or scheduling of necessary utilities, and otherwise to do those things on or off the Property that, in the opinion of Tenant, are necessary in Tenant's sole discretion to determine the physical condition of the Property, the environmental history of the Property, Landlord's title to the Property and the feasibility or suitability of the Property for Tenant's permitted use, all at Tenant's expense. Tenant will not be liable to Landlord or any third party on account of any pre-existing defect or condition on or with respect to the Property, whether or not such defect or condition is disclosed by Tenant's inspection. Tenant will restore the Property to its condition as it existed at the commencement of the Testing Period, reasonable wear and tear and loss by casualty or other causes beyond Tenant's control excepted. In addition, Tenant shall indemnify, defend and hold Landlord harmless from and against any and all injury, loss, damage or claims arising directly out of Tenant's Tests.

(c) In consideration of Landlord granting Tenant the use of the Property during the Testing Period, Tenant agrees to pay Landlord the sum of [redacted] within thirty (30) business days of the Effective Date. The Testing Period will be for an initial term of one (1) year commencing on the Effective Date (the "**Initial Testing Period**") and will be automatically renewed for three (3) additional one (1) year periods ("**Renewal Testing Period**"). Tenant will pay [redacted] to Landlord for the Initial Testing Period and for each Renewal Testing Period.

(d) During the Initial Testing Period and any extension thereof, Tenant may commence the Initial Term of this Lease by notifying Landlord in writing. If Tenant commences the Initial Term, then Landlord leases the Premises to Tenant subject to the terms and conditions of this Lease. If Tenant does not commence the Lease during the Initial

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Testing Period or any extension thereof, this Lease will terminate, and the parties will have no further liability to each other.

2. TERM.

(a) The initial term shall commence on the effective date of written notification by Tenant to Landlord of Tenant's intention to commence the initial term. Unless extended or sooner terminated as herein provided, the term shall be for a period of one hundred twenty (120) months following the Commencement Date ("**Initial Term**").

(b) Tenant shall have the option to extend the term of this Lease for four (4) successive additional periods of 60 months each (each a "**Renewal Term**"). Each Renewal Term shall commence automatically, unless Tenant delivers notice to Landlord of its intent not to renew, such notice to be delivered not less than thirty (30) days prior to the end of the then-current term.

(c) Unless (i) Tenant notifies Landlord in writing of its intention to terminate this Lease at least six (6) months prior to the expiration of the final Renewal Term, or (ii) the Lease is terminated as otherwise permitted by this Lease prior to the end of the final Renewal Term, this Lease shall continue in force upon the same covenants, terms and conditions for a further term of one (1) year, and for annual terms thereafter ("**Annual Term**") until terminated by Tenant giving written notice to Landlord of its intention to so terminate at least six (6) months prior to the end of any such Annual Term. Monthly rent during such Annual Terms shall be equal to the Rent paid for the last month of the final Renewal Term. If Tenant remains in possession of the Premises after the termination of this Lease, then Tenant will be deemed to be occupying the Premises on a month-to-month basis (the "**Holdover Term**"), subject to the terms and conditions of this Lease.

(d) The Initial Term, any Extension Terms, any Annual Terms and any Holdover Term are collectively referred to as the "**Term**."

3. RENT.

(a) Tenant shall pay rent to Landlord commencing on the first day of the month following one hundred and twenty (120) days following the date that Tenant commences construction (the "**Commencement Date**") a monthly rental payment of [redacted] ("**Rent**"), on or before the fifth (5th) day of each calendar month in advance. Payments will be made via electronic funds transfer ("**EFT**") directly to Landlord's bank account unless otherwise directed. Rent will be prorated for any partial month. The initial Rent payment will be forwarded by Tenant to Landlord within thirty (30) days from Commencement Date. Rent will increase [redacted] on an annual basis.

(b) All charges payable under this Lease such as utilities and taxes shall be billed by Landlord within one (1) year from the end of the calendar year in which the charges were incurred; any charges beyond such period shall not be billed by Landlord and shall not be payable by Tenant. The foregoing shall not apply to monthly Rent which is due and payable without a requirement that it be billed by Landlord. The provisions of this subsection shall survive the termination or expiration of this Lease.

4. TAXES.

(a) Landlord shall pay when due all taxes and all other fees and assessments attributable to the Property and Premises and shall avoid any delinquencies with respect thereto and shall protect and indemnify Tenant for any lack of such payment. Landlord shall also pay promptly, when due, any other amounts or sums due and owing with respect to its ownership and operation of the Premises, including, without limitation, judgments, liens, mortgage payments and other similar encumbrances. If Landlord fails to make any payments required under this Lease, such as the payment of taxes and assessments, or breaches any other obligation or covenant under this Lease, Tenant may (without obligation), after providing ten (10) days written notice to Landlord, make such payment or perform such obligation on behalf of Landlord. The full amount of any costs so incurred by Tenant (including any attorneys' fees incurred in connection with Tenant performing such obligation) shall be paid by Landlord to Tenant with interest at the statutory rate thereon. Tenant shall also have the right to deduct the full amount of the payment or taxes paid by Tenant on Landlord's behalf from future installments of Rent.

(b) Tenant will pay Landlord any increase in real property taxes that is directly and solely attributable to improvements to the Premises made by Tenant. Within 90 days after receipt of evidence of Landlord's tax payment and evidence of a tax increase due to the improvements of the Premises made by Tenant, Tenant will pay to Landlord

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

any increase in real property taxes which Landlord demonstrates, to Tenant's satisfaction, is directly and solely attributable to any improvements to the Premises made by Tenant.

5. USE.

(a) The Premises are being leased for the purpose of erecting, installing, operating and maintaining a single radio and communications tower, transmitting and receiving equipment, antennas, dishes, mounting structures, buildings, and related equipment ("**Communications Facility**"). Tenant may make any improvement, alteration or modification to the Premises as are deemed appropriate by Tenant. Tenant shall have the exclusive right to install upon the Premises one communication tower, buildings, equipment, antennas, dishes, fencing, and other accessories related thereto, and to alter, supplement, and/or modify same as may be necessary.

(b) Landlord grants Tenant the right to clear all trees, undergrowth, or other obstructions and to trim, cut and keep trimmed and cut all tree limbs, which may interfere with or fall upon the Communications Facility or Premises. Landlord grants Tenant a non-exclusive easement in, over, across and through other real property owned by Landlord as reasonably required for construction, installation, maintenance, and operation of the Communication Facilities. Tenant will keep and maintain the Premises in good condition, reasonable wear and tear and damage from the elements excepted. Tenant shall have the exclusive right to sublease or grant licenses to use the radio tower or any structure or equipment on the Premises, but no such sublease or license shall relieve or release Tenant from its obligations under this Lease. If at any time during the term of this Lease, the Federal Aviation Administration, Federal Communications Commission, or other governmental agency changes its regulations and requirements, or otherwise takes any action, the result of which inhibits Tenant's use the Premises, or any communications tower located thereon, for the purposes originally intended by Tenant, or if technological changes render Tenant's intended use of the Premises obsolete or impractical, or if Tenant otherwise determines, in its sole and absolute discretion, with or without cause, that the Premises is no longer suitable or desirable for Tenant's intended use and/or purposes, Tenant shall have the right to terminate this Lease upon written notice to Landlord.

6. ACCESS AND UTILITIES.

(a) At all times during the term of this Lease, Tenant, and its guests, agents, customers, lessees, and assigns shall have the unrestricted, exclusive right to use, and shall have free access to, the Premises seven (7) days a week, twenty-four (24) hours a day. Landlord for itself, its successors and assigns, hereby grants and conveys unto Tenant, its customers, employees, agents, invitees, successors and assigns a nonexclusive easement for ingress and egress, as well as for the construction, installation, operation and maintenance of overhead and underground electric and other utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment), with the right to reconstruct, improve, add to, enlarge, change and remove such facilities, over, across and through any easement for the benefit of and access to the Premises, subject to the terms and conditions herein set forth. The rights granted to Tenant herein shall also include the right to partially assign its rights hereunder to any public or private utility company or authority to facilitate the uses contemplated herein, and all other rights and privileges reasonably necessary for Tenant's safe and efficient use and enjoyment of the easement for the purposes described above.

(b) Landlord represents that Landlord has no knowledge of any fact or condition that could result in the termination or reduction of the current access from the Premises to existing highways and roads, or to sewer or other utility services serving the Premises.

(c) Landlord represents that the Premises abuts on and has direct vehicular access to a public road, or has access to a public road via a permanent, irrevocable, appurtenant easement benefiting the parcel of real property.

7. EQUIPMENT, FIXTURES AND SIGNS. All improvements, equipment or other property attached to or otherwise brought onto the Premises shall at all times be the personal property of Tenant and/or its subtenants and licensees. Tenant or its customers shall have the right to erect, install, maintain, and operate on the Premises such equipment, structures, fixtures, signs, and personal property as Tenant may deem necessary or appropriate, and such property, including the equipment, structures, fixtures, signs, and personal property currently on the Premises, shall not be deemed to be part of the Premises, but shall remain the property of Tenant or its customers. At any time during the term of this Lease and within a reasonable time after termination hereof, Tenant shall have the right, but not the obligation, to remove their equipment, structures, fixtures, signs, and personal property from the Premises.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

8. ASSIGNMENT AND SUBLEASE. Tenant may assign this Lease to any person or entity at any time without the prior written consent of Landlord. After delivery by Tenant to Landlord of an instrument of assumption by an assignee that assumes all of the obligations of Tenant under this Lease, Tenant will be relieved of all liability hereunder. Tenant shall be entitled to sublease or grant licenses to use the Premises and/or the radio tower or any structure or equipment on the Premises without the prior written consent of Landlord, but no such sublease or license shall relive or release Tenant from its obligations under the Lease. Landlord may assign this Lease, in whole or in part, to any person or entity (a) who or which acquires fee title to the Premises and/or (b) who or which agrees to be subject to and bound by all provisions of this Lease. Except for the foregoing, assignment of this Lease by Landlord must be approved by Tenant, in Tenant's sole discretion.

9. APPROVALS.

(a) Landlord agrees that Tenant's ability to use the Premises is contingent upon the suitability of the Premises and Property for the permitted use described in Section 5 and Tenant's ability to obtain and maintain all Government Approvals. Landlord authorizes Tenant to prepare, execute and file all required applications to obtain Government Approvals for the Permitted Use and agrees to reasonably assist Tenant with such applications and with obtaining and maintaining the Government Approvals.

(b) Tenant has the right to obtain a title report or commitment for a leasehold title policy from a title insurance company of its choice and to have the Property surveyed by a surveyor of its choice.

(c) Tenant may also perform and obtain, at Tenant's sole cost and expense, soil borings, percolation tests, engineering procedures, environmental investigation or other tests or reports on, over, and under the Property, necessary to determine if Tenant's use of the Premises will be compatible with Tenant's engineering specifications, system, design, operations or Government Approvals.

10. WARRANTIES AND REPRESENTATIONS.

(a) Landlord warrants and represents that it is the owner in fee simple of the Premises, free and clear of all liens and encumbrances except as to those which may have been disclosed to Tenant, in writing prior to the execution hereof, and that it alone has full right to Lease the Premises for the term set out herein. Landlord further represents and warrants that Tenant, on paying the rent and performing its obligations hereunder, shall peaceably and quietly hold and enjoy the Premises for the term of this Lease.

(b) With respect to the Premises, except as disclosed in writing to Tenant prior to the execution hereof: there currently exist no licenses, sublicenses, or other agreements, written or oral, granting to any party or parties the right of use or occupancy of any portion of the of Premises; there are no outstanding options or rights of first refusal to purchase the Premises or any portion thereof or interest therein; and there are no parties (other than Landlord) in possession of the Premises.

(c) It is intended that the legal description of the Premises accurately reflect an "as-built" survey of any existing communications tower and accordingly the parties agree that, if any part of the Communications Facility, roadways, utilities, guy wires or anchors related to the communications tower located on the Premises is located beyond the legal description of the Premises or any easements specified in the Lease, the Lease is hereby amended to provide that the Premises includes the existing location of any such improvements as part of the Premises demised in the Lease, to the extent that such improvements are located on real property owned by Landlord.

11. ENVIRONMENTAL.

(a) Landlord has complied with all, and will continue to comply with environmental, health, and safety laws with respect to the Premises, and no action, suit, proceeding, hearing, investigation, charge, complaint, claim, demand, or notice has been filed or commenced, or received by Landlord regarding the Premises alleging any failure to so comply. Without limiting the generality of the preceding sentence, Landlord and the Premises are in compliance with all environmental, health, and safety laws. No asbestos-containing thermal insulation or products containing PCB, formaldehyde, chlordane, or heptachlor or other hazardous substances, materials, or wastes have been placed, stored, disposed, or discharged on, under or about the Premises by Landlord or, to the knowledge of Landlord, by any prior owner or user of the Premises, or any other person. To the knowledge of Landlord, there has been no release of or

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contamination by hazardous materials, substances or wastes on the Premises. Landlord represents and warrants that Tenant shall not be liable for any hazardous materials, substances, or wastes on, under, or about the Premises prior to Tenant's occupancy of the Premises, and Tenant shall not be liable for any violation or environmental law related to the Premises prior to Tenant's occupancy of the Premises.

(b) Landlord and Tenant agree to hold harmless and indemnify the other from, and to assume all duties, responsibilities and liabilities at the sole cost and expense of the indemnifying party for, payment of penalties, sanctions, forfeitures, losses, costs or damages, and for responding to any action, notice, claim, order, summons, citation, directive, litigation, investigation or proceeding ("**Claims**"), to the extent arising from that party's breach of its obligations or representations under Section 11(a). Landlord agrees to hold harmless and indemnify Tenant from, and to assume all duties, responsibilities and liabilities at the sole cost and expense of Landlord for, payment of penalties, sanctions, forfeitures, losses, costs or damages, and for responding to any Claims, to the extent arising from subsurface or other contamination of the Property with hazardous substances prior to the Effective Date or from such contamination caused by the acts or omissions of Landlord during the Term. Tenant agrees to hold harmless and indemnify Landlord from, and to assume all duties, responsibilities and liabilities at the sole cost and expense of Tenant for, payment of penalties, sanctions, forfeitures, losses, costs or damages, and for responding to any Claims, to the extent arising from hazardous substances brought onto the Property by Tenant.

(c) The indemnification provisions contained in this Section 11 specifically include reasonable costs, expenses and fees incurred in connection with any investigation of Property conditions or any clean-up, remediation, removal or restoration work required by any governmental authority. The provisions of this Section 11 will survive the expiration or termination of this Lease.

(d) In the event Tenant becomes aware of any hazardous materials on the Property, or any environmental, health or safety condition or matter relating to the Property, that, in Tenant's sole determination, renders the condition of the Premises or Property unsuitable for Tenant's use, or if Tenant believes that the leasing or continued leasing of the Premises would expose Tenant to undue risks of liability to a government agency or other third party, then Tenant will have the right, in addition to any other rights it may have at law or in equity, to terminate this Lease upon written notice to Landlord.

12. INDEMNITIES.

(a) The parties agree to indemnify, defend and hold harmless the other party, its parent company or other affiliates, successors, assigns, officers, directors, shareholders, agents and employees (collectively, "**Indemnified Persons**"), from and against all claims and liabilities (including reasonable attorneys' and fees court costs) caused by or arising out of (i) such party's breach of any of its obligations, covenants, or warranties contained herein, or (ii) such party's acts or omissions with regard to the Lease. However, in the event of an Indemnified Person's contributory negligence or other fault, the Indemnified Person shall not be indemnified hereunder to the extent that the Indemnified Person's negligence or other fault caused such claim or liability.

(b) The indemnified party: (i) shall promptly provide the indemnifying party with written notice of any claim, demand, lawsuit, or the like for which it seeks indemnification pursuant to this Section 12 and provide the indemnifying party with copies of any demands, notices, summonses, or legal papers received in connection with such claim, demand, lawsuit, or the like; (ii) shall not settle any such claim, demand, lawsuit, or the like without the prior written consent of the indemnifying party; and (iii) shall fully cooperate with the indemnifying party in the defense of the claim, demand, lawsuit, or the like. A delay in notice shall not relieve the indemnifying party of its indemnity obligation, except (1) to the extent the indemnifying party can show it was prejudiced by the delay; and (2) the indemnifying party shall not be liable for any settlement or litigation expenses incurred before the time when notice is given.

(c) Tenant agrees to indemnify, defend and hold harmless Landlord, its parent company, affiliates, successors and assigns, officers, directors, shareholders, agents and employees (collectively, a "Landlord Party"), from and against all claims and liabilities (including reasonable attorneys' fees and court costs) directly caused by or arising in connection with the building, operation, and demolition of the Communications Facility. If Landlord and/or a Landlord Party's negligence or willful misconduct contributes to such claim or liability, the Landlord shall not be indemnified hereunder to the extent that the Landlord's negligence or misconduct caused such claim or liability.

13. WAIVERS

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(a) Landlord hereby waives any and all lien rights it may have, statutory or otherwise, in and to the Communications Facilities or any portion thereof, regardless of whether or not such is deemed real or personal property under applicable laws. Landlord will not assert any claim whatsoever against Tenant for loss of anticipatory profits or any other indirect, special, incidental or consequential damages incurred by Landlord as a result of the construction, maintenance, operation or use of the Premises by Tenant.

(b) EXCEPT FOR THE INDEMNITY OBLIGATIONS SET FORTH IN THIS LEASE, EACH PARTY HERETO WAIVES ANY AND ALL CLAIMS AGAINST THE OTHER FOR ANY LOSS, COST, DAMAGE, EXPENSE, INJURY OR OTHER LIABILITY WHICH IS IN THE NATURE OF INDIRECT, SPECIAL, INCIDENTAL, PUNITIVE OR CONSEQUENTIAL DAMAGES WHICH ARE SUFFERED OR INCURRED AS THE RESULT OF, ARISE OUT OF, OR ARE IN ANY WAY CONNECTED TO THE PERFORMANCE OF THE OBLIGATIONS UNDER THIS LEASE.

14. INSURANCE.

(a) Tenant shall insure against property damage and bodily injury arising by reason of occurrences on or about the Premises in the amount of not less than $1,000,000. Tenant must list the Landlord as an additional insured party on the insurance policy. The insurance coverage provided for herein may be maintained pursuant to master policies of insurance covering other tower locations of Tenant and its corporate affiliates. All insurance policies required to be maintained by Tenant hereunder shall be with responsible insurance companies, authorized to do business in the state where the Premises are located if required by law, and shall provide for cancellation only upon 10 days' prior written notice to Landlord. Tenant shall evidence such insurance coverage by delivering to Landlord, if requested, a copy of all such policies or, at Tenant's option, certificates in lieu thereof issued by the insurance companies underwriting such risks. Notwithstanding the foregoing, Tenant shall have the right to self-insure such general liability coverage.

(b) Landlord shall carry, at no cost to Tenant, general property fire, hazard and casualty insurance appropriate for Landlord's improvements on Landlord's Property, and in such amounts to cause the replacement/restoration of the Property (excluding Tenant's improvements and personal property) in the event of casualty.

15. INTERFERENCE.

(a) During the term of this Lease, Landlord, its successors and assigns, will not grant any ground lease, license, or easement with respect to any property adjacent to the Premises: (i) for any of the uses contemplated in paragraph 5 herein; or (ii) if such lease, license, or easement would detrimentally impact or interfere with Tenant's communications facilities, or the use thereof. Landlord shall not cause or permit the construction of radio or communications towers on the Premises or on any other property of Landlord adjacent or contiguous to or in the immediate vicinity of the Premises, except for towers constructed by Tenant.

(b) Landlord will not, nor will Landlord permit its employees, tenants, licensees, invitees, agents or independent contractors to interfere in any way with the Communication Facility, the operations of Tenant or the rights of Tenant under this Lease. Landlord will cause such interference to cease within twenty-four (24) hours after receipt of notice of interference from Tenant. In the event any such interference does not cease within the aforementioned cure period, Landlord shall cease all operations which are suspected of causing interference (except for intermittent testing to determine the cause of such interference) until the interference has been corrected.

(c) For the purposes of this Lease, "interference" may include, but is not limited to, any use on the Property or surrounding property that causes electronic or physical obstruction with, or degradation of, the communications signals from the Communication Facility.

16. SALE OF PROPERTY. If at any time during the Term of this Lease, Landlord decides to rezone or sell, subdivide or otherwise transfer all or any part of the Premises, to a purchaser other than Tenant, Landlord shall promptly notify Tenant in writing, and such rezoning, sale, subdivision or transfer shall be subject to this Lease and Tenant's rights hereunder. In the event of a change in ownership, transfer or sale of the Premises, within ten (10) days of such transfer, Landlord or its successor shall send the new deed to the Premises, Bill of Sale or Transfer, New IRS Form W-9, and full contact information for the new purchaser to Tenant. Until Tenant receives all such documents, Tenant's failure to make payments under this Lease shall not be an event of default and Tenant reserves the right to

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hold payments due under this Lease. If Landlord sells the Premises or a portion thereof to a third party, and the sale does not include the assignment of Landlord's full interest in this Lease, the purchaser must agree to perform, without requiring compensation from Tenant or any subtenant, any obligation of Landlord under this Lease, including Landlord's obligation to cooperate with Tenant as provided hereunder.

17. SECURITY. The parties recognize and agree that Tenant shall have the right to safeguard and protect its improvements located upon or within the Premises. Consequently, Tenant may elect, at its expense, to construct such enclosures and/or fences as Tenant reasonably determines to be necessary to secure its improvements, including the Communications Facility. Tenant may also undertake any other appropriate means to restrict access to its Communications Facility.

18. FORCE MAJEURE. The time for performance by Landlord or Tenant of any term, provision, or covenant of this Lease shall be deemed extended by time lost due to delays resulting from acts of God, strikes, civil riots, floods, material or labor restrictions by governmental authority, and any other cause not within the control of Landlord or Tenant, as the case may be.

19. CONDEMNATION. In the event Landlord receives notification of any condemnation proceedings affecting the Property, Landlord will provide notice of the proceeding to Tenant within twenty-four (24) hours. If a condemning authority takes all of the Property, or a portion sufficient, in Tenant's sole determination, to render the Premises unsuitable for Tenant, this Lease will terminate as of the date the title vests in the condemning authority. Notwithstanding any provision of the Lease to the contrary, in the event of condemnation of the Premises, Landlord and Tenant shall be entitled to separate awards with respect to the Premises, in the amount determined by the court conducting such condemnation proceedings based upon Landlord's and Tenant's respective interests in the Premises. If a separate condemnation award is not determined by such court, Landlord shall permit Tenant to participate in the allocation and distribution of the award. In no event shall the condemnation award to Landlord exceed the unimproved value of the Premises, without taking into account the improvements located thereon, and in no event shall the Lease be terminated or modified (other than an abatement of rent) due to a casualty or condemnation without the prior written consent of Lender.

20. CASUALTY. If any part of the Communication Facility or the Property is damaged by casualty or other harm as to render the Premises unsuitable, in Tenant's sole determination, then Tenant may terminate this Lease by providing written notice to Landlord, which termination will be effective as of the date of such casualty or other harm. Upon such termination, Tenant will be entitled to collect all insurance proceeds payable to Tenant on account thereof and to be reimbursed for any prepaid Rent on a pro rata basis. Landlord agrees to permit Tenant to place temporary transmission and reception facilities on the Property, but only until such time as Tenant is able to activate a replacement transmission facility at another location; notwithstanding the termination of this Lease, such temporary facilities will be governed by all of the terms and conditions of this Lease, including Rent. If Landlord or Tenant undertakes to rebuild or restore the Premises and/or the Communication Facility, as applicable, Landlord agrees to permit Tenant to place temporary transmission and reception facilities on the Property at no additional Rent until the reconstruction of the Premises and/or the Communication Facility is completed. If Landlord determines not to rebuild or restore the Property, Landlord will notify Tenant of such determination within thirty (30) days after the casualty or other harm. If Landlord does not so notify Tenant and Tenant decides not to terminate under this Section 20, then Landlord will promptly rebuild or restore any portion of the Property interfering with or required for Tenant's permitted use of the Premises to substantially the same condition as existed before the casualty or other harm. Landlord agrees that the Rent shall be abated until the Property and/or the Premises are rebuilt or restored, unless Tenant places temporary transmission and reception facilities on the Property.

21. DEFAULT.

(a) The failure of Tenant or Landlord to perform any of the covenants of this Lease shall constitute a default. The non-defaulting party shall give the other written notice of such default, and the defaulting party shall cure such default within thirty (30) days after receipt of such notice. In the event any such default cannot reasonably be cured within such thirty (30) day period, if the defaulting party shall proceed promptly after the receipt of such notice to cure such default, and shall pursue curing such default with due diligence, the time for curing shall be extended for such period

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of time as may be necessary to complete such curing, however, in no event shall this extension of time be in excess of sixty (60) days, unless agreed upon by the non-defaulting party.

(b) Should the defaulting party fail to cure a default under this Lease, the other party shall have all remedies available either at law or in equity, including the right to terminate this Lease. In the event Landlord elects to terminate this Lease due to a default by Tenant, it shall continue to honor all sublicense commitments made by Tenant through the expiration of the term of any such commitment, provided the Landlord will receive any rent payments from the sublicenses, it being intended hereby that each such commitment shall survive the early termination of this Lease.

22. ATTORNEY'S FEES.

23. PRIOR AGREEMENTS. The parties hereby covenant, recognize and agree that the terms and provisions of this Lease shall constitute the sole embodiment of the arrangement between the parties with regard to the Premises, and that all other written or unwritten agreements, contracts, or leases by and between the parties with regard to the Premises are hereby terminated, superceded and replaced by the terms hereof.

24. LENDER'S CONTINUATION RIGHTS.

(a) Landlord agrees to recognize the leases/licenses of all subtenants and sublicensees and will permit each of them to remain in occupancy of its premises notwithstanding any default hereunder by Tenant so long as each such respective subtenant or sublicensee is not in default under the lease/license covering its premises. Landlord agrees to execute such documents as any such subtenant and/or sublicensee might reasonably require, including customary subordination, non-disturbance and attornment agreements and/or Landlord recognition agreements, to further memorialize the foregoing, and further agrees to use reasonable efforts to also cause its lenders to similarly acknowledge, in writing, subtenant/sublicensee's right to continue to occupy its premises as provided above.

(b) Landlord consents to the granting by Tenant of a lien and security interest in Tenant's interest in the Lease and all of Tenant's personal property and fixtures attached to the real property described herein, and furthermore consents to the exercise by Tenant's mortgagee of its rights of foreclosure with respect to its lien and security interest. Landlord agrees to recognize Tenant's Lender (as hereinafter defined) as Tenant hereunder upon any such exercise by Lender of its rights of foreclosure.

(c) Landlord hereby agrees to give Lender written notice of any breach or default of the terms of the Lease, within fifteen days after the occurrence thereof, at such address as is specified by Lender. Landlord further agrees that no default under the Lease shall be deemed to have occurred unless such notice to Lender is also given and that, in the event of any such breach or default under the terms of the Lease, Lender shall have the right, to the same extent, for the same period and with the same effect, as Tenant, plus an additional ninety days after any applicable grace period to cure or correct any such default whether the same shall consist of the failure to pay rent or the failure to perform, and Landlord agrees to accept such payment or performance on the part of the Lender as though the same had been made or performed by Tenant. Landlord agrees that it shall not exercise its right to terminate the Lease or any of its other rights under the Lease upon breach or default of the terms of the Lease without so affording Lender the foregoing notice and periods to cure any default or breach under the Lease.

(d) Landlord hereby (i) agrees to subordinate any lien or security interest which it may have which arises by law or pursuant to the Lease to the lien and security interest of Lender in the collateral securing all indebtedness at any time owed by Tenant to the Lender (the "**Collateral**"), and (ii) furthermore agrees that upon an event of default under the loan documents between Tenant and Lender or the Lease, Lender shall be fully entitled to exercise its rights against the Collateral prior to the exercise by Landlord of any rights which it may have therein, including, but not limited to, entry upon the Premises and removal of the Collateral free and clear of Landlord's lien and security interest.

(e) Landlord acknowledges that nothing contained herein shall be deemed or construed to obligate the Lender to take any action hereunder, or to perform or discharge any obligation, duty or liability of Tenant under the Lease.

(f) During the term of this Lease, Landlord covenants and agrees that it will not grant, create, or suffer any claim, lien, encumbrance, easement, restriction, or other charge or exception to title to the Premises (an "**Encumbrance**") without the prior written consent of Tenant; provided, however, that it is expressly agreed and understood that Landlord may subject its interest in the Premises to a first mortgage lien if its lender shall agree for itself and its lender, its successors, and assigns, by written instrument in form and substance reasonably satisfactory to Tenant: (1) to be

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bound by the terms of this Lease; (2) not to disturb Tenant's use or possession of the Premises in the event of a foreclosure of such lien or encumbrance so long as Tenant is not in default hereunder; and (3) not to join Tenant as a party defendant in any such foreclosure proceeding taken by it. With regard to any existing Encumbrance, Landlord covenants and agrees that, upon the request of Tenant, it shall use its best efforts to cause the holder thereof to execute a customary *Subordination Non-disturbance and Attornment Agreement* providing to Tenant the rights afforded to Tenant above with regard to future first mortgage liens.

25. NOTICE TO LENDOR/RIGHTS TO CURE.

(a) Tenant shall have the right from time to time to mortgage or otherwise encumber Tenant's interest in this Lease; provided, however, in no event shall there be more than one such mortgage or encumbrance outstanding at any one time. If Tenant shall so mortgage (each a "**Mortgage**") Tenant's interest in this Lease to a lender (such lender, and any successor, assign, designee or nominee of such lender, hereinafter a "**Lender**"), Tenant or such Lender shall give Landlord prompt notice of such Mortgage and furnish Landlord with a complete and correct copy of such Mortgage, certified as such by Tenant or such Lender, together with the name and address of such Lender. After receipt of the foregoing, Landlord shall give to such Lender, at the address of such Lender set forth in such notice, and otherwise in the manner provided by Section 28 of this Lease, a copy of each notice of default hereunder at the same time as, and whenever, any such notice of default shall thereafter be given by Landlord to Tenant, and no such notice of default by Landlord shall be deemed to have been duly given to Tenant unless and until a copy thereof shall have been so given to Lender. Notices to Lender under this Section 25 shall be deemed given on the date received by Lender. Lender (i) shall thereupon have a period of ninety (90) days more than given to Tenant in each instance in the case of a default in the payment of rent and in the case of any other default, for remedying the default or causing the same to be remedied; provided, however, if any non-rent default is not capable of remedy by Lender within such ninety (90) day period, Lender shall have such ninety (90) day period to commence curing the default and such greater period of time as is necessary to complete same with due diligence, and (ii) shall, within such periods and otherwise as herein provided, have the right to remedy such default or cause the same to be remedied. Landlord shall accept performance by a Lender of any covenant, condition or agreement on Tenant's part to be performed hereunder with the same force and effect as though performed by Tenant. Notwithstanding anything to the contrary contained herein, if the default is of such a nature that it cannot be cured by Lender (for example, the bankruptcy of Tenant), such event shall not be a default under this Lease.

(b) Notwithstanding any of the provisions of this Lease to the contrary, no default by Tenant shall be deemed to exist as long as Lender within the periods set forth in paragraph (a) above shall have delivered to Landlord its written agreement to take the action described in clause (i) or (ii) herein and thereafter, in good faith, shall have commenced promptly either (1) to cure the default and to prosecute the same to completion, or (2) if possession of the Premises is required in order to cure the default, to institute foreclosure proceedings and obtain possession directly or through a receiver, and to prosecute such proceedings with diligence and continuity and, upon obtaining such possession, commence promptly to cure the default and to prosecute the same to completion with diligence and continuity, provided that during the period in which such action is being taken (and any foreclosure proceedings are pending), all of the other obligations of Tenant under this Lease, to the extent they are reasonably susceptible to being performed by Lender, are being performed. However, at any time after the delivery of the aforementioned agreement, Lender may notify Landlord, in writing, that it has relinquished possession of the Premises or that it will not institute foreclosure proceedings or, if such proceedings have been commenced, that it has discontinued or will discontinue them, and in such event, Lender shall have no further liability under such agreement from and after the date it delivers such notice to Landlord, and, thereupon, Landlord shall have the unrestricted right to terminate this Lease and to take any other action it deems appropriate by reason of any default, and upon any such termination the provisions of Section 26 below shall apply. Notwithstanding anything to the contrary contained herein, provided such Lender shall have otherwise complied with the provisions of this Section 25, such Lender shall have no obligation to cure any defaults which are not susceptible to being cured by such Lender.

(c) Except as provided in Section 25(a) above, no Lender shall become liable under the provisions of this Lease or any lease executed pursuant to Section 25 hereof unless and until such time as it becomes, and then only for as long as it remains, the owner of the leasehold estate credited hereby or thereby. This Lease shall not be amended or modified without the consent of any Lender which has delivered the notice provided for in Section 25(a) hereof. In

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the event that a Lender shall become the owner of such leasehold estate, such Lender shall not be bound by any modification or amendment of the Lease made subsequent to the date of the Mortgage and delivery to Landlord of the notice provided in Section 25(a) hereof and prior to its acquisition of such interest unless Lender shall have consented to such modification or amendment at the time it was made or at the time of such acquisition.

26. RIGHT TO NEW LEASE.

(a) In the case of termination of this Lease for any reason, or in the event this Lease is rejected or disaffirmed pursuant to any bankruptcy, insolvency or other law affecting creditor's rights, Landlord shall give prompt notice thereof to a Lender whose name and address Landlord has received pursuant to notice made in compliance with the provisions of Section 25(a), at the address of such Lender set forth in such notice, and otherwise in the manner provided by Section 28 of this Lease. Landlord, on written request of such Lender made any time within thirty (30) days after the giving of such notice by Landlord, shall promptly execute and deliver a new lease of the Premises to Lender or its designee or nominee, for the remainder of the term upon all the covenants, conditions, limitations and agreements contained herein (including, without limitation, options to extend the term of this Lease) except for such provisions which must be modified to reflect such termination, rejection or disaffirmance and the passage of time, provided that such Lender (i) shall pay to Landlord, simultaneously with the delivery of such new lease, all unpaid rent due under this Lease up to and including the date of the commencement of the term of such new lease and all reasonable expenses, including, without limitation, reasonable attorneys' fees and disbursements and court costs, incurred by Landlord in connection with the default by Tenant, the termination of this Lease and the preparation of the new lease, and (ii) shall cure all defaults existing under this Lease which are susceptible to being cured by such Lender promptly and with due diligence after the delivery of such new lease. Notwithstanding anything to the contrary contained herein, provided such Lender shall have otherwise complied with the provisions of this Section 26, such Lender shall have no obligation to cure any defaults which are not susceptible to being cured by such Lender (for example, the bankruptcy of Tenant).

(b) Any such new lease and the leasehold estate thereby created shall, subject to the same conditions contained in this Lease, continue to maintain the same priority as this Lease with respect to any mortgage, including any fee mortgage, encumbering the Premises or any part thereof or any leasehold interest therein or any other lien, charge or encumbrance thereon whether or not the same shall then be in existence. Any new lease made pursuant to this Section 26 shall be accompanied by a conveyance of Landlord's interest, if any, to the improvements on the land demised hereby (free of any mortgage or other lien, charge or encumbrance created or suffered to be created by Landlord but not any mortgage or other lien, charge or encumbrance created or suffered to be created by Tenant) for a term of years equal in duration to the term of the new lease as the same may be extended pursuant to the provisions of said new lease, subject, however, to any lease of such improvements theretofore made by Tenant, as landlord, which is then in effect. Concurrently with the execution and delivery of such new lease, Landlord shall assign to the tenant named therein all of its right, title and interest in and to moneys (including insurance and condemnation proceeds), if any, then held by or payable to Landlord or any other depository which Tenant would have been entitled to receive but for the termination of this Lease, and any sums then held by or payable to Landlord or such depository shall, subject to the provisions of Section 27 hereof, be deemed to be held by or payable to it as Landlord or depository under the new lease.

(c) Upon the execution and delivery of a new lease under this Section 26, all subleases which theretofore have been assigned to, or made by, Landlord shall be assigned and transferred, without recourse, by Landlord to the tenant named in such new lease. Between the date of termination of this Lease and the date of execution of the new lease, if a Lender shall have requested such new lease as provided in Section 26(a), Landlord shall not cancel any subleases or accept any cancellation, termination or surrender thereof (unless such termination shall be effected as a matter of law on the termination of this Lease) or enter into new subleases without the consent of Lender.

(d) For so long as Lender shall have the right to enter into a new lease with Landlord pursuant to this Section 26, Landlord shall not enter into a new lease of the Premises with any person or entity other than Lender, without the prior written consent of Lender.

27. ADDITIONAL PROVISIONS.

(a) The parties hereto agree that (1) Tenant is in possession of the Premises notwithstanding the fact that Tenant has subleased, or may in the future sublease, certain of the improvements thereon to third parties and (2) the

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requirements of Section 365(h) of Title 11 of the United States Code (the "**Bankruptcy Code**") with respect to Tenant's possession of the leasehold under this Lease are satisfied. Accordingly, the right of Tenant to remain in possession of the leasehold under this Lease shall continue notwithstanding any rejection of this Lease in any bankruptcy proceeding involving Landlord, or any other actions by any party in such a proceeding. This provision, while included in this Lease, has been separately negotiated and shall constitute a separate contract between the parties as well as a part of this Lease. The provisions of this Section 27(a) are for the benefit of Tenant and its assigns, including, without limitation, Lender. The parties hereto also agree that Lender is a party in interest and shall have the right to appear as a party in any proceeding brought under any bankruptcy law or under any other law which may affect this Lease.

(b) The provisions of Sections 25, 26, and 27 hereof shall survive the termination, rejection or disaffirmance of this Lease and shall continue in full force and effect thereafter to the same extent as if Sections 25, 26 and 27 hereof were a separate and independent contract made by Landlord, Tenant and Lender and, from the effective date of such termination, rejection or disaffirmance of this Lease to the date of execution and delivery of such new lease, Lender may use and enjoy the leasehold estate created by this Lease without hindrance by Landlord. The aforesaid agreement of Landlord to enter into a new lease with Lender shall be deemed a separate agreement between Landlord and such Lender, separate and apart from this Lease as well as a part of this Lease, and shall be unaffected by the rejection of this Lease in any bankruptcy proceeding by any party.

(c) Landlord shall have no right and expressly waives any right arising under applicable law, in and to the rentals payable to Tenant under any lease of the improvements on the land demised hereunder, if any, which rentals may be assigned by Tenant to Lender.

(d) If a Mortgage is in effect, (i) this Lease shall not be modified or amended by the parties hereto, or terminated or surrendered by Tenant, nor shall Landlord accept any such termination or surrender of this Lease by Tenant, without the prior written consent of Lender and (ii) Landlord shall not have the right to terminate this Lease in the event of a casualty or condemnation without the prior written consent of Lender.

(e) The provisions of Sections 25, 26 and 27 hereof are for the benefit of Lender and may be relied upon and shall be enforceable by Lender as if Lender were a party to this Lease.

(f) This Lease may be assigned by Tenant (and Lender if and when it becomes the tenant hereunder) and any space in any of the improvements on the Premises may be sublet by Tenant (and Lender if and when it becomes the tenant hereunder), each without the consent of Landlord.

(g) This Lease shall have priority over all liens and encumbrances on the fee estate of Landlord in the Premises or any improvements thereon, including mortgages on the fee estate which were executed prior to the execution of this Lease.

(h) Landlord shall, within ten days of the request of Tenant or any Lender or prospective Lender, provide an estoppel certificate as to any matters reasonably requested by Tenant or Lender.

(i) Lender shall have the right to participate in the adjustment of losses with any insurance company with respect to any damage or destruction of the Premises or any improvements thereon and such Lender shall have the right to supervise and control the receipt and disbursements of all insurance proceeds and shall be entitled to all insurance proceeds pursuant to the terms of the Mortgage, or as the case may be, pursuant to the terms of the loan documents secured by such Mortgage.

(j) Notwithstanding anything to the contrary contained herein, in the event of any taking of all or any part of the Premises, Lender shall have the right to participate in any condemnation proceedings settlement discussions, shall have the right to supervise and control the receipt and disbursement of all condemnation awards and shall be entitled to all condemnation awards which are not used to restore the Premises to be applied to the reduction of the debt secured by the Mortgage; provided, however, that Landlord shall be entitled to the balance of the award after payment of the debt secured by the Mortgage in full until Landlord obtains the portion of the award to which it is entitled under this Lease prior to the insertion of this Section 27(j). In the event of a partial taking, this Lease shall continue and the rent provided in this Lease shall be reduced proportionately, from and after the date of such taking, based upon the percentage of land which is taken; provided, however, if the portion of the land taken is such that Tenant cannot in its reasonable judgment economically continue its operations on the Premises, Tenant, with the prior written consent of Lender, shall have the right to terminate this Lease. Upon a taking for a temporary period, this Lease shall continue

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

and the entire award shall be payable to Tenant, subject to the provisions of the Mortgage, or as the case may be, subject to the provisions of the loan documents secured by such Mortgage.

(k) The right to extend or renew this Lease and any right of first refusal to purchase the Premises may be exercisable by the holder of a Mortgage and, before the expiration of any periods to exercise such a right, Landlord must provide to Lender at least thirty (30) days prior written notice before the expiration of the right to so extend or renew in order to extinguish Lender's right to so extend, renew or purchase.

(l) Under no circumstances shall the fee estate of Landlord and the leasehold estate created hereby merge, even though owned by the same party, without the written consent of the holder of a Mortgage.

(m) Notwithstanding any provisions of this Lease to the contrary, so long as a Mortgage is in effect, Tenant shall have no right to terminate the Lease with respect to any event unless the written approval of Lender holding a Mortgage on the leasehold estate is obtained, including, without limitation, the right to terminate in the event of any damage or condemnation.

28. NOTICES. All notices, requests, claims, demands, and other communications hereunder shall be in writing and may be hand delivered (provided the deliverer provides proof of delivery) or sent by nationally-established overnight courier that provides proof of delivery, or certified or registered mail (postage prepaid, return receipt requested). Notice shall be deemed received on the date of delivery as demonstrated by the receipt of delivery. Notices shall be delivered to a parties at the address below, or to such other address that a party below may provide from time to time:

If to Landlord:

Johannes Steffens
542 Ethel Ave SE,
Grand Rapids MI 49506

If to Tenant:

CitySwitch II-A, LLC
1900 Century Place, Suite 320
Atlanta, GA 30345
Attn: Legal
RE: Kapok Street/FLC009

29. MISCELLANEOUS.

(a) **Authority.** Each party hereto warrants and represents that it has the necessary power and authority to enter into and perform its respective obligations under this Lease.

(b) **Interpretation.** Unless otherwise specified, the following rules of construction and interpretation apply: (i) captions are for convenience and reference only and in no way define or limit the construction of the terms and conditions hereof; (ii) use of the term "including" will be interpreted to mean "including but not limited to"; (iii) whenever a party's consent is required under this Lease, except as otherwise stated in the Lease or as same may be duplicative, such consent will not be unreasonably withheld, conditioned or delayed; (iv) exhibits are an integral part of this Lease and are incorporated by reference into this Lease; (v) use of the terms "termination" or "expiration" are interchangeable; (vi) reference to a default will take into consideration any applicable notice, grace and cure periods; (vii) to the extent there is any issue with respect to any alleged, perceived or actual ambiguity in this Lease, the ambiguity shall not be resolved on the basis of who drafted the Lease; (viii) the singular use of words includes the plural where appropriate; and (ix) if any provision of this Lease is held invalid, illegal or unenforceable, the remaining provisions of this Lease shall remain in full force if the overall purpose of the Lease is not rendered impossible and the original purpose, intent or consideration is not materially impaired.

(c) **Survival.** Any provisions of this Lease relating to indemnification shall survive the termination or expiration hereof. In addition, any terms and conditions contained in this Lease that by their sense and context are intended to survive the termination or expiration of this Lease shall so survive.

(d) **No Waiver.** Failure of party to insist on strict performance of any of the conditions or provisions of this Lease, or failure to exercise any of a party's rights hereunder, shall not waive such rights.

(e) **Governing Law.** This Lease shall be governed by and construed in accordance with the laws of the state in which the Premises are located.

(f) **Entire Agreement.** This Lease constitutes the entire Lease and understanding of the parties and supersedes all offers, negotiations and other lease agreements with regard to the Premises. There are no representations or

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

understandings of any kind not set forth herein. Any amendment to this Lease must be in writing and executed by both parties.

(g) **Bind and Benefit.** This Lease shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns.

(h) **Memorandum.** A short-form memorandum of this Lease may be recorded at Landlord or Tenant's option in the form as depicted in **Exhibit 3** attached hereto.

(i) **W-9.** As a condition precedent to payment, Landlord agrees to provide Tenant with a completed IRS Form W-9, or its equivalent, upon execution of this Lease and at such other times as may be reasonably requested by Tenant, including any change in Landlord's name or address.

(j) **Further Acts.** Upon request, Landlord will cause to be promptly and duly taken, executed, acknowledged and delivered all such further acts, documents, and assurances as Tenant may request from time to time in order to effectuate, carry out and perform all of the terms, provisions and conditions of this Lease and all transactions and permitted use contemplated by this Lease.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK, SIGNATURES BEGIN ON NEXT PAGE]

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

IN WITNESS WHEREOF, the parties hereto have executed this Lease as of the date last signed by a party hereto.

WITNESSES:

Barbara K Ritsema
Name: Barbara K Ritsema

Name: David Orzechowski

LANDLORD:
Johannes Steffens
a Michigan individual

By: Johannes Steffens
Name: Johannes Steffens
Date: 4-2-2020

WITNESSES:

Name: [illegible]

Catherine Halsel
Name: Catherine Halsel

TENANT:
CitySwitch II-A, LLC,
a Georgia limited liability company

By:
Name: Robert Raville
Title: President & CEO
Date: 4/15/20

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

EXHIBIT 1

DESCRIPTION OF PARENT TRACT

PARENT TRACT
TITLE
Situate in the County of Collier, State of Florida:
The E1/2 of the NW1/4 of the SW1/4 of the NE1/4 of the NW1/4 of Section 15, Township 49 S, Range 27 E. in Collier County, Florida.
Tax ID: 00307840002
Being part of the same property conveyed to Johannes Steffens, grantee, from D. Gary Woodhead, grantor, by deed recorded 03/12/2014, as Book 5016, Page 1369 of the Collier County Records.

INSTRUMENT NUMBER 4954686, ORIGINAL 5016, PAGE 1369
The SW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E; and
The E 1/2 of the NW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E, in Collier County, Florida.

PARENT TRACT ACCESS (ORIGINAL 1220, PAGE 211)
Subject to: a 50 foot mutual right of way easement extending 25 feet on either side of all Section lines, including the eigth, quarter and half Section line, which easement is for the use and benefit of the adjacent property owners.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

EXHIBIT 2

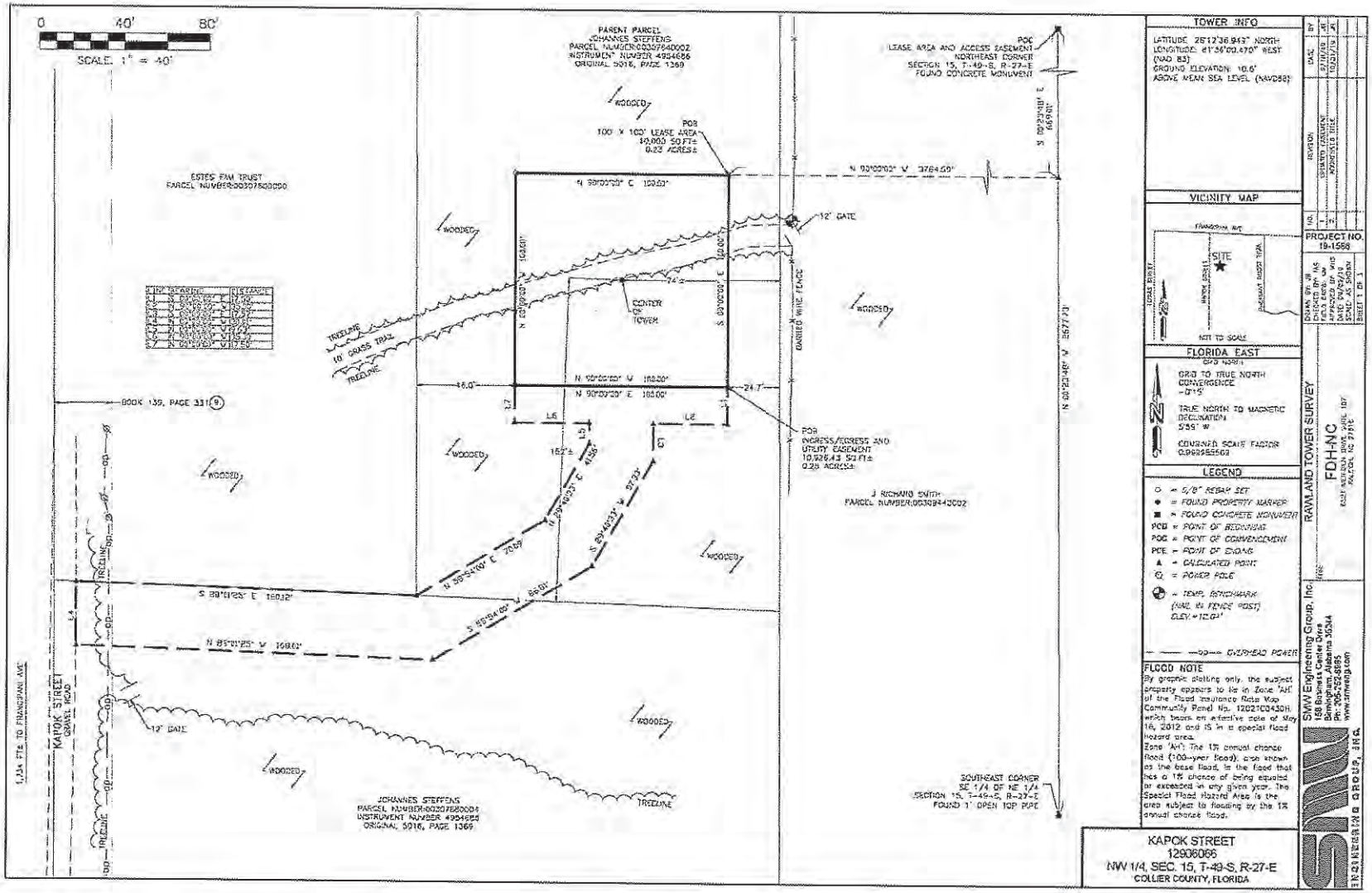
DESCRIPTION OF PREMISES

The Premises is depicted/described as follows and will be replaced by a surveyed legal description when available.

[FOLLOWS ON NEXT PAGE]

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Tower Site Number: FLC0
Tower Site Name: Kapok Street



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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Tax ID: 00307840002
Being part of the same property conveyed to Johannes Steffens, grantee, from D. Cary Woodhead, grantor, by deed recorded 03/12/2014 as Book 5016, Page 1369 of the Collier County Records.

INSTRUMENT NUMBER 4954686, ORIGINAL 5016, PAGE 1369
The SW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E; and
The E 1/2 of the NW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E, in Collier County, Florida.

PARENT TRACT ACCESS (ORIGINAL 1220, PAGE 21):
Subject to, a 50 foot mutual right of way easement extending 25 feet on either side of all Section lines, including the east, quarter and half Section line, which easement is for the use and benefit of the adjacent property owners.

100' x 100' LEASE AREA (AS-SURVEYED)
A portion of the Johannes Steffens tract described in Instrument Number 4954686, Original 5016, Page 1369 as recorded in the Clerk of the Circuit Court for Collier County, Florida, being in the Northwest 1/4 of Section 15, Township 49 South, Range 27 East, Collier County, Florida, and being more particularly described as follows:
COMMENCING at a concrete monument found marking the Northeast corner of said Section 15; Thence along the East line of said Section 15, S 00°23'48" E a distance of 859.01 feet to a point; Thence leaving said East line, N 90°00'00" W a distance of 3784.69 feet to a set 5/8" rebar and the POINT OF BEGINNING; Thence S 00°00'00" E a distance of 100.00 feet to a set 5/8" rebar; Thence N 90°00'00" W a distance of 100.00 feet to a set 5/8" rebar; Thence N 00°00'00" E a distance of 100.00 feet to a set 5/8" rebar; Thence N 90°00'00" E a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,000 square feet (0.23 acres) of land more or less.

INGRESS/EGRESS & UTILITY EASEMENT (AS-SURVEYED)
A portion of the Johannes Steffens tract described in Instrument Number 4954686, Original 5016, Page 1369 as recorded in the Clerk of the Circuit Court for Collier County, Florida, being in the Northwest 1/4 of Section 15, Township 49 South, Range 27 East, Collier County, Florida, and being more particularly described as follows:
COMMENCING at a concrete monument found marking the Northeast corner of said Section 15; Thence along the East line of said Section 15, S 00°23'48" E a distance of 859.01 feet to a point; Thence leaving said East line, N 90°00'00" W a distance of 3784.69 feet to a set 5/8" rebar; Thence S 00°00'00" E a distance of 100.00 feet to a set 5/8" rebar and the POINT OF BEGINNING; Thence S 00°00'00" E a distance of 17.50 feet to a point; Thence N 90°00'00" W a distance of 35.00 feet to a point; Thence S 00°00'00" E a distance of 12.92 feet to a point; Thence S 29°00'33" W a distance of 57.35 feet to a point; Thence S 58°54'00" W a distance of 66.81 feet to a point; Thence N 88°01'25" W a distance of 168.01 feet to a point; Thence N 00°00'00" W a distance of 30.01 feet to a point; Thence S 88°01'25" E a distance of 160.12 feet to a point; Thence N 58°54'00" E a distance of 70.09 feet to a point; Thence N 29°00'33" E a distance of 41.56 feet to a point; Thence N 00°00'00" W a distance of 9.63 feet to a point; Thence N 90°00'00" W a distance of 35.00 feet to a point; Thence N 00°00'00" W a distance of 17.50 feet to a set 5/8" rebar; Thence N 90°00'00" E a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,915.72 square feet (0.25 acres) of land more or less.

PLOTTABLE EXCEPTIONS
Old Republic National Title Insurance Company
Commitment for Title Insurance Commitment No. 01-19050945-01F
Date August 02, 2019 @ 7:00 am
Schedule B, Section II

Exception No.	Instrument	Comment
1-6		Standard exceptions. Contain no survey matters.
8	Book 139, Page 331	Does affect subject access easement and parent parcel as shown hereon. Said document describes a 50 foot mutual right-of-way easement, 25 feet on each side along all section lines.

SURVEYOR'S CERTIFICATION

I hereby certify that this sketch and description, to the best of my knowledge and belief, accurately represents lands surveyed and was done in accordance with the technical standards for property surveys in Florida as set forth in Chapter 1B0-7 of the rules of the Florida Board of Registration for Professional Engineers and Land Surveyors and as set for Professional Engineers and Land Surveyors and as set forth in Florida Stat Act 0.C.0.A. 15-6-67.

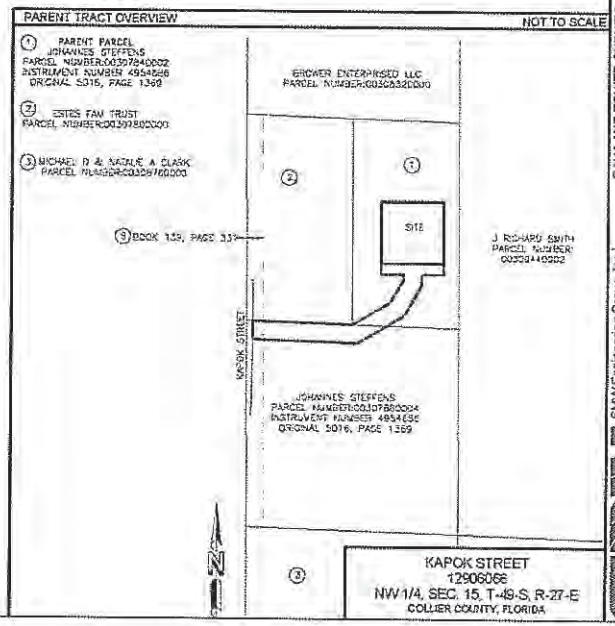
I certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Florida to the best of my knowledge, information, and belief.

William H. Sommerville, III
Florida License No. 0068141

SURVEYOR'S NOTES

1. This is an Rowland Tower Survey, made on the ground under the supervision of a Florida Registered Land Surveyor. Date of field survey is September 6, 2019.
2. The following surveying instruments were used at time of field visit. Topcon DM53 Total Station, Refractorless and Hiper SR RTK Network Rover with static capability.
3. Bearings are based on Florida East State Plane Coordinates NAD 83 by GPS observation.
4. No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown.
5. Benchmark used is a GPS Continuously Operating Reference Station, PID DF7052. Onsite benchmark is as shown hereon. Elevations shown are in feet and refer to NAVD 88.
6. This survey was conducted for the purpose of an Rowland Tower Survey only, and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity.
7. Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.
8. This Survey was conducted with the benefit of an Abstract Title search.
9. Surveyor hereby states the Geodetic Coordinates and the elevation shown for the proposed centerline of the tower are accurate to within +/- 20 feet horizontally and to within +/- 3 feet vertically (FAA Accuracy Code 1A).
10. Survey shown hereon conforms to the Minimum Requirements as set forth by the State Board for a Class "A" Survey.
11. Field data upon which this map or plat is based has a closure precision of not less than one-foot in 15,000 feet (1:15,000') and an angular error that does not exceed 10 seconds times the square root of the number of angles turned. Field traverse was not adjusted.
12. This survey is not valid without the original signature and the original seal of a state licensed surveyor.
13. This survey does not constitute a boundary survey of the Parent Tract. Any parent tract property lines shown hereon are from supplied information and may not be field verified.
14. Zoning: (as supplied by client)
Zoning Jurisdiction: Collier County Florida
Zoning District: Agricultural (A)
Surrounding Zoning: North-RFMUD-NSMD, South-RFMUD-RMUD, East-RFMUD-NSMD, West-RFMUD-RSMD
Setbacks: Front-1/2 tower height, Rear-1/2 tower height, Side-1/2 tower height
15. Per Collier County Road Maintenance Division, Kapok Street in not a county maintained roadway

PARENT TRACT OVERVIEW — NOT TO SCALE



PROJECT NO. 19-1568

ROWLAND TOWER SURVEY

FDH-NC
1031 MERCER ROAD, SUITE 107
MARION, NC 28752

SMW Engineering Group, Inc.
148 Bluff Trail, Canton, Georgia
Birmingham, Alabama 35244
Ph: 205-252-0935
www.smweng.com

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

EXHIBIT 3

MEMORANDUM OF LEASE

[FOLLOWS ON NEXT PAGE]

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Prepared by, and after recording
Return to:
CitySwitch II-A, LLC
1900 Century Place, Suite 320
Atlanta, GA 30345

MEMORANDUM OF LEASE

This Memorandum of Lease is entered into on this ____ day of _____, 20__, by and between Johannes Steffens ("Landlord"), whose address is 542 Ethel Ave SE, Grand Rapids MI 49506 and CitySwitch II-A, LLC, a Georgia limited liability company, whose mailing address is 1900 Century Place NE, Suite 320, Atlanta, GA 30345 ("Tenant").

1. Landlord and Tenant entered into a certain Lease Agreement ("**Lease**") on the____ day of _____, 20__, for the purpose of installing, operating and maintaining a communication facility and other improvements. All of the foregoing is set forth in the Lease.

2. The initial lease term will be Ten (10) years commencing on the effective date of written notification by Tenant to Landlord of Tenant's intention to commence the initial term, with Four (4) successive automatic Five (5) year options to renew.

3. The portion of the land being leased to Tenant and associated easements are described in **Exhibit 1** annexed hereto.

4. Landlord will attorn to any mortgagee of Tenant and will subordinate any Landlord's lien to the liens of Tenant's mortgagees.

5. This Memorandum of Lease is not intended to amend or modify, and shall not be deemed or construed as amending or modifying, any of the terms, conditions or provisions of the Lease, all of which are hereby ratified and affirmed. In the event of a conflict between the provisions of this Memorandum of Lease and the provisions of the Lease, the provisions of the Lease shall control. The Lease shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, and assigns, subject to the provisions of the Lease.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK,
SIGNATURES BEGIN ON NEXT PAGE]

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

IN WITNESSES WHEREOF, the parties have executed this Memorandum of Lease as of the day and year first above written.

WITNESSES:

Name: [illegible]

Name: Jared Kellum

LANDLORD:
Johannes Steffens
a Michigan individual

By: John Steffens

Name: Johannes Steffens

Date: 4-2-2020

WITNESSES:

Name: Maxwell Lemesurier

Name: Catherine Habel

TENANT:
CitySwitch II-A, LLC,
a Georgia limited liability company

By: [signature]

Name:

Title: Robert Raville
President & CEO

Date: 4/15/20

[ACKNOWLEDGMENTS APPEAR ON NEXT PAGE]

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

TENANT ACKNOWLEDGMENT

STATE OF GEORGIA)
) ss:
COUNTY OF ~~DEKALB~~ Gwinnett)

On the 15th day of April, 2020, before me personally appeared Robert Ravlle, and acknowledged under oath that he/she is the CEO of CitySwitch II-A, LLC, the Tenant named in the attached instrument, and as such was authorized to execute this instrument on behalf of the Tenant.

Notary Public: Aisha Mayo

My Commission Expires: 8/1/2023

AISHA MAYO
NOTARY PUBLIC
My Commission Expires
08-01-2023
GWINNETT COUNTY, GEORGIA

LANDLORD ACKNOWLEDGMENT

STATE OF Michigan)
) ss:
COUNTY OF Kent)

On the 2nd day of April, 2020 before me, personally appeared Johannes Steffens, who acknowledged under oath, that he/she is the person/officer named in the within instrument, and that he/she executed the same in his/her stated capacity as the voluntary act and deed of the Landlord for the purposes therein contained.

Notary Public: Nathan Seymour

My Commission Expires: 05/04/2026

NATHAN SEYMOUR
NOTARY PUBLIC – STATE OF MICHIGAN
COUNTY OF KENT
MY COMMISSION EXPIRES 05/04/2026
Acting in the County of Kent

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

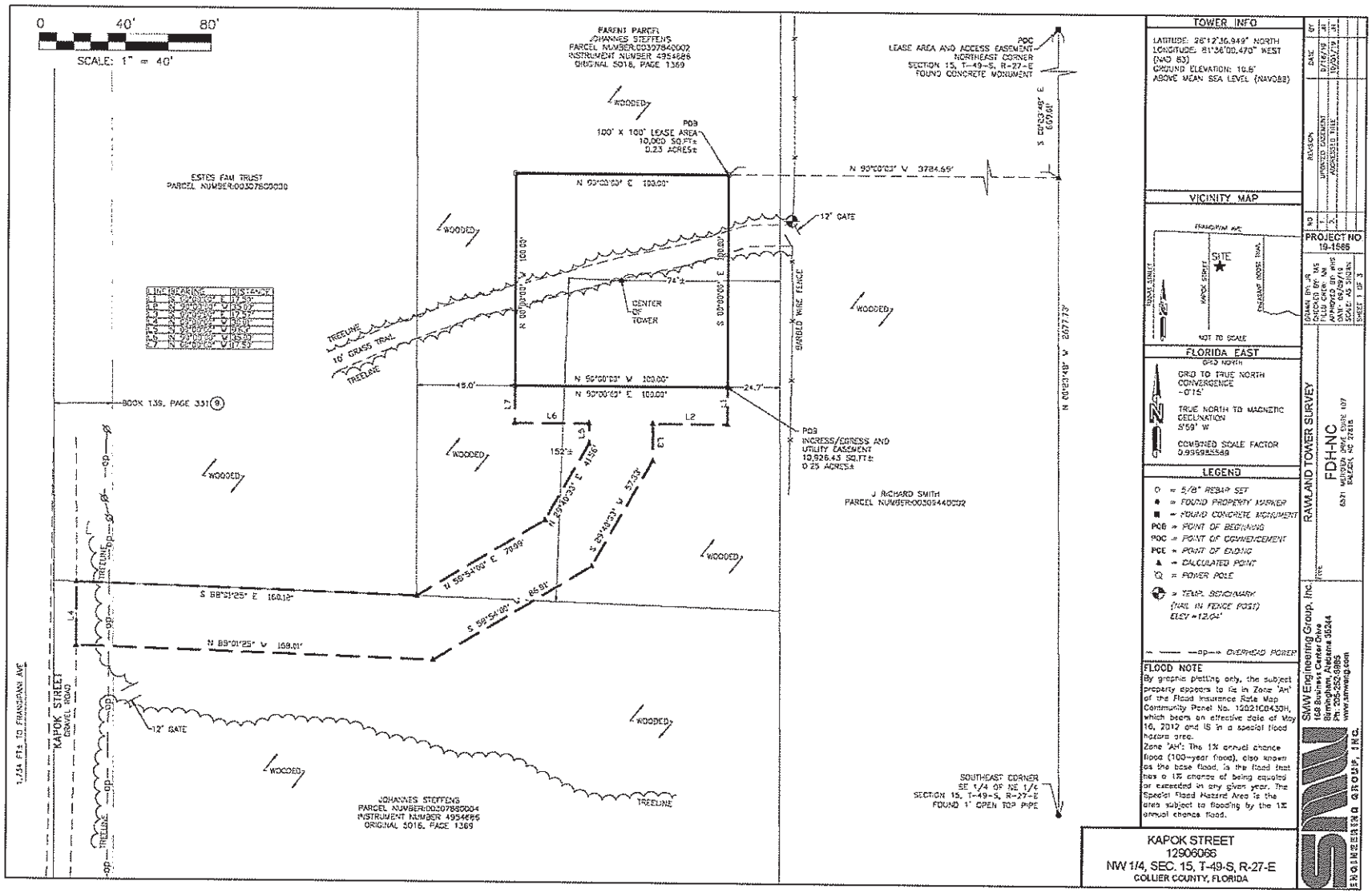
EXHIBIT 1 TO MEMORANDUM OF LEASE

DESCRIPTION OF PROPERTY AND PREMISES

Premises is depicted as follows and shall be replaced with a surveyed legal description when available.

[FOLLOWS ON NEXT PAGE]

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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Tax ID: 00307840002
Being part of the same property conveyed to Johannes Steffens, grantee, from D. Cary Woodhead, grantor, by deed recorded 03/12/2014, as Book 5016, Page 1369 of the Collier County Records.

INSTRUMENT NUMBER 4954686, ORIGINAL 5016, PAGE 1369
The SW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E; and
The E 1/2 of the NW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E, in Collier County, Florida.

PARENT TRACT ACCESS (ORIGINAL 1220, PAGE 211)
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100' x 100' LEASE AREA (AS-SURVEYED)
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COMMENCING at a concrete monument found marking the Northeast corner of said Section 15; Thence along the East line of said Section 15; S 00°23'48" E a distance of 659.01 feet to a point; Thence leaving said East line, N 90°00'00" W a distance of 3784.69 feet to a set 5/8" rebar and the POINT OF BEGINNING; Thence S 00°00'00" E a distance of 100.00 feet to a set 5/8" rebar; Thence N 90°00'00" W a distance of 100.00 feet to a set 5/8" rebar; Thence N 00°00'00" W a distance of 100.00 feet to a set 5/8" rebar; Thence N 90°00'00" E a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,000 square feet (0.23 acres) of land more or less.

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PLOTTABLE EXCEPTIONS
Old Republic National Title Insurance Company
Commitment for Title Insurance Commitment No. 01-19050945-01T
Date August 02, 2019 @ 7:00 am
Schedule B, Section II

Exception No.	Instrument	Comment
1-8		Standard exceptions. Contain no survey matters.
9	Book 139, Page 331	Does affect subject access easement and parent parcel. As shown hereon. Said document describes a 50 foot mutual right-of-way easement, 25 feet on each side along all section lines.

SURVEYOR'S CERTIFICATION

I hereby certify that this sketch and description, to the best of my knowledge and belief, accurately represents lands surveyed and was done in accordance with the technical standards for property surveys in Florida as set forth in Chapter 189-7 of the rules of the Florida Board of Registration for Professional Engineers and Land Surveyors and as set for Professional Engineers and Land Surveyors and as set forth in Florida Plat Act 0.C.G.A. 15-6-67.

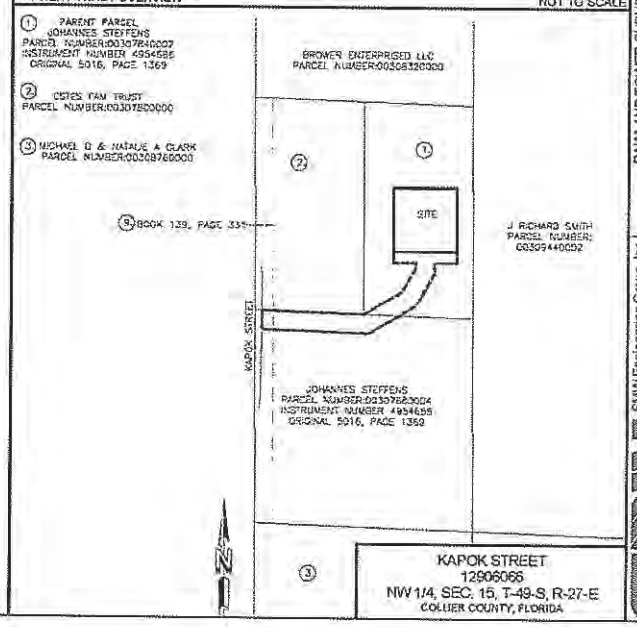
I certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Florida to the best of my knowledge, information, and belief.

William H. Sommerville, III
Florida License No. 0026141

SURVEYOR'S NOTES

1. This is an Rawland Tower Survey, made on the ground under the supervision of a Florida Registered Land Surveyor. Date of field survey is September 6, 2019.
2. The following surveying instruments were used at time of field visit: Topcon DW53 Total Station, Reflectorless and Hiper SR RTK Network Rover with static capability.
3. Bearings are based on Florida East State Plane Coordinates NAD 83 by GPS observation.
4. No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown.
5. Benchmark used is a GPS Continuously Operating Reference Station, PID DF7092. Onsite benchmark is as shown hereon. Elevations shown are in feet and refer to NAVD 88.
6. This survey was conducted for the purpose of an Rawland Tower Survey only, and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity.
7. Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.
8. This Survey was conducted with the benefit of an Abstract title search.
9. Surveyor hereby states the Geodetic Coordinates and the elevation shown for the proposed centerline of the tower are accurate to within +/- 20 feet horizontally and to within +/- 3 feet vertically (FAA Accuracy Code 1A).
10. Survey shown hereon conforms to the Minimum Requirements as set forth by the State Board for a Class "A" Survey.
11. Field data upon which this map or plat is based has a closure precision of not less than one-foot in 15,000 feet (1"15,000') and an angular error that does not exceed 10 seconds times the square root of the number of angles turned. Field traverse was not adjusted.
12. This survey is not valid without the original signature and the original seal of a state licensed surveyor.
13. This survey does not constitute a boundary survey of the Parent Tract. Any parent tract property lines shown hereon are from supplied information and may not be field verified.
14. Zoning: (as supplied by client)
Zoning Jurisdiction: Collier County Florida
Zoning District: Agricultural (A)
Surrounding Zoning: North-RFMUD-NBMO, South-RFMUD-NBMO, East-RFMUD-NBMO, West-RFMUD-NBMO
Setbacks: Front-1/2 tower height, Rear-1/2 tower height, Side-1/2 tower height.
15. Per Collier County Road Maintenance Division, Kapok Street in not a county maintained roadway.

PARENT TRACT OVERVIEW — NOT TO SCALE



NO.	REVISION	DATE	BY
1	UPDATED TOWER/SURVEY	9/19/19	JB
2	ADDRESSES ADDED	10/01/19	JB

PROJECT NO. 19-4588
DRAWN BY: JB
CHECKED BY: TAS
APPROVED BY: WHS
DATE: 09/26/19
SCALE: AS SHOWN
SHEET 3 OF 3

RAWLAND TOWER SURVEY
FDH-NC
6571 MEADOW RIDGE, SUITE 108
RALEIGH, NC 27615

SMW Engineering Group, Inc.
150 Business Center Drive
Birmingham, Alabama 35244
Ph: 205-252-8965
www.smweng.com

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Collier County
Growth Management Department
Zoning Services Section

March 17, 2020

Jeff Wright
Henderson, Franklin, Starnes, & Holt
8889 Pelican Bay Blvd. #400
Naples, FL 34108

ZLTR-PL20200000328; Zoning Verification Letter for a parcel located east of Kapok St. in Section 15, Township 49, Range 27 of unincorporated Collier County, Florida. Property ID/Folio Number: 00307840002; comprising of +/- 1.25 acre.

Mr. Wright,

This letter is in response to a Zoning Verification Letter (ZLTR) Application that you submitted on or about February 17th, 2020. The applicant has requested verification of the questions listed below in bold print in conjunction with a previously issued zoning letter PL20190001999 issued on 9/18/2019, which are followed by Staff's responses.

Questions:

1. **That LDC 5.05.09.G.2 ("permitted ground-mounted towers") applies to this property rather than LDC 5.05.09.G.3 ("conditional use essential services").**
   Staff has reviewed the LDC section referenced and has concluded that LDC 5.05.09.G.2 is the applicable section for the proposed ground-mounted tower.
2. **That neither a conditional use nor a variance would be required to allow a maximum 250' tall essential service ground mounted communication tower at this location.**
   It is the determination of staff that this proposed tower will not require a conditional use pursuant to the above referenced LDC section. The proposed tower will still be subject to the required setback of half of the tower height (125ft) and if the proposed tower cannot meet the required setback then a variance will be required to approve said tower at 250 ft in height.

The information presented in this verification letter is based on the Collier County LDC and/or Growth Management Plan in effect as of this date. It is possible that subsequent amendment(s) to either of these documents could affect the validity of this verification letter. It is also possible that development of the subject property could be affected by other issues not addressed in this letter, such as, but not limited to, concurrency related to the provision of adequate public facilities, environmental impact, and other requirements of the Collier County LDC or related ordinances.

This letter represents a determination of Zoning Services Section staff. Should you disagree with this determination, you may request an Official Interpretation by the Zoning Director of the provisions of the Land Development Code pursuant to Sections 1.06.01.A and 10.02.02.F.1 of that Code. The fee for an Official Interpretation is identified in the most recent GMD Fee Schedule Resolution as approved by the Board of County Commissioners. To obtain copies of any document referenced herein, please contact Kathleen VanSickle with the GMD Records Section at (239)252-2536. The LDC may be viewed online at www.municode.com / Municode Library / Florida / Collier County. Validated Ordinances may be viewed

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

online via the Clerk of Court's website, www.collierclerk.com / Records Search / BMR Records / Boards, Minutes, Records / BMR Validated Ordinances.

Disclaimer: Issuance of a development permit by the County does not create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All other applicable state or federal permits must be obtained before commencement of the development.

Should you require additional information, please do not hesitate to call my office at (239) 252-2471.

Researched and prepared by:

Parker Klopf, Planner
Zoning Services Section

Reviewed by:

Raymond Bellows, Zoning Manager
Zoning Services Section

CC: GMD – Addressing

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Collier County Property Appraiser
Property Summary

Parcel No	00307840002	Site Address *Disclaimer		Site City		Site Zone *Note	

Name / Address	STEFFENS, JOHANNES
	542 ETHEL AVE SE
City	GRAND RAPIDS
State	MI
Zip	49506-2724

Map No.	Strap No.	Section	Township	Range	Acres *Estimated
4C15	000100 019 4C15	15	49	27	1.25

Legal	15 49 27 E1/2 OF NW1/4 OF SW1/4 OF NE1/4 OF NW1/4 1 1/4 AC OR 1952 PG 1606

Millage Area	287	Millage Rates	*Calculations
Sub./Condo	100 - ACREAGE HEADER	School	Other	Total
Use Code	99 - ACREAGE NOT ZONED AGRICULTURAL	5.083	6.3071	11.390

Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
11/14/13	5016-1369	$ 0
03/15/13	4896-3875	$ 14,300
06/01/94	1952-1606	$ 15,000
08/01/92	1743-1191	$ 0
06/01/88	1360-263	$ 0
09/01/86	1220-211	$ 10,000

2019 Certified Tax Roll

(Subject to Change)

	Land Value	$ 16,8
(+)	Improved Value	
(=)	Market Value	$ 16,8
(-)	10% Cap	$ 8,6
(=)	Assessed Value	$ 8,2
(=)	School Taxable Value	$ 16,8
(=)	Taxable Value	$ 8,2

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

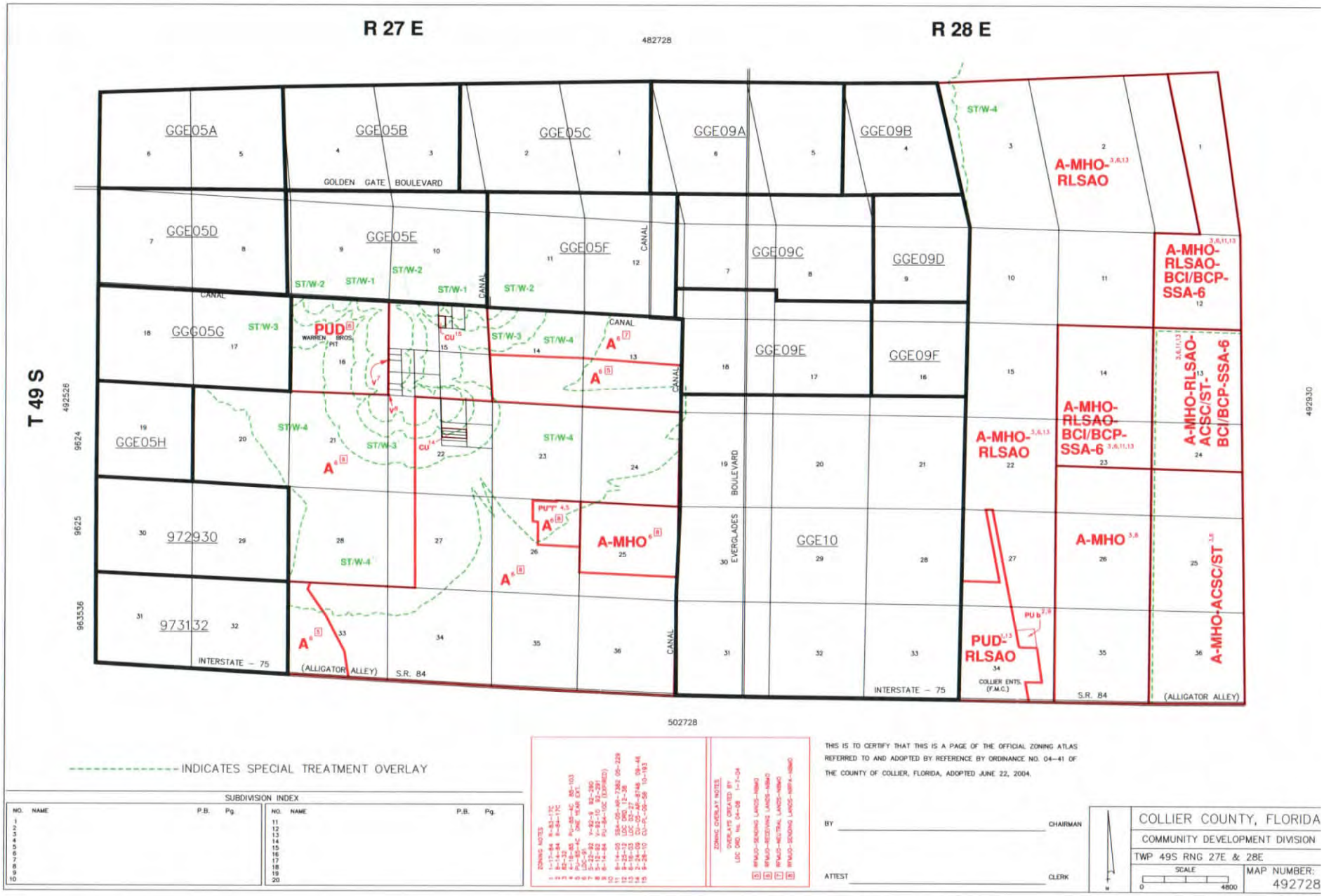
Collier County Property Appraiser
Property Aerial

Parcel No	00307840002	Site Address *Disclaimer		Site City		Site Zone *Note	



Open GIS in a New Window with More Features.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

NOTES:

1. ALL LOCATIONS WERE APPROXIMATED USING AERIAL IMAGERY & COLLIER COUNTY GIS.
2. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
3. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
4. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION. THERE IS NO HANDICAP ACCESS REQUIRED.
5. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
6. UTILITIES TO BE CONFIRMED DURING SITE VISIT.
7. PROPOSED SITE IS LOCATED IN EXISTING FLOOD ZONE AH ACCORDING TO FEMA PANEL #12021C043014 DATED 5/16/2012.



OVERALL SITE PLAN

11"x17" SCALE: 1" = 50'
24"x36" SCALE: 1" = 25'

50' 25' 0 50' 100'

1"=50'

LEGEND:

- OVERHEAD POWER
- PROPOSED CHAIN-LINK FENCE
- EXISTING FENCE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- ROW — RIGHT-OF-WAY
- PROPOSED LEASE AREA
- EXISTING ROAD / TURNAROUND
- PROPERTY LINE

PREPARED FOR:

IgniteWireless

102 MARY ALICE PARK RD., SUITE 505
CUMMING, GA 30040

PREPARED BY:

FDH INFRASTRUCTURE SERVICES
ENGINEERING INNOVATION

6521 MERIDIEN DRIVE
RALEIGH, NC 27616
PHONE: (919)-755-1012
FAX: (919)-755-1031

PRELIMINARY

DRAWN BY: L
CHECKED BY: J

SUBMITTALS

DATE	DESCRIPTION	REV	ISSUED
08/22/19	CONCEPT DRAWING	A	JRE

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. REPRODU OR CAUSING TO BE REPRODUCED THE WHOLE OR PART OF THESE DRAWINGS WITHOUT THE PERMISSIO FDH INFRASTRUCTURE SERVICES IS PROHIBITED

SITE NAME:
KAPOK

SITE LOCATION:
N 26.210261
W -81.600181

SITE NUMBER:
FLC009

SHEET TITLE
LEASE EXHIBIT

SHEET NUMBER
LE-1

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

5.05.09 - Communications Towers

A. Purpose and intent. This section applies to specified communication **towers** that support any antenna designed to receive or transmit electromagnetic energy, such as, but not limited to, telephone, television, radio, or microwave transmissions. This section sets standards for construction and facilities siting; and is intended to minimize, where applicable, adverse visual impacts of **towers** and antennas through careful design, siting, and vegetation screening; to avoid potential damage to **adjacent** properties from **tower** failure; to maximize the use of specified new communication **towers** and, thereby, to minimize the need to construct new **towers** ; to maximize the shared use of specified **tower** sites to minimize the need for additional **tower** sites; to lessen impacts new ground mounted **towers** could have on migratory and other species of birds; to prevent unnecessary habitat fragmentation and/or disturbance in siting and designing new **towers** ; and to consider the concerns of the Collier Mosquito Control District as to low flying mosquito control aircraft safety.

B. Definitions unique to communications **towers** , section 5.05.09.

1. As used herein " *antenna* " does not include (a) wire antennas or (b) "receive only" dishes that have an outside diameter of less than 40 inches.
2. *Effective radius* means a radius of 6 miles from the respective **tower** unless a lesser radius is approved.
3. *Lesser effective radius* means an approved radius of less than 6 miles.
4. " *Unavailable to the* ***applicant " means a tower that cannot accommodate the applicant's proposed antenna or a site that cannot accommodate the applicant's tower , antenna, and related facilities.***
5. " *Unavailable* " means that no additional **tower** or site capacity is available to anyone.

C. Migratory Birds and other Wildlife Considerations.

1. *Ground Mounted* ***towers . Except to the extent not feasible for the respective new ground mounted tower 's intended purpose(s), each new ground mounted tower that will exceed a height of 75 feet (above ground), exclusive of antennas, but will not exceed a height of 199 feet above natural grade , exclusive of antennas, should not be guyed. If the applicant proposes that a new ground mounted tower within this height range be guyed, the applicant shall have the burden of proving the necessity of guying the tower .***
2. *Bird Diverter Devices.* Each new ground mounted guyed **tower** installed on or after February 20, 2004, greater then 75 feet in height above natural **grade** , exclusive of antennas, shall have installed and maintained bird diverter devices on each guy wire (to reduce injuries to flying birds).
3. *Habitat Loss.* In addition to the requirements in Chapters 3 and 10, **towers** and other on-site facilities shall be designed, sited, and constructed to minimize habitat loss within the **tower** footprint. At such sites, road **access** and fencing, to the extent feasible, shall be utilized to minimize on-site and **adjacent** habitat fragmentation and/or disturbances.
4. *Security Lighting* . When feasible, security lighting to protect on-ground facilities/equipment shall be down-shielded to try to keep such light within the outermost geographic boundaries of the **tower's** footprint.

D. Shared use of **towers** . A **tower** with a height in excess of 185 feet above natural **grade** shall not be approved, unless the **applicant** demonstrates that no old or approved **tower** within the effective radius can accommodate the **applicant's** proposed antenna and ancillary equipment. **Towers** owned by or leased to any government are exempt from these shared use provisions, except as to sharing with other governments.

1. For the purpose of discovering availability for use of **towers** within the effective radius, the **applicant** shall contact the owner of all old and approved **towers** , within the effective radius, that can possibly accommodate the needs of the **applicant** . The county manager or designee

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

may preapprove the minimum allowable height to determine which **towers** may be available for use by the **applicant** . A list of all owners contacted, the date of each contact, the form and content of each contact, and all responses shall be a part of the **conditional use** application. As an accommodation to **applicants** , the county manager or designee shall retain all shared use plans, records of past responses, and a list of old and approved **towers** . If the owner of an old **tower** does not respond to the **applicant's** inquiry within a reasonable time, generally 30 days or less, or the owner of an old **tower** will not rent space to the **applicant** at a reasonable rental for a reasonable time period, such old **tower** shall be deemed unavailable to that **applicant** . If the old **tower** is a **nonconforming structure** , additional antennas may be installed thereon in accordance with an approved shared use plan, provided however, no structural **alterations** may be made to the **tower** , and the height of the **tower** inclusive of its antennas may not be increased.

2. Lesser effective radius. If the **applicant** asserts that the effective radius for the intended use is less than 6 miles, the **applicant** shall provide evidence that the asserted lesser effective radius is based on physical and/or electrical characteristics. Based on the evidence submitted by the **applicant** , the County Manager or designee may establish a lesser effective radius. If a radius can be increased by signal amplification or other means, such means must be considered in determining the lesser effective radius. The antenna manufacturer's specifications shall be conclusive, unless the **applicant** can prove they are incorrect in the specific case.

3. If an approved **tower** within the **applicant's** approved effective radius may have capacity available for the antenna proposed by the **applicant** , the application for a new **tower** shall not be complete without the following information regarding each such possibly available approved **tower** . Such information shall also be provided for old **towers** to the extent it can be obtained.

   Identification of the site of each possibly available **tower** by coordinates, **street** address or legal description, existing uses, and **tower** height.

   Whether shared use by the **applicant** of the **tower** is prohibited (or is not feasible) for any reason.

   If it has been determined that the **tower** owner will allow structural changes, whether the **tower** can accommodate the proposed antenna if reasonable structural changes are made. If so, the **applicant** shall specify what structural changes would be required and an approximation of the costs of such changes. If the costs of the required changes are financially impracticable, such **tower** shall be deemed unavailable to the **applicant** .

4. The **applicant** shall contact the owner of each possibly available approved **tower** to request the needed information. To enable the **tower** owner to respond, the **applicant** shall provide the following information regarding the **applicant's** proposed antenna and equipment:

   a. All output frequencies of transmitter.

   b. Type of modulation, polarization of radiation, and proposed use of antenna.

   c. Manufacturer, type, manufacturer's model number, a diagram of the antenna's radiation pattern, and the manufacturer's specifications.

   d. Power input to antenna and gain of antenna in decibels with respect to an isotopic radiator.

   e. Range in feet of maximum and minimum height of antenna above base of **tower** .

   f. A list of necessary ancillary equipment and description of the type of transmission cable to be used.

   g. Any other pertinent information needed to enable the owner to respond in full to the inquiry.

E. Shared use of **tower** sites. A **tower** with a height in excess of 185 feet above natural **grade** shall not be approved on a new **tower** site unless the **applicant** demonstrates that the proposed **tower, antennas, and accessory structures or uses** cannot be located on any conforming old site or

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

approved site situated within the effective radius. Sites owned by any government or leased to any government are exempt from these shared use provisions except to other governments.

1. Except as to each old site or approved site determined by the County Manager or designee, or in a shared use plan to be unavailable to the **applicant** , the **applicant** shall contact the **owner** of all other conforming old sites and approved **tower** sites, within the effective radius, containing sufficient land area to possibly accommodate the needs of the **applicant** .

2. For each such possibly available **tower** site, the application for a new **tower** site shall not be complete without the following information:

   a. Identification of the proposed new **tower** site by coordinates, **street** address or legal description, area, existing uses, topography, and significant natural features.

   b. Evidence that no old and no approved **tower** site within the effective radius can accommodate the **applicant's** needs.

   c. If the owner of an old **tower** site does not respond to the **applicant's** simple letter of interest inquiry within thirty (30) days, or the **owner** of an old **tower** site will not rent land to accommodate the **applicant's** needs for a reasonable period of time at reasonable rentals, such old **tower** site shall be deemed unavailable to the **applicant** .

   d. The **applicant** is not required to supply this information to owners of conforming old sites unless the old site appears to be available to the **applicant** by a shared use plan or the site's **owner** has responded positively to the **applicant's** initial letter of inquiry. To enable the site owner to respond, the **applicant** shall provide the site owner (and the owner of any **tower** on the site) with the dimensional characteristics and other relevant data about the **tower** , and a report from a professional engineer licensed in the State of Florida, or other qualified expert, documenting the following:

   e. **tower** height and design, including technical, engineering, and other pertinent factors governing the intended uses and selection of the proposed design. An elevation and a cross section of the **tower structure** shall be included.

   f. Total anticipated capacity of the **tower** , including number and types of antennas and needed transmission lines, **accessory use** needs including specification of all required ancillary equipment, and required **building** and parking space to accommodate same.

   g. Evidence of structural integrity of the proposed **tower** as required by the **building** official and, for metal **towers** , a statement promising full compliance with the then latest edition of the standards published by the Electronic Industries Association (currently EIA/TIA 222-E), or its successor functional equivalent, as may be amended for local application.

3. If the site owner, or owner of a **tower** on the respective site, asserts that the site cannot accommodate the **applicant's** needs, the respective **owner** shall specify in meaningful detail reasons why the site cannot accommodate the **applicant** . To the extent information is current and correct in the respective **tower** site's approved shared use plan, the site owner or **tower** owner can refer the **applicant** to the respective shared use plan. If the shared use plan is not then up-to-date, the plan shall be brought up-to-date immediately by the owner and the written reply to the **applicant** shall specify to what extent the shared use plan is incorrect, incomplete, or otherwise not up-to-date.

4. No provision in a shared use plan, land lease, mortgage, option to purchase, lease-option, contract for deed, or other controlling document shall provide, or have the effect, that the site is exclusive to one (1) **tower** , unless there is good reason for such restriction, other than the prevention of competition or a desire or inclination not to cooperate in good faith. If the site size is physically and electrically compatible with the installation on-site of any other **tower** , no such document shall prevent other **towers** , except for reasons approved by the County Manager or designee. An unapproved document provision of **tower** exclusivity shall be grounds to disapprove an application for **tower** site approval.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

F. Required sharing. Each new **tower** in excess of 185 feet in height (shared use **tower**), except **towers** that are approved to be perpetually unavailable, shall be designed to structurally accommodate the maximum amount of additional antenna capacity reasonably practicable. Although it is not required that a new **tower** be constructed at additional expense to accommodate antennas owned by others, no new **tower** shall be designed to accommodate only the **tower** owner's proposed antennas when, without additional expense, antenna space for other owners can be made available on the **tower** .

1. Shared use plans. Each shared use plan shall be in a standard format that has been approved by the County Manager or designee. Each shared use plan shall specify in detail to what extent there exists **tower** and/or site capacity to accommodate additional antennas and/or additional **towers** , ancillary equipment, and **accessory uses** . Available antenna capacity on a **tower** shall be stated in detailed clearly understandable terms, and may be stated in equivalent flat plate area and total additional available transmission line capacity. The **tower** owner (as to **tower** shared use plans) and the landowner (as to site shared use plans) shall update its respective approved shared use plans by promptly filing pertinent update information with the County Manager or designee. **Owners** of old **towers** and/or old sites may file shared use plans in accord with this section.

2. Reservation of capacity. If an **applicant** for a shared use **tower** does not plan to install all of its proposed antennas during initial construction of the **tower** , the **applicant** must specify the planned schedule of installing such later added antennas as part of the shared use plan. An **applicant** cannot indefinitely prevent the use of unused available antenna space on a **tower** by reserving to itself such space. No available space can be reserved for the owner or anyone else, unless approved in the shared use plan. If an antenna is not installed by the scheduled deadline, the reserved space shall automatically be rendered available for use by others, unless the shared use plan has, by the deadline, been amended with the approval of the County Manager or designee. Deadlines may be extended even if the **tower** is a **nonconforming structure** . If space has been reserved in a shared use plan for future additional antenna use by the **tower** owner and it becomes clear that such space will not be utilized by the owner, the shared use plan shall be amended promptly to reflect the availability of such space.

3. Reservation of site capacity. The policy stated above applies also to additional **tower** space on an approved **tower** site to prevent indefinite reservation of available site space.

4. Height bonus for sharing. Notwithstanding anything to the contrary in any County ordinance, any existing conforming or **nonconforming tower** may be permitted a one-time increase in height, provided:

   a. Any such increase in height does not exceed thirty (30) feet or twenty (20) percent of the height of the existing **tower** , whichever is less;

   b. The cost of such increase in height does not exceed fifty (50) percent of the actual replacement cost of the **tower** at the time of the application;

   c. A shared use plan covering the **tower** with the increased height is first approved by the County Manager or designee;

   d. The increase in height does not cause the proposed **tower** to exceed any required maximum height requirement for **towers** or make a legally conforming **tower** become **nonconforming** ;

   e. Substantiated proof that such proposed antenna(s) may not be placed on the existing **tower** by relocating or adjusting existing antennas and equipment shall be submitted by an appropriate professional engineer certified to practice in the State of Florida; and

   f. A site **development plan** shall be submitted for review and approval if an increase in **tower** height requires placement of, or addition to, an antenna equipment **building** or support **building** .

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

5. Filing shared use plans. Each approved shared use plan shall be filed and recorded in the Office of the Collier County Clerk of Court prior to any site **development plan** approval. A copy of the initial shared use plan shall be filed with, and approved by, the County Manager or designee prior to **conditional use** approval.

6. Shared use plans for old **towers** and old **tower** sites. Initial shared use plans and amendments for old **towers** require approval of the County Manager or designee. Initial shared use plans and amendments for old **tower** sites require approval of the BCC, except where an amendment reduces site and/or antenna capacity.

7. Transmitting and receiving equipment serving similar kinds of uses shall, to the extent reasonable and commercially practicable, be placed on a shared use **tower** in such a manner that any of the users in a group can operate approximately equal to other users in the group utilizing substantially similar equipment.

8. Once a shared use plan for a **tower** is approved, additional antennas may be added to that **tower** in accordance with the approved shared use plan without additional **conditional use** approval even if the **tower** is then a **nonconforming structure** . The shared use plan shall be immediately updated to reflect each such change. Likewise, once a new shared use plan for a **tower** site is approved, additional **towers** and **accessory buildings** and uses may be added to that site in accordance with the plan without additional **conditional use** approval, even if the site is then **nonconforming** . The shared use plan shall be immediately updated to reflect each change.

9. For each **tower** with a height in excess of 185 feet that is approved, the **tower owner** shall be required, as a condition of approval, to file an approved shared use plan, except when a government **tower** is approved to be perpetually unavailable. To the extent that there is capacity for other antennas on the **tower** , the plan shall commit the **tower owner** and all successor owners to allow shared use of the **tower** in accordance with the shared use plan for antennas of others at reasonable rates. The initial proposed rates (or a range of reasonable rates) shall be specified in the shared use plan, and shall be amended each time the rates are changed. When antenna space on a **tower** is rented to others, each rental agreement shall be filed with the shared use plan. Any agreement that purports to reserve antenna space for future use must be approved by the County Manager or designee.

10. For each new shared use **tower** site that is approved, the **owner** shall be required, as a condition of approval, to file an approved shared use plan, except as to a government site that is approved to be perpetually unavailable. If there is land available on the site to accommodate additional **towers** and **accessory** facilities, the plan shall commit the landowner and successor owners to accommodate such additional facilities on the site at reasonable rents (or a range of reasonable rents) which shall be specified in the shared use plan. When land is rented for facilities on the site, the rental agreement shall be filed with the shared use plan. Any agreement that purports to reserve land for future use of a **tower** and other facility space must be approved by the County Manager or designee.

11. Each new **tower** owner or site owner, as the case may be, shall agree, as a condition of approval, to respond, in writing, in a comprehensive manner within thirty (30 days) to each request for information from a potential shared use **applicant** . Government owners need to reply only to requests from another government. To the extent that correct and up-to-date information is contained in an approved shared use plan, the owner may refer the **applicant** to the shared use plan for the information. If the shared use plan is incorrect, incomplete, or otherwise not up-to-date, the respective owner shall, in the response, specify, in detail, such information, and shall immediately bring the shared use plan up-to-date.

12. The **tower** owner or site owner, as the case may be, shall, as a condition of approval, negotiate in good faith for shared use of **tower** space and/or site space by **applicants** in accordance with its shared use plan.

13. All conditions of approval regarding a **tower** shall run with the ownership of the **tower** and be binding on all subsequent owners of the **tower** . All conditions of approval regarding an

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approved **tower** site shall run with the land and be binding on all subsequent owners of the **tower** site.

G. **Development** standards for communication **towers** .

1. Except to the extent that amateur radio **towers** , and ground-mounted antennas with a height not to exceed twenty (20) feet, are exempted by subsection 5.05.09 herein, no new **tower** of any height shall be permitted in the RSF-1 through RSF-6, RMF-6, VR, MH, TTRVC, and E zoning districts. However, notwithstanding other provisions of this section, including the separation requirements of subsection5.05.09(F)(7) below, **towers** may be allowed to any height as a **conditional use** in the E zoning district only on sites approved for a specified **essential service** listed in subsection 5.05.09((F)(3) below. There shall be no exception to this subsection except for **conditional use** applications by a government for a governmental use.

2. Permitted ground-mounted **towers** . **Towers** not exceeding the stated maximum heights are a permitted use, subject to other applicable provisions of this section, including separate requirements and shared use provisions. **towers** that exceed those specified maximum heights require a variance in accordance with section 9.04.00.

   a. All commercial and industrial zoning districts and urban designated area agricultural zoning districts: Any **tower** up to seventy-five (75) feet in height is a permitted use, provided the base of such **tower** is separated a minimum distance of seventy-five (75) feet from the nearest boundary with any **parcel** of land zoned RSF-1 through RSF-6, RMF-6, E, RMF-12, RMF-16, RT, VR, MH, TTRVC, or PUD permitting six (6) residential **dwelling units** or less. Any **tower** that exceeds seventy-five (75) feet in height, up to a height of 185 feet, is a lawful use, only if permitted or otherwise provided in the respective zoning district, and the base of such **tower** is separated from the nearest boundary of any **parcel** of land zoned RSF-1 through RSF-6, RMF-6, E, RMF-12, RMF-16, RT, VR, MH, TTRVC, or PUD zoning of six (6) residential **dwelling units** or less, by a minimum distance in feet determined by multiplying the height of the **tower** (in feet) by a factor of two and one-half (2.5). (The minimum separation distance is two and one-half (2 ½) times the height of the **tower** .) **towers** which do not meet the separation requirement may apply for a variance in accordance with section 9.04.00.

   b. Agricultural zoning districts within the rural designated area: **Towers** shall not exceed 250 feet in height.

   c. All agricultural zoning districts: No **tower** that exceeds 250 feet in height exclusive, of any antenna affixed thereto, shall be allowed on any site comprising less than ten (10) acres under common ownership or control, except such **towers** can be approved as a **conditional use** on sites of less than ten (10) acres if the **applicant** cannot, with economic feasibility, acquire title to, or control of, a suitable **tower** site of at least ten (10) acres in the required geographic vicinity of the proposed **tower** site.

3. **Essential services** —Specified **conditional uses** Except in the RSF-1 through RSF-6, and RMF-6 zoning districts, **towers** may be allowed to any height as a **conditional use** on sites approved for a **conditional use essential service** for any of the following **conditional uses** : safety service facilities including, but not necessarily limited to, **fire stations** , sheriff's substation or facility, emergency medical services facility, and all other similar uses where a communications **tower** could be considered an **accessory** or logically associated use with the safety service **conditional use** on the site. In addition, communications **towers** can be approved as a **conditional use** for a stand-alone **essential service** facility, provided the **tower** is to be owned by, or to be leased to, a governmental entity, and the primary uses of the **tower** are for governmental purposes.

4. New **towers** shall be installed only on rooftops in the RMF-12, RMF-16, and RT zoning districts, except amateur radio **towers** with a height not to exceed seventy-five (75) feet above the natural **grade** , and ground-mounted antennas with a height not to exceed twenty (20) feet above the natural **grade** , are permitted within these zoning districts.

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5. Ground-mounted **monopole communication towers** up to 150 feet in height above the natural **grade** , including antennas affixed thereto, may be allowed as a **conditional use** within these zoning districts. The height of each **monopole communication tower** shall be limited to the height necessary for its use at its location.

6. Rooftop **towers** , **antenna structures** , and antennas.

   a. Rooftop **towers** , **antenna structures** , and antennas are allowed in all zoning districts except the RSF-1 through RSF-6, RMF-6, and E zoning districts.

   b. Rooftop **towers** , **antenna structures** , and antennas are, as specified, subject to the following:

      i. Permitted uses. Rooftop **antenna structures** and antennas are a permitted use up to a height of twenty (20) feet above the maximum roofline, provided the height of the maximum roofline is twenty (20) feet or more above the average natural **grade** . If the maximum roofline is less than twenty (20) feet above the average natural **grade** , an **antenna structure** and/or antenna is a permitted use up to a height that equals the distance from the average natural **grade** to the maximum roofline. For example, if the distance from the average natural **grade** to the maximum point of the roofline is fifteen (15) feet, an **antenna structure** and/or antenna is a permitted use up to a height of fifteen (15) feet above the maximum roofline. Any **antenna structure** , **tower** , or antenna that exceeds its permitted use height, as provided herein, shall require **conditional use** approval, and the maximum allowable height of the **structure** , **tower** , and all antennas shall be determined in each specific case. Distance from RSF-1 through RSF-6, and RMF-6 zoning districts shall be a major consideration in determining the allowable height of rooftop facilities.

      ii. **Towers** and **antenna structures** shall be set back from the closest outer edge of the roof a distance of not less than ten (10) percent of the rooftop length and width, but not less than five (5) feet, if the antenna can function at the resulting location.

      iii. **Antenna structures** and dish type antennas shall be painted to make them unobtrusive.

      iv. Except for antennas that cannot be seen from **street** level, such as panel antennas on parapet walls, antennas shall not extend out beyond the vertical plane of any exterior wall.

      v. Where technically feasible, dish type antennas shall be constructed of open mesh design.

      vi. Where feasible, the design elements of the **building** (i.e., parapet wall, screen enclosures, other mechanical equipment) shall be used to screen the communications **tower** , **structure** , and antennas.

      vii. The **building** and roof shall be capable of supporting the roof-mounted antenna, **structure** , and **tower** .

      viii. No rooftop shall be considered a **tower** site. This section does not require any sharing of any rooftop, rooftop **tower** , or **antenna structure** .

7. With the exception of rooftop **towers** and **towers** on **essential services** sites, each new communication **tower** shall meet the following separation requirements:

   a. Each new **tower** that exceeds 185 feet in height shall be located not less than two and one-half (2.5) times the height of the **tower** from all RSF-1 through RSF-6, and RMF-6 zoning districts, including PUDs where the **adjacent** use(s) is/are, or comparable to, the RSF-1 through RSF-6 and RMF-6 zoning districts. If a part of a PUD is not developed, and it is inconclusive whether the part of a PUD area within such minimum separation distance from the proposed **tower** site may be developed with a **density** of six (6) units per acre or

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less, it shall be presumed that the PUD area nearest to the proposed site will be developed at the lowest **density** possible under the respective PUD.

b. In addition, each such new **tower** that exceeds a height of seventy-five (75) feet, excluding antennas, shall be separated from all boundaries of surrounding property zoned RMF-12, RMF-16, E, RT, VR, MH, TTRVC, H, and the residential areas of PUDs with existing or planned **densities** greater than six (6) units per acre by not less than the total height of the **tower** including its antennas; and from all other surrounding property boundaries by a distance not less than one-half (1/2) the height of the **tower** and its antennas, or the **tower's** certified collapse area, whichever distance is greater.

8. All owners of approved **towers** are jointly and severally liable and responsible for any damage caused to off-site property as a result of a collapse of any **tower** owned by them.

9. Placement of more than one (1) **tower** on a land site is preferred and encouraged, and may be permitted, provided, however, that all **setbacks** , design, and landscape requirements are met as to each **tower** . **structures** may be located as close to each other as technically feasible, provided **tower** failure characteristics of the **towers** on the site will not likely result in multiple **tower** failures in the event that one (1) **tower** fails, or will not otherwise present an unacceptable risk to any other **tower** on the site. It shall be the policy of the County to make suitable County-owned land available for **towers** and ancillary facilities at reasonable rents.

10. Any **accessory buildings** or **structures** shall meet the minimum **yard** requirements for the respective zoning district. **accessory uses** shall not include offices, long-term vehicle storage, outdoor storage, broadcast studios except for temporary emergency purposes, or other **structures** and/or uses that are not needed to send or receive transmissions, and in no event shall such uses exceed twenty-five (25) percent of the **floor area** used for transmission or reception equipment and functions. Transmission equipment shall be automated, to the greatest extent economically feasible, to reduce traffic and congestion. Where the site **abuts** , or has **access** to, a **collector street** , **access** for motor vehicles shall be limited to the **collector street** . All equipment shall comply with the then applicable noise standards.

11. For new commercial **towers** exceeding 185 feet in height, a minimum of two (2) parking spaces shall be provided on each site. An additional parking space for each two (2) employees shall be provided at facilities which require on-site personnel. Facilities which do not require on-site personnel may utilize impervious parking.

12. All new **tower** bases, guy anchors, outdoor equipment, **accessory buildings** , and **accessory structures** shall be fenced. This provision does not apply to amateur radio **towers** , or to ground-mounted antennas that do not exceed twenty (20) feet above **grade** .

13. **Tower** lighting. **Towers** and antennas with a height greater than 150 feet shall be required to have red beacon or dual mode lights, unless exempted, in writing, by the Collier County Mosquito Control District. Such lights shall meet the then existing Federal Aviation Administration ("FAA") technical standards. No other **towers** or antennas shall be artificially lighted, except as required by the FAA, the Federal Communications Commission, or other applicable laws, ordinances, or regulations. If the FAA rules require lighting, then the **applicant** shall comply with such rules.

New **towers** exceeding 199 feet. Each new **tower** that will have a height in excess of one hundred and ninety-nine (199) feet above ground, exclusive of antennas, and such **tower** shall be lighted no more than is otherwise required by state and/or federal law, rule, or regulation. Unless otherwise then required by law, rule or regulation, only white strobe lights shall be used at night, unless otherwise required by the FAA, in which case red strobe-type lights shall be used. Such lights shall not exceed the minimum number, minimum intensity, and minimum light flashes per interval of time (requiring the longest allowable duration between light flashes) required by state or federal law, rule, or regulation. Solid red (or pulsating red) warning lights shall not be used at night.

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14. Effective January 1, 1992, all guyed **towers** , including old **towers** , exceeding 185 feet in height shall be inspected every two (2) years. Such self-supporting **towers** shall be inspected every four (4) years. Each inspection shall be by a qualified professional engineer or other qualified professional inspector, and any inspector-recommended repairs and/or maintenance should be completed without unnecessary delay. At a minimum, each inspection shall include the following:

    a. **Tower structure** : Including bolts, loose or damaged members, and **signs** of unusual stress or vibration.

    b. Guy wires and fittings: Check for age, strength, rust, wear, general condition, and any other **signs** of possible failure.

    c. Guy anchors and foundations: Assess for cracks in concrete, **signs** of corrosion, erosion, movement, secure hardware, and general site condition.

    d. Condition of antennas, transmission lines, lighting, painting, insulators, fencing, grounding, and elevator, if any.

    e. For guyed **towers** : **Tower** vertical alignment and guy wire tension (both required tension and present tension).

15. A copy of each inspection report shall be filed with the County Manager not later than December 1 of the respective inspection year. If the report recommends that repairs or maintenance are required, a letter shall be submitted to the County Manager to verify that such repairs and/or maintenance have been completed. The County shall have no responsibility under this section regarding such repairs and/or maintenance.

16. Any **tower** that is voluntarily not used for communications for a period of one (1) year shall be removed at the **tower** owner's expense. If a **tower** is not removed within three (3) months after one (1) year of such voluntary non-use, the County may obtain authorization, from a court of competent jurisdiction, to remove the **tower** and **accessory** items, and, after removal, shall place a lien on the subject property for all direct and indirect costs incurred in dismantling and disposal of the **tower** and **accessory** items, plus court costs and attorney's fees.

17. For all ground-mounted guyed **towers** in excess of seventy-five (75) feet in height, the site shall be of a size and shape sufficient to provide the minimum **yard** requirements of that zoning district between each guy anchor and all property lines.

18. All new metal **towers** , including rooftop **towers** , except amateur radio **towers** , shall comply with the standards of the then latest edition published by the Electric Industries Association (currently EIA/TIA 222-E) or the publication's successor functional equivalent, unless amended for local application by resolution of the BCC. Each new amateur radio **tower** with a height of seventy-five (75) feet or less shall require a **building** permit specifying the exact location and the height of the **tower** exclusive of antennas. Each new ground-mounted dish type antenna that does not exceed a height of twenty (20) feet shall require a **building** permit.

19. Within the proposed **tower's effective radius** , information that specifies the **tower's** physical location, in respect to public parks, designated **historic buildings** or districts, areas of critical concern, and **conservation** areas, shall be submitted as part of the **conditional use** application. This shall also apply to site plan applications and/or permit applications for rooftop installations that do not require **conditional use** approval.

20. No communication **tower** shall be located on any land or water if such location thereon creates, or has the potential to create, harm to the site as a source of biological productivity, as indispensable components of various hydrologic regimes, or as irreplaceable and critical habitat for native species of flora or fauna.

21. Any existing **native vegetation** on the site shall be preserved and used to meet the minimum landscape requirements as required by section 4.06.00. The site plan shall show existing significant vegetation to be removed and vegetation to be replanted to replace that lost. **native**

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vegetation may constitute part or all of the required **buffer** area if its opacity exceeds eighty (80) percent.

22. As to communications **towers** and antennas, including rooftop **towers** , **antenna structures** , and antennas, the height provisions of this section supersede all other height limitations specified in this Code.

23. All existing and proposed ground mounted and rooftop **towers** and antennas with a height greater than 150 feet shall be required to have a solid red beacon or dual mode lights unless exempted in writing by the Collier Mosquito Control District. Such lights shall meet the then existing Federal Aviation Administration (FAA) technical standards. The total **structure** height shall include all appendages and attachments, such as antennas, lights, lightening rods, or any other accessory device that would extend the height of the **tower.** All existing **towers** shall have six months (180 days) from June 16, 2005, to comply with the requirement. If the FAA rules require lighting, then the **applicant** shall comply with such rules.

24. A copy of each application for a **tower** in excess of 150 feet shall be supplied by the **applicant** to the Collier Mosquito Control District or designee.

H. Alligator **Alley** communication **towers** .

1. Notwithstanding other provisions of section 5.05.09, and irrespective of the zoning classification(s) of the underlying fee at each respective **tower** site, two (2) new communication **towers** shall be permitted at locations and heights herein specified within the I-75 **right-of-way** east of the toll booth (Alligator **Alley**). Two (2) of the four (4) **towers** shall be constructed to replace two (2) existing Florida Department of Transportation **towers** . The four (4) new telecommunication **tower** sites shall be located approximately at:

   a. Mile marker 52.2. The height of the **tower** shall not exceed 250 feet, including antennas;

   b. Mile marker 92.6 (Everglades Blvd). The height shall not exceed 250 feet, including antennas;

   c. The site of an existing FDOT **tower** located on State Road 29. The height shall not exceed 310 feet, including antennas;

   d. The site of an existing FDOT **tower** located at mile marker 63.2 at the I-75 Rest Area. It will replace an existing **tower** located on the north side of I-75 at mile marker 63.3. The height shall not exceed 280 feet, including antennas.

   e. Each **tower** shall be constructed with a capacity to provide for a minimum of four (4) to eight (8) co-users, including Florida Department of Transportation ("FDOT"), the U.S. Fish and Wildlife Service ("FWS"), the National Park Service ("NPS"), the Department of Forestry ("DOF"), and County agencies, where practical.

2. Each **tower** shall be constructed in accordance with the standards and requirements of section 5.05.09 and other applicable sections of this Code, except as expressly provided otherwise in this section.

3. Minimum **yard** requirements. There shall be no minimum **yard** requirement for these **towers** at these locations because each **tower** and all ancillary facilities must be contained within the I-75 **right-of-way** , and each proposed **tower** must maintain a separation distance from all **adjacent** residential property lines equal to one-half (½) of the **tower's** height or equal to a Florida professional engineer's certified collapse area (fall zone), whichever is greater, or a clear zone is maintained on adjoining property by a use **easement** applicable to such adjoining property **owner** . No habitable residential or non-residential **structure** , including offices, shall be allowed within any certified collapse area (fall zone) for any of these **towers** .

4. **Access** . Physical **access** to each **tower** site shall be as approved by FDOT.

5. Parking. Sufficient unpaved area shall be provided on, or **adjacent** to, each **tower** site to accommodate temporary parking for one (1) vehicle for servicing or maintaining the communication **tower** .

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6. **Landscape buffer** . A **landscape buffer** no less than ten (10) feet wide with trees planted twenty-five (25) feet on center shall be developed and maintained around the perimeter of each **tower** site and other related equipment, **structures** , and **buildings** . This **buffer** shall encompass all **structures** including the **tower** base. At least one (1) row of **native vegetation** shall be planted within the **buffer** to form a continuous hedge of at least three (3) feet in height at planting. The **buffer** must be maintained in good condition. This **landscape buffer** may be waived by the County Manager or designee where the **buffer** is not practical due to public safety concerns.

7. A site **development plan** and construction plans shall be submitted to the County Manager or designee for review and approval prior to any construction of any such **tower** . No changes, additions, or **alterations** may be made to any approved site **development plan** or construction plans for any such **tower** without County approval.

8. **Tower** lighting. In addition to the requirements for **tower** lights specified in section 5.05.09 of this Code, **towers** located in the Big Cypress Preserve and the Florida Panther National Wildlife Preserve shall be lighted in accordance with the USFWS guidance system requirements for **tower** lighting.

9. Notwithstanding any other provision in this Code, and notwithstanding the underlying zoning of the respective **tower** site, subject to the following, the communication **towers** and **accessory** facilities ("facilities") listed above, and all such future facilities, are lawful uses, if located within the confines of the I-75 **right-of-way** east of the Alligator **Alley** toll booth to the eastern boundary of Collier County.

10. The **tower** and related facilities shall be subject to **conditional use** approval whenever the **tower** is to exceed a height of twenty (20) feet. **towers** that are to be twenty (20) feet or less in height require only **building** permit approval from the County.

    a. As all such facilities must be located within the I-75 **right-of-way** , the facilities must be subject to approval from the owner of that **right-of-way** , including such conditions as may be required by that owner. The owner of said **right-of-way** is the State of Florida, by and through the Florida Department of Transportation.

    b. The facilities must be owned by, or leased to, a governmental entity. The primary uses of the facilities shall be governmental uses. Private uses of the facilities, if any, shall always be incidental and subordinate to the governmental uses.

    c. Notwithstanding any other provision in section 5.05.09, the facilities shall be subject to the **tower** sharing requirements of section 5.05.09 if the **tower** is to exceed a height of 120 feet, unless the **tower** is a **monopole** . If the **tower** is to be used only for governmental uses, the **tower** need be shared only with other governmental entities. If the **tower** is to be occupied by an antenna under control of a non-governmental occupant of the **tower** and is to be used for any non-governmental use(s), the **tower** sharing requirements that apply to non-government occupants shall be adhered to as a prerequisite to occupancy of the **tower** .

l. Wireless emergency telephone service. Notwithstanding any other provisions of this section 5.05.09, the following provisions shall apply to communications **towers** that provide wireless emergency telephone service.

1. These facilities are **essential services** .

2. Each **applicant** for these permits is required to clearly inform County staff by means of an emboldened "notice" in a cover letter or on the first page of the permit application, substantially as follows: *This Application is subject to the expedited timelines specified in Chapter 365.172, Florida Statutes.*

3. **Applicants** for these permits need not provide staff with evidence that a proposed wireless communications facility complies with federal regulations, but staff may require from such **applicant** proof of proper FCC licensure, and staff may request the FCC to provide information

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as to the provider's compliance with federal regulations to the extent then authorized by federal law. The County has no permitting jurisdiction with regard to wireless communications facilities located (or to be located) on property owned by the State of Florida, including State-owned **rights-of-way** .

4. Co-located facilities. Provided the then existing zoning applicable to the proposed site allows E911 facilities without a need to rezone, a need to obtain **conditional use** approval, or any other required process (such as, for example, having an agreement amended), the County shall grant or deny a properly completed application requesting co-location of E911 Service, or co-location for wireless telephone service, not later then forty-five (45) business days after the date that a properly completed application is initially submitted to staff in accordance with all applicable permit application requirements in this section 5.05.09. Co-location of such facilities on a then existing above-ground **tower** or other above-ground **structure** shall not be subject to the land **development** regulations pursuant to Section 163.3202, Florida Statutes, provided the height of the then existing **tower** or **structure** is not thereby increased. Co-location of such antenna, or co-location of related equipment, shall be subject to applicable **building** regulations, and with all then existing permits or agreements applicable to that **tower** or to the underlying property. Nothing herein, including the forty-five (45) business days timeline, shall relieve the permit holder for, or owner of, the then existing **tower** or **structure** from complying with applicable permit requirements, or applicable agreement(s), or with applicable land **development** regulation (including aesthetic requirement), or compliance with any other then applicable law(s).

5. New **towers** or antennas. Pursuant to Section 365.172, Florida Statutes, the County shall grant or deny an application requesting location of a new wireless telephone service **tower** , or for location of antenna(s) for wireless telephone service, not later then ninety (90) business days after the date that an application that fully complies with the requirements of this section 5.05.09 is submitted, provided the then existing zoning applicable to the proposed site allows the E911 facilities without need to rezone, the need to apply for **conditional use** approval, or other required procedures. Provided further that nothing herein shall affect permit compliance of such facilities with applicable federal regulations, applicable zoning and/or land **development** regulations (including aesthetic requirements), or with applicable **building** regulations.

6. Sufficiency notice. Within twenty (20) business days of receiving the permit application for any facility listed above in paragraphs (4) and (5) above, staff shall in writing notify the permit **applicant** whether the application is, or is not, properly completed. If such permit application is not properly completed, staff shall with specificity notify the **applicant** of any and all deficiencies, which if cured will thereby render the application being properly completed. Staff should also notify the **applicant** whether the applicable zoning classification allows the applied-for use(s) without rezoning, without **conditional use** approval, or without any other related ancillary approval process or permission.

7. Default approval.

   a. An application for E911 service, co-location of wireless telephone service, or new location for wireless telephone service or antennae shall be deemed to have been automatically granted provided that:

      i. Such service or facility is allowed in the applicable zoning district without a rezone, without the need to apply for a **conditional use** , or without the need to apply for some other permit;

      ii. The County fails to either grant or deny the applied-for permit within the time frames set forth in paragraphs (4) and (5) above, as applicable; and

      iii. The **applicant** has not agreed to an extension of time, as provided in paragraph (8) below.

   b. However, the applied-for permit shall not be deemed granted if final action requires action by the BCC, but such action is prevented due to emergency conditions beyond the

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County's control. In such instance, the time for final action on the application shall be extended until the next regularly scheduled meeting of the BCC. The permit shall be deemed to be granted if the BCC fails to take final action at that time.

8. Waiver. Extensions of the above-described applicable timelines (deadlines) shall not be effective except to the extent voluntarily agreed to by the permit **applicant** . Narrow exception: a one-time timeline waiver may be required if there then exists an emergency that directly affects the administration of all of the County's communications **tower** permitting activities which had been formally declared by the County, by the State of Florida, or by the federal government.

(Ord. No. 05-27, § 3.HH)

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Collier County
Growth Management Department
Zoning Services Section

September 18, 2019

Kyle Lotze
Ignite Wireless Inc.
102 Mary Alice Park Rd.
Cumming, Ga 30040

ZLTR-PL20190001999; Zoning Verification Letter for a parcel located east of Kapok St. in Section 15, Township 49, Range 27 of unincorporated Collier County, Florida. Property ID/Folio Number: 00307840002; comprising of +/- 1.25 acre.

Mr. Lotze,

This letter is in response to a Zoning Verification Letter (ZLTR) Application that you submitted on or about August 27th, 2019. The applicant has requested verification of the questions listed below in bold print, which are followed by Staff's responses.

Questions:

1. **Confirm the zoning?**
   The current Official Zoning Atlas, an element of the Collier County Land Development Code (LDC), Ordinance 04-41, as amended, reveals the subject property is located within the agricultural zoning designation with the Rural Fringe Mixed Use receiving and North Bell Meade Overlay districts.
2. **What is the review process/requirements to locate a 250' self-support tower in the proposed lease area site plan?**
   This proposed self-support tower could not be completely private provider tower and thus would need to be classified as an essential service. This requires that government entities such as police, fire, EMS, etc. have use of the tower for their designated needs, see attached. Classification this way is the only way to permit this use on this property with the applicable zoning designation (LDC 2.03.08.A.2.a.3.x.) This project will also need site plan approval, please see the attached administrative code section for list of required submittals and other related requirements and LDC 5.05.09.G for development standards. For further questions or to submit please reach out to the Client Services Office for more information at GMDClientServices@colliercountyfl.gov or 239-252-4229.

The information presented in this verification letter is based on the Collier County LDC and/or Growth Management Plan in effect as of this date. It is possible that subsequent amendment(s) to either of these documents could affect the validity of this verification letter. It is also possible that development of the subject property could be affected by other issues not addressed in this letter, such as, but not limited to, concurrency related to the provision of adequate public facilities, environmental impact, and other requirements of the Collier County LDC or related ordinances.

This letter represents a determination of Zoning Services Section staff. Should you disagree with this determination, you may request an Official Interpretation by the Zoning Director of the provisions of the Land Development Code pursuant to Sections 1.06.01.A and 10.02.02.F.1 of that Code. The fee for an

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Official Interpretation is identified in the most recent GMD Fee Schedule Resolution as approved by the Board of County Commissioners. To obtain copies of any document referenced herein, please contact Mr. David Merino with the GMD Records Section at (239)252-2386. The LDC may be viewed online at www.municode.com / Municode Library / Florida / Collier County. Validated Ordinances may be viewed online via the Clerk of Court's website, www.collierclerk.com / Records Search / BMR Records / Boards, Minutes, Records / BMR Validated Ordinances.

Disclaimer: Issuance of a development permit by the County does not create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All other applicable state or federal permits must be obtained before commencement of the development.

Should you require additional information, please do not hesitate to call my office at (239) 252-2471.

Researched and prepared by:

Parker Klopf, Planner
Zoning Services Section

Reviewed by:

Raymond Bellows, Zoning Manager
Zoning Services Section

CC: GMD – Addressing
David Weeks- Comprehensive Planning

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Collier County Property Appraiser
Property Summary

Parcel No	00307840002	Site Address *Disclaimer		Site City	Site Zone *Note
Name / Address	STEFFENS, JOHANNES 542 ETHEL AVE SE				
City	GRAND RAPIDS		State MI		Zip 49506-2724

Map No.	Strap No.	Section	Township	Range	Acres *Estimated
4C15	000100 019 4C15	15	49	27	1.25

Legal 15 49 27 E1/2 OF NW1/4 OF SW1/4 OF NE1/4 OF NW1/4 1 1/4 AC OR 1952 PG 1606

Millage Area 287

Sub./Condo 100 - ACREAGE HEADER

Use Code 99 - ACREAGE NOT ZONED AGRICULTURAL

Millage Rates *Calculations

School	Other	Total
5.083	6.3071	11.3901

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

Date	Book-Page	Amount
11/14/13	5016-1369	$ 0
03/15/13	4896-3875	$ 14,300
06/01/94	1952-1606	$ 15,000
08/01/92	1743-1191	$ 0
06/01/88	1360-263	$ 0
09/01/86	1220-211	$ 10,000

2019 Preliminary Tax Roll
(Subject to Change)

	Land Value	$ 16,
(+)	Improved Value	
(=)	Market Value	$ 16,
(-)	10% Cap	$ 8,
(=)	Assessed Value	$ 8,
(=)	School Taxable Value	$ 16,
(=)	Taxable Value	$ 8,

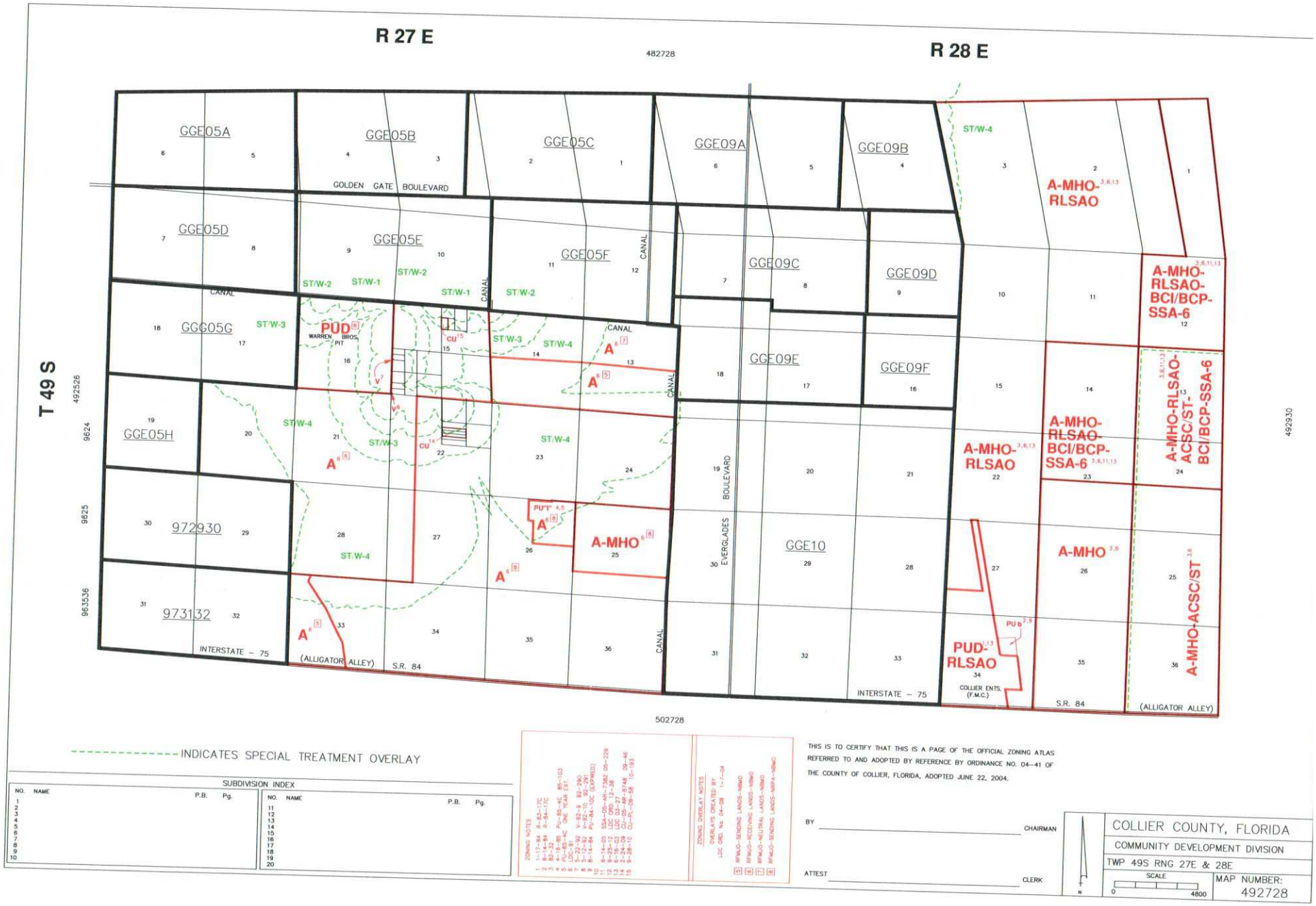
If all Values shown above equal 0 this parcel was created after the Final Tax Roll

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

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1.08.02 – Definitions- Collier County LDC

...

Essential services: Those services and facilities, including utilities, safety services, and other government services, necessary to promote and protect public health, safety and welfare, including but not limited to the following: police; fire, emergency medical, public park and public library facilities; and all services designed and operated to provide water, sewer, gas, telephone, electricity, cable television or communications to the general public by providers that have been approved and authorized according to laws having appropriate jurisdiction, and governmental facilities.

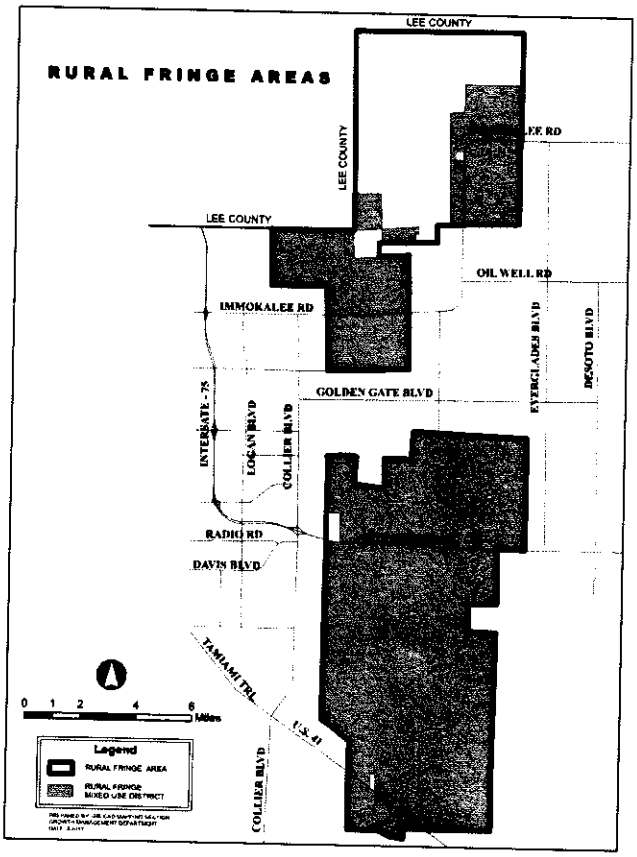
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2.03.08 - Rural Fringe Zoning Districts

A. Rural Fringe Mixed-Use District (RFMU District).

1. Purpose and scope. The purpose and intent of the RFMU District is to provide a transition between the Urban and Estates Designated lands and between the Urban and Agricultural/Rural and Conservation designated lands farther to the east. The RFMU District employs a balanced approach, including both regulations and incentives, to protect natural resources and private property rights, providing for large areas of open space, and allowing, in designated areas, appropriate types, density and intensity of development. The RFMU District allows for a mixture of urban and rural levels of service, including limited extension of central water and sewer, schools, recreational facilities, commercial uses, and essential services deemed necessary to serve the residents of the RFMU District. The innovative planning and development techniques which are required and/or encouraged within the RFMU District were developed to preserve existing natural resources, including habitat for listed species, to retain a rural, pastoral, or park-like appearance from the major public rights-of-way, and to protect private property rights.

a. Establishment of RFMU Zoning Overlay District. In order to implement the Rural Fringe Mixed Use District (RFMUD) designation in the Future Land Use Element (FLUE) of the GMP, the RFMU District shall be designated as "RFMUO" on the Official Zoning Atlas and is hereby established. The RFMU District replaces the underlying zoning district where that underlying zoning district is A, Rural Agricultural, except where development standards are omitted in the RFMU District. The County-wide Future Land Use Map is located in the Future Land Use Element of the GMP or can be obtained from the Growth Management Department, located at 2800 N. Horseshoe Drive, Naples, FL 34104. The lands included in the RFMU District and to which LDC section 2.03.08 apply are depicted by the following map:



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b. Exemptions. The requirements, limitations and allowances of this section shall not apply to, affect or limit the continuation of existing uses. Existing uses shall include: those uses for which all required permits were issued prior to June 19, 2002; or, projects for which a Conditional use has been approved by the County prior to June 19, 2002; or, projects for which a Rezone petition has been approved by the County prior to June 19, 2002 - inclusive of all lands not zoned A, Rural Agricultural; or, land use petitions for which a completed application has been submitted prior to June 19, 2002. The continuation of existing uses shall include on-site expansions of those uses if such expansions are consistent with or clearly ancillary to the existing uses. Hereafter, such previously approved **developments** shall be deemed to be consistent with the Plan's Goals, Objectives and Policies for the **RFMUD** , and they may be built out in accordance with their previously approved plans. Changes to these previous approvals shall also be deemed consistent with the Plan's Goals, Policies and Objectives for the **RFMUD** as long as they do not result in an increase in **development density** or intensity.

c. Ordinance superceded. Ordinance Number 98-17 is hereby expressly superceded. Any **development** in the area formerly subject to that ordinance shall henceforth conform to the provisions of this Section and all other provisions of this Code that are applicable to **development** within the **RFMU district** .

2. **RFMU receiving lands. RFMU receiving lands** are those lands within the **RFMU district** that have been identified as being most appropriate for **development** and to which residential **development** units may be transferred from **RFMU sending lands** . Based on the evaluation of available data, **RFMU receiving lands** have a lesser degree of environmental or listed species habitat value than **RFMU sending lands** and generally have been disturbed through **development** or previous or existing agricultural operations. Various incentives are employed to direct **development** into **RFMU receiving lands** and away from **RFMU sending lands** , thereby maximizing **native vegetation** and habitat preservation and restoration. Such incentives include, but are not limited to: the TDR process; **clustered development** ; **density** bonus incentives; and, provisions for central sewer and water. Within **RFMU receiving lands** , the following standards shall apply, except as noted in subsection 2.03.08 A.1. above, or as more specifically provided in an applicable PUD.

a. Outside **rural villages** .

(1) NBMO Exemption. Except as specifically provided herein NBMO Receiving Lands are only subject to the provisions of section 2.03.08 C.

(2) Maximum **Density** .

(a) Base **density** . The base **residential density** allowable within **RFMU receiving lands** , exclusive of the applicable **density blending** provisions set forth in section 2.05.02, is 1 unit per 5 gross acres (0.2 **dwelling units** per acre) or, for those legal **nonconforming lots** or **parcels** in existence as of June 22, 1999, 1 unit per **lot** or **parcel** .

(b) Additional **density**

i. Additional **Density** Allowed Through the TDR Process. Outside of **rural villages** , the maximum density achievable in **RFMU Receiving Lands** through **TDR credits** and **TDR Bonus Credits** is 1 dwelling unit per acre.

a) **Clustering** Required. Where the transfer of **development** rights is employed to increase **residential density** within **RFMU receiving lands** , such residential **development** shall be **clustered** in accordance with the following provisions:

i) Central water and sewer shall be extended to the project. Where County sewer or water services may not be available concurrent with **development** in **RFMU receiving lands** , interim private water and sewer facilities may be approved.

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ii) The maximum **lot** size allowable for a single-family detached dwelling unit is 1 acre.

iii) The **clustered development** shall be located on the site so as to provide to the greatest degree practicable: protection for listed species habitat; preservation of the highest quality **native vegetation** ; connectivity to **adjacent natural reservations** or preservation areas on **adjacent developments;** and, creation, maintenance or enhancement of wildlife corridors.

b) Minimum Project Size. The minimum project size required in order to receive transferred **dwelling units** is 40 contiguous acres.

c) Emergency Preparedness. In order to reduce the likelihood of threat to life and property from a tropical storm or hurricane event any **development** approved under the provisions of this section shall demonstrate that adequate emergency preparedness and disaster prevention measures have been taken by, at a minimum:

i) Designing community facilities, schools, or other public **buildings** to serve as storm shelters if located outside of areas that may experience inundation during a Category 1 or worse storm event. While the need to utilize such shelters will be determined on a case-by-case basis, areas which are susceptible to inundation during such storm events are identified on the Sea, Lake, and Overland Surge from Hurricane (SLOSH) Map for Collier County.

ii) Evaluating impacts on evacuation routes, if any, and working with the Collier County Emergency Management staff to develop an Emergency Preparedness Plan to include provisions for storm shelter space, a plan for emergency evacuation, and other provisions that may be deemed appropriate and necessary to mitigate against a potential disaster.

iii) Working with the Florida Division of Forestry, Collier County Emergency Management staff, and the managers of any **adjacent** or nearby public lands, to develop a Wildfire Prevention and Mitigation Plan that will reduce the likelihood of threat to life and property from wildfires. This plan shall address, at a minimum: project structural design; the use of materials and location of **structures** so as to reduce wildfire threat; firebreaks and **buffers** ; water features; and, the rationale for prescribed burning on **adjacent** or nearby lands.

ii. Additional **density** Allowed Through Other **Density** Bonuses. Once a **density** of one (1) unit per acre is achieved through the use of **TDR credits** and **TDR Bonus credits** , additional **density** may be achieved as follows:

a) A **density** bonus of 0.1 unit per acre shall be allowed for the preservation of additional **native vegetation** as set forth in Section 3.05.07 E. 1. of the Code.

b) A **density** bonus of 0.1 units per acre shall be allowed for projects that incorporate those additional **wetlands** mitigation measures set forth in Section 3.05.07 F. 4. b. of the Code.

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(3) Allowable Uses.

(a) Uses Permitted as of Right. The following uses are permitted as of right, or as **uses accessory to permitted uses:**

i. Agricultural activities, including, but not limited to: Crop raising; horticulture; fruit and nut production; forestry; groves; nurseries; ranching; beekeeping; poultry and egg production; milk production; livestock raising, and aquaculture for native species subject to the State of Florida Fish and Wildlife Conservation Commission permits. Owning, maintaining or operating any facility or part thereof for the following purposes is prohibited:

a) Fighting or baiting any animal by the owner of such facility or any other person or entity.

b) Raising any animal or animals intended to be ultimately used or used for fighting or baiting purposes.

c) For purposes of this subsection, the term baiting is defined as set forth in § 828.122(2)(a), F.S., as it may be amended from time to time.

ii. Single-family residential **dwelling units** , including **mobile homes** where a **mobile home** Zoning Overlay exists.

iii. Multi-family residential **structures** , if **clustering** is employed.

iv. **Rural villages** , subject to the provisions set forth under section 2.03.08 A.2.b. below.

v. Dormitories, **duplexes** and other types of staff housing, as may be incidental to, and in support of, **conservation uses** .

vi. Family Care Facilities: 1 unit per 5 acres and subject to section 5.05.04 of this Code.

vii. Staff housing as may be incidental to, and in support of, safety service facilities and **essential services** .

viii. Farm labor housing limited to 10 acres in any single location:

a) Single family/ **duplex** / **mobile home** : 11 **dwelling units** per acre; and

b) Multifamily/dormitory: 22 **dwelling units** /beds per acre.

ix. Sporting and Recreational camps not to exceed 1 cabin/lodging unit per 5 gross acres.

x. Those **essential services** identified as permitted uses in section 2.01.03 (A) and in accordance with the provisions, conditions and limitations set forth therein.

xi. Golf courses or driving ranges, subject to the following standards:

a) The minimum **density** shall be as follows:

i) For golf course projects: one (1) dwelling unit per five (5) gross acres.

ii) For golf course projects not utilizing density blending Provisions set forth in the **Density** Rating System of the FLUE, including free standing golf courses: one **TDR credit** or **TDR Bonus credit** shall be required per five (5) gross acres for the land area utilized as part of the golf course, including the clubhouse area, rough, fairways, greens, and lakes, but excluding any area dedicated as conservation, which is non-irrigated and retained in a natural state.

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A **TDR credit** or **TDR Bonus credit** used to entitle golf course acreage may not also be used to entitle a **residential dwelling unit** .

b) Golf courses shall be designed, constructed, and managed in accordance with the Best Management Practices of Audubon International's Gold Signature Program. The project shall demonstrate that the Principles for Resource Management required by the Gold Signature Program (Site Specific Assessment, Habitat Sensitivity, Native and Naturalized Plants and Natural Landscaping, Water Conservation, Waste Management. Energy Conservation & Renewable Energy Sources, Transportation, Greenspace and Corridors, Agriculture, and BUILDING Design) have been incorporated into the golf course's design and operational procedures.

c) In order to prevent the contamination of soil, surface water and ground water by the materials stored and handled by golf course maintenance operations, golf courses shall comply with the Best Management Practices for Golf Course Maintenance Departments, prepared by the Florida Department of Environmental Protection, May 1995.

d) To protect ground and surface water quality from fertilizer and pesticide usage, golf courses shall demonstrate the following management practices:

i) The use of slow release nitrogen sources;

ii) The use of soil and plant tissue analysis to adjust timing and amount of fertilization applications;

iii) The use of an integrated pest management program using both biological and chemical agents to control various pests;

iv) The coordination of pesticide applications with the timing and application of irrigation water; and

v) The use of the procedure contained in IFAS Circular 1011, *Managing Pesticides for Golf Course Maintenance and Water Quality Protection,* May 1991 (revised 1995) to select pesticides that will have a minimum adverse impact on water quality.

e) To ensure water conservation, golf courses shall incorporate the following in their design and operation:

i) Irrigation systems shall be designed to use weather station information and moisture-sensing systems to determine the optimum amount of irrigation water needed considering soil moisture and evapotranspiration rates.

ii) Golf courses shall utilize treated effluent reuse water consistent with Sanitary Sewer Sub-Element Objective 1.4 and its policies to the extent that a sufficient amount of such water is available and the piping or other conveyance necessary for delivery of such water exists at a location **abutting** the golf course property boundary or within 50 feet of such boundary and accessible via existing rights of way or **easements** ;

iii) Native plants shall be used exclusively except for special purpose areas such as golf greens, fairways, and **building** sites. Within these excepted areas, landscaping plans shall require that at least 75% of the trees and 50% of the shrubs be freeze-tolerant native

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Floridian species. At least 75% of the required native trees and shrubs shall also be drought tolerant species.

f) Stormwater management ponds shall be designed to mimic the functions of natural systems: by establishing **shorelines** that are sinuous in configuration in order to provide increased length and diversity of the littoral zone. A Littoral shelf shall be established to provide a feeding area for water dependent avian species. The combined length of vertical and rip-rapped walls shall be limited to 25% of the **shoreline** . Credits to the site preservation area requirements, on an acre- to- acre basis, shall be given for littoral shelves that exceed these littoral shelf area requirements.

g) Site preservation and **native vegetation** retention requirements shall be those set forth in section 4.06.00 of this Code.

xii. Public educational plants and ancillary plants.

xiii. Oil and gas exploration, subject to applicable state and federal drilling permits and Collier County non-environmental site development plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on Oct. 3, 2005 [*the effective date of this provision*], regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

xiv. Park, open space, and recreational uses.

xv. Private schools.

(b) **Accessory uses** .

i. **Accessory uses** as set forth in section 2.03.01 of this Code.

ii. **Accessory uses** and **structures** that are accessory and incidental to uses permitted as of right in the **RFMU district** .

iii. Recreational facilities that serve as an integral part of a residential **development** and have been designated, reviewed, and approved on a site **development** plan or preliminary **subdivision** plat for that **development.** Recreational facilities may include, but are not limited to clubhouse, community center **building** , tennis facilities, playgrounds and playfields.

(c) **Conditional uses** . The following uses are permissible as **conditional uses** subject to the standards and procedures established in section 10.08.00.

i. Oil and gas field **development** and production, subject to state field **development** permits and Collier County non-environmental site

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development plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the **applicant** shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62-30.005(2)(a)(1) through (12), F.A.C.

ii. Group care facilities and other care housing facilities, other than family care facilities, subject to a maximum **floor area** ratio of 0.45.

iii. Zoos, aquariums, and botanical gardens, and similar uses.

iv. Facilities for the collection, transfer, processing, and reduction of **solid waste** .

v. Community facilities, such as, places of worship, childcare facilities, cemeteries, and social and fraternal organizations.

vi. Travel trailer recreation vehicle parks, subject to the following criteria:

a) the site is **adjacent** to an existing travel trailer **recreational vehicle** site; and

b) the site is no greater than 100% of the size of the existing **adjacent** park site.

vii. Those **essential services** identified in sections 2.01.03 (G)(1) and (G)(3).

viii. In **RFMU receiving lands** other than those within the NBMO, asphalt and concrete batch-making plants.

ix. In **RFMU receiving lands** other than those within the NBMO, earth mining and extraction.

(4) Design Standards.

(a) **Development** Not Utilizing **clustering** :

i. Minimum **lot** area: 5 Acres.

ii. Minimum **lot** width: 165 Feet.

iii. Minimum **yard** requirements:

a) **Front yard** : 50 feet

b) Side **yard** : 30 feet

c) Rear **yard** : 50 feet

d) **Nonconforming lots** in existence as of June 22, 1999:

i) **Front yard** : 40 feet.

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ii) Side **yard** : 10 percent of **lot** width, not to exceed 20 feet on each side.

iii) Rear **yard** : 50 feet.

(b) **Clustered development** :

i. **Lot** areas and widths:

a) single-family

i) Minimum **lot** area: 4,500 square feet.

ii) Maximum **lot** area: One Acre.

iii) Minimum **lot** width: Interior **lots** 40 feet.

iv. Maximum **lot** width: 150 feet.

b) multi-family

i) Minimum **lot** area: One Acre.

ii) Maximum **lot** area: None.

iii) Minimum **lot** width: 150 feet.

iv) Maximum **lot** width: None.

ii. Minimum **yard** requirements

a) single-family. Each single-family **lot** or **parcel** minimum **yard** requirement shall be established within an approved PUD, or shall comply with the following standards:

i) Front: 20 feet (Note **front yard** Set back may be reduced to 10 feet where parking for the unit is accessed via a rear ally.

ii) Side: 6 feet

iii) Rear: 15 feet

iv) Accessory: Per section 4.02.01.

b) multi-family. For each multi-family **lot** or **parcel** minimum **yard** shall be established within an approved PUD, or shall comply with the following standards:

i) **Setback** from Arterial or Collector roadway(s): no multi-family dwelling may be located closer than 200 feet to a roadway classified or defined as an arterial roadway or 100 feet from any roadway classified or defined as a collector roadway.

ii) Front: 30 feet.

iii) Rear: 30 feet.

iv) Side **yard** /separation between any multi-family **building** s: One-half of the **building** height or 15 feet, whichever is greater.

v) Accessory: Per section 4.02.01.

iii. Height limitations

a) **Principal structures**

i) Single Family: 35 feet.

ii) Multi-family: Five Stories not to exceed 60 feet.

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iii) Other **structures** : 35 feet except for golf course/community clubhouses, which may be 50 feet in height.

b) **Accessory structures** . 20 feet, except for screen enclosures, which may be the same height as the **principal structure** .

iv. Minimum floor space

a) Single Family: 800 square feet

b) Multi-family:

i) Efficiency: 450 Square feet

ii) One Bedroom: 600 square feet

iii) Two or More Bedrooms: 800 square feet

(c) Parking. As required in Chapter 4 of this Code.

(d) Landscaping. As required in Chapter 4 of this Code.

(e) **Signs** . As required in section 5.06.00 of this Code.

(5) **Native vegetation** Retention. As required in section 4.06.00 of this Code.

(6) **Usable open space** .

(a) Projects of 40 or more acres in size shall provide a minimum of 70% **usable open space** .

(b) **Usable open space** includes active or passive recreation areas such as parks, playgrounds, golf courses, waterways, lakes, nature trails, and other similar **open spaces** . **Usable open space** shall also include areas set aside for conservation or preservation of **native vegetation** and landscape areas.

(c) Open water beyond the perimeter of the site, **street right-of-way** , except where dedicated or donated for public uses, **driveways** , off- **street** parking and loading areas, shall not be counted towards required **usable open space** .

b. **Rural villages** . **Rural villages** , including **rural villages** within the NBMO, may be approved within the boundaries of **RFMU receiving lands** , subject to the following:

(1) Allowable Uses:

(a) All permitted uses identified in section 2.03.08A.2.a.(3)(a), when specifically identified in, and approved as part of, a RURAL VILLAGE PUD.

(b) CONDITIONAL USES 1 through 5, and 7 identified in section 2.03.08A.2.a.(3)(c), when specifically identified in, and approved as part of a RURAL VILLAGE PUD.

(c) All permitted and **accessory uses** listed in the C-4 General Commercial District, section 2.03.02 (E), subject to the design guidelines and **development** standards set forth in this Section.

(d) Research and Technology Parks, with a minimum size of 19 acres and a maximum size of 4% of the total **rural village** acreage, subject to the design guidelines and **development** standards set forth herein, the applicable standards contained in section 2.03.06 C.7. Research and technology park planned unit **development** district guidelines and **development** standards, and further subject to the following:

i. Research and Technology Parks shall be permitted to include up to 20% of the total acreage for non-target industry uses of the type identified in paragraph (3) below; and, up to 20% of the total acreage for **workforce**

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housing , except as provided in paragraph (7) below. At a minimum, 60% of the total park acreage must be devoted to target industry uses identified in paragraph (2) below. The specific percentage and mix of each category of use shall be determined at the time of **rural village** PUD rezoning.

ii. The target industries identified by the Economic **development** Council of Collier County are aviation/aerospace industry, health technology industry and information technology industry, and include the following uses: software **development** and programming; internet technologies and electronic commerce; multimedia activities and CD-ROM **development** ; data and information processing; call center and customer support activities; professional services that are export based such as laboratory research or testing activities; light manufacturing in the high tech target sectors of aviation/aerospace and health and information technologies; office uses in connection with on-site research; **development** testing and related manufacturing; general administrative offices of a research and **development** firm; educational, scientific and research organizations; production facilities and operations.

iii. Non-target industry uses may include **hotels** at a **density** consistent with the provisions in section 2.03.02 and those uses in the C-1 through C-3 Zoning Districts that provide support services to the target industries such as general office, banks, fitness centers, personal and professional services, medical, financial and convenience sales and services, computer related businesses and services, employee training, technical conferencing, day care centers, **restaurants** and corporate and government offices.

iv. The **rural village** PUD shall include standards for the **development** of individual **building parcels** within the park and general standards shall be adopted for pedestrian and vehicular interconnections, **buffering** , landscaping, **open spaces** , signage, lighting, screening of outdoor storage, parking and access management, all to be consistent with and compatible to the other uses within the village.

v. The Research and Technology Park must be **adjacent** to, and have direct access via an existing or developer constructed local road to an arterial or collector roadway. The portion of the local roadway intended to provide access to the Research and Technology Park shall not be within a residential neighborhood and does not service a predominately residential area.

vi. The Research and Technology Park shall be compatible with surrounding land uses. Accordingly, it shall be separated from any residentially zoned or designated land within the **rural village** by a minimum Type "C" landscape **buffer** , as set forth in section 4.06.00 of this Code.

vii. Whenever **workforce housing** is provided, it shall be fully integrated with other compatible uses in the park through mixed-use **buildings** and/or through pedestrian and vehicular interconnections.

viii. **Building** permits for non-target industry uses identified in paragraph (3) above shall not be issued prior to issuance of the first **building** permit for a target industry use.

(e) Any other use deemed by the Board of County Commissioner to be appropriate and compatible within a **rural village** .

(2) Mix of Neighborhood Types. **Rural villages** shall be comprised of several neighborhoods designed in a compact nature such that a majority of residential **development** is within one-quarter mile of a **neighborhood center** . **neighborhood**

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centers may include small-scale service retail and office uses, and shall include a public park, square, or green. **Village centers** shall be designed to serve the retail, office, civic, government uses and service needs of the residents of the **rural village** . The **village center** shall be the primary location for commercial uses. **rural villages** shall be surrounded by a green belt in order to protect the character of the rural landscape and to provide separation between **rural villages** and the low **density** rural **development** , **agricultural uses** , and conservation lands that may surround the **rural village** . **Rural villages** shall be designed to include the following: a mixture of residential housing types; institutional and/or commercial uses; and recreational uses, all of which shall be sufficient to serve the residents of the **rural village** and the surrounding lands. In addition, except as specifically provided otherwise for **rural villages** within the NBMO, the following criteria and conditions shall apply to all **rural villages** .

(a) Allocation of Land Uses. Specific allocations for land uses including residential, commercial and other non-residential uses within **rural villages** , shall include, but are not limited to:

i. A mixture of housing types, including attached and/or detached single family, as well as multi-family shall be provided within a **rural village** . A minimum of 0.2 units per acre in a **rural village** shall be **affordable housing** , of which at least 0.1 units per acre shall be **workforce housing** . The **rural village** shall be designed so as to disperse the Affordable and **workforce housing** units throughout the Village rather than concentrate them in a single location.

ii. A mixture of recreational uses, including parks and village greens.

iii. Civic, community, and other institutional uses.

iv. A mixture of **lot** sizes, with a design that includes more compact **development** and attached **dwelling units** within **neighborhood centers** and the **village center** , and reduced net densities and increasingly larger **lot** sizes for detached residential dwellings generally occurring as **development** extends outward from the **village center** .

v. A mixture of retail, office, and services uses.

vi. If requested by the Collier County School Board during the PUD and/or DRI review process, school sites shall be provided and shall be located to serve a maximum number of residential **dwelling units** within walking distance to the schools, subject to the following criteria:

a) Schools shall be located within or **adjacent** to the **village center** ;

b) A credit toward any applicable school impacts fees shall be provided based upon an independent evaluation/appraisal of the value of the land and/or improvements provided by the developer; and

c) Schools shall be located in order to minimize busing of students and to co-locate schools with public facilities and civic **structures** such as parks, libraries, community centers, public squares, greens and civic areas.

vii. Within the NBM Overlay, elementary schools shall be accessed by local **streets** , pedestrian and bicycle facilities, and shall be allowed in and **adjacent** to the **rural village center** , provided such local **streets** provide adequate access as needed by the School Board.

(b) Acreage Limitations.

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i. **Rural villages** shall be a minimum of 300 acres and a maximum of 1,500 acres, exclusive of the required green belt, with exception that the maximum size of a **rural village** within those **RFMU receiving lands** south of the Belle Meade NRPA shall not exceed 2,500 acres.

ii. **Neighborhood center** - 0.5% of the total **rural village** acreage, not to exceed 10 acres, within each **neighborhood center** .

iii. **Neighborhood center** Commercial - Not to exceed 40% of the **neighborhood center** acreage and 8,500 square feet of gross leasable **floor area** per acre.

iv. **Village center** - Not to exceed 10% of the total **rural village** acreage.

v. **Village center** commercial - Not to exceed 30% of the **village center** acreage and 10,000 square feet of gross leasable **floor area** per acre.

vi. Research and Technology Parks limited to a minimum size of 19 acres and a maximum size of 4% of the total **rural village** acreage.

vii. Civic Uses and Public Parks - Minimum of 10% of the total **rural village** acreage.

(3) **Density** . A **rural village** shall have a minimum **density** of 2.0 units per gross acre and a maximum **density** of 3.0 units per gross acre, except that the minimum **density** within a **NBMO rural village** shall be 1.5 units per gross acre. Those densities shall be achieved as follows:

(a) Base **density** . A base **density** of 0.2 **dwelling units** per acre (1.0 **dwelling units** per five acres) for lands within the **rural village** , and the land area designated as a **greenbelt** surrounding the **rural village** , is granted by right for allocation within the designated **rural village** .

(b) Minimum **density** . The minimum gross **density** in a **rural village** is 2.0 units per acre outside of the NBMO and 1.5 units per acre within the NBMO.

i. For each **TDR credit** used to achieve the minimum required density in a **rural village** , one **Rural Village Bonus Credit** shall be granted. **Rural Village Bonus Credits** may only be utilized in **rural villages** and shall not be available for use once the minimum required **density** is achieved.

ii. The minimum **density** shall be achieved through any combination **of TDR Credits** , **Rural Village Bonus Credits** , and **TDR Bonus Credits** .

(c) Maximum **density** . The maximum gross **density** allowed in a rural village is 3.0 units per acre. The maximum density shall be achieved through any of the following, either in combination or individually:

i. **TDR credits** ;

ii. **TDR Bonus Credits** ;

iii. An additional **density** bonus 0.3 units per acre for the additional preservation of **native vegetation** as set forth in Chapter 4;

iv. An additional **density** bonus of 0.3 units per acre for additional **wetlands** mitigation as set forth in Chapter 4; and/or

v. An additional **density** bonus of 0.5 units per acre for each Affordable or **workforce housing** unit.

(4) Other Design Standards

(a) Transportation System Design.

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i. The **rural village** shall be designed with a formal **street** layout, using primarily a grid design and incorporating village greens, squares and civic uses as focal points.

ii. Each **rural village** shall be served by a primary road system that is accessible by the public. Neighborhood Circulator, Local Residential Access and Residential Loop roads may be gated. The primary roads within the **rural village** shall consist of Rural Major Collectors at a minimum and be designed to meet County standards and shall be dedicated to the public.

iii. A **rural village** shall not be split by an arterial roadway.

iv. Interconnection between the **rural village** and **adjacent development** s shall be required.

v. Neighborhoods, **neighborhood centers** , and the **village center** shall be connected through local and collector **streets** and shall incorporate traffic calming techniques as may be appropriate to discourage high-speed traffic.

vi. Public transit and school bus stops shall be co-located, where practicable.

vii. Pedestrian paths and bikeways shall be designed so as to provide access and interconnectivity.

(b) Location Restrictions and Standards.

i. In locating both schools and housing units within the **rural village** , consideration shall be given to minimizing busing needs within the community.

ii. A **rural village** shall not be located any closer than 3.0 miles from another **rural village** .

iii. No more than one **rural village** may be located in each of the distinct **RFMU district** Receiving Areas depicted on the FLUM and on the Official Collier County Zoning Atlas maps.

iv. A **rural village** shall have direct access to a roadway classified by Collier County as an arterial or collector roadway. Alternatively, access to the **rural village** may be via a new collector roadway directly accessing an existing arterial, the cost of which shall be borne entirely by the developer.

v. A **rural village** shall be located where other public infrastructure, such as potable water and sewer facilities, already exist or are planned.

(c) Size Limitations. **rural villages** shall be a minimum of 300 acres and a maximum of 1,500 acres, except within **RFMU receiving lands** south of the Belle Meade NRPA where the maximum size may not exceed 2,500 acres. This required **rural village** size is exclusive of the required **greenbelt** area set forth in section 2.03.08 (A)(2)(b)(6).

(d) Additional Village Design Criteria: **Rural villages** shall be designed in accordance with the following provisions:

i. **Rural villages** shall be developed in a progressive urban to rural continuum with the greatest **density** , intensity and diversity occurring within the **village center** , to the least **density** , intensity and diversity occurring within the edge of the neighborhoods approaching the **greenbelt** .

ii. **Rural villages** may include "special districts" in addition to the **village center** , **neighborhood center** and Neighborhoods, to accommodate uses that may require use specific design standards not otherwise provided for herein. Such Special Districts, their proposed uses, and applicable design

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standards shall be identified as part of the **rural village** PUD rezone process.

iii. The **rural village** PUD Master Plan shall designate the location of the **village center** and each neighborhood, **neighborhood center** and as may be applicable, Special Districts. **Rural villages** shall include a **village center** and a minimum of two distinct neighborhoods, with defined **neighborhood centers** .

iv. A mixture of allowable uses is encouraged to occur within **buildings** in the **village center** and **neighborhood centers** .

v. Transient lodging is permitted at up to 26 guest units per acre calculated on the acreage of the **parcel** occupied by the transient lodging and its ancillary facilities, if such **parcel** includes multiple uses.

vi. **Building** heights may vary within the **village center** and **neighborhood centers** , but shall not exceed 5 stories not exceeding 65 feet with the **village center** , or 4 stories no exceeding 55 feet within the **neighborhood center** , and 3 stories not to exceed 40 feet within 200 feet of the **greenbelt** . The height exclusions set forth in section 4.02.01 of this Code apply within a **rural village** . The height exclusion set forth in section 4.02.01 applies in the **village center** only, except that:

a) section 4.02.01 requiring 300 square feet of green spaces for each parking space for which the height waiver is granted shall not apply; however,

b) For each parking space for which the height waiver is granted, an equal amount of square footage of **open space** shall be provided in excess of the minimum set forth in section 2.03.08(A)(2)(b)(7).

vii. The minimum **lot** area shall be 1,000 SF; however, within neighborhoods, especially approaching the edge of the Village and the surrounding green belt, less compact larger **lot** residential **development** may occur.

viii. Within the **village center** and **neighborhood centers** , individual **block** perimeters shall not exceed 2,500 linear feet.

ix. Within the **village center** and **neighborhood centers** required **yards** shall be as follows:

a) Front **setbacks** - 0 to 10 feet from the **right-of-way** line

b) Side **setbacks** - 0 feet

c) Rear **setbacks** - 0 feet

x. Within neighborhoods outside of a Neighborhood or **village center** required **yards** may vary but shall be designed so as to provide for adequate light, opens space ad movement of air, and shall consider the design objective of the urban to rural continuum with the greatest **density** , intensity and diversity occurring within the **village center** , to the least **density** , intensity and diversity occurring within the edge of the neighborhoods approaching the **greenbelt** .

xi. Within the **village center** and **neighborhood centers** overhead encroachments such as awnings, balconies, arcades and the like, must maintain a clear distance of 9 feet above the **sidewalk** and 15 feet above the **street** .

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xii. Seating for outdoor dining shall be permitted to encroach the public **sidewalks** and shall leave a minimum 6-foot clear pedestrian way between the outdoor dining and the streetscape planting area.

xiii. Civic or Institutional Buildings shall be subject to the specific standards of this subsection that regulate building height, building placement, building use, parking, and signage except as deviations are deemed appropriate by the Collier County planning staff with respect to the creation of focal points, vistas, and significant community landmarks. Specific design standards shall be provided in the **rural village** PUD document.

xiv. Architectural Standards: Buildings within the **village center** shall be made compatible through similar massing, volume, **frontage** , scale and architectural features. The PUD document shall adhere to the provisions of section 5.05.08 of this Code; however, deviations may be requested where such deviations are shown to further these **rural village** design standards.

xv. Required vehicular parking and loading amounts and design criteria:

a) The amount of required parking shall be demonstrated through a shared parking analysis submitted application as part of the **rural village** PUD. Parking shall be determined utilizing the modal splits and parking demands for various uses recognized by the ITE, ULI or other sources or studies. The analysis shall demonstrate the number of parking spaces available to more than one use or function, recognizing the required parking will vary depending on the multiple functions or uses in close proximity which are unlikely to require the spaces at the same time.

b) On-site parking areas shall be organized into a series of small bays delineated by landscape islands of varied sized. A maximum spacing between landscape islands shall be 10 spaces. Landscape islands and tree diamonds shall have a minimum of one canopy tree.

c) Parking **lots** shall be accessed from **alleys** , service lanes or secondary **streets** .

d) Any or all of the above parking requirements may be further reduced if a shared parking plan is submitted as part of a **rural village** PUD or subsequent site **development** plan application. The shared parking plan shall demonstrate that the reduced parking is warranted as a result of the following: shared building and/or **block** use(s) where parking demands for certain uses are low when other demands are higher; a concentration of residential **dwelling units** located within 600 feet of non-residential uses; the existence of transit for use by residents and visitors.

xvi. Landscaping minimums within the **village center** or within **neighborhood centers** shall be met by:

a) Providing landscaping within parking **lots** as described, and by providing a streetscape area between the **sidewalk** and curb at a minimum of 5 Ft. in width;

b) Planting **street** trees every 40 Ft. O.C. The **street** tree pattern may be interrupted by architectural elements such as arcades and columns.

c) Plantings areas, raised planters, or planter boxes in the front of and **adjacent** to the buildings, where such planting areas do not interfere with pedestrian access and mobility.

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d) Providing for additional pubic use landscape areas at intervals within the streetscape, on identified **parcels** with **block** s, or as part of public greens, squares, parks or civic uses.

xvii. **Signs** : The PUD document shall adhere to the provisions of section 5.06.00 of this Code; however, deviations may be requested where such deviations are shown to further these **rural village** design standards by providing for pedestrian scale signage standards with **neighborhood centers** or the **village center** .

(5) **Native vegetation** . **Native vegetation** shall be preserved as set forth in section 4.06.04.

(6) **Greenbelt** . Except within the NBMO **rural village** , a **greenbelt** averaging a minimum of 300 feet in width, but not less than 200 feet in width at any location, shall be required at the perimeter of the **rural village** . The **greenbelt** is required to ensure a permanently undeveloped edge surrounding the **rural village** , thereby discouraging sprawl. **Greenbelts** shall conform to the following:

(a) **Greenbelts** may only be designated on **RFMU receiving lands** .

(b) The allowable **residential density** shall be shifted from the designated **greenbelt** to the **rural village** .

(c) The **greenbelt** may be concentrated to a greater degree in areas where it is necessary to protect listed species habitat, including **wetlands** and uplands, provide for a **buffer** from **adjacent natural reservations** , or provide for wellfield or **aquifer** protection. However, at no location shall the **greenbelt** be less than 300 feet in width.

(d) Golf courses and existing agriculture operations are permitted within the **greenbelt** , subject to the vegetation retention standards set forth in section 4.06.04. However, golf course turf areas shall only be located within 100 feet of the **greenbelt** boundaries (interior and exterior boundary); further, these turf areas shall only be located in previously cleared or disturbed areas.

(7) **Open space** : Within the **rural village** , a minimum of 40% of open space shall be provided, inclusive of the **greenbelt** .

(8) Process for Approval of a **rural village** . Applications for approval shall be submitted in the form of a Planned Unit **Development** (PUD) rezone utilizing the standard form(s) developed by Collier County, and subject to the Fees established for a PUD rezone application. Where applicable, the **rural village** PUD application will be submitted in conjunction with a **development** of Regional Impact (DRI) application as provided for in Chapter 380 of Florida Statutes, or in conjunction with any other Florida provisions of law that may supercede the DRI process. The **applicant** shall notify the owner(s) of subsurface mineral rights to the property within the boundaries of the proposed **rural village** prior to approval of the PUD. The Application for **rural village** PUD approval shall demonstrate general compliance with the provisions of section 2.03.06 and shall include the following additional submittal requirements:

(a) EIS. An **environmental impact statement** for the **rural village** and surrounding **greenbelt** area shall be submitted an accordance with the requirements of Chapter 10 of this Code.

(b) Demonstration of Fiscal Neutrality. An analysis that demonstrates that the **rural village** will be fiscally neutral to county taxpayers outside of the **rural village** . This analysis shall evaluate the demand and impacts on levels of service for public facilities and the cost of such facilities and services necessary to serve the **rural village** . In addition, this evaluation shall identify projected revenue sources for services and any capital improvements that may be necessary to support the

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rural village . In conclusion, this analysis shall indicate what provisions and/or commitments will be to ensure that the provision of necessary facilities and services will be fiscally neutral to County taxpayers outside of the **rural village** . At a minimum, the analysis shall consider the following:

i. Stormwater/ **drainage facilities** ;

ii. Potable water provisions and facilities;

iii. Reuse or "Grey" water provisions for irrigation;

iv. Central sewer provisions and facilities;

v. Law enforcement facilities;

vi. School facilities;

vii. Roads, transit, bicycle and pedestrian facilities and **pathways** ;

a) **Solid waste** facilities.

b) **Development** phasing and funding mechanisms to address any impacts to **level of service** in accordance with the county's adopted **concurrency** management program to ensure that there will be no degradation to the adopted **level of service** for public facilities and infrastructure identified in (1) through (7) above.

C. **North Belle Meade Overlay District (NBMO).**

1. Purpose and intent. The **North Belle Meade Overlay** (NBMO) is unique to the **RFMU district** because it is surrounded by areas that are vested for **development** on three sides. Because this area is largely undeveloped and includes substantial vegetated areas, the NBMO can and does provide valuable habitat for wildlife, including endangered species. The NBMO is intended to achieve a balance of both preservation and opportunities for future **development** that takes into account resource protection and the relationship between this area and the Estates developing around the NBMO.

2. General location. The NBMO District is surrounded by Golden Gate Estates to the north, east, and west and I-75 to the south. This NBMO comprises some 24 sections of land (approximately 15,550 acres) located entirely within the **RFMU District** (LDC section 2.03.08 A.). The boundaries of the NBMO District are outlined in Illustration 2.03.08 C.2.a below and on the North Belle Meade Overlay Map in the Future Land Use Element of the GMP.

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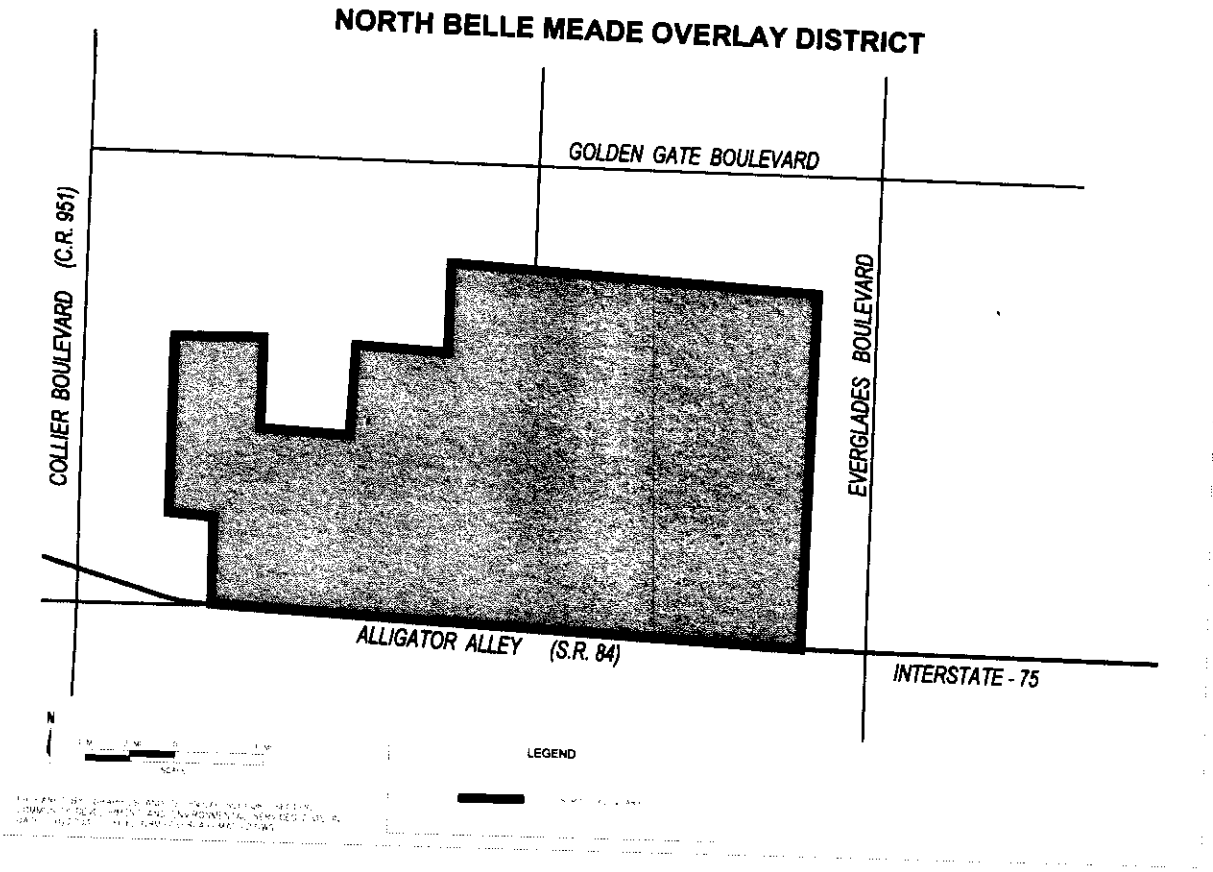


Illustration 2.03.08 C.2.a

3. Applicability:

   a. NBMO receiving lands. Permitted, conditional, and **accessory uses** within NBMO Receiving Lands shall be as set forth in LDC section 2.03.08 A.2, except as provided in LDC section 2.03.08 C.5.a. All other provisions of this Code that implement the Future Land Use Element, Conservation and Coastal Management Element, or Public Facilities Element, including but not limited to Chapters 3, 4 and 10, shall only be applicable to **development** in NBMO Receiving Lands to the extent specifically stated in this section. However, all **development** within NBMO Receiving Lands shall comply with all non-environmental review procedures for site **development** plans and platting as set forth in this Code.

   b. NBMO **neutral lands** . Except as otherwise specifically provided in LDC section 2.03.08 C.4. and LDC section 2.03.08 C.5.b., all **development** within NBMO **neutral lands** shall be consistent with LDC section 2.03.08 A.3.

   c. NBMO sending lands. Except as otherwise specifically provided in LDC section 2.03.08 C.4., all **development** with NBMO Sending Lands shall be consistent with LDC section 2.03.08 A.4.

4. General planning and design considerations:

   a. **Transportation.** As a condition for the approval of the residential component of any **subdivision** plat, site **development** plan, PUD, or DRI within Sections 21, 28, or 27 of the NBMO, the following transportation related improvements and planning and design elements shall be addressed and provision made for their completion.

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(1) An extension of Wilson Boulevard shall be provided, including ROW dedication and construction to County collector road standards, through Section 33, Range 27 East, extending to the south to Interstate 75 via an interchange or service road for residential **development** should it commence in Sections 21, 28 and 27. The portion of Wilson Boulevard that traverses through NBMO Sending Lands shall be designed with aquatic species crossings and small terrestrial animal crossings.

(2) As an alternative to (1) above, a haul road along an extension of Wilson Boulevard shall be improved to standards sufficient, in the opinion of County transportation staff, to safely serve earth-mining activities with a connection through Sections 32 and 31 to Landfill Road.

(3) Lands required for the extension of Wilson Boulevard will be dedicated to Collier County at the time of rezoning. The **right-of-way** shall be of a sufficient size to accommodate collector road requirements.

(4) All new roads and road improvements, other than the Wilson Boulevard extension and the haul road referenced in 2 above, shall:

(a) be routed so as to avoid traversing publicly owned natural preserves, publicly owned parks, publicly owned recreation areas, areas identified as environmentally sensitive wildlife habitat, wildlife corridors, and greenways unless there is no feasible and prudent alternative; and

(b) be designed with aquatic species crossings, small terrestrial animal crossings, and large terrestrial animal crossings pursuant to Florida Fish and Wildlife Conservation Commission criteria.

b. **Buffering** . The western ¼ of Sections 22 and 27 shall be **buffered** from the NBMO NRPA to the east by a **buffer** preservation that includes all of the eastern ½ of the western ¼ of Sections 22 and 27. This **buffer** shall consist of lake excavation areas between the Wilson Boulevard extension road **right-of-way** and the NRPA.

c. Greenway. A Greenway that follows natural **flowways** , as contemplated in the Community Character Plan prepared by Dover Kohl, shall be created within NBMO Sending Lands. As a condition to the creation of **TDR credits** from NBMO Sending Lands that constitute natural **flowways** , such lands shall be dedicated to a public or private entity for use as part of the Greenway.

5. Additional specific area provisions.

a. Receiving lands.

(1) **Density** .

(a) The base **density** in **RFMU receiving lands** , outside of a **rural village** is one dwelling unit per five (5) gross acres.

(b) This density may be increased, through **TDR credits** and **TDR Bonus Credits** , up to a maximum of 1 dwelling unit per gross acre.

(c) Once a **density** of 1 dwelling unit per gross acre is achieved through **TDR credits** and **TDR Bonus Credits** , additional density may be achieved as follows:

i. 0.1 dwelling unit per acre for each acre of **native vegetation** preserved on-site;

ii. 0.1 dwelling unit per acre for each acre of **wetlands** having a functionality value, as assessed using the South Florida Water Management District's Unified **Wetlands** Mitigation Assessment Method, of 0.65 or greater that are preserved on-site; and/or

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iii. 0.1 dwelling unit per acre for each acre of NBMO Sending Land that is within either a NRPA or a **buffer** area adjoining a NRPA that is dedicated to a public or private entity for conservation use.

(2) The earth mining operation and asphalt plant uses that currently exist within NBMO Receiving Lands may continue and may expand as follows:

(a) Until June 19, 2005, or such other date as the GMP is amended to provide, such uses may expand only into the western half of Section 21 and shall not generate truck traffic beyond average historic levels.

(b) Such mining operations and an asphalt plant may expand on Sections 21 and 28 and the western quarters of 22 and 27 as a permitted use if either of the following occurs by June 19, 2005, or such other date as the GMP is amended to provide:

i. an alignment has been selected, funding has been determined, and an accelerated construction schedule established by the BCC and the mine operator, for an east-west connector roadway between County Road 951 and the Wilson Boulevard extension; or

ii. the mine operator commits to construct a private haul road by June 19, 2007, or such other date as the GMP is amended to provide, without the use of any public funds.

(c) If the conditions for expansion set forth in b above are not satisfied, any mining operations or asphalt plant in these areas, other than continued operations on the western half of Section 21 at historic levels, shall be permitted only as a conditional use.

(3) A **greenbelt** is not required for any **development** in NBMO Receiving Lands, whether inside or outside of a **rural village** . However, any greenbelt that is provided in a NBMO **rural village** shall be included in the calculation of open space.

(4) NBMO rural village. A NBMO rural village shall adhere to the provisions for rural village set forth in LDC section 2.03.08 A.2.b., except as follows:

(a) Density. An NBMO rural village shall have a minimum gross density of 1.5 dwelling units per acre and a maximum gross density of three (3) dwelling units per acre.

i. The minimum required density shall be achieved through TDR credits, TDR Bonus Credits, and Rural Village Bonus credits, as provided in LDC section 2.03.08 A.2.b.(3)(c).

ii. Once the minimum required **density** is achieved, additional **density** may be achieved, up to the maximum of three (3) **dwelling units** per gross acre through any one or combination of the following:

a) **TDR credits** ;

b) TDR Bonus Credits;

c) 0.3 dwelling unit per acre for each acre of **native vegetation** preserved on-site;

d) 0.3 dwelling unit per acre for each acre of **wetlands** having a functionality value, as assessed using the South Florida Water Management District's Unified **wetlands** Mitigation Assessment Method, of 0.65 or greater that are preserved on-site; and/or

e) 0.3 dwelling unit per acre for each acre of NBMO Sending Land that is within either a NRPA or a **buffer** area adjoining a NRPA that is dedicated to a public or private entity for conservation use.

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(b) **Sidewalks** shall be required on both sides of the **streets** .

(c) Interconnected **bike lanes** shall be provided on all collector and arterial roadways.

(d) Schools shall be located within a NBMO **rural village** whenever possible, in order to minimize bussing of students. Furthermore, whenever possible, schools shall be co-located with other public facilities and civic **structures** , such as parks, libraries, community centers, public squares, greens, and civic areas.

(e) Elementary schools shall be accessible by local **streets** and pedestrian and bicycle facilities and shall be located in or **adjacent** to the **rural village center** , provided that local **streets** provide access adequate to meets the needs of the School Board.

b. Neutral lands. Neutral lands shall be governed by the standards set forth in LDC section 2.03.08 A.3. In addition to standards in LDC section 2.03.08 A.3., neutral lands located in Section 24, Township 49 South, Range 26 East, shall be governed by the North Belle Meade Overlay in the Future Land Use Element of the GMP. Where there is a conflict between provisions, the GMP overlay provisions shall apply.

(Ord. No. 04-72, § 3.F; Ord. No. 05-27, § 3.E; Ord. No. 05-49, § 3.B; Ord. No. 07-67, § 3.E; Ord. No. 08-08, § 3.C; Ord. No. 12-38, § 3.C; Ord. No. 16-27, § 3.G; Ord. No. 18-18, § 3.E)

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A. Purpose and intent. This section applies to specified communication towers that support any antenna designed to receive or transmit electromagnetic energy, such as, but not limited to, telephone, television, radio, or microwave transmissions. This section sets standards for construction and facilities siting; and is intended to minimize, where applicable, adverse visual impacts of towers and antennas through careful design, siting, and vegetation screening; to avoid potential damage to adjacent properties from tower failure; to maximize the use of specified new communication towers and, thereby, to minimize the need to construct new towers ; to maximize the shared use of specified tower sites to minimize the need for additional tower sites; to lessen impacts new ground mounted towers could have on migratory and other species of birds; t prevent unnecessary habitat fragmentation and/or disturbance in siting and designing new towers ; and to consider the concerns of the Collier Mosquito Control District as to low flying mosquito control aircraft safety.

B. Definitions unique to communications towers , section 5.05.09.

1. As used herein " *antenna* " does not include (a) wire antennas or (b) "receive only" dishes that have an outside diameter of less than 40 inches
2. *Effective radius* means a radius of 6 miles from the respective tower unless a lesser radius is approved.
3. *Lesser effective radius* means an approved radius of less than 6 miles.
4. " ***Unavailable to the applicant " means a tower that cannot accommodate the applicant's proposed antenna or a site that cannot accommodate the applicant's tower , antenna, and related facilities.***
5. " *Unavailable* " means that no additional tower or site capacity is available to anyone.

C. Migratory Birds and other Wildlife Considerations.

1. ***Ground Mounted towers . Except to the extent not feasible for the respective new ground mounted tower 's intended purpose(s), each new ground mounted tower that will exceed a height of 75 feet (above ground), exclusive of antennas, but will not exceed a height of 199 feet above natural grade , exclusive of antennas, should not be guyed. If the applicant proposes that a new ground mounted tower within this height range be guyed, the applicant shall have the burden of proving the necessity of guying the tower .***
2. *Bird Diverter Devices.* Each new ground mounted guyed tower installed on or after February 20, 2004, greater then 75 feet in height above natural grade , exclusive of antennas, shall have installed and maintained bird diverter devices on each guy wire (to reduce injuries to flying birds).
3. *Habitat Loss.* In addition to the requirements in Chapters 3 and 10, towers and other on-site facilities shall be designed, sited, and constructed to minimize habitat loss within the tower footprint. At such sites, road access and fencing, to the extent feasible, shall be utilized to minimize on-site and adjacent habitat fragmentation and/or disturbances.
4. *Security Lighting* . When feasible, security lighting to protect on-ground facilities/equipment shall be down-shielded to try to keep such light within the outermost geographic boundaries of the tower's footprint.

D. Shared use of towers . A tower with a height in excess of 185 feet above natural grade shall not be approved, unless the applicant demonstrates that no old or approved tower within the effective radius can accommodate the applicant's proposed antenna and ancillary equipment. Towers owned by or leased to any government are exempt from these shared use provisions, except as to sharing with other governments.

1. For the purpose of discovering availability for use of towers within the effective radius, the applicant shall contact the owner of all old and approved towers , within the effective radius, that can possibly accommodate the needs of the applicant . The county manager or designee may preapprove the minimum allowable height to determine which towers may be available for use by the applicant . A list of all owners contacted, the date of each contact, the form and content of each contact, and all responses shall be a part of the conditional use application. As an accommodation to applicants , the county manager or designee shall retain all shared use plans, records of past responses, and a list of old and approved towers . If the owner of an old tower does not respond to the applicant's inquiry within a reasonable time, generally 30 days or less, or the owner of an old tower will not rent space to the applicant at a reasonable rental for a reasonable time period, such old tower shall be deemed unavailable to that applicant . If the old tower is a nonconforming structure , additional antennas may be installed thereon in accordance with an approved shared use plan, provided however, no structural alterations may be made to the tower , and the height of the tower inclusive of its antennas may not be increased.
2. Lesser effective radius. If the applicant asserts that the effective radius for the intended use is less than 6 miles, the applicant shall provide evidence that the asserted lesser effective radius is based on physical and/or electrical characteristics. Based on the evidence submitted by the applicant , the County Manager or designee may establish a lesser effective radius. If a radius can be increased by signal amplification or other means, such means must be considered in determining the lesser effective radius. The antenna manufacturer's specifications shall be conclusive, unless the applicant can prove they are incorrect in the specific case.
3. If an approved tower within the applicant's approved effective radius may have capacity available for the antenna proposed by the applicant , the application for a new tower shall not be complete without the following information regarding each such possibly available approved tower . Such information shall also be provided for old towers to the extent it can be obtained.

   Identification of the site of each possibly available tower by coordinates, street address or legal description, existing uses, and tower height.

   Whether shared use by the applicant of the tower is prohibited (or is not feasible) for any reason.

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If it has been determined that the **tower** owner will allow structural changes, whether the **tower** can accommodate the proposed antenna if reasonable structural changes are made. If so, the **applicant** shall specify what structural changes would be required and an approximation of the costs of such changes. If the costs of the required changes are financially impracticable, such **tower** shall be deemed unavailable to the **applicant** .

4. The **applicant** shall contact the owner of each possibly available approved **tower** to request the needed information. To enable the **tower** owner to respond, the **applicant** shall provide the following information regarding the **applicant's** proposed antenna and equipment:
   a. All output frequencies of transmitter.
   b. Type of modulation, polarization of radiation, and proposed use of antenna.
   c. Manufacturer, type, manufacturer's model number, a diagram of the antenna's radiation pattern, and the manufacturer's specifications.
   d. Power input to antenna and gain of antenna in decibels with respect to an isotopic radiator.
   e. Range in feet of maximum and minimum height of antenna above base of **tower** .
   f. A list of necessary ancillary equipment and description of the type of transmission cable to be used.
   g. Any other pertinent information needed to enable the owner to respond in full to the inquiry.

E. Shared use of **tower** sites. A **tower** with a height in excess of 185 feet above natural **grade** shall not be approved on a new **tower** site unless the **applicant** demonstrates that the proposed **tower, antennas, and accessory structures or uses** cannot be located on any conforming old site or approved site situated within the effective radius. Sites owned by any government or leased to any government are exempt from these shared use provisions except to other governments.

1. Except as to each old site or approved site determined by the County Manager or designee, or in a shared use plan to be unavailable to the **applicant** , the **applicant** shall contact the **owner** of all other conforming old sites and approved **tower** sites, within the effective radius, containing sufficient land area to possibly accommodate the needs of the **applicant** .
2. For each such possibly available **tower** site, the application for a new **tower** site shall not be complete without the following information:
   a. Identification of the proposed new **tower** site by coordinates, **street** address or legal description, area, existing uses, topography, and **significant** natural features.
   b. Evidence that no old and no approved **tower** site within the effective radius can accommodate the **applicant's** needs.
   c. If the owner of an old **tower** site does not respond to the **applicant's** simple letter of interest inquiry within thirty (30) days, or the owner of an old **tower** site will not rent land to accommodate the **applicant's** needs for a reasonable period of time at reasonable rentals, such old **tower** site shall be deemed unavailable to the **applicant** .
   d. The **applicant** is not required to supply this information to owners of conforming old sites unless the old site appears to be available to the **applicant** by a shared use plan or the site's **owner** has responded positively to the **applicant's** initial letter of inquiry. To enable the site owner to respond, the **applicant** shall provide the site owner (and the owner of any **tower** on the site) with the dimensional characteristics and other relevant data about the **tower** , and a report from a professional engineer licensed in the State of Florida, or other qualified expert, documenting the following:
   e. **tower** height and design, including technical, engineering, and other pertinent factors governing the intended uses and selection of the proposed design. An elevation and a cross section of the **tower structure** shall be included.
   f. Total anticipated capacity of the **tower** , including number and types of antennas and needed transmission lines, **accessory use** needs including specification of all required **ancillary** equipment, and required **building** and parking space to accommodate same.
   g. Evidence of structural integrity of the proposed **tower** as required by the **building** official and, for metal **towers** , a statement promising full compliance with the then latest edition of the standards published by the Electronic Industries Association (currently EIA/TIA 222-E), or its successor functional equivalent, as may be amended for local application.
3. If the site owner, or owner of a **tower** on the respective site, asserts that the site cannot accommodate the **applicant's** needs, the respective **owner** shall specify in meaningful detail reasons why the site cannot accommodate the **applicant** . To the extent information is current and correct in the respective **tower** site's approved shared use plan, the site owner or **tower** owner can refer the **applicant** to the respective shared use plan. If the shared use plan is not then up-to-date, the plan shall be brought up-to-date immediately by the owner and the written reply to the **applicant** shall specify to what extent the shared use plan is incorrect, incomplete, or otherwise not up-to-date.
4. No provision in a shared use plan, land lease, mortgage, option to purchase, lease-option, contract for deed, or other controlling document shall provide, or have the effect, that the site is exclusive to one (1) **tower** , unless there is good reason for such restriction, other than the prevention of competition or a desire or inclination not to cooperate in good faith. If the site size is physically and electrically compatible with the installation on-site of any other **tower** , no such document shall prevent other **towers** , except for reasons approved by the County Manager or designee. An unapproved document provision of **tower** exclusivity shall be grounds to disapprove an application for **tower** site approval.

F. Required sharing. Each new **tower** in excess of 185 feet in height (shared use **tower**), except **towers** that are approved to be perpetually unavailable, shall be designed to structurally accommodate the maximum amount of additional antenna capacity reasonably practicable. Although it is not required that a new **tower** be constructed at additional expense to accommodate antennas owned by others, no new **tower** shall be

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designed to accommodate only the **tower** owner's proposed antennas when, without additional expense, antenna space for other owners can be made available on the **tower** .

1. Shared use plans. Each shared use plan shall be in a standard format that has been approved by the County Manager or designee. Each shared use plan shall specify in detail to what extent there exists **tower** and/or site capacity to accommodate additional antennas and/or additional **towers** , ancillary equipment, and **accessory uses** . Available antenna capacity on a **tower** shall be stated in detailed clearly understandable terms, and may be stated in equivalent flat plate area and total additional available transmission line capacity. The **tower** owner (as to **tower** shared use plans) and the landowner (as to site shared use plans) shall update its respective approved shared use plans by promptly filing pertinent update information with the County Manager or designee. **Owners** of old **towers** and/or old sites may file shared use plans in accord with this section.
2. Reservation of capacity. If an **applicant** for a shared use **tower** does not plan to install all of its proposed antennas during initial construction of the **tower** , the **applicant** must specify the planned schedule of installing such later added antennas as part of the shared use plan. An **applicant** cannot indefinitely prevent the use of unused available antenna space on a **tower** by reserving to itself such space. No available space can be reserved for the owner or anyone else, unless approved in the shared use plan. If an antenna is not installed by the scheduled deadline, the reserved space shall automatically be rendered available for use by others, unless the shared use plan has, by the deadline, been amended with the approval of the County Manager or designee. Deadlines may be extended even if the **tower** is a **nonconforming structure** . If space has been reserved in a shared use plan for future additional antenna use by the **tower** owner and it becomes clear that such space will not be utilized by the owner, the shared use plan shall be amended promptly to reflect the availability of such space.
3. Reservation of site capacity. The policy stated above applies also to additional **tower** space on an approved **tower** site to prevent indefinite reservation of available site space.
4. Height bonus for sharing. Notwithstanding anything to the contrary in any County ordinance, any existing conforming or **nonconforming tower** may be permitted a one-time increase in height, provided:
   a. Any such increase in height does not exceed thirty (30) feet or twenty (20) percent of the height of the existing **tower** , whichever is less;
   b. The cost of such increase in height does not exceed fifty (50) percent of the actual replacement cost of the **tower** at the time of the application;
   c. A shared use plan covering the **tower** with the increased height is first approved by the County Manager or designee;
   d. The increase in height does not cause the proposed **tower** to exceed any required maximum height requirement for **towers** or make a legally conforming **tower** become **nonconforming** ;
   e. Substantiated proof that such proposed antenna(s) may not be placed on the existing **tower** by relocating or adjusting existing antennas and equipment shall be submitted by an appropriate professional engineer certified to practice in the State of Florida; and
   f. A site **development plan** shall be submitted for review and approval if an increase in **tower** height requires placement of, or addition to, an antenna equipment **building** or support **building** .
5. Filing shared use plans. Each approved shared use plan shall be filed and recorded in the Office of the Collier County Clerk of Court prior to any site **development plan** approval. A copy of the initial shared use plan shall be filed with, and approved by, the County Manager or designee prior to **conditional use** approval.
6. Shared use plans for old **towers** and old **tower** sites. Initial shared use plans and amendments for old **towers** require approval of the County Manager or designee. Initial shared use plans and amendments for old **tower** sites require approval of the BCC, except where an amendment reduces site and/or antenna capacity.
7. Transmitting and receiving equipment serving similar kinds of uses shall, to the extent reasonable and commercially practicable, be placed on a shared use **tower** in such a manner that any of the users in a group can operate approximately equal to other users in the group utilizing substantially similar equipment.
8. Once a shared use plan for a **tower** is approved, additional antennas may be added to that **tower** in accordance with the approved shared use plan without additional **conditional use** approval even if the **tower** is then a **nonconforming structure** . The shared use plan shall be immediately updated to reflect each such change. Likewise, once a new shared use plan for a **tower** site is approved, additional **towers** and **accessory buildings** and uses may be added to that site in accordance with the plan without additional **conditional use** approval, even if the site is then **nonconforming** . The shared use plan shall be immediately updated to reflect each change.
9. For each **tower** with a height in excess of 185 feet that is approved, the **tower owner** shall be required, as a condition of approval, to file an approved shared use plan, except when a government **tower** is approved to be perpetually unavailable. To the extent that there is capacity for other antennas on the **tower** , the plan shall commit the **tower owner** and all successor owners to allow shared use of the **tower** in accordance with the shared use plan for antennas of others at reasonable rates. The initial proposed rates (or a range of reasonable rates) shall be specified in the shared use plan, and shall be amended each time the rates are changed. When antenna space on a **tower** is rented to others, each rental agreement shall be filed with the shared use plan. Any agreement that purports to reserve antenna space for future use must be approved by the County Manager or designee.
10. For each new shared use **tower** site that is approved, the **owner** shall be required, as a condition of approval, to file an approved shared use plan, except as to a government site that is approved to be perpetually unavailable. If there is land available on the site to accommodate additional **towers** and **accessory** facilities, the plan shall commit the landowner and successor owners to accommodate such additional

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facilities on the site at reasonable rents (or a range of reasonable rents) which shall be specified in the shared use plan. When land is rented for facilities on the site, the rental agreement shall be filed with the shared use plan. Any agreement that purports to reserve land for future use of a tower and other facility space must be approved by the County Manager or designee.

11. Each new tower owner or site owner, as the case may be, shall agree, as a condition of approval, to respond, in writing, in a comprehensive manner within thirty (30 days) to each request for information from a potential shared use applicant . Government owners need to reply only to requests from another government. To the extent that correct and up-to-date information is contained in an approved shared use plan, the owner may refer the applicant to the shared use plan for the information. If the shared use plan is incorrect, incomplete, or otherwise not up-to-date, the respective owner shall, in the response, specify, in detail, such information, and shall immediately bring the shared use plan up-to-date.
12. The tower owner or site owner, as the case may be, shall, as a condition of approval, negotiate in good faith for shared use of tower space and/or site space by applicants in accordance with its shared use plan.
13. All conditions of approval regarding a tower shall run with the ownership of the tower and be binding on all subsequent owners of the tower . All conditions of approval regarding an approved tower site shall run with the land and be binding on all subsequent owners of the tower site.

G. Development standards for communication towers .

1. Except to the extent that amateur radio towers , and ground-mounted antennas with a height not to exceed twenty (20) feet, are exempted by subsection 5.05.09 herein, no new tower of any height shall be permitted in the RSF-1 through RSF-6, RMF-6, VR, MH, TTRVC, and E zoning districts. However, notwithstanding other provisions of this section, including the separation requirements of subsection5.05.09(F)(7) below, towers may be allowed to any height as a conditional use in the E zoning district only on sites approved for a specified essential service listed in subsection 5.05.09((F)(3) below. There shall be no exception to this subsection except for conditional use applications by a government for a governmental use.
2. Permitted ground-mounted towers . Towers not exceeding the stated maximum heights are a permitted use, subject to other applicable provisions of this section, including separate requirements and shared use provisions. towers that exceed those specified maximum heights require a variance in accordance with section 9.04.00.
   a. All commercial and industrial zoning districts and urban designated area agricultural zoning districts: Any tower up to seventy-five (75) feet in height is a permitted use, provided the base of such tower is separated a minimum distance of seventy-five (75) feet from the nearest boundary with any parcel of land zoned RSF-1 through RSF-6, RMF-6, E, RMF-12, RMF-16, RT, VR, MH, TTRVC, or PUD permitting six (6) residential dwelling units or less. Any tower that exceeds seventy-five (75) feet in height, up to a height of 185 feet, is a lawful use, only if permitted or otherwise provided in the respective zoning district, and the base of such tower is separated from the nearest boundary of any parcel of land zoned RSF-1 through RSF-6, RMF-6, E, RMF-12, RMF-16, RT, VR, MH, TTRVC, or PUD zoning of six (6) residential dwelling units or less, by a minimum distance in feet determined by multiplying the height of the tower (in feet) by a factor of two and one-half (2.5). (The minimum separation distance is two and one-half (2 ½) times the height of the tower .) towers which do not meet the separation requirement may apply for a variance in accordance with section 9.04.00.
   b. Agricultural zoning districts within the rural designated area: Towers shall not exceed 250 feet in height.
   c. All agricultural zoning districts: No tower that exceeds 250 feet in height exclusive, of any antenna affixed thereto, shall be allowed on any site comprising less than ten (10) acres under common ownership or control, except such towers can be approved as a conditional use on sites of less than ten (10) acres if the applicant cannot, with economic feasibility, acquire title to, or control of, a suitable tower site of at least ten (10) acres in the required geographic vicinity of the proposed tower site.
3. Essential services —Specified conditional uses Except in the RSF-1 through RSF-6, and RMF-6 zoning districts, towers may be allowed to any height as a conditional use on sites approved for a conditional use essential service for any of the following conditional uses : safety service facilities including, but not necessarily limited to, fire stations , sheriff's substation or facility, emergency medical services facility, and all other similar uses where a communications tower could be considered an accessory or logically associated use with the safety service conditional use on the site. In addition, communications towers can be approved as a conditional use for a stand-alone essential service facility, provided the tower is to be owned by, or to be leased to, a governmental entity, and the primary uses of the tower are for governmental purposes.
4. New towers shall be installed only on rooftops in the RMF-12, RMF-16, and RT zoning districts, except amateur radio towers with a height not to exceed seventy-five (75) feet above the natural grade , and ground-mounted antennas with a height not to exceed twenty (20) feet above the natural grade , are permitted within these zoning districts.
5. Ground-mounted monopole communication towers up to 150 feet in height above the natural grade , including antennas affixed thereto, may be allowed as a conditional use within these zoning districts. The height of each monopole communication tower shall be limited to the height necessary for its use at its location.
6. Rooftop towers , antenna structures , and antennas.
   a. Rooftop towers , antenna structures , and antennas are allowed in all zoning districts except the RSF-1 through RSF-6, RMF-6, and E zoning districts.
   b. Rooftop towers , antenna structures , and antennas are, as specified, subject to the following:
      i. Permitted uses. Rooftop antenna structures and antennas are a permitted use up to a height of twenty (20) feet above the

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maximum roofline, provided the height of the maximum roofline is twenty (20) feet or more above the average natural grade . If the maximum roofline is less than twenty (20) feet above the average natural grade , an antenna structure and/or antenna is a permitted use up to a height that equals the distance from the average natural grade to the maximum roofline. For example, if the distance from the average natural grade to the maximum point of the roofline is fifteen (15) feet, an antenna structure and/or antenna is a permitted use up to a height of fifteen (15) feet above the maximum roofline. Any antenna structure , tower , or antenna that exceeds its permitted use height, as provided herein, shall require conditional use approval, and the maximum allowable height of the structure , tower , and all antennas shall be determined in each specific case. Distance from RSF-1 through RSF-6, and RMF-6 zoning districts shall be a major consideration in determining the allowable height of rooftop facilities.

ii. Towers and antenna structures shall be set back from the closest outer edge of the roof a distance of not less than ten (10) percent of the rooftop length and width, but not less than five (5) feet, if the antenna can function at the resulting location.

iii. Antenna structures and dish type antennas shall be painted to make them unobtrusive.

iv. Except for antennas that cannot be seen from street level, such as panel antennas on parapet walls, antennas shall not extend out beyond the vertical plane of any exterior wall.

v. Where technically feasible, dish type antennas shall be constructed of open mesh design.

vi. Where feasible, the design elements of the building (i.e., parapet wall, screen enclosures, other mechanical equipment) shall be used to screen the communications tower , structure , and antennas.

vii. The building and roof shall be capable of supporting the roof-mounted antenna, structure , and tower .

viii. No rooftop shall be considered a tower site. This section does not require any sharing of any rooftop, rooftop tower , or antenna structure .

7. With the exception of rooftop towers and towers on essential services sites, each new communication tower shall meet the following separation requirements:

   a. Each new tower that exceeds 185 feet in height shall be located not less than two and one-half (2.5) times the height of the tower from all RSF-1 through RSF-6, and RMF-6 zoning districts, including PUDs where the adjacent use(s) is/are, or comparable to, the RSF-1 through RSF-6 and RMF-6 zoning districts. If a part of a PUD is not developed, and it is inconclusive whether the part of a PUD area within such minimum separation distance from the proposed tower site may be developed with a density of six (6) units per acre or less, it shall be presumed that the PUD area nearest to the proposed site will be developed at the lowest density possible under the respective PUD.

   b. In addition, each such new tower that exceeds a height of seventy-five (75) feet, excluding antennas, shall be separated from all boundaries of surrounding property zoned RMF-12, RMF-16, E, RT, VR, MH, TTRVC, H, and the residential areas of PUDs with existing or planned densities greater than six (6) units per acre by not less than the total height of the tower including its antennas; and from all other surrounding property boundaries by a distance not less than one-half (1/2) the height of the tower and its antennas, or the tower's certified collapse area, whichever distance is greater.

8. All owners of approved towers are jointly and severally liable and responsible for any damage caused to off-site property as a result of a collapse of any tower owned by them.

9. Placement of more than one (1) tower on a land site is preferred and encouraged, and may be permitted, provided, however, that all setbacks , design, and landscape requirements are met as to each tower . structures may be located as close to each other as technically feasible, provided tower failure characteristics of the towers on the site will not likely result in multiple tower failures in the event that one (1) tower fails, or will not otherwise present an unacceptable risk to any other tower on the site. It shall be the policy of the County to make suitable County-owned land available for towers and ancillary facilities at reasonable rents.

10. Any accessory buildings or structures shall meet the minimum yard requirements for the respective zoning district. accessory uses shall not include offices, long-term vehicle storage, outdoor storage, broadcast studios except for temporary emergency purposes, or other structures and/or uses that are not needed to send or receive transmissions, and in no event shall such uses exceed twenty-five (25) percent of the floor area used for transmission or reception equipment and functions. Transmission equipment shall be automated, to the greatest extent economically feasible, to reduce traffic and congestion. Where the site abuts , or has access to, a collector street , access for motor vehicles shall be limited to the collector street . All equipment shall comply with the then applicable noise standards.

11. For new commercial towers exceeding 185 feet in height, a minimum of two (2) parking spaces shall be provided on each site. An additional parking space for each two (2) employees shall be provided at facilities which require on-site personnel. Facilities which do not require on-site personnel may utilize impervious parking.

12. All new tower bases, guy anchors, outdoor equipment, accessory buildings , and accessory structures shall be fenced. This provision does not apply to amateur radio towers , or to ground-mounted antennas that do not exceed twenty (20) feet above grade .

13. Tower lighting. Towers and antennas with a height greater than 150 feet shall be required to have red beacon or dual mode lights, unless exempted, in writing, by the Collier County Mosquito Control District. Such lights shall meet the then existing Federal Aviation Administration ("FAA") technical standards. No other towers or antennas shall be artificially lighted, except as required by the FAA, the Federal Communications Commission, or other applicable laws, ordinances, or regulations. If the FAA rules require lighting, then the applicant shall comply with such rules.

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New towers exceeding 199 feet. Each new tower that will have a height in excess of one hundred and ninety-nine (199) feet above ground, exclusive of antennas, and such tower shall be lighted no more than is otherwise required by state and/or federal law, rule, or regulation. Unless otherwise then required by law, rule or regulation, only white strobe lights shall be used at night, unless otherwise required by the FAA, in which case red strobe-type lights shall be used. Such lights shall not exceed the minimum number, minimum intensity, and minimum light flashes per interval of time (requiring the longest allowable duration between light flashes) required by state or federal law, rule, or regulation. Solid red (or pulsating red) warning lights shall not be used at night.

14. Effective January 1, 1992, all guyed towers , including old towers , exceeding 185 feet in height shall be inspected every two (2) years. Such self-supporting towers shall be inspected every four (4) years. Each inspection shall be by a qualified professional engineer or other qualified professional inspector, and any inspector-recommended repairs and/or maintenance should be completed without unnecessary delay. At a minimum, each inspection shall include the following:
    a. Tower structure : Including bolts, loose or damaged members, and signs of unusual stress or vibration.
    b. Guy wires and fittings: Check for age, strength, rust, wear, general condition, and any other signs of possible failure.
    c. Guy anchors and foundations: Assess for cracks in concrete, signs of corrosion, erosion, movement, secure hardware, and general site condition.
    d. Condition of antennas, transmission lines, lighting, painting, insulators, fencing, grounding, and elevator, if any.
    e. For guyed towers : Tower vertical alignment and guy wire tension (both required tension and present tension).
15. A copy of each inspection report shall be filed with the County Manager not later than December 1 of the respective inspection year. If the report recommends that repairs or maintenance are required, a letter shall be submitted to the County Manager to verify that such repairs and/or maintenance have been completed. The County shall have no responsibility under this section regarding such repairs and/or maintenance.
16. Any tower that is voluntarily not used for communications for a period of one (1) year shall be removed at the tower owner's expense. If a tower is not removed within three (3) months after one (1) year of such voluntary non-use, the County may obtain authorization, from a court of competent jurisdiction, to remove the tower and accessory items, and, after removal, shall place a lien on the subject property for all direct and indirect costs incurred in dismantling and disposal of the tower and accessory items, plus court costs and attorney's fees.
17. For all ground-mounted guyed towers in excess of seventy-five (75) feet in height, the site shall be of a size and shape sufficient to provide the minimum yard requirements of that zoning district between each guy anchor and all property lines.
18. All new metal towers , including rooftop towers , except amateur radio towers , shall comply with the standards of the then latest edition published by the Electric Industries Association (currently EIA/TIA 222-E) or the publication's successor functional equivalent, unless amended for local application by resolution of the BCC. Each new amateur radio tower with a height of seventy-five (75) feet or less shall require a building permit specifying the exact location and the height of the tower exclusive of antennas. Each new ground-mounted dish type antenna that does not exceed a height of twenty (20) feet shall require a building permit.
19. Within the proposed tower's effective radius , information that specifies the tower's physical location, in respect to public parks, designated historic buildings or districts, areas of critical concern, and conservation areas, shall be submitted as part of the conditional use application. This shall also apply to site plan applications and/or permit applications for rooftop installations that do not require conditional use approval.
20. No communication tower shall be located on any land or water if such location thereon creates, or has the potential to create, harm to the site as a source of biological productivity, as indispensable components of various hydrologic regimes, or as irreplaceable and critical habitat for native species of flora or fauna.
21. Any existing native vegetation on the site shall be preserved and used to meet the minimum landscape requirements as required by section 4.06.00. The site plan shall show existing significant vegetation to be removed and vegetation to be replanted to replace that lost. native vegetation may constitute part or all of the required buffer area if its opacity exceeds eighty (80) percent.
22. As to communications towers and antennas, including rooftop towers , antenna structures , and antennas, the height provisions of this section supersede all other height limitations specified in this Code.
23. All existing and proposed ground mounted and rooftop towers and antennas with a height greater than 150 feet shall be required to have a solid red beacon or dual mode lights unless exempted in writing by the Collier Mosquito Control District. Such lights shall meet the then existing Federal Aviation Administration (FAA) technical standards. The total structure height shall include all appendages and attachments, such as antennas, lights, lightening rods, or any other accessory device that would extend the height of the tower. All existing towers shall have six months (180 days) from June 16, 2005, to comply with the requirement. If the FAA rules require lighting, then the applicant shall comply with such rules.
24. A copy of each application for a tower in excess of 150 feet shall be supplied by the applicant to the Collier Mosquito Control District or designee.

H. Alligator Alley communication towers .

1. Notwithstanding other provisions of section 5.05.09, and irrespective of the zoning classification(s) of the underlying fee at each respective tower site, two (2) new communication towers shall be permitted at locations and heights herein specified within the I-75 right-of-way east of the toll booth (Alligator Alley). Two (2) of the four (4) towers shall be constructed to replace two (2) existing Florida Department of Transportation towers . The four (4) new telecommunication tower sites shall be located approximately at:

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a. Mile marker 52.2. The height of the **tower** shall not exceed 250 feet, including antennas;

b. Mile marker 92.6 (Everglades Blvd). The height shall not exceed 250 feet, including antennas;

c. The site of an existing FDOT **tower** located on State Road 29. The height shall not exceed 310 feet, including antennas;

d. The site of an existing FDOT **tower** located at mile marker 63.2 at the I-75 Rest Area. It will replace an existing **tower** located on the north side of I-75 at mile marker 63.3. The height shall not exceed 280 feet, including antennas.

e. Each **tower** shall be constructed with a capacity to provide for a minimum of four (4) to eight (8) co-users, including Florida Department of Transportation ("FDOT"), the U.S. Fish and Wildlife Service ("FWS"), the National Park Service ("NPS"), the Department of Forestry ("DOF"), and County agencies, where practical.

2. Each **tower** shall be constructed in accordance with the standards and requirements of section 5.05.09 and other applicable sections of this Code, except as expressly provided otherwise in this section.

3. Minimum **yard** requirements. There shall be no minimum yard requirement for these **towers** at these locations because each **tower** and all ancillary facilities must be contained within the I-75 **right-of-way** , and each proposed **tower** must maintain a separation distance from all **adjacent** residential property lines equal to one-half (½) of the **tower's** height or equal to a Florida professional engineer's certified collapse area (fall zone), whichever is greater, or a clear zone is maintained on adjoining property by a use **easement** applicable to such adjoining property **owner** . No habitable residential or non-residential **structure** , including offices, shall be allowed within any certified collapse area (fall zone) for any of these **towers** .

4. **Access** . Physical **access** to each **tower** site shall be as approved by FDOT.

5. Parking. Sufficient unpaved area shall be provided on, or **adjacent** to, each **tower** site to accommodate temporary parking for one (1) vehicle for servicing or maintaining the communication **tower** .

6. **Landscape buffer** . A **landscape buffer** no less than ten (10) feet wide with trees planted twenty-five (25) feet on center shall be developed and maintained around the perimeter of each **tower** site and other related equipment, **structures** , and **buildings** . This **buffer** shall encompass all **structures** including the **tower** base. At least one (1) row of **native vegetation** shall be planted within the **buffer** to form a continuous hedge of at least three (3) feet in height at planting. The **buffer** must be maintained in good condition. This **landscape buffer** may be waived by the County Manager or designee where the **buffer** is not practical due to public safety concerns.

7. A site **development plan** and construction plans shall be submitted to the County Manager or designee for review and approval prior to any construction of any such **tower** . No changes, additions, or **alterations** may be made to any approved site **development plan** or construction plans for any such **tower** without County approval.

8. **Tower** lighting. In addition to the requirements for **tower** lights specified in section 5.05.09 of this Code, **towers** located in the Big Cypress Preserve and the Florida Panther National Wildlife Preserve shall be lighted in accordance with the USFWS guidance system requirements for **tower** lighting.

9. Notwithstanding any other provision in this Code, and notwithstanding the underlying zoning of the respective **tower** site, subject to the following, the communication **towers** and **accessory** facilities ("facilities") listed above, and all such future facilities, are lawful uses, if located within the confines of the I-75 **right-of-way** east of the Alligator **Alley** toll booth to the eastern boundary of Collier County.

10. The **tower** and related facilities shall be subject to **conditional use** approval whenever the **tower** is to exceed a height of twenty (20) feet. **towers** that are to be twenty (20) feet or less in height require only **building** permit approval from the County.

a. As all such facilities must be located within the I-75 **right-of-way** , the facilities must be subject to approval from the owner of that **right-of-way** , including such conditions as may be required by that owner. The owner of said **right-of-way** is the State of Florida, by and through the Florida Department of Transportation.

b. The facilities must be owned by, or leased to, a governmental entity. The primary uses of the facilities shall be governmental uses. Private uses of the facilities, if any, shall always be incidental and subordinate to the governmental uses.

c. Notwithstanding any other provision in section 5.05.09, the facilities shall be subject to the **tower** sharing requirements of section 5.05.09 if the **tower** is to exceed a height of 120 feet, unless the **tower** is a **monopole** . If the **tower** is to be used only for governmental uses, the **tower** need be shared only with other governmental entities. If the **tower** is to be occupied by an antenna under control of a non-governmental occupant of the **tower** and is to be used for any non-governmental use(s), the **tower** sharing requirements that apply to non-government occupants shall be adhered to as a prerequisite to occupancy of the **tower** .

l. Wireless emergency telephone service. Notwithstanding any other provisions of this section 5.05.09, the following provisions shall apply to communications **towers** that provide wireless emergency telephone service.

1. These facilities are **essential services** .

2. Each **applicant** for these permits is required to clearly inform County staff by means of an emboldened "notice" in a cover letter or on the first page of the permit application, substantially as follows: *This Application is subject to the expedited timelines specified in Chapter 365.172, Florida Statutes.*

3. **Applicants** for these permits need not provide staff with evidence that a proposed wireless communications facility complies with federal regulations, but staff may require from such **applicant** proof of proper FCC licensure, and staff may request the FCC to provide information as to the provider's compliance with federal regulations to the extent then authorized by federal law. The County has no permitting jurisdiction

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with regard to wireless communications facilities located (or to be located) on property owned by the State of Florida, including State-owned rights-of-way .

4. Co-located facilities. Provided the then existing zoning applicable to the proposed site allows E911 facilities without a need to rezone, a need to obtain conditional use approval, or any other required process (such as, for example, having an agreement amended), the County shall grant or deny a properly completed application requesting co-location of E911 Service, or co-location for wireless telephone service, not later then forty-five (45) business days after the date that a properly completed application is initially submitted to staff in accordance with all applicable permit application requirements in this section 5.05.09. Co-location of such facilities on a then existing above-ground tower or other above-ground structure shall not be subject to the land development regulations pursuant to Section 163.3202, Florida Statutes, provided the height of the then existing tower or structure is not thereby increased. Co-location of such antenna, or co-location of related equipment, shall be subject to applicable building regulations, and with all then existing permits or agreements applicable to that tower or to the underlying property. Nothing herein, including the forty-five (45) business days timeline, shall relieve the permit holder for, or owner of, the then existing tower or structure from complying with applicable permit requirements, or applicable agreement(s), or with applicable land development regulation (including aesthetic requirement), or compliance with any other then applicable law(s).
5. New towers or antennas. Pursuant to Section 365.172, Florida Statutes, the County shall grant or deny an application requesting location of a new wireless telephone service tower , or for location of antenna(s) for wireless telephone service, not later then ninety (90) business days after the date that an application that fully complies with the requirements of this section 5.05.09 is submitted, provided the then existing zoning applicable to the proposed site allows the E911 facilities without need to rezone, the need to apply for conditional use approval, or other required procedures. Provided further that nothing herein shall affect permit compliance of such facilities with applicable federal regulations, applicable zoning and/or land development regulations (including aesthetic requirements), or with applicable building regulations.
6. Sufficiency notice. Within twenty (20) business days of receiving the permit application for any facility listed above in paragraphs (4) and (5) above, staff shall in writing notify the permit applicant whether the application is, or is not, properly completed. If such permit application is not properly completed, staff shall with specificity notify the applicant of any and all deficiencies, which if cured will thereby render the application being properly completed. Staff should also notify the applicant whether the applicable zoning classification allows the applied-for use(s) without rezoning, without conditional use approval, or without any other related ancillary approval process or permission.
7. Default approval.
   a. An application for E911 service, co-location of wireless telephone service, or new location for wireless telephone service or antennae shall be deemed to have been automatically granted provided that:
      i. Such service or facility is allowed in the applicable zoning district without a rezone, without the need to apply for a conditional use , or without the need to apply for some other permit;
      ii. The County fails to either grant or deny the applied-for permit within the time frames set forth in paragraphs (4) and (5) above, as applicable; and
      iii. The applicant has not agreed to an extension of time, as provided in paragraph (8) below.
   b. However, the applied-for permit shall not be deemed granted if final action requires action by the BCC, but such action is prevented due to emergency conditions beyond the County's control. In such instance, the time for final action on the application shall be extended until the next regularly scheduled meeting of the BCC. The permit shall be deemed to be granted if the BCC fails to take final action at that time.
8. Waiver. Extensions of the above-described applicable timelines (deadlines) shall not be effective except to the extent voluntarily agreed to by the permit applicant . Narrow exception: a one-time timeline waiver may be required if there then exists an emergency that directly affects the administration of all of the County's communications tower permitting activities which had been formally declared by the County, by the State of Florida, or by the federal government.

(Ord. No. 05-27, § 3.HH)

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I. Site Development Plan

I.1. Conceptual Site Plan (CSP)

Reference **LDC** subsection 10.02.03 C.

Applicability This procedure applies to any request for a Conceptual Site Plan, which is designed to be an informal review and approval process that may precede a Site Development Plan approval.

Pre-Application A pre-application meeting is not required.

Initiation The **applicant** files an *"Application for Conceptual Site Plan (CSP)"* with the Development Review Division.

Application Contents The application must include the following:

1. **Applicant contact information**.
2. Narrative description of the project.
3. Property information, including:
    - Legal description;
    - **Property identification number;**
    - Assigned project **planner**; and
    - Total acreage of subject site.
4. Two site plans, drawn to scale, showing the location of proposed infrastructure and buildings, zoning and land use of subject and surrounding properties, and required perimeter landscape buffer and building setbacks, including:
    - A table showing the required and provided setbacks and separation of structures, with a reference to the applicable ordinance from which these requirements are taken;
    - A table showing parking calculations, and number of spaces required and provided;
    - For residential projects, a table showing the permitted density and the number of units provided, including the minimum floor per dwelling unit required and provided; and
    - A note on the site plan stating that: "Site geometry, parking, setbacks, and landscape buffers shall meet the Collier County **LDC** and/or applicable PUD ordinance requirements."

Completeness and Processing of Application The Planning & Zoning Division will review the application for completeness. The completed application packet must be accompanied with the required fee. The tracking number (i.e., PL201200000) will be assigned to the petition. This petition tracking number should be noted on all future correspondence regarding the petition.

Notice No notice is required.

Public Hearing No public hearing is required.

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Decision maker	The County Manager or designee.
Review Process	The Planning & Zoning Division will review the application, identify whether additional materials are needed and review the application for compliance with **LDC** section 10.02.03 and other provisions of the **LDC**.
Updated	

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I.2. Site Development Plans (SDP)

Reference **LDC** section 10.02.03 and other provisions of the **LDC**.

Applicability All development is subject to this subchapter, unless it is exempt pursuant to **LDC** subsection 10.02.03 A.3.

Pre-Application A pre-application meeting is required unless waived by the County Manager or designee at the request of the **applicant**, pursuant to **LDC** subsection 10.02.03 D.

Initiation The **applicant** files an *"Application for Site Development Plan"* with the Development Review Division.

Application Contents and Site Plan Requirements Submittal Credentials: The engineering plans shall be signed and sealed by the **applicant's** professional **engineer** licensed to practice in the State of Florida. The landscape plans shall be signed and sealed by a **landscape architect** registered in the State of Florida. For projects subject to **LDC** section 5.05.08, architectural drawings, shall be signed and sealed by a licensed **architect**, registered in the State of Florida.

Sheet size: The site development plan and the coversheet shall be prepared on a maximum size sheet measuring 24 inches by 36 inches, drawn to scale.

The application shall include the following, if applicable:

1. **Applicant contact information.**
2. **Addressing checklist.**
3. Warrant deed.
4. Property information, including:
    - Project title;
    - Legal description;
    - **Property identification number;**
    - Section, township and range;
    - Subdivision name, unit, lot and block; and
    - Scale, north arrow, and date.
5. **Electronic copies of all documents.**
6. **Proof of ownership**, including a copy of the recorded deed, contract for sale or agreement for sale, or a notarized statement of ownership clearly demonstrating ownership and control of the subject lot or parcel of land.
    - The **applicant** shall also present a notarized letter of authorization from the **property owner**(s) designating the **applicant** as the agent acting on behalf of the owner(s).
7. Owner/agent affidavit as to the correctness of the application.
8. **PUD Ordinance and Development Commitment Information**.
9. PUD Monitoring Report and Schedule, if applicable.
10. A Cover Sheet with the following information:

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- The project title and the name, address and phone number of the firm or agent preparing the plans and the name, address and telephone number of the **property owner**;
- Zoning designation of the subject property. In the event that the property is zoned PUD, the name of the PUD and the number of the ordinance approving the PUD;
- Vicinity map clearly identifying the location of the development and its relationship to the surrounding community; and
- A legal description and the property appraiser's **property identification number**(s)/folio number(s) for the subject property or properties.

11. The following information shall be set forth on the site development plan and/or on a separate data sheet used exclusively for that purpose:

- A narrative statement on the plan identifying the provisions of ownership and maintenance of all common areas, open space, preservation areas, private streets, and easements;
- A site summary in chart form which shall include the following information, with development and dimensional standards based on the provisions of the **LDC** and/or applicable PUD ordinance:
    - Total site acreage;
    - Total square footage of impervious area (including all parking areas, drive-aisles, and internal streets) and its percentage of the total site area;
    - Total square footage of landscape area/open space and its percentage of the total site area;
    - For projects that include residential uses, total number of units, density, units per acre, and a unit breakdown by square footage and number of bedrooms, as well as minimum/maximum (as applicable) floor area required and floor area proposed;
    - For projects that include non-residential uses, total building footage and a square footage breakdown by use (i.e., office, retail, storage, etc.) and its percentage of the total building; for hotels and motels, the minimum/maximum (as applicable) floor area, or proposed floor area ratio, required, and floor areas;
    - All required and provided setbacks and separations between buildings and structures in matrix form;
    - Maximum zoned building height allowed and actual building height as defined in **LDC** section 1.08.00;
    - Zoning and land use of the subject property and adjacent properties, including properties abutting an adjacent right-of-way or right-of-way easement; and
    - North arrow, scale, and date.
- A parking summary in matrix form which shall include:

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- Type of use;
- Total square footage per use;
- Required parking ratio, number of standard spaces required by use, and number provided;
- Number of loading spaces required and provided (if applicable); and
- Total number of spaces provided by use.

- The following building construction information must be included in the SDP packet:
  - Information in the Standard Building Code, type of construction, number of stories, total square footage under roof, occupancy/use and fire sprinkler intentions of all proposed structures so that a needed fire flow may be determined;
  - A fire hydrant flow test report from the applicable fire district for the closest hydrant(s) to the project so that the available fire flow may be determined; and
  - Location of existing and proposed fire hydrants.
- Illustrative information accurately depicted unless waived at the pre-application meeting:
  - A boundary survey, prepared by a professional surveyor, showing the location and dimensions of all property lines, existing streets or roads, easements, rights-of-way, and areas dedicated to the public. This survey shall be accompanied either by an attorney's opinion of title, or by a sworn statement from the **property owner**(s) stating that he or she has provided sufficient information to the surveyor to allow the accurate depiction of the above information on the survey;
  - Name, alignment and existing/proposed rights-of-way of all streets which border the development (including raised islands, striping, right/left turn lanes, median cuts and nearby intersections), the location of all existing driveways or access points on the opposite sides of all streets which border the development, and the location of all traffic calming devices;
  - Location and configuration of all development ingress and egress points;
  - Location and arrangement of all proposed buildings (including existing buildings that are to remain);
  - Location and configuration of all parking and loading areas;
  - Name, alignment, and existing/proposed right-of-way of all internal streets and alleys;
  - Directional movement of internal vehicular traffic and its separation from pedestrian traffic;

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- Location and configuration of recreational facilities (including related buildings, golf course areas, tennis courts, pools, etc.);
- Location and general configuration of all water and drainage retention/detention areas as well as all existing and proposed easements, and water and sewer lines intended to serve the development;
- Location and general configuration of such natural features as preservation/conservation areas, water bodies, and wetlands;
- Location of emergency access lanes, fire hydrants and fire lanes;
- Location of all handicapped parking spaces;
- Location of trash enclosures;
- Location and heights of proposed walls or fences; and
- Accurate dimensions which include the following:
  - All building setbacks;
  - Distance between buildings and accessory structures;
  - Width of all internal streets;
  - All parking areas and drive-aisles; and
  - Landscape areas adjacent to all vehicular drives, interior property lines and all parking areas.
- Traffic circulation, signing and marking plan, to include outside and inside radii for all turn movements using a common pivot point for both radii at each location;
- Access Management Exhibit, identifying existing and proposed access points, nearest U turns and legal access to the site;
- Roadway elevations; and
- Any additional relevant information required by the Development Review.

12. Architectural Plans. ⇔ *See Chapter 4.A of the Administrative Code for Architectural Plan submittals*. The plans shall also include:

- If proposed, dumpster enclosure details depicting height and material and color of walls and gates; and
- If proposed, light pole details depicting height and colors of pole and housing.

13. Stormwater management information as follows:

- The South Florida Water Management District Environmental Resource Permit or General Permit number, if obtained;
- Stormwater management control structure(s) location (referenced to State Plane Coordinates, Florida East Zone, North American Datum 1983 (NAD '83), latest adjustment);

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- Stormwater management control elevation(s) and overflow elevation(s) (referenced to the North American Vertical Datum, 1988 (NAVD '88), latest adjustment), and NGVD;
- Twenty-five-year/3-day design discharge at control structure(s);
- Drainage calculations, including pipe sizing calculations;
- Estimated cost of construction of roadways, paving, and drainage;
- Engineer's Report with Assumptions and Explanations;
- Engineering Review Checklist, signed by a professional **engineer**;
- Hydraulic Grade Line Pipe calculations for culverts; and
- Streetlight plan, for multi-family housing.

14. For residential projects subject to the provisions of **LDC** section 10.04.09, a completed School Impact Analysis (SIA) application, location map and review fee.

15. Certificate of Adequate Public Facilities application, if applicable.

16. Landscaping Plan. A landscape plan which shall contain the following:

- Landscape summary. A landscape summary in matrix form which shall include:
  - Graphic symbol to indicate each type of plant material;
  - Botanical name;
  - Common name;
  - Total number of each type of plant material;
  - Height and spread of each type of plant material; and
  - Spacing of each type of plant material.
- Illustrative information. Illustrative information consisting of the following shall be accurately depicted on the landscape plan:
  - The location, configuration, and arrangement of all proposed buildings, internal streets and parking areas as reflected on the site plan;
  - The location and dimensions of all proposed landscaped areas with appropriate graphic symbols including existing trees that are being credited toward the development's landscaping requirements;
  - Location and configuration of all special or textured paving areas;
  - Provisions for site irrigation; and
  - Any additional relevant information as may be required by the County Manager or designee.

17. Vegetation inventory. A generalized vegetation inventory of the property shall be required to the extent necessary, as determined at the pre-application meeting, indicating the approximate location, densities and species of the following:

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- Upland, wetland and estuarine vegetation including prohibited exotic vegetation, mapped using FLUCFCS terminology;
- Any type of vegetation identified for preservation;
- Conservation easement including signed and sealed legal description and boundary survey for preserve, include protective language, and provide a sketch and description in construction plans.
- Projects containing the following shall provide a survey identifying species and locations on a current aerial photograph at a scale of 1 inch equals 200 feet or larger or superimposed on the site plan:
    - Plants specified to remain in place or to be transplanted to other locations on the property as specified in the applicable development order.
    - Specimen trees designated by the BCC, pursuant to **LDC** section 3.05.09.
    - State or federal rare, threatened or endangered plan species surveyed according to accepted Florida Fish and Wildlife Conservation Commission or U.S. Fish and Wildlife Service methods.
    - Existing trees that may be credited toward the development's landscaping requirements.
- For proposed site alteration(s) within the coastal zone as depicted on the future land use map, in addition to the foregoing requirements, the vegetation inventory shall depict the categories of impact in accordance with **LDC** sections 3.03.03-3.03.04.

18. A recent aerial photo shall be provided at the same scale as the plan delineating the development boundaries, unless waived at the pre-application meeting.

19. Density bonus. If a residential bonus is requested, as provided for in the Growth Management Plan, a certified survey that clearly illustrates the location and relationship of the development to the appropriate activity center and the related activity band shall be required.

20. Building plans. Plans showing proposed building footprints, spatial relationship to one another when there are multiple buildings and building heights.

21. Traffic Impact Study. ⇔*See Chapter 7 of the Administrative Code.*

22. Soil erosion and sediment control plan. ⇔*See Chapter 7 of the Administrative Code.*

23. Construction Plans. Detailed on-site and off-site infrastructure improvement plans and construction documents prepared in conformance with the design standards identified in **LDC** section 10.02.04 and any current county ordinances, regulations, policies and procedures, which consist of, but are not limited to, the following items:

- A cover sheet setting forth the development name, **applicant** name, name of Engineering firm, and vicinity map;
- Improvements for water and sewer service as needed or as may have been specified during a site development plan review prepared in conformance

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with the Utilities Standards and Procedures Ordinance, 2004-31, as amended;

- Improvements for roadway, motor vehicle and non-motorized circulation, ingress and egress, parking and other transportation needs, including traffic calming devices, required or as may have been specified during the site development plan review, prepared in conformance with the subdivision design requirements. Non-motorized circulation is defined as movement by persons on foot, bicycle, or other human-powered device. Non-motorized circulation depicting sidewalks and bicycle facilities shall be consistent with **LDC** subsection 5.05.08 A.5. Cross sections and details for improvements are required;
- The absence of obstructions in the public right-of-way shall be demonstrated, including provisions for safe and convenient street crossing;
- Cross sections and details for improvements required in **LDC** subsections 6.06.02 A.7 through 6.06.02 A.9;
- Improvements for water management purposes as needed or as may have been specified during the site development plan review, prepared in conformance with subdivision design requirements and pursuant to South Florida Water Management District rules, chapter 40E-4, 40E-40 and 40E-41, Florida Administrative Code;
- Citation to the applicable technical specifications for all infrastructure improvements to be constructed;
- Engineering design computations and reports for water, sewer, roads, and water management facilities, as required by federal, state, and local laws and regulations.
- Topographical map of the property including:
    - Existing features, such as, watercourses, drainage ditches, lakes, marshes.
    - Existing contours or representative ground elevations at spot locations and a minimum of 50 feet beyond the property line.
    - Benchmark locations and elevations (to both NGVD and NAVD).
- Site clearing plan and methods of vegetation protection.
- Where jurisdictional wetlands occur onsite, approved wetland jurisdictional lines shall be shown on the construction plans.

24. County-Permits: All necessary permits and applications requiring County approval and other permitting and construction related items, including but not limited to the following, shall be submitted and approved with the site development plan. These permits may include, but are not limited to the following:

- Excavation permit;
- A Collier County right-of-way permit;
- Blasting permit, prior to commencement of any blasting operation;

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- Interim wastewater and/or water treatment plant construction or interim septic system and/or private well permits prior to building permit approval;
- Any additional state and federal permits which may be required prior to commencement of construction, addressing the impacts on jurisdictional wetlands and habitat involving protected species;
- All other pertinent data, computations, plans, reports, and the like necessary for the proper design and construction of the development that may be submitted; and
- All necessary performance securities required by Collier County ordinances in effect at the time of construction.

25. Non-County Permits: All Federal, State, and other local permits shall be submitted prior to construction and before the pre-construction meeting. If approved by the County Manager or designee, an **applicant** may submit Federal, State and local agency permits at the pre-construction meeting.

- Florida Department of Environmental Protection water and sewer facilities construction permit application;
- Notice of Intent (NOI) to issue either a Florida Department of Transportation Right-of-Way permit;
- South Florida Water Management District permit, if required or, Collier County general permit for water management prior to site development plan approval; and
- Any additional state and federal permits which may be required prior to commencement of construction, addressing the impacts on jurisdictional wetlands and habitat involving protected species, such as:
  - USACOE permit and exhibits. If no USACOE permit, SFWMD permit and exhibits shall be submitted; and
  - For the RFMUD, Agency accepted UMAM/WRAP scores.

Completeness and Processing of Application The Planning & Zoning Department will review the application for completeness. After submission of the completed application packet accompanied with the required fee, the **applicant** will receive a mailed or electronic response notifying the **applicant** that the petition is being processed. Accompanying that response will be a receipt for the payment and the tracking number (i.e., XX201200000) assigned to the petition. This petition tracking number should be noted on all future correspondence regarding the petition.

Notice No notice is required.

Public Hearing No public hearing is required.

Decision maker The County Manager or designee.

Review Process The Planning & Zoning Department will review the application, identify whether additional materials are needed and approve, approve with conditions or deny the application utilizing the criteria identified in the applicable **LDC** sections.

Pre-Construction Meeting A pre-construction meeting shall be scheduled with the Engineering Services Department prior to the commencement of construction. All Federal, State, and local permits shall be submitted prior to construction and before the pre-construction meeting. If approved by

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

the County Manager or designee, an **applicant** may submit Federal, State and local agency permits at the pre-construction meeting.

The following permits, if applicable, require final approval and issuance prior to the County pre-construction meeting:

1. Florida Department of Transportation **Right-Of-Way** Construction Permit.
2. Collier County **right-of-way** [ROW] permit.

Digital Submittal Requirements

After the final site development plan has been approved by the County Manager or designee for compliance with the **LDC** as provided in section 10.02.03, the **applicant's** professional **engineer** shall submit:

1. Digitally created construction/site plan documents, and
2. 1 disk (CDROM) of the master plan file, including, where applicable, easements, water/wastewater facilities, and stormwater drainage system. The digital data to be submitted shall follow these formatting guidelines: All data shall be delivered in the state plane coordinate system, with a Florida East Projection, and a North American Datum 1983/1990 (NAD83/90 datum), with United States Survey Feet (USFEET) units; as established by a Florida registered surveyor and mapper. All information shall have a maximum dimensional error of +0.5 feet. Files shall be in an AutoCad (DWG) or Digital Exchange File (DXF) format; information layers shall have common naming conventions (i.e. right-of-way—ROW, centerlines—CL, edge-of-pavement—EOP, etc.). For a plan to be deemed complete, the layering scheme must be readily understood by county staff. All property information (parcels, lots, and requisite annotation) shall be drawn on a unique information layer, with all linework pertaining to the property feature located on that layer. Example: parcels—All lines that form the parcel boundary will be located on 1 parcel layer. Annotations pertaining to property information shall be on a unique layer. Example: Lot dimensions—Lottxt layer.

Updated

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

I.3. Site Improvement Plan (SIP)

Reference **LDC** subsection 10.02.03 E and other provisions of the **LDC**.

Applicability This procedure applies to a site improvement plan (SIP) request. A SIP must meet all of the criteria in **LDC** subsection 10.02.03 E.

Pre-application A pre-application meeting is required unless waived by the County Manager or designee at the request of the **applicant**, pursuant to **LDC** subsection 10.02.03 E.

Initiation The **applicant** files a "*Site Improvement Plan Application*" with the Planning & Zoning Department.

Application Contents and Site Plan Requirements

Submittal Credentials: Pursuant to **LDC** subsection 10.02.03 E, the engineering plans shall be signed and sealed by the **applicant's** professional **engineer** licensed to practice in the State of Florida. For projects subject to **LDC** section 5.05.08, architectural drawings, shall be signed and sealed by a licensed **architect**, registered in the State of Florida. Landscape plans shall be signed and sealed by licensed **landscape architect**, registered in State of Florida.

Sheet size: The site improvement plan and the coversheet shall be prepared on a maximum size sheet measuring 24 inches by 36 inches drawn to scale.

The application must include the following:

1. **Applicant contact information.**
2. **Addressing checklist.**
3. Property information, including:
    - Project title;
    - Legal description;
    - **Property identification number;**
    - Section, township and range;
    - Subdivision name, unit, lot and block; and
    - Scale, north arrow, and date.
4. Zoning designation of the subject and adjacent sites and the proposed use of the subject site.
5. Detail of requested changes.
6. Cover letter briefly explaining the project.
7. A copy of the last recorded deed, contract for sale or agreement for sale, or a notarized statement of ownership clearly.
8. Location, configuration, and dimensions of all building and lot improvements.
9. Location and configuration of parking and loading areas, and the directional movement of internal vehicle traffic.
10. Location and dimension of access point(s) to the site.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

11. Parking summary in matrix form, indicating the required and provided parking for each existing and proposed use.
12. Location and configuration of handicapped parking facilities and building accessibility features.
13. Location, dimension, and configuration of existing water management facilities.
14. Location of trash enclosures.
15. Location of existing and proposed landscaping with specifications as to size, quantity, and type of vegetation.
16. All required and provided setbacks and separations between structures in matrix form.
17. Any additional relevant information as may be required by the Planning & Zoning Department.

Completeness and Processing

The Planning & Zoning Department will review the application for completeness. After submission of the completed application packet accompanied with the required fee, the **applicant** will receive a mailed or electronic response notifying the **applicant** that the petition is being processed. Accompanying that response will be a receipt for the payment and the tracking number (i.e., XX201200000) assigned to the petition. This petition tracking number should be noted on all future correspondence regarding the petition.

Notice

No notice is required.

Public Hearing

No public hearing required.

Decision maker

The County Manager or designee.

Review Process

The Planning & Zoning Department will review the application, identify whether additional materials are needed and approve, approve with conditions or deny the application utilizing the criteria identified in the applicable **LDC** sections.

Pre-Construction Meeting

A pre-construction meeting is not required. However, all Federal, State, and local permits shall be submitted prior to construction. If approved by the County Manager or designee, an **applicant** may submit Federal, State and local agency permits at the pre-construction meeting.

Digital Submittal Requirements

After the final site development plan has been approved by the County Manager or designee for compliance with the **LDC** as provided in section 10.02.03, the **applicant's** professional **engineer** shall submit:

1. Digitally created construction/site plan documents, and
2. 1 disk (CDROM) of the master plan file, including, where applicable, easements, water/wastewater facilities, and stormwater drainage system. The digital data to be submitted shall follow these formatting guidelines: All data shall be delivered in the state plane coordinate system, with a Florida East Projection, and a North American Datum 1983/1990 (NAD83/90 datum), with United States Survey Feet (USFEET) units; as established by a Florida registered surveyor and mapper. All information shall have a maximum dimensional error of +0.5 feet. Files shall be in an AutoCad (DWG) or Digital Exchange File (DXF) format; information layers shall have common naming conventions (i.e. right-of-way—ROW, centerlines—CL, edge-of-pavement—EOP, etc.). For a plan to be deemed complete, the layering scheme must be readily

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

2019

Collier County
Growth Management Division

Administrative Code for Land Development

3/21/2019

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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Collier County
Growth Management Division
2800 Horseshoe Drive N.
Naples, FL 34104
239-252-2400

RECEIPT OF PAYMENT

Receipt Number: 2020727765
Transaction Number: 2020-033013
Date Paid: 04/14/2020
Amount Due: $5,625.00

Payment Details:

Payment Method	Amount Paid	Check Number
Credit Card	$5,625.00	PL20190002701

Amount Paid: $5,625.00
Change / Overage: $0.00
Contact: Ignite Wireless - Kyle Lotze
102 Mary Alice Park Rd
Cumming, GA 30040

FEE DETAILS:

Fee Description	Reference Number	Original Fee	Amount Paid	GL Account
Legal Advertising Fee	PL20190002701	$1,125.00	$1,125.00	131-138326-341950
Credit	PL20190002701	$5,000.00	$500.00	131-138326-341280
GL Transfer	PL20190002701	$5,000.00	$500.00	131-138326-341276
Variance (non-residential)	PL20190002701	$5,000.00	$4,500.00	131-138326-341280

Cashier Name: ThomasThompson
Batch Number: 9115
Entered By: RenaldPaul

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Collier County
Growth Management Division
2800 Horseshoe Drive N.
Naples, FL 34104
239-252-2400

RECEIPT OF PAYMENT

Receipt Number: 2019685544
Transaction Number: 2019-108818
Date Paid: 11/26/2019
Amount Due: $500.00

Payment Details:

Payment Method	Amount Paid	Check Number
Credit Card	$500.00	15695059-C1465 1667

Amount Paid: $500.00
Change / Overage: $0.00
Contact: Ignite Wireless - Kyle Lotze
102 Mary Alice Park Rd
Cumming, GA 30040

FEE DETAILS:

Fee Description	Reference Number	Original Fee	Amount Paid	GL Account
Pre-application Meeting	PL20190002701	$500.00	$500.00	131-138326-341276

Cashier Name: AlinaHarris
Batch Number: 8772
Entered By: JohnMartin

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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): _____

Name of Applicant if different than owner: _____

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

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

E-Mail Address: _____

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 E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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PROPERTY INFORMATION

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

Property I.D. Number: _____ **Section/Township/Range:** _____/_____/_____

Subdivision: _____ **Unit:** _____ **Lot:** _____ **Block:** _____

Metes & Bounds Description: _____ **Total Acreage:** _____

Address/ General Location of Subject Property: _____

_____

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N		
S		
E		
W		

Minimum Yard Requirements for Subject Property:

Front: _____ **Corner Lot:** Yes ☐ No ☐

Side: _____ **Waterfront Lot:** Yes ☐ No ☐

Rear: _____

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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ASSOCIATIONS

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

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

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

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

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

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

NATURE OF PETITION

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

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

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

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

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

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

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

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

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

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

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

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

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

☐ Yes ☐ No If yes, please provide copies.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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

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

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

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

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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 Date

_____
Printed Name

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Collier County
Growth Management Department
Zoning Division

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

PL20190002701 – Kapok St SLC009 AT&T Firstnet Cell Tower (VA) - PRE-APP INFORMATION

Assigned Ops Staff: Ellen Murray
Camden Smith, (Ops Staff)

STAFF FORM FOR SUPPLEMENTAL PRE-APPLICATION MEETING INFORMATION

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

  Jim Alderman / 954-303-3170 / jjwirelessconsult@yahoo.com

- Agent to list for PL#

  City Switch / Jim Alderman

- Owner of property (all owners for all parcels)
  - JOHANNES STEFFENS (Parcel: 00307840002)

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

  Pre-Application for Variance

- Please list the **details of the project** including density, proposed or considered uses for the project, size of commercial vs. residential, number of homes/units/offices/docks (any that apply):

  The project is for a 250' self-support tower within a parcel (00307840002) located east of Kapok St. This parcel has the agricultural zoning designation with the Rural Fringe Mixed Use and North Bell Meade Overlay districts. The proposed tower will be located within a 75'x75' compound centered within a 100'x100' lease area. The parcel is approximately 170' wide and the center of the tower is being proposed 74' from the eastern property line.

- **Details about Project (choose type that applies):**

  Variance – We are seeking a variance from the ½ tower height setback requirement. The code states that a tower should be setback the greater of ½ the tower height or the collapse radius. Please note, we have a certified letter stating that, in the unlikely event of total separation, the proposed tower would result in collapse within a the 100'x100' lease area.

REQUIRED Supplemental Information provided by:
Name Kyle Lotze
Title Project manager
Email klotze@ignitewireless.com
Phone 470-239-0846

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

CITYSWITCH

Collier County, FL
Zoning Division
2800 North Horseshoe Dr
Naples, FL 34104

Re: Variance Application for Wireless Telecommunications Tower
CitySwitch II, LLC
Kapok St./FLC009

To Whom It May Concern,

We are hereby applying for a Setback Variance of the required half of the tower height setback (125ft) as required by LDC 2.03.08.A.2.a.3.x. of the Collier County Zoning Regulations in order to construct and maintain a Wireless Telecommunications Tower on the property located at Kapok Street, Naples, FL 34117. We are proud to say that the proposed structure will be utilized by AT&T to support the deployment of FirstNet. If unfamiliar, in 2017 the Department of Commerce and First Responder Network Authority (FirstNet) signed a 25-year contract with AT&T to build the first nationwide wireless network for America's First Responders. The FirstNet network is planned to cover all 50 states, five U.S. territories and the District of Columbia, including rural communities and tribal lands. In 2018, CitySwitch was honored to execute an agreement with AT&T to assist in building the infrastructure needed for the deployment of FirstNet as well as their existing wireless network needs. Additional information on FirstNet can be found online at https://firstnet.gov/ .

Should you have any questions regarding the application and/or supporting documents provided, please feel free to contact Jim Alderman at 954-303-3170 or email at jjwirelessconsult@yahoo.com .

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Transforming public safety communications

The First Responder Network Authority (FirstNet) has entered into a public-private partnership with AT&T to build the first nationwide wireless broadband network dedicated to first responders for use in disasters, emergencies and daily public safety work.

FirstNet provides initial funding, 20 MHz of spectrum and deep public safety expertise to the partnership. AT&T brings a proven track record and strong commitment to public safety, as well as the commercial expertise and nationwide resources to deploy, maintain and operate the network.

This 25-year partnership offers the best overall value to America and its public safety responders – both from an investment perspective and in terms of the lifesaving technology it will put in the hands of law enforcement, fire and emergency medical personnel in communities across the nation.

FirstNet will serve...

FIRST RESPONDERS — fire, police, EMS — IN — COMMUNITIES — counties, cities, tribal, rural — ACROSS — THE NATION — 50 states, 5 territories & DC

Technology first responders need to save lives, protect communities

MODERNIZED

- innovative app & device ecosystem



- network improvements & upgrades



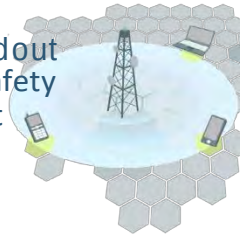
- commercially proven cybersecurity solutions

PRIORITIZED

- emergency communications receive highest priority



- rapid buildout with public safety input





- nationwide public safety solutions leveraging existing infrastructure

SPECIALIZED

- robust coverage where public safety needs it



- connectivity for advanced mobile data





- highly available customer care

FirstNet™

Learn more at FirstNet.gov/mediakit

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

TOP10 FREQUENTLY ASKED QUESTIONS



1. What is the First Responder Network Authority?

The First Responder Network Authority is the independent authority established by Congress to deliver a nationwide broadband network dedicated to public safety. The Network is strengthening public safety users' communications capabilities, enabling them to respond more quickly and effectively to accidents, disasters, and emergencies.

The First Responder Network Authority is led by a Board of leaders and executives from the public safety community; federal, state, and local governments; and the technology, finance, and wireless sectors. It has a staff of about 200 employees with expertise in public safety, telecommunications, customer service, technology, procurement, and other areas needed to develop the Network. It is headquartered in Reston, VA, and has a technology center and lab in Boulder, CO.

2. What led to the creation of the First Responder Network Authority?

The 9/11 terrorist attacks brought to the forefront the many communications challenges that first responders face during emergencies and disasters. These issues were captured in the *9/11 Commission Report*, which identified gaps in emergency communications and recommended a nationwide network for law enforcement, fire, and emergency medical personnel communications.

The public safety community united to fulfill the 9/11 Commission's recommendation. Public safety organizations and associations advocated before Congress for a dedicated, reliable wireless network for first responders. Their advocacy efforts led to the passage of legislation in 2012 to create the agency to deploy the Network in all U.S. states and territories, including rural communities and tribal nations.

3. How has public safety been involved in the vision for the FirstNet network?

Public safety officials have worked closely with the First Responder Network Authority since its inception in 2012 to ensure the Network meets first responders' needs – today and in the future. The agency's outreach and consultation efforts have connected the organization to more than 1.8 million first responders and state public safety and technology executives across the country.

Specifically, the First Responder Network Authority has consulted extensively with state single points of contact (SPOCs) in each of the 50 U.S. states, 5 territories, and the District of Columbia, as well as local/municipal, tribal and federal public safety leaders. It also coordinates with public safety through the Public Safety Advisory Committee (PSAC), which provides guidance and subject matter expertise from a first responder perspective. Public safety leaders at the national, state and local levels continue to advocate for and support deployment of the Network.

4. How was AT&T selected to build, operate, and maintain the FirstNet network?

The First Responder Network Authority and the Department of Interior made the 25-year award based on the determination of the overall best value solution for FirstNet and public safety. The buildup to the award included a fair, competitive procurement process that began in January 2016 with release of the Network RFP.

The procurement process followed the Federal Acquisition Regulation (FAR) and encouraged offerors to provide innovative solutions that could meet or exceed the needs of public safety.

The procurement was open to all entities, whether traditional wireless companies or new entrants, provided their proposal could meet the RFP's statement of objectives. AT&T was selected on a best-value award that considered financial sustainability and was based on more than just a technically acceptable solution at the lowest cost. The evaluation of proposals assessed the offerors' ability to submit a cost-effective and innovative model, and to meet or exceed the 16 objectives and evaluation factors outlined in the FirstNet RFP.

5. Why is the Network being built and operated through a public-private partnership?

The First Responder Network Authority and AT&T are modernizing and improving public safety communications by leveraging private sector resources, infrastructure, and cost-saving synergies to deploy and operate the Network. This public-private model also helps keep costs down for American taxpayers. To do this, Congress used the sale of communications airwaves (or spectrum) to fund FirstNet's initial operations and help start network deployment; the $7 billion FirstNet received in initial funding came from FCC spectrum auction revenue, not taxpayer funds.

If the federal government were to build, maintain and operate this Network, the estimated cost would be tens of billions of dollars over 25 years. The Government Accountability Office has estimated it could cost up to $47 billion over 10 years to construct and operate the Network.

With this partnership approach, the First Responder Network Authority and AT&T do not need any additional federal funding to build and operate the Network – it is a fully funded, self-sustaining Network. In return, America's first responders get services far above and beyond what they have today over a first-class broadband network dedicated to their communications needs.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

6. What are the key terms this public-private partnership?

Congress intended for the Network to be built and operated as a public-private partnership that brings together the best of the private sector, including commercial best practices, infrastructure, and resources – with the First Responder Network Authority's public safety expertise. This approach will lead to a fully-funded, self-sustaining Network that will serve public safety for years to come. This business model is built upon the efficient use of resources, infrastructure, cost-saving synergies, and incentives, including:

- 20 MHz of federally owned spectrum and $6.5 billion in initial funding to the partnership; in return AT&T will deploy and operate a nation- wide high-speed broadband network for public safety over 25 years.
- AT&T will invest about $40 billion over the life of the contract to build, operate, deploy, and maintain the Network, and together with the First Responder Network Authority will help ensure the Network evolves with the needs of public safety.
- AT&T can use FirstNet's spectrum when it is not being used by public safety for other, commercial purposes. The company will prioritize first responders over any other commercial users.
- First Responder Network Authority will oversee the contract to ensure it delivers innovation, technology and customer care to public safety through various mechanisms, including subscriber adoption targets, milestone buildouts, disincentive fees and other mechanisms outlined in the contract.

7. What will the FirstNet Network provide first responders that they don't have today?

Today, in emergencies and at large events, heavy public use can lead to wireless communications networks becoming overloaded and inaccessible. In those instances, public safety users are treated the same as any other commercial or enterprise user, and communications can be limited due to congestion and capacity issues.

With the FirstNet Network, public safety will get a dedicated "fast lane" that provides highly secure communications every day and for every emergency. It will deliver specialized features to public safety that are not available on wireless networks today – such as priority access; preemption; more network capacity; and a resilient, hardened connection. The Network will deliver more than just a public-safety-dedicated wireless connection – it is also creating devices and apps ecosystems that will connect first responders to innovative, life-saving technologies.

8. How will the Network benefit first responders and help them do their jobs better?

FirstNet will improve communications, response times and outcomes for first responders from coast-to-coast, in rural and urban areas, inland and on boarders – leading to safer, and more secure communities. The Network will provide first responders with innovation and robust capacity so they can take advantage of advanced technologies, tools and services during emergencies, such as:

- Applications that allow first responders to reliably share videos, text messages, photos and other information during incidents in near real-time;
- Advanced capabilities, like camera-equipped connected drones and robots, to deliver images of wildfires, floods or other events;
- Improved location services to help with mapping capabilities during rescue and recovery operations; and
- Wearables that could relay biometric data of a patient to the hospital or alert when a fire fighter is in distress.

Network technology will also be tested and validated through the FirstNet Innovation and Test Lab, located in Boulder, CO, so first responders will have the proven tools they need in disasters and emergencies.

9. What's happening with FirstNet now?

All 50 states, five U.S. territories and Washington, D.C., have "opted in," to FirstNet, meaning each has accepted its individual State Plan detailing how the network will be deployed in their state/territory.

The First Responder Network Authority's public-private partnership with AT&T provides first responders with immediate access to mission-critical capabilities over the FirstNet network. This includes priority and preemption features that give first responders their own "fast lane" on the public safety network to communicate and share information during emergencies, large events, or other situations when commercial networks could become congested. FirstNet is the only broadband network to provide ruthless preemption for public safety.

Key FirstNet activities include:

Expanding the Network and Building Out Band 14: The First Responder Network Authority has issued work orders to deploy the RANs. This gave AT&T the green light to expand FirstNet's footprint and deploy Band 14 capacity and coverage throughout the nation, providing first responders with the bandwidth and mission critical connections they need to communicate, share information, and use innovative technologies every day and in every emergency.

Driving public safety innovation: FirstNet is also unlocking a new technology marketplace for public safety, enabling first responders to benefit from advancements in innovation. The FirstNet App Catalog store will be filling up with FirstNet-approved mobile apps that are optimized for public safety use over the Network.

Securing emergency communications: FirstNet's first-of-its-kind core infrastructure will give first responders the dedicated, highly secure, non-commercial network they deserve. The FirstNet Core, delivered in March 2018, provides full encryption of public safety data over FirstNet and end-to-end cyber security. FirstNet subscribers also have access to a dedicated Security Operations Center, offering 24/7/365 support.

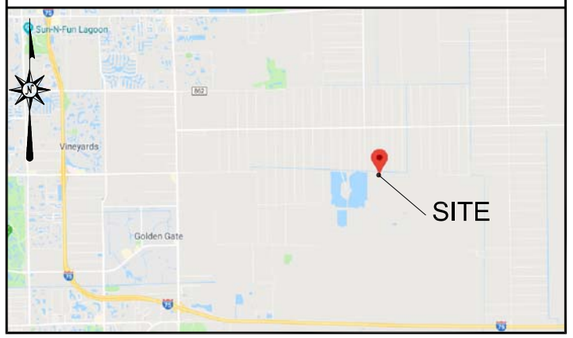
Engaging with public safety: The First Responder Network Authority will continue to engage with public safety in the states, territories, federal agencies, and tribal nations to ensure the network meets their needs and incorporate their feedback in the design of future FirstNet products and services.

10. How can I learn more?

Stay up-to-date on the First Responder Network Authority activities and the building and deployment of FirstNet at www.firstnet.gov. Follow us on Twitter, Facebook and YouTube.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

VICINITY MAP



ZONING DRAWINGS

CITYSWITCH

CITY SWITCH SITE ID:
FLC009

CITY SWITCH SITE NAME:
KAPOK STREET

SITE ADDRESS:
(TBD) KAPOK ST.
NAPLES, FL 34117

LOCAL MAP



SITE SUMMARY

SITE TYPE:	NEW SITE DESIGN
TOWER TYPE:	LATTICE
TOWER HEIGHT:	250'–0"
APPURTENANCE HEIGHT:	260'–0"
TYPE OF OCCUPANCY:	TELECOMMUNICATIONS
TOWER LATITUDE:	26°12'36.949"N (N 26.210264°)
TOWER LONGITUDE:	81°36'00.470"W (W 81.600131°)
ZONING JURISDICTION:	COLLIER COUNTY
COUNTY:	COLLIER COUNTY
PARCEL NUMBER:	00307840002
ZONED:	A
PARCEL SIZE:	57,324.1± SQ.FT.
LEASE AREA SIZE:	10,000± SQ.FT.
POWER COMPANY:	TBD
CONTACT:	TBD
TELEPHONE COMPANY:	TBD
CONTACT:	TBD

PROJECT DIRECTORY

LAND OWNER:	JOHANNES STEFFENS – –
CO–APPLICANT/CARRIER:	–
APPLICANT/TOWER OWNER:	CITY SWITCH II, LLC 1900 CENTURY PLACE, SUITE 320 ATLANTA, GA 30345 CONTACT: GARY COOPER PHONE: (404) 600–1485
SITE DESIGN:	FDH INFRASTRUCTURE SERVICES 6521 MERIDIEN DRIVE RALEIGH, NC 27616 CONTACT: JAMES R. BILLUPS, PE, CFM PHONE: (919) 755–1012

NOTE: ANY CHANGES TO THE APPROVED PLANS MUST BE APPROVED BY THE PROPERTY OWNER.

DIRECTIONS

FROM SOUTHWEST FLORIDA INTERNATIONAL AIRPORT:
FOLLOW CHAMBERLIN PKWY TO DANIELS PKWY. HEAD NORTHWEST ON REGIONAL LANE TOWARD CHAMBERLIN PKWY. RESTRICTED USAGE ROAD. TURN LEFT ONTO CHAMBERLIN PKWY. TURN LEFT ONTO DANIELS PKWY. TURN LEFT TO MERGE ONTO I–75 S TOWARD NAPLES. TAKE EXIT 111 TOWARD NAPLES PARK. USE THE LEFT 2 LANES TO TURN LEFT ONTO IMMOKALEE RD (SIGNS FOR AVE MARIA/HODGES UNIVERSITY). TURN RIGHT ONTO WILSON BLVD N. TURN LEFT ONTO GOLDEN GATE BLVD E. TURN RIGHT ONTO 10TH ST SE. TURN RIGHT ONTO 10TH ST SE/FRANGIPANI AVE. CONTINUE TO FOLLOW FRANGIPANI AVE. TURN LEFT ONTO KAPOK ST. SITE ACCESS WILL BE ON THE LEFT.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING:

1. FLORIDA BUILDING CODE
2. ANSI/TIA/EIA–222–G
3. NATIONAL ELECTRIC CODE
4. LOCAL BUILDING CODE
5. CITY/COUNTY ORDINANCES
6. 2012 INTERNATIONAL RESIDENTIAL CODE
7. 2012 INTERNATIONAL BUILDING CODE
8. 2012 INTERNATIONAL FIRE CODE
9. 2012 INTERNATIONAL PLUMBING CODE
10. 2012 INTERNATIONAL MECHANICAL CODE
11. 2012 INTERNATIONAL FUEL GAS CODE
12. 2009 INTERNATIONAL ENERGY CONSERVATION CODE
13. 2011 NATIONAL ELECTRICAL CODE
14. 2009 INTERNATIONAL WILDLAND–URBAN INTERFACE CODE

GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION, THEREFORE HANDICAP ACCESS IS NOT REQUIRED. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

UNDERGROUND SERVICE ALERT

UTILITIES PROTECTION CENTER, INC.

811

48 HOURS BEFORE YOU DIG

LEGAL DESCRIPTION

REFER TO TOPOGRAPHICAL SURVEY AND SITE PLAN FOR LEGAL DESCRIPTION OF PARENT PARCEL AND LEASE AREA.

APPROVALS

TITLE	SIGNATURE	DATE
REPRESENTATIVE		
SITE OWNER		

SCOPE OF WORK

CITY SWITCH PROPOSES TO INSTALL AN UNMANNED TELECOMMUNICATIONS FACILITY CONSISTING OF A 250'–0" LATTICE TOWER WITH 10' LIGHTNING ROD. THE TOWER WILL BE PLACED INSIDE A 75'–0"x75'–0" FENCED COMPOUND, INSIDE A 100'–0"x100'–0" LEASE AREA.

SHEET INDEX

SHEET NO.	DESCRIPTION	REV. NO.	REVISION DATE
T–1	TITLE SHEET	B	10/22/19
S–1	SURVEY SHEET	2	10/01/19
S–2	SURVEY SHEET	2	10/01/19
S–3	SURVEY SHEET	2	10/01/19
GN–1	GENERAL NOTES	B	10/22/19
GN–2	GENERAL NOTES	B	10/22/19
C–1	OVERALL SITE PLAN	B	10/22/19
C–2	COMPOUND DETAILS	B	10/22/19
C–3	FENCE DETAILS	B	10/22/19

PREPARED FOR:
CITYSWITCH
1900 CENTURY PLACE, SUITE 320
ATLANTA, GA 30345

PREPARED BY:
FDH INFRASTRUCTURE SERVICES
ENGINEERING INNOVATION
6521 MERIDIEN DRIVE
RALEIGH, NC 27616
PHONE: (919)-755-1012
FAX: (919)-755-1031

DENNIS DANIEL ABEL LICENSE No 62750 STATE OF FLORIDA PROFESSIONAL ENGINEER

11/13/19
DENNIS D. ABEL, P.E.
STATE LICENSE NO. 62750

DRAWN BY:	KWJ
CHECKED BY:	JRB

SUBMITTALS

DATE	DESCRIPTION	REV	ISSUED BY
10/11/19	ZONING DRAWING	A	JRB
10/22/19	ZONING DRAWING	B	JRB

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. REPRODUCTION OR CAUSING TO BE REPRODUCED THE WHOLE OR ANY PART OF THESE DRAWINGS WITHOUT THE PERMISSION OF FDH INFRASTRUCTURE SERVICES IS PROHIBITED.

SITE NAME:
KAPOK STREET

SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

0 40' 80'

SCALE: 1" = 40'

ESTES FAM TRUST
PARCEL NUMBER:00307800000

LINE	BEARING	DISTANCE
L1	S 00°00'00" E	17.50'
L2	N 90°00'00" W	35.00'
L3	S 00°00'00" E	17.57'
L4	N 00°00'00" W	30.01'
L5	N 00°00'00" W	9.63'
L6	N 90°00'00" W	35.00'
L7	N 00°00'00" W	17.50'

BOOK 139, PAGE 331 (9.)

PARENT PARCEL
JOHANNES STEFFENS
PARCEL NUMBER:00307840002
INSTRUMENT NUMBER 4954686
ORIGINAL 5016, PAGE 1369

POC
LEASE AREA AND ACCESS EASEMENT
NORTHEAST CORNER
SECTION 15, T-49-S, R-27-E
FOUND CONCRETE MONUMENT

POB
100' X 100' LEASE AREA
10,000 SQ.FT±
0.23 ACRES±

N 90°00'00" W 3784.69'

S 00°23'48" E 669.01'

N 00°23'48" W 2677.73'

N 90°00'00" E 100.00'

N 00°00'00" W 100.00'

S 00°00'00" E 100.00'

N 90°00'00" W 100.00'

N 90°00'00" E 100.00'

74'±

46.0'

24.7'

12' GATE

CENTER OF TOWER

BARBED WIRE FENCE

WOODED

TREELINE

10' GRASS TRAIL

TREELINE

L1 L2 L3 L4 L5 L6 L7

152'±

N 29°40'33" E 41.56'

N 58°54'00" E 70.09'

S 29°40'33" W 57.33'

S 58°54'00" W 86.81'

S 88°01'25" E 160.12'

N 88°01'25" W 168.01'

POB
INGRESS/EGRESS AND
UTILITY EASEMENT
10,926.43 SQ.FT±
0.25 ACRES±

J RICHARD SMITH
PARCEL NUMBER:00309440002

SOUTHEAST CORNER
SE 1/4 OF NE 1/4
SECTION 15, T-49-S, R-27-E
FOUND 1' OPEN TOP PIPE

1,734 FT± TO FRANGIPANI AVE

KAPOK STREET
GRAVEL ROAD

TREELINE

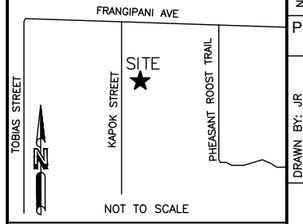
12' GATE

JOHANNES STEFFENS
PARCEL NUMBER:00307880004
INSTRUMENT NUMBER 4954686
ORIGINAL 5016, PAGE 1369

TOWER INFO

LATITUDE: 26°12'36.949" NORTH
LONGITUDE: 81°36'00.470" WEST
(NAD 83)
GROUND ELEVATION: 10.6'
ABOVE MEAN SEA LEVEL (NAVD88)

VICINITY MAP



FLORIDA EAST

GRID NORTH

GRID TO TRUE NORTH CONVERGENCE
−0°15'

TRUE NORTH TO MAGNETIC DECLINATION
5°59' W

COMBINED SCALE FACTOR
0.999985569

LEGEND

- ○ = 5/8" REBAR SET
- ● = FOUND PROPERTY MARKER
- ■ = FOUND CONCRETE MONUMENT
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- POE = POINT OF ENDING
- ▲ = CALCULATED POINT
- ⊘ = POWER POLE
- ⊕ = TEMP. BENCHMARK (NAIL IN FENCE POST) ELEV.=12.04'
- —·——·—op— = OVERHEAD POWER

FLOOD NOTE

By graphic plotting only, the subject property appears to lie in Zone 'AH' of the Flood Insurance Rate Map Community Panel No. 12021C0430H, which bears an effective date of May 16, 2012 and IS in a special flood hazard area.
Zone 'AH': The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood.

NO.	REVISION	DATE	BY
1.	UPDATED EASEMENT	9/18/19	JR
2.	ADDRESSED TITLE	10/01/19	JR

PROJECT NO.
19-1586

DRAWN BY: JR
CHECKED BY: TAS
FIELD CREW: NM
APPROVED BY: WHS
DATE: 09/09/19
SCALE: AS SHOWN

SHEET 1 OF 3

RAWLAND TOWER SURVEY

FOR:

FDH-NC
6521 MERIDIEN DRIVE SUITE 107
RALEIGH, NC 27616

SMW Engineering Group, Inc.
158 Business Center Drive
Birmingham, Alabama 35244
Ph: 205-252-6985
www.smweng.com

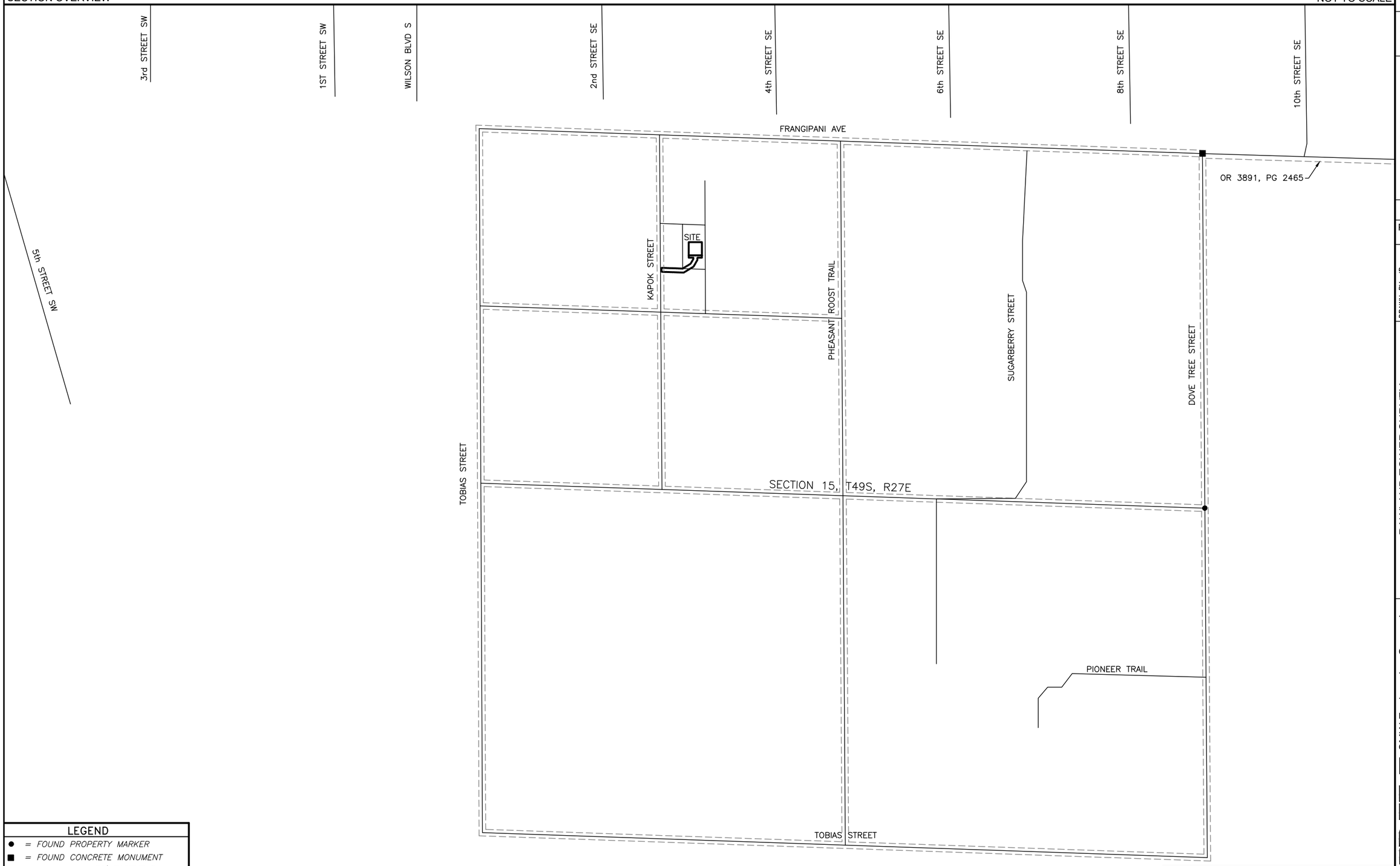
SMW ENGINEERING GROUP, INC.

KAPOK STREET
12906066
NW 1/4, SEC. 15, T-49-S, R-27-E
COLLIER COUNTY, FLORIDA

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

SECTION OVERVIEW

NOT TO SCALE



LEGEND

- ● = FOUND PROPERTY MARKER
- ■ = FOUND CONCRETE MONUMENT
- —— —— ——= 50' EASEMENT (OR 1220, PG 211)
- ——————= PROPERTY LINE
- ——————= SECTION LINE
- ——————= GRAVEL/PAVED DRIVE

KAPOK STREET
12906066
NW 1/4, SEC. 15, T-49-S, R-27-E
COLLIER COUNTY, FLORIDA

NO.	REVISION	DATE	BY
1.	UPDATED EASEMENT	9/18/19	JR
2.	ADDRESSED TITLE	10/01/19	JR

PROJECT NO.
19-1586

DRAWN BY: JR
CHECKED BY: TAS
FIELD CREW: NM
APPROVED BY: WHS
DATE: 09/16/19
SCALE: AS SHOWN
SHEET 2 OF 3

RAWLAND TOWER SURVEY

FOR:
FDH-NC
6521 MERIDIEN DRIVE, SUITE 107
RALEIGH, NC 27616

SMW Engineering Group, Inc.
158 Business Center Drive
Birmingham, Alabama 35244
Ph: 205-252-6985
www.smweng.com

SMW ENGINEERING GROUP, INC.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

PARENT TRACT
TITLE

Situate in the County of Collier, State of Florida:
The E1/2 of the NW1/4 of the SW1/4 of the NE1/4 of the NW1/4 of Section 15, Township 49 S, Range 27 E. in Collier County, Florida.
Tax ID: 00307840002
Being part of the same property conveyed to Johannes Steffens, grantee, from D. Gary Woodhead, grantor, by deed recorded 03/12/2014, as Book 5016, Page 1369 of the Collier County Records.

INSTRUMENT NUMBER 4954686, ORIGINAL 5016, PAGE 1369

The SW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E; and
The E 1/2 of the NW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 15, Township 49 S, Range 27 E, in Collier County, Florida.

PARENT TRACT ACCESS (ORIGINAL 1220, PAGE 211)

Subject to: a 50 foot mutual right of way easement extending 25 feet on either side of all Section lines, including the eigth, quarter and half Section line, which easement is for the use and benefit of the adjacent property owners.

100' x 100' LEASE AREA (AS-SURVEYED)

A portion of the Johannes Steffens tract described in Instrument Number 4954686, Original 5016, Page 1369 as recorded in the Clerk of the Circuit Court for Collier County, Florida, being in the Northwest 1/4 of Section 15, Township 49 South, Range 27 East, Collier County, Florida, and being more particularly described as follows;
COMMENCING at a concrete monument found marking the Northeast corner of said Section 15; Thence along the East line of said Section 15; S 00°23'48" E a distance of 669.01 feet to a point; Thence leaving said East line, N 90°00'00" W a distance of 3784.69 feet to a set 5/8" rebar and the POINT OF BEGINNING; Thence S 00°00'00" E a distance of 100.00 feet to a set 5/8" rebar; Thence N 90°00'00" W a distance of 100.00 feet to a set 5/8" rebar; Thence N 00°00'00" W a distance of 100.00 feet to a set 5/8" rebar; Thence N 90°00'00" E a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,000 square feet (0.23 acres) of land more or less.

INGRESS/EGRESS & UTILITY EASEMENT (AS-SURVEYED)

A portion of the Johannes Steffens tract described in Instrument Number 4954686, Original 5016, Page 1369 as recorded in the Clerk of the Circuit Court for Collier County, Florida, being in the Northwest 1/4 of Section 15, Township 49 South, Range 27 East, Collier County, Florida, and being more particularly described as follows;
COMMENCING at a concrete monument found marking the Northeast corner of said Section 15; Thence along the East line of said Section 15; S 00°23'48" E a distance of 669.01 feet to a point; Thence leaving said East line, N 90°00'00" W a distance of 3784.69 feet to a set 5/8" rebar; Thence S 00°00'00" E a distance of 100.00 feet to a set 5/8" rebar and the POINT OF BEGINNING; Thence S 00°00'00" E a distance of 17.50 feet to a point; Thence N 90°00'00" W a distance of 35.00 feet to a point; Thence S 00°00'00" E a distance of 17.57 feet to a point; Thence S 29°40'33" W a distance of 57.33 feet to a point; Thence S 58°54'00" W a distance of 86.81 feet to a point; Thence N 88°01'25" W a distance of 168.01 feet to a point; Thence N 00°00'00" W a distance of 30.01 feet to a point; Thence S 88°01'25" E a distance of 160.12 feet to a point; Thence N 58°54'00" E a distance of 70.09 feet to a point; Thence N 29°40'33" E a distance of 41.56 feet to a point; Thence N 00°00'00" W a distance of 9.63 feet to a point; Thence N 90°00'00" W a distance of 35.00 feet to a point; Thence N 00°00'00" W a distance of 17.50 feet to a set 5/8" rebar; Thence N 90°00'00" E a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,915.72 square feet (0.25 acres) of land more or less.

PLOTTABLE EXCEPTIONS

Old Republic National Title Insurance Company
Commitment for Title Insurance Commitment No. 01-19050945-01T
Date August 02, 2019 @ 7:00 am
Schedule B, Section II

Exception No.	Instrument	Comment
1-8		Standard exceptions. Contain no survey matters.
9	Book 139, Page 331	Does affect subject access easement and parent parcel. As shown hereon. Said document describes a 50 foot mutual right-of-way easement, 25 feet on each side along all section lines.

SURVEYOR'S CERTIFICATION

I hereby certify that this sketch and description, to the best of my knowledge and belief, accurately represents lands surveyed and was done in accordance with the technical standards for property surveys in Florida as set forth in Chapter 180-7 of the rules of the Florida Board of Registration for Professional Engineers and Land Surveyors and as set for Professional Engineers and Land Surveyors and as set forth in Florida Plat Act O.C.G.A. 15-6-67.

I certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Florida to the best of my knowledge, information, and belief.

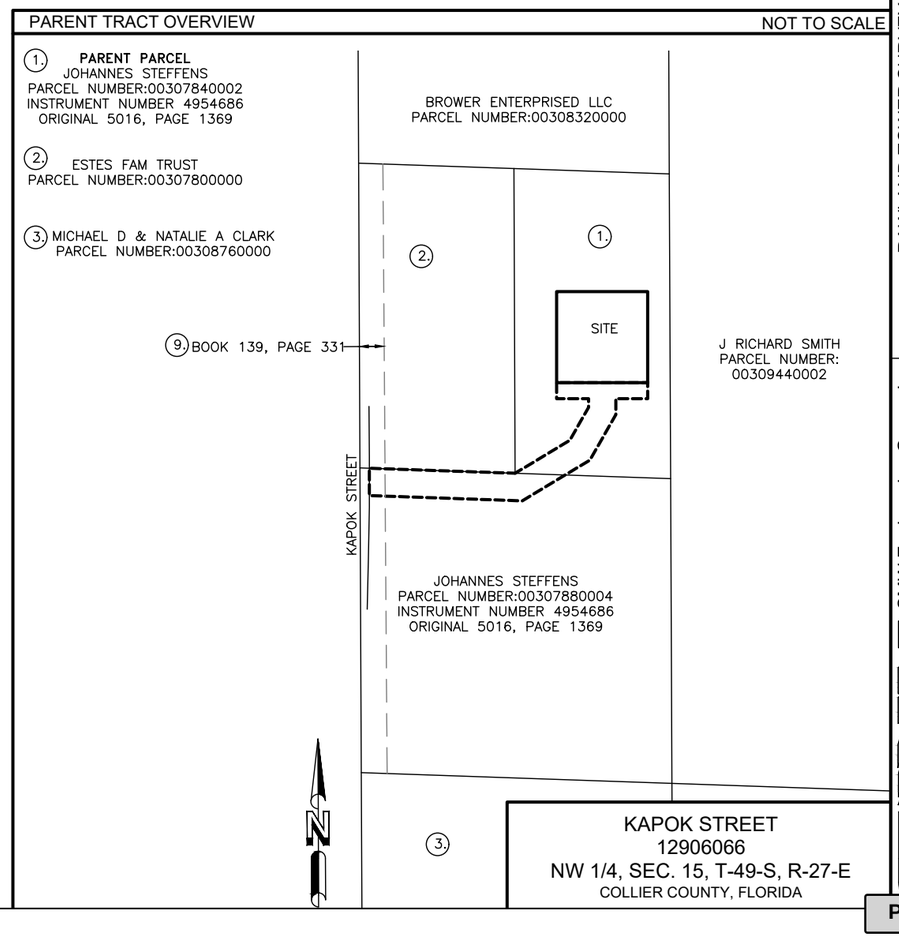
William H. Sommerville, III
Florida License No. 0006141

WILLIAM H. SOMMERVILLE III
CERTIFICATE
NO. LS6006141
STATE OF
FLORIDA
REGISTERED LAND SURVEYOR

SURVEYOR'S NOTES

1. This is an Rawland Tower Survey, made on the ground under the supervision of a Florida Registered Land Surveyor. Date of field survey is September 6, 2019.
2. The following surveying instruments were used at time of field visit: Topcon DM55 Total Station, Reflectorless and Hiper SR RTK Network Rover with static capability.
3. Bearings are based on Florida East State Plane Coordinates NAD 83 by GPS observation.
4. No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown.
5. Benchmark used is a GPS Continuously Operating Reference Station, PID DF7052. Onsite benchmark is as shown hereon. Elevations shown are in feet and refer to NAVD 88.
6. This survey was conducted for the purpose of an Rawland Tower Survey only, and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity.
7. Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.
8. This Survey was conducted with the benefit of an Abstract Title search.
9. Surveyor hereby states the Geodetic Coordinates and the elevation shown for the proposed centerline of the tower are accurate to within +/- 20 feet horizontally and to within +/- 3 feet vertically (FAA Accuracy Code 1A).
10. Survey shown hereon conforms to the Minimum Requirements as set forth by the State Board for a Class "A" Survey.
11. Field data upon which this map or plat is based has a closure precision of not less than one-foot in 15,000 feet (1':15,000') and an angular error that does not exceed 10 seconds times the square root of the number of angles turned. Field traverse was not adjusted.
12. This survey is not valid without the original signature and the original seal of a state licensed surveyor.
13. This survey does not constitute a boundary survey of the Parent Tract. Any parent tract property lines shown hereon are from supplied information and may not be field verified.
14. Zoning: (as supplied by client)
    Zoning Jurisdiction: Collier County Florida
    Zoning District: Agricultural (A)
    Surrounding Zoning: North-RFMUO-NBMO, South-RFMUO-NBMO, East-RFMUO-NBMO, West-RFMUO-NBMO
    Setbacks: Front-1/2 tower height, Rear-1/2 tower height, Side-1/2 tower height
15. Per Collier County Road Maintenance Division, Kapok Street in not a county maintained roadway.

PARENT TRACT OVERVIEW — NOT TO SCALE



NO.	REVISION	DATE	BY
1.	UPDATED EASEMENT	9/18/19	JR
2.	ADDRESSED TITLE	10/01/19	JR

PROJECT NO. 19-1586

DRAWN BY: JR
CHECKED BY: TAS
FIELD CREW: NA
APPROVED BY: WHS
DATE: 09/09/19
SCALE: AS SHOWN
SHEET 3 OF 3

RAWLAND TOWER SURVEY

FOR: FDH-NC
6521 MERIDIEN DRIVE SUITE 107
RALEIGH, NC 27616

SMW Engineering Group, Inc.
158 Business Center Drive
Birmingham, Alabama 35244
Ph: 205-252-6985
www.smweng.com

SMW ENGINEERING GROUP, INC.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

GENERAL NOTES:

1. EVERY EFFORT HAS BEEN MADE IN THE CONSTRUCTION DOCUMENTS TO PROVIDE A COMPLETE SCOPE OF WORK. MINOR DISCREPANCIES IN THE DRAWINGS AND/OR SPECIFICATIONS SHALL NOT EXCUSE CONTRACTORS FROM COMPLETING THE PROJECT AND IMPROVEMENTS IN ACCORDANCE WITH THE INTENT OF THESE DOCUMENTS.

2. BIDDING REQUIREMENTS
   a. PRIOR TO THE SUBMISSION OF BIDS, VISIT THE JOB SITE TO BECOME FAMILIAR WITH ALL CONDITIONS AFFECTING THE PROPOSED PROJECT. VISIT THE SITE WITH THE CONSTRUCTION DOCUMENTS TO VERIFY FIELD DIMENSIONS AND CONDITIONS TO CONFIRM THAT THE PROJECT WILL BE ACCOMPLISHED AS SHOWN.
   b. PROVIDE NOTIFICATION TO OWNER'S REPRESENTATIVE IN WRITING OF ANY CONFLICTS, ERRORS, OR OMISSIONS PRIOR TO SUBMISSION OF PRICE PROPOSAL. IN THE EVENT OF DISCREPANCIES, PRICE THE MORE COSTLY OR EXTENSIVE WORK, UNLESS DIRECTED OTHERWISE.
   c. WHEN TOWER IS OWNED BY A THIRD PARTY, CONTACT TOWER OWNER REPRESENTATIVE FOR PARTICIPATION IN BID WALK.
   d. WHERE ANCHORING TO A CONCRETE ROOF SLAB, CONFIRM (PRIOR TO SUBMITTING BID) THE PRESENCE OF POST TENSION TENDONS. INCLUDE PROVISIONS FOR X-RAY PROCEDURES TO LOCATE THE TENDONS PRIOR TO CONSTRUCTION.

3. DRAWINGS ARE NOT TO BE SCALED. WRITTEN DIMENSIONS TAKE PRECEDENCE. CONSTRUCTION DOCUMENTS ARE INTENDED FOR DIAGRAMMATIC PURPOSES ONLY, UNO.

4. FURNISH ALL MATERIALS, EQUIPMENT, LABOR, AND ANY REQUIREMENTS NECESSARY TO COMPLETE PROJECT AS DESCRIBED IN THE CONSTRUCTION DOCUMENTS.

5. SUPERVISE AND DIRECT THE PROJECT DESCRIBED IN THE CONSTRUCTION DOCUMENTS. PROVIDE ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.

6. ALL WORK PERFORMED ON THE PROJECT AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY, MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES APPLICABLE TO THE WORK.

7. CONSTRUCTION COORDINATION REQUIREMENTS
   a. NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES PRIOR TO START OF WORK.
   b. OBTAIN ALL PERMITS. SCHEDULE AND COORDINATE ALL INSPECTIONS.
   c. PROVIDE, AT THE PROJECT SITE, A FULL, CURRENT SET OF CONSTRUCTION DOCUMENTS FOR USE BY ALL PERSONNEL INVOLVED WITH THE PROJECT.
   d. RECEIVE WRITTEN AUTHORIZATION TO PROCEED WITH CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED BY THE CONSTRUCTION DOCUMENTS.
   e. PERFORM WORK DURING OWNER'S PREFERRED HOURS TO AVOID DISTURBING NORMAL BUSINESS.
   f. PROVIDE FALL PROTECTION IN ACCORDANCE WITH FEDERAL, STATE, LOCAL, AND OWNER REQUIREMENTS.
   g. IF FAA LIGHTING AND MARKING IS PRESENT ON SITE AND IS POWERED BY ELECTRICAL SERVICE THAT IS TO BE INTERRUPTED, MAINTAIN THE NECESSARY LIGHTS DURING CONSTRUCTION AND NOTIFY THE PROPER AUTHORITIES IN THE EVENT OF A DISRUPTION.
   h. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF PROJECT AREA DURING CONSTRUCTION.
   i. STRUCTURAL COMPONENTS OF ADJACENT FACILITIES SHALL NOT BE ALTERED BY THIS CONSTRUCTION PROJECT, UNO. ENSURE THAT EXCAVATION DOES NOT AFFECT ADJACENT STRUCTURES.
   j. SEAL ALL PENETRATIONS THROUGH FIRE-RATED AREAS WITH U.L. LISTED OR FIRE MARSHALL-APPROVED MATERIALS, IF APPLICABLE.
   k. BURIED UTILITIES MAY EXIST IN THE AREA AND UTILITY INFORMATION SHOWN MAY NOT BE COMPLETE. CONTACT THE UTILITY LOCATE SERVICE A MINIMUM OF 48 HOURS PRIOR TO CONSTRUCTION.
   l. COORDINATE ALL POWER INSTALLATION WITH POWER COMPANY AS REQUIRED. REPORT POWER INSTALLATION COORDINATION SOLUTION(S) TO OWNER'S REPRESENTATIVE.
   m. PROTECT EXISTING IMPROVEMENTS, EASEMENTS, PAVING, CURBING, ETC. DURING CONSTRUCTION. UPON COMPLETION OF WORK, REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION ON OR ABOUT THE PROPERTY.
   n. KEEP GENERAL WORK AREA CLEAN AND HAZARD FREE DURING CONSTRUCTION AND DISPOSE OF ALL DIRT, DEBRIS, AND RUBBISH. REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY OR PREMISES. SITE SHALL BE LEFT IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR SMUDGES OF ANY NATURE.
   o. MAINTAIN THE INTEGRITY OF THE BUILDING ENVELOPE AND CONSTRUCT BARRIERS IN THE AREA OF WORK TO PREVENT DAMAGE FROM WEATHER AS WELL AS FROM CONSTRUCTION DUST AND DEBRIS.

8. INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO MANUFACTURER'S SPECIFICATIONS, UNO, OR WHERE LOCAL CODES OR ORDINANCES DIRECT OTHERWISE.

9. ANY SUBSTITUTIONS OF MATERIALS AND/OR EQUIPMENT, MUST BE APPROVED BY OWNER'S REPRESENTATIVE.

10. DOCUMENT ALL CHANGES MADE IN THE FIELD BY MARKING UP THE APPROVED CONSTRUCTION DRAWINGS AND SUBMITTING THE REDLINED SET TO OWNER'S REPRESENTATIVE UPON COMPLETION. DOCUMENT ALL WORK PERFORMED WITH PHOTOGRAPHS TO BE SUBMITTED WITH REDLINED CONSTRUCTION DRAWINGS.

11. PROVIDE SUPPORTS FOR CABLES TO THE ELEVATION OF ALL INITIAL AND FUTURE ANTENNAS IN ACCORDANCE WITH ALL MANUFACTURER'S REQUIREMENTS.

12. A STRUCTURAL ANALYSIS AND A MOUNT ANALYSIS (IF REQUIRED) TO DETERMINE THE STRUCTURAL CAPACITY TO SUPPORT THIS PROPOSED EQUIPMENT WAS PERFORMED OUTSIDE THE SCOPE OF THIS PROJECT.

13. CONFIRM THAT THE REQUIREMENTS OF THE STRUCTURAL ANALYSIS, MOUNT ANALYSIS AND ANY ASSOCIATED MODIFICATIONS HAVE BEEN FOLLOWED AND COMPLETED AS REQUIRED TO SUPPORT THE EQUIPMENT ASSOCIATED WITH THIS PROJECT.

SPECIAL INSPECTIONS:

1. WHEN REQUIRED, PROVIDE SPECIAL INSPECTIONS PERFORMED BY AN INDEPENDENT INSPECTOR, APPROVED BY OWNER'S REPRESENTATIVE AND THE LOCAL JURISDICTION.

2. THE SPECIAL INSPECTOR SHALL PROVIDE A COPY OF THE REPORT TO THE OWNER'S REPRESENTATIVE, STRUCTURAL ENGINEER, CONTRACTOR, AND BUILDING OFFICIAL.

ABBREVIATIONS

A/C	AIR CONDITIONING
AFF	ABOVE FINISHED FLOOR
AGL	ABOVE GROUND LEVEL, ABOVE GRADE LEVEL
AWS	ADVANCED WIRELESS SERVICE
BBU	BATTERY BACKUP UNIT
BLDG	BUILDING
BLK	BLOCKING
CLG	CEILING
CLR	CLEAR
CONC	CONCRETE
CONT	CONTINUOUS
D	DEPTH
DBL	DOUBLE
DEG	DEGREE
ø, DIA	DIAMETER
DIAG	DIAGONAL
DN	DOWN
DET	DETAIL
DWG	DRAWING
E	EXISTING
EA	EACH
ELEV, EL	ELEVATION
ELEC	ELECTRICAL
EQ	EQUAL
EQUIP	EQUIPMENT
EXT	EXTERIOR
FIF	FIBER INTERFACE FRAME, FACILITY INTERFACE FRAME
FIN	FINISH
FLUOR	FLUORESCENT
FLR	FLOOR
FT	FOOT, FEET
GA	GAUGE
GALV	GALVANIZED
GC	GENERAL CONTRACTOR
GRND	GROUND
GSM	GLOBAL SYSTEM MOBILE
GYP	GYPSUM BOARD
HORZ	HORIZONTAL
HR	HOUR
HT	HEIGHT
ID	INSIDE DIAMETER
IN	INCH, INCHES
INSUL	INSULATION
INT	INTERIOR
L	LENGTH
LBS	POUNDS
LTE	LONG TERM EVOLUTION
MAX	MAXIMUM
MECH	MECHANICAL
MTL	METAL
MFR	MANUFACTURE
MGR	MANAGER
MIN	MINIMUM
MISC	MISCELLANEOUS
NA	NOT APPLICABLE
NIC	NOT IN CONTRACT
NO	NUMBER
NTS	NOT TO SCALE
OC	ON CENTER
OD	OUTSIDE DIAMETER
PCS	PERSONAL COMMUNICATION SERVICE
PDU	POWER DISTRIBUTION UNIT
PROJ	PROJECT
PROP	PROPERTY
PT	PRESSURE TREATED
PVC	POLYVINYL CHLORIDE
REQ	REQUIRED
RF	RADIO FREQUENCY
RM	ROOM
RO	ROUGH OPENING
RRH	REMOTE RADIO HEAD
SHT	SHEET
SIM	SIMILAR
SPEC	SPECIFICATION
SF	SQUARE FOOT
SS	STAINLESS STEEL
STL	STEEL
SUSP	SUSPENDED
TMA	TOWER MOUNTED AMPLIFIER
TND	TINNED
TYP	TYPICAL
UMTS	UNIVERSAL MOBILE TELECOMMUNICATION SERVICE
UNO	UNLESS NOTED OTHERWISE
VERT	VERTICAL
W/	WITH
W/O	WITHOUT
WCS	WIRELESS COMMUNICATION SERVICE
WP	WATER PROOF

PREPARED FOR:
CITYSWITCH
1900 CENTURY PLACE, SUITE 320
ATLANTA, GA 30345

PREPARED BY:
FDH INFRASTRUCTURE SERVICES
ENGINEERING INNOVATION
6521 MERIDIEN DRIVE
RALEIGH, NC 27616
PHONE: (919)-755-1012
FAX: (919)-755-1031

DENNIS DANIEL ABEL LICENSE No 62750 STATE OF FLORIDA PROFESSIONAL ENGINEER

11/13/19
DENNIS D. ABEL, P.E.
STATE LICENSE NO. 62750

DRAWN BY: KWJ
CHECKED BY: JRB

SUBMITTALS

DATE	DESCRIPTION	REV	ISSUED BY
10/11/19	ZONING DRAWING	A	JRB
10/22/19	ZONING DRAWING	B	JRB

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. REPRODUCTIO OR CAUSING TO BE REPRODUCED THE WHOLE OR AN PART OF THESE DRAWINGS WITHOUT THE PERMISSION FDH INFRASTRUCTURE SERVICES IS PROHIBITED.

SITE NAME:
KAPOK STREET

SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
GENERAL NOTES

SHEET NUMBER
GN-1

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

SITE NOTES:

1. CLEAR AND GRUB SITE OF ALL VEGETATION, PAVING, GRAVEL BASE AND OTHER DEBRIS NOT TO REMAIN. SUBGRADES ARE TO BE SET PRIOR TO LANDSCAPE INSTALLATION.
2. PROVIDE ELEVATION OF SUBGRADE WITHIN 0.10 FOOT OF ELEVATIONS SHOWN ON PLAN MINUS DEPTH OF TOPSOIL, FILL, AND MULCH.
3. ROUGH GRADE ALL AREAS WITHIN 1 FOOT OF ELEVATIONS INDICATED BEFORE PLANTING. PROVIDE POSITIVE DRAINAGE AWAY FROM EQUIPMENT SLABS, BUILDINGS AND THROUGH ALL PLANTER AREAS TO AVOID LOW SPOTS AND STANDING WATER.
4. REWORK (DRY, SCARIFY, ETC.) ALL MATERIAL NOT SUITABLE FOR SUB GRADE IN ITS PRESENT STATE. AFTER REWORKING, IF THE MATERIAL REMAINS UNSUITABLE, UNDERCUT AND REPLACE WITH SUITABLE MATERIAL AT CONTRACTOR'S EXPENSE. ALL SUB GRADES AND AGGREAGATE BASE COURSES SHALL BE PROOF ROLLED WITH A FULLY LOADED TANDEM DUMP TRUCK, AND ANY SOFT SPOTS SHALL BE REWORKED OR REPLACED UNTIL PASSING PROOF ROLL.
5. BLEND NEW GRADES NATURALLY INTO EXISTING GRADES.
6. MAINTAIN POSITIVE DRAINAGE ON THE SITE AT ALL TIMES, INCLUDING KEEPING ALL EXISTING AND NEW DITCHES, PIPES AND OTHER DRAINAGE STRUCTURES FREE FROM OBSTRUCTION. ANY DAMAGE RESULTING FROM FAILURE TO COMPLY SHALL BE REMEDIED BY CONTRACTOR
7. IF REQUIRED, MAINTAIN CONTINUOUS EROSION CONTROL ON THE DOWNSTREAM SIDE OF THE SITE.
8. IN LANDSCAPE AREAS, FINISH GRADES ARE TO FOLLOW THE GRADES AND EDGE DETAILS INDICATED AND BE MOUNDED 6 INCHES IN THE CENTER OF THE BED ABOVE THE EDGE OF THE LANDSCAPE AREA.
9. DO NOT PLACE FILL OR EMBANKMENT MATERIAL ON FROZEN GROUND. DO NOT PLACE FROZEN MATERIALS, SNOW OR ICE IN ANY FILL OR EMBANKMENT.
10. NOTIFY OWNER'S REPRESENTATIVE IF MODIFICATIONS TO THE PROPOSED GRADING SEEM NECESSARY AND OBTAIN APPROVAL PRIOR TO START OF WORK.
11. FOOTINGS SHALL BEAR ON FIRM, NATURAL, UNDISTURBED SOIL, OR ON ENGINEERED FILL (COMPACTED TO 95% ASTM D698). ENSURE THAT EXCAVATIONS ARE FREE OF ORGANIC MATERIAL, DEBRIS, OR OTHER FOREIGN MATERIAL. NOTIFY OWNER'S REPRESENTATIVE IF ANY UNUSUAL CONDITIONS ARE ENCOUNTERED.
12. FILL AND SLAB BASE MATERIAL SHALL BE 3/4" MINUS CRUSHED ROCK PLACED IN 8" (MAXIMUM) LOOSE LIFTS AND COMPACTED TO 98% ASTM D698.

CONCRETE NOTES:

1. CONCRETE AND REINFORCING SHALL CONFORM TO THE FOLLOWING REQUIREMENTS:

CONCRETE CONSTRUCTION	ACI 318
CEMENT	ASTM C150, PORTLAND CEMENT TYPE II, UNO
REINFORCING STEEL	ASTM A615 (INCLUDING SUPPLEMENT S1), GRADE 60, fy=60 Ksi, UNO
WELDED WIRE FABRIC	ASTM A185
SPIRAL REINFORCEMENT	ASTM A615, GRADE 60, fy=60 KSI
ANCHOR BOLTS	ASTM A307
GRADE 60 REBAR WELDING	ASTM A706

NOTES: ANY BARS SO NOTED ON THE DRAWINGS SHALL BE GRADE 60, fy=60 KSI. REINFORCING COMPLYING WITH ASTM A615(S1) MAY BE WELDED ONLY IF MATERIAL PROPERTY REPORTS INDICATING CONFORMANCE WITH WELDING PROCEDURES SPECIFIED IN A.W.S. D14 ARE SUBMITTED.

2. CONCRETE PROTECTION (COVER) FOR REINFORCING STEEL SHALL BE AS FOLLOWS:

FOOTINGS AND OTHER UNFORMED SURFACES, EARTH FACE	3"
FORMED SURFACES EXPOSED TO EARTH OR WEATHER (≥ #6 BARS)	2"
FORMED SURFACES EXPOSED TO EARTH OR WEATHER (≤ #5 BARS)	1-1/2"
SLABS AND WALLS (INTERIOR FACE)	3/4"

3. AIR ENTRAIN ALL CONCRETE WITH SURFACES EXPOSED TO WEATHER WITH AN AIR-ENTRAINING AGENT CONFORMING TO ASTM C260, C494, C618, C989 AND C1017. AIR ENTRAIN CONCRETE EXPOSED TO FREEZING AND THAWING WHILE MOIST IN ACCORDANCE WITH ACI 318, SECTION 4.4.1.
4. DETAIL REINFORCING STEEL (INCLUDING HOOKS AND BENDS) IN ACCORDANCE WITH ACI 315 AND 318. LAP ALL CONTINUOUS REINFORCEMENT AT LEAST 30 BAR DIAMETERS OR A MINIMUM OF 2'-0". PROVIDE CORNER BARS AT ALL WALL AND FOOTING INTERSECTIONS. LAP CORNER BARS AT LEAST 30 BAR DIAMETERS OR A MINIMUM OF 2'-0". LAP ADJACENT MATS OF WELDED WIRE FABRIC A MINIMUM OF 8" AT SIDES AND ENDS.
5. PERFORM WELDING OF GRADE 60 REINFORCING BARS (IF REQUIRED) USING LOW HYDROGEN ELECTRODES. PERFORM WELDING OF GRADE 40 REINFORCING BARS (IF REQUIRED) USING E70 XX ELECTRODES. DO NOT WELD WITHIN 4" OF COLD BENDS IN REINFORCING STEEL.
6. DO NOT FIELD BEND REINFORCING PARTIALLY EMBEDDED IN CONCRETE UNLESS SPECIFICALLY SO DETAILED OR APPROVED BY THE ENGINEER.
7. SUPPORT BARS ON CHAIRS OR DOBIE BRICKS.
8. FURNISH NON-SHRINK GROUT BY AN APPROVED MANUFACTURER. MIX AND PLACE IN STRICT ACCORDANCE WITH THE MANUFACTURER'S PUBLISHED RECOMMENDATIONS. GROUT STRENGTH SHALL BE AT LEAST EQUAL TO THE MATERIAL ON WHICH IT IS PLACED (3 KSI, MINIMUM).
9. ALL EXPANSION ANCHORS TO BE HILTI BRAND, UNO. TEST ADHESIVE ANCHORS TO CONFIRM CAPACITY UNLESS WAIVED BY ENGINEER AND LOCAL JURISDICTION.

STRUCTURAL STEEL NOTES:

1. STRUCTURAL STEEL SHALL CONFORM TO THE FOLLOWING REQUIREMENTS:

WIDE FLANGE SHAPES	ASTM A992, GRADE 50
SHAPES, PLATES, ANGLES, & RODS	ASTM A36, Fy 36 KSI
SPECIAL SHAPES AND PLATES	ASTM A572, Fy 50 KSI
PIPE COLUMNS	ASTM A53, Fy 35 KSI
STRUCTURAL TUBING	ASTM A500, Fy 46KSI
ANCHOR BOLTS	ASTM A307
CONNECTION BOLTS	ASTM A325 TWIST-OFF

2. BASE STRUCTURAL STEEL DESIGN, FABRICATION AND ERECTION (INCLUDING FIELD WELDING, HIGH STRENGTH FIELD BOLTING, EXPANSION BOLTS, AND THREADED EXPANSION ANCHORS) ON THE AISC "SPECIFICATION FOR THE DESIGN, FABRICATION, AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS" LATEST EDITION.
3. HOT DIP GALVANIZE AFTER FABRICATION PER A123/A123M-00 ALL STEEL EXPOSED TO WEATHER AND WHERE NOTED.
4. CONFORM TO ALL AISC AND AWS STANDARDS FOR WELDING. PERFORM WELDING BY ANSI/AWS D1.1 CERTIFIED WELDERS USING E70 XX ELECTRODES. USE ONLY PRE-QUALIFIED WELDS AS DEFINED BY AWS.
5. PROVIDE COLD-FORMED STEEL FRAMING MEMBERS OF THE SHAPE, SIZE, AND GAGE SHOWN ON THE PLANS. PROVIDE MINIMUM SECTION PROPERTIES INDICATED. ALL COLD-FORMED STEEL FRAMING SHALL CONFORM TO THE AISI "SPECIFICATION FOR THE DESIGN OF COLD-FORMED STEEL STRUCTURAL MEMBERS."
6. FOR BOLTED CONNECTIONS, USE 3/4" DIA., BEARING-TYPE, A325 BOLTS WITH A MINIMUM OF TWO BOLTS, UNO.
7. FOR NON-STRUCTURAL CONNECTIONS FOR STEEL GRATING, USE 5/8" DIA. A307 BOLTS, UNO.
8. PREPARE AND PAINT IN ACCORDANCE WITH THE PAINT MANUFACTURERS WRITTEN INSTRUCTIONS, UNO.
9. TOUCH UP ALL FIELD DRILLING, WELDING AND CUT SURFACES WITH 2 COATS OF GALVACON (ZINC RICH PAINT) OR APPROVED EQUAL.

PREPARED FOR:
CITYSWITCH
1900 CENTURY PLACE, SUITE 320
ATLANTA, GA 30345

PREPARED BY:
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DENNIS DANIEL ABEL LICENSE No 62750 STATE OF FLORIDA PROFESSIONAL ENGINEER

11/13/19
DENNIS D. ABEL, P.E.
STATE LICENSE NO. 62750

DRAWN BY: KWJ
CHECKED BY: JRB

SUBMITTALS

DATE	DESCRIPTION	REV	ISSUED BY
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SITE LOCATION:
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RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
GENERAL NOTES

SHEET NUMBER
GN-2

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

NOTES:

1. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
2. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
3. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION, THERE IS NO HANDICAP ACCESS REQUIRED.
4. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
5. UTILITIES TO BE CONFIRMED DURING SITE VISIT.
6. SITE PLAN AND PROPERTY LINES DEVELOPED FROM SURVEY COMPLETED BY SMW ENGINEERING GROUP, INC. DATED 10/01/2019.
7. PROPOSED SITE IS LOCATED IN EXISTING FLOOD ZONE AH ACCORDING TO FEMA PANEL # 12021C0430H DATED MAY 16, 2012.

PARCEL INFORMATION:

OWNER: JOHANNES STEFFENS

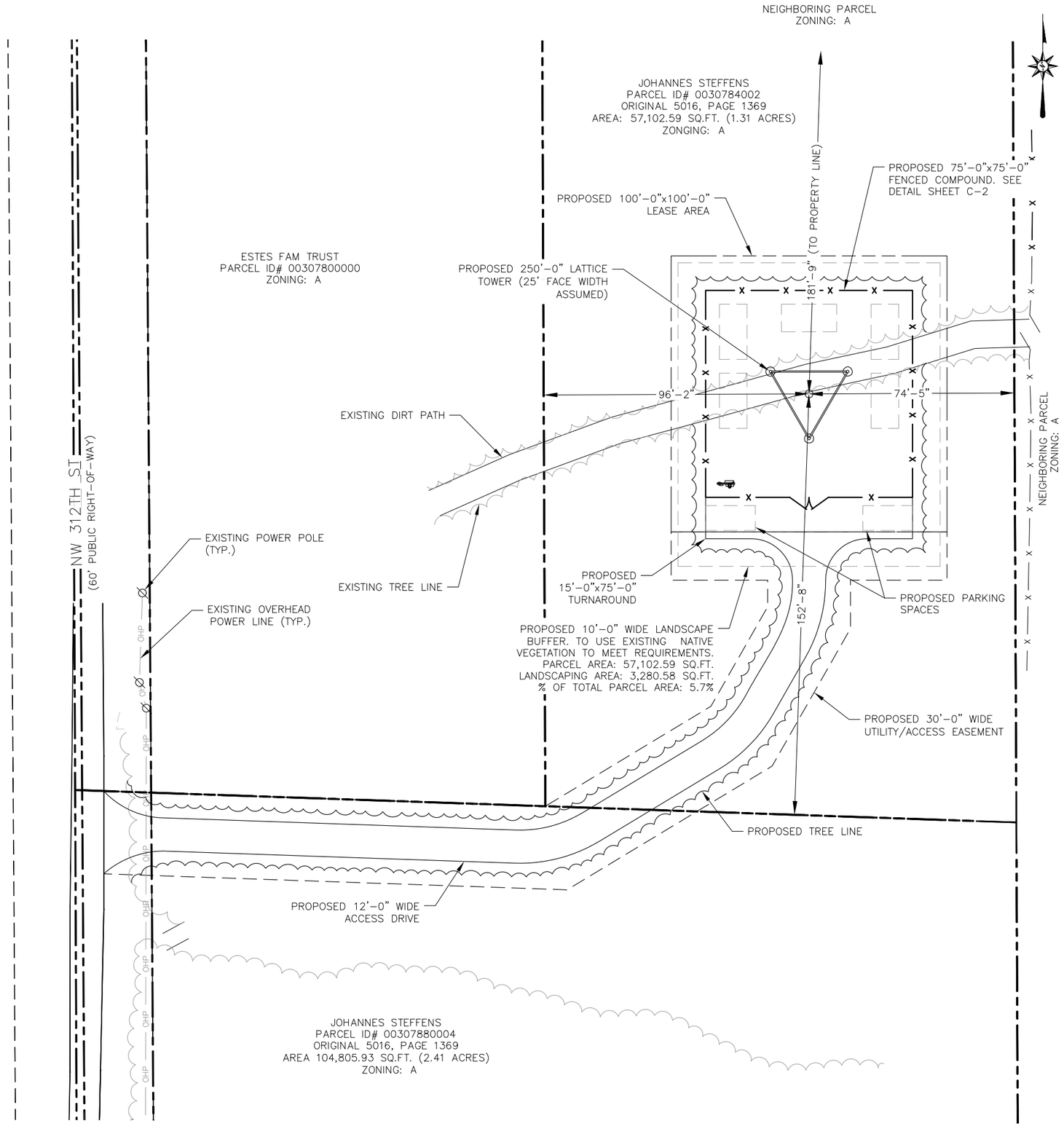
ZONING: A

LAND USE: VACANT

PARCEL NUMBER: 00307840002

TOWER SETBACK	
PROPERTY LINE	SETBACK DISTANCE
NORTH	181'–9"
SOUTH	152'–8"
EAST	74'–5"
WEST	96'–2"

IMPERVIOUS AREAS			
PARCEL ID	AREA	PROPOSED IMPERVIOUS SURFACE	% IMPERVIOUS SURFACE
00307880004	104,805.9 SQ.FT.	2,082.8 SQ.FT.	1.99%
0030784002	57,102.59 SQ.FT.	8,380.67 SQ.FT.	14.68%



OVERALL SITE PLAN

11"x17" SCALE: 1" = 40'
24"x36" SCALE: 1" = 20'

40' 20' 0 40' 80'

1"=40'

LEGEND:

- OHP — OVERHEAD POWER
- —x—x— PROPOSED CHAIN–LINK FENCE
- —x—x— EXISTING FENCE
- — — — — EXISTING EASEMENT
- — — — — PROPOSED EASEMENT
- ROW — RIGHT–OF–WAY
- — — — — PROPOSED LEASE AREA
- EXISTING ROAD / TURNAROUND
- PROPERTY LINE

PREPARED FOR:
CITYSWITCH
1900 CENTURY PLACE, SUITE 320
ATLANTA, GA 30345

PREPARED BY:
FDH INFRASTRUCTURE SERVICES
ENGINEERING INNOVATION
6521 MERIDIEN DRIVE
RALEIGH, NC 27616
PHONE: (919)-755-1012
FAX: (919)-755-1031

DENNIS DANIEL ABEL LICENSE No 62750 STATE OF FLORIDA PROFESSIONAL ENGINEER

11/13/19
DENNIS D. ABEL, P.E.
STATE LICENSE NO. 62750

DRAWN BY: KWJ
CHECKED BY: JRB

SUBMITTALS

DATE	DESCRIPTION	REV	ISSUED BY
10/11/19	ZONING DRAWING	A	JRB
10/22/19	ZONING DRAWING	B	JRB

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SITE NAME:
KAPOK STREET

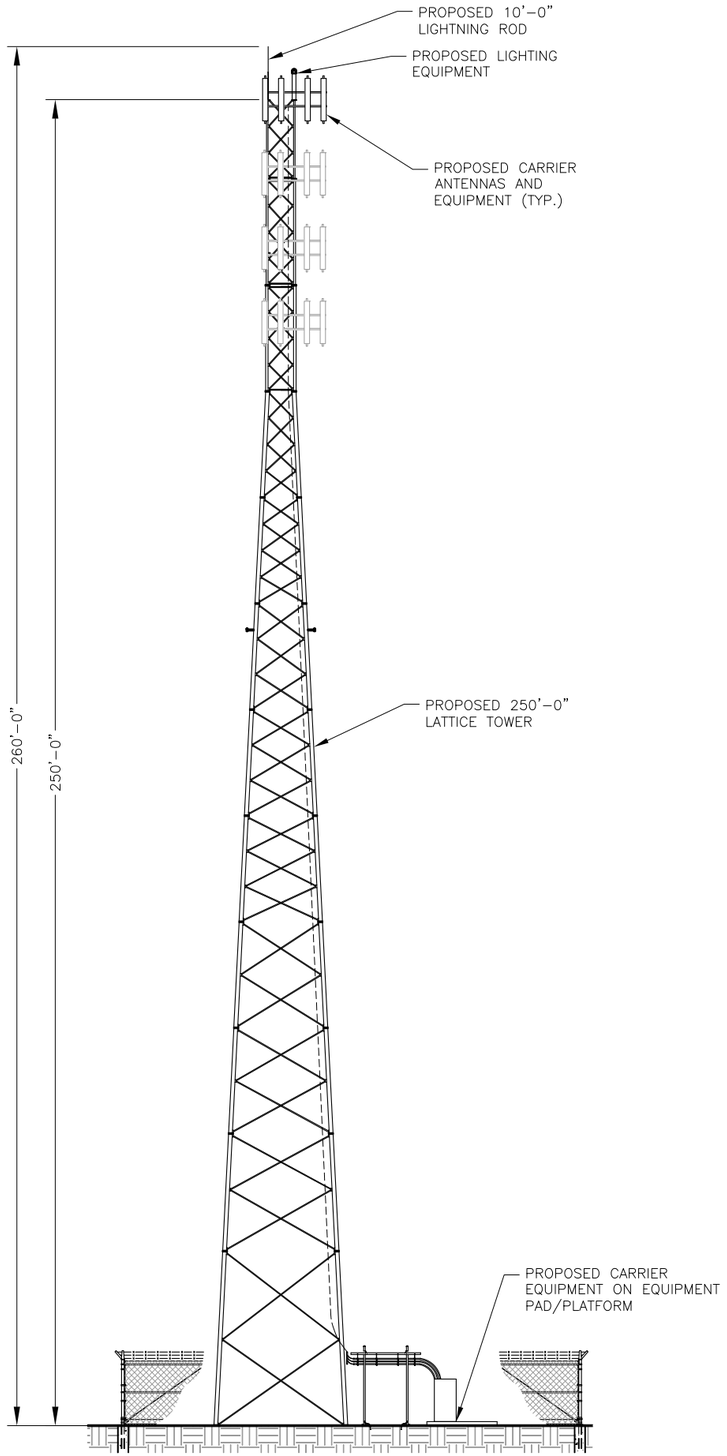
SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
OVERALL SITE PLAN

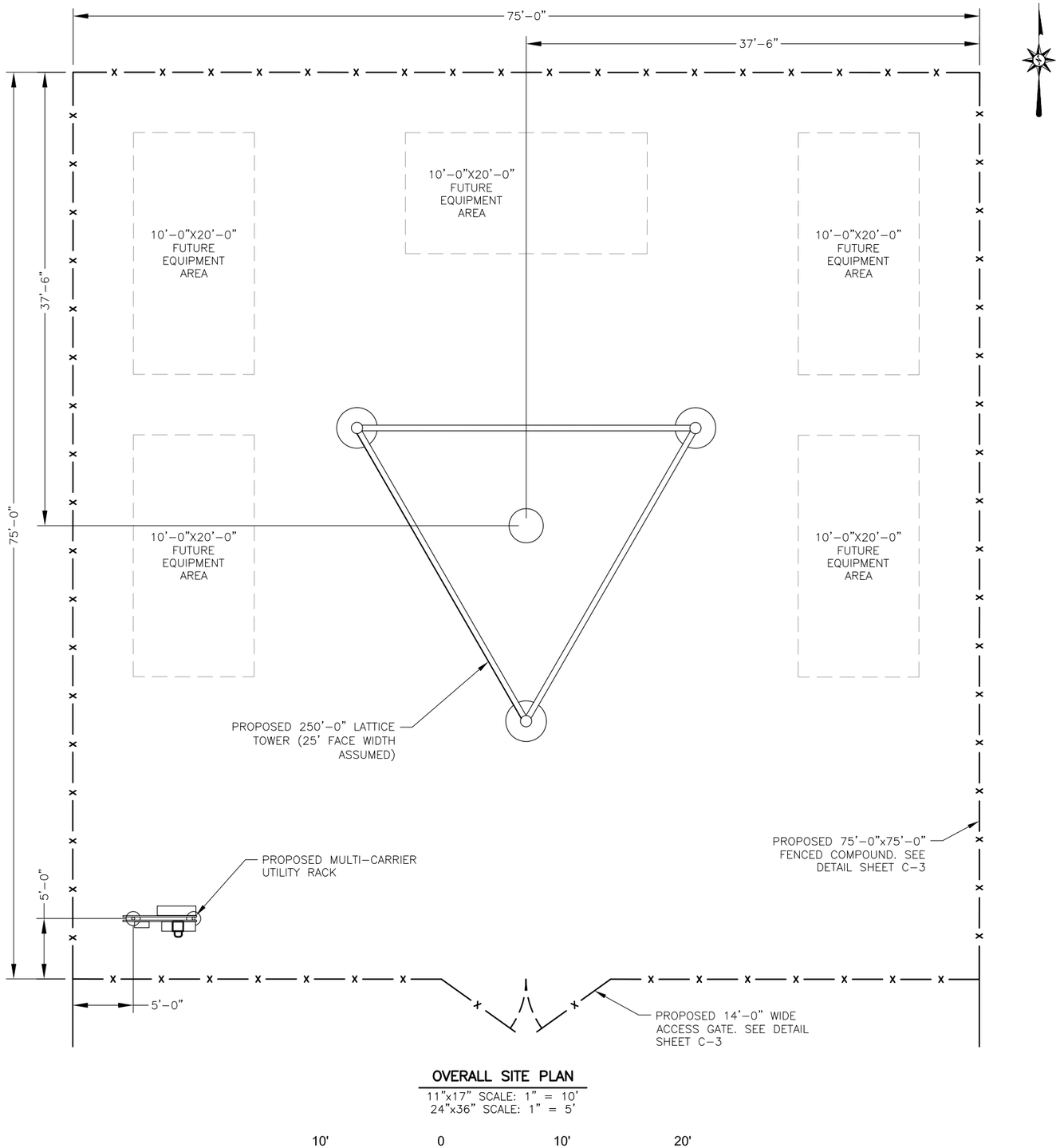
SHEET NUMBER
C-1

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



TOWER ELEVATION

11"x17" SCALE: N.T.S
24"x36" SCALE: N.T.S



OVERALL SITE PLAN

11"x17" SCALE: 1" = 10'
24"x36" SCALE: 1" = 5'

10' 0 10' 20'

1"=10'

PREPARED FOR:

CITYSWITCH

1900 CENTURY PLACE, SUITE 320
ATLANTA, GA 30345

PREPARED BY:

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ENGINEERING INNOVATION

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DRAWN BY:	KWJ
CHECKED BY:	JRB

SUBMITTALS

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10/22/19	ZONING DRAWING	B	JRB

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SITE NAME:
KAPOK STREET

SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

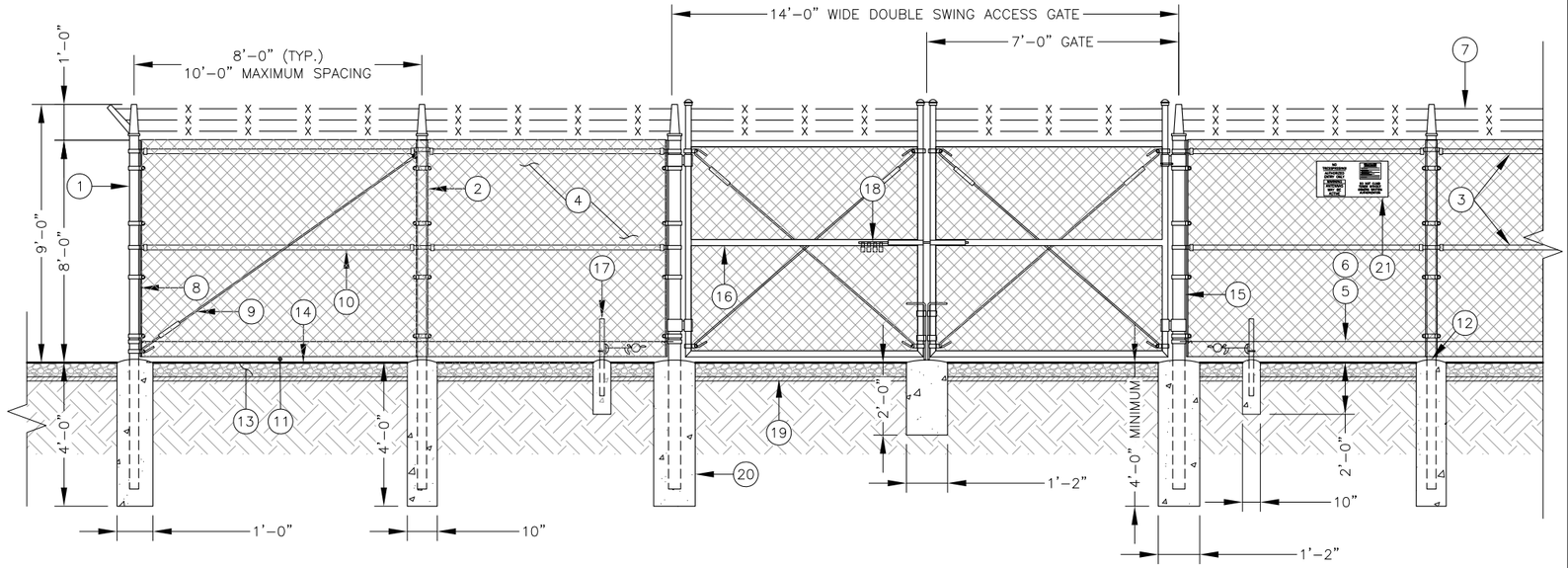
SHEET TITLE
COMPOUND DETAILS

SHEET NUMBER
C-2

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

CALLOUTS:

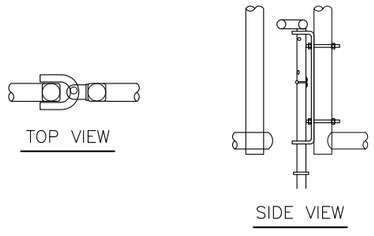
1. 3" O.D. GALVANIZED STEEL SCHEDULE 40 CORNER POSTS (PER ASTM–F1083).
2. 2–1/2" NOMINAL GALVANIZED STEEL, SCHEDULE 40 INTERMEDIARY LINE POSTS (PER ASTM–F1083). LINE POSTS SHALL BE EQUALLY SPACED AT MAXIMUM 10' O.C.
3. 1–5/8" O.D. ROUND TOP RAIL & BRACE PIPE RAIL (PER ASTM–F1083).
4. 9 GAUGE FABRIC CORE WIRE WITH 2" MESH (TO CONFORM TO ASTM–A392).
5. 9 GAUGE ALUMINUM TIE WIRE. PROVIDE HOG RING FABRIC TIES SPACED 12" O.C. FOR POSTS AND GATES AND 24" O.C. FOR RAILS AND WIRE.
6. 9 GAUGE ALUMINUM TENSION WIRE.
7. 3 STRANDS 14 GAUGE BARBED WIRE WITH 4 POINT BARBS. SPACE BARBS APPROXIMATELY 5" O.C.
8. 3/16"x3/4" STRETCHER BAR; TO EXTEND FULL HEIGHT OF FENCE.
9. 3/8" DIAGONAL ROD WITH GALVANIZED STEEL TURNBUCKLE OR DIAGONAL THREADED ROD.
10. 1–5/8" DIAMETER CORNER POST BRACE.
11. MAINTAIN A 1" MAXIMUM CLEARANCE FROM FINISHED GRADE.
12. PROVIDE CROWNED/PITCHED FINISH FOR FENCE POST PIER FOUNDATIONS; TO EXTEND 1" ABOVE GRADE.
13. 6" CRUSHED STONE (TYP.).
14. FINISHED GRADE SHALL BE UNIFORM AND LEVEL.
15. 4" O.D. GALVANIZED STEEL SCHEDULE 40 GATE POSTS (PER ASTM–F1083).
16. 1–1/2" NOMINAL PIPE FOR GATE FRAME BRACE RAIL (PER ASTM F–1083).
17. DUCK BILL OPEN GATE HOLDER. CONTRACTOR TO VERIFY EXACT LOCATION PRIOR TO INSTALLATION.
18. MULTI–TENTANT LOCKING DEVICE.
19. PROPOSED GEOTEXTILE FABRIC.
20. CONCRETE PIER FOUNDATION; TO ACHIEVE A MINIMUM STRENGTH OF 3000 PSI AT 28 DAYS. CONCRETE DEPTH TO BE A MINIMUM OF 6" BELOW FROST LINE (48" MINIMUM, TYP.).
21. 12"x24" NO TRESPASSING SIGN.



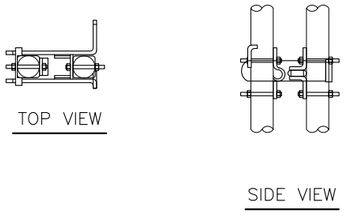
FENCING DETAIL
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.

NOTES:

1. ALL FENCING TO BE INSTALLED PER ASTM F–567. ALL SWING GATES TO BE INSTALLED PER ASTM F–900.
2. BARBED WIRE PERMIT REQUIRED SHALL BE COMPLETED IF LOCAL ORDINANCE REQUIRES.
3. POST & GATE PIPE SIZES ARE INDUSTRY STANDARDS. ALL PIPE TO BE GALVANIZED (HOT DIP, ASTM A120 GRADE "A" STEEL). ALL GATE FRAMES SHALL BE WELDED. ALL WELDINGS SHALL BE COATED WITH (3) COATS OF GOLD GALV. (OR EQUAL). ALL OPEN POSTS SHALL HAVE END–CAPS.
4. ALL SIGNS MUST BE MOUNTED ON INSIDE OF FENCE FABRIC USING GALVANIZED HOG–RING WIRE.
5. MUSHROOM ANCHOR AND PLUNGER REQUIRED FOR GATE. GENERAL CONTRACTOR RESPONSIBLE FOR GATE LOCK.



DROP ROD ASSEMBLY DETAIL
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.



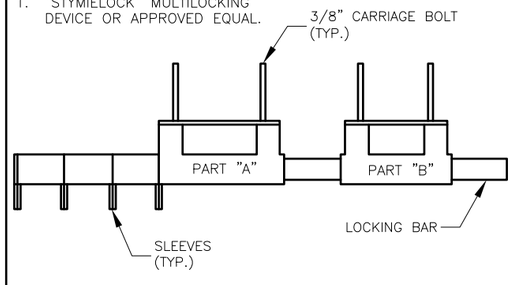
LATCH ASSEMBLY DETAIL
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.

MULTILOCK INSTALLATION:

1. DRILL 3/8" HOLES IN THE GATE LEAF USING THE GATE DIMENSIONS PROVIDED.
2. SLIDE THE CARRIAGE BOLTS IN THE SLOTS ON THE BACK OF PART "B" AND PUSH THE BOLTS THROUGH THE HOLES DRILLED IN THE GATE FIGURE. PUT THE NUT AND THE LOCKNUT ON AND TIGHTEN AND CUT THE EXCESS BOLT OFF. DO THE SAME WITH PART "A".
3. ADD THE NUMBER OF SLEEVES NEEDED FOR THE NUMBER OF LOCKS AND SLIDE THE LOCKING BAR INTO PLACE THROUGH BOTH PART "A" AND PART "B". NOW INSTALL THE LOCKS.
4. IF THE GATE HAS NO CENTER BAR IN THE GATE LEAF YOU MAY NEED TO MOUNT THE STYMIELOCK VERTICALLY USING THE SAME DIMENSIONS GIVEN ON THE GATE FACE.
5. VERTICAL APPLICATION MAY ALSO BE USED ON SLIDING GATES WITH MULTIPLE LOCKS.

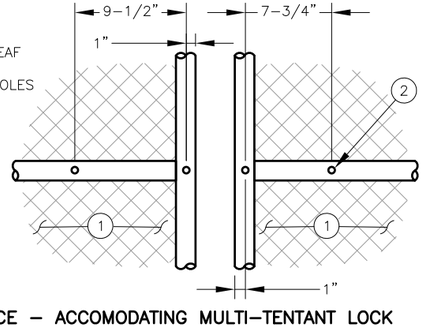
GATE LOCK ASSEMBLY:

1. "STYMIELOCK" MULTILOCKING DEVICE OR APPROVED EQUAL.

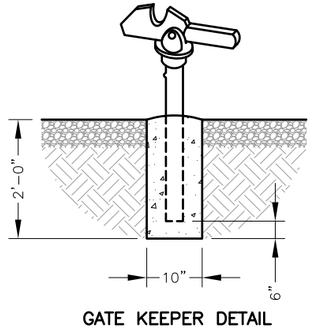


GATE LOCK ASSEMBLY DETAIL
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.

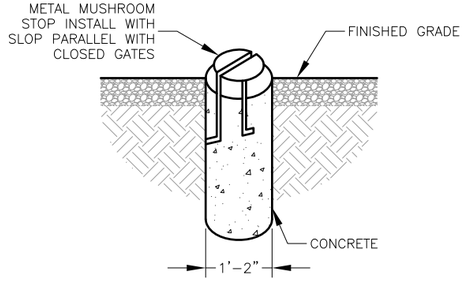
CALLOUTS:
1. GATE LEAF
2. 3/8" HOLES (TYP.)



GATE FACE – ACCOMODATING MULTI–TENTANT LOCK
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.



GATE KEEPER DETAIL
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.



MUSHROOM STOP DETAIL
11"x17" SCALE: N.T.S.
24"x36" SCALE: N.T.S.

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DATE	DESCRIPTION	REV	ISSUED BY
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10/22/19	ZONING DRAWING	B	JRB

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SITE NAME:
KAPOK STREET

SITE LOCATION:
KAPOK STREET
RURAL ESTATES, FL 34117

SITE NUMBER:
12906066

SHEET TITLE
FENCE DETAILS

SHEET NUMBER
C-3

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Collier County
Growth Management Department
Zoning Services Section

September 18, 2019

Kyle Lotze
Ignite Wireless Inc.
102 Mary Alice Park Rd.
Cumming, Ga 30040

ZLTR-PL20190001999; Zoning Verification Letter for a parcel located east of Kapok St. in Section 15, Township 49, Range 27 of unincorporated Collier County, Florida. Property ID/Folio Number: 00307840002; comprising of +/- 1.25 acre.

Mr. Lotze,

This letter is in response to a Zoning Verification Letter (ZLTR) Application that you submitted on or about August 27th, 2019. The applicant has requested verification of the questions listed below in bold print, which are followed by Staff's responses.

Questions:

1. **Confirm the zoning?**
   The current Official Zoning Atlas, an element of the Collier County Land Development Code (LDC), Ordinance 04-41, as amended, reveals the subject property is located within the agricultural zoning designation with the Rural Fringe Mixed Use receiving and North Bell Meade Overlay districts.
2. **What is the review process/requirements to locate a 250' self-support tower in the proposed lease area site plan?**
   This proposed self-support tower could not be completely private provider tower and thus would need to be classified as an essential service. This requires that government entities such as police, fire, EMS, etc. have use of the tower for their designated needs, see attached. Classification this way is the only way to permit this use on this property with the applicable zoning designation (LDC 2.03.08.A.2.a.3.x.) This project will also need site plan approval, please see the attached administrative code section for list of required submittals and other related requirements and LDC 5.05.09.G for development standards. For further questions or to submit please reach out to the Client Services Office for more information at GMDClientServices@colliercountyfl.gov or 239-252-4229.

The information presented in this verification letter is based on the Collier County LDC and/or Growth Management Plan in effect as of this date. It is possible that subsequent amendment(s) to either of these documents could affect the validity of this verification letter. It is also possible that development of the subject property could be affected by other issues not addressed in this letter, such as, but not limited to, concurrency related to the provision of adequate public facilities, environmental impact, and other requirements of the Collier County LDC or related ordinances.

This letter represents a determination of Zoning Services Section staff. Should you disagree with this determination, you may request an Official Interpretation by the Zoning Director of the provisions of the Land Development Code pursuant to Sections 1.06.01.A and 10.02.02.F.1 of that Code. The fee for an

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Official Interpretation is identified in the most recent GMD Fee Schedule Resolution as approved by the Board of County Commissioners. To obtain copies of any document referenced herein, please contact Mr. David Merino with the GMD Records Section at (239)252-2386. The LDC may be viewed online at www.municode.com / Municode Library / Florida / Collier County. Validated Ordinances may be viewed online via the Clerk of Court's website, www.collierclerk.com / Records Search / BMR Records / Boards, Minutes, Records / BMR Validated Ordinances.

Disclaimer: Issuance of a development permit by the County does not create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All other applicable state or federal permits must be obtained before commencement of the development.

Should you require additional information, please do not hesitate to call my office at (239) 252-2471.

Researched and prepared by:

Parker Klopf, Planner
Zoning Services Section

Reviewed by:

Raymond Bellows, Zoning Manager
Zoning Services Section

CC: GMD – Addressing
David Weeks- Comprehensive Planning

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

A. Purpose and intent. This section applies to specified communication towers that support any antenna designed to receive or transmit electromagnetic energy, such as, but not limited to, telephone, television, radio, or microwave transmissions. This section sets standards for construction and facilities siting; and is intended to minimize, where applicable, adverse visual impacts of towers and antennas through careful design, siting, and vegetation screening; to avoid potential damage to adjacent properties from tower failure; to maximize the use of specified new communication towers and, thereby, to minimize the need to construct new towers ; to maximize the shared use of specified tower sites to minimize the need for additional tower sites; to lessen impacts new ground mounted towers could have on migratory and other species of birds; t prevent unnecessary habitat fragmentation and/or disturbance in siting and designing new towers ; and to consider the concerns of the Collier Mosquito Control District as to low flying mosquito control aircraft safety.

B. Definitions unique to communications towers , section 5.05.09.

1. As used herein " *antenna* " does not include (a) wire antennas or (b) "receive only" dishes that have an outside diameter of less than 40 inches
2. *Effective radius* means a radius of 6 miles from the respective tower unless a lesser radius is approved.
3. *Lesser effective radius* means an approved radius of less than 6 miles.
4. " ***Unavailable to the applicant " means a tower that cannot accommodate the applicant's proposed antenna or a site that cannot accommodate the applicant's tower , antenna, and related facilities.***
5. " *Unavailable* " means that no additional tower or site capacity is available to anyone.

C. Migratory Birds and other Wildlife Considerations.

1. ***Ground Mounted towers . Except to the extent not feasible for the respective new ground mounted tower 's intended purpose(s), each new ground mounted tower that will exceed a height of 75 feet (above ground), exclusive of antennas, but will not exceed a height of 199 feet above natural grade , exclusive of antennas, should not be guyed. If the applicant proposes that a new ground mounted tower within this height range be guyed, the applicant shall have the burden of proving the necessity of guying the tower .***
2. *Bird Diverter Devices.* Each new ground mounted guyed tower installed on or after February 20, 2004, greater then 75 feet in height above natural grade , exclusive of antennas, shall have installed and maintained bird diverter devices on each guy wire (to reduce injuries to flying birds).
3. *Habitat Loss.* In addition to the requirements in Chapters 3 and 10, towers and other on-site facilities shall be designed, sited, and constructed to minimize habitat loss within the tower footprint. At such sites, road access and fencing, to the extent feasible, shall be utilized to minimize on-site and adjacent habitat fragmentation and/or disturbances.
4. *Security Lighting* . When feasible, security lighting to protect on-ground facilities/equipment shall be down-shielded to try to keep such light within the outermost geographic boundaries of the tower's footprint.

D. Shared use of towers . A tower with a height in excess of 185 feet above natural grade shall not be approved, unless the applicant demonstrates that no old or approved tower within the effective radius can accommodate the applicant's proposed antenna and ancillary equipment. Towers owned by or leased to any government are exempt from these shared use provisions, except as to sharing with other governments.

1. For the purpose of discovering availability for use of towers within the effective radius, the applicant shall contact the owner of all old and approved towers , within the effective radius, that can possibly accommodate the needs of the applicant . The county manager or designee may preapprove the minimum allowable height to determine which towers may be available for use by the applicant . A list of all owners contacted, the date of each contact, the form and content of each contact, and all responses shall be a part of the conditional use application. As an accommodation to applicants , the county manager or designee shall retain all shared use plans, records of past responses, and a list of old and approved towers . If the owner of an old tower does not respond to the applicant's inquiry within a reasonable time, generally 30 days or less, or the owner of an old tower will not rent space to the applicant at a reasonable rental for a reasonable time period, such old tower shall be deemed unavailable to that applicant . If the old tower is a nonconforming structure , additional antennas may be installed thereon in accordance with an approved shared use plan, provided however, no structural alterations may be made to the tower , and the height of the tower inclusive of its antennas may not be increased.
2. Lesser effective radius. If the applicant asserts that the effective radius for the intended use is less than 6 miles, the applicant shall provide evidence that the asserted lesser effective radius is based on physical and/or electrical characteristics. Based on the evidence submitted by the applicant , the County Manager or designee may establish a lesser effective radius. If a radius can be increased by signal amplification or other means, such means must be considered in determining the lesser effective radius. The antenna manufacturer's specifications shall be conclusive, unless the applicant can prove they are incorrect in the specific case.
3. If an approved tower within the applicant's approved effective radius may have capacity available for the antenna proposed by the applicant , the application for a new tower shall not be complete without the following information regarding each such possibly available approved tower . Such information shall also be provided for old towers to the extent it can be obtained.

   Identification of the site of each possibly available tower by coordinates, street address or legal description, existing uses, and tower height.

   Whether shared use by the applicant of the tower is prohibited (or is not feasible) for any reason.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

If it has been determined that the tower owner will allow structural changes, whether the tower can accommodate the proposed antenna if reasonable structural changes are made. If so, the applicant shall specify what structural changes would be required and an approximation of the costs of such changes. If the costs of the required changes are financially impracticable, such tower shall be deemed unavailable to the applicant .

4. The applicant shall contact the owner of each possibly available approved tower to request the needed information. To enable the tower owner to respond, the applicant shall provide the following information regarding the applicant's proposed antenna and equipment:
   a. All output frequencies of transmitter.
   b. Type of modulation, polarization of radiation, and proposed use of antenna.
   c. Manufacturer, type, manufacturer's model number, a diagram of the antenna's radiation pattern, and the manufacturer's specifications.
   d. Power input to antenna and gain of antenna in decibels with respect to an isotopic radiator.
   e. Range in feet of maximum and minimum height of antenna above base of tower .
   f. A list of necessary ancillary equipment and description of the type of transmission cable to be used.
   g. Any other pertinent information needed to enable the owner to respond in full to the inquiry.

E. Shared use of tower sites. A tower with a height in excess of 185 feet above natural grade shall not be approved on a new tower site unless the applicant demonstrates that the proposed tower, antennas, and accessory structures or uses cannot be located on any conforming old site or approved site situated within the effective radius. Sites owned by any government or leased to any government are exempt from these shared use provisions except to other governments.

1. Except as to each old site or approved site determined by the County Manager or designee, or in a shared use plan to be unavailable to the applicant , the applicant shall contact the owner of all other conforming old sites and approved tower sites, within the effective radius, containing sufficient land area to possibly accommodate the needs of the applicant .
2. For each such possibly available tower site, the application for a new tower site shall not be complete without the following information:
   a. Identification of the proposed new tower site by coordinates, street address or legal description, area, existing uses, topography, and significant natural features.
   b. Evidence that no old and no approved tower site within the effective radius can accommodate the applicant's needs.
   c. If the owner of an old tower site does not respond to the applicant's simple letter of interest inquiry within thirty (30) days, or the owner of an old tower site will not rent land to accommodate the applicant's needs for a reasonable period of time at reasonable rentals, such old tower site shall be deemed unavailable to the applicant .
   d. The applicant is not required to supply this information to owners of conforming old sites unless the old site appears to be available to the applicant by a shared use plan or the site's owner has responded positively to the applicant's initial letter of inquiry. To enable the site owner to respond, the applicant shall provide the site owner (and the owner of any tower on the site) with the dimensional characteristics and other relevant data about the tower , and a report from a professional engineer licensed in the State of Florida, or other qualified expert, documenting the following:
   e. tower height and design, including technical, engineering, and other pertinent factors governing the intended uses and selection of the proposed design. An elevation and a cross section of the tower structure shall be included.
   f. Total anticipated capacity of the tower , including number and types of antennas and needed transmission lines, accessory use needs including specification of all required ancillary equipment, and required building and parking space to accommodate same.
   g. Evidence of structural integrity of the proposed tower as required by the building official and, for metal towers , a statement promising full compliance with the then latest edition of the standards published by the Electronic Industries Association (currently EIA/TIA 222-E), or its successor functional equivalent, as may be amended for local application.
3. If the site owner, or owner of a tower on the respective site, asserts that the site cannot accommodate the applicant's needs, the respective owner shall specify in meaningful detail reasons why the site cannot accommodate the applicant . To the extent information is current and correct in the respective tower site's approved shared use plan, the site owner or tower owner can refer the applicant to the respective shared use plan. If the shared use plan is not then up-to-date, the plan shall be brought up-to-date immediately by the owner and the written reply to the applicant shall specify to what extent the shared use plan is incorrect, incomplete, or otherwise not up-to-date.
4. No provision in a shared use plan, land lease, mortgage, option to purchase, lease-option, contract for deed, or other controlling document shall provide, or have the effect, that the site is exclusive to one (1) tower , unless there is good reason for such restriction, other than the prevention of competition or a desire or inclination not to cooperate in good faith. If the site size is physically and electrically compatible with the installation on-site of any other tower , no such document shall prevent other towers , except for reasons approved by the County Manager or designee. An unapproved document provision of tower exclusivity shall be grounds to disapprove an application for tower site approval.

F. Required sharing. Each new tower in excess of 185 feet in height (shared use tower), except towers that are approved to be perpetually unavailable, shall be designed to structurally accommodate the maximum amount of additional antenna capacity reasonably practicable. Although it is not required that a new tower be constructed at additional expense to accommodate antennas owned by others, no new tower shall be

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designed to accommodate only the **tower** owner's proposed antennas when, without additional expense, antenna space for other owners can be made available on the **tower** .

1. Shared use plans. Each shared use plan shall be in a standard format that has been approved by the County Manager or designee. Each shared use plan shall specify in detail to what extent there exists **tower** and/or site capacity to accommodate additional antennas and/or additional **towers** , ancillary equipment, and **accessory uses** . Available antenna capacity on a **tower** shall be stated in detailed clearly understandable terms, and may be stated in equivalent flat plate area and total additional available transmission line capacity. The **tower** owner (as to **tower** shared use plans) and the landowner (as to site shared use plans) shall update its respective approved shared use plans by promptly filing pertinent update information with the County Manager or designee. **Owners** of old **towers** and/or old sites may file shared use plans in accord with this section.
2. Reservation of capacity. If an **applicant** for a shared use **tower** does not plan to install all of its proposed antennas during initial construction of the **tower** , the **applicant** must specify the planned schedule of installing such later added antennas as part of the shared use plan. An **applicant** cannot indefinitely prevent the use of unused available antenna space on a **tower** by reserving to itself such space. No available space can be reserved for the owner or anyone else, unless approved in the shared use plan. If an antenna is not installed by the scheduled deadline, the reserved space shall automatically be rendered available for use by others, unless the shared use plan has, by the deadline, been amended with the approval of the County Manager or designee. Deadlines may be extended even if the **tower** is a **nonconforming structure** . If space has been reserved in a shared use plan for future additional antenna use by the **tower** owner and it becomes clear that such space will not be utilized by the owner, the shared use plan shall be amended promptly to reflect the availability of such space.
3. Reservation of site capacity. The policy stated above applies also to additional **tower** space on an approved **tower** site to prevent indefinite reservation of available site space.
4. Height bonus for sharing. Notwithstanding anything to the contrary in any County ordinance, any existing conforming or **nonconforming tower** may be permitted a one-time increase in height, provided:
   a. Any such increase in height does not exceed thirty (30) feet or twenty (20) percent of the height of the existing **tower** , whichever is less;
   b. The cost of such increase in height does not exceed fifty (50) percent of the actual replacement cost of the **tower** at the time of the application;
   c. A shared use plan covering the **tower** with the increased height is first approved by the County Manager or designee;
   d. The increase in height does not cause the proposed **tower** to exceed any required maximum height requirement for **towers** or make a legally conforming **tower** become **nonconforming** ;
   e. Substantiated proof that such proposed antenna(s) may not be placed on the existing **tower** by relocating or adjusting existing antennas and equipment shall be submitted by an appropriate professional engineer certified to practice in the State of Florida; and
   f. A site **development plan** shall be submitted for review and approval if an increase in **tower** height requires placement of, or addition to, an antenna equipment **building** or support **building** .
5. Filing shared use plans. Each approved shared use plan shall be filed and recorded in the Office of the Collier County Clerk of Court prior to any site **development plan** approval. A copy of the initial shared use plan shall be filed with, and approved by, the County Manager or designee prior to **conditional use** approval.
6. Shared use plans for old **towers** and old **tower** sites. Initial shared use plans and amendments for old **towers** require approval of the County Manager or designee. Initial shared use plans and amendments for old **tower** sites require approval of the BCC, except where an amendment reduces site and/or antenna capacity.
7. Transmitting and receiving equipment serving similar kinds of uses shall, to the extent reasonable and commercially practicable, be placed on a shared use **tower** in such a manner that any of the users in a group can operate approximately equal to other users in the group utilizing substantially similar equipment.
8. Once a shared use plan for a **tower** is approved, additional antennas may be added to that **tower** in accordance with the approved shared use plan without additional **conditional use** approval even if the **tower** is then a **nonconforming structure** . The shared use plan shall be immediately updated to reflect each such change. Likewise, once a new shared use plan for a **tower** site is approved, additional **towers** and **accessory buildings** and uses may be added to that site in accordance with the plan without additional **conditional use** approval, even if the site is then **nonconforming** . The shared use plan shall be immediately updated to reflect each change.
9. For each **tower** with a height in excess of 185 feet that is approved, the **tower owner** shall be required, as a condition of approval, to file an approved shared use plan, except when a government **tower** is approved to be perpetually unavailable. To the extent that there is capacity for other antennas on the **tower** , the plan shall commit the **tower owner** and all successor owners to allow shared use of the **tower** in accordance with the shared use plan for antennas of others at reasonable rates. The initial proposed rates (or a range of reasonable rates) shall be specified in the shared use plan, and shall be amended each time the rates are changed. When antenna space on a **tower** is rented to others, each rental agreement shall be filed with the shared use plan. Any agreement that purports to reserve antenna space for future use must be approved by the County Manager or designee.
10. For each new shared use **tower** site that is approved, the **owner** shall be required, as a condition of approval, to file an approved shared use plan, except as to a government site that is approved to be perpetually unavailable. If there is land available on the site to accommodate additional **towers** and **accessory** facilities, the plan shall commit the landowner and successor owners to accommodate such additional

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facilities on the site at reasonable rents (or a range of reasonable rents) which shall be specified in the shared use plan. When land is rented for facilities on the site, the rental agreement shall be filed with the shared use plan. Any agreement that purports to reserve land for future use of a tower and other facility space must be approved by the County Manager or designee.

11. Each new tower owner or site owner, as the case may be, shall agree, as a condition of approval, to respond, in writing, in a comprehensive manner within thirty (30 days) to each request for information from a potential shared use applicant . Government owners need to reply only to requests from another government. To the extent that correct and up-to-date information is contained in an approved shared use plan, the owner may refer the applicant to the shared use plan for the information. If the shared use plan is incorrect, incomplete, or otherwise not up-to-date, the respective owner shall, in the response, specify, in detail, such information, and shall immediately bring the shared use plan up-to-date.

12. The tower owner or site owner, as the case may be, shall, as a condition of approval, negotiate in good faith for shared use of tower space and/or site space by applicants in accordance with its shared use plan.

13. All conditions of approval regarding a tower shall run with the ownership of the tower and be binding on all subsequent owners of the tower . All conditions of approval regarding an approved tower site shall run with the land and be binding on all subsequent owners of the tower site.

G. Development standards for communication towers .

1. Except to the extent that amateur radio towers , and ground-mounted antennas with a height not to exceed twenty (20) feet, are exempted by subsection 5.05.09 herein, no new tower of any height shall be permitted in the RSF-1 through RSF-6, RMF-6, VR, MH, TTRVC, and E zoning districts. However, notwithstanding other provisions of this section, including the separation requirements of subsection5.05.09(F)(7) below, towers may be allowed to any height as a conditional use in the E zoning district only on sites approved for a specified essential service listed in subsection 5.05.09((F)(3) below. There shall be no exception to this subsection except for conditional use applications by a government for a governmental use.

2. Permitted ground-mounted towers . Towers not exceeding the stated maximum heights are a permitted use, subject to other applicable provisions of this section, including separate requirements and shared use provisions. towers that exceed those specified maximum heights require a variance in accordance with section 9.04.00.

   a. All commercial and industrial zoning districts and urban designated area agricultural zoning districts: Any tower up to seventy-five (75) feet in height is a permitted use, provided the base of such tower is separated a minimum distance of seventy-five (75) feet from the nearest boundary with any parcel of land zoned RSF-1 through RSF-6, RMF-6, E, RMF-12, RMF-16, RT, VR, MH, TTRVC, or PUD permitting six (6) residential dwelling units or less. Any tower that exceeds seventy-five (75) feet in height, up to a height of 185 feet, is a lawful use, only if permitted or otherwise provided in the respective zoning district, and the base of such tower is separated from the nearest boundary of any parcel of land zoned RSF-1 through RSF-6, RMF-6, E, RMF-12, RMF-16, RT, VR, MH, TTRVC, or PUD zoning of six (6) residential dwelling units or less, by a minimum distance in feet determined by multiplying the height of the tower (in feet) by a factor of two and one-half (2.5). (The minimum separation distance is two and one-half (2 ½) times the height of the tower .) towers which do not meet the separation requirement may apply for a variance in accordance with section 9.04.00.

   b. Agricultural zoning districts within the rural designated area: Towers shall not exceed 250 feet in height.

   c. All agricultural zoning districts: No tower that exceeds 250 feet in height exclusive, of any antenna affixed thereto, shall be allowed on any site comprising less than ten (10) acres under common ownership or control, except such towers can be approved as a conditional use on sites of less than ten (10) acres if the applicant cannot, with economic feasibility, acquire title to, or control of, a suitable tower site of at least ten (10) acres in the required geographic vicinity of the proposed tower site.

3. Essential services —Specified conditional uses Except in the RSF-1 through RSF-6, and RMF-6 zoning districts, towers may be allowed to any height as a conditional use on sites approved for a conditional use essential service for any of the following conditional uses : safety service facilities including, but not necessarily limited to, fire stations , sheriff's substation or facility, emergency medical services facility, and all other similar uses where a communications tower could be considered an accessory or logically associated use with the safety service conditional use on the site. In addition, communications towers can be approved as a conditional use for a stand-alone essential service facility, provided the tower is to be owned by, or to be leased to, a governmental entity, and the primary uses of the tower are for governmental purposes.

4. New towers shall be installed only on rooftops in the RMF-12, RMF-16, and RT zoning districts, except amateur radio towers with a height not to exceed seventy-five (75) feet above the natural grade , and ground-mounted antennas with a height not to exceed twenty (20) feet above the natural grade , are permitted within these zoning districts.

5. Ground-mounted monopole communication towers up to 150 feet in height above the natural grade , including antennas affixed thereto, may be allowed as a conditional use within these zoning districts. The height of each monopole communication tower shall be limited to the height necessary for its use at its location.

6. Rooftop towers , antenna structures , and antennas.

   a. Rooftop towers , antenna structures , and antennas are allowed in all zoning districts except the RSF-1 through RSF-6, RMF-6, and E zoning districts.

   b. Rooftop towers , antenna structures , and antennas are, as specified, subject to the following:

      i. Permitted uses. Rooftop antenna structures and antennas are a permitted use up to a height of twenty (20) feet above the

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maximum roofline, provided the height of the maximum roofline is twenty (20) feet or more above the average natural grade . If the maximum roofline is less than twenty (20) feet above the average natural grade , an antenna structure and/or antenna is a permitted use up to a height that equals the distance from the average natural grade to the maximum roofline. For example, if the distance from the average natural grade to the maximum point of the roofline is fifteen (15) feet, an antenna structure and/or antenna is a permitted use up to a height of fifteen (15) feet above the maximum roofline. Any antenna structure , tower , or antenna that exceeds its permitted use height, as provided herein, shall require conditional use approval, and the maximum allowable height of the structure , tower , and all antennas shall be determined in each specific case. Distance from RSF-1 through RSF-6, and RMF-6 zoning districts shall be a major consideration in determining the allowable height of rooftop facilities.

ii. Towers and antenna structures shall be set back from the closest outer edge of the roof a distance of not less than ten (10) percent of the rooftop length and width, but not less than five (5) feet, if the antenna can function at the resulting location.

iii. Antenna structures and dish type antennas shall be painted to make them unobtrusive.

iv. Except for antennas that cannot be seen from street level, such as panel antennas on parapet walls, antennas shall not extend out beyond the vertical plane of any exterior wall.

v. Where technically feasible, dish type antennas shall be constructed of open mesh design.

vi. Where feasible, the design elements of the building (i.e., parapet wall, screen enclosures, other mechanical equipment) shall be used to screen the communications tower , structure , and antennas.

vii. The building and roof shall be capable of supporting the roof-mounted antenna, structure , and tower .

viii. No rooftop shall be considered a tower site. This section does not require any sharing of any rooftop, rooftop tower , or antenna structure .

7. With the exception of rooftop towers and towers on essential services sites, each new communication tower shall meet the following separation requirements:

   a. Each new tower that exceeds 185 feet in height shall be located not less than two and one-half (2.5) times the height of the tower from all RSF-1 through RSF-6, and RMF-6 zoning districts, including PUDs where the adjacent use(s) is/are, or comparable to, the RSF-1 through RSF-6 and RMF-6 zoning districts. If a part of a PUD is not developed, and it is inconclusive whether the part of a PUD area within such minimum separation distance from the proposed tower site may be developed with a density of six (6) units per acre or less, it shall be presumed that the PUD area nearest to the proposed site will be developed at the lowest density possible under the respective PUD.

   b. In addition, each such new tower that exceeds a height of seventy-five (75) feet, excluding antennas, shall be separated from all boundaries of surrounding property zoned RMF-12, RMF-16, E, RT, VR, MH, TTRVC, H, and the residential areas of PUDs with existing or planned densities greater than six (6) units per acre by not less than the total height of the tower including its antennas; and from all other surrounding property boundaries by a distance not less than one-half (1/2) the height of the tower and its antennas, or the tower's certified collapse area, whichever distance is greater.

8. All owners of approved towers are jointly and severally liable and responsible for any damage caused to off-site property as a result of a collapse of any tower owned by them.

9. Placement of more than one (1) tower on a land site is preferred and encouraged, and may be permitted, provided, however, that all setbacks , design, and landscape requirements are met as to each tower . structures may be located as close to each other as technically feasible, provided tower failure characteristics of the towers on the site will not likely result in multiple tower failures in the event that one (1) tower fails, or will not otherwise present an unacceptable risk to any other tower on the site. It shall be the policy of the County to make suitable County-owned land available for towers and ancillary facilities at reasonable rents.

10. Any accessory buildings or structures shall meet the minimum yard requirements for the respective zoning district. accessory uses shall not include offices, long-term vehicle storage, outdoor storage, broadcast studios except for temporary emergency purposes, or other structures and/or uses that are not needed to send or receive transmissions, and in no event shall such uses exceed twenty-five (25) percent of the floor area used for transmission or reception equipment and functions. Transmission equipment shall be automated, to the greatest extent economically feasible, to reduce traffic and congestion. Where the site abuts , or has access to, a collector street , access for motor vehicles shall be limited to the collector street . All equipment shall comply with the then applicable noise standards.

11. For new commercial towers exceeding 185 feet in height, a minimum of two (2) parking spaces shall be provided on each site. An additional parking space for each two (2) employees shall be provided at facilities which require on-site personnel. Facilities which do not require on-site personnel may utilize impervious parking.

12. All new tower bases, guy anchors, outdoor equipment, accessory buildings , and accessory structures shall be fenced. This provision does not apply to amateur radio towers , or to ground-mounted antennas that do not exceed twenty (20) feet above grade .

13. Tower lighting. Towers and antennas with a height greater than 150 feet shall be required to have red beacon or dual mode lights, unless exempted, in writing, by the Collier County Mosquito Control District. Such lights shall meet the then existing Federal Aviation Administration ("FAA") technical standards. No other towers or antennas shall be artificially lighted, except as required by the FAA, the Federal Communications Commission, or other applicable laws, ordinances, or regulations. If the FAA rules require lighting, then the applicant shall comply with such rules.

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New towers exceeding 199 feet. Each new tower that will have a height in excess of one hundred and ninety-nine (199) feet above ground, exclusive of antennas, and such tower shall be lighted no more than is otherwise required by state and/or federal law, rule, or regulation. Unless otherwise then required by law, rule or regulation, only white strobe lights shall be used at night, unless otherwise required by the FAA, in which case red strobe-type lights shall be used. Such lights shall not exceed the minimum number, minimum intensity, and minimum light flashes per interval of time (requiring the longest allowable duration between light flashes) required by state or federal law, rule, or regulation. Solid red (or pulsating red) warning lights shall not be used at night.

14. Effective January 1, 1992, all guyed towers , including old towers , exceeding 185 feet in height shall be inspected every two (2) years. Such self-supporting towers shall be inspected every four (4) years. Each inspection shall be by a qualified professional engineer or other qualified professional inspector, and any inspector-recommended repairs and/or maintenance should be completed without unnecessary delay. At a minimum, each inspection shall include the following:
    a. Tower structure : Including bolts, loose or damaged members, and signs of unusual stress or vibration.
    b. Guy wires and fittings: Check for age, strength, rust, wear, general condition, and any other signs of possible failure.
    c. Guy anchors and foundations: Assess for cracks in concrete, signs of corrosion, erosion, movement, secure hardware, and general site condition.
    d. Condition of antennas, transmission lines, lighting, painting, insulators, fencing, grounding, and elevator, if any.
    e. For guyed towers : Tower vertical alignment and guy wire tension (both required tension and present tension).
15. A copy of each inspection report shall be filed with the County Manager not later than December 1 of the respective inspection year. If the report recommends that repairs or maintenance are required, a letter shall be submitted to the County Manager to verify that such repairs and/or maintenance have been completed. The County shall have no responsibility under this section regarding such repairs and/or maintenance.
16. Any tower that is voluntarily not used for communications for a period of one (1) year shall be removed at the tower owner's expense. If a tower is not removed within three (3) months after one (1) year of such voluntary non-use, the County may obtain authorization, from a court of competent jurisdiction, to remove the tower and accessory items, and, after removal, shall place a lien on the subject property for all direct and indirect costs incurred in dismantling and disposal of the tower and accessory items, plus court costs and attorney's fees.
17. For all ground-mounted guyed towers in excess of seventy-five (75) feet in height, the site shall be of a size and shape sufficient to provide the minimum yard requirements of that zoning district between each guy anchor and all property lines.
18. All new metal towers , including rooftop towers , except amateur radio towers , shall comply with the standards of the then latest edition published by the Electric Industries Association (currently EIA/TIA 222-E) or the publication's successor functional equivalent, unless amended for local application by resolution of the BCC. Each new amateur radio tower with a height of seventy-five (75) feet or less shall require a building permit specifying the exact location and the height of the tower exclusive of antennas. Each new ground-mounted dish type antenna that does not exceed a height of twenty (20) feet shall require a building permit.
19. Within the proposed tower's effective radius , information that specifies the tower's physical location, in respect to public parks, designated historic buildings or districts, areas of critical concern, and conservation areas, shall be submitted as part of the conditional use application. This shall also apply to site plan applications and/or permit applications for rooftop installations that do not require conditional use approval.
20. No communication tower shall be located on any land or water if such location thereon creates, or has the potential to create, harm to the site as a source of biological productivity, as indispensable components of various hydrologic regimes, or as irreplaceable and critical habitat for native species of flora or fauna.
21. Any existing native vegetation on the site shall be preserved and used to meet the minimum landscape requirements as required by section 4.06.00. The site plan shall show existing significant vegetation to be removed and vegetation to be replanted to replace that lost. native vegetation may constitute part or all of the required buffer area if its opacity exceeds eighty (80) percent.
22. As to communications towers and antennas, including rooftop towers , antenna structures , and antennas, the height provisions of this section supersede all other height limitations specified in this Code.
23. All existing and proposed ground mounted and rooftop towers and antennas with a height greater than 150 feet shall be required to have a solid red beacon or dual mode lights unless exempted in writing by the Collier Mosquito Control District. Such lights shall meet the then existing Federal Aviation Administration (FAA) technical standards. The total structure height shall include all appendages and attachments, such as antennas, lights, lightening rods, or any other accessory device that would extend the height of the tower. All existing towers shall have six months (180 days) from June 16, 2005, to comply with the requirement. If the FAA rules require lighting, then the applicant shall comply with such rules.
24. A copy of each application for a tower in excess of 150 feet shall be supplied by the applicant to the Collier Mosquito Control District or designee.

H. Alligator Alley communication towers .

1. Notwithstanding other provisions of section 5.05.09, and irrespective of the zoning classification(s) of the underlying fee at each respective tower site, two (2) new communication towers shall be permitted at locations and heights herein specified within the I-75 right-of-way east of the toll booth (Alligator Alley). Two (2) of the four (4) towers shall be constructed to replace two (2) existing Florida Department of Transportation towers . The four (4) new telecommunication tower sites shall be located approximately at:

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a. Mile marker 52.2. The height of the **tower** shall not exceed 250 feet, including antennas;

b. Mile marker 92.6 (Everglades Blvd). The height shall not exceed 250 feet, including antennas;

c. The site of an existing FDOT **tower** located on State Road 29. The height shall not exceed 310 feet, including antennas;

d. The site of an existing FDOT **tower** located at mile marker 63.2 at the I-75 Rest Area. It will replace an existing **tower** located on the north side of I-75 at mile marker 63.3. The height shall not exceed 280 feet, including antennas.

e. Each **tower** shall be constructed with a capacity to provide for a minimum of four (4) to eight (8) co-users, including Florida Department of Transportation ("FDOT"), the U.S. Fish and Wildlife Service ("FWS"), the National Park Service ("NPS"), the Department of Forestry ("DOF"), and County agencies, where practical.

2. Each **tower** shall be constructed in accordance with the standards and requirements of section 5.05.09 and other applicable sections of this Code, except as expressly provided otherwise in this section.

3. Minimum **yard** requirements. There shall be no minimum yard requirement for these **towers** at these locations because each **tower** and all ancillary facilities must be contained within the I-75 **right-of-way** , and each proposed **tower** must maintain a separation distance from all **adjacent** residential property lines equal to one-half (½) of the **tower's** height or equal to a Florida professional engineer's certified collapse area (fall zone), whichever is greater, or a clear zone is maintained on adjoining property by a use **easement** applicable to such adjoining property **owner** . No habitable residential or non-residential **structure** , including offices, shall be allowed within any certified collapse area (fall zone) for any of these **towers** .

4. **Access** . Physical **access** to each **tower** site shall be as approved by FDOT.

5. Parking. Sufficient unpaved area shall be provided on, or **adjacent** to, each **tower** site to accommodate temporary parking for one (1) vehicle for servicing or maintaining the communication **tower** .

6. **Landscape buffer** . A **landscape buffer** no less than ten (10) feet wide with trees planted twenty-five (25) feet on center shall be developed and maintained around the perimeter of each **tower** site and other related equipment, **structures** , and **buildings** . This **buffer** shall encompass all **structures** including the **tower** base. At least one (1) row of **native vegetation** shall be planted within the **buffer** to form a continuous hedge of at least three (3) feet in height at planting. The **buffer** must be maintained in good condition. This **landscape buffer** may be waived by the County Manager or designee where the **buffer** is not practical due to public safety concerns.

7. A site **development plan** and construction plans shall be submitted to the County Manager or designee for review and approval prior to any construction of any such **tower** . No changes, additions, or **alterations** may be made to any approved site **development plan** or construction plans for any such **tower** without County approval.

8. **Tower** lighting. In addition to the requirements for **tower** lights specified in section 5.05.09 of this Code, **towers** located in the Big Cypress Preserve and the Florida Panther National Wildlife Preserve shall be lighted in accordance with the USFWS guidance system requirements for **tower** lighting.

9. Notwithstanding any other provision in this Code, and notwithstanding the underlying zoning of the respective **tower** site, subject to the following, the communication **towers** and **accessory** facilities ("facilities") listed above, and all such future facilities, are lawful uses, if located within the confines of the I-75 **right-of-way** east of the Alligator **Alley** toll booth to the eastern boundary of Collier County.

10. The **tower** and related facilities shall be subject to **conditional use** approval whenever the **tower** is to exceed a height of twenty (20) feet. **towers** that are to be twenty (20) feet or less in height require only **building** permit approval from the County.

a. As all such facilities must be located within the I-75 **right-of-way** , the facilities must be subject to approval from the owner of that **right-of-way** , including such conditions as may be required by that owner. The owner of said **right-of-way** is the State of Florida, by and through the Florida Department of Transportation.

b. The facilities must be owned by, or leased to, a governmental entity. The primary uses of the facilities shall be governmental uses. Private uses of the facilities, if any, shall always be incidental and subordinate to the governmental uses.

c. Notwithstanding any other provision in section 5.05.09, the facilities shall be subject to the **tower** sharing requirements of section 5.05.09 if the **tower** is to exceed a height of 120 feet, unless the **tower** is a **monopole** . If the **tower** is to be used only for governmental uses, the **tower** need be shared only with other governmental entities. If the **tower** is to be occupied by an antenna under control of a non-governmental occupant of the **tower** and is to be used for any non-governmental use(s), the **tower** sharing requirements that apply to non-government occupants shall be adhered to as a prerequisite to occupancy of the **tower** .

l. Wireless emergency telephone service. Notwithstanding any other provisions of this section 5.05.09, the following provisions shall apply to communications **towers** that provide wireless emergency telephone service.

1. These facilities are **essential services** .

2. Each **applicant** for these permits is required to clearly inform County staff by means of an emboldened "notice" in a cover letter or on the first page of the permit application, substantially as follows: *This Application is subject to the expedited timelines specified in Chapter 365.172, Florida Statutes.*

3. **Applicants** for these permits need not provide staff with evidence that a proposed wireless communications facility complies with federal regulations, but staff may require from such **applicant** proof of proper FCC licensure, and staff may request the FCC to provide information as to the provider's compliance with federal regulations to the extent then authorized by federal law. The County has no permitting jurisdiction

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with regard to wireless communications facilities located (or to be located) on property owned by the State of Florida, including State-owned rights-of-way .

4. Co-located facilities. Provided the then existing zoning applicable to the proposed site allows E911 facilities without a need to rezone, a need to obtain conditional use approval, or any other required process (such as, for example, having an agreement amended), the County shall grant or deny a properly completed application requesting co-location of E911 Service, or co-location for wireless telephone service, not later then forty-five (45) business days after the date that a properly completed application is initially submitted to staff in accordance with all applicable permit application requirements in this section 5.05.09. Co-location of such facilities on a then existing above-ground tower or other above-ground structure shall not be subject to the land development regulations pursuant to Section 163.3202, Florida Statutes, provided the height of the then existing tower or structure is not thereby increased. Co-location of such antenna, or co-location of related equipment, shall be subject to applicable building regulations, and with all then existing permits or agreements applicable to that tower or to the underlying property. Nothing herein, including the forty-five (45) business days timeline, shall relieve the permit holder for, or owner of, the then existing tower or structure from complying with applicable permit requirements, or applicable agreement(s), or with applicable land development regulation (including aesthetic requirement), or compliance with any other then applicable law(s).
5. New towers or antennas. Pursuant to Section 365.172, Florida Statutes, the County shall grant or deny an application requesting location of a new wireless telephone service tower , or for location of antenna(s) for wireless telephone service, not later then ninety (90) business days after the date that an application that fully complies with the requirements of this section 5.05.09 is submitted, provided the then existing zoning applicable to the proposed site allows the E911 facilities without need to rezone, the need to apply for conditional use approval, or other required procedures. Provided further that nothing herein shall affect permit compliance of such facilities with applicable federal regulations, applicable zoning and/or land development regulations (including aesthetic requirements), or with applicable building regulations.
6. Sufficiency notice. Within twenty (20) business days of receiving the permit application for any facility listed above in paragraphs (4) and (5) above, staff shall in writing notify the permit applicant whether the application is, or is not, properly completed. If such permit application is not properly completed, staff shall with specificity notify the applicant of any and all deficiencies, which if cured will thereby render the application being properly completed. Staff should also notify the applicant whether the applicable zoning classification allows the applied-for use(s) without rezoning, without conditional use approval, or without any other related ancillary approval process or permission.
7. Default approval.
   a. An application for E911 service, co-location of wireless telephone service, or new location for wireless telephone service or antennae shall be deemed to have been automatically granted provided that:
      i. Such service or facility is allowed in the applicable zoning district without a rezone, without the need to apply for a conditional use , or without the need to apply for some other permit;
      ii. The County fails to either grant or deny the applied-for permit within the time frames set forth in paragraphs (4) and (5) above, as applicable; and
      iii. The applicant has not agreed to an extension of time, as provided in paragraph (8) below.
   b. However, the applied-for permit shall not be deemed granted if final action requires action by the BCC, but such action is prevented due to emergency conditions beyond the County's control. In such instance, the time for final action on the application shall be extended until the next regularly scheduled meeting of the BCC. The permit shall be deemed to be granted if the BCC fails to take final action at that time.
8. Waiver. Extensions of the above-described applicable timelines (deadlines) shall not be effective except to the extent voluntarily agreed to by the permit applicant . Narrow exception: a one-time timeline waiver may be required if there then exists an emergency that directly affects the administration of all of the County's communications tower permitting activities which had been formally declared by the County, by the State of Florida, or by the federal government.

(Ord. No. 05-27, § 3.HH)

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

I. Site Development Plan

I.1. Conceptual Site Plan (CSP)

Reference **LDC** subsection 10.02.03 C.

Applicability This procedure applies to any request for a Conceptual Site Plan, which is designed to be an informal review and approval process that may precede a Site Development Plan approval.

Pre-Application A pre-application meeting is not required.

Initiation The **applicant** files an *"Application for Conceptual Site Plan (CSP)"* with the Development Review Division.

Application Contents The application must include the following:

1. **Applicant contact information**.
2. Narrative description of the project.
3. Property information, including:
    - Legal description;
    - **Property identification number;**
    - Assigned project **planner**; and
    - Total acreage of subject site.
4. Two site plans, drawn to scale, showing the location of proposed infrastructure and buildings, zoning and land use of subject and surrounding properties, and required perimeter landscape buffer and building setbacks, including:
    - A table showing the required and provided setbacks and separation of structures, with a reference to the applicable ordinance from which these requirements are taken;
    - A table showing parking calculations, and number of spaces required and provided;
    - For residential projects, a table showing the permitted density and the number of units provided, including the minimum floor per dwelling unit required and provided; and
    - A note on the site plan stating that: "Site geometry, parking, setbacks, and landscape buffers shall meet the Collier County **LDC** and/or applicable PUD ordinance requirements."

Completeness and Processing of Application The Planning & Zoning Division will review the application for completeness. The completed application packet must be accompanied with the required fee. The tracking number (i.e., PL201200000) will be assigned to the petition. This petition tracking number should be noted on all future correspondence regarding the petition.

Notice No notice is required.

Public Hearing No public hearing is required.

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Decision maker	The County Manager or designee.
Review Process	The Planning & Zoning Division will review the application, identify whether additional materials are needed and review the application for compliance with **LDC** section 10.02.03 and other provisions of the **LDC**.
Updated	

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

I.2. Site Development Plans (SDP)

Reference **LDC** section 10.02.03 and other provisions of the **LDC**.

Applicability All development is subject to this subchapter, unless it is exempt pursuant to **LDC** subsection 10.02.03 A.3.

Pre-Application A pre-application meeting is required unless waived by the County Manager or designee at the request of the **applicant**, pursuant to **LDC** subsection 10.02.03 D.

Initiation The **applicant** files an *"Application for Site Development Plan"* with the Development Review Division.

Application Contents and Site Plan Requirements

Submittal Credentials: The engineering plans shall be signed and sealed by the **applicant's** professional **engineer** licensed to practice in the State of Florida. The landscape plans shall be signed and sealed by a **landscape architect** registered in the State of Florida. For projects subject to **LDC** section 5.05.08, architectural drawings, shall be signed and sealed by a licensed **architect**, registered in the State of Florida.

Sheet size: The site development plan and the coversheet shall be prepared on a maximum size sheet measuring 24 inches by 36 inches, drawn to scale.

The application shall include the following, if applicable:

1. **Applicant contact information.**
2. **Addressing checklist.**
3. Warrant deed.
4. Property information, including:
    - Project title;
    - Legal description;
    - **Property identification number;**
    - Section, township and range;
    - Subdivision name, unit, lot and block; and
    - Scale, north arrow, and date.
5. **Electronic copies of all documents.**
6. **Proof of ownership**, including a copy of the recorded deed, contract for sale or agreement for sale, or a notarized statement of ownership clearly demonstrating ownership and control of the subject lot or parcel of land.
    - The **applicant** shall also present a notarized letter of authorization from the **property owner**(s) designating the **applicant** as the agent acting on behalf of the owner(s).
7. Owner/agent affidavit as to the correctness of the application.
8. **PUD Ordinance and Development Commitment Information**.
9. PUD Monitoring Report and Schedule, if applicable.
10. A Cover Sheet with the following information:

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- The project title and the name, address and phone number of the firm or agent preparing the plans and the name, address and telephone number of the **property owner**;
- Zoning designation of the subject property. In the event that the property is zoned PUD, the name of the PUD and the number of the ordinance approving the PUD;
- Vicinity map clearly identifying the location of the development and its relationship to the surrounding community; and
- A legal description and the property appraiser's **property identification number**(s)/folio number(s) for the subject property or properties.

11. The following information shall be set forth on the site development plan and/or on a separate data sheet used exclusively for that purpose:

- A narrative statement on the plan identifying the provisions of ownership and maintenance of all common areas, open space, preservation areas, private streets, and easements;
- A site summary in chart form which shall include the following information, with development and dimensional standards based on the provisions of the **LDC** and/or applicable PUD ordinance:
    - Total site acreage;
    - Total square footage of impervious area (including all parking areas, drive-aisles, and internal streets) and its percentage of the total site area;
    - Total square footage of landscape area/open space and its percentage of the total site area;
    - For projects that include residential uses, total number of units, density, units per acre, and a unit breakdown by square footage and number of bedrooms, as well as minimum/maximum (as applicable) floor area required and floor area proposed;
    - For projects that include non-residential uses, total building footage and a square footage breakdown by use (i.e., office, retail, storage, etc.) and its percentage of the total building; for hotels and motels, the minimum/maximum (as applicable) floor area, or proposed floor area ratio, required, and floor areas;
    - All required and provided setbacks and separations between buildings and structures in matrix form;
    - Maximum zoned building height allowed and actual building height as defined in **LDC** section 1.08.00;
    - Zoning and land use of the subject property and adjacent properties, including properties abutting an adjacent right-of-way or right-of-way easement; and
    - North arrow, scale, and date.
- A parking summary in matrix form which shall include:

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- Type of use;
- Total square footage per use;
- Required parking ratio, number of standard spaces required by use, and number provided;
- Number of loading spaces required and provided (if applicable); and
- Total number of spaces provided by use.

- The following building construction information must be included in the SDP packet:
  - Information in the Standard Building Code, type of construction, number of stories, total square footage under roof, occupancy/use and fire sprinkler intentions of all proposed structures so that a needed fire flow may be determined;
  - A fire hydrant flow test report from the applicable fire district for the closest hydrant(s) to the project so that the available fire flow may be determined; and
  - Location of existing and proposed fire hydrants.
- Illustrative information accurately depicted unless waived at the pre-application meeting:
  - A boundary survey, prepared by a professional surveyor, showing the location and dimensions of all property lines, existing streets or roads, easements, rights-of-way, and areas dedicated to the public. This survey shall be accompanied either by an attorney's opinion of title, or by a sworn statement from the **property owner**(s) stating that he or she has provided sufficient information to the surveyor to allow the accurate depiction of the above information on the survey;
  - Name, alignment and existing/proposed rights-of-way of all streets which border the development (including raised islands, striping, right/left turn lanes, median cuts and nearby intersections), the location of all existing driveways or access points on the opposite sides of all streets which border the development, and the location of all traffic calming devices;
  - Location and configuration of all development ingress and egress points;
  - Location and arrangement of all proposed buildings (including existing buildings that are to remain);
  - Location and configuration of all parking and loading areas;
  - Name, alignment, and existing/proposed right-of-way of all internal streets and alleys;
  - Directional movement of internal vehicular traffic and its separation from pedestrian traffic;

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- Location and configuration of recreational facilities (including related buildings, golf course areas, tennis courts, pools, etc.);
- Location and general configuration of all water and drainage retention/detention areas as well as all existing and proposed easements, and water and sewer lines intended to serve the development;
- Location and general configuration of such natural features as preservation/conservation areas, water bodies, and wetlands;
- Location of emergency access lanes, fire hydrants and fire lanes;
- Location of all handicapped parking spaces;
- Location of trash enclosures;
- Location and heights of proposed walls or fences; and
- Accurate dimensions which include the following:
  - All building setbacks;
  - Distance between buildings and accessory structures;
  - Width of all internal streets;
  - All parking areas and drive-aisles; and
  - Landscape areas adjacent to all vehicular drives, interior property lines and all parking areas.
- Traffic circulation, signing and marking plan, to include outside and inside radii for all turn movements using a common pivot point for both radii at each location;
- Access Management Exhibit, identifying existing and proposed access points, nearest U turns and legal access to the site;
- Roadway elevations; and
- Any additional relevant information required by the Development Review.

12. Architectural Plans. ⇔ *See Chapter 4.A of the Administrative Code for Architectural Plan submittals*. The plans shall also include:

- If proposed, dumpster enclosure details depicting height and material and color of walls and gates; and
- If proposed, light pole details depicting height and colors of pole and housing.

13. Stormwater management information as follows:

- The South Florida Water Management District Environmental Resource Permit or General Permit number, if obtained;
- Stormwater management control structure(s) location (referenced to State Plane Coordinates, Florida East Zone, North American Datum 1983 (NAD '83), latest adjustment);

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- Stormwater management control elevation(s) and overflow elevation(s) (referenced to the North American Vertical Datum, 1988 (NAVD '88), latest adjustment), and NGVD;
- Twenty-five-year/3-day design discharge at control structure(s);
- Drainage calculations, including pipe sizing calculations;
- Estimated cost of construction of roadways, paving, and drainage;
- Engineer's Report with Assumptions and Explanations;
- Engineering Review Checklist, signed by a professional **engineer**;
- Hydraulic Grade Line Pipe calculations for culverts; and
- Streetlight plan, for multi-family housing.

14. For residential projects subject to the provisions of **LDC** section 10.04.09, a completed School Impact Analysis (SIA) application, location map and review fee.

15. Certificate of Adequate Public Facilities application, if applicable.

16. Landscaping Plan. A landscape plan which shall contain the following:

- Landscape summary. A landscape summary in matrix form which shall include:
  - Graphic symbol to indicate each type of plant material;
  - Botanical name;
  - Common name;
  - Total number of each type of plant material;
  - Height and spread of each type of plant material; and
  - Spacing of each type of plant material.
- Illustrative information. Illustrative information consisting of the following shall be accurately depicted on the landscape plan:
  - The location, configuration, and arrangement of all proposed buildings, internal streets and parking areas as reflected on the site plan;
  - The location and dimensions of all proposed landscaped areas with appropriate graphic symbols including existing trees that are being credited toward the development's landscaping requirements;
  - Location and configuration of all special or textured paving areas;
  - Provisions for site irrigation; and
  - Any additional relevant information as may be required by the County Manager or designee.

17. Vegetation inventory. A generalized vegetation inventory of the property shall be required to the extent necessary, as determined at the pre-application meeting, indicating the approximate location, densities and species of the following:

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- Upland, wetland and estuarine vegetation including prohibited exotic vegetation, mapped using FLUCFCS terminology;
- Any type of vegetation identified for preservation;
- Conservation easement including signed and sealed legal description and boundary survey for preserve, include protective language, and provide a sketch and description in construction plans.
- Projects containing the following shall provide a survey identifying species and locations on a current aerial photograph at a scale of 1 inch equals 200 feet or larger or superimposed on the site plan:
    - Plants specified to remain in place or to be transplanted to other locations on the property as specified in the applicable development order.
    - Specimen trees designated by the BCC, pursuant to **LDC** section 3.05.09.
    - State or federal rare, threatened or endangered plan species surveyed according to accepted Florida Fish and Wildlife Conservation Commission or U.S. Fish and Wildlife Service methods.
    - Existing trees that may be credited toward the development's landscaping requirements.
- For proposed site alteration(s) within the coastal zone as depicted on the future land use map, in addition to the foregoing requirements, the vegetation inventory shall depict the categories of impact in accordance with **LDC** sections 3.03.03-3.03.04.

18. A recent aerial photo shall be provided at the same scale as the plan delineating the development boundaries, unless waived at the pre-application meeting.

19. Density bonus. If a residential bonus is requested, as provided for in the Growth Management Plan, a certified survey that clearly illustrates the location and relationship of the development to the appropriate activity center and the related activity band shall be required.

20. Building plans. Plans showing proposed building footprints, spatial relationship to one another when there are multiple buildings and building heights.

21. Traffic Impact Study. ⇔*See Chapter 7 of the Administrative Code.*

22. Soil erosion and sediment control plan. ⇔*See Chapter 7 of the Administrative Code.*

23. Construction Plans. Detailed on-site and off-site infrastructure improvement plans and construction documents prepared in conformance with the design standards identified in **LDC** section 10.02.04 and any current county ordinances, regulations, policies and procedures, which consist of, but are not limited to, the following items:

- A cover sheet setting forth the development name, **applicant** name, name of Engineering firm, and vicinity map;
- Improvements for water and sewer service as needed or as may have been specified during a site development plan review prepared in conformance

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with the Utilities Standards and Procedures Ordinance, 2004-31, as amended;

- Improvements for roadway, motor vehicle and non-motorized circulation, ingress and egress, parking and other transportation needs, including traffic calming devices, required or as may have been specified during the site development plan review, prepared in conformance with the subdivision design requirements. Non-motorized circulation is defined as movement by persons on foot, bicycle, or other human-powered device. Non-motorized circulation depicting sidewalks and bicycle facilities shall be consistent with **LDC** subsection 5.05.08 A.5. Cross sections and details for improvements are required;
- The absence of obstructions in the public right-of-way shall be demonstrated, including provisions for safe and convenient street crossing;
- Cross sections and details for improvements required in **LDC** subsections 6.06.02 A.7 through 6.06.02 A.9;
- Improvements for water management purposes as needed or as may have been specified during the site development plan review, prepared in conformance with subdivision design requirements and pursuant to South Florida Water Management District rules, chapter 40E-4, 40E-40 and 40E-41, Florida Administrative Code;
- Citation to the applicable technical specifications for all infrastructure improvements to be constructed;
- Engineering design computations and reports for water, sewer, roads, and water management facilities, as required by federal, state, and local laws and regulations.
- Topographical map of the property including:
    - Existing features, such as, watercourses, drainage ditches, lakes, marshes.
    - Existing contours or representative ground elevations at spot locations and a minimum of 50 feet beyond the property line.
    - Benchmark locations and elevations (to both NGVD and NAVD).
- Site clearing plan and methods of vegetation protection.
- Where jurisdictional wetlands occur onsite, approved wetland jurisdictional lines shall be shown on the construction plans.

24. County-Permits: All necessary permits and applications requiring County approval and other permitting and construction related items, including but not limited to the following, shall be submitted and approved with the site development plan. These permits may include, but are not limited to the following:

- Excavation permit;
- A Collier County right-of-way permit;
- Blasting permit, prior to commencement of any blasting operation;

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- Interim wastewater and/or water treatment plant construction or interim septic system and/or private well permits prior to building permit approval;
- Any additional state and federal permits which may be required prior to commencement of construction, addressing the impacts on jurisdictional wetlands and habitat involving protected species;
- All other pertinent data, computations, plans, reports, and the like necessary for the proper design and construction of the development that may be submitted; and
- All necessary performance securities required by Collier County ordinances in effect at the time of construction.

25. Non-County Permits: All Federal, State, and other local permits shall be submitted prior to construction and before the pre-construction meeting. If approved by the County Manager or designee, an **applicant** may submit Federal, State and local agency permits at the pre-construction meeting.

- Florida Department of Environmental Protection water and sewer facilities construction permit application;
- Notice of Intent (NOI) to issue either a Florida Department of Transportation Right-of-Way permit;
- South Florida Water Management District permit, if required or, Collier County general permit for water management prior to site development plan approval; and
- Any additional state and federal permits which may be required prior to commencement of construction, addressing the impacts on jurisdictional wetlands and habitat involving protected species, such as:
  - USACOE permit and exhibits. If no USACOE permit, SFWMD permit and exhibits shall be submitted; and
  - For the RFMUD, Agency accepted UMAM/WRAP scores.

Completeness and Processing of Application The Planning & Zoning Department will review the application for completeness. After submission of the completed application packet accompanied with the required fee, the **applicant** will receive a mailed or electronic response notifying the **applicant** that the petition is being processed. Accompanying that response will be a receipt for the payment and the tracking number (i.e., XX201200000) assigned to the petition. This petition tracking number should be noted on all future correspondence regarding the petition.

Notice No notice is required.

Public Hearing No public hearing is required.

Decision maker The County Manager or designee.

Review Process The Planning & Zoning Department will review the application, identify whether additional materials are needed and approve, approve with conditions or deny the application utilizing the criteria identified in the applicable **LDC** sections.

Pre-Construction Meeting A pre-construction meeting shall be scheduled with the Engineering Services Department prior to the commencement of construction. All Federal, State, and local permits shall be submitted prior to construction and before the pre-construction meeting. If approved by

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the County Manager or designee, an **applicant** may submit Federal, State and local agency permits at the pre-construction meeting.

The following permits, if applicable, require final approval and issuance prior to the County pre-construction meeting:

1. Florida Department of Transportation **Right-Of-Way** Construction Permit.
2. Collier County **right-of-way** [ROW] permit.

Digital Submittal Requirements

After the final site development plan has been approved by the County Manager or designee for compliance with the **LDC** as provided in section 10.02.03, the **applicant's** professional **engineer** shall submit:

1. Digitally created construction/site plan documents, and
2. 1 disk (CDROM) of the master plan file, including, where applicable, easements, water/wastewater facilities, and stormwater drainage system. The digital data to be submitted shall follow these formatting guidelines: All data shall be delivered in the state plane coordinate system, with a Florida East Projection, and a North American Datum 1983/1990 (NAD83/90 datum), with United States Survey Feet (USFEET) units; as established by a Florida registered surveyor and mapper. All information shall have a maximum dimensional error of +0.5 feet. Files shall be in an AutoCad (DWG) or Digital Exchange File (DXF) format; information layers shall have common naming conventions (i.e. right-of-way—ROW, centerlines—CL, edge-of-pavement—EOP, etc.). For a plan to be deemed complete, the layering scheme must be readily understood by county staff. All property information (parcels, lots, and requisite annotation) shall be drawn on a unique information layer, with all linework pertaining to the property feature located on that layer. Example: parcels—All lines that form the parcel boundary will be located on 1 parcel layer. Annotations pertaining to property information shall be on a unique layer. Example: Lot dimensions—Lottxt layer.

Updated

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I.3. Site Improvement Plan (SIP)

Reference **LDC** subsection 10.02.03 E and other provisions of the **LDC**.

Applicability This procedure applies to a site improvement plan (SIP) request. A SIP must meet all of the criteria in **LDC** subsection 10.02.03 E.

Pre-application A pre-application meeting is required unless waived by the County Manager or designee at the request of the **applicant**, pursuant to **LDC** subsection 10.02.03 E.

Initiation The **applicant** files a "*Site Improvement Plan Application*" with the Planning & Zoning Department.

Application Contents and Site Plan Requirements

Submittal Credentials: Pursuant to **LDC** subsection 10.02.03 E, the engineering plans shall be signed and sealed by the **applicant's** professional **engineer** licensed to practice in the State of Florida. For projects subject to **LDC** section 5.05.08, architectural drawings, shall be signed and sealed by a licensed **architect**, registered in the State of Florida. Landscape plans shall be signed and sealed by licensed **landscape architect**, registered in State of Florida.

Sheet size: The site improvement plan and the coversheet shall be prepared on a maximum size sheet measuring 24 inches by 36 inches drawn to scale.

The application must include the following:

1. **Applicant contact information.**
2. **Addressing checklist.**
3. Property information, including:
    - Project title;
    - Legal description;
    - **Property identification number;**
    - Section, township and range;
    - Subdivision name, unit, lot and block; and
    - Scale, north arrow, and date.
4. Zoning designation of the subject and adjacent sites and the proposed use of the subject site.
5. Detail of requested changes.
6. Cover letter briefly explaining the project.
7. A copy of the last recorded deed, contract for sale or agreement for sale, or a notarized statement of ownership clearly.
8. Location, configuration, and dimensions of all building and lot improvements.
9. Location and configuration of parking and loading areas, and the directional movement of internal vehicle traffic.
10. Location and dimension of access point(s) to the site.

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11. Parking summary in matrix form, indicating the required and provided parking for each existing and proposed use.
12. Location and configuration of handicapped parking facilities and building accessibility features.
13. Location, dimension, and configuration of existing water management facilities.
14. Location of trash enclosures.
15. Location of existing and proposed landscaping with specifications as to size, quantity, and type of vegetation.
16. All required and provided setbacks and separations between structures in matrix form.
17. Any additional relevant information as may be required by the Planning & Zoning Department.

Completeness and Processing

The Planning & Zoning Department will review the application for completeness. After submission of the completed application packet accompanied with the required fee, the **applicant** will receive a mailed or electronic response notifying the **applicant** that the petition is being processed. Accompanying that response will be a receipt for the payment and the tracking number (i.e., XX201200000) assigned to the petition. This petition tracking number should be noted on all future correspondence regarding the petition.

Notice

No notice is required.

Public Hearing

No public hearing required.

Decision maker

The County Manager or designee.

Review Process

The Planning & Zoning Department will review the application, identify whether additional materials are needed and approve, approve with conditions or deny the application utilizing the criteria identified in the applicable **LDC** sections.

Pre-Construction Meeting

A pre-construction meeting is not required. However, all Federal, State, and local permits shall be submitted prior to construction. If approved by the County Manager or designee, an **applicant** may submit Federal, State and local agency permits at the pre-construction meeting.

Digital Submittal Requirements

After the final site development plan has been approved by the County Manager or designee for compliance with the **LDC** as provided in section 10.02.03, the **applicant's** professional **engineer** shall submit:

1. Digitally created construction/site plan documents, and
2. 1 disk (CDROM) of the master plan file, including, where applicable, easements, water/wastewater facilities, and stormwater drainage system. The digital data to be submitted shall follow these formatting guidelines: All data shall be delivered in the state plane coordinate system, with a Florida East Projection, and a North American Datum 1983/1990 (NAD83/90 datum), with United States Survey Feet (USFEET) units; as established by a Florida registered surveyor and mapper. All information shall have a maximum dimensional error of +0.5 feet. Files shall be in an AutoCad (DWG) or Digital Exchange File (DXF) format; information layers shall have common naming conventions (i.e. right-of-way—ROW, centerlines—CL, edge-of-pavement—EOP, etc.). For a plan to be deemed complete, the layering scheme must be readily

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Collier County Property Appraiser
Property Summary

Parcel No	00307840002	Site Address *Disclaimer		Site City		Site Zone *Note	

Name / Address	STEFFENS, JOHANNES
	542 ETHEL AVE SE
City	GRAND RAPIDS
State	MI
Zip	49506-2724

Map No.	Strap No.	Section	Township	Range	Acres *Estimated
4C15	000100 019 4C15	15	49	27	1.25

Legal	15 49 27 E1/2 OF NW1/4 OF SW1/4 OF NE1/4 OF NW1/4 1 1/4 AC OR 1952 PG 1606

Millage Area	287	Millage Rates	*Calculations	
Sub./Condo	100 - ACREAGE HEADER	School	Other	Total
Use Code	99 - ACREAGE NOT ZONED AGRICULTURAL	5.083	6.3071	11.3901

Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
11/14/13	5016-1369	$ 0
03/15/13	4896-3875	$ 14,300
06/01/94	1952-1606	$ 15,000
08/01/92	1743-1191	$ 0
06/01/88	1360-263	$ 0
09/01/86	1220-211	$ 10,000

2019 Certified Tax Roll

(Subject to Change)

	Land Value	$ 16,87
(+)	Improved Value	$
(=)	Market Value	$ 16,87
(-)	10% Cap	$ 8,63
(=)	Assessed Value	$ 8,23
(=)	School Taxable Value	$ 16,87
(=)	Taxable Value	$ 8,23

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Collier County Property Appraiser
Property Detail

Parcel No	00307840002	Site Address *Disclaimer		Site City		Site Zone *Note	

Name / Address	STEFFENS, JOHANNES				
	542 ETHEL AVE SE				
City	GRAND RAPIDS	State	MI	Zip	49506-2724

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

Tax Yr	Issuer	Permit #	CO Date	Tmp CO	Final Bldg	Type

Land

#	Calc Code	Units
10	ACREAGE	1.25

Building/Extra Features

#	Year Built	Description	Area	Adj Area

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Collier County Property Appraiser
Property Aerial

Parcel No	00307840002	Site Address *Disclaimer		Site City		Site Zone *Note	



Open GIS in a New Window with More Features.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

R 27 E

R 28 E

T 49 S

482728

492526

9624

9625

963536

492930

502728

GGE05A GGE05B GGE05C GGE09A GGE09B

GOLDEN GATE BOULEVARD

GGE05D GGE05E GGE05F GGE09C GGE09D

CANAL

GGG05G GGE09E GGE09F

PUD 6 WARREN BROS. PIT

ST/W-1 12 ST/W-2 12 ST/W-3 12 ST/W-4 12

CU 15 CU 14

V 7 V 8

A 6 7 A 6 5 A 6 6 A 6 5 A 6 8

PU"I" 4,5

A-MHO 6 8

A-MHO-RLSAO 3,6,13

A-MHO-RLSAO-BCI/BCP-SSA-6 3,6,11,13

A-MHO-RLSAO-ACSC/ST-BCI/BCP-SSA-6 3,6,11,13

GGE05H

GGE10

EVERGLADES BOULEVARD

972930

973132

PU b 2,9

PUD-RLSAO 1,13

A-MHO 3,6

A-MHO-ACSC/ST 3,6

INTERSTATE – 75

(ALLIGATOR ALLEY)

S.R. 84

COLLIER ENTS. (F.M.C.)

---------- INDICATES SPECIAL TREATMENT OVERLAY

SUBDIVISION INDEX

NO.	NAME	P.B.	Pg.	NO.	NAME	P.B.	Pg.
1				11			
2				12			
3				13			
4				14			
5				15			
6				16			
7				17			
8				18			
9				19			
10				20			

ZONING NOTES

1 1-17-84 R-83-17C
2 8-1-84 R-84-17C
3 8-1-32
4 4-16-85 PU-85-4C 85-103
5 PU-85-4C ONE YEAR EXT.
6 LDC-91
7 5-22-92 V-92-9 92-290
8 5-12-92 V-92-10 92-291
9 8-14-84 PU-84-10C (EXPIRED)
10
11 6-14-05 SSA-05-AR-7382 05-229
12 9-25-12 LDC ORD. 12-38
13 6-16-03 LDC 03-27
14 2-24-09 CU-05-AR-8748 09-46
15 9-28-10 CU-PL-09-58 10-193

ZONING OVERLAY NOTES

OVERLAYS CREATED BY LDC ORD. No. 04-08 1-7-04

5 RFMUO-SENDING LANDS-NBMO
6 RFMUO-RECEIVING LANDS-NBMO
7 RFMUO-NEUTRAL LANDS-NBMO
8 RFMUO-SENDING LANDS-NRPA-NBMO

THIS IS TO CERTIFY THAT THIS IS A PAGE OF THE OFFICIAL ZONING ATLAS REFERRED TO AND ADOPTED BY REFERENCE BY ORDINANCE NO. 04-41 OF THE COUNTY OF COLLIER, FLORIDA, ADOPTED JUNE 22, 2004.

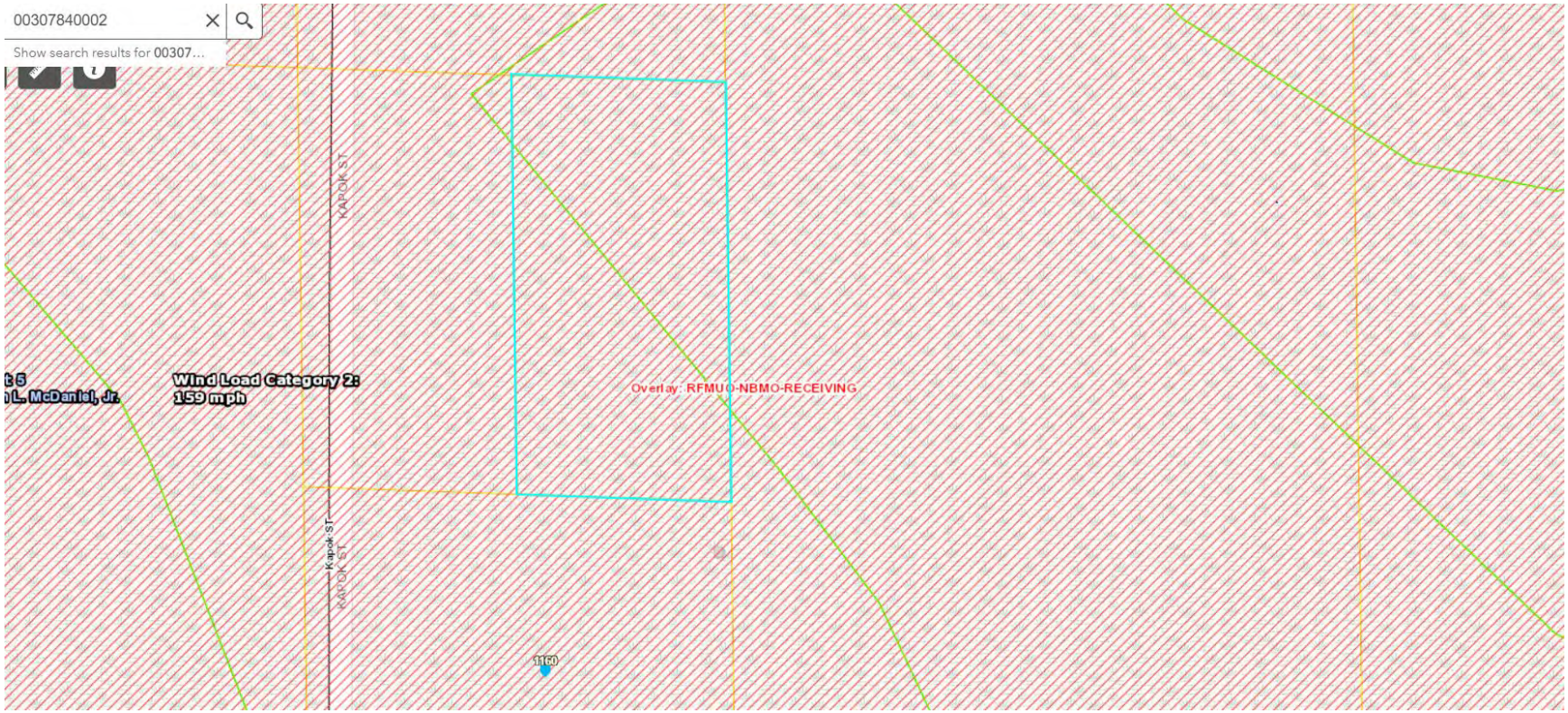
BY _____ CHAIRMAN

ATTEST _____ CLERK

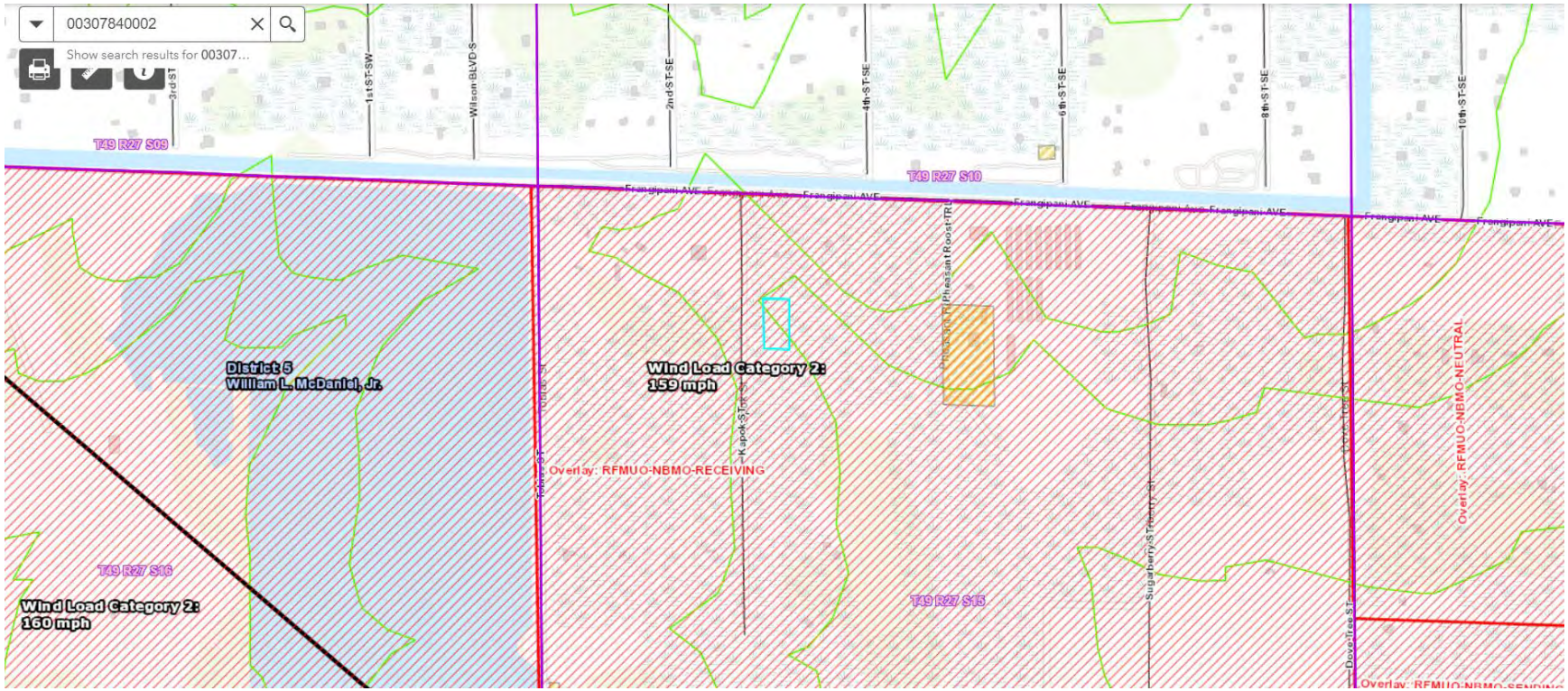
N

COLLIER COUNTY, FLORIDA
COMMUNITY DEVELOPMENT DIVISION
TWP 49S RNG 27E & 28E
SCALE 0 4800
MAP NUMBER:

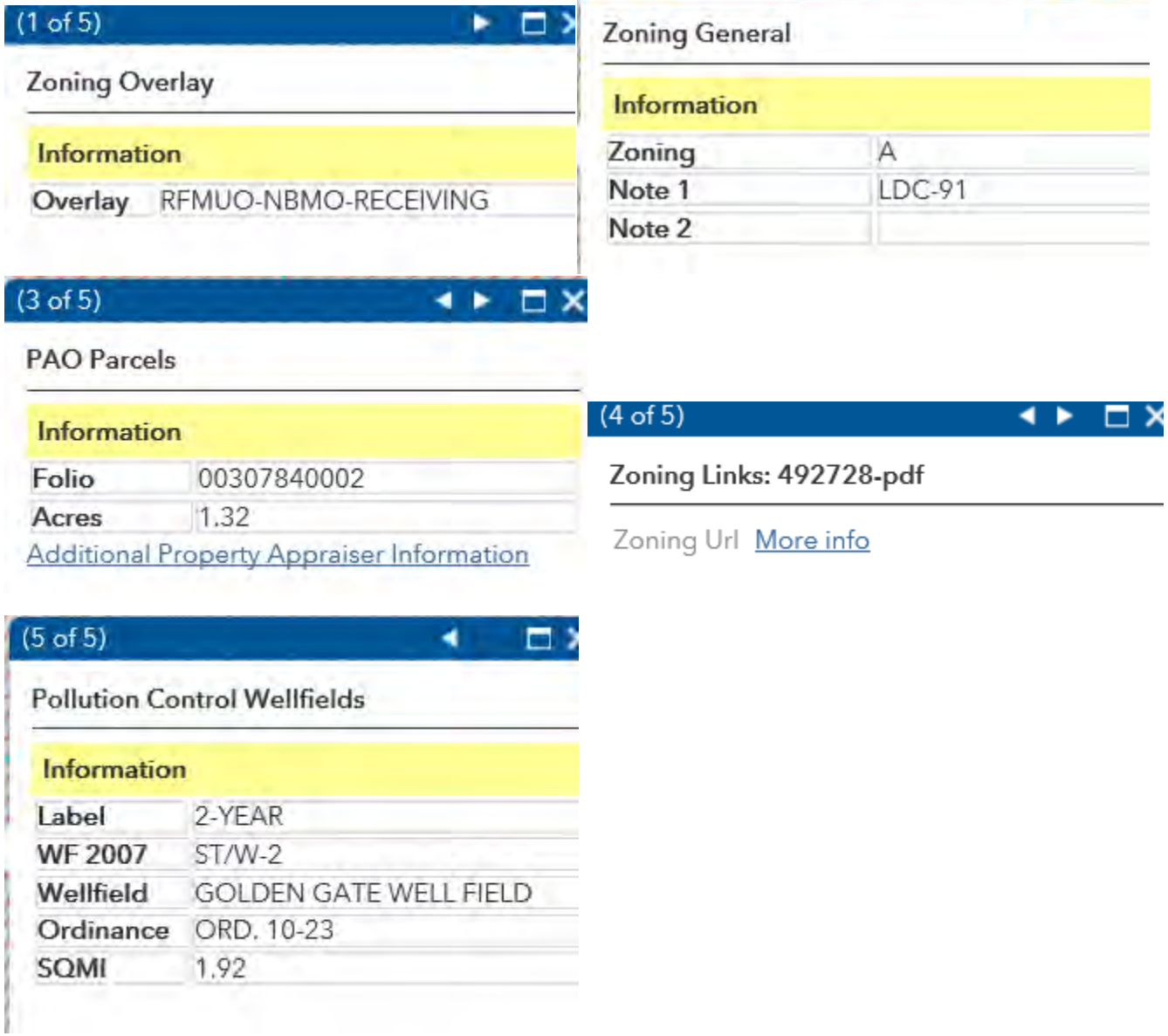
Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



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(1 of 5)

Zoning Overlay

Information	
Overlay	RFMUO-NBMO-RECEIVING

(2 of 5)

Zoning General

Information	
Zoning	A
Note 1	LDC-91
Note 2	

(3 of 5)

PAO Parcels

Information	
Folio	00307840002
Acres	1.32

Additional Property Appraiser Information

(4 of 5)

Zoning Links: 492728-pdf

Zoning Url More info

(5 of 5)

Pollution Control Wellfields

Information	
Label	2-YEAR
WF 2007	ST/W-2
Wellfield	GOLDEN GATE WELL FIELD
Ordinance	ORD. 10-23
SQMI	1.92

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)



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2.03.01 - Agricultural Districts.

A. Rural Agricultural District (A). The purpose and intent of the rural agricultural district (A) is to provide lands for agricultural, pastoral, and rural land uses by accommodating traditional agricultural, agricultural related activities and facilities, support facilities related to agricultural needs, and conservation uses. Uses that are generally considered compatible to agricultural uses that would not endanger or damage the agricultural, environmental, potable water, or wildlife resources of the County, are permissible as **conditional uses** in the A district. The A district corresponds to and implements the Agricultural/Rural land use designation on the future land use map of the Collier County GMP, and in some instances, may occur in the designated urban area. The maximum **density** permissible in the rural agricultural district within the urban mixed use district shall be guided, in part, by the **density** rating system contained in the future land use element of the GMP. The maximum **density** permissible or permitted in A district shall not exceed the **density** permissible under the **density** rating system. The maximum **density** permissible in the A district within the agricultural/rural district of the future land use element of the Collier County GMP shall be consistent with and not exceed the **density** permissible or permitted under the agricultural/rural district of the future land use element.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as **accessory** or **conditional uses** in the rural agricultural district (A).

a. *Permitted uses.*

1. **Single-family dwelling** .

2. Agricultural activities, including, but not limited to: Crop raising; horticulture; fruit and nut production; forestry; groves; nurseries; ranching; beekeeping; poultry and egg production; milk production; livestock raising, and **aquaculture** for native species subject to Florida Fish and Wildlife Conservation Commission permits.

i. The following permitted uses shall only be allowed on **parcels** 20 acres in size or greater:

a) dairying;

b) ranching;

c) poultry and egg production;

d) milk production;

e) livestock raising; and

f) animal breeding, raising, training, stabling or **kenneling** .

ii. On parcels less than 20 acres in size, individual property owners are not precluded from the keeping of the following for personal use and not in association with a commercial agricultural activity provided there are no open feed lots:

a) Fowl or poultry, not to exceed 25 in total number; and

b) Horses and livestock (except for hogs) not to exceed two such animals for each acre.

i. Notwithstanding the above, hog(s) may be kept for a 16 week period in preparation for showing and sale at the annual Collier County Fair and/or the Immokalee Livestock show. The following standards shall apply:

a) One hog per child enrolled in a 4-H Youth Development Program, Collier County Fair Program or similar program is permitted. In no case shall there be more than 2 hogs per acre.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

b) Premises shall be fenced and maintained in a clean, healthful, and sanitary condition.

c) Premises or roofed **structure** used for the sheltering, feeding, or confinement of such animals shall be **setback** a minimum of 30 feet from **lot lines** and a minimum of 100 feet from any **dwelling unit** on an **adjacent parcel** of land.

d) Hog(s) shall not be returned to the property once removed for showing and/or sale.

3. Wholesale reptile breeding and raising (non-venomous), subject to the following standards:

i. Minimum 20 acre **parcel** size;

ii. Any roofed structure used for the shelter and/or feeding of such reptiles shall be located a minimum of 100 feet from any **lot line** .

4. Wildlife management, plant and wildlife conservancies, wildlife refuges and sanctuaries.

5. Conservation uses.

6. **Oil and gas exploration** subject to state drilling permits and Collier County site **development plan** review procedures.

7. **Family care facilities** , subject to section 5.05.04.

8. Communications towers up to specified height, subject to section 5.05.09.

9. **Essential services** , as set forth in section 2.01.03.

10. Schools, public, including " **Educational plants** ."

b. ***Accessory uses.***

1. Uses and **structures** that are accessory and incidental to the uses permitted as of right in the A district.

2. Farm labor housing, subject to section 5.05.03.

3. Retail sale of fresh, unprocessed **agricultural products** , grown primarily on the property and subject to a review of traffic circulation, parking, and safety concerns pursuant to the submission of a site improvement plan as provided for in section 10.02.03.

4. Packinghouse or similar agricultural processing of farm products produced on the property subject to the following restrictions:

i. Agricultural packing, processing or similar facilities shall be located on a major or minor **arterial street** , or shall have **access** to an **arterial street** by a public **street** that does not **abut** properties zoned RSF-1 thru RSF-6, RMF-6, RMF-12, RMF-16, RT, VR, MH, TTRVC and PUD or are residentially used.

ii. A **buffer yard** of not less than 150 feet in width shall be provided along each boundary of the site which **abuts** any residentially zoned or used property, and shall contain an Alternative B type **buffer** as defined within section 4.06.00. Such **buffer** and **buffer yard** shall be in lieu of front, side, or rear **yards** on that portion of the lot which **abuts** those districts and uses identified in subsection 2.03.01 A.1.b. *4.* i. above.

iii. The facility shall emit no noxious, toxic, or corrosive dust, dirt, fumes, vapors, or gases which can cause damage to human health, to animals or vegetation, or to other forms of property beyond the **lot line** of the use creating the emission.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

iv. A site **development plan** shall be provided in accordance with section 10.02.03.

5. Excavation and related processing and production subject to the following criteria:

   i. The activity is clearly incidental to the agricultural **development** of the property.

   ii. The affected area is within a surface water management system for agricultural use as permitted by the South Florida Water Management District (SFWMD).

   iii. The amount of excavated material removed from the site cannot exceed 4,000 cubic yards. Amounts in excess of 4,000 cubic yards shall require **conditional use** approval for earthmining, pursuant to the procedures and conditions set forth in LDC section 10.08.00 and the Administrative Code.

6. Guesthouses, subject to section 5.03.03.

7. Private **boathouses** and **docks** on lake, canal or waterway lots, subject to section 5.03.06.

8. Use of a **mobile home** as a temporary residence while a permanent **single-family dwelling** is being constructed, subject to the following:

   i. Receipt of a temporary use permit from the Development Services Director, pursuant to section 5.04.04, that allows for use of a **mobile home** while a permanent **single-family dwelling** is being built;

   ii. Assurance that the temporary use permit for the **mobile home** will expire at the same time of the **building** permit for the **single-family** dwelling, or upon the completion of the **single-family** dwelling, whichever comes first;

   iii. Proof that prior to the issuance of a final certificate of occupancy for the **single-family** dwelling, the **mobile home** is removed from the premises; and

   iv. The **mobile home** must be removed at the termination of the permitted period.

9. Use of a **mobile home** as a residence in conjunction with bona fide agricultural activities subject to the following:

   i. The applicant shall submit a completed application to the site **development** review director, or his designee, for approval of a temporary use permit to utilize a **mobile home** as a residence in conjunction with a bona fide commercial agricultural activity as described in subsection 2.03.01 A.1.2. Included with this application shall be a conceptual plot plan of the subject property depicting the location of the proposed **mobile home** ; the distance of the proposed **mobile home** to all property lines and existing or proposed **structures** ; and, the location, acreage breakdown, type and any intended phasing plan for the bona fide agricultural activity.

   ii. The receipt of any and all local, state, and federal permits required for the agricultural use and/or to place the **mobile home** on the subject site including, but not limited to, an agricultural clearing permit, **building** permit(s), ST permits, and the like.

   iii. The use of the **mobile home** shall be permitted on a temporary basis only, not to exceed the duration of the bona fide commercial agricultural activity for which the **mobile home** is an **accessory use** . The initial temporary use permit may be issued for a maximum of three years, and may, upon submission of a written request accompanied by the applicable fee, be renewed annually thereafter provided that there is continuing operation of the bona fide commercial agricultural activities.

   iv. The applicant utilizing, for the bona fide commercial agricultural activity, a tract of land a minimum of five acres in size. Any property lying within public road **rights-of-way** shall not be included in the minimum acreage calculations.

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v. A **mobile home** , for which a temporary use permit in conjunction with a bona fide commercial agricultural activity is requested, shall not be located closer than 100 feet from any county highway **right-of-way** line, 200 feet from any state highway **right-of-way** , or 500 feet from any federal highway **right-of-way** line.

10. Recreational facilities that serve as an integral part of a residential **development** and have been designated, reviewed and approved on a site **development plan** or **subdivision** master plan for that **development** . Recreational facilities may include but are not limited to golf course, clubhouse, community center **building** and tennis facilities, **parks** , playgrounds and playfields.

c. *Conditional uses.* The following uses are permitted as conditional uses in the rural agricultural district (A), subject to the standards and procedures established in LDC section 10.08.00 and the Administrative Code.

1. Extraction or earthmining, and related processing and production not incidental to the agricultural **development** of the property. NOTE: "Extraction related processing and production" is not related to "Oil extraction and related processing" as defined in this Code.

2. Sawmills.

3. Zoo, aquarium, aviary, botanical garden, or other similar uses.

4. Hunting cabins.

5. **Aquaculture** for nonnative or exotic species, subject to Florida Fish and Wildlife Conservation Commission permits.

6. Wholesale reptile breeding or raising (venomous) subject to the following standards;

i. Minimum 20 acre **parcel** size.

ii. Any roofed structure used for the shelter and/or feeding of such reptiles shall be located at a minimum of 100 feet away from any **lot line** .

7. **Churches** .

8. Private landing strips for general aviation, subject to any relevant state and federal regulations.

9. Cemeteries.

10. Schools, private.

11. **Child care centers** and **adult day care centers** .

12. Collection and transfer sites for resource recovery.

13. Communication towers above specified height, subject to section 5.05.09.

14. Social and fraternal organizations.

15. Veterinary clinic.

16. **Group care facilities (category I and II); care units** ; nursing homes; **assisted living facilities** pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C., all subject to section 5.05.04 when located within the Urban Designated Area on the Future Land Use Map to the Collier County Growth Management Plan.

17. Golf courses and/or golf driving ranges.

18. **Oil and gas field development and production** subject to state field **development** permits.

19. Sports instructional schools and camps.

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20. Sporting and recreational camps.

21. Retail plant nurseries subject to the following conditions:

    i. Retail sales shall be limited primarily to the sale of plants, decorative products such as mulch or stone, fertilizers, pesticides, and other products and tools accessory to or required for the planting or maintenance of said plants.

    ii. Additionally, the sale of fresh produce is permissible at retail plant nurseries as an incidental use of the property as a retail plant nursery.

    iii. The sale of large power equipment such as lawn mowers, tractors, and the like shall not be permitted in association with a retail plant nursery in the rural agricultural district.

22. Asphaltic and concrete batch making plants subject to the following conditions:

    i. Asphaltic or concrete batch making plants may be permitted within the area designated agricultural on the future land use map of the future land use element of the growth management plan.

    ii. The minimum site area shall not be less than ten acres.

    iii. Principal **access** shall be from a **street** designated **collector** or higher classification.

    iv. Raw materials storage, plant location and general operations around the plant shall not be located or conducted within 100 feet of any exterior boundary.

    v. The height of raw material storage facilities shall not exceed a height of fifty (50) feet.

    vi. Hours of operation shall be limited to two (2) hours before sunrise to sunset.

    vii. The minimum **setback** from the principal road **frontage** shall be 150 feet for operational facilities and seventy-five (75) feet for supporting administrative offices and associated parking.

    viii. An earthen **berm** achieving a vertical height of eight feet or equivalent vegetative screen with eighty (80) percent opacity one (1) year after issuance of certificate of occupancy shall be constructed or created around the entire perimeter of the property.

    ix. The plant should not be located within the Greenline Area of Concern for the Florida State Park System as established by the Department of Environmental Protection (DEP): within the Area of Critical State Concern as depicted on the Future Land Use Map GMP; within 1,000 feet of a **natural reservation** ; or within any County, State or federal jurisdictional **wetland** area.

23. Cultural, ecological, or recreational facilities that provide opportunities for educational experience, eco-tourism or agri-tourism and their related modes of transporting participants, viewers or patrons where applicable, subject to all applicable federal, state and local permits. Tour operations, such as, but not limited to airboats, swamp buggies, horses and similar modes of transportation, shall be subject to the following criteria:

    i. Permits or letters of exemption from the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, and the South Florida Water Management District shall be presented to the planning services director prior to site **development plan** approval.

    ii. The petitioner shall post the property along the entire property line with no trespassing **signs** approximately every 300 yards.

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iii. The petitioner shall utilize only trails identified and approved on the site **development plan** . Any existing trails shall be utilized before the establishment of new trails.

iv. Motor vehicles shall be equipped with engines which include spark arrestors and mufflers designed to reduce noise.

v. The maximum size of any vehicle, the number of vehicles, and the passenger capacity of any vehicle shall be determined by the board of zoning appeals during the **conditional use** process.

vi. Motor vehicles shall be permitted to operate during daylight hours which means, one hour after sunrise to one hour before sunset.

vii. Molestation of wildlife, including feeding, shall be prohibited.

viii. Vehicles shall comply with state and United States Coast Guard regulations, if applicable.

ix. The board of zoning appeals shall review such a **conditional use** for tour operations, annually. If during the review, at an advertised public hearing, it is determined by the board of zoning appeals that the tour operation is detrimental to the environment, and no adequate corrective action has been taken by the petitioner, the board of zoning appeals may rescind the **conditional use** .

24. Agricultural activities on parcels less than 20 acres in size:

i. animal breeding, raising, training, stabling, or kenneling.

ii. dairying;

iii. livestock raising;

iv. milk production;

v. poultry and egg production; and

vi. ranching.

25. The commercial production, raising or breeding of exotic animals, other than animals typically used for agricultural purposes or production, subject to the following standards:

i. Minimum 20 acre **parcel** size.

ii. Any roofed **structure** used for the shelter and/or feeding of such animals shall be located a minimum of 100 feet from any **lot line** .

26. **Essential services** , as set forth in subsection 2.01.03 G.

27. Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to section 5.04.04.

28. **Ancillary plants** .

d. *Prohibited uses.*

1. Owning, maintaining or operating any facility or part thereof for the following purposes is prohibited:

a) Fighting or baiting any animal by the owner of such facility or any other person or entity.

b) Raising any animal or animals intended to be ultimately used or used for fighting or baiting purposes.

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c) For purposes of this subsection, the term baiting is defined as set forth in § 828.122(2)(a), F.S., as it may be amended from time to time.

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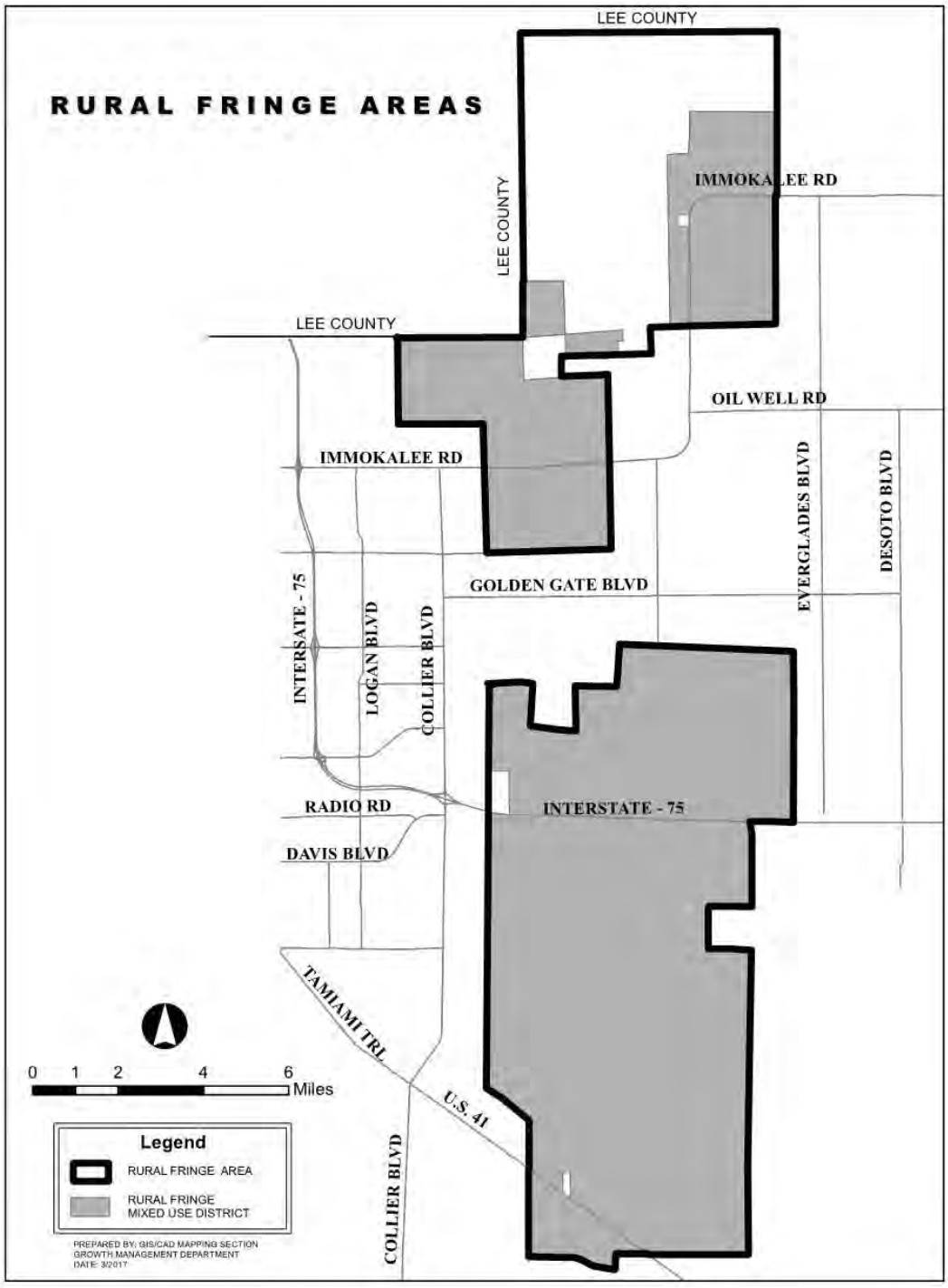
2.03.08 - Rural Fringe Zoning Districts

A. Rural Fringe Mixed-Use District (RFMU District).

1. Purpose and scope. The purpose and intent of the RFMU District is to provide a transition between the Urban and Estates Designated lands and between the Urban and Agricultural/Rural and Conservation designated lands farther to the east. The RFMU District employs a balanced approach, including both regulations and incentives, to protect natural resources and private property rights, providing for large areas of open space, and allowing, in designated areas, appropriate types, density and intensity of development. The RFMU District allows for a mixture of urban and rural levels of service, including limited extension of central water and sewer, schools, recreational facilities, commercial uses, and essential services deemed necessary to serve the residents of the RFMU District. The innovative planning and development techniques which are required and/or encouraged within the RFMU District were developed to preserve existing natural resources, including habitat for listed species, to retain a rural, pastoral, or park-like appearance from the major public rights-of-way, and to protect private property rights.

a. Establishment of RFMU Zoning Overlay District. In order to implement the Rural Fringe Mixed Use District (RFMUD) designation in the Future Land Use Element (FLUE) of the GMP, the RFMU District shall be designated as "RFMUO" on the Official Zoning Atlas and is hereby established. The RFMU District replaces the underlying zoning district where that underlying zoning district is A, Rural Agricultural, except where development standards are omitted in the RFMU District. The County-wide Future Land Use Map is located in the Future Land Use Element of the GMP or can be obtained from the Growth Management Department, located at 2800 N. Horseshoe Drive, Naples, FL 34104. The lands included in the RFMU District and to which LDC section 2.03.08 apply are depicted by the following map:

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b. Exemptions. The requirements, limitations and allowances of this section shall not apply to, affect or limit the continuation of existing uses. Existing uses shall include: those uses for which all required permits were issued prior to June 19, 2002; or, projects for which a Conditional use has been approved by the County prior to June 19, 2002; or, projects for which a Rezone petition has been approved by the County prior to June 19, 2002 - inclusive of all lands not zoned A, Rural Agricultural; or, land use petitions for which a completed application has been submitted prior to June 19, 2002. The continuation of existing uses shall include on-site expansions of those uses if such expansions are

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consistent with or clearly ancillary to the existing uses. Hereafter, such previously approved **developments** shall be deemed to be consistent with the Plan's Goals, Objectives and Policies for the **RFMUD** , and they may be built out in accordance with their previously approved plans. Changes to these previous approvals shall also be deemed consistent with the Plan's Goals, Policies and Objectives for the **RFMUD** as long as they do not result in an increase in **development density** or intensity.

c. Ordinance superceded. Ordinance Number 98-17 is hereby expressly superceded. Any **development** in the area formerly subject to that ordinance shall henceforth conform to the provisions of this Section and all other provisions of this Code that are applicable to **development** within the **RFMU district** .

2. **RFMU receiving lands. RFMU receiving lands** are those lands within the **RFMU district** that have been identified as being most appropriate for **development** and to which residential **development** units may be transferred from **RFMU sending lands** . Based on the evaluation of available data, **RFMU receiving lands** have a lesser degree of environmental or listed species habitat value than **RFMU sending lands** and generally have been disturbed through **development** or previous or existing agricultural operations. Various incentives are employed to direct **development** into **RFMU receiving lands** and away from **RFMU sending lands** , thereby maximizing **native vegetation** and habitat preservation and restoration. Such incentives include, but are not limited to: the TDR process; **clustered development** ; **density** bonus incentives; and, provisions for central sewer and water. Within **RFMU receiving lands** , the following standards shall apply, except as noted in subsection 2.03.08 A.1. above, or as more specifically provided in an applicable PUD.

a. Outside **rural villages** .

(1) NBMO Exemption. Except as specifically provided herein NBMO Receiving Lands are only subject to the provisions of section 2.03.08 C.

(2) Maximum **Density** .

(a) Base **density** . The base **residential density** allowable within **RFMU receiving lands** , exclusive of the applicable **density blending** provisions set forth in section 2.05.02, is 1 unit per 5 gross acres (0.2 **dwelling units** per acre) or, for those legal **nonconforming lots** or **parcels** in existence as of June 22, 1999, 1 unit per **lot** or **parcel** .

(b) Additional **density**

i. Additional **Density** Allowed Through the TDR Process. Outside of **rural villages** , the maximum density achievable in **RFMU Receiving Lands** through **TDR credits** and **TDR Bonus Credits** is 1 dwelling unit per acre.

a) **Clustering** Required. Where the transfer of **development** rights is employed to increase **residential density** within **RFMU receiving lands** , such residential **development** shall be **clustered** in accordance with the following provisions:

i) Central water and sewer shall be extended to the project. Where County sewer or water services may not be available concurrent with **development** in **RFMU receiving lands** , interim private water and sewer facilities may be approved.

ii) The maximum **lot** size allowable for a single-family detached dwelling unit is 1 acre.

iii) The **clustered development** shall be located on the site so as to provide to the greatest degree practicable: protection for listed species habitat; preservation of the highest quality **native vegetation** ; connectivity to **adjacent natural reservations** or

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preservation areas on **adjacent developments;** and, creation, maintenance or enhancement of wildlife corridors.

b) Minimum Project Size. The minimum project size required in order to receive transferred **dwelling units** is 40 contiguous acres.

c) Emergency Preparedness. In order to reduce the likelihood of threat to life and property from a tropical storm or hurricane event any **development** approved under the provisions of this section shall demonstrate that adequate emergency preparedness and disaster prevention measures have been taken by, at a minimum:

i) Designing community facilities, schools, or other public **buildings** to serve as storm shelters if located outside of areas that may experience inundation during a Category 1 or worse storm event. While the need to utilize such shelters will be determined on a case-by-case basis, areas which are susceptible to inundation during such storm events are identified on the Sea, Lake, and Overland Surge from Hurricane (SLOSH) Map for Collier County.

ii) Evaluating impacts on evacuation routes, if any, and working with the Collier County Emergency Management staff to develop an Emergency Preparedness Plan to include provisions for storm shelter space, a plan for emergency evacuation, and other provisions that may be deemed appropriate and necessary to mitigate against a potential disaster.

iii) Working with the Florida Division of Forestry, Collier County Emergency Management staff, and the managers of any **adjacent** or nearby public lands, to develop a Wildfire Prevention and Mitigation Plan that will reduce the likelihood of threat to life and property from wildfires. This plan shall address, at a minimum: project structural design; the use of materials and location of **structures** so as to reduce wildfire threat; firebreaks and **buffers** ; water features; and, the rationale for prescribed burning on **adjacent** or nearby lands.

ii. Additional **density** Allowed Through Other **Density** Bonuses. Once a **density** of one (1) unit per acre is achieved through the use of **TDR credits** and **TDR Bonus credits** , additional **density** may be achieved as follows:

a) A **density** bonus of 0.1 unit per acre shall be allowed for the preservation of additional **native vegetation** as set forth in Section 3.05.07 E. 1. of the Code.

b) A **density** bonus of 0.1 units per acre shall be allowed for projects that incorporate those additional **wetlands** mitigation measures set forth in Section 3.05.07 F. 4. b. of the Code.

(3) Allowable Uses.

(a) Uses Permitted as of Right. The following uses are permitted as of right, or as **uses accessory to permitted uses:**

i. Agricultural activities, including, but not limited to: Crop raising; horticulture; fruit and nut production; forestry; groves; nurseries; ranching; beekeeping; poultry and egg production; milk production; livestock raising, and aquaculture for native species subject to the State of Florida Fish and Wildlife Conservation Commission permits. Owning, maintaining or operating any facility or part thereof for the following purposes is prohibited:

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a) Fighting or baiting any animal by the owner of such facility or any other person or entity.

b) Raising any animal or animals intended to be ultimately used or used for fighting or baiting purposes.

c) For purposes of this subsection, the term baiting is defined as set forth in § 828.122(2)(a), F.S., as it may be amended from time to time.

ii. Single-family residential **dwelling units** , including **mobile homes** where a **mobile home** Zoning Overlay exists.

iii. Multi-family residential **structures** , if **clustering** is employed.

iv. **Rural villages** , subject to the provisions set forth under section 2.03.08 A.2.b. below.

v. Dormitories, **duplexes** and other types of staff housing, as may be incidental to, and in support of, **conservation uses** .

vi. Family Care Facilities: 1 unit per 5 acres and subject to section 5.05.04 of this Code.

vii. Staff housing as may be incidental to, and in support of, safety service facilities and **essential services** .

viii. Farm labor housing limited to 10 acres in any single location:

a) Single family/ **duplex** / **mobile home** : 11 **dwelling units** per acre; and

b) Multifamily/dormitory: 22 **dwelling units** /beds per acre.

ix. Sporting and Recreational camps not to exceed 1 cabin/lodging unit per 5 gross acres.

x. Those **essential services** identified as permitted uses in section 2.01.03 (A) and in accordance with the provisions, conditions and limitations set forth therein.

xi. Golf courses or driving ranges, subject to the following standards:

a) The minimum **density** shall be as follows:

i) For golf course projects: one (1) dwelling unit per five (5) gross acres.

ii) For golf course projects not utilizing density blending Provisions set forth in the **Density** Rating System of the FLUE, including free standing golf courses: one **TDR credit** or **TDR Bonus credit** shall be required per five (5) gross acres for the land area utilized as part of the golf course, including the clubhouse area, rough, fairways, greens, and lakes, but excluding any area dedicated as conservation, which is non-irrigated and retained in a natural state. A **TDR credit** or **TDR Bonus credit** used to entitle golf course acreage may not also be used to entitle a **residential dwelling unit** .

b) Golf courses shall be designed, constructed, and managed in accordance with the Best Management Practices of Audubon International's Gold Signature Program. The project shall demonstrate that the Principles for Resource Management required by the Gold Signature Program (Site Specific Assessment, Habitat Sensitivity, Native and Naturalized Plants and Natural Landscaping, Water Conservation, Waste Management. Energy Conservation & Renewable

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Energy Sources, Transportation, Greenspace and Corridors, Agriculture, and BUILDING Design) have been incorporated into the golf course's design and operational procedures.

c) In order to prevent the contamination of soil, surface water and ground water by the materials stored and handled by golf course maintenance operations, golf courses shall comply with the Best Management Practices for Golf Course Maintenance Departments, prepared by the Florida Department of Environmental Protection, May 1995.

d) To protect ground and surface water quality from fertilizer and pesticide usage, golf courses shall demonstrate the following management practices:

i) The use of slow release nitrogen sources;

ii) The use of soil and plant tissue analysis to adjust timing and amount of fertilization applications;

iii) The use of an integrated pest management program using both biological and chemical agents to control various pests;

iv) The coordination of pesticide applications with the timing and application of irrigation water; and

v) The use of the procedure contained in IFAS Circular 1011, *Managing Pesticides for Golf Course Maintenance and Water Quality Protection,* May 1991 (revised 1995) to select pesticides that will have a minimum adverse impact on water quality.

e) To ensure water conservation, golf courses shall incorporate the following in their design and operation:

i) Irrigation systems shall be designed to use weather station information and moisture-sensing systems to determine the optimum amount of irrigation water needed considering soil moisture and evapotranspiration rates.

ii) Golf courses shall utilize treated effluent reuse water consistent with Sanitary Sewer Sub-Element Objective 1.4 and its policies to the extent that a sufficient amount of such water is available and the piping or other conveyance necessary for delivery of such water exists at a location **abutting** the golf course property boundary or within 50 feet of such boundary and accessible via existing rights of way or **easements** ;

iii) Native plants shall be used exclusively except for special purpose areas such as golf greens, fairways, and **building** sites. Within these excepted areas, landscaping plans shall require that at least 75% of the trees and 50% of the shrubs be freeze-tolerant native Floridian species. At least 75% of the required native trees and shrubs shall also be drought tolerant species.

f) Stormwater management ponds shall be designed to mimic the functions of natural systems: by establishing **shorelines** that are sinuous in configuration in order to provide increased length and diversity of the littoral zone. A Littoral shelf shall be established to provide a feeding area for water dependent avian species. The combined length of vertical and rip-rapped walls shall be limited to 25% of the **shoreline** . Credits to the site preservation area requirements, on an acre- to- acre basis, shall be given for littoral shelves that exceed these littoral shelf area requirements.

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g) Site preservation and **native vegetation** retention requirements shall be those set forth in section 4.06.00 of this Code.

xii. Public educational plants and ancillary plants.

xiii. Oil and gas exploration, subject to applicable state and federal drilling permits and Collier County non-environmental site development plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on Oct. 3, 2005 [*the effective date of this provision*], regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

xiv. Park, open space, and recreational uses.

xv. Private schools.

(b) **Accessory uses** .

i. **Accessory uses** as set forth in section 2.03.01 of this Code.

ii. **Accessory uses** and **structures** that are accessory and incidental to uses permitted as of right in the **RFMU district** .

iii. Recreational facilities that serve as an integral part of a residential **development** and have been designated, reviewed, and approved on a site **development** plan or preliminary **subdivision** plat for that **development.** Recreational facilities may include, but are not limited to clubhouse, community center **building** , tennis facilities, playgrounds and playfields.

(c) **Conditional uses** . The following uses are permissible as **conditional uses** subject to the standards and procedures established in section 10.08.00.

i. Oil and gas field **development** and production, subject to state field **development** permits and Collier County non-environmental site **development** plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress

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Watershed, the **applicant** shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62-30.005(2)(a)(1) through (12), F.A.C.

ii. Group care facilities and other care housing facilities, other than family care facilities, subject to a maximum **floor area** ratio of 0.45.

iii. Zoos, aquariums, and botanical gardens, and similar uses.

iv. Facilities for the collection, transfer, processing, and reduction of **solid waste** .

v. Community facilities, such as, places of worship, childcare facilities, cemeteries, and social and fraternal organizations.

vi. Travel trailer recreation vehicle parks, subject to the following criteria:

a) the site is **adjacent** to an existing travel trailer **recreational vehicle** site; and

b) the site is no greater than 100% of the size of the existing **adjacent** park site.

vii. Those **essential services** identified in sections 2.01.03 (G)(1) and (G)(3).

viii. In **RFMU receiving lands** other than those within the NBMO, asphalt and concrete batch-making plants.

ix. In **RFMU receiving lands** other than those within the NBMO, earth mining and extraction.

(4) Design Standards.

(a) **Development** Not Utilizing **clustering** :

i. Minimum **lot** area: 5 Acres.

ii. Minimum **lot** width: 165 Feet.

iii. Minimum **yard** requirements:

a) **Front yard** : 50 feet

b) Side **yard** : 30 feet

c) Rear **yard** : 50 feet

d) **Nonconforming lots** in existence as of June 22, 1999:

i) **Front yard** : 40 feet.

ii) Side **yard** : 10 percent of **lot** width, not to exceed 20 feet on each side.

iii) Rear **yard** : 50 feet.

(b) **Clustered development** :

i. **Lot** areas and widths:

a) single-family

i) Minimum **lot** area: 4,500 square feet.

ii) Maximum **lot** area: One Acre.

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iii) Minimum **lot** width: Interior **lots** 40 feet.

iv. Maximum **lot** width: 150 feet.

b) multi-family

i) Minimum **lot** area: One Acre.

ii) Maximum **lot** area: None.

iii) Minimum **lot** width: 150 feet.

iv) Maximum **lot** width: None.

ii. Minimum **yard** requirements

a) single-family. Each single-family **lot** or **parcel** minimum **yard** requirement shall be established within an approved PUD, or shall comply with the following standards:

i) Front: 20 feet (Note **front yard** Set back may be reduced to 10 feet where parking for the unit is accessed via a rear ally.

ii) Side: 6 feet

iii) Rear: 15 feet

iv) Accessory: Per section 4.02.01.

b) multi-family. For each multi-family **lot** or **parcel** minimum **yard** shall be established within an approved PUD, or shall comply with the following standards:

i) **Setback** from Arterial or Collector roadway(s): no multi-family dwelling may be located closer than 200 feet to a roadway classified or defined as an arterial roadway or 100 feet from any roadway classified or defined as a collector roadway.

ii) Front: 30 feet.

iii) Rear: 30 feet.

iv) Side **yard** /separation between any multi-family **building** s: One-half of the **building** height or 15 feet, whichever is greater.

v) Accessory: Per section 4.02.01.

iii. Height limitations

a) **Principal structures**

i) Single Family: 35 feet.

ii) Multi-family: Five Stories not to exceed 60 feet.

iii) Other **structures** : 35 feet except for golf course/community clubhouses, which may be 50 feet in height.

b) **Accessory structures** . 20 feet, except for screen enclosures, which may be the same height as the **principal structure** .

iv. Minimum floor space

a) Single Family: 800 square feet

b) Multi-family:

i) Efficiency: 450 Square feet

ii) One Bedroom: 600 square feet

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iii) Two or More Bedrooms: 800 square feet

(c) Parking. As required in Chapter 4 of this Code.

(d) Landscaping. As required in Chapter 4 of this Code.

(e) **Signs** . As required in section 5.06.00 of this Code.

(5) **Native vegetation** Retention. As required in section 4.06.00 of this Code.

(6) **Usable open space** .

(a) Projects of 40 or more acres in size shall provide a minimum of 70% **usable open space** .

(b) **Usable open space** includes active or passive recreation areas such as parks, playgrounds, golf courses, waterways, lakes, nature trails, and other similar **open spaces** . **Usable open space** shall also include areas set aside for conservation or preservation of **native vegetation** and landscape areas.

(c) Open water beyond the perimeter of the site, **street right-of-way** , except where dedicated or donated for public uses, **driveways** , off- **street** parking and loading areas, shall not be counted towards required **usable open space** .

b. **Rural villages** . **Rural villages** , including **rural villages** within the NBMO, may be approved within the boundaries of **RFMU receiving lands** , subject to the following:

(1) Allowable Uses:

(a) All permitted uses identified in section 2.03.08A.2.a.(3)(a), when specifically identified in, and approved as part of, a RURAL VILLAGE PUD.

(b) CONDITIONAL USES 1 through 5, and 7 identified in section 2.03.08A.2.a.(3)(c), when specifically identified in, and approved as part of a RURAL VILLAGE PUD.

(c) All permitted and **accessory uses** listed in the C-4 General Commercial District, section 2.03.02 (E), subject to the design guidelines and **development** standards set forth in this Section.

(d) Research and Technology Parks, with a minimum size of 19 acres and a maximum size of 4% of the total **rural village** acreage, subject to the design guidelines and **development** standards set forth herein, the applicable standards contained in section 2.03.06 C.7. Research and technology park planned unit **development** district guidelines and **development** standards, and further subject to the following:

i. Research and Technology Parks shall be permitted to include up to 20% of the total acreage for non-target industry uses of the type identified in paragraph (3) below; and, up to 20% of the total acreage for **workforce housing** , except as provided in paragraph (7) below. At a minimum, 60% of the total park acreage must be devoted to target industry uses identified in paragraph (2) below. The specific percentage and mix of each category of use shall be determined at the time of **rural village** PUD rezoning.

ii. The target industries identified by the Economic **development** Council of Collier County are aviation/aerospace industry, health technology industry and information technology industry, and include the following uses: software **development** and programming; internet technologies and electronic commerce; multimedia activities and CD-ROM **development** ; data and information processing; call center and customer support activities; professional services that are export based such as laboratory research or testing activities; light manufacturing in the high tech target sectors of aviation/aerospace and health and information technologies; office uses in

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connection with on-site research; **development** testing and related manufacturing; general administrative offices of a research and **development** firm; educational, scientific and research organizations; production facilities and operations.

iii. Non-target industry uses may include **hotels** at a **density** consistent with the provisions in section 2.03.02 and those uses in the C-1 through C-3 Zoning Districts that provide support services to the target industries such as general office, banks, fitness centers, personal and professional services, medical, financial and convenience sales and services, computer related businesses and services, employee training, technical conferencing, day care centers, **restaurants** and corporate and government offices.

iv. The **rural village** PUD shall include standards for the **development** of individual **building parcels** within the park and general standards shall be adopted for pedestrian and vehicular interconnections, **buffering** , landscaping, **open spaces** , signage, lighting, screening of outdoor storage, parking and access management, all to be consistent with and compatible to the other uses within the village.

v. The Research and Technology Park must be **adjacent** to, and have direct access via an existing or developer constructed local road to an arterial or collector roadway. The portion of the local roadway intended to provide access to the Research and Technology Park shall not be within a residential neighborhood and does not service a predominately residential area.

vi. The Research and Technology Park shall be compatible with surrounding land uses. Accordingly, it shall be separated from any residentially zoned or designated land within the **rural village** by a minimum Type "C" landscape **buffer** , as set forth in section 4.06.00 of this Code.

vii. Whenever **workforce housing** is provided, it shall be fully integrated with other compatible uses in the park through mixed-use **buildings** and/or through pedestrian and vehicular interconnections.

viii. **Building** permits for non-target industry uses identified in paragraph (3) above shall not be issued prior to issuance of the first **building** permit for a target industry use.

(e) Any other use deemed by the Board of County Commissioner to be appropriate and compatible within a **rural village** .

(2) Mix of Neighborhood Types. **Rural villages** shall be comprised of several neighborhoods designed in a compact nature such that a majority of residential **development** is within one-quarter mile of a **neighborhood center** . **neighborhood centers** may include small-scale service retail and office uses, and shall include a public park, square, or green. **Village centers** shall be designed to serve the retail, office, civic, government uses and service needs of the residents of the **rural village** . The **village center** shall be the primary location for commercial uses. **rural villages** shall be surrounded by a green belt in order to protect the character of the rural landscape and to provide separation between **rural villages** and the low **density** rural **development** , **agricultural uses** , and conservation lands that may surround the **rural village** . **Rural villages** shall be designed to include the following: a mixture of residential housing types; institutional and/or commercial uses; and recreational uses, all of which shall be sufficient to serve the residents of the **rural village** and the surrounding lands. In addition, except as specifically provided otherwise for **rural villages** within the NBMO, the following criteria and conditions shall apply to all **rural villages** .

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(a) Allocation of Land Uses. Specific allocations for land uses including residential, commercial and other non-residential uses within **rural villages** , shall include, but are not limited to:

i. A mixture of housing types, including attached and/or detached single family, as well as multi-family shall be provided within a **rural village** . A minimum of 0.2 units per acre in a **rural village** shall be **affordable housing** , of which at least 0.1 units per acre shall be **workforce housing** . The **rural village** shall be designed so as to disperse the Affordable and **workforce housing** units throughout the Village rather than concentrate them in a single location.

ii. A mixture of recreational uses, including parks and village greens.

iii. Civic, community, and other institutional uses.

iv. A mixture of **lot** sizes, with a design that includes more compact **development** and attached **dwelling units** within **neighborhood centers** and the **village center** , and reduced net densities and increasingly larger **lot** sizes for detached residential dwellings generally occurring as **development** extends outward from the **village center** .

v. A mixture of retail, office, and services uses.

vi. If requested by the Collier County School Board during the PUD and/or DRI review process, school sites shall be provided and shall be located to serve a maximum number of residential **dwelling units** within walking distance to the schools, subject to the following criteria:

a) Schools shall be located within or **adjacent** to the **village center** ;

b) A credit toward any applicable school impacts fees shall be provided based upon an independent evaluation/appraisal of the value of the land and/or improvements provided by the developer; and

c) Schools shall be located in order to minimize busing of students and to co-locate schools with public facilities and civic **structures** such as parks, libraries, community centers, public squares, greens and civic areas.

vii. Within the NBM Overlay, elementary schools shall be accessed by local **streets** , pedestrian and bicycle facilities, and shall be allowed in and **adjacent** to the **rural village center** , provided such local **streets** provide adequate access as needed by the School Board.

(b) Acreage Limitations.

i. **Rural villages** shall be a minimum of 300 acres and a maximum of 1,500 acres, exclusive of the required green belt, with exception that the maximum size of a **rural village** within those **RFMU receiving lands** south of the Belle Meade NRPA shall not exceed 2,500 acres.

ii. **Neighborhood center** - 0.5% of the total **rural village** acreage, not to exceed 10 acres, within each **neighborhood center** .

iii. **Neighborhood center** Commercial - Not to exceed 40% of the **neighborhood center** acreage and 8,500 square feet of gross leasable **floor area** per acre.

iv. **Village center** - Not to exceed 10% of the total **rural village** acreage.

v. **Village center** commercial - Not to exceed 30% of the **village center** acreage and 10,000 square feet of gross leasable **floor area** per acre.

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vi. Research and Technology Parks limited to a minimum size of 19 acres and a maximum size of 4% of the total **rural village** acreage.

vii. Civic Uses and Public Parks - Minimum of 10% of the total **rural village** acreage.

(3) **Density** . A **rural village** shall have a minimum **density** of 2.0 units per gross acre and a maximum **density** of 3.0 units per gross acre, except that the minimum **density** within a **NBMO rural village** shall be 1.5 units per gross acre. Those densities shall be achieved as follows:

(a) Base **density** . A base **density** of 0.2 **dwelling units** per acre (1.0 **dwelling units** per five acres) for lands within the **rural village** , and the land area designated as a **greenbelt** surrounding the **rural village** , is granted by right for allocation within the designated **rural village** .

(b) Minimum **density** . The minimum gross **density** in a **rural village** is 2.0 units per acre outside of the NBMO and 1.5 units per acre within the NBMO.

i. For each **TDR credit** used to achieve the minimum required density in a **rural village** , one **Rural Village Bonus Credit** shall be granted. **Rural Village Bonus Credits** may only be utilized in **rural villages** and shall not be available for use once the minimum required **density** is achieved.

ii. The minimum **density** shall be achieved through any combination **of TDR Credits** , **Rural Village Bonus Credits** , and **TDR Bonus Credits** .

(c) Maximum **density** . The maximum gross **density** allowed in a rural village is 3.0 units per acre. The maximum density shall be achieved through any of the following, either in combination or individually:

i. **TDR credits** ;

ii. **TDR Bonus Credits** ;

iii. An additional **density** bonus 0.3 units per acre for the additional preservation of **native vegetation** as set forth in Chapter 4;

iv. An additional **density** bonus of 0.3 units per acre for additional **wetlands** mitigation as set forth in Chapter 4; and/or

v. An additional **density** bonus of 0.5 units per acre for each Affordable or **workforce housing** unit.

(4) Other Design Standards

(a) Transportation System Design.

i. The **rural village** shall be designed with a formal **street** layout, using primarily a grid design and incorporating village greens, squares and civic uses as focal points.

ii. Each **rural village** shall be served by a primary road system that is accessible by the public. Neighborhood Circulator, Local Residential Access and Residential Loop roads may be gated. The primary roads within the **rural village** shall consist of Rural Major Collectors at a minimum and be designed to meet County standards and shall be dedicated to the public.

iii. A **rural village** shall not be split by an arterial roadway.

iv. Interconnection between the **rural village** and **adjacent development** s shall be required.

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v. Neighborhoods, **neighborhood centers** , and the **village center** shall be connected through local and collector **streets** and shall incorporate traffic calming techniques as may be appropriate to discourage high-speed traffic.

vi. Public transit and school bus stops shall be co-located, where practicable.

vii. Pedestrian paths and bikeways shall be designed so as to provide access and interconnectivity.

(b) Location Restrictions and Standards.

i. In locating both schools and housing units within the **rural village** , consideration shall be given to minimizing busing needs within the community.

ii. A **rural village** shall not be located any closer than 3.0 miles from another **rural village** .

iii. No more than one **rural village** may be located in each of the distinct **RFMU district** Receiving Areas depicted on the FLUM and on the Official Collier County Zoning Atlas maps.

iv. A **rural village** shall have direct access to a roadway classified by Collier County as an arterial or collector roadway. Alternatively, access to the **rural village** may be via a new collector roadway directly accessing an existing arterial, the cost of which shall be borne entirely by the developer.

v. A **rural village** shall be located where other public infrastructure, such as potable water and sewer facilities, already exist or are planned.

(c) Size Limitations. **rural villages** shall be a minimum of 300 acres and a maximum of 1,500 acres, except within **RFMU receiving lands** south of the Belle Meade NRPA where the maximum size may not exceed 2,500 acres. This required **rural village** size is exclusive of the required **greenbelt** area set forth in section 2.03.08 (A)(2)(b)(6).

(d) Additional Village Design Criteria: **Rural villages** shall be designed in accordance with the following provisions:

i. **Rural villages** shall be developed in a progressive urban to rural continuum with the greatest **density** , intensity and diversity occurring within the **village center** , to the least **density** , intensity and diversity occurring within the edge of the neighborhoods approaching the **greenbelt** .

ii. **Rural villages** may include "special districts" in addition to the **village center** , **neighborhood center** and Neighborhoods, to accommodate uses that may require use specific design standards not otherwise provided for herein. Such Special Districts, their proposed uses, and applicable design standards shall be identified as part of the **rural village** PUD rezone process.

iii. The **rural village** PUD Master Plan shall designate the location of the **village center** and each neighborhood, **neighborhood center** and as may be applicable, Special Districts. **Rural villages** shall include a **village center** and a minimum of two distinct neighborhoods, with defined **neighborhood centers** .

iv. A mixture of allowable uses is encouraged to occur within **buildings** in the **village center** and **neighborhood centers** .

v. Transient lodging is permitted at up to 26 guest units per acre calculated on the acreage of the **parcel** occupied by the transient lodging and its ancillary facilities, if such **parcel** includes multiple uses.

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vi. **Building** heights may vary within the **village center** and **neighborhood centers** , but shall not exceed 5 stories not exceeding 65 feet with the **village center** , or 4 stories no exceeding 55 feet within the **neighborhood center** , and 3 stories not to exceed 40 feet within 200 feet of the **greenbelt** . The height exclusions set forth in section 4.02.01 of this Code apply within a **rural village** . The height exclusion set forth in section 4.02.01 applies in the **village center** only, except that:

a) section 4.02.01 requiring 300 square feet of green spaces for each parking space for which the height waiver is granted shall not apply; however,

b) For each parking space for which the height waiver is granted, an equal amount of square footage of **open space** shall be provided in excess of the minimum set forth in section 2.03.08(A)(2)(b)(7).

vii. The minimum **lot** area shall be 1,000 SF; however, within neighborhoods, especially approaching the edge of the Village and the surrounding green belt, less compact larger **lot** residential **development** may occur.

viii. Within the **village center** and **neighborhood centers** , individual **block** perimeters shall not exceed 2,500 linear feet.

ix. Within the **village center** and **neighborhood centers** required **yards** shall be as follows:

a) Front **setbacks** - 0 to 10 feet from the **right-of-way** line

b) Side **setbacks** - 0 feet

c) Rear **setbacks** - 0 feet

x. Within neighborhoods outside of a Neighborhood or **village center** required **yards** may vary but shall be designed so as to provide for adequate light, opens space ad movement of air, and shall consider the design objective of the urban to rural continuum with the greatest **density** , intensity and diversity occurring within the **village center** , to the least **density** , intensity and diversity occurring within the edge of the neighborhoods approaching the **greenbelt** .

xi. Within the **village center** and **neighborhood centers** overhead encroachments such as awnings, balconies, arcades and the like, must maintain a clear distance of 9 feet above the **sidewalk** and 15 feet above the **street** .

xii. Seating for outdoor dining shall be permitted to encroach the public **sidewalks** and shall leave a minimum 6-foot clear pedestrian way between the outdoor dining and the streetscape planting area.

xiii. Civic or Institutional Buildings shall be subject to the specific standards of this subsection that regulate building height, building placement, building use, parking, and signage except as deviations are deemed appropriate by the Collier County planning staff with respect to the creation of focal points, vistas, and significant community landmarks. Specific design standards shall be provided in the **rural village** PUD document.

xiv. Architectural Standards: Buildings within the **village center** shall be made compatible through similar massing, volume, **frontage** , scale and architectural features. The PUD document shall adhere to the provisions of section 5.05.08 of this Code; however, deviations may be requested where such deviations are shown to further these **rural village** design standards.

xv. Required vehicular parking and loading amounts and design criteria:

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a) The amount of required parking shall be demonstrated through a shared parking analysis submitted application as part of the **rural village** PUD. Parking shall be determined utilizing the modal splits and parking demands for various uses recognized by the ITE, ULI or other sources or studies. The analysis shall demonstrate the number of parking spaces available to more than one use or function, recognizing the required parking will vary depending on the multiple functions or uses in close proximity which are unlikely to require the spaces at the same time.

b) On-site parking areas shall be organized into a series of small bays delineated by landscape islands of varied sized. A maximum spacing between landscape islands shall be 10 spaces. Landscape islands and tree diamonds shall have a minimum of one canopy tree.

c) Parking **lots** shall be accessed from **alleys** , service lanes or secondary **streets** .

d) Any or all of the above parking requirements may be further reduced if a shared parking plan is submitted as part of a **rural village** PUD or subsequent site **development** plan application. The shared parking plan shall demonstrate that the reduced parking is warranted as a result of the following: shared building and/or **block** use(s) where parking demands for certain uses are low when other demands are higher; a concentration of residential **dwelling units** located within 600 feet of non-residential uses; the existence of transit for use by residents and visitors.

xvi. Landscaping minimums within the **village center** or within **neighborhood centers** shall be met by:

a) Providing landscaping within parking **lots** as described, and by providing a streetscape area between the **sidewalk** and curb at a minimum of 5 Ft. in width;

b) Planting **street** trees every 40 Ft. O.C. The **street** tree pattern may be interrupted by architectural elements such as arcades and columns.

c) Plantings areas, raised planters, or planter boxes in the front of and **adjacent** to the buildings, where such planting areas do not interfere with pedestrian access and mobility.

d) Providing for additional pubic use landscape areas at intervals within the streetscape, on identified **parcels** with **block** s, or as part of public greens, squares, parks or civic uses.

xvii. **Signs** : The PUD document shall adhere to the provisions of section 5.06.00 of this Code; however, deviations may be requested where such deviations are shown to further these **rural village** design standards by providing for pedestrian scale signage standards with **neighborhood centers** or the **village center** .

(5) **Native vegetation** . **Native vegetation** shall be preserved as set forth in section 4.06.04.

(6) **Greenbelt** . Except within the NBMO **rural village** , a **greenbelt** averaging a minimum of 300 feet in width, but not less than 200 feet in width at any location, shall be required at the perimeter of the **rural village** . The **greenbelt** is required to ensure a permanently undeveloped edge surrounding the **rural village** , thereby discouraging sprawl. **Greenbelts** shall conform to the following:

(a) **Greenbelts** may only be designated on **RFMU receiving lands** .

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(b) The allowable **residential density** shall be shifted from the designated **greenbelt** to the **rural village** .

(c) The **greenbelt** may be concentrated to a greater degree in areas where it is necessary to protect listed species habitat, including **wetlands** and uplands, provide for a **buffer** from **adjacent natural reservations** , or provide for wellfield or **aquifer** protection. However, at no location shall the **greenbelt** be less than 300 feet in width.

(d) Golf courses and existing agriculture operations are permitted within the **greenbelt** , subject to the vegetation retention standards set forth in section 4.06.04. However, golf course turf areas shall only be located within 100 feet of the **greenbelt** boundaries (interior and exterior boundary); further, these turf areas shall only be located in previously cleared or disturbed areas.

(7) **Open space** : Within the **rural village** , a minimum of 40% of open space shall be provided, inclusive of the **greenbelt** .

(8) Process for Approval of a **rural village** . Applications for approval shall be submitted in the form of a Planned Unit **Development** (PUD) rezone utilizing the standard form(s) developed by Collier County, and subject to the Fees established for a PUD rezone application. Where applicable, the **rural village** PUD application will be submitted in conjunction with a **development** of Regional Impact (DRI) application as provided for in Chapter 380 of Florida Statutes, or in conjunction with any other Florida provisions of law that may supercede the DRI process. The **applicant** shall notify the owner(s) of subsurface mineral rights to the property within the boundaries of the proposed **rural village** prior to approval of the PUD. The Application for **rural village** PUD approval shall demonstrate general compliance with the provisions of section 2.03.06 and shall include the following additional submittal requirements:

(a) EIS. An **environmental impact statement** for the **rural village** and surrounding **greenbelt** area shall be submitted an accordance with the requirements of Chapter 10 of this Code.

(b) Demonstration of Fiscal Neutrality. An analysis that demonstrates that the **rural village** will be fiscally neutral to county taxpayers outside of the **rural village** . This analysis shall evaluate the demand and impacts on levels of service for public facilities and the cost of such facilities and services necessary to serve the **rural village** . In addition, this evaluation shall identify projected revenue sources for services and any capital improvements that may be necessary to support the **rural village** . In conclusion, this analysis shall indicate what provisions and/or commitments will be to ensure that the provision of necessary facilities and services will be fiscally neutral to County taxpayers outside of the **rural village** . At a minimum, the analysis shall consider the following:

i. Stormwater/ **drainage facilities** ;

ii. Potable water provisions and facilities;

iii. Reuse or "Grey" water provisions for irrigation;

iv. Central sewer provisions and facilities;

v. Law enforcement facilities;

vi. School facilities;

vii. Roads, transit, bicycle and pedestrian facilities and **pathways** ;

a) **Solid waste** facilities.

b) **Development** phasing and funding mechanisms to address any impacts to **level of service** in accordance with the county's adopted

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concurrency management program to ensure that there will be no degradation to the adopted **level of service** for public facilities and infrastructure identified in (1) through (7) above.

3. **Neutral lands. Neutral lands** have been identified for limited semi-rural residential **development** . Available data indicates that **neutral lands** have a higher ratio of **native vegetation** , and thus higher habitat values, than lands designated as **RFMU receiving lands** , but these values do not approach those of **RFMU sending lands** . Therefore, these lands are appropriate for limited **development** , if such **development** is directed away from existing **native vegetation** and habitat. Within **neutral lands** , the following standards shall apply:

a. Allowable uses. The following uses are permitted as of right:

(1) Uses Permitted as of Right.

(a) Agricultural activities, including, but not limited to: Crop raising, horticulture, fruit and nut production, forestry, groves, nurseries, ranching, beekeeping, poultry and egg production, milk production, livestock raising, and **aquaculture** for native species subject to the State of Florida Fish and Wildlife Conservation Commission. Owning, maintaining or operating any facility or part thereof for the following purposes is prohibited:

i. Fighting or baiting any animal by the owner of such facility or any other person or entity.

ii. Raising any animal or animals intended to be ultimately used or used for fighting or baiting purposes.

iii. For purposes of this subsection, the term baiting is defined as set forth in § 828.122(2)(a), F.S., as it may be amended from time to time.

(b) Single-family residential **dwelling units** , including **mobile homes** where a **mobile home** Zoning Overlay exists.

(c) Dormitories, **duplexes** and other types of staff housing, as may be incidental to, and in support of, **conservation uses** .

(d) **Group housing** uses subject to the following **density** /intensity limitations:

(e) Family Care Facilities: 1 unit per 5 acres;

(f) Group Care Facilities and other Care Housing Facilities:

Maximum **floor area ratio (FAR)** not to exceed 0.45.

(g) Staff housing as may be incidental to, and in support of, safety service facilities and **essential services** .

(h) Farm labor housing limited to 10 acres in any single location:

i. Single family/ **duplex** / **mobile home** : 11 **dwelling units** per acre;

ii. Multifamily/dormitory: 22 **dwelling units** /beds per acre.

(i) Sporting and Recreational camps, not to exceed 1 cabin/lodging unit per 5 gross acres.

(j) Those **essential services** identified in section 2.01.03 (A).

(k) Golf courses or driving ranges, subject to the following standards:

i. Golf courses shall be designed, constructed, and managed in accordance with the best management practices of Audubon International's Gold Signature Program. The project shall demonstrate that the Principles for Resource Management required by the Gold Signature Program (Site Specific Assessment, Habitat Sensitivity, Native and Naturalized Plants and

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Natural Landscaping, Water Conservation, Waste Management, Energy Conservation & Renewable Energy Sources, Transportation, Greenspace and Corridors, Agriculture, and Building Design) have been incorporated into the golf course's design and operational procedures.

ii. In order to prevent the contamination of soil, surface water and ground water by the materials stored and handled by golf course maintenance operations, golf courses shall comply with the Best Management Practices for Golf Course Maintenance Departments, prepared by the Florida Department of Environmental Protection, May 1995.

iii. To protect ground and surface water quality from fertilizer and pesticide usage, golf courses shall demonstrate the following management practices:

a) The use of slow release nitrogen sources;

b) The use of soil and plant tissue analysis to adjust timing and amount of fertilization applications;

c) The use of an integrated pest management program using both biological and chemical agents to control various pests;

d) The coordination of pesticide applications with the timing and application of irrigation water;

e) The use of the procedure contained in IFAS Circular 1011, *Managing Pesticides for Golf Course Maintenance and Water Quality Protection,* May 1991 (revised 1995) to select pesticides that will have a minimum adverse impact on water quality.

iv. To ensure water conservation, golf courses shall incorporate the following in their design and operation:

a) Irrigation systems shall be designed to use weather station information and moisture-sensing systems to determine the optimum amount of irrigation water needed considering soil moisture and evapotranspiration rates.

b) As available, golf courses shall utilize treated effluent reuse water consistent with Sanitary Sewer Sub-Element Objective 1.4 and its policies.

c) Native plants shall be used exclusively except for special purpose areas such as golf greens, fairways, and **building** sites. Within these excepted areas, landscaping plans shall require that at least 75% of the trees and 50% of the shrubs be freeze-tolerant native Floridian species. At least 75% of the required native trees and shrubs shall also be drought tolerant species.

v. Stormwater management ponds shall be designed to mimic the functions of natural systems: by establishing **shorelines** that are sinuous in configuration in order to provide increased length and diversity of the littoral zone. A Littoral shelf shall be established to provide a feeding area for water dependent avian species. The combined length of vertical and rip-rapped walls shall be limited to 25% of the **shoreline** . Credits to the site preservation area requirements, on an acre- to- acre basis, shall be given for littoral shelves that exceed these littoral shelf area requirements.

vi. Site preservation and **native vegetation** retention requirements shall be the same as those set forth in the **RFMU district** criteria. Site preservation areas are intended to provide habitat functions and shall meet minimum

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dimensions as set forth in the LDC. These standards shall be established within one year.

(l) Public educational plants and ancillary plants.

(m) **Oil and gas exploration** , subject to applicable state and federal drilling permits and Collier County non-environmental site **development** plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on Oct. 3, 2005 [*effective date of this provision*] regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the **applicant** shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

n. Park, open space, and recreational uses.

o. Private schools.

(2) **Accessory uses** . The following uses are permitted as accessory to uses permitted as of right or to approved **conditional uses** :

(a) **Accessory uses** and **structures** that are accessory and incidental to uses permitted as of right in section 2.03.08(A)(3)(a)(1) above.

(b) Recreational facilities that serve as an integral part of a residential **development** and have been designated, reviewed, and approved on a site **development** plan or preliminary **subdivision** plat for that **development.** Recreational facilities may include, but are not limited to clubhouse, community center **building** , tennis facilities, playgrounds and playfields.

(3) **Conditional uses** . The following uses are permissible as **conditional uses** subject to the standards and procedures established in section 10.08.00.

(a) Zoo, aquarium, botanical garden, or other similar uses.

(b) Community facilities, such as, places of worship, childcare facilities, cemeteries, social and fraternal organizations.

(c) Sports instructional schools and camps.

(d) Multi-family residential structures, subject to the following development standards:

(i) Building height limitation: 2 stories

(ii) Buffer: 10 foot wide landscape buffer with trees spaced no more than 30 feet on center;

(iii) Setbacks: 50% of the height of the building, but not less than 15 feet.

(e) Those essential services identified in sections 2.01.03 (G)(1) and (G)(3).

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(f) Oil and gas field **development** and production, subject to applicable state and federal field **development** permits and Collier County non-environmental site **development** plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on January 14, 2005, regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

(g) Earth mining and extraction and related processing.

(h) Facilities for the collection, transfer, processing, and reduction of solid waste.

(i) Those **essential services** identified in sections 2.01.03 (G)(1) and (G)(3).

(j) Oil and gas field **development** and production, subject to state field **development** permits and Collier County non-environmental site **development** plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the **applicant** shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62-30.005(2)(a)(1) through (12), F.A.C.

(k) Earth mining and extraction and related processing.

b. **Density.**

(1) Maximum gross **density** . The maximum gross **density** in **neutral lands** shall not exceed one **dwelling unit** per five gross acres (0.2 **dwelling units** per acre), except that the maximum gross **density** for those legal **nonconforming lots** or **parcels** in existence as of June 22, 1999, shall be one dwelling unit per **lot** or **parcel** .

(2) Residential **clustering** . **Clustering** of residential **development** is allowed and encouraged. Where **clustered development** is employed, it shall be in accordance with the following provisions:

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(a) If within the boundaries of the Rural Transition Water and Sewer District, as delineated on the Urban-Rural Fringe Transition Zone Overlay Map in the Future Land Use Element of the GMP, and consistent with the provisions of the Potable Water and Sanitary Sewer Sub-elements of this Plan, central water and sewer shall be extended to the project. Where County sewer or water services may not be available concurrent with **development** in **neutral lands,** interim private water and sewer facilities may be approved.

(b) The **clustered development** shall be located on the site so as to provide to the greatest degree practicable:

i. protection for listed species habitat;

ii. preservation of the highest quality **native vegetation**

iii. connectivity to **adjacent natural reservations** or preservation areas on **adjacent development;** ..... b§ and

iv. creation, maintenance or enhancement of wildlife corridors.

(c) The minimum project size shall be at least 40 acres.

c. Dimensional and design standards. Dimensional and Design Standards set forth in section 4.02.01 of this Code shall apply to all **development** in **neutral lands** , except for **development** utilizing the residential **clustering** provisions in section 2.03.08 (A)(3)(b)(2) above. In the case of such **clustered development** , the following dimensional standards shall apply to all permitted housing **structure** types, accessory, and **conditional uses** :

(1) **Development** that is Not Clustered:

(a) Minimum **lot** area: 5 Acres.

(b) Minimum **lot** width: 165 Feet.

(c) Minimum **yard** Requirements:

i. **Front yard** : 50 feet.

ii. Side **yard** : 30 feet.

iii. Rear **yard** : 50 feet.

iv. **Nonconforming lots** in existence as of June 22, 1999:

a) **Front yard** : 40 feet.

b) Side **yard** : 10 percent of **lot** width, not to exceed 20 feet on each side.

c) Rear **yard** : 50 feet.

(2) **Development** that is Clustered.

(a) Minimum **lot** area: 4,500 square feet.

(b) Maximum **lot** area: One Acre.

(c) Minimum **lot** width: Interior **lots** 40 feet.

(d) Maximum **lot** width: 150 feet.

(3) Height Limitations.

(a) Principal: 35 feet.

(b) Accessory: 20 feet, except for screen enclosures, which may be the same height as the **principal structure** .

(c) Golf course/community clubhouses: 50 feet.

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(4) **Floor area** . The minimum **floor area** for each dwelling unit shall be 800 square feet.

(5) Parking. As required in Chapter 4.

(6) Landscaping. As required in Chapter 4.

(7) **Signs** : As required in section 5.06.00.

d. **Native vegetation** retention. **Native vegetation** shall be preserved as set forth in Chapter 4.

e. **Usable open space** .

(1) Projects of 40 acres or more in size shall provide a minimum of 70% **usable open space** .

(2) **Usable open space** includes active or passive recreation areas such as parks, playgrounds, golf courses, waterways, lakes, nature trails, and other similar **open spaces** . **Usable open space** shall also include areas set aside for conservation or preservation of **native vegetation** and landscape areas.

(3) Open water beyond the perimeter of the site, **street right-of-way** , except where dedicated or donated for public uses, **driveways** , off- **street** parking and loading areas, shall not be counted towards required **usable open space** .

4. **RFMU sending lands. RFMU sending lands** are those lands that have the highest degree of environmental value and sensitivity and generally include significant **wetlands** , uplands, and habitat for listed species. **RFMU sending lands** are the principal target for preservation and conservation. **Density** may be transferred from **RFMU sending lands** as provided in LDC section 2.03.07 D.4.c. All NRPAs within the **RFMU district** are also **RFMU sending lands** . With the exception of specific provisions applicable only to NBMO **neutral lands** , the following standards shall apply within all **RFMU sending lands** :

a. Allowable uses where **TDR credits** have not been severed.

(1) Uses Permitted as of Right:

(a) **Agricultural uses** consistent with Sections 163.3162 and 823.14(6) Florida Statutes (Florida Right to Farm Act).

(b) Detached single-family **dwelling units** , including **mobile homes** where the **mobile home** Zoning Overlay exists,

(c) Habitat preservation and **conservation uses** .

(d) Passive parks and other passive recreational uses.

(e) Sporting and Recreational camps, within which the lodging component shall not exceed 1 unit per 5 gross acres.

(f) Those **essential services** identified in section 2.01.03(B).

(g) **Oil and gas exploration** , subject to applicable state and federal drilling permits and Collier County non-environmental site **development** plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as such rules existed on Oct. 3, 2005 [*the effective date of this provision*], regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits

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comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the **applicant** shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

(2) **Accessory uses** . **Accessory uses** and **structures** that are accessory and incidental to uses permitted as of right in LDC section 2.03.08 A.4.a.1 above.

(3) **Conditional uses** .

(a) Those essential services identified in LDC section 2.01.03 G.2 and 4.

(b) Public facilities, including **solid waste** and resource recovery facilities, and public vehicle and equipment storage and repair facilities, shall be permitted within Section 25, Township 49S, Range 26E, on lands **adjacent** to the existing County landfill. This shall not be interpreted to allow for the expansion of the landfill into Section 25 for the purpose of **solid waste** disposal.

(c) Oil and gas field **development** and production, subject to applicable state and federal field **development** permits and Collier County non-environmental site **development** plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on Oct. 3, 2005 [*the effective date of this provision*], regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the **applicant** shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

(d) Commercial uses accessory to permitted uses 1.a, 1.c. and 1.d above, such as retail sales of produce accessory to farming, or a **restaurant** accessory to a park or preserve, so long as restrictions or limitations are imposed to insure the commercial use functions as an accessory, subordinate use.

b. Uses allowed where **TDR credits** have been severed.

(1) Uses Permitted as of Right:

(a) **Agricultural uses** consistent with Sections 163.3162 and 823.14(6) Florida Statutes (Florida Right to Farm Act), including water management facilities, to the extent and intensity that such operations exist at the date of any transfer of **development** rights.

(b) Cattle grazing on unimproved pasture where no clearing is required;

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(c) Detached single-family **dwelling units** , including **mobile homes** where the **mobile home** Zoning Overlay exists, at a maximum **density** of one dwelling unit per 40 acres. In order to retain these **development** rights after any transfer, up to one dwelling must be retained (not transferred) per 40 acres.

(d) One detached dwelling unit, including **mobile homes** where the **mobile home** zoning overlay exists, per **lot** or **parcel** in existence as of June 22, 1999, that is less than 40 acres. In order to retain these **development** rights after any transfer, up to one dwelling must be retained (not transferred) per each **lot** or **parcel** . For the purposes of this provision, a **lot** or **parcel** shall be deemed to have been in existence as of June 22, 1999, upon a showing of any of the following:

i. the **lot** or **parcel** is part of a **subdivision** that was recorded in the public records of the County on or before June 22, 1999;

ii. a description of the **lot** or **parcel** , by metes and bounds or other specific legal description, was recorded in the public records of the County on or before June 22, 1999; or

iii. an agreement for deed for the **lot** or **parcel** , which includes description of the **lot** or **parcel** by limited fixed boundary, was executed on or before June 22, 1999.

(e) Habitat preservation and **conservation uses** .

(f) Passive parks and passive recreational uses.

(g) Those **essential services** identified in section 2.01.03 B.

(h) **Oil and gas exploration** , subject to applicable state and federal drilling permits and Collier County non-environmental site **development** plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on Oct. 3, 2005 [*the effective date of this provision*], regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the **applicant** shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

(i) Mitigation in conjunction with any County, state, or federal permitting.

(2) **Conditional uses:**

(a) Those essential uses identified in LDC section 2.01.03 G.2 and 4.

(b) Oil and gas field **development** and production, subject to applicable state and federal field **development** permits and Collier County non-environmental site **development** plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed

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satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on Oct. 3, 2005 [*the effective date of this provision*], regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the **applicant** shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

(c) Conditional use approval criteria: In addition to the criteria set forth in section 10.08.00 of this Code, the following additional criteria shall apply to the approval of **conditional uses** within **RFMU sending lands** :

i. The **applicant** shall submit a plan for **development** that demonstrates that **wetlands** , listed species and their habitat are adequately protected as specified in Chapters 3, 4 and 10.

ii. Conditions may be imposed, as deemed appropriate, to limit the size, location, and access to the conditional use.

c. **Density** .

(1) 1.0 **dwelling units** per 40 gross acres; or

(2) 1.0 dwelling unit per **nonconforming lot** or **parcel** in existence as of June 22, 1999. For the purpose of this provision, a **lot** or **parcel** which is deemed to have been in existence on or before June 22, 1999 is:

(a) A **lot** or **parcel** which is part of a **subdivision** recorded in the public records of Collier County, Florida;

(b) A **lot** or **parcel** which has limited fixed boundaries, described by metes and bounds or other specific legal description, the description of which has been recorded in the public records of Collier County Florida on or before June 22, 1999; or

(c) A **lot** or **parcel** which has limited fixed boundaries and for which an agreement for deed was executed prior to June 22, 1999.

d. **Native vegetation** retention. As required in Chapter 4.

e. Other dimensional design standards. Dimensional standards set forth in section 4.02.01 of this Code shall apply to all **development** in Sending designated lands of the **RFMU district** , except as follows:

(1) **Lot** Area and Width.

(a) Minimum **lot** Area: 40 acres.

(b) Minimum **lot** Width: 300 Feet.

(2) Parking. As required in Chapter 4.

(3) Landscaping. As required in Chapter 4.

(4) **Signs** . As required in section 5.06.00.

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5. Specific vegetation standards for the **RFMU district** . For these specific standards, please refer to section 3.05.07 C. through 3.05.07 E. of this Code.

B. **Natural resource protection area overlay district (NRPA).**

1. Purpose and intent. The purpose and intent of the Natural Resource Protection Area Overlay District (NRPA) is to: protect endangered or potentially endangered species by directing incompatible land uses away from their habitats; to identify large, connected, intact, and relatively unfragmented habitats, which may be important for these listed species; and to support State and Federal agencies' efforts to protect endangered or potentially endangered species and their habitats. NRPAs may include major wetland systems and regional flow-ways. These lands generally should be the focus of any federal, state, County, or private acquisition efforts. Accordingly, allowable land uses, vegetation preservation standards, **development** standards, and listed species protection criteria within NRPAs set forth herein are more restrictive than would otherwise be permitted in the underlying zoning district and shall to be applicable in addition to any standards that apply tin the underlying zoning district.

a. NRPA overlay areas. NRPAs are located in the following areas:

(1) Clam Bay Conservation Area (within Pelican Bay Planned Unit **development**);

(2) CREW (Corkscrew Regional Ecosystem Watershed);

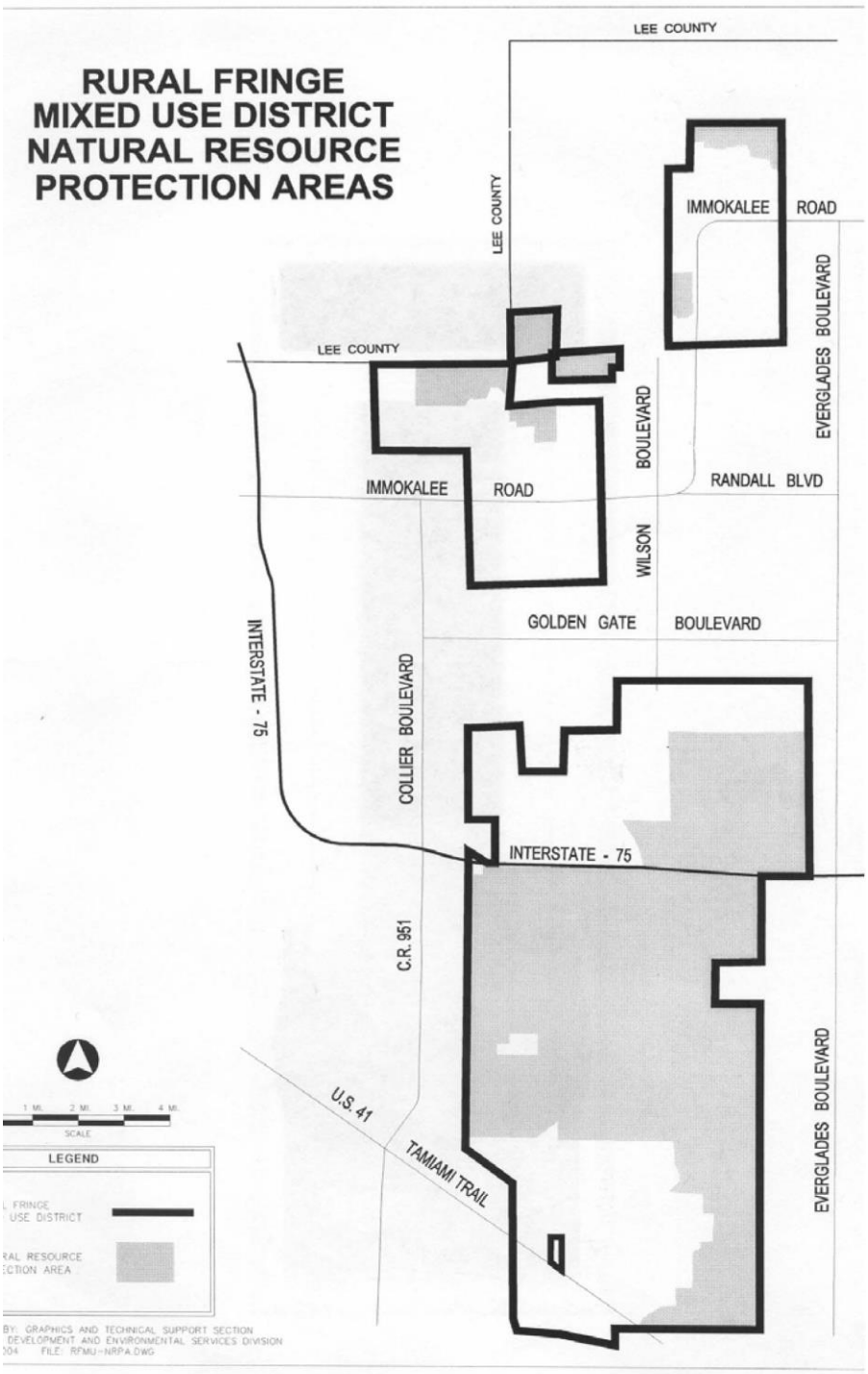
(3) North Belle Meade;

(4) South Belle Meade;

(5) South Golden Gate Estates.

The NRPA lands within the Rural Fringe Mixed Use District to which the Section 2.03.08 C. regulations apply (i.e. - numbers 3 and 4 above) are depicted by the

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b. NRPAS designated as **RFMU sending lands** within the **RFMU district** . NRPAs located in the **RFMU district** are identified as **RFMU sending lands** and are further subject to the provisions, conditions and standards set forth in section 2.03.08 (A)(4). Private property owners within these NRPAs may transfer residential **development** rights from these important environmentally sensitive lands to other identified "receiving" lands pursuant to eth specific provisions set forth in section 2.01.03 of this Code.

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c. **Development** standards. **Development** within a NRPA shall adhere to the following standards:

(1) Vegetation Retention and Site Preservation - **Native vegetation** retention shall be as required in Chapter 4.

(2) Permitted and **conditional uses** for all lands within a NRPA that are zoned CON and for those lands within any NRPA that are publicly owned shall be as set forth in sections 2.03.05 (B)(1)(a), (b) and (c), respectively.

(3) For privately owned lands within a NRPA within the **RFMU district** , permitted and **conditional uses** shall be those as set forth in the **RFMU district** Sending Lands (section 2.03.08 A.4.).

(4) For privately owned lands within a NRPA and designated Estates, permitted and **conditional uses** shall be those as set forth in the Estates Designation within the Golden Gate Area Master Plan. As these privately owned Estates Designated lands are acquired for conservation purposes, the Comprehensive Plan and will be amended to change the Designation to Conservation and the property will be rezoned to the **CON district** .

(5) There are approximately 15 sections of privately owned land within a NRPA that are not designated Sending and are not located within the **RFMU district** . Eight (8) of these sections, known as the "hole-in-the-doughnut," are located within the South Golden Gate Estates NRPA and surrounded by platted Estates **lots** , almost all of which have been acquired by the State under the Florida Forever program as part of the Picayune Strand State Forest. The remaining seven (7) sections are within an approved mitigation bank located north and west of Corkscrew Swamp Sanctuary. As these privately owned Agricultural/Rural Designated lands are acquired for conservation purposes, the Plan will be amended to change the Designation to **CON district** . Until such time as the designation on these lands is change to **CON district** , permitted and **conditional uses** for these privately owned lands shall be those set forth in underlying zoning district.

C. **North Belle Meade Overlay District (NBMO).**

1. Purpose and intent. The **North Belle Meade Overlay** (NBMO) is unique to the **RFMU district** because it is surrounded by areas that are vested for **development** on three sides. Because this area is largely undeveloped and includes substantial vegetated areas, the NBMO can and does provide valuable habitat for wildlife, including endangered species. The NBMO is intended to achieve a balance of both preservation and opportunities for future **development** that takes into account resource protection and the relationship between this area and the Estates developing around the NBMO.

2. General location. The NBMO District is surrounded by Golden Gate Estates to the north, east, and west and I-75 to the south. This NBMO comprises some 24 sections of land (approximately 15,550 acres) located entirely within the **RFMU District** (LDC section 2.03.08 A.). The boundaries of the NBMO District are outlined in Illustration 2.03.08 C.2.a below and on the North Belle Meade Overlay Map in the Future Land Use Element of the GMP.

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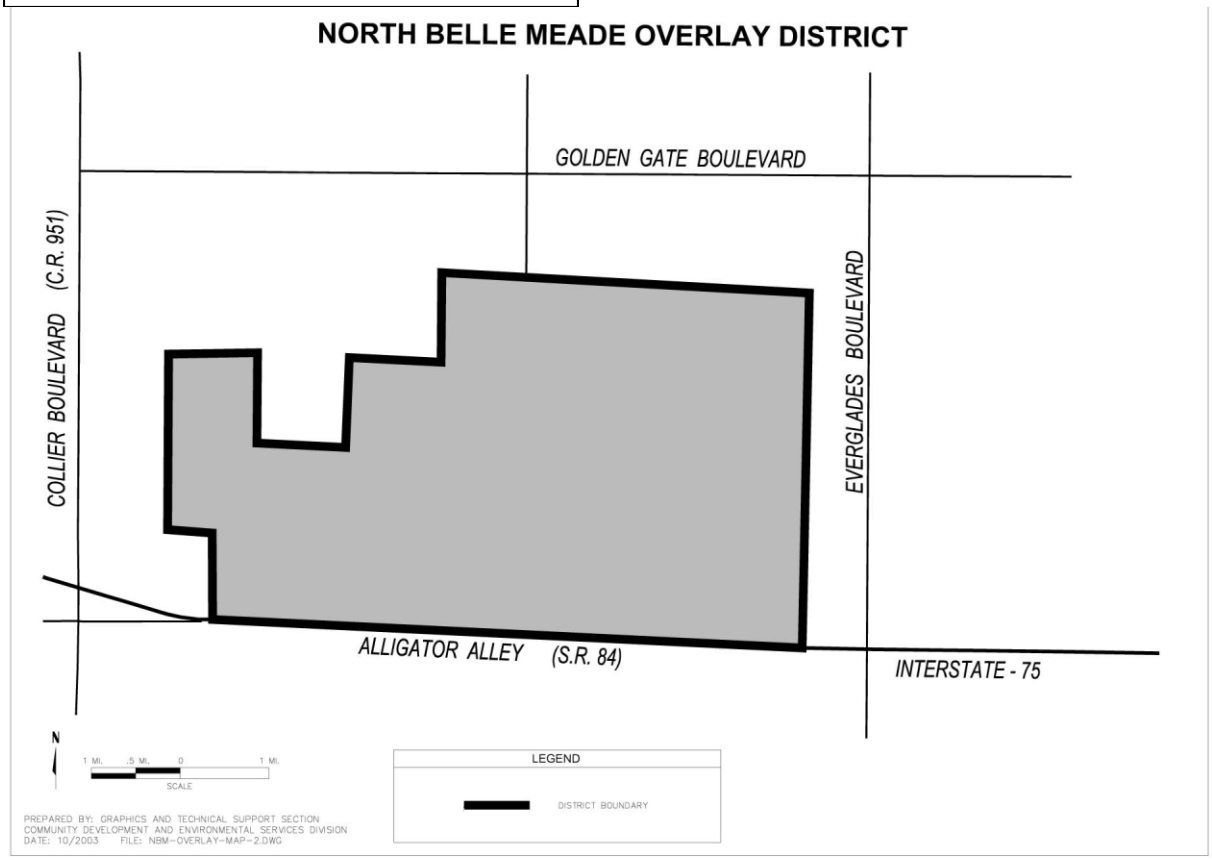


Illustration 2.03.08 C.2.a

3. Applicability:

   a. NBMO receiving lands. Permitted, conditional, and **accessory uses** within NBMO Receiving Lands shall be as set forth in LDC section 2.03.08 A.2, except as provided in LDC section 2.03.08 C.5.a. All other provisions of this Code that implement the Future

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Land Use Element, Conservation and Coastal Management Element, or Public Facilities Element, including but not limited to Chapters 3, 4 and 10, shall only be applicable to **development** in NBMO Receiving Lands to the extent specifically stated in this section. However, all **development** within NBMO Receiving Lands shall comply with all non-environmental review procedures for site **development** plans and platting as set forth in this Code.

b. NBMO **neutral lands** . Except as otherwise specifically provided in LDC section 2.03.08 C.4. and LDC section 2.03.08 C.5.b., all **development** within NBMO **neutral lands** shall be consistent with LDC section 2.03.08 A.3.

c. NBMO sending lands. Except as otherwise specifically provided in LDC section 2.03.08 C.4., all **development** with NBMO Sending Lands shall be consistent with LDC section 2.03.08 A.4.

4. General planning and design considerations:

a. **Transportation.** As a condition for the approval of the residential component of any **subdivision** plat, site **development** plan, PUD, or DRI within Sections 21, 28, or 27 of the NBMO, the following transportation related improvements and planning and design elements shall be addressed and provision made for their completion.

(1) An extension of Wilson Boulevard shall be provided, including ROW dedication and construction to County collector road standards, through Section 33, Range 27 East, extending to the south to Interstate 75 via an interchange or service road for residential **development** should it commence in Sections 21, 28 and 27. The portion of Wilson Boulevard that traverses through NBMO Sending Lands shall be designed with aquatic species crossings and small terrestrial animal crossings.

(2) As an alternative to (1) above, a haul road along an extension of Wilson Boulevard shall be improved to standards sufficient, in the opinion of County transportation staff, to safely serve earth-mining activities with a connection through Sections 32 and 31 to Landfill Road.

(3) Lands required for the extension of Wilson Boulevard will be dedicated to Collier County at the time of rezoning. The **right-of-way** shall be of a sufficient size to accommodate collector road requirements.

(4) All new roads and road improvements, other than the Wilson Boulevard extension and the haul road referenced in 2 above, shall:

(a) be routed so as to avoid traversing publicly owned natural preserves, publicly owned parks, publicly owned recreation areas, areas identified as environmentally sensitive wildlife habitat, wildlife corridors, and greenways unless there is no feasible and prudent alternative; and

(b) be designed with aquatic species crossings, small terrestrial animal crossings, and large terrestrial animal crossings pursuant to Florida Fish and Wildlife Conservation Commission criteria.

b. **Buffering** . The western ¼ of Sections 22 and 27 shall be **buffered** from the NBMO NRPA to the east by a **buffer** preservation that includes all of the eastern ½ of the western ¼ of Sections 22 and 27. This **buffer** shall consist of lake excavation areas between the Wilson Boulevard extension road **right-of-way** and the NRPA.

c. Greenway. A Greenway that follows natural **flowways** , as contemplated in the Community Character Plan prepared by Dover Kohl, shall be created within NBMO Sending Lands. As a condition to the creation of **TDR credits** from NBMO Sending Lands that constitute natural **flowways** , such lands shall be dedicated to a public or private entity for use as part of the Greenway.

5. Additional specific area provisions.

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a. Receiving lands.

(1) **Density** .

(a) The base **density** in **RFMU receiving lands** , outside of a **rural village** is one dwelling unit per five (5) gross acres.

(b) This density may be increased, through **TDR credits** and **TDR Bonus Credits** , up to a maximum of 1 dwelling unit per gross acre.

(c) Once a **density** of 1 dwelling unit per gross acre is achieved through **TDR credits** and **TDR Bonus Credits** , additional density may be achieved as follows:

i. 0.1 dwelling unit per acre for each acre of **native vegetation** preserved on-site;

ii. 0.1 dwelling unit per acre for each acre of **wetlands** having a functionality value, as assessed using the South Florida Water Management District's Unified **Wetlands** Mitigation Assessment Method, of 0.65 or greater that are preserved on-site; and/or

iii. 0.1 dwelling unit per acre for each acre of NBMO Sending Land that is within either a NRPA or a **buffer** area adjoining a NRPA that is dedicated to a public or private entity for conservation use.

(2) The earth mining operation and asphalt plant uses that currently exist within NBMO Receiving Lands may continue and may expand as follows:

(a) Until June 19, 2005, or such other date as the GMP is amended to provide, such uses may expand only into the western half of Section 21 and shall not generate truck traffic beyond average historic levels.

(b) Such mining operations and an asphalt plant may expand on Sections 21 and 28 and the western quarters of 22 and 27 as a permitted use if either of the following occurs by June 19, 2005, or such other date as the GMP is amended to provide:

i. an alignment has been selected, funding has been determined, and an accelerated construction schedule established by the BCC and the mine operator, for an east-west connector roadway between County Road 951 and the Wilson Boulevard extension; or

ii. the mine operator commits to construct a private haul road by June 19, 2007, or such other date as the GMP is amended to provide, without the use of any public funds.

(c) If the conditions for expansion set forth in b above are not satisfied, any mining operations or asphalt plant in these areas, other than continued operations on the western half of Section 21 at historic levels, shall be permitted only as a conditional use.

(3) A **greenbelt** is not required for any **development** in NBMO Receiving Lands, whether inside or outside of a **rural village** . However, any greenbelt that is provided in a NBMO **rural village** shall be included in the calculation of open space.

(4) NBMO rural village. A NBMO rural village shall adhere to the provisions for rural village set forth in LDC section 2.03.08 A.2.b., except as follows:

(a) Density. An NBMO rural village shall have a minimum gross density of 1.5 dwelling units per acre and a maximum gross density of three (3) dwelling units per acre.

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i. The minimum required density shall be achieved through TDR credits, TDR Bonus Credits, and Rural Village Bonus credits, as provided in LDC section 2.03.08 A.2.b.(3)(c).

ii. Once the minimum required **density** is achieved, additional **density** may be achieved, up to the maximum of three (3) **dwelling units** per gross acre through any one or combination of the following:

a) **TDR credits** ;

b) TDR Bonus Credits;

c) 0.3 dwelling unit per acre for each acre of **native vegetation** preserved on-site;

d) 0.3 dwelling unit per acre for each acre of **wetlands** having a functionality value, as assessed using the South Florida Water Management District's Unified **wetlands** Mitigation Assessment Method, of 0.65 or greater that are preserved on-site; and/or

e) 0.3 dwelling unit per acre for each acre of NBMO Sending Land that is within either a NRPA or a **buffer** area adjoining a NRPA that is dedicated to a public or private entity for conservation use.

(b) **Sidewalks** shall be required on both sides of the **streets** .

(c) Interconnected **bike lanes** shall be provided on all collector and arterial roadways.

(d) Schools shall be located within a NBMO **rural village** whenever possible, in order to minimize bussing of students. Furthermore, whenever possible, schools shall be co-located with other public facilities and civic **structures** , such as parks, libraries, community centers, public squares, greens, and civic areas.

(e) Elementary schools shall be accessible by local **streets** and pedestrian and bicycle facilities and shall be located in or **adjacent** to the **rural village center** , provided that local **streets** provide access adequate to meets the needs of the School Board.

b. Neutral lands. Neutral lands shall be governed by the standards set forth in LDC section 2.03.08 A.3. In addition to standards in LDC section 2.03.08 A.3., neutral lands located in Section 24, Township 49 South, Range 26 East, shall be governed by the North Belle Meade Overlay in the Future Land Use Element of the GMP. Where there is a conflict between provisions, the GMP overlay provisions shall apply.

(Ord. No. 04-72, § 3.F; Ord. No. 05-27, § 3.E; Ord. No. 05-49, § 3.B; Ord. No. 07-67, § 3.E; Ord. No. 08-08, § 3.C; Ord. No. 12-38, § 3.C; Ord. No. 16-27, § 3.G; Ord. No. 18-18, § 3.E; Ord. No. 19-08, § 3.B)

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D. Special Treatment Overlay (ST).

1. Within the County there are certain areas, which because of their unique assemblages of flora and/or fauna, their aesthetic appeal, historical or archaeological significance, rarity in the County, or their contribution to their own and **adjacent** ecosystems, make them worthy of special regulations. Such regulations are directed toward the conservation, protection, and preservation of ecological and recreational values for the greatest benefit to the people of the County. Such areas include, but are not necessarily limited to, mangrove and freshwater swamps, barrier islands, hardwood hammocks, xeric scrubs, coastal **beaches** , estuaries, cypress domes, natural drainage ways, **aquifer** recharge areas, and lands and **structures** of historical and archaeological significance. The purpose of the "ST" district is to assure the preservation and maintenance of these environmental and cultural resources and to encourage the preservation of the intricate ecological relationships within the systems, and at the same time, permit those types of **development** which will hold changes to levels determined acceptable by the BCC after public hearing.

2. An overlay zoning district classification to be known as the ST special treatment overlay district, and to be designated on the Official Zoning Atlas by the symbol "ST" together with the symbol of the basic zoning district which it overlays, is hereby established. This overlay district classification will be used for those lands of environmental sensitivity and historical and archaeological significance where the essential ecological or cultural value of the land is not adequately protected under the basic zoning district regulations established by this LDC. The placement or removal of this the ST district shall be governed by the procedure for amending the LDC and this Official Zoning Atlas as prescribed in Chapter 10. All land within the ST overlay district shall be designated as environmentally sensitive.

3. For purposes of identifying land from which the residential **development** rights have been transferred, such lands shall be designated on the Official Zoning Atlas by affixing the letter "P" for preservation to the symbol "ST," thusly "P-ST." Such designation shall be placed on the land after the BCC has accepted the deed and/or guarantee to said property.

4. Transfer of **Development** Rights (TDR).

a. Purpose, Intent and Applicability.

i. *Purpose.* The primary purpose of the TDR process is to establish an equitable method of protecting and conserving lands determined to have significant environmental value, including large connected wetland systems and significant areas of habitat for listed species; and

To provide a viable mechanism for property owners of such environmentally valuable lands to recoup lost value and **development** potential which may be associated with the application of environmental preservations standards to such lands.

ii. *Intent* . These TDR provisions are intended to accomplish the above stated purpose through an economically viable process of transferring **development** rights from less suitable non-RFMU sending areas and **RFMU sending lands** to more suitable non-RFMU receiving areas and **RFMU receiving lands** .

iii. *Applicability* . These TDR provisions shall be applicable to those areas specifically identified in (b), (c) and (d) below. These TDR provisions shall not be applicable to the any transfer of **development** rights within the RLSA District.

b. Transfer of **development** rights from urban areas to urban areas. An owner of land located within areas designated as urban on the Future Land Use Map, including agriculturally zoned properties, which may or may not be identified with the ST overlay, may elect to transfer some or all of the residential **development** rights from one **parcel** of land to another **parcel** , as an alternative to the **development** of the sending lands. The lands to

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which the **development** rights are to be transferred shall be referred to as receiving lands and those lands from which **development** rights are transferred shall be referred to as sending lands, as provided herein and shall be located within the urban designated areas of the county.

i. The **development** rights shall be considered as interests in real property and be transferred in portions or as a total as provided in this section. Once used, the residential **development** rights shall not be used again and the residential **development** rights of the subject lands providing them shall be considered severed forever.

ii. The transfer of **development** rights to be used shall be subject to all of the requirements of the basic zoning district to which they are transferred unless specifically approved otherwise as provided by law.

iii. The minimum area of land eligible for the transfer of **development** rights shall be equal to the minimum **lot** size for the sending zone. For the purposes of this section, legal non-conforming **lots** of record may be eligible to transfer **density** , with the minimum area of the receiving land equal to the area of the legal non-conforming **lot of record** , excluding submerged land.

iv. Upon the approval of the transfer of residential **development** rights by a super majority vote of the Board of County Commissioners, the property owner of the sending land shall dedicate in fee simple the land to the county or a state or federal agency; however, the lands may be dedicated in fee simple to a private, not-for-profit conservation or environmental organization in accordance with F.S. § 704.06, as amended, with the approval of the Board of County Commissioners.

v. The maximum number of residential units which may be requested for transfer shall be compiled on the basis of the permitted **density** pursuant to the underlying zoning category of the sending land.

vi. Maximum number of residential units which eligible lands may receive.

a) Lands in all residential zoning districts and residential components of planned unit **development** zoning districts are eligible to receive residential **development** units provided that the maximum number of residential units which may be transferred to the receiving land does not exceed ten percent of the maximum number of residential units permitted under the receiving property's basic zoning district. For the purpose of determining the number of residential units which a **parcel** of land is capable of receiving, the following formulas shall apply:

i) RSF-1 through RSF-5 districts, up to and including five units per acre:

Units per base **density** × 10% = .1 to .5 units per acre

ii) RMF-6 district, up to and including six units per acre:

6 units × 10% = 0.6 units per acre

iii) RMF-12 district, seven to and including 12 units per acre:

12 units × 10% = 1.20 units per acre

iv) RMF-16 district:

16 units × 5% = 0.80 units per acre

v) RT district:

16 units × 5% = 0.80 units per acre

vi) PUD district:

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Residential tract units × 5% = permitted units per acre

b) For the purpose of calculating the final fractional residential unit of the total number of residential units eligible for transfer to an eligible **parcel** of land, the following shall apply: Any fractional residential unit shall be converted upward if one-half or more of a whole unit, or downward if less than one-half of a whole unit, to the nearest whole unit value.

vii. Procedure for obtaining transfer of residential **development** rights. Any owner of eligible land may apply for a transfer of **development** rights either separately or concurrently with rezoning, zoning ordinance amendments, preliminary **subdivision** plat or **development** plan. Prior to the approval of any transfer of **development** rights or the issuance of any **building** permits in connection with the use of any transfer of **development** rights, the petitioner shall submit the following information and data, as applicable to the petition, to the **development** services director for his review and subsequent action by the Board of County Commissioners

a) Name and address of property owner of sending land.

b) Name and address of property owner of receiving land.

c) Legal description of sending land from which transfer of residential **development** rights is petitioned.

d) Survey of sending land from which transfer of residential **development** rights is requested.

e) Legal description of receiving land which receives the transfer of residential **development** rights.

f) Survey of the land which receives the transfer of residential **development** rights.

g) Three copies of an executed deed of transfer of ownership of the sending property to the county or a state or federal agency; however, the lands may be dedicated in fee simple to a private, not-for-profit conservation or environmental organization in accordance with F.S. § 704.06, as amended, with the approval of the Board of County Commissioners in a form approved by the county attorney.

h) The owner of the sending land shall provide a guarantee, agreeable to and approved by ordinance of the Board of County Commissioners, that the sending land will be utilized only for the purposes of increasing public recreational and/or educational opportunities, creation of linkages between public or private **open space** , protection of critical habitat/ecosystems, or other public purpose as specified in the ordinance of adoption. Such a guarantee shall be recorded with the clerk of the circuit court of Collier County, Florida as a recorded restriction of the use of such land and shall be binding upon all present and subsequent owners, heirs, or assigns of such property. Such restrictions may not be amended, deleted, or otherwise altered, except by a majority vote of the BCC.

viii. Time limitations on Board of County Commissioners' approval of transfer of residential **development** rights or authorization to proceed with the processing of a **building** construction permit. The Board of County Commissioners' approval of a transfer of residential **development** rights or the County Manager or his designee authorization to proceed with the processing of a **building** or construction permit shall be valid so long as such approval is permitted by law. The failure to act on the part of the petitioner to exercise the transfer of residential **development** rights or obtain and exercise an authorized **building** or construction permit within the time period provided by law shall automatically terminate such approval and the county shall be held harmless for any damages arising out of the petitioner's failure to act.

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ix. Sequential use of residential units approved for transfer by the Board of County Commissioners. Upon the issuance of any permit for the construction of residential unit(s) upon the receiving land, the first residential units built thereon shall be considered to be the residential units approved for transfer by the Board of County Commissioners, and the succeeding residential units constructed shall be considered the residential units permitted under the basic zoning district regulations.

c. **TDR credits** from **RFMU sending lands** : General Provisions

i. Creation of **TDR credits** .

a) **TDR credits** are generated from **RFMU sending lands** at a rate of 1 **TDR credit** per 5 acres of RFMU Sending Land or, for those legal non-conforming **lots or parcels** of less than 5 acres that were in existence as of June 22, 1999, at a rate of 1 **TDR credit** per legal non-conforming **lot** or **parcel** .

b) For lots and **parcels** 5 acres or larger, the number of **TDR credits** generated shall be calculated using the following formula:

# of acres x 0.2 = # of TDR **credits** generated.

Where the number of **TDR credits** thus calculated is a fractional number, the number of **TDR credits** created shall be rounded to the nearest 1/100th.

ii. Creation of **TDR Bonus credits** . **TDR Bonus credits** shall only be generated from **RFMU sending land** property from which **TDR credits** have been severed. The three types **TDR Bonus credits** are as follows:

a) Environmental Restoration and Maintenance **Bonus credits** . Environmental Restoration and Maintenance **Bonus credits** are generated at a rate of 1 credit for each **TDR credit** severed from that **RFMU sending land** for which a Restoration and Management Plan (RMP) has been accepted by the County. In order to be accepted, a RMP shall satisfy the following:

1) The RMP shall include a listed species management plan.

2) The RMP shall comply with the criteria set forth in 3.05.08.A, and B.

3) The RMP shall provide financial assurance, in the form of a letter of credit or similar financial security, establishing that the RMP shall remain in place and be performed, until the earlier of the following occurs:

a. Viable and sustainable ecological and hydrological functionality has been achieved on the property as measured by the success criteria set forth in the RMP.

b. The property is conveyed to a County, state, or federal agency as provided in b) below.

4) The RMP shall provide for the **exotic vegetation removal** and maintenance to be performed by an environmental contractor acceptable to the County.

b) Conveyance **Bonus credits** . Conveyance **Bonus credits** are generated at a rate of 1 credit for each **TDR credit** severed from that **RFMU sending land** that is conveyed in fee simple to a federal, state, or local government agency as a gift. Conveyance **Bonus credits** shall only be generated from those **RFMU sending land** properties on which an RMP has been accepted as provided in a) above.

c) Early Entry **Bonus credits** . Early Entry **Bonus credits** shall be generated at a rate of 1 additional credit for each **TDR credit** that is severed from **RFMU sending land** for the period from March 5, 2004, until March 27, 2012. Early Entry **Bonus credits** shall cease to be generated after the termination of this

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early entry bonus period. However, Early Entry **Bonus credits** may continue to be used to increase **density** in **RFMU** and non- **RFMU Receiving Lands** after the termination of the Early Entry Bonus period.

iii. Calculation of **TDR Bonus credits** .

a) Environmental Restoration and Maintenance **Bonus credits** are calculated as follows:

TDR credits generated from property × % property subject to an approved RMP

b) Conveyance **Bonus credits** are calculated as follows:

TDR credits generated from property × % property subject to an approved RMP and conveyed as provided in ii.b) above.

c) Early Entry **Bonus credits** are calculated as follows:

TDR credits generated within Early Entry period × 1.

iv. Receipt of **TDR credits** or **TDR Bonus credits** from **RFMU sending lands** . **TDR credits** or **TDR Bonus credits** from **RFMU sending lands** may be redeemed into Urban Areas, the Urban Residential Fringe, and **RFMU receiving lands** , as provided in subsections 2.03.07 4.d. and e. below.

v. Prohibition on redemption of fractional **TDR credits** and **TDR Bonus credits** . While fractional **TDR credits** and **TDR Bonus credits** may be created, as provided in (ii) above, **TDR credits** and **TDR Bonus credits** may only be redeemed in increments of whole, not fractional, dwelling units. Consequently, fractional **TDR credits** and fractional **TDR Bonus credits** must be aggregated to form whole units, before they can be utilized to increase **density** in either non-RFMU Receiving Areas or **RFMU Receiving lands** .

vi. Prohibition on severance of **development** rights.

a) Neither **TDR credits** nor **TDR** Early Entry **Bonus credits** shall be generated from **RFMU sending lands** where a conservation easement or other similar **development** restriction prohibits the residential **development** of such property, with the exception of those **TDR** Early Entry **Bonus credits** associated with **TDR credits** severed from March 5, 2004, until [the effective date of this provision]. Environmental Restoration and Maintenance **Bonus credits** and Conveyance **Bonus credits** may only be generated from those **RFMU sending lands** where a conservation **easement** or other similar **development** restriction on **development** was imposed in conjunction with the severance of **TDR credits** .

b) Neither **TDR credits** nor any **TDR Bonus credits** shall be generated from **RFMU sending lands** that were cleared for agricultural operations after June 19, 2002, for a period of twenty-five (25) years after such clearing occurs.

d. **Redemption** of TDRs into non- **RFMU receiving areas** .

i. Redemption into urban areas.

a) Maximum **density** increase. In order to encourage residential in-fill in urban areas of existing **development** outside of the Coastal High Hazard Area, a maximum of 3 residential **dwelling units** per gross acre may be requested through a rezone petition for projects qualifying under this residential infill provisions of the Future Land Use Element **density** Rating System, subject to the applicable provisions of Chapters 2 and 9 of this Code, and the following conditions:

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i) The project is 20 acres or less in size;

ii) At time of **development** , the project will be served by central public water and sewer;

iii) The property in question has no common site **development** plan in common with **adjacent** property;

iv) There is no common ownership with any **adjacent parcels** ; and

v) The **parcel** in question was not created to take advantage of the in-fill **residential density** bonus and was created prior to the adoption of this provision in the Growth Management Plan on January 10, 1989.

vi) Of the maximum 3 additional units, one (1) dwelling unit per acre shall be derived from **RFMU sending lands** and redeemed at Site Plan or prior to Plat recordation.

b) **Developments** which meet the residential infill conditions i) through v) above may increase the base **density** administratively through a Site **Development** Plan or Plat approval by a maximum of one dwelling unit per acre by redeeming additional **density** derived from **RFMU district** Sending Lands.

ii. **Redemptions** into the Urban Residential Fringe shall be permitted exclusively through the use of TDR credits and **TDR Bonus credits** derived from RFMU sending lands located within one mile of the Urban Boundary to increase **density** by a maximum of 1.0 **dwelling units** per acre, allowing for a **density** increase from the existing allowable base **density** of 1.5 dwelling units per acre to a maximum of 2.5 **dwelling units** per gross acre.

e. **Redemption** into **RFMU receiving lands** .

i. Maximum **density** on **RFMU receiving lands** when **TDR credits** are redeemed.

a) The base **residential density** allowable shall be as provided in sections 2.03.08 A.2.a.(2)(a) and 2.03.08 A.2.b.(3)(a).

b) The density achievable through the **redemption** of TDR credits and **TDR Bonus credits** into RFMU receiving lands shall be as provided for in section 2.03.08 A.2.a.(2)(b)(i) outside of rural villages and sections 2.03.08 A.2.b.(3)(b) and 2.03.08 A.2.b.(3)(c)(i) inside of rural villages.

ii. Remainder uses after TDR credits are severed from RFMU sending lands. Where development rights have been severed from RFMU district Sending Lands, such lands may be retained in private ownership and may be used as set forth in section 2.03.08 A.4.b.

f. Procedures applicable to the severance and **redemption** of **TDR credits** and the generation of **TDR Bonus credits** from **RFMU sending lands** .

i. General. Those developments that utilize such **TDR credits** or **TDR Bonus credits** are subject to all applicable permitting and approval requirements of this Code, including but not limited to those applicable to site **development** plans, plat approvals, PUDs, and DRIs.

a) The severance of TDR credits and the generation of Early Entry **Bonus credits** from RFMU sending lands does not require further approval of the County if the County determines that information demonstrating compliance with all of the criteria set forth in ii.a) below has been submitted. However, those developments that utilize such **TDR credits** and Early Entry **Bonus credits** are subject to all applicable permitting and approval requirements of this Code, including but not limited to those applicable to site **development plans** , plat approvals, PUDs, and DRIs.

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b) The generation of Environmental Restoration and Maintenance **Bonus credits** and Conveyance **Bonus credits** requires acceptance by the County of a RMP.

ii. In order to facilitate the County's monitoring and regulation of the **TDR** Program, the County shall serve as the central registry for all **TDR** severances, transfers (sales) and **redemptions** , as well as maintain a public listing of **TDR credits** available for sale along with a listing of purchasers seeking **TDR credits** . No **TDR credit** generated from **RFMU sending lands** may be utilized to increase **density** in any area unless the following procedures are complied with in full.

a) **TDR credits** shall not be used to increase **density** in either non-RFMU Receiving Areas or **RFMU receiving lands** until severed from **RFMU sending lands** . **TDR credits** shall be deemed to be severed from **RFMU sending lands** at such time as a **TDR credit** Certificate is obtained from the County. **TDR credit** Certificates shall be issued only by the County and upon submission of the following:

i) a legal description of the property from which the RFMU **TDR credits** originated, including the total acreage;

ii) a title opinion establishing that, prior to the severance of the **TDR credits** from **RFMU sending lands** , such sending lands were not subject to a conservation restriction or any other **development** restriction that prohibited residential **development** ;

iii) an affidavit, signed by the owner, stating that the property was not subject to a conservation restriction or any other **development** restriction that prohibited residential **development** during the period between the effective date of the title opinion and conservation easement recordation;

iv) an executed Limitation of Development Rights Agreement, prepared in accord with the form provided by the County, that limits the allowable uses on the property after the severance of **TDR credits** as set forth in section 2.03.08 A.4.b.; and

v) a statement identifying the price, or value of other remuneration, paid to the owner of the **RFMU sending lands** from which the **TDR credits** were generated and that the value of any such remuneration is at least $25,000 per **TDR credit** , unless such owner retains ownership of the **TDR credits** after they are severed, unless the RFMU or non- **RFMU receiving lands** on which the **TDR credits** will be redeemed and the **RFMU sending lands** from which the **TDR credits** were generated are owned by the same persons or entities or affiliated persons or entities; and

vi) a statement attesting that the **TDR credits** are not being severed from **RFMU sending lands** in violation of subsection 2.03.07 D.4.c.vi.b) of the Code.

vii) documented evidence that, if the property from which TDRs are being severed is subject to a mortgage, lien, or any other security interest; the mortgagee, lien holder, or holder of the security interest has consented to the recordation of the Limitation of Development Rights Agreement required for TDR severance; transfer (sale) of **TDR credit** ; and **redemption** of **TDR credit** .

b) **TDR Bonus credits** shall not be used to increase **density** in either non-RFMU receiving areas or **RFMU receiving lands** until a **TDR credit** certificate reflecting the **TDR Bonus credits** is obtained from the County and recorded.

1) Early Entry **Bonus credits** . All **TDR credit** certificates issued by the County for the period from the effective date of this provision until March 27, 2015,

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unless further extended by resolution by the Board of County Commissioners, shall include one Early Entry **Bonus credit** or fractional Early Entry **Bonus credit** for each **TDR credit** or fractional **TDR credit** reflected on the **TDR credit** certificate. Where **TDR credits** were severed from March 5, 2004, until the effective date of this provision, the County shall, upon receipt of a copy of the **TDR credit** certificate reflecting those previously severed **TDR credits** , issue a **TDR credit** certificate entitling Early Entry **Bonus credits** equal in number to the previously severed **TDR credits** .

2) Environmental Restoration and Maintenance **Bonus credit** . A **TDR** certificate reflecting Environmental Restoration and Maintenance **Bonus credits** shall not be issued until the County has accepted a RMP for the sending lands from which the Environmental Restoration and Maintenance **Bonus credit** is being generated. Any **sending lands** from which **TDR credits** have been severed may also be used for mitigation programs and associated mitigation activities and uses in conjunction with any county, state or federal permitting. Where the Environmental Restoration and Maintenance Credit is applied for **sending lands** that are also being used (title or easement) for mitigation for permits or approvals from the U.S. Army Corps of Engineers, U. S. Fish and Wildlife Service, Florida Department of Environmental Protection, Florida Fish and Wildlife Conservation Commission, or the South Florida Water Management District, the County shall accept as the RMP for the sending mitigation lands, the restoration and/or maintenance requirements of permits issued by any of the foregoing governmental agencies for said lands.

3) Conveyance Bonus credit. A **TDR** certificate reflecting Conveyance **Bonus credits** shall not be issued until the County has accepted a RMP for the **Sending Lands** from which the Conveyance **Bonus credit** is being generated and such sending lands have been conveyed, in fee simple, to a County, state, or federal government agency.

c) A PUD or DRI utilizing **TDR credits** or **TDR Bonus credits** may be conditionally approved, but no subsequent application for site **development** plan or **subdivision** plat within the PUD or DRI shall be approved, until the developer submits the following:

i) documentation that the developer has acquired all **TDR credits** and **TDR Bonus credits** needed for that phase of the **development** that is the subject of the site **development** plan or **subdivision** plat.

d) The developer shall provide documentation of the acquisition of full ownership and control of all **TDR credits** and **TDR Bonus credits** needed for the **development** prior to the approval of any site **development** plan, **subdivision** plat, or other final local **development** order, other than a PUD or DRI.

e) Each **TDR credit** shall have an individual and distinct tracking number, which shall be identified on the TDR certificate that reflects the **TDR credit** . The County TDR Activity Log shall maintain an ongoing database that categorizes all **TDR credits** relative to severance, transfer (sale) and redemption activity.

f) Each **TDR Bonus credit** shall have an individual and distinct tracking number, which shall be identified on the **TDR** certificate and which shall identify the specific **TDR credit** associated with the **TDR Bonus credit** . The County **TDR** Registry shall maintain a record of all **TDR Bonus credits** , to include a designation of those that have been expended.

g) The County bears no responsibility to provide notice to any person or entity holding a lien or other security interest in **Sending Lands** that **TDR credits** have

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been severed from the property or that an application for such severance has been filed.

g. Proportional utilization of **TDR credits** and **TDR Bonus credits** . Upon the issuance of approval of a site **development** plan or **subdivision** plat that is part of a PUD or DRI, **TDR credits** and **TDR Bonus credits** shall be redeemed at a rate proportional to percentage of the PUD or DRI's approved gross **density** that is derived through **TDR credits** and **TDR Bonus credits** . All PUDs and DRIs utilizing **TDR credits** and **TDR Bonus credits** shall require that the rate of **TDR credit** and **TDR Bonus credits** consumption be reported through the monitoring provisions of section 10.02.12 and subsection 10.02.07.C.1.b of this Code.

5. In accordance with § 380.05, F.S. and chapter 73-131 Laws of Florida, the administrative commission instituted regulations for the Big Cypress Area of Critical State Concern "ACSC". The purpose of these regulations is to conserve and protect the natural, environmental, and economic resources of the Big Cypress area. Furthermore, these regulations are to provide a land and water management system that will preserve water quality, provide for the optimum utilization of the limited water resources of the area, facilitate orderly and well-planned **development** , and protect the health, safety and welfare of residents of the state. The Florida Administrative Code establishes criteria for site alteration, drainage, transportation facilities and **structure** installation. These regulations are implemented through the land **development** regulations as set forth in section 4.02.14. An overlay zoning classification to be known as Area of Critical State Concern/Special Treatment Overlay shall be designated on the Official Zoning Atlas with symbol ACSC-ST.

§ 3.D; Ord. No. 19-09, § 3)

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3.06.00 - GROUNDWATER PROTECTION

3.06.01 - Purpose and Intent

A. The purpose of this section is to establish standards, regulations, and procedures for the review and approval of existing and proposed **development** within mapped wellfield protection zones in the unincorporated area and the incorporated areas of the County. The standards and regulations of this section shall be implemented to protect existing and future wellfields, protect natural **aquifer** system recharge areas, protect Countywide groundwater resources, and to protect the public health and resources through regulation and establishment of standards for **development** involving the use, storage, generation, handling, and disposal of quantities of **hazardous products** and **hazardous waste** in excess of identified quantities, disposal of sewage and effluent, stormwater management, earthmining, petroleum exploration, **solid waste** , and other related aspects of land use and **development** .

B. It is the intent of the BCC that this section implement and be consistent with the Collier County GMP. Implementation will provide for the long-term protection of the County's groundwater resource, and through the management of those land uses and **developments** within wellfield management special treatment overlay zones and Countywide groundwater protection zones, ensure short-term protection. This section is intended to be consistent with principles of property rights, as balanced with the health, safety, and welfare of the general public.

C. In order to protect the County's potable groundwater resources, this section establishes Countywide groundwater protection standards, implemented through a Countywide groundwater protection zone, and a series of wellfield risk management special treatment overlay zones around identified public water supply wellfields. These special treatment overlay zones and groundwater protection zone form the basis of land use management prohibitions and regulations to reduce or eliminate the potential for groundwater contamination from specified land uses and activities.

3.06.02 - Protected Public Water Supply Wellfields

A. The public water supply wellfields, identified in section 3.06.06 and permitted by the SFWMD for potable water to withdraw a minimum of 100,000 average gallons per day (GPD), are identified as protected wellfields, around which specific land use and activity (regulated **development**) shall be regulated under this section.

B. There are hereby created wellfield risk management special treatment overlay zones around each existing public water supply wellfield permitted by the SFWMD, to withdraw a minimum of 100,000 average gallons per day or more. These wellfield risk management special treatment overlay zones are generally depicted on wellfield protection zone maps and are made a part hereof as Illustration 3.06.02 A. Wellfield risk management special treatment overlay zones shall be supplemental to existing and future zoning and land use regulations, and shall not be deemed to permit or authorize any use or activity not otherwise permitted in the underlying zoning district or allowable in the underlying future land use designation.

3.06.03 - Description and Basis of Wellfield Risk Management Special Treatment Overlay Zones

Wellfield risk management special treatment overlay zones are derived from the three-dimensional computer-modeled analysis of groundwater flow and solute transport in the County's freshwater **aquifer** system, as prepared and presented in a study commissioned by the County and known as the "Three-Dimensional Simulation of Wellfield Protection Areas in Collier County, Florida" (Voorhees and Mades, 1989) (the three-dimensional wellfield study).

A. *Wellfield risk management special treatment overlay zone W-1 (zone W-1).* The land area between an identified wellfield and the five (5) percent groundwater capture zone, approximating the one (1) year wellfield risk management special treatment overlay zone boundary, as shown on the wellfield risk management special treatment overlay zone map, Illustration 3.06.02 A, which area shall be protected from the **discharge** or accidental release of

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contaminants from a sanitary hazard or other contaminant source, including the **discharge** or accidental release of **hazardous products** and **hazardous wastes** .

B. *Wellfield risk management special treatment overlay zone W-2 (zone W-2).* The land area between zone W-1 and the ten (10) percent groundwater capture zone, approximating the two (2) year wellfield risk management special treatment overlay zone boundary, as shown on the wellfield risk management special treatment overlay zone map, Illustration 3.06.02 A, which area shall be protected from the discharge or accidental release of contaminants, including from a sanitary hazard or other contaminant source and the discharge or accidental release of **hazardous products** and **hazardous wastes** .

C. *Wellfield risk management special treatment overlay zone W-3 (zone W-3).* The land area between zone W-2 and the twenty-five (25) percent groundwater capture zone, approximating the five (5) year wellfield risk management special treatment overlay zone boundary, as shown on the wellfield risk management special treatment overlay zone map, Illustration 3.06.02 A, which area may be protected from the discharge or accidental release of specific contaminants, including the discharge or accidental release of **hazardous products** and **hazardous wastes** .

D. *Wellfield risk management special treatment overlay zone W-4 (zone W-4).* The land area between zone W-3 and the 100 percent groundwater capture zone for the twenty (20) year planning limit, which is the twenty (20) year wellfield risk management special treatment overlay zone boundary, as shown on the wellfield risk management special treatment overlay zone map, Illustration 3.06.02 A, which area may be protected from the discharge or accidental release of specific contaminants, including the discharge or accidental release of **hazardous products** and **hazardous wastes** .

3.06.04 - Groundwater Protection

A. There are hereby created groundwater protection special treatment overlay zones, as generally depicted on the wellfield risk management special treatment overlay zone maps, Illustration 3.06.02 A. These groundwater protection special treatment overlay zones reflect wellfield risk management zones W-1, W-2, W-3, and W-4; areas of high natural **aquifer** recharge in the County (ST-NAR), and the natural recharge areas of the County that require minimum groundwater protection and within which future public water supply wells may be located (GWP).

B. Wellfield risk management special treatment overlay zones, high natural **aquifer** recharge special treatment zones (ST-NAR), and groundwater protection special treatment overlay zones shall be supplemental to existing and future zoning and land use regulations, and shall not be deemed to permit or authorize any use or activity not otherwise permitted in the underlying zoning district or allowable in the underlying future land use designation.

C. The high natural **aquifer** recharge special overlay zones (ST-NAR) and the groundwater protection zones (GWP) are based upon:

1. Those portions of the County identified as areas of high natural **aquifer** recharge to the surficial and intermediate **aquifer** systems (ST-NAR).

2. The susceptibility of the surficial and intermediate **aquifer** systems in the County to contamination resulting from surficial activities and the need for protection of the groundwater resource as a future public water supply (GWP).

D. High natural aquifer recharge areas (ST-NAR). These areas have not yet been defined. The prohibitions and regulations for this special treatment overlay zone shall be based upon the determination and designation of those portions of the County that naturally function as high natural recharge areas to the surficial and intermediate **aquifer** systems. Upon identification of ST-NAR areas, pursuant to these regulations, shall be amended to include the ST-NAR special treatment overlay zone where appropriate.

E. Groundwater protection area (GWP). All of the County provides natural **aquifer** recharge to the water table **aquifer** , and the potential for natural **aquifer** recharge to the unconfined or semi-

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confined portions of the Lower Tamiami and Sandstone **aquifers** . Natural **aquifer** recharge from the water table **aquifer** constitutes approximately eighty (80) percent of the recharge to the Lower Tamiami **aquifer** on a regional basis. That area of the County, excluding W-1, W-2, W-3, W-4, and ST-NAR, shall be provided with a minimum level of groundwater protection and shall be designated as GWP.

3.06.05 - Annual Review of Zones

The wellfield risk management special treatment overlay zone maps, Illustration 3.06.02 A, shall be reviewed by the BCC on an annual basis, or more often as may be determined by the County Manager or designee in his discretion upon the occurrence of:

A. Changes in technical knowledge concerning the understanding of groundwater hydraulics, as applied to the hydrogeology of applicable **aquifer** systems in the County.

B. Changes in the permitted withdrawals from the identified wellfield(s).

C. Reconfiguration of identified wellfields.

D. The designation of new wellfield(s) as protected under this section.

E. Availability of any other technical or scientific information relative to the **aquifer** systems in the County.

3.06.06 - Regulated Wellfields

The following wellfield risk management special treatment overlay zones, as defined in section 3.06.03, and criteria specified herein shall be applied to the following wellfields:

A. City of Naples East Golden Gate Well Field.

B. City of Naples Coastal Ridge Well Field.

C. Collier County Utilities Golden Gate Well Field.

D. Everglades City Well Field.

E. Florida Governmental Utility Authority Golden Gate City Well Field.

F. Orange Tree Well Field.

G. Immokalee Well Field.

H. Ave Maria Utility Company Well Field.

I. Port of the Islands Well Field.

COLLIER COUNTY UTILITIES
GOLDEN GATE WELL FIELD

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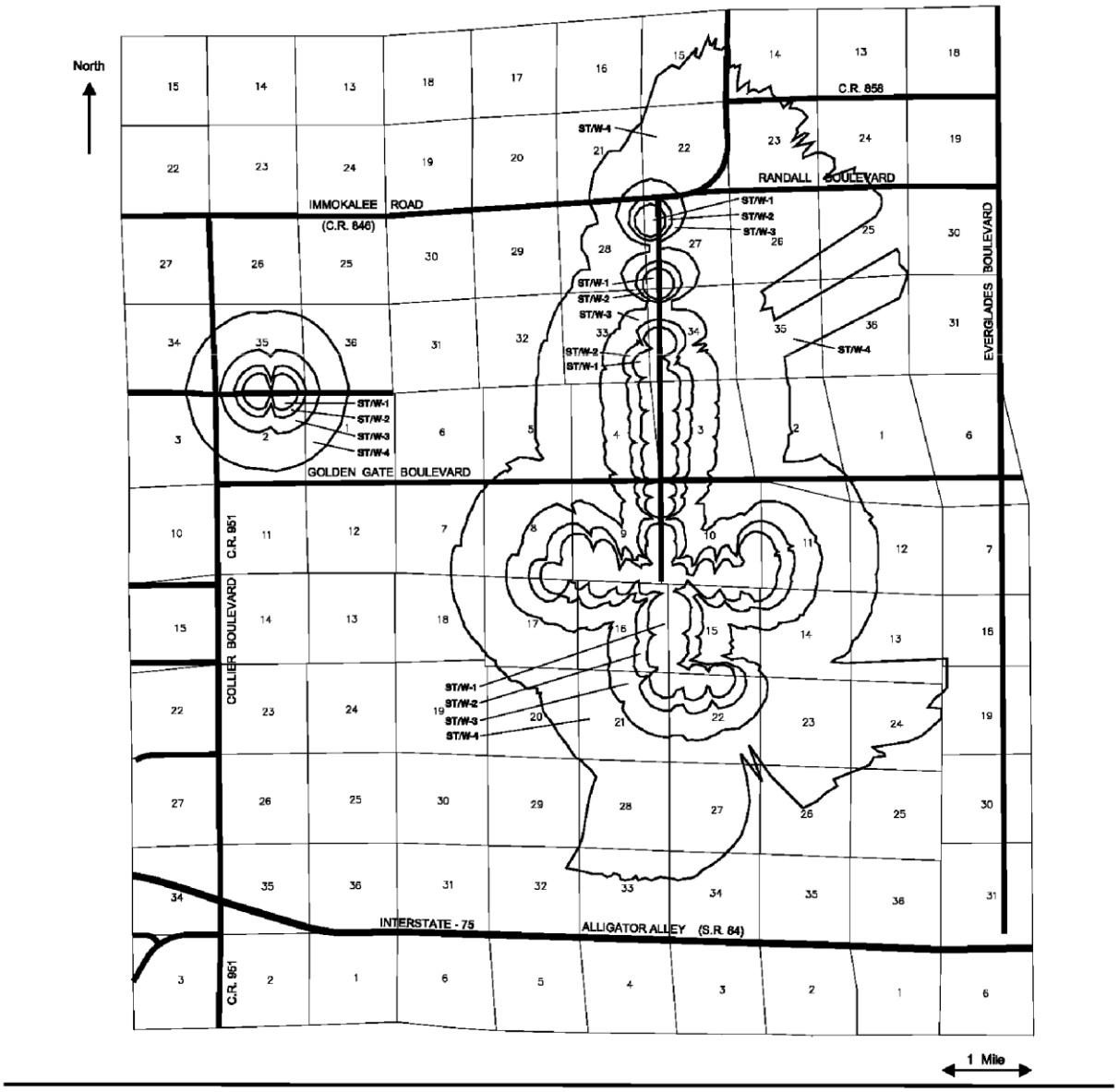


Illustration 3.06.06 C.

For more detailed information, refer to the Collier County Zoning Map at http://www.colliergov.net/Index.aspx?page=992

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J. Variance

Reference **LDC** sections 9.04.00, 8.10.00, and **LDC** Public Notice subsection 10.03.06 F.

Applicability An **applicant** may seek a variance from dimension standards if the **LDC** creates an unreasonable hardship, as defined in **LDC** section 9.04.00.

⇔*See Chapter 3 I. of the Administrative Code for a Sign Variance.*

Initiation The **applicant** files a "*Variance Petition Application*" with the Planning & Zoning Division.

Pre-Application A pre-application meeting is required.

Application Contents The application must include the following:

1. **Applicant contact information.**
2. **Addressing checklist.**
3. **Electronic copy of all documents.**
4. Property information, including:
    - Legal description;
    - **Property identification number;**
    - Section, township and range;
    - Subdivision, unit, lot and block, or metes and bounds description;
    - Acreage; and
    - Address of subject site and general location.
5. Zoning Information, including:
    - Zoning and land use of adjacent properties; and
    - Minimum yard requirements for subject property.
6. The name and mailing address of all registered Home Owners Associations and civic associations whose members are impacted by the application.
7. A detailed explanation of the request including:
    - Existing and proposed structures;
    - The amount of encroachment proposed;
    - Survey of property showing the encroachment (measured in feet);
    - Date of purchase by property owner;
    - The date the existing principal structure was built (include building permit numbers if possible);
    - Explanation of why encroachment is necessary;
    - How existing encroachment came to be, if applicable;
8. Project narrative providing a detailed description/explanation of the variance, why it is requested, and the relevant criteria in LDC section 9.04.03.

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9. An Official Interpretation or Zoning Verification Letter, if applicable.
10. A copy of the Pre-application meeting notes.
11. A Conceptual Site Plan (24 in. x 36 in.) and one 8 ½ in. x 11 in. copy.
12. A copy of the last recorded deed, contract for sale or agreement for sale, or a notarized statement of ownership.
13. An 8 ½ in. x 11 in. graphic location map of the site.
14. Aerial photographs (taken within the previous 12 months at a minimum scale of 1 in. = 200 ft.), showing FLUCCS Codes, legend, and project boundary.
15. Historical Survey or waiver, if applicable.
16. Environmental Data Requirements. ⇔See LDC subsection 3.08.00 A.
17. Owner/agent affidavit as to the correctness of the application.
18. Once the first set of review comments are posted, the following mailed notice documents shall be submitted to the assigned Planner:
    - A list of the names and addresses of property owners to receive the mailed notice; and
    - Draft of the mailed notice letter.

Completeness and Processing of Application

The Planning & Zoning Division will review the application for completeness. After submission of the completed application packet accompanied with the required fee, the **applicant** will receive a mailed or electronic response notifying the **applicant** that the petition is being processed. Accompanying that response will be a receipt for the payment and the tracking number (i.e., XX201200000) assigned to the petition. This petition tracking number should be noted on all future correspondence regarding the petition.

Notice

Notification requirements are as follows. ⇔ *See Chapter 8 of the Administrative Code for additional notice information*.

1. **Mailed Notice**: Written notice shall be sent to **property owners** within 150 feet of the subject area at least 15 days before the advertised Hearing Examiner hearing. The **mailed notice** shall be sent by the **applicant** following approval by the Planning and Zoning Division.
2. **Newspaper Advertisements**: The legal advertisement shall be published at least 15 days before the advertised Hearing Examiner hearing in a newspaper of general circulation. The advertisement shall include at a minimum:
    - Date, time, and location of the hearing;
    - Description of the requested variance; and
    - 2 in. x 3 in. map of the project location.
3. **Sign:** (see format below) Posted at least 15 days before the advertised Hearing Examiner hearing date.

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PUBLIC HEARING REQUESTING _____

PETITION NUMBER: _____
TO PERMIT: _____
(Request-Sufficiently clear to describe the project)
LOCATION: _____
DATE: _____ TIME: _____
CONTACT: _____

THE ABOVE TO BE HELD AT THE GROWTH MANAGEMENT DIVISION BUILDING, 2800 N. HORSESHOE DR., NAPLES, FL 34104 OR AS OTHERWISE DESIGNATED.

Public Hearing

1. The Hearing Examiner shall hold at least 1 advertised public hearing. ⇔*See Chapter 9 of the Administrative Code for the Office of the Hearing Examiner procedures.*

Decision maker

The Hearing Examiner.

Review Process

The Planning & Zoning Division will review the application and identify whether additional materials are needed. Staff will prepare a Staff Report, utilizing criteria established in **LDC** section 9.04.03, to present to the Office of the Hearing Examiner for a decision.

Updated

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COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Pre-Application Meeting Notes

Petition Type: Variance
Date and Time: Wednesday, 12/4/19, 1:30 PM

Assigned Planner: Gil Martinez

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

Project Information

Project Name: Kapok St SLC009 AT&T Firstnet Cell Tower

PL #: PL20190002701

Property ID #: 00307840002 **Current Zoning:** A

Project Address: Kapok Street **City:** Naples **State:** FL **Zip:** 34117

Applicant: James A Alderman II

Agent Name: City Switch/James Alderman **Phone:** (954)303-3170

Agent/Firm Address: 6122 7th Ave W **City:** Bradenton **State:** FL **Zip:** 34209

Property Owner: Johannes Steffens

Please provide the following, if applicable:

i. **Total Acreage:** _____

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

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

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

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

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

_____

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Meeting Notes

As of 10/16/2017 all Zoning applications have revised applications, and your associated Application is included in your notes; additionally, a *new Property Ownership Disclosure Form is required for all applications. A copy of this new form is included in your pre-app Note – link is https://www.colliergov.net/Home/ShowDocument?id=75093.

PROPERTY IS LOCATED IN RFMU - NBMO OVERLY.
PLEASE PROVIDE ENVIRONMENTAL DATA: FLUCFCS MAP, LISTED SPECIES SURVEY (INCLUDE BONNETED BAT; BLACK BEAR)
THE CELL TOWER IS CONSIDERED ESSENTIAL PUBLIC SERVICES AND NO PRESERVED VEGETATION IS REQUIRED PER 3.05.07 C 4.c
PLEASE EXPLAIN HOW THE PROJECT MEETS CCME OBJECTIVES 6.1.1 + 7.1.1 (CONSERVATION + COASTAL MANAGEMENT ELEMENT.).

* PLEASE SEE ATTACHED ENVIRONMENTAL CHECKLIST

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Collier County

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NAPLES, FLORIDA 34104
(239) 252-2400

Meeting Notes

ZONING - See ATTACHED NOTE FROM PLANNER GIL MARTINEZ

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

* See ATTACHED ENVIRONMENTAL CHECKLIST

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

ZONING PRE-APP NOTES

Mr. Alderman, please note that staff has determined that your petition will require a Conditional Use pursuant to section 5.09.G.3. It will also require the variance you applied for. Please apply for a pre-application meeting to address the conditional use requirements.

Thank You.

Gil Martinez
Principal Planner

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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(239) 252-2400

Pre-Application Meeting Sign-In Sheet

PL# PL20190002701

Collier County Contact Information:

Name	Review Discipline	Phone	Email
☐ David Anthony	Environmental Review	252-2497	david.anthony@colliercountyfl.gov
☐ Claudine Auclair	GMD Operations and Regulatory Management	252-5887	claudine.auclair@colliercountyfl.gov
☐ Sally Ashkar	Assistant County Attorney	252-8842	sally.ashkar@colliercountyfl.gov
☐ Steve Baluch	Transportation Planning	252-2361	stephen.baluch@colliercountyfl.gov
☐ Ray Bellows	Zoning, Planning Manager	252-2463	raymond.bellows@colliercountyfl.gov
☐ Laurie Beard	PUD Monitoring	252-5782	laurie.beard@colliercountyfl.gov
☒ Craig Brown	Environmental Specialist	252-2548	craig.brown@colliercountyfl.gov
☐ Alexandra Casanova	Operations Coordinator	252-2658	Alexandra.casanova@colliercountyfl.gov
☐ Heidi Ashton Cicko	Managing Asst. County Attorney	252-8773	heidi.ashton@colliercountyfl.gov
☐ Thomas Clarke	Operations Coordinator	252-2584	thomas.clarke@colliercountyfl.gov
☐ Jamie Cook	Prin. Environmental Specialist	252-6290	Jaime.cook@colliercountyfl.gov
☐ Eric Fey, P.E.	Utility Planning	252-1037	eric.fey@colliercountyfl.gov
☐ Tim Finn, AICP	Zoning Division	252-4312	timothy.finn@colliercountyfl.gov
☐ Sue Faulkner	Comprehensive Planning	252-5715	sue.faulkner@colliercountyfl.gov
☐ Jeremy Frantz	LDC Manager	252-2305	Jeremy.Frantz@colliercountyfl.gov
☐ James French	Growth Management Deputy Department Head	252-5717	james.french@colliercountyfl.gov
☐ Michael Gibbons	Structural/Residential Plan Review	252-2426	michael.gibbons@colliercountyfl.gov
☐ Storm Gewirtz, P.E.	Engineering Stormwater	252-2434	storm.gewirtz@colliercountyfl.gov
☐ Nancy Gundlach, AICP, PLA	Zoning Division	252-2484	nancy.gundlach@colliercountyfl.gov
☐ Richard Henderlong	Principal Planner	252-2464	richard.henderlong@colliercountyfl.gov
☐ John Houldsworth	Engineering Subdivision	252-5757	john.houldsworth@colliercountyfl.gov
☐ Alicia Humphries	Right-Of-Way Permitting	252-2326	alicia.humphries@colliercountyfl.gov
☐ Erin Josephitis	Environmental Specialist, Senior	252-2915	erin.josephitis@colliercountyfl.gov
☐ Marcia Kendall	Comprehensive Planning	252-2387	marcia.kendall@colliercountyfl.gov
☐ John Kelly	Zoning Senior Planner	252-5719	john.kelly@colliercountyfl.gov
☐ Diane Lynch	Operations Analyst	252-8243	diane.lynch@colliercountyfl.gov
☒ Gil Martinez	Zoning Principal Planner	252-4211	gilbert.martinez@colliercountyfl.gov
☐ Thomas Mastroberto	Greater Naples Fire	252-7348	thomas.mastroberto@colliercountyfl.gov

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Collier County

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NAPLES, FLORIDA 34104
(239) 252-2400

☐	Jack McKenna, P.E.	Engineering Services	252-2911	jack.mckenna@colliercountyfl.gov
☐	Matt McLean, P.E.	Development Review Director	252-8279	matthew.mclean@colliercountyfl.gov
☐	Michele Mosca, AICP	Capital Project Planning	252-2466	michele.mosca@colliercountyfl.gov
☐	Annis Moxam	Addressing	252-5519	annis.moxam@colliercountyfl.gov
☐	Richard Orth	Stormwater Planning	252-5092	richard.orth@colliercountyfl.gov
☐	Brandy Otero	Transit	252-5859	brandy.otero@colliercountyfl.gov
☐	Brandi Pollard	Utility Impact fees	252-6237	brandi.pollard@colliercountyfl.gov
☐	Todd Riggall	North Collier Fire	597-9227	triggall@northcollierfire.com
☐	Brett Rosenblum, P.E.	Development Review Principal Project Manager	252-2905	brett.rosenblum@colliercountyfl.gov
☐	James Sabo, AICP	Zoning Principal Planner	252-2708	james.sabo@colliergo.net
☐	Michael Sawyer	Transportation Planning	252-2926	michael.sawyer@colliercountyfl.gov
☐	Corby Schmidt, AICP	Comprehensive Planning	252-2944	corby.schmidt@colliercountyfl.gov
☐	Chris Scott, AICP	Development Review - Zoning	252-2460	chris.scott@colliercountyfl.gov
☐	Linda Simmons	North Collier Fire	252-2311	Linda.Simmons@colliercountyfl.gov
☐	Peter Shawinsky	Architectural Review	252-8523	peter.shawinsky@colliercountyfl.gov
☐	Camden Smith	Zoning Operations Manager	252-1042	camden.smith@colliercountyfl.gov
☐	Mark Strain	Hearing Examiner/CCPC	252-4446	mark.strain@colliercountyfl.gov
☐	Mark Templeton	Landscape Review	252-2475	mark.templeton@colliercountyfl.gov
☐	Jessica Velasco	Zoning Division Operations	252-2584	jessica.velasco@colliercountyfl.gov
☐	Jon Walsh, P.E.	Building Review	252-2962	jonathan.walsh@colliercountyfl.gov
☐	David Weeks, AICP	Comprehensive Planning Future Land Use Consistency	252-2306	david.weeks@colliercountyfl.gov
☐	Kirsten Wilkie	Environmental Review Manager	252-5518	kirsten.wilkie@colliercountyfl.gov
☐	Christine Willoughby	Development Review - Zoning	252-5748	christine.willoughby@colliercountyfl.gov
☐	Daniel Zunzunegui	North Collier Fire	252-2310	Daniel.Zunzunegui@colliercountyfl.gov
☒	Ellen Murray	Operations Coordinator	252-5752	Ellen.Murray@colliercountyfl.gov

Additional Attendee Contact Information:

Name	Representing	Phone	Email
Jim Alderman	City Switch	954-303-3170	
			JJWIRELESSCONSULTING@yahoo.com

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

*** Environmental Checklist**
Conditional Use
Project Name CitySwitch Cell Tower (PL20190002701)

1. Is the project is in compliance with the overlays, districts and/or zoning on the subject site and/or the surrounding properties? (CON, ST, PUD, RLSA, RFMU, etc.) (LDC 2.03.05-2.03.08; 4.08.00) Not in CV Library

2. Submit a current aerial photograph (available from the Property Appraiser's office) and clearly delineate the subject site boundary lines. If the site is vegetated, provide FLUCFCS overlay and vegetation inventory identifying upland, wetland and exotic vegetation (Admin. Code Ch. 3 G.1. Application Contents #24). FLUCFCS Overlay -P627

3. Clearly identify the location of all preserves and label each as "Preserve" on all plans. (LDC 3.05.07.A.2). Preserve Label- P546

4. Provide calculations on site plan showing the appropriate acreage of native vegetation to be retained, the max. amount and ratios permitted to be created on-site or mitigated off-site. Exclude vegetation located within utility and drainage easements from the preserve calculations (LDC 3.05.07.B-D; 3.05.07.F; 3.05.07.H.1.d-e). Preserve Calculation - P547

5. Created and retained preserve areas shall meet the minimum width requirements per LDC 3.05.07.H.1.b. Preserve Width - P603

6. Retained preservation areas shall be selected based on the criteria defined in LDC 3.05.07.A.3, include all 3 strata, be in the largest contiguous area possible and shall be interconnected within the site and to adjoining off-site preservation areas or wildlife corridors. (LDC 3.05.07.A.1-4) Preserve Selection- P550

7. Principle structures shall be located a minimum of 25' from the boundary of the preserve boundary. No accessory structures and other site alterations, fill placement, grading, plant alteration or removal, or similar activity shall be permitted within 10' of the boundary unless it can be shown that it will not affect the integrity of the preserve (i.e. stem wall or berm around wetland preserve). Provide cross-sections for each preserve boundary identifying all site alterations within 25'. (LDC 3.05.07.H.3; 6.01.02.C.) Preserve Setback – New

8. Wildlife survey required for sites where an EIS is not required, when so warranted. (LDC 10.02.02.A.2.f) Listed Species - P522

9. Provide Environmental Data identifying author credentials, consistency determination with the GMPs, off-site preserves, seasonal and historic high water levels, and analysis of water quality. For land previously used for farm fields or golf course, provide soil sampling/groundwater monitoring reports identifying any site contamination. (LDC 3.08.00) Environmental Data Required – P 522

10. Master Plan shall state the minimum acreage required to be preserved. (LDC 10.02.13.A.2) Master Plan Contents-P626

Additional Comments:

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

RFMU Environmental PUDZ-PUDA Checklist
Project Name –

1. Is the project is in compliance with the overlays, districts and/or zoning on the subject site and/or the surrounding properties? (CON, ST, PUD, RLSA, RFMU, etc.) (LDC 2.03.05-2.03.08; 4.08.00) Not in CV Library

2. Submit a current aerial photograph (available from the Property Appraiser's office) and clearly delineate the subject site boundary lines. If the site is vegetated, provide FLUCFCS overlay and vegetation inventory identifying upland, wetland and exotic vegetation (Admin. Code Ch. 3 G.1. Application Contents #24). FLUCFCS Overlay -P627

3. Clearly identify the location of all preserves and label each as "Preserve" on all plans. (LDC 3.05.07.H.1). Preserve Label- P546

4. Provide calculations on site plan showing the appropriate acreage of native vegetation to be retained, the max. amount and ratios permitted to be created on-site or mitigated off-site. Exclude vegetation located within utility and drainage easements from the preserve calculations (LDC 3.05.07.B-D; 3.05.07.F; 3.05.07.H.1.d-e). Preserve Calculation - P547

5. Created and retained preserve areas shall meet the minimum width requirements per LDC 3.05.07.H.1.b. Preserve Width - P603

6. Retained preservation areas shall be selected based on the criteria defined in LDC 3.05.07.A.3, include all 3 strata, be in the largest contiguous area possible and shall be interconnected within the site and to adjoining off-site preservation areas or wildlife corridors. (LDC 3.05.07.A.1-4) Preserve Selection- P550

7. Principle structures shall be located a minimum of 25' from the boundary of the preserve boundary. No accessory structures and other site alterations, fill placement, grading, plant alteration or removal, or similar activity shall be permitted within 10' of the boundary unless it can be shown that it will not affect the integrity of the preserve (i.e. stem wall or berm around wetland preserve). Provide cross-sections for each preserve boundary identifying all site alterations within 25'. (LDC 3.05.07.H.3; 6.01.02.C.) Preserve Setback – New

8. Wildlife survey required for sites where an EIS is not required, when so warranted. (LDC 10.02.02.A.2.f) Listed Species - P522

9. Provide Environmental Data identifying author credentials, consistency determination with the GMPs, off-site preserves, seasonal and historic high water levels, and analysis of water quality. For land previously used for farm fields or golf course, provide soil sampling/groundwater monitoring reports identifying any site contamination. (LDC 3.08.00) Environmental Data Required – P 522

10. PUD Document and Master Plan shall state the minimum acreage required to be preserved. (LDC 10.02.13.A.2)

11. If the PUD includes a **Preserve Tract** section

    A. Principal Use: Preserve
    B. Accessory Uses: Uses subject to LDC section *Allowable uses within County required preserves*

    Alternate format. If the agent insists on listing specific uses under Accessory Uses, the following language shall be used for B:

    B. Passive uses are allowed within preserves to provide for access to the preserve, as long as any clearing required to facilitate these uses does not impact the minimum required native vegetation or cause loss of function to the preserve. Passive uses are subject to LDC section *Allowable uses within County required preserves*:
        1. Pathways
        2. Stormwater only when in accordance with the LDC.

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

12. Site Plan note when Preserve acts as Landscape Buffer – COORDINATE WITH LANDSCAPE REVIEW. Where preserves occur adjacent to development off site and will be used in lieu of landscape buffers, include the following condition in the environmental commitments section of the PUD document or master plan:

    Type B or C Landscape Buffer (provide as Buffer commitment):
    Preserves may be used to satisfy the landscape buffer requirements after exotic vegetation removal in accordance with LDC sections 4.06.02 and 4.06.05.E.1. Supplemental plantings with native plant materials shall be in accordance with LDC section 3.05.07. In order to provide the required (insert Type B or C) buffer, a minimum 6-foot-wide landscape buffer easement located outside of the preserve will be conveyed by owner to a homeowner's association or condominium association at time of SDP or plat approval. Owner will plant additional landscape material in the buffer easement to achieve the opacity requirement no later than one year from the issuance of the first residential certificate of occupancy.

    Do not include this as an Environmental Commitment. If Landscape Review wants to include as a commitment, it shall go into a Buffer section.

13. PUD Document shall identify any listed species found on site and/or describe any unique vegetative features that will be preserved on the site. (LDC 10.02.13.A.2.) Unique Features- P628
    Example: A 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. IF NEEDED.

14. Review cross-sections if provided; they are not required with the PUD. However, sometimes they are provided. Is there any fill proposed in the preserve?

15. Wetlands within the RFMU District and the Urban Designated Area Lake Trafford/Camp Keais wetland system shall provide an assessment of the value and function of the onsite wetlands (WRAP score). Direct impacts of development shall be directed away from high quality wetlands. (LDC 3.05.07.F.3.a)

16. Wetlands within the RFMU District and the Urban Designated Area Lake Trafford/Camp Keais wetland system being utilized by listed species, serving as wildlife corridors and existing wetland flow ways shall be preserved onsite, even if by doing so exceeds the required preservation acreage. (LDC 3.05.07.F.3.b-c)

17. Wetland preserves within the RFMU District and the Urban Designated Area Lake Trafford/Camp Keais wetland system shall have a vegetated (existing or planted) upland buffer located landward from the approved jurisdictional line. Provide planting plan and plant list if supplemental planting is required. (LDC 3.05.07.F.3.f)

18. All direct impacts to wetlands within the RFMU District and the Urban Designated Area Lake Trafford/Camp Keais wetland system shall be mitigated. Provide a mitigation assessment. (LDC 3.05.07.F.3-4)

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Collier County
Growth Management Department
Zoning Division

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

PL20190002701 – Kapok St SLC009 AT&T Firstnet Cell Tower (VA) - PRE-APP INFORMATION

Assigned Ops Staff: Ellen Murray
Camden Smith, (Ops Staff)

STAFF FORM FOR SUPPLEMENTAL PRE-APPLICATION MEETING INFORMATION

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

  Jim Alderman / 954-303-3170 / jjwirelessconsult@yahoo.com

- Agent to list for PL#

  City Switch / Jim Alderman

- Owner of property (all owners for all parcels)
  - JOHANNES STEFFENS (Parcel: 00307840002)

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

  Pre-Application for Variance

- Please list the **details of the project** including density, proposed or considered uses for the project, size of commercial vs. residential, number of homes/units/offices/docks (any that apply):

  The project is for a 250' self-support tower within a parcel (00307840002) located east of Kapok St. This parcel has the agricultural zoning designation with the Rural Fringe Mixed Use and North Bell Meade Overlay districts. The proposed tower will be located within a 75'x75' compound centered within a 100'x100' lease area. The parcel is approximately 170' wide and the center of the tower is being proposed 74' from the eastern property line.

- **Details about Project (choose type that applies):**

  Variance – We are seeking a variance from the ½ tower height setback requirement. The code states that a tower should be setback the greater of ½ the tower height or the collapse radius. Please note, we have a certified letter stating that, in the unlikely event of total separation, the proposed tower would result in collapse within a the 100'x100' lease area.

REQUIRED Supplemental Information provided by:
Name Kyle Lotze
Title Project manager
Email klotze@ignitewireless.com
Phone 470-239-0846

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

CITYSWITCH

Collier County, FL
Zoning Division
2800 North Horseshoe Dr
Naples, FL 34104

Re: Variance Application for Wireless Telecommunications Tower
CitySwitch II, LLC
Kapok St./FLC009

To Whom It May Concern,

We are hereby applying for a Setback Variance of the required half of the tower height setback (125ft) as required by LDC 2.03.08.A.2.a.3.x. of the Collier County Zoning Regulations in order to construct and maintain a Wireless Telecommunications Tower on the property located at Kapok Street, Naples, FL 34117. We are proud to say that the proposed structure will be utilized by AT&T to support the deployment of FirstNet. If unfamiliar, in 2017 the Department of Commerce and First Responder Network Authority (FirstNet) signed a 25-year contract with AT&T to build the first nationwide wireless network for America's First Responders. The FirstNet network is planned to cover all 50 states, five U.S. territories and the District of Columbia, including rural communities and tribal lands. In 2018, CitySwitch was honored to execute an agreement with AT&T to assist in building the infrastructure needed for the deployment of FirstNet as well as their existing wireless network needs. Additional information on FirstNet can be found online at https://firstnet.gov/ .

Should you have any questions regarding the application and/or supporting documents provided, please feel free to contact Jim Alderman at 954-303-3170 or email at jjwirelessconsult@yahoo.com .

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Sabre Industries
Towers and Poles

November 18, 2019

Tim Cook
CitySwitch
1900 Century Place NE, Suite 320
Atlanta, GA 30345

RE: Proposed 250' Sabre Self-Supporting Tower for Kapok Street, FL

Dear Mr. Cook,

Upon receipt of order, we propose to design a tower for the above referenced project for an ASCE 7-16 Ultimate Wind Speed of 160 mph, Structure Class II, Exposure C, Topographic Category 1 in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the tower will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within one or more of the tower members in the upper portion. This would result in a buckling failure mode, where the loaded member would bend beyond its elastic limit (beyond the point where the member would return to its original shape upon removal of the wind load).

Therefore, it is likely that the overall effect of such an extreme wind event would be localized buckling of a tower section. Assuming that the wind pressure profile is similar to that used to design the tower, the tower is most likely to buckle at the location of the highest combined stress ratio in the upper portion of the tower. This would result in the portion of the tower above the failure location "folding over" onto the portion of the tower below the failure location. ***Please note that this letter only applies to the above referenced tower designed and manufactured by Sabre Towers & Poles***. In the unlikely event of total separation, this would result in collapse within a 100' x 100' compound.

Sincerely,



Robert E. Beacom, P.E., S.E.
Engineering Supervisor

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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

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

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

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

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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

☐	Bayshore/Gateway Triangle Redevelopment: Executive Director	☐	Historical Review
☐	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 Date

_____
Printed Name

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

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

PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

g. Date subject property acquired _____

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

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

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

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

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

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

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

_____ _____
Agent/Owner Signature Date

_____
Agent/Owner Name (please print)

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

State of Florida
Department of State

I certify from the records of this office that IGNITE WIRELESS, INC. is a Georgia corporation authorized to transact business in the State of Florida, qualified on June 30, 2020.

The document number of this corporation is F20000003016.

I further certify that said corporation has paid all fees due this office through December 31, 2020 and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Fourteenth day of July, 2020

Secretary of State

Tracking Number: 2808137266CU

To authenticate this certificate,visit the following site,enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

FLORIDA DEPARTMENT OF STATE
Division of Corporations

May 15, 2020

Qualification documents for CITYSWITCH II-A, LLC were filed on May 14, 2020, and assigned document number M20000004488. Please refer to this number whenever corresponding with this office.

Your limited liability company is authorized to transact business in Florida as of the file date.

To maintain "active" status with the Division of Corporations, an annual report must be filed yearly between January 1st and May 1st beginning in the year following the file date or effective date indicated above. If the annual report is not filed by May 1st, a $400 late fee will be added.

A Federal Employer Identification Number (FEI/EIN) will be required when this report is filed. Apply today with the IRS online at:

https://sa.www4.irs.gov/modiein/individual/index.jsp.

Please notify this office if the limited liability company address changes.

Should you have any questions regarding this matter, please contact this office at the address given below.

Mel Solomon
Senior Section Administrator
Registration Section
Division of Corporations

Letter Number: 020A00009889

Account number: FCA000000015

Amount charged: 125.00

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 605.0902, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN LIMITED LIABILITY COMPANY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. CitySwitch II-A, LLC
(Name of Foreign Limited Liability Company; must include "Limited Liability Company," "L.L.C.," or "LLC.")

(If name unavailable, enter alternate name adopted for the purpose of transacting business in Florida. The alternate name must include "Limited Liability Company," "L.L.C," or "LLC.")

2. Georgia
(Jurisdiction under the law of which foreign limited liability company is organized)

3. 82-2696973
(FEI number, if applicable)

4. _____
(Date first transacted business in Florida, if prior to registration.)
(See sections 605.0904 & 605.0905, F.S. to determine penalty liability)

5. 1900 Century Place
Suite 320
Atlanta, GA 30345
(Street Address of Principal Office)

6. 1900 Century Place
Suite 320
Atlanta, GA 30345
(Mailing Address)

7. Name and street address of Florida registered agent: (P.O. Box NOT acceptable)

Name: Paracorp Incorporated

Office Address: 155 Office Plaza Drive, 1st Floor

Tallahassee (City), Florida 32301 (Zip code)

2019 MAY 14 AM 9:08

Registered agent's acceptance:
Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

J. Hemen
(Registered agent's signature)

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

8. For initial indexing purposes, list names, title or capacity and addresses of the primary members/managers or persons authorized to manage [up to six (6) total]:

Title or Capacity:	Name and Address:	Title or Capacity:	Name and Address:
■Manager	Name: Robert G. Raville	☐Manager	Name:
☐Member	Address: 1900 Century Pl NE	☐Member	Address:
☐Authorized	Suite 320	☐Authorized	
Person	Atlanta, GA 30345	Person	
☐Other	☐Other	☐Other	☐Other
■Manager	Name: David Mueller	☐Manager	Name:
☐Member	Address: 1900 Century Pl NE	☐Member	Address:
☐Authorized	Suite 320	☐Authorized	
Person	Atlanta, GA 30345	Person	
☐Other	☐Other	☐Other	☐Other
☐Manager	Name: George E. Orr, Jr	☐Manager	Name:
☐Member	Address: 1900 Century Pl NE	☐Member	Address:
■Authorized	Suite 320	☐Authorized	
Person	Atlanta, GA 30345	Person	
☐Other	☐Other	☐Other	☐Other

2020 MAY 14 AM 9:08

Important Notice: Use an attachment to report more than six (6). The attachment will be imaged for reporting purposes only. Non-indexed individuals may be added to the index when filing your Florida Department of State Annual Report form.

9. Attached is a certificate of existence, no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. (If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted)

10. This document is executed in accordance with section 605.0203 (1) (b), Florida Statutes. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.

George E. Orr, Jr
Signature of an authorized person

George E. Orr, Jr
Typed or printed name of signee

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Control Number : 17094992

STATE OF GEORGIA

Secretary of State

Corporations Division
313 West Tower
2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CERTIFICATE OF EXISTENCE

I, **Brad Raffensperger**, the Secretary of State of the State of Georgia, do hereby certify under the seal of my office that

CitySwitch II-A, LLC
a **Domestic Limited Liability Company**

was formed in the jurisdiction stated below or was authorized to transact business in Georgia on the below date. Said entity is in compliance with the applicable filing and annual registration provisions of Title 14 of the Official Code of Georgia Annotated and has not filed articles of dissolution, certificate of cancellation or any other similar document with the office of the Secretary of State.

This certificate relates only to the legal existence of the above-named entity as of the date issued. It does not certify whether or not a notice of intent to dissolve, an application for withdrawal, a statement of commencement of winding up or any other similar document has been filed or is pending with the Secretary of State.

This certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence that said entity is in existence or is authorized to transact business in this state.

Docket Number	: 19138034
Date Inc/Auth/Filed	: 08/31/2017
Jurisdiction	: Georgia
Print Date	: 05/14/2020
Form Number	: 211

Brad Raffensperger

Brad Raffensperger
Secretary of State

Attachment: Attachment E- Application-Backup Materials (14783 : PL20190002701 Kapok St. Cell Tower)

Timothy.finn@colliercountyfl.gov
Subject: Oppositional Letter to variance application PL20190002701

Dear Mr. Finn and others to whom it may concern:
My family and I submit this letter in opposition to the above numbered application for permitting, including the seeking of a variance.

The above application would seek to allow construction of a very tall Communication Tower on a very small parcel of land by substituting for certain setback requirememts. The parcel is located immediately next to and is contiguous to land on which my family and I reside in a "Dome" we call "Dome of the Glades" and which I would describe, perhaps too poetically, as follows:

> The Dome of the Glades is a gorgeous geodesic dome residence designed by architect Buckminster Fuller. It is located less than fourteen miles, as the crow flies, from the beautiful white sand beaches of the Gulf of Mexico.The land was purchased 50 years ago by the current owners and is in a protected area which has remained pristine. Until the 21st century, the Dome was so remotely located, few people even knew of its existence.
> About two decades ago, Collier County adopted and still retains what has been touted as an "innovative" program meant to protect wetlands,wildlife and habitat from unrestrained growth.
> The Rural Fringe Mixed Use District limited the real estate ownership rights for persons holding land in either the designated "sending" or "receiving" areas, which include the small parcel now seeking a variance. The program is/was designed to "direct growth potential to appropriate locations." The county, assured land holders that this plan was not inverse condemnation since the "taking" of these real property rights would be paid for, as to the "sending" areas, by allowing development credits to be sold to those in the "receiving" area. As to the "receiving" area, limitations on density and other restrictions would remain in place but could be removed by purchasing development "credits" from sending areas. Allowing the construction of a huge Communication Tower in the very center of areas which have reliantly remained pristine, is totally contrary to the plan Collier County assured citizens they could depend on. To illustrate, when Ave Maria was initiated, also several decades ago, a plan which is, in part, almost word for word the same plan as the Rural Fringe plan here, also had receiving areas which invited development of thoughtful and desirable villages. The building of a huge communications Tower in what is now the center of Ave Maria would certainly never have been allowed. Our community, which we and our neighbors refer to as North Belle Meade has evolved very slowly but "naturally" until now. It's beauty and "old Florida" character display potential for becoming a cultural center to exhibit how humankind can (and perhaps must) respect and learn to live with nature rather than to control it.
> Other factors in opposition include:
>
> 1. Failure of proper notification. A letter from Ignite Wireless stated that someone would be contacting me "directly within the next few days...." about a variance which would "not adversely affect [my] property interest". The letter which was dated June 22, 2020 was not postmarked until July 01, 2020 and, with delivery time, was already way past the "next few days". In fact no one has contacted me directly. My neighbor, who's property is contiguous to mine, first informed me.
> 2. As to my above mentioned neighbor, another tower located within, roughly, 1/8 mile of the instant tower, has been applied-for. That tower would sit directly north of this neighbor's residence in full view of his superbly manicured home and show horse farm. We both oppose both towers.
> 3. Construction and operation of the instant tower would infringe on a legally established

Attachment: Attachment F - Opposition Letters (14783 : PL20190002701 Kapok St. Cell Tower)

prescriptive easement of use for cattle exchange connecting my property to that of Mr. Stahlman whose land lies immediately west of the proposed tower location. This easement, while not recorded, is visible and meets the legally required time frame.

4. An existing tower, taller than the proposed tower, is within 3 miles. There may also be other existing towers which the undersigned has yet to learn about.
5. The proposed tower property owner is not seeking this variance. A lessee whose lease is presumably contingent on being able to build this tower is thus not adversely affected by a failure to succeed in doing so. There are many tracts of land in the general area, but away from established neighborhoods, which are potentially available. Indeed Collier County may itself own such property and, if so, may be legally obligated to offer it for a Tower purpose pusuant to code.
6. There exists a barn within reach of this tower should it fail. The barn is packed with antique farming equipment, some of which may not be replaceable. We anticipate, within the near future, that this machinery will play an essential role in the devolopment of Agritourism on the property pursuant to F.S. 570.85. A huge Communication Tower next to the barn destroys the farm-like environment and, should humans be in the barn they may well be injured or killed.

The above described objections are not necessarily all inclusive.
Thank you very much. Please acknowledge receipt.

J. Richard Smith, Trustee, 380 Frangipani Ave, Naples Fl 34117

Attachment: Attachment F - Opposition Letters (14783 : PL20190002701 Kapok St. Cell Tower)

FinnTimothy

From: Richard Smith <seasmith442002@gmail.com>
Sent: Monday, August 24, 2020 8:47 AM
To: FinnTimothy
Subject: PL20190002701 Oppositional letter

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

Dear Mr. Finn;
In addition to items discussed in a previous oppositional letter dated August 16, 2020, in the above matter, I draw your attention to the following items of opposition:
7. There are numerous migrating birds which pass overhead, where we and the proposed tower are located. A 225 ft tower will most likely interfere with their passage. Other birds, fauna and species may well also be adversely impacted.
8.It is generally accepted that new 5G technology will soon be available. As to 5G towers, it is said that
" While most current cell towers are large, freestanding behemoths, the cell towers of the future are smaller devices which companies aim to mount onto lampposts, rooftops, traffic lights and other appropriate spots...". (see www.the whizcells.com). Communication towers, such as the one proposed above, will very soon be obsolete, serving no necessary function but remaining as a blight on the North Belle Meade community.
9. The proposed tower would constitute an infringement or invasion of a right to privacy recognized, by the U.S. Supreme Court and also available pursuant to Amendment 9 of the U.S. Constitution. It is very easy to also envision a violation of our right of protection from unlawful searches. My property is immediately (literally within 15-20 feet) next to the proposed tower. Imagine, if you will, going out of your door every day or night not knowing what camera or other device could be available to this tower for police surveillance. It is, afterall, said to be built, in part, for police use.
10. The proposed Tower, by its very nature, will be an unsightly disturbance for the entire neighborhood and, by using this site, nothing is being done to avoid "adverse visual impact... through careful siting." as called for by the code. (5.05.09A). There is within the same general area vacant property, for example, owned by the Collier County School District, as well as other Collier County owned land which would meet the code's requirement that use of government owned property must be considered, where available.
11. Mosquito control low flying planes frequently fly east-west along the southern edge of Golden Gate Estates, precisely where this tower would be located. Thus, it creates a hazard and would interfere in such needed routes. Once built, this entire area will lack adequate needed mosquito control.
12. As previously stated, the area in question is designated "rural fringe", an overlay whose purpose is protection for land of "critical concern". If protection of a NRPA, within close reach, can be ignored in "receiving lands", such receiving lands here, lack the nexus required to even be part of the designated "rural fringe". That result clearly threatens the legal status of a "rural fringe" not only in North Belle Meade but elsewhere in the county. (see Koonz v. St John's River Management District 133 S. Ct. 2586, 570 US 595, Supreme Court , 2013.)
13.The proposed tower fails to meet requirements of code 5.05.09G(7)(b) which provides, in part, that the tower must be at a distance of at least ½ of its height, or 112.5 feet (assuming no antennas) from the boundary of my property.
14. The proposed tower would be required to have white strobing lights at all times, every single night, without let-up. Being so close to such constant invasion of peace and serenity is a severe burden. It destroys the very reason my family and I purchased this property some 50 years ago. It also results in interference with other wildlife habitat.

Attachment: Attachment F - Opposition Letters (14783 : PL20190002701 Kapok St. Cell Tower)

From: Luisa Soler <lsoler999@gmail.com>
Sent: Tuesday, September 08, 2020 4:18 PM
To: CastroGabriela <Gabriela.Castro@colliercountyfl.gov>
Subject: Cell Tower

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 Gabri,
Ref:PL:20200000886
and PL:20190002701
As a real estate professional I am really surprised that Collier County is considering permitting a cell tower in the receiving area. The value of land and property will go down because of the ugly tower. What about our health hazards?
We, as the land owner, will be stuck in here. These towers will cause hardship on all of us not able to sell and extremely high risk of radiation. Park next to one tower and listen to the sound of death. Proposed tower will be less than 550 ft to my bed. Is fanny 550 Frangipani Ave property owners do not reside at this address, that is kind of ridiculous. We have real people living here. I am requesting from you and county officials to deny permit for these towers, on the grounds that they causing hardship and harm to residents.
Sincerely,
LUISA SOLER
1160 Sugarberry ST
Naples, FL 34117

Attachment: Attachment F - Opposition Letters (14783 : PL20190002701 Kapok St. Cell Tower)

VelascoJessica

From: Richard Smith <seasmith442002@gmail.com>
Sent: Thursday, September 10, 2020 2:44 PM
To: VelascoJessica
Subject: Re: Variance Information for PL20190002701 - Kapok St SLC009 AT&T FirstNet Cell Tower (VA)

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.

Variance Information for PL20190002701 - Kapok St

Thank you, Ms. Velasco for the prompt response. In reviewing the variance application I see numerous legal barriers to the application. Without listing all of them at this time, I do request that this message be considered as opposition to the variance application. Two issues, in opposition raise immediate barriers, but several others will be forthcoming if necessary: 1. The hardship does not arise from the land, but rather from the proposed project. 2. Any hardship was "self imposed". The owner and/or lessee are not permitted
to propose a project which violates code at the time of purchase or lease, and then claim hardship because of the project they desire to create.The hardship must run with the land, not the project.
Please also consider this message as my request to be notified promptly should any meeting or discussion concerning this application be scheduled or when my input could be beneficial for your consideration as to my opposition. Thank you kindly, J. Richard Smith

On Thu, Sep 10, 2020 at 11:56 AM VelascoJessica <Jessica.Velasco@colliercountyfl.gov> wrote:

> Good morning Mr. Smith,
>
> Per our conversation, I am attaching the project narrative and additional information on this project. I am including the link to our public portal where you can see all of the documents that has been submitted for this project. Please keep in mind that this project is still in review and it requires a hearing, before it being approved.
>
> Client Portal: https://cvportal.colliercountyfl.gov/CityViewWeb/
>
> 1. Under Planning Department
>   a. Status and fees
>
>   i. Enter Captcha
>
>   ii. Enter PL20190002701
>
> 1. Under documents and images
>   a. You will be able to see everything that the applicant has submitted to date.

Attachment: Attachment F - Opposition Letters (14783 : PL20190002701 Kapok St. Cell Tower)

Respectfully,

Jessica Velasco

Client Services, Project Coordinator

Collier County

Operations and Regulatory Management Division

"We're committed to your success!"

Jessica.velasco@colliercountyfl.gov

2800 N. Horseshoe Drive

Naples, FL 34104

Telephone (239) 252-2584

Visit our website at: www.colliercountyfl.gov

NOTE: Email Address Has Changed

2800 North Horseshoe Drive, Naples Florida 34104

Client Services: 239.252.1036 Phone: 239.252.2584

How are we doing?

The Operations & Regulatory Management Division wants to hear from you!

Attachment: Attachment F - Opposition Letters (14783 : PL20190002701 Kapok St. Cell Tower)

Please take our online **SURVEY**.

We appreciate your feedback!

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

Attachment: Attachment F - Opposition Letters (14783 : PL20190002701 Kapok St. Cell Tower)

FinnTimothy

From: CastroGabriela
Sent: Wednesday, September 9, 2020 9:31 AM
To: FinnTimothy
Subject: FW: Cell Tower

Hey Tim,

I received this email regarding these two projects I will go ahead and add it to both projects just wanted to send it to you as you are the planner for the variance.

Thanks!
Respectfully,

Gabriela Castro, AICP
Senior Planner

Collier County

Development Review Division
Exceeding Expectations, Every Day!

NOTE: Email Address Has Changed

2800 North Horseshoe Drive, Naples Florida 34104
Phone: 239-252-2408

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

From: Luisa Soler <lsoler999@gmail.com>
Sent: Tuesday, September 08, 2020 4:18 PM
To: CastroGabriela <Gabriela.Castro@colliercountyfl.gov>
Subject: Cell Tower

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 Gabri,
Ref:PL:20200000886
and PL:20190002701
As a real estate professional I am really surprised that Collier County is considering permitting a cell tower in the receiving area. The value of land and property will go down because of the ugly tower. What about our health hazards? We, as the land owner, will be stuck in here. These towers will cause hardship on all of us not able to sell and extremely high risk of radiation. Park next to one tower and listen to the sound of death. Proposed tower will be less than 550 ft to my bed. Is fanny 550 Frangipani Ave property owners do not reside at this address, that is kind of ridiculous. We have

Attachment: Attachment F - Opposition Letters (14783 : PL20190002701 Kapok St. Cell Tower)

real people living here. I am requesting from you and county officials to deny permit for these towers, on the grounds that they causing hardship and harm to residents.

Sincerely,

LUISA SOLER
1160 Sugarberry ST
Naples, FL 34117

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

Attachment: Attachment F - Opposition Letters (14783 : PL20190002701 Kapok St. Cell Tower)

FRANGIPANI AG COMMUNITY CIVIC ASSOCIATION, INC.

512 FRANGIPANI AVENUE

NAPLES, FLORIDA 34117

Collier County Growth Management

2800 Horseshoe Dr. N

Naples, FL 34104

October 21, 2020

Dear Collier County Growth Management,

The Frangipani Ag Community Civic Association serves residents and property owners in an area of three square miles in North Belle Meade. At our board meeting on October 14, 2020 our agenda included the issue of two proposed cell towers. They are identified as follows: Kapok St. PL20190002701 seeking a variance, and Frangipani St. PL20200000886 seeking an SDP. There was an extensive discussion. The members expressed many concerns, the main ones being:

1. The Kapok St. tower application variance is being requested by a lessee, not the land owner. There are plenty of other uses for this lot in addition to the potential to sell the lot. We do not believe there is undue hardship in this situation, therefore we do not believe a variance should be granted.
2. This is one of the last beautiful natural residential areas of Collier County. Having one or both of these towers will be a detriment to the county's protected area.
3. The towers are proposed in RFMUD Receiving zoning. We believe these towers will inhibit the plan of the RFMUD.
4. There are other towers within 6 miles of these sites that should be explored for the possibility of co-locating before these towers are built. These existing towers have access points already established, and should be utilized to their maximum capacity before additional towers should be permitted.
5. Residents are concerned with the constant flashing warning lights illuminating the surrounding area, disturbing the rural character of the neighborhood as originally protected and planned by Collier County. Every resident of our North Belle Meade community places an extremely high value on privacy.
6. We propose other commercial areas for the towers, with an already complete and very capable infrastructure, as well as much easier access and security, such as: Wilson Blvd. & Golden Gate Blvd., and Everglades Blvd. & Golden Gate Blvd. These locations would better serve the community as a whole with upgraded service provided for many more outlying and congested residents.

We request this letter be added to both project records and recorded as our opposition to the construction of both towers.

Sincerely,

Mitchell Penner
President, Frangipani Ag Community Civic Association
FACCA34117@gmail.com

Attachment: Attachment F - Opposition Letters (14783 : PL20190002701 Kapok St. Cell Tower)

FinnTimothy

From: Richard Smith <seasmith442002@gmail.com>
Sent: Tuesday, October 27, 2020 12:31 PM
To: FinnTimothy; doug@tllfirm.com; Melanie Penner
Subject: Re: Kapok Letter

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.

Following our phone conversation, you forwarded to me the attached "property owner letter" . I had been inquiring concerning details of the HEX meeting and you mentioned that this letter should have been sent to me on October 23, 2020. Perhaps it was, but as I mentioned to you, no such letter has yet been received. The time restrictions mentioned in the letter: only 5 minutes to speak and no documents unless submitted 10 days prior, are very restrictive. This matter is of grave concern, not only to me, but to our entire neighborhood. I would request a loosening of these restrictions. Thank you very much, J.Richard Smith

On Tue, Oct 27, 2020 at 11:47 AM FinnTimothy <Timothy.Finn@colliercountyfl.gov> wrote:

Timothy Finn, AICP

Principal Planner

Collier County

Zoning Division

NOTE: New Email Address as of 12/09/2017:

Timothy.Finn@colliercountyfl.gov

2800 North Horseshoe Drive, Naples Florida 34104

Phone: 239.252.4312

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

Attachment: Attachment F - Opposition Letters (14783 : PL20190002701 Kapok St. Cell Tower)

FinnTimothy

From: mikebfishy@aol.com
Sent: Wednesday, October 28, 2020 9:22 PM
To: FinnTimothy
Subject: [SUSPICIOUS MESSAGE] The sender may trick victims into passing bad checks on their behalf.kapok tower / frangipani

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.

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.

Tim, my name is Mike Brower . I am the owner of 320 Frangipani ave.
I purchased the property several years ago and have an agricultural palm tree farm there now.
The proposed tower will severally diminish the value of my property. I own the access entry to the easement that would give the tower owners access .
First I find it strange that the county owned property nearby where the wells are placed would not be available for such commercial use .
I purchased the property in anticipation of a development opportunity eventually in the last receivable land for such development. My property would not be a desirable placed to be used for a residence if it is allowed to go in.
I believe I would be damaged by such invasion of a severely large metallic structure. And I also believe there is evidence that the tower and its transmission are safe and should therefore not be allowed in a residential area so close to human dwellings .
I am apposed to the variance use of the nearby property.
Sincerely, Mike Brower / Brower enterprises llc.

Attachment: Attachment F - Opposition Letters (14783 : PL20190002701 Kapok St. Cell Tower)

VARIANCE PETITIION APPLICATION (PL20190002701)
KAPOK STREET, NAPLES, FL 34117
PARCEL ID# 00307840002
RESPONSE TO STAFF COMMENT: TIMOTHY FINN #3

Staff comment:
Pursuant to LDC 5.05.09(D)(E) and (F) for shared tower use, please demonstrate that either you can or can not work an arrangement for a shared tower use? Please see the Collier County Communication Towers Map as Towers 1 and 18 are in proximity to the Kapok St Cell Tower property. Moreover, there is an Site Development Plan (SDP) application (PL20200000886) for a proposed cell tower to be located at 550 Frangipani Avenue located approximately 2065 feet to the east of the Kapok St Cell Tower property. Please explain why you can't share this tower?

Response:

While we would consider any offer for another entity/provider to share the proposed tower on Kapok St., we are not aware of any other towers that would provide necessary and adequate capacity and geographic coverage area to achieve our objectives, and sharing another tower at another location is not a feasible option. To our knowledge, there is no applicable separation requirement with respect to a tower at the Kapok St. location relative to other towers in the vicinity.

As to the SDP application (PL20200000886) referenced in the staff comment, which relates to a proposed 185' tower over 2,000 feet away from the proposed Kapok St. tower, that application was submitted on 7/27/2020, according to the County's website. The proposed Kapok St. tower is 250', over 1/3 higher than the tower if the application referenced by staff.

While the application for PL20200000886 was submitted on July 27, 2020, in the case of the Kapok St. Tower, a preapplication meeting was first held November 12, 2019. As a result of that meeting, applicant prepared a variance application, and a second pre-application meeting was held on December 4, 2019 for the variance. At the December 4, 2019 pre-application meeting, applicant was advised (in error) that the tower use was *not allowed by right*, and that a conditional use would be required.

Following a subsequent application for zoning interpretation, on March 17, 2020, staff formally determined the use was a permitted use at this location, and that a conditional use was *not* required, but reiterated that a variance would be necessary. Applicant has since filed the variance application that is presently under review.

Applicant first formally requested approval requirements for the tower in *August 2019* (see ZLTR-PL20190001999), and has been diligently pursuing approval of the tower since then. Applicant has engaged in sincere, costly, and diligent efforts over the past 11 months. This has included two pre-application meetings, two ZVL's, and uncertainty created by erroneous "conditional use" instruction. Given Applicant's significant efforts, the lack of any codified tower separation requirement, the lack of any record of any tower application being filed until 7/27/2020, and the significant investment incurred to date, it is appropriate for Applicant to move forward with its plans at this location, which have been a matter of public record for almost a year.

Concurrent with these efforts, Applicant notified the Federal Aviation Administration ("FAA") of its plans, and the FAA issued a formal "Determination of No Hazard to Air Navigation" on October 23, 2019 for the proposed Kapok St. tower. FAA notification is the industry standard for putting other would-be tower owners on notice that there is a tower application pending. The tower application referenced by staff (PL20200000886) has not, to our knowledge, registered with or received any such determination from the FAA.

Attachment: Attachment G - Shared Tower Use Response (14783 : PL20190002701 Kapok St. Cell Tower)

SIGN POSTING INSTRUCTIONS

(CHAPTER 8, COLLIER COUNTY ADMINISTRATIVE CODE FOR LAND DEVELOPMENT)

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

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

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

- - - -



Attachment: Attachment H - Property Hearing Signs (14783 : PL20190002701 Kapok St. Cell Tower)

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): PL20190002701

Regarding the above subject petition number(s), PL20190002701 (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: Jeff Wright

Date: 10/26/2020

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 I - Hybrid Hearing Waiver (14783 : PL20190002701 Kapok St. Cell Tower)

AT&T Mobility
8601 W Sunrise Blvd
Plantation, FL 33322

Collier County,

January 6, 2021

RE: Letter in support of need for new AT&T site at or near the location of the proposed Cityswitch tower build (AT&T site name “Rural Estates”) in Collier County, FL.

Summary

AT&T has an existing and ongoing need for a new facility in the vicinity of the proposed Cityswitch tower build to improve coverage, capacity and service experience for our customers in the vicinity. The required improvements to coverage and service quality cannot be accomplished through modifications to AT&Ts existing sites. The proposed tower height of 250’ would place AT&T’s antennas at the optimal height to close a service gap caused by a lack of towers in the area. AT&T is aware of another tower being proposed in the vicinity, but the available height on that tower is below the minimum 200’ height needed to serve the target area and significantly below the optimal 250’ height.

To summarize, if the proposed Cityswitch tower were built, AT&T would consider this tower the optimal candidate for a currently funded wireless site and would move forward with colocation.

The following pages contain radio frequency coverage plots showing the existing coverage as well as predicted coverage for the AT&T network with antennas installed at the 245’ elevation.

Sincerely,

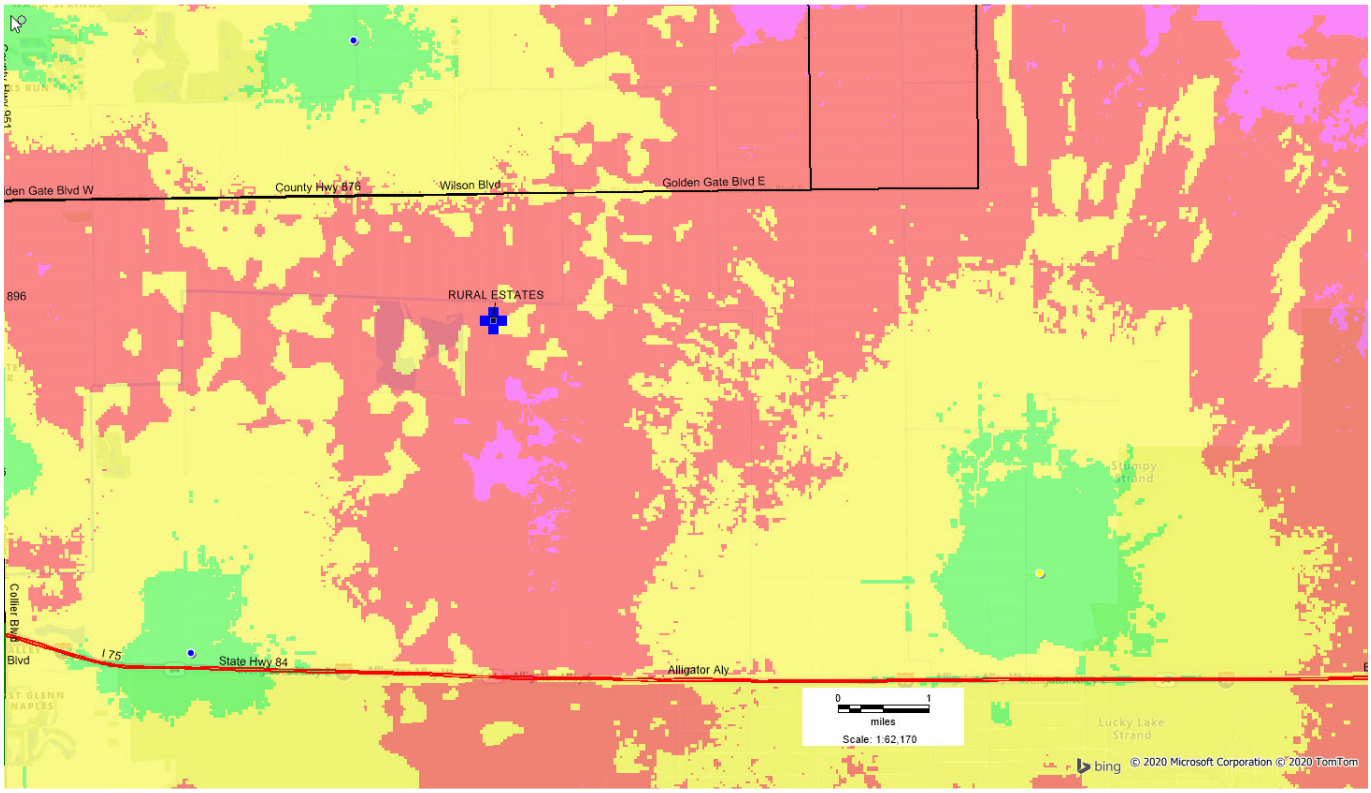
Maiko Llanes
RF Design Engineer
AT&T Mobility

Attachment: Attachment J - AT & T Letter 1-6-21 (14783 : PL20190002701 Kapok St. Cell Tower)

AT&T Mobility
8601 W Sunrise Blvd
Plantation, FL 33322

Existing coverage without proposed site:

Green = good outdoor and indoor service
Yellow = useable outdoor, marginal indoor service
Red = marginal outdoor, poor to no indoor service
Magenta – no indoor, poor to no outdoor service



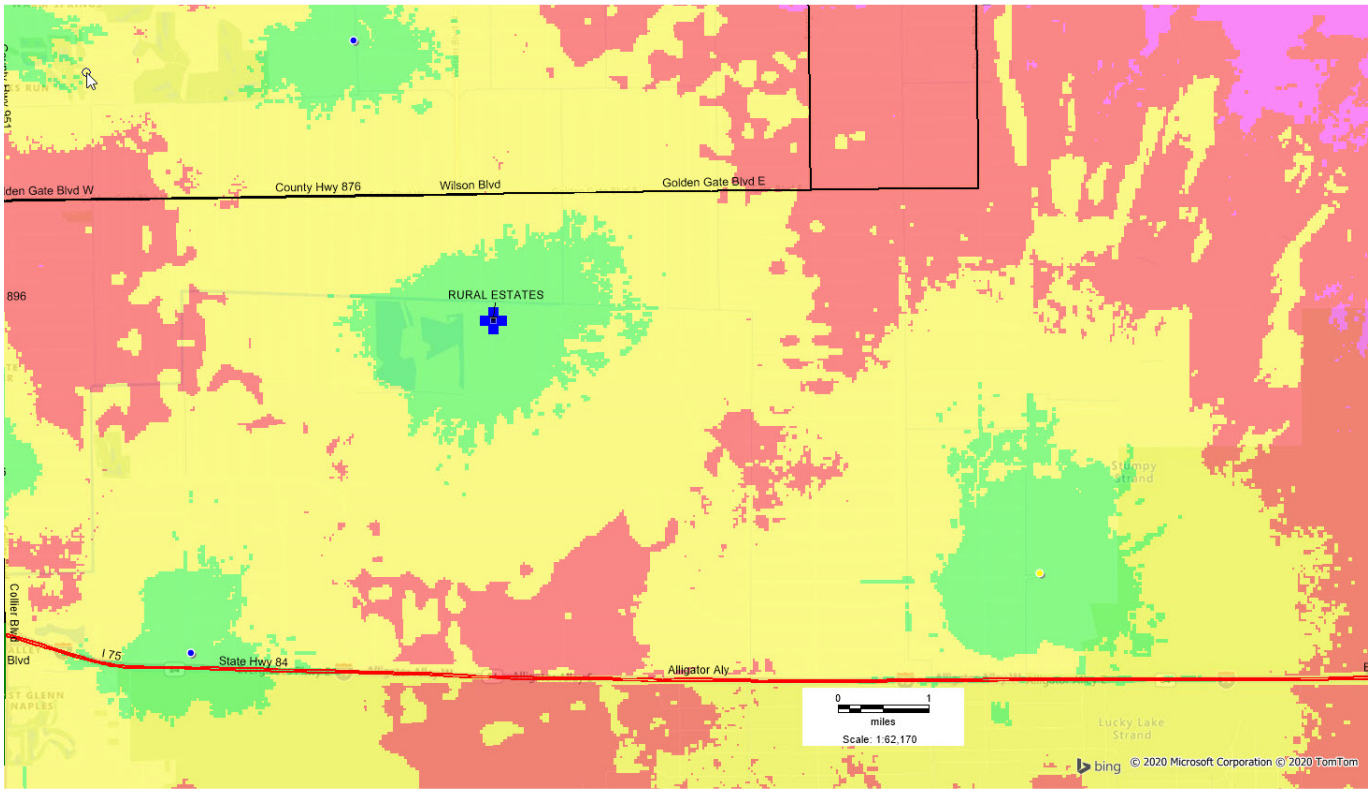
As can be seen in the map above, there is currently a large coverage gap in the vicinity of the proposed Cityswitch tower spanning from Golden Gate Blvd south to I-75.

Attachment: Attachment J - AT & T Letter 1-6-21 (14783 : PL20190002701 Kapok St. Cell Tower)

AT&T Mobility
8601 W Sunrise Blvd
Plantation, FL 33322

Predicted coverage with antennas at 245' elevation on proposed site:

Green = good outdoor and indoor service
Yellow = useable outdoor, marginal indoor service
Red = marginal outdoor, poor to no indoor service
Magenta – no indoor, poor to no outdoor service



On this map, the coverage improvement from the proposed site is shown. It is expected to provide significant improvements in both outdoor and in-building service as well as higher data speeds throughout the coverage area by offloading the surrounding sites.

Attachment: Attachment J - AT & T Letter 1-6-21 (14783 : PL20190002701 Kapok St. Cell Tower)


PUBLIC HEARING NOTICE
KAPOK ST. VARIANCE
PETITION NO. VA-PL20190002701
HEX: FEBRUARY 11, 2021 - 9:00 A.M.
COLLIER COUNTY GROWTH MANAGEMENT DEPARTMENT
2800 HORSESHOE DRIVE NORTH
ROOM 609-610, NAPLES, FL, 34104
TIMOTHY FINN: 239-252-4312

Attachment: