COLLIER COUNTY
Collier County Hearing Examiner

AGENDA

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

January 11, 2024

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 Ailyn.Padron@CollierCountyFL.gov 10 days prior to the Hearing. All materials used during presentation at the hearing will become a permanent part of the record.

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

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

1. Pledge of Allegiance

2. Review of Agenda

3. Advertised Public Hearing

A. Petition No. VA-PL20180003496 –659 Palm Avenue - Request for an after-the-fact variance from Land Development Code section 4.02.01.A., Table 2.1, to reduce the required rear yard setback from 20 feet to 12.9 feet and to 11.9 feet for a 1-foot roof overhang on the north side to allow for the continued existence of a single-family dwelling located within the Village Residential (VR) Zoning District at 659 Palm Avenue, also known as Lot 3, Block C, Goodland Isles First Addition, in Section 18, Township 52 South, Range 27 East, Collier County, Florida. [Coordinator: John Kelly, Planner III] Commissioner District 1

B. Petition No. BDE-PL20230007149 – 9380 Gulf Shore Drive - Request for a 103-foot boat dock extension from the maximum 20 feet allowed by Section 5.03.06.E.1 of the Collier County Land Development Code for waterways 100 feet or greater in width to allow a new private multi-family boat docking facility with 12 slips, for vessels of up to 35 feet in length, that will protrude a total of 123 feet into a waterway that is 1,695± feet wide. The subject property is located at 9380 Gulf Shore Drive, also known as the Watermark, a Condominium in Section 32, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Planner III] Commissioner District 2

C. Petition No. BLCD-PL20230011315 – 403 Capri Boulevard - Request for a Boat Lift Canopy Deviation from section 5.03.06.G.2 of the Land Development Code to allow a second boat lift canopy, measuring 13 feet by 12.4 feet for a lot with frontage on a canal pursuant to section 5.03.06.G.3 of the LDC. The subject property is located at 403 Capri Boulevard, also known as Lot 594, Isles of Capri, No. 3, in Section 32, Township 51 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Planner III] Commissioner District 1

D. Petition No. PL20230014103 - VA - 9100 Vanderbilt Drive – Request for a variance from Land Development Code Section 4.02.01 A, Table 2.1, to reduce the required front setback from 25 feet to 23.33 feet on the south property line for the proposed single-family residence and accessory pool to be located at Lot 23, Block 46, Unit No. 6, Naples Park, also known as 9100 Vanderbilt Drive, Naples, FL 34108 in Section 33, Township 48 South, Range 25 East, Collier County, Florida. [Sean Sammon, Planner III] Commissioner District 2

E. Petition No. PDI-PL20230013897 - 8927 Founders Square DR. - Request for an insubstantial change to Ordinance No. 19-11, as amended, the Baumgarten Mixed Use Planned Unit Development (MPUD), Exhibit B, Section I, Mixed-Use Development Standards, by reducing the minimum floor area for principal structures from 1,000 square feet to 700 square feet. The subject PUD is located southeast of the intersection of Immokalee Road and Collier Boulevard in Section 26, Township 48 South, Range 26 East, Collier County, Florida. [Sean Sammon, Planner III] Commissioner District 3

4. Other Business

5. Public Comments

6. Adjourn

01/11/2024

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.A
Doc ID: 27574
Item Summary: Petition No. VA-PL20180003496 –659 Palm Avenue - Request for an after-the-fact variance from Land Development Code section 4.02.01.A., Table 2.1, to reduce the required rear yard setback from 20 feet to 12.9 feet and to 11.9 feet for a 1-foot roof overhang on the north side to allow for the continued existence of a single-family dwelling located within the Village Residential (VR) Zoning District at 659 Palm Avenue, also known as Lot 3, Block C, Goodland Isles First Addition, in Section 18, Township 52 South, Range 27 East, Collier County, Florida. [Coordinator: John Kelly, Planner III] Commissioner District 1

Meeting Date: 01/11/2024

Prepared by:
Title: Planner – Zoning
Name: John Kelly
12/20/2023 5:16 PM

Submitted by:
Title: Zoning Director – Zoning
Name: Mike Bosi
12/20/2023 5:16 PM

Approved By:

Review:

Growth Management Community Development Department	David Merino	GMD Approver	Skipped	12/28/2023 12:34 PM
Operations & Regulatory Management	Michael Stark	Review Item	Completed	01/02/2024 11:48 AM
Zoning	Diane Lynch	Review Item	Skipped	01/02/2024 2:45 PM
Zoning	Diane Lynch	Review Item	Skipped	01/02/2024 2:46 PM
Hearing Examiner (GMD Approvers)	David Merino	Review Item	Completed	01/03/2024 2:55 PM
Zoning	Mike Bosi	Division Director	Completed	01/03/2024 3:37 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	01/11/2024 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

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

HEARING DATE: JANUARY 11, 2023

SUBJECT: PETITION VA-PL20180003496; 659 PALM AVENUE, GOODLAND

PROPERTY OWNER/APPLICANT:

Double M Investments, LLC
7632 Rozzini Ln.
Naples, FL 34114

AGENT:

Christopher O. Scott
Peninsula Engineering
2600 Golden Gate Pkwy.
Naples, FL 34105

REQUESTED ACTION:

To have the Collier County Hearing Examiner consider an after-the-fact variance from Land Development Code section 4.02.01.A., Table 2.1, to reduce the required rear yard setback from 20 feet to 12.9 feet and to 11.9 feet for a 1-foot roof overhang on the north side to allow for the continued existence of a single-family dwelling.

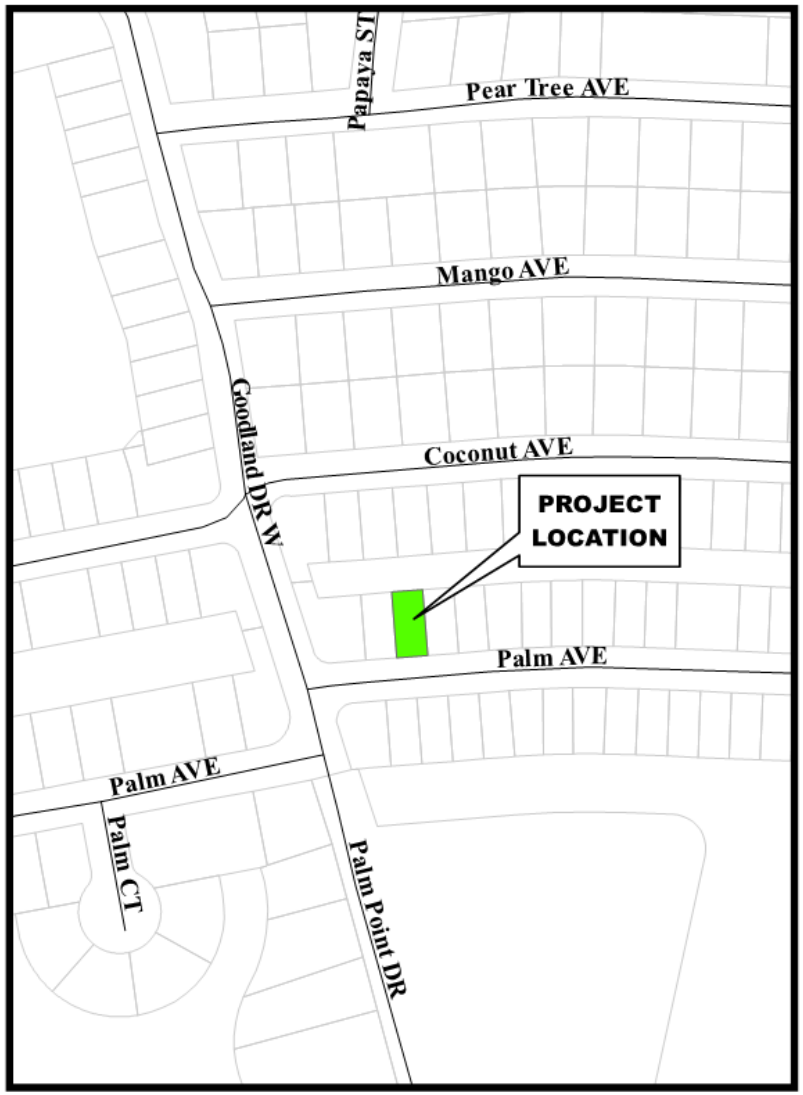
GEOGRAPHIC LOCATION:

The subject property comprises 0.1 acres located at 659 Palm Avenue in Goodland, also known as Lot 3, Block C, Goodland Isles First Addition, in Section 18, Township 52 South, Range 27 East, Collier County, Florida. *(See location map below)*

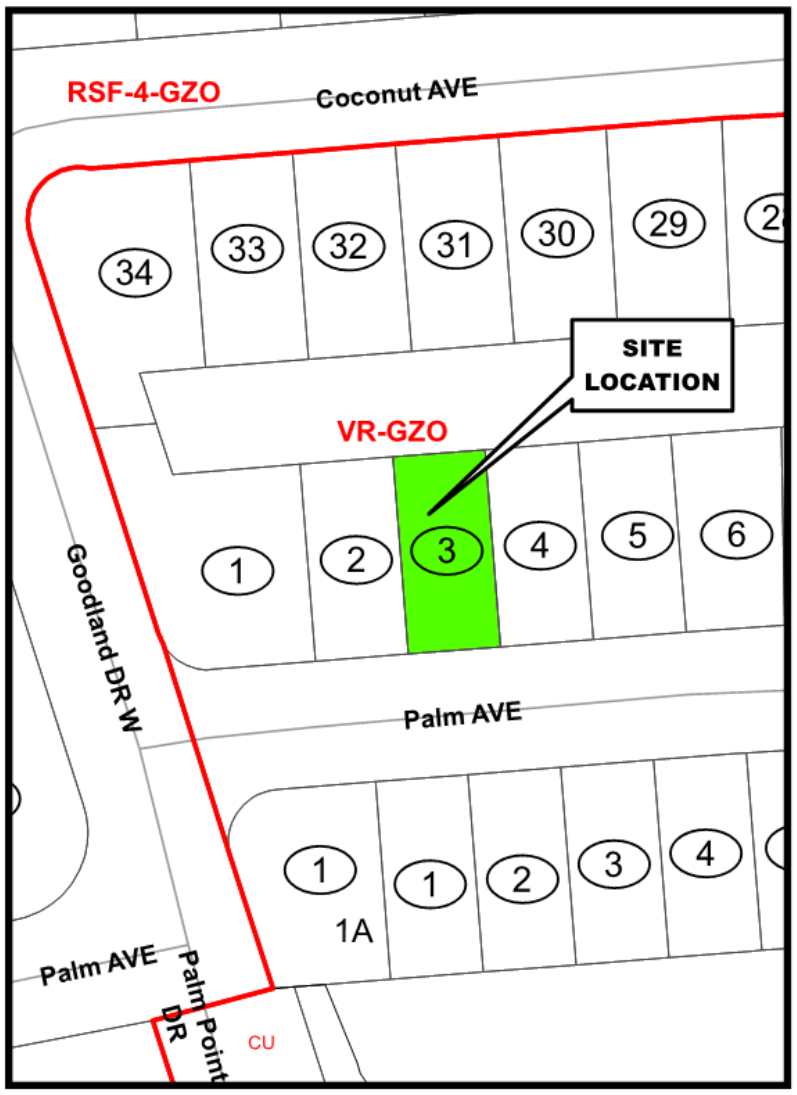
PURPOSE/DESCRIPTION OF PROJECT:

The petitioner seeks a Variance to allow for the continued existence of a 288-square-foot single-family dwelling constructed per Building Permit No. PRBD20171254064, issued on June 18, 2018. The required spot survey was submitted upon construction completion, revealing a 0.1-foot encroachment into a 6-foot drainage easement parallel to the east side yard. The most current Map of Boundary Survey, dated September 13, 2023, reveals the subject structure encroaches 7.1 feet into the waterfront rear yard and 0.3 feet into a 6-foot drainage easement on the east side lot line. A structural elevation depicts a 1-foot roof overhang; therefore, the variance must be expanded to allow for the additional encroachment. An Easement Use Agreement (EUA), PL20220005415, was approved by the Board of County Commissioners on December 12, 2023.

Attachment: Staff Report 12092023 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)



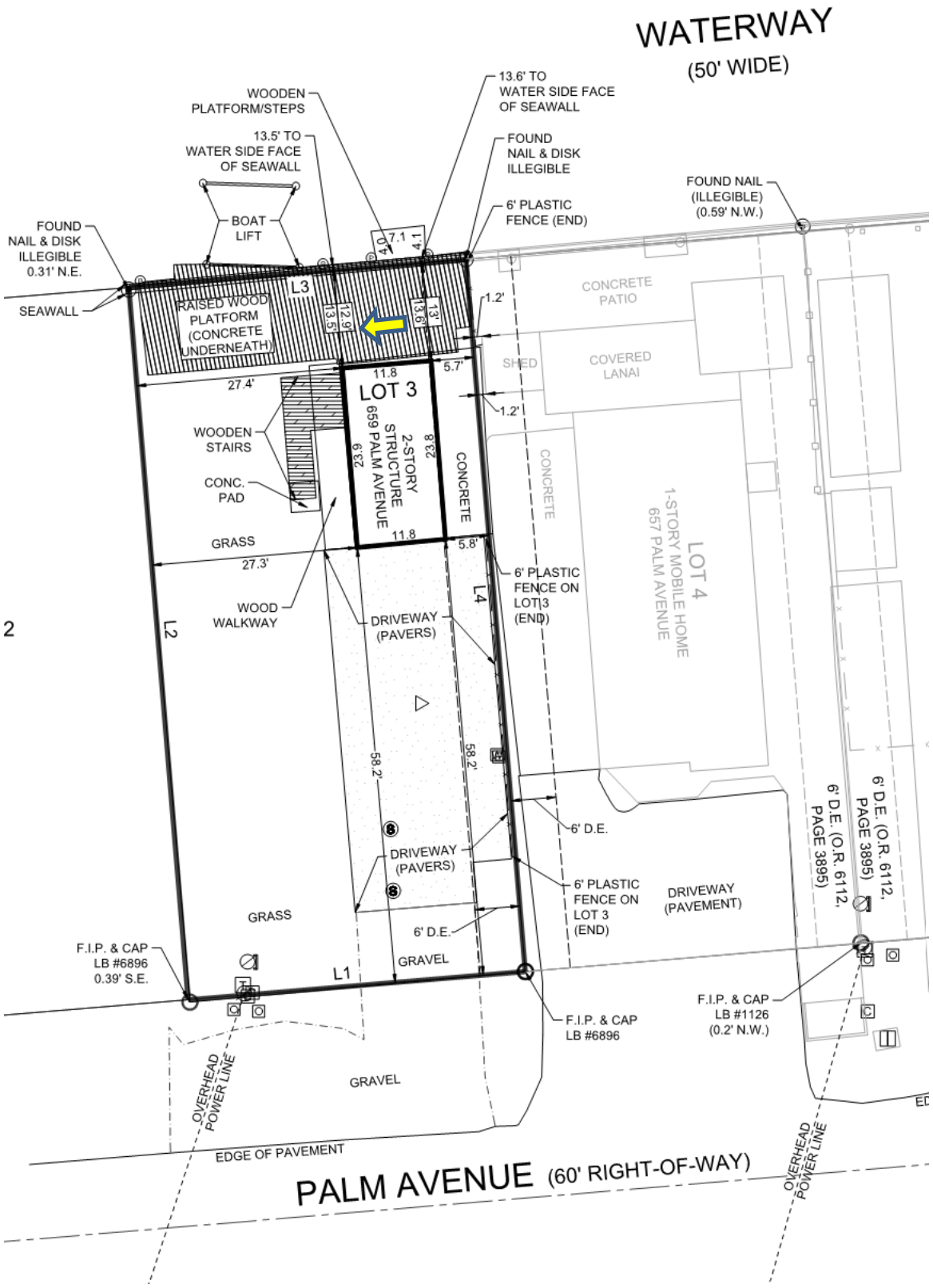
Location Map



Zoning Map

Petition Number: PL20180003496

Attachment: Staff Report 12092023 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)



Extracted from Map of Boundary Survey
See Attachment A for Full Survey

Attachment: Staff Report 12092023 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

SURROUNDING LAND USE AND ZONING:

North: Canal, then single-family residential within a Village Residential Zoning District located within the Goodland Zoning Overlay (VR-GZO)

East: Single-family residential within a Village Residential Zoning District located within the Goodland Zoning Overlay (VR-GZO)

South: Palm Avenue (Right-of-Way), then single-family residential within a Village Residential Zoning District located within the Goodland Zoning Overlay (VR-GZO)

West: Single-family residential within a Village Residential Zoning District located within the Goodland Zoning Overlay (VR-GZO)



Collier County GIS

Attachment: Staff Report 12092023 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

The subject property is located within the Urban –– Coastal Fringe Subdistrict of the Urban Mixed-Use District and is also located within the Coastal High Hazard Area on the County's Future Land Use Map (FLUM) of the Future Land Use Element (FLUE) of the GMP. The GMP does not address individual Variance requests but deals with the larger issue of the actual use. The existing single-family use is consistent with the FLUM of the GMP. The requested variance does not have any impact on this property's consistency with the County's GMP.

STAFF ANALYSIS:

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

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

The minimum lot size for a single-family lot within the GZO is 4,275 square feet with a minimum lot width of 45 feet. The existing lot's platted dimensions are 45'x95' (4,275 square feet); however, the survey measured width of the lot is only 44.81' along the street frontage, resulting in a lot size of 4,266.4 square feet, making the lot slightly non-conforming. Additionally, the existing lot has a 6-foot-wide Drainage Easement along the eastern side lot line and two wood utility poles on the property's southwest corner. Because this portion of Goodland does not have public wastewater (sewer) service, the lot requires a private septic system and drain field. The existing septic drainage field also limits where improvements can be made on the subject property.

Yes, a 6-foot drainage easement is parallel to the western property line. Zoning staff finds the 2.33-inch lot width argument to be de minimis; however, staff is unable to explain the discrepancy between platted and measured values.

The LDC provides the following applicable definitions:

Nonconforming lot of record: Any lawful lot or parcel which was recorded, or for which an agreement for deed or deed was recorded prior to October 14, 1974, if within the former Coastal Area Planning District, and January 5, 1982, if within the former Immokalee Area Planning District, which lot or parcel does not meet the minimum width or lot area requirements as a result of the passage of this Code shall be considered as a legal nonconforming lot and shall be eligible for the issuance of a building permit provided all the other requirements of this Code and the Florida Statutes are met. This definition also includes any lot or parcel made nonconforming by a rezoning initiated by Collier County to implement the Zoning Reevaluation Ordinance Number 90-23 (1990). For nonconforming lots of record within the RMF-6 zoning district, see LDC section 9.03.03 A.

Lot of record: A lot of record is (1) a lot that is part of a subdivision recorded in the public records of Collier County, Florida; or (2) a lot, parcel, or the least fractional unit of land or water under common ownership which has limited fixed boundaries, described by metes and bounds or other specific legal description, the description of which has been so recorded in the public records of Collier County, Florida, on or before the effective date of this LDC; or (3) a lot, parcel, or the least fractional unit of land or water under common ownership which has limited fixed boundaries, for which an agreement for deed or deed was recorded prior to October 14, 1974, if within the former Coastal Area Planning District, and January 5, 1982, if within the former

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Immokalee Area Planning District.

Lot measurement, width: The width of a lot shall be considered to be the average distance between straight lines connecting front and rear lot lines at each side of the lot, measured as straight lines between the foremost points of the side lot lines where they intersect with the street line and the points of the side lot lines where they intersect the rear property line, (see Figure 9). The width between the side lot lines at their foremost points in front shall not be less than 80 percent of the required lot width, except in the case of lots on the turning circle of a cul-de-sac when the 80 percent requirement shall not apply. The minimum lot width on a cul-de-sac shall be figured by drawing a straight line at the chord and then drawing a straight line parallel to it at the required setback distance for that particular zoning district. That newly established line shall meet the minimum lot width of that district (see Figure 10).

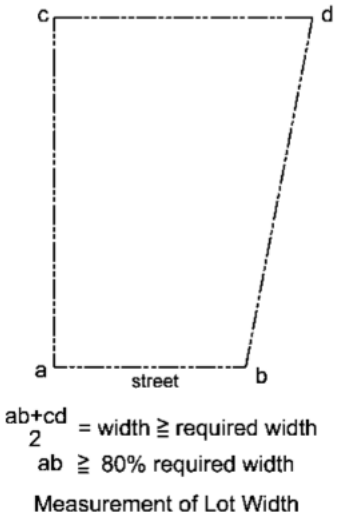


Figure 9

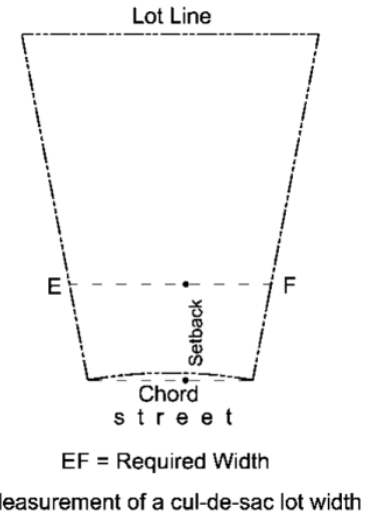


Figure 10

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

The small lot size, drainage easement, and utility poles are existing site conditions that limit the available building footprint and are not the result of the applicant's actions.

No, staff does not agree with the findings of the applicant's agent, given that planning staff reviewing the initial Administrative Variance request documented that the original site plan for the offending structure depicted a 20-foot rear yard setback; absent said site plan, the building permit would not have been approved. Staff finds that the placement of the structure is a result of the actions of the applicant.

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?

A literal interpretation of the LDC would require the existing structure and associated site improvements to be relocated on the lot, creating an undue hardship on the applicant.

Yes, staff agrees that a literal interpretation of this zoning code presents practical difficulties for the

Attachment: Staff Report 12092023 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

property owner, given the only alternative is to relocate the offending structure.

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

The variance is the minimum variance needed to allow the existing structure to remain at its current location.

Yes, staff concurs that the requested variance is the minimum needed to allow the existing structure to remain at its present location.

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?

The requested variance will allow the existing structure to remain at 12.9' from the rear property line. The location of the structure in relation to the rear lot line is consistent with the existing development pattern in the area, including structures on the lots abutting the subject property.

No; 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 similar hardships 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 this Land Development Code's general intent and purpose and not be injurious to the neighborhood or otherwise detrimental to the public welfare?

The requested variance allows the existing structure to remain at its current location. The reduced rear yard setback is in harmony with existing structures on adjacent lots and is consistent with the existing development pattern in the immediate area. The granting of the variance will allow for the property to maintain similar setbacks to other structures in the VR/GZO zoning designation and will not be injurious to the neighborhood or detrimental to the public welfare.

Yes, primarily because staff has determined that the applicant owns the adjoining three lots to the west. It is further noted that the applicant's agent also argues that based upon his GIS analysis, 32 of the 55 waterfront parcels (58%) on Palm Avenue and Coconut Avenue have structures that appear to encroach into the 20' rear yard setback. Zoning staff believes that said analysis is somewhat flawed as accessory structures have a reduced rear yard setback, and there is no distinction between principal and accessory structures. Staff also notes that the provided aerial appears to be from the Property

Attachment: Staff Report 12092023 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Appraiser's Office and that the property lines depicted are often askew.



Project Narrative and Evaluation Criteria (Attachment H)

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 existing canal at the rear of the property allows for an additional 50' of building separation than standard back-to-back lots, ameliorating any potential impact from a reduced rear yard setback. Additionally, the structure has existed in its current location since 2018 without objections from adjacent property owners.

Yes, the subject property has a waterfront rear yard; therefore, the rear yard does not adjoin another. Staff does, however, need to note that two Code Enforcement cases have been triggered by the subject structure, both resulting from anonymous letters to the County.

h. Will granting the Variance be consistent with the Growth Management Plan?

Granting of the variance will be consistent with the Collier County Growth Management Plan (GMP). The variance request does not affect or interfere with the density standards set forth in the GMP. The GMP is silent to the issuance of a variance application; therefore, the granting of the variance will not be inconsistent with the GMP.

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.

Attachment: Staff Report 12092023 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

SUMMARY FINDINGS:

Staff is constrained from recommending approval of the subject variance request as the initial placement of the offending single-family residence, also described herein as a tiny home, was without the benefit of a building permit. Subsequently, County records indicate an anonymous complaint, CESD20170011238, initiated a Code Enforcement case. A formal Notice of Violation and Order to Correct was issued on August 3, 2017; of note is the placement of a shed, which is believed to be the 288-square-foot tiny home without a building permit. A building permit was applied for on December 28, 2017, and issued on June 13, 2018. Before the issuance of the permit, the Code Enforcement case was heard by the Code Enforcement Board on June 1, 2018; the property owner was found guilty, and a $100 per day fine was set to commence on September 21, 2018, should the violation not be abated prior (see Attachment F). Sometime during the Inspection phase of the building permit, a Survey was provided, which caused the property owner to apply for an Administrative Variance, AVA-PL20180002825, on or about September 14, 2018; said AVA was for a 0.1-foot encroachment into the west side yard. The AVA was summarily denied as the reviewing planner established that the side yard encroachment was into a drainage easement and not a required yard; additionally, the planner determined that there was a significant encroachment into the waterfront rear yard despite the approved site plan depicting a 20-foot rear yard setback. The property owner proceeded to apply for the subject Variance on or about December 11, 2018. Before completion of the first review, an anonymous letter was received alleging building permit issues and a person residing within an RV at the subject property. Staff proceeded to provide the letter to the Code Enforcement Department for investigation; case No. CETU20190000056 was assigned. This anonymous letter could also be construed as being a letter of objection to this project; see Attachment G. This Code Case was closed as Code Enforcement did not observe any illegal activity, and there was already an active case for the unpermitted structure.

Concerning zoning, LDC Section 4.02.22, Design Standards for the GZO District, provides a minimum lot area of 4,275 square feet and a minimum lot width of 45 feet for single-family or mobile home lots. The subject property is within a platted community, Goodland Isles First Addition, PB8_PG1, and the platted dimensions of the subject property are 45 feet by 95 feet. LDC Section 4.02.01, Table 2, Building Dimensions and Standards, provides a maximum building height of 30 feet and no minimum floor area for single-family and mobile home lots within the VR zoning district. Minimum Yard Requirements, as per LDC Section 4.02.01, Table 2.1, for single-family and mobile home lots within the VR zoning district are Front Yard – 20 feet, Non-waterfront Side Yards – 5 feet, the Rear Yard for principal structures is 20 feet, and listed accessory structures have a reduced rear yard requirement of 10 feet. As per the most current Map of Boundary Survey, the subject single-family residence has a Front Yard of 58.2 feet, an east Side Yard of 27.3 feet, a west Side Yard of 5.7 feet, and a Rear Yard (Principal) of 12.9 feet. As per a structural drawing in Attachment B, a 1-foot roof overhang will extend to 11.9 feet. The 0.3-foot encroachment into the 6-foot drainage easement on the west side of the property is being addressed by an Easement Use Agreement.

ENVIRONMENTAL ADVISORY COUNCIL (EAC) RECOMMENDATION:

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

CONCURRENT LAND USE APPLICATIONS:

There are no concurrent land use applications under review at present.

PUBLIC NOTICE:

Notice Requirements for Variance petitions are contained within LDC Section 10.03.06.F.2. The required Agent Letter was sent to all property owners located within 150 feet of the subject property on or about

Attachment: Staff Report 12092023 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

November 9, 2023, as evidenced by an executed Affidavit of Compliance contained within Attachment H.

Notice of the Hearing Examiner meeting was provided by newspaper advertisement, mailed notice to owners within 500 feet of the site, and a public notice sign was posted on-site at least 15 days before the hearing.

RECOMMENDATION:

Should the Hearing Examiner agree with staff's summary findings, the Hearing Examiner may opt to approve After-the-Fact Variance Petition VA-PL20180003496 to reduce the required rear yard setback from 20 feet to 12.9 feet and to 11.9 feet for a 1-foot roof overhang on the north side to allow for the continued existence of a single-family dwelling as depicted within Attachments A and B, subject to the following condition of approval:

- The petitioner must cause all required inspections to be completed and obtain a Certificate of Occupancy for Building Permit No. PRBD20171254064.

Attachments:

A. Map of Boundary Survey
B. Roof Overhang Detail
C. Easement Use Agreement - PL20220005415
D. Goodland Isles First Addition Plat Map, PB8_PG1
E. Building Permit PRBD20171254064
F. AVA-PL20180002825
G. CESD20170011238
H. CETU20190000056
I. Applicant's Backup - Application, Narrative, Agent Letter, etc.
J. Public Hearing Sign Posting

Attachment: Staff Report 12092023 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

LINE TABLE (PLAT)		
LINE #	LENGTH	BEARING
L1	45.00	S85°17'17"W
L2	95.00	N4°42'43"W
L3	45.00	N85°17'17"E
L4	95.00	N4°42'43"W

LINE TABLE (MEASURED)		
LINE #	LENGTH	BEARING
L1	44.79	S84°48'01"W
L2	95.02	N4°55'26"W
L3	45.03	N84°52'42"E
L4	94.96	S4°46'46"E

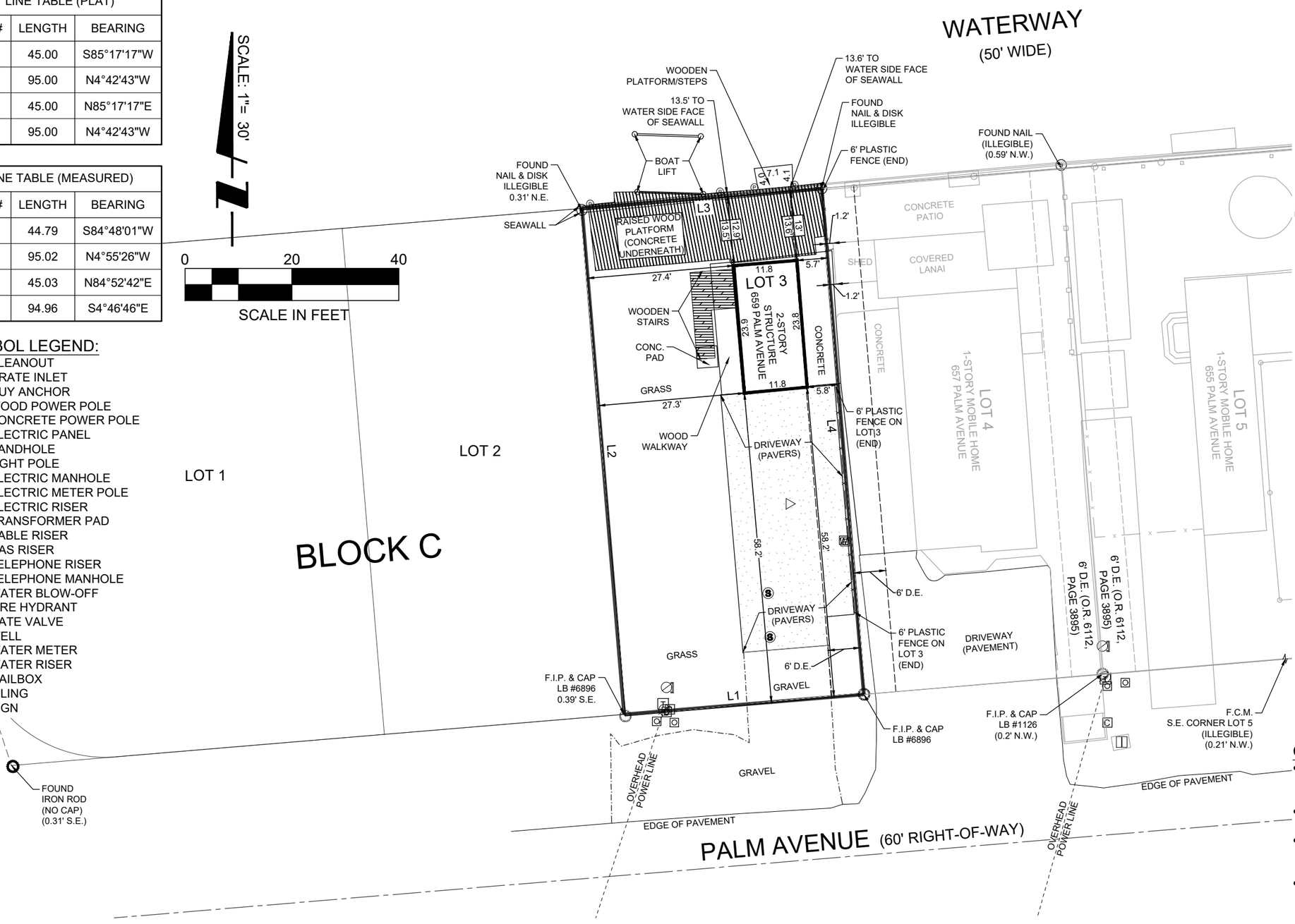
SCALE: 1"= 30'

0 20 40

SCALE IN FEET

SYMBOL LEGEND:

- = CLEANOUT
- = GRATE INLET
- = GUY ANCHOR
- = WOOD POWER POLE
- = CONCRETE POWER POLE
- = ELECTRIC PANEL
- = HANDHOLE
- = LIGHT POLE
- = ELECTRIC MANHOLE
- = ELECTRIC METER POLE
- = ELECTRIC RISER
- = TRANSFORMER PAD
- = CABLE RISER
- = GAS RISER
- = TELEPHONE RISER
- = TELEPHONE MANHOLE
- = WATER BLOW-OFF
- = FIRE HYDRANT
- = GATE VALVE
- = WELL
- = WATER METER
- = WATER RISER
- = MAILBOX
- = PILING
- = SIGN



MAP OF BOUNDARY SURVEY OF LOT 3, GOODLAND ISLES FIRST ADDITION, PLAT BOOK 8, PAGES 1-2, COLLIER COUNTY, FLORIDA.

PREPARED FOR: PENINSULA ENGINEERING

PENINSULA ENGINEERING
2600 GOLDEN GATE PARKWAY
NAPLES, FLORIDA 34105
PHONE: 239.403.6700 FAX: 239.261.1797
EMAIL: INFO@PEN-ENG.COM
WEBSITE: WWW.PEN-ENG.COM

LANCE T MILLER
PROFESSIONAL SURVEYOR AND MAPPER, #LS5627

SEPTEMBER 13TH, 2023
DATE

CERTIFICATE OF AUTHORIZATION #LB- 8479

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

NO OTHER PERSON OR ENTITY MAY RELY UPON THIS EXHIBIT.

THIS EXHIBIT IS ONLY FOR THE LANDS AS DESCRIBED IT IS NOT A CERTIFICATE OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

LEGEND:

D.E. = DRAINAGE EASEMENT
EL. & ELEV. = ELEVATION
F.P.L. = FLORIDA POWER & LIGHT
O.R. = OFFICIAL RECORDS BOOK
P.B. = PLAT BOOK
PG. = PAGE
R.O.W. = RIGHT-OF-WAY
P = PLAT, M = MEASURED, C = CALCULATED, F = FIELD
(S.I.P.)SET 5/8" IRON PIN & CAP STAMPED LB-8479
(F.I.P.) FOUND IRON PIN & CAP STAMPED AS SHOWN
(S.C.M.) SET 4" X 4" CONCRETE MONUMENT 24" LONG STAMPED LB-8479
(F.C.M.) FOUND CONCRETE MONUMENT
(S.N.D.) SET PK NAIL & DISK STAMPED LB-8479
(F.N.D.) FOUND PK NAIL & DISK STAMPED

GENERAL NOTES:

- BEARINGS ARE BASED ON THE COMMON LINE BETWEEN LOTS 3 AND 4, BEING NORTH 04°46'46" WEST.
- ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM, 1988, (N.A.V.D.)
- LINES SHOWN OUTSIDE OF THE LAND DESCRIBED ARE FOR REFERENCE USE ONLY AND WERE NOT SURVEYED.
- PROPERTY LIES WITHIN FLOOD ZONE AE9 PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL #12021 C0842H, DATED MAY 16, 2012.

REV.	REVISION

Date:	09/13/2023
Horizontal Scale:	1" = 20'
Vertical Scale:	N.T.S.
Fieldbook/Page:	P-023/22, 23, 33
Fieldwork by:	S.D.
Drawn by:	C.A.C.L.

APPROVED:

LANCE T MILLER, P.S.M. #LS5627

TITLE:

MAP OF BOUNDARY SURVEY

OF LOT 3, GOODLAND ISLES
FIRST ADDITION, PLATBOOK 8, PAGES 1-2, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

PENINSULA ENGINEERING

CLIENT: PENINSULA ENGINEERING

PROJECT NO. P-DBLM-001

SHEET #: 1 OF 1

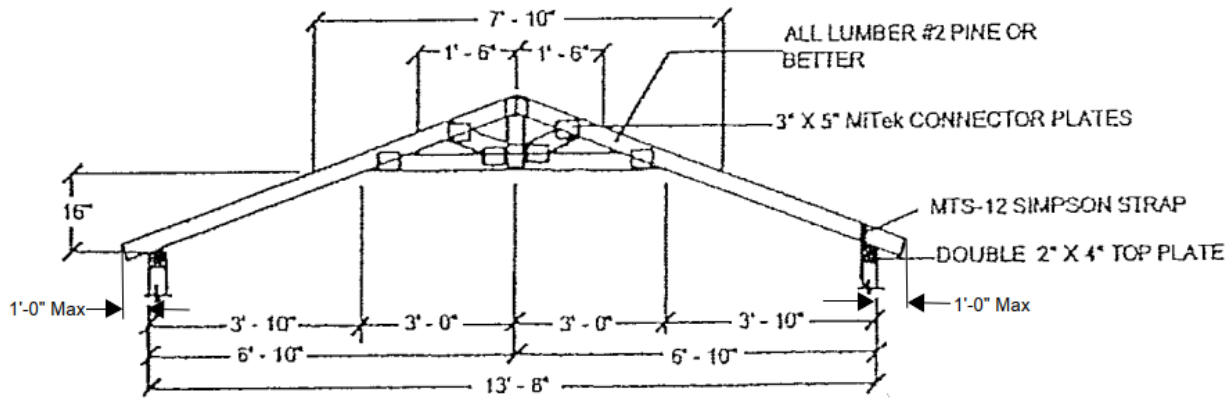
DRAWING NO.: S-P-DBLM-

Attachment: Attachment A - Map of Boundary Survey (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Saved by: C. Lopez | Plot Date: 9/13/2023 4:53 PM | Saved by: C. Lopez | Original Size: 11x17 | Drawing Path: S:\Goodland\Drawings\P-DBLM-001\ELOTS.dwg | Plotted by: Camilo Lopez

659 PALM AVENUE GOODLAND VARIANCE

ROOF OVERHANG DETAIL AND PHOTOGRAPH



HIP TRUSS DETAIL
(2) REQUIRED
FOR SHED WIDTH OF 11'-8" OR LARGER
SCALE: $\frac{1}{4}$" = 1'-0"

Attachment: Attachment B - Roof Overhang Detail (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

INSTR 6488722 OR 6314 PG 3531 RECORDED 12/19/2023 9:52 AM PAGES 6
CLERK OF THE CIRCUIT COURT AND COMPTROLLER, COLLIER COUNTY FLORIDA
DOC@.70 $0.70 REC $52.50
CONS $10.00

Attachment: Attachment C - Easement Use Agreement - PL20220005415 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

EASEMENT USE AGREEMENT

This EASEMENT USE AGREEMENT ("Agreement") is made as of this 12TH day of DECEMBER 2023, by and between **Double M Investments LLC** ("Owner") and **Collier County** ("County"), hereinafter collectively referred to as the "Parties."

NOT OFFICIAL UNTIL SIGNED

RECITALS:

WHEREAS, Double M Investments, LLC is the current fee owners of that certain parcels of real property known as Lots 3, 4, and 5 of Block C, Goodland Isles First Addition, according to the plat thereof as recorded in Plat Book 8, Pages 1 through 2 of the Public Records of Collier County, Florida, located at 655, 657 and 659 Palm Avenue, Goodland, Florida, 34140, more specifically shown on Exhibit "A" ("Subject Property"); and

WHEREAS, as set forth in Plat Book 8, Pages 1 through 2, the County is record owner of certain non-exclusive Drainage Easement rights, a portion of which encumbers the Subject Property ("Easement Area 1"); and

WHEREAS, the Owner conveyed to the County a perpetual non-exclusive Drainage Easement for existing stormwater infrastructure over a portion of Lots 4 and 5 of the Subject Property as recorded in Official Records Book 6112, Pages 3895 through 3898 ("Easement Area 2"); and

WHEREAS, Easement Area 1 and Easement Area 2 are also collectively described as the "Easement Areas" and depicted on the site plan attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, Owner seeks to construct, repair, and/or maintain the existing improvements on the Subject Property ("Encroachments"), as specified below and as shown on Exhibit "A":

Easement Area 1:

- Two-story dwelling on Lot 3 that encroaches 0.3 feet into the DE;
- Raised Wood Platform Deck on Lot 3 that encroaches into the DE;
- Shed on Lot 4 that encroaches 4.8 feet into the DE;
- Elevated Boat Winch on Lot 4 that encroaches into the DE; and
- Miscellaneous improvements including fencing, driveway pavers, transformer pad, and concrete patios on Lots 3 and 4 that encroach into the DE.

Easement Area 2:

- Shed on Lot 4 that encroaches 3.1 feet into the DE;
- Shed on Lot 5 that encroaches 5.3 feet into the DE;
- Wood Tiki Structure on Lot 5 that encroaches 5 feet into the DE; and

CAO

- Miscellaneous improvements including fencing, concrete patios, electrical meter pole, and landscaping on Lots 4 and 5 that encroach into the DE; and

WHEREAS, the County has no present objection to the continued use of the Encroachments within the Easement Areas, provided that the Owner agrees to the terms and conditions set forth below; and

WHEREAS, the parties to this Agreement have reached certain understandings with regard to the Encroachments and now desire to set forth their understanding in writing for recordation.

NOW THEREFORE, for and in consideration of the Recitals, the sum on TEN DOLLARS ($10.00), and for other good and valuable consideration the receipt and sufficiency of which are hereby expressly acknowledged, the parties hereto agree as follows:

1. The foregoing recitals are true and correct, incorporated herein by reference, and made a part of this Agreement.

2. The County hereby expressly consents to the Encroachments into the Easement Areas depicted on Exhibit "A".

3. Owner shall provide the County whatever access it requires to continue enjoying its drainage easement rights.

4. The County agrees that until otherwise notified, the Owner may continue the use of the Encroachments within the Easement Areas, to the extent shown on Exhibit "A". The County retains the right, however, in its sole discretion, to demand by written request that the Encroachments be removed from the Easement Areas, which the Owner will do at its sole cost and expense within a reasonable time from receipt of such request.

5. Owner agrees for themselves and successors and assigns that they shall release, indemnify and hold the County harmless for and against any and all obligations, claims, liabilities, expenses and/or fees (including reasonable attorney's fees and court costs) including personal injury or property damage arising out of the use of the Easement Areas by the Owner, its respective contractors, agents, employees or invitees at any time while the Encroachments remain within the Easement Areas. Further, Owner for themself, successors and assigns agree to release and hold the County harmless from and against any and all obligations, claims, liabilities, expenses and/or fees (including reasonable attorney's fees and court costs) including personal injury or property damage arising out of the use of the Easement Areas by the County, including but not limited to, damage which may occur to the Encroachments during the normal operation, maintenance, repair and/or replacement, as applicable, of the

UNOFFICIAL DOCUMENT

Attachment: Attachment C - Easement Use Agreement - PL20220005415 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

CAO

Easement Areas and/or the improvements and/or the infrastructure, which may now or in the future be located within the Easement Areas.

6. This Easement Use Agreement shall be recorded in the Public Records of Collier County, Florida, at Owners' sole cost and expense. This Agreement is intended to bind the Parties, together with their respective successors, assigns and heirs.

7. This Agreement shall be governed by the laws of the State of Florida.

IN WITNESS WHEREOF, the parties hereto have caused this Easement Use Agreement to be executed as of the day, month, and year as first above written.

WITNESSES:

Signature

Print Name

Signature

Print Name

OWNER:

DOUBLE M INVESTMENTS LLC, a Florida Limited Liability Company

By: Angela K. McGrath
Angela K. McGrath, as President and Managing Member

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing Easement Use Agreement was acknowledged before me by means of physical presence this 23 day of October 2023, by Angela K. McGrath, as President and Managing Member of Double M Investments LLC, who ☒ is personally known to me or ☐ has produced _____ as identification.

ALEXANDER ONEILL
Notary Public-State of Florida
Commission # HH 266
My Commission Expires
July 13, 2024

Notary Public/State of Florida

Printed Name of Notary Public

[County Signature Page to Follow]

Attachment: Attachment C - Easement Use Agreement - PL20220005415 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

AS TO COUNTY:

ATTEST:
Crystal K. Kinzel, Clerk of the
Circuit Court & Comptroller

By: _____, Deputy Clerk
Attest as to Chairman's signature only

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
Rick LoCastro, Chairman

Approved as to form and legality:

_____
Derek D. Perry
Assistant County Attorney

10/20/2023

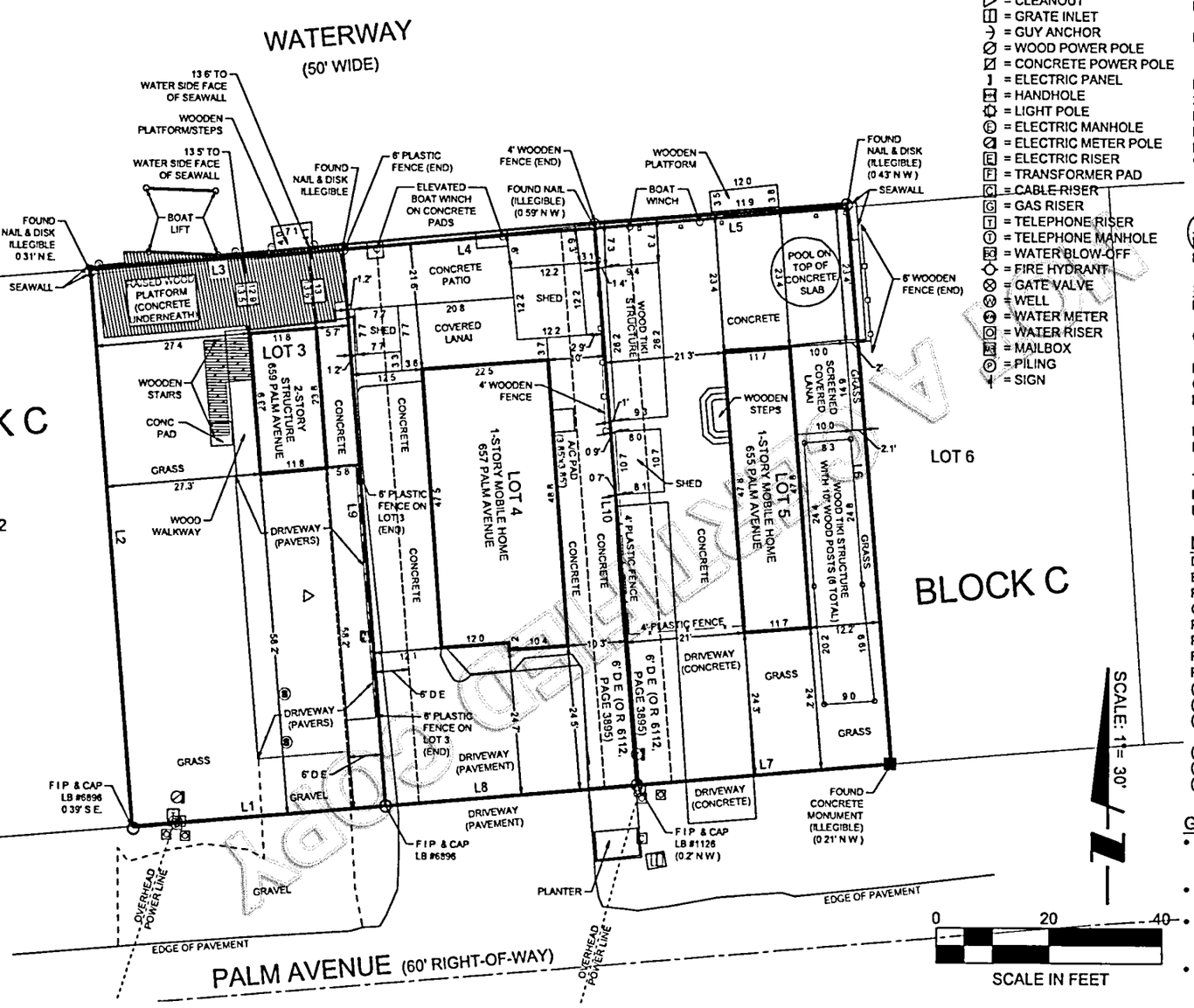
UNOFFICIAL CERTIFIED COPY

Attachment: Attachment C - Easement Use Agreement - PL20220005415 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

EXHIBIT "A"

LINE TABLE (PLAT VALUES)		
LINE #	LENGTH	BEARING
L1	45 00	S85°17'17"W
L2	95 00	N4°42'43"W
L3	45 00	N85°17'17"E
L4	45 00	N85°17'17"E
L5	45 00	N85°17'17"E
L6	95 00	N4°42'43"W
L7	45 00	S85°17'17"W
L8	45 00	S85°17'17"W
L9	95 00	N4°42'43"W
L10	95 00	N4°42'43"W

LINE TABLE (MEASURED VALUES)		
LINE #	LENGTH	BEARING
L1	44 79	S84°48'01"W
L2	95 02	N4°55'26"W
L3	45 03	N84°52'42"E
L4	44 98	N84°25'12"E
L5	44 97	N85°25'37"E
L6	95 34	N4°41'56"W
L7	44 99	S85°13'13"W
L8	44 82	S85°06'37"W
L9	94 96	N4°46'46"W
L10	95 50	N4°41'02"W



SYMBOL LEGEND:

- = CLEANOUT
- = GRATE INLET
- = GUY ANCHOR
- = WOOD POWER POLE
- = CONCRETE POWER POLE
- = ELECTRIC PANEL
- = HANDHOLE
- = LIGHT POLE
- = ELECTRIC MANHOLE
- = ELECTRIC METER POLE
- = ELECTRIC RISER
- = TRANSFORMER PAD
- = CABLE RISER
- = GAS RISER
- = TELEPHONE RISER
- = TELEPHONE MANHOLE
- = WATER BLOW-OFF
- = FIRE HYDRANT
- = GATE VALVE
- = WELL
- = WATER METER
- = WATER RISER
- = MAILBOX
- = PILING
- = SIGN

MAP OF BOUNDARY SURVEY OF LOTS 3, 4, AND 5, GOODLAND ISLES FIRST ADDITION, PLAT BOOK 8, PAGES 1-2, COLLIER COUNTY, FLORIDA.

PREPARED FOR: PENINSULA ENGINEERING

PENINSULA ENGINEERING
2600 GOLDEN GATE PARKWAY
NAPLES, FLORIDA 34105
PHONE: 239 403 6700 FAX 239 261.1797
EMAIL: INFO@PEN-ENG COM
WEBSITE WWW PEN-ENG COM

LANCE T MILLER
PROFESSIONAL SURVEYOR AND MAPPER, #LS5627

SEPTEMBER 13TH, 2023
DATE

CERTIFICATE OF AUTHORIZATION #LB- 8479

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

NO OTHER PERSON OR ENTITY MAY RELY UPON THIS EXHIBIT.

THIS EXHIBIT IS ONLY FOR THE LANDS AS DESCRIBED IT IS NOT A CERTIFICATE OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES

LEGEND:

D E = DRAINAGE EASEMENT
EL. & ELEV = ELEVATION
F P L = FLORIDA POWER & LIGHT
O R = OFFICIAL RECORDS BOOK
P B. = PLAT BOOK
PG = PAGE
R O W = RIGHT-OF-WAY
P = PLAT, M = MEASURED, C = CALCULATED, F = FIELD
(S I P)SET 5/8" IRON PIN & CAP STAMPED LB-8479
(F I P) FOUND IRON PIN & CAP STAMPED AS SHOWN
(S C M) SET 4" X 4" CONCRETE MONUMENT 24" LONG STAMPED LB-8479
(F C M) FOUND CONCRETE MONUMENT
(S N D) SET PK NAIL & DISK STAMPED LB-8479
(F N D) FOUND PK NAIL & DISK STAMPED

GENERAL NOTES:

- BEARINGS ARE BASED ON THE COMMON LINE BETWEEN LOTS 3 AND 4, BEING NORTH 04°46'46" WEST.
- ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM, 1988, (N A V D)
- LINES SHOWN OUTSIDE OF THE LAND DESCRIBED ARE FOR REFERENCE USE ONLY AND WERE NOT SURVEYED
- PROPERTY LIES WITHIN FLOOD ZONE AE9 PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL #12021 C0842H, DATED MAY 16, 2012

REV	REVISION

Date 09/13/2023
Horizontal Scale 1" = 20'
Vertical Scale N T S
Fieldbook/Page P-023/22, 23, 33
Fieldwork by S D
Drawn by C A C L

APPROVED
LANCE T MILLER, P S M #LS5627

TITLE
MAP OF BOUNDARY SURVEY
OF LOTS 3, 4, AND 5, GOODLAND ISLES FIRST ADDITION, PLATBOOK 8, PAGES 1-2, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

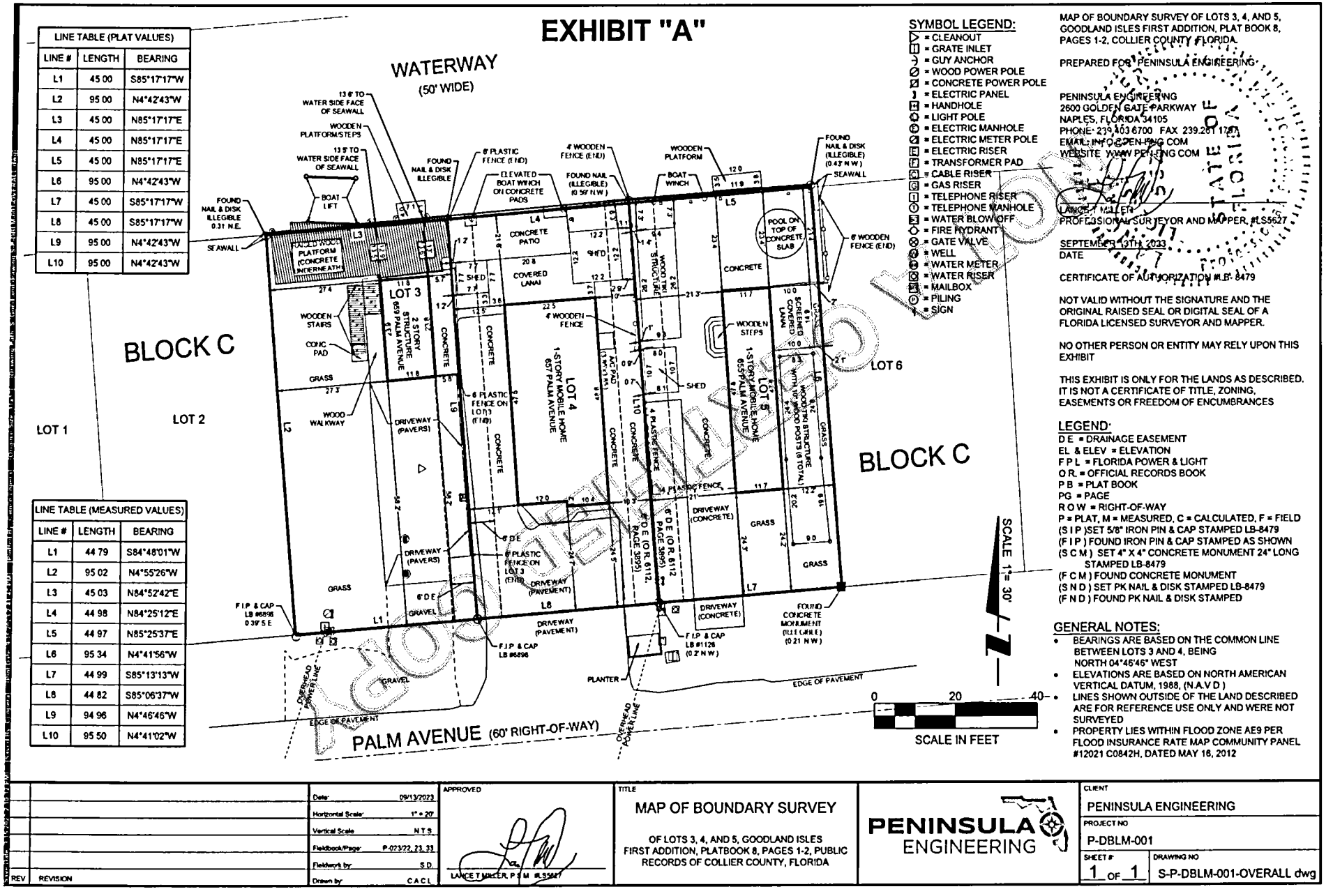
PENINSULA ENGINEERING

CLIENT: PENINSULA ENGINEERING
PROJECT NO: P-DBLM-001
SHEET # 1 OF 1
DRAWING NO: S-P-DBLM-001-OVERALL.dwg

EXHIBIT "A"

Attachment: Attachment C - Easement Use Agreement - PL20220005415 (27574 : PL20180003496 VA 659

EXHIBIT "A"



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MAP OF BOUNDARY SURVEY OF LOTS 3, 4, AND 5, GOODLAND ISLES FIRST ADDITION, PLAT BOOK 8, PAGES 1-2, COLLIER COUNTY, FLORIDA.

PREPARED FOR: PENINSULA ENGINEERING

PENINSULA ENGINEERING
2600 GOLDEN GATE PARKWAY
NAPLES, FLORIDA 34105
PHONE: 239.403.6700 FAX: 239.261.1787
EMAIL: INFO@PEN-ENG.COM
WEBSITE: WWW.PEN-ENG.COM

LANCE T. MILLER
PROFESSIONAL SURVEYOR AND MAPPER, #LS5627
SEPTEMBER 13TH, 2023
DATE

CERTIFICATE OF AUTHORIZATION #LB 8479

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Date: 09/13/2023
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Fieldwork by: S.D.
Drawn by: C.A.C.L.

APPROVED
LANCE T. MILLER, P.S.M. #LS5627

TITLE
MAP OF BOUNDARY SURVEY
OF LOTS 3, 4, AND 5, GOODLAND ISLES FIRST ADDITION, PLATBOOK 8, PAGES 1-2, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

PENINSULA ENGINEERING

CLIENT: PENINSULA ENGINEERING
PROJECT NO: P-DBLM-001
SHEET #: 1 OF 1
DRAWING NO: S-P-DBLM-001-OVERALL.dwg

Attachment: Attachment C - Easement Use Agreement - PL20220005415 (27574 : PL20180003496 VA 659

RESOLUTION NO. 99-276 Vacate Easement
RECORDED 6-25-99 OR 2563 PG 0536
PLAT BOOK 8 PAGES 1 thru 2

PLAT BOOK 8 ,PAGE 1
SHEET 1 OF 2

GOODLAND ISLES

FIRST ADDITION

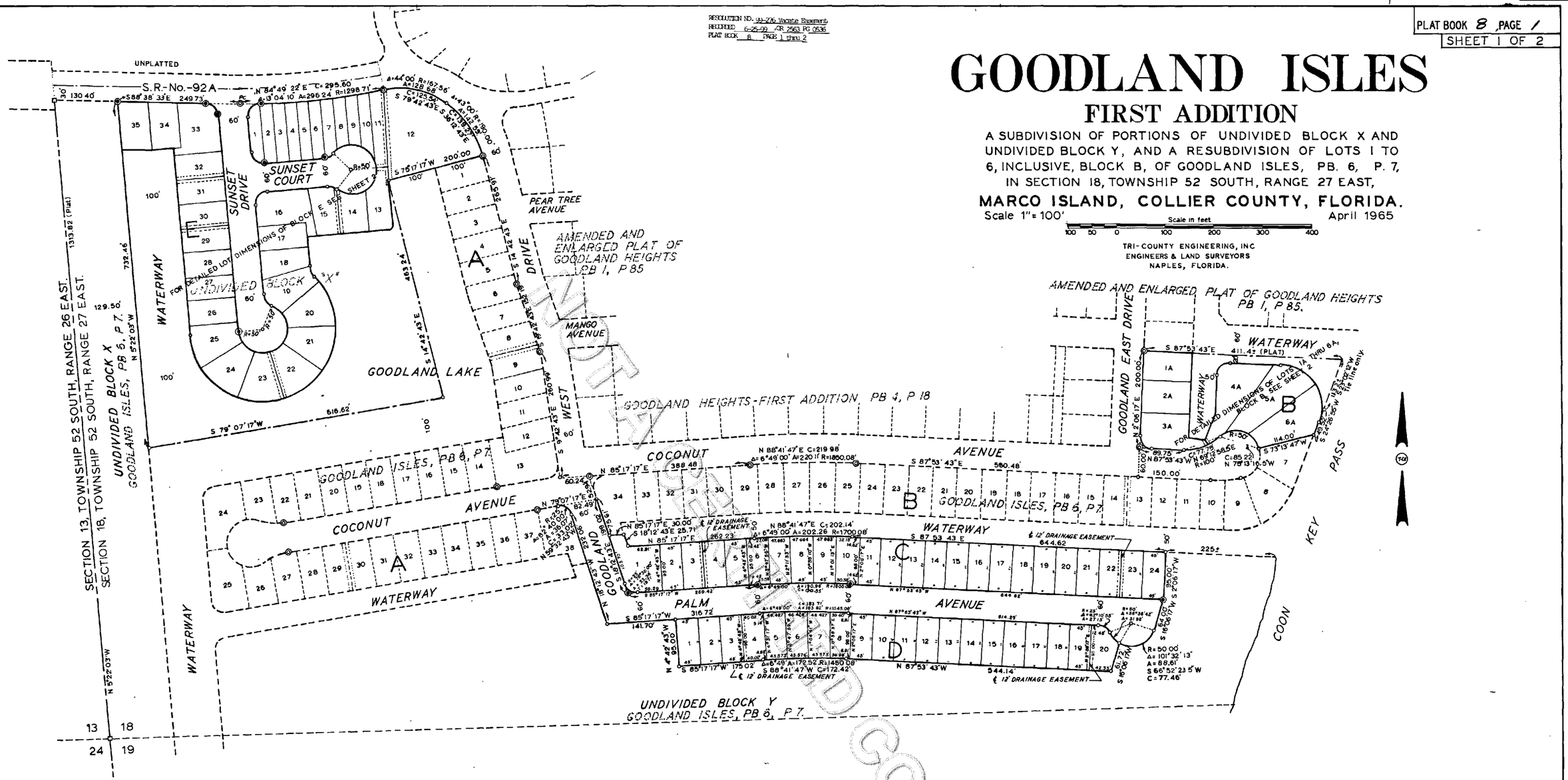
A SUBDIVISION OF PORTIONS OF UNDIVIDED BLOCK X AND UNDIVIDED BLOCK Y, AND A RESUBDIVISION OF LOTS 1 TO 6, INCLUSIVE, BLOCK B, OF GOODLAND ISLES, PB. 6, P. 7, IN SECTION 18, TOWNSHIP 52 SOUTH, RANGE 27 EAST,

MARCO ISLAND, COLLIER COUNTY, FLORIDA.

Scale 1"= 100' April 1965

Scale in feet
100 50 0 100 200 300 400

TRI-COUNTY ENGINEERING, INC
ENGINEERS & LAND SURVEYORS
NAPLES, FLORIDA.



DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: THAT THEODORE E. CURCIE, PRESIDENT, AND JOHN W. TURNER, SECRETARY, OFFICERS OF GOODLAND INC., OWNER OF THE HEREIN DESCRIBED LAND, HAVE CAUSED TO BE MADE THIS PLAT ENTITLED "GOODLAND ISLES, FIRST ADDITION" AND DO HEREBY DEDICATE THE STREETS, WATERWAYS, AND EASEMENTS AS SHOWN ON THE ATTACHED PLAT, TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES.

WITNESS:
Stanley W. Gutz — BY: Theodore E. Curcie, PRESIDENT
Edward Bolmes — John W. Turner, SECRETARY

ACKNOWLEDGEMENT:

STATE OF FLORIDA SS
COUNTY OF BROWARD

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME, THEODORE E. CURCIE, PRESIDENT, AND JOHN W. TURNER, SECRETARY, OFFICERS OF GOODLAND INC., TO ME WELL KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION, AND WHO ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR OWN FREE ACT AND DEED AS SUCH OFFICERS, AND THAT THEY AFFIXED THERETO THE OFFICIAL SEAL OF SAID CORPORATION, AND THAT INSTRUMENT IS THE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL AT HALLANDALE, COUNTY OF BROWARD, STATE OF FLORIDA, THIS 1 DAY OF July A.D. 1965.

MY COMMISSION EXPIRES:
[illegible]

Patsy E. Mackanosh
NOTARY PUBLIC, STATE OF FLORIDA, AT LARGE

SURVEYOR'S NOTES:

- ● DENOTES PERMANENT REFERENCE MONUMENT FOUND IN PLACE.
- ● DENOTES PERMANENT REFERENCE MONUMENT SET.

NOTE: BEARINGS ARE BASED ON PLAT OF GOODLAND ISLES, P.B.6, P.7, COLLIER COUNTY, FLORIDA.

SURVEYOR'S CERTIFICATE:

I, PAUL T. O'HARGAN, THE SURVEYOR MAKING THIS PLAT, DO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS PLATTED TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED IN ACCORDANCE WITH SECTION 7, CHAPTER 10275 LAWS OF THE STATE OF FLORIDA.

TRI-COUNTY ENGINEERING, INC.
BY: Paul T. O'Hargan
PAUL T. O'HARGAN, REG. SURV. NO. 1936, STATE OF FLA.

RESOLUTION - 82-50 TO VACATE 12' DRAINAGE ESMT ON LOT LINE BETWEEN LOTS 22 & 23, BLOCK C - ALSO RESOLUTION TO ACCEPT 15' DRAINAGE ESMT. ON THE E-15' & W-30' OF LOT 23, BLOCK C. 4-20-82
OR-968 PG-820

COUNTY APPROVALS:

THIS PLAT APPROVED BY COUNTY ZONING DIRECTOR THIS 3rd DAY OF August A.D 1965.
Carl Clemmer
CARL CLEMMER

THIS PLAT APPROVED BY COUNTY ENGINEER THIS 2nd DAY OF August A.D. 1965.
Harmon Turner
HARMON TURNER

THIS PLAT APPROVED IN REGULAR OPEN MEETING BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, THIS 3rd DAY OF August A.D. 1965.
Margaret T. Hunt — CLERK
R. Dean Mc Allen — CHAIRMAN

FILING RECORD:

I HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED BY ME AND THAT IT COMPLIES IN FORM WITH THE REQUIREMENTS OF CHAPTER 10275 LAWS OF THE STATE OF FLORIDA AND THAT SAID PLAT WAS FILED FOR RECORD AT 3:50 P.M. THIS 3 DAY OF August A.D. 1965 AND RECORDED IN PLAT BOOK 8 PAGE 1&2 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

Margaret T. Hunt
CLERK OF THE CIRCUIT COURT
By: [illegible] D.C.

Attachment: Attachment D - Goodland Isles First Addition Plat Map, PB8_PG1 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Growth Management Department
Building Permit Resolution Services
EXPIRED PERMIT NOTICE

Date: September 21, 2019

Contractor:
Permit Number: PRBD20171254064
Job Description: TO PERMIT FOR OCCUPANCY A 288 SQ FT TINY HOUSE PURCHASED FINISHED @ SET ELECTRICAL/PLUMBING IN BUT PERMITS AND INSPECTIONS NEEDED
- SEPTIC PERMIT ON FILE

659 PALM AVE E.
1 bed / 1 bath (1wc) rm
Job Location: 659 Palm AVE, Goodland

The Collier County Building Plan Review and Inspection Division routinely reviews all outstanding permits in order to determine their status. During our most recent review, we have found that the above referenced permit has not been actively pursued, and it has been over 180 days since an approved inspection has been received.

Florida Building Code states:
105.4 Conditions of the permit.

105.4.1 Permit intent.
A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 6 months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 6 months after the time the work is commenced.
***

105.4.1.1
If work has commenced and the permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work.
***

105.4.1.2
If a new permit is not obtained within 180 days from the date the initial permit became null and void, the building official is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new permit may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.
***

105.4.1.3
Work shall be considered to be in active progress when the permit has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process.
***

105.4.1.4
The fee for renewal reissuance and extension of a permit shall be set forth by the administrative authority.

Based on the provisions of the Florida Building Code, with no action having taken place on or by October 21, 2019, your permit will be set to void for lack of progress or abandonment. In addition, any unpaid applicable fee(s) associated with your permit will result in your license being placed on hold if not paid by October 21, 2019. Currently there is an outstanding balance of $0.00.

It is considered a willful code violation if the permit is not actively pursued to completion. As such, any permit status that expired or void may receive further action through Code Enforcement and/or Contractors Licensing to resolve the permit to completion.

Contact Building Permit Resolution Services section at BPRS@colliercountyfl.gov and reference this letter.

Sincerely,

Jonathan Walsh, P.E.
Chief Building Official
Collier County Building Plan Review and Inspection
Growth Management Department
2800 North Horseshoe Drive, Naples, Florida 34104

Attachment: Attachment E - Building Permit PRBD20171254064 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS

PERMIT

PERMIT #: PRBD2017125406401 PERMIT TYPE: BD
ISSUED: BY: APPLIED DATE: 12-28-17 APPROVAL DATE: 06-11-18
MASTER #: COA: PRBD20171254064

JOB ADDRESS: 659 PALM AVE
JOB DESCRIPTION: TO PERMIT FOR OCCUPANCY A 288 SQ FT TINY HOUSE PURCHASED FINISHED @ SET ELECTRICAL/PLUMBING IN BUT PERMITS AND INSPECTIONS NEEDED
- SEPTIC PERMIT ON FILE
659 PALM AVE E.
1 bed / 1 bath (1wc) rm
JOB PHONE:

SUBDIVISION #: BLOCK: LOT:
FLOOD MAP: ZONE: ELEVATION:
FOLIO #: 46420360009 SECTION-TOWNSHIP-RANGE: 18-52-27

OWNER INFORMATION:
MCGRATH, CARYN MARY P O BOX 1985
<NO STREET ADDRESS>
MARCO ISLAND, FL 34146-

CONTRACTOR INFORMATION:
CERTIFICATE #: PHONE:

FCC CODE:
CONSTRUCTION CODE: 0218
JOB VALUE: $27,089.28 TOTAL RES SQFT: 288 TOTAL COMM SQFT: 0

SETBACKS FRONT: 20 REAR: 20' LEFT: 5 RIGHT: 5
SEWER: Septic WATER: Existing
CONTACT NAME:
CONTACT PHONE:

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

NOTICE: PRIOR TO THE REMOVAL OF ASBESTOS PRODUCTS OR THE DEMOLITION OF A STRUCTURE, 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.

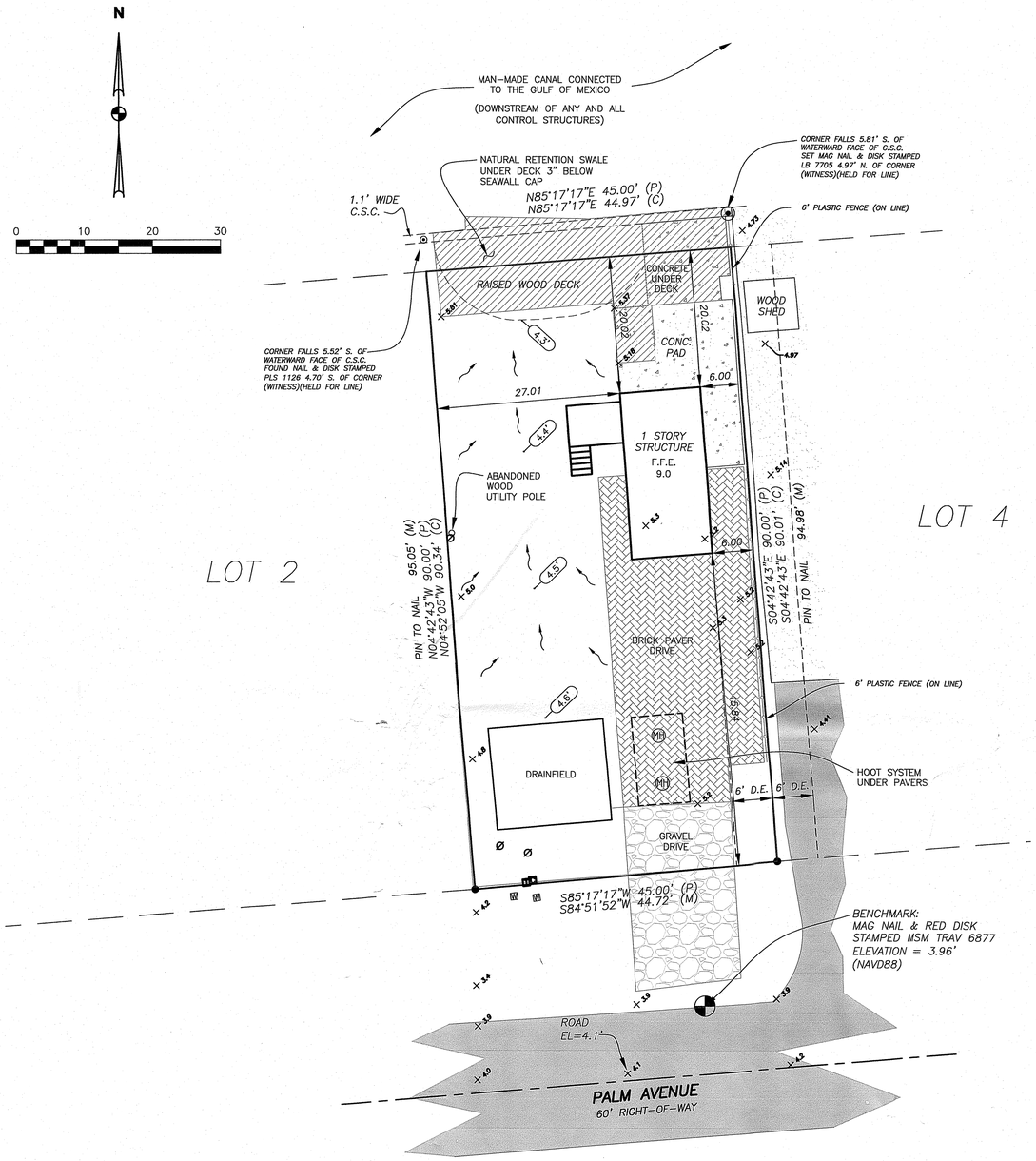
In addition to the conditions of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal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

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YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

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LEGEND

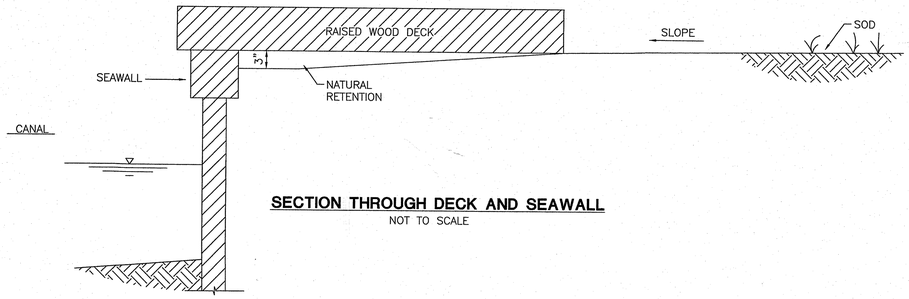
EXISTING ELEVATION	X.XX'
PROPOSED ELEVATION	(X.X')
PLAT	(PL)
SURVEY / CALCULATED	(C)
SURVEY / MEASURED	(M)
CPE	CORRUGATED POLYETHYLENE PIPE
BRICK PAVERS ON LIMEROCK	
GRAVEL	
FLOW ARROW	
PROPOSED CONTOUR	

IMPERVIOUS CALCULATION

TOTAL LOT S.F.	4,044 S.F.
PERVIOUS	2,523 S.F.
IMPERVIOUS	1,521 S.F.
PERCENTAGE OF COVERAGE	38%

ALL ELEVATIONS ARE N.A.V.D.88

NOTES:
1. OWNER IS RESPONSIBLE FOR OPERATION AND MAINTENANCE OF DRAINAGE SYSTEM.
2. SIDE SLOPES NOT TO EXCEED 4:1.
3. ZONE VR-GZO.
4. FIRM ZONE AE9.



SECTION THROUGH DECK AND SEAWALL
NOT TO SCALE

LEGAL
LOT 3
BLOCK C
659 EAST PALM AVENUE
GOODLAND ISLE 1st ADDITION
COLLIER COUNTY, FL.

SURVEY FURNISHED BY:
MARCO SURVEYING & MAPPING
3825 BEDX BOULEVARD
SUITE 725
NAPLES, FLORIDA 34114
(239) 389-0026
WWW.MARCOSURVEYS.COM

1	REVISED TO SHOW STEPS/DECK ENTRY	05/01/18 KAS
0	REVISIONS	DATE INIT

FOSTER-McGRATH RESIDENCE

FRANK FOSTER CONSTRUCTION CO.

AMERICAN ENGINEERING CONSULTANTS
OF MARCO ISLAND, INC.
CERTIFICATE OF AUTHORIZATION NUMBER: 26446
573 BALD EAGLE DR. MARCO ISLAND, FL. (239) 394-1697 www.AEC-MI.com

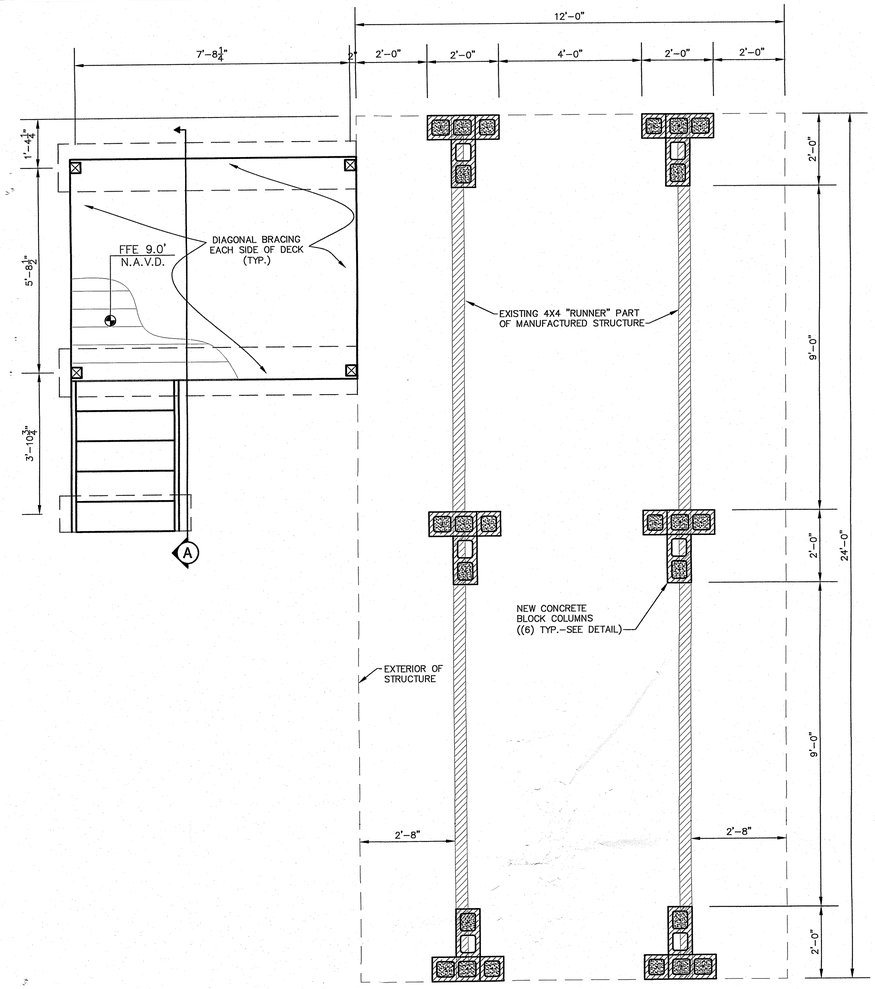
DRAWN BY : K. SCHMDTKE	CHECKED BY : M. PINCHNEY	APPROVED BY : MARTIN D. PINCKNEY
SCALE : 1" = 10'	DATE : MARCH 2018	JOB NO. : 10943-001-02 REF : DRAINAGE

MARTIN D. PINCKNEY LICENSE NO. 49760 STATE OF FLORIDA PROFESSIONAL ENGINEER
MARTIN D. PINCKNEY FLORIDA P.E. NO. 49760

TYPE I STORMWATER PLAN

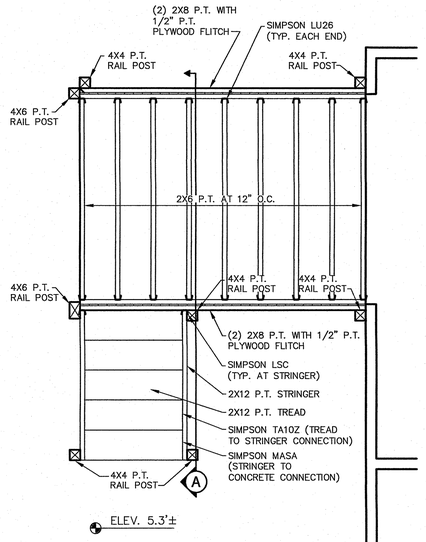
SHEET 1 OF 1

Attachment: Attachment E - Building Permit PRBD20171254064 (27574 : PL20180003496 659 Palm Ave Double M investments llc)



FOUNDATION PLAN

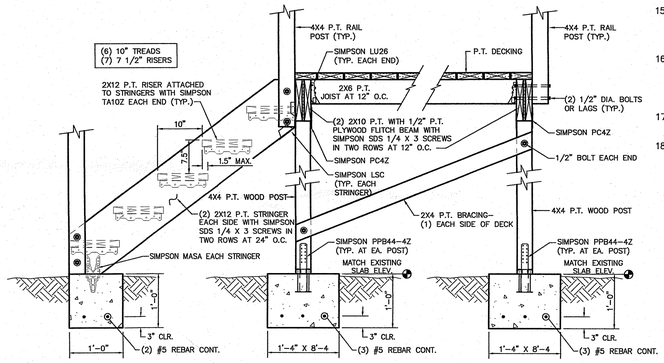
SCALE: 1/2" = 1'–0"



ELEV. 5.3'±

DECK FRAMING

SCALE: 1/2" = 1'–0"



SECTION A

N.T.S.

NOTES:

1. COORDINATION OF CONSTRUCTION INCLUDING VERIFICATION OF DIMENSIONS, ELEVATIONS, AND FIELD CONDITIONS IS THE RESPONSIBILITY OF THE CONTRACTOR. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION. FOR DETAILS AND DIMENSIONS NOT SHOWN SEE ARCHITECTURAL DRAWINGS.
2. THE STRUCTURAL SYSTEMS FOR THE DRAWINGS PRESENTED WERE DESIGNED PER THE 2017 FLORIDA BUILDING CODE.
3. IF THIS STRUCTURE IS TO BE LOCATED IN THE COASTAL FLOOD HAZARD ZONE, ALL ELECTRICAL AND MECHANICAL DEVICES SHALL BE LOCATED AT OR ABOVE THE FLOOD PLANE. THE FLOOD PLANE ELEVATION LABELED ON OUR DRAWINGS SHALL BE CONFIRMED BY A REGISTERED LAND SURVEYOR. WE TAKE NO RESPONSIBILITY IN THE DETERMINATION OF THIS ELEVATION.
4. REINFORCING STEEL SHALL BE ASTM A615, GRADE 60 DEFORMED BARS, FREE FROM OIL SCALE AND RUST. LAP SPLICES SHALL BE 44 BAR DIAMETERS IN CONCRETE AND 48 BAR DIAMETERS IN MASONRY, UNLESS OTHERWISE NOTED.
5. UNLESS OTHERWISE NOTED, ALL CONCRETE FOR BEAMS AND STRUCTURAL SLABS EXCEPT EPICORE SHALL OBTAIN A COMPRESSIVE STRENGTH OF 4000 psi IN 28 DAYS, AND SHALL CONFORM TO THE REQUIREMENTS OF ACI 318. ALL OTHER CONCRETE SHALL OBTAIN A COMPRESSIVE STRENGTH OF 3000 PSI IN 28 DAYS.
6. FORM WORK SUPPORTING CONCRETE BEAMS, SLABS, ETC.., MAY NOT BE REMOVED UNTIL THE CONCRETE HAS ATTAINED 80% OF THE DESIGN MINIMUM STRENGTH. DETERMINATION OF THE IN PLACE CONCRETE STRENGTH SHALL BE DETERMINED BY LABORATORY TESTING OF CONCRETE CYLINDER.
7. FORMS SHALL BE CLEAN FROM DEBRIS PRIOR TO PLACEMENT OF CONCRETE.
8. MASONRY CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH ACI 530/ASCE 5/TMS 402, BUILDING CODE REQUIREMENTS FOR MASONRY STRUCTURES.
9. MASONRY SHALL HAVE A SPECIFIED COMPRESSIVE STRENGTH (f'm') OF 1900 p.s.i.. GROUTED MASONRY CELLS SHALL BE FILLED WITH A GROUT THAT ACHIEVES A MINIMUM COMPRESSIVE STRENGTH OF 3000 p.s.i. AFTER 28 DAYS.
10. HORIZONTAL MASONRY WALL REINFORCING SHALL BE CONTINUOUS STEEL HORIZONTAL REINFORCEMENT, INCLUDING ALL CORNERS AND INTERSECTIONS. HORIZONTAL REINFORCING SHALL BE PROVIDED FOR ALL MASONRY WALLS 10'–0" TALL OR GREATER. PROVIDE (2) WIRE 8 GAUGE (.164") LADUR TYPE HORIZONTAL REINFORCEMENT AT 16" O.C. UNLESS OTHERWISE NOTED.
11. ALL #5 VERTICAL BARS EMBEDDED INTO CONCRETE FOUNDATION SHALL HAVE A 10"–90° BEND UNLESS NOTED OTHERWISE, AND SHALL BE EMBEDDED A MINIMUM OF 7" OR AS SHOWN.
12. ALL WOOD IN CONTACT WITH CONCRETE OR EARTH SHALL BE PRESSURE TREATED (P.T.) FOR GROUND CONTACT UNLESS AN APPROVED MOISTURE BARRIER IS PROVIDED.
13. ALL WOOD FRAMING WITHIN 8" OF EXPOSED EARTH SHALL BE PRESSURE TREATED (P.T.).
14. THERE SHALL BE A MINIMUM OF 6" BETWEEN ANY WOOD SIDING, WALL SHEATHING OR FRAMING MEMBERS AND EXPOSED EARTH.
15. THE NUMBER AND SIZE OF FASTENERS CONNECTING WOOD MEMBERS SHALL NOT BE LESS THAN THOSE SPECIFIED IN TABLE 2306.1 OF THE FLORIDA BUILDING CODE UNLESS OTHERWISE NOTED ON THE STRUCTURAL DRAWINGS.
16. FASTENERS AND CONNECTORS SHALL BE GALVANIZED. STRUCTURES WITHIN EXPOSURE CATEGORIES C OR D SHALL HAVE FASTENERS EITHER: (A)–HOT DIPPED GALVANIZED WITH 1.5 OUNCES OF ZINC / 1 SQ. FT. (B)–TRIPLE ZINC COATED PER ASTM A90. (C)–STAINLESS STEEL.
17. ALL WINDOW AND DOOR CERTIFICATIONS SHALL BE BY THE RESPECTIVE MANUFACTURER.
18. ALL ELEVATIONS REFER TO NORTH AMERICAN VERTICAL DATUM, 1988.

DESIGN LIVE LOADS

FLOOR LOADS

TYPICAL	40 PSF
STAIRWAYS	40 PSF
GARAGE	50 PSF

ROOF LOADING

ROOF SLOPE	TRIBUTARY AREA (SQ. FT.) 0–200	201–600	>600
< 4/12	20 PSF	16 PSF	12 PSF
4/12 TO 12/12	16 PSF	14 PSF	12 PSF
> 12/12	12 PSF	12 PSF	12 PSF

WIND LOADING
DETERMINED USING CRITERIA SET FORTH IN CHAPTER 16 OF THE FLORIDA BUILDING CODE 2017.

LATERAL EARTH PRESSURE (ACTIVE) 45 PSF/FT.

DESIGN STRESSES

TYPICAL WHERE APPLICABLE

CAST IN PLACE CONCRETE

FOOTINGS	f'c = 3,000 PSI
COLUMNS/PILASTERS	f'c = 4,000 PSI
SLAB ON GRADE	f'c = 3,000 PSI
BEAMS, STRUCTURAL SLABS	f'c = 4,000 PSI

REINFORCEMENT

TIES, STIRRUPS	fy = 60,000 PSI
WELDED WIRE FABRIC	fy = 60,000 PSI
OTHER	

MASONRY f'm = 1,900 PSI
TYPE S PORTLAND CEMENT MORTAR 1,800 PSI

ALLOWABLE SOIL BEARING CAPACITY 1500 PSF (ASSUMED)
IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO VERIFY SOIL CONDITIONS PRIOR TO CONSTRUCTION.

LUMBER

BEAMS/HEADERS (No.2 S.Y.P.)	LVL'S
Fb = 1350 PSI	Fb = 2850 PSI
Fv = 175 PSI	Fv = 285 PSI
Fc⊥= 480 PSI	Fc⊥= 750 PSI
E = 1.4 x 10^6 PSI	E = 2.0 x 10^6 PSI

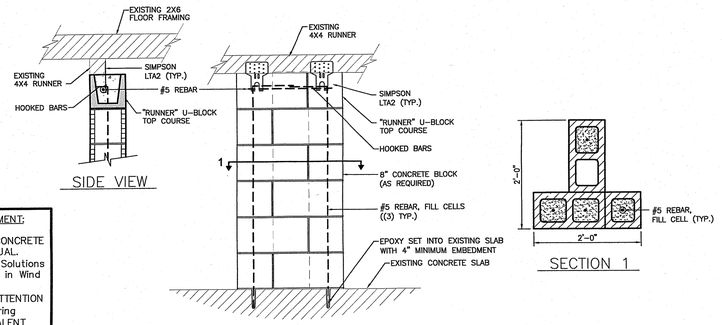
WALL STUDS (YELLOW-PINE)*	WALL STUDS (S-P-F)*
2 x No.2 GRADE	2 x No.1/No.2 GRADE
Fb = 1350 PSI	Fb = 875 PSI
Fc⊥= 1600 PSI	Fc⊥= 1150 PSI
E = 1.4 x 10^6 PSI	E = 1.4 x 10^6 PSI

*PER NDS SUPPLEMENT, NORMAL LOAD DURATION UNDER DRY CONDITION OF SERVICE.

NOTE REGARDING EXISTING CONDITIONS

INFORMATION PERTAINING TO EXISTING CONDITIONS GIVEN ON THESE STRUCTURAL DRAWINGS REPRESENTS TO THE BEST OF OUR KNOWLEDGE THE ACTUAL EXISTING FIELD CONDITIONS. AMERICAN ENGINEERING CONSULTANTS OF MARCO ISLAND, INC. MAKES NO WARRANTY AS TO THEIR ACCURACY. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS IMPERATIVE TO THE NEW WORK. REPORT DISCREPANCIES BETWEEN THE DRAWINGS AND FIELD CONDITIONS TO THE A/E FOR REVIEW.

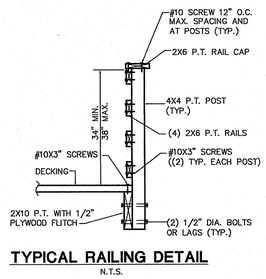
AMERICAN ENGINEERING CONSULTANTS OF MARCO ISLAND, INC. IS NOT RESPONSIBLE FOR ANY ELEMENTS OF THE EXISTING STRUCTURE. NEW STRUCTURE ELEMENTS OF THE DRAWING PRESENTED WERE DESIGNED PER THE FLORIDA BUILDING CODE 2017.



ADHESIVE NOTE FOR REBAR EMBEDMENT:
ADHESIVE FOR EPOXY DOWELING OF REINFORCING BARS INTO EXISTING CONCRETE SHALL BE SIMPSON SET–XP OR EQUAL. INSTALL ACCORDING TO "Anchoring Solutions for Simpson Strong–Tie Connectors in Wind and Low–Seismic Regions" (T–ANCHORSPEC12). PARTICULAR ATTENTION MUST BE PAID TO "Adhesive Anchoring Installation Instructions", OR EQUIVALENT MANUFACTURER'S SPECIFICATIONS.

TYPICAL BLOCK COLUMN SUPPORT

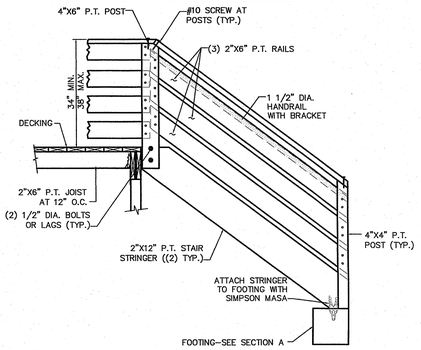
SCALE: 3/4" = 1'–0"



TYPICAL RAILING DETAIL

N.T.S.

NOTES:
1. ALL HANDRAILS TO BE 36" HIGH ABOVE TREAD NOSING. ALL GUARDRAILS TO BE 36" A.F.F. AND OPENINGS BETWEEN SPINDLES SHALL NOT ALLOW PASSAGE OF A 4" SPHERE. TRIANGULAR OPENINGS AT THE OPEN SIDE OF A STAIR, FORMED BY THE RISER, TREAD AND BOTTOM RAIL SHALL NOT ALLOW PASSAGE OF A 6" SPHERE.
2. TRIM MATERIALS T.B.D. BY BUILDER.



TYPICAL STAIR PROFILE

N.T.S.

LEGAL
LOT 3
BLOCK C
659 E. PALM AVE.
GOODLAND ISLES
COLLIER COUNTY, FL.

1	REVISED PER COUNTY COMMENTS	05/01/18	KAS
0	REVISIONS	DATE	INIT

FOSTER/McGRATH RESIDENCE

FRANK FOSTER CONSTRUCTION, INC.

AMERICAN ENGINEERING CONSULTANTS OF MARCO ISLAND, INC.
CERTIFICATE OF AUTHORIZATION NUMBER: 26446
573 BALD EAGLE DR. MARCO ISLAND, FL. (239) 394–1697 www.AEC–MI.com

DRAWN BY : K. SCHMADKTE	CHECKED BY : J. McHUGH	APPROVED BY : MARTIN D. PINCKNEY
SCALE : AS NOTED	DATE : FEBRUARY 2018	JOB NO. : 10943–001–01 REF : DECK

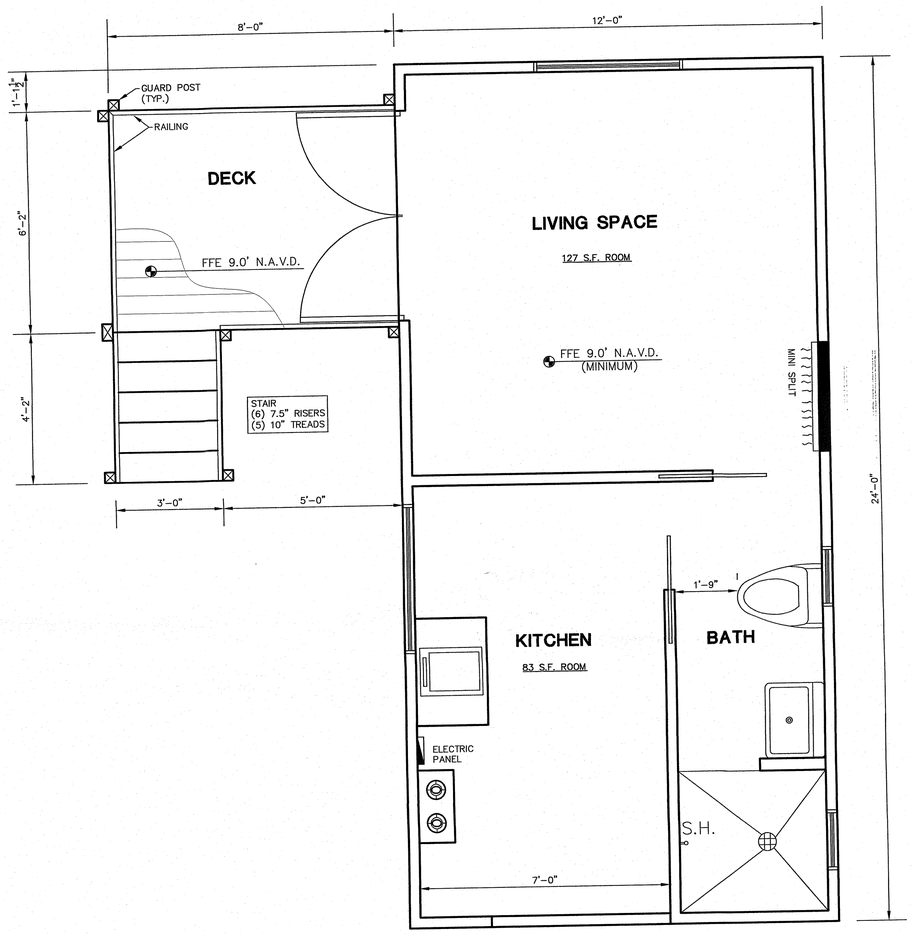
MARTIN D. PINCKNEY LICENSE No. 38380 STATE OF FLORIDA PROFESSIONAL ENGINEER

FOUNDATION PLAN FOR EXISTING MANUFACTURED BUILDING

SHEET 2 OF 2

Attachment: Attachment E - Building Permit PRBD20171254064 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

BASE FLOOD ELEVATION 9.0' N.A.V.D.



FLOOR PLAN

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

LEGAL
LOT 3
BLOCK C
659 E. PALM AVE.
GOODLAND ISLES
COLLIER COUNTY, F

REVISED PER COUNTY COMMENTS	05/01/18	KAS
REVISIONS	DATE	INIT

FOSTER/McGRATH RESIDENCE

FRANK FOSTER CONSTRUCTION, INC.

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573 BALD EAGLE DR. MARCO ISLAND, FL. (239) 394-1697 www.AEC-MI.com

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SCALE : AS NOTED	DATE : FEBRUARY 2018	JOB NO. : 10943-001-01 REF : DECK

MARTIN D. PINCKNEY LICENSE NO. 39041 STATE OF FLORIDA PROFESSIONAL ENGINEER
05/01/18
MARTIN D. PINCKNEY P.E. #39041

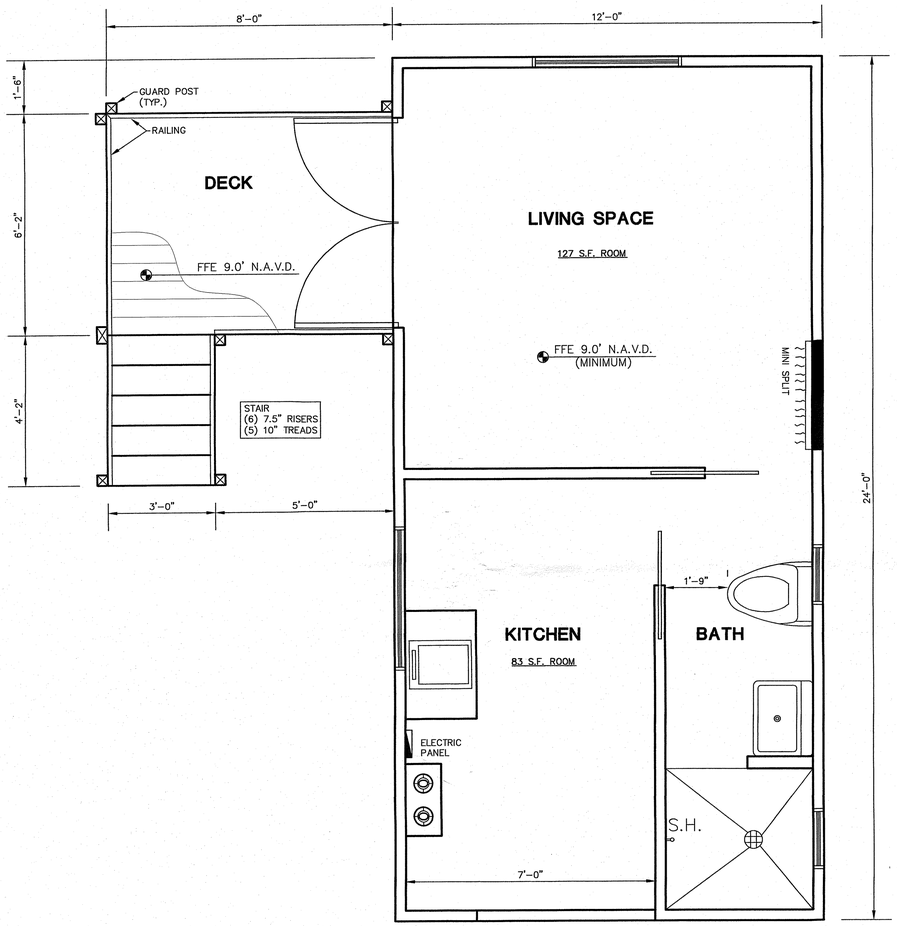
FOOR PLAN FOR EXISTING MANUFACTURED BUILDING

SHEET 1 OF 2

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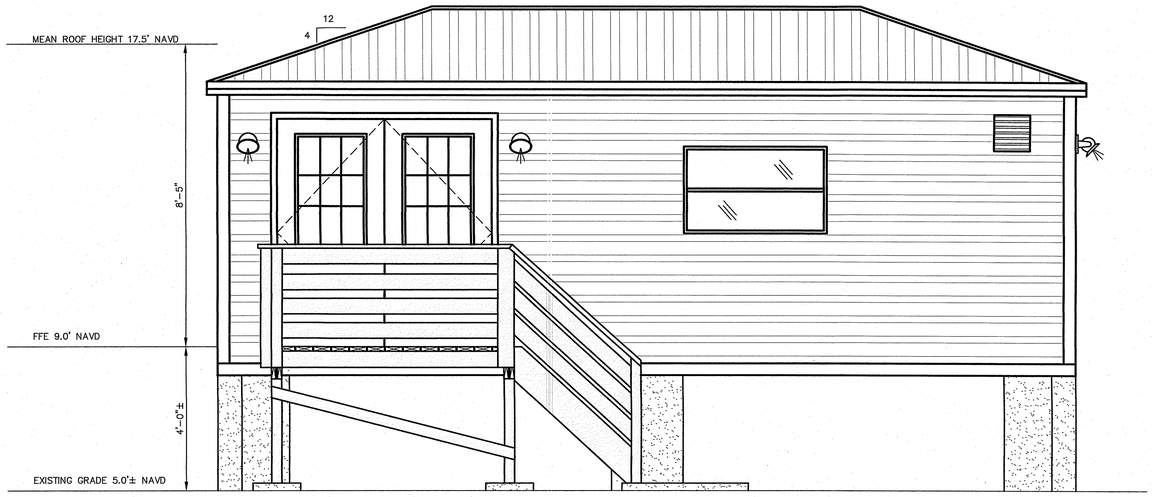
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BASE FLOOD ELEVATION 9.0' N.A.V.D.

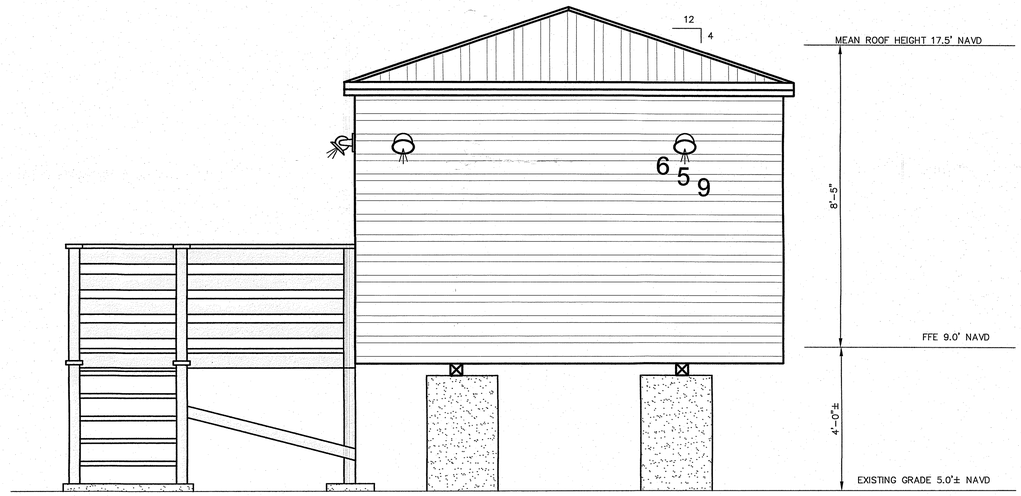


FLOOR PLAN

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



WEST ELEVATION



SOUTH ELEVATION

LEGAL
LOT 3
BLOCK C
659 E. PALM AVE.
GOODLAND ISLES
COLLIER COUNTY, FL.

ADDED ELEVATIONS	05/16/18	KAS
REVISED PER COUNTY COMMENTS	05/01/18	KAS
REVISIONS	DATE	INIT

FOSTER/McGRATH RESIDENCE

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SCALE : AS NOTED	DATE : FEBRUARY 2018	JOB NO. : 10943-001-01 REF : DECK

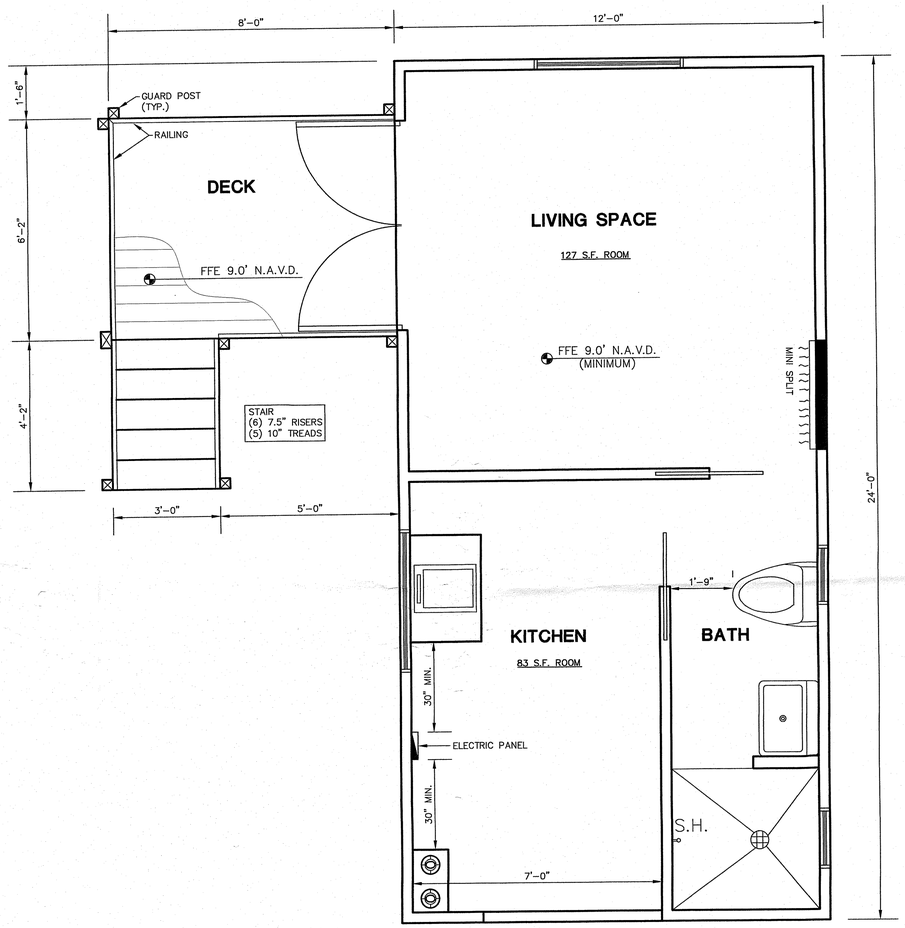
MARTIN D. PINCKNEY LICENSE 38390 STATE OF FLORIDA PROFESSIONAL ENGINEER
5-16-18
MARTIN D. PINCKNEY ALABAMA PE: # 26350

FLOOR PLAN AND ELEVATIONS FOR EXISTING MANUFACTURED BUILDING

SHEET 1 OF 2

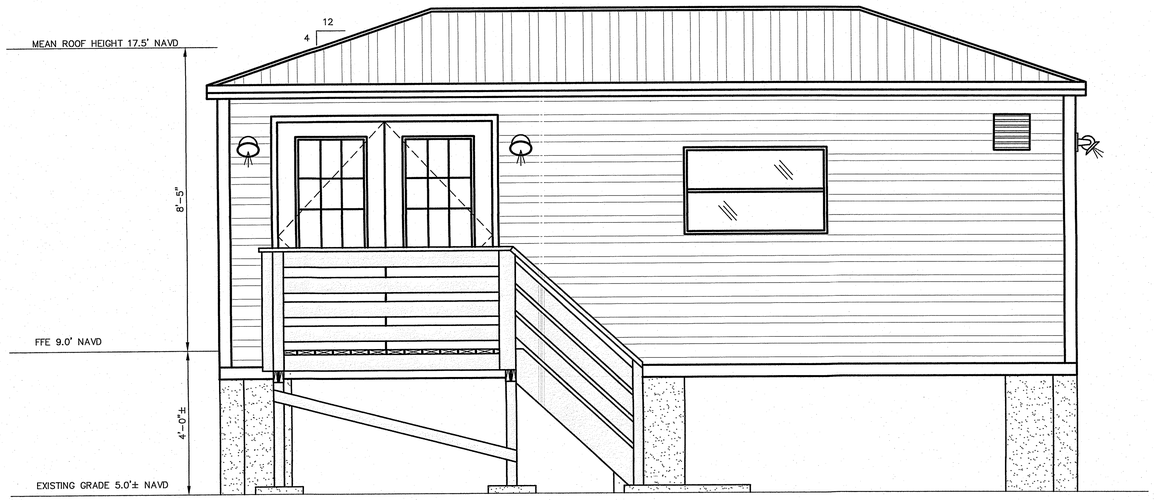
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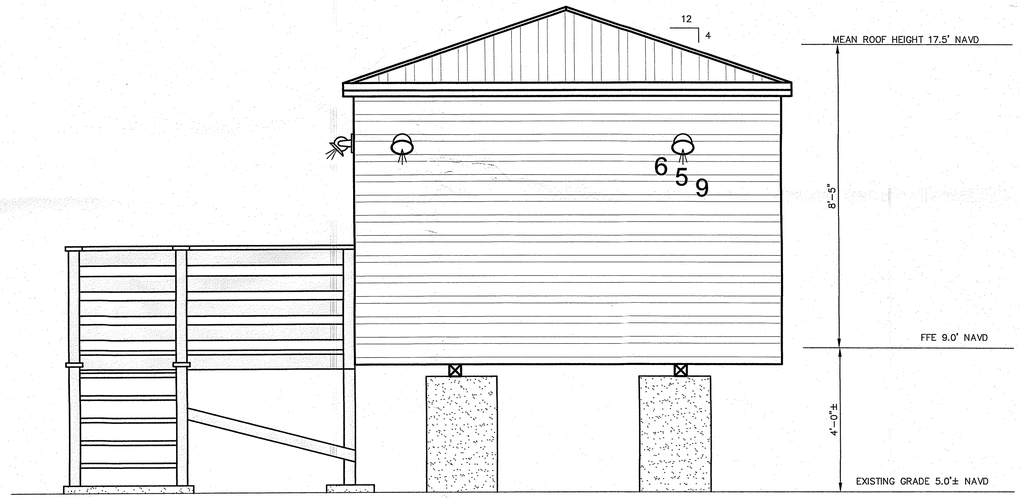


FLOOR PLAN

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



WEST ELEVATION



SOUTH ELEVATION

LEGAL
LOT 3
BLOCK C
659 E. PALM AVE.
GOODLAND ISLES
COLLIER COUNTY, FL.

3	REVISED TO SHOW CLEARANCE FROM ELECTRICAL PANEL	06/06/18 KAS
2	ADDED ELEVATIONS	05/16/18 KAS
1	REVISED PER COUNTY COMMENTS	05/01/18 KAS
	REVISIONS	DATE INIT

FOSTER/McGRATH RESIDENCE

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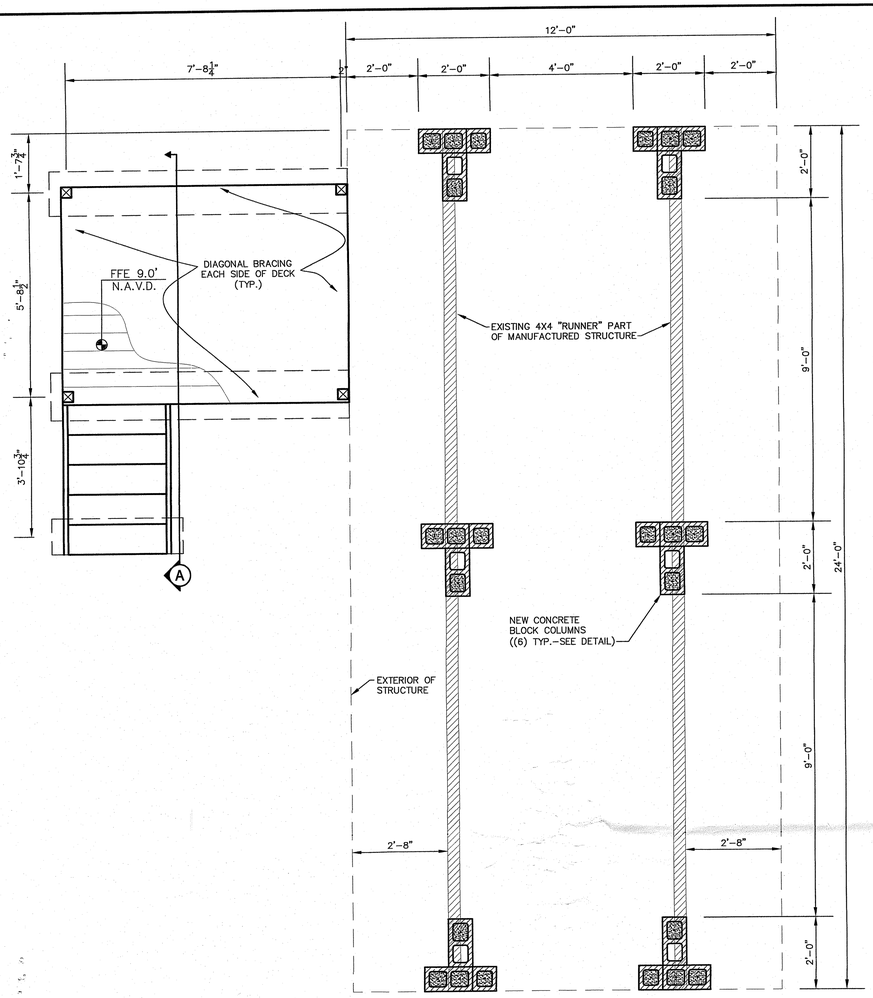
MARTIN D. PINCKNEY LICENSE NO. 38390 STATE OF FLORIDA PROFESSIONAL ENGINEER
MARTIN D. PINCKNEY FLORIDA REG. # 38390
5/16/18

FLOOR PLAN AND ELEVATIONS FOR EXISTING MANUFACTURED BUILDING

SHEET 1 OF 2

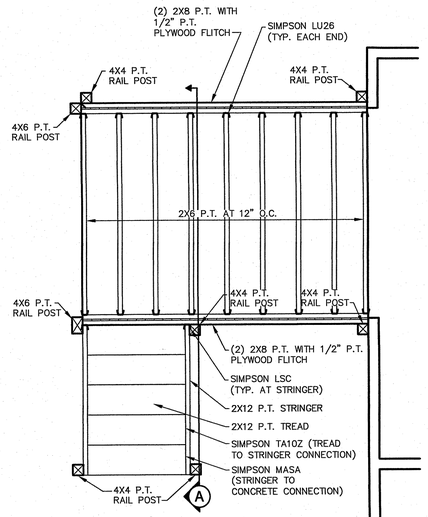
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FOUNDATION PLAN

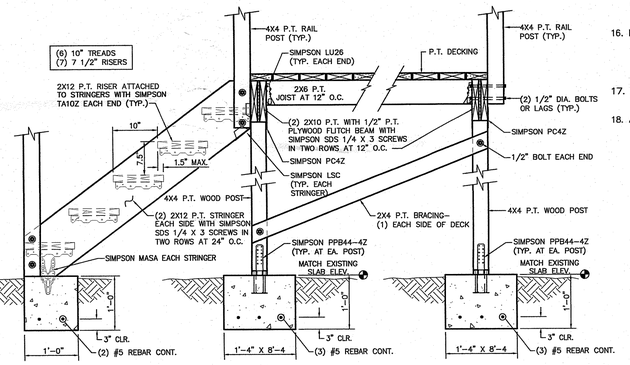
SCALE: 1/2" = 1'-0"



ELEV. 5.3'±

DECK FRAMING

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



SECTION A

N.T.S.

NOTES:

1. COORDINATION OF CONSTRUCTION INCLUDING VERIFICATION OF DIMENSIONS, ELEVATIONS, AND FIELD CONDITIONS IS THE RESPONSIBILITY OF THE CONTRACTOR. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION. FOR DETAILS AND DIMENSIONS NOT SHOWN SEE ARCHITECTURAL DRAWINGS.
2. THE STRUCTURAL SYSTEMS FOR THE DRAWINGS PRESENTED WERE DESIGNED PER THE 2017 FLORIDA BUILDING CODE.
3. IF THIS STRUCTURE IS TO BE LOCATED IN THE COASTAL FLOOD HAZARD ZONE, ALL ELECTRICAL AND MECHANICAL DEVICES SHALL BE LOCATED AT OR ABOVE THE FLOOD PLANE. THE FLOOD PLANE ELEVATION LABELED ON OUR DRAWINGS SHALL BE CONFIRMED BY A REGISTERED LAND SURVEYOR. WE TAKE NO RESPONSIBILITY IN THE DETERMINATION OF THIS ELEVATION.
4. REINFORCING STEEL SHALL BE ASTM A615, GRADE 60 DEFORMED BARS, FREE FROM OIL SCALE AND RUST. LAP SPLICES SHALL BE 44 BAR DIAMETERS IN CONCRETE AND 48 BAR DIAMETERS IN MASONRY, UNLESS OTHERWISE NOTED.
5. UNLESS OTHERWISE NOTED, ALL CONCRETE FOR BEAMS AND STRUCTURAL SLABS EXCEPT EPICORE SHALL OBTAIN A COMPRESSIVE STRENGTH OF 4000 psi IN 28 DAYS, AND SHALL CONFORM TO THE REQUIREMENTS OF ACI 318. ALL OTHER CONCRETE SHALL OBTAIN A COMPRESSIVE STRENGTH OF 3000 PSI IN 28 DAYS.
6. FORM WORK SUPPORTING CONCRETE BEAMS, SLABS, ETC., MAY NOT BE REMOVED UNTIL THE CONCRETE HAS ATTAINED 80% OF THE DESIGN MINIMUM STRENGTH. DETERMINATION OF THE IN PLACE CONCRETE STRENGTH SHALL BE DETERMINED BY LABORATORY TESTING OF CONCRETE CYLINDER.
7. FORMS SHALL BE CLEAN FROM DEBRIS PRIOR TO PLACEMENT OF CONCRETE.
8. MASONRY CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH ACI 530/ASCE 5/TMS 402, BUILDING CODE REQUIREMENTS FOR MASONRY STRUCTURES.
9. MASONRY SHALL HAVE A SPECIFIED COMPRESSIVE STRENGTH (f'_m) OF 1900 p.s.i. GROUTED MASONRY CELLS SHALL BE FILLED WITH A GROUT THAT ACHIEVES A MINIMUM COMPRESSIVE STRENGTH OF 3000 p.s.i. AFTER 28 DAYS.
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11. ALL #5 VERTICAL BARS EMBEDDED INTO CONCRETE FOUNDATION SHALL HAVE A 10"–90° BEND UNLESS NOTED OTHERWISE, AND SHALL BE EMBEDDED A MINIMUM OF 7" OR AS SHOWN.
12. ALL WOOD IN CONTACT WITH CONCRETE OR EARTH SHALL BE PRESSURE TREATED (P.T.) FOR GROUND CONTACT UNLESS AN APPROVED MOISTURE BARRIER IS PROVIDED.
13. ALL WOOD FRAMING WITHIN 8" OF EXPOSED EARTH SHALL BE PRESSURE TREATED (P.T.).
14. THERE SHALL BE A MINIMUM OF 6" BETWEEN ANY WOOD SIDING, WALL SHEATHING OR FRAMING MEMBERS AND EXPOSED EARTH.
15. THE NUMBER AND SIZE OF FASTENERS CONNECTING WOOD MEMBERS SHALL NOT BE LESS THAN THOSE SPECIFIED IN TABLE 2306.1 OF THE FLORIDA BUILDING CODE UNLESS OTHERWISE NOTED ON THE STRUCTURAL DRAWINGS.
16. FASTENERS AND CONNECTORS SHALL BE GALVANIZED. STRUCTURES WITHIN EXPOSURE CATEGORIES C OR D SHALL HAVE FASTENERS EITHER: (A)–HOT DIPPED GALVANIZED WITH 1.5 OUNCES OF ZINC / 1 SQ. FT. (B)–TRIPLE ZINC COATED PER ASTM A90. (C)–STAINLESS STEEL.
17. ALL WINDOW AND DOOR CERTIFICATIONS SHALL BE BY THE RESPECTIVE MANUFACTURER.
18. ALL ELEVATIONS REFER TO NORTH AMERICAN VERTICAL DATUM, 1988.

DESIGN LIVE LOADS

FLOOR LOADS

TYPICAL	40 PSF
STAIRWAYS	40 PSF
GARAGE	50 PSF

ROOF LOADING

ROOF SLOPE	TRIBUTARY AREA (SQ. FT.) 0–200	201–600	>600
< 4/12	20 PSF	16 PSF	12 PSF
4/12 TO 12/12	16 PSF	14 PSF	12 PSF
> 12/12	12 PSF	12 PSF	12 PSF

WIND LOADING
DETERMINED USING CRITERIA SET FORTH IN CHAPTER 16 OF THE FLORIDA BUILDING CODE 2017.

LATERAL EARTH PRESSURE (ACTIVE) 45 PSF/FT.

DESIGN STRESSES

TYPICAL WHERE APPLICABLE

CAST IN PLACE CONCRETE

FOOTINGS	f'_c = 3,000 PSI
COLUMNS/PILASTERS	f'_c = 4,000 PSI
SLAB ON GRADE	f'_c = 3,000 PSI
BEAMS, STRUCTURAL SLABS	f'_c = 4,000 PSI

REINFORCEMENT

TIES, STIRRUPS	f_y = 60,000 PSI
WELDED WIRE FABRIC	f_y = 60,000 PSI
OTHER	

MASONRY f'_m = 1,900 PSI
TYPE S PORTLAND CEMENT MORTAR 1,800 PSI

ALLOWABLE SOIL BEARING CAPACITY 1500 PSF (ASSUMED)
IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO VERIFY SOIL CONDITIONS PRIOR TO CONSTRUCTION.

LUMBER

BEAMS/HEADERS (No.2 S.Y.P.)	LVL'S
Fb = 1350 PSI	Fb = 2850 PSI
Fv = 175 PSI	Fv = 285 PSI
Fc⊥= 480 PSI	Fc⊥= 750 PSI
E = 1.4 x 10^6 PSI	E = 2.0 x 10^6 PSI

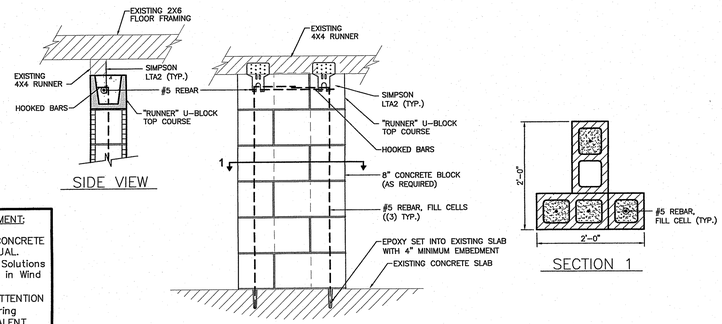
WALL STUDS (YELLOW-PINE)*	WALL STUDS (S-P-F)*
2 x No.2 GRADE	2 x No.1/No.2 GRADE
Fb = 1350 PSI	Fb = 875 PSI
Fc⊥= 1600 PSI	Fc⊥= 1150 PSI
E = 1.4 x 10^6 PSI	E = 1.4 x 10^6 PSI

*PER NDS SUPPLEMENT, NORMAL LOAD DURATION UNDER DRY CONDITION OF SERVICE.

NOTE REGARDING EXISTING CONDITIONS

INFORMATION PERTAINING TO EXISTING CONDITIONS GIVEN ON THESE STRUCTURAL DRAWINGS REPRESENTS TO THE BEST OF OUR KNOWLEDGE THE ACTUAL EXISTING FIELD CONDITIONS. AMERICAN ENGINEERING CONSULTANTS OF MARCO ISLAND, INC. MAKES NO WARRANTY AS TO THEIR ACCURACY. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS IMPERATIVE TO THE NEW WORK. REPORT DISCREPANCIES BETWEEN THE DRAWINGS AND FIELD CONDITIONS TO THE A/E FOR REVIEW.

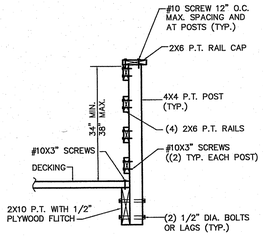
AMERICAN ENGINEERING CONSULTANTS OF MARCO ISLAND, INC. IS NOT RESPONSIBLE FOR ANY ELEMENTS OF THE EXISTING STRUCTURE. NEW STRUCTURE ELEMENTS OF THE DRAWING PRESENTED WERE DESIGNED PER THE FLORIDA BUILDING CODE 2017.



ADHESIVE NOTE FOR REBAR EMBEDMENT:
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TYPICAL BLOCK COLUMN SUPPORT

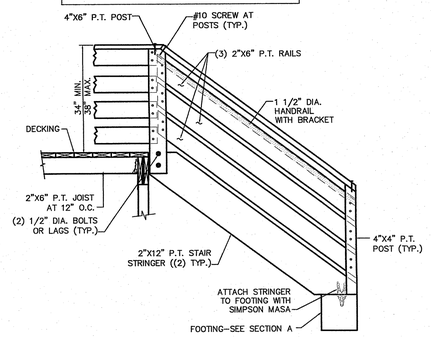
SCALE: 3/4" = 1'-0"



TYPICAL RAILING DETAIL

N.T.S.

NOTES:
1. ALL HANDRAILS TO BE 36" HIGH ABOVE TREAD NOSING. ALL GUARDRAILS TO BE 36" A.F.F. AND OPENINGS BETWEEN SPINDLES SHALL NOT ALLOW PASSAGE OF A 4" SPHERE. TRIANGULAR OPENINGS AT THE OPEN SIDE OF A STAIR, FORMED BY THE RISER, TREAD AND BOTTOM RAIL SHALL NOT ALLOW PASSAGE OF A 6" SPHERE.
2. TRIM MATERIALS T.B.D. BY BUILDER.



TYPICAL STAIR PROFILE

N.T.S.

LEGAL
LOT 3
BLOCK C
659 E. PALM AVE.
GOODLAND ISLES
COLLIER COUNTY, FL.

1	REVISED PER COUNTY COMMENTS	05/01/18 KAS
	REVISIONS	DATE INIT

FOSTER/McGRATH RESIDENCE

FRANK FOSTER CONSTRUCTION, INC.

AMERICAN ENGINEERING CONSULTANTS OF MARCO ISLAND, INC.
CERTIFICATE OF AUTHORIZATION NUMBER: 26446
573 BALD EAGLE DR. MARCO ISLAND, FL. (239) 394–1697 www.AEC–MI.com

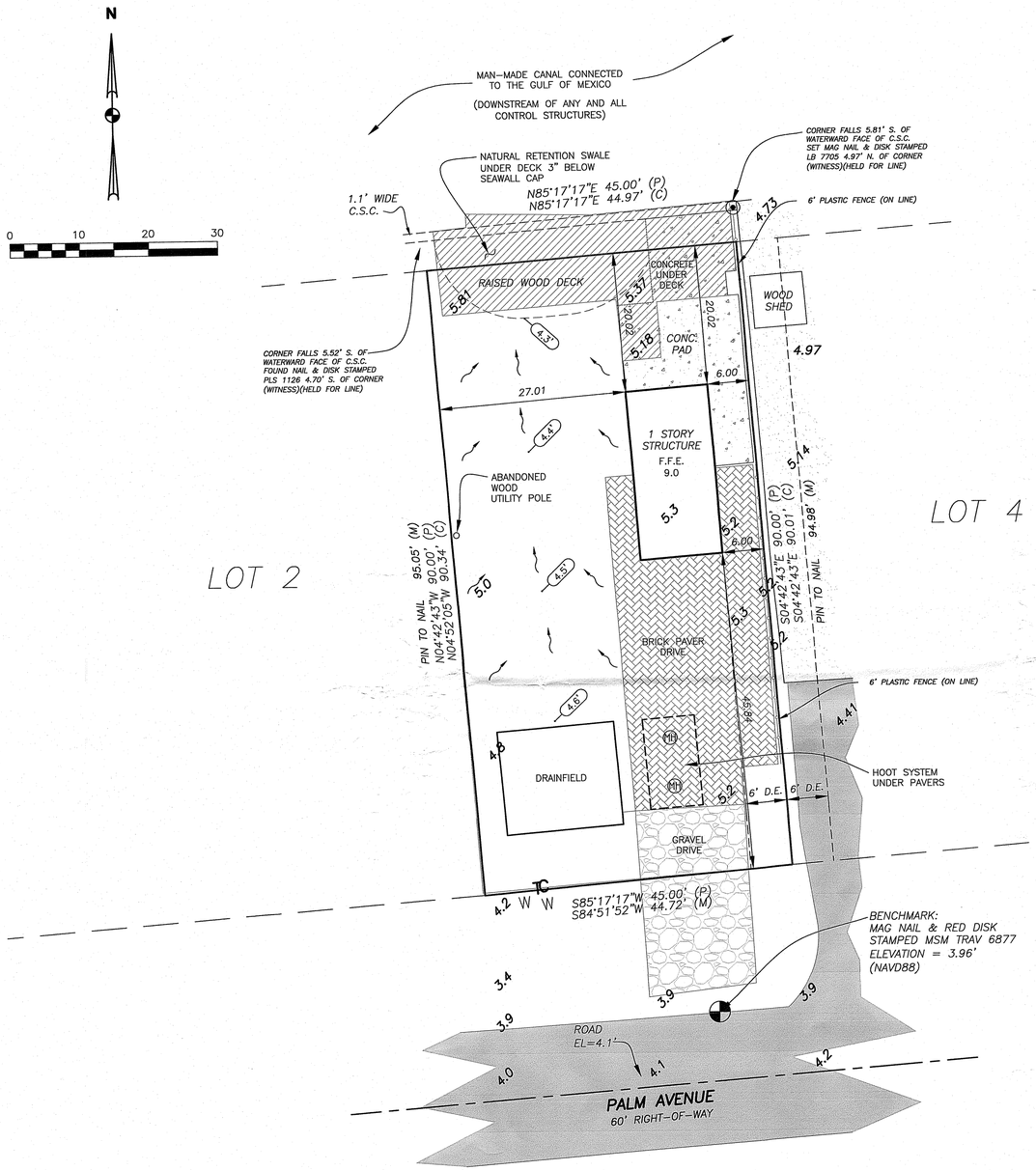
DRAWN BY : K. SCHMADKTE	CHECKED BY : J. McHUGH	APPROVED BY : MARTIN D. PINCKNEY
SCALE : AS NOTED	DATE : FEBRUARY 2018	JOB NO. : 10943–001–01 REF : DECK

MARTIN D. PINCKNEY LICENSE NO. 38350 STATE OF FLORIDA PROFESSIONAL ENGINEER 05/16/18

FOUNDATION PLAN FOR EXISTING MANUFACTURED BUILDING

SHEET 2 OF 2

Attachment: Attachment E - Building Permit PRBD20171254064 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

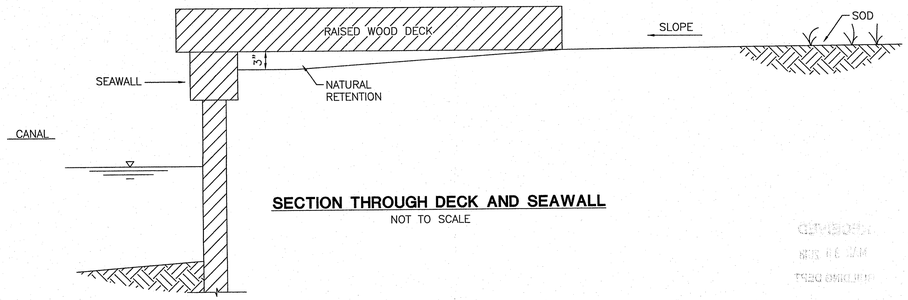


LEGEND	
EXISTING ELEVATION	X.XX'
PROPOSED ELEVATION	X.X'
PLAT	(PL)
SURVEY / CALCULATED	(C)
SURVEY / MEASURED	(M)
CPE	CORRUGATED POLYETHYLENE PIPE
BRICK PAVERS ON LIMEROCK	
GRAVEL	
FLOW ARROW	
PROPOSED CONTOUR	

IMPERVIOUS CALCULATION	
TOTAL LOT S.F.	4,044 S.F.
PERVIOUS	2,523 S.F.
IMPERVIOUS	1,521 S.F.
PERCENTAGE OF COVERAGE	38%

ALL ELEVATIONS ARE N.A.V.D.88

NOTES:
1. OWNER IS RESPONSIBLE FOR OPERATION AND MAINTENANCE OF DRAINAGE SYSTEM.
2. SIDE SLOPES NOT TO EXCEED 4:1.
3. ZONE VR-GZO.
4. FIRM ZONE AE9.



SECTION THROUGH DECK AND SEAWALL
NOT TO SCALE

LEGAL
LOT 3
BLOCK C
659 EAST PALM AVENUE
GOODLAND ISLE 1st ADDITION
COLLIER COUNTY, FL.

SURVEY FURNISHED BY:
MARCO SURVEYING & MAPPING
3825 BECK BOULEVARD
SUITE 725
NAPLES, FLORIDA 34114
(239) 389-0026
WWW.MARCOSURVEYS.COM

REVISIONS	DATE	INIT

FOSTER-McGRATH RESIDENCE
FRANK FOSTER CONSTRUCTION CO.

AMERICAN ENGINEERING CONSULTANTS OF MARCO ISLAND, INC.
CERTIFICATE OF AUTHORIZATION NUMBER: 26446
573 BALD EAGLE DR. MARCO ISLAND, FL. (239) 394-1697 www.AEC-MI.com

DRAWN BY :	CHECKED BY :	APPROVED BY :
K. SCHMDTKE	M. PINCHNEY	MARTIN D. PINCKNEY
SCALE : 1" = 10'	DATE : MARCH 2018	JOB NO. : 10943-001-02 REF : DRAINAGE

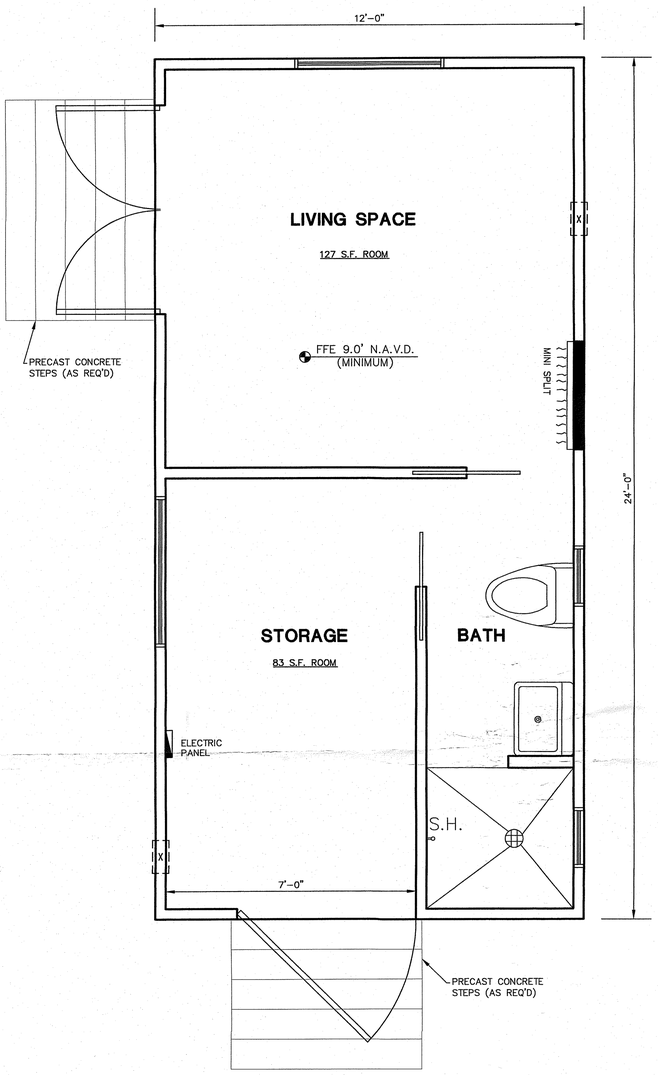
MARTIN D. PINCKNEY LICENSE No. 39388 STATE OF FLORIDA PROFESSIONAL ENGINEER
03/28/18
MARTIN D. PINCKNEY FLORIDA P.E. # 39388

TYPE I STORMWATER PLAN

SHEET 1 OF 1

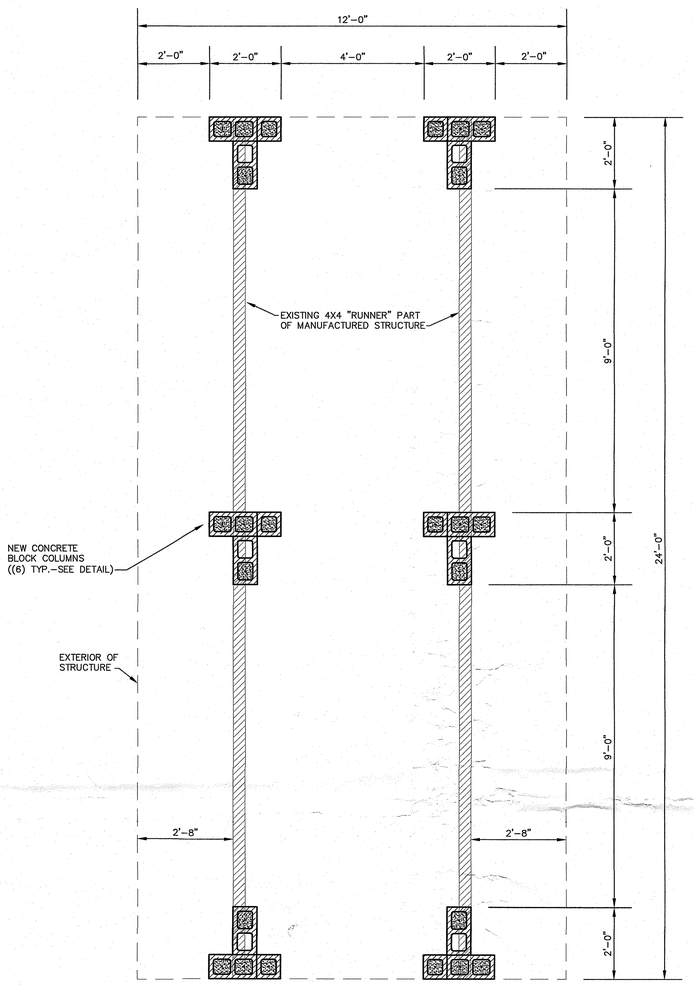
Attachment: Attachment E - Building Permit PRBD20171254064 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

BASE FLOOD ELEVATION 9.0' N.A.V.D.



FLOOR PLAN

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



FOUNDATION PLAN

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

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DESIGN LIVE LOADS

FLOOR LOADS

TYPICAL	40 PSF
STAIRWAYS	40 PSF
GARAGE	50 PSF

ROOF LOADING

ROOF SLOPE	TRIBUTARY AREA (SQ. FT.) 0-200	201-600	>600
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WIND LOADING
DETERMINED USING CRITERIA SET FORTH IN CHAPTER 16 OF THE FLORIDA BUILDING CODE 2017.

LATERAL EARTH PRESSURE (ACTIVE) 45 PSF/FT.

DESIGN STRESSES

TYPICAL WHERE APPLICABLE

CAST IN PLACE CONCRETE

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COLUMNS/PILASTERS	f'_c = 4,000 PSI
SLAB ON GRADE	f'_c = 3,000 PSI
BEAMS, STRUCTURAL SLABS	f'_c = 4,000 PSI

REINFORCEMENT

TIES, STIRRUPS	f_y = 60,000 PSI
WELDED WIRE FABRIC	f_y = 60,000 PSI
OTHER	

MASONRY f'_m = 1,900 PSI
TYPE S PORTLAND CEMENT MORTAR 1,800 PSI

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LUMBER

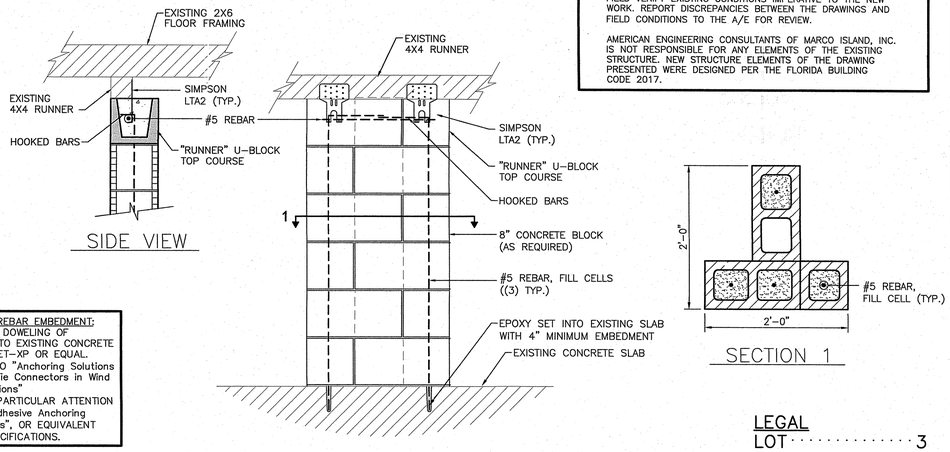
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WALL STUDS (YELLOW-PINE)*	**WALL STUDS (S-P-F)***
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Fb = 1350 PSI	Fb = 875 PSI
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TYPICAL BLOCK COLUMN SUPPORT

SCALE: 1" = 1'-0"

LEGAL
LOT 3
BLOCK C
659 E. PALM AVE.
GOODLAND ISLES
COLLIER COUNTY, FL.

REVISIONS	DATE	INIT

FOSTER/McGRATH RESIDENCE

FRANK FOSTER CONSTRUCTION, INC.

AMERICAN ENGINEERING CONSULTANTS OF MARCO ISLAND, INC.
CERTIFICATE OF AUTHORIZATION NUMBER: 26446
573 BALD EAGLE DR. MARCO ISLAND, FL. (239) 394-1697 www.AEC-MI.com

DRAWN BY :	CHECKED BY :	APPROVED BY :
K. SCHMADKTE	J. McHUGH	MARTIN D. PINCKNEY
SCALE :	DATE :	JOB NO. : 10943-001-01
AS NOTED	FEBRUARY 2018	REF : DETAIL

MARTIN D. PINCKNEY LICENSE NO. 56006 STATE OF FLORIDA PROFESSIONAL ENGINEER 2/27/18
MARTIN D. PINCKNEY FLORIDA P.E. # 56006

FOUNDATION PLAN FOR EXISTING MANUFACTURED BUILDING

SHEET 1 OF 1

Attachment: Attachment E - Building Permit PRBD20171254064 (275747 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

J:\jobs\10793-11001\10943\001-TINY HOMES\10943-001-01-DETAIL.dwg 2/27/2018 11:23:27 PM

Collier County
Growth Management Division
Planning & Zoning Department

October 12, 2018

Nicholas Tullo
Permits Express
9124 Links Drive
Fort Myers, FL 33913

RE: **AVA-PL20180002825**, Administrative Variance Application (AVA) for 659 Palm Avenue; legally recognized as Goodland Isles,1st Addition, Block C, Lot 3, in Section 18, Township 52 South, Range 27 East, of unincorporated Collier County, Florida. Property ID/Folio Number: 46420360009.

Dear Mr. Tullo:

You have requested an Administrative Variance on behalf of your client, Caryn M. McGrath (as per the applicant's required narrative statement) to allow for the principal structure to encroach a maximum of 0.1 feet into the required side yard setback.

Submittal Documents: Completed AVA Application; Descriptive Narrative; an affidavit of Authorization; and signed and sealed copy of As-Built Survey dated 08/03/2018; and copy of building permit application PRBD20171254064.

Project Summary: The petitioner desires to close out building permit PRBD20171254064 that would allow the existence single-family residence. A boundary survey obtained to finalize building permit requirements upon completion of construction reveals that the aforementioned structure encroach 0.1 feet into a dedicated Drainage Easement and 12.2 feet into the Code required rear yard. Said property is a waterfront lot within the Goodland Isles, 1st addition subdivision. Was issued building permit PRBD20171254064, whose site plan demonstrated a 20.02 rear yard setback along the northern property line and a 6-foot side yard setback along the eastern property line.

Zoning: The subject property has a zoning designation of Village Residential (VR) and located within the Goodland Zoning Overlay (GZO). The subject property meets the definition of a legal nonconforming lot of record as defined in LDC section 1.08.02. the subject lot has a lot area of about 4,050 square feet as per the provided survey and the GZO requires a maximum lot area of 4,275 square feet as per LDC Section 4.02.22.b, Table 14. LDC Section 9.03.03.A.1 states: "*Except as provided herein, the minimum **yard** requirements in any residential district except RMF-6 shall be as for the most similar district to which such **lot of record** most closely conforms in area, width and permitted use, except that when possible the greater of any **yard** requirement in either district shall apply, and except when specifically provided for in the district regulations.*" The GZO/VR minimum lot size and lot width is the most similar zoning district that the subject nonconforming lot of record most closely conforms in area and lot width and permitted uses, therefore the VR setbacks as identified in Section 4.02.01, Table 2.1 shall apply. Said section reveals the minimum side yard setback to be 5 feet and the minimum rear yard setback to be 20 feet for single family/mobile homes.

Attachment: Attachment F - AVA-PL20180002825, Rejection (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Review Comments:

As per LDC Section 9.04.04 C. the Planning & Zoning Director may administratively approve requests for variances for minor after-the-fact yard encroachments for properties supporting a single-family home, two-family home, duplex, mobile home or modular home, for encroachments of up to 25% of the required yard as in effect as of the date of the final development order, in the presence of mitigating circumstances, where the encroachment does not result from error or action on the part of the property owner, for structures for which a final development order has been issued, when the encroaching structure is either an addition of living area to a principal structure, or an accessory structure of at least 200 square feet in area, when the encroachment presents no safety hazard and has no adverse effect on the public welfare.

- There is a discrepancy between the required applicant narrative and the copy of survey provided, said statement requests a variance for 0.1 feet into the side yard setback when the actual encroachment is of 12.2 feet into the required rear yard setback.

- The LDC does not grant the authority for staff to administratively approve encroachments greater than 25%. The rear yard encroachment is of 61%. Furthermore, the LDC does not grant the ability to administratively approve an encroachment that results from the error or action on the property owner when a building permit has been

- The principal structure does encroach 0.1 feet into a dedicated easement; the property owner must either have the easement vacated or obtain an Easement Use Agreement.

This petition has been rejected by staff and the following must be addressed:

1. A variance with a public hearing may be applied for as per LDC section 9.04.00, 8.10.00, 10.03.06.F and Administrative Code Chapter 3.J for the 12.2 foot or 61% encroachment on the rear yard setback.

2. The applicant may petition for the easement vacated or obtain an Easement Use Agreement by and between all parties having interest in the "Drainage Easement." Please contact John Houldsworth, Senior Site Plans Reviewer, at 239-252-5757 for additional information Drainage Easement encroachment.

3. The principal building encroachment into the easement and setbacks may be removed to conform with requirements.

If you have any questions, please contact me at (239) 252-2733.

Sincerely,

Josephine Medina, Planner
Planning & Zoning Department

Cc: Ray Bellows, Planning Manager

Attachment: Attachment F - AVA-PL20180002825, Rejection (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Report Title: Code Case Details

Date: **12/11/2023 3:17:05 PM**

Case Number: **CESD20170011238**

Case Information

Case Number:	**CESD20170011238**
Case Type:	**Site Development**
Priority:	**Normal**
Inspector:	**Donald.Joseph**
Jurisdiction:	**Collier County Code Enforcement**
Origin:	**Elected Official**

Status:	**Liened**
Date & Time Entered:	**7/3/2017 8:39:00 AM**
Entered By:	**christopherambach**
Case Disposition:	**Hearing**

Detail Description:	***AIMS* CODE6549 Complaint of Permanent pad and travel trailer added to lot without permits to include new septic installed without permits as well.**
Location Comments:	**659 Palm Ave West.,Naples, FL**

Address Location

Address	**659 Palm AVE, Goodland**
Property	**46420360009**

Contacts

Historic Owner	**MCGRATH, CARYN MARY P O BOX 1985**
Property Owner	**DOUBLE M INVESTMENTS LLC**

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Investigations

Desc	Assigned	Required	Completed	Outcome	Comments
Verify Complainant	Donald.Joseph	7/3/2017	7/3/2017	Complete	
Initial Inspection	JonathanMusse	7/3/2017	7/3/2017	Incomplete	7-3-17 - Conducted research on the propert and found an active permit# PRBD2014616253 for a "new construction single family residence 1200sq ft" - the current status on the permit is "inspections commenced" permit is valid until October of 2017 - On site - and did not see a travel trai - photos taken - will forward the case to the area Investigator Gianonne
CE Case Research	JonathanMusse	7/3/2017	7/3/2017	Complete	7-3-17 - Attempted to get a contact number for the property owner Mrs. McGrath - there was no phone number listed on 411.com - c find another address which is possibly Mrs. McGrath's residence located at 7632 Rozzi LN, Naples, FL - Also didn't mention on the initial inspection activity - I also observed a shed and deck on this unimproved lot - no active permits found.
Initial Inspection Follow-up	JonathanMusse	7/6/2017	7/18/2017	Incomplete	7-17-17 - Completed the determination pacl to get reviewed by the building official Jonathan Walsh - will continue to monitor
Initial Inspection Follow-up	JonathanMusse	7/31/2017	7/31/2017	Incomplete	7-31-17 - Received the determination from Mr. Walsh stating that permit are required fo the dock, lift, shed - he recommends that I check to see if there was a mobile home tha was removed that could explain the power pole - property appraisers is currently down and unable to check previous aerial views
Initial Inspection Follow-up	JonathanMusse	8/1/2017	8/2/2017	Violation(s) Found	8-1-17 - Conducted research on the propert and observed that a trailer was removed between 2006 and 2007 - demolition permit was not obtained - will complete the notice violation and attempt personal service
Record Violations	JonathanMusse	8/2/2017	8/2/2017	Complete	
Attach Picture(s)	JonathanMusse	8/2/2017	8/2/2017	Complete	
Generate Notice of Violation	JonathanMusse	8/2/2017	8/2/2017	Complete	
Personal Service Attempt	JonathanMusse	8/3/2017	8/3/2017	Incomplete	8-3-17 - On site - posted the notice of violaiton at the courthouse and property als will send the notice of violation via 1st class mail and certified mail
CE Mailing	MagdaGonzalez	8/3/2017	8/4/2017	Complete	
Post Courthouse	JonathanMusse	8/3/2017	8/3/2017	Complete	
Post Property	JonathanMusse	8/3/2017	8/3/2017	Complete	

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
CE Phone Call	JonathanMusse	8/4/2017	8/4/2017	Complete	8-4-17 - Received a call from Mrs. McGrath 231-330-1960 - informing me that she has received the notice of violation on her property - I supplied her with Renald Paul's, operations coordinator, information to assis her with any permitting needs.
CE Staff Review	Magdagonzalez	8/4/2017	8/4/2017	Complete	Mailed NOV cert/reg Scanned and attached AOP AOM NOV -mg
Not Applicable	JonathanMusse	9/2/2017	10/3/2018	Not Required	
Not Applicable	JosephMucha	9/2/2017	4/28/2023	Not Required	
Re-Inspection	JonathanMusse	9/5/2017	9/5/2017	Non-Compliant	9-5-17 - checked our database and found permit# PRBD20170830971 for the installation of the boat lift - received a call form the property owner last week informing me that they're in the process of obtaining a permit for the boat lift and she's going to fin out if she can change the plans of the hous permit - she just needs to verify the minimu square footage allowed for a structure to be identified as a primary structure and conver the shed into living space - will continue to monitor
Re-Inspection	JonathanMusse	10/5/2017	10/5/2017	Non-Compliant	10-5-17 - checked our database and only sa the permit for the boat lift that currently in "ready for issuance" status - did not see a permit for the accessory structure that's bei converted into a primary residence as the property informed that she planned on doing also checked the status of the 2014 single family house permit is still active and it doesn't appear to have new plans submitte that permit is active until 10-30-17 - attempt to call the property owner - no answer - left message
Re-Inspection	JonathanMusse	10/13/2017	10/13/2017	Non-Compliant	10-13-17 - Received a return call from the property owner - she explained that the rec storm put things on hold but she states that she will submit plans for the structure soon will continue to monitor
Re-Inspection	JonathanMusse	10/31/2017	11/1/2017	Non-Compliant	10-31-17 - Checked our database and observed that the house permit expired - called the property owner and informed her the expired permit - she stated that she thought she had until November 4th to subr the new plans for the permit - she stated tha she has the plans ready and will be submitting it to the permitting department ar hopes to get the permit reactivated - will continue to monitor
Re-Inspection	JonathanMusse	11/7/2017	11/7/2017	Requires Hearing	Prep this case for CEB. JM52 11-7-17 - Violation Remains - completed hearing packet and turned it in to Sup Much for review

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
Assign Hearing Type	JonathanMusse	11/7/2017	11/7/2017	Code Enforcement Board Hearing	
CE Supervisor Review (CE)	JosephMucha	11/7/2017	11/8/2017	Complete	
CE Legal Review	KerryAdams	11/8/2017	11/8/2017	Schedule for SM/CEB	
CE Staff Review	MagdaGonzalez	12/14/2017	12/14/2017	Complete	-Delievered green card , scanned and attached green card -mg
Schedule Case for Hearing	DannyBlanco	1/8/2018	1/9/2018	Complete	Case scheduled for January 26, 2018 CEB Hearing - DB
Generate Hearing Notice (CE)	DannyBlanco	1/9/2018	1/9/2018	Complete	
CE Mailing	DannyBlanco	1/11/2018	1/11/2018	Complete	NOH sent regular mail, evidence packet se certified for the January 26, 2018 CEB Hearing - DB
Affidavit of Service/Posting	BenjaminPlourd	1/12/2018	1/12/2018	Complete	
Update Picture(s)	BenjaminPlourd	1/12/2018	1/12/2018	Complete	
Hearing Notice Service/Posting	BenjaminPlourd	1/12/2018	1/12/2018	Complete	Last day to post is January 16, please give AOP to Danny B - DB
Affidavit of Service/Posting	BenjaminPlourd	1/12/2018	1/12/2018	Complete	
CE Phone Call	DannyBlanco	1/17/2018	1/17/2018	Complete	Spoke to Caryn M McGrath (2313301960) regarding the January 26 2018 Notice of Hearing, respondent wanted to request a Continuance, i gave her my email address and told her to send me an email which wou be presented to the Management - DB
CE Phone Call	JonathanMusse	1/18/2018	1/18/2018	Complete	Called Mrs. McGrath - 231-330-1960 - who informed me that he's been in contact with Danny Blanco and will be requesting a continuance on this hearing - also I informe her of the boat lift permit that the status is ir "ready for issuance" and that the contractor should pick up the permit and have it inspected as soon as possible since it's set expire next month - also she has been in contact with the engineers with the tiny hou permit and are in the process of making the corrections and re-submitting the plans for t permit
CE Staff Review	DannyBlanco	1/23/2018	1/23/2018	Complete	Per Manager Jeff Letourneau Case No. CESD20170011238 Caryn Mary McGrath h been withdrawn from the January 26, 2018 CEB Hearing. Please see attached email - I
Re-Inspection	JonathanMusse	2/15/2018	2/15/2018	Non-Compliant	2-15-18 - checked our database and observed that the permit is still in "reject" status - spoke to the property owner Mrs. McGrath who informed me that she had to hire an engineer and stated that the plains v be submitted and the permit should be issu early next week - also she stated that she believes that the permit should be finaled in couple weeks - will continue to monitor

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
Re-Inspection	JonathanMusse	3/6/2018	3/6/2018	Non-Compliant	3-6-18 - Checked our database and observe that permit is now "under review" status - Permit is now valid until July of 2018 - Mrs. McGrath has kept in contact with me and informed me that once the permit get issued a certificate of occupancy should be obtaine shortly after - will continue to monitor
Re-Inspection	JonathanMusse	3/21/2018	3/22/2018	Requires Hearing	3-22-18 - permit is in "reject" status - will compete the hearing packet and sumbit it to Sup Mucha for review
Assign Hearing Type	JonathanMusse	3/26/2018	3/26/2018	Code Enforcement Board Hearing	3-26-18 - CEB packet completed and turned in to Sup Mucha for review
CE Legal Review	KerryAdams	3/28/2018	3/28/2018	Schedule for SM/CEB	Kerry, case was previously scheduled for January CEB and removed from the agenda We would like to reschedule for April's agenda. JM
CE Supervisor Review (CE)	JosephMucha	3/28/2018	3/28/2018	Complete	
Schedule Case for Hearing	DannyBlanco	5/7/2018	5/7/2018	Complete	Case scheduled for May 24, 2018 CEB Hearing - DB
Generate Hearing Notice (CE)	DannyBlanco	5/7/2018	5/7/2018	Complete	
Affidavit of Service/Posting	JonathanMusse	5/8/2018	5/8/2018	Complete	
Hearing Notice Service/Posting	JonathanMusse	5/8/2018	5/8/2018	Complete	Last day to post is May 14, please give AOF to Danny B - DB
CE Mailing	DannyBlanco	5/9/2018	5/9/2018	Complete	May 24, 2018 CEB NOH sent regular mail, evidence packet sent certified - DB
CE Phone Call	JosephMucha	5/10/2018	5/10/2018	Complete	Health Dept Justin Mahon (252-5524) contacted me in regards to this property possibly being occupied before a CO has been issued for the house. I advised Justin that we have an ongoing case already that i scheduled to go to a hearing this month. I le INV Musse know of the complaint and he is going to follow-up.
CE Staff Review	DannyBlanco	5/10/2018	5/10/2018	Complete	Continuance request received via email fror Caryn and Angela McGrath on 5/10/18, ema response sent on 5/10/18 and request was forwarded to Senior Inv. Musse and District Supervisor Mucha. I informed the respondents that their motion was going to presented to the code enforcement board o May 24, and that only the CEB could approve/deny a Continuance Request. - DB
Pre Hearing Inspection	JonathanMusse	5/23/2018	5/23/2018	Complete	5-23-18 - Violation remains - case is set to appear before the Code Enforcement Boarc tomorrow - called Mrs. McGrath who inform me that she will be attending the hearing an is interested in signing the stipulated agreement

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
Record Hearing Results	DannyBlanco	5/28/2018	6/4/2018	Complete	Stipulation Agreement. Respondent must abate all violations by obtaining Demolition Permit, Inspections, and Certificate of Completion for the removal of the previous mobile home and obtain all required inspections and certificate of completion for the tiny house permit (PRBD20171254064) and for the boat lift permit (PRBD20170830971) on or before Septemb 21, 2018 or a fine of $100.00 per day will be imposed for each day the violation(s) remai thereafter and pay operational costs in the amount of $59.63 within 30 days - DB
Generate Hearing Results Notice (CE)	DannyBlanco	6/25/2018	6/19/2018	Complete	FF order and stipulation agreement scanne OR 5519 PG 3631 - DB
Schedule Case for Hearing	HelenBuchillon	9/17/2018	9/17/2018	Complete	Case scheduled for the September 27, 201 CEB EOT Hearing - HB
Generate Hearing Notice (CE)	HelenBuchillon	9/17/2018	9/17/2018	Complete	
CE Phone Call	KimberlyBrandes	9/17/2018	9/17/2018	Complete	Call: 5min KB Caller checking status of case. Read update He wanted further details of his violation RE boat lift. TOT caller to investigator for compliance/KB
CE Mailing	HelenBuchillon	9/17/2018	9/17/2018	Complete	
CE Mailing	HelenBuchillon	9/17/2018	9/17/2018	Complete	NOH for the September 27, 2017 CEB Hearing sent regular mail, evidence packet sent certified - HB
Affidavit of Service/Posting	JonathanMusse	9/18/2018	9/18/2018	Complete	
Hearing Notice Service/Posting	JonathanMusse	9/18/2018	9/18/2018	Complete	Please post as soon as possible - HB
Post Hearing Re-Inspection	JonathanMusse	9/24/2018	9/24/2018	Non-Compliant	9-24-18 - checked permit status and observ that the boat lift permit obtained the certifica of completion on 9-21-18 - tiny house permi PRBD20171254064 still active, pending inspections and conditions still need to be resolved - also observed a variance that wa recently applied for - PL#20180002825 for t encroachment on the right side - Called Mrs McGrath - 231-330-1960 - who informed me that she is not required to obtain a demolitic permit for the mobile home from the previou owner - will have to verify with the building department - she informed me that she is s to appear before the Code Enforcement Board this Thursday - will continue to monit - will complete the affidavit of non complian
Update Picture(s)	JonathanMusse	9/24/2018	9/24/2018	Complete	
Pre Hearing Inspection	JonathanMusse	9/26/2018	9/26/2018	Complete	9-26-18 - checked our database and observed that the tiny house permit is still active - spoke to the owner earlier this week who informed me that she will be present fo tomorrow hearing

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
CE Legal Review	DannyBlanco	10/1/2018	10/1/2018	Not Required	
Record Hearing Results	DannyBlanco	10/2/2018	10/1/2018	Complete	The Respondent's Motion for Extension of Time of this case is DENIED. The Board continues this matter until November 26, 2018. Daily fines shall continue to accrue during the Continuance period. Respondent ordered to pay operational costs in the amount of $59.35 on or before October 27, 2018. DB
Generate Hearing Results Notice (CE)	DannyBlanco	10/15/2018	10/10/2018	Complete	Continuance Order attached, OR 5558 PG 1057 - DB
Post Hearing Re-Inspection	JonathanMusse	11/27/2018	11/27/2018	Non-Compliant	11-27-18 - Checked the permit status and observed that the permit is still active - expiration date is set for April of 2019 - Received an e-mail from Mrs. McGrath stating, "Dear Collier board of commissione We are writing to you because upon all our inspections passing and upon awaiting our certificate of occupancy, Ray bellows discovered that the rear set back with zonir did not meet the requirement5s of a 20' rea set back.. We are at 16.6, which leaves us 4" too short. Upon careful research with all contractors, engineers , crane operators an inspectors from collier county we were misinformed on the Goodland new overlay. We were told that the new set backs were 8 then were told 10. when now it is showing 20.. After talking in depth with Ray Bellows(until we sort out the true setbacks now) we were advised to apply for a variance which will take 3-5 months. We have submitted all the paperwork need with a check to start th process. So looking forward the 60 day allowance you gave us to get our co will be delayed. All other violations have been cleared and satisfied.. now just waiting on tl variance and clarity through Goodland and Collier BOD, but in saying that have applied for the variance to keep moving along to close this out. We are asking for leniency time now during this other hiccup in this ve frustrating process with our tiny home at 28 sq ft. We will not be able to make the deadli but have paid the $59.60 fee issued at last hearing Thank you , Sincerely Caryn and Angela McGrath" - will attempt to get in contact with Mrs. McGrath

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
CE Phone Call	JonathanMusse	11/27/2018	11/27/2018	Complete	11-27-18 - I was able to get in contact with Mrs. McGrath - she informed about the setback issue and is working with Renald Paul, Project Coordinator and Ray Bellows, Zoning Manager to apply for a variance - I supplied her with Danny Blanco's contact information to see if she needs to schedule for a hearing to request for an extension of time - will continue to monitor
CE Manager Case Review	letourneau_j	4/9/2019	4/9/2019	Complete	Please review and inform me if we need to schedule for the April 26, 2019 CEB IOF Hearing – HB Please do not schedule for IOF this month. JL#34.
Generate Hearing Notice (CE)	HelenBuchillon	8/26/2019	8/26/2019	Complete	
CE Phone Call	JonathanMusse	8/27/2019	8/27/2019	Complete	8-27-19 - Checked the permit status and observed that the permit has expired - calle Mrs. McGrath - 231-617-7470 - and informe her of the hearing on 9-26-19 - also sent he copy of the notice via e-mail - glsd290@hotmail.com
Hearing Notice Service/Posting	JonathanMusse	8/27/2019	8/27/2019	Complete	Last day to post is September 13, 2019 – H
Affidavit of Service/Posting	JonathanMusse	8/27/2019	8/27/2019	Complete	
CE Mailing	HelenBuchillon	9/11/2019	9/11/2019	Complete	NOH for the September 26, 2019 CEB IOF Hearing sent regular mail, evidence packet sent certified – HB
Schedule Case for Hearing	HelenBuchillon	9/15/2019	8/26/2019	Complete	Case scheduled for the September 26, 201 CEB IOF Hearing – HB Check with Musse if we need to schedule fo next CEB Hearing - HB
Pre Hearing Inspection	JonathanMusse	9/25/2019	9/25/2019	Complete	9-25-19 - Violation remains - case is set to appeare before the Code Enforcement Boa tomorrow for an imposition of fines hearing
Record Hearing Results	HelenBuchillon	9/30/2019	9/27/2019	Complete	Respondent was present. Code Enforceme Board granted an Extension of Time for 6 months to abate violation which waives all fines that have accrued in the past – HB
CE Staff Review	HelenBuchillon	10/7/2019	10/7/2019	Complete	Mailed copy of EOT Order to respondent fr the September 26, 2019 CEB Hearing – HB
Generate Hearing Results Notice (CE)	HelenBuchillon	10/11/2019	10/7/2019	Complete	Scanned & attached Extension of Time Ord (not recorded) from the September 26, 201 CEB Hearing– HB
CE Staff Review	letourneau_j	10/28/2019	10/30/2019	Complete	N/A
Not Applicable	HelenBuchillon	10/31/2019	11/5/2019	Not Required	Check if need to schedule for IOF - HB

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
Re-Inspection	JonathanMusse	12/3/2019	12/5/2019	Non-Compliant	12-5-19 - Spoke with Code Enforcement Manager Jeff Letourneau who informed me that he has spoken with the county attorney who advised him that we should not amend the original order due to the fact that the sh is still being utilized for the tiny home structure - checked permit status observed that the permit for the tiny home is still activ with an expiration date set to June of 2020 - will continue to monitor
CE Staff Review	letourneau_j	2/14/2020	2/14/2020	Complete	Attached email regarding owner's progress towards obtaining a variance to permit property as is. JL#34
Re-Inspection	JonathanMusse	3/3/2020	3/3/2020	Non-Compliant	3-3-20 - Violation remains - fines continue t accrue - owner is working on obtaining a variance to get the structure permitted as is permit is active and currently has an expiration date scheduled for June of 2020 will continue to monitor
Re-Inspection	JonathanMusse	4/6/2020	4/6/2020	Non-Compliant	4-6-20 - Checked permit status - observed that permit is still active until June of 2020 - fines continue to accrue - will continue to monitor
Re-Inspection	JonathanMusse	5/6/2020	5/6/2020	Non-Compliant	5-6-20 - Checked the permit status and observed that all the inspections have been completed - there are some pending conditions that would need to be completed before the permit can be finaled - called Mrs McGrath who informed me working with the county and awaiting for the variance to be approved - will continue to monitor
Re-Inspection	JonathanMusse	6/8/2020	6/8/2020	Non-Compliant	6-8-20 - Checked the permit status - observ that the permit for the tiny home is active - expiration date is set for 7-7-20 - property owner Mrs. McGrath is working with Diane Lynch, operations analyst, in getting the permit finalized - email attached to the case will continue to monitor
Re-Inspection	JonathanMusse	7/13/2020	7/13/2020	Non-Compliant	7-13-20 - Checked the permit status - no change since the last inspection - except th the expiration date has passed on 7-7-20 bu the permit still remains active - the current status is "inspections completed" - fines continue to accrue - will continue to monitor
Re-Inspection	JonathanMusse	9/14/2020	9/14/2020	Non-Compliant	9-14-20 - No change in permit status - there still a hold on the certificate of occupancy - of the inspections have been completed an all pending fees have been paid to this poin fines continue to accrue - will continue to monitor
Re-Inspection	JonathanMusse	11/16/2020	11/17/2020	Non-Compliant	11-17-20 - No change in permit status - fine continue to accrue - will continue to monitor
Re-Inspection	JonathanMusse	1/11/2021	1/11/2021	Non-Compliant	1-11-21 - Checked the permit status and observed not change - same owner since th start of the case - fines continue to accrue - will continue to monitor

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
Re-Inspection	JonathanMusse	3/10/2021	3/10/2021	Non-Compliant	3-10-21 - No change in permit status - fines continue to accrue - same owner since the start of the case - will continue to monitor
Re-Inspection	JonathanMusse	5/12/2021	5/13/2021	Non-Compliant	5-13-21 - No change in permit status - fines continue to accrue - same owner since the start of the case - will continue to monitor
Re-Inspection	JonathanMusse	6/3/2021	6/3/2021	Non-Compliant	Mucha, 6-3-21 - I spoke with the property owner Mr McGrath, 231-330-1960, who informed me that she's still working on the variance for th encroachment on the right side of the property. Checked the permit on file and observed that all the inspections have been completed and passed. Appears that the certificate of occupancy is pending on the approval of the variance. Mrs. McGrath stat that she plans on contacting the gentleman that is assisting her with the variance and w call me next week to give me an update.
Re-Inspection	JonathanMusse	6/22/2021	6/22/2021	Non-Compliant	6-22-21 - checked our database - no chang in permit status - Mrs. McGrath stated that she'll get in contact with me once she speak to her architect - will continue to monitor
CE Phone Call	JosephMucha	8/19/2021	8/19/2021	Complete	I spoke with the owner Mrs. McGrath. It was determined that the best place for the replacement drainage easement for her property would be between lots 4 and 5 of h common property line. She is working with Karen Dancsec who is a Property Acquisitic Specialist with Transportation. This is one o the steps that needs to be taken for her to proceed with her variance. I updated the Director and will continue to monitor.
Re-Inspection	JonathanMusse	9/7/2021	9/7/2021	Non-Compliant	Checked the permit status, no change - Owner still has 5 pending conditions that would need to be resolved before the certificate of occupancy can be issued - Fin continue to accrue, will continue to monitor. JonathanMusse 09/07/2021 2:46 PM
Re-Inspection	JonathanMusse	11/8/2021	11/8/2021	Non-Compliant	JonathanMusse 11/08/2021 12:04 PM - Violation remains - no change in permit stat - Fines ciontinue to accrue - will continue to monitor
Re-Inspection	JonathanMusse	12/8/2021	12/8/2021	Non-Compliant	12-8-21 - Checked the permit status and observed that violation still remains - permit status still remains as inspections complete but their remains a few conditions that need to be resolved - fines continue to accrue - same owner since the start of the case - wi continue to monitor
Re-Inspection	JonathanMusse	2/8/2022	2/8/2022	Non-Compliant	2-8-22 - On site - violation remains - fines continue to accrue - sent an email from Mrs McGrath requesting an update on the permi glsd290@hotmail.com - awaiting a respons will continue to monitor

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
CE Staff Review	JonathanMusse	4/22/2022	4/22/2022	Complete	I think we need to talk to Jeff about imposin the fines here. Nothing has been done with the variance or the vacation of the easemer that I can tell. JM
Re-Inspection	JonathanMusse	5/2/2022	5/2/2022	Non-Compliant	5-2-22 - since there's been no movement o the permit status - case will be scheduled t appear before the code enforcement board for an imposition of fines hearing - will continue to monitor
Generate Hearing Notice (CE)	Miriam.Lorenzo	5/4/2022	5/4/2022	Complete	
Hearing Notice Service/Posting	JonathanMusse	5/4/2022	5/6/2022	Complete	Last day to post May 12, 2022./ML
Schedule Case for Hearing	Miriam.Lorenzo	5/4/2022	5/4/2022	Complete	Case scheduled for May 26, 2022 CEB Hearing./ML
CE Mailing	Miriam.Lorenzo	5/5/2022	5/5/2022	Complete	NOH for the May 26, 2022 CEB Hearing mailed reg. and evidence packet mailed cer #7021 1970 0001 4432 2760./ML Double M Investments LLC 7632 Rozzini Ln Naples, FL 34114
CE Phone Call	JosephMucha	5/6/2022	5/6/2022	Complete	I spoke with owner Ms. McGrath 231-330-1960 who is not happy that the hearing has been scheduled. She advises that she has done everything she is supposed to do and waiting on the other departments that are working with her. I advised her that I will follow-up with the other departments to find out what the status is.
Affidavit of Service/Posting	JonathanMusse	5/6/2022	5/6/2022	Complete	
Update Picture(s)	JonathanMusse	5/6/2022	5/6/2022	Complete	Jon
CE Staff Review	Miriam.Lorenzo	5/17/2022	5/16/2022	Complete	Email to withdraw case from CEB Hearing./ML CESD20170011238 email to WD McGrath
CE Staff Review	JonathanMusse	5/25/2022	5/25/2022	Complete	Case was removed from the May 27th, 202 CEB agenda
Schedule Case for Hearing	HelenBuchillon	6/1/2022	6/1/2022	Complete	Case scheduled for the June 23, 2022 CEB IOF Hearing – HB
Generate Hearing Notice (CE)	HelenBuchillon	6/1/2022	6/1/2022	Complete	
CE Mailing	HelenBuchillon	6/3/2022	6/3/2022	Complete	NOH for the June 23, 2022 CEB IOF Hearir sent regular mail, evidence packet sent certified – HB
CE Staff Review	Miriam.Lorenzo	6/4/2022	5/16/2022	Complete	Case has been Withdrawn from CEB May 2 2022 Hearing Per Supervisor Joseph Much email attached./ML
CE Staff Review	JonathanMusse	6/13/2022	6/14/2022	Complete	Case was has been removed from the June agenda
CE Staff Review	HelenBuchillon	6/13/2022	6/13/2022	Complete	Scanned & attached notarized IOF AOM – H
Not Applicable	HelenBuchillon	6/22/2022	6/15/2022	Not Required	

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
CE Staff Review	HelenBuchillon	6/28/2022	6/15/2022	Complete	Case has been withdrawn from the June 23 2022 CEB IOF Hearing per Supervisor Joe Mucha – HB
Re-Inspection	JonathanMusse	6/29/2022	6/29/2022	Non-Compliant	6-29-22 - This case was removed from the June Code Enforcement Imposition of Fines Hearing - Per Director Ossario - owner will l given three months to finalize the permit for the tiny home before re-scheduling for that hearing date - At this time - there is not change to the permit status - will continue tc monitor
Re-Inspection	LuisMacedo	8/22/2022	8/22/2022	Non-Compliant	8-22-22 - Checked the permit status - no change - did observed a Easement Use Agreement that was applied for on 8-15-22 refer to PL20220005415 for more informatic - will transfer case over to the area investigator Macedo
CE Legal Review	helenbuchillon	9/6/2022	9/7/2022	Schedule for SM/CEB	Schedule for the September 22, 2022 CEB IOF Hearing per Director Michael Ossorio -I
Schedule Case for Hearing	HelenBuchillon	9/7/2022	9/7/2022	Complete	Case scheduled for the September 22, 202 CEB IOF Hearing – HB
Generate Hearing Notice (CE)	HelenBuchillon	9/7/2022	9/7/2022	Complete	
Hearing Notice Service/Posting	JonathanMusse	9/8/2022	9/8/2022	Complete	Last day to post is September 8, 2022 – HB
Affidavit of Service/Posting	JonathanMusse	9/8/2022	9/8/2022	Complete	
CE Staff Review	HelenBuchillon	9/15/2022	9/15/2022	Complete	Scanned & attached notarized AOM AOP – HB
Not Applicable	HelenBuchillon	9/21/2022	9/21/2022	Not Required	
CE Staff Review	HelenBuchillon	9/27/2022	9/21/2022	Complete	9/21/22 Case has been withdrawn from the September 22, 2022 CEB IOF Hearing and will be re-scheduled for the October 27, 202 CEB IOF Hearing per Manager Jeff Letourneau – HB
Schedule Case for Hearing	Miriam.Lorenzo	10/7/2022	10/7/2022	Complete	Case scheduled for the October 27, 2022 CEB Hearing./ML Schedule for October Hearing - HB
Generate Hearing Notice (CE)	Miriam.Lorenzo	10/7/2022	10/7/2022	Complete	
Hearing Notice Service/Posting	LuisMacedo	10/7/2022	10/7/2022	Complete	Last day to post October 13, 2022./ML
CE Staff Review	Miriam.Lorenzo	10/7/2022	10/7/2022	Complete	Quit Claim Deed scan and attached (Double M Investments) CESD20170011238 Quit Claim Deed (Doub M Inv.)
Affidavit of Service/Posting	LuisMacedo	10/7/2022	10/7/2022	Complete	
CE Mailing	Miriam.Lorenzo	10/7/2022	10/7/2022	Complete	NOH for the October 27, 2022 CEB Hearing mailed reg. and evidence packet mailed cer # 7022 0410 0003 3923 9151./ML
CE Staff Review	Miriam.Lorenzo	10/10/2022	10/10/2022	Complete	AOM - AOP NOH IOF scan and attach./ML CESD20170011238 AOM-AOP NOH IOF 1(10-22

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
CE Staff Review	Jason.Packard	10/17/2022	10/17/2022	Complete	PackardJason 10/17/2022 11:04 AM - On s photos taken and uploaded at the request o CE Director.
Pre Hearing Inspection	LuisMacedo	10/26/2022	10/26/2022	Complete	MacedoLuis 10/26/2022 - Onsite observed new/different structure on the property, see photo. Review the case and PRBD20171254064 Exp: April 24th 2021 fo 280 Sq ft Tiny home is completed but not finale. will continue to investigate. see photo
Record Hearing Results	Miriam.Lorenzo	10/31/2022	10/27/2022	Complete	10/27/2022 Respondent Angela Mc Grath w present and requested a continuance. Code Enforcement Board granted a continuance f 6 months (April 27, 2023). Fines continue to accrue./ML
Generate Hearing Results Notice (CE)	Miriam.Lorenzo	11/16/2022	11/14/2022	Complete	11/14/22 Scanned & attached IOF Continuance Order (not recorded) from the October 27, 2022 CEB IOF Hearing – HB CEB order
Re-Inspection	LuisMacedo	11/17/2022	11/17/2022	Non-Compliant	MacedoLuis 11/17/2022 - Review the case, no permit changes, see photo. will continue monitor.
Re-Inspection	LuisMacedo	12/19/2022	12/19/2022	Non-Compliant	MacedoLuis 12/19/2022 - Review the case, no changes on permits, no changes of ownership. will continue to monitor.
Re-Inspection	JosephMucha	3/28/2023	3/28/2023	Non-Compliant	No change in permit status. PL2022000541 Easement Use Agreement had rejections a is currently in "resubmit-open for uploads" status since October of 2022.
Schedule Case for Hearing	HelenBuchillon	3/29/2023	3/29/2023	Complete	Case scheduled for the April 27, 2023 CEB IOF Hearing – HB
Generate Hearing Notice (CE)	HelenBuchillon	3/29/2023	3/29/2023	Complete	
Hearing Notice Service/Posting	Donald.Joseph	3/30/2023	4/3/2023	Complete	Last day to post is April 14, 2023 – HB
Affidavit of Service/Posting	Donald.Joseph	4/3/2023	4/3/2023	Complete	
Not Applicable	Colleen.Karlen	4/13/2023	4/25/2023	Not Required	
CE Staff Review	helenbuchillon	4/18/2023	4/17/2023	Complete	4/17/23 Scanned & attached notarized AOM AOP – HB 4-3-2023 - Affidavit of Posting completed. Please notarize and scan to case. JosephDonald 04/03/2023 3:33 PM
Pre Hearing Inspection	JosephMucha	4/26/2023	4/26/2023	Complete	Violation remains. I spoke to owner Angie 2 -330-1960 to advise the case is still moving forward.
Not Applicable	JosephMucha	4/28/2023	5/1/2023	Not Required	
CE Staff Review	JosephMucha	4/28/2023	4/28/2023	Complete	Fines were imposed at the April CEB.
CE Legal Review	Miriam.Lorenzo	4/28/2023	4/28/2023	Not Required	

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
Record Hearing Results	HelenBuchillon	5/2/2023	4/28/2023	Complete	4/27/23 Respondent Angela McGrath was present. Petitioner's Motion for Imposition Fines/Liens is GRANTED. Daily fines of $100.00 per day are assessed against the Respondent for (1,129 days) for the period from March 25, 2020 through April 27, 2023 for a total amount of fines of $112,900.00. Respondent paid previously assessed operational costs of $59.63 and $59.35, and shall pay operational costs for the Impositio of Fines hearing in the amount of $59.98. Respondents are ordered to pay fines and costs in the total amount of $112,959.98 or subject to Notice of Assessment of Lien against all properties owned by Responden in Collier County, Florida. The daily fines of $100.00 shall continue to accrue until abatement has been confirmed by a Collier County Code Enforcement Investigator. – H
CE Mailing	HelenBuchillon	5/9/2023	5/9/2023	Complete	Mailed copy of Granted IOF Order (not recorded) to respondent from the April 27, 2023 CEB IOF Hearing – HB
Generate Hearing Results Notice (CE)	HelenBuchillon	5/20/2023	6/16/2023	Complete	Granted Imposition of Fines Order attached OR 6248 PG 833 – HB Scanned & attached Granted Imposition of Fines Order (not recorded) from the April 27 2023 CEB IOF Hearing and sent order be recorded – HB
Re-Inspection	Donald.Joseph	7/28/2023	7/28/2023	Non-Compliant	There have been no changes to permit, no change in ownership, and the property continues to accrue fines. I will continue to monitor. dj11
Re-Inspection	Donald.Joseph	10/27/2023	10/27/2023	Non-Compliant	Permit PRBD20171254064 remains in "Inspections Completed" status, no change ownership, and the property continues to accrue fines. I will continue to monitor. dj1
CE Staff Review	HelenBuchillon	10/31/2023		Pending	11/15/23 Case approved to be forwarded to the County Attorney Office Foreclosure on October 26, 2023, by the Code Enforcemen Board – HB 8/22/23 On list for approval to send to attorney's office for Foreclosure – HB 4/27/23 IOF Granted ck if paid if not send to Attorney – HB
Re-Inspection	Donald.Joseph	12/1/2023	12/4/2023	Non-Compliant	Permit PRBD20171254064 remains in "Inspections Completed" status, there are fi open conditions contributing to a CO hold. Property owner was present at the April Imposition of Fines hearing and is aware of the case status. There has been no change in ownership, and the property continues to accrue fines. dj11

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Desc	Assigned	Required	Completed	Outcome	Comments
CE Staff Review	NievesBlanca	12/8/2023	12/8/2023	Complete	Foreclosure letter mailed to respondent and attached to case. BN 11/15/23 Case approved to be forwarded to the County Attorney Office Foreclosure on October 26, 2023, by the Code Enforcemen Board – HB
Re-Inspection	Donald.Joseph	3/1/2024		Pending	.....Permit PRBD20171254064 remains in "Inspections Completed" status, there are fi open conditions contributing to a CO hold. Property owner was present at the April Imposition of Fines hearing and is aware of the case status. There has been no change in ownership, and the property continues to accrue fines. dj11
Waiting For Liens to be Released		5/17/2043		Pending	

Violations

Violation Description	Status	Entered	Corrected	Amount	Comments
Building Permit LDC	Open	8/2/2017		$0	A mobile home that was removed between 2006 and 2007 without a valid demolition permit, and a dock, lift, shed, and power pol installed without first obtaining a valid Collie County permit.
CO Required ATF Permits	Open	8/2/2017		$0	

Hearings

Title	Reason	Result	Compliance	Fine/Day	Condition
Code Enforcement Board Hearing on 1/26/2018	Code Review	Withdrawn		$0	CEB OPS COST - DB
Code Enforcement Board Hearing on 5/24/2018	Code Review	Guilty	9/21/2018	$100	CEB OPS COST - DB Stipulation Agreement. Respondent must abate all violations by obtaining Demolition Permit, Inspections, and Certificate of Completion for the removal of the previous mobile home and obtain all required inspections and certificate of completion for the tiny house permit (PRBD20171254064) and for the boat lift permit (PRBD20170830971) on or before Septemb 21, 2018 or a fine of $100.00 per day will be imposed for each day the violation(s) remai thereafter.
Code Enforcement Board Hearing on 9/27/2018	Continuance	Continued by Petitioner		$0	CEB EOT Ops cost - HB
Code Enforcement Board on 9/26/2019	Imposition of Fines	Continued by Petitioner		$0	CEB IOF Ops costs -HB
Code Enforcement Board Hearing on 05/26/2022	Imposition of Fines	Withdrawn		$0	CEB IOF Ops cost./ML
Code Enforcement Board Hearing on 06/23/2022	Imposition of Fines	Withdrawn		$0	CEB IOF Ops Costs - HB

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Title	Reason	Result	Compliance	Fine/Day	Condition
Code Enforcement Board Hearing on 09/22/2022	Imposition of Fines	Withdrawn		$0	CEB IOF Ops Costs - HB
Code Enforcement Board Hearing on 10/27/2022	Imposition of Fines	Continued by Respondant		$0	CEB ops cost./ML
Code Enforcement Board Hearing on 4/27/2023	Imposition of Fines	Guilty		$0	CEB Ops Costs - HB

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

INSTR 6404360 OR 6248 PG 833 RECORDED 5/17/2023 11:31 AM PAGES 3
CLERK OF THE CIRCUIT COURT AND COMPTROLLER, COLLIER COUNTY FLORIDA
REC $27.00

COLLIER COUNTY CODE ENFORCEMENT
CODE ENFORCEMENT BOARD

Case No. – CESD20170011238
_____/

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA,

Petitioner,

vs.

DOUBLE M INVESTMENTS, LLC,

Respondent(s).
_____/

NOT A CERTIFIED COPY

ORDER OF THE CODE ENFORCEMENT BOARD

THIS CAUSE came before the Code Enforcement Board (the "Board") for public hearing on April 27, 2023, upon the Petitioner's Motion for Imposition of Fines/Liens, and the Board, having heard testimony under oath, received evidence and heard argument respective to all appropriate matters, hereupon issues its Findings of Fact, Conclusions of Law, and Order of the Board as follows:

FINDINGS OF FACT

1. On May 24, 2018, Respondent(s), **DOUBLE M INVESTMENTS, LLC,** was(were) found guilty of violating Collier County Land Development Code, Ord. No. 04-41, as amended, Sections 10.02.06(B)(1)(a) and 10.02.06(B)(1)(e)(i), on the subject property located at 659 PALM AVE., Goodland, FL 34140, Folio No. 46420360009 (Legal Description: GOODLAND ISLES 1ST ADD BLK C LOT 3), hereinafter referred to as the "Property"), in the following particulars:

   A mobile home that was removed between 2006 and 2007 without a valid demolition permit, and a dock lift, shed, and power pole installed without first obtaining a valid Collier County Permit.

2. On the same date as above, the Board issued an Order ordering Respondent(s) to abate the violation(s) on or before September 21, 2018, or a fine of $100.00 per day would be assessed for each day the violation(s) remained thereafter (A copy of the Order is recorded at OR BK 5519, PG 3631).

3. On September 27, 2018, September 26, 2019, and October 27, 2022, the Board granted Respondent a succession of continuances in order to come into compliance.

4. Respondent(s), having been notified of the date of hearing by certified mail, posting and/or personal service, had Angela McGrath, its managing member, appear at the public hearing.

5. Prior operational costs of $59.63 and $59.35 incurred by Petitioner in the prosecution of this case have been paid.

6. Operational costs in the amount of $59.98 have been incurred by Petitioner for this hearing.

7. The violation(s) have not been abated as of April 27, 2023.

CONCLUSIONS OF LAW

Based upon the foregoing facts, the Board makes the following Conclusions of Law:

1. All notices were properly and timely issued, and the Board has jurisdiction pursuant to Chapter 162, Florida Statutes, and Chapter 2, Article IX, Code of Laws and Ordinances of Collier County, Florida.

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

2. Pursuant to Section 162.09, Florida Statutes, Petitioner has demonstrated by the preponderance of the evidence that the fines and cost shall be imposed against Respondent(s).

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and pursuant to the authority granted in Chapter 162, Florida Statutes, and Chapter 2, Article IX, Code of Laws and Ordinances of Collier County, Florida, it is hereby ORDERED that:

A. Petitioner's Motion for Imposition of Fines/Liens is GRANTED.

B. Daily fines of $100.00 per day are assessed and imposed against Respondent(s) for 1,129 days for the period from March 25, 2020, to April 27, 2023, for a total fine amount of $112,900.00.

C. Respondent(s) shall pay operational costs in the total amount of $59.98.

D. Respondent(s) shall pay fines and costs in the total amount of $112,959.98 or be subject to Notice of Assessment of Lien against all properties owned by Respondent(s) in Collier County, Florida.

E. The daily fines of $100.00 shall continue to accrue until abatement has been confirmed by a Collier County Code Enforcement Investigator.

DONE AND ORDERED this 27th day of April, 2023 at Collier County, Florida.

CODE ENFORCEMENT BOARD
COLLIER COUNTY, FLORIDA

BY: _____
Robert Kaufman, Chair

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of ☒ physical Presence or ☐ online notarization, this 8th day of May, 2023, by Robert Kaufman, Chair of the Collier County Code Enforcement Board Collier County, Florida.

☒ Personally Known OR ☐ Produced Identification
Type of Identification Produced_____

_____
Signature of Notary Public - State of Florida

HELEN BUCHILLON
Commission # HH 105119
Expires May 15, 2025
Bonded Thru Budget Notary Services

_____
Commissioned Name of Notary Public
(Print/Type/Stamp)

PAYMENT OF FINES: Any fines ordered to be paid pursuant to this Order may be paid at the Collier County Code Enforcement Department, 2800 North Horseshoe Drive, Naples, FL 34104, Phone: (239) 252-2440, Website: www.colliercountyfl.gov. Any release of lien or confirmation of compliance or confirmation of the satisfaction of the obligations of this Order may also be obtained at this location.

APPEAL: Any aggrieved party may appeal a final order of the Board to the Circuit Court within thirty (30) days of the execution of the Order appealed. An appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created within the original hearing. It is the responsibility of the appealing party to obtain a transcribed record of the hearing from the Clerk of Courts. Filing an appeal will not automatically stay this Order.

I, Crystal K Kinzel, Clerk of Courts in and for Collier County do hereby certify that the foregoing instrument is a true & correct copy of the original filed in Collier County, Florida.
By: _____ Deputy Clerk
Date: 5/15/2023

NOT CERTIFIED COPY

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this ORDER has been sent by U.S. Mail to: DOUBLE M INVESTMENTS, LLC, 7632 ROZZINI LN., NAPLES, FL 34114, on May 8th, 2023.

Code Enforcement Official

NOT A CERTIFIED COPY

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

INSTR 5568908 OR 5519 PG 3631 RECORDED 6/11/2018 10:50 AM PAGES 4
DWIGHT E. BROCK, CLERK OF THE CIRCUIT COURT, COLLIER COUNTY FLORIDA
REC $35.50

COLLIER COUNTY CODE ENFORCEMENT
CODE ENFORCEMENT BOARD

Case No. – CESD20170011238
_____/

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA,

Petitioner,

vs.

CARYN MARY MCGRATH,

Respondent.
_____/

ORDER OF THE CODE ENFORCEMENT BOARD

THIS CAUSE came on for public hearing before the Code Enforcement Board on May 24, 2018, and the Code Enforcement Board, having heard testimony under oath, received evidence and heard argument respective to all appropriate matters, hereupon issues its Findings of Fact and Order of the Code Enforcement Board, as follows:

COLLIER COUNTY
COPY
CLERK OF THE CIRCUIT COURT

FINDINGS OF FACT

1. Respondent, **CARYN MARY MCGRATH**, is the owner of the subject property.

2. Respondent was notified of the date of hearing by certified mail and posting and the Code Enforcement Board has jurisdiction of this matter.

3. At the hearing, the Respondent entered into a Stipulation, which is attached hereto as Exhibit "A". The Stipulation is adopted as an Order of the Code Enforcement Board and the Respondent is ordered to comply.

4. The real property located at 659 Palm Ave, Goodland, FL 34140, Folio No. 46420360009 (Legal Description: GOODLAND ISLES 1ST ADD BLK C LOT 3) is in violation of the Collier County Land Development Code 04-41, as amended, Sections 10.02.06(B)(1)(a) and 10.02.06(B)(1)(e)(i) in the following particulars:

A mobile home that was removed between 2006 and 2007 without a valid demolition permit, and a dock lift, shed, and power pole installed without first obtaining a valid Collier County Permit.

5. The violation has not been abated as of the date of the public hearing.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and pursuant to the authority granted in Chapter 162, Florida Statutes, and Collier County Ordinance No.2007-44, as amended, it is hereby ORDERED:

A. Respondent is found guilty of violating Collier County Land Development Code 04-41, as amended, Sections 10.02.06(B)(1)(a) and 10.02.06(B)(1)(e)(i).

B. Respondent must abate all violations by obtaining Demolition Permit, Inspections, and Certificate of Completion for the removal of the previous mobile home and obtain all required inspections and certificate of completion for the tiny house permit (PRBD20171254064) and for the boat lift permit (PRBD20170830971) **on or before September 21, 2018 or a fine of $100.00 per day** will be imposed for each day the violation(s) remains thereafter.

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

C. If Respondent(s) fails to comply with this Order, Collier County may abate the violation using any method(s) to bring the violation(s) into compliance and may use the assistance of the Collier County Sheriff's Office to enforce the provisions of this order and all costs of abatement shall be assessed to the property owner.

D. Respondent is ordered to pay operational costs for the prosecution of this case in the amount of **$59.63 on or before June 23, 2018.**

E. Respondent shall notify the Code Enforcement Investigator of this case within 24 hours of abatement or compliance so that a final inspection may be performed to confirm compliance.

DONE AND ORDERED this 1st day of June 2018 at Collier County, Florida.

CODE ENFORCEMENT BOARD
COLLIER COUNTY, FLORIDA

BY: _____
Robert Kaufman, Chair
2800 North Horseshoe Drive
Naples, Florida 34104

STATE OF FLORIDA)
)SS:
COUNTY OF COLLIER)

The foregoing instrument was acknowledged before me this 1st day of June 2018, by Robert Kaufman, Chair of the Code Enforcement Board of Collier County, Florida, who is ___X___ personally known to me or _____ who has produced a Florida Driver's License as identification.

Danny Blanco
Commission # FF964545
Expires: April 21, 2020
Bonded thru Aaron Notary

_____
NOTARY PUBLIC
My commission expires:_____

PAYMENT OF FINES: Any fines ordered to be paid pursuant to this Order may be paid at the Collier County Code Enforcement Department, 2800 North Horseshoe Drive, Naples, FL 34104, Phone: (239) 252-2440, Website: www.colliergov.net. Any release of lien or confirmation of compliance or confirmation of the satisfaction of the obligations of this Order may also be obtained at this location.

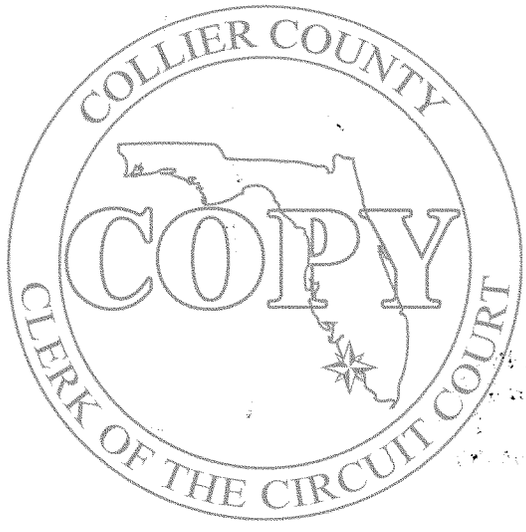
APPEAL: Any aggrieved party may appeal a final order of the Board to the Circuit Court within thirty (30) days of the execution of the Order appealed. An appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created within the original hearing. It is the responsibility of the appealing party to obtain a transcribed record of the hearing from the Clerk of Courts. Filing an Appeal will not automatically stay the Board's Order.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this ORDER has been sent by U. S. Mail to Caryn Mary McGrath at PO Box 1985 Marco Island, FL 34146 this 1st day of June 2018.

_____
Code Enforcement Official

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)



State of Florida
County of COLLIER

I HEREBY CERTIFY THAT this is a true and correct copy of a document on file in Board Minutes and Records of Collier County
WITNESS my hand and official seal this
5th day of June, 2018

DWIGHT E. BROCK, CLERK OF COURTS

By: _____

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

#10

BOARD OF COUNTY COMMISSIONERS
Collier County, Florida

Petitioner,

vs. Case No. CESD20170011238

Caryn Mary McGrath
Respondent(s),

STIPULATION/AGREEMENT

COMES NOW, the undersigned, Caryn Mary McGrath, on behalf of herself or _____ as representative for Respondent and enters into this Stipulation and Agreement with Collier County as to the resolution of Notices of Violation in reference (case) number CESD20170011238 dated the 3rd day of August, 2017.

In consideration of the disposition and resolution of the matters outlined in said Notice(s) of Violation for which a hearing is currently scheduled for May 24th, 2018; to promote efficiency in the administration of the code enforcement process; and to obtain a quick and expeditious resolution of the matters outlined therein the parties hereto agree as follows:

1) The violations noted in the referenced Notice of Violation are accurate and I stipulate to their existence. A mobile home that was removed between 2006 and 2007 without a valid demolition permit, and a dock lift, shed, and power pole installed without first obtaining a valid Collier County permit.

THEREFORE, it is agreed between the parties that the Respondent shall;

1) Pay operational costs in the amount of $59.63 incurred in the prosecution of this case within 30 days of this hearing.
2) Abate all violations by:

   Obtaining Demolition Permit, inspections, and Certificate of Completion for the removal of the previous mobile home and obtain all required inspections and certificate of completion for the tiny house permit (PRBD20171254064) and for the boat lift permit (PRBD20170830971) within 120 days of this hearing or a fine of $ 100.00 per day will be imposed until the violation is abated.
3) Respondent must notify Code Enforcement within 24 hours of abatement of the violation and request the Investigator perform a site inspection to confirm compliance.
   (24 hours notice shall be by phone or fax and made during the workweek. If the violation is abated 24 hours prior to a Saturday, Sunday or legal holiday, then the notification must be made on the next day that is not a Saturday, Sunday or legal holiday.)
4) That if the Respondent fails to abate the violation the County may abate the violation using any method to bring the violation into compliance and may use the assistance of the Collier County Sheriff's Office to enforce the provisions of this agreement and all costs of abatement shall be assessed to the property owner.

C Mc Gratt
Respondent or Representative (sign)

CARYN MCGRATTY
Respondent or Representative (print)

5/24/18
Date

J Mc Ga
Joseph Mucha, Supervisor
for Michael Ossorio, Director
Code Enforcement Division

5/24/18
Date

REV 3-29-16

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Case Number: CESD20170011238
Date: August 3, 2017
Investigator: Jonathan Musse
Phone: 239-252-2411
Cell: 239-877-8134

COLLIER COUNTY CODE ENFORCEMENT
NOTICE OF VIOLATION

Owner: MCGRATH, CARYN MARY
P O BOX 1985
MARCO ISLAND, FL 34146

Location: 659 PALM AVE
Unincorporated Collier County

Sec: 18 Twp: 52 Range: 27 Zoning Dist: VR-GZO Folio# 46420360009
Property Legal Description: GOODLAND ISLES 1ST ADD BLK C LOT 3

NOTICE

Pursuant to Collier County Consolidated Code Enforcement Regulations, Collier County Code of Laws and Ordinances, Chapter 2, Article IX, you are notified that a violation(s) of the following Collier County Ordinance(s) and or PUD Regulation(s) exists at the above-described location.

Ordinance/Code: Building and Land Alteration Permits. (Permits, Inspections, Certificate of Occupancy Required) Collier County Land Development Code 04-41, as amended, Section 10.02.06(B)(1)(a)
Submittal Requirements for Permits. Building or Land Alteration Permits. Improvement of property prohibited prior to issuance of building permit. Collier County Land Development Code 04-41 as amended, Section 10.02.06(B)(1)(e)(i)

The County Manager or his designee shall be responsible for determining whether applications for building or land alteration permits, as required by the Collier County Building code or this Code are in accord with the requirements of this Code, and no building or land alteration permit shall be issued without written approval that plans submitted conform to applicable zoning regulations, and other land development regulations. For purposes of this section a land alteration permit shall mean any written authorization to alter land and for which a building permit may not be required. Examples include but are not limited to clearing and excavation permits, site development plan approvals, agricultural clearing permits, and blasting permits. No building or structure shall be erected, moved, added to, altered, utilized or allowed to exist and/or no land alteration shall be permitted without first obtaining the authorization of the required permit(s), inspections and certificate(s) of occupancy as required by the Collier County Building Code or this Code :

i. In the event the improvement of property, construction of any type, repairs or remodeling of any type that requires a building permit has been completed, all required inspection(s) and certificate(s) of occupancy must be obtained within 60 days after the issuance of after the fact permit(s).:

Violation Status - Initial

DESCRIPTION OF CONDITIONS CONSTITUTING THE VIOLATION(S).
Did Witness: A mobile home that was removed between 2006 and 2007 without a valid demolition permit, and a dock, lift, shed, and power pole installed without first obtaining a valid Collier County permit.

ORDER TO CORRECT VIOLATION(S):
You are directed by this Notice to take the following corrective action(s):

1. Must obtain all required Collier County Building Permit(s) or Demolition permit(s) and request all inspections through Certificate of Completion/Occupancy for described structure/ alteration.

2. Must obtain all inspections and Certificate of Occupancy or Certificate of Completion as required in the 2007 Florida Building Code.

ON OR BEFORE: September 2, 2017

Failure to correct violations may result in:
1) Mandatory notice to appear or issuance of a citation that may result in fines up to **$500** and costs of prosecution. OR
2) Code Enforcement Board review that may result in fines up to **$1000** per day per violation, as long as the violation remains, and costs of prosecution.

SERVED BY:

INQUIRIES AND COMMENTS SHOULD BE DIRECTED TO CODE ENFORCEMENT

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Investigator Signature
Jonathan Musse
Case Number: **CESD20170011238**

2800 North Horseshoe Dr, Naples, FL 34104
Phone: 239 252-2440 FAX: 239 252-2343

Signature and Title of Recipient

Printed Name of Recipient

Date

***This violation may require additional compliance and approval from other departments which may be required under local, state and federal regulations, including, but not limited to: right-of-way permit, building permit, demolition of structure, Site Development Plan, Insubstantial Change to Site Development Plan, and Variances along with, payment of impact fees, and any new or outstanding fees required for approval.**

Attachment: Attachment G - Code Case CESD20170011238 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Report Title: Code Case Details

Date: **12/19/2023 8:51:18 PM**

Case Number: **CETU20190000056**

Case Information

Case Number:	**CETU20190000056**
Case Type:	**Temporary Land Use**
Priority:	**Normal**
Inspector:	**DanielHamilton**
Jurisdiction:	**Collier County Code Enforcement**
Origin:	**Complaint**

Status:	**Closed**
Date & Time Entered:	**1/2/2019 2:58:17 PM**
Entered By:	**DanaRarey**
Case Disposition:	**No Violation**

Detail Description:	**Anonymous letter received by planning regarding set backs & variances to codes on property Also states occupants living in RV, part time, for the past two years while using the septic, water & electric. Planning department is looking into the issue with set backs & variance.**
Location Comments:	**659 Palm Ave., Goodland**

Address Location

Address	**659 Palm AVE, Goodland**
Property	**46420360009**

Contacts

Property Owner	**MCGRATH, CARYN MARY P O BOX 1985**

Attachment: Attachment H - Code Case CETU20190000056 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Investigations

Desc	Assigned	Required	Completed	Outcome	Comments
CE Staff Review	DanaRarey	1/2/2019	1/2/2019	Complete	Anonymous letter from "Concerned Goodla Property Owners" brought to CE by Planne He is currently looking into set back and variance on Case # PL20180003496 DR.
Verify Complainant	DanielHamilton	1/2/2019	1/10/2019	Verified	Verified by Public Official and letter. DH 05
CE Staff Review	DanaRarey	1/2/2019	1/2/2019	Complete	Advised Anonymous complaints are for Hea & Safety issues, but will forward letter to DH05.
Initial Inspection	DanielHamilton	1/11/2019	1/15/2019	Incomplete	On 01-15-2019 I observed a recreational vehicle, black/white Voltage 5th wheel parke on the property. The RV was hooked to pov and sewer. I attempted to make contact witl the owner but no one was home. Pictures were taken. Will research Goodland Zoning Overlay. There is another case open #CESD20170011238 and Planning # PL20180003496 DR. in reference to the Tin House and set backs. HamiltonDaniel 01/15/2019 12:23 PM
Attach Picture(s)	DanielHamilton	1/16/2019	1/16/2019	Complete	
Initial Inspection Follow-up	DanielHamilton	1/22/2019	1/23/2019	No Violation (s) Found	I did not see living in RV on residential property in the Goodland Overlay. Violation found for Land Use and Recreational Vehicl storage requirements.
CE Staff Review	DanielHamilton	1/22/2019	1/23/2019	Complete	I talked with Ms. McGrath and advised her c the complaint. She advised that the RV is th whole reason they built the tiny house in ab to store the RV on the property. Ms. McGra advised that she does not live in the trailer and that her permanent home is in Veronawalk. The RV is not hooked to the water/septic. GZO overlay 4.02.22 states that RV are allowable for storage on VR RSF-4 Zoned districts as long as it is not being lived in. N violation found. Will close the case.HamiltonDaniel 01/23/2019 8:16 AM
CE Staff Review	DanielHamilton	1/22/2019	1/22/2019	Complete	I attempted to make contact but no one was home. I also attempted to place a phone ca to Ms. McGrath - 231-330-1960 but there w no answer. I left a message for call back. - HamiltonDaniel 01/22/2019 2:59 PM
Enter Case Disposition	DanielHamilton	1/23/2019	1/23/2019	Complete	
Verify Conditions & Close Case	JosephMucha	1/23/2019	1/24/2019	Complete	
CE Staff Review	DanaRarey	1/23/2019	1/23/2019	Complete	Scan and attach Anonymous Letter DR CETU20190000056 Anon Letter DH05

Attachment: Attachment H - Code Case CETU20190000056 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Violations

Violation Description	Status	Entered	Corrected	Amount	Comments

Hearings

Title	Reason	Result	Compliance	Fine/Day	Condition

Attachment: Attachment H - Code Case CETU20190000056 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Commissioner Donna Fiala
3299 Tamiami Trail East, Suite 303
Naples, FL 34112

Mr. Ray Bellows, Zoning Manager
Collier County Planning Department
2800 Horseshoe Dr. N
Naples, FL 34104

Re: Variance Request for 659 Palm Avenue East, Goodland

To whom it concern,

We are a group of concerned Goodland property owners, who, because of fear of retaliation, send this letter unsigned. We have been and continue to be deeply troubled by the activities at 659 Palm Avenue East.

We understand the owners of the property are seeking a variance from the County because they constructed their "tiny house" within the property setbacks. The applicant works in the construction industry and is asking the County for a variance for this act. They claim that due to the small size of the property and the fact that they had to accommodate a septic system they were burdened and had to put the "tiny house" into the setback. They purchased the land and then built the septic system, so how could that have been unknown? They have created this situation and are now asking the County to look the other way.

Since purchasing the land and having built their septic system, they have been living in an RV on the property for over two years. They continue to live in the RV, part time whie it is connected to the septic system, water, and electric. How can this be allowed to continue? We hope this isn't allowed by County Codes?

There is a new home being built on the same sized lot, on the same street by a reputable builder. He doesn't seem to have any problems dealing with County Codes, the size of the lot, septic, etc..

For the protection of our property values we sincerely hope the continued living in the RV will be stopped and this variance will be denied.

Sincerely,

Group of Concerned Goodland Property Owners

Attachment: Attachment H - Code Case CETU20190000056 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

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	*To be completed by staff*
PROJECT NAME	
DATE PROCESSED	

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): Double M Investments, LLC

Name of Applicant if different than owner: _____

Address: 7632 Rozzini Lane **City:** Naples **State:** FL **ZIP:** 34114

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

E-Mail Address: _____

Name of Agent: Christopher Scott

Firm: Peninsula Engineering

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

Telephone: 239-403-6727 **Cell:** _____ **Fax:** _____

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

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

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

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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: 46420360009 **Section/Township/Range:** 18 / 52 / 27

Subdivision: Goodland Isles 1st Addition **Unit:** _____ **Lot:** 3 **Block:** C

Metes & Bounds Description: _____ **Total Acreage:** _____

Address/ General Location of Subject Property: 659 Palm Avenue

_____

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	VR-GZO	Canal, then Single-Family Residential
S	VR-GZO	Single-Family Residential
E	VR-GZO	Single-Family Residential
W	VR-GZO	Single-Family Residential

Minimum Yard Requirements for Subject Property:

Front: 20'
Side: 5'
Rear: 20'

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 I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

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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: _____
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 I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

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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 I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

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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 I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

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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

Christopher Scott
Digitally signed by Christopher Scott
DN: cn=Christopher Scott, c=US, o=Peninsula Engineering, email=CScott@pen-eng.com
Date: 2023.09.20 14:51:03 -04'00'

Applicant Signature

9/20/2023
Date

Christopher Scott
Printed Name

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Collier County
Growth Management Division
2800 Horseshoe Drive N.
Naples, FL 34104
239-252-2400

RECEIPT OF PAYMENT

Receipt Number: 2018574953
Transaction Number: 2018-113701
Date Paid: 12/21/2018
Amount Due: $2,625.00

Payment Details:

Payment Method	Amount Paid	Check Number
Check	$2,625.00	2511

Amount Paid: $2,625.00
Change / Overage: $0.00
Contact: FRANK FOSTER CONSTRUCTION CO
7632 ROZZINI LANE
NAPLES, FL 34114

FEE DETAILS:

Fee Description	Reference Number	Original Fee	Amount Paid	GL Account
Credit	PL20180003496	$2,000.00	$500.00	131-138326-341280
GL Transfer	PL20180003496	$2,000.00	$500.00	131-138326-341276
Variance (residential)	PL20180003496	$2,000.00	$1,500.00	131-138326-341280
Legal Advertising Fee	PL20180003496	$1,125.00	$1,125.00	131-138326-341950

Cashier Name: AlinaHarris
Batch Number: 7910
Entered By: RenaldPaul

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

PENINSULA ENGINEERING

659 E PALM AVENUE VARIANCE

AERIAL AND LOCATION MAP





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

Fla Engineer CA 28275 Fla Landscape CA LC26000632 Fla Surveyor/Mapper LB8479

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

*** INSTR 6206929 OR 6086 PG 388 RECORDED 2/17/2022 8:33 AM PAGES 1 ***
CLERK OF THE CIRCUIT COURT AND COMPTROLLER, COLLIER COUNTY FLORIDA
DOC@.70 $0.70 REC $10.00

Prepared By/ Return to:
Fred W. Mundie, Jr., P.A.
Fred W. Mundie, Jr.
Attorney at Law
PO Box 845
Marco Island FL 34146
239-394-3072

Parcel ID No.: 46420360009

QUIT CLAIM DEED

This Quit Claim Deed made this 14 day of February, 2022, between **Caryn Mary McGrath, a married person,** hereinafter referred to as Grantor, and **Double M Investments, LLC, a Florida limited liability company,** whose post office address is 7632 Rozzini Lane, Naples, FL 34114, hereinafter referred to as Grantee:

(Whenever used herein, the terms "grantor(s)" and "grantee(s)" 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 consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the Grantee, and to the Grantee's heirs and assigns forever, all the right, title, interest, claim and demand which Grantor has in and to the following described land, situate, lying and being in Collier County, Florida, to wit:

Lot 3, Block C, Goodland Isles First Addition, according to the map or plat thereof as recorded in Plat Book 8, Page 1, Public Records of Collier County, Florida.

Together with all permanent improvements located thereon.
Subject to: Restrictions, limitations and zoning regulations of record.

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

THE FOREGOING LEGAL DESCRIPTION WAS SUPPLIED BY THE PARTIES. THE PREPARER OF THIS INSTRUMENT HAS PERFORMED NO TITLE SEARCH AND ASSUMES NO LIABILITY FOR THE STATE OF THE TITLE OR THE ACCURACY OF THE LEGAL DESCRIPTION.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor, either in law or equity, for the use, benefit and profit of the Grantee forever.

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

Fred W. Mundie, Jr., Witness

Caryn Mary McGrath, Grantor

Jennifer L. Carr, Witness

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization, on the 14 day of February, 2022, by **Caryn Mary McGrath**, who is personally known or who produced _____ as identification.

FRED WALTER MUNDIE, JR.
Commission # GG 202801
Expires April 12, 2022
Bonded Thru Troy Fain Insurance 800-385-7019

Fred W. Mundie, Jr.
NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: 04/12/2022

NOT CERTIFIED COPY

Pac

INSTR 5347701 OR 5345 PG 1901 RECORDED 12/20/2016 11:39 AM PAGES 2
DWIGHT E. BROCK, CLERK OF THE CIRCUIT COURT, COLLIER COUNTY FLORIDA
DOC@.70 $1,169.00 REC $18.50
CONS $167,000.00

Prepared by and return to:
Fred W. Mundie, Jr.
Attorney at Law
Fred W. Mundie, Jr., P.A.
993 North Collier Blvd.
Marco Island, FL 34145
239-394-3072
File Number: **16470jh**
CONSIDERATION: **$167,000.00**

[Space Above This Line For Recording Data]

RETURN TO FIRST TITLE & ABSTRACT
16-1954B

Warranty Deed

This Warranty Deed made this **14th** day of **December, 2016** between **Gloria Gonzalez** whose post office address is **659 Palm Ave, Goodland, FL 34140**, grantor, and **Caryn Mary McGrath, a married person** whose post office address is **P.O. Box 1985, Marco Island, FL 34146**, 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 3, Block C, Goodland Isles First Addition, according to the plat thereof, recorded in Plat Book 8, Page 1, in the Public Records of Collier County, Florida.

Parcel Identification Number: 46420360009

Subject to ad valorem and non-ad valorem, real property taxes for the year of closing and subsequent years; zoning, building code and other use restrictions imposed by governmental authority; outstanding oil gas and mineral interest of record, if any; restrictions, reservations and easements common to the subdivision.

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

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 **December 31, 2016.**

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

NOT A CERTIFIED COPY

DoubleTime®

Attachment: Attachment L_HEX Backup Package PL20160003406_037574 : PL 20160003406 VA 650 Palm Ave Double M Investments LLC)

Signed, sealed and delivered in our presence:

Witness Name: Susie Flores

Witness Name: Gwendolyn Brooks

Gloria Gonzalez (Seal)

State of ILLINOIS
County of COOK

The foregoing instrument was acknowledged before me this 6th day of December, 2016 by Gloria Gonzalez, who [_] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

"OFFICIAL SEAL"
SUSIE FLORES
Notary Public - State of Illinois
My Commission Expires August 17, 2020

Notary Public

Printed Name: Susie Flores

My Commission Expires: August 17th 2020

UNOFFICIAL CERTIFIED COPY

Attachment: Attachment L HEY Backup Package PL 20180002406 (37574 : PL 20180002406 VA 650 Palm Ave Double M Investments Llc)

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

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 I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

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
Double M Investments, LLC	100%
Angela K. McGrath, President and Registered Agent	
Caryn M. McGrath, President	

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 12/2016

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

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

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

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 Community Development Department | GMD Portal:
https://cvportal.colliercountyfl.gov/cityviewweb

Questions? Email: GMDclientservices@colliercountyfl.gov

Christopher Scott
Digitally signed by Christopher Scott
DN: cn=Christopher Scott, c=US, o=Peninsula Engineering, email=CScott@pen-eng.com
Date: 2023.09.18 10:08:24 -04'00'

Agent/Owner Signature

9/18/2023
Date

Christopher O. Scott
Agent/Owner Name (please print)

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20180003496 and PL20220005415

I, Angela K. McGrath (print name), as President and Managing Member (title, if applicable) of Double M Investments, 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 Christopher Scott, Peninsula Engineering, 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.

Angela McGrath
Signature

6-05-2023
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization this 5th day of JUNE, 2023, by (printed name of owner or qualifier) ANGELA McGRATH.

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

[ ] Are personally known to me

[✓] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

Notary Signature: _____

Notary Seal

Notary Public State of Florida
Brittany Waryck
My Commission HH 086843
Expires 01/31/2025

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

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

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.

11/9/2023

(Signature of Applicant)

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 9th day of November, 2023, by Christopher O. Scott.

Such person(s)
- [x] Are personally know to me.
- [ ] Has produced a current drivers license _____.
- [ ] Has produced _____ as identification.

Notary Seal

Notary Signature: Kim D. Davidson

KIM D. DAVIDSON
Notary Public - State of Florida
Commission # HH 201826
My Comm. Expires Feb 19, 2026
Bonded through National Notary Assn.

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

PENINSULA ENGINEERING

November 7, 2023

Dear Property Owner:

Please be advised that a formal application has been submitted to Collier County requesting a variance from the requirements of the zoning regulations as they apply to the following described property:

659 Palm Avenue
Goodland, FL 34114
Lot 3, Goodland Isles First Addition, Block C



The Variance petition asks the County to allow the existing single-family home to remain in its current location. The property is located within the Village Residential (VR) zoning district. Structures within the VR zoning district are subject to a 20-foot rear yard setback. The existing structure is located 12.9-feet from the rear property line (11.9-feet from roof overhang). The official Title of the request is below:

> Request for an after-the-fact variance from Land Development Code section 4.02.01.A., Table 2.1, to reduce the required rear yard setback from 20 feet to 12.9 feet and to 11.9 feet for a 1-foot roof overhang on the north side to allow for the continued existence of a single-family dwelling located within the Village Residential (VR) Zoning District at 659 Palm Avenue, also known as Lot 3, Block C, Goodland Isles First Addition, in Section 18, Township 52 South, Range 27 East, Collier County, Florida. [PL20180003496]

You are encouraged to reach out to the individual listed below if you would like additional explanation or further information. In any event, please be advised that we are interested in assuring you that our request should not adversely affect your property interest.

Christopher Scott, AICP
Peninsula Engineering
Phone: 239.403.6727
Email: cscott@pen-eng.com

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

PENINSULA ENGINEERING

659 PALM AVENUE GOODLAND VARIANCE

MAILED NOTICE LIST AND MAP

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

Petition: PL20180003496 | Buffer: 150' | Date: 8/31/23 | Site Location: 46420360009

NAME1	NAME2	NAME3	NAME6	LEGAL1	LEGAL2	FOLIO	ADDRESS
BOHLKE, GREG & TAMMY	129 MAPLE DR		SHOHOLA, PA 18458	GOODLAND ISLES BLK B LOT 34		4.6373E+10	U
ELLIS, STEPHEN E	PO BOX 36		GOODLAND, FL 34140	GOODLAND ISLES BLK B LOT 33		4.6373E+10	U
RISLEY TR, ROBERT R & IVAH H	RISLEY JOINT LIV TRUST	2914 BIRMINGHAM RD	OVID, MI 48866-9664	GOODLAND ISLES BLK B LOT 32		4.6373E+10	U
ISSE, ANTONIO M	PO BOX 661		GOODLAND, FL 34140	GOODLAND ISLES BLK B LOT 31	OR 436 PG 296	4.6372E+10	U
DOUBLE M INVESTMENTS LLC	7632 ROZZINI LANE		NAPLES, FL 34114	GOODLAND ISLES BLK B LOT 30		4.6372E+10	U
STEELE STREET PARTNERS LLC	180 STEELE ST STE B		GRAND RAPIDS, MI 49534	GOODLAND ISLES BLK B LOT 29	OR 1117 PG 1257	4.6372E+10	U
STEELE STREET PARTNERS LLC	180 STEELE ST STE B		GRAND RAPIDS, MI 49534	GOODLAND ISLES BLK B LOT 28		4.6372E+10	U
RODRIGUEZ, ANTONIO & SUSIE	10045 N SNAPPER CREEK DR		MIAMI, FL 33173	GOODLAND ISLES 1ST ADD BLK C LOT 1	OR 852 PG 826	4.642E+10	U
BYRD, JOHN L	PO BOX 741		GOODLAND, FL 34140	GOODLAND ISLES 1ST ADD BLK C LOT 2		4.642E+10	U
DOUBLE M INVESTMENTS LLC	7632 ROZZINI LANE		NAPLES, FL 34114	GOODLAND ISLES 1ST ADD BLK C LOT 4		4.642E+10	U
DOUBLE M INVESTMENTS LLC	7632 ROZZINI LANE		NAPLES, FL 34114	GOODLAND ISLES 1ST ADD BLK C LOT 5		4.642E+10	U
DOUBLE M INVESTMENTS LLC	7632 ROZZINI LANE		NAPLES, FL 34114	GOODLAND ISLES 1ST ADD BLK C LOT 6		4.642E+10	U
BOGUE, MICHAEL K	3697 MEADOW VIEW DR		KOKOMO, IN 46902-5070	GOODLAND ISLES 1ST ADD BLK C LOT 7	OR 887 PG 312	4.6421E+10	U
LAMBERT, LEE V	2429 CARPENTERS GRADE RD		MARYVILLE, TN 37803-2613	GOODLAND ISLES 2ND ADD BLK D LOT 1A		4.647E+10	U
CHOKOLUCKY IV LLC	PO BOX 670		EVERGLADES, FL 34139	GOODLAND ISLES 1ST ADD BLK D LOT 1		4.6421E+10	U
HARDOIN, ARLENE A	1748 BEVERLY DR		NAPLES, FL 34114	GOODLAND ISLES 1ST ADD BLK D LOT 2		4.6421E+10	U
WENSEL, DAVID W	TONYA JO JONES	PO BOX 844	GOODLAND, FL 34140	GOODLAND ISLES 1ST ADD BLK D LOT 3		4.6421E+10	U
COAST TO COAST PROP INVEST LLC	643 PALM AVE		GOODLAND, FL 34140	GOODLAND ISLES 1ST ADD BLK D LOT 4		4.6421E+10	U
BSBJ CANAL RETREAT LLC	56 W COLUMBUS ST		CANAL WINCHESTER, OH 43110	GOODLAND ISLES 1ST ADD BLK D LOT 5		4.6421E+10	U



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

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm

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

Petition: PL20180003496 | Buffer: 150' | Date: 8/31/23 | Site Location: 46420360009

NAME1	NAME2	NAME3	NAME4	NAME5	NAME6	LEGAL1	LEGAL2	LEGAL3	LEGAL4	FOLIO	ADDRESSTY
BOHLKE, GREG & TAMMY	129 MAPLE DR				SHOHOLA, PA 18458	GOODLAND ISLES BLK B LOT 34				46372600008	U
ELLIS, STEPHEN E	PO BOX 36				GOODLAND, FL 34140	GOODLAND ISLES BLK B LOT 33				46372560009	U
RISLEY TR, ROBERT R & IVAH H	RISLEY JOINT LIV TRUST	2914 BIRMINGHAM RD			OVID, MI 48866-9664	GOODLAND ISLES BLK B LOT 32				46372520007	U
ISSE, ANTONIO M	PO BOX 661				GOODLAND, FL 34140	GOODLAND ISLES BLK B LOT 31	OR 436 PG 296			46372480008	U
DOUBLE M INVESTMENTS LLC	7632 ROZZINI LANE				NAPLES, FL 34114	GOODLAND ISLES BLK B LOT 30				46372440006	U
STEELE STREET PARTNERS LLC	180 STEELE ST STE B				GRAND RAPIDS, MI 49534	GOODLAND ISLES BLK B LOT 29	OR 1117 PG 1257			46372400004	U
STEELE STREET PARTNERS LLC	180 STEELE ST STE B				GRAND RAPIDS, MI 49534	GOODLAND ISLES BLK B LOT 28				46372360005	U
RODRIGUEZ, ANTONIO & SUSIE	10045 N SNAPPER CREEK DR				MIAMI, FL 33173	GOODLAND ISLES 1ST ADD BLK C LOT 1	OR 852 PG 826			46420280008	U
BYRD, JOHN L	PO BOX 741				GOODLAND, FL 34140	GOODLAND ISLES 1ST ADD BLK C LOT 2				46420320007	U
DOUBLE M INVESTMENTS LLC	7632 ROZZINI LANE				NAPLES, FL 34114	GOODLAND ISLES 1ST ADD BLK C LOT 4				46420400008	U
DOUBLE M INVESTMENTS LLC	7632 ROZZINI LANE				NAPLES, FL 34114	GOODLAND ISLES 1ST ADD BLK C LOT 5				46420440000	U
DOUBLE M INVESTMENTS LLC	7632 ROZZINI LANE				NAPLES, FL 34114	GOODLAND ISLES 1ST ADD BLK C LOT 6				46420480002	U
BOGUE, MICHAEL K	3697 MEADOW VIEW DR				KOKOMO, IN 46902-5070	GOODLAND ISLES 1ST ADD BLK C LOT 7	OR 887 PG 312			46420520001	U
LAMBERT, LEE V	2429 CARPENTERS GRADE RD				MARYVILLE, TN 37803-2613	GOODLAND ISLES 2ND ADD BLK D LOT 1A				46470040007	U
CHOKOLUCKY IV LLC	PO BOX 670				EVERGLADES, FL 34139	GOODLAND ISLES 1ST ADD BLK D LOT 1				46421200003	U
HARDOIN, ARLENE A	1748 BEVERLY DR				NAPLES, FL 34114	GOODLAND ISLES 1ST ADD BLK D LOT 2				46421240005	U
WENSEL, DAVID W	TONYA JO JONES	PO BOX 844			GOODLAND, FL 34140	GOODLAND ISLES 1ST ADD BLK D LOT 3				46421280007	U
COAST TO COAST PROP INVEST LLC	643 PALM AVE				GOODLAND, FL 34140	GOODLAND ISLES 1ST ADD BLK D LOT 4				46421320006	U
BSBJ CANAL RETREAT LLC	56 W COLUMBUS ST				CANAL WINCHESTER, OH 43110	GOODLAND ISLES 1ST ADD BLK D LOT 5				46421360008	U

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm

PENINSULA ENGINEERING

659 PALM AVENUE GOODLAND VARIANCE

PROJECT NARRATIVE AND EVALUATION CRITERIA

PROJECT REQUEST:

The applicant is requesting to reduce the required rear yard setback from 20-feet to 12.9-feet for the existing structure and to 11.9-feet to allow for the existing roof overhang. The variance is necessary to bring the existing dwelling into compliance and is consistent with the criteria of LDC Section 9.04.03.

BACKGROUND:

The subject property is located at 659 Palm Avenue in Goodland, Florida and is identified as Lot 3, Block C of Goodland Isles First Addition (PB 8, PG 1-2). The property is zoned Village Residential (VR) and is located within the Goodland Zoning Overlay (GZO).

The property was acquired by the current owner (now known as Double M Investments, LLC) in December 2016. A building permit for a 288 square foot "tiny house" was issued June 18, 2018 (PRBD20171254064-01). Upon construction of the dwelling, the applicant submitted the required spot survey, which showed the structure encroached into the rear yard/waterbody setback and into the 6-foot drainage easement on the east side lot line.



2600 Golden Gate Parkway, Naples, Florida, 34105 Office 239.403.6700 Fax 239.261.1797
Fla Engineer CA 28275 Fla Landscape CA LC26000632 Fla Surveyor/Mapper LB8479

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

The owner filed an Administrative Variance application (PL20180002825) to allow a 0.1-foot encroachment into the required side yard. The Administrative Variance was denied, as the side yard encroachment is not a setback encroachment (the required side yard setback is 5-feet). The Denial advised that the structure requires a variance to the required 20-foot rear yard setback and either a Vacation of Easement or an Easement Use Agreement approval for the encroachment into the 6-foot wide Drainage Easement.

The property owner initially filed this Variance Petition (PL20180003496) in 2018. A separate application to Vacate the Drainage Easement (PL20200002113) was submitted in 2020. That application was not found sufficient. Based on direction from Collier County staff, an application for Easement Use Agreement (PL20220005415) was submitted in 2022 in lieu of the petition to vacate the drainage easement.

The location of the structure in relation to the rear property line is consistent with existing development patterns within the area. Both of the neighboring lots have structures that are setback approximately the same distance, or closer, to the rear lot line and canal. Based on GIS analysis, 32 of the 55 waterfront parcels (58%) on Palm Avenue and Coconut Avenue have structures that appear to encroach into the 20' rear yard setback.



Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

PENINSULA ENGINEERING

EVALUATION CRITERIA:

The requested 7.1-foot variance to reduce the required 20-foot rear yard setback to 12.9-feet meets the evaluation criteria of LDC Section 9.04.03 and as noted in the boldened sections below:

9.04.03. Before any variance shall be recommended for approval to the board of zoning appeals, the planning commission shall consider and be guided by the following standards in making a determination:

A. There are special conditions and circumstances existing which are peculiar to the location, size, and characteristics of the land, structure, or building involved.

The minimum lot size for a single-family lot within the GZO is 4,275 square feet with a minimum lot width of 45-feet. The existing lot's platted dimensions are 45'x95' (4,275 square feet); however, the surveyed measured width of the lot is only 44.81' along the street frontage resulting in a lot size of 4,266.4 square feet, making the lot slightly nonconforming. Additionally, the existing lot has a 6-foot wide Drainage Easement along the eastern side lot line and two wood utility poles on the southwest corner of the property. Because this portion of Goodland does not have public wastewater (sewer) service, the lot requires private septic system and drain field. The existing septic drainage field also limits where improvements can be made on the subject property.

B. There are special conditions and circumstances which do not result from the action of the applicant, such as pre-existing conditions relative to the property which is the subject of the variance request.

The small lot size, drainage easement and utility poles are existing site conditions that limit the available building footprint and are not the result of actions of the applicant.

C. A literal interpretation of the provisions of the LDC work (sic) unnecessary and undue hardship on the applicant or create practical difficulties on the applicant.

A literal interpretation of the LDC would require the existing structure and associated site improvements be relocated on the lot, creating an undue hardship on the applicant.

D. The variance, if granted, will 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.

The variance is the minimum variance needed to allow the existing structure to remain at its current location.

E. Granting the variance requested will not 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.

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

The requested variance will allow the existing structure to remain at 12.9' from the rear property line. The location of the structure in relation to the rear lot line is consistent with the existing development pattern in the area, including structures on the lots abutting the subject property.

F. Granting the variance will be in harmony with the intent and purpose of the LDC, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

The requested variance allows the existing structure to remain at its current location. The reduced rear yard setback is in harmony with existing structures on adjacent lots and is consistent with the existing development pattern in the immediate area. The granting of the variance will allow for the property to maintain similar setbacks to other structures in the VR/GZO zoning designation and will not be injurious to the neighborhood or detrimental to the public welfare.

G. There are natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation, such as natural preserves, lakes, golf course, etc.

The existing canal at the rear of the property allows for an additional 50' of building separation than standard back-to-back lots, ameliorating any potential impact from a reduced rear yard setback. Additionally, the structure has existed in its current location since 2018 without objections from adjacent property owners.

H. Granting the variance will be consistent with the GMP.

Granting of the variance will be consistent with the Collier County Growth Management Plan (GMP). The variance request does not affect or interfere with the density standards set forth in the GMP. The GMP is silent to the issuance of a variance application and therefore the granting of the variance will not be inconsistent with the GMP.

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

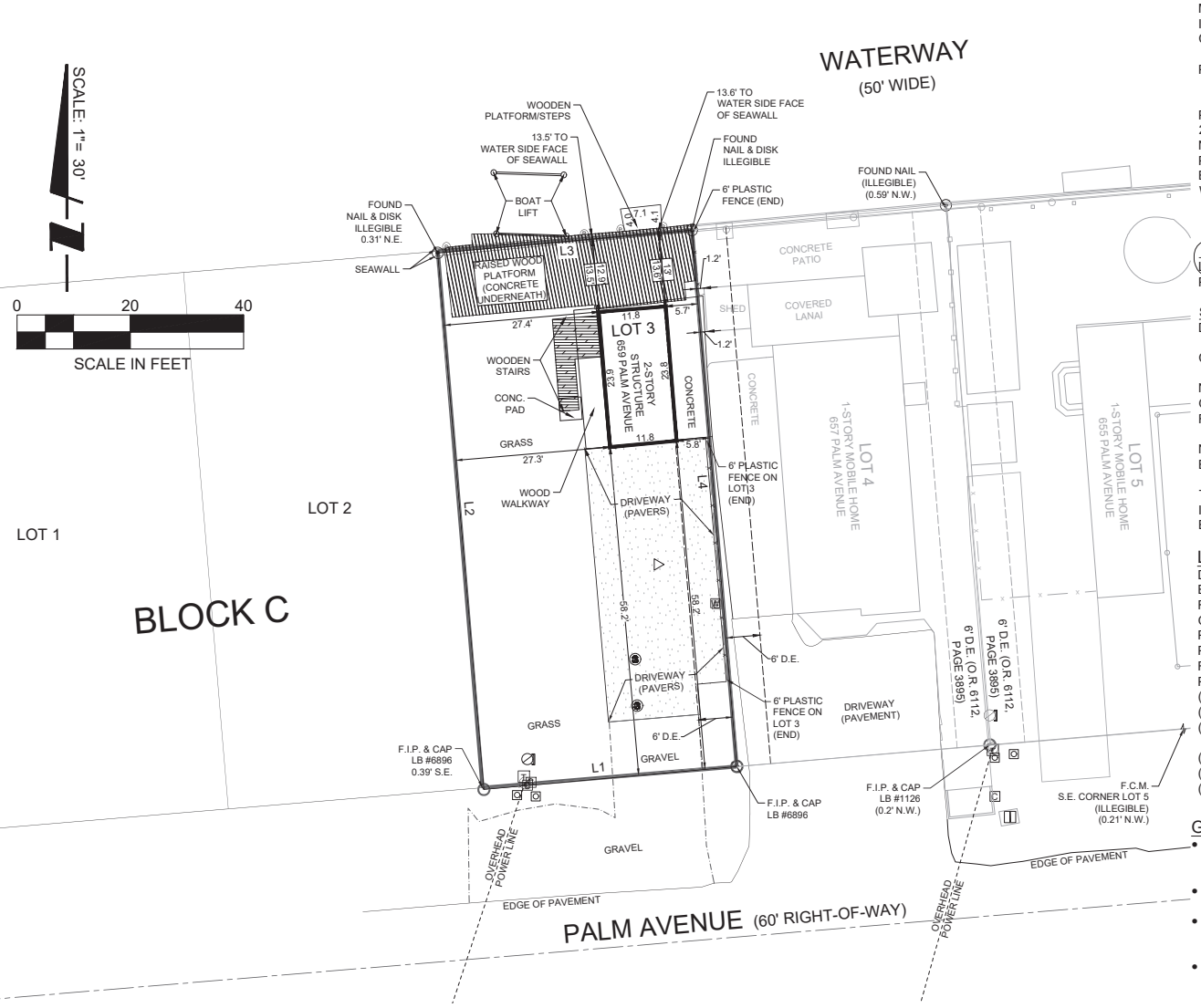
LINE TABLE (PLAT)		
LINE #	LENGTH	BEARING
L1	45.00	S85°17'17"W
L2	95.00	N4°42'43"W
L3	45.00	N85°17'17"E
L4	95.00	N4°42'43"W

LINE TABLE (MEASURED)		
LINE #	LENGTH	BEARING
L1	44.79	S84°48'01"W
L2	95.02	N4°55'26"W
L3	45.03	N84°52'42"E
L4	94.96	S4°46'46"E

SCALE: 1"= 30'

0 20 40

SCALE IN FEET



SYMBOL LEGEND:

- ▷ = CLEANOUT
- ⊞ = GRATE INLET
- ⤴ = GUY ANCHOR
- ⌀ = WOOD POWER POLE
- ⊠ = CONCRETE POWER POLE
-] = ELECTRIC PANEL
- EH = HANDHOLE
- ☼ = LIGHT POLE
- E = ELECTRIC MANHOLE
- ⌀ = ELECTRIC METER POLE
- E = ELECTRIC RISER
- F = TRANSFORMER PAD
- C = CABLE RISER
- G = GAS RISER
- T = TELEPHONE RISER
- T = TELEPHONE MANHOLE
- BO = WATER BLOW-OFF
- = FIRE HYDRANT
- ⊗ = GATE VALVE
- W = WELL
- WM = WATER METER
- ○ = WATER RISER
- MB = MAILBOX
- P = PILING
- = SIGN

MAP OF BOUNDARY SURVEY C
ISLES FIRST ADDITION, PLAT B
COLLIER COUNTY, FLORIDA.

PREPARED FOR: PENINSULA E

PENINSULA ENGINEERING
2600 GOLDEN GATE PARKWAY
NAPLES, FLORIDA 34105
PHONE: 239.403.6700 FAX: 239
EMAIL: INFO@PEN-ENG.COM
WEBSITE: WWW.PEN-ENG.COM

LANCE T MILLER
PROFESSIONAL SURVEYOR AN

SEPTEMBER 13TH, 2023
DATE

CERTIFICATE OF AUTHORIZAT

NOT VALID WITHOUT THE SIGN
ORIGINAL RAISED SEAL OR DIG
FLORIDA LICENSED SURVEYOR

NO OTHER PERSON OR ENTITY
EXHIBIT.

THIS EXHIBIT IS ONLY FOR THE
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P = PLAT, M = MEASURED, C = (
(S.I.P.)SET 5/8" IRON PIN & CAP
(F.I.P.) FOUND IRON PIN & CAP
(S.C.M.) SET 4" X 4" CONCRETE STAMPED LB-8479
(F.C.M.) FOUND CONCRETE MO
(S.N.D.) SET PK NAIL & DISK ST
(F.N.D.) FOUND PK NAIL & DISK

GENERAL NOTES:

- BEARINGS ARE BASED ON T BETWEEN LOTS 3 AND 4, BI NORTH 04°46'46" WEST.
- ELEVATIONS ARE BASED O VERTICAL DATUM, 1988, (N.
- LINES SHOWN OUTSIDE OF ARE FOR REFERENCE USE SURVEYED.
- PROPERTY LIES WITHIN FL FLOOD INSURANCE RATE M #12021 C0842H, DATED MA

REV.	REVISION

Date: 09/13/2023
Horizontal Scale: 1" = 20'
Vertical Scale: N.T.S.
Fieldbook/Page: P-023/22, 23, 33
Fieldwork by: S.D.
Drawn by: C.A.C.L.

APPROVED:

LANCE T MILLER, P.S.M. #LS5627

TITLE:

MAP OF BOUNDARY SURVEY

OF LOT 3, GOODLAND ISLES
FIRST ADDITION, PLATBOOK 8, PAGES 1-2, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

PENINSULA ENGINEERING

CLIENT: PENINSULA ENGINE

PROJECT NO. P-DBLM-001

SHEET #: 1 OF 1

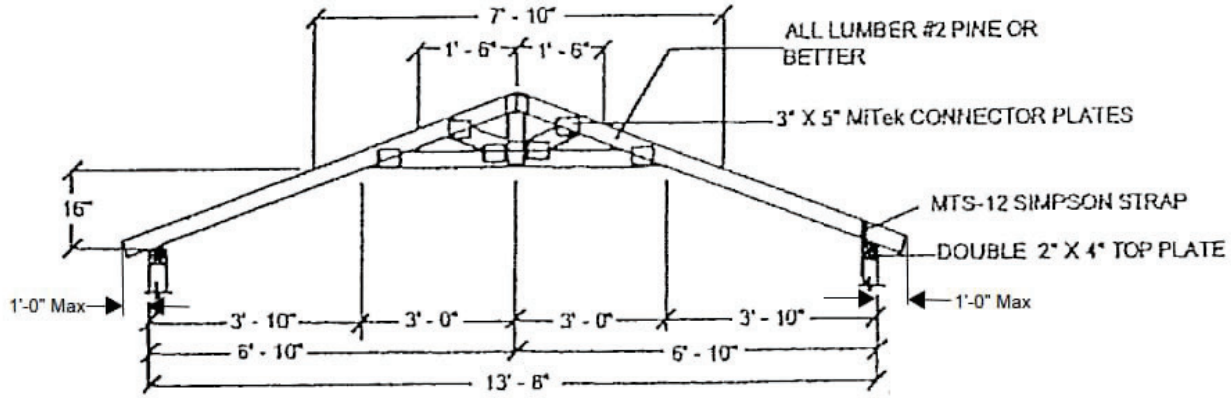
DRAWING NO: S-P-DB

01-LOT3.dwg

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm

659 PALM AVENUE GOODLAND VARIANCE

ROOF OVERHANG DETAIL AND PHOTOGRAPH



HIP TRUSS DETAIL
(2) REQUIRED
FOR SHED WIDTH OF 11'-8" OR LARGER
SCALE: $\frac{1}{4}$" = 1'-0"

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

EASEMENT USE AGREEMENT

This EASEMENT USE AGREEMENT ("Agreement") is made as of this 19 day of October 2023, by and between **Double M Investments LLC** ("Owner") and **Collier County** ("County"), hereinafter collectively referred to as the "Parties."

RECITALS:

WHEREAS, Double M Investments, LLC is the current fee owners of that certain parcels of real property known as Lots 3, 4, and 5 of Block C, Goodland Isles First Addition, according to the plat thereof as recorded in Plat Book 8, Pages 1 through 2 of the Public Records of Collier County, Florida, located at 655, 657 and 659 Palm Avenue, Goodland, Florida, 34140, more specifically shown on Exhibit "A" ("Subject Property"); and

WHEREAS, as set forth in Plat Book 8, Pages 1 through 2, the County is record owner of certain non-exclusive Drainage Easement rights, a portion of which encumbers the Subject Property ("Easement Area 1"); and

WHEREAS, the Owner conveyed to the County a perpetual non-exclusive Drainage Easement for existing stormwater infrastructure over a portion of Lots 4 and 5 of the Subject Property as recorded in Official Records Book 6112, Pages 3895 through 3898 ("Easement Area 2"); and

WHEREAS, Easement Area 1 and Easement Area 2 are also collectively described as the "Easement Areas" and depicted on the site plan attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, Owner seeks to construct, repair, and/or maintain the existing improvements on the Subject Property ("Encroachments"), as specified below and as shown on Exhibit "A":

Easement Area 1:

- Two-story dwelling on Lot 3 that encroaches 0.3 feet into the DE;
- Raised Wood Platform Deck on Lot 3 that encroaches into the DE;
- Shed on Lot 4 that encroaches 4.8 feet into the DE;
- Elevated Boat Winch on Lot 4 that encroaches into the DE; and
- Miscellaneous improvements including fencing, driveway pavers, transformer pad, and concrete patios on Lots 3 and 4 that encroach into the DE.

Easement Area 2:

- Shed on Lot 4 that encroaches 3.1 feet into the DE;
- Shed on Lot 5 that encroaches 5.3 feet into the DE;
- Wood Tiki Structure on Lot 5 that encroaches 5 feet into the DE; and

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

- Miscellaneous improvements including fencing, concrete patios, electrical meter pole, and landscaping on Lots 4 and 5 that encroach into the DE; and

WHEREAS, the County has no present objection to the continued use of the Encroachments within the Easement Areas, provided that the Owner agrees to the terms and conditions set forth below; and

WHEREAS, the parties to this Agreement have reached certain understandings with regard to the Encroachments and now desire to set forth their understanding in writing for recordation.

NOW THEREFORE, for and in consideration of the Recitals, the sum on TEN DOLLARS ($10.00), and for other good and valuable consideration the receipt and sufficiency of which are hereby expressly acknowledged, the parties hereto agree as follows:

1. The foregoing recitals are true and correct, incorporated herein by reference, and made a part of this Agreement.

2. The County hereby expressly consents to the Encroachments into the Easement Areas depicted on Exhibit "A".

3. Owner shall provide the County whatever access it requires to continue enjoying its drainage easement rights.

4. The County agrees that until otherwise notified, the Owner may continue the use of the Encroachments within the Easement Areas, to the extent shown on Exhibit "A". The County retains the right, however, in its sole discretion, to demand by written request that the Encroachments be removed from the Easement Areas, which the Owner will do at its sole cost and expense within a reasonable time from receipt of such request.

5. Owner agrees for themselves and successors and assigns that they shall release, indemnify and hold the County harmless for and against any and all obligations, claims, liabilities, expenses and/or fees (including reasonable attorney's fees and court costs) including personal injury or property damage arising out of the use of the Easement Areas by the Owner, its respective contractors, agents, employees or invitees at any time while the Encroachments remain within the Easement Areas. Further, Owner for themself, successors and assigns agree to release and hold the County harmless from and against any and all obligations, claims, liabilities, expenses and/or fees (including reasonable attorney's fees and court costs) including personal injury or property damage arising out of the use of the Easement Areas by the County, including but not limited to, damage which may occur to the Encroachments during the normal operation, maintenance, repair and/or replacement, as applicable, of the

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Easement Areas and/or the improvements and/or the infrastructure, which may now or in the future be located within the Easement Areas.

6. This Easement Use Agreement shall be recorded in the Public Records of Collier County, Florida, at Owners' sole cost and expense. This Agreement is intended to bind the Parties, together with their respective successors, assigns and heirs.

7. This Agreement shall be governed by the laws of the State of Florida.

IN WITNESS WHEREOF, the parties hereto have caused this Easement Use Agreement to be executed as of the day, month, and year as first above written.

WITNESSES:

Signature

BRIAN SAGNES
Print Name

Signature

Alexander O'Neill
Print Name

OWNER:

DOUBLE M INVESTMENTS LLC, a Florida Limited Liability Company

By: Angela K. McGrath
Angela K. McGrath, as President and Managing Member

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing Easement Use Agreement was acknowledged before me by means of physical presence this 23 day of October 2023, by Angela K. McGrath, as President and Managing Member of Double M Investments LLC, who ☒ is personally known to me or ☐ has produced _____ as identification.

ALEXANDER ONEILL
Notary Public-State of Florida
Commission # HH 266
My Commission Expires
July 13, 2024

Notary Public/State of Florida

Alexander O'Neill
Printed Name of Notary Public

[County Signature Page to Follow]

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

AS TO COUNTY:

ATTEST:
Crystal K. Kinzel, Clerk of the
Circuit Court & Comptroller

By: _____
, Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
Rick LoCastro, Chairman

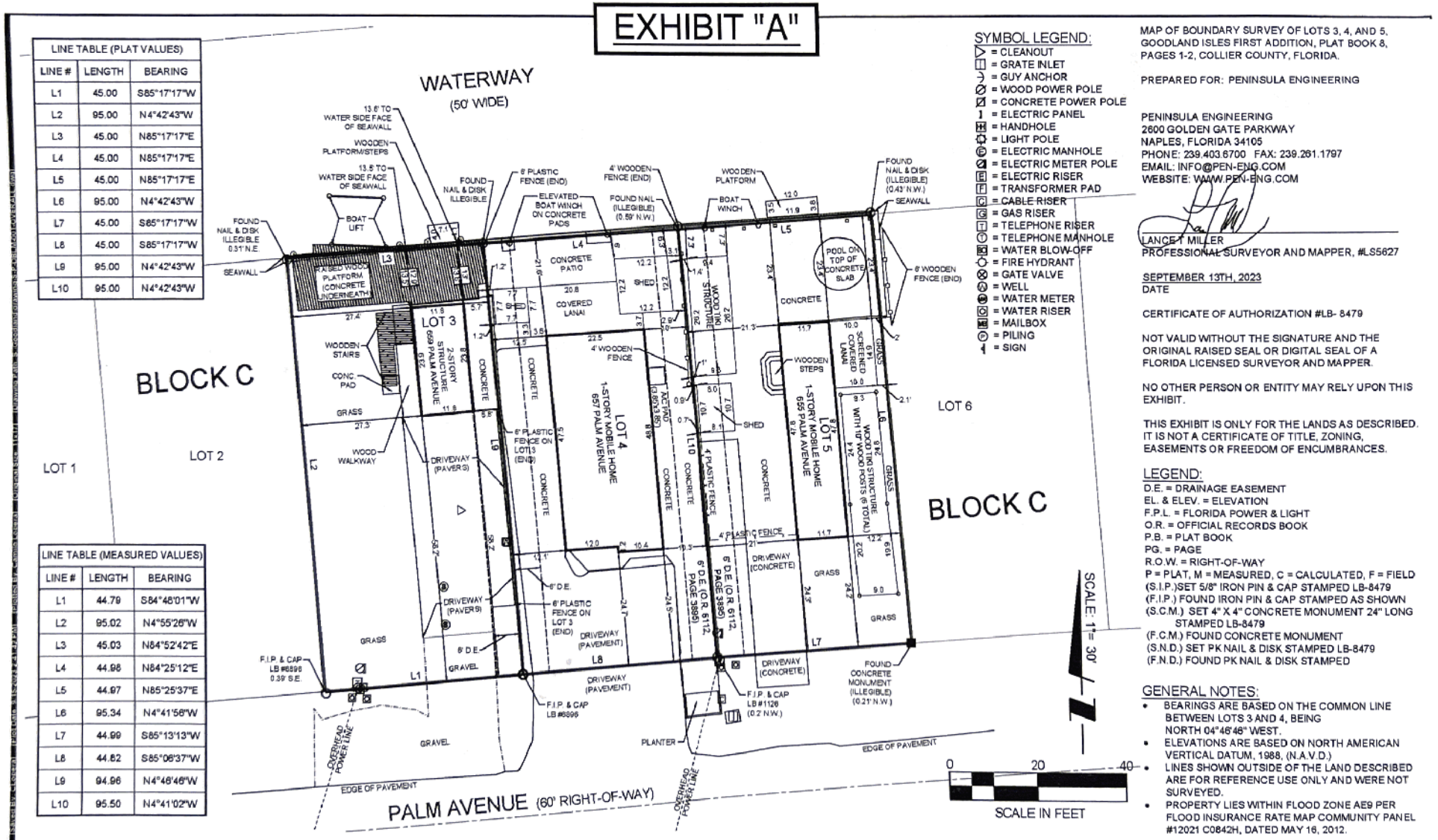
Approved as to form and legality:

_____
Derek D. Perry
Assistant County Attorney

DDP 10/20/2023

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

EXHIBIT "A"



LINE TABLE (PLAT VALUES)		
LINE #	LENGTH	BEARING
L1	45.00	S85°17'17"W
L2	95.00	N4°42'43"W
L3	45.00	N85°17'17"E
L4	45.00	N85°17'17"E
L5	45.00	N85°17'17"E
L6	95.00	N4°42'43"W
L7	45.00	S85°17'17"W
L8	45.00	S85°17'17"W
L9	95.00	N4°42'43"W
L10	95.00	N4°42'43"W

LINE TABLE (MEASURED VALUES)		
LINE #	LENGTH	BEARING
L1	44.79	S84°46'01"W
L2	95.02	N4°55'26"W
L3	45.03	N84°52'42"E
L4	44.98	N84°25'12"E
L5	44.97	N85°25'37"E
L6	95.34	N4°41'58"W
L7	44.99	S85°13'13"W
L8	44.82	S85°08'37"W
L9	94.96	N4°48'46"W
L10	95.50	N4°41'02"W

SYMBOL LEGEND:

- = CLEANOUT
- = GRATE INLET
- = GUY ANCHOR
- = WOOD POWER POLE
- = CONCRETE POWER POLE
- = ELECTRIC PANEL
- = HANDHOLE
- = LIGHT POLE
- = ELECTRIC MANHOLE
- = ELECTRIC METER POLE
- = ELECTRIC RISER
- = TRANSFORMER PAD
- = CABLE RISER
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- = GATE VALVE
- = WELL
- = WATER METER
- = WATER RISER
- = MAILBOX
- = PILING
- = SIGN

MAP OF BOUNDARY SURVEY OF LOTS 3, 4, AND 5, GOODLAND ISLES FIRST ADDITION, PLAT BOOK 8, PAGES 1-2, COLLIER COUNTY, FLORIDA.

PREPARED FOR: PENINSULA ENGINEERING

PENINSULA ENGINEERING
2600 GOLDEN GATE PARKWAY
NAPLES, FLORIDA 34105
PHONE: 239.403.6700 FAX: 239.261.1797
EMAIL: INFO@PEN-ENG.COM
WEBSITE: WWW.PEN-ENG.COM

LANCE T MILLER
PROFESSIONAL SURVEYOR AND MAPPER, #LS5627

SEPTEMBER 13TH, 2023
DATE

CERTIFICATE OF AUTHORIZATION #LB- 8479

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

NO OTHER PERSON OR ENTITY MAY RELY UPON THIS EXHIBIT.

THIS EXHIBIT IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATE OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

LEGEND:

D.E. = DRAINAGE EASEMENT
EL. & ELEV. = ELEVATION
F.P.L. = FLORIDA POWER & LIGHT
O.R. = OFFICIAL RECORDS BOOK
P.B. = PLAT BOOK
PG. = PAGE
R.O.W. = RIGHT-OF-WAY
P = PLAT, M = MEASURED, C = CALCULATED, F = FIELD
(S.I.P.)SET 5/8" IRON PIN & CAP STAMPED LB-8479
(F.I.P.) FOUND IRON PIN & CAP STAMPED AS SHOWN
(S.C.M.) SET 4" X 4" CONCRETE MONUMENT 24" LONG STAMPED LB-8479
(F.C.M.) FOUND CONCRETE MONUMENT
(S.N.D.) SET PK NAIL & DISK STAMPED LB-8479
(F.N.D.) FOUND PK NAIL & DISK STAMPED

GENERAL NOTES:

- BEARINGS ARE BASED ON THE COMMON LINE BETWEEN LOTS 3 AND 4, BEING NORTH 04°46'46" WEST.
- ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM, 1988, (N.A.V.D.)
- LINES SHOWN OUTSIDE OF THE LAND DESCRIBED ARE FOR REFERENCE USE ONLY AND WERE NOT SURVEYED.
- PROPERTY LIES WITHIN FLOOD ZONE AE9 PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL #12021 C0842H, DATED MAY 16, 2012.

REV.	REVISION

Date:	09/13/2023
Horizontal Scale:	1" = 20'
Vertical Scale:	N.T.S.
Fieldbook/Page:	P-023/22, 23, 33
Fieldwork by:	S.D.
Drawn by:	C.A.C.L.

APPROVED:
LANCE T MILLER, P.S.M. #LS5627

TITLE:
MAP OF BOUNDARY SURVEY
OF LOTS 3, 4, AND 5, GOODLAND ISLES FIRST ADDITION, PLATBOOK 8, PAGES 1-2, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

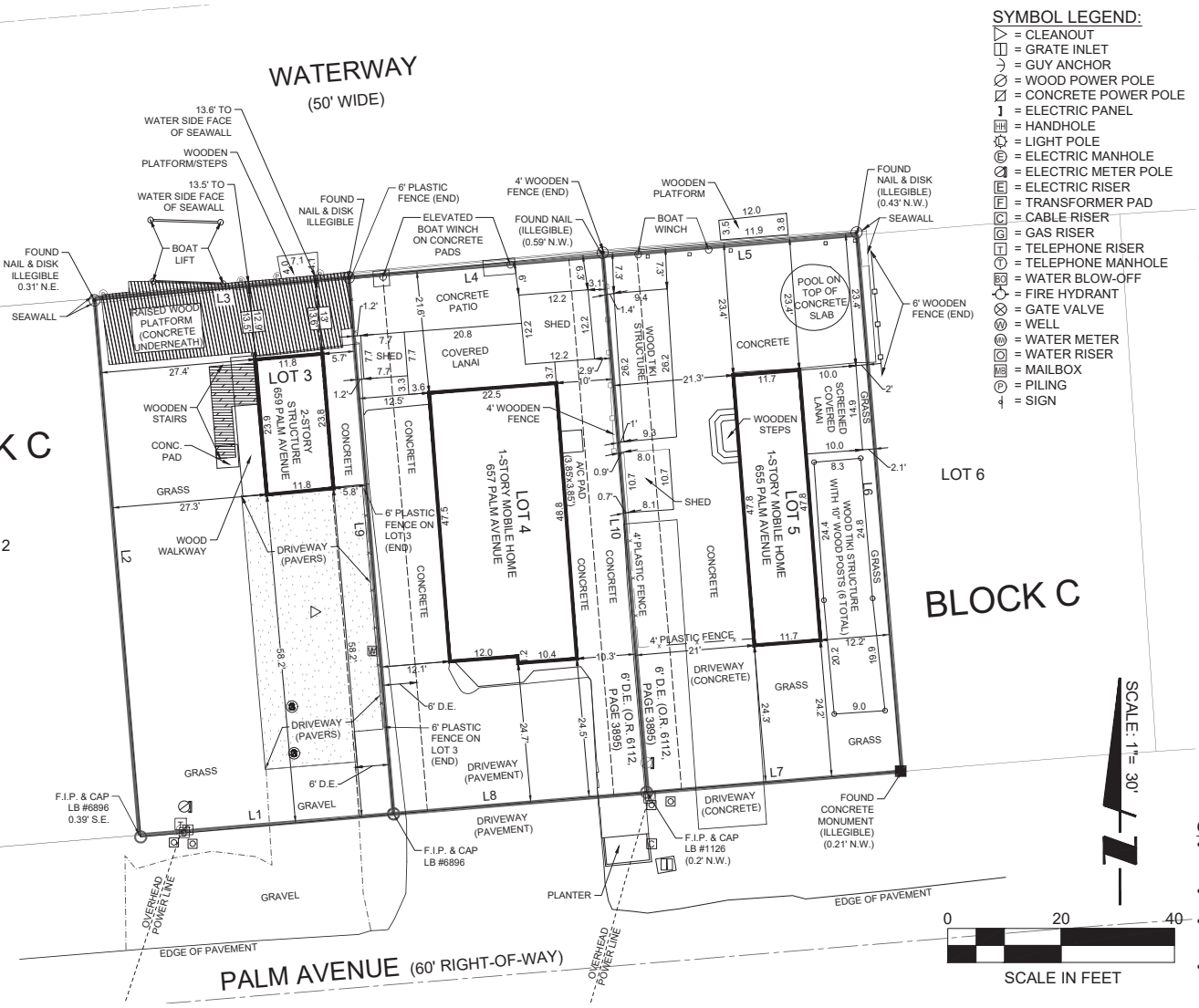
PENINSULA ENGINEERING

CLIENT: PENINSULA ENGINEERING
PROJECT NO.: P-DBLM-001
SHEET #: 1 OF 1
DRAWING NO.: S-P-DBLM-001-OVERALL.dwg

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm

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MAP OF BOUNDARY SURVEY C
GOODLAND ISLES FIRST ADDIT
PAGES 1-2, COLLIER COUNTY,

PREPARED FOR: PENINSULA E

PENINSULA ENGINEERING
2600 GOLDEN GATE PARKWAY
NAPLES, FLORIDA 34105
PHONE: 239.403.6700 FAX: 239
EMAIL: INFO@PEN-ENG.COM
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LANCE T MILLER
PROFESSIONAL SURVEYOR AN

SEPTEMBER 13TH, 2023
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REV.	REVISION

Date: 09/13/2023
Horizontal Scale: 1" = 20'
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APPROVED:
LANCE T MILLER, P.S.M. #LS5627

TITLE:
MAP OF BOUNDARY SURVEY

OF LOTS 3, 4, AND 5, GOODLAND ISLES FIRST ADDITION, PLATBOOK 8, PAGES 1-2, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

PENINSULA ENGINEERING

CLIENT: PENINSULA ENGINE G
PROJECT NO. P-DBLM-001
SHEET #: 1 OF 1
DRAWING NO: S-P-DB 01-OVERALL.dwg

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm

Chris Scott

From: Daniel Roman <Daniel.Roman@colliercountyfl.gov>
Sent: Monday, October 23, 2023 2:53 PM
To: Chris Scott
Cc: Richard Orth; Derek Perry; Diane Lynch; Beth Johnssen
Subject: PL20220005415 Palm Avenue Goodland EUA - Letter of No Objection
Attachments: Survey.pdf; OR Book 6112 PG 3895-3898.pdf

Importance: High

Chris,

The Stormwater Management Section has reviewed the documents explaining the existing encroachments in the a plated 6-foot-wide drainage easement (DE) along the east property line of lot 3 block C, and the plated 6-foot-wide drainage easement (DE) along the west property line of lot 4 block C of the Goodland Isle Plat (plat book 8 page 1). Staff has also reviewed the encroachments into the recently recorded 12-foot DEs between lots 4 and 5 block C (6-foot-wide DE on each side of the lots) of the Goodland Isles Plat (plat book 8 page 1). The Stormwater Management Section does not object to the encroachments into the platted DE as there is no stormwater infrastructure within said easement and an equal DE replacement between lots 4 and 5 block C of the Goodland Isles Plat (plat book 8 page 1) has been recorded (OR 6112; PG 3895-3898); where stormwater drainage infrastructure currently exists. Staff recognizes that the recently recorded DEs between lots 4 and 5 block C have existing encroachments that are tolerable for the performance of maintenance and other related activities and do not object to these encroachments. However, an Easement Use Agreement (EUA) is needed as it will allow for the County to request removal of these at the owner's expense. Please consider this e-mail as a Letter of No Objection (LONO) for the EUA Application no PL20220005415. Only the encroachments listed below are being allowed, the EUA will be rescinded, and all encroachments shall be removed, if additional encroachments are placed in the DE's in the future:

Encroachments within the platted Drainage Easement (PB 8; PG 1-2):

1. Two-Story Structure (Tiny House) on Lot 3 encroaches 0.3' into the 6' DE
2. Six-foot Plastic Fence on Lot 3 adjacent to property line
3. Raised Wood Platform on Lot 3 with concrete underneath
4. 7.7' x 7.7' Shed on Lot 4 encroaches 4.8' into the 6' DE
5. Elevated Boat Winch on concrete pads on Lot 4
6. Concrete patio, driveway pavers, and transformer pad on Lots 3 and 4

Encroachments within the Drainage Easement (OR 6112; PG 3895-3898):

1. 12.2' x 12.2' Shed on Lot 4 encroaches 3.1' into the 6' DE
2. 4' Wooden Fence on Lot 4 adjacent to property line
3. 4' Plastic Fence on Lot 5 adjacent to property line
4. 8'.0' x 10.7' Shed on Lot 5 encroaches 5.3' into the 6' DE
5. 9.4' x 26.2' Wood Tiki Structure encroaches 5' into the 6' DE
6. Concrete patio, electrical pole and landscaping on Lots 4 and 5

Regards,

Daniel J. Roman, PE PMP
Project Management Supervisor
Stormwater Management

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

Transportation Management Services Department
Capital Project Planning, Impact Fees & Program Management
2685 South Horseshoe Dr., Suite 103, Naples, Florida 34104
Office: 239-252-5181 Cell: 239-359-8445
Daniel.Roman@colliercountyfl.gov

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.

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Attachment: Attachment I - HEX Backup Package PL20180003496 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

From: John Kelly
Sent: Friday, December 29, 2023 1:00 PM
To: John Kelly
Subject: VA-PL20180003496 - 659 Palm Ave - Public Hearing Sign Posting 12212023
Attachments: Photo1.jpg; Photo2.jpg

I, John Kelly, personally posted the required sign advertising a Public Hearing for the subject project to the front of the subject address at 3:32 P.M. on December 21, 2023, as evidenced by the attached photographs.

Respectfully,
John Kelly
Planner III

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

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

Collier County
Growth Management
Community Development Department
Zoning Division

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 J - Public Hearing Sign Posting 12212023 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)





Attachment: Attachment J - Public Hearing Sign Posting 12212023 (27574 : PL20180003496 VA 659 Palm Ave Double M Investments llc)

01/11/2024

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.B
Doc ID: 27575
Item Summary: Petition No. BDE-PL20230007149 – 9380 Gulf Shore Drive - Request for a 103-foot boat dock extension from the maximum 20 feet allowed by Section 5.03.06.E.1 of the Collier County Land Development Code for waterways 100 feet or greater in width to allow a new private multi-family boat docking facility with 12 slips, for vessels of up to 35 feet in length, that will protrude a total of 123 feet into a waterway that is 1,695± feet wide. The subject property is located at 9380 Gulf Shore Drive, also known as the Watermark, a Condominium in Section 32, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Planner III] Commissioner District 2

Meeting Date: 01/11/2024

Prepared by:
Title: Planner – Zoning
Name: John Kelly
12/20/2023 5:16 PM

Submitted by:
Title: Zoning Director – Zoning
Name: Mike Bosi
12/20/2023 5:16 PM

Approved By:

Review:

Operations & Regulatory Management	Michael Stark	Review Item	Completed	12/27/2023 4:33 PM
Growth Management Community Development Department	David Merino		GMD Approver	Skipped 12/28/2023 1:02 PM
Zoning	Ray Bellows	Review Item	Completed	12/28/2023 1:28 PM
Zoning	James Sabo	Review Item	Skipped	12/29/2023 11:08 AM
Zoning	Mike Bosi	Division Director	Completed	01/02/2024 8:32 AM
Hearing Examiner (GMD Approvers)	David Merino	Review Item	Completed	01/02/2024 3:37 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	01/11/2024 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

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

HEARING DATE: JANUARY 11, 2024

SUBJECT: BD-PL20230007149, WATERMARK CONDOMINIUM DOCK FACILITY

PROPERTY OWNER/APPLICANT:

Watermark Condominium Association, Inc. of Naples
9380 Gulf Shore Dr.
Naples, FL 34108

AGENT:

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

REQUESTED ACTION:

The petitioner requests a 103-foot boat dock extension from the maximum 20 feet allowed by Section 5.03.06.E.1 of the Land Development Code (LDC) for waterways 100 feet or greater in width to allow a new private multi-family boat docking facility with 12 slips for vessels of up to 35 feet in length, that will protrude 123 feet into a waterway that is 1,695± feet wide.

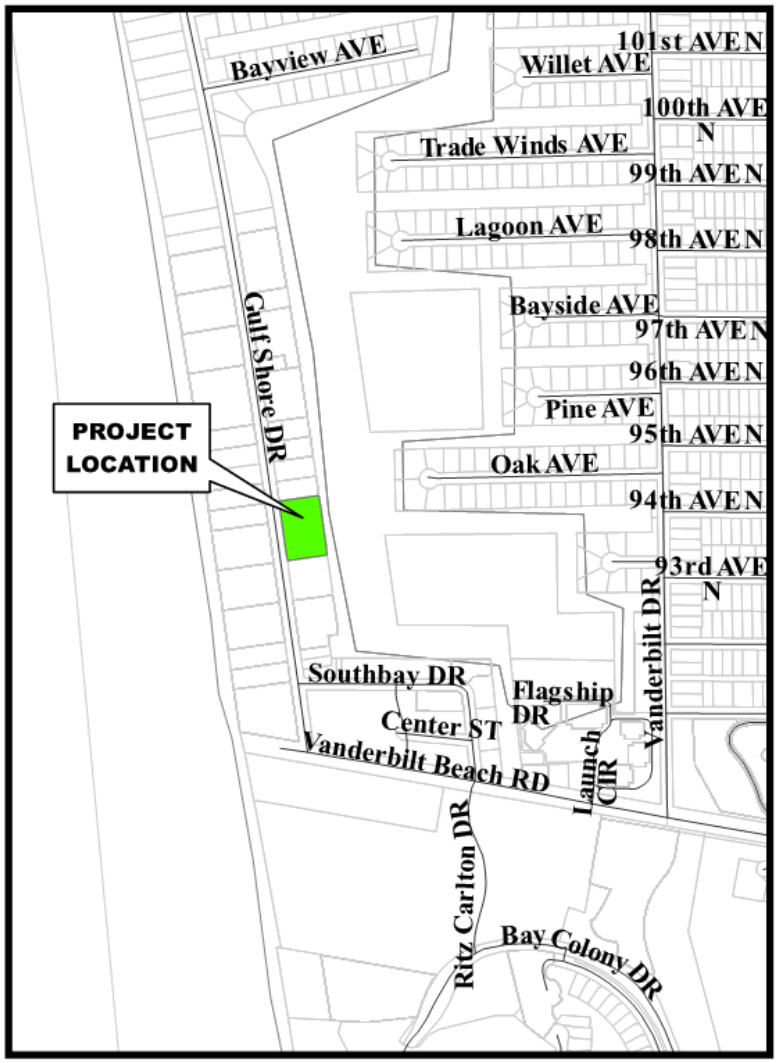
GEOGRAPHIC LOCATION:

The subject property is located at 9380 Gulf Shore Drive, also known as the Watermark, a Condominium, in Section 32, Township 48 South, Range 25 East. Collier County, Florida. *(See location map on the following page)*

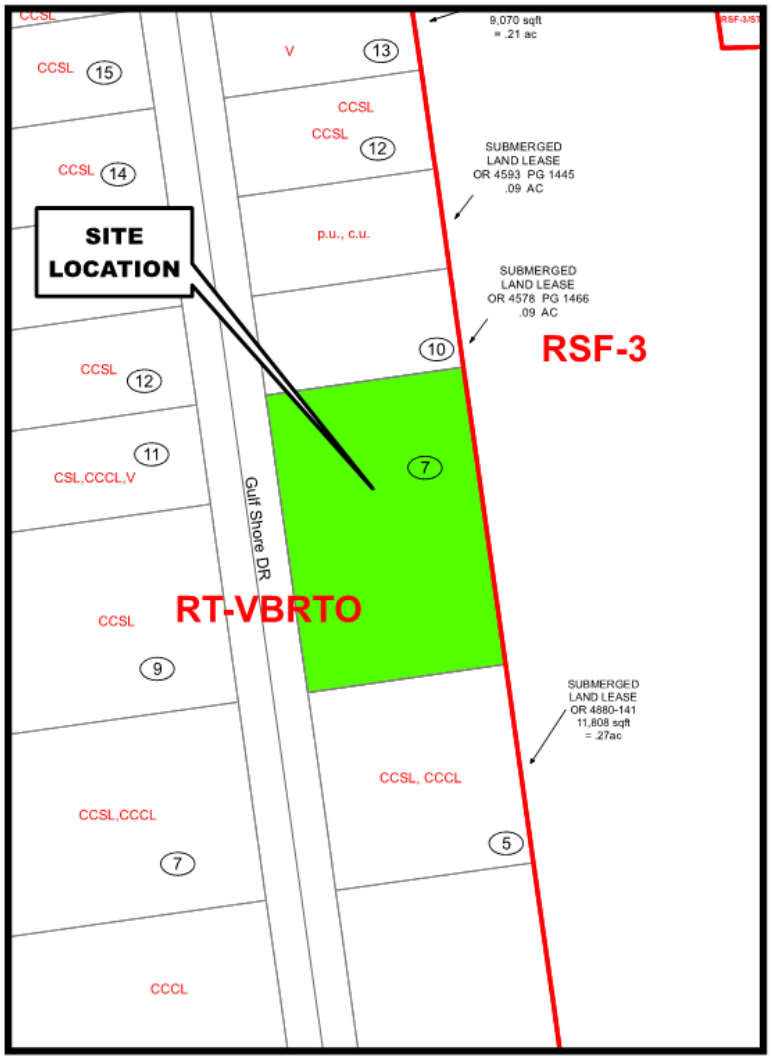
PURPOSE/DESCRIPTION OF PROJECT:

The proposed Boat Dock Extension is for a multi-family dock facility related to the upland Watermark Condominiums which comprises 1.38 acres and 22 property owners. The subject waterway is unmarked, man-altered, and part of Vanderbilt Lagoon, which is a mix of state and non-state lands due to historical dredge and fill operations; as the State has claimed most of the bottom lands beneath the proposed dock facility, a submerged land lease has been obtained. The subject 304-foot shoreline is comprised of riprap and vegetation; therefore, the Mean High-Water Line (MHWL) is the most restrictive point for the determination of protrusion. As proposed, the
(Continued on Page 4)

Attachment: Staff Report 12182023 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Location Map



Zoning Map

Petition Number: PL20230007149

Attachment: Staff Report 12182023 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark

SURROUNDING LAND USE & ZONING:

North: Sausalito of Naples Condominiums within a Residential Tourist District (RT) and the Vanderbilt Beach Residential Tourist Overlay Zoning District (VBRTO)

East: Vanderbilt Lagoon (waterway) then single-family dwellings within a Single-Family-3 (RSF-3) Zoning District

South: Gulf Pointe Condominiums within the RT-VBRTO

West: Gulf Shore Drive (Right-of-Way) then Vanderbilt Beach & Harbor Club Condominiums located within the RT-VBRTO



Aerial – Collier County GIS

Attachment: Staff Report 12182023 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Purpose/Description of Project
(Continued from Page 1)

dock facility will have 12 slips, each with a boatlift, to accommodate vessels up to 35 feet in length. The dock will protrude 103 feet beyond the maximum allowable 20 feet for a total protrusion of 123 feet into a waterway that is 1,695 feet wide directly opposite the subject boat dock facility. Said facility was specifically located at the widest portion of the waterway. The required side/riparian setback is 15 feet; as proposed, the dock facility will be 30 feet from the southern side/riparian line and 183 feet from the northern side/riparian line. The proposed dock facility will have no impact on normal navigation and will not interfere with ingress/egress to neighboring dock facilities.

ENVIRONMENTAL EVALUATION:

Environmental Planning Staff has reviewed this petition and has no objection to the granting of this request. The proposed dock is located within the Vanderbilt Channel. The proposed docking facilities will be constructed waterward of the existing rip-rap shoreline. The shoreline does contain native vegetation, the mangroves present will not be impacted by the proposed dock. A submerged resources survey provided by the applicant found no submerged resources in the area 200 feet beyond the proposed docking facility. Exhibit sheet page 9 of 13 provides an aerial with a note stating that no seagrasses were observed within 200 feet. The applicant has obtained a Manatee Consistency Determination (PL20230012349), which determined the proposed project is considered preferred by the manatee protection review criteria. The proposed twelve (12) wet slips are consistent with the Collier County Manatee Protection plan and LDC Section 5.03.06.2.f.

This project does not require an Environmental Advisory Council (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.)**

Attachment: Staff Report 12182023 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Criterion met. Private docks and boathouses are listed as permitted accessory uses within the RT zoning district, subject to LDC Section 5.03.06; Marinas are also an allowable accessory use within the VBRTO subject to Section 5.05.02. Proposed is a private multi-family boat docking facility with 12 slips for a condominium with 22 residential dwelling units.

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

   Criterion met. The applicant's agent states: "The proposed boat dock project is to construct a new docking facility for the upland development, which will require it to extend out far enough past the rip-rap shoreline and mangrove fringe to accommodate the vessels. There is riprap along the entire subject property shoreline as well as two large areas of mangroves, which are all indicated on the attached certified survey. Additionally, the survey has water depths which indicate that depths are shallow within the allowed 20 feet and therefore the vessels and dock need to extend out to avoid impacts." Based upon the provided cross-section and provided Specific Purpose Survey depicting water levels, staff concurs.

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

   Criterion met. The proposed dock facility has been located to be at the widest portion of the waterway which is 1,695 feet at the subject location; additionally, there are no marked channels within this portion of the Vanderbilt Lagoon.

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 subject canal is 1,695 feet wide, MHWL to MHWL, at the subject location, and there are no dock facilities directly opposite the proposed facility. Therefore, the proposed dock will occupy 7.26 percent of the subject waterway, and 92.74 percent of the waterway will remain open for navigation.

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.)**

Attachment: Staff Report 12182023 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Criterion met. The proposed dock facility has been situated at the widest portion of the subject waterway. Additionally, the facility provides twice the required setback distance to the south (30 feet) and over six times the requirement to the north (183 feet). Given that neighboring docks also have a minimum side setback, there should be no navigational issues resulting should the proposed facility be approved.

Secondary Criteria:

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

   Criterion met. The applicant's agent states: "The subject property has a rip-rap shoreline along the entire 304 linear feet with two large areas of mangroves and other vegetation mixed within. The proposed docking facility was laid out to preserve/avoid the mangrove areas which results in the docks being pushed further out into the waterway to fully avoid. Additionally, the width of the waterway and the fact the entire waterway is open for navigation allows for a dock to protrude out as being proposed and not being past the allowed 25% width of waterway." Staff concurs and further finds that the fact this is a private multi-family docking facility also serves as a special condition in and of itself as both the LDC and the Manatee Protection Plan (MPP) allow one slip per dwelling unit; the total number of dwelling units is 22.

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

   Criterion met. The applicant's agent states: "The proposed docking facility has been fully minimized and still provides deck area for routine maintenance, safe access as well as recreational activities like fishing. The total over-water square footage is 2,557 square feet." Staff concurs and, therefore, finds this criterion to be satisfied.

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.)**

   Not Applicable. The proposed docking facility is a multi-family docking facility.

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.)**

Attachment: Staff Report 12182023 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Criterion met. The applicant's agent states: "There are no major impacts to either adjacent property owner as their view will basically remain unchanged. Additionally, the mangroves will also provide additional coverage." Staff concurs and further finds that the subject condominium is four habitable levels over parking and the neighboring condominiums to both the north and south are each three habitable floors over parking.

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

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

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

Criterion met. The applicant's agent states: "The subject property is subject to the Collier County MPP. As proposed, the subject dock facility should be considered a Preferred Site." Staff further notes that a manatee consistency determination has been completed for the proposed multi-slip docking facility per LDC Section 5.03.06.E.11, PL20230012349. The Manatee Protection Plan (MPP) review results in a Preferred ranking and concludes by stating the following: "Under Preferred Ranking, new boat slip density would be allowed at 18 slips per 100 feet of shoreline. The application states there are 304 linear feet of shoreline, which would equate to 55 slips allowed (304 linear feet x 18 slips/100). The applicant is proposing 12 wet slips, which is less than the maximum boat slip limit; therefore, the project is consistent with the MPP."

Staff analysis finds this request complies with four of the five primary criteria and five of the six secondary criteria, with Criterion #3 being not applicable as the proposed is a multi-family dock facility. As of the time this staff report was drafted, no public objections or other correspondence had been received.

CONCURRENT LAND USE APPLICATIONS:

An Insubstantial Change to SDP-89-120, SDPI-PL20230011365, is presently under review to accommodate the dock facility changes proposed within this BDE request.

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 may appeal such final action. Such appeal shall be filed per Section 2-88 of the Collier County Code of Ordinances within 30 days of the Decision by the Hearing Examiner. An aggrieved non-party may appeal a decision of the Hearing Examiner to the Circuit Court of Collier County within 30 days of the decision. In the event that the petition has been approved by the Hearing Examiner, the applicant shall be advised that he/she may proceed with construction at

Attachment: Staff Report 12182023 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

his/her own risk during this 30-day period. Any construction work completed ahead of the approval authorization shall be at their own risk.

RECOMMENDATION:

Based on the above findings, staff recommends that the Hearing Examiner approve Petition BD-PL20230007149 in accordance with the Proposed Dock Plans provided within Attachment A, subject to the following Condition of Approval:

1. The applicant must provide a Manatee Awareness and Protection Plan consistent with LDC Section 5.03.06.E.11 before approval of the building permit for the proposed docking facility.

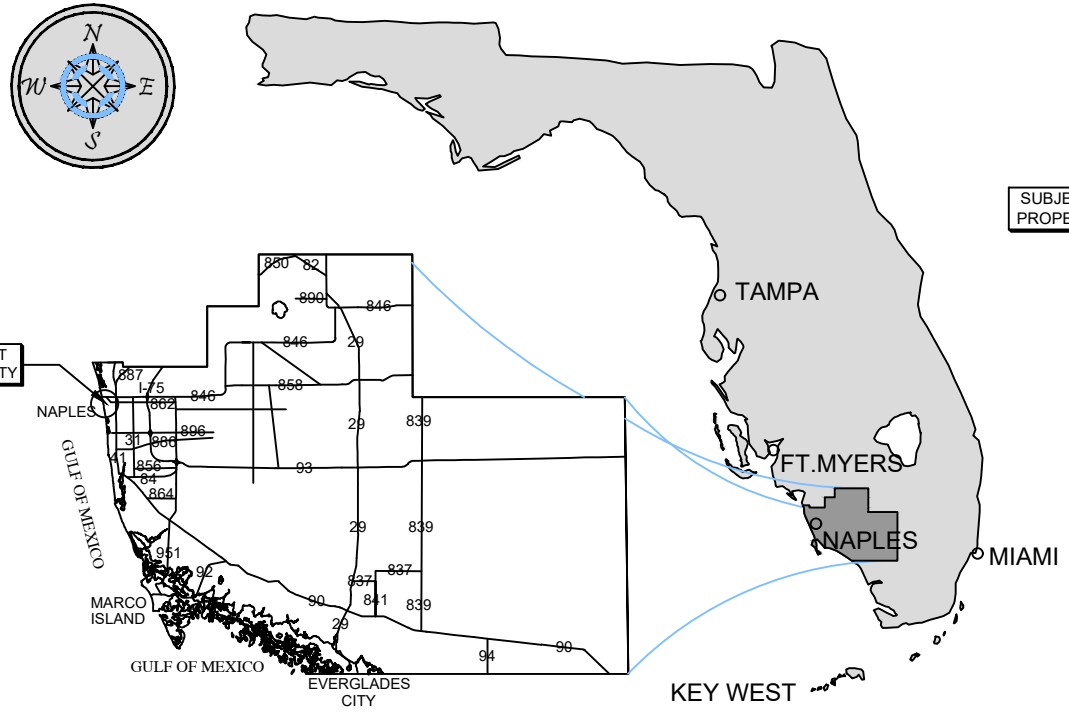
Attachments:

A. Proposed Dock Plans
B. Specific Purpose Survey
C. MPP Analysis PL20230012349
D. Zoning Atlas 8532N
E. SDPI-PL20220008960 – Pending Approval
F. Applicant's Backup; Application and Supporting Documents
G. Attachment G – Public Hearing Sign Posting

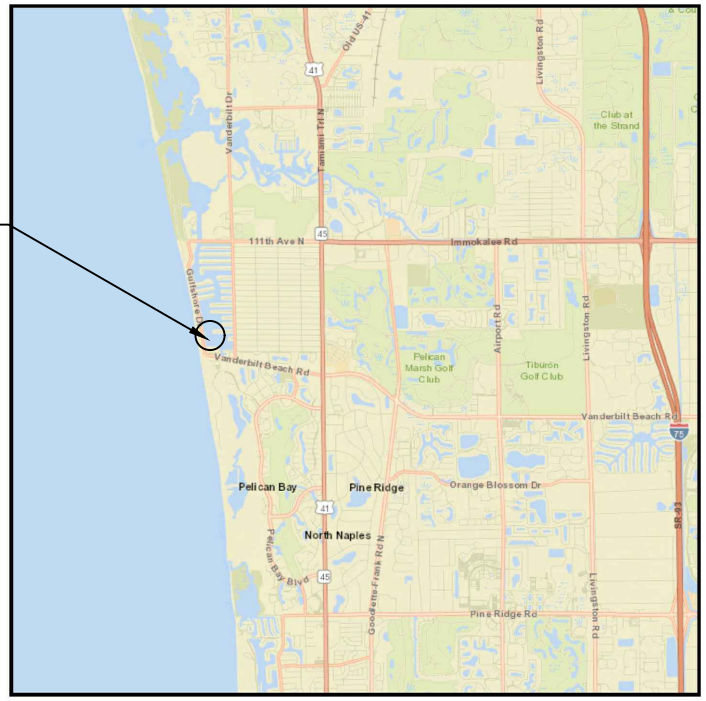
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P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg LOCATION MAP 9/20/2023

STATE OF FLORIDA



COLLIER COUNTY



VICINITY MAP



COUNTY AERIAL

SITE ADDRESS:
<> 9380 GULF SHORE DR
NAPLES, FL 34108

<> LATITUDE: N 26.256952
<> LONGITUDE: W -81.822757

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

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

WATERMARK CONDO

LOCATION MAP

RY NO. 5875

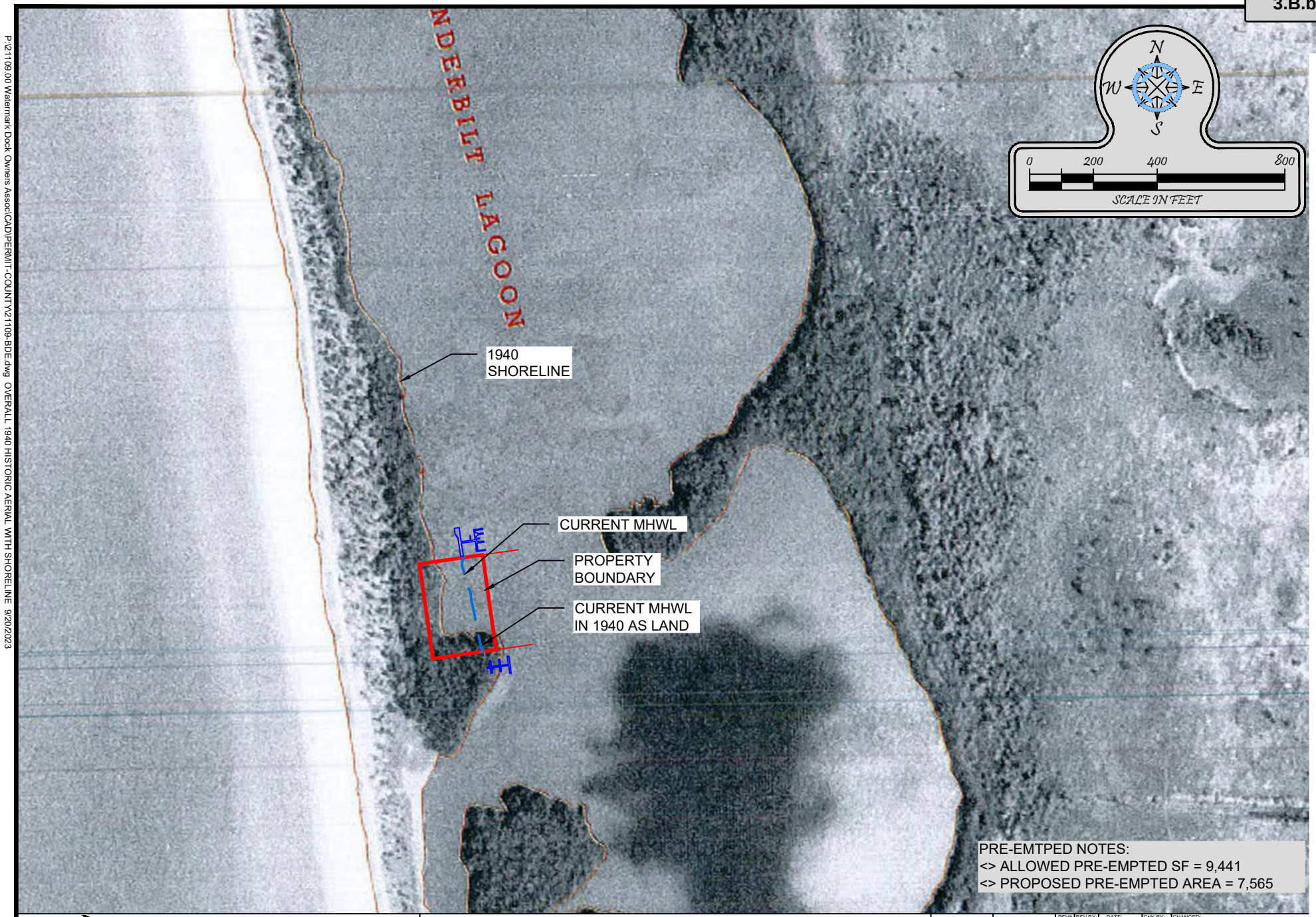
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DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	06-07-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	01 OF 13	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48S

Attachment: Attachment A - Proposed Dock Plans (27575 : PL20230007149 BD 9380 Gulf Shore Dr

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg OVERALL 1940 HISTORIC AERIAL WITH SHORELINE 9/20/2023



PRE-EMTPED NOTES:
<> ALLOWED PRE-EMPTED SF = 9,441
<> PROPOSED PRE-EMPTED AREA = 7,565

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WATERMARK CONDO

OVERALL 1940 HISTORIC AERIAL WITH SHORELINE

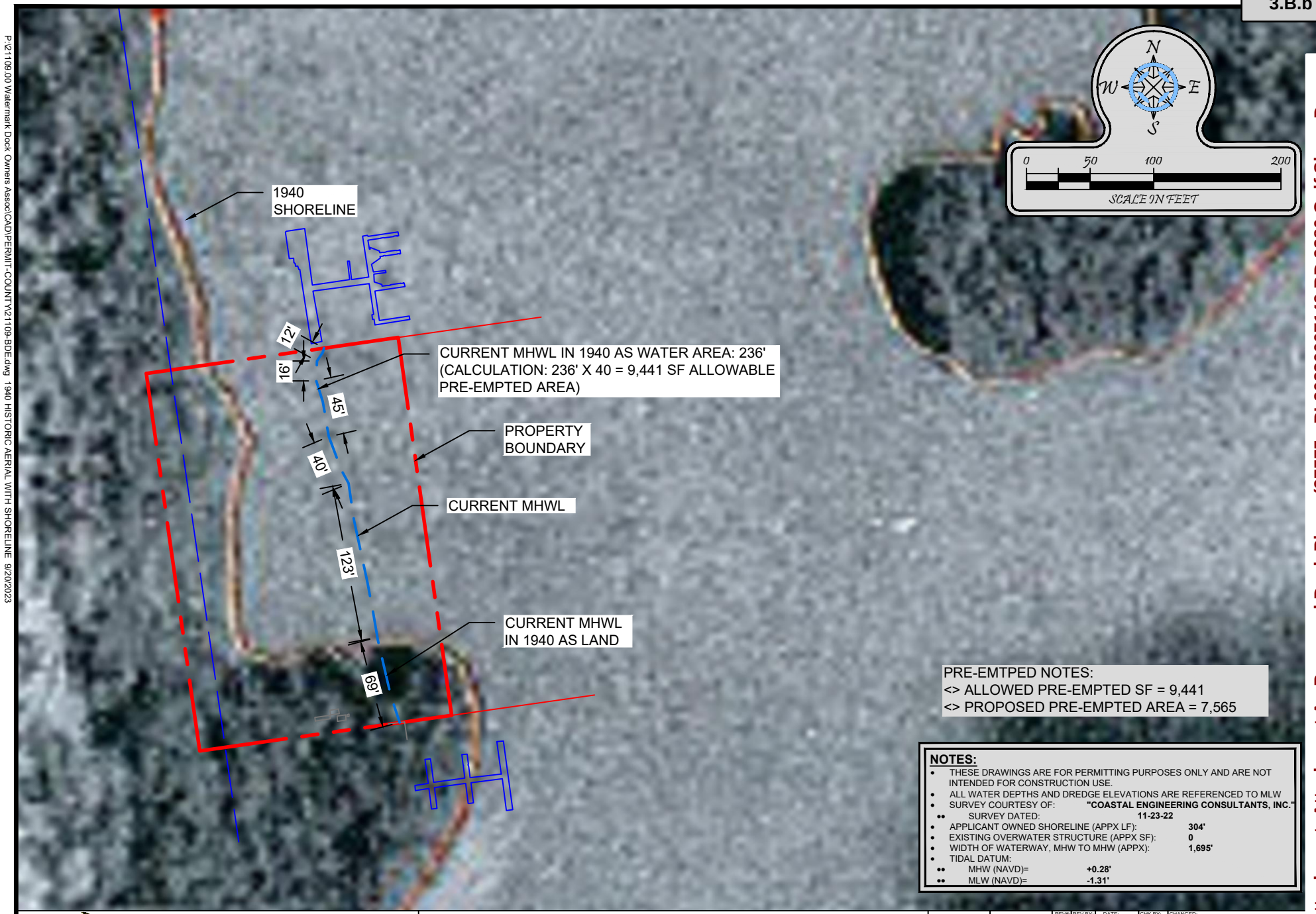
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SECTION-32 TOWNSHIP-48S

Attachment: Attachment A - Proposed Dock Plans (27575 : PL20230007149 BD 9380 Gulf Shore Dr



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- SURVEY COURTESY OF: **"COASTAL ENGINEERING CONSULTANTS, INC."**
  - SURVEY DATED: **11-23-22**
- APPLICANT OWNED SHORELINE (APPX LF): **304'**
- EXISTING OVERWATER STRUCTURE (APPX SF): **0**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1,695'**
- TIDAL DATUM:
  - MHW (NAVD)= **+0.28'**
  - MLW (NAVD)= **-1.31'**

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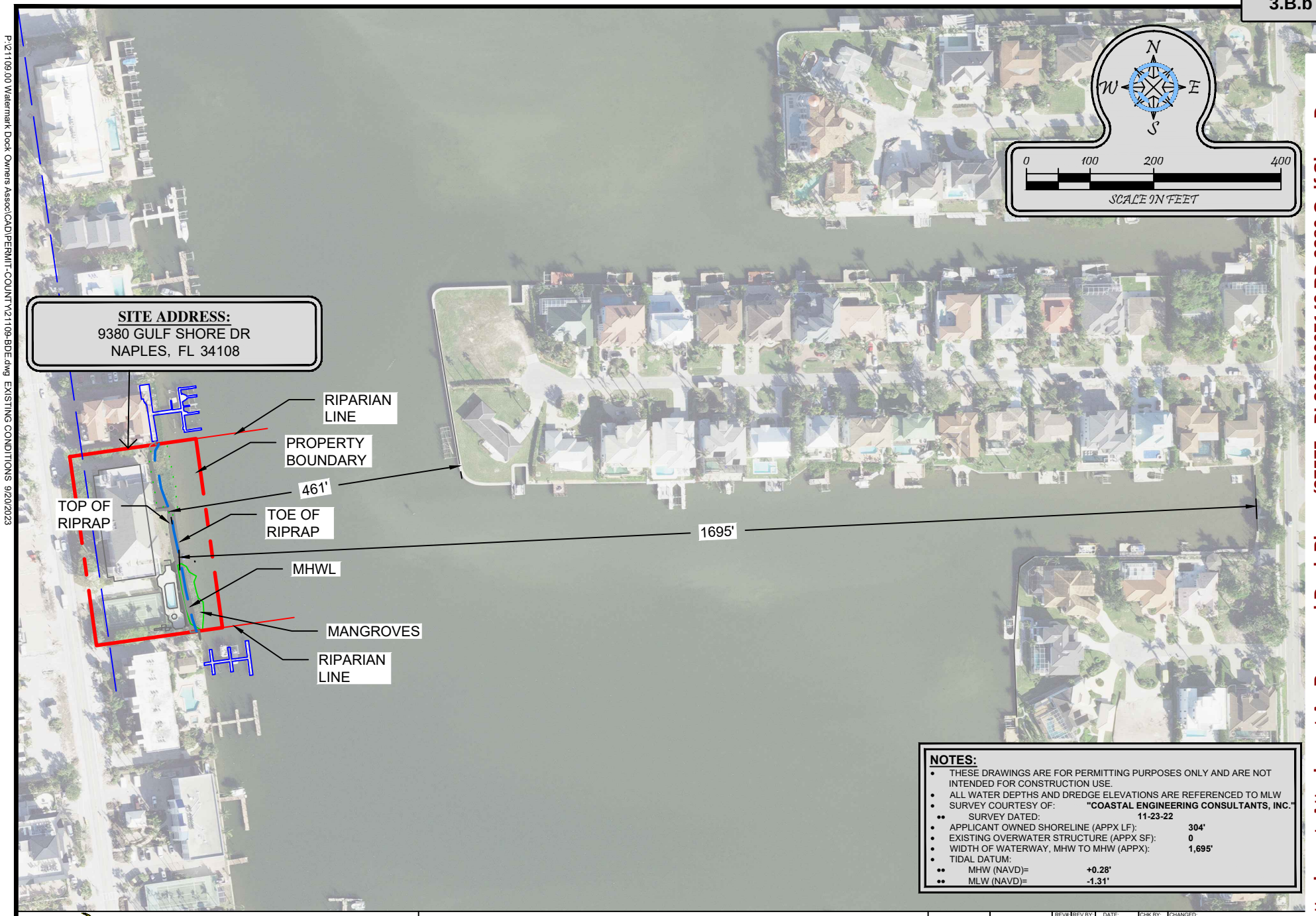
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Attachment: Attachment A - Proposed Dock Plans (27575 : PL20230007149 BD 9380 Gulf Shore Dr

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg EXISTING CONDITIONS 9/20/2023

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WATERMARK CONDO

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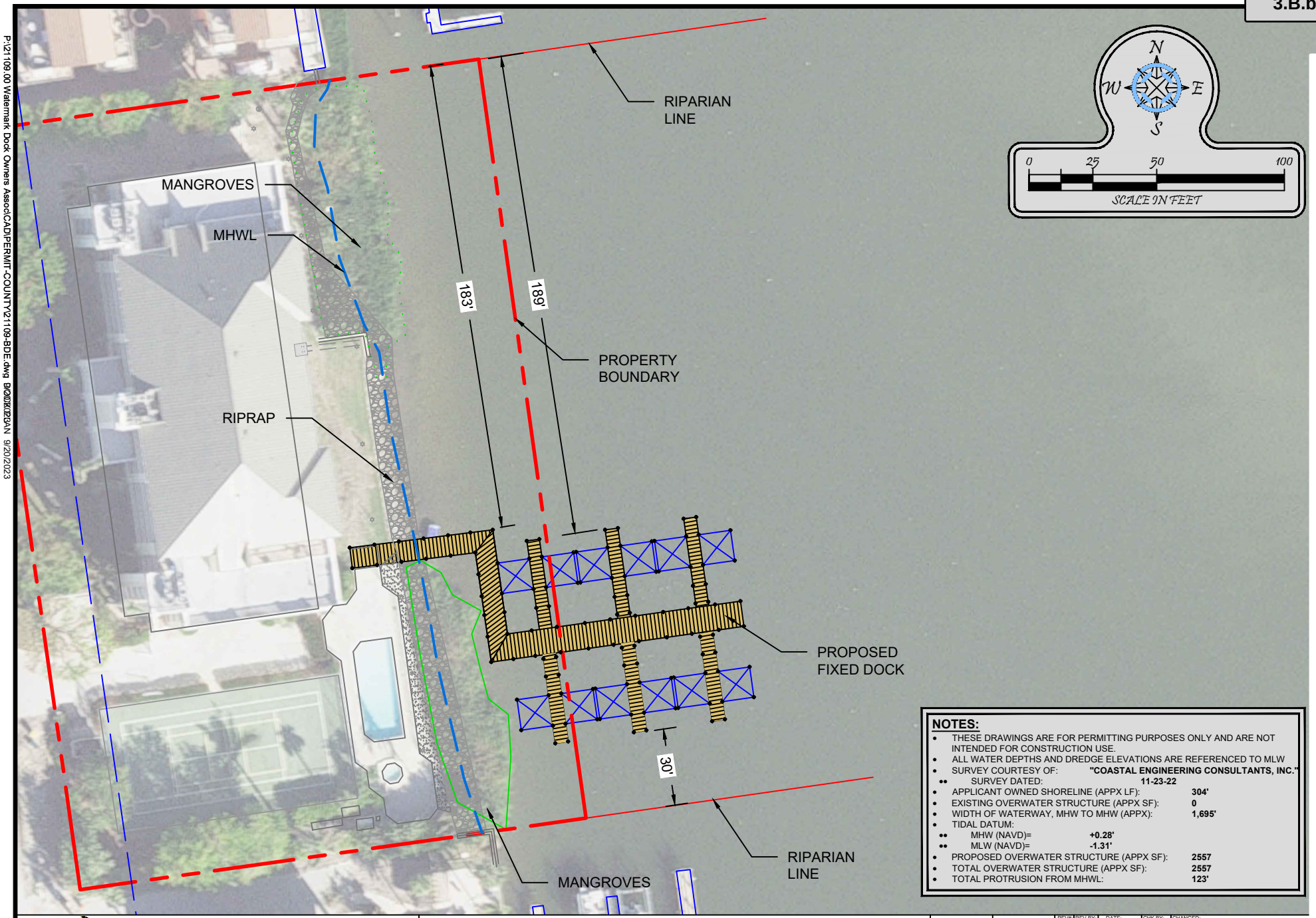
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SECTION-32 TOWNSHIP-48S

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  - MLW (NAVD)= **-1.31'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **2557**
- TOTAL OVERWATER STRUCTURE (APPX SF): **2557**
- TOTAL PROTRUSION FROM MHWL: **123'**

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WATERMARK CONDO

DOCK PLAN

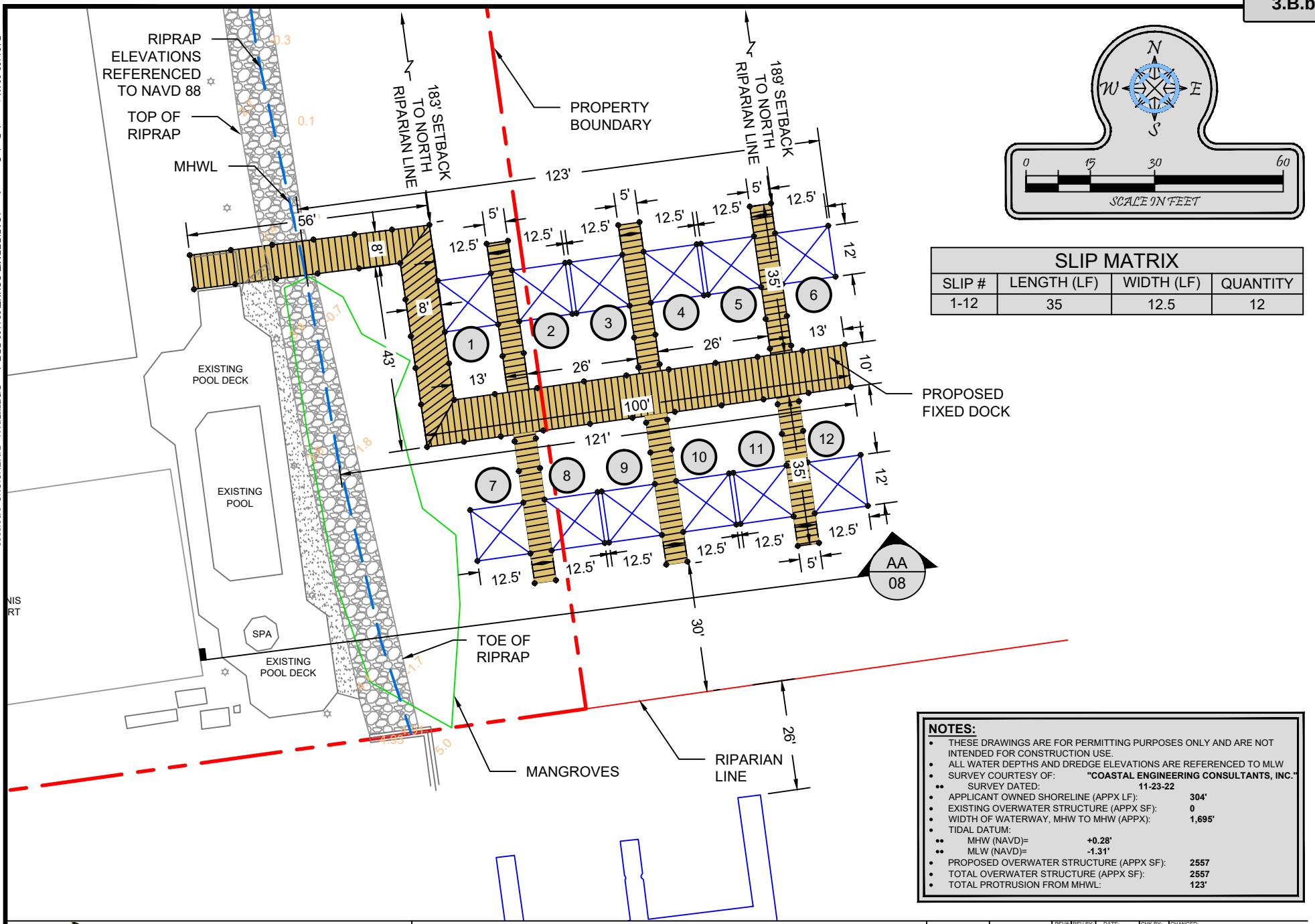
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SECTION-32 TOWNSHIP-48S

Attachment: Attachment A - Proposed Dock Plans (27575 : PL20230007149 BD 9380 Gulf Shore Dr



SLIP MATRIX			
SLIP #	LENGTH (LF)	WIDTH (LF)	QUANTITY
1-12	35	12.5	12

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WATERMARK CONDO

DOCK PLAN - DIMENSIONS

RY NO. 5875

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

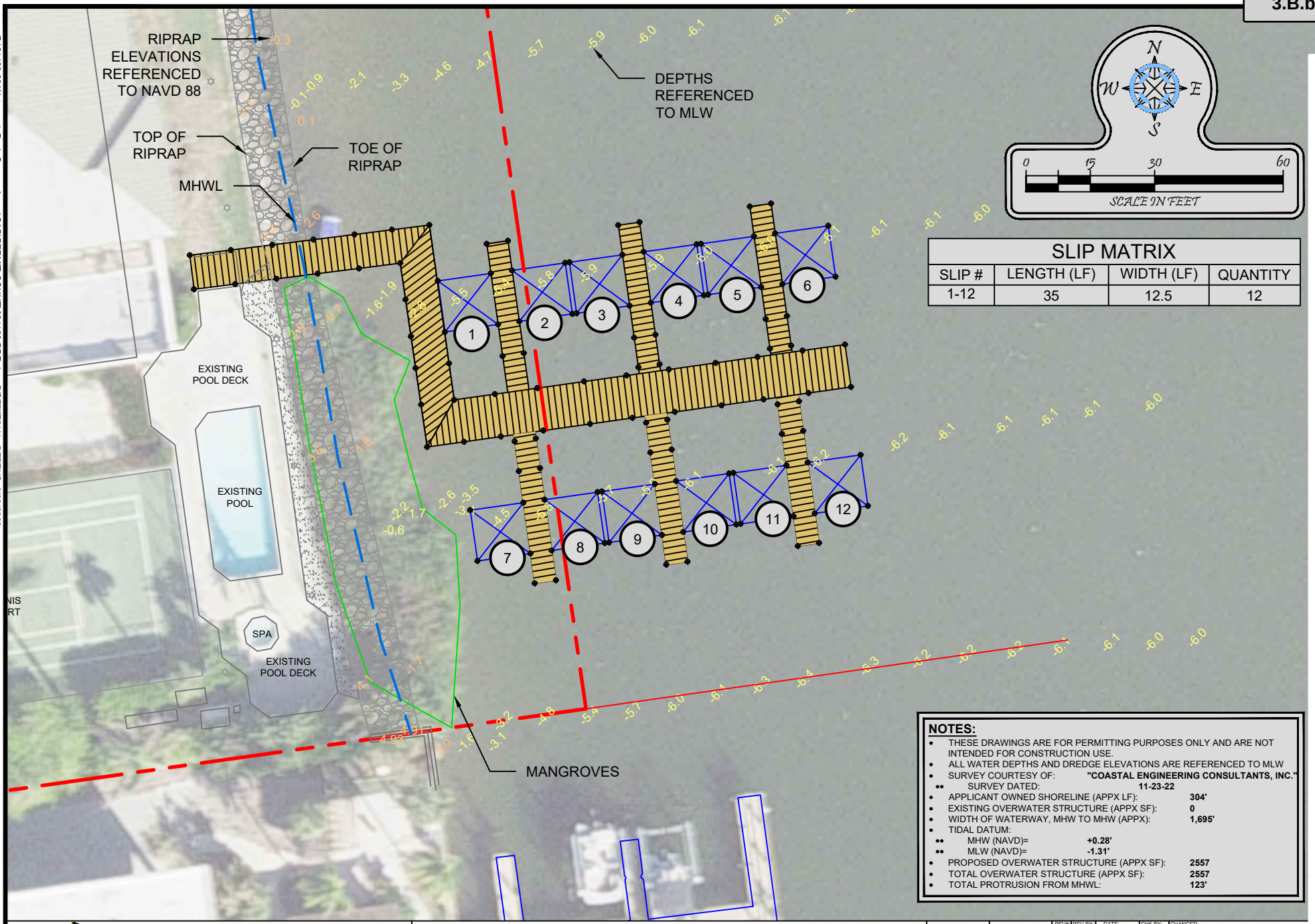
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DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	06-29-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	06 OF 13	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48S

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 9/20/2023 JR DOCK PLAN - DIMENSIONS 9/20/2023

Attachment: Attachment A - Proposed Dock Plans (27575 : PL20230007149 BD 9380 Gulf Shore Dr

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 9/20/2023 - DEPTHS



SLIP MATRIX			
SLIP #	LENGTH (LF)	WIDTH (LF)	QUANTITY
1-12	35	12.5	12

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: **"COASTAL ENGINEERING CONSULTANTS, INC."**
  - SURVEY DATED: **11-23-22**
- APPLICANT OWNED SHORELINE (APPX LF): **304'**
- EXISTING OVERWATER STRUCTURE (APPX SF): **0**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1,695'**
- TIDAL DATUM:
  - MHW (NAVD)= **+0.28'**
  - MLW (NAVD)= **-1.31'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **2557**
- TOTAL OVERWATER STRUCTURE (APPX SF): **2557**
- TOTAL PROTRUSION FROM MHWL: **123'**

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

WATERMARK CONDO

DOCK PLAN - DEPTHS

RY NO. 5875

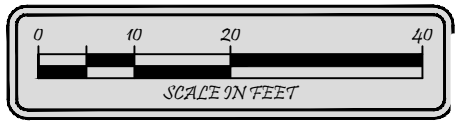
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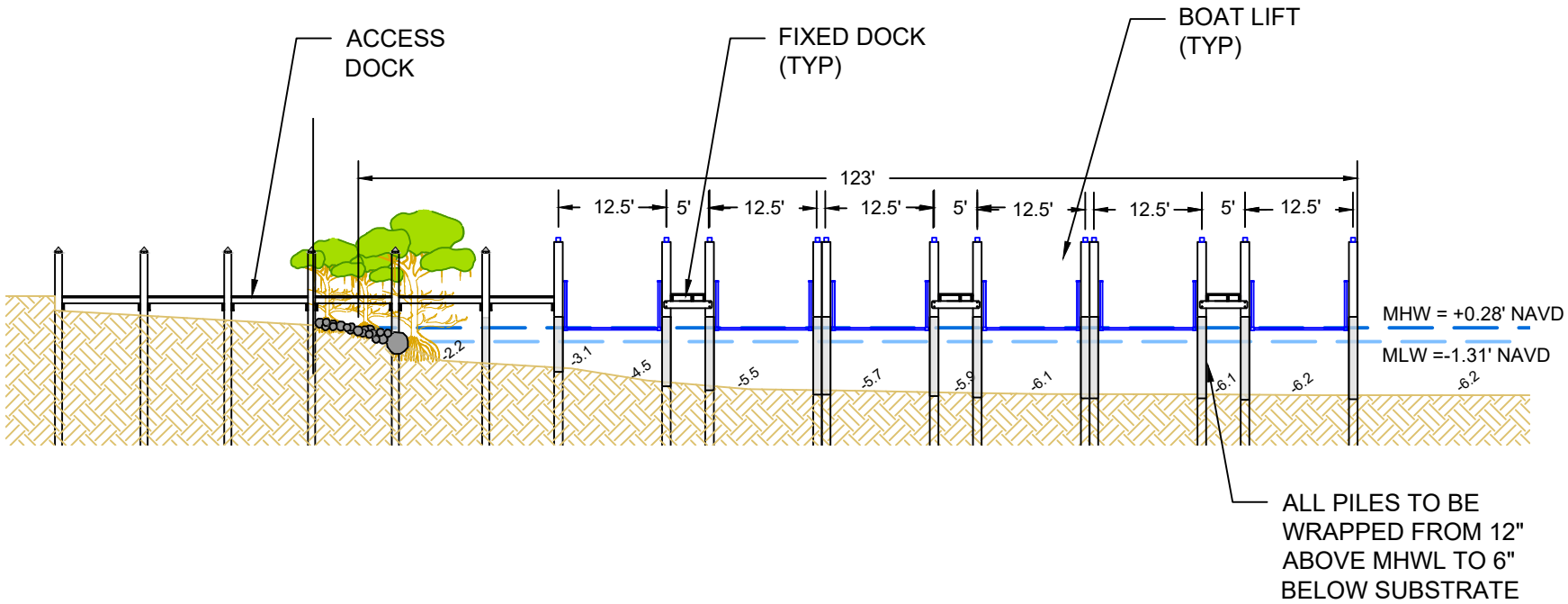
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JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	07 OF 13	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48S

Attachment: Attachment A - Proposed Dock Plans (27575 : PL20230007149 BD 9380 Gulf Shore Dr

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg CROSS SECTION 9/20/2023





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WATERMARK CONDO

CROSS SECTION

RY NO. 5875

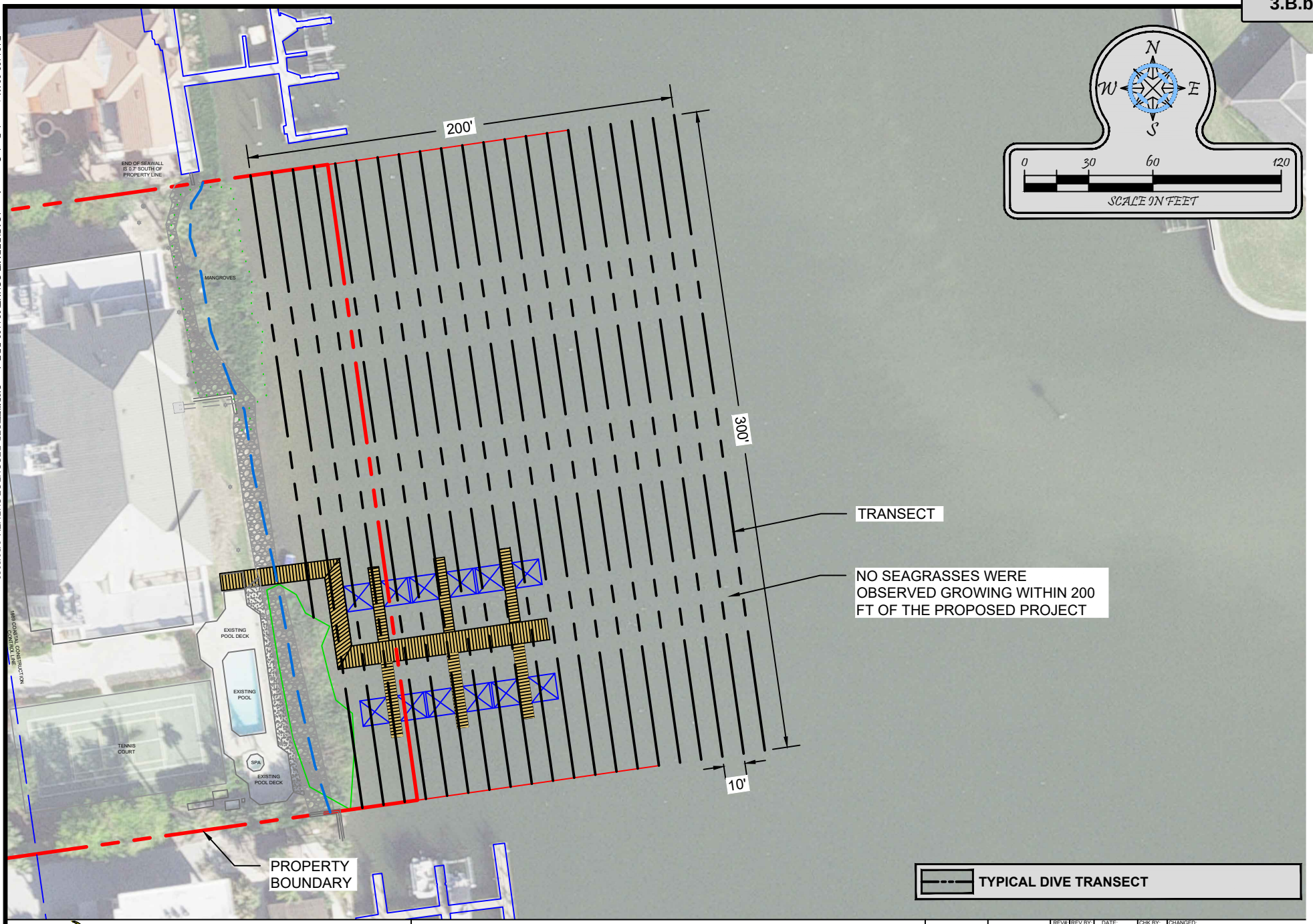
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JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	08 OF 13	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48 S

Attachment: Attachment A - Proposed Dock Plans (27575 : PL20230007149 BD 9380 Gulf Shore Dr

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 9/20/2023 SUBMERGED RESOURCE SURVEY 9/20/2023



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WATERMARK CONDO

SUBMERGED RESOURCE SURVEY

RY NO. 5875

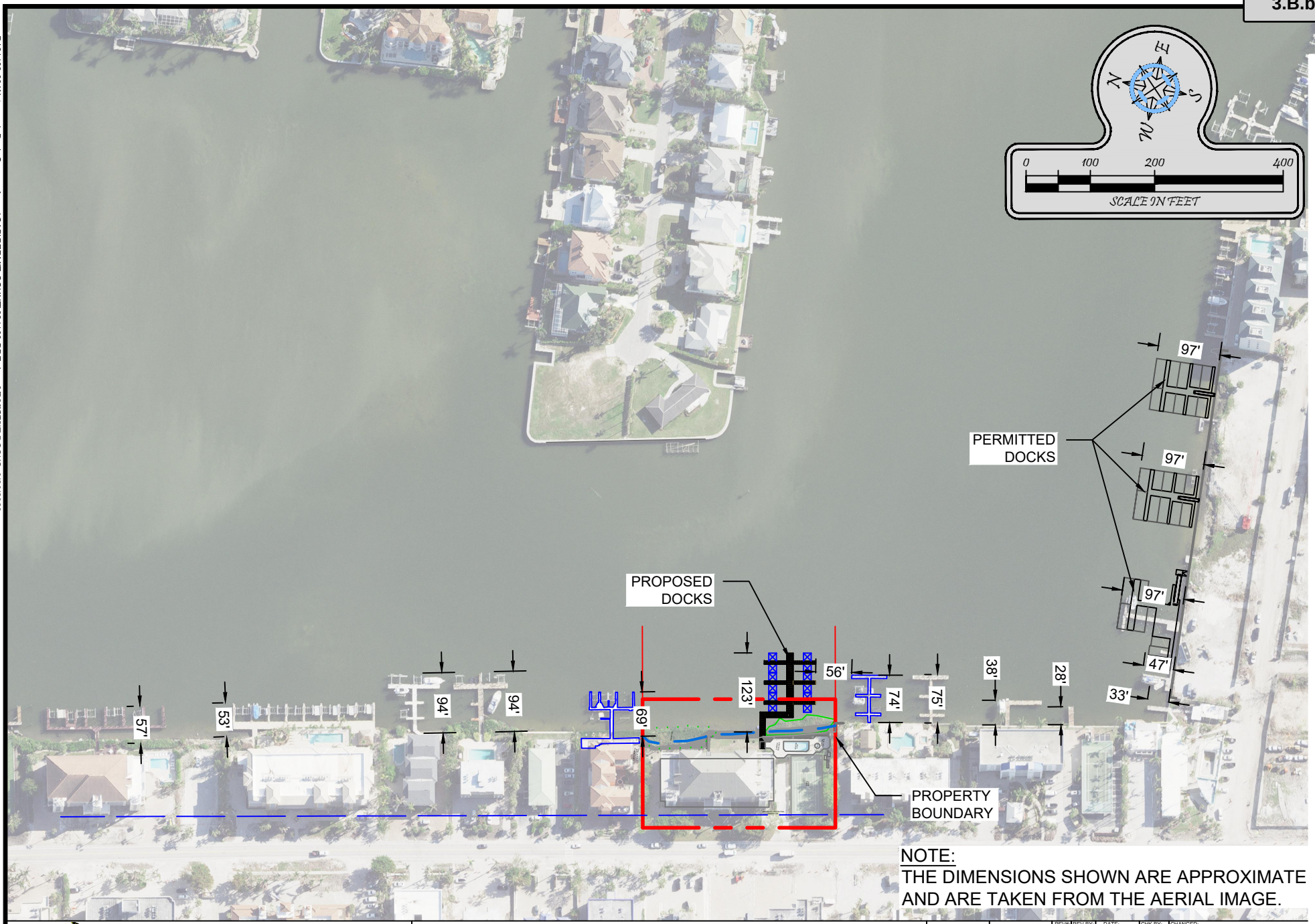
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JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	09 OF 13	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48S

Attachment: Attachment A - Proposed Dock Plans (27575 : PL20230007149 BD 9380 Gulf Shore Dr

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

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WATERMARK CONDO

ADJACENT DOCKS

RY NO. 5875

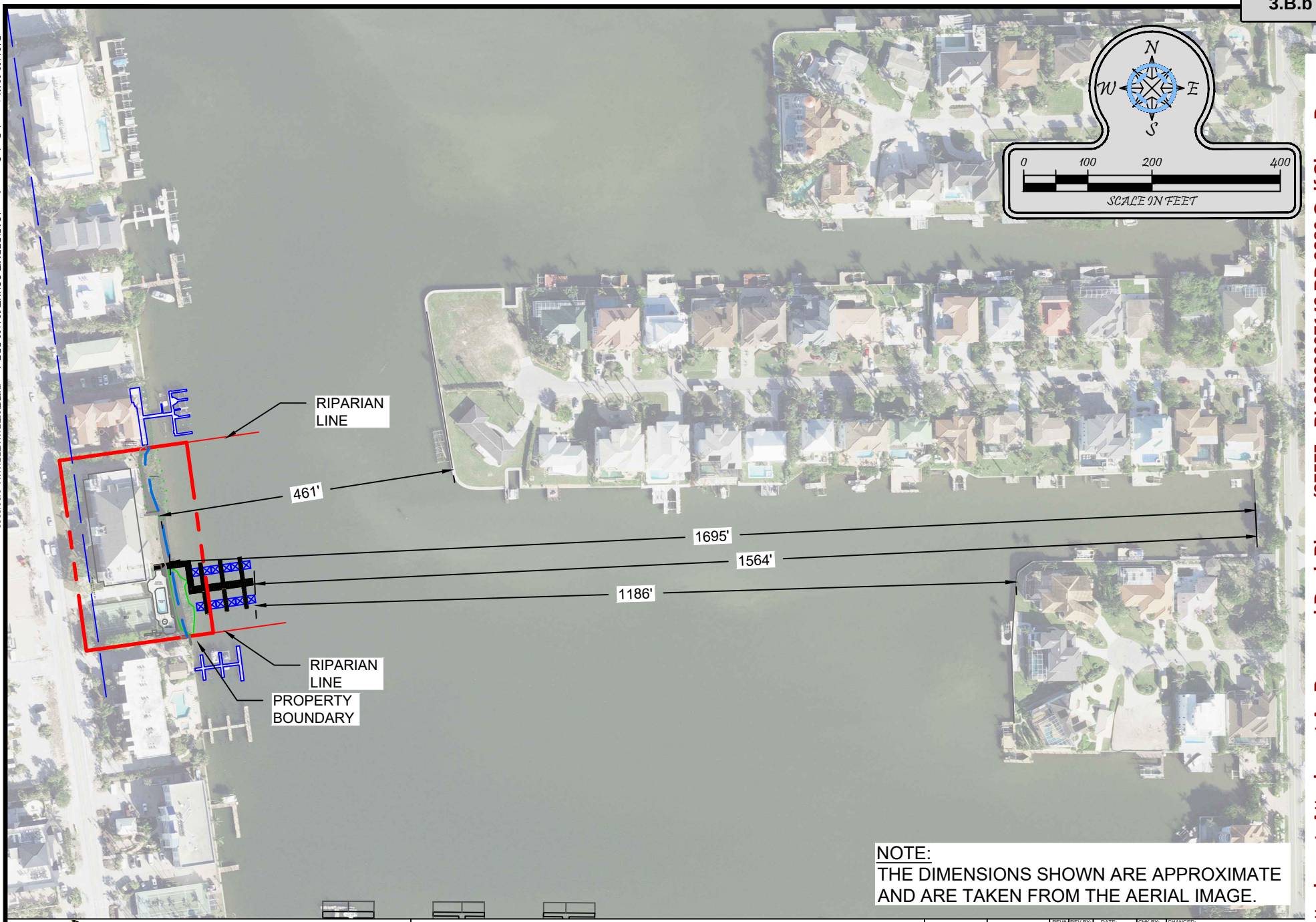
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CREATED:	06-29-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	10 OF 13	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48S

Attachment: Attachment A - Proposed Dock Plans (27575 : PL20230007149 BD 9380 Gulf Shore Dr

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 9/20/2023 WATERWAY 9/20/2023



NOTE:
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Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

WATERMARK CONDO

WIDTH OF WATERWAY

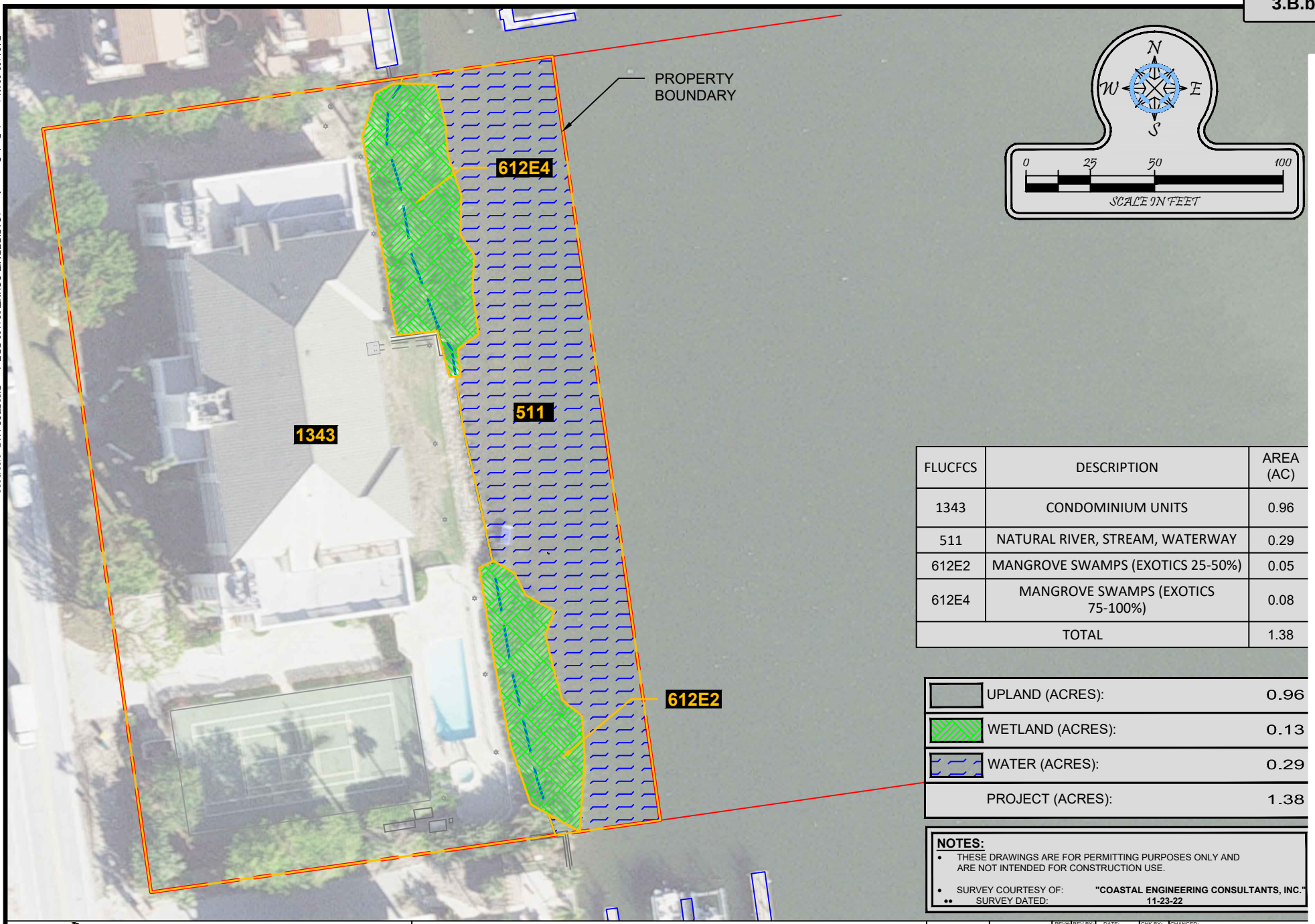
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JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	11 OF 13	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48 S

Attachment: Attachment A - Proposed Dock Plans (27575 : PL20230007149 BD 9380 Gulf Shore Dr



FLUCFCS	DESCRIPTION	AREA (AC)
1343	CONDOMINIUM UNITS	0.96
511	NATURAL RIVER, STREAM, WATERWAY	0.29
612E2	MANGROVE SWAMPS (EXOTICS 25-50%)	0.05
612E4	MANGROVE SWAMPS (EXOTICS 75-100%)	0.08
TOTAL		1.38

UPLAND (ACRES):	0.96
WETLAND (ACRES):	0.13
WATER (ACRES):	0.29
PROJECT (ACRES):	1.38

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- SURVEY COURTESY OF: **"COASTAL ENGINEERING CONSULTANTS, INC."**
- SURVEY DATED: **11-23-22**

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Marine & Environmental Consulting
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Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

WATERMARK CONDO

FLUCFCS MAP

RY NO. 5875

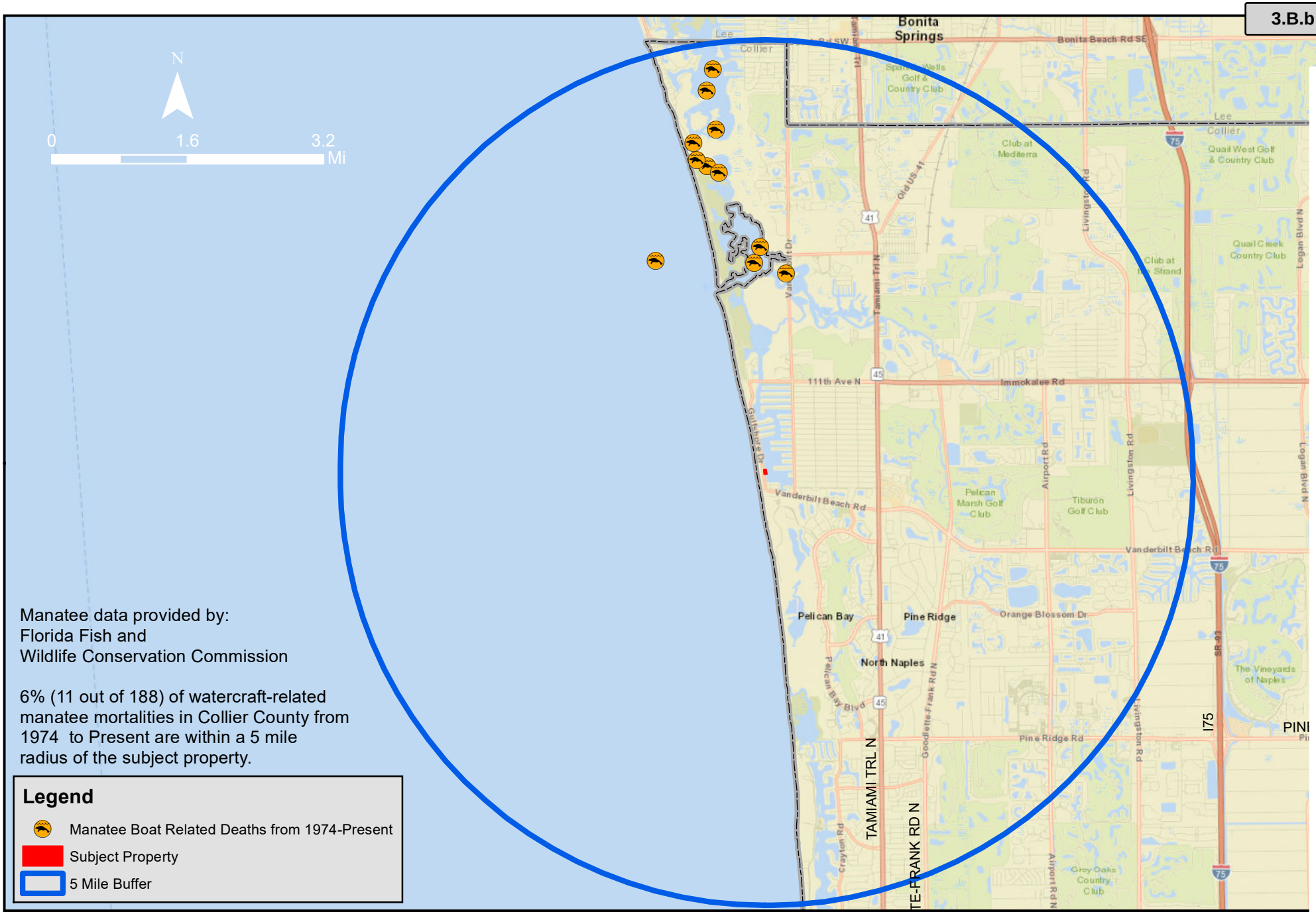
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SHEET NO.:	12 OF 13	5.	-	-	-	-

SECTION-32 TOWNSHIP-48S

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 6/20/2023 MAP 9/20/2023

Attachment: Attachment A - Proposed Dock Plans (27575 : PL20230007149 BD 9380 Gulf Shore Dr



Manatee data provided by:
Florida Fish and
Wildlife Conservation Commission

6% (11 out of 188) of watercraft-related manatee mortalities in Collier County from 1974 to Present are within a 5 mile radius of the subject property.

Legend

- Manatee Boat Related Deaths from 1974-Present
- Subject Property
- 5 Mile Buffer

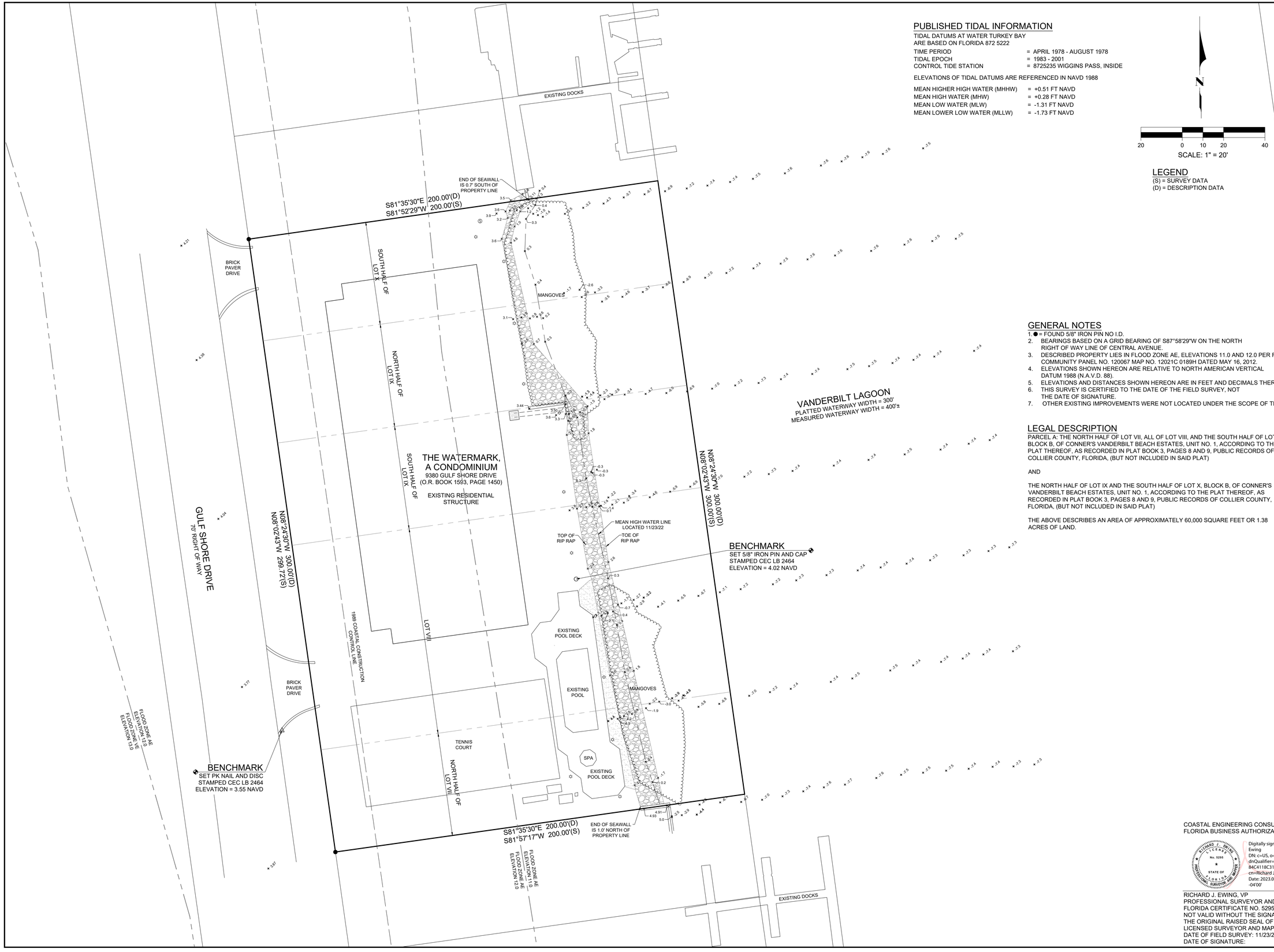
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3484 Exchange Ave. Suite B. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

WATERMARK CONDO
MANATEE MORTALITY MAP

DRAWN BY:	RMJ	REVISION:	SCALE: 1 "=1.5 mi
CREATED:	06-30-23	N/A	FILE PATH:
JOB NO.:	21109	N/A	P:\21109.00 Watermark Dock Ow Assoc\GIS\21109_ ManateeMort-CNTY.mxd
SHEET:	13 OF 13	N/A	

SECTION-32 TOWNSHIP

Attachment: Attachment A - Proposed Dock Plans (27575 : PL20230007149 BD 9380 Gulf Shore Dr



PUBLISHED TIDAL INFORMATION

TIDAL DATUMS AT WATER TURKEY BAY
ARE BASED ON FLORIDA 872 5222

TIME PERIOD	= APRIL 1978 - AUGUST 1978
TIDAL EPOCH	= 1983 - 2001
CONTROL TIDE STATION	= 8725235 WIGGINS PASS, INSIDE

ELEVATIONS OF TIDAL DATUMS ARE REFERENCED IN NAVD 1988

MEAN HIGHER HIGH WATER (MHHW)	= +0.51 FT NAVD
MEAN HIGH WATER (MHW)	= +0.28 FT NAVD
MEAN LOW WATER (MLW)	= -1.31 FT NAVD
MEAN LOWER LOW WATER (MLLW)	= -1.73 FT NAVD

N

20 0 10 20 40

SCALE: 1" = 20'

LEGEND

(S) = SURVEY DATA
(D) = DESCRIPTION DATA

GENERAL NOTES

1. ● = FOUND 5/8" IRON PIN NO I.D.
2. BEARINGS BASED ON A GRID BEARING OF S87°58'29"W ON THE NORTH RIGHT OF WAY LINE OF CENTRAL AVENUE.
3. DESCRIBED PROPERTY LIES IN FLOOD ZONE AE, ELEVATIONS 11.0 AND 12.0 PER F.I.R.M. COMMUNITY PANEL NO. 120067 MAP NO. 12021C 0189H DATED MAY 16, 2012.
4. ELEVATIONS SHOWN HEREON ARE RELATIVE TO NORTH AMERICAN VERTICAL DATUM 1988 (N.A.V.D. 88).
5. ELEVATIONS AND DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
6. THIS SURVEY IS CERTIFIED TO THE DATE OF THE FIELD SURVEY, NOT THE DATE OF SIGNATURE.
7. OTHER EXISTING IMPROVEMENTS WERE NOT LOCATED UNDER THE SCOPE OF THIS SURVEY.

LEGAL DESCRIPTION

PARCEL A: THE NORTH HALF OF LOT VII, ALL OF LOT VIII, AND THE SOUTH HALF OF LOT IX, BLOCK B, OF CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGES 8 AND 9, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, (BUT NOT INCLUDED IN SAID PLAT)

AND

THE NORTH HALF OF LOT IX AND THE SOUTH HALF OF LOT X, BLOCK B, OF CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGES 8 AND 9, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, (BUT NOT INCLUDED IN SAID PLAT)

THE ABOVE DESCRIBES AN AREA OF APPROXIMATELY 60,000 SQUARE FEET OR 1.38 ACRES OF LAND.

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

RICHARD J. EWING, VP
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5295
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
DATE OF FIELD SURVEY: 11/23/22
DATE OF SIGNATURE:

Digitally signed by Richard J Ewing
DN: c=US, o=Florida, dnQualifier=A01410C000001 84C4118C310004E891, cn=Richard J Ewing
Date: 2023.07.07 06:15:01 -04'00'

NO.	DATE	BY	REVISION DESCRIPTION
22.269			
22.269			

THIS DOCUMENT AND THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. ANY REUSE WITHOUT PRIOR WRITTEN VERIFICATION BY COASTAL ENGINEERING CONSULTANTS, INC. FOR ADAPTATION BY COASTAL ENGINEERING CONSULTANTS, INC. (CECI) OR ITS SUBSIDIARIES SHALL BE WITHOUT LIABILITY TO CECI OR ITS SUBSIDIARIES.

DATE: 12/12/22 | SCALE: 1" = 20'
DRAWN: MMW | F.B. K690
CHECKED: RJE | PG. 54
SEC. 32 | TWP. 48S | RNG. 25E
ACAD NO. 22.269
REF. NO. 22.269

CLIENT: THE WATERMARK CONDOMINIUM ASSOCIATION, INC.

TITLE: SPECIFIC PURPOSE SURVEY OF THE WATERMARK, A CONDOMINIUM AS RECORDED IN OFFICIAL RECORDS BOOK 1593, PAGE 1450, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

COASTAL AND MARINE ENGINEERING
ENVIRONMENTAL AND GEOLOGICAL SERVICES
LAND AND MARINE SURVEY AND MAPPING

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

COASTAL ENGINEERING CONSULTANTS INC.
Serving Florida Since 1977
28421 BONITA CROSSINGS BOULEVARD
BONITA SPRINGS, FLORIDA 34135

SHEET 1 OF 1
FILE NO.: 22.269

Attachment: Attachment B - Specific Purpose Survey (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Collier County
Growth Management Department

Watermark Condominium Manatee Protection Plan (PL20230012349)

An analysis of the project considering the Collier County Manatee Protection Plan (MPP) has concluded the following:

Vegetation Impact – For shoreline vegetation, such as mangroves, "No Impact" is defined as no greater than 5% of the native marine habitat is disturbed. For seagrasses, "No Impact" means that no more than 100 square feet of seagrasses can be impacted (Manatee Protection Plan, page 79). An analysis of shoreline vegetation was provided by Turrell, Hall and Associates. Based upon the proposed dock site plan, no impacts of shoreline vegetation are proposed. No seagrasses are present within 200 feet of the proposed docking facility located in Vanderbilt Lagoon. **Overall, this factor is classified as "No Marine Impact" to Marine Habitat under the Marina Siting Criteria of the MPP.**

Water Depth – Adequate water depths must be greater than -4 feet Mean Low Water (MLW; Manatee Protection Plan, page 72). The current depth of the area ranges between -1.2 ft MLW to -7.9 ft MLW. The proposed slip locations will be maintained greater than -4 ft MLW**.** The property is adjacent to a man-made canal that has been maintenance dredged (Vanderbilt Lagoon). **Therefore, this factor is classified as "Greater than 4 feet MLW" for Water Depth under the Marina Siting Criteria.**

Manatee Deaths – The MPP considers High Manatee Use densities to be in areas where more than 20 percent of all the watercraft-caused manatee deaths in Collier County have been found (Manatee Protection Plan, page 73). An analysis of the most recent data has 11 out of 188 (6%) watercraft-related manatee deaths within a 5-mile radius of the project site. **Based upon the data the area is NOT considered "a high manatee use area" under the Marina Siting Criteria of the MPP.**

In summary, the above information results in no marine impact and water depths exceeding -4 feet MWL. The project's location is a low manatee use area, the outcome results in a **Preferred ranking** under the MPP.

Under Preferred Ranking, new boat slip density would be allowed at 18 slips per 100 feet of shoreline. **The application states there are 304 linear feet of shoreline**, **which would equate to 55 slips allowed (304 linear feet x 18 slips/100).** The applicant is **proposing 12 wet slips, which is less than** the maximum boat slip limit; therefore, the **project is consistent** with the MPP.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Collier County
Growth Management Department

MARINA SITING CRITERIA

	Water Depth		Native Marine Habitat		Manatee Use	
	Greater Than 4' MLW	Less Than 4' MLW	No Impact[1]	Impact	Not High	High
PREFERRED	X		X		X	
MODERATE	X		X			X
MODERATE	X			X	X	
MODERATE		X	X		X	
PROTECTED	X			X		X
PROTECTED		X		X		X
PROTECTED		X	X			X
PROTECTED		X		X	X	

(1) For shoreline vegetation such as mangroves, no impact is defined as no greater than 5% of the native marine habitat is disturbed. For sea grasses, no impact means that no more than 100 square feet of sea grasses can be impacted.

Collier County
Reviewed and Approved For:
Permit Issuance
PL20230012349 Date: 8/18/2023

Table 3-1 Marina Siting Criteria & Allowable Wet Slip Densities

Preferred Sites.

New or expanded wet slip marinas and multi-family facilities:
Shall be allowed at a density of 18 boat slips for every 100 feet of shoreline.

Dry Storage facilities:
Expansion of existing and construction of new facilities allowed.

Boat Ramps:
Expansion of existing and construction of new ramps allowed.

TURRELL, HALL & ASSOCIATES, INC.
Marine & Environmental Consulting
3584 Exchange Avenue • Naples, Florida 34104-3732 • 239-643-0166 • Fax (239) 643-6632 • jeff@thanaples.com

July 19, 2023

Collier County Environmental Department
C/O Craig Brown, Senior Environmental Specialist
2800 Horseshoe Drive
Naples, FL 34104

Re: Watermark Condominium - Manatee Protection Plan Consistency Determination

Dear Mr. Brown:

Pursuant to our Boat Dock Extension and companion SDPI application to Collier County which proposes to construct a new docking facility for the Watermark Condominium located at 9830 Gulf Shore Drive Naples, FL 34108, further identified by folio 27481040002. As part of the counties and DEP's review, they have asked for a Collier County Manatee Protection Plan Consistency Determination. As such please find attached the associated application along with the various exhibits indicating the proposed project scope of work and a siting analysis based on the Collier County Manatee Protection Plan (CCMPP). The subject property is an existing multi-family residential property located on Vanderbilt Lagoon. This portion of the subject waterway is a man-altered waterway which is considered state lands, has an existing rip-rap shoreline with mangroves and other vegetation and is approximately 304 linear feet of shoreline.

The proposed project scope of work consists of constructing a new fixed docking facility with 12 slips and associated boatlifts with the majority of what is being proposed being located on state lands which will require a submerged land lease (SLL). As proposed the dock total square footage is approximately 2,557 sq. ft. of over-water structure and will protrude 123 feet into the subject waterway which varies in width. However, directly across from the proposed dock the waterway width is approximately 1,695 feet and therefore will be within the allowed 25% width of waterway. Additionally, the proposed dock will provide a minimum of 25-foot setbacks from each riparian line and has been designed to fully avoid impacts the mangroves along the shoreline.

A bathymetric survey was also completed to verify the existing onsite and surrounding waterway depths which are attached for your reference. It is also understood that the existing navigational channel leading out to Wiggins Pass is also maintained at a depth equal to -4' MLW.

We are requesting the attached Consistency Determination package be reviewed so that Collier Count and DEP can verify we are consistent with the county MPP to then issue their permit. Please let me know if you have any questions.

Regards,

Jeff Rogers

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

WATERMARK CONDO: SITING & CCMPP ANALYSIS

Assessing the number of existing and allowed slips for Watermark Condo located in Vanderbilt Lagoon, the Collier County Manatee Protection Plan (CCMPP) was used as the basis for the analysis. To rank the site 3 criteria were analyzed below per 3.2.4 of the CCMPP using a 5-mile radius sphere of influence and a 5-mile on-water travel distance (see attached manatee mortality map).

1. ADEQUATE WATER DEPTH

Adequate water depths are defined by 3.2.4 of the CCMPP as water that is greater than 4 feet Mean Low Water (MLW). Coastal Engineering provided us with a bathymetric survey with depths referenced to MLW within and around the existing waterway. This was used to verify the depths on site extending out into the waterway are adequate meaning -4' MLW or greater, which they are. See attached bathymetric survey. Additionally, the CCMPP notes as well as confirmed on local navigational charts that depths within this area of Vanderbilt Lagoon extending out to the Gulf of Mexico are greater than -4 feet MLW making this criterion **Preferred**.

2. NATIVE MARINE HABITAT

Section 3.2.4 of the CCMPP defines Native marine habitat as seagrass beds, salt marshes, mangroves, or other biologically productive submerged and shoreline habitats and a "no impact" determination is defined as ≤5% native marine habitat disturbed and ≤100 sf of seagrass impacts. Per the attached submerged resource survey, which was conducted on May 5, 2023, there are no seagrasses within 200-feet of the proposed docking facility. There are mangroves scattered along the shoreline which were taken into consideration with the proposed dock footprint to fully avoid. Based off this information as proposed the project would fall under a **Preferred** Ranking in terms of native marine habitat (see SAV Survey).

3. MANATEE ABUNDANCE

Section 3.2.4 of the CCMPP defines Manatee Abundance as an area where at least 20% of all county-wide watercraft -caused manatee deaths occurred. A GIS map (attached) yielded a 6% mortality rate in our 5-mile sphere of influence and in our 5-mile water travel sphere, which falls well below the allowed 20%. Based off this data the subject waterway is not considered a high manatee use area. Additionally, there are no areas between the project and the Gulf of Mexico (> 2 miles) where the speed zones are above Idle Speed/NO WAKE. The manatee abundance criteria would fall under the **Preferred** status.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Table 3-1 CCMPP	RANKING		
	PREFERRED	MODERATE	PROTECTED
WATER DEPTHS			
>4′ MLW	X		
<4′ MLW			
NATIVE MARINE HABITAT			
No Impact	X		
Impact			
MANATEE USE			
Not High	X		
High			

Per the Collier County Manatee Protection Plan, under a Preferred Ranking there are 18 slips allowed for every 100 feet of shoreline. Watermark is a condominium that has 304 feet of shoreline, this equates to 54 allowed slips. The facility currently has 0 wet slips and is proposing 12 slips therefore this criterion is met.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

CONSISTENCY DETERMINATION APPLICATION

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Collier County
Growth Management
Community Development Department

2800 North Horseshoe Drive
Naples, Florida 34104
239-252-2400

Application for Manatee Protection Plan Consistency Determination

APPLICANT CONTACT INFORMATION

Name of Owner: The Watermark, A Condominium
Name of Applicant if different than owner: Bob Karl
Address: 9380 Gulf Shore Dr **City:** Naples **State:** FL **ZIP:** 34108
Telephone: _____ **Cell:** _____ **Fax:** _____
E-Mail Address: bkarll53@gmail.com

Name of Agent: 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:** _____
E-Mail Address: jeff@thanaples.com

PROPERTY INFORMATION

Provide a detailed legal description of the property covered by the application, if space is inadequate, attach on a separate page: See attached

Address of subject site and general location: 9380 Gulf Shore Dr. Naples, FL 34108

Property ID Number: 27481040002 **Section/Township/Range:** 32 / 48 / 25

Subdivision: 706300 - Watermark A Condominium, The **Unit:** _____ **Lot:** _____ **Block:** _____

Metes & Bounds Description: See attached associated survey

Property Appraiser's Parcel #, if applicable: _____

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Collier County
Growth Management
Community Development Department

2800 North Horseshoe Drive
Naples, Florida 34104
239-252-2400

ELECTRONIC SUBMITTAL REQUIREMENT

REQUIREMENTS FOR REVIEW:	ELECTRONIC DOCUMENTS	REQUIRED
Cover letter requesting a consistency review describing proposed project	1	☒
An aerial with the site demarcated and FLUCCS overlay with acreages and shoreline length.	1	☒
Manatee abundance exhibit. The calculation should include the total manatee death from 1974 to present and what percentage of the total manatee deaths are watercraft related. (Sphere to a 5-mile radius area from the subject property, label waterbodies).	1	☒
Depth soundings and SAV (submerged aquatic vegetation) surveys. SAV surveys must be conducted between April-October. a. Shoreline vegetation such as mangroves, "no impact" is defined as no greater than five (5) percent of the native marine habitat is disturbed. For sea grasses, "no impact" means that no more than 100 square feet of sea grasses can be impacted. b. An exhibit of water depths in and around the proposed docking facility, include a cross-section.	1	☒
Any correspondence with agencies	1	☐
Addressing check list	1	☒

Fees

- **Manatee Consistency Determination:** $ 250.00

This application, with all required supplemental data and information, must be completed and accompanied by the appropriate fee ($250.00) made payable to the Collier County Board of County Commissioners, and returned to the Growth Management Department, Development Review Division, 2800 N. Horseshoe Drive, Naples, FL 34104.

If you have any questions, please contact the assigned Planner in the Environmental Planning Section.

LINKS

Online Payment Guide can be located: Here

Completed application may be submitted online GMD Public Portal

If unfamiliar to applying on portal or have questions, please look over our E-Permitting Guide

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Collier County
Growth Management
Community Development Department

2800 North Horseshoe Drive
Naples, Florida 34104
239-252-2400

NOTE: Proposed developments will be reviewed for consistency with the Manatee Protection Plan adopted by the Collier County Board of County Commissioners and approved by the Florida Department of Environmental Protection.

If the location of the proposed development appears to be consistent with the MPP, then the developer will submit a "Manatee Awareness and Protection Plan," which shall address, but not be limited to, the following categories:

- Education and public awareness
- Posting and maintaining Manatee Awareness signs
- Information on type and destination of boat traffic that will be generated from the facility.
- Monitoring and maintenance of water quality to comply with state standards.

3.2.4.1 Ranking Criteria

A ranking of Preferred is given to a site that has or can legally create adequate water depth and access, will not impact native marine habitats, and will not impact a high manatee use area. A Moderate ranking is given when: there is adequate water depth and access, will not impact a high manatee area, but will impact native marine habitat; there is adequate water depth, no impact to native marine habitat, but will impact a high manatee use area; and where the water depth is less than four (4) feet MLW, will not impact native marine habitat, and will not impact a high manatee use area. A Protected ranking is given to an area when: there is adequate water depth and access, but will impact native marine habitat and will impact a high manatee use area; there is not adequate water depth, will impact or destroy native marine habitat and will impact a high manatee use area; there is not adequate water depth, will not impact a marine habitat and will impact a high manatee use area; and there is not adequate water depth, will impact marine habitat and will not impact a high manatee use area.

Jeff Roger
Owner / Agent Signature

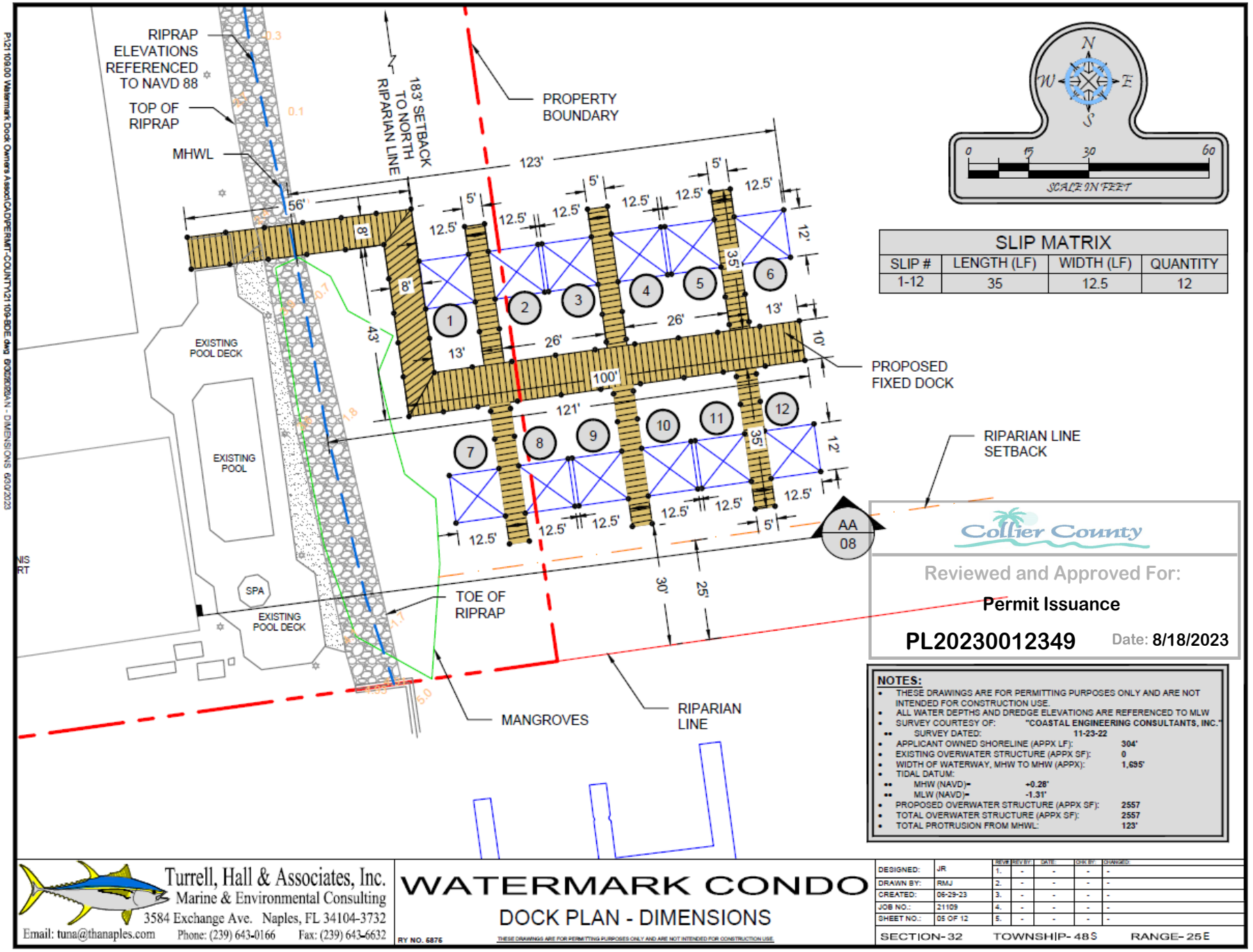
6/22/2023
Date

Jeff Rogers
Printed Name of Owner or Agent

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

SITE PLAN

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



SLIP MATRIX			
SLIP #	LENGTH (LF)	WIDTH (LF)	QUANTITY
1-12	35	12.5	12

Collier County

Reviewed and Approved For:

Permit Issuance

PL20230012349 Date: **8/18/2023**

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: "COASTAL ENGINEERING CONSULTANTS, INC."
  - SURVEY DATED: 11-23-22
- APPLICANT OWNED SHORELINE (APPX LF): 304'
- EXISTING OVERWATER STRUCTURE (APPX SF): 0
- WIDTH OF WATERWAY, MHW TO MHW (APPX): 1,695'
- TIDAL DATUM:
  - MHW (NAVD)= +0.28'
  - MLW (NAVD)= -1.31'
- PROPOSED OVERWATER STRUCTURE (APPX SF): 2557
- TOTAL OVERWATER STRUCTURE (APPX SF): 2557
- TOTAL PROTRUSION FROM MHWL: 123'

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

WATERMARK CONDO

DOCK PLAN - DIMENSIONS

RY NO. 6876

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:	06-29-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	05 OF 12	5.	-	-	-	-

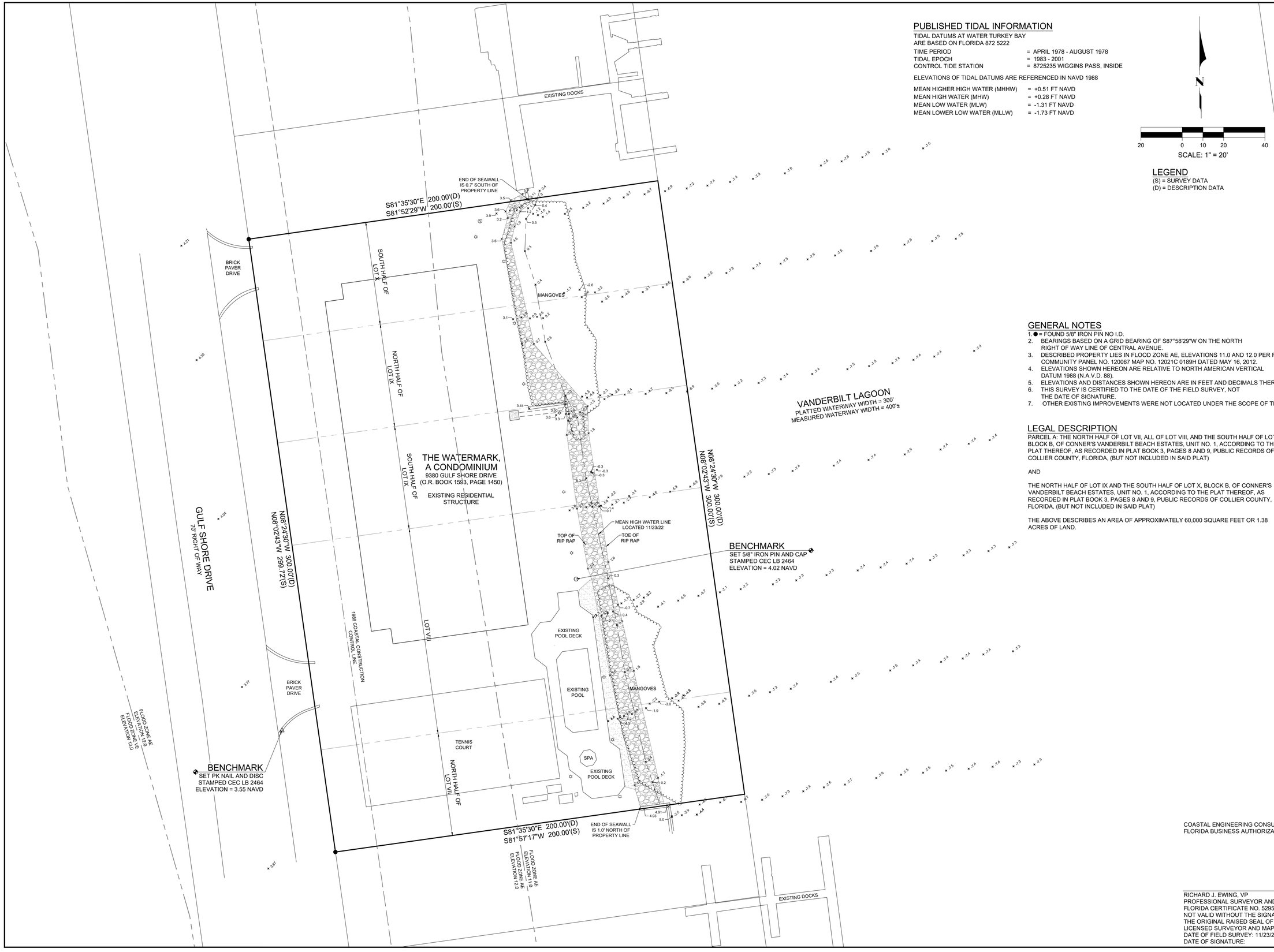
SECTION- 32 TOWNSHIP- 48 S RANGE- 25 E

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Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore

SURVEY

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



PUBLISHED TIDAL INFORMATION

TIDAL DATUMS AT WATER TURKEY BAY
ARE BASED ON FLORIDA 872 5222

TIME PERIOD	= APRIL 1978 - AUGUST 1978
TIDAL EPOCH	= 1983 - 2001
CONTROL TIDE STATION	= 8725235 WIGGINS PASS, INSIDE

ELEVATIONS OF TIDAL DATUMS ARE REFERENCED IN NAVD 1988

MEAN HIGHER HIGH WATER (MHHW)	= +0.51 FT NAVD
MEAN HIGH WATER (MHW)	= +0.28 FT NAVD
MEAN LOW WATER (MLW)	= -1.31 FT NAVD
MEAN LOWER LOW WATER (MLLW)	= -1.73 FT NAVD

N

20 0 10 20 40

SCALE: 1" = 20'

LEGEND

(S) = SURVEY DATA
(D) = DESCRIPTION DATA

GENERAL NOTES

1. ● = FOUND 5/8" IRON PIN NO I.D.
2. BEARINGS BASED ON A GRID BEARING OF S87°58'29"W ON THE NORTH RIGHT OF WAY LINE OF CENTRAL AVENUE.
3. DESCRIBED PROPERTY LIES IN FLOOD ZONE AE, ELEVATIONS 11.0 AND 12.0 PER F.I.R.M. COMMUNITY PANEL NO. 120067 MAP NO. 12021C 0189H DATED MAY 16, 2012.
4. ELEVATIONS SHOWN HEREON ARE RELATIVE TO NORTH AMERICAN VERTICAL DATUM 1988 (N.A.V.D. 88).
5. ELEVATIONS AND DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
6. THIS SURVEY IS CERTIFIED TO THE DATE OF THE FIELD SURVEY, NOT THE DATE OF SIGNATURE.
7. OTHER EXISTING IMPROVEMENTS WERE NOT LOCATED UNDER THE SCOPE OF THIS SURVEY.

LEGAL DESCRIPTION

PARCEL A: THE NORTH HALF OF LOT VII, ALL OF LOT VIII, AND THE SOUTH HALF OF LOT IX, BLOCK B, OF CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGES 8 AND 9, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, (BUT NOT INCLUDED IN SAID PLAT)

AND

THE NORTH HALF OF LOT IX AND THE SOUTH HALF OF LOT X, BLOCK B, OF CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGES 8 AND 9, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, (BUT NOT INCLUDED IN SAID PLAT)

THE ABOVE DESCRIBES AN AREA OF APPROXIMATELY 60,000 SQUARE FEET OR 1.38 ACRES OF LAND.

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

RICHARD J. EWING, VP
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5295
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
DATE OF FIELD SURVEY: 11/23/22
DATE OF SIGNATURE:

THIS DOCUMENT, AND THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. ANY REUSE WITHOUT PRIOR WRITTEN VERIFICATION BY COASTAL ENGINEERING CONSULTANTS, INC. FOR ANY OTHER PURPOSE OR TO ANY OTHER PERSON OR ENTITY SHALL BE ADAPTATION BY COASTAL ENGINEERING CONSULTANTS, INC. (CECI) OR ITS SUBSIDIARIES SHALL BE WITHOUT LIABILITY TO CECI OR ITS SUBSIDIARIES.

NO.	DATE	BY	REVISION DESCRIPTION

DATE: 12/12/22 SCALE: 1" = 20'
DRAWN: MMW F.B. K690
CHECKED: RJE PG. 54
SEC. 32 TWP. 48S RNG. 25E
ACAD NO. 22.269
REF. NO. 22.269

CLIENT: THE WATERMARK CONDOMINIUM ASSOCIATION, INC.

TITLE: SPECIFIC PURPOSE SURVEY OF THE WATERMARK, A CONDOMINIUM AS RECORDED IN OFFICIAL RECORDS BOOK 1593, PAGE 1450, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

COASTAL AND MARINE ENGINEERING
ENVIRONMENTAL AND GEOLOGICAL SERVICES
LAND AND MARINE SURVEY AND MAPPING

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

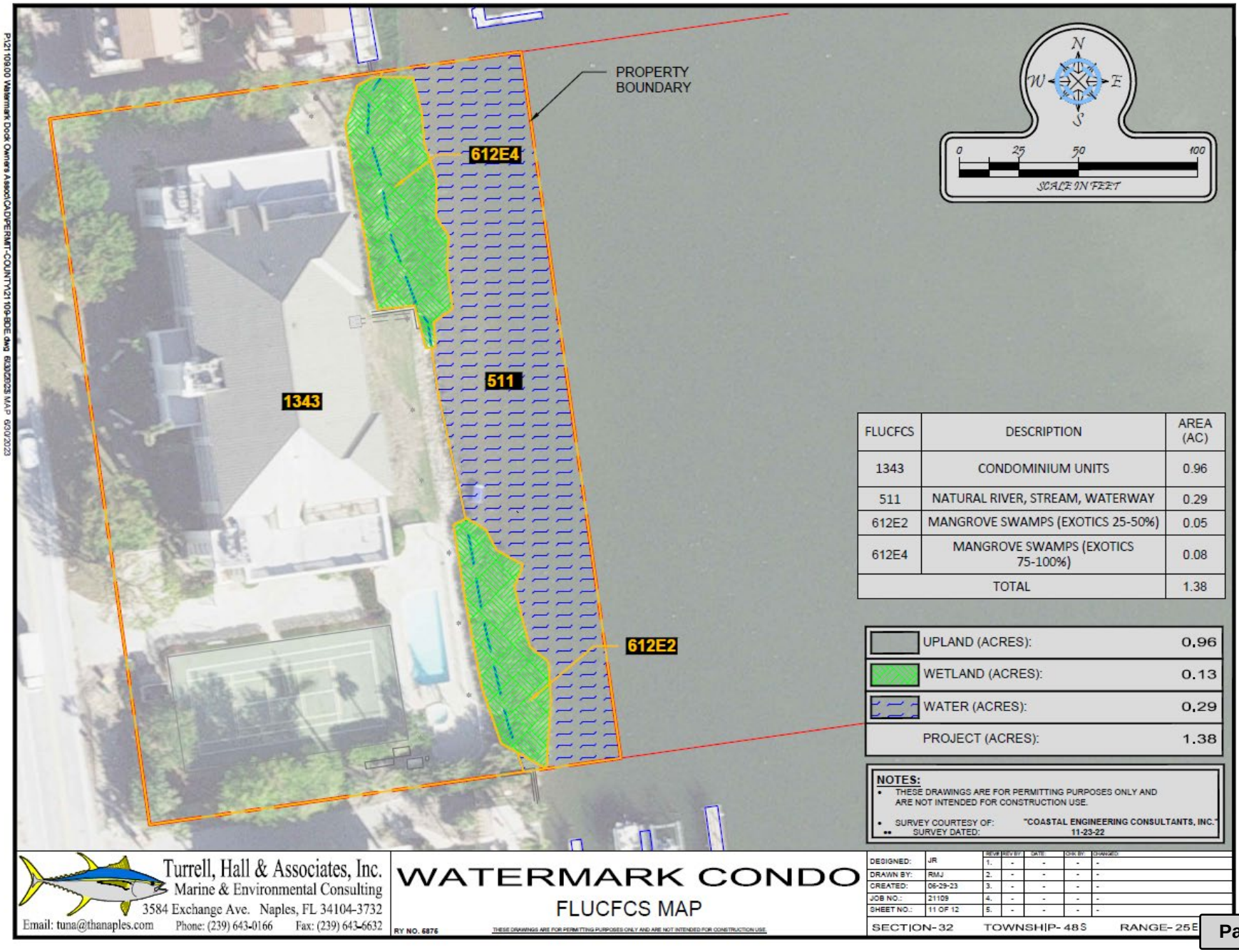
COASTAL ENGINEERING CONSULTANTS INC.
Serving Florida Since 1977
28421 BONITA CROSSINGS BOULEVARD
BONITA SPRINGS, FLORIDA 34135

SHEET 1 OF 1
FILE NO.: 22.269

Attachment: Attachment C - MPP Analysis PL20230012349 (25775 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

FLUCFCS MAP

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



FLUCFCS	DESCRIPTION	AREA (AC)
1343	CONDOMINIUM UNITS	0.96
511	NATURAL RIVER, STREAM, WATERWAY	0.29
612E2	MANGROVE SWAMPS (EXOTICS 25-50%)	0.05
612E4	MANGROVE SWAMPS (EXOTICS 75-100%)	0.08
TOTAL		1.38

UPLAND (ACRES):	0.96
WETLAND (ACRES):	0.13
WATER (ACRES):	0.29
PROJECT (ACRES):	1.38

NOTES:
- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- SURVEY COURTESY OF: "COASTAL ENGINEERING CONSULTANTS, INC."
- SURVEY DATED: 11-23-22

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

WATERMARK CONDO

FLUCFCS MAP

RY NO. 6876

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:	06-29-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	11 OF 12	5.	-	-	-	-

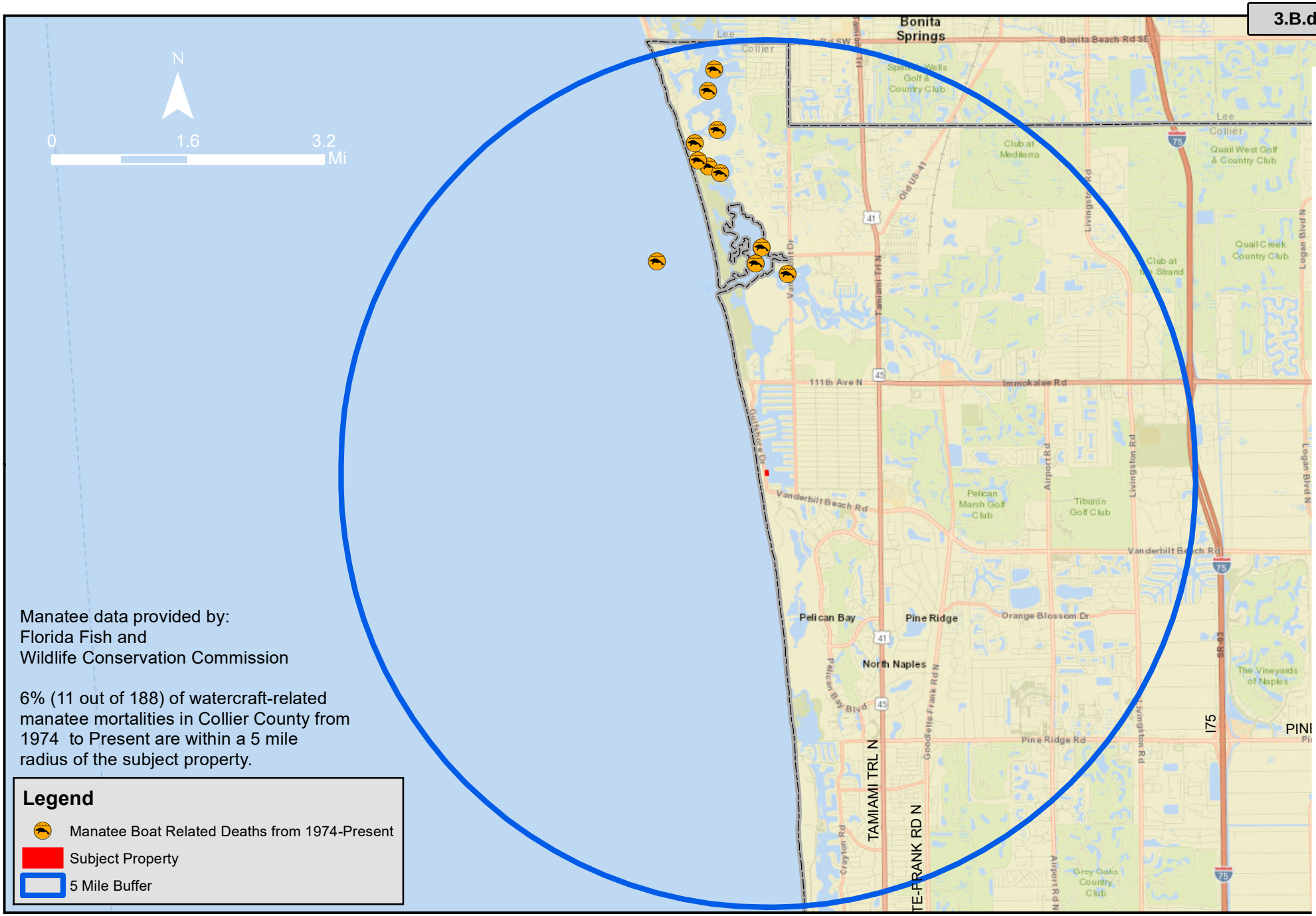
SECTION-32 TOWNSHIP-48S RANGE-25E

P\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 6/30/2023 MAP 6/30/2023

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore

MANATEE ABUNDANCE EXHIBIT

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



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Marine & Environmental Consulting
3484 Exchange Ave. Suite B. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

WATERMARK CONDO
MANATEE MORTALITY MAP

DRAWN BY:	RMJ	REVISION:	SCALE: 1 "=1.5 mi
CREATED:	06-30-23	N/A	FILE PATH:
JOB NO.:	21109	N/A	P:\21109.00 Watermark Dock Ow Assoc\GIS\21109_ ManateeMort-CNTY.mxd
SHEET:	12 OF 12	N/A	

SECTION-32 TOWNSHIP

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore

SRS SURVEY

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

WATERMARK CONDO
9380 GULF SHORE DR.
NAPLES, FL 34108
FOLIO #81207500021

SUBMERGED RESOURCE SURVEY
SECTION 32, TOWNSHIP 48 SOUTH, RANGE 25 EAST
COLLIER COUNTY, FLORIDA

MAY 2023

PREPARED BY:



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

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

1.0 INTRODUCTION

Turrell, Hall & Associates, Inc. (THA) has been contracted to provide environmental permitting & engineering services for the proposed new docking facility which accommodates 12 slips and boatlifts. A part of the permitting and design process includes completing an onsite Submerged Resource Survey (SRS) at the subject property Watermark Condo at 9380 Gulf Shore Dr. in Naples, FL 34108 that can be identified by folio #81207500021. This resource survey will provide planning assistance to both the property owner and regulating agencies during the review process for the proposed project.

The subject property consists of a multi-family residential complex that can be found on the east side of Gulf Shore Dr. along Vanderbilt Lagoon. The subject waterway connects directly to the Gulf of Mexico through Wiggins Pass. The upland parcel currently consists of a multi-family condominium with an existing rip-rap vegetated shoreline made up of mangroves and other vegetation scattered throughout. The property is neighbored to the north by a multi-family residence with a docking facility, to the south by a multi-family residence with a docking facility, to the east by the subject waterway, and to the west by Gulf Shore Drive.

The SRS was conducted on May 5, 2023, between approximately 11:30a.m. and 12:15 a.m. Site conditions on that day consisted of sunny skies with a gentle southeast breeze approximately 5-10mph. Water clarity was good too fair which allowed for approximately 12-24 inches of visibility. The ambient air temperature was approximately 85 degrees Fahrenheit with an incoming tide. A low tide occurred before the site visit at approximately 7:34 a.m. and reached approximately 0.9′ feet above the Mean Low Water Mark. High tide was achieved after the site visit at approximately 12:48 p.m., reaching approximately 2.5 feet above the Mean Low Water Mark.

2.0 OBJECTIVE

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

- THA personnel will conduct a site visit and swim a series of transects within the project site in order to verify the location of any submerged resources.

- THA personnel will identify submerged resources within the vicinity of the site and produce an estimate of the percent coverage of any resources found.

- THA personnel will delineate the approximate limits of any submerged resources observed via a handheld GPS device.

3.0 METHODOLOGY

THA biologists intentionally designed the methodology of the SRS to cover not only the entire subject property shoreline for the proposed dock and boathouse installation but also the area within 200 ft. of the proposed site as required by the Collier County LDC. The components utilized for this survey included:

- Reviewing aerial photography of the surveyed area.

- Establishing survey transect lines (spaced approximately 10 feet apart) overlaid onto aerials. (See attached Exhibits)

- Physically swimming the transects, GPS locating the limits of any submerged resources found, and determining the percent coverage within the area.

- Documenting and photographing all findings

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

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

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

4.0 RESULTS

The substrate found within the surveyed area consists of only 1 different characteristic being a silty muck material with scattered shell debris. There was also a lot of vegetation debris observed in the surrounding area, mostly from the recent storm surge that affected this area. Depths increased gradually with distance from the rip-rap shoreline increasing in depth out to the middle of the waterway with depths ranging from 2.5 to 8 feet.

During the survey, no seagrasses were observed but there were oyster debris consisting of small clusters and scattered oyster debris throughout. Accordingly, no impacts to any submerged resources are expected to occur as the result of the proposed project and no impacts are proposed to any of the existing mangroves along the subject shoreline. A list of species observed during the SRS can be seen below in Table 1.

Table 1 – Observed species of wildlife and vegetation within the vicinity of the project site

Common Name	**Scientific Name**
Striped Mullet	*Mugil cephalus*
Sheepshead	*Archosargus probatocephalus*
Gray Snapper	*Lutjanus griseus*
Common Snook	*Centropomus undecimalis*

5.0 CONCLUSIONS

The submerged resource survey was conducted and completed throughout a 200-foot radius surrounding the project site and yielded few results. An existing rip-rap shoreline is present with scattered mangroves and other vegetation. There were no seagrasses or other significant marine resources that were observed anywhere within the vicinity of the project site. There were significant amounts of barnacles and oyster debris observed in and around the mangrove roots contained up along the shoreline. Based off these observations it is THA opinion that the proposed project will not have any negative impacts to any submerged resources nor the subject waterway water quality.

6.0 PHOTOS

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 1: Existing property southern shoreline and mangroves.



Photo 2: Existing property shoreline and mangroves.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 3: View from existing shoreline of subject waterway



Photo 4: View of the existing northern shoreline and adjacent docking facility

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 5: View of shoreline from waterway.



Photo 6: Sediment with heavy shell and vegetation debris close to mangrove shoreline.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 7: Muck/silt sediment out in deeper portions of waterway.

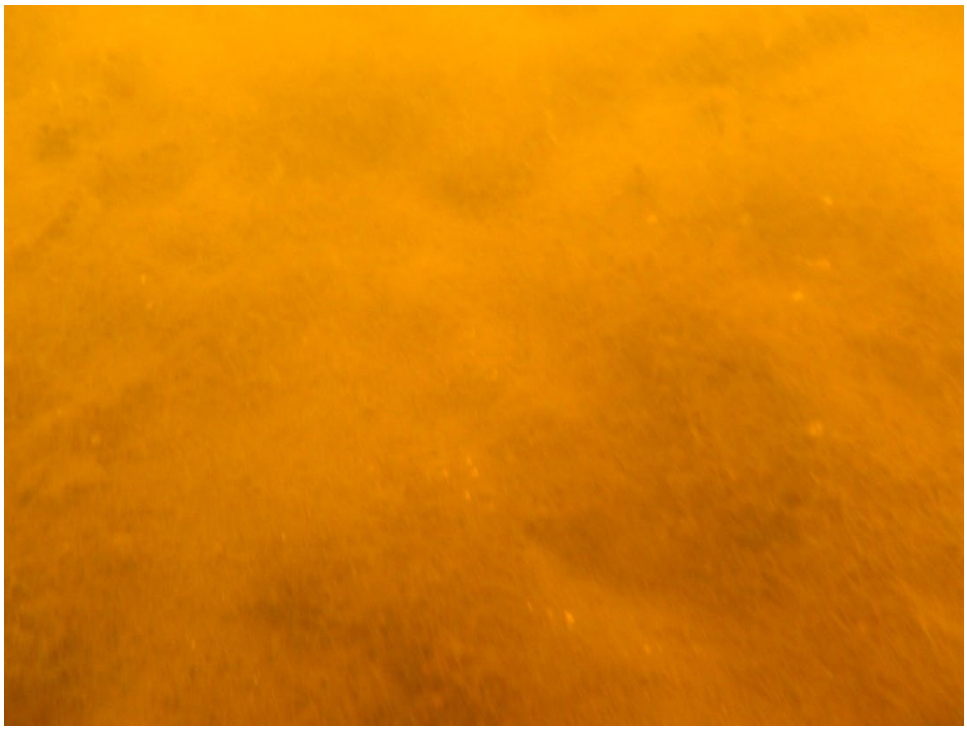


Photo 8: Typical bottom sediment.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 9: Adjacent dock looking south.

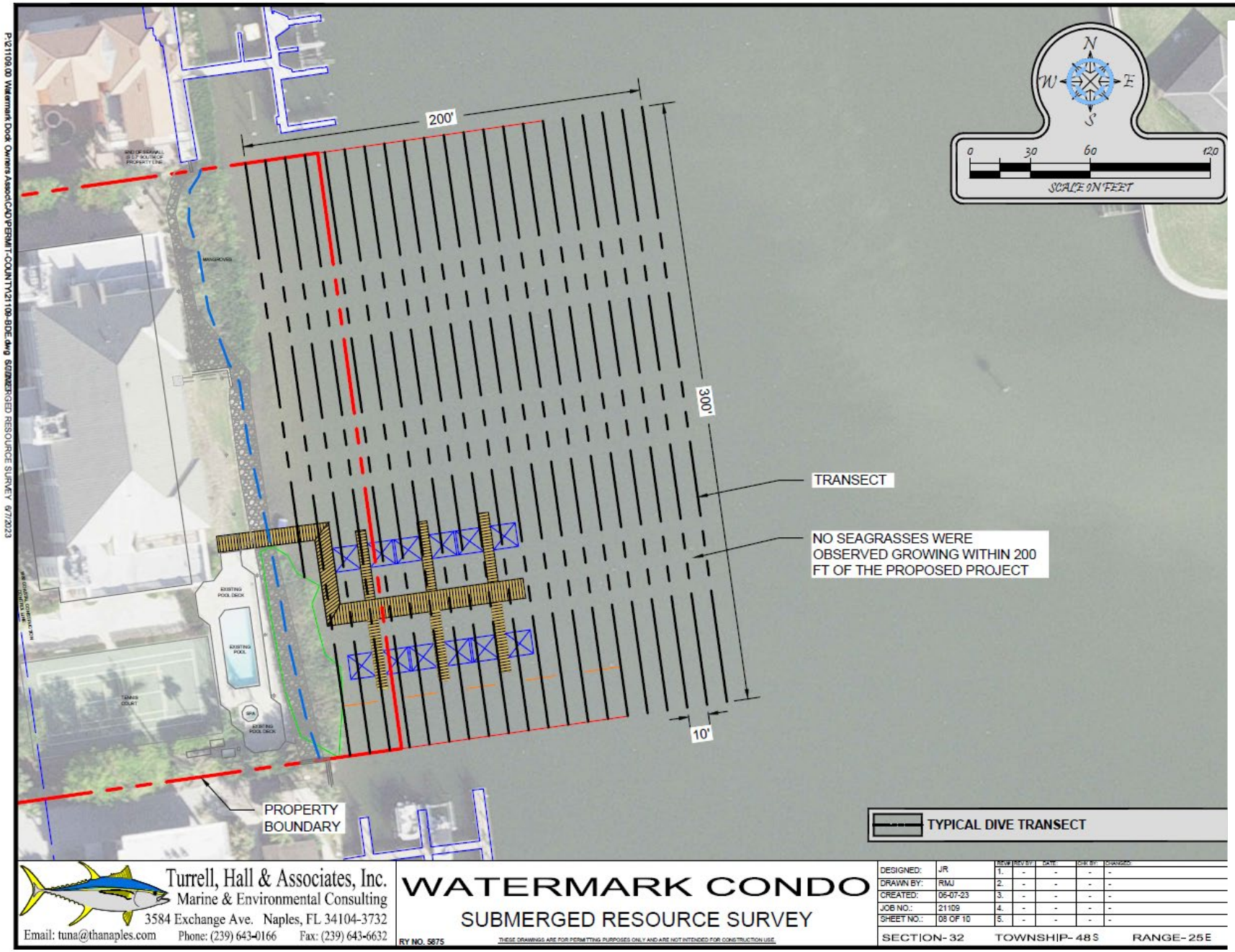
Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

EXHIBIT 1

SUBMERGED RESOURCE

DIVE TRANSECT MAP

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 6/7/2023 SUBMERGED RESOURCE SURVEY 6/7/2023

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

WATERMARK CONDO

SUBMERGED RESOURCE SURVEY

RY NO. 5875

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

		REV#	REV BY:	DATE:	CHK BY:	CHANGES:
DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	06-07-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	08 OF 10	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48 S RANGE- 25 E

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

APPENDIX I

PHOTOS OF SURVEY AREAS
2023



Typical Substrate



Typical Bottom Substrate with shell debris (above)

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Mangrove Fringe

SHORELINE PHOTOS



Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)





Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)





Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

ADDRESSING CHECKLIST

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Collier County
Growth Management
Community Development Department

ADDRESSING CHECKLIST

Please complete the following and upload via the CityView Portal with your submittal. Items marked with (*) are required for every application, other items are optional and may not apply to every project.

Forms are valid for 6 months following their submittal; an updated form will be required for a new submittal after that timeframe and any time the properties within the project boundary are modified.

Additional documents may be attached to this form and can include:

- * LOCATION MAP and/or SURVEY showing the proposed project boundary.
- List of additional folio numbers and associated legal descriptions.
- E-mail from Addressing Official for any pre-approved project and/or street names.

LOCATION INFORMATION

***FOLIO (Property ID) Number(s)** of subject property or properties. [Attach list if necessary]

27481040002

***LEGAL DESCRIPTION** of subject property or properties. [Attach list if necessary]

Please see attached

STREET ADDRESS(ES) where applicable, if already assigned.

9380 Gulf Shore Drive, Naples, FL 34108

PROJECT INFORMATION

Acceptance of this form does not constitute project and/or street name approval and is subject to further review by the Addressing Official. Pre-Approval may be requested by contacting us at GMD_Addressing@colliercountyfl.gov or 239-252-2482 prior to your submittal.

CURRENT PROJECT NAME

PROPOSED PROJECT NAME

PROPOSED STREET NAME(s)

LATEST APPROVED PROJECT NUMBER [e.g., SDP-94-##, PPL-2002-AR-####, PL2017000####]

Operations & Regulatory Management Division • 2800 North Horseshoe Drive • Naples, FL 34104 • 239-252-2400
www.colliercountyfl.gov

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

THE WATERMARK, A CONDOMINIUM

LEGAL DESCRIPTION

PARCEL A: The North half of Lot VII, all of Lot VIII, and the South half of Lot IX, Block B, of CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, according to the plat thereof, as recorded in Plat Book 3, Pages 8 and 9, Public Records of Collier County, Florida, (but not included in said Plat)

AND

PARCEL B: The North half of Lot IX and the South half of Lot X, Block B, of CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, according to the plat thereof, as recorded in Plat Book 3, Pages 8 and 9, Public Records of Collier County, Florida)but not included in said Plat).

EXHIBIT A-1

PAGE ONE

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Gulf Shore DR
Oak AVE

MANATEE AWARENESS & PROTECTION PLAN

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

WATERMARK CONDO

MANATEE AWARENESS AND PROTECTION PLAN

JULY 2023

PREPARED BY:

JEFF ROGERS
TURRELL, HALL & ASSOCIATES, INC.
3584 EXCHANGE AVE.
NAPLES, FL 34104
(239) 643-0166
jeff@thanaples.com

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

1.0 INTRODUCTION

Watermark Condo is located at 9380 Gulf Shore Dr. Naples, FL 34108 along the southern terminus of Vanderbilt Lagoon in Section 32, Township 48 South, Range 25 East, Collier County. The marina will feature a 12 wet slip private multi-family docking facility which will accommodate the residents. The proposed project also includes installing 12 boatlifts within the proposed slips.

1.1 Background

The West Indian Manatee (subspecies Florida Manatee) (Trichechus manatus latirostris) is a slow-moving herbivore marine mammal which frequents waters and bays of South Florida for its warmer waters. They are protected under the Endangered Species and Marine Mammal Protection Acts.

They can reach lengths of 14 feet and weigh up to 3,000 pounds. Manatee feed on marine grasses, alga, and floating plants.

Boats until recently were the most significant danger to manatees, however in 2020 and 2021 a sharp decline in seagrass beds have led to a rash of mortalities from starvation in the North Florida springs where they will winter. Seagrass beds in the Vanderbilt Lagoon system are very sporadic and generally small in size. The Watermark Condo facility's bottom lands do not contain seagrasses or macro algae.

Vanderbilt Lagoon to the Gulf of Mexico is also an Idle Speed /No Wake Zone, so the manatee which can be found in these waters are protected from vessels to a large degree.

2.0 EDUCATION AND PUBLIC AWARENESS

The applicant has agreed to install and maintain the following signage which will be required by special condition in the Department of Environmental Protection and U.S. Army Corps of Engineers permits. (Signage map attached.)

- Manatee educational signage at the proposed walkway access from the upland to the docks.

3.0 POSTING AND MAINTENANCE OF MANATEE SIGNAGE

Attached is a signage location map for the facility which includes the manatee and other federally protected sea life. That signage will be maintained in good condition for the life of the facility. If the signage becomes damaged or faded it will be replaced.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

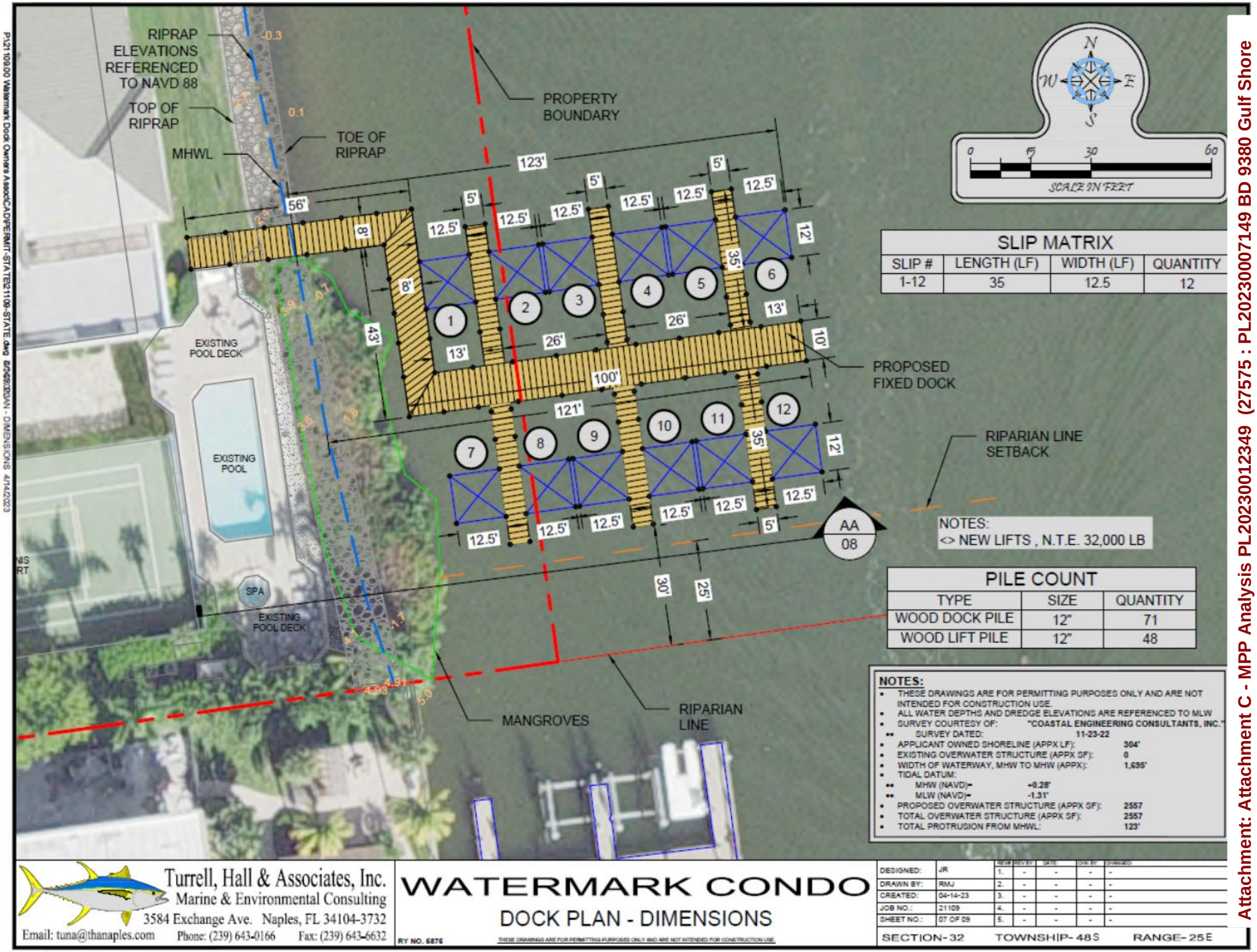
4.0 INFORMATION ON THE TYPE AND DESTINATION OF BOAT TRAFFIC GENERATED BY THE FACILITY

This facility will generate and be the recipient of the residence of Watermark Condo who are the authorized patrons proposed to use the docking facility. There are 12 slips total, but not all will be generating boat traffic on the same day. The facility will be used strictly by Watermark Condo residents for their private vessels. Most boat traffic will be destined for Vanderbilt Lagoon extending out to the Gulf of Mexico.

5.0 MARKING OF NAVIGATIONAL CHANNELS

Since the facility is located at the southern terminus of the Vanderbilt Lagoon basin with one entrance and exit navigation channels are not an issue until boats pass through Water Turkey bay extending to Wiggins Pass to then reach the Gulf of Mexico. These bays and waterways are already well marked so no other navigational markers will be required in association with the proposed facility.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



SLIP MATRIX			
SLIP #	LENGTH (LF)	WIDTH (LF)	QUANTITY
1-12	35	12.5	12

PILE COUNT		
TYPE	SIZE	QUANTITY
WOOD DOCK PILE	12"	71
WOOD LIFT PILE	12"	48

NOTES:
<> NEW LIFTS , N.T.E. 32,000 LB

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: "COASTAL ENGINEERING CONSULTANTS, INC."
  - SURVEY DATED: 11-23-22
- APPLICANT OWNED SHORELINE (APPX LF): 304'
- EXISTING OVERWATER STRUCTURE (APPX SF): 0
- WIDTH OF WATERWAY, MHW TO MHW (APPX): 1,695'
- TIDAL DATUM:
  - MHW (NAVD)= +0.28'
  - MLW (NAVD)= -1.31'
- PROPOSED OVERWATER STRUCTURE (APPX SF): 2557
- TOTAL OVERWATER STRUCTURE (APPX SF): 2557
- TOTAL PROTRUSION FROM MHWL: 123'

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

WATERMARK CONDO

DOCK PLAN - DIMENSIONS

RY NO. 5875

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

DESIGNED:	JR
DRAWN BY:	RMJ
CREATED:	04-14-23
JOB NO.:	21109
SHEET NO.:	07 OF 09

NO.	REV BY	DATE	CHK BY	CHANGES
1.	-	-	-	-
2.	-	-	-	-
3.	-	-	-	-
4.	-	-	-	-
5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48S RANGE- 25E

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-STATE\21109-STATE.dwg 5/5/2023 - DIMENSIONS 4/14/2023

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore

WATERMARK CONDO
9380 GULF SHORE DR.
NAPLES, FL 34108
FOLIO #81207500021

SUBMERGED RESOURCE SURVEY REPORT
MAY 2023

PREPARED BY:

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

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

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Table of Contents

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

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

1 INTRODUCTION

Turrell, Hall & Associates, Inc. (THA) has been contracted to provide environmental permitting & engineering services for the proposed new docking facility which accommodates 12 slips and boatlifts. A part of the permitting and design process includes completing an onsite Submerged Resource Survey (SRS) at the subject property Watermark Condo at 9380 Gulf Shore Dr. in Naples, FL 34108 that can be identified by folio #81207500021. This resource survey will provide planning assistance to both the property owner and regulating agencies during the review process for the proposed project.

The subject property consists of a multi-family residential complex that can be found on the east side of Gulf Shore Dr. along Vanderbilt Lagoon. The subject waterway connects directly to the Gulf of Mexico through Wiggins Pass. The upland parcel currently consists of a multi-family condominium with an existing rip-rap vegetated shoreline made up of mangroves and other vegetation scattered throughout. The property is neighbored to the north by a multi-family residence with a docking facility, to the south by a multi-family residence with a docking facility, to the east by the subject waterway, and to the west by Gulf Shore Drive.

The SRS was conducted on May 5, 2023, between approximately 11:30a.m. and 12:15 a.m. Site conditions on that day consisted of sunny skies with a gentle southeast breeze approximately 5-10mph. Water clarity was good too fair which allowed for approximately 12-24 inches of visibility. The ambient air temperature was approximately 85 degrees Fahrenheit with an incoming tide. A low tide occurred before the site visit at approximately 7:34 a.m. and reached approximately 0.9′ feet above the Mean Low Water Mark. High tide was achieved after the site visit at approximately 12:48 p.m., reaching approximately 2.5 feet above the Mean Low Water Mark.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

2 OBJECTIVE

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

- THA personnel will conduct a site visit and swim a series of transects within the project site in order to verify the location of any submerged resources.

- THA personnel will identify submerged resources within the vicinity of the site and produce an estimate of the percent coverage of any resources found.

- THA personnel will delineate the approximate limits of any submerged resources observed via a handheld GPS device.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

3 METHODOLOGY

THA biologists intentionally designed the methodology of the SRS to cover not only the entire subject property shoreline for the proposed dock and boathouse installation but also the area within 200 ft. of the proposed site as required by the Collier County LDC. The components utilized for this survey included:

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

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

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

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

4 RESULTS

The substrate found within the surveyed area consists of only 1 different characteristic being a silty muck material with scattered shell debris. There was also a lot of vegetation debris observed in the surrounding area, mostly from the recent storm surge that affected this area. Depths increased gradually with distance from the rip-rap shoreline increasing in depth out to the middle of the waterway with depths ranging from 2.5 to 8 feet.

During the survey, no seagrasses were observed but there were oyster debris consisting of small clusters and scattered oyster debris throughout. Accordingly, no impacts to any submerged resources are expected to occur as the result of the proposed project and no impacts are proposed to any of the existing mangroves along the subject shoreline. A list of species observed during the SRS can be seen below in Table 1.

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

Common Name	**Scientific Name**
Striped Mullet	*Mugil cephalus*
Sheepshead	*Archosargus probatocephalus*
Gray Snapper	*Lutjanus griseus*
Common Snook	*Centropomus undecimalis*

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

5 CONCLUSION

The submerged resource survey was conducted and completed throughout a 200-foot radius surrounding the project site and yielded few results. An existing rip-rap shoreline is present with scattered mangroves and other vegetation. There were no seagrasses or other significant marine resources that were observed anywhere within the vicinity of the project site. There were significant amounts of barnacles and oyster debris observed in and around the mangrove roots contained up along the shoreline. Based off these observations it is THA opinion that the proposed project will not have any negative impacts to any submerged resources nor the subject waterway water quality.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

6 PHOTOS



Photo 1: Existing property southern shoreline and mangroves.



Photo 2: Existing property shoreline and mangroves.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 3: View from existing shoreline of subject waterway



Photo 4: View of the existing northern shoreline and adjacent docking facility

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 5: View of shoreline from waterway.



Photo 6: Sediment with heavy shell and vegetation debris close to mangrove shoreline.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 7: Muck/silt sediment out in deeper portions of waterway.

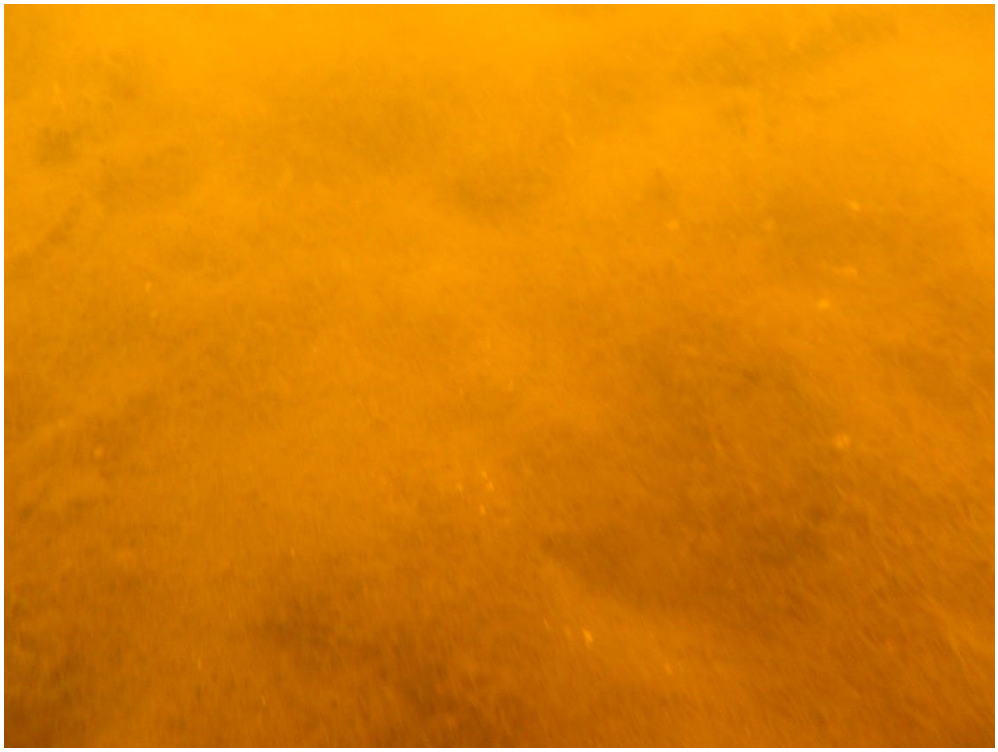


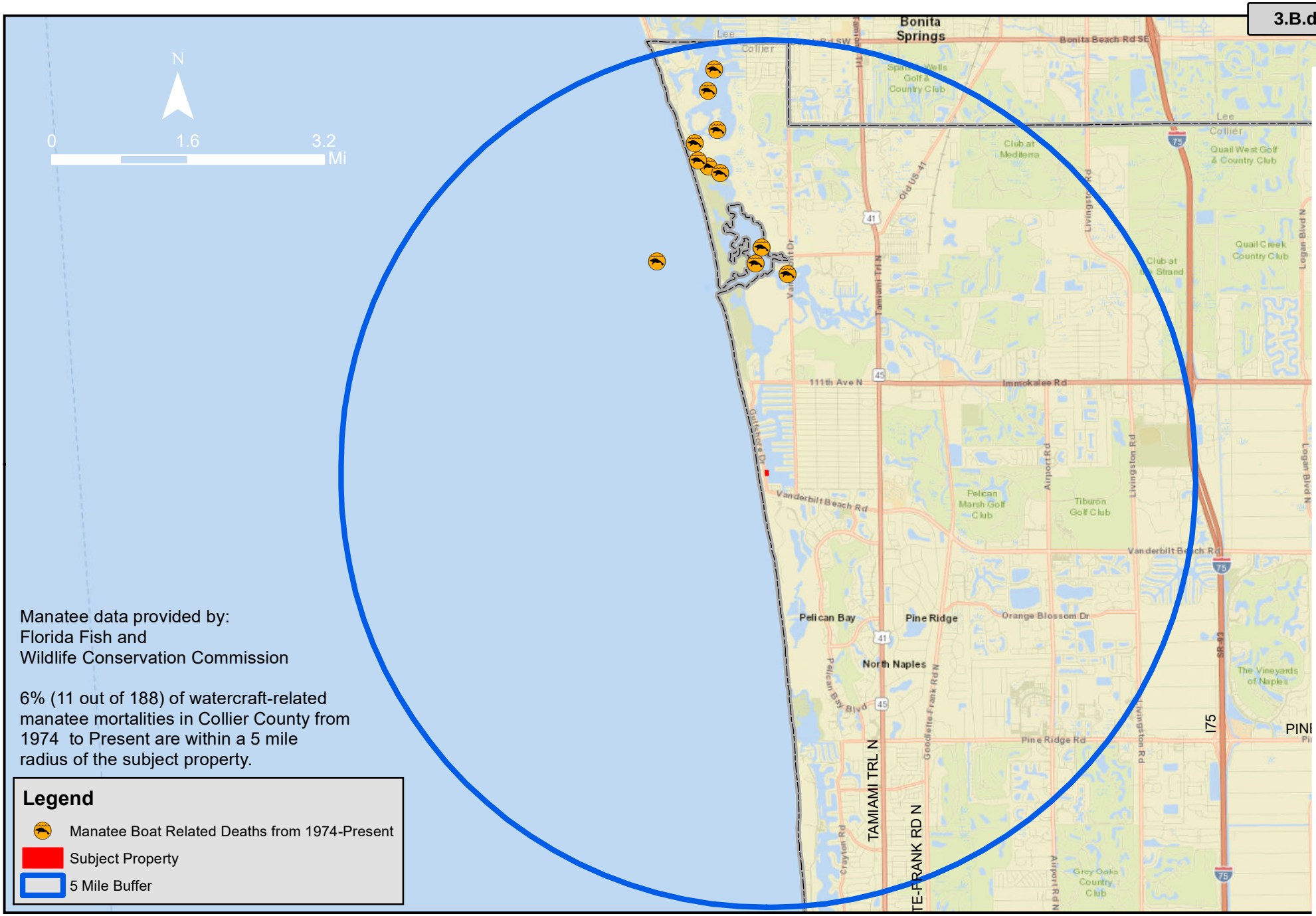
Photo 8: Typical bottom sediment.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 9: Adjacent dock looking south.

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3484 Exchange Ave. Suite B. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

WATERMARK CONDO
MANATEE MORTALITY MAP

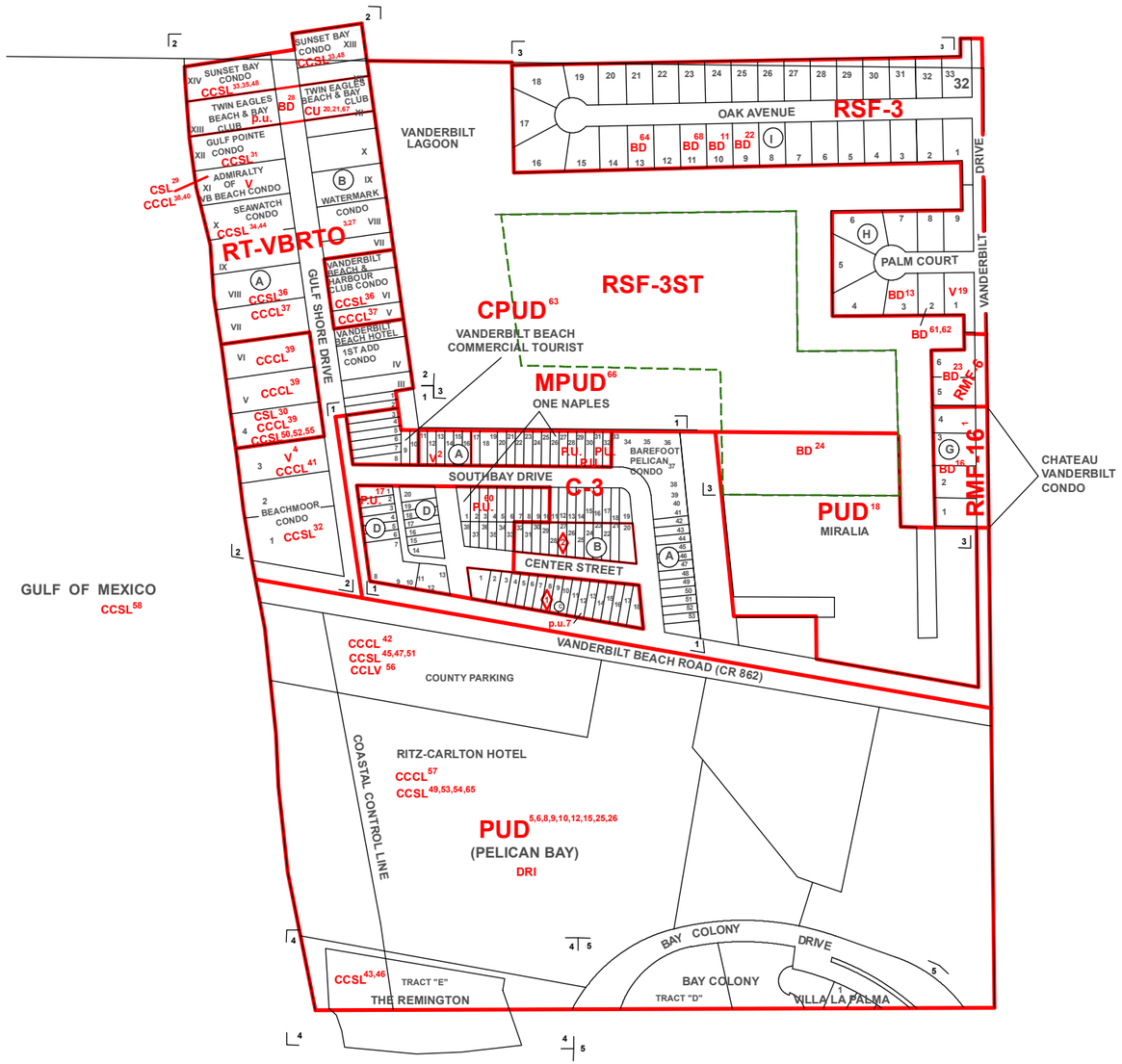
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JOB NO.:	21109	N/A	P:\21109.00 Watermark Dock Ow Assoc\GIS\21109_ ManateeMort-CNTY.mxd
SHEET:	12 OF 12	N/A	

SECTION-32 TOWNSHIP

Attachment: Attachment C - MPP Analysis PL20230012349 (27575 : PL20230007149 BD 9380 Gulf Shore

The Historic/Archaeological Probability Maps are the official County source designating historic or archaeologic resources.

8529S



8532S

8533N

INDICATES SPECIAL TREATMENT OVERLAY

SUBDIVISON INDEX

NO.	NAME	P.B.	Pg.
1	VANDERBILT BEACH CENTER	3	16
2	CONNER'S VANDERBILT BEACH ESTATES UNIT 1	3	8-9
3	CONNER'S VANDERBILT BEACH ESTATES UNIT 2	3	17
4	PELICAN BAY UNIT 8	15	27-29
5	PELICAN BAY UNIT 10	15	64-67
6			
7			
8			
9			
10			

ZONING NOTES

1 8-24-82 R-82-24-C 82-74
2 8-27-85 V-85-20 C 85-183
3 12-17-85 R-85-21C 85-78
4 11-15-88 V-88-7 88-287
5 8-12-86 PDA-86-6C 86-42
6 1-27-87 PDA-86-12C 87-1
7 8-11-87 PU-87-1C 87-184
8 11-8-88 PDA-88-11C 88-84
9 6-13-89 PDA-89-7 89-35
10 10-24-89 SDV-89-2 89-296
11 8-2-90 BD-90-8 90-7
12 8-21-90 PDA-90-4 90-66
13 5-16-91 BD-91-4 91-7
14 5-13-92 REMOVAL OF ST FROM PELICAN BAY BY REQUEST FOR LEGAL SERVICE NO. GWP9202301
15 9-14-93 PUD-76-3(14) 93-63
16 10-7-93 BD-93-16 93-30
17 3-11-96 PUD-96-2 96-12
18 5-28-96 V-96-5 96-174
19 6-23-98 CU-98-7 98-234
20 9-12-00 CU-00-10 00-300
21 11-2-00 BD-00-20 00-29
22 6-21-01 BD-01-AR-739 01-13
23 10-4-01 BD-01-AR-1198 01-23
24 9-21-04 PUDA-03-AR-4008 04-59
25 9-21-04 DRI-03-AR-4777 04-286
26 9-21-04 LDC 04-01
27 1-7-04 BD-PL-10-1685 11-03
28 5-19-11 CSL-77-1
29 5-31-77 CSL-77-2
30 5-10-77 CCSL-77-5C
31 11-15-77 CCSL-78-1C
32 3-7-78 CCSL-78-2C 78-40
33 3-21-78 CCSL-78-5C 78-111
34 7-18-78 CCSL-79-3C 79-160
35 10-2-79 CCSL-79-4C 79-151
36 10-2-79 CCCL-79-5C 79-178
37 12-4-79 CCCL-82-1C 81-255
38 9-14-82 CCCL-82-5C 82-131
39 10-23-84 CCCL-84-3C 84-200
40 5-10-88 CCCL-87-8C 88-108
41 2-14-89 CCCL-89-1C 89-35
42 1-8-91 CCSL-90-13 91-13
43 3-19-91 CCSL-90-11 91-257
44 2-18-92 CCSL-91-9 92-136
45 2-18-92 CCSL-91-7 92-137
46 5-11-93 CCSL-93-3 93-194
47 6-14-94 CCSL-94-4 94-421
48 3-28-95 CCSL-94-15 95-247
49 8-5-97 CCSL-97-2 97-316
50 1-13-98 CCSL-97-4 98-16
51 6-23-98 CCSL-98-3 98-235
52 8-1-00 CCSL-00-3 00-252
53 6-11-02 CCSL-02-AR-2343 02-266
54 10-14-03 CCSL-01-AR-1922 03-355
55 9-27-11 CCLV-PL-10-1612 11-181
56 2-2-83 CCSL-83-9C 83-117
57 2-2-95 CCSL-95-1 95-431
58 "DELETED"
59 6-12-79 PU 79-6C PU'S'
60 7-5-18 BD-PL-17-2726 HEX 18-13
61 8-27-18 BD-PL-17-2726 HEX 18-16
62 (SCRIVENER'S ERROR)
63 6-9-20 PUDZ-PL-18-2793 20-14
64 10-23-20 BDE-PL-20-2922 HEX 20-17
65 10-23-20 CCSV-PL-20-764 HEX 20-22
66 3-1-21 PUDZ-PL-19-697 21-09
67 4-22-22 CU-PL-21-1683 HEX 22-16
68 9-9-22 BDE-PL-21-87 HEX 22-36

DEVELOPMENT STANDARDS MODIFICATIONS

1 6-22-92 R-92-4 92-43
2 3-1-21 PUDZ-PL-19-697 21-09

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, AS AMENDED BY THE ZONING NOTES AND SUBDIVISION INDEX REFERENCED HEREON.

BY_____CHAIRMAN

ATTEST_____CLERK

N

COLLIER COUNTY, FLORIDA

COMMUNITY DEVELOPMENT DIVISION

TWP 48S RNG 25E SEC(S) 32 NO 1/2

SCALE 0 400

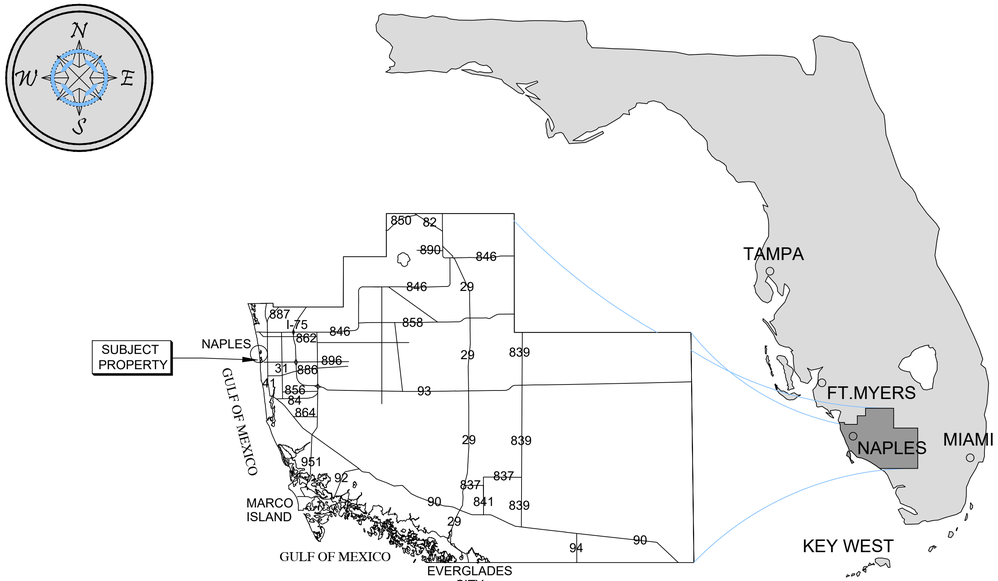
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LAST REVISION: ZONING 10/4/2022 OTHER

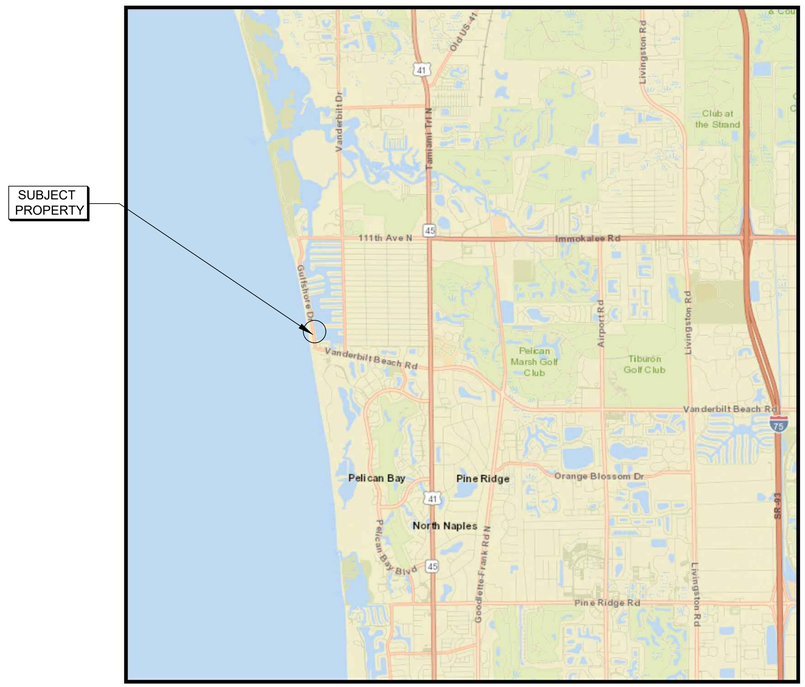
Attachment: Attachment D - Zoning Atlas 8532N (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

WATERMARK CONDO
SDP - 89-120
INSUBSTANTIAL CHANGE

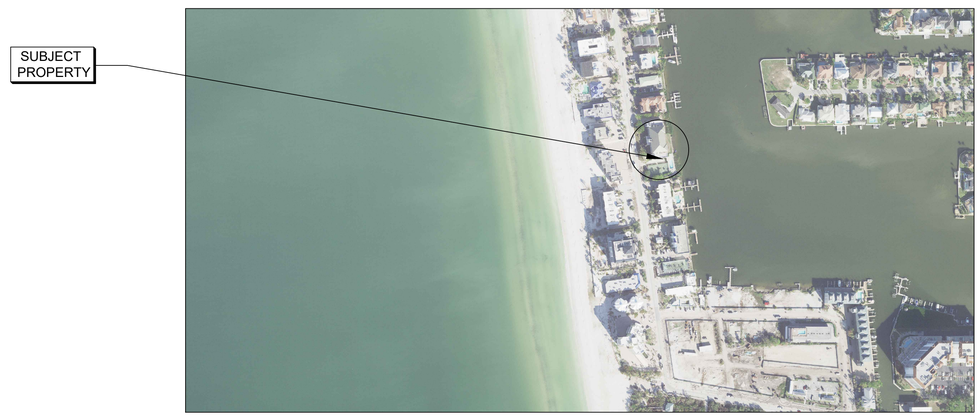
STATE OF FLORIDA



COLLIER COUNTY



VICINITY MAP



COUNTY AERIAL

NOTES:
<> THESE DRAWINGS ARE INTENDED FOR CONSTRUCTION USE.

SITE ADDRESS:
<> 9380 GULF SHORE DR
NAPLES, FL 34108

<> LATITUDE: N 26.256952
<> LONGITUDE: W -81.822757

Owner: The Watermark, a Condominium

Zoning: RT-VBRTO

Note: Companion application BDE-PL20230007149

Main Folio Number: 27481040002

Unit Folio Numbers:

81207500021, 81207500047, 81207500063, 81207500089, 81207500102, 81207500128, 81207500144, 81207500160, 81207500186, 81207500209, 81207500225, 81207500241, 81207500267, 81207500283, 81207500306, 81207500322, 81207500348, 81207500364, 81207500380, 81207500403, 81207500429, 81207500445

Legal Description

Parcel A: The North half of Lot VII, all of Lot VIII, and the South Half of Lot IX, Block B, of CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, according to the plat thereof, as recorded in Plat Book 3, Pages 8 and 9, Public Records of Collier County, Florida, (but not included in said Plat)

AND

Parcel B: The North half of Lot IX and the South half of Lot X, Block B, of CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, according to the plat thereof, as recorded in Plat Book 3, Pages 8 and 9, Public Records of Collier County, Florida (but not included in said Plat).

TODD T. TURRELL LICENSE No 39659 STATE OF FLORIDA PROFESSIONAL ENGINEER

Digitally signed by Todd T Turrell
Date: 2023.08.01 12:43:54 -04'00'

TODD T. TURRELL
REGISTERED PROFESSIONAL ENGINEER
LICENSE NO. 39659
DATE: Aug 1, 2023

TODD T. TURRELL STATE OF FLORIDA, PROFESSIONAL ENGINEER, LICENSE NO. 39659. THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY TODD T. TURRELL, P.E. USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES

WATERMARK CONDO
LOCATION PAGE

TURRELL, HALL & ASSOCIATES, INC.
Marine & Environmental Consulting
3584 Exchange Ave. Suite B,
Naples, FL 34104-3772
Phone: (239) 643-0166
Fax: (239) 643-6632
email: tuna@turrell-associates.com

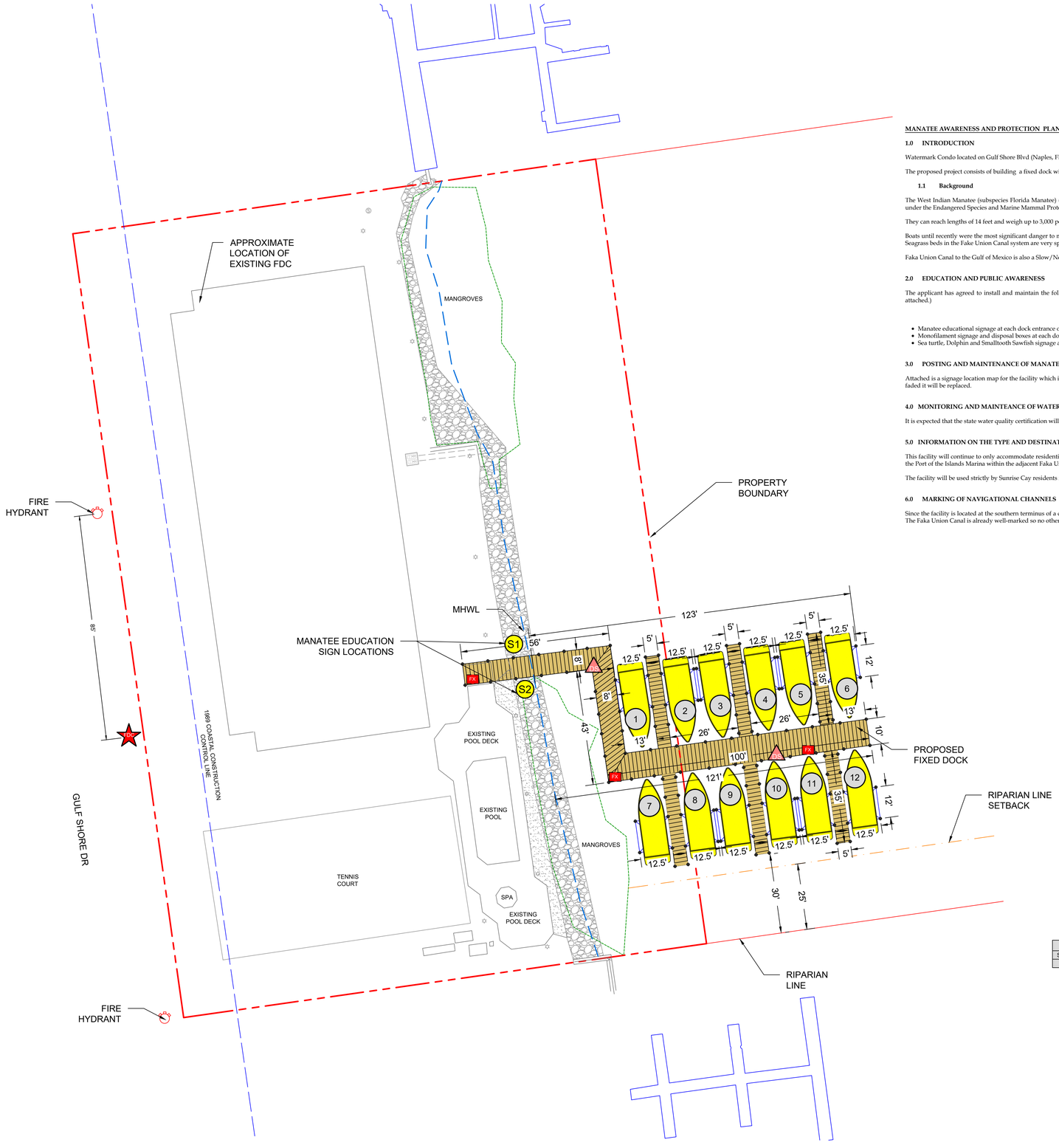
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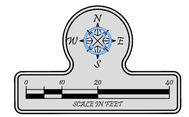
DRAWN BY:	REVIEWED BY:
RMJ	JR

PROJECT:	SHEET:
21109	01

DATE:	SCALE:	LAYOUT:
07-31-23	N/A	LOCATION PAGE

Attachment: Attachment E - SDPI-PL20220008960 Rev3 – Pending Approval (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)





MANATEE AWARENESS AND PROTECTION PLAN

1.0 INTRODUCTION

Watermark Condo located on Gulf Shore Blvd (Naples, FL 34108) in Section 32, Township 48 South, Range 25 East, Collier County.

The proposed project consists of building a fixed dock with 12 slips and installing 12 boatlifts , including the installation of the approximate 71 dock piles and 48 boatlift piles.

1.1 Background

The West Indian Manatee (subspecies Florida Manatee) (*Trichechus manatus latirostris*) is a slow-moving herbivore marine mammal which frequents waters and bays of South Florida for its warmer waters. They are protected under the Endangered Species and Marine Mammal Protection Acts.

They can reach lengths of 14 feet and weigh up to 3,000 pounds. Manatee feed on marine grasses, alga, and floating plants.

Boats until recently were the most significant danger to manatees, however in 2020 and 2021 a sharp decline in seagrass beds have led to a rash of mortalities from starvation in the North Florida springs where they will winter. Seagrass beds in the Fake Union Canal system are very sporadic and generally small in size. The Sunrise Cay facility's bottom lands do not contain seagrasses or macro algae.

Faka Union Canal to the Gulf of Mexico is also a Slow/No Wake Speed Zone, so the manatee which can be found in these waters are protected from vessels to a large degree.

2.0 EDUCATION AND PUBLIC AWARENESS

The applicant has agreed to install and maintain the following signage which will be required by special condition in the Department of Environmental Protection and U.S. Army Corps of Engineers permits. (Signage map attached.)

- Manatee educational signage at each dock entrance on the upland.
- Monofilament signage and disposal boxes at each dock entrance, except the fuel dock where it will be located at the ship store.
- Sea turtle, Dolphin and Smalltooth Sawfish signage at the ship store.

3.0 POSTING AND MAINTENANCE OF MANATEE SIGNAGE

Attached is a signage location map for the facility which includes the manatee and other federally protected sea life. That signage will be maintained in good condition for the life of the facility. If the signage becomes damaged or faded it will be replaced.

4.0 MONITORING AND MAINTEANCE OF WATER QUALITY TO COMPLY WITH STATE STANDARDS

It is expected that the state water quality certification will require some kind of water quality monitoring upon issuance. The testing and monitoring will be done and submitted as required.

5.0 INFORMATION ON THE TYPE AND DESTINATION OF BOAT TRAFFIC GENERATED BY THE FACILITY

This facility will continue to only accommodate residential boat traffic associated with each upland unit owner. There are 42 slips existing and proposed, but not all will be generating boat traffic on the same day. Additionally, the Port of the Islands Marina within the adjacent Faka Union Canal offers fuel to the local surrounding community and any transient vessels but no additional traffic will be a result of the proposed project.

The facility will be used strictly by Sunrise Cay residents for their private vessels. Most boat traffic will be destined for the Faka Union Canal and the Gulf of Mexico.

6.0 MARKING OF NAVIGATIONAL CHANNELS

Since the facility is located at the southern terminus of a canal with one entrance and exit point with no thread of navigation. The navigation channels start out in the Faka Union Canal extending out to reach the Gulf of Mexico. The Faka Union Canal is already well-marked so no other navigational markers will be required in association with the proposed facility.

NOTES:
<> DOCKS WILL NOT BE USED FOR COMMERCIAL PURPOSES.
<> ALL PROHIBITED EXOTIC VEGETATION SHALL BE REMOVED FROM THE SITE AND IT SHALL BE MAINTAINED FREE OF EXOTICS IN PERPETUITY.

LEGEND	
FDC	FIRE DEPARTMENT CONNECTION WITHIN 100' OF THE FIRE HYDRANT
FX	MEE FIRE STATION : MODEL FS1020 WITH A 10LB "A-B-C" RATED EXTINGUISHER WITH LIGHT
DPC	DRY FIRE STANDPIPE CONNECTION WITH REFLECTIVE IDENTIFICATION VALVE TO HAVE ON CAP WITH LANYARD
	EXISTING FIRE HYDRANT

SLIP MATRIX			
SLIP #	LENGTH (LF)	WIDTH (LF)	QUANTITY
1-12	35	12.5	12

LENGTH (LOA)	NO.
35	12

S1
24"
30"



S2
36"
30"



NOTES:
- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT TO BE USED FOR CONSTRUCTION USE.
- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: **"COASTAL ENGINEERING CONSULTANTS, INC."**
- SURVEY DATED: **11-23-22**
- APPLICANT OWNED SHORELINE (APPX LF): **304'**
- EXISTING OVERWATER STRUCTURE (APPX SF): **0**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1,695'**
- TIDAL DATUMS:
  - MHW (NAVD)= **+1.25'**
  - MLW (NAVD)= **-1.31'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **2557**
- TOTAL OVERWATER STRUCTURE (APPX SF): **2557**
- TOTAL PROTRUSION FROM MHWL: **123'**

WATERMARK CONDO
SDPI PLAN

TURRELL, HALL & ASSOCIATES, INC.
Marine & Environmental Consulting
3584 Exchange Ave, Suite B,
Naples, FL 34104-3732
Phone: (239) 643-0166
Fax: (239) 643-6632
email: tuna@turrell-associates.com

REVISED BY:	DATE:	CHANGED:
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DRAWN BY:	PROJECT:	DATE:	SCALE:	LAYOUT:
RMJ	21109	07-31-23	N/A	SDPI PLAN

REVIEWED BY: JR
SHEET: 02

Attachment: Attachment E - SDPI-PL20220007149 BD 9380 Gulf Shore Dr Watermark Condominium) Pending Approval (27575 : PL20220007149 BD 9380 Gulf Shore Dr Watermark Condominium) Rev3 – Pending Approval (27575 : PL20220007149 BD 9380 Gulf Shore Dr Watermark Condominium) Rev3

P:\21109.00 Watermark, Gulf Shore, Aaron\CAD\PERMIT\COUNTY\11-SDPI.dwg, 23/13/23



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FX	MEE FIRE STATION : MODEL FS1020 WITH A 10LB "A-B-C" RATED EXTINGUISHER WITH LIGHT
	DRY FIRE STANDPIPE CONNECTION WITH REFLECTIVE IDENTIFICATION VALVE TO HAVE ON CAP WITH LANYARD
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LENGTH (LOA)	NO.
35	12

S1
24"
50"

S2
36"
36"

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- ALL DEPTHS ON CHART ARE IN FEET. THE ELEVATIONS ARE REFERENCED TO MLW
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- SURVEY DATED: **11-23-22**
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- TOTAL OVERWATER STRUCTURE (APPX SF): **2857**
- TOTAL PROTRUSION FROM MHWL: **123'**

WATERMARK CONDO
SDPI PLAN WITH AERIAL

TURRELL, HALL & ASSOCIATES, INC.
Marine & Environmental Consulting
3584 Exchange Ave, Suite B,
Naples, Fl. 34104-3732
Phone: (239) 643-0166
Fax: (239) 643-6632
email: tuna@turrell-associates.com

REVISED BY:	DATE:	CHANGED:
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DRAWN BY:	REVIEWED BY:
RMJ	JR

PROJECT:	SHEET:
21109	03

DATE	SCALE:	LAYOUT:
07-31-23	N/A	SDPI PLAN WITH AERIAL

Attachment: Attachment E - SDPI-PL20220068960 Rev3 – Pending Approval (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

LIMITS OF CHANGES

SITE BREAKDOWN

TOTAL SITE = 1.38 AC

	SF	AC	% SITE
BUILDING FOOTPRINT	12,269	0.28	20%
IMPERVIOUS AREAS			
PAVED AREAS	5042	0.12	8%
TENNIS COURT	3600	0.08	6%
GREEN AREAS	21,665	0.50	37%
VANDERBILT BAY	17,424	0.40	29%
TOTAL SITE		1.38	100%



PAVEMENT DETAIL
PARKING LOT

(A) WEARING SURFACE - MATERIALS AND CONSTRUCTION THEREOF SHALL CONFORM TO THE REQUIREMENTS OF FDOT SPEC. SECTIONS 330, 331, 336, 333, OR 337 AND TO THE PLANS. ASPHALTIC CONCRETE SURFACE SHALL BE TYPE S-1 MODIFIED MEETING REQUIREMENTS OF SECTION 331 AND SECTION 916.

(B) LIMEROCK BASE - MATERIAL AND CONSTRUCTION THEREOF SHALL CONFORM TO THE REQUIREMENTS OF FDOT SPEC. NO. SECTION 200 ARTICLES 200-1 THROUGH 200-15, SECTION 204, ARTICLES 204-1 THROUGH 204-8, AND TO THE PLANS.

PRIME AND TACK COATS - THE MATERIAL AND CONSTRUCTION THEREOF SHALL CONFORM TO THE REQUIREMENTS OF FDOT SPEC. SECTION 916 AND 300, ARTICALS 300-1 THROUGH 300-7 AND TO THE PLANS. THE MATERIAL USED FOR PRIME COAT SHALL BE CUT-BACK ASPHALT GRADE RC-70 OR SPECIAL RC-CHALLENGE. THE MATERIAL USED FOR TACK COAT SHALL BE EMULSIFIED ASPHALT GRADE RS-2.

(C) STABILIZING - STABILIZATION SHALL BE PERFORMED WHERE SHOWN ON THE DRAWINGS AND SHALL CONFORM TO THE REQUIREMENTS OF FDOT SPEC. SECTION 160 AND TO THE PLANS.

COMPACTED SUBGRADE - SUBGRADES SHALL BE COMPACTED TO THE LINES, GRADES AND CROSS SECTIONS SHOWN ON THE DRAWINGS AND IN ACCORDANCE WITH SECTION 160 OF FDOT SPECIFICATIONS. IN ADDITION TO THE REQUIREMENTS OF SAID SPECIFICATIONS, THE CONTRACTOR SHALL PROOF ROLL THE COMPLETED STABILIZED SUBGRADE SHALL HAVE HOBAN LIMEROCK BEARING RATIO VALUE OF 40 OR MORE. THE LIMEROCK BASE SHALL BE A MINIMUM THICKNESS OF SIX (6) INCHES AND BE COMPACTED TO 98 PERCENT MAXIMUM DENSITY AT OPTIMUM MOISTURE AS DEFINED BY AASHTO T-180. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN THE SUBGRADE UNTIL THE BASE IS CONSTRUCTED.

Storm Water Management

Water Mark

Site to have [illegible] of impervious and [illegible] of total, water quality is only required.

Water Quality

1) 1" x Total Site Classic
1" x 0.000 AC x 12"/1" = 0.00 AC-FT
2) 2.5" x Impervious
Total Site - Bay - Road
1.38 AC - 0.40 AC - 0.28 AC
= 0.70 AC
x 0.20 AC = [illegible] Acre
= 0.14 AC = 0.00 AC
x 0.20 AC = 0.00 AC
0.28 x [illegible]
0.28 x 0.00 AC x 2" [illegible]

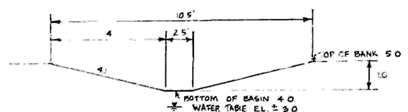
[illegible] EL 4.8

RETENTION PROVIDED

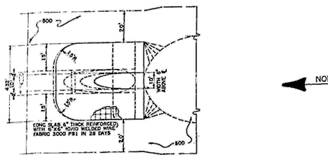
	947 CF
	440 CF
	215 CF
	1602 CF



RETENTION BASIN A & B
N.T.S.
RETENTION BASIN A & B OVERFLOW INTO CATCH BASIN



RETENTION BASIN C
N.T.S.
RETENTION BASIN C OVERFLOWS INTO R/W SWALE
NOTE: BASIN ELEVATIONS ARE TO TOP OF SOD

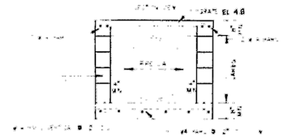


TOP VIEW - SINGLE PIPE

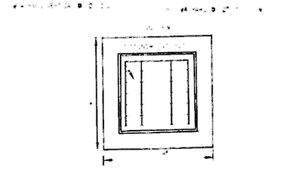


SECTION

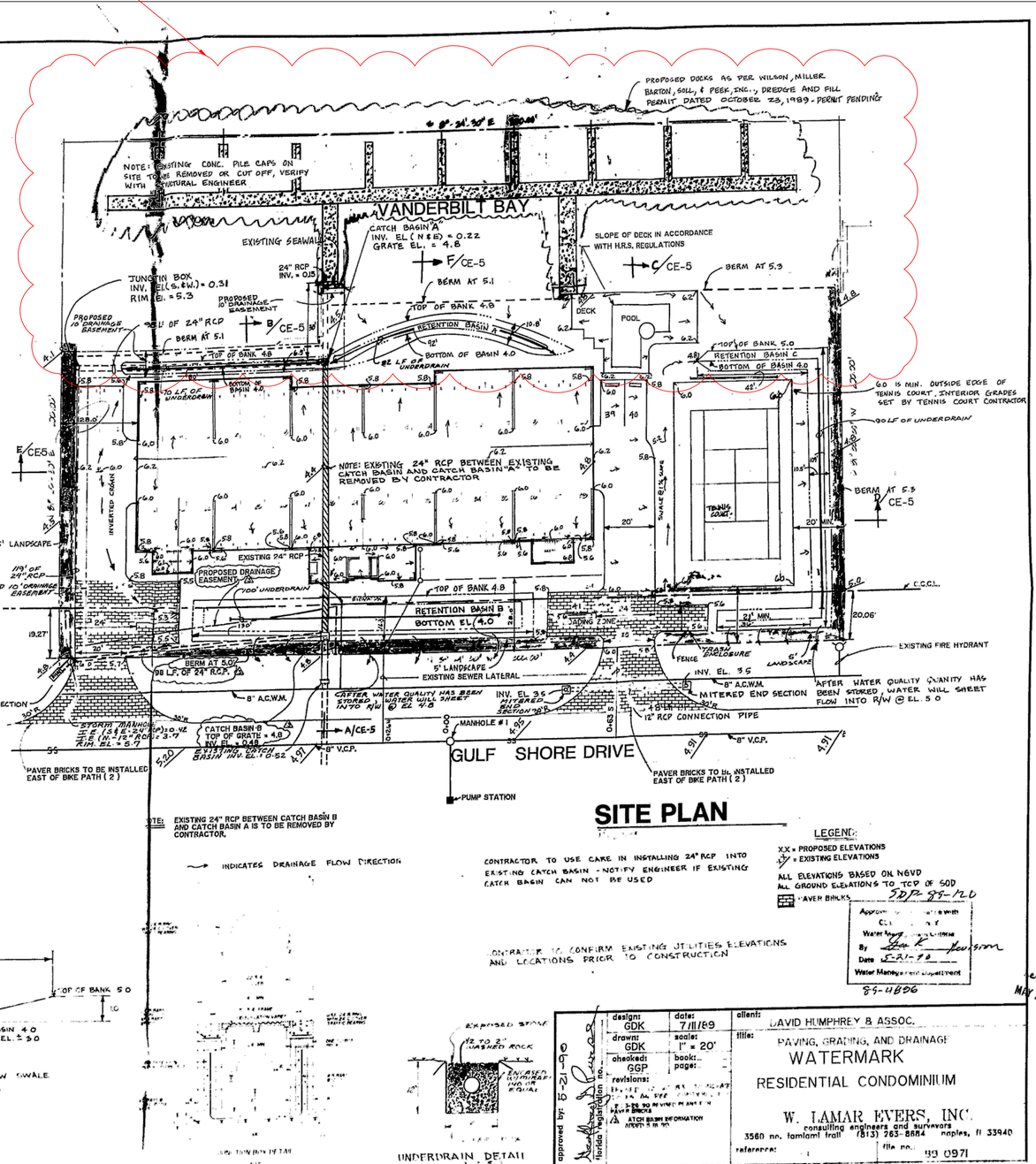
Side Drain Mitered End Section Per 18" Round Concrete Pipe



CATCH BASIN
N.T.S.



NORTH



NOTE: EXISTING 24" RCP BETWEEN CATCH BASIN B AND CATCH BASIN A IS TO BE REMOVED BY CONTRACTOR.

INDICATES DRAINAGE FLOW DIRECTION

CONTRACTOR TO USE CARE IN INSTALLING 24" RCP INTO EXISTING CATCH BASIN - NOTIFY ENGINEER IF EXISTING CATCH BASIN CAN NOT BE USED

CONTRACTOR TO CONFIRM EXISTING UTILITIES ELEVATIONS AND LOCATIONS PRIOR TO CONSTRUCTION

UNDERDRAIN DETAIL

SITE PLAN

LEGEND:
XX = PROPOSED ELEVATIONS
XX = EXISTING ELEVATIONS
ALL ELEVATIONS BASED ON NGVD
ALL GROUND ELEVATIONS TO TOP OF SOD
PAVER BRICKS

SDP 89-120
Approved
EL. N/A
Water Mgmt. Division
By Lee K. Hudson
Date 5-31-90
Water Management Department
89-0896

RECEIVED MAY 22 1990

approved by:	Florida Registration No. 19
design: GDK	date: 7/11/89
drawn: GDK	scale: 1" = 20'
checked: GGP	book: ... page: ...
revisions:	

client: DAVID HUMPHREY & ASSOC.
title: PAVING, GRADING, AND DRAINAGE
WATERMARK
RESIDENTIAL CONDOMINIUM
W. LAMAR EVERS, INC.
consulting engineers and surveyors
3560 no. tamiami trail (813) 263-8884 naples, fl 33940
references: file no.: 89 0971

NOTE: THIS SHEET IS REFERENCED FROM THE MOST RECENT SDP SET AND IS ONLY INCLUDED IN THIS DRAWING SET TO WHERE THE PROPOSED CHANGES WILL OCCUR. FOR ALL APPLICABLE DETAILS, DESIGNS, ETC. PLEASE REFER TO COUNTY RECORDS AND THE APPLICABLE EOR.

WATERMARK CONDO
ORIGINAL SDP

TURRELL, HALL & ASSOCIATES, INC.
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3584 Exchange Avenue, Suite B,
Naples, Fl. 34104-3732
Phone: (239) 643-0166
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email: tuna@turrell-associates.com

REVISED BY:	DATE:	CHANGED:

DRAWN BY:	REVIEWED BY:	SHEET:
RMJ	JR	04
PROJECT: 21109		
DATE: 07-31-23		
SCALE: N/A		
LAYOUT: ORIGINAL SDP		

Attachment: Attachment E - SDP(-PL20220007149 BD 9380 Gulf Shore Dr Watermark Condominium) Approval (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

HEARING PACKAGE CHECKLIST

A. Backup provided by the County Planner

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

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

B. Backup provided by Applicant:

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

_X__ Application, to include but not limited to the following:

- _X__ Narrative of request
- _X__ Property Information
- _X__ Property Ownership Disclosure Form
- _X__ Any other documents required by the specific petition type; such as a variance, a boat dock extension; PUD amendment, rezone request, etc.

_X__ Disclosure of Property Ownership Interest (if there is additional documentation aside from disclosure form)

____ Affidavit of Unified Control

_X__ Affidavit of ~~Representation~~ Authorization

_X__ Drawings (may include Cross-Section (for BDEs generally), proposed Boat Dock(s) with Water depth, location maps etc.)

____ NIM Information (Sign in sheet, notes, minutes and transcript/or summary)

- ✓ Include 3 thumbnail drives of video and/or audio

____ Traffic Impact Study (TIS)

____ Environmental Data

____ Historical/Archeological Survey or Waiver

____ Utility Letter

_X__ Deviation Justifications, may be included within the Narrative Statement

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

__X__ Boundary Survey

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

__X__ Submerged Resource Surveys may be included here if required.

__X__ **flash drive, or e-mail, with *only one* pdf file for all documents**

I understand that by submitting the above materials, it is the agent's/applicant's responsibility to ensure all materials are in the same order for flash drive must contain the documents in one pdf file. It is the agent's responsibility to ensure no documentation is left out.

_____ 12/14/2023

Signature of Agent Representative Date

Jeff Rogers

_____

Printed Name of Signing Agent Representative

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Collier County
Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

Boat Dock Facility Extension OR Boathouse Establishment Petition

Land Development Code Section 5.03.06

Chapter 3 B of the Administrative Code

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

APPLICANT INFORMATION

Name of Property Owner(s): Watermark Condonium Association, Inc. of Naples

Name of Applicant if different than owner: Bob Karl

Address: 9380 Gulf Shore Dr **City:** Naples **State:** FL **ZIP:** 34108

Telephone: _____ **Cell:** 563-349-3571

E-Mail Address: bkarll53@gmail.com

Name of Agent: 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

E-Mail Address: jeff@thanaples.com

PROPERTY LOCATION

Section/Township/Range: 32 / 48 / 25 **Property I.D. Number:** 27481040002

Subdivision: 706300 - Watermark A Condominium, The **Unit:** _____ **Lot:** _____ **Block:** _____

Address/ General Location of Subject Property:

9380 Gulf Shore Dr., Naples, FL 34108

Current Zoning and Land use of Subject Property:

RT-VBRTO, Multi-family

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Collier County
Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

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	RT-VBRTO	Multi-Family Residential
S	RT-VBRTO	Multi-Family Residential
E	RSF-3	Vanderbilt Lagoon
W	RT-VBRTO	Gulf Shore Drive

DESCRIPTION OF PROJECT

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

See attached

SITE INFORMATION

1. **Water Width:** 1,695 ft. Measurement from: ☐ plat ☐ survey ☐ visual estimate
   GIS ft. other (specify)
2. **Total Property Water Frontage:**
   304 ft.
3. **Setbacks:** Provided: 30 & 18 ft.
   Required: 15 & 15 ft.
4. **Total Protrusion of Proposed Facility into Water:**
   123
5. **Number and Lengths of Vessels to Use Facitlity:**
   1. 35 (12) ft.
   2. _____ ft.
6. **If applicable, the distance between dock facilities per the Land Development Code section 5.03.06 H.1.d.**
   _____ ft.
7. **List any additional dock facilities in close proximity to the subject property and indicate the total protrusion into the waterway of each:**

There are a few other dock facilities on the subject waterway that extend out past 50-feet from the MHWL/property line. Additionally, there are also a handful of other docks that extend even further than what is being proposed on the adjacent bay and surrounding area.

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8. Signs are required to be posted for all petitions. On properties that are one (1) acre or larger in size, the applicant shall be responsible for erecting the required sign. What is the size of the petitioned property?

1.38 Acres

9. 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.)

DOCK EXTENSION 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% of the width of the waterway, and whether or not a minimum of 50% 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.)

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DOCK EXTENSION 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 J 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.)

BOATHOUSE CRITERIA

The following criteria, pursuant to LDC section 5.03.06 F, shall be used as a guide by staff in determining its recommendation to the decision maker. The decision maker will utilize the following criteria as a guide in the decision to approve or deny a particular Boathouse request. In order for the request to be approved, all of the criteria must be met. On separate sheets, please provide a narrative response to the listed criteria and/or questions.

1. Minimum side setback requirement: Fifteen feet.

2. Maximum protrusion into waterway: Twenty-five percent of canal width or 20 feet, whichever is less. The roof alone may overhang no more than 3 feet into the waterway beyond the maximum protrusion and/or side setbacks.

3. Maximum height; Fifteen feet as measured from the top of the seawall or bank, whichever is more restrictive, to the peak or highest elevation of the roof.

4. Maximum number of boathouses and covered structures per site: One.

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

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

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

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ASSOCIATIONS

Complete the following for all registered Home Owner / Civic Association(s) that could be affected by this petition and located within 1,000 feet of the subject property. Provide additional sheets if necessary. Information can be found on the **Civic Associations and Communities page** on the Board of County Commissioner's website. Applicant is responsible for and shall confirm the current mailing addresses for each association as registered by the Florida Department of State, Division of Corporations.

Name of Homeowner / Civic Association: The Watermark Dock Association, Inc.
Mailing Address: 3301 Bonita Beach Road, Suite 200 **City:** Bonita Springs **State:** FL **ZIP:** 34134

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

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

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

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

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Pre-Application Meeting and Final Submittal Requirement Checklist for:

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

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

REQUIREMENTS FOR REVIEW	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	☑	
Property Ownership Disclosure Form	☑	
Affidavit of Authorization, signed and notarized	☑	
Completed Addressing Checklist	☑	
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.	☑	☐
Signed and sealed survey	☐	☐
Chart of site waterway	☐	☑

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 F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

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

☐	Bayshore/Gateway Triangle Redevelopment: Executive Director	☐	Historical Review:
☐	Addressing:	☐	Parks and Recreation:
☐	City of Naples Planning Director	☐	School District (Residential Components):
☐	Conservancy of SWFL:	☐	Other:
☐	Emergency Management:	☐	Other:

FEE REQUIREMENTS:

- ☑ **Boat Dock Extension / Boathouse Petition fee:** $1,500.00
- ☑ **Pre-Application Meeting fee** $500.00
- ☑ **Estimated Legal Advertising fee for the Office of the Hearing Examiner:** $1,125.00
- ☑ **If applicable, an additional fee for Property Owner Notifications will be billed to the applicant after Hearing Examiner hearing date.** *(Variable)*
- ☑ **Fire Planning Review fee:** $100.00

All fees are collected at the time of application. Property Notification Letters, if required by The Land Development Code, will be invoiced after the petition is heard by the Board of County Commissioners.

*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. *Additional fee for the 5th and subsequent re-submittal will be accessed at 20% of the original fee.*

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

Growth Management Community Development Department | GMD Portal:
https://cvportal.colliercountyfl.gov/cityviewweb

Questions? Email: GMDclientservices@colliercountyfl.gov

Signature of Petitioner or Agent — Date: 11/30/23

Jeff Rogers
Printed Name

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

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NAPLES, FLORIDA 34104
(239) 252-2400

Zoning Pre-Application Meeting Notes

Petition Type: Boat Dock Extension (BD)
Date and Time: Wednesday 4/26/23 at 1:30pm - ZOOM

Assigned Planner: John Kelly

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

Project Information

Project Name: Watermark Condominium (BD)

PL #: 20230007149

Property ID #: 27481040002 **Current Zoning:** RT - VBRTO

Project Address: 9380 Gulf Shore DR. **City:** Naples **State:** FL **Zip:** 34108

Applicant: Jeff Rogers - Turrell Hall & Associates Inc.

Agent Name: Jeff Rogers **Phone:** 239-643-0166

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

Property Owner: Watermark A Condominium, The

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#:** _____

_____

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Meeting Notes

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

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

ZONING –

- MULTI-FAMILY DOCKING FACILITY SUBJECT TO LDC SECTION 5.03.06
- DISCUSSED POTENTIAL OF ADDING SECOND FACILITY AT SAME LOCATION – ABILITY TO OBTAIN BOTH AUTHORIZATIONS AT SAME TIME, MAY POSTPONE CONSTRUCTION OF SECOND FACILITY
- PER DEVELOPMENT REVIEW DIV. AN INSUBSTANTIAL CHANGE TO SITE DEVELOPMENT PLAN IS REQUIRED, MAY BE APPLIED FOR SIMULTANEOUSLY; TRY SDP. 89-120.
- PROPERTY IS A CONDO ASSOC, PLEASE PROVIDE MINUTES OF MEETING AUTHORIZING ADDITION OF DOCKS AND AUTHORIZATION OF SIGNATORY TO SIGN.
- SEE GENERAL INSTRUCTIONS ON PAGE 3 of 5

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

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

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Pre-Application Meeting Notes
GMD - Zoning Services

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

Boat Dock Extension

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

Boathouse

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

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Collier County

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Meeting Notes

ENVIRONMENTAL - CRAIG BROWN - SEE ATTACHED EMAIL NOTES AND BDE CHECKLIST ON PAGE 3.B.1 - 3.B.4.

Note: The County collects impact fees prior to the issuance of a Certificate of Occupancy to help offset the impacts of each new development on public facilities. These impact fees are used to fund projects identified in the Capital Improvement Element of the Growth Management Plan (GMP) as needed to maintain the adopted Level of Service (LOS) for public facilities. Other fees collected prior to the issuance of a building permit include building permit review fees. Please note that impact fees and taxes collected were not included in the criteria used by staff and the Planning Commission to analyze this petition.

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

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ThomasClarkeVEN

From: BrownCraig
Sent: Wednesday, April 26, 2023 5:49 PM
To: ThomasClarkeVEN
Subject: RE: Zoning Pre-App ~~RESEARCH~~ for Watermark Condominium (BD) - PL20230007149 - ZOOM Pre-App Wed. 4/26/23 at 1:30pm
Attachments: Boat Dock Extension Checklist 2017 for reviewer.doc

Thomas,

Thomas,
Here are my notes for this BDE request.

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

Is Dredging proposed? Additional Lighting? Please provide illustrations/ descriptions.

Please label the name of the waterbody the project will occur in and indicate typical navigation Routes . Is the channel Marked and approximate draft depths?

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

From: ThomasClarkeVEN <Thomas.Clarke@colliercountyfl.gov>
Sent: Tuesday, April 25, 2023 3:16 PM
To: StoltsAnthony <Anthony.Stolts@colliercountyfl.gov>; AshtonHeidi <Heidi.Ashton@colliercountyfl.gov>; BeardLaurie <Laurie.Beard@colliercountyfl.gov>; BrownCraig <Craig.Brown@colliercountyfl.gov>; CookJaime <Jaime.Cook@colliercountyfl.gov>; CrotteauKathynell <Kathynell.Crotteau@colliercountyfl.gov>; PerryDerek <Derek.Perry@colliercountyfl.gov>; OrtmanEric <Eric.Ortman@colliercountyfl.gov>; FaulknerSue <Sue.Faulkner@colliercountyfl.gov>; SantabarbaraGino <Gino.Santabarbara@colliercountyfl.gov>; EastleyKatherine <Katherine.Eastley@colliercountyfl.gov>; MoscaMichele <Michele.Mosca@colliercountyfl.gov>; OrthRichard <Richard.Orth@colliercountyfl.gov>; KlopfParker <Parker.Klopf@colliercountyfl.gov>; HansenRachel <Rachel.Hansen@colliercountyfl.gov>; SaboJames <James.Sabo@colliercountyfl.gov>; AshkarSally <Sally.Ashkar@colliercountyfl.gov>; HarringtonSarah <Sarah.Harrington@colliercountyfl.gov>; SawyerMichael <Michael.Sawyer@colliercountyfl.gov>; TempletonMark <Mark.Templeton@colliercountyfl.gov>
Cc: KellyJohn <John.Kelly@colliercountyfl.gov>

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Zoning Pre-Application Meeting Sign-In Sheet

PL# 20230007149

Collier County Contact Information:

Name	Review Discipline	Phone	Email
☐ Laura DeJohn	Zoning - Vendor	252-5587	Laura.dejohn@colliercountyfl.gov
☑ John Kelly	Zoning -Planner III	252-5719	john.kelly@colliercountyfl.gov
☐ Richard Henderlong	Zoning -Planner III	252-2464	richard.henderlong@colliercountyfl.gov
☐ Ray Bellows	Zoning & Planning Manager	252-2463	raymond.bellows@colliercountyfl.gov
☐ Mike Bosi	Zoning & Planning Director	252-1061	Michael.Bosi@colliercountyfl.gov
☐ Nancy Gundlach, AICP	Zoning – Planner III	252-2484	nancy.gundlach@colliercountyfl.gov
☐ Eric Ortman	Zoning – Planner III	252-1032	Eric.Ortman@colliercountyfl.gov
☐ Sean Sammon	Zoning – Planner III	252-8422	Sean.sammon@colliercountyfl.gov
☐ Tim Finn, AICP	Zoning - Planner III	252-4312	timothy.finn@colliercountyfl.gov
☑ Thomas Clarke	Zoning - Operations Analyst	252-2584	thomas.clarke@colliercountyfl.gov
☐ Anthony Stoltz	Utility Planning - Supervisor	252-5835	Anthony.stoltz@colliercountyfl.gov
☐ Drew Cody	Utility Planning – Project Mgr III	252-2917	Drew.cody@colliercountyfl.gov
☐ Brandi Pollard	Utility Impact fees	252-6237	brandi.pollard@colliercountyfl.gov
☐ Shon Fandrich	Utilities-Project Mgt-Supervisor	252-8835	Shon.fandrich@colliercountyfl.gov
☐ Steve Baluch	Transportation Planning	252-2361	stephen.baluch@colliercountyfl.gov
☐ Michael Sawyer	Transportation Planning	252-2926	michael.sawyer@colliercountyfl.gov
☐ Michael Gibbons	Structural/Residential Plan Review	252-2426	michael.gibbons@colliercountyfl.gov
☐ Richard Orth	Stormwater Planning	252-5092	richard.orth@colliercountyfl.gov
☐ Alicia Humphries	Right-Of-Way Permitting	252-2326	alicia.humphries@colliercountyfl.gov
☐ Laurie Beard	PUD Monitoring-Project Mgr II	252-5782	laurie.beard@colliercountyfl.gov
☐ Sean Lintz	North Collier Fire -Batallion Chief	597-9227	slintz@northcollierfire.com
☐ Maggie Acevedo	North Collier Fire	252-2309	macevedo@northcollierfire.com
☐ Daniel Zunzunegui	North Collier Fire	252-2310	Daniel.Zunzunegui@colliercountyfl.gov
☐ Linda Simmons	North Collier Fire	252-2311	Linda.Simmons@colliercountyfl.gov
☐ Shar A.Beddow	MSM/Deputy Fire Marshal - Greater Naples Fire	241-1422	sbeddow@gnfire.org
☐ Heidi Ashton Cicko	Managing Asst. County Attorney	252-8773	heidi.ashton@colliercountyfl.gov
☐ Diane Lynch	Management Analyst I	252-4283	diane.lynch@colliercountyfl.gov
☐ Mark Templeton	Landscape Review	252-2475	mark.templeton@colliercountyfl.gov
☐ Gino Santabarbara	Impact Fees – Planner III	252-2925	Gino.santabarbara@colliercountyfl.gov

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(239) 252-2400

☐	Thomas Mastroberto	Greater Naples Fire – Site Plans Reviewer III	252-7348	thomas.mastroberto@colliercountyfl.gov
☐	Sue Faulkner	GMP-Comp Planning -Planner III	252-5715	sue.faulkner@colliercountyfl.gov
☐	Parker Klopf	GMP–Comp Planning – Planner II	252-2471	Parker.klopf@colliercountyfl.gov
☐	Rachel Hansen	GMP–Comp Planning – Planner III	252-1142	Rachel.hansen@colliercountyfl.gov
☐	Kathy Eastley	GMP-Comp Planning-Planner III	252-2834	Kathy Eastley@colliercountyfl.gov
☐	James Sabo, AICP	GMP, Comp Planning Manager	252-2708	james.sabo@colliercountyfl.gov
☐	Alexandra Mitchel	Environmental Specialist	252-2907	Alexandra.Mitchel@colliercountyfl.gov
☐	David Roe	Environmental Specialist	252-2915	David.Roe@colliercountyfl.gov
☑	Craig Brown	Environmental Review Supervisor	252-2548	craig.brown@colliercountyfl.gov
☐	Sarah Harrington	Environmental Review Manager	252-4211	Sarah.Harrington@colliercountyfl.gov
☐	John Houldsworth	Engineering Subdivision	252-5757	john.houldsworth@colliercountyfl.gov
☐	Jocelyn Nageon De Lestang, P.E.	Engineering Stormwater	252-2434	Jocelyn.NageondeLestang@colliercountyfl.gov
☐	Jack McKenna, P.E.	Engineering Services	252-2911	jack.mckenna@colliercountyfl.gov
☐	Matt McLean, P.E.	Division Director - IF, CPP & PM	252-8279	matthew.mclean@colliercountyfl.gov
☐	Cormac Giblin, AICP	Director – Econ. Dev. & Housing	252-2460	Cormac.giblin@colliercountyfl.gov
☐	Jamie Cook	Development Review Director	252-6290	Jaime.cook@colliercountyfl.gov
☐	Christine Willoughby	Development Review - Zoning	252-5748	christine.willoughby@colliercountyfl.gov
☐	Brett Rosenblum-P.E	Dev. Review -Supervisor Proj. Mgt	252-2905	brett.rosenblum@colliercountyfl.gov
☐	Michele Mosca, AICP	Community Develop. – Planner III	252-2466	michele.mosca@colliercountyfl.gov
☐	Connie Thomas	Client Services Supervisor	252-6369	Consuela.thomas@colliercountyfl.gov
☐	Renald Paul	Client Services	252-2443	Renald.paul@colliercountyfl.gov
☐	Lisa Blacklidge	Building Review	252-2758	Lisa.blacklidge@colliercountyfl.gov
☐	Derek Perry	Assistant County Attorney	252-8066	Derek.perry@colliercountyfl.gov
☐	Peter Shawinsky	Architectural Review	252-8523	peter.shawinsky@colliercountyfl.gov

Additional Attendee Contact Information:

Name	Representing	Phone	Email
Jeff Robens	Tunnell Hall + Assoc.		

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

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

PL20230007149 - Watermark Condominium (BD) **Planner: John Kelly**

Assigned Ops Staff: Thomas Clarke

STAFF FORM FOR SUPPLEMENTAL PRE-APPLICATION MEETING INFORMATION

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

  Jeff Rogers - Turrell Hall & Associates Inc.
  239-643-0166
  jeff@thanaples.com

- **Agent to list for PL#**

  Jeff Rogers

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

  The Watermark A Condominium

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

  Boat Docks and boatlifts

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

- **Details about Project:**

  The proposed project scope of work consists of constructing a new fixed docking facility with 12 slips and associated boatlifts with the majority of what is being proposed being located over state lands. As proposed the dock total square footage is approximately 2,557 sq. ft. of over-water structure and will protrude 123 feet into the subject waterway which varies in width. Additionally, the proposed dock will provide a minimum of 25-foot setbacks from each riparian line and has been deigned to fully avoid impacts the mangroves along the shoreline.

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

Cancellation/Reschedule Requests: Contact Connie Thomas- Supervisor – Permitting
Consuela.thomas@colliercountyfl.gov - Phone: 239-252-2473

Created April 5, 2017

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

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Collier County
Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

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 or processed.**

REQUIREMENTS FOR REVIEW	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	☑	
Property Ownership Disclosure Form	☑	
Affidavit of Authorization, signed and notarized	☑	
Completed Addressing Checklist	☑	
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.	☑	☐
Signed and sealed survey	☑	☐
Chart of site waterway - IF AVAILABLE	☐	☑

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 F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Collier County
Growth Management Community Development Department
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www.colliercountyfl.gov

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

☐	Bayshore/Gateway Triangle Redevelopment: Executive Director	☐	Historical Review:
☑	Addressing:	☐	Parks and Recreation:
☐	City of Naples Planning Director	☐	School District (Residential Components):
☐	Conservancy of SWFL:	☐	Other:
☐	Emergency Management:	☐	Other:

FEE REQUIREMENTS:

- ☑ **Boat Dock Extension / Boathouse Petition fee:** $1,500.00
- ☑ **Pre-Application Meeting fee** $500.00
- ☑ **Estimated Legal Advertising fee for the Office of the Hearing Examiner:** $1,125.00
- ☑ **If applicable, an additional fee for Property Owner Notifications will be billed to the applicant after Hearing Examiner hearing date.** *(Variable)*
- ☑ **Fire Planning Review fee:** $100.00

All fees are collected at the time of application. Property Notification Letters, if required by The Land Development Code, will be invoiced after the petition is heard by the Board of County Commissioners.

*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. *Additional fee for the 5th and subsequent re-submittal will be accessed at 20% of the original fee.*

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

Growth Management Community Development Department | GMD Portal:
https://cvportal.colliercountyfl.gov/cityviewweb

Questions? Email: GMDclientservices@colliercountyfl.gov

Signature of Petitioner or Agent _____ Date _____

Printed Name _____

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Collier County
Growth Management
Community Development Department

ADDRESSING CHECKLIST

Please complete the following and upload via the CityView Portal with your submittal. Items marked with (*) are required for every application, other items are optional and may not apply to every project.

Forms are valid for 6 months following their submittal; an updated form will be required for a new submittal after that timeframe and any time the properties within the project boundary are modified.

Additional documents may be attached to this form and can include:

- * LOCATION MAP and/or SURVEY showing the proposed project boundary.
- List of additional folio numbers and associated legal descriptions.
- E-mail from Addressing Official for any pre-approved project and/or street names.

LOCATION INFORMATION

***FOLIO (Property ID) Number(s)** of subject property or properties. [Attach list if necessary]

27481040002

***LEGAL DESCRIPTION** of subject property or properties. [Attach list if necessary]

Please see attached

STREET ADDRESS(ES) where applicable, if already assigned.

9380 Gulf Shore Drive, Naples, FL 34108

PROJECT INFORMATION

Acceptance of this form does not constitute project and/or street name approval and is subject to further review by the Addressing Official. Pre-Approval may be requested by contacting us at GMD_Addressing@colliercountyfl.gov or 239-252-2482 prior to your submittal.

CURRENT PROJECT NAME

PROPOSED PROJECT NAME

PROPOSED STREET NAME(s)

LATEST APPROVED PROJECT NUMBER [e.g., SDP-94-##, PPL-2002-AR-####, PL2017000####]

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Operations & Regulatory Management Division ● 2800 North Horseshoe Drive ● Naples, FL 34104 ● 239-252-2400
www.colliercountyfl.gov

THE WATERMARK, A CONDOMINIUM

LEGAL DESCRIPTION

PARCEL A: The North half of Lot VII, all of Lot VIII, and the South half of Lot IX, Block B, of CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, according to the plat thereof, as recorded in Plat Book 3, Pages 8 and 9, Public Records of Collier County, Florida, (but not included in said Plat)

AND

PARCEL B: The North half of Lot IX and the South half of Lot X, Block B, of CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, according to the plat thereof, as recorded in Plat Book 3, Pages 8 and 9, Public Records of Collier County, Florida)but not included in said Plat).

EXHIBIT A-1

PAGE ONE

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

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
Joy & John Mega PO Box 1649 Sag Harbor, NY 11963	100
Robert & Regina Canei 6150 Scioto Highland Rd. Dublin, OH 43017	100
Pamela & Charles Massimi 9380 Gulf Shore Dr. Naples, FL 34108	100
Kevin & Kerry Connor 12600 Countryside Terrace Cooper City, FL 33330	100
Dany & Langis Blanchet 4901 Lionel Groulx #804 St Augustin D DE, QC Canada G3A 0N2	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
Patricia A Vredevoogd Trust 3805 Windsor Ridge N E Rockford, MI 49341	100
Christopher Fontana Declaration of Trust 9380 Gulf Shore Dr. #306 Naples, FL 34108	100

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

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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
Pamela Karll Rev Trust 9380 Gulf Shore Dr. #301 Naples, FL 34108	100
Comaianni Family Liv Trust 9380 Gulf Shore Dr. #302 Naples, FL 34108	100
Kathleen G Hines Tr 14831 W Creek Ct N. Homer Glen, IL 60491	100
Laurel J Bunting Revoc Trust 9380 Gulf Shore Dr. #401 Naples, FL 34108	100
Dannie Mark Devol II Rev Trust 18905 State Route 664 S Logan, OH 43138	100

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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
Linda Scott 9380 Gulf Shore Dr. Apt 101 Naples, FL 34108	100
Roberto & Antonia Zunarelli 842 Greer St. Indianapolis, In 46203	100
Robert & Mary Lesueur 264 Nottingham Hill Sherwood Forest, MD 21405	100
Kenneth & Elizabeth Lubkert 9380 Gulf Shore Dr. #105 Naples, FL 34108	100
Lisa Carey 9957 Blackhawk Rd. Middleton, WI 53562	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
Roger DeMont Tr 11655 McClumpha Rd. Plymouth, MI 48170	100
Alice Reale Tr 2300 Washington St. #228 Newton, MA 02462	100
Sandra R Weger Liv Trust 1200 Maples St. Plymouth, MI 48170	100
Quesada Family Trust 3314 Segovia St. Coral Gables, FL 33134	100
North Park Trust 655 N Park Blvd Glen Ellyn, IL 60137	100

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

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 F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

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 Community Development Department | GMD Portal:
https://cvportal.colliercountyfl.gov/cityviewweb

Questions? Email: GMDclientservices@colliercountyfl.gov

Agent/Owner Signature

9/20/2023
Date

Jeff Rogers
Agent/Owner Name (please print)

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

WARRANTY DEED (FROM CORPORATION) 697998 RAMCO FORM 33

O.R. 913 PG 0661

This Warranty Deed *Made and executed the* 6th *day of* March *A. D. 19* 81 *by*

SEAWATCH BAYSIDE COMPANY,

a corporation existing under the laws of Florida *, and having its principal place of business at* Naples, Collier County, Florida, *hereinafter called the grantor, to*

GOODLETTE ROAD AND GORDON RIVER, INC., a Florida Corporation,

whose postoffice address is 5600 North Tamiami Trail, Suite 4, Naples, Florida 33940, *hereinafter called the grantee:*

(Wherever 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)

Witnesseth: *That the grantor, for and in consideration of the sum of* $ 10.00 *and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in* Collier *County, Florida, viz:*

The North one-half (N ½) of Lot VII and all of Lot VIII and the South one-half (S ½) of Lot IX, Block B, as shown on Plat of CONNER'S VANDERBILT BEACH ESTATES, Unit No. 1 (but not included in said Plat) according to the Plat thereof, recorded in Plat Book 3, at Pages 8 and 9, of the Public Records of Collier County, Florida.

Subject to easements, restrictions and other reservations of record, and taxes for 1981.

This is liquidating distribution from Seawatch Bayside Company to the stockholder thereof, and is without consideration beyond $10 recited above.

RECORDED OFFICIAL RECORD BOOK COLLIER COUNTY, FLORIDA

APR 9 1 02 PM '81

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 it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it 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*

STATE OF FLORIDA DOCUMENTARY STAMP TAX DEPT. OF REVENUE P.D. APR-9'81 0 0.4 0

(CORPORATE SEAL)

In Witness Whereof *the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.*

ATTEST: Philip A. Erickson Secretary

SEAWATCH BAYSIDE COMPANY

Signed, sealed and delivered in the presence of:

Almina W. Brenner

Kim Marie Seifert

By: Daniel E. Conley President

STATE OF FLORIDA
COUNTY OF COLLIER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared PHILIP A. ERICKSON and DANIEL E. CONLEY, Secretary and President respectively of the corporation named as grantor in the foregoing deed, well known to me to be the ~~XXXXXXX~~ and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 6th day of March, A. D. 19 81.

Notary Public

My Commission expires: 5-20-84

This Instrument prepared by:
Address → DANIEL E. CONLEY, ESQUIRE
PINE RIDGE PLAZA, SUITE 4
5600 NORTH TAMIAMI TRAIL
NAPLES, FLORIDA 33940
TELEPHONE 813/597-7184

Recorded and Verified In Official Records of COLLIER COUNTY, FLORIDA WILLIAM J. REAGAN Clerk of Circuit Court

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

WARRANTY DEED
FROM CORPORATION TO CORPORATION

704407

RAMCO FORM 33H

REC 4.00
DOC 2300.00
INT

This Warranty Deed *Made and executed the* 14th *day of* May, *A. D.* 1981 *by*

GOODLETTE ROAD AND GORDON RIVER, INC., **O.R. 919 PG 0277**

a corporation existing under the laws of Florida *, and having its principal place of business at* Naples, Collier County, Florida *hereinafter called the grantor, to*

WOLVERINE DEVELOPMENT COMPANY,

a corporation existing under the laws of the State of Florida *, with its permanent postoffice address at* c/o A.R. Mays, 23811 Chagrin Blvd., Cleveland, Ohio, *hereinafter called the grantee:*

(Wherever 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)

OFFICIAL RECORDS BOOK COLLIER COUNTY, FLORIDA
MAY 15 9 08 AM '81

Witnesseth: *That the grantor, for and in consideration of the sum of* $ 10.00 *and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in* Collier *County, Florida, viz:*

The North one-half (N 1/2) of Lot VII, all of Lot VIII, and the South one-half (S 1/2) of Lot IX, Block B, as shown on Plat of CONNER'S VANDERBILT BEACH ESTATES, Unit No. 1 (but not included in said Plat), according to plat thereof, recorded in Plat Book 3, at Pages 8 and 9, of the Public Records of Collier County, Florida.

STATE OF FLORIDA DOCUMENTARY STAMP TAX DEPT. OF REVENUE MAY 15 '81 999.00 P.B. 11149

STATE OF FLORIDA DOCUMENTARY STAMP TAX DEPT. OF REVENUE MAY 15 '81 301.00 P.B. 11149

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 it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it 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*

STATE OF FLORIDA DOCUMENTARY STAMP TAX DEPT. OF REVENUE MAY 15 '81 999.00 P.B. 11149

In Witness Whereof *the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.*

(CORPORATE SEAL)

ATTEST: Philip A. Erickson Secretary

GOODLETTE ROAD AND GORDON RIVER, INC.

By: Daniel E. Conley President

STATE OF FLORIDA DOCUMENTARY STAMP TAX DEPT. OF REVENUE MAY 15 '81 01.00 P.B. 11149

Signed, sealed and delivered in the presence of:

Clemina W. Brenner

Kim Marie Seifert

STATE OF FLORIDA
COUNTY OF COLLIER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized personally appeared DANIEL E. CONLEY and PHILIP A. ERICKSON,

well known to me to be the President and Secretary respectively of the corporation named as grantor in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 14th day of May, A. D. 1981.

Kim Marie Seifert
Notary Public

My Commission expires: 5-20-84

This Instrument prepared by DANIEL E. CONLEY, ESQUIRE
Address PINE RIDGE PLAZA, SUITE 4
5600 NORTH TAMIAMI TRAIL
NAPLES, FLORIDA 33940
TELEPHONE 813/597-7184

Recorded and Verified
In Official Records of
COLLIER COUNTY, FLORIDA
WILLIAM T. REAGAN
Clerk of Circuit Court

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Doc 4108.05

WARRANTY DEED
FROM CORPORATION TO CORPORATION

RAMCO FORM 33A

713413 O.R. 927 PG 0885

This Warranty Deed *Made and executed the* 15th *day of* June *A. D.* 1981 *by*

WOLVERINE DEVELOPMENT COMPANY,

a corporation existing under the laws of Florida *, and having its principal place of business at* Naples, Collier County, Florida *hereinafter called the grantor, to*

CAPTRAN DEVELOPMENT CORP.,

a corporation existing under the laws of the State of Florida *, with its permanent postoffice address at* 2353 Periwinkle Way, Sanibel Island, Florida *hereinafter called the grantee:*

(Wherever 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)

Witnesseth: *That the grantor, for and in consideration of the sum of $ and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in County, Florida, viz:*

The North one-half (N 1/2) of Lot VII, all of Lot VIII, and the South one-half (S 1/2) of Lot IX, Block B, as shown on Plat of CONNER'S VANDERBILT BEACH ESTATES, Unit No. 1 (but not included in said Plat), according to plat thereof, recorded in Plat Book 3, at Pages 8 and 9, of the Public Records of Collier County, Florida.

STATE OF FLORIDA DOCUMENTARY STAMP TAX DEPT. OF REVENUE JUL-2'81 999.00 P.B. 11149 — 003423

STATE OF FLORIDA DOCUMENTARY STAMP TAX DEPT. OF REVENUE JUL-2'81 999.00 P.B. 11149 — 003424

STATE OF FLORIDA DOCUMENTARY STAMP TAX DEPT. OF REVENUE JUL-2'81 112.05 P.B. 11149 — 003425

STATE OF FLORIDA DOCUMENTARY STAMP TAX DEPT. OF REVENUE JUL-2'81 999.00 P.B. 11149 — 003422

STATE OF FLORIDA DOCUMENTARY STAMP TAX DEPT. OF REVENUE JUL-2'81 999.00 P.B. 11149 — 003426

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 it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it 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 for the Mortgage and Assignment of Rents, in favor of The Bankers Guarantee Title & Trust Company, recorded in Official Records Book 919, at pages 278 through 286, Public Records of Collier County, Florida.

In Witness Whereof *the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.*

(CORPORATE SEAL)

WOLVERINE DEVELOPMENT COMPANY

Signed, sealed and delivered in the presence of:

By John Dyer President

STATE OF FLORIDA
COUNTY OF COLLIER

OFFICIAL RECORDS BOOK COLLIER COUNTY, FLORIDA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared JOHN DYER

JUL 2 11 42 AM '81

well known to me to be the President of the corporation named as grantor in the foregoing deed, and that he acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 1st day of July, A. D. 1981.

Notary Public

My Commission expires: 11-11-84

This Instrument prepared by DANIEL E. CONLEY, ESQUIRE
Address PINE RIDGE PLAZA, SUITE 4
5600 NORTH TAMIAMI TRAIL
NAPLES, FLORIDA 33940
TELEPHONE 813/597-7184

Recorded in Official Records of COLLIER COUNTY, FLORIDA
WILLIAM J. REAGAN
Clerk of Courts

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

WARRANTY DEED
INDIVID TO INDIVID

RAMCO FORM 01

This Warranty Deed *Made the* 20th *day of* December *A. D. 19* 82 *by*
Captran Development Corp., a Florida corporation, now known as Captran Resorts International, Inc., a Florida corporation

hereinafter called the grantor, to

Vanderbilt Partnership, Ltd., a Florida limited partnership

whose postoffice address is 12999 McGregor Blvd., SW, Suite #101-A, Fort Myers, FL 33908 *hereinafter called the grantee:*

(Wherever 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)

Witnesseth: *That the grantor, for and in consideration of the sum of* $ 10.00 *and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in* County, Florida, *viz:*

The North one-half (N½) of Lot VII, all of Lot VIII, and the South one-half (S½) of Lot IX, Block B, as shown on Plat of CONNER'S VANDERBILT BEACH ESTATES, Unit No. 1 (but not included in said Plat), according to plat thereof, recorded in Plat Book 3, at Pages 8 and 9, of the Public Records of Collier County, Florida.

1982 DEC 22 PM 4:15 RECORDED
00789097 COLLIER COUNTY
OR BOOK 01000 PAGE 00312

Charles J. Mulligan Prepared by: J. M. Caldwell P.O. Box 3050 Fort Myers Beach, Fla.

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 December 31, 1981.*

Subject to that certain mortgage in favor of Naples Federal Savings and Loan Association recorded at O.R. Book 942, Page 835, with an original principal balance of $350,000.00

In Witness Whereof, *the said grantor has signed and sealed these presents the day and year first above written.*

Signed, sealed and delivered in our presence:

Jacques H. Le Roy
J. Clarke

Captran Development Corp., a Florida corporation, now known as Captran Resorts International, Inc., a Florida corporation

R. W. Trowbridge L.S.
President L.S.

STATE OF Florida
COUNTY OF Lee

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Reid W. Trowbridge as President of Captran Development Corporation, now known as Captran Resorts International, Inc. to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same on behalf of said corp.

WITNESS my hand and official seal in the County and State last aforesaid this 20th day of December, A. D. 1982

Mary A. Gere
Notary Public, State of Florida at Large
My commission expires January 9, 1986

NOTARY PUBLIC STATE OF FLORIDA AT LARGE

This Instrument prepared by:

Address

SPACE BELOW FOR RECORDERS USE

Received $ 1,575.00
Documentary Stamp Tax
Collier County, Florida
William J. Reagan, Clerk
by Nancy McDinnis D.C.

Recorded and Verified
In Official Records of
COLLIER COUNTY, FLORIDA
WILLIAM J. REAGAN, CLERK
By LAURA FIGLIOLI D.C.

UNOFFICIAL DOCUMENT

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

2500.00
13.00

1985 AUG 29 PM 3:12

00954627 COLLIER COUNTY RECORDED

RETURN TO:
THOMAS G. ECKERTY
ATTORNEY AT LAW
12934 KENWOOD LANE, SUITE 34
FORT MYERS, FLORIDA 33907

OR BOOK 001153 PAGE 000462

WARRANTY DEED
INDIVID. TO INDIVID

RAMCO FORM 01

This Warranty Deed *Made the* 15th *day of* August *A. D.* 19 85 *by*

VANDERBILT PARTNERSHIP, LTD., a Florida Limited Partnership

hereinafter called the grantor, to

GOLDOME SAVINGS BANK, a Florida Corporation

whose postoffice address is 6666-22nd Avenue North, St. Petersburg, Florida 33710
hereinafter called the grantee:

(Wherever 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)

Witnesseth: *That the grantor, for and in consideration of the sum of* $ 10.00 *and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in* Collier *County, Florida, viz:*

The North 1/2 of Lot VII, all of Lot VIII, and the South 1/2 of Lot IX, Block B, of CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. I according to the Plat thereof, as recorded in Plat Book 3 at Pages 8 and 9, of the Public Records of Collier County, Florida.

and

The North 50 feet of Lot IX and the South 50 feet of Lot X, Block B, of CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. I, according to the plat thereof, as recorded in Plat Book 3 at Pages 8 and 9, of the Public Records of Collier County, Florida.

Subject to Reservations, Restrictions and Easements of record in force.

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 December 31,* 19 84 and those mortgages and agreements set forth in Exhibit "A" attached hereto and made a part hereof, which the Grantee Hereby assumes and agrees to pay. Grantee has joined in the execution of this deed to acknowledge its assumption of said mortgage indebtedness. (see backside)

In Witness Whereof, *the said grantor has signed and sealed these presents the day and year first above written.*

Signed, sealed and delivered in our presence:

Francine Mulak
Elizabeth Ann Lizzo

VANDERBILT PARTNERSHIP, LTD.

Donald L. Fasig, a General Partner L.S.

Jerrold I. Lupoff, a General Partner L.S.

SPACE BELOW FOR RECORDERS USE

STATE OF Florida
COUNTY OF Lee

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Donald L. Fasig and Jerrold I. Lupoff, General Partners of aforesaid partnership

to me known to be the person S described in and who executed the foregoing instrument and have acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 15th day of August 19 85

NOTARY PUBLIC

Francine Mulak

This Instrument prepared by:
Address

PREPARED BY:
THOMAS G. ECKERTY
ATTORNEY AT LAW
12934 KENWOOD LANE, SUITE 34
FORT MYERS, FLORIDA (over)

Received $ 2,500.00
Documentary Stamp Tax
Collier County, Florida
William J. Reagan, Clerk
by Debbie Atkins D.C.

FOR CERTIFIED COPY

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

This Instrument prepared by:
CHRISTOPHER M. HUNTER
Attorney at Law
6666 22nd Ave. N. (600000 CV)
Suite 308
St. Petersburg, FL 33710

01198704

1988 JUL 20 PM 12:01

COLLIER COUNTY

RECORDED

WARRANTY DEED

This Warranty Deed Made and executed on this the 18th day of JULY, A.D. 1988 by Goldome Savings Bank, a corporation existing under the laws of the State of Florida, and having its principal place of business at 6666 22nd Ave. N., St. Petersburg, FL 33710, hereinafter called the Grantor, to Clyde C. Quinby,Jr.,as Trustee, hereinafter called the Grantee, whose post office address is 4588 Tamiami Trail N., Naples, Florida 33940.

Witnesseth: That the Grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release and confirm unto the Grantee, all that certain land situated in Collier County, Florida, viz:

REC 5.00
PRM 100
DOC 3300.00
INT
IND

Parcel A: The North half of Lot VII, all of Lot VIII, and the South half of Lot IX, Block B, of CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, according to the plat thereof, as recorded in Plat Book 3 at Pages 8 and 9, of the Public Records of Collier County, Florida, (but not included in said Plat)
AND

Parcel B: The North half of Lot IX and the South half of Lot X, Block B, of CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, according to the plat thereof, as recorded in Plat Book 3 at Pages 8 and 9, of the Public Records of Collier County, Florida, (but not included in said Plat)

OR BOOK 001366 PAGE 001491

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 it is lawfully seized of said land in fee simple; that it has good and lawful authority to sell and convey said land; that it 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 real estate taxes for the year 1988 and subsequent years and all valid easements, restrictions and reservations of record.

In Witness Whereof, the Grantor has caused these presents to be executed in its name and its corporate seal to be hereunto affixed, by its proper officer thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered
in the presence of:

Goldome Savings Bank

By: D. Sigrid Casey
D. Sigrid Casey
Vice President

Documentary Tax Pd. $ 3,300.00
Intangible Tax Pd. $ N/A
James C. Giles, Clerk Collier County
By: Debbie Adams D.C.

STATE OF FLORIDA
COUNTY OF PINELLAS

I HEREBY CERTIFY that on this day before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared D. Sigrid Casey, well known to me to be the Vice President of Goldome Savings Bank, and that he acknowledged executing the same freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and seal in the County and State last aforesaid this 18th day of July, A.D. 1988.

Notary Public

My commission expires: Notary Public, State of Florida at Large My Commission Expires May 4, 1990 Bonded thru Maynard Bonding Agency

Recorded and Verified
in Official Records of
COLLIER COUNTY, FLORIDA
JAMES C. GILES, CLERK

Tropical Title

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

01454603 COLLIER COUNTY
1994 FEB 18 AM 11:23 RECORDED
001593 OR BOOK
001450 PAGE

REC 32500
PRM 4160
DOC
INT
IND

DECLARATION OF CONDOMINIUM FOR THE WATERMARK, A CONDOMINIUM

CLYDE C. QUINBY, TRUSTEE, as owner of the real property hereinafter described, and developer of the improvements thereon (hereinafter called the "Developer"), for himself, his successors, grantees, assignees, and his transferees, makes the following declaration:

1. PURPOSE

1.1. The purpose of this Declaration is to submit the lands described in this instrument and improvements on such lands, to the condominium form of ownership and use, in the manner provided by Chapter 718, Florida Statutes (hereinafter referred to as the "Condominium Act"), and the Developer does hereby submit the lands described in Exhibit "A" hereto annexed and made a part hereof and improvements on such lands, to the condominium form of ownership and use.

1.2. All the provisions of the Declaration shall be construed to be perpetual covenants running with the land and with every part thereof and interest therein, and every condominium parcel owner and claimant of the land or any part thereof or interest therein, and the owners heirs, executors and administrators, successors and assigns, shall be bound by all of the provisions of the Declaration, unless this Declaration shall be terminated pursuant to the Condominium Act or as herein provided. Both the burdens imposed and the benefits conferred by this Declaration shall run with each condominium parcel as herein defined.

1.3. The name of the condominium created by this Declaration is The Watermark, a Condominium (hereinafter called "The Watermark").

1.4. The condominium estates hereby created shall be fee simple estates; no time-share estates are created by this Declaration.

2. DEFINITIONS

2.1. The terms used in this Declaration and in the Articles of Incorporation, the Bylaws and the Rules and Regulations of the Association, shall have the meaning stated in the Condominium Act and as follows, unless the context otherwise requires. Further, whenever the context so requires, the use of any gender shall be deemed to include all genders, the use of the plural shall include the singular and the singular shall include the plural.

NOT CERTIFIED COPY

Andrew Stewart 813-261-1166
3800 Airport Rd. Pick-up
Naples, FL. 33942

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

THE WATERMARK, A CONDOMINIUM

LEGAL DESCRIPTION

PARCEL A: The North half of Lot VII, all of Lot VIII, and the South half of Lot IX, Block B, of CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, according to the plat thereof, as recorded in Plat Book 3, Pages 8 and 9, Public Records of Collier County, Florida, (but not included in said Plat)

AND

PARCEL B: The North half of Lot IX and the South half of Lot X, Block B, of CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, according to the plat thereof, as recorded in Plat Book 3, Pages 8 and 9, Public Records of Collier County, Florida)but not included in said Plat).

NOT A CERTIFIED COPY

EXHIBIT A-1

PAGE ONE

3.B.g

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Packet Pg. 219

THE WATERMARK CONDOMINIUM ASSOCIATION, INC.
BYLAWS

The foregoing were adopted as the Bylaws of The Watermark Condominium Association, Inc. of Naples on the 14th day of February, 1991.

THE WATERMARK CONDOMINIUM ASSOCIATION, INC.

(CORPORATE SEAL)

BY: _____
President

ATTEST:

_____
Secretary

NOT A CERTIFIED COPY

Recorded and Verified
in Official Records of
COLLIER COUNTY, FLORIDA
JAMES C. GILES, CLERK

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

INSTR 6305868 OR 6171 PG 1839 E-RECORDED 9/8/2022 8:42 AM PAGES 2
CLERK OF THE CIRCUIT COURT AND COMPTROLLER, COLLIER COUNTY FLORIDA
REC $18.50

THIS INSTRUMENT WAS PREPARED BY,
AND AFTER RECORDING RETURN TO:
Jason Hamilton Mikes, Esq.
HAMILTON MIKES, P.A.
3301 Bonita Beach Road, Suite 200
Bonita Springs, Florida 34134

NOT A CERTIFIED COPY

CERTIFICATE OF AMENDMENT
DECLARATION OF CONDOMINIUM
FOR
THE WATERMARK, A CONDOMINIUM

I, the undersigned President of The Watermark Condominium Association, Inc. of Naples, hereby certify that on June 9, 2022, at a duly-called and properly-noticed meeting of the Association members at which a quorum was present, the following amendment to the Declaration of Condominium was approved by the required percentage of voting interests of the Association.

See Exhibit A attached hereto for amendments.

Dated this 29th day of August, 2022.

Witnesses:

Esther Comaianni

By: Esther Comaianni

Lauren LaBret

By: Lauren LaBret

THE WATERMARK CONDOMINIUM ASSOCIATION, INC. OF NAPLES

By: Lou Comaianni
Association President

(Corporate Seal)

STATE OF ~~FLORIDA~~ MICHIGAN
COUNTY OF ~~COLLIER~~ MACOMB

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 29TH day of August, 2022, by Lou Comaianni, Association President of The Watermark Condominium Association, Inc. of Naples.

John P Russi
NOTARY PUBLIC - STATE OF MICHIGAN
County of Macomb
My Commission Expires 6/27/2027
Acting in the County of Macomb

Signature of Notary Public

Print Name: JOHN P RUSSI

Personally Known X OR Produced Identification ___
Type of Identification Produced _____

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Amendment No. 1 to Article 23 to the Declaration of Condominium

23. **FINGER PIERS.** The Association shall have the authority to negotiate and enter into a long-term lease with an operating entity, consisting solely of Unit Owners, for the waterfront property behind Watermark under the long-term lease agreement. The operating entity shall be solely responsible for the cost of permitting, construction, operation, maintenance, repair, replacement and insurance of finger piers and twelve (12) boat slips located on the south/east rear property area to be utilized solely by the Unit Owners who are also members of the operating entity, and their guests. The lease shall retain for the Association the right to adopt reasonable rules and regulations for use of the finger piers and boat slips to prevent unreasonable interference with Unit Owners' peaceful enjoyment of the condominium property and for guest usage.

By adoption of this amendment, Unit Owners approve of the construction of finger piers and boat slips at the cost of the operating entity pursuant to Section 718.113, Florida Statutes.

CERTIFIED COPY

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20230002187

I, Lou Comaianni (print name), as Watermrk President (title, if applicable) of The Watermark Condominium Association, Inc. (company, If applicable), swear or affirm under oath, that I am the (choose one) owner [ ] applicant [✓] contract purchaser [ ] and that:

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

Signature

09/21/2023
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [ ] physical presence or [X] online notarization this 21 day of September, 2023 by (printed name of owner or qualifier) James Mordaunt.

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 Seal

Notary Signature: _____

JAMES MORDAUNT
Notary Public-State of Florida
Commission # HH 249705
My Commission Expires
April 05, 2026

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

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Narrative Description: The proposed Boat Dock Extension is to construct a new docking facility for a multi-family residential property with 12 new slips and associated boatlifts located at 9380 Gulf Shore Dr. on Vanderbilt Lagoon. The subject waterway is a man-altered waterway and considered to be part of Vanderbilt Lagoon which is a mix of state lands and non-state lands due to historical dredge and fill operations. The State has claimed a majority of the bottom lands under the proposed docking facility and therefore a submerged land lease has been required. Additionally, the required side yard setbacks are 25-feet.

The subject property has a rip rap and vegetated shoreline which is also where the mean high-water line (MHWL) is located therefore the MHWL is considered the most restrictive point. The proposed dock requires a BDE and SDPI as the proposed docks are new, the docks do not match the previous docks approved on the previous SDPI, and the overall protrusion and size exceed the allowed 20-feet of protrusion. As proposed the dock will have 12 slips with boatlifts to service 35-foot vessels and the overall dock protrusion will be approximately 123-feet from the MHWL. Therefore, the applicant is requesting a 103-foot extension over the allowed 20-feet into a waterway that is approximately 1,695-feet wide. Based off that the dock as proposed would protrude approximately 8% into the subject waterway. The subject waterway is an unmarked waterway and as proposed the dock is consistent with some of the other docks on the subject waterway therefore no impacts to normal navigation of the subject waterway will result from this dock being constructed. Additionally, the ingress/egress to the proposed dock will not interfere with navigation/access to any of the immediate adjacent docks.

The proposed dock will provide 30-foot and 183-foot setbacks which are both greater than what is required for lots with 60-feet of shoreline or greater being 15-feet. There are no impacts to any submerged resources or mangroves. The entire dock area allows for recreational activities, associated storage, and routine maintenance activities without excessive decking. There are numerous other existing docking facilities on the subject waterway and as proposed the dock is consistent with the other existing surrounding docks. This can be seen on the attached BDE exhibits as a reference for your review.

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Primary Criteria

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

   The subject property is zoned for a multi-family residential unit which warrants no more than 1 slip per dwelling unit per the CC-LDC and the Collier County Manatee Protection Plan. The proposed docking facility consists of installing twelve slips with boatlifts to accommodate 35-foot LOA vessels. The proposed dock will extend out 123-feet from the MHWL which is 103-feet of protrusion past the allowed 20-feet. Additionally, the proposed dock will provide 30-foot and 183-foot setbacks from both riparian lines and therefore will not interfere with the adjacent properties as the vessel ingress/egress the proposed slips/boatlifts.

   Criterion Met

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 proposed boat dock project is to construct a new docking facility for the upland development which will require it to extend out far enough past the rip-rap shoreline and mangrove fringe to accommodate the vessels. There is riprap along the entire subject property shoreline as well as 2 large areas of mangroves which are all indicated on the attached certified survey. Additionally, the survey has water depths which indicate that depths are shallow within the allowed 20-feet and therefore the vessels and dock need to extend out to avoid impacts.

   Criterion met.

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

   The dock is consistent with numerous other docks along the subject and adjacent waterways as well as the overall protrusion. As proposed the dock will not impact navigation as well as maintain the ingress/egress to both adjacent neighboring docking facilities. There is no marked channel within this section of Vanderbilt Lagoon and as a result there will not be any impact to the existing navigation as a result of the proposed project.

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

Criterion Met

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 1,695-feet wide. The proposed dock protrusion is 123-feet which is approximately 8% width of the waterway.

   Criterion Met

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 is consistent with the existing neighboring docks which accommodate large slip counts. As proposed the dock will be within the allowed buildable area by providing the required setbacks plus and therefore the proposed footprint will not interfere.

   Criterion Met

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

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 subject property has a rip-rap shoreline along the entire 304-linear feet with two large areas of mangroves and other vegetation mixed within. The proposed docking facility was laid out to preserve/avoid the mangrove areas which results in the docks being pushed further out into the waterway to fully avoid. Additionally, the width of the waterway and the fact the entire waterway is open for navigation allows for a dock to protrude out as being proposed and not being past the allowed 25% width of waterway.

   Criterion Met

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 fully minimized and still provides deck area for routine maintenance, safe access as well as recreational activities like fishing. The total over-water square footage is 2,557 square feet.

   Criterion Met

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 docking facility is for a multi-family residential private, non-commercial condominium and therefore this criterion is not applicable.

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.)

   As proposed the dock has been designed within the designated setbacks and is consistent with other existing docking facilities in the area. There are no MAJOR impacts to either adjacent property owner as their view will basically remain unchanged. Additionally, the mangroves will also provide additional coverage.

   Criterion Met

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

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

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

   Criterion Met

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.)

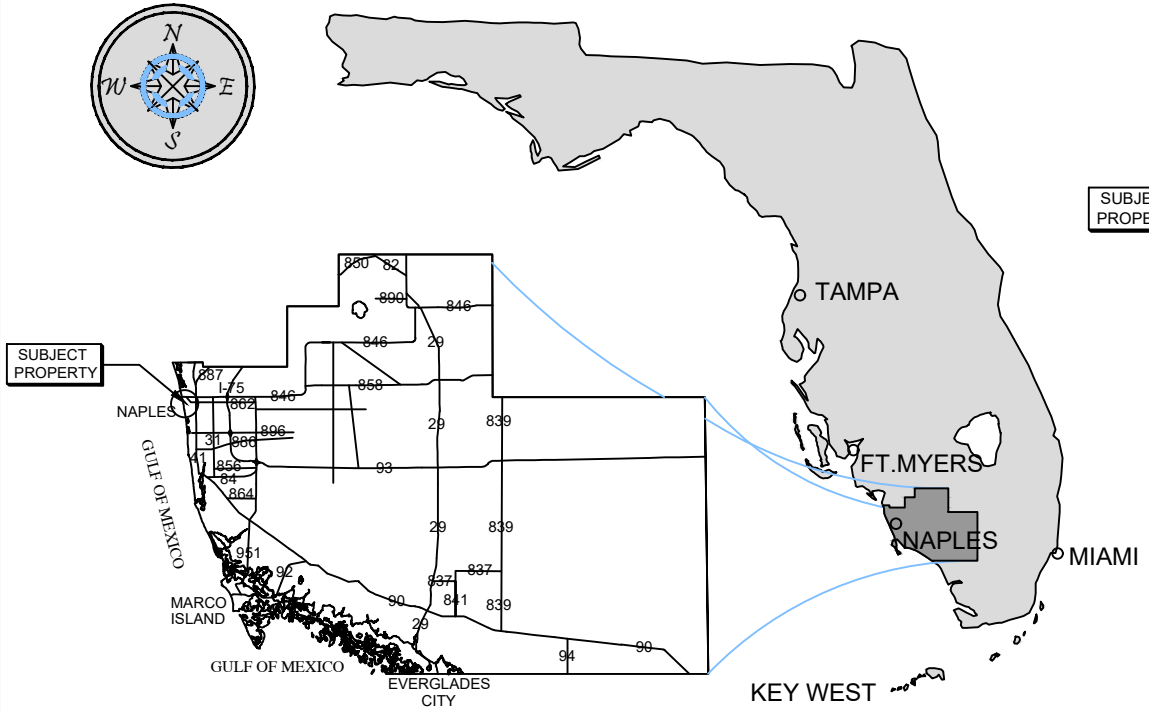
   The proposed work is a multi-family dock facility and subject to Manatee Protection Requirements. As proposed should be considered a Preferred Site.

   Criterion Met

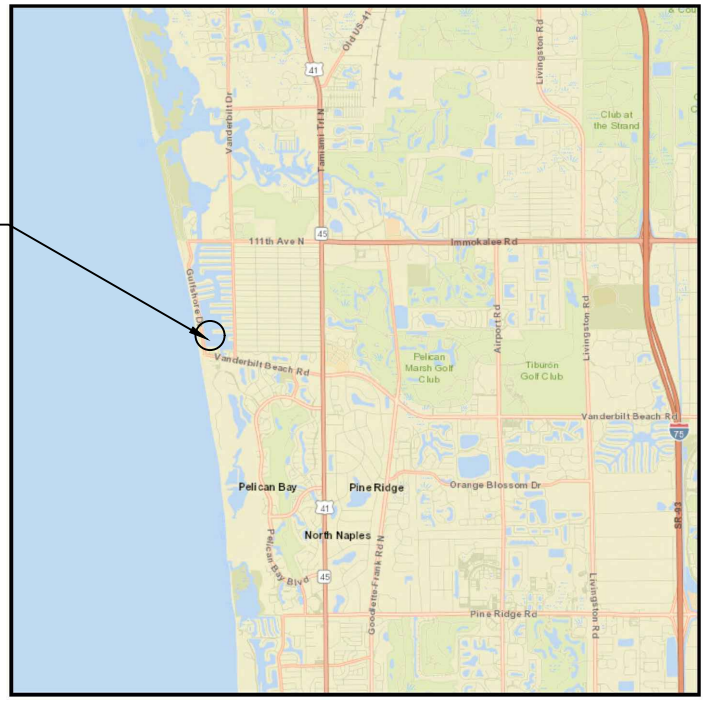
Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg LOCATION MAP 9/20/2023

STATE OF FLORIDA



COLLIER COUNTY



VICINITY MAP



COUNTY AERIAL

SITE ADDRESS:
<> 9380 GULF SHORE DR
NAPLES, FL 34108

<> LATITUDE: N 26.256952
<> LONGITUDE: W -81.822757

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

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

WATERMARK CONDO

LOCATION MAP

RY NO. 5875

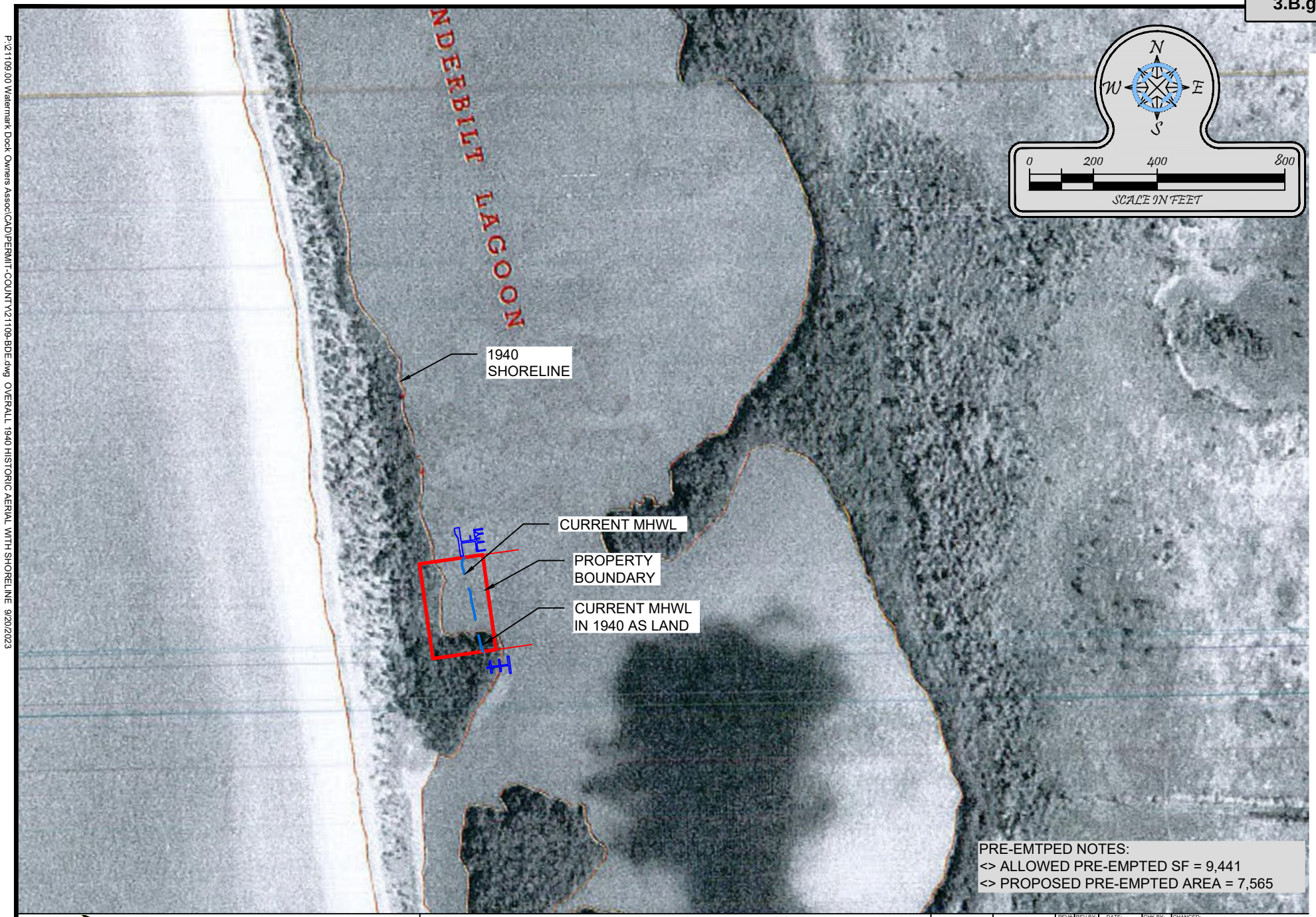
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

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DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	06-07-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	01 OF 13	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48S

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg OVERALL 1940 HISTORIC AERIAL WITH SHORELINE 9/20/2023



PRE-EMTPED NOTES:
<> ALLOWED PRE-EMPTED SF = 9,441
<> PROPOSED PRE-EMPTED AREA = 7,565

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WATERMARK CONDO

OVERALL 1940 HISTORIC AERIAL WITH SHORELINE

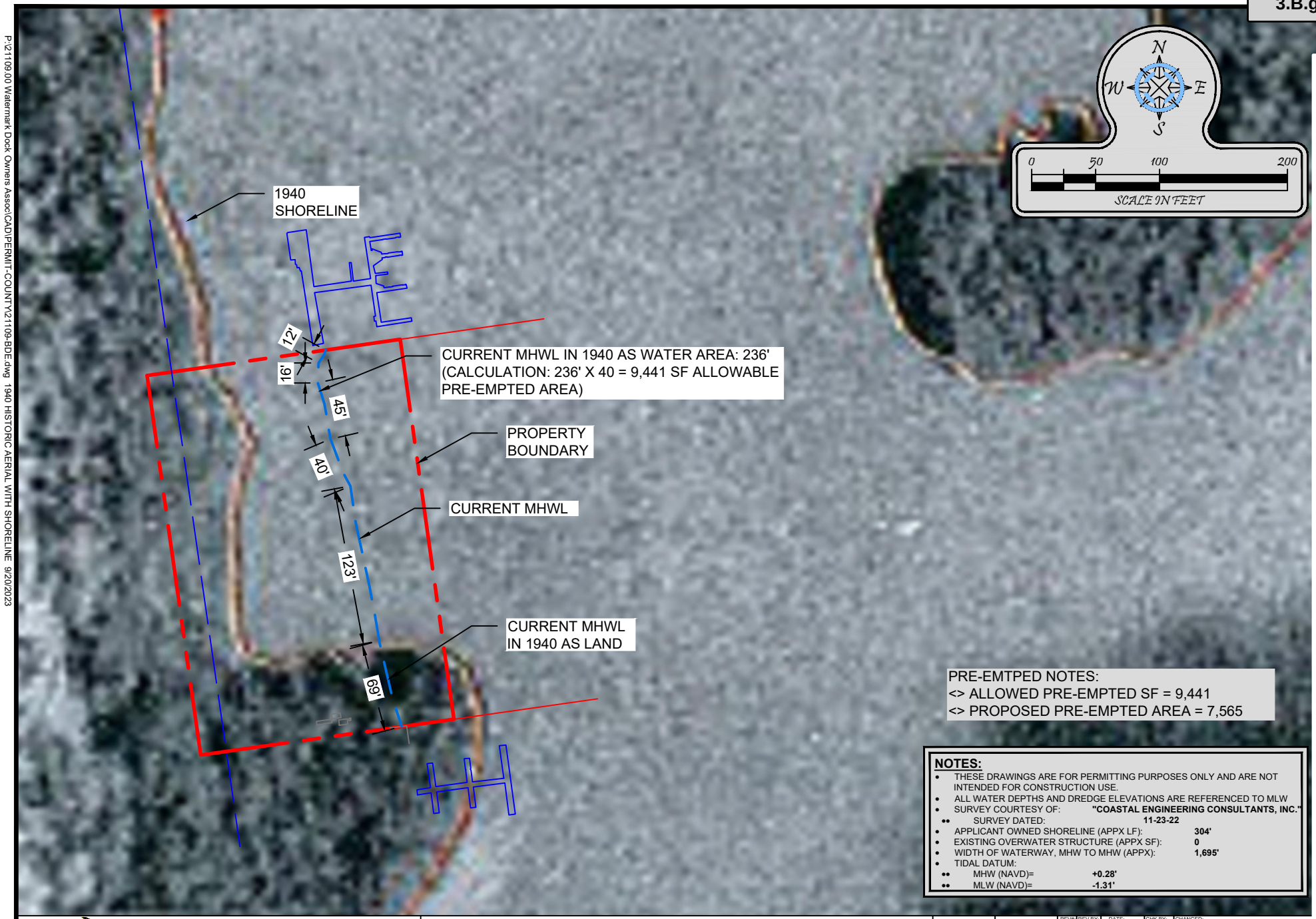
RY NO. 5875

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

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DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	06-29-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	02 OF 13	5.	-	-	-	-

SECTION-32 TOWNSHIP-48S

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr



PRE-EMTPED NOTES:
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<> PROPOSED PRE-EMPTED AREA = 7,565

NOTES:

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- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: **"COASTAL ENGINEERING CONSULTANTS, INC."**
  - SURVEY DATED: **11-23-22**
- APPLICANT OWNED SHORELINE (APPX LF): **304'**
- EXISTING OVERWATER STRUCTURE (APPX SF): **0**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1,695'**
- TIDAL DATUM:
  - MHW (NAVD)= **+0.28'**
  - MLW (NAVD)= **-1.31'**

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WATERMARK CONDO

1940 HISTORIC AERIAL WITH SHORELINE

RY NO. 5875

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		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	06-29-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	03 OF 13	5.	-	-	-	-

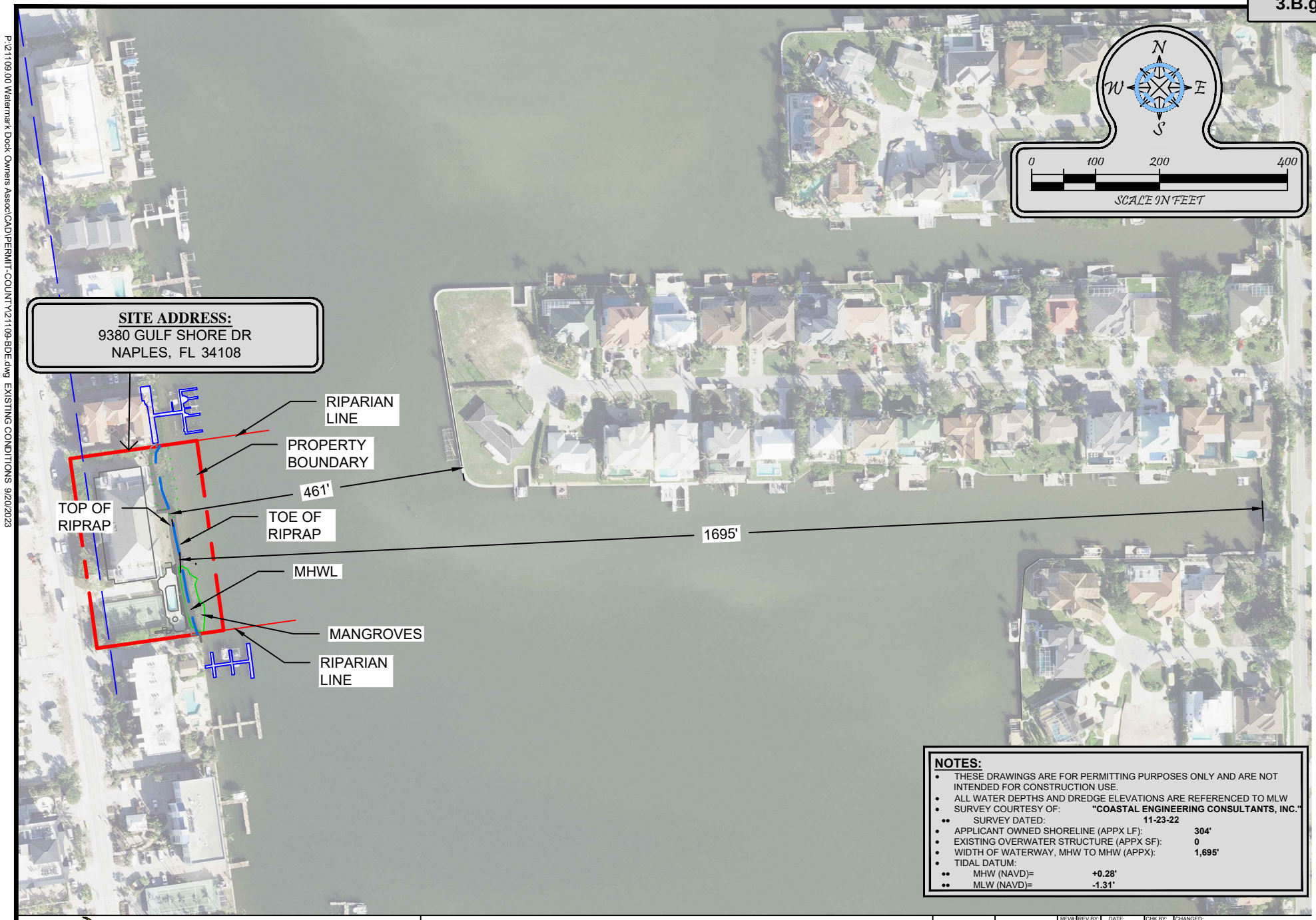
SECTION-32 TOWNSHIP-48S

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 1940 HISTORIC AERIAL WITH SHORELINE 9/20/2023

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg EXISTING CONDITIONS 9/20/2023

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr



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WATERMARK CONDO

EXISTING CONDITIONS

RY NO. 5875

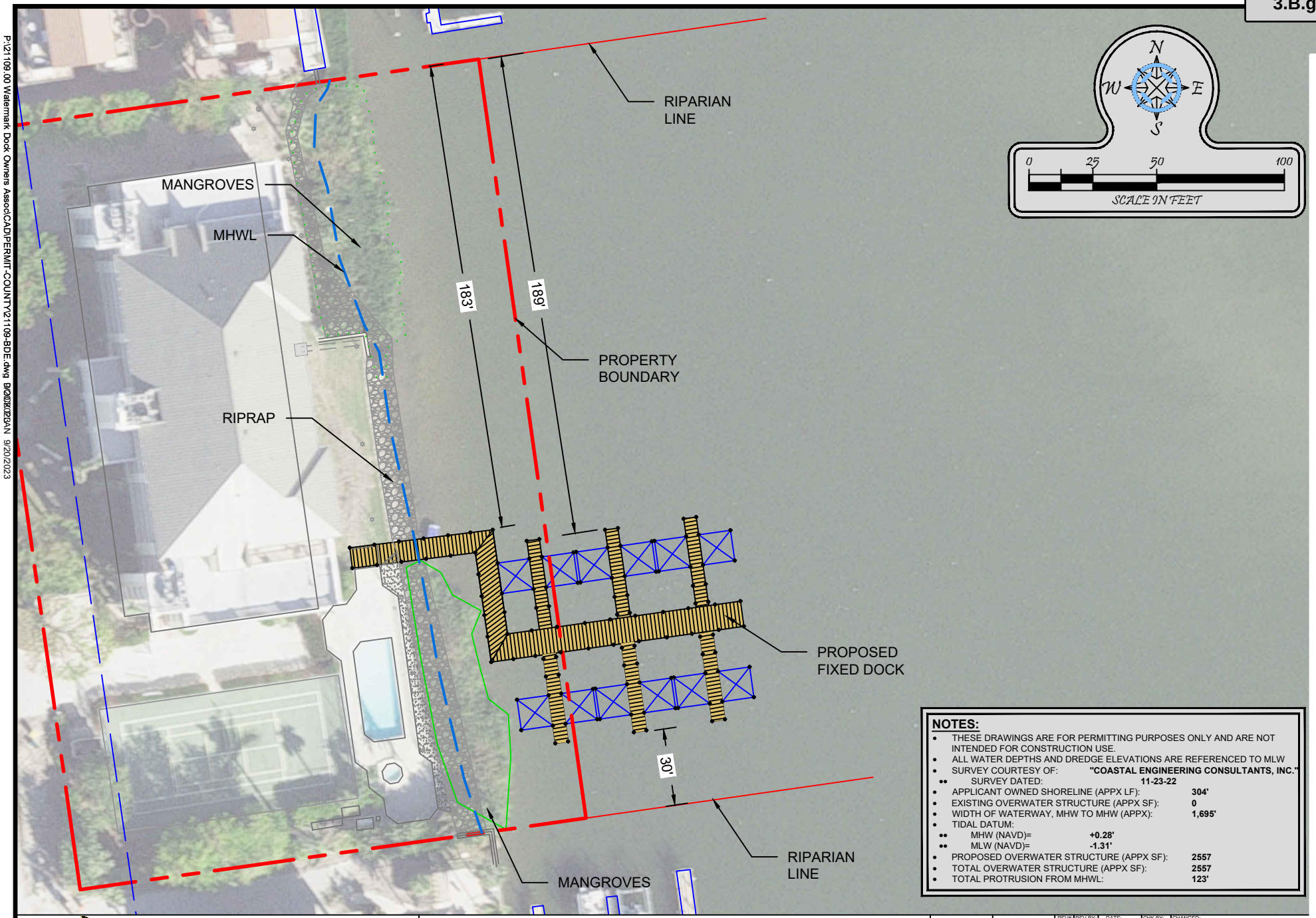
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DESIGNED:	JR
DRAWN BY:	RMJ
CREATED:	06-29-23
JOB NO.:	21109
SHEET NO.:	04 OF 13

REV#	REV BY:	DATE:	CHK BY:	CHANGED:
1.	-	-	-	-
2.	-	-	-	-
3.	-	-	-	-
4.	-	-	-	-
5.	-	-	-	-

SECTION-32 TOWNSHIP-48S

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 9/20/2023 9:00:00 AM EDAN



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- TOTAL OVERWATER STRUCTURE (APPX SF): **2557**
- TOTAL PROTRUSION FROM MHWL: **123'**

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WATERMARK CONDO

DOCK PLAN

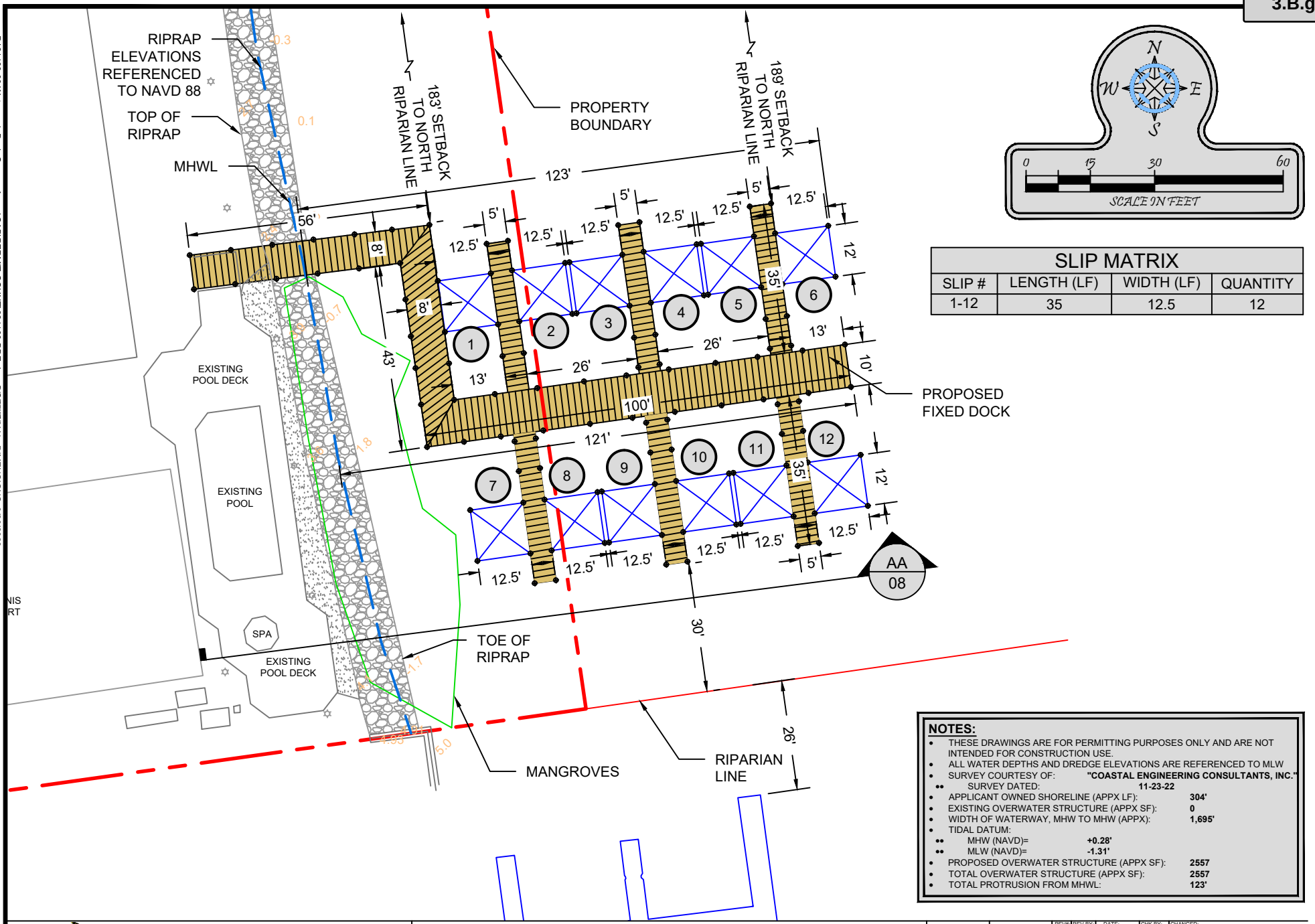
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DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	09-20-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	05 OF 13	5.	-	-	-	-

SECTION-32 TOWNSHIP-48S

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr



SLIP MATRIX			
SLIP #	LENGTH (LF)	WIDTH (LF)	QUANTITY
1-12	35	12.5	12

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WATERMARK CONDO

DOCK PLAN - DIMENSIONS

RY NO. 5875

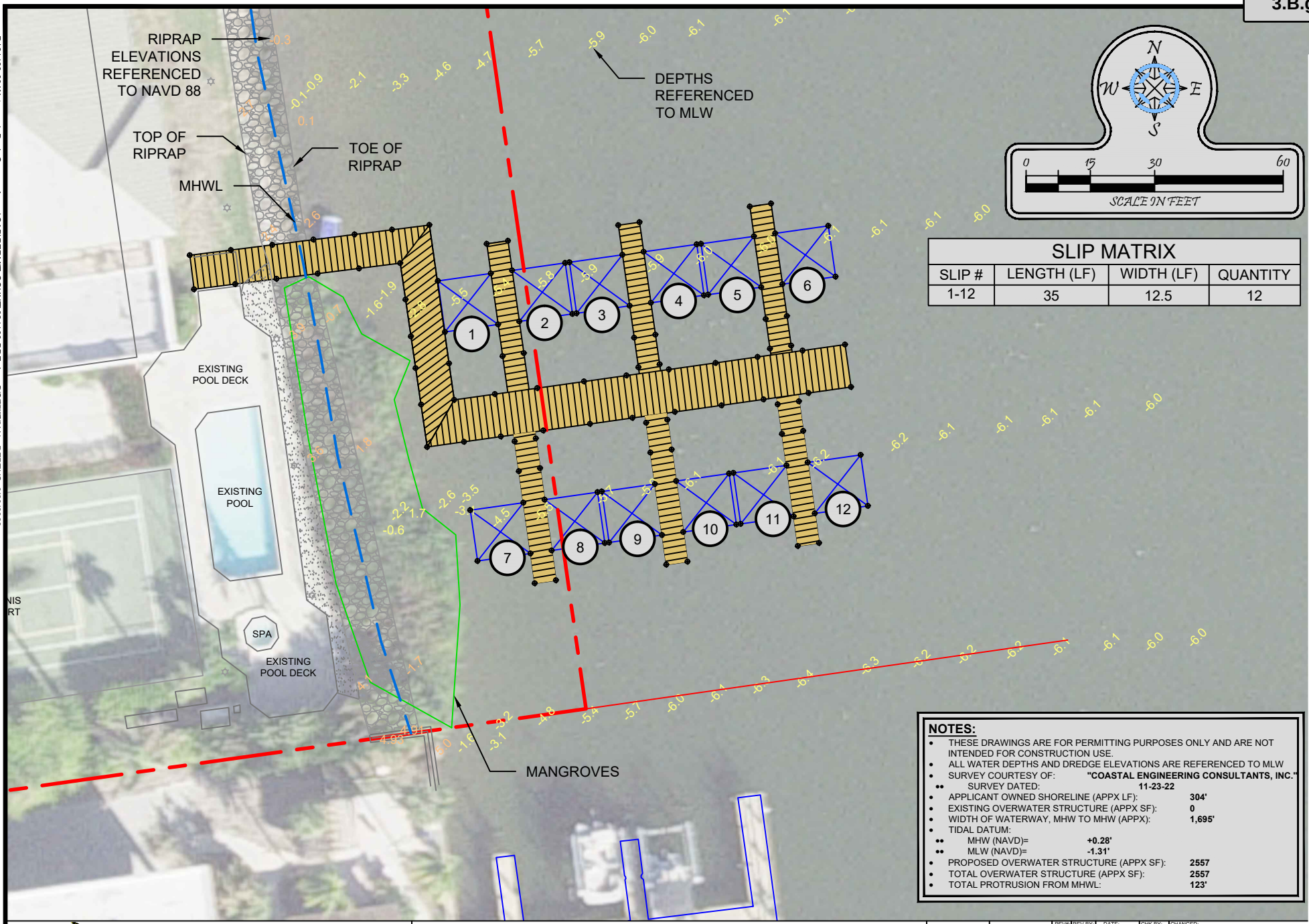
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DESIGNED:	JR	1.	RMJ	09-20-23	JR	ADDED DIMENSIONS
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	06-29-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	06 OF 13	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48S

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 9/20/2023 - DIMENSIONS 9/20/2023

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr



SLIP MATRIX			
SLIP #	LENGTH (LF)	WIDTH (LF)	QUANTITY
1-12	35	12.5	12

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WATERMARK CONDO

DOCK PLAN - DEPTHS

RY NO. 5875

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

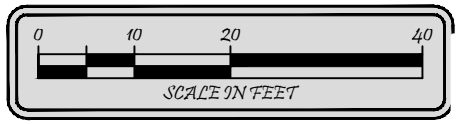
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CREATED:	06-29-23	3.	-	-	-	-
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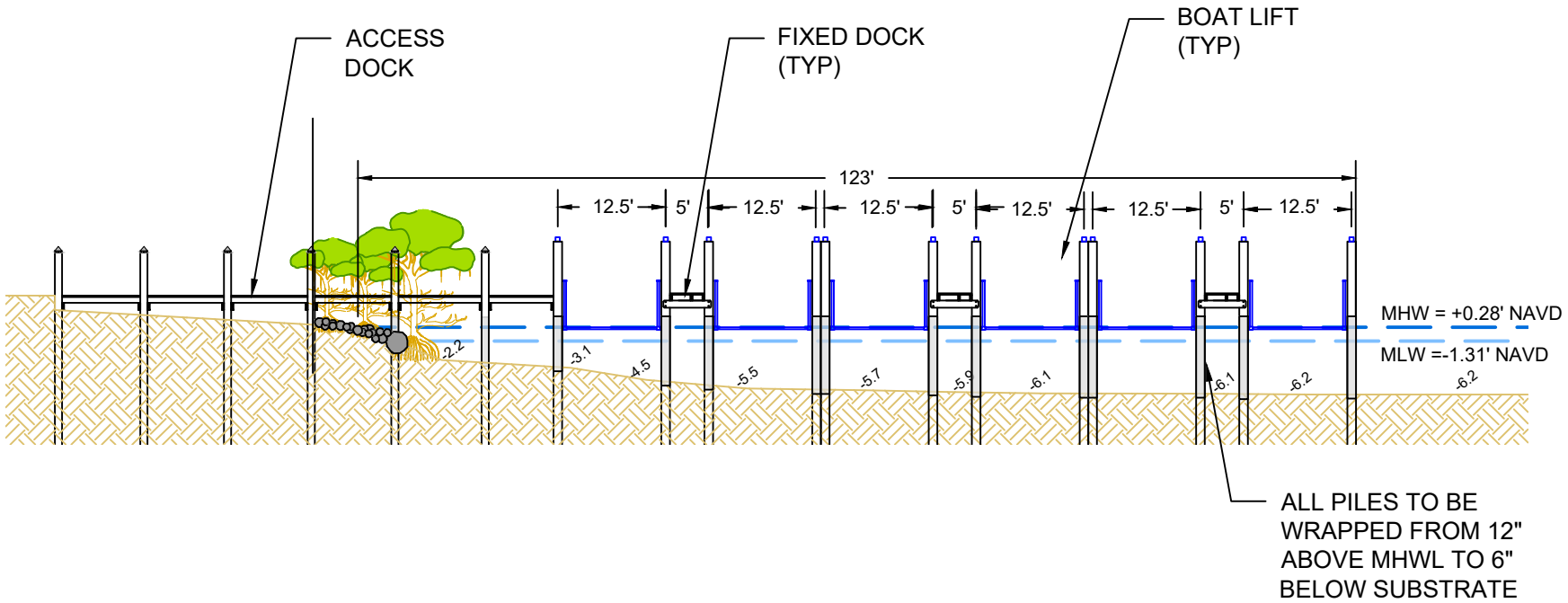
SECTION- 32 TOWNSHIP- 48 S

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 9/20/2023 DOCK PLAN - DEPTHS 9/20/2023

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg CROSS SECTION 9/20/2023





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

WATERMARK CONDO

CROSS SECTION

RY NO. 5875

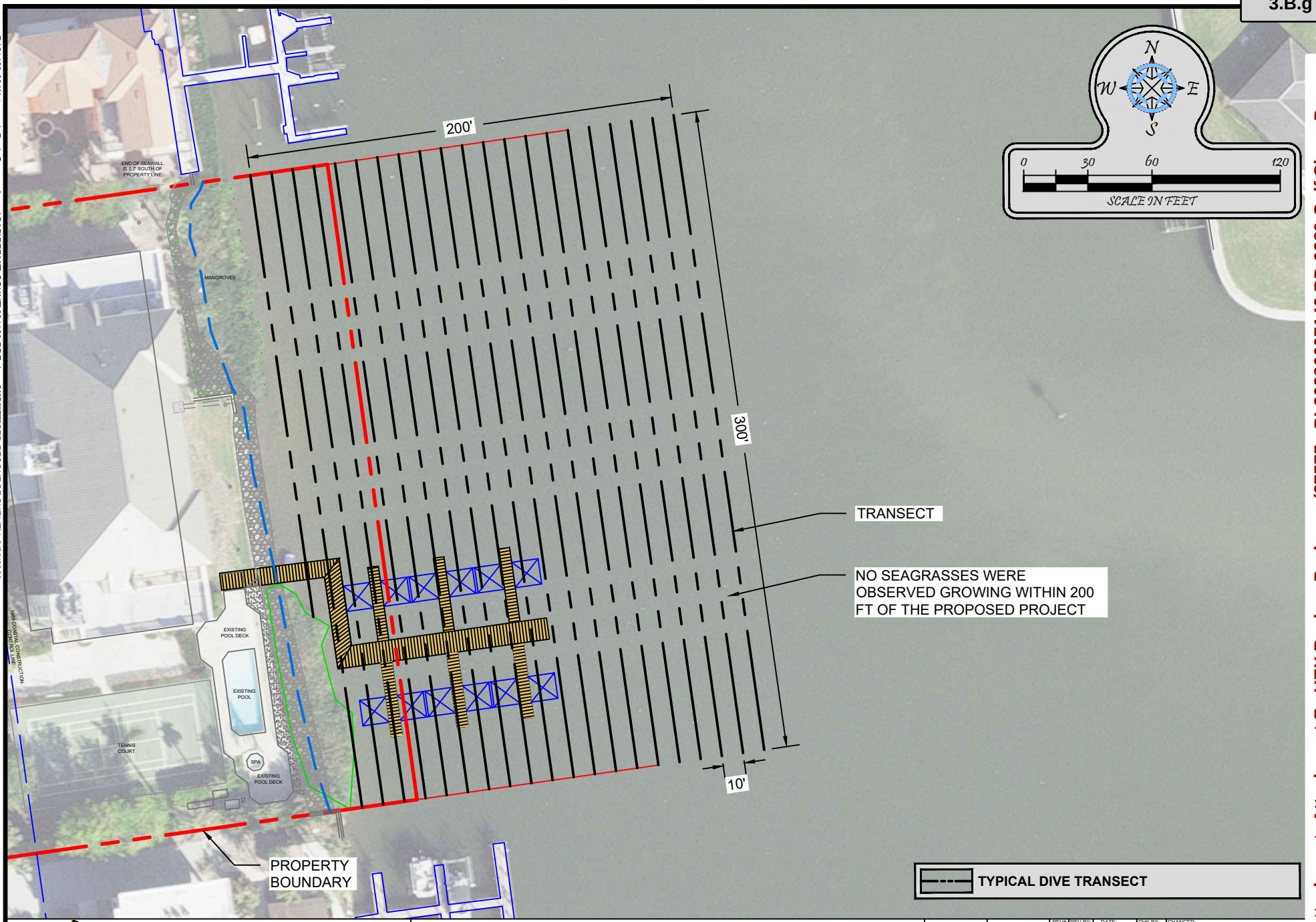
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

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DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	06-29-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	08 OF 13	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48S

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 9/20/2023 SUBMERGED RESOURCE SURVEY 9/20/2023



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WATERMARK CONDO

SUBMERGED RESOURCE SURVEY

RY NO. 5875

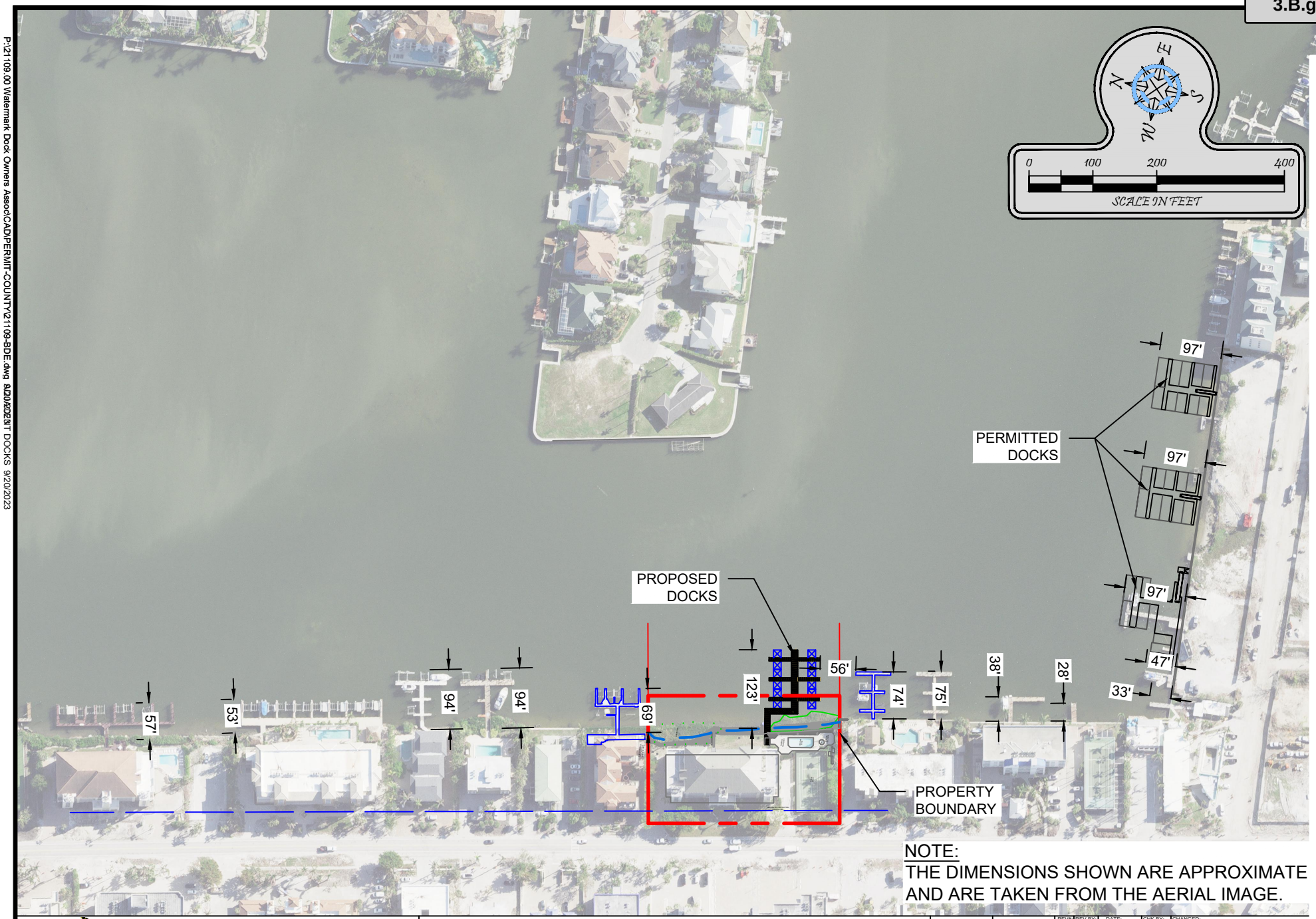
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JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	09 OF 13	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48S

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 9/20/2023 ADJACENT DOCKS 9/20/2023



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

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WATERMARK CONDO

ADJACENT DOCKS

RY NO. 5875

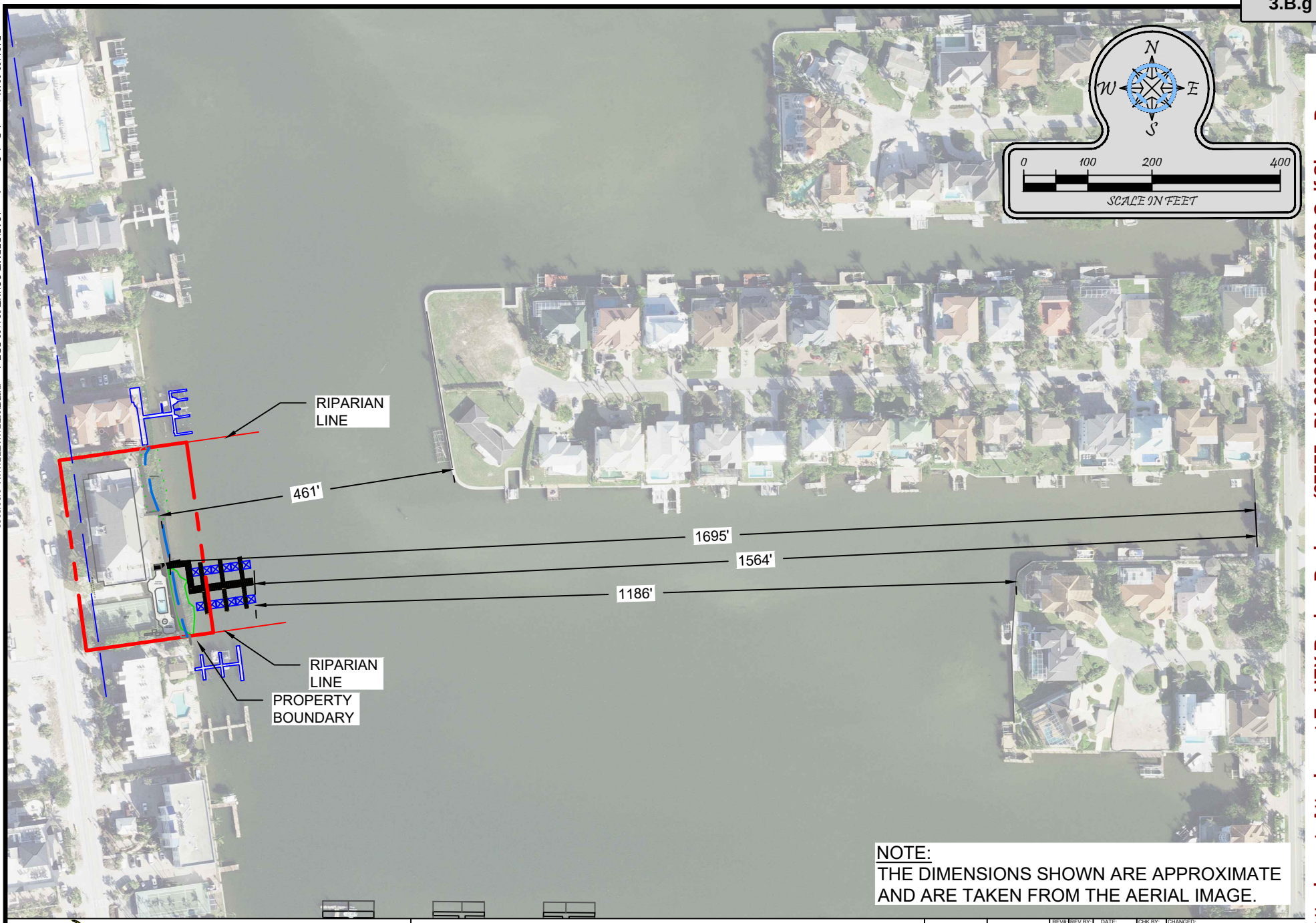
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DESIGNED:	JR	1.	RMJ	09-20-23	JR	ADDED DIMENSION
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	06-29-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	10 OF 13	5.	-	-	-	-

SECTION-32 TOWNSHIP-48S

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 9/20/2023 WATERWAY 9/20/2023



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WATERMARK CONDO

WIDTH OF WATERWAY

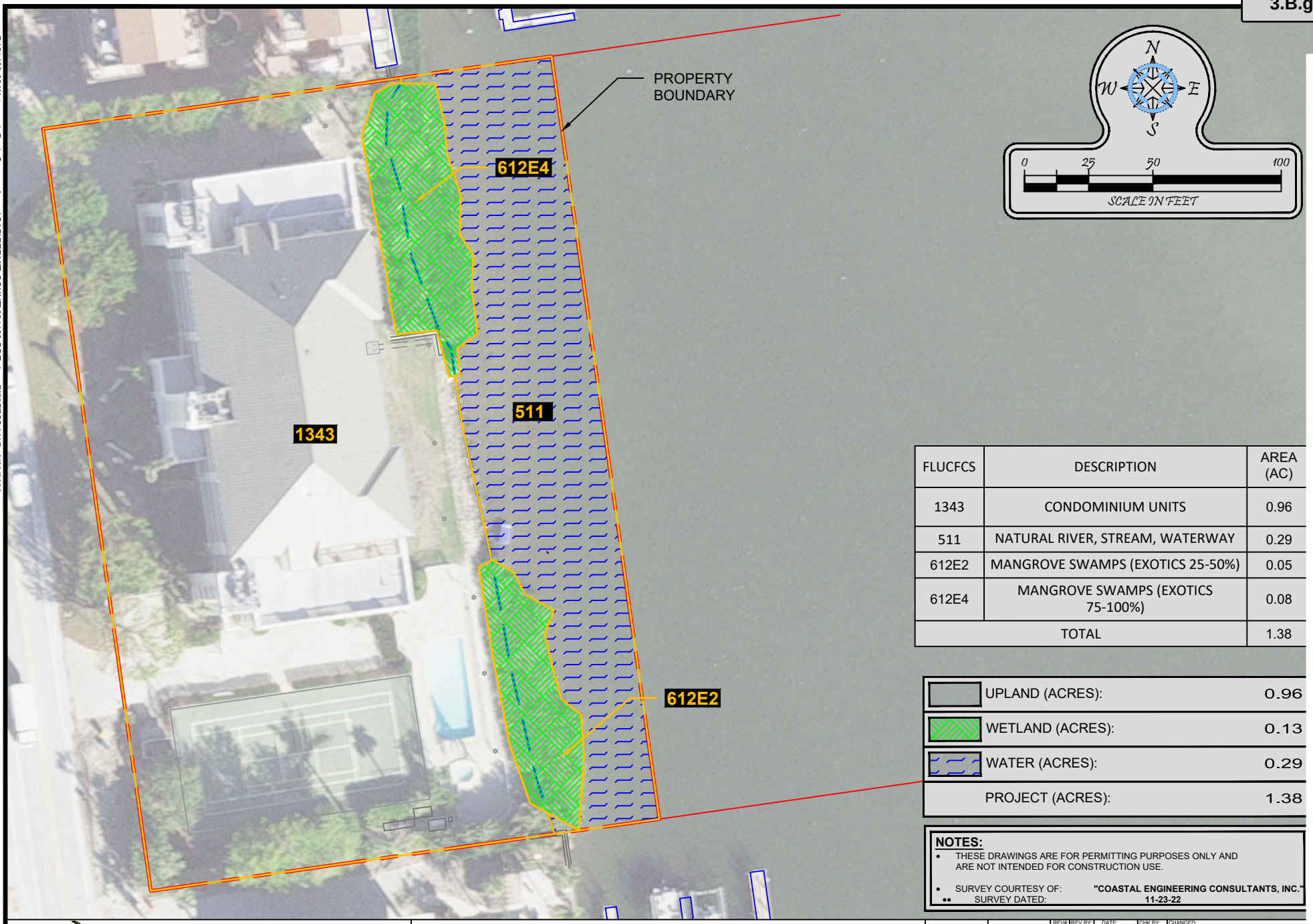
RY NO. 5875

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		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	JR	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	06-29-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	11 OF 13	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 48S

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr



FLUCFCS	DESCRIPTION	AREA (AC)
1343	CONDOMINIUM UNITS	0.96
511	NATURAL RIVER, STREAM, WATERWAY	0.29
612E2	MANGROVE SWAMPS (EXOTICS 25-50%)	0.05
612E4	MANGROVE SWAMPS (EXOTICS 75-100%)	0.08
TOTAL		1.38

UPLAND (ACRES):	0.96
WETLAND (ACRES):	0.13
WATER (ACRES):	0.29
PROJECT (ACRES):	1.38

NOTES:

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- SURVEY COURTESY OF: "COASTAL ENGINEERING CONSULTANTS, INC."
- SURVEY DATED: 11-23-22

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WATERMARK CONDO

FLUCFCS MAP

RY NO. 5875

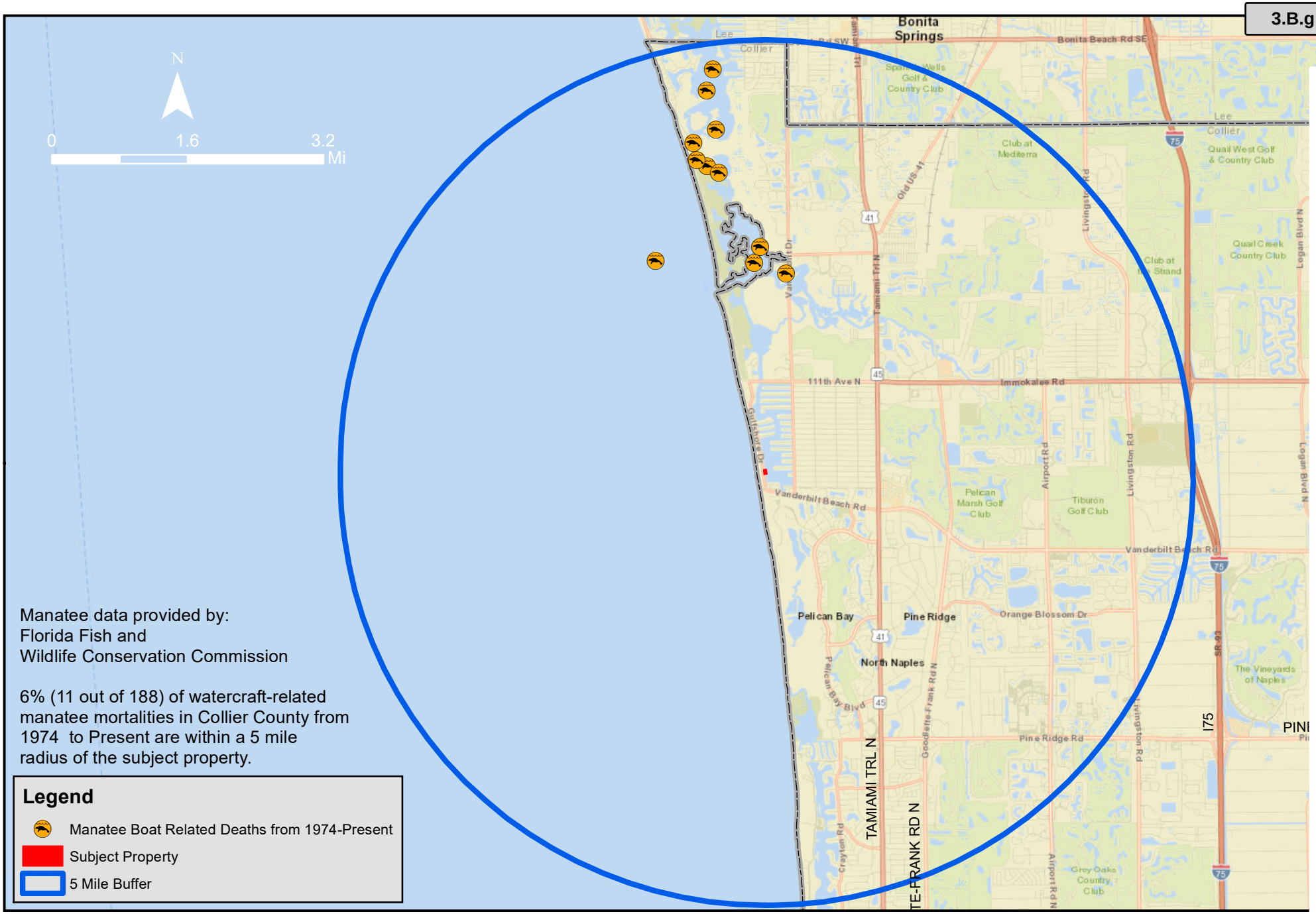
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DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	06-29-23	3.	-	-	-	-
JOB NO.:	21109	4.	-	-	-	-
SHEET NO.:	12 OF 13	5.	-	-	-	-

SECTION-32 TOWNSHIP-48S

P:\21109.00 Watermark Dock Owners Assoc\CAD\PERMIT-COUNTY\21109-BDE.dwg 6/20/2023 MAP 9/20/2023

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr



Manatee data provided by:
Florida Fish and
Wildlife Conservation Commission

6% (11 out of 188) of watercraft-related manatee mortalities in Collier County from 1974 to Present are within a 5 mile radius of the subject property.

Legend

- Manatee Boat Related Deaths from 1974-Present
- Subject Property
- 5 Mile Buffer

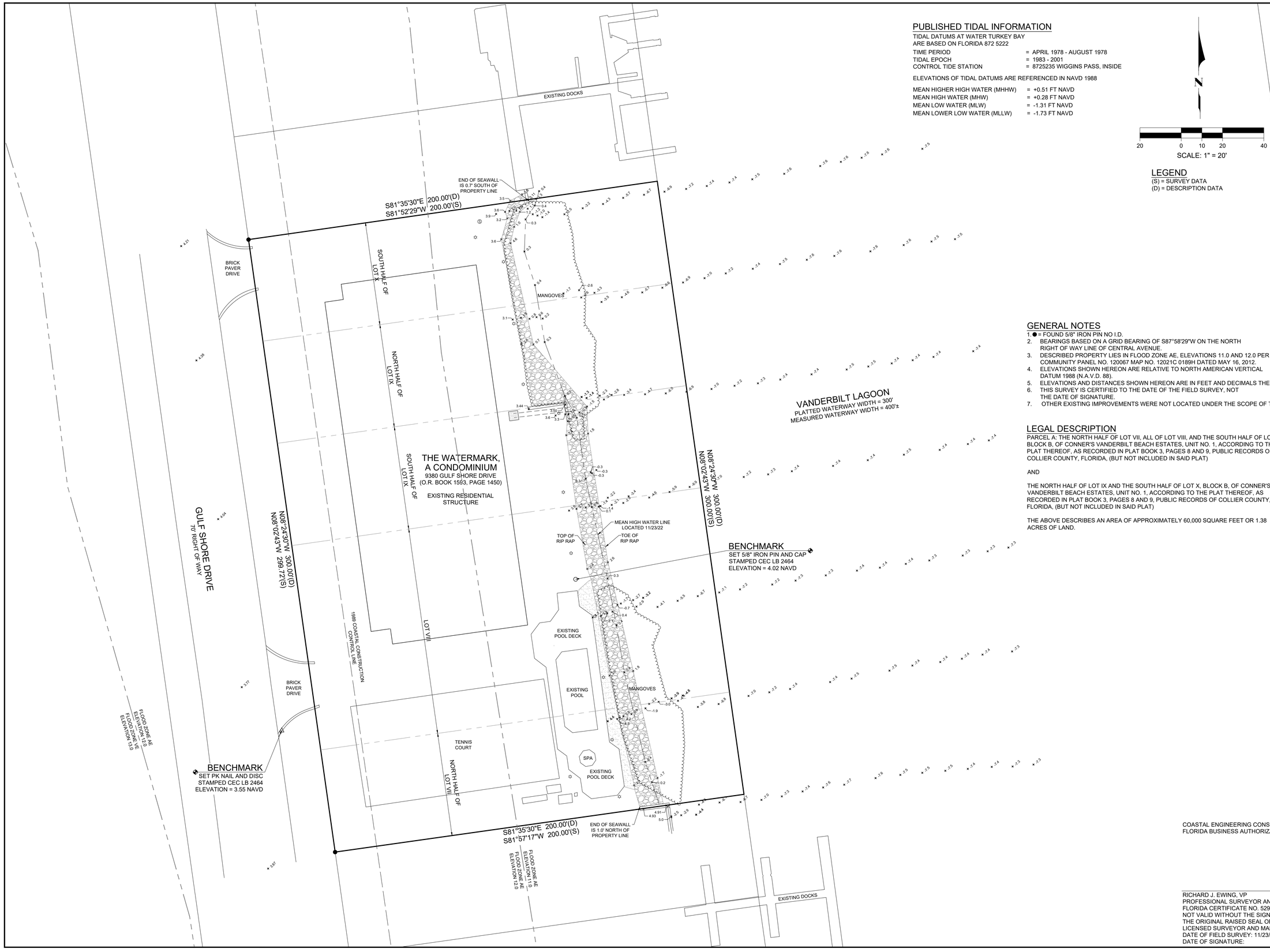
Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3484 Exchange Ave. Suite B. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

WATERMARK CONDO
MANATEE MORTALITY MAP

DRAWN BY:	RMJ	REVISION:	SCALE: 1 "=1.5 mi
CREATED:	06-30-23	N/A	FILE PATH:
JOB NO.:	21109	N/A	P:\21109.00 Watermark Dock Ow Assoc\GIS\21109_ ManateeMort-CNTY.mxd
SHEET:	13 OF 13	N/A	

SECTION-32 TOWNSHIP

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr



PUBLISHED TIDAL INFORMATION

TIDAL DATUMS AT WATER TURKEY BAY
ARE BASED ON FLORIDA 872 5222

TIME PERIOD	= APRIL 1978 - AUGUST 1978
TIDAL EPOCH	= 1983 - 2001
CONTROL TIDE STATION	= 8725235 WIGGINS PASS, INSIDE

ELEVATIONS OF TIDAL DATUMS ARE REFERENCED IN NAVD 1988

MEAN HIGHER HIGH WATER (MHHW)	= +0.51 FT NAVD
MEAN HIGH WATER (MHW)	= +0.28 FT NAVD
MEAN LOW WATER (MLW)	= -1.31 FT NAVD
MEAN LOWER LOW WATER (MLLW)	= -1.73 FT NAVD

N

20 0 10 20 40

SCALE: 1" = 20'

LEGEND

(S) = SURVEY DATA
(D) = DESCRIPTION DATA

GENERAL NOTES

1. ● = FOUND 5/8" IRON PIN NO I.D.
2. BEARINGS BASED ON A GRID BEARING OF S87°58'29"W ON THE NORTH RIGHT OF WAY LINE OF CENTRAL AVENUE.
3. DESCRIBED PROPERTY LIES IN FLOOD ZONE AE, ELEVATIONS 11.0 AND 12.0 PER F.I.R.M. COMMUNITY PANEL NO. 120067 MAP NO. 12021C 0189H DATED MAY 16, 2012.
4. ELEVATIONS SHOWN HEREON ARE RELATIVE TO NORTH AMERICAN VERTICAL DATUM 1988 (N.A.V.D. 88).
5. ELEVATIONS AND DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
6. THIS SURVEY IS CERTIFIED TO THE DATE OF THE FIELD SURVEY, NOT THE DATE OF SIGNATURE.
7. OTHER EXISTING IMPROVEMENTS WERE NOT LOCATED UNDER THE SCOPE OF THIS SURVEY.

LEGAL DESCRIPTION

PARCEL A: THE NORTH HALF OF LOT VII, ALL OF LOT VIII, AND THE SOUTH HALF OF LOT IX, BLOCK B, OF CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGES 8 AND 9, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, (BUT NOT INCLUDED IN SAID PLAT)

AND

THE NORTH HALF OF LOT IX AND THE SOUTH HALF OF LOT X, BLOCK B, OF CONNER'S VANDERBILT BEACH ESTATES, UNIT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGES 8 AND 9, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, (BUT NOT INCLUDED IN SAID PLAT)

THE ABOVE DESCRIBES AN AREA OF APPROXIMATELY 60,000 SQUARE FEET OR 1.38 ACRES OF LAND.

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

RICHARD J. EWING, VP
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5295
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
DATE OF FIELD SURVEY: 11/23/22
DATE OF SIGNATURE:

NO.	DATE	BY	REVISION DESCRIPTION
22.269			
22.269			

THIS DOCUMENT AND THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. ANY REUSE WITHOUT PRIOR WRITTEN VERIFICATION BY COASTAL ENGINEERING CONSULTANTS, INC. FOR ANY OTHER PURPOSE OR TO ANY OTHER PERSON OR ENTITY SHALL BE WITHOUT LIABILITY TO COASTAL ENGINEERING CONSULTANTS, INC. OR ITS SUBCONSULTANTS. ANY UNAUTHORIZED REUSE BY OTHERS WILL BE AT THEIR SOLE RISK AND WITHOUT LIABILITY TO COASTAL ENGINEERING CONSULTANTS, INC. OR ITS SUBCONSULTANTS.

DATE: 12/12/22 | SCALE: 1" = 20'
DRAWN: MMW | F.B. K690
CHECKED: RJE | PG. 54
SEC. 32 | TWP. 48S | RNG. 25E
ACAD NO. 22.269
REF. NO. 22.269

CLIENT: THE WATERMARK CONDOMINIUM ASSOCIATION, INC.

TITLE: SPECIFIC PURPOSE SURVEY OF THE WATERMARK, A CONDOMINIUM AS RECORDED IN OFFICIAL RECORDS BOOK 1593, PAGE 1450, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

COASTAL AND MARINE ENGINEERING
ENVIRONMENTAL AND GEOLOGICAL SERVICES
LAND AND MARINE SURVEY AND MAPPING

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

COASTAL ENGINEERING CONSULTANTS INC.
Serving Florida Since 1977
28421 BONITA CROSSINGS BOULEVARD
BONITA SPRINGS, FLORIDA 34135

SHEET 1 OF 1
FILE NO.: 22.269

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

WATERMARK CONDO
9380 GULF SHORE DR.
NAPLES, FL 34108
FOLIO #81207500021

SUBMERGED RESOURCE SURVEY REPORT
MAY 2023

PREPARED BY:

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

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

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

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

1 INTRODUCTION

Turrell, Hall & Associates, Inc. (THA) has been contracted to provide environmental permitting & engineering services for the proposed new docking facility which accommodates 12 slips and boatlifts. A part of the permitting and design process includes completing an onsite Submerged Resource Survey (SRS) at the subject property Watermark Condo at 9380 Gulf Shore Dr. in Naples, FL 34108 that can be identified by folio #81207500021. This resource survey will provide planning assistance to both the property owner and regulating agencies during the review process for the proposed project.

The subject property consists of a multi-family residential complex that can be found on the east side of Gulf Shore Dr. along Vanderbilt Lagoon. The subject waterway connects directly to the Gulf of Mexico through Wiggins Pass. The upland parcel currently consists of a multi-family condominium with an existing rip-rap vegetated shoreline made up of mangroves and other vegetation scattered throughout. The property is neighbored to the north by a multi-family residence with a docking facility, to the south by a multi-family residence with a docking facility, to the east by the subject waterway, and to the west by Gulf Shore Drive.

The SRS was conducted on May 5, 2023, between approximately 11:30a.m. and 12:15 a.m. Site conditions on that day consisted of sunny skies with a gentle southeast breeze approximately 5-10mph. Water clarity was good too fair which allowed for approximately 12-24 inches of visibility. The ambient air temperature was approximately 85 degrees Fahrenheit with an incoming tide. A low tide occurred before the site visit at approximately 7:34 a.m. and reached approximately 0.9′ feet above the Mean Low Water Mark. High tide was achieved after the site visit at approximately 12:48 p.m., reaching approximately 2.5 feet above the Mean Low Water Mark.

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

2 OBJECTIVE

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

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

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

3 METHODOLOGY

THA biologists intentionally designed the methodology of the SRS to cover not only the entire subject property shoreline for the proposed dock and boathouse installation but also the area within 200 ft. of the proposed site as required by the Collier County LDC. The components utilized for this survey included:

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

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

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

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

4 RESULTS

The substrate found within the surveyed area consists of only 1 different characteristic being a silty muck material with scattered shell debris. There was also a lot of vegetation debris observed in the surrounding area, mostly from the recent storm surge that affected this area. Depths increased gradually with distance from the rip-rap shoreline increasing in depth out to the middle of the waterway with depths ranging from 2.5 to 8 feet.

During the survey, no seagrasses were observed but there were oyster debris consisting of small clusters and scattered oyster debris throughout. Accordingly, no impacts to any submerged resources are expected to occur as the result of the proposed project and no impacts are proposed to any of the existing mangroves along the subject shoreline. A list of species observed during the SRS can be seen below in Table 1.

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

Common Name	**Scientific Name**
Striped Mullet	*Mugil cephalus*
Sheepshead	*Archosargus probatocephalus*
Gray Snapper	*Lutjanus griseus*
Common Snook	*Centropomus undecimalis*

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

5 CONCLUSION

The submerged resource survey was conducted and completed throughout a 200-foot radius surrounding the project site and yielded few results. An existing rip-rap shoreline is present with scattered mangroves and other vegetation. There were no seagrasses or other significant marine resources that were observed anywhere within the vicinity of the project site. There were significant amounts of barnacles and oyster debris observed in and around the mangrove roots contained up along the shoreline. Based off these observations it is THA opinion that the proposed project will not have any negative impacts to any submerged resources nor the subject waterway water quality.

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

6 PHOTOS



Photo 1: Existing property southern shoreline and mangroves.



Photo 2: Existing property shoreline and mangroves.

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 3: View from existing shoreline of subject waterway



Photo 4: View of the existing northern shoreline and adjacent docking facility

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 5: View of shoreline from waterway.



Photo 6: Sediment with heavy shell and vegetation debris close to mangrove shoreline.

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 7: Muck/silt sediment out in deeper portions of waterway.

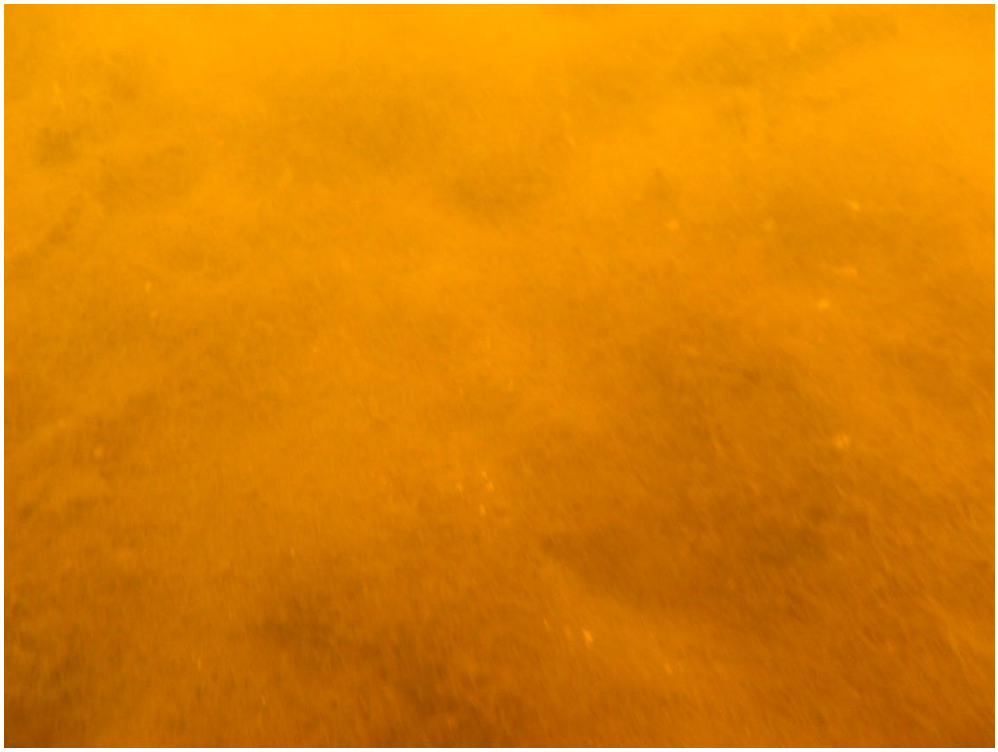


Photo 8: Typical bottom sediment.

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)



Photo 9: Adjacent dock looking south.

Attachment: Attachment F - HEX Backup Package (27575 : PL20230007149 BD 9380 Gulf Shore Dr Watermark Condominium)

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 G - Public Hearing Sign Posting 12212023 (27575 : PL20230007149 BD 9380 Gulf

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.C
Doc ID: 27576
Item Summary: Petition No. BLCD-PL20230011315 – 403 Capri Boulevard - Request for a Boat Lift Canopy Deviation from section 5.03.06.G.2 of the Land Development Code to allow a second boat lift canopy, measuring 13 feet by 12.4 feet for a lot with frontage on a canal pursuant to section 5.03.06.G.3 of the LDC. The subject property is located at 403 Capri Boulevard, also known as Lot 594, Isles of Capri, No. 3, in Section 32, Township 51 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Planner III] Commissioner District 1

Meeting Date: 01/11/2024

Prepared by:
Title: Planner – Zoning
Name: John Kelly
12/20/2023 5:17 PM

Submitted by:
Title: Zoning Director – Zoning
Name: Mike Bosi
12/20/2023 5:17 PM

Approved By:

Review:

Operations & Regulatory Management	Michael Stark	Review Item	Completed	12/27/2023 4:35 PM
Growth Management Community Development Department	David Merino		GMD Approver	Skipped 12/28/2023 1:03 PM
Zoning	Ray Bellows	Review Item	Completed	12/28/2023 1:31 PM
Zoning	James Sabo	Review Item	Skipped	12/29/2023 10:57 AM
Zoning	Mike Bosi	Division Director	Completed	01/02/2024 8:28 AM
Hearing Examiner (GMD Approvers)	David Merino	Review Item	Completed	01/03/2024 3:30 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	01/11/2024 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

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

HEARING DATE: JANUARY 11, 2024

SUBJECT: BLCD-PL20230011315, 403 CAPRI BOULEVARD - BOAT LIFT CANOPY

PROPERTY OWNER/APPLICANT:

Dorothea A. Kelsey and Donald J. Sheehan
403 Capri Blvd.
Naples, FL 34113

AGENT:

Francine Holt
Waterway Boat Lift Covers
15040 Tamiami Trail
Punta Gorda, FL 33955

REQUESTED ACTION:

The petitioner requests a Boat Lift Canopy Deviation from Land Development Code (LDC) Section 5.03.06.G.2 to allow a second boat lift canopy, measuring 13 feet by 12.4 feet, for a lot with frontage on a canal.

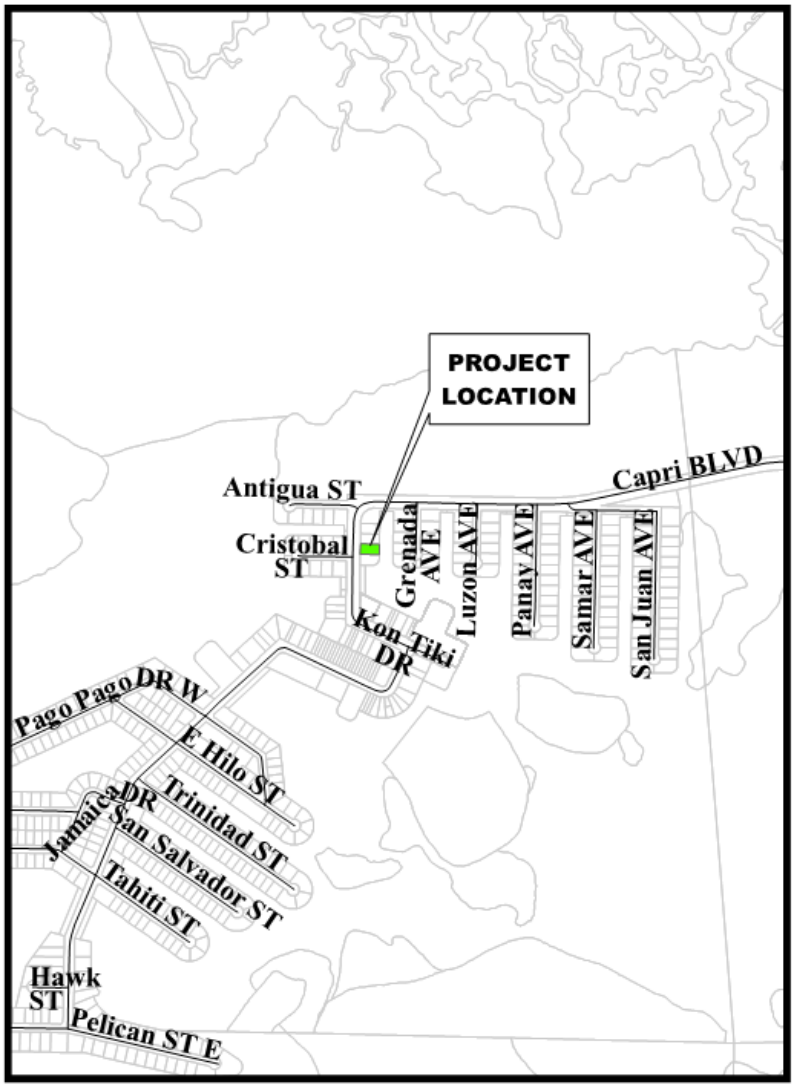
GEOGRAPHIC LOCATION:

The subject parcel is located at 403 Capri Boulevard, also known as Lot 594, Isles of Capri, No. 3, in Section 32, Township 51 South, Range 26 East. Collier County, Florida. *(See location map on the following page)*

PURPOSE/DESCRIPTION OF PROJECT:

The subject property is an improved and homesteaded waterfront lot comprising 0.24 acres located within a Residential-single-family-4 (RSF-4) Zoning District. The applicant desires to construct a second Boat Lift Canopy upon a dock that was built under Permit No. PRBD20160725966, which corrected some issues with a previously issued permit (No. PRBD20190834375); a Certificate of Completion was issued on March 6, 2020. A Boat Lift Canopy was subsequently applied for per PL20210001179, which was approved administratively to allow a 13-foot by 33-foot canopy, which was built in accordance with Permit No. PRBD20210628912, for which a Certificate of Completion was issued on November 29, 2021. The applicant now desires a second boat lift canopy to be placed upon an existing boat lift that will measure 12.4 feet by 13 feet. The provided survey revealed that the first canopy encroaches into the northern side/riparian setback; the applicant's agent will bring the first canopy into compliance during the installation of the second if approved.

Attachment: Staff Report 12182023 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)



Location Map



Zoning Map

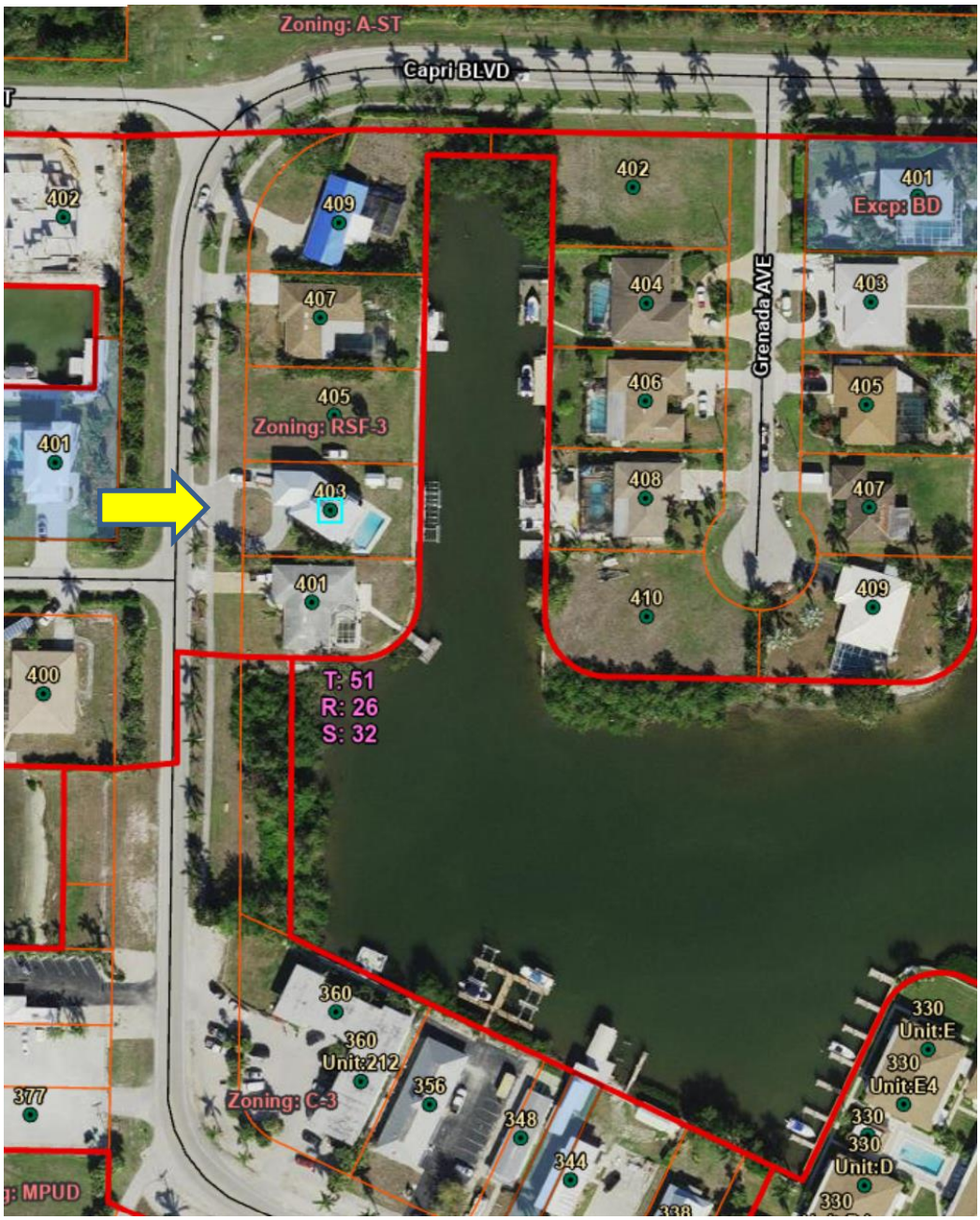
Petition Number: PL20230011315

Attachment: Staff Report 12182023 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

SURROUNDING LAND USE & ZONING:

North:	Unimproved property within a Residential Single-Family-3 (RSF-3) Zoning District
South:	Single-family residence within an RSF-3 Zoning District
East:	Canal, then a single-family residence within an RSF-3 Zoning District
West:	Capri Boulevard (Right-of-Way) then a single-family residence within an RSF-3 Zoning District

Attachment: Staff Report 12182023 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)



Collier County GIS

ENVIRONMENTAL EVALUATION:

Environmental Planning Staff has reviewed this petition and has no objection to the granting of this request. The property is located adjacent to an ST overlay zone but will not require an ST permit because no new pilings are proposed for the Boat Dock Canopy. A DEP Environmental Resource Permit was issued for the Boat Dock Canopy, The DEP classifies the water body as an altered waterbody, Class II Outstanding Florida Waters, Unclassified for shellfish harvesting.

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

Attachment: Staff Report 12182023 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

STAFF ANALYSIS:

The LDC defines a "boat lift canopy" as follows: *a covering that is applied to a boat lift over a legally permitted dock*. The standards for boat lift canopies are contained within LDC section 5.03.06.G. Boatlift canopies that satisfy the standards contained within LDC section 5.03.06.G may be administratively approved by the County Manager or their designee. Deviations from the listed standards may be approved by the Hearing Examiner subject to the public hearing process. Boatlift canopies are a permitted use on waterfront properties per LDC section 5.03.06.B.5.

Land Development Code, Ordinance 04-41, As amended:

5.03.06.G. Standards for boat lift canopies.

1. Boatlift canopies shall be permitted over an existing boat lift attached to a dock legally permitted, by the requisite local, state and federal agencies, if the following criteria are met.

    a. Canopy covers shall not extend more than 27 inches beyond the width of the boat lift on each side.

    b. The length of the boat lift canopy shall not exceed 35 feet.

    c. The height of the boat lift canopy shall not exceed 12 feet, measured from the highest point of the canopy to the height of the dock walkway.

    d. The sides of the canopy cover shall remain open on all sides, except that a drop curtain, not to exceed 18 inches shall be permitted on the sides.

    e. Boatlift canopies shall meet the requirements of Awnings and Canopies in the Florida Building Code.

    f. Canopy cover material shall be limited to beige, or mid-range shades of blue or green.

    g. No boat lift canopies shall be permitted at sites that contain either a boathouse or a covered structure.

2. Lots with frontage on canals shall be permitted a maximum of one boatlift canopy per site. Lots with frontage on bays shall be permitted a maximum of 2 boat lift canopies per site.

In this case, the applicant desires to construct a second boat lift canopy measuring 12.4 feet in width that will not extend beyond the width of the boat lift and 13 feet in length. The boat lift canopy will be 12 feet in height, will have open sides with no curtains, and will be jade in color. Said boat lift canopy will be constructed over a lawfully permitted dock, Building Permit No. PRBD20190834375. As this property is on a canal lot, the second canopy requires implementation of the Boat Dock Canopy Deviation process, which triggers the public hearing process. During the

Attachment: Staff Report 12182023 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

review of this project, it was determined that the first canopy encroaches into the northern side/riparian setback. The applicant's agent has agreed to correct the location of the first canopy, which will bring the entire dock facility into compliance at the time the second canopy is constructed and before obtaining a Certificate of Completion.

CONCURRENT LAND USE APPLICATIONS:

None.

APPEAL OF BOAT LIFT CANOPY DEVIATION:

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

STAFF RECOMMENDATION:

Based on the above findings, staff recommends that the Hearing Examiner APPROVE Petition BLCD-PL20230011315, to allow for the construction of a second boat lift canopy as depicted within the plans contained within Attachments A and B, subject to the following stipulations:

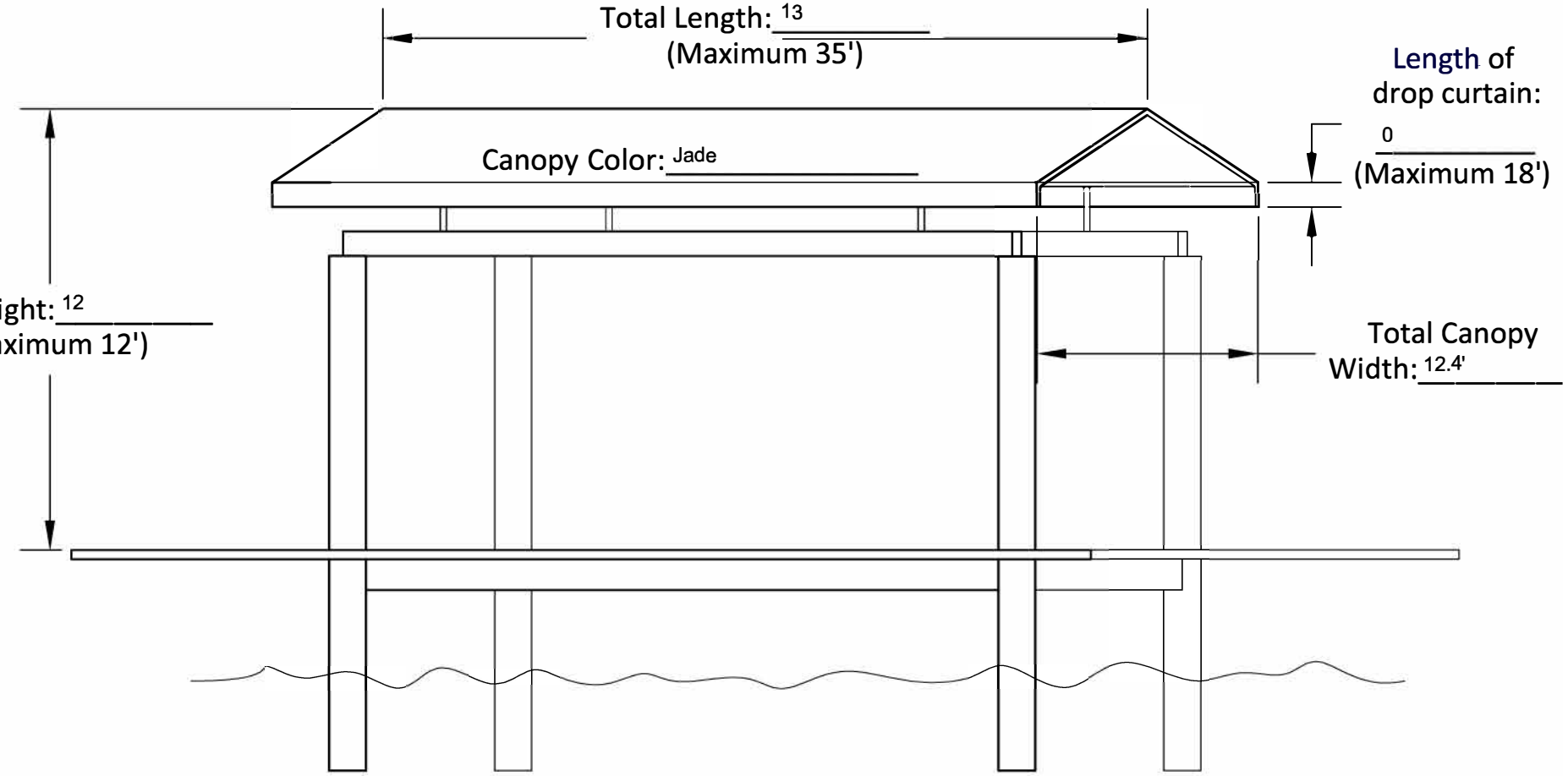
1. The boat lift canopy is to be removed upon issuance of a hurricane warning affecting the general vicinity of the referenced location; and
2. A Building Permit shall be obtained for the placement of the subject boat lift canopy and, if required by the Building Department, for the revisions to the first canopy to reduce its overall length.

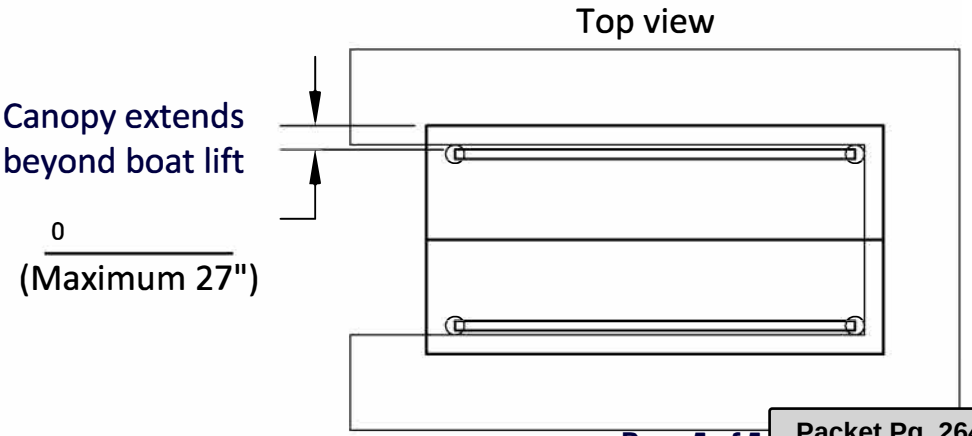
Attachments:

A. Canopy Detail
B. Proposed Site Plan
C. Dock – Building Permit No. PRBD20160725966
D. Dock – Building Permit No. PRBD20190834375
E. Boat Lift Canopy – PL20210001179
F. Canopy – Building Permit No. PRBD20210628902
G. Applicant's Backup – Application and Supporting Documents
H. Sign Posting

Attachment: Staff Report 12182023 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Address: 403 Capri Blvd. Naples, Fl 34113





CANOPY DETAIL

This drawing must be completed and submitted as an attachment to the Administrative Boat Lift Canopy Application

Attachment: Attachment A - Canopy Detail (27576 : PL20230011315 BLCD 403 Capri Blvd

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

Administrative Boat Lift Canopy and Boat Lift Canopy Deviation Application

Land Development Code section 5.03.06 G

Chapter 3 of the Administrative Code

PETITION NO: _____

PROJECT NAME: _____

DATE PROCESSED: _____

Land Development Code section 5.03.06 G (Dock Facilities) includes provisions for the installation of "boat lift canopies," defined as "A covering that is applied to a boat lift over a legally permitted dock." LDC section 5.03.06 G provides standards for these canopies.

☑ Check here if requesting deviation – LDC 5.03.06 G.3. (public hearing advertising and notification fees apply) If an applicant wishes to construct a boat lift canopy that does not meet the standards of subsection 5.03.06 G., then a petition for a boat lift canopy deviation may be made to the Office of the Hearing Examiner which shall review a sufficient petition application and either approve or deny the request. The assigned Planner will take the appropriate steps to prepare the application for the Hearing Examiner hearing.

This is an administrative review to determine compliance with the provisions of the LDC. If any other State or Federal permit is required, the applicable permit(s) must be obtained prior to construction or installation of the boat lift canopy. Please contact the State Department of Environmental Protection (239-332-5600) and the US Army Corps of Engineers (239-334-1975) to determine if permitting is required.

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): Dorothea Anne Kelsey & Donald J Sheehan

Name of Applicant if different than owner: _____

Address: 403 Capri Blvd **City:** Naples **State:** Fl **ZIP:** 34113

Telephone: 239-253-0211 **Cell:** 239-777-7820

E-Mail Address: don@ottins.com or akelseyrealtor@gmail.com

Name of Agent: Francine Holt

Firm: Waterway Boat Lift Covers

Address: 15040 Tamiami Trl **City:** Punta Gorda **State:** Fl **ZIP:** 33955

Telephone: 941-505-0237 **Cell:** _____

E-Mail Address: fholt@waterwayblc.com

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Collier County
Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

PROPERTY INFORMATION

Property ID Number: 52450720001 **Section/Township/Range:** 32 / 51 / 26

Subdivision: 427000 - ISLES OF CAPRI **Unit:** 3 **Lot:** 594 **Block:**

Address/General Location of Subject Property:

403 Capri Blvd. Naples, Fl 34113

Current Zoning and Land Use of Subject Property: Single Family Residential

STANDARDS FOR BOAT LIFT CANOPIES

LDC section 5.03.06 defines boat lift canopies as, "A covering that is applied to a boat lift over a dock legally permitted by the requisite local, state and federal agencies." LDC section 5.03.06 G provides standards for these canopies as follows:

a) Canopies shall not extend more than 27 inches beyond the width of the boat lift on each side.
Total width of Canopy 12.4'
b) Does Canopy extend beyond width of boat lift? ☐ Yes ☒ No If yes, how many inches? 0
c) The length of the boat lift Canopy shall not exceed 35 feet. Length: 13 ft.
d) The height of the boat lift Canopy shall not exceed 12 feet, measured from the highest point of the Canopy to the height of the dock walkway. Total Height: 12 ft.
e) The sides of the Canopy cover shall remain open on all sides, except that a drop curtain, not to exceed 18' shall be permitted on the sides. Length of Drop Curtain: 0 inches.
f) Boat lift Canopies shall meet the requirements of Awnings and Canopies in the Florida Building Code.
g) Canopy cover material shall be limited to beige, or mid-range shades of blue or green. Canopy Color: Jade
h) No boat lift canopies shall be permitted at sites that contain either a boathouse or a covered structure.

Lots with frontage on canals shall be permitted a maximum of 1 boat lift Canopy per site. Lots with frontage on bays shall be permitted a maximum of 2 boat lift Canopies per site.

If an applicant wishes to construct a boat lift Canopy that does not meet the standards of LDC subsection 5.03.06 G.1, then a petition for a boat lift Canopy deviation may be made to the Hearing Examiner which shall review a sufficient petition application and either approve or deny the request.

SUBMITTAL REQUIREMENT CHECKLIST

See Chapter 3 B. of the Administrative Code for submittal requirements.

REQUIREMENTS FOR REVIEW:	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	☑	
Completed Addressing Checklist	☑	
Property Ownership Disclosure Form	☑	
Signed and sealed survey, showing any existing dock facility	☑	☐
Scale drawing of the proposed Canopy. (Please refer to page 4)	☑	☐
Sample of the fabric for color review.	☑	☐

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

FEE REQUIREMENTS

☑ **Pre-Application fee:** $500.00

☑ **Boat Lift Canopy Administrative Review fee:** $500.00

Fire Planning Review Fee: $100.00

Additional fees, If requesting a deviation:

☑ **Estimated Legal Advertising fee:** $1,125.00

☐ **If applicable, an additional fee for Property Owner Notifications will be be billed to the applicant afterhearing date.** *(Variable)*

If requesting a deviation, listing all registered homeowner and civic associations affected below is required.

ASSOCIATIONS

Required: List all registered Home Owner / Civic Association(s) that could be affected by this petition and located within 1,000 feet of the subject property. Provide additional sheets if necessary. Information can be found on the **Civic Associations and Communities page** on the Board of County Commissioner's website. Please use the current mailing addresses for each association as registered by the Florida Department of State, Division of Corporations.

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

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

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

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

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

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

All fees are collected at the time of application. Property Notification Letters, if required by The Land Development Code, will be invoiced after the petition is heard by the Board of County Commissioners.

*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. *Additional fee for the 5th and subsequent re-submittal will be accessed at 20% of the original fee.*

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. This permit is conditioned on all other applicable state or federal permits being obtained before commencement of the development.

I HEREBY ATTEST THAT THE INFORMATION PROVIDED IN THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT, IN ADDITION TO APPROVAL OF THIS BOAT LIFT CANOPY APPLICATION, A BUILDING PERMIT IS REQUIRED PRIOR TO COMMENCEMENT OF CONSTRUCTION.

***The completed application, all required submittal materials, and fees shall be submitted to:**
Growth Management Community Development Department | GMD Portal:
https://cvportal.colliercountyfl.gov/cityviewweb

Questions? Email: GMDclientservices@colliercountyfl.gov

Dorothea Anne Kelsey
Dorothea Anne Kelsey (Apr 6, 2023 15:10 EDT)

Applicant Signature

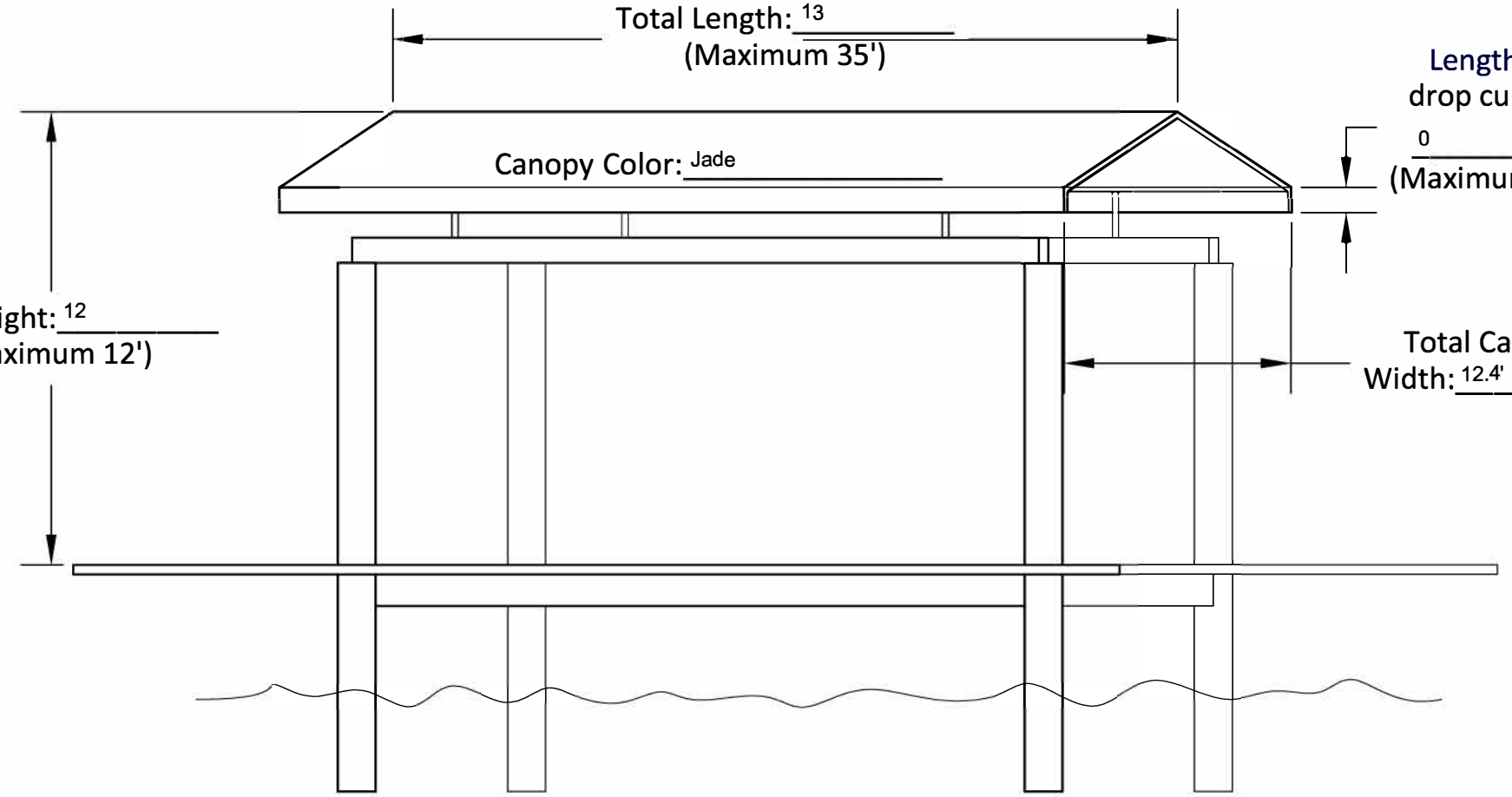
Dorothea Anne Kelsey

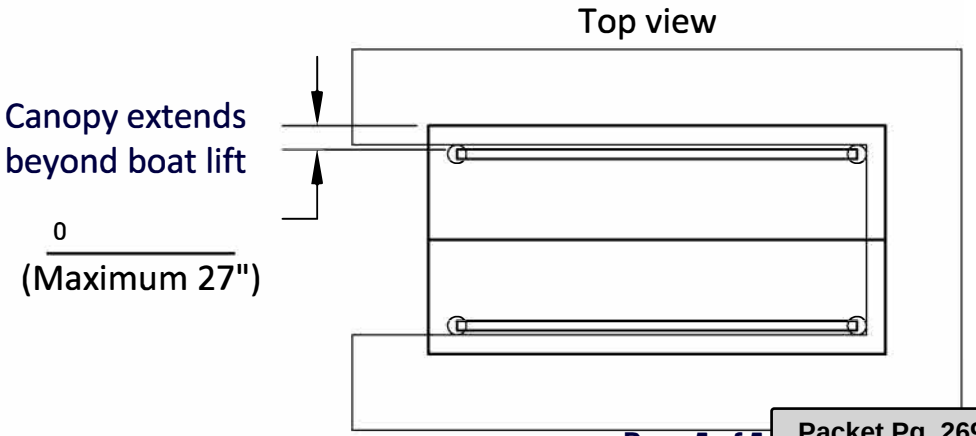
Printed Name

Date

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Address: 403 Capri Blvd. Naples, Fl 34113





CANOPY DETAIL

This drawing must be completed and submitted as an attachment to the Administrative Boat Lift Canopy Application

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd

Collier County
Growth Management
Community Development Department

ADDRESSING CHECKLIST

Please complete the following and upload via the CityView Portal with your submittal. Items marked with (*) are required for every application, other items are optional and may not apply to every project.

Forms are valid for 6 months following their submittal; an updated form will be required for a new submittal after that timeframe and any time the properties within the project boundary are modified.

Additional documents may be attached to this form and can include:

- * LOCATION MAP and/or SURVEY showing the proposed project boundary.
- List of additional folio numbers and associated legal descriptions.
- E-mail from Addressing Official for any pre-approved project and/or street names.

LOCATION INFORMATION

***FOLIO (Property ID) Number(s)** of subject property or properties. [Attach list if necessary]

52450720001

***LEGAL DESCRIPTION** of subject property or properties. [Attach list if necessary]

ISLES OF CAPRI NO 3 LOT 594 OR 950 PG 1382

STREET ADDRESS(ES) where applicable, if already assigned.

403 Capri Blvd

PROJECT INFORMATION

Acceptance of this form does not constitute project and/or street name approval and is subject to further review by the Addressing Official. Pre-Approval may be requested by contacting us at GMD_Addressing@colliercountyfl.gov or 239-252-2482 prior to your submittal.

CURRENT PROJECT NAME

Sheehan Canopy

PROPOSED PROJECT NAME

Sheehan Canopy

PROPOSED STREET NAME(s)

403 Capri Blvd

LATEST APPROVED PROJECT NUMBER [e.g., SDP-94-##, PPL-2002-AR-####, PL2017000####]

PL20210001179

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Operations & Regulatory Management Division ● 2800 North Horseshoe Drive ● Naples, FL 34104 ● 239-252-2400
www.colliercountyfl.gov

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership
Dorothea Anne Kelsey	50
Donald J Sheehan	50

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 - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

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 11/8/2019

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

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

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

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

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

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

Dorothea Anne Kelsey
Dorothea Anne Kelsey (Apr 6, 2023 14:43 EDT)
_____ _____
Agent/Owner Signature Date

Dorothea Anne Kelsey
_____
Agent/Owner Name (please print)

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

INSTR 5791155 OR 5695 PG 3443 RECORDED 11/15/2019 12:42 PM PAGES 2
CLERK OF THE CIRCUIT COURT AND COMPTROLLER, COLLIER COUNTY FLORIDA
DOC@.70 $0.70 REC $18.50
CONS $10.00

WARRANTY DEED

This Warranty Deed made the 8 day of November 2019 2019, by DOROTHEA A. KELSEY, joined by her husband, DONALD J. SHEEHAN, hereinafter called the Grantor, to DOROTHEA A. KELSEY and DONALD J. SHEEHAN, wife and husband, as an estate by the entireties, whose post office address is 403 Capri Blvd., Naples FL 34113, hereinafter called the 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).

The Trustee hereunder shall have full power and authority to deal in and with the property described herein, or any part or interest therein, and shall have full power and authority to protect, conserve, and to sell or to lease, or to encumber, or otherwise to manage and dispose of the real property described herein.

WITNESSETH: That the Grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases and transfers unto the Grantee, all that certain land situate in COLLIER County, Florida, viz:

LOT 594, ISLES OF CAPRI, NO. 3, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 66, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

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

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

The Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that 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 restrictions and easements common to the subdivision, outstanding oil, gas, and mineral interests of record, if any, and ad valorem real estate taxes for the current year.

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

Signed, sealed and delivered in the presence of:

Witness Signature

Patricia Newell
Typed Name

Witness Signature

Elida Vasquez Cortez
Typed Name

Dorothea Anne Kelsey
DOROTHEA A. KELSEY

NOT OFFICIAL DOCUMENT

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Witness Signature

Patricia Newell
Typed Name

Witness Signature

Elida Vasquez Cortez
Typed Name

DONALD J. SHEEHAN

STATE OF FLORIDA

COUNTY OF COLLIER

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared DOROTHEA A. KELSEY, who is personally known to me or who has produced personally known as identification and who acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 8 day of November 2019.

(SEAL)

PATRICIA NEWELL
Commission # FF 971352
Expires March 15, 2020
Bonded Thru Troy Fain Insurance 800-385-7019

Notary Public
Typed Name: Patricia Newell
My Commission Number is: FF 971352
My Commission Expires: March 15 2020

STATE OF FLORIDA

COUNTY OF COLLIER

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared DONALD J. SHEEHAN, who is personally known to me or who has produced personally known as identification and who acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 8 day of November 2019.

PATRICIA NEWELL
Commission # FF 971352
Expires March 15, 2020
Bonded Thru Troy Fain Insurance 800-385-7019

(SEAL)

Notary Public
Typed Name: Patricia Newell
My Commission Number is: FF 971352
My Commission Expires: March 15 2020

This instrument prepared by:

Kenneth W. Richman, Esquire
Florida Bar No. 220711
E-mail: KenRichLaw@comcast.net
P.O. Box 111682
Naples, Florida 34108
Telephone: (239) 566-2185

NOT A CERTIFIED COPY

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20230011315

I, Donald J Sheehan (print name), as Owner (title, if applicable) of 403 Capri Blvd. Naples, FL 34113 (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 Waterway Boat Lift Covers 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.

Donald J. Sheehan
Signature

8/22/2023
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [x] physical presence or [ ] online notarization this 22nd day of August, 20 23, by (printed name of owner or qualifier) Donald J Sheehan.

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: _____

SOLITAIR MARIE HOLLENBACK
Notary Public - State of Florida
Commission # HH 169193
My Comm. Expires Aug 24, 2025
Bonded through National Notary Assn.

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

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL2023001 13 15

I, Dorothea Anne Kelsey (print name), as Owner (title, if applicable) of 403 Capri Blvd. Naples, FL 34113 (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 Waterway Boat Lift Covers 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.

Dorothea Anne Kelsey
Signature

Aug. 22, 2023
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [x] physical presence or [ ] online notarization this 22nd day of August, 20 23, by (printed name of owner or qualifier) Dorothea Anne Kelsey.

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.

SOLITAIR MARIE HOLLENBACK
Notary Public - State of Florida
Commission # HH 169193
My Comm. Expires Aug 24, 2025
Bonded through National Notary Assn.

Notary Signature: _____

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

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

WATERWAY BOAT LIFT COVERS
15040 TAMIAMI TRL. PUNTA GORDA, FL 33955
239.340.8429 | 941.505.0237
TOLL-FREE 1.877.201.3606
WaterwayBoatLiftCovers.com

11/6/2023

To Mr. John Kelly- Planner

Reference PL20230011315- Donald Sheehan

Pursuant to the above referenced planning number, our customer Donald Sheehan, 403 Capri Blvd. Naples, Fl has requested installation of a second boat lift cover system. This request will require an approved Deviation, as this falls under the Naples Ordinance SEC 5.03.06.G.2, "Lots with coverage on canals shall be permitted a maximum of one boat lift canopy system per site. Lots with frontage on bays shall be permitted a maximum of two boat lift canopy systems per site." Mr. Sheehan's property is governed by the rules of the "Canal". The second canopy system will cover his small boat lift, which handles a smaller watercraft and will protect it from the harsh Florida elements.

All permits applying to the existing dock with both lifts and pilings (PRBD2019834375) and first canopy system (PRBD20210628902) have been approved by all agencies. The only compliance issue is that Mr. Sheehan would like to install a second boat lift cover system, where per Ordinance Sec 5.03.06.G.2 states that he can only have one.

To comply with Zoning issues found with the existing canopy system previously permitted, Waterway Boat Lift Covers will need to move the existing canopy system forward 2 feet to put the canopy in compliance with Zoning. We will also be shrinking the proposed new canopy from 18 feet to 13 feet to stay within the current LDC code setbacks.

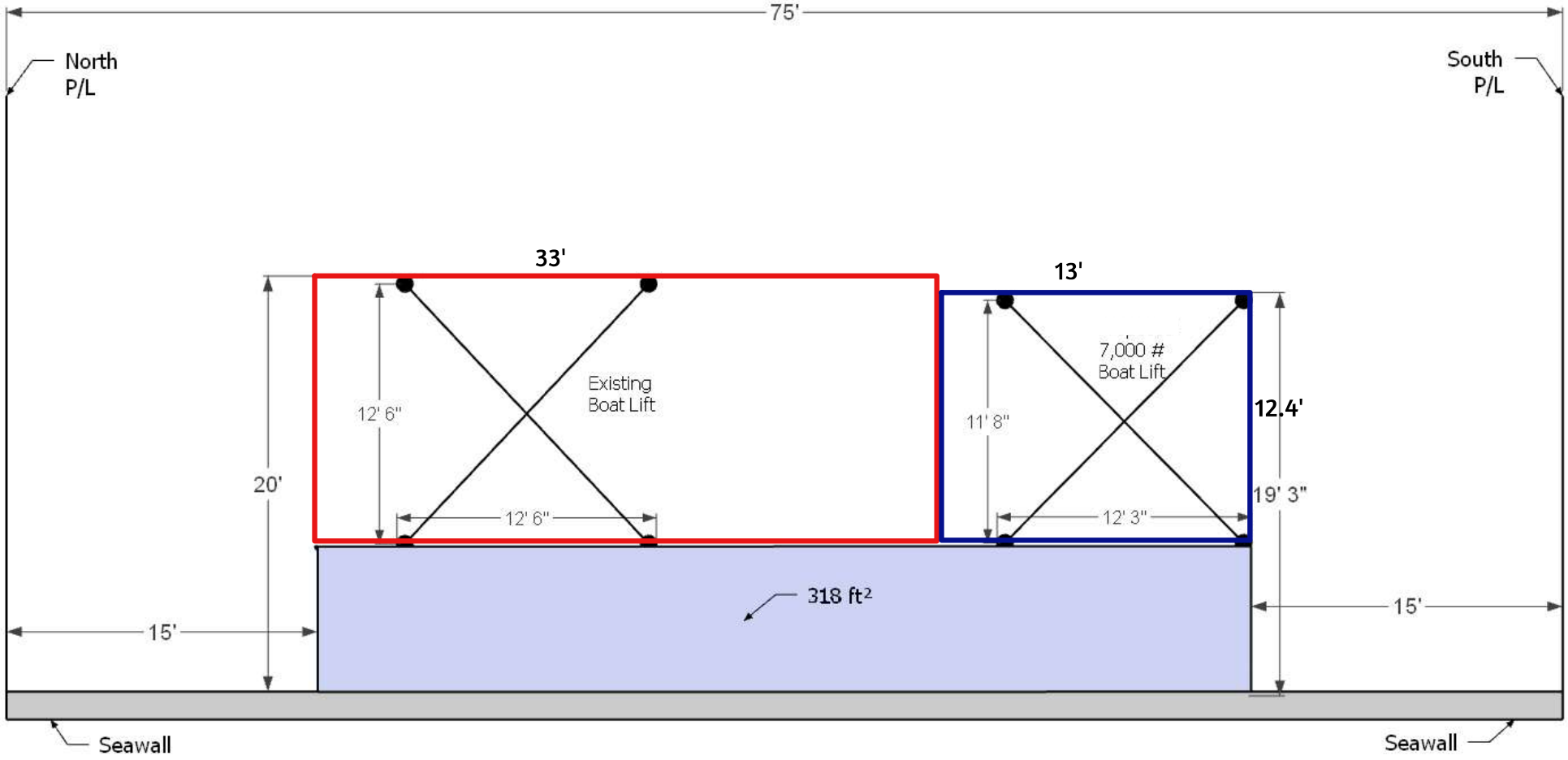
Both boat lift cover systems are located directly behind Mr. Sheehan's home, off Tarpon Bay. This addition will not obstruct any navigation in or out of the canal, and the lifts sit parallel with the seawall.

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

New 13' Canopy

Existing 33' Canopy

Proposed 13' x 12.4' Canopy
Move existing canopy forward
Max Height 12'



GREG ORICK MARINE CONSTRUCTION, INC. **(239) 949-5588**	Name: **Anne Kelsey** Address: **403 Capri Blvd** **Naples, FL 34113** Date: **10/7/2019**	Approved Signature: _____ Approved Date: _____

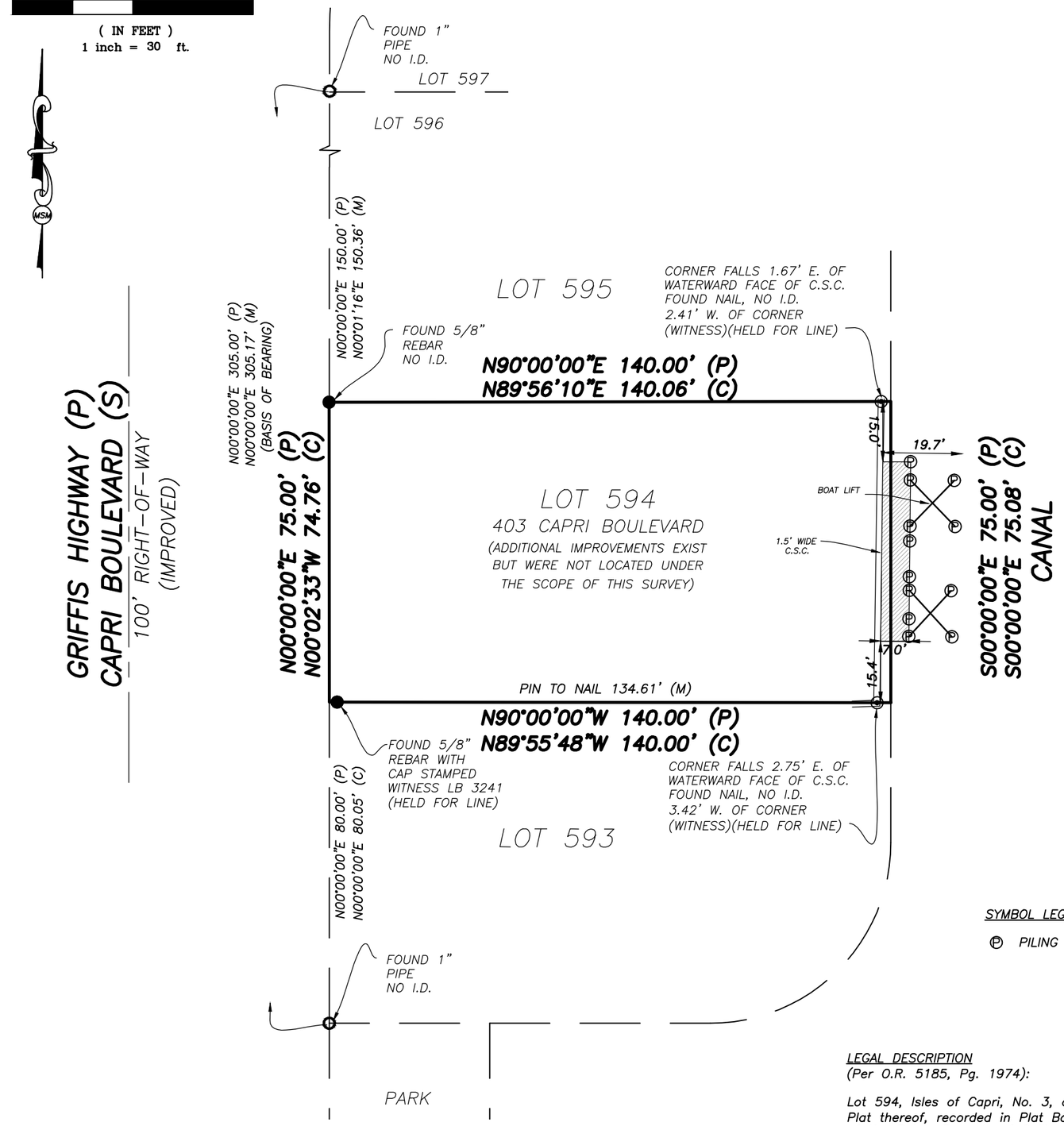
Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd

GRAPHIC SCALE

0 15 30 60

(IN FEET)
1 inch = 30 ft.

REVISION NOTES:
1. Add proposed boat lift and label dock and pilings as existing; JP; 09/13/2019
2. Add portion of dock to be removed, dock addition, proposed boat lift and pilings; JP; 09/20/2019
3. Add new dock, pilings and lifts; JB; W.O.#19–572; 2/3/2020



NOTES:

1. Last day of field work is July 19, 2019. (date of survey)
2. Bearings shown hereon are based on the East Right–of–Way line of Griffis Highway, Isles of Capri, No. 3., according to the Plat thereof, as recorded in the Public Records of Collier County, Florida being N00°00'00"E.
3. No easement search or abstracting was done by the surveyor and note should be taken that this property is subject to any facts that may be revealed with a full and accurate title search.
4. No environmental study, audit, or determinations were made in this survey. Any environmental conditions that may be depicted on this survey are the result of simple observation and not the result of a scientific analysis.
5. The intended use of this survey is to serve as an analysis tool for permitting purposes.
6. Unless otherwise indicated all easements shown hereon are based on plat.
7. Only above ground, visible and apparent improvements were located.
8. Foundations and overhangs are not taken into account on this survey.
9. Irrigation equipment was not taken into account on this survey.
10. No other persons or entities other than those listed as exclusive users may rely on this survey.
11. All dimensions are in feet and decimals thereof, unless otherwise noted.
12. Subject to easements, reservations and restrictions of record.
13. Building ties reflect distances to the finish surface of the structure and may not be representative of foundations or primary walls.
14. According to the Collier County Zoning Map viewer as posted on colliergov.net this property is zoned RSF–3.

    Zoning and setback information is provided for informational purposes only and are subject to variances and other conditions not provided to the surveyor consult county codes before making any decisions regarding setbacks.

15. Property contains 0.24 acres (10,492 square feet) more or less.

ABBREVIATIONS
(M) MEASURED
(P) PLAT
(C) CALCULATED
(S) SIGNAGE
D.E. = DRAINAGE EASEMENT
U.E. = UTILITY EASEMENT
C.S.C. = CONCRETE SEAWALL CAP
O.R. = OFFICIAL RECORDS BOOK
P.C. = POINT OF CURVATURE
PG. = PAGE
P.I. = POINT OF INTERSECTION

SURFACE LEGEND
COMPOSITE

SYMBOL LEGEND
Ⓟ PILING

For the Exclusive Use Of:
Greg Orick Marine Construction

JOHN P. PACETTI CERTIFICATE No. 6916 STATE OF FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

John P. Pacetti, PSM,
Florida License No. 6916
Not valid without the signature and original seal of the Florida Licensed Professional Surveyor and Mapper Certificate of Authorization #7705.

LEGAL DESCRIPTION
(Per O.R. 5185, Pg. 1974):

Lot 594, Isles of Capri, No. 3, according to the Plat thereof, recorded in Plat Book 3, Page(s) 66, of the Public Records of Collier County, Florida

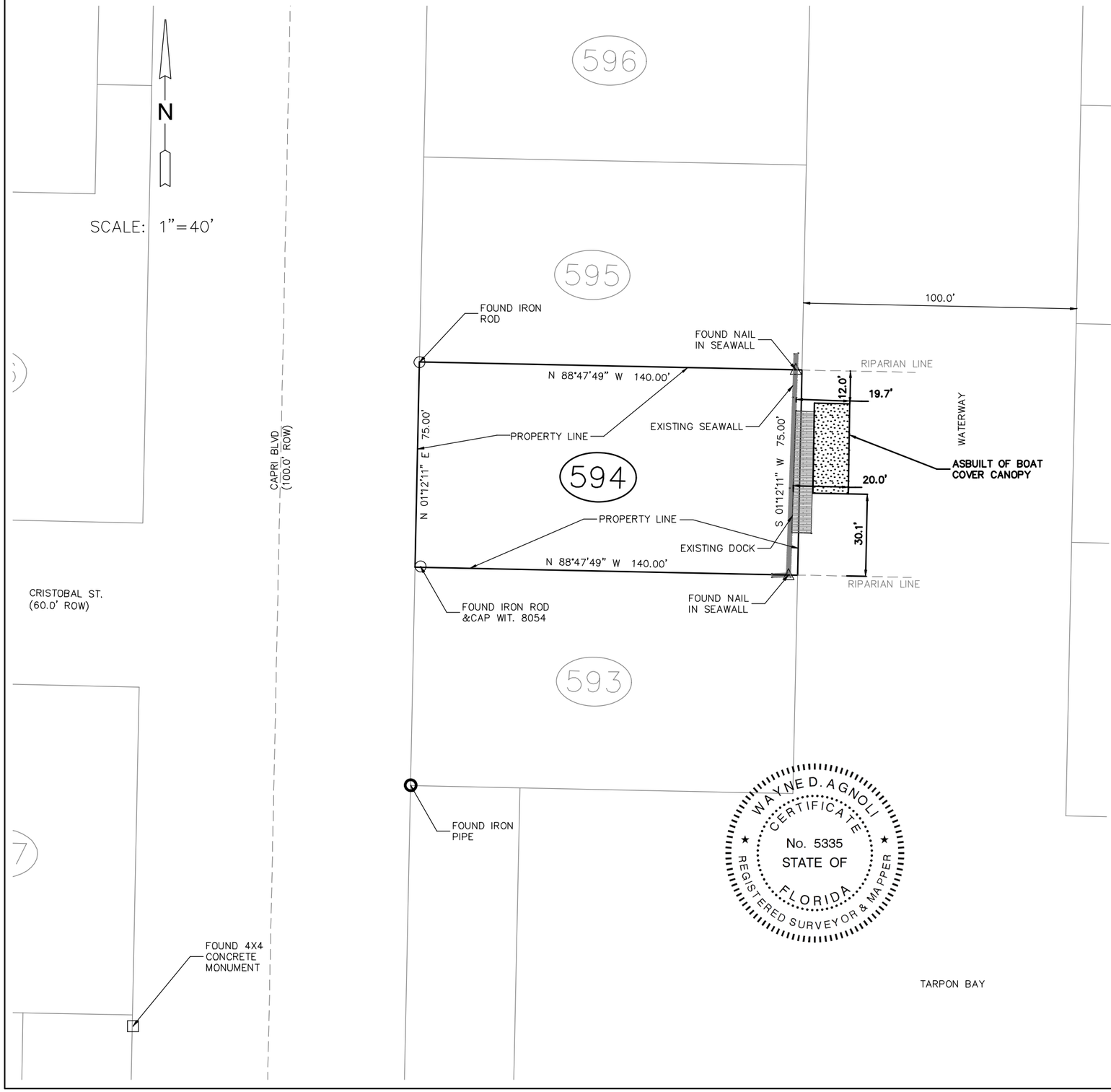
MARCO SURVEYING & MAPPING
A LIMITED LIABILITY COMPANY
MARCO SURVEYING & MAPPING
3825 BECK BOULEVARD
SUITE 725
NAPLES, FLORIDA 34114
(239) 389–0026
WWW.MARCOSURVEYS.COM

BOUNDARY SURVEY

Lot 594, Isles of Capri, No. 3, Collier County, Florida

CLIENT:	Greg Orick Marine Construction				
HORIZONTAL SCALE:	1" = 30'		PROJECT NUMBER:	N/A	
CHIEF:	BOOK/PAGE		DRAFTED BY:	DATE	WO NUMBER	DRAWING NO.
N.E.	185	70	R.Y.	07/2019	19–	

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)



PREPARED FOR: DONALD SHEEHAN

DATE OF FIELD SURVEY: MAY 17, 2023

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

BY_____

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

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

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

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

GENERAL NOTES:

1. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. BEARINGS ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM , EAST ZONE, NAD 83/90 DATUM AND REFERENCED TO THE NORTH LINE OF LOT 594, ISLES OF CAPRI, UNIT 3, SECTION 32, TOWNSHIP 51 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, AS BEING NORTH 88° 47' 49" WEST.
3. HORIZONTAL COORDINATES WERE DERIVED BY GPS OBSERVATIONS USING A TRIMBLE DUAL FREQUENCY RECEIVER (MODEL R10), RECEIVING CORRECTIONS FROM TRIMBLE VRS NOW RTN (REAL TIME NETWORK)
4. VERTICAL: ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).ELEVATIONS WERE ESTABLISHED USING LONG TERM OBSERVATIONS WITH A TRIMBLE (MODEL R10) DUAL FREQUENCY RECEIVER GPS (GLOBAL POSITIONING SYSTEM).

SURVEYOR'S NOTE: THE PURPOSE OF THE SURVEY IS TO ASBUILT THE BOAT COVER CANOPY ONLY. NO OTHER IMPROVEMENTS HAVE BEEN LOCATED UNDER THE SCOPE OF THIS SURVEY.

403 CAPRI BLVD. SPECIFIC PURPOSE SURVEY

for:	DONALD SHEEHAN
title:	MAP OF ASBUILT SURVEY OF LOT 594 ISLES OF CAPRI, UNIT NO. 3 SECTION 32, TOWNSHIP 51 SOUTH & RANGE 26 EAST (PLAT BOOK 3 & PAGE 66) COLLIER COUNTY, FLORIDA

bk:	pg:	
1294	47	date: JUNE 14, 2023
		scale: 1" = 40'
		cogo #: 20-0068

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

design:	XXX
drawn:	LD
checked:	WDA
acad #:	13514-AB
task #:	XXXX-XX
project #:	20-0068
sheet #:	1 of 1
file #:	13514

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)



566 Sunflower
858566
PREMIUM



562 Emerald
858562



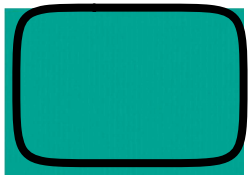
510 Dark Green
858510



570 Summer Ivy
858570
PREMIUM



514 Lime Green
858514
PREMIUM



567 Jade
858567
PREMIUM



564 Teal
858564



565 Reef Blue
858565



539 Bay Blue
858539



503 Royal Blue
858503



518 Dusky Blue
858518



536 Cobalt Blue
858536

Attachment: Attachment B - Proposed Site Plan (27576 : PL20230011315 BLCD 403 Capri Blvd

COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS

PERMIT

PERMIT #: PRBD2016072596601 PERMIT TYPE: MR
ISSUED: BY: APPLIED DATE: 07-08-16 APPROVAL DATE: 07-15-16
MASTER #: COA:

JOB ADDRESS: 403 CAPRI BLVD
JOB DESCRIPTION: INSTALL 4 PILINGS FOR A FUTURE BOAT LIFT JOB PHONE:
403 CAPRI BLVD

SUBDIVISION #: BLOCK: LOT:
FLOOD MAP: ZONE: ELEVATION:
FOLIO #: 52450720001 SECTION-TOWNSHIP-RANGE: 32-51-26

OWNER INFORMATION:
KELSEY, DOROTHEA ANNE
403 CAPRI BLVD
NAPLES , FL 34113-

CONTRACTOR INFORMATION:
GREG ORICK II MARINE CONSTRUCTION, INC
27171 DRIFTWOOD DR
BONITA SPRINGS, FL 34135-

CERTIFICATE #: C28961 PHONE:

FCC CODE:
CONSTRUCTION CODE: 0218
JOB VALUE: $1,000.00 TOTAL RES SQFT: 0 TOTAL COMM SQFT: 0

SETBACKS FRONT: 20' REAR: LEFT: 15' RIGHT: 15
SEWER: WATER:
CONTACT NAME:
CONTACT PHONE:

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

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

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

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

Attachment: Attachment C - Dock – Building Permit No. PRBD20160725966 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

COLLIER COUNTY BUILDING PERMIT REVISION FORM

Growth Management Division | 2800 N. Horseshoe Drive, Naples Florida 34104 TEL: 239-252-2400

☑ Residential 1 or 2 Units (Single Family/Duplex) ☐ Residential 3 or more Units (Multi-family) ☐ Commercial

Permit No. PRBD20160725966-02

JOB LOCATION

Job Address: 403 Capri Blvd

Parcel # / Folio: 52450720001

Owner's Name: Anne Kelsey

Agent Submitting Revision: Greg Orick II Marine Construction

CONTRACTOR \ PROFESSION AL INFORMATION

☑ Contractor ☐ Owner Builder

Company Name: Greg Orick II Marine Const.

Qualifier/Professional Name: Greg Orick II

Contact Name: Holly

Address: 27171 Driftwood DR

City: Bonita Spring State: FL Zip: 34135

Phone 949.5588 Fax: 301-2238

E-mail Address: info@orickmarine.com

ALL REVISIONS MUST BE "CLOUDED" WITH AN ITEMIZED LIST OF THE SCOPE OF WORK

Note: Changes to any exterior portion of the building may result in an architectural review which may require an SDP amendment/change. Please clearly indicate any change to the façade and/or exterior of building. *Additional Cost value must be greater than zero dollars ($0).*

Description of Work: Remove & dispose of existing dock. Install new in exact footprint w/ lift piles only - no lift or electric.

Project Name: Kelsey **Additional Cost of Construction $:** 5,000.00

Additional SQ. Ft. Living/Interior: _____ **Additional SQ. Ft. Non Living/Exterior:** 294

Check Trades Affected By Revision (check all applicable trades associated with revision)

☐ Private Provider	☐ Plumbing
☐ Roofing	☐ Electrical
☐ Septic	☐ Low Voltage
☐ Shutters	☐ Mechanical
☐ Permit by Affidavit	☐ Structural

Qualifier Acknowledgement of Revision Submittal

COMPANY NAME: Greg Orick II Marine Con STATE LICENSE NO: C28961

QUALIFIER'S NAME (PRINT): Greg Orick II

QUALIFIER'S SIGNATURE: Greg Orick II

STATE OF: FL COUNTY OF: Collier

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 8/30/16

WHO IS PERSONALLY KNOWN: ☑ OR AS PRODUCED ID: ☐

TYPE OF ID: _____

NOTARY PUBLIC SIGNATURE: Holly Lindsly

HOLLY LINDSLY
Notary Public - State of Florida
Commission # FF 969598
My Comm. Expires Jun 29, 2020
Bonded through National Notary Assn.

PLEASE DO NOT WRITE BELOW. FOR STAFF USE ONLY

INSPECTIONS NEEDED: _____ **ADDITIONAL FEES:** Building: $_____ Fire: $_____

11/1/14– PMR Date: _____ Days Review: 5 # Set of Plans: 3

Attachment: Attachment C - Dock – Building Permit No. PRBD20160725966 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS
CERTIFICATE OF COMPLETION

This Certificate is issued pursuant to the requirements of the Florida Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the county regulating building construction or use. For the following:

PERMIT NBR: PRBD2016072596601 CO NBR: STATUS: Finaled

CO TYPE: COMP ISSUED DATE: October 26, 2016

ADDRESS: 403 CAPRI BLVD

SUBDIVISION:

LOT: BLOCK: T.R.S.:

SLUC CODE: UTILITY COMPANY:

JOB DESC: INSTALL 4 PILINGS FOR A FUTURE BOAT LIFT
403 CAPRI BLVD
rev.#1 REMOVE AND DISPOSE OF EXISITING DOCK. INSTALL NEW IN EXACT FOOTPRINT WITH LIFT PILES ONLY. NO LIFT OR ELECTRIC NUMBER OF METERS:

OWNER: KELSEY, DOROTHEA ANNE

LEGAL DESCRIPTION

ISLES OF CAPRI NO 3 LOT 594
OR 950 PG 1382

Note: A new certificate is required if the use of the building or premises is changed, or if alterations are made to the building or property described. A new certificate voids any certificate or prior date.

Attachment: Attachment C - Dock – Building Permit No. PRBD20160725966 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS

PERMIT

PERMIT #: PRBD2019083437501 PERMIT TYPE: MR
ISSUED: BY: APPLIED DATE: 08-12-19 APPROVAL DATE: 09-17-19
MASTER #: COA:

JOB ADDRESS: 403 Capri BLVD, Naples
JOB DESCRIPTION: PERMIT AN ALREADY EXISTING BOATLIFT WITH ELECTRIC (see PRBD20160725966) JOB PHONE:

403 CAPRI BLVD

SUBDIVISION #: BLOCK: LOT:
FLOOD MAP: ZONE: ELEVATION:
FOLIO #: 52450720001 SECTION-TOWNSHIP-RANGE: 32-51-26

OWNER INFORMATION:
KELSEY, DOROTHEA ANNE
403 CAPRI BLVD
NAPLES, FL 34113

CONTRACTOR INFORMATION:
GREG ORICK II MARINE CONSTRUCTION, INC
1035 COLLIER CENTER WAY #1
NAPLES, FL 34110

CERTIFICATE #: C28961 PHONE:

FCC CODE:
CONSTRUCTION CODE: 0220
JOB VALUE: $1.00 TOTAL RES SQFT: 0 TOTAL COMM SQFT: 0

SETBACKS FRONT: REAR: 20" Protrusion LEFT: 15' RIGHT: 15'
SEWER: WATER:
CONTACT NAME:
CONTACT PHONE:

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

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

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

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

Attachment: Attachment D - Dock – Building Permit No. PRBD20190834375 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

BUILDING PERMIT REVISION

2800 N. HORSESHOE DRIVE, NAPLES, FL 34104 (239) 252-2400

RECEIVED
SEP 2 7 2019

Collier County
Growth Management Department

Permit Number

PRBD20190834375 ■ Residential 1 or 2 Units (Single Family/Duplex) ☐ Residential 3+ Units (Multi-Family) ☐ Commercial

Job Location

Job Street Address: 403 CAPRI BLVD Parcel/Folio # 52450720001

Owner Name: DOROTHEA ANNE KELSEY

Contractor/Owner-Builder Information

Company Name: GREG ORICK II MARINE CONSTRUCTION ■ Contractor ☐ Owner-Builder

Qualifier/License Holder: GREG ORICK II

Agent/Contact Name: SABRINA DOBBINS

Company Address: 2815 BAYVIEW DR

City: NAPLES State: FL Zip Code: 34112

Phone: 239-443-9256 Fax: 239-301-0301

Email: PERMITS@ORICKMARINE.COM

ALL REVISIONS MUST BE "CLOUDED" WITH AN ITEMIZED LIST OF THE SCOPE OF WORK

Any changes to any exterior portion of the building may result in an architectural review which may require an SDP amendment/change. Please clearly indicate any change to the facade and/or exterior of building. ***Additional cost value must be greater than zero dollars ($).***

Change to Original Scope of Work:

~~REMOVE SMALL PORTION OF DICK IN SETBACKS, INSTALL A SECOND BOATLIFT WITH 4 NEW PILINGS, ADD A SMALL DOCK ADDITION ON THE SOUTH SIDE OF THE DOCK~~

Project Name: Additional Cost of Construction $: 5000

Additional Sq. Ft. Living/Interior: Additional Sq. Ft. Non-Living/Exterior: 175

Trades Affected by Revision*

*Check All Applicable Trades Associated with Revision

☐ Private Provider	☐ Septic	☐ Permit by Affidavit	■ Electrical	☐ Mechanical	☐ Gas
☐ Roofing	☐ Shutters	☐ Plumbing	☐ Low Voltage	■ Structural	

Qualifier Acknowledgement of Revision Submittal

Company Name: GREG ORICK II MARINE CONSTRUCTION State License #: C28961

Qualifier's Name: GREG ORICK II Qualifier's Signature: Greg Orick II

State of FL County of Collier

The foregoing instrument was acknowledged before me this 25 day of Sept, 20 19

by (Printed name of owner or qualifier) Greg Orick II

■ Personally known to me

☐ Has produced identification

Notary Signature: Sabrina M Dobbins

Notary Public State of Florida
Sabrina M Dobbins
My Commission GG 280879
Expires 12/02/2022

Per Florida Statute 117
Do Not Photocopy
This Page

PLEASE DO NOT WRITE BELOW, FOR STAFF USE ONLY

Inspections Needed: Additional Fees: Building: $ Fire: $

PMR Date: Days Review: 5 Sets of Plans: 2

Building Permit Revision Form 3-29-19

Attachment: Attachment D - Dock – Building Permit No. PRBD20190834375 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

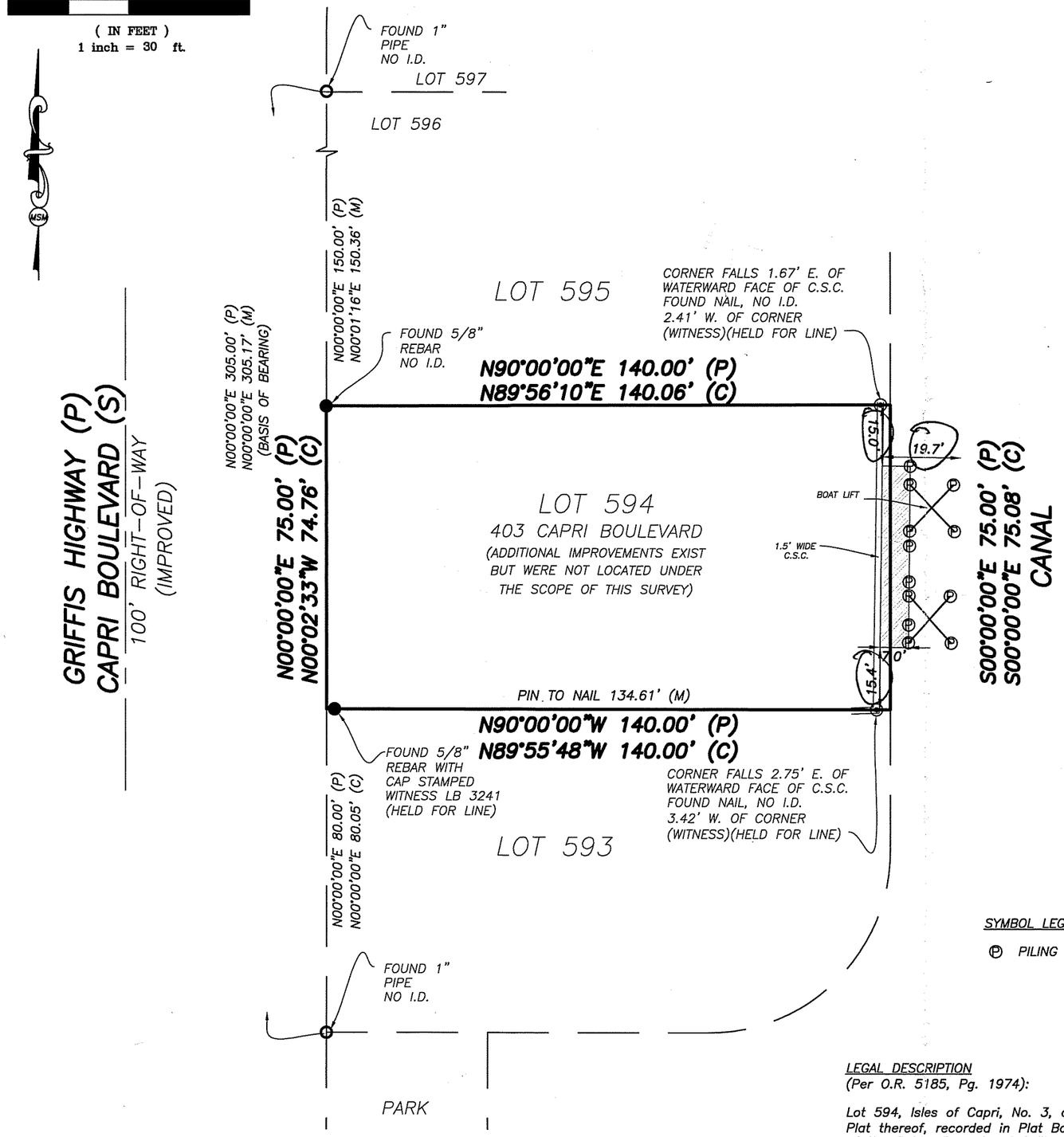
PRBD20190834375

GRAPHIC SCALE

0 15 30 60

(IN FEET)
1 inch = 30 ft.

REVISION NOTES:
1. Add proposed boat lift and label dock and pilings as existing; JP; 09/13/2019
2. Add portion of dock to be removed, dock addition, proposed boat lift and pilings; JP; 09/20/2019
3. Add new dock, pilings and lifts; JB; W.O.#19-572; 2/3/2020



NOTES:

1. Last day of field work is July 19, 2019. (date of survey)
2. Bearings shown hereon are based on the East Right-of-Way line of Griffis Highway, Isles of Capri, No. 3., according to the Plat thereof, as recorded in the Public Records of Collier County, Florida being N00°00'00"E.
3. No easement search or abstracting was done by the surveyor and note should be taken that this property is subject to any facts that may be revealed with a full and accurate title search.
4. No environmental study, audit, or determinations were made in this survey. Any environmental conditions that may be depicted on this survey are the result of simple observation and not the result of a scientific analysis.
5. The intended use of this survey is to serve as an analysis tool for permitting purposes.
6. Unless otherwise indicated all easements shown hereon are based on plat.
7. Only above ground, visible and apparent improvements were located.
8. Foundations and overhangs are not taken into account on this survey.
9. Irrigation equipment was not taken into account on this survey.
10. No other persons or entities other than those listed as exclusive users may rely on this survey.
11. All dimensions are in feet and decimals thereof, unless otherwise noted.
12. Subject to easements, reservations and restrictions of record.
13. Building ties reflect distances to the finish surface of the structure and may not be representative of foundations or primary walls.
14. According to the Collier County Zoning Map viewer as posted on colliergov.net this property is zoned RSF-3.

    Zoning and setback information is provided for informational purposes only and are subject to variances and other conditions not provided to the surveyor consult county codes before making any decisions regarding setbacks.

15. Property contains 0.24 acres (10,492 square feet) more or less.

SET BACKS-OK Initials

FEB 1 3 2020

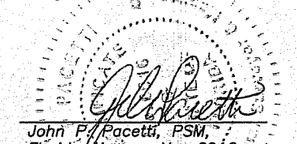
Collier County Zoning Review & Permitting

ABBREVIATIONS
(M) MEASURED
(P) PLAT
(C) CALCULATED
(S) SIGNAGE
D.E. = DRAINAGE EASEMENT
U.E. = UTILITY EASEMENT
C.S.C. = CONCRETE SEAWALL CAP
O.R. = OFFICIAL RECORDS BOOK
P.C. = POINT OF CURVATURE
PG. = PAGE
P.I. = POINT OF INTERSECTION

SURFACE LEGEND
COMPOSITE

SYMBOL LEGEND
(P) PILING

For the Exclusive Use Of:
Greg Orick Marine Construction



John P. Pacetti, PSM,
Florida License No. 6916
Not valid without the signature and original seal of the Florida Licensed Professional Surveyor and Mapper
Certificate of Authorization #7705.

LEGAL DESCRIPTION
(Per O.R. 5185, Pg. 1974):

Lot 594, Isles of Capri, No. 3, according to the Plat thereof, recorded in Plat Book 3, Page(s) 66, of the Public Records of Collier County, Florida

MARCO SURVEYING & MAPPING
A LIMITED LIABILITY COMPANY
MARCO SURVEYING & MAPPING
3825 BECK BOULEVARD
SUITE 725
NAPLES, FLORIDA 34114
(239) 389-0026
WWW.MARCOSURVEYS.COM

BOUNDARY SURVEY

Lot 594, Isles of Capri, No. 3, Collier County, Florida

CLIENT:	Greg Orick Marine Construction				
HORIZONTAL SCALE:	1" = 30'		PROJECT NUMBER:	N/A	
CHIEF:	BOOK/PAGE	DRAFTED BY:	DATE	WO NUMBER	DRAWING NO.
N.E.	185 70	R.Y.	07/2019	19-572	

Attachment: Attachment D - Dock – Building Permit No. PRBD20190834375 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS
CERTIFICATE OF COMPLETION

This Certificate is issued pursuant to the requirements of the Florida Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the county regulating building construction or use. For the following:

PERMIT NBR: PRBD2019083437501 CO NBR: STATUS: Finaled

CO TYPE: COMP ISSUED DATE: March 06, 2020

ADDRESS: 403 Capri BLVD, Naples

SUBDIVISION:

LOT: BLOCK: T.R.S.:

SLUC CODE: UTILITY COMPANY:

JOB DESC: PERMIT AN ALREADY EXISTING BOATLIFT WITH ELECTRIC (see PRBD20160725966) REV1- REMOVE SMALL PORTION OF DOCK IN SETBACKS, INSTALL A SECOND BOATLIFT WITH 4 NEW PILINGS, ADD A SMALL DOCK ADDITION ON THE SOUTH SIDE OF THE DOCK.

403 CAPRI BLVD NUMBER OF METERS:

OWNER: KELSEY, DOROTHEA ANNE

LEGAL DESCRIPTION

ISLES OF CAPRI NO 3 LOT 594
OR 950 PG 1382

Note: A new certificate is required if the use of the building or premises is changed, or if alterations are made to the building or property described. A new certificate voids any certificate or prior date.

Attachment: Attachment D - Dock – Building Permit No. PRBD20190834375 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Collier County
Growth Management Department
Development Review Division

June 29, 2021

Robin Behrens
15040 Tamiami Trail
15040 Tamiami Trail
Punta Gorda, FL 33955

RE: Boat Lift Canopy, PL20210001179
403 Capri BLVD (BLC)

Dear Applicant:

You have submitted an application for a Boat Lift Canopy along with a signed, sealed survey of the property showing any existing dock facility on the property; a scale drawing of the proposed facility showing all dimensions; and a sample of the Jade fabric for color review.

Your application has been reviewed by Zoning Department staff and has been found to meet all the required standards.

The attached drawing has been stamped and dated by staff. When submitting your application for a building permit to construct the proposed facility, please include a copy of this letter, a copy of the survey, a fabric sample, and a copy of the proposed facility stamped and approved drawing.

STIPULATIONS:

- 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. This permit is conditioned on all other applicable state or federal permits being obtained before commencement of the development.

Approved by:

Development Review Division

Growth Management Department
2800 N. Horseshoe Dr.
Naples, Florida 34104
239-252-2400

cc: BLC-PL20210001179 File

Attachment: Attachment E - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

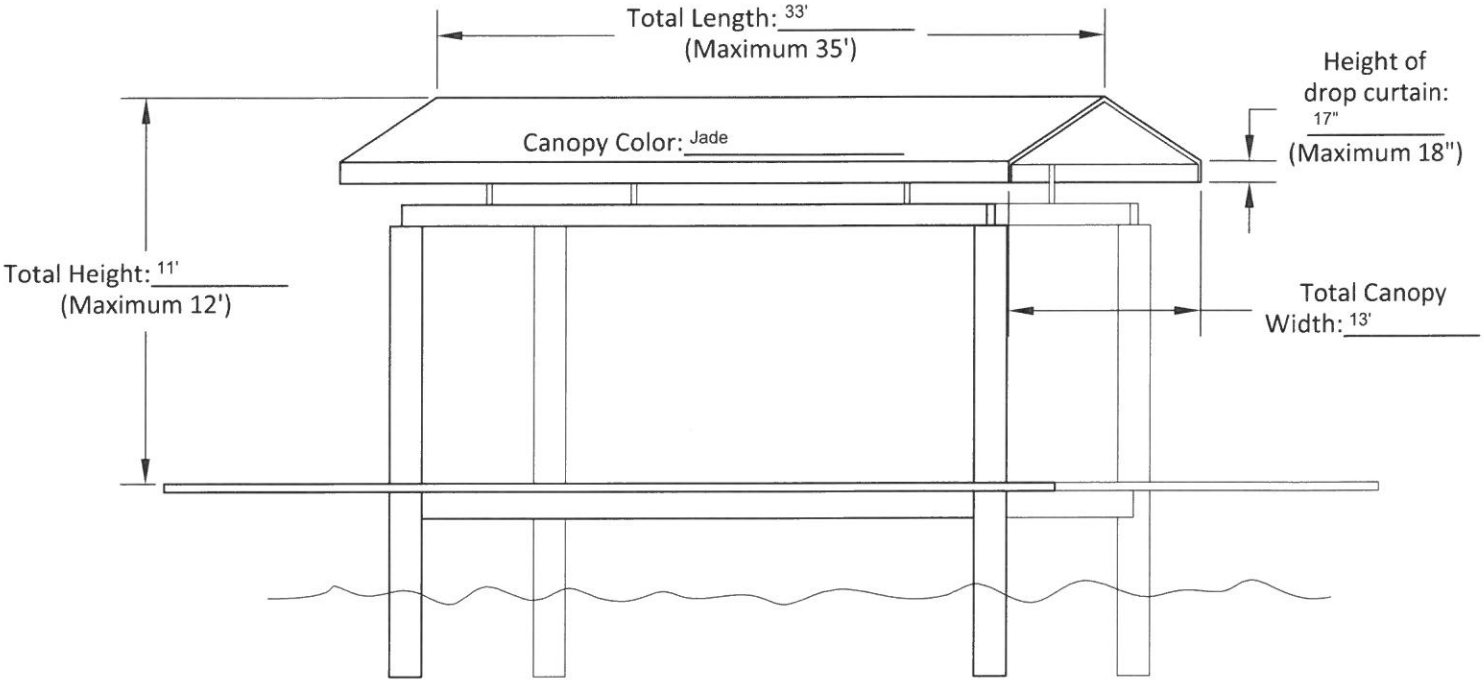
Collier County

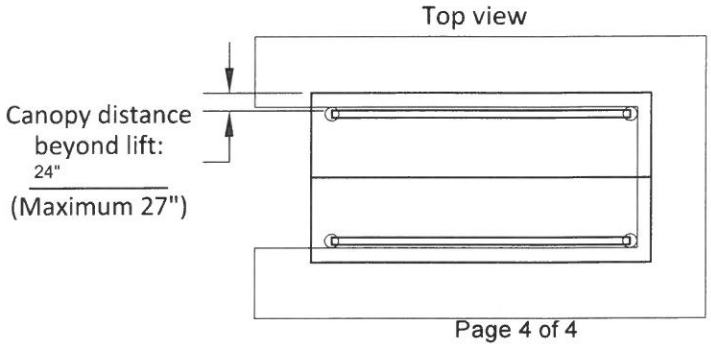
Reviewed and Approved For:

Permit Issuance

PL20210001179 Date: **6/29/2021**

Address: 403 Capri Blvd





CANOPY DETAIL

This drawing must be completed and submitted as an attachment to the Administrative Boat Lift Canopy Application

7/25/2019

Attachment: Attachment E - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Collier County
Growth Management Department

2800 North Horseshoe Drive
Naples, Florida 34104
239-252-2400

ADMINISTRATIVE BOAT LIFT CANOPY and BOAT LIFT CANOPY DEVIATION APPLICATION

LDC section 5.03.06
Chapter 3 of the Administrative Code

LDC section 5.03.06 (Dock Facilities) includes provisions for the installation of "boat lift canopies," defined as "A covering that is applied to a boat lift over a legally permitted dock." section 5.03.06 G provides standards for these canopies.

☐ **Check here if requesting deviation – LDC 5.03.06 G.3. (public hearing advertising fees apply)**
If an applicant wishes to construct a boat lift canopy that does not meet the standards of subsection 5.03.06 G., then a petition for a boat lift canopy deviation may be made to the Office of the Hearing Examiner which shall review a sufficient petition application and either approve or deny the request. The assigned Planner will take the appropriate steps to prepare the application for the Hearing Examiner hearing.

This is an administrative review to determine compliance with the provisions of the LDC. If any other State or Federal permit is required, the applicable permit(s) must be obtained prior to construction or installation of the boat lift canopy. Please contact the State Department of Environmental Protection (239-332-5600) and the US Army Corps of Engineers (239-334-1975) to determine if permitting is required.

APPLICANT CONTACT INFORMATION

Name of Owner: Donald Sheehan
Name of Applicant if different than owner:
Address: 403 Capri Blvd **City:** Naples **State:** FL **ZIP:** 34113
Telephone: 2392530211 **Cell:** **Fax:**
E-Mail Address:

Name of Agent: Robin Behrens
Firm: Waterway Boat Lift Covers
Address: 15040 Tamiami Trail **City:** Punta Gorda **State:** FL **ZIP:** 33955
Telephone: 941-505-0237 **Cell:** **Fax:**
E-Mail Address: waterwaypermits@gmail.com

PROPERTY INFORMATION

Property ID Number: 52450720001 **Section/Township/Range:** 32 / 51 / 26
Subdivision: Isles of Capri **Unit:** **Lot:** 594 **Block:**
Address/General Location of Subject Property:
403 Capri Blvd
Current Zoning and Land Use of Subject Property: single family residential

Attachment: Attachment E - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Collier County
Growth Management Department

2800 North Horseshoe Drive
Naples, Florida 34104
239-252-2400

STANDARDS FOR BOAT LIFT CANOPIES

LDC section 5.03.06 defines boat lift canopies as, "A covering that is applied to a boat lift over a dock legally permitted by the requisite local, state and federal agencies." LDC section 5.03.06 G provides standards for these canopies as follows:

a. Canopies shall not extend more than 27 inches beyond the width of the boat lift on each side.
Does Canopy extend beyond width of boat lift? ☒ **Yes** ☐ **No**
If so, how many inches? 24 **in.**

b. The length of the boat lift Canopy shall not exceed 35 feet.
Length: 33 **ft.**

c. The height of the boat lift Canopy shall not exceed 12 feet, measured from the highest point of the Canopy to the height of the dock walkway.
Height: 11 **ft.**

d. The sides of the Canopy cover shall remain open on all sides, except that a drop curtain, not to exceed 18' shall be permitted on the sides.
Length of Drop Curtain: 17 **in.**

e. Boat lift Canopies shall meet the requirements of Awnings and Canopies in the Florida Building Code.

f. Canopy cover material shall be limited to beige, or mid-range shades of blue or green.
Canopy Color: Jade

g. No boatlift canopies shall be permitted at sites that contain either a boathouse or a covered structure.

Lots with frontage on canals shall be permitted a maximum of 1 boat lift Canopy per site. Lots with frontage on bays shall be permitted a maximum of 2 boat lift Canopies per site.

If an applicant wishes to construct a boat lift Canopy that does not meet the standards of LDC subsection 5.03.06 G.1, then a petition for a boat lift Canopy deviation may be made to the Hearing Examiner which shall review a sufficient petition application and either approve or deny the request.

SUBMITTAL REQUIREMENT CHECKLIST

See Chapter 3 B. of the Administrative Code for submittal requirements. The petitioner shall submit 2 copies of the following documents:

REQUIREMENTS FOR REVIEW:	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	1	☐	☐
Completed Addressing Checklist	1	☐	☐
Property Ownership Disclosure Form	1	☐	☐
Signed and sealed survey, showing any existing dock facility	1	☐	☐
Scale drawing of the proposed Canopy. (Please refer to page 4)	1	☐	☐
Sample of the fabric for color review.	1	☐	☐

Attachment: Attachment E - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Collier County
Growth Management Department

2800 North Horseshoe Drive
Naples, Florida 34104
239-252-2400

FEES

- ☐ Boat Lift Canopy Administrative Review: $500.00
- ☐ Additional Fees, If applicable:
  - Legal Advertising, if requesting a deviation: $1,125.00

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.

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/Development Review Services
ATTN: Business Center-Client Services
2800 North Horseshoe Drive
Naples, FL 34104

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. This permit is conditioned on all other applicable state or federal permits being obtained before commencement of the development.

I HEREBY ATTEST THAT THE INFORMATION PROVIDED IN THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

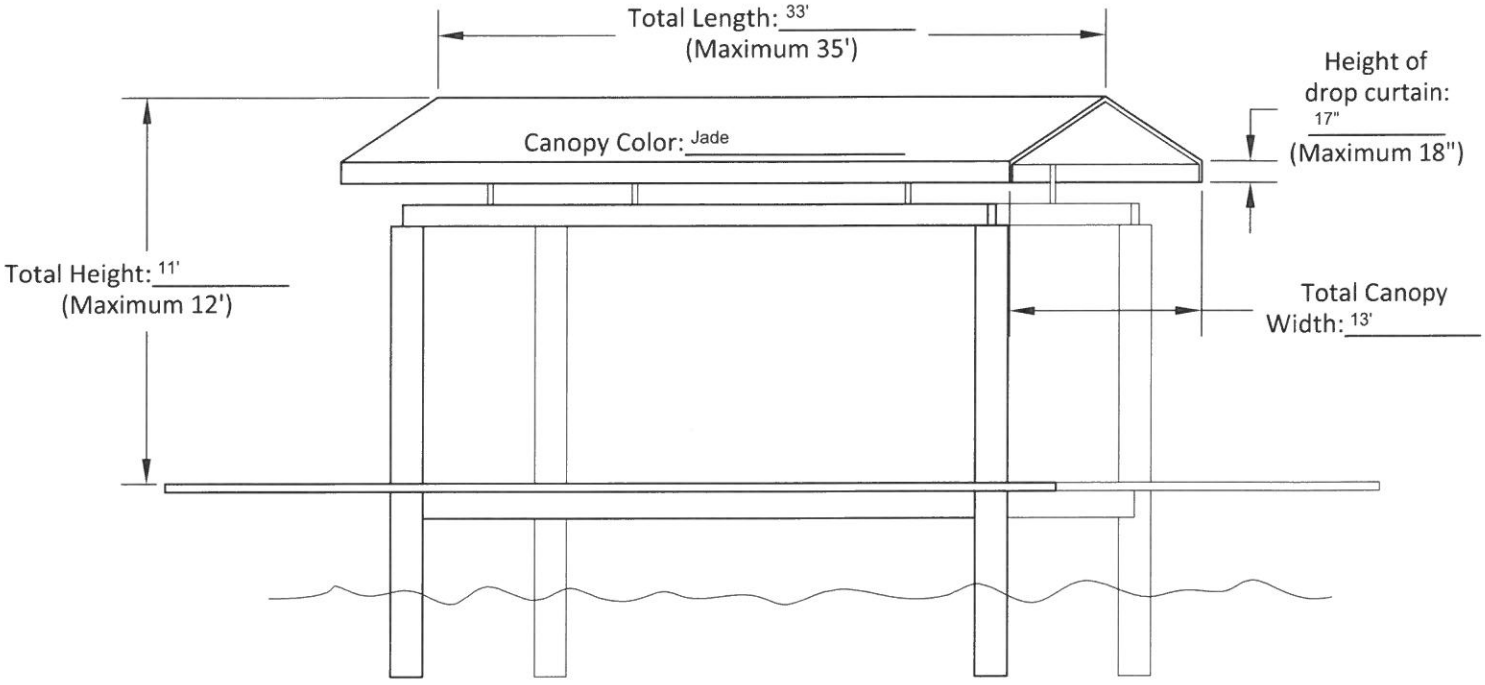
I UNDERSTAND THAT, IN ADDITION TO APPROVAL OF THIS BOAT LIFT CANOPY APPLICATION, A BUILDING PERMIT IS REQUIRED PRIOR TO COMMENCEMENT OF CONSTRUCTION.

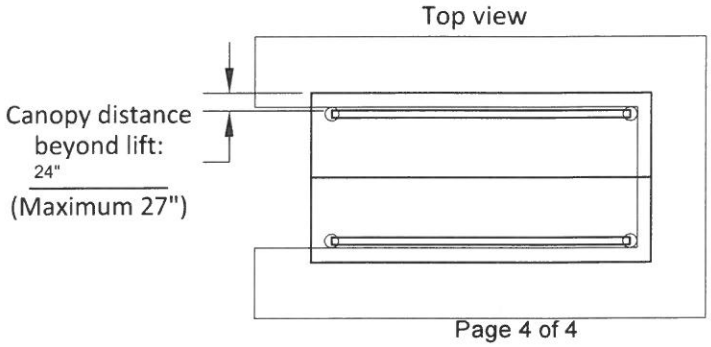
Signature of Petitioner or Agent

5/14/21
Date

Attachment: Attachment E - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Address: 403 Capri Blvd





CANOPY DETAIL

This drawing must be completed and submitted as an attachment to the Administrative Boat Lift Canopy Application

7/25/2019

Attachment: Attachment E - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

ADDRESSING CHECKLIST

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

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

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

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

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

Isles of Capri NO 3 Lot 594 OR 950 OG 1382 T51, R26, S32

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

52450720001

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

403 Capri Blvd

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

CURRENT PROJECT NAME *(if applicable)*

PROPOSED PROJECT NAME *(if applicable)*

PROPOSED STREET NAMES *(if applicable)*

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

SDP___-____ or AR or PL # _____

Attachment: Attachment E - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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

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

Applicant Name: Robin Behrens - Waterway Boat Lift Covers

Phone: 941-505-0237 **Email/Fax:** waterwaypermits@gmail.com

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

FOR STAFF USE ONLY

Folio Number 52450720001

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Approved by: L.L.H. **Date:** 05/13/2021

Updated by: _____ **Date:** _____

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

Attachment: Attachment E - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership
Dorothea Anne Kelsey 403 Capri Blvd. Naples,	50%
Donald J. Sheehan 403 Capri Blvd, Naples	50%

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 - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

COLLIER COUNTY GOVERNMENT
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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 Aug. 2015

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

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

Attachment: Attachment E - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Collier County

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

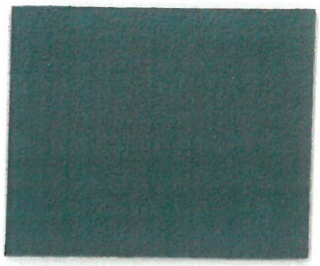
Dorothea Anne Kelsey

Agent/Owner Signature

4-17-2021
Date

Donald J. Sheehan
Agent/Owner Name (please print)
Dorothea Anne Kelsey

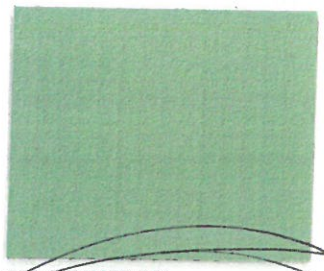
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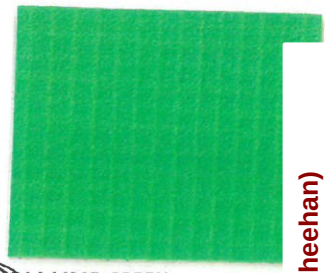
562 EMERALD
858562



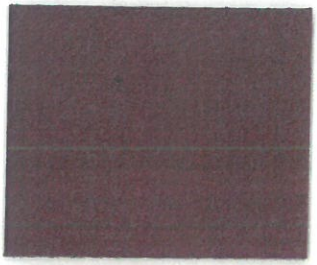
510 DARK GREEN
858510



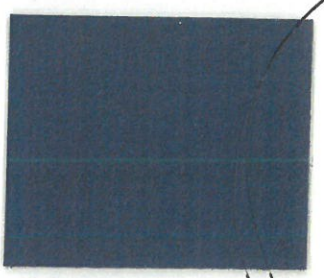
570 SUMMER IVY
858570
PREMIUM



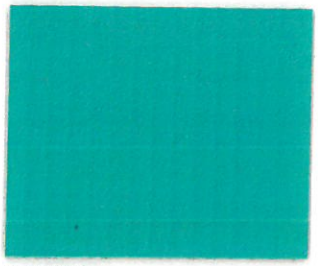
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858514
PREMIUM



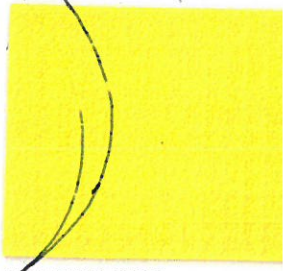
527 BURGUNDY
858527
PREMIUM



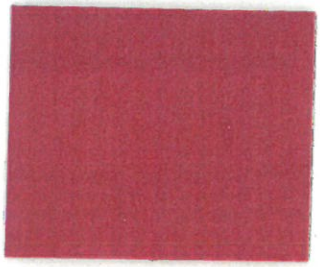
536 COBALT BLUE
858536



567 JADE
858567
PREMIUM



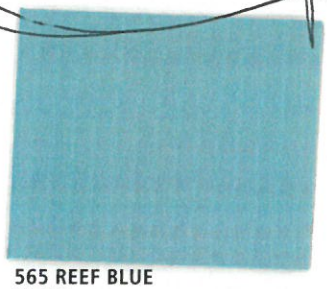
566 SUNFLOWER
858566
PREMIUM



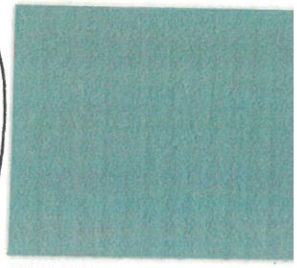
545 RUBY
858545
PREMIUM



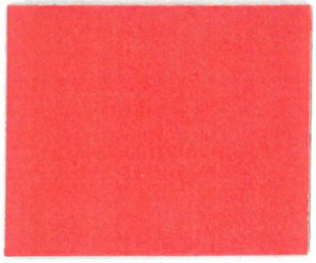
518 DUSKY BLUE
858518



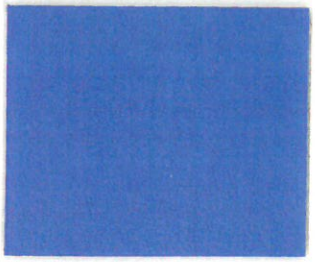
565 REEF BLUE
858565



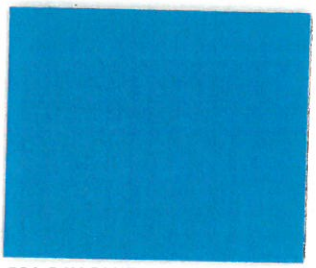
564 TEAL
858564



529 BRIGHT RED
858529
PREMIUM



503 ROYAL BLUE
858503



539 BAY BLUE
858539

Jade

Colors are representative only. Small variations in shade should be anticipated and are within commercial tolerances.

Attachment: Attachment E - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)





MAP LEGEND

- Major Roads
- Street Names
- Parcels
- Aerials 2021 Urban [6IN]
- Aerials 2021 Rural [2FT]
- Collier County

Folio Number: 52450720001
Name: KELSEY, DOROTHEA AN
Street# & Name: 403 CAPRI BLV
Build# / Unit#: / 594
Legal Description: ISLES OF CA
NO 3 LOT 594 OR 950 PG 1382

)04. 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 pr
for the data herein, its use, or its interpretation.

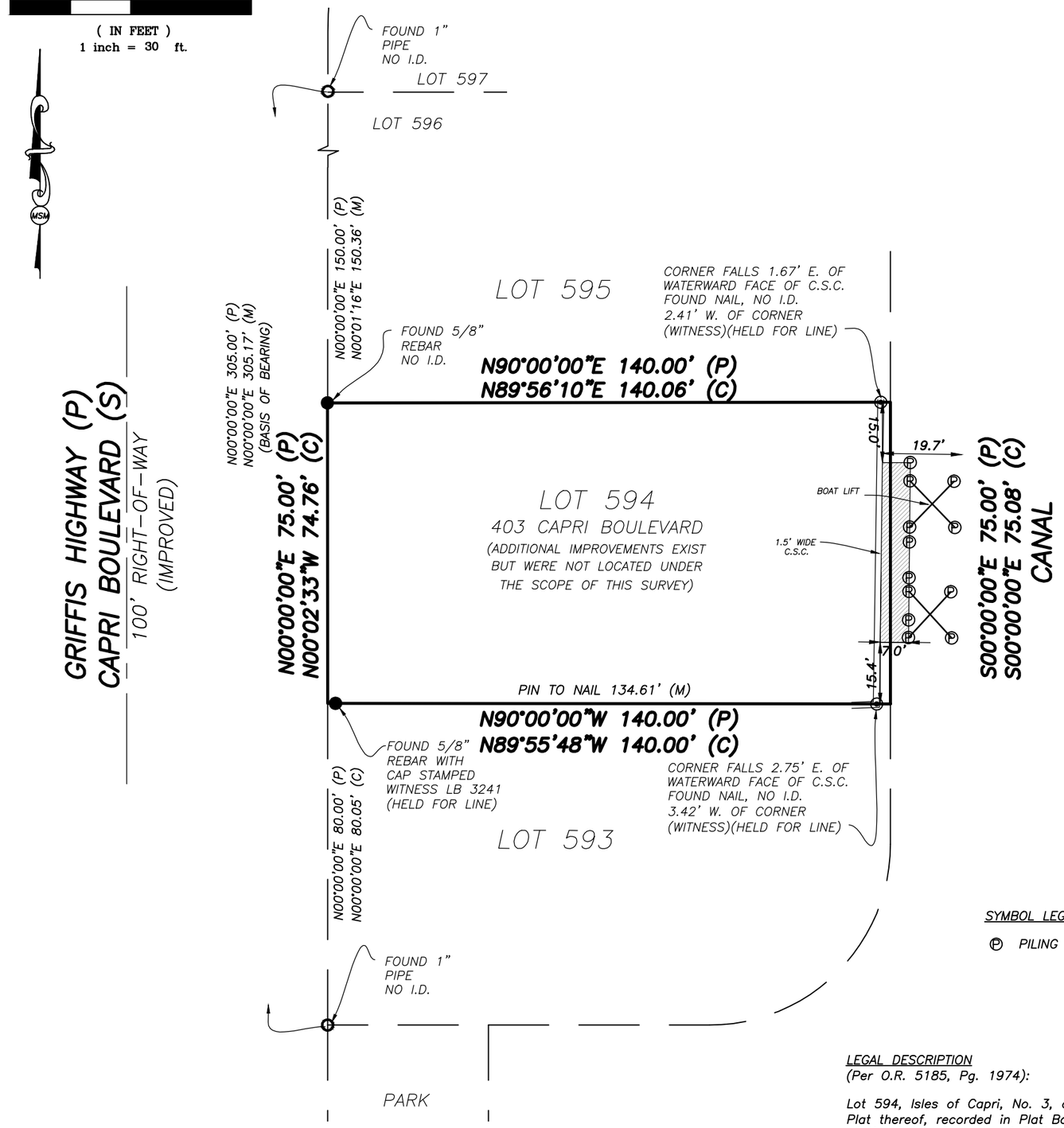
Attachment: Attachment E - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

GRAPHIC SCALE

0 15 30 60

(IN FEET)
1 inch = 30 ft.

REVISION NOTES:
1. Add proposed boat lift and label dock and pilings as existing; JP; 09/13/2019
2. Add portion of dock to be removed, dock addition, proposed boat lift and pilings; JP; 09/20/2019
3. Add new dock, pilings and lifts; JB; W.O.#19–572; 2/3/2020



NOTES:

1. Last day of field work is July 19, 2019. (date of survey)
2. Bearings shown hereon are based on the East Right–of–Way line of Griffis Highway, Isles of Capri, No. 3., according to the Plat thereof, as recorded in the Public Records of Collier County, Florida being N00°00'00"E.
3. No easement search or abstracting was done by the surveyor and note should be taken that this property is subject to any facts that may be revealed with a full and accurate title search.
4. No environmental study, audit, or determinations were made in this survey. Any environmental conditions that may be depicted on this survey are the result of simple observation and not the result of a scientific analysis.
5. The intended use of this survey is to serve as an analysis tool for permitting purposes.
6. Unless otherwise indicated all easements shown hereon are based on plat.
7. Only above ground, visible and apparent improvements were located.
8. Foundations and overhangs are not taken into account on this survey.
9. Irrigation equipment was not taken into account on this survey.
10. No other persons or entities other than those listed as exclusive users may rely on this survey.
11. All dimensions are in feet and decimals thereof, unless otherwise noted.
12. Subject to easements, reservations and restrictions of record.
13. Building ties reflect distances to the finish surface of the structure and may not be representative of foundations or primary walls.
14. According to the Collier County Zoning Map viewer as posted on colliergov.net this property is zoned RSF–3.

    Zoning and setback information is provided for informational purposes only and are subject to variances and other conditions not provided to the surveyor consult county codes before making any decisions regarding setbacks.

15. Property contains 0.24 acres (10,492 square feet) more or less.

ABBREVIATIONS
(M) MEASURED
(P) PLAT
(C) CALCULATED
(S) SIGNAGE
D.E. = DRAINAGE EASEMENT
U.E. = UTILITY EASEMENT
C.S.C. = CONCRETE SEAWALL CAP
O.R. = OFFICIAL RECORDS BOOK
P.C. = POINT OF CURVATURE
PG. = PAGE
P.I. = POINT OF INTERSECTION

SURFACE LEGEND
COMPOSITE

SYMBOL LEGEND
Ⓟ PILING

LEGAL DESCRIPTION
(Per O.R. 5185, Pg. 1974):

Lot 594, Isles of Capri, No. 3, according to the Plat thereof, recorded in Plat Book 3, Page(s) 66, of the Public Records of Collier County, Florida

For the Exclusive Use Of:
Greg Orick Marine Construction

JOHN P. PACETTI CERTIFICATE No. 6916 STATE OF FLORIDA Professional Surveyor & Mapper

John P. Pacetti, PSM,
Florida License No. 6916
Not valid without the signature and original seal of the Florida Licensed Professional Surveyor and Mapper Certificate of Authorization #7705.

MARCO SURVEYING & MAPPING
A LIMITED LIABILITY COMPANY
MARCO SURVEYING & MAPPING
3825 BECK BOULEVARD
SUITE 725
NAPLES, FLORIDA 34114
(239) 389–0026
WWW.MARCOSURVEYS.COM

BOUNDARY SURVEY

Lot 594, Isles of Capri, No. 3, Collier County, Florida

CLIENT:	Greg Orick Marine Construction				
HORIZONTAL SCALE:	1" = 30'		PROJECT NUMBER:	N/A	
CHIEF:	BOOK/PAGE	DRAFTED BY:	DATE	WO NUMBER	DRAWING NO.
N.E.	185 70	R.Y.	07/2019	19–	

Attachment: Attachment E - Boat Lift Canopy – PL20210001179 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS
PERMIT

PERMIT #: PRBD20210628902 PERMIT TYPE: Aluminum Structure
DATE ISSUED: October 25, 2021
BUILDING CODE IN EFFECT: FBC 7th Edition 2020

JOB ADDRESS: 403 Capri BLVD, Single Family, Naples
FOLIO #: 52450720001
JOB DESCRIPTION: install boat lift canopy (PL20210001179)
403 CAPRI BLVD

OWNER INFORMATION:
KELSEY, DOROTHEA ANNE DONALD J SHEEHAN
403 CAPRI BLVD
NAPLES, FL 34113

AREA OF WORK (SQFT): 0

SETBACKS:
FRONT: REAR: width 13' LEFT: height 11' RIGHT: length 35'
SPECIAL:

FLOOD ZONE: AE
SEWER:
WATER:

CONTRACTOR INFORMATION:
WATERWAY BOAT LIFT COVERS, INC.
15040 TAMIAMI TRAIL
PUNTA GORDA, FL 33955
(941) 505-0327

CERTIFICATE #:
C35575

Attachment: Attachment F - Canopy – Building Permit No. PRBD20210628902 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

INSPECTION JOB CARD
To schedule inspections call 239-252-3726
or visit https://cvportal.colliercountyfl.gov/cityviewweb

INSPECTION	OUTCOME	COMMENTS
115 - Building Final		

OPEN CONDITIONS Condition Type:	Condition Description:

NOTE: If you are unable to schedule your inspection, please contact the inspection desk at 252-2400.
NOISE ORDINANCE: Collier County Codes of Laws and Ordinances 54-92(f) Construction Sound. NOISE LIMITATIONS i in effect at all times. Work permitted, RESIDENTIAL Areas – 6:30 AM to 7:00 PM Monday thru Saturday; NON-RESIDEN Areas (more than 500 feet from Residential Area) 6:00AM to 8:00PM Monday thru Saturday. No Work on Sundays or Holida RADIOS, LOUDSPEAKERS, ETC. – Must not disturb peace, quiet and comfort of neighboring inhabitants. FREE CABLE LOCATIONS – Call 48 Hours prior to digging/FPL 434-1222/UTS 1-800-542-0088/PalmerCATV 783-0638 and all other appli utilities.

Per currently adopted building code ordinance, 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 commenced within 180 days 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 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, FEDE AND STATE LAWS REQUIRE THE PERMITTEE (EITHER THE OWNER OR CONTRACTOR) TO SUBMIT A NOTIC THE INTENDED WORK TO THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP). FOR MORE INFORMATION, CONTACT DEP AT (239) 344-5600.

NOTICE: In addition to the conditions of this permit, there may be additional restrictions applicable to this property that ma found in the public records of this county, and there may be additional permits required from other governmental entities suc 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 IMPROVEMEN TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTE TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Attachment: Attachment F - Canopy – Building Permit No. PRBD20210628902 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

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)*:

Section B. Permit Information B.1. Primary Permit # *(if any)*: PRBD20210628902 B.2. Master Permit #: PRMA20190309037

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 #: 52450720001
C.6. Subdivision Lot #: Isles of Capri
C.2. Job Street Address: 403 Capri Blvd
C.7. Project Name: Sheehan canopy
C.3. Owner Name: Donald Sheehan
C.8. SDP/PL#:
C.4. Owner Phone: 2392530211
C.9. Jurisdiction: ☒ Collier County ☐ City of Everglades
C.5. Email:

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

D.2. Contact Name: Robin Behrens
D.3. License: C35575
D.4. Company Name: Waterway Boat Lift Covers
D.5. Company Address: 15040 Tamiami Trail, Punta Gorda, FL 33955
D.9. Company Phone: 941-505-0237
D.6. Qualifier Name: Eric Craig
D.10. Fax #:
D.7. Email: waterwaypermits@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: $ 4290.00

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.*

Installation of Boatlift Cover

E.4. Occupancy Type: 1 - Single Family Residential *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: Floor (Story) work is being performed on: # Bedrooms: # Bathrooms:
Living /Int. Sq. Ft.: Addt'l. Sq. Ft.: Non-Living/Ext. Sq. Ft.: Total Sq. Ft.:

PLEASE DO NOT WRITE BELOW, FOR STAFF USE ONLY

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

Attachment: Attachment F - Canopy – Building Permit No. PRBD20210628902 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Collier County
Growth Management Department

BUILDING PERMIT APPLICATION

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

Attachment: Attachment F - Canopy – Building Permit No. PRBD20210628902 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

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

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

NOTICE OF ADDITIONAL RESTRICTIONS: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this County, and there may be additional permits required from other governmental enties such as the Water Management District, State agencies, or Federal agencies.

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

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

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

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

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

Job Street Address: 403 Capri Blvd

EC
Signature of Qualifier (An original signature is required)

Eric Craig
Print Name of Qualifier

State of FL County of Charlotte

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 21st day of June, 20 21, by (printed name of qualifier) Eric Craig

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: Tiffany Wanser

Must Comply with Notarial Law

Notary Public State of Florida
Tiffany Wanser
My Commission GG 366036
Expires 08/14/2023

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.

Collier County
Growth Management Department

BUILDING PERMIT APPLICATION

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

Section 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.

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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: 403 Capri Blvd

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

Robin Behrens
Print Name of Owner or Agent of Owner

State of FL County of Charlotte

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 21st day of June, 20 21, by (printed name of owner or agent of owner) Robin Behrens

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: Tiffany Wanser

Must Comply with Notarial Law

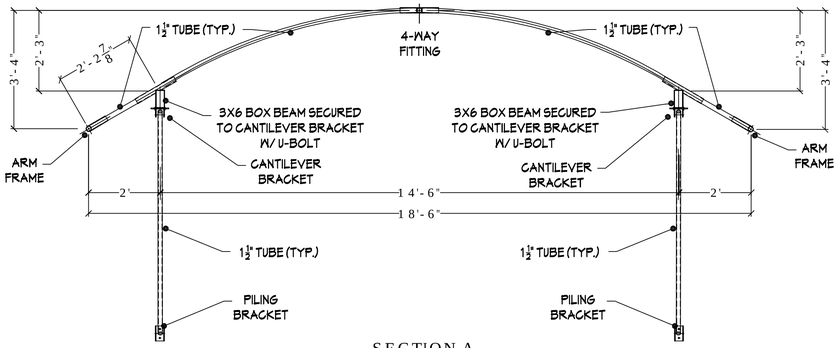
Notary Public State of Florida
Tiffany Wanser
My Commission GG 366036
Expires 08/14/2023

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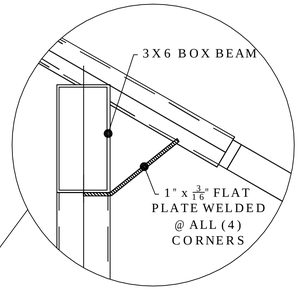
WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST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

Attachment: Attachment F - Canopy – Building Permit No. PRBD20210628902 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)



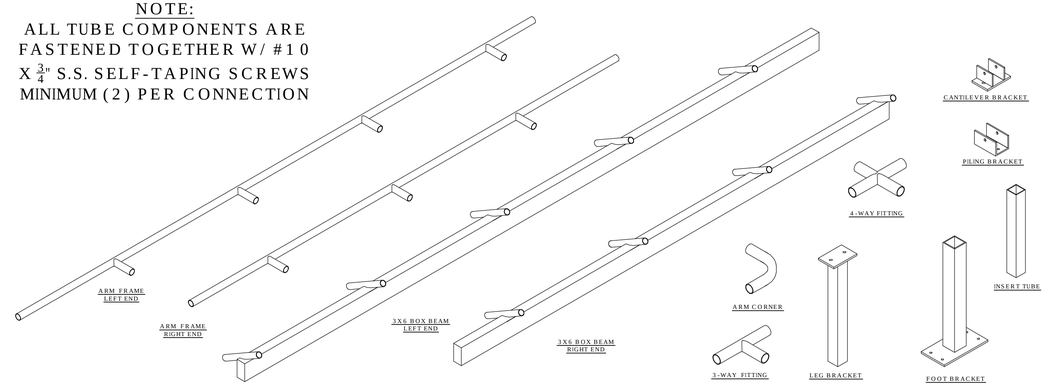
SECTION A

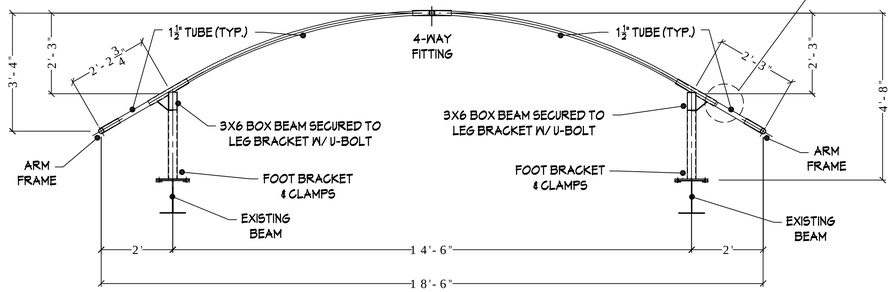
SCALE 1/2" = 1'-0"



CORNER GABLE SUPPORT
SCALE - 3" = 1'-0"

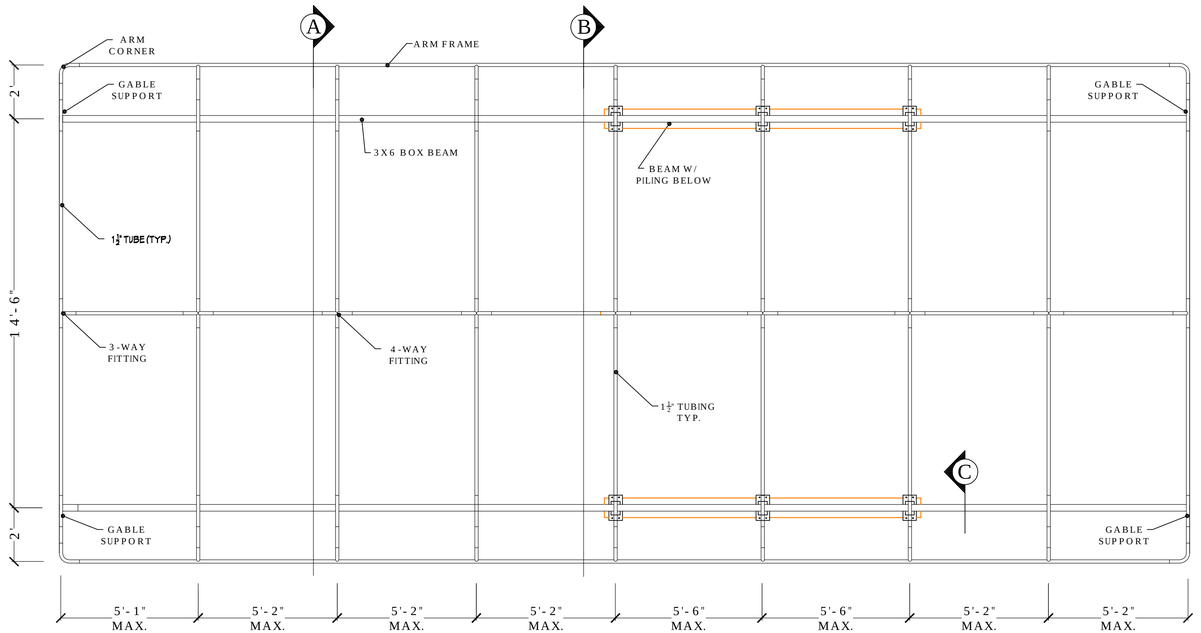
NOTE:
ALL TUBE COMPONENTS ARE FASTENED TOGETHER W/ #10 X 3/4" S.S. SELF-TAPING SCREWS MINIMUM (2) PER CONNECTION



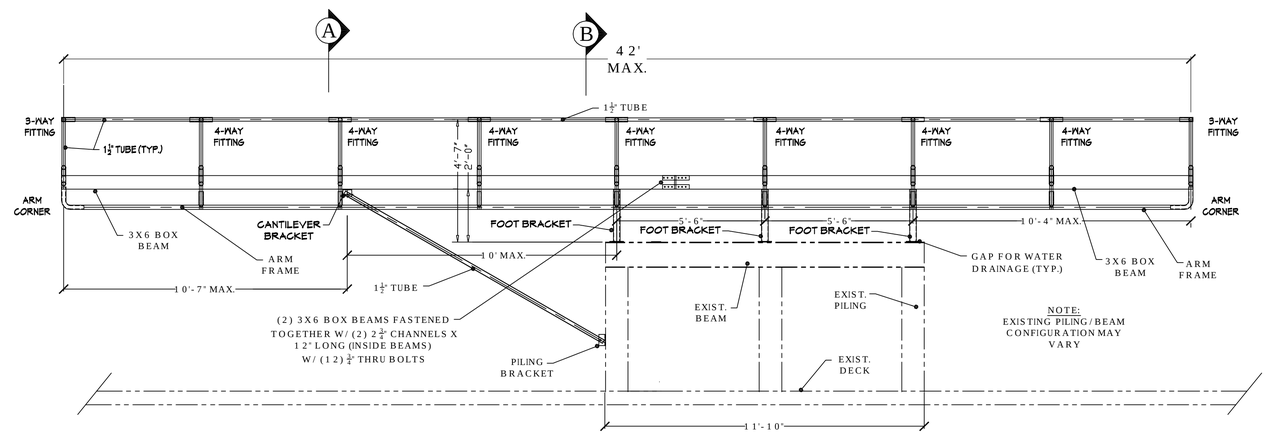


SECTION B

SCALE 1/2" = 1'-0"

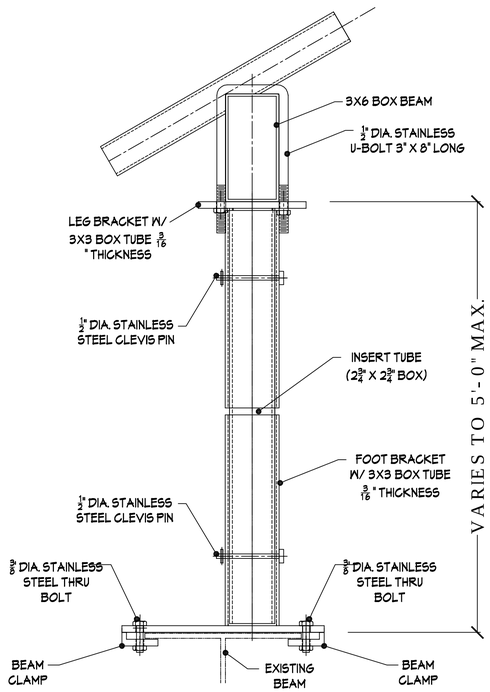


ASSEMBLY PLAN VIEW
SCALE - 3/8" = 1'-0"



NOTE:
EXISTING PILING / BEAM CONFIGURATION MAY VARY

ASSEMBLY ELEVATION VIEW
SCALE - 3/8" = 1'-0"



SECTION C

SCALE 3" = 1'-0"

NOTES:
ALL TUBE, PIPE, BAR AND PLATE MATERIALS ARE ALUMINUM.
ALL 1-1/2" TUBE IS SCHEDULE 40.
ALL BRACKETS ARE WELDED WITH MIG, USING ARGON GAS AND 9MM 4043 WIRE.
1-1/2" TUBE IS 1.250"ID, 1.500" OD, ALLOY 6061-T6.
1-1/2" STRAIGHT PIPE IS 1.610" ID, 1.900" OD, ALLOY 6061-T6.
1-1/2" BENDABLE PIPE IS 1.610" ID, 1.900" OD, ALLOY 6063-T4.
THE 1-1/2" TUBE, STRAIGHT PIPE, AND BENDABLE PIPE HAVE AN ULTIMATE TENSILE STRENGTH OF 38,000 PSI, AND YIELD TENSILE STRENGTH OF 35,000 PSI.
FLAT STOCK IS ALLOY 6063-T52. ULTIMATE TENSILE STRENGTH IS 22,000 PSI, YIELD TENSILE STRENGTH IS 16,000 PSI.

THE DESIGN OF THE STRUCTURAL FRAMING MEMBERS HAS BEEN COMPUTED USING "CATEGORY 1" AND "EXPOSURE D" IN ACCORDANCE WITH THE 2020 ASCE 7-16 FLORIDA BUILDING CODE, CODE SECTION 3105 - AWNINGS AND CANOPIES, SPECIFICALLY 3105.4.2.1, PARTS 1,2,3. THE DESIGN CONDITION IS BASED ON AN ULTIMATE WIND SPEED OF 170 MPH AND A MINIMUM WIND VELOCITY OF 3 SECOND WIND GUST 116 MPH, WHEN THE COVER HAS BEEN REMOVED. MEAN ROOF HEIGHT IS 15' "EXPOSURE D". ADJUSTMENT FACTOR IS 1.47.

THIS ALSO COMPLIES WITH (USBC) VIRGINIA UNIFORM STATE BUILDING CODE (CHAPTER 21.1). A PLACARD IS REQUIRED TO BE POSTED AT THE DOCK TO IDENTIFY THE NEED TO REMOVE THE COVERING IN THE EVENT THAT THERE IS A HURRICANE WARNING (WINDS GREATER THAN 70 MPH). SETBACKS ARE TO BE IN ACCORDANCE WITH LOCAL ZONING REGULATIONS OR VARIANCES (3105.1.1)

WATERWAY BOATLIFT COVERS, INC.
15940 TAMIAMI TRAIL
PUNTA GORDA, FL. 33955
42' x 18'-6" RADIUS VERANDA BOX-BEAM CANOPY 2-4'-ARM
WATERWAY BOAT LIFT COVERS, INC.
DRAWN BY: KBG | CHECKED BY: WNJ
DATE: 1/15/21
REVISIONS:
REV DATE:

© COPYRIGHT 2018 WATERWAY BOATLIFT COVERS, INC. NOT TO BE REPRODUCED IN WHOLE OR PART WITHOUT WRITTEN PERMISSION OF WATERWAY BOATLIFT COVERS, INC.

WILLIAM N. JOTHAM LICENSE No. 29257 STATE OF FLORIDA PROFESSIONAL ENGINEER

Wm. N. Jotham, P.E. FL #29257
P.O. BOX 889
Tallevast, Florida 34270
(941) 355-1672

COMMONWEALTH OF VIRGINIA WILLIAM N JOTHAM Lic. No. 011301 PROFESSIONAL ENGINEER

Wm. N. Jotham, P.E. VA #011301
P.O. BOX 889
Tallevast, Florida 34270
(941) 355-1672

Structural Connections inc.
Engineered Wood Products
(800) 972-6385
(941) 355-1672

Attachment: Attachment F - Canopy – Building Permit No. PRBD2021062890 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Collier County
Growth Management Department
Development Review Division

June 29, 2021

Robin Behrens
15040 Tamiami Trail
15040 Tamiami Trail
Punta Gorda, FL 33955

RE: Boat Lift Canopy, PL20210001179
403 Capri BLVD (BLC)

Dear Applicant:

You have submitted an application for a Boat Lift Canopy along with a signed, sealed survey of the property showing any existing dock facility on the property; a scale drawing of the proposed facility showing all dimensions; and a sample of the Jade fabric for color review.

Your application has been reviewed by Zoning Department staff and has been found to meet all the required standards.

The attached drawing has been stamped and dated by staff. When submitting your application for a building permit to construct the proposed facility, please include a copy of this letter, a copy of the survey, a fabric sample, and a copy of the proposed facility stamped and approved drawing.

STIPULATIONS:

- 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. This permit is conditioned on all other applicable state or federal permits being obtained before commencement of the development.

Approved by:

Development Review Division

Growth Management Department
2800 N. Horseshoe Dr.
Naples, Florida 34104
239-252-2400

cc: BLC-PL20210001179 File

Attachment: Attachment F - Canopy – Building Permit No. PRBD20210628902 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

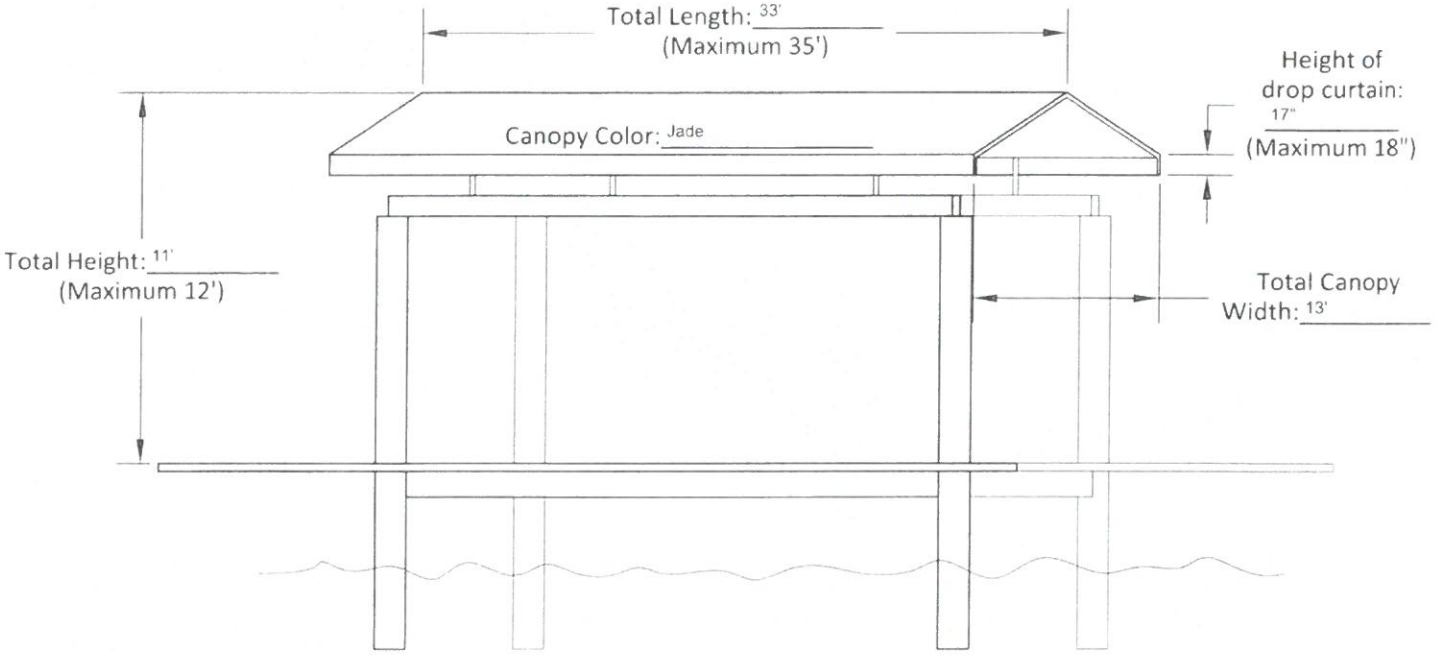
Collier County

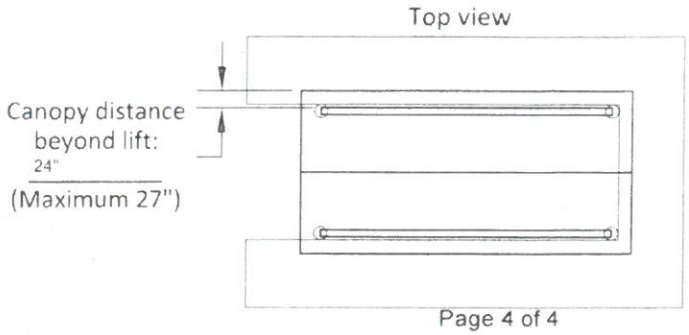
Reviewed and Approved For:

Permit Issuance

PL20210001179 Date: 6/29/2021

Address: 403 Capri Blvd





CANOPY DETAIL

This drawing must be completed and submitted as an attachment to the Administrative Boat Lift Canopy Application

7/25/2019

Attachment: Attachment F - Canopy – Building Permit No. PRBD20210628902 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

ABBREVIATIONS
(M) MEASURED
(P) PLAT
(C) CALCULATED
(S) SIGNAGE
D.E. = DRAINAGE EASEMENT
U.E. = UTILITY EASEMENT
C.S.C. = CONCRETE SEAWALL CAP
O.R. = OFFICIAL RECORDS BOOK
P.C. = POINT OF CURVATURE
PG. = PAGE
P.I. = POINT OF INTERSECTION

SYMBOL LEGEND
Ⓟ PILING

LEGAL DESCRIPTION
(Per O.R. 5185, Pg. 1974):

Lot 594, Isles of Capri, No. 3, according to the Plat thereof, recorded in Plat Book 3, Page(s) 66, of the Public Records of Collier County, Florida

MARCO SURVEYING & MAPPING
A LIMITED LIABILITY COMPANY
MARCO SURVEYING & MAPPING
3825 BECK BOULEVARD
SUITE 725
NAPLES, FLORIDA 34114
(239) 389-0026
WWW.MARCOSURVEYS.COM

CLIENT:
HORIZON
CHIEF:
N.E.

COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS
CERTIFICATE OF COMPLETION

This Certificate is issued pursuant to the requirements of the Florida Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the county regulating building construction or use. For the following:

PERMIT NBR: PRBD2021062890201 CO NBR: STATUS: Finaled

CO TYPE: COMP ISSUED DATE: November 29, 2021

ADDRESS: 403 Capri BLVD, Naples

SUBDIVISION:

LOT: BLOCK: T.R.S.:

SLUC CODE: UTILITY COMPANY:

JOB DESC: install boat lift canopy (PL20210001179)
403 CAPRI BLVD NUMBER OF METERS:

OWNER: KELSEY, DOROTHEA ANNE
DONALD J SHEEHAN

LEGAL DESCRIPTION

ISLES OF CAPRI NO 3 LOT 594
OR 950 PG 1382

Note: A new certificate is required if the use of the building or premises is changed, or if alterations are made to the building or property described. A new certificate voids any certificate or prior date.

Attachment: Attachment F - Canopy – Building Permit No. PRBD20210628902 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

Administrative Boat Lift Canopy and Boat Lift Canopy Deviation Application

Land Development Code section 5.03.06 G

Chapter 3 of the Administrative Code

PETITION NO: _____

PROJECT NAME: _____

DATE PROCESSED: _____

Land Development Code section 5.03.06 G (Dock Facilities) includes provisions for the installation of "boat lift canopies," defined as "A covering that is applied to a boat lift over a legally permitted dock." LDC section 5.03.06 G provides standards for these canopies.

☑ Check here if requesting deviation – LDC 5.03.06 G.3. (public hearing advertising and notification fees apply) If an applicant wishes to construct a boat lift canopy that does not meet the standards of subsection 5.03.06 G., then a petition for a boat lift canopy deviation may be made to the Office of the Hearing Examiner which shall review a sufficient petition application and either approve or deny the request. The assigned Planner will take the appropriate steps to prepare the application for the Hearing Examiner hearing.

This is an administrative review to determine compliance with the provisions of the LDC. If any other State or Federal permit is required, the applicable permit(s) must be obtained prior to construction or installation of the boat lift canopy. Please contact the State Department of Environmental Protection (239-332-5600) and the US Army Corps of Engineers (239-334-1975) to determine if permitting is required.

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): Dorothea Anne Kelsey & Donald J Sheehan

Name of Applicant if different than owner: _____

Address: 403 Capri Blvd **City:** Naples **State:** Fl **ZIP:** 34113

Telephone: 239-253-0211 **Cell:** 239-777-7820

E-Mail Address: don@ottins.com or akelseyrealtor@gmail.com

Name of Agent: Francine Holt

Firm: Waterway Boat Lift Covers

Address: 15040 Tamiami Trl **City:** Punta Gorda **State:** Fl **ZIP:** 33955

Telephone: 941-505-0237 **Cell:** _____

E-Mail Address: fholt@waterwayblc.com

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

Collier County
Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

PROPERTY INFORMATION

Property ID Number: 52450720001 **Section/Township/Range:** 32 / 51 / 26

Subdivision: 427000 - ISLES OF CAPRI **Unit:** 3 **Lot:** 594 **Block:**

Address/General Location of Subject Property:

403 Capri Blvd. Naples, Fl 34113

Current Zoning and Land Use of Subject Property: Single Family Residential

STANDARDS FOR BOAT LIFT CANOPIES

LDC section 5.03.06 defines boat lift canopies as, "A covering that is applied to a boat lift over a dock legally permitted by the requisite local, state and federal agencies." LDC section 5.03.06 G provides standards for these canopies as follows:

a) Canopies shall not extend more than 27 inches beyond the width of the boat lift on each side.
Total width of Canopy 12.4'
b) Does Canopy extend beyond width of boat lift? ☐ Yes ☒ No If yes, how many inches? 0
c) The length of the boat lift Canopy shall not exceed 35 feet. Length: 13 ft.
d) The height of the boat lift Canopy shall not exceed 12 feet, measured from the highest point of the Canopy to the height of the dock walkway. Total Height: 12 ft.
e) The sides of the Canopy cover shall remain open on all sides, except that a drop curtain, not to exceed 18' shall be permitted on the sides. Length of Drop Curtain: 0 inches.
f) Boat lift Canopies shall meet the requirements of Awnings and Canopies in the Florida Building Code.
g) Canopy cover material shall be limited to beige, or mid-range shades of blue or green. Canopy Color: Jade
h) No boat lift canopies shall be permitted at sites that contain either a boathouse or a covered structure.

Lots with frontage on canals shall be permitted a maximum of 1 boat lift Canopy per site. Lots with frontage on bays shall be permitted a maximum of 2 boat lift Canopies per site.

If an applicant wishes to construct a boat lift Canopy that does not meet the standards of LDC subsection 5.03.06 G.1, then a petition for a boat lift Canopy deviation may be made to the Hearing Examiner which shall review a sufficient petition application and either approve or deny the request.

SUBMITTAL REQUIREMENT CHECKLIST

See Chapter 3 B. of the Administrative Code for submittal requirements.

REQUIREMENTS FOR REVIEW:	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	☑	
Completed Addressing Checklist	☑	
Property Ownership Disclosure Form	☑	
Signed and sealed survey, showing any existing dock facility	☑	☐
Scale drawing of the proposed Canopy. (Please refer to page 4)	☑	☐
Sample of the fabric for color review.	☑	☐

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

FEE REQUIREMENTS

☑ **Pre-Application fee:** $500.00

☑ **Boat Lift Canopy Administrative Review fee:** $500.00

Fire Planning Review Fee: $100.00

Additional fees, If requesting a deviation:

☑ **Estimated Legal Advertising fee:** $1,125.00

☐ **If applicable, an additional fee for Property Owner Notifications will be be billed to the applicant afterhearing date.** *(Variable)*

If requesting a deviation, listing all registered homeowner and civic associations affected below is required.

ASSOCIATIONS

Required: List all registered Home Owner / Civic Association(s) that could be affected by this petition and located within 1,000 feet of the subject property. Provide additional sheets if necessary. Information can be found on the **Civic Associations and Communities page** on the Board of County Commissioner's website. Please use the current mailing addresses for each association as registered by the Florida Department of State, Division of Corporations.

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

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

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

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

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

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

All fees are collected at the time of application. Property Notification Letters, if required by The Land Development Code, will be invoiced after the petition is heard by the Board of County Commissioners.

*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. *Additional fee for the 5th and subsequent re-submittal will be accessed at 20% of the original fee.*

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. This permit is conditioned on all other applicable state or federal permits being obtained before commencement of the development.

I HEREBY ATTEST THAT THE INFORMATION PROVIDED IN THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT, IN ADDITION TO APPROVAL OF THIS BOAT LIFT CANOPY APPLICATION, A BUILDING PERMIT IS REQUIRED PRIOR TO COMMENCEMENT OF CONSTRUCTION.

***The completed application, all required submittal materials, and fees shall be submitted to:**
Growth Management Community Development Department | GMD Portal:
https://cvportal.colliercountyfl.gov/cityviewweb

Questions? Email: GMDclientservices@colliercountyfl.gov

Dorothea Anne Kelsey
Dorothea Anne Kelsey (Apr 6, 2023 15:10 EDT)

Applicant Signature

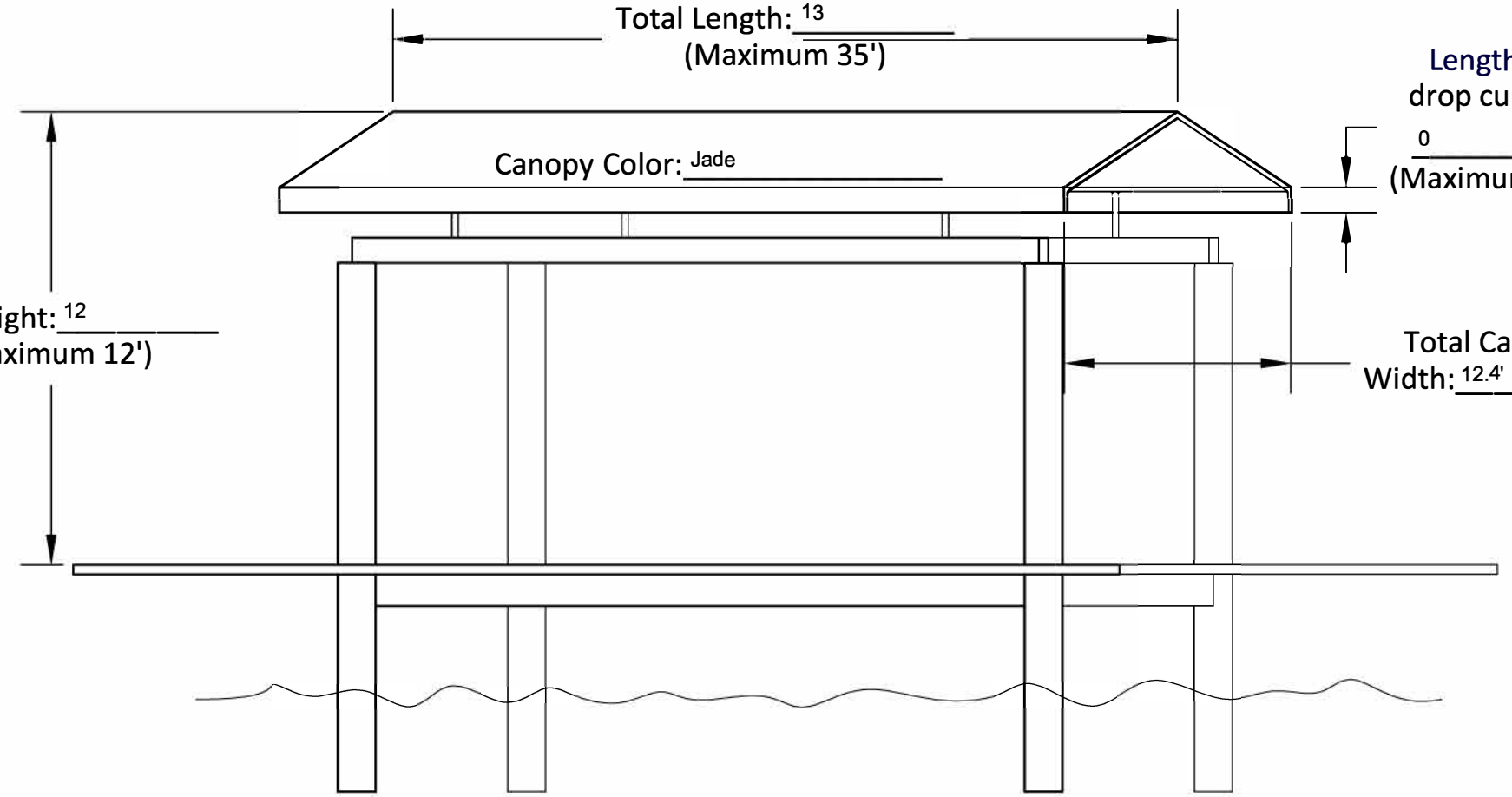
Dorothea Anne Kelsey

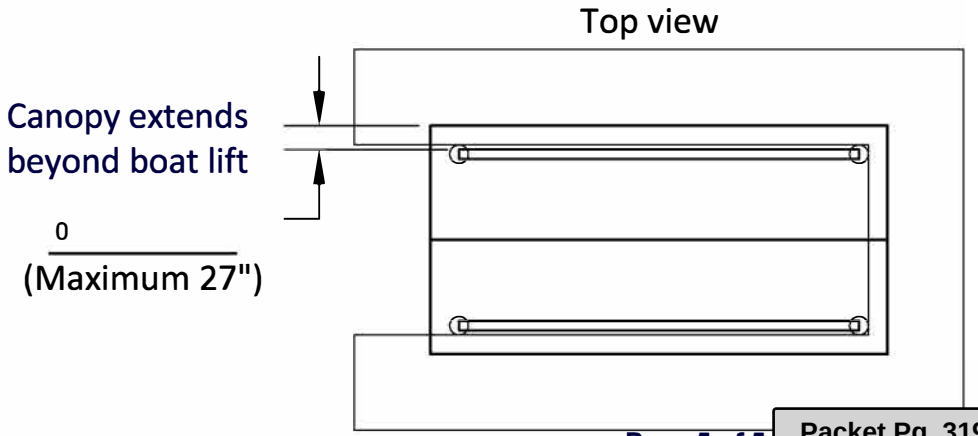
Printed Name

Date

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

Address: 403 Capri Blvd. Naples, Fl 34113





CANOPY DETAIL

This drawing must be completed and submitted as an attachment to the Administrative Boat Lift Canopy Application

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 :

Collier County
Growth Management
Community Development Department

ADDRESSING CHECKLIST

Please complete the following and upload via the CityView Portal with your submittal. Items marked with (*) are required for every application, other items are optional and may not apply to every project.

Forms are valid for 6 months following their submittal; an updated form will be required for a new submittal after that timeframe and any time the properties within the project boundary are modified.

Additional documents may be attached to this form and can include:

- * LOCATION MAP and/or SURVEY showing the proposed project boundary.
- List of additional folio numbers and associated legal descriptions.
- E-mail from Addressing Official for any pre-approved project and/or street names.

LOCATION INFORMATION

***FOLIO (Property ID) Number(s)** of subject property or properties. [Attach list if necessary]

52450720001

***LEGAL DESCRIPTION** of subject property or properties. [Attach list if necessary]

ISLES OF CAPRI NO 3 LOT 594 OR 950 PG 1382

STREET ADDRESS(ES) where applicable, if already assigned.

403 Capri Blvd

PROJECT INFORMATION

Acceptance of this form does not constitute project and/or street name approval and is subject to further review by the Addressing Official. Pre-Approval may be requested by contacting us at GMD_Addressing@colliercountyfl.gov or 239-252-2482 prior to your submittal.

CURRENT PROJECT NAME

Sheehan Canopy

PROPOSED PROJECT NAME

Sheehan Canopy

PROPOSED STREET NAME(s)

403 Capri Blvd

LATEST APPROVED PROJECT NUMBER [e.g., SDP-94-##, PPL-2002-AR-####, PL2017000####]

PL20210001179

Operations & Regulatory Management Division ● 2800 North Horseshoe Drive ● Naples, FL 34104 ● 239-252-2400
www.colliercountyfl.gov

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership
Dorothea Anne Kelsey	50
Donald J Sheehan	50

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 G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

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 11/8/2019

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

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

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

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

Dorothea Anne Kelsey
Dorothea Anne Kelsey (Apr 6, 2023 14:43 EDT)
_____ _____
Agent/Owner Signature Date

Dorothea Anne Kelsey
_____
Agent/Owner Name (please print)

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

INSTR 5791155 OR 5695 PG 3443 RECORDED 11/15/2019 12:42 PM PAGES 2
CLERK OF THE CIRCUIT COURT AND COMPTROLLER, COLLIER COUNTY FLORIDA
DOC@.70 $0.70 REC $18.50
CONS $10.00

WARRANTY DEED

This Warranty Deed made the 8 day of November 2019 2019, by DOROTHEA A. KELSEY, joined by her husband, DONALD J. SHEEHAN, hereinafter called the Grantor, to DOROTHEA A. KELSEY and DONALD J. SHEEHAN, wife and husband, as an estate by the entireties, whose post office address is 403 Capri Blvd., Naples FL 34113, hereinafter called the 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).

The Trustee hereunder shall have full power and authority to deal in and with the property described herein, or any part or interest therein, and shall have full power and authority to protect, conserve, and to sell or to lease, or to encumber, or otherwise to manage and dispose of the real property described herein.

WITNESSETH: That the Grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases and transfers unto the Grantee, all that certain land situate in COLLIER County, Florida, viz:

LOT 594, ISLES OF CAPRI, NO. 3, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 66, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

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

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

The Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that 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 restrictions and easements common to the subdivision, outstanding oil, gas, and mineral interests of record, if any, and ad valorem real estate taxes for the current year.

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

Signed, sealed and delivered in the presence of:

Witness Signature

Patricia Newell
Typed Name

Witness Signature

Elida Vasquez Cortez
Typed Name

Dorothea Anne Kelsey
DOROTHEA A. KELSEY

FOR REFERENCE ONLY

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

Witness Signature

Patricia Newell
Typed Name

Witness Signature

Elida Vasquez Cortez
Typed Name

DONALD J. SHEEHAN

STATE OF FLORIDA

COUNTY OF COLLIER

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared DOROTHEA A. KELSEY, who is personally known to me or who has produced personally known as identification and who acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 8 day of November 2019.

(SEAL)

PATRICIA NEWELL
Commission # FF 971352
Expires March 15, 2020
Bonded Thru Troy Fain Insurance 800-385-7019

Notary Public
Typed Name: Patricia Newell
My Commission Number is: FF 971352
My Commission Expires: March 15 2020

STATE OF FLORIDA

COUNTY OF COLLIER

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared DONALD J. SHEEHAN, who is personally known to me or who has produced personally known as identification and who acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 8 day of November 2019.

PATRICIA NEWELL
Commission # FF 971352
Expires March 15, 2020
Bonded Thru Troy Fain Insurance 800-385-7019

(SEAL)

Notary Public
Typed Name: Patricia Newell
My Commission Number is: FF 971352
My Commission Expires: March 15 2020

This instrument prepared by:

Kenneth W. Richman, Esquire
Florida Bar No. 220711
E-mail: KenRichLaw@comcast.net
P.O. Box 111682
Naples, Florida 34108
Telephone: (239) 566-2185

NOT A CERTIFIED COPY

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20230011315

I, Donald J Sheehan (print name), as Owner (title, if applicable) of 403 Capri Blvd. Naples, FL 34113 (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 Waterway Boat Lift Covers 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.

Donald J. Sheehan
Signature

8/22/2023
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [X] physical presence or [ ] online notarization this 22nd day of August, 20 23, by (printed name of owner or qualifier) Donald J Sheehan.

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: _____

SOLITAIR MARIE HOLLENBACK
Notary Public - State of Florida
Commission # HH 169193
My Comm. Expires Aug 24, 2025
Bonded through National Notary Assn.

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20230011315

I, Dorothea Anne Kelsey (print name), as Owner (title, if applicable) of 403 Capri Blvd. Naples, FL 34113 (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 Waterway Boat Lift Covers 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.

Dorothea Anne Kelsey
Signature

Aug. 22, 2023
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [X] physical presence or [ ] online notarization this 22nd day of August, 20 23, by (printed name of owner or qualifier) Dorothea Anne Kelsey.

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.

SOLITAIR MARIE HOLLENBACK
Notary Public - State of Florida
Commission # HH 169193
My Comm. Expires Aug 24, 2025
Bonded through National Notary Assn.

Notary Signature: _____

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

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

WATERWAY BOAT LIFT COVERS
15040 TAMIAMI TRL. PUNTA GORDA, FL 33955
239.340.8429 | 941.505.0237
TOLL-FREE 1.877.201.3606
WaterwayBoatLiftCovers.com

11/6/2023

To Mr. John Kelly- Planner

Reference PL20230011315- Donald Sheehan

Pursuant to the above referenced planning number, our customer Donald Sheehan, 403 Capri Blvd. Naples, Fl has requested installation of a second boat lift cover system. This request will require an approved Deviation, as this falls under the Naples Ordinance SEC 5.03.06.G.2, "Lots with coverage on canals shall be permitted a maximum of one boat lift canopy system per site. Lots with frontage on bays shall be permitted a maximum of two boat lift canopy systems per site." Mr. Sheehan's property is governed by the rules of the "Canal". The second canopy system will cover his small boat lift, which handles a smaller watercraft and will protect it from the harsh Florida elements.

All permits applying to the existing dock with both lifts and pilings (PRBD2019834375) and first canopy system (PRBD20210628902) have been approved by all agencies. The only compliance issue is that Mr. Sheehan would like to install a second boat lift cover system, where per Ordinance Sec 5.03.06.G.2 states that he can only have one.

To comply with Zoning issues found with the existing canopy system previously permitted, Waterway Boat Lift Covers will need to move the existing canopy system forward 2 feet to put the canopy in compliance with Zoning. We will also be shrinking the proposed new canopy from 18 feet to 13 feet to stay within the current LDC code setbacks.

Both boat lift cover systems are located directly behind Mr. Sheehan's home, off Tarpon Bay. This addition will not obstruct any navigation in or out of the canal, and the lifts sit parallel with the seawall.

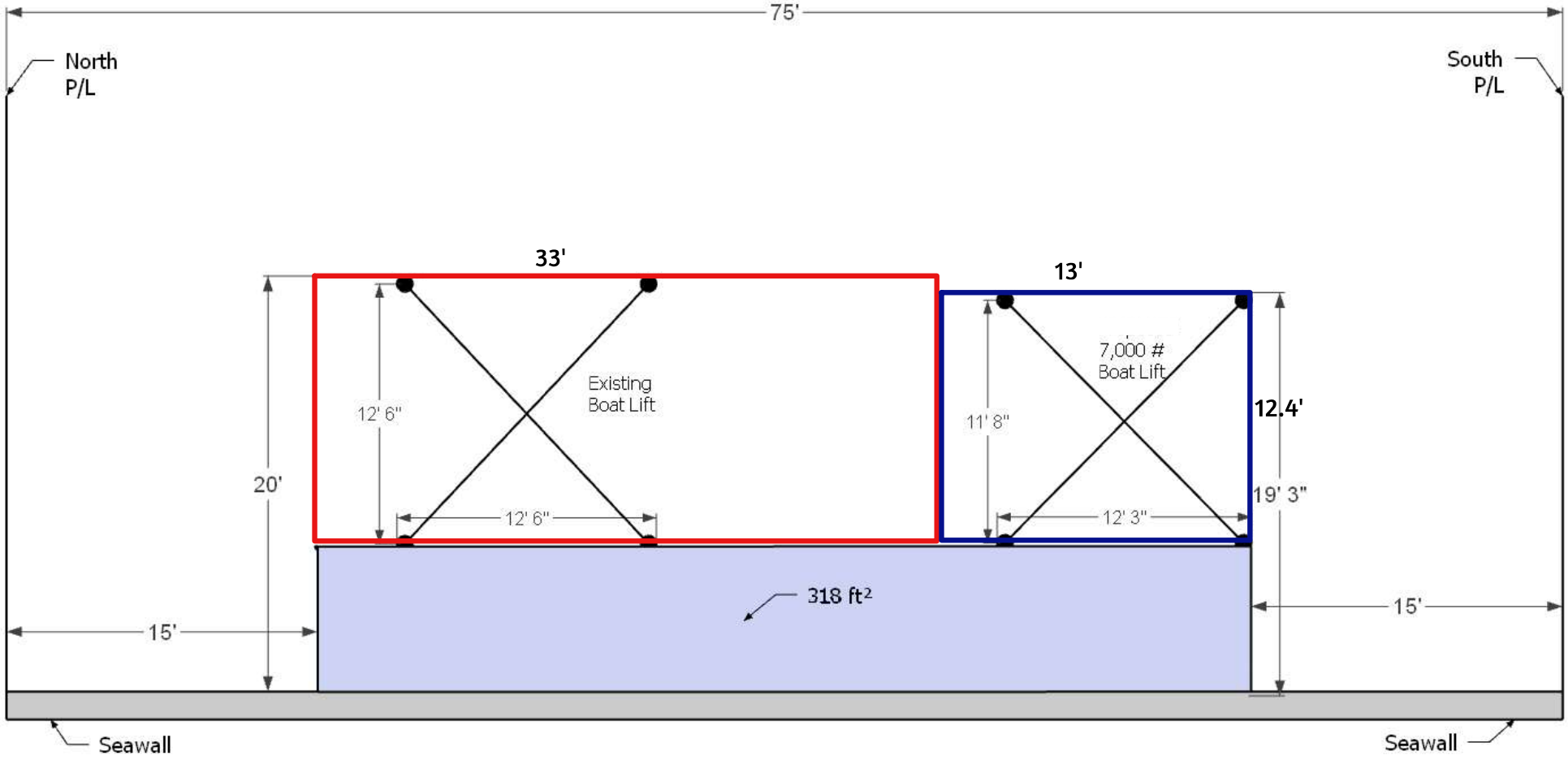
Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd

New 13' Canopy

Existing 33' Canopy

Proposed 13' x 12.4' Canopy
Move existing canopy forward
Max Height 12'



GREG ORICK MARINE CONSTRUCTION, INC. **(239) 949-5588**	Name: **Anne Kelsey** Address: **403 Capri Blvd** **Naples, FL 34113** Date: **10/7/2019**	Approved Signature: _____ Approved Date: _____

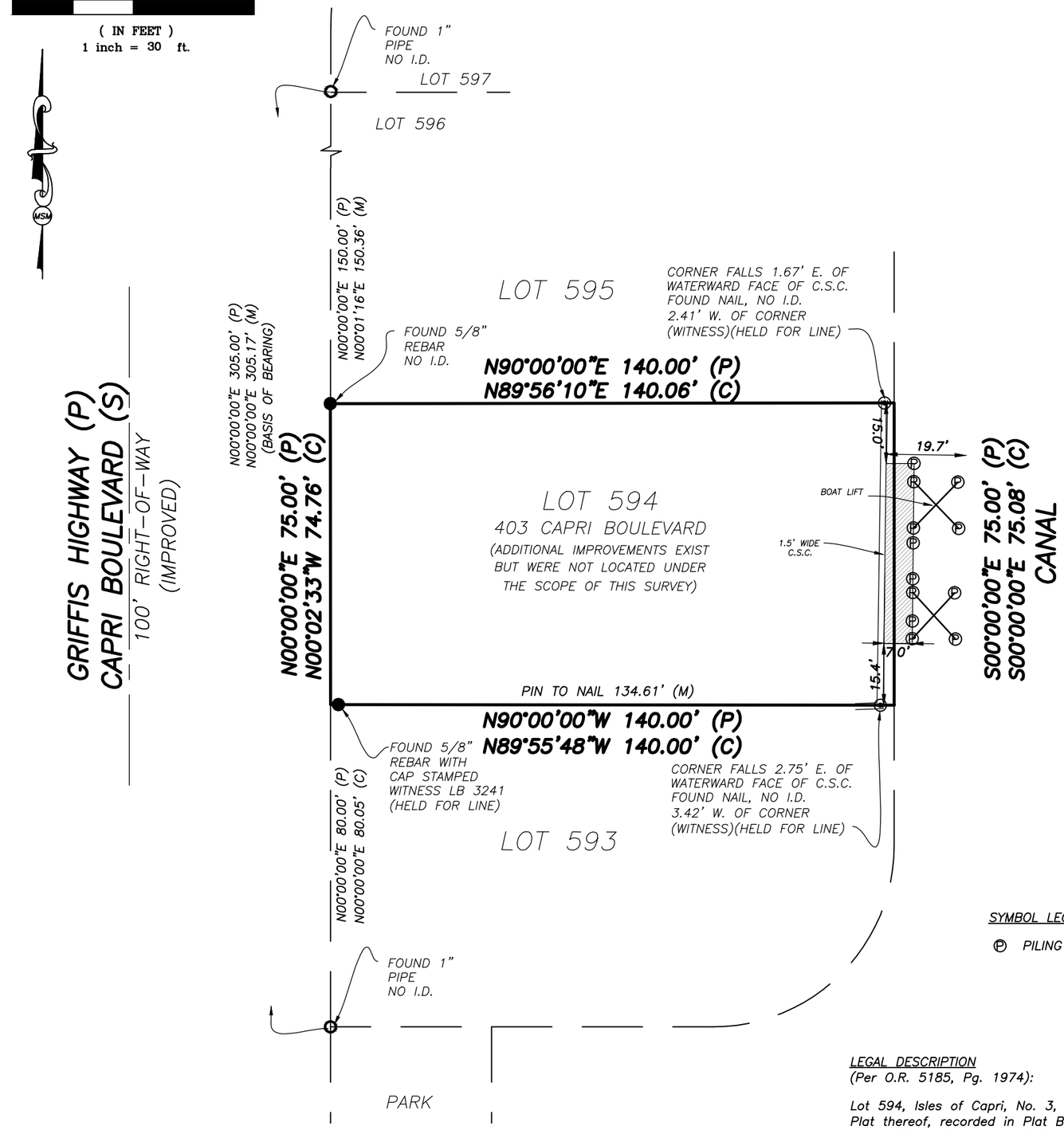
Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 :

GRAPHIC SCALE

0 15 30 60

(IN FEET)
1 inch = 30 ft.

REVISION NOTES:
1. Add proposed boat lift and label dock and pilings as existing; JP; 09/13/2019
2. Add portion of dock to be removed, dock addition, proposed boat lift and pilings; JP; 09/20/2019
3. Add new dock, pilings and lifts; JB; W.O.#19-572; 2/3/2020



NOTES:

1. Last day of field work is July 19, 2019. (date of survey)
2. Bearings shown hereon are based on the East Right-of-Way line of Griffis Highway, Isles of Capri, No. 3., according to the Plat thereof, as recorded in the Public Records of Collier County, Florida being N00°00'00"E.
3. No easement search or abstracting was done by the surveyor and note should be taken that this property is subject to any facts that may be revealed with a full and accurate title search.
4. No environmental study, audit, or determinations were made in this survey. Any environmental conditions that may be depicted on this survey are the result of simple observation and not the result of a scientific analysis.
5. The intended use of this survey is to serve as an analysis tool for permitting purposes.
6. Unless otherwise indicated all easements shown hereon are based on plat.
7. Only above ground, visible and apparent improvements were located.
8. Foundations and overhangs are not taken into account on this survey.
9. Irrigation equipment was not taken into account on this survey.
10. No other persons or entities other than those listed as exclusive users may rely on this survey.
11. All dimensions are in feet and decimals thereof, unless otherwise noted.
12. Subject to easements, reservations and restrictions of record.
13. Building ties reflect distances to the finish surface of the structure and may not be representative of foundations or primary walls.
14. According to the Collier County Zoning Map viewer as posted on colliergov.net this property is zoned RSF-3.

    Zoning and setback information is provided for informational purposes only and are subject to variances and other conditions not provided to the surveyor consult county codes before making any decisions regarding setbacks.

15. Property contains 0.24 acres (10,492 square feet) more or less.

ABBREVIATIONS
(M) MEASURED
(P) PLAT
(C) CALCULATED
(S) SIGNAGE
D.E. = DRAINAGE EASEMENT
U.E. = UTILITY EASEMENT
C.S.C. = CONCRETE SEAWALL CAP
O.R. = OFFICIAL RECORDS BOOK
P.C. = POINT OF CURVATURE
PG. = PAGE
P.I. = POINT OF INTERSECTION

SURFACE LEGEND
COMPOSITE

SYMBOL LEGEND
Ⓟ PILING

For the Exclusive Use Of:
Greg Orick Marine Construction

JOHN P. PACETTI CERTIFICATE No. 6916 STATE OF FLORIDA Professional Surveyor and Mapper

John P. Pacetti, PSM,
Florida License No. 6916
Not valid without the signature and original seal of the Florida Licensed Professional Surveyor and Mapper Certificate of Authorization #7705.

LEGAL DESCRIPTION
(Per O.R. 5185, Pg. 1974):

Lot 594, Isles of Capri, No. 3, according to the Plat thereof, recorded in Plat Book 3, Page(s) 66, of the Public Records of Collier County, Florida

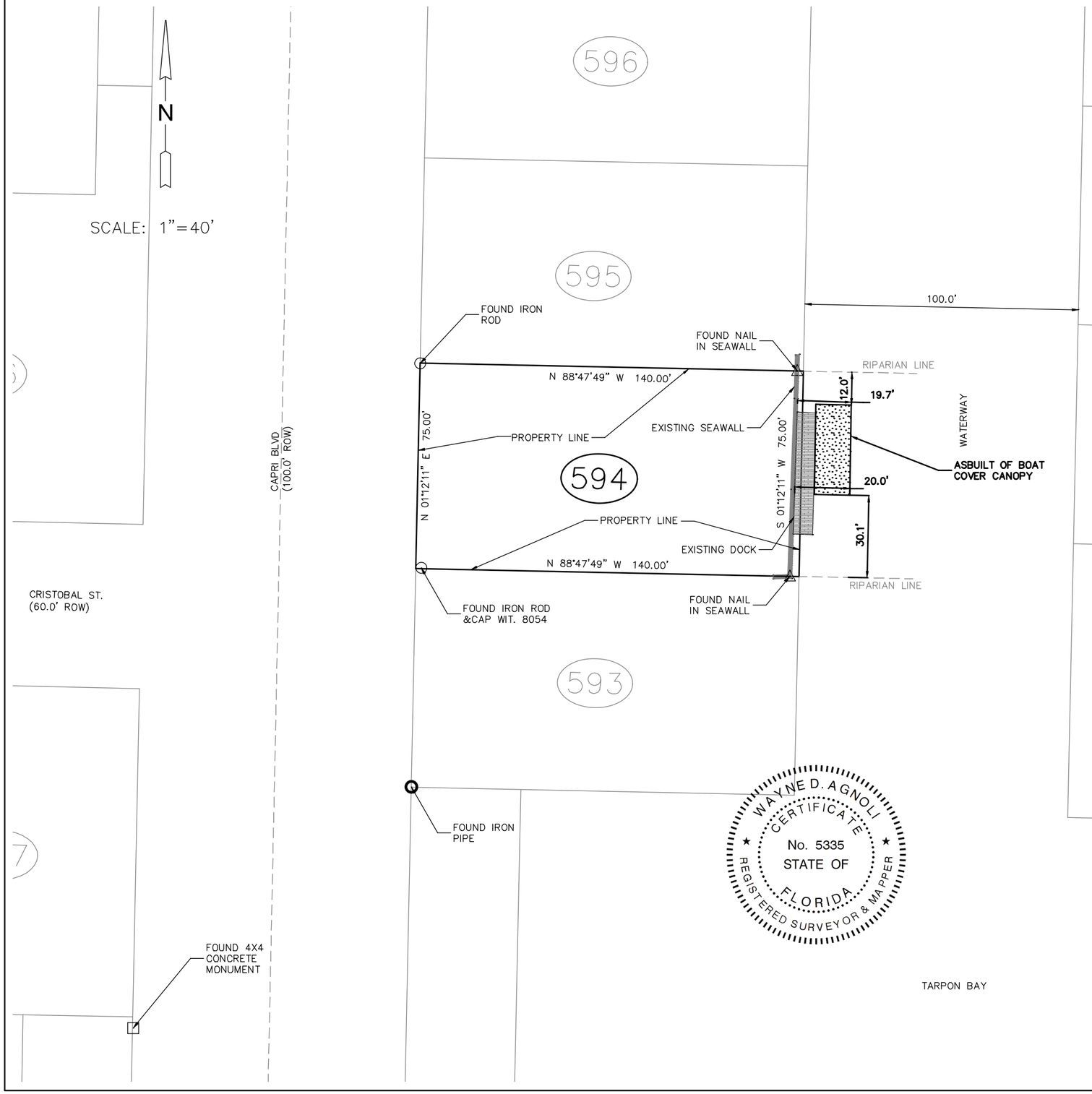
MARCO SURVEYING & MAPPING
A LIMITED LIABILITY COMPANY
MARCO SURVEYING & MAPPING
3825 BECK BOULEVARD
SUITE 725
NAPLES, FLORIDA 34114
(239) 389-0026
WWW.MARCOSURVEYS.COM

BOUNDARY SURVEY

Lot 594, Isles of Capri, No. 3, Collier County, Florida

CLIENT:	Greg Orick Marine Construction				
HORIZONTAL SCALE:	1" = 30'		PROJECT NUMBER:	N/A	
CHIEF:	BOOK/PAGE	DRAFTED BY:	DATE	WO NUMBER	DRAWING NO.
N.E.	185 70	R.Y.	07/2019	19-	

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd



PREPARED FOR: DONALD SHEEHAN

DATE OF FIELD SURVEY: MAY 17, 2023

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

BY_____

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

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

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

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

GENERAL NOTES:

1. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

2. BEARINGS ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM , EAST ZONE, NAD 83/90 DATUM AND REFERENCED TO THE NORTH LINE OF LOT 594, ISLES OF CAPRI, UNIT 3, SECTION 32, TOWNSHIP 51 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, AS BEING NORTH 88° 47' 49" WEST.

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

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

SURVEYOR'S NOTE: THE PURPOSE OF THE SURVEY IS TO ASBUILT THE BOAT COVER CANOPY ONLY. NO OTHER IMPROVEMENTS HAVE BEEN LOCATED UNDER THE SCOPE OF THIS SURVEY.

403 CAPRI BLVD. SPECIFIC PURPOSE SURVEY

for:	DONALD SHEEHAN
title:	MAP OF ASBUILT SURVEY OF LOT 594 ISLES OF CAPRI, UNIT NO. 3 SECTION 32, TOWNSHIP 51 SOUTH & RANGE 26 EAST (PLAT BOOK 3 & PAGE 66) COLLIER COUNTY, FLORIDA

bk:	pg:	
1294	47	date: JUNE 14, 2023
		scale: 1" = 40'
		cogo #: 20-0068

design:	XXX
drawn:	LD
checked:	WDA
acad #:	13514-AB
task #:	XXXX-XX
project #:	20-0068
sheet #:	1 of 1
file #:	13514

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

Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 : PL20230011315 BLCD 403 Capri Blvd



566 Sunflower
858566
PREMIUM



562 Emerald
858562



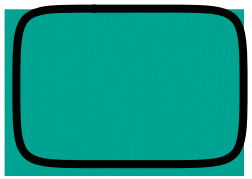
510 Dark Green
858510



570 Summer Ivy
858570
PREMIUM



514 Lime Green
858514
PREMIUM



567 Jade
858567
PREMIUM



564 Teal
858564



565 Reef Blue
858565



539 Bay Blue
858539



503 Royal Blue
858503



518 Dusky Blue
858518



536 Cobalt Blue
858536



Attachment: Attachment G - Applicant's Backup – Application and Supporting Documents (27576 :

From: John Kelly
Sent: Friday, December 29, 2023 1:03 PM
To: John Kelly
Subject: BLCD-PL20230011315 - 403 Capri Blvd - Public Hearing Sign Posting 12212023
Attachments: Photo1.jpg; Photo2.jpg

I, John Kelly, personally posted the required sign advertising a Public Hearing for the subject project to the front of the subject address at 3:11 P.M. on December 21, 2023, as evidenced by the attached photographs.

Respectfully,
John Kelly
Planner III

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

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

Collier County
Growth Management
Community Development Department
Zoning Division

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 H - Public Hearing Sign Posting 12212023 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)





Attachment: Attachment H - Public Hearing Sign Posting 12212023 (27576 : PL20230011315 BLCD 403 Capri Blvd Kelsey/Sheehan)

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.D
Doc ID: 27443
Item Summary: Petition No. PL20230014103 - VA - 9100 Vanderbilt Drive – Request for a variance from Land Development Code Section 4.02.01 A, Table 2.1, to reduce the required front setback from 25 feet to 23.33 feet on the south property line for the proposed single-family residence and accessory pool to be located at Lot 23, Block 46, Unit No. 6, Naples Park, also known as 9100 Vanderbilt Drive, Naples, FL 34108 in Section 33, Township 48 South, Range 25 East, Collier County, Florida. [Sean Sammon, Planner III] Commissioner District 2

Meeting Date: 01/11/2024

Prepared by:
Title: Principal Planner – Zoning
Name: Sean Sammon
12/06/2023 4:38 PM

Submitted by:
Title: Zoning Director – Zoning
Name: Mike Bosi
12/06/2023 4:38 PM

Approved By:

Review:

Operations & Regulatory Management	Michael Stark	Review Item	Completed	12/08/2023 4:59 PM
Growth Management Community Development Department	Diane Lynch		Department review Skipped	12/14/2023 6:51 PM
Zoning	Ray Bellows	Review Item	Completed	12/21/2023 12:36 PM
Zoning	Mike Bosi	Division Director	Completed	12/21/2023 2:04 PM
Hearing Examiner (GMD Approvers)	David Merino	Review Item	Completed	01/02/2024 1:39 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	01/11/2024 9:00 AM	

Attachment: PL20230014103 - Staff Report - 9100 Vanderbilt Drive (VA) [Revision 2] (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: ZONING DIVISION - GROWTH MANAGEMENT COMMUNITY DEVELOPMENT DEPARTMENT

HEARING DATE: JANUARY 11, 2024

SUBJECT: PETITION NO. VA-PL20230014103, 9100 VANDERBILT DRIVE (VA)

PROPERTY OWNER/APPLICANT:

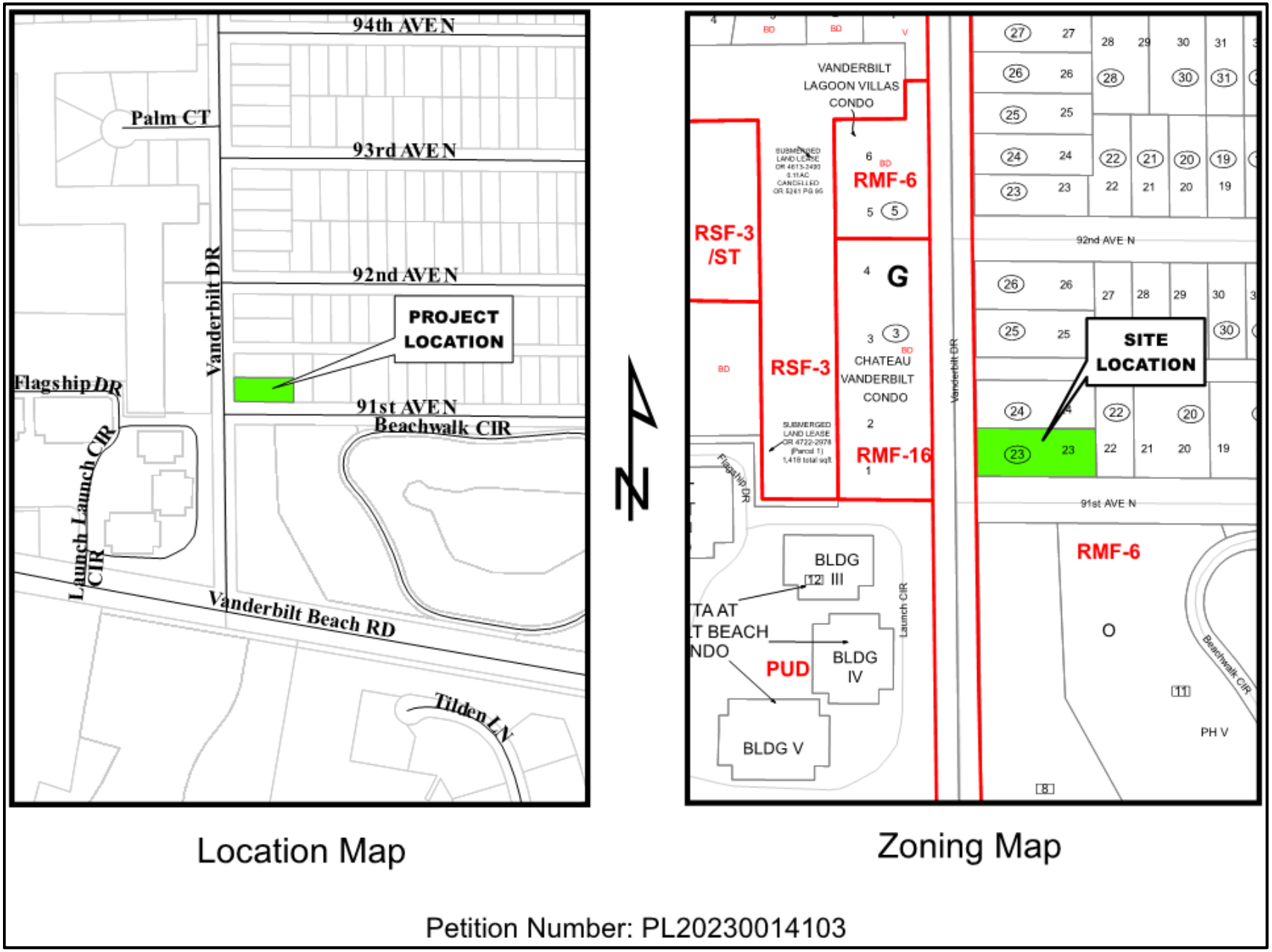
Michael and Theresa Norton
9100 Vanderbilt Drive
Naples, FL 34108

REQUESTED ACTION:

The petitioner requests that the Hearing Examiner approve a request for a variance from Land Development Code Section 4.02.01 A, Table 2.1, to reduce the required front setback from 25 feet to 23.33 feet on the south property line for the proposed single-family residence and accessory pool.

GEOGRAPHIC LOCATION:

The subject ±0.23-acre property is described as Lot 23, Block 46, Unit No. 6, Naples Park. It is located at 9100 Vanderbilt Drive, Naples, FL 34108, on the northeast corner of the intersection of Vanderbilt Drive and 91st Ave N., in Section 33, Township 48 South, Range 25 East, Collier County, Florida. *(Please see the Location Map on the proceeding page.)*



Petition Number: PL20230014103

Attachment: PL20230014103 - Staff Report - 9100 Vanderbilt Drive (VA) [Revision 2] (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

PURPOSE/DESCRIPTION OF PROJECT:

The owners, Michael and Theresa Norton, closed on the property of 9100 Vanderbilt Drive on February 17, 2023. An original survey provided by the realtor showed a setback of 7.5 feet from the property line along 91st Avenue. During the inspection, the owners were told that the actual setback is really 25 feet from the property line along 91st Avenue. Due to the nature of the lot existing as a corner lot, there are only two front yard and two side yard setbacks, with both front yard setbacks requiring 25 feet and the remaining two side yard setbacks requiring 7.5 feet. Therefore, the remaining buildable area contains the remainder subtracted from the setbacks, meaning that the narrow dimension of the lot width, which is measured at 64 feet, yields only a 31.5 feet width (64 – 25 – 7.5 = 31.5), which is less than an average lot width for a legal conforming interior lot.

Since the subject property is located within Naples Park, it is prone to flooding during inclement weather and various storms such as hurricanes. The existing house is significantly below the base flood elevation (BFE) and has been flooded with 3 feet of water or more. The owners prefer demolishing the current home to construct a new residence exceeding the current BFE. The new residence will be built with a narrower structure width if the owners receive the requested variance of 1.67 feet into the south front setback along 91st Avenue. The existing residence contains the exterior wall at 1.92 feet into the south front setback along 91st Avenue. The owners received an administrative variance, PL20230007638; however, the administrative variance only applies to the life of the existing structure, and it is removed when the structure is demolished for the new residence. With this request, the new house, once constructed, is planned to be located only 1.58 feet into the south front setback.

The owner's justification for their request is that the current house is encroaching 1.92 feet into the south front yard setback; their request is for a reduction of the encroachment, and with the new house, it will only encroach 1.67 feet. If this variance is granted, the proposed residential structure will only be 1.58 feet into the setback of the south front yard. Because there is a 20-foot-wide swale along 91st Ave N, the proposed house structure will be 43.42 feet from the travel lanes of 91st Ave N. The current residence contains an unpermitted pool that encroaches entirely into the same south-front setback at 12.7 feet. This nonconforming pool doesn't meet the required front yard setback, and the owner will remove the pool with the proposed new construction. There will not be a visible or any other negative impact resulting from this request, and the proposed residential structure with a garage, lanai, pool deck, and pool will all be in line and utilize the same requested variance. The current residence is below the current base flood elevation and the current code requirements for drainage. The proposed new residential structure will improve the value and sustainability of the property since the proposed residential structure will be above the base flood elevation and meet the code requirements for drainage.

Therefore, the owners seek a minimal variance request to construct a narrower residential structure than originally planned. The proposed setback will be 1.67 feet with a final setback of 23.42 feet, rather than the minimum required 25 feet, and will scale back from the existing residential structure's encroachment of 1.92 feet with a final setback of 23.08 feet. When coupled with the existing swale along 91st Ave N., the actual setback from the edge of the street of 91st Ave N will be roughly 43 feet. Since the width of the subject property is only 64 feet, the remaining buildable width is 31.5 feet.

SURROUNDING LAND USE AND ZONING:

SUBJECT PARCEL: A single-family residence with a zoning designation of Residential Multi-Family-6 (RMF-6) Zoning District.

North: Single-family residence with a zoning designation of RMF-6

East: Single-family residence with a zoning designation of RMF-6

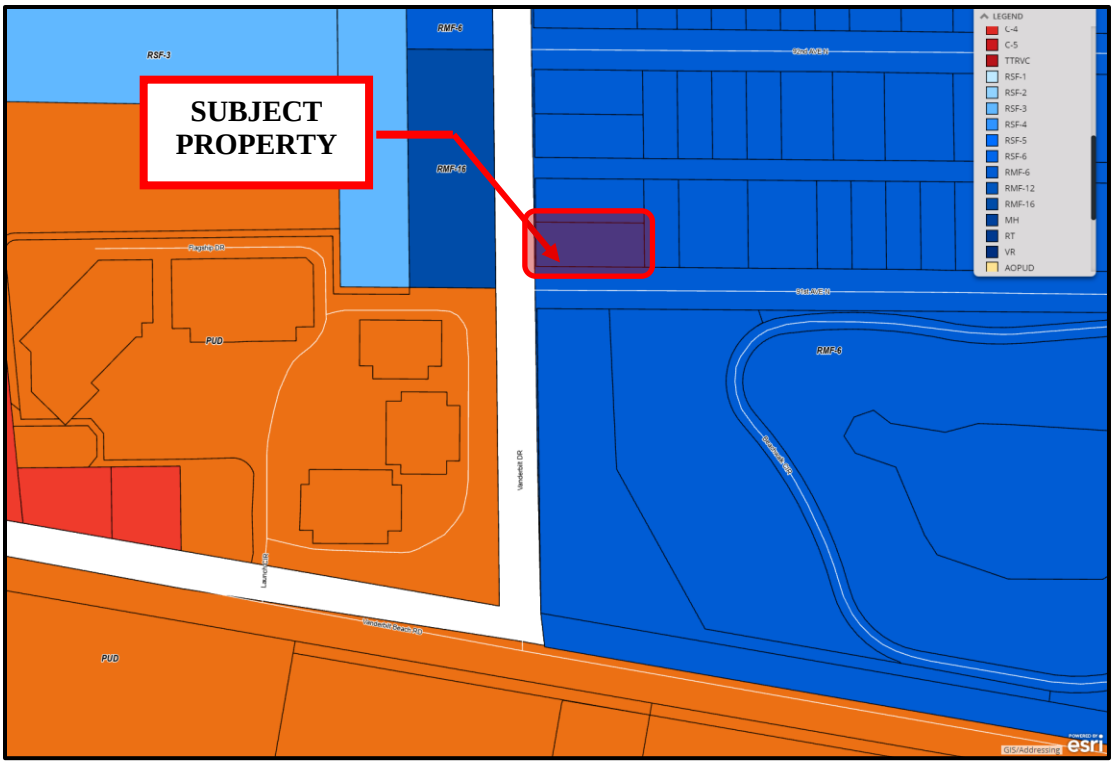
South: 91st Avenue, Beachwalk Residents Association Multi-Family Community, with a zoning designation of a Right-of-Way and RMF-6

West: Vanderbilt Drive and the Vanderbilt Chateau Condominiums, with a zoning designation Right-of-Way and RMF-16

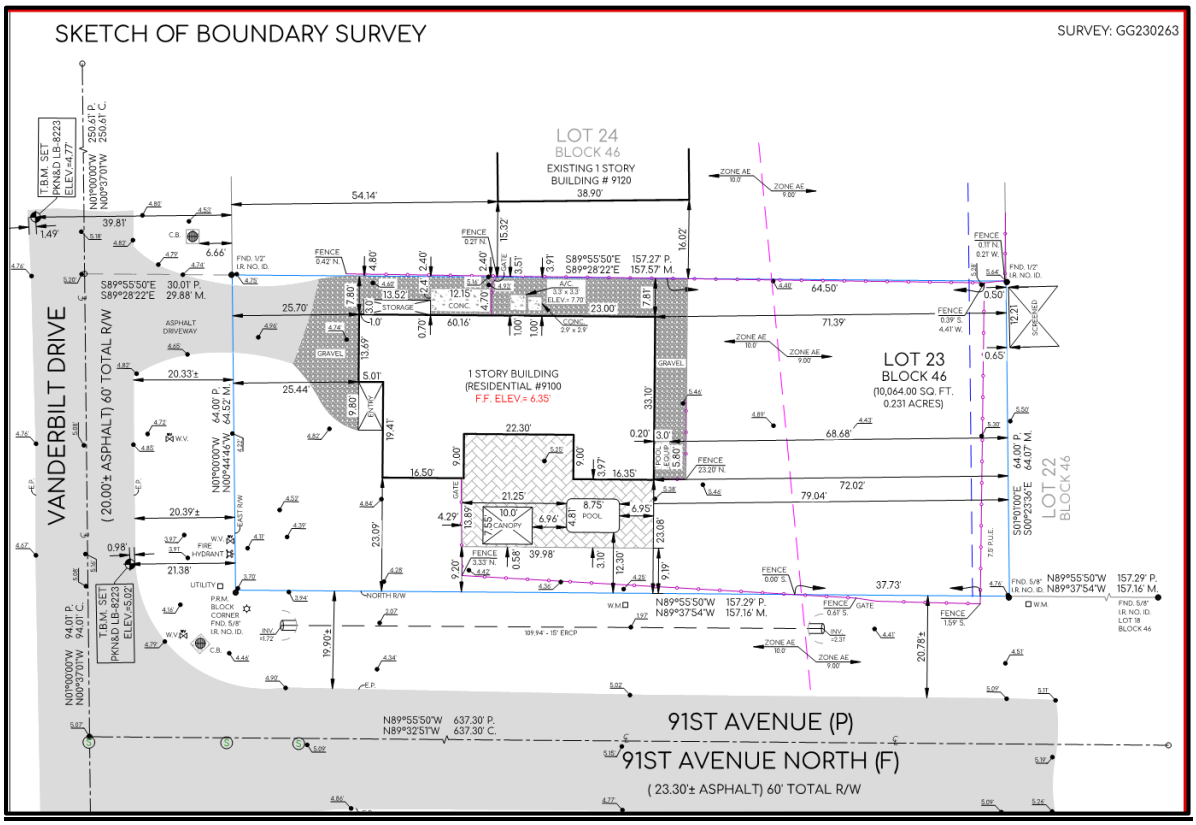


Aerial; Source: Collier County Property Appraiser

Attachment: PL20230014103 - Staff Report - 9100 Vanderbilt Drive (VA) [Revision 2] (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

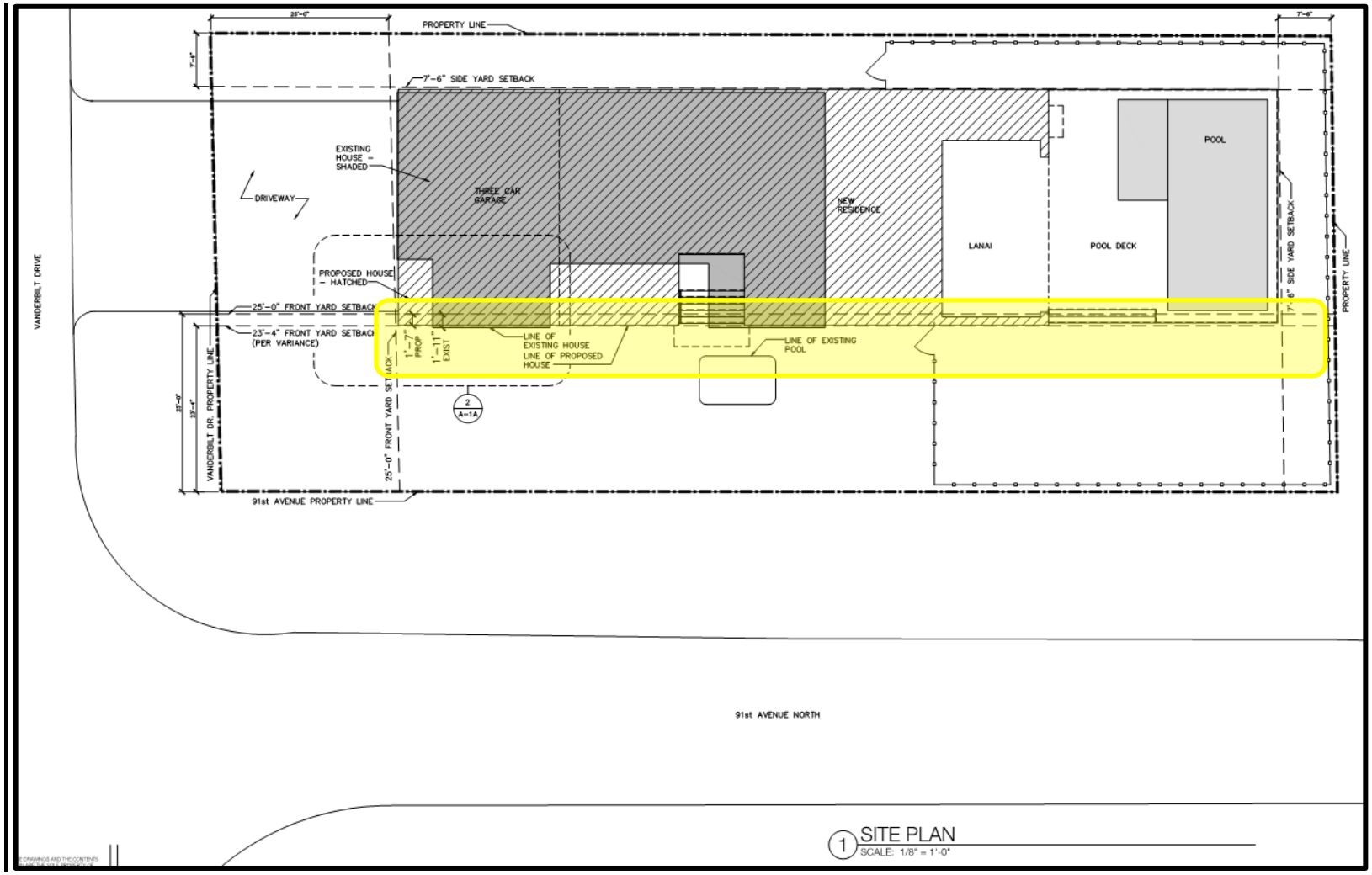


Zoning Map; Source: Collier County GIS/Addressing



Subject Property Existing Site Survey; Source: Galldo Group Inc., April 18, 2023

Attachment: PL20230014103 - Staff Report - 9100 Vanderbilt Drive (VA) [Revision 2] (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)



Subject Property Proposed Variance Site Plan; Source: Lymolo Design Studio., September 6, 2023 – Location of variance request is highlighted in yellow

Attachment: PL20230014103 - Staff Report - 9100 Vanderbilt Drive (VA) [Revision 2] (27443 :

GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

The subject property is located in the Residential Multi-Family-6 (RMF-6) Zoning District and the Urban Residential Subdistrict designated area as identified in the GMP's Future Land Use Map (FLUM). The GMP does not address individual variance requests but deals with the larger issue of the actual use. As previously noted, the subject petition seeks a variance for a single-family home and an accessory swimming pool, an authorized use in this land use designation. This land use category is designed to accommodate residential uses, including single-family. The single-family home use and accessory are consistent with the GMP's Future Land Use Map.

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 that are peculiar to the location, size, and characteristics of the land, structure, or building involved?

Yes, there are special conditions. The subject property is a corner lot, requiring two front yard and two side yard setbacks. The depth of the lot is only 64 feet, so after applying the required 25 feet front yard and 7.5 feet side yard setbacks, the usable exterior depth is 31.5' and less than 29.5' internally. The requested 1.67' is the minimal amount of relief needed for the home to be designed. The front wall of the current house is 1.92' into the current setback, with a non-conforming pool 12.7' into the same front yard setback. This wall and pool will be removed with the construction of the new home.

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

Yes, the subject property is a corner lot with two front yard 25' setbacks, with one of the setbacks significantly reducing the narrow buildable dimension, creating a maximum internal space/dimension less than 29.5'. The pre-existing home is 1.92' into the setback, and a new structure would be 1.67' into the setback, a difference of 3 inches. Also, an existing pool encroaches 12.7' into the same front yard setback along 91st Ave. Lastly, the current home sits 5' below the base flood elevation. The nonconforming wall and pool will be removed, and the base flood elevation will be met if a new home is built.

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 it is a corner lot, two front yard setbacks and two side yard setbacks exist. No smaller rear yard setback exists, causing the owner to build an unorthodox residential structure. In the RMF-6 zoning district, properties have a 25' front yard, 7.5' side yard, and 20' rear yard setbacks. Legal conforming corner lots in the RMF-6 zoning district properties have two 25' front yard and two 7.5' side yard setbacks, thereby limiting the building footprint for the residential and accessory structure.

Attachment: PL20230014103 - Staff Report - 9100 Vanderbilt Drive (VA) [Revision 2] (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

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

Yes, the owner has requested the minimum variance necessary to allow them to have the necessary buildable width of 33.17 feet (33' – 2"). Again, remember that this corner lot yields a buildable width of 31.25' (after applying 25' and 7.5' setbacks to the 64' depth).

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?

No. Any other corner lot owner similarly situated has the same right to seek a minimal variance. Also, with the additional 20' R.O.W., the structure will be further from the road than most homes throughout the neighborhood. As noted by the county staff, the buildable footprint for most lots in Naples Park is much larger, even though the area for these lots is less. The long, narrow geometry and the double application of the front yard setbacks inordinately burden this lot.

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

The existing house and entire pool encroach into the setback, with the existing pool encroaching more than 12'. A new house would encroach less into the setback than the current home's front wall. The pool would also be removed. The new proposed house and pool building footprint would adhere to this same minimal variance request. Also, the new home designed with the variance request will not be discernible, nor will it negatively impact neighbors.

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

Our goal is to keep as many trees as possible, and we would attempt to relocate any trees on the
property if needed. The proposed building footprint supports this.

h. Will granting the Variance be consistent with the Growth Management Plan?

Yes, if granted, the parcel will still be utilized for a single-family detached home, is consistent with the Growth Management Plan's applicable Goals, Objectives, and Policies.

CONCURRENT LAND USE APPLICATIONS:

There are no concurrent land use applications under review at present.

Attachment: PL20230014103 - Staff Report - 9100 Vanderbilt Drive (VA) [Revision 2] (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner **approve** the following for Petition VA-PL20230014103, 9100 Vanderbilt Drive:

A variance from Land Development Code Section 4.02.01 A, Table 2.1, to reduce the required front setback from 25 feet to 23.33 feet on the south property line for the proposed single-family residence and accessory pool. (Please see Attachment B: Site Plan & Detail for Proposed Variance)

Attachments:

A. Backup Package
B. Site Plan & Detail for Proposed Variance
C. Legal Ad & HEX Sign Posting

Attachment: PL20230014103 - Staff Report - 9100 Vanderbilt Drive (VA) [Revision 2] (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

HEARING PACKAGE CHECKLIST Return this form with printed materials

A. Backup provided by the County Planner

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

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

B. Backup provided by Applicant:

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

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

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

X Boundary Survey

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

NA Submerged Resource Surveys may be included here if required.

NO **CD with *only one* pdf file for all documents in the same order as the packets are put together. They must be in the same order.**

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

Michael Norton
Signature of Agent Representative

12/01/2023
Date

Michael Norton
Printed Name of Signing Agent Representative

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

DocuSign Envelope ID: 5439AFC6-038A-4504-B7AD-980EA0CF2BEC

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): Michael and Theresa Norton

Name of Applicant if different than owner: _____

Address: 9100 Vanderbilt Drive **City:** Naples **State:** FL **ZIP:** 34108

Telephone: 703-282-3311 **Cell:** 703-282-3311 **Fax:** _____

E-Mail Address: Mnorton@mrcgroup.net

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 A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

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

PROPERTY INFORMATION

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

Property I.D. Number: 62838840001 Section/Township/Range: 28 / 48 / 25

Subdivision: Naples Park Unit: 6 Lot: 23 Block: 46

Metes & Bounds Description: _____ Total Acreage: 0.23

Address/ General Location of Subject Property: 9100 Vanderbilt Drive Naples, Fl 34108

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	RMF6	Residential
S	RM6	R.O.W. 91st Ave. Beachwalk
E	RMF6	Residential
W	RM16	R.O.W. Vanderbilt Drive Vanderbilt Chateau Condos

Minimum Yard Requirements for Subject Property:

Front: 25', 25'

Side: 7.5'

Rear: 7.5'

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 A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

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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: None
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 A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

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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 A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

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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)	1	☒	☐
Pre-Application Meeting Notes	1	☒	☐
Project Narrative	1	☒	☐
Completed Addressing Checklist	1	☒	☐
Property Ownership Disclosure Form	1	☒	
Conceptual Site Plan 24" x 36" and one 8 ½ " x 11" copy	1	☒	☐
Survey of property showing the encroachment (measured in feet)	2	☒	☐
Affidavit of Authorization, signed and notarized	2	☒	☐
Deeds/Legal's	3	☒	☐
Location map	1	☒	☐
Current aerial photographs (available from Property Appraiser) with project boundary and, if vegetated, FLUCFCS Codes with legend included on aerial	5	☐	☒
Historical Survey or waiver request	1	☐	☒
Environmental Data Requirements or exemption justification	3	☐	☒
Once the first set of review comments are posted, provide the assigned planner the Property Owner Advisory Letter and Certification	1	☒	☐
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	1	☒	☐

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

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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: Public Utilities - Drew Cody	☑	Engineering Stormwater - Rich Orth

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

DocuSigned by: Michael Norton 3203F1D77126476...
DocuSigned by: 0878F5C9464544B...

Applicant Signature

09/16/2023
Date

Michael J Norton
Printed Name

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

Variance Application Narrative

9100 Vanderbilt Drive, Naples FL 34108

Michael and Theresa Norton signed a contract for 9100 Vanderbilt Drive (Lot 23, Block 46, Unit 6, Naples Park Subdivision) on December 27, 2022, and closed on the property February 17th, 2023. The original survey (copy included) provided by the realtor showed a 7.5' setback on 91st Ave. During the inspection / contingency period we were told the setback is 25' on the 91st Ave side of the lot. The narrow dimension of the lot is 64'. A setback of 25' to the narrow dimension significantly reduces the space available to build a home, leaving a "buildable" width of 31.5'. The current house is significantly below the base flood elevation and the home flooded with 3+ feet of water. Although repairs to the structure would not exceed the 50% rule, we would like to demolish the current home and the new structure would exceed the current base flood elevation.

Our builder and architect said we could build a much narrower version of the home we want if we get a variance of 1.67' into the setback on the 91st Ave frontage. The current house exterior wall is 1.92' into the setback on the 91st Ave. frontage. An administrative variance for the construction of the new home allowing for an encroachment of 1.92' into the 91st Ave. side setback was incorrectly applied for and approved by staff. We did not realize that the administrative variance only applied to the existing structure, and not to the new home we wish to build.

We spoke with multiple people in the county during the contingency period before fully committing to the purchase of the home, and were told they could not guarantee we would be approved for a variance, but based on conversations with the county staff we were confident it would pass because:

- We are asking for a small exterior wall encroachment into the setback.
- the existing home is 1.92' into the setback and a new structure would be 1.67 feet into the setback.
- 91st Ave N is a platted 60-foot-wide ROW; however, the travel lanes are 20' in total width, leaving a 20-foot-wide swale (grassed area) on both the north and south sides of the ROW. This effectively makes the proposed exterior wall more than 40 feet from the travel lane.
- There is not a home directly across 91st Ave from the home.
- There is an existing pool which encroaches 12.7' into the front yard setback along 91st Ave. The nonconforming pool will be removed if a new home is built.
- County noted all homes on the block have a larger 35 feet buildable footprint dimension (narrow dimension)
- Lastly, there will be no discernable visual or other negative impact resulting from this request. In fact, this request is less intrusive than the existing setback.

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

We received an administrative variance (copy included) May 24, 2023, allowing for an encroachment of 1.92' into the 25-foot front setback on the 91st Ave frontage. After receiving the variance, we worked with our architect and builder moving forward with our house plans. After speaking with a site engineer almost 90 days after receiving the variance, he informed us the variance is for the existing dwelling only and not for future construction.

We are asking for a variance for 1.67' into the setback. A new house would be located 1.58' into the setback. All other setbacks for the property will be met.

The following factors justify this request:

- The current house is 1.92' into the 91st Ave front yard setback.
- We are requesting a 1.67' variance into the 25' setback along 91st Street frontage.
- A new house would be 1.58' feet into the 91st Ave front yard setback if the requested variance is granted.
- The new house structure will be 43.42' from the actual travel lanes of 91sr Ave N., due to the existing 20-foot-wide swale along 91st Ave N.
- The existing pool is 12.7' into the required 25' front yard setback along 91st Ave. **Note: The existing pool is nonconforming as it does not meet the required 25' front yard setback (for both principal and accessory uses).** The pool will be removed with a new build.
- There is not a house across the street from the current house on the 91st Ave side.
- There will be no discernable visual or other negative impact resulting from this request. In fact, this request is less than the existing encroachment.
- Current home is well below the current base flood elevation. The new structure would be above the base flood elevation.
- Current home does not meet the current code for drainage. New home would meet code.

91st Ave. Frontage

91st Ave Setback	25' from Property line	
Current house / Variance	23.08' from property line	1.92' into the setback
Requested Variance	23.33' from property line	1.67' into the setback
New Home Location	23.42' from property line	1.58' into the setback

In conclusion, we are requesting the minimal amount of variance needed to build a much narrower home than originally planned. The setback will be 23.42' rather than 25'. This will be imperceptible given the actual setback from 91st Ave N of +- 43'. The width of the lot, at just 64 feet leaves a buildable width of only 31.5 '.

Thank you in advance for all of your help throughout this process. I can be reached by cell or email listed below.

Mike Norton
703-282-3311
mailto:mnorton@mrcgroup.net

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

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Collier County

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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: 62838840001 **Section/Township/Range:** 28 / 48 / 25

Subdivision: Naples Park **Unit:** 6 **Lot:** 23 **Block:** 46

Metes & Bounds Description: _____ **Total Acreage:** 0.23

Address/ General Location of Subject Property: 9100 Vanderbilt Drive Naples, Fl 34108

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	RMF6	Residential
S	RM6	R.O.W. 91st Ave. Beachwalk
E	RMF6	Residential
W	RM16	R.O.W. Vanderbilt Drive Vanderbilt Chateau Condos

Minimum Yard Requirements for Subject Property:

Front: 25', 25'
Side: 7.5'
Rear: 7.5'

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 A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

Collier County

Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

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
Michael J. Norton Sr. Theresa A Norton 9100 Vanderbilt Drive	100%

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

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2800 North Horseshoe Drive, Naples, Florida 34104
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www.colliercountyfl.gov

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 02/16/2023

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

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

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

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2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

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 Community Development Department | GMD Portal:
https://cvportal.colliercountyfl.gov/cityviewweb

Questions? Email: GMDclientservices@colliercountyfl.gov

Michael J. Norton Sr. Digitally signed by Michael J. Norton Sr. Date: 2023.08.23 12:35:26 -04'00'

Agent/Owner Signature

08/23/2023

Date

Michael J. Norton Sr. Theresa A. Norton

Agent/Owner Name (please print)

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

SKETCH OF BOUNDARY SURVEY

SURVEY: GG230283

Galldo Group Inc. (LB8223)

5237 SUMMERLIN COMMONS BLVD
SUITE 411 FORT MYERS, FL 33907
Tel: 833-425-5364 Fax: 833-425-5363
Email: surveying@galldo.com

DATE OF SURVEY	DRAWN BY
04 / 14 / 2023	A.V.
COMPLETION DATE:	CHECKED BY
04 / 18 / 2023	G.G.

1" inch = 20' ft.
GRAPHIC SCALE

PROPERTY AND OWNER INFORMATION

Property Address:	Parcel I.D.:
9100 VANDERBILT DRIVE, NAPLES, FL 34108	62838840001
	County/State: Collier/Florida

Certified to:

NORTON SR ET AL, MICHAEL J and THERESA A NORTON, it's successor's and/or assigns and the Department of Housing and Urban Development as their interests may appear.

Legal Description As Furnished:

LOT 23, BLOCK "46", UNIT No. 6, NAPLES PARK, according to the plat thereof recorded in Plat Book 3, Page 15, of the Public Records of COLLIER COUNTY, Florida.

Flood Zone Information:

Community Name: Collier County Unincorporated Areas
Community Number: 120067
Panel: 0189 Suffix: H Effective Date: 05/16/2012
Flood Zone: AE B.F.E.= 10.00' / 9.00' (NAVD88)

Surveyor's Notes:

1. LEGAL DESCRIPTION PROVIDED BY OTHERS. NO EXAMINATION OF TITLE MADE BY SURVEYOR. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
2. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM FROM ENCUMBRANCES OWNERSHIP, OR RIGHTS-OF-WAY.
3. UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED. WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
4. NOT VALID WITHOUT THE SIGNATURE & ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ONLY VISIBLE ENCROACHMENTS LOCATED.
5. THIS SURVEY IS INTENDED FOR CONSTRUCTION PURPOSES ONLY. EXCLUSIVELY FOR THIS USE BY THOSE TO WHOM IT IS CERTIFIED. THIS SURVEY IS TO BE USED FOR CONSTRUCTION, PERMITTING OR DESIGN, ANY OTHER USE IS NOT VALID WITHOUT WRITTEN CONSENT.
6. NO EFFORT WAS MADE TO PROVE PLAT BOUNDARIES.
7. ONLY IMPROVEMENTS SHOWN WHERE LOCATED. WE DO NOT DETERMINE WHO OWNS THE FENCES, TREES, OR ANY OTHER IMPROVEMENTS.
8. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
9. PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHT-OF-WAYS OF RECORD.
10. EASEMENTS SHOWN ON THIS DRAWING ARE FROM THE RECORDED PLAT. ANY OTHER EASEMENT (S) PERTAINING TO THE HEREON DESCRIBED LAND (S) MUST BE FURNISHED TO THE SURVEYOR BY THE CLIENT OR THE CLIENTS AGENT PER FLORIDA STATUTE "CHAPTER 5J-17" OF THE FLORIDA ADMINISTRATIVE CODE.
11. 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.
12. PARCEL WAS SURVEYED FROM INFORMATION SUPPLIED BY THE CLIENT.
13. THE ACCURACY OF CONTROL SURVEY DATA SHALL BE VERIFIED BY REDUNDANT MEASUREMENTS OR TRAVERSE CLOSURES. ALL CONTROL MEASUREMENTS SHALL ACHIEVE THE FOLLOWING CLOSURES:
14. COMMERCIAL/HIGH RISK LINEAR: 1 FOOT IN 10,000' FEET;
15. SUBURBAN: LINEAR: 1 FOOT IN 7,500' FEET; LINEAR: 1 FOOT IN 5,000' FEET;
16. BEARINGS AND DISTANCES SHOWN HEREON AS "M." (See Legend) ARE MEASURED BY GPS OBSERVATIONS (STATE PLANE COORDINATE SYSTEM NAD-83 FL-EAST). THE BASIS OF BEARING IS BASED UPON N01°00'00"W ALONG OF EAST R/W OF VANDERBILT DRIVE AS PLATTED.
17. ELEVATIONS SHOWN HEREON ARE BASED UPON NAVD1988 DATUM, BENCHMARK USED (F-715) WITH ELEVATION OF 12.30'.

I hereby certify that A Survey of the hereon described property was made under my direction and meets the Standards of Practice as per Chapter 5J-17.051 & .052 F.A.C., pursuant to section 472.027, Florida Statutes.

Guillermo A. Guerrero
Digitally signed by Guillermo A. Guerrero
Date: 2023.04.19 12:38:23 -04'00'

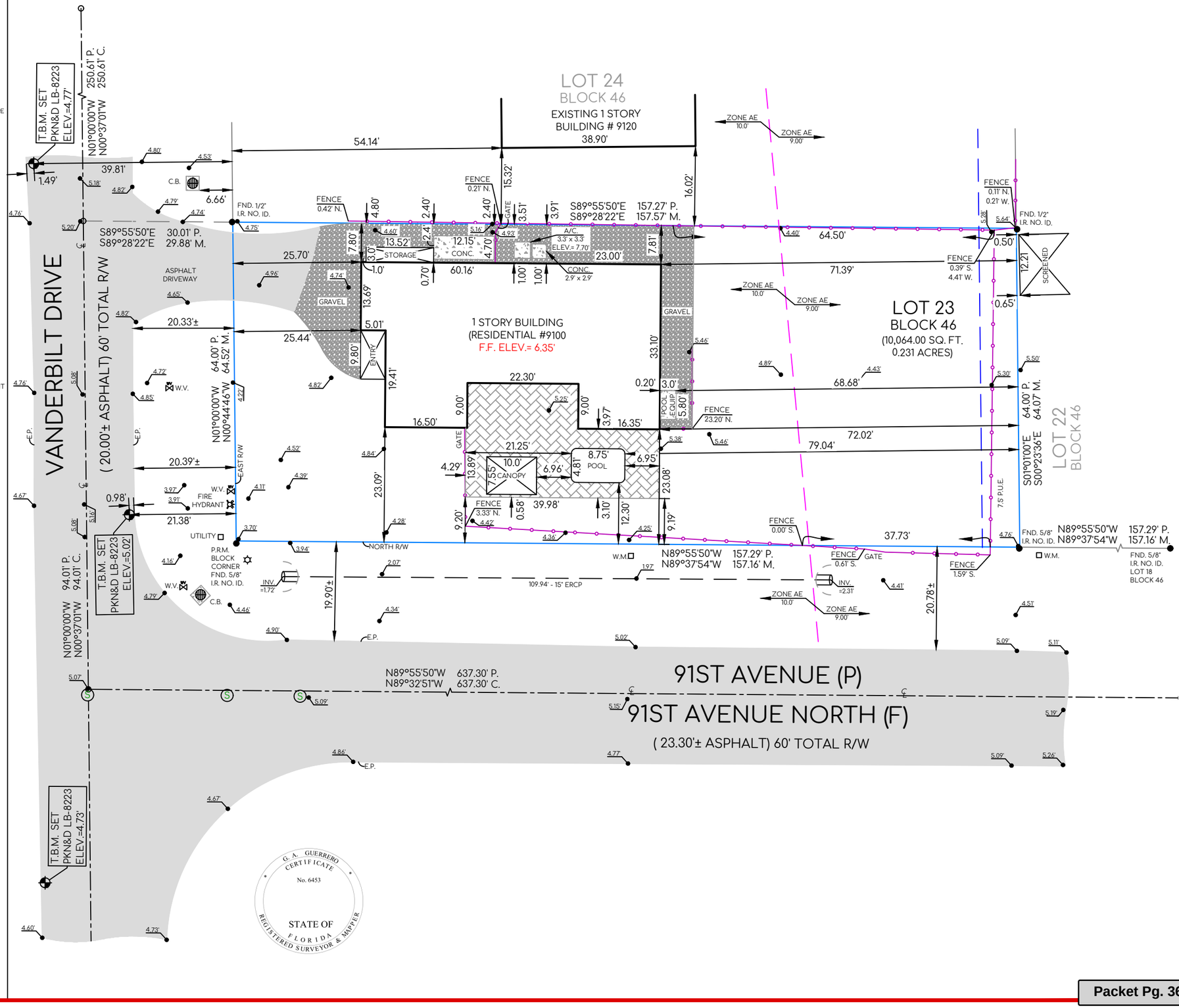
GUILLERMO A. GUERRERO
Professional Surveyor and Mapper
PSM No. 6453 State of Florida

Legend:

A.E.	ACCESS EASEMENT
B.F.E.	BASE FLOOD ELEVATION
B.M.	BENCHMARK
C.	CALCULATED
CATV	CABLE TV. RISER
C.B.	CATCH BASIN
C.V.G.	CONC VALLEY GUTTER
C.M.	CONCRETE MONUMENT
CONC.	CONCRETE
C/O	CLEAN OUT
C.U.E.	COUNTY UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
D.H.	DRILL HOLE
ELEC.	ELECTRIC BOX
E.R.C.P.	ELLIPTICAL REINFORCED CONCRETE PIPE
E.O.W.	EDGE OF WATER
E.P.	EDGE OF PAVEMENT
F.	FIELD
F.F.E.	FINISHED FLOOR ELEVATION
FND.	FOUND
F.P.L.	FLORIDA POWER AND LIGHT
I.E.	IRRIGATION EASEMENT
I.D.	IDENTIFICATION
I.R.	IRON ROD
I.P.	IRON PIPE
L.B.	LAND SURVEYING BUSINESS
L.B.E.	LANDSCAPE BUFFER ESMT.
M.	FIELD MEASURED
M.A.F.L.	MEAN ANNUAL FLOOD LINE
N.& D.	NAIL & DISK
N/A	NOT APPLICABLE
N.R.	NON-RADIAL
N.T.S.	NOT TO SCALE
O.H.L.	OVERHEAD LINE
P.	PLAT
P.I.	POINT OF INTERSECTION
P.C.	POINT OF CURVATURE
P.C.C.	POINT OF COMPOUND CURVATURE
P.C.P.	PERMANENT CONTROL POINT
P.L.S	PROFESIONAL LAND SURVEYOR
P.S.M.	PROFESIONAL SURVEYOR & MAPPER
P.T.	POINT OF TANGENCY
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.R.C.	POINT OF REVERSE CURVATURE
P.R.M.	PERMANENT REFERENCE MONUMENT
P.U.E.	PUBLIC UTILITY EASEMENT
PKN	PARKER-KALON NAIL
PKND	PARKER-KALON NAIL AND DISC
R.	RADIAL
R/W	RIGHT OF WAY
S.D.	STORM DRAIN
T.B.M.	TEMPORARY BENCH MARK
TEL.	TELEPHONE FACILITIES
T.O.B.	TOP OF BANK
U.E.	UTILITY EASEMENT
U.G.	UNDERGROUND
W.M.	WATER METER
W.V.	WATER VALVE

I.R.
CONCRETE MONUMENT
NAIL
EXISTING FIRE HYDRANT
WATER VALVE
CONC. POWER POLE
POWER POLE
WELL
CATCH BASIN
BOLLARD
BENCH MARK
LAMP POST
DRAIN MANHOLE
SANITARY MANHOLE
CENTER LINE
00.00' EXISTING ELEVATION
00.00 PROPOSED ELEVATION
00.00 PROPOSED/EXISTING ELEVATION
WATER FLOW ARROW
DISTANCE LIMIT ARROW
ANCHOR
BREAK LINE (N.T.S.)
CENTERLINE
FENCE LINE
OVERHEAD LINE
EASEMENT LINE
EDGE OF THE WATER LINE
PRIMARY STRUCTURE
SECONDARY STRUCTURE
PRIMARY PROPERTY LINE
SECONDARY PROPERTY LINE

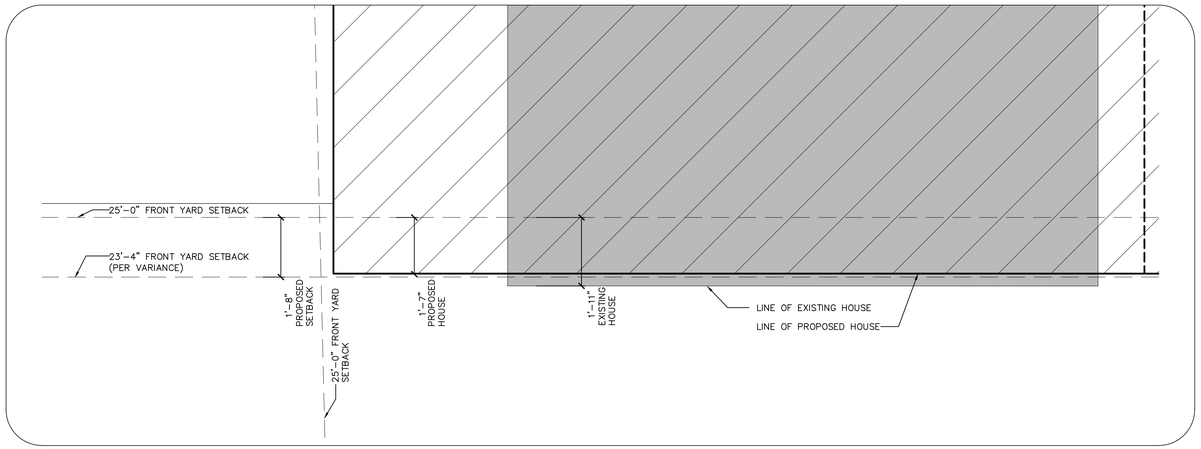
CONC. SLAB | STONES
ASPHALT | WATER
BRICK PAVER | COVERED AREA
WOOD DECK | OAK - PALM - PINE



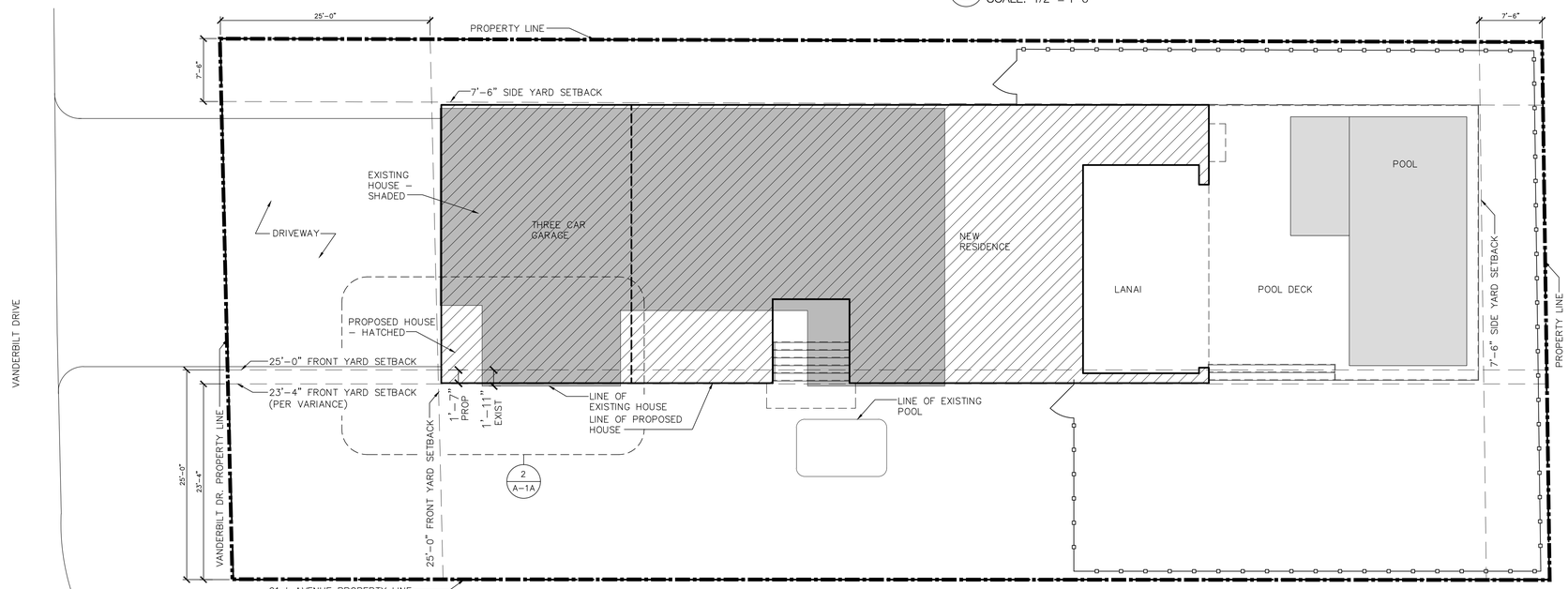
Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

SETBACKS		
FRONT YARD PER ZONING (FROM VANDERBILT DRIVE)	25'–0"	UNCHANGED
FRONT YARD PER ZONING (FROM 91ST AVENUE NORTH)	25'–0"	---
REQUESTED FRONT YARD (FROM 91ST AVENUE NORTH)	23'–4"	DIFFERENCE OF 1'–8"
SIDE YARD	7'–6"	UNCHANGED

LEGEND	
INDICATES FOOT PRINT OF EXISTING HOUSE	
INDICATES FOOT PRINT OF PROPOSED HOUSE	
INDICATES PROPERTY LINE	
INDICATES SETBACK LINE	



2 SITE PLAN FRAGMENT
SCALE: 1/2" = 1'-0"



1 SITE PLAN
SCALE: 1/8" = 1'-0"

THESE DRAWINGS AND THE CONTENTS HEREIN ARE THE SOLE PROPERTY OF LYMOLO DESIGN STUDIO AND NO PORTION OF ANY MAY BE PRINTED OR COPIED WITHOUT EXPRESS PERMISSION OF THIS OFFICE.

PROJECT SUMMARY

ADDRESS:
9100 VANDERBILT DRIVE
NAPLES FLORIDA, 34108

FLOOD ZONE: AE-10
ZONE: RMF-6
BASE FLOOD ELEV: 10' NAVD

AREA CALCULATIONS:

FIRST FLOOR AC	1738 SF.
GARAGE / STORAGE	781 SF.
LANAI	385 SF.
SECOND FLOOR AC	2684 SF.
TERRACE	158 SF.
TOTAL AC	4422 SF.

LEGAL DESCRIPTION

LOT 23, BLOCK "46", UNIT NO. 6, NAPLES PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 15, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

DRAWING INDEX

A-1A	COVER, SITE PLAN,	S-1	---
		S-2	---
		S-3	---

GENERAL NOTES

1. ALL WORK SHALL COMPLY WITH ALL CODES AND ORDINANCES ADOPTED BY COLLIER COUNTY AND THE STATE OF FLORIDA. IF ANY PART OF THE CONSTRUCTION DOCUMENTS ARE INCONSISTENT WITH ANY APPLICABLE SECTION OF THE COLLIER COUNTY COMPREHENSIVE DEVELOPMENT CODE OR THE FLORIDA BUILDING CODE, THE CODE SHALL SUPERSEDE THE PART OF THE CONSTRUCTION DOCUMENTS IN CONFLICT.

2. THE GENERAL CONTRACTOR SHALL VISIT AND INSPECT THE JOB SITE TO BECOME FAMILIAR WITH ALL EXISTING CONDITIONS IN ORDER TO FORM AN ACCURATE BID. IF IT IS NECESSARY FOR ALL SUB–CONTRACTORS TO VISIT JOB SITE, THE GENERAL CONTRACTOR SHALL COORDINATE WITH THE OWNER, 1–2 DAYS IN WHICH SUB–CONTRACTORS WILL BE PERMITTED TO INSPECT EXISITING CONDITIONS.

3. THE GENERAL CONTRACTOR SHALL PROVIDE A LIST OF SUB–CONTRACTORS PRIOR TO SIGNING OF CONSTRUCTION CONTRACT. THIS LIST SHALL REPRESENT ALL SUB–CONTRACTORS THAT WILL BE PERFORMING WORK SPECIFIED IN THE CONSTUCTION DOCUMENTS AND WITHIN THE LIMITS OF THE CONSTRUCTION CONTRACT.

4. THE GENERAL CONTRACTOR SHALL PROVIDE A SCHEDULE OF WORK OUTLINING THE PERIOD OF CONSTRUCTION. IF FOR ANY REASON THIS SCHEDULE CANNOT BE MET DUE TO CHANGES, DELAYS, OR SUBSTITUTIONS BY THE GENERAL CONTRACTOR (AS STATED WITHIN) OR BY THE OWNER, THE GENERAL CONTRACTOR SHALL SUBMIT TO THE OWNER A REVISED SCHEDULE OF WORK REFLECTING THESE CHANGES.

5. THE GENERAL CONTRACTOR SHALL VERIFY LEAD TIME OF ALL ITEMS AND MATERIALS SPECIFIED PRIOR TO SUBMITTING BID. GENERAL CONTRACTOR SHALL ORDER ALL ITEMS AND MATERIALS WITH SUFFICIENT TIME TO ACCOMMODATE CONSTRUCTION SCHEDULE.

6. ALL SUBSTITUTIONS REQUESTED BY GENERAL CONTRACTOR SHALL BE SUBMITTED TO THE OWNER FOR REVIEW AND APPROVAL A MINIMUM OF 2 WEEKS PRIOR TO INSTALLATION. IN ADDITION TO THIS, THE GENERAL CONTRACTOR SHALL SUBMIT A BREAKDOWN OF ANY ADDITIONAL COSTS ASSOCIATED WITH SUBSTITUTION. IF THE GENERAL CONTRACTOR FAILS TO OBTAIN THE REQUIRED APPROVAL, THE ADDITIONAL COST SHALL NOT BE REMEDIED BY THE OWNER OR EFFECT THE CONTRACT SUM.

7. GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ANGLES, AND DETAILS OF CONSTRUCTION DOCUMENTS PRIOR TO PROCEEDING WITH ANY WORK. ANY INFORMATION WITHIN THESE DOCUMENTS THAT VARIES FROM EXISTING SITE CONDITIONS SHALL BE REPORTED IMMEDIATELY TO THE OWNER. WORK SHALL NOT COMMENCE UNTIL CLARIFICATIONS ARE MADE.

8. ALL INTERIOR DIMENSIONS ARE ROUGH DIMENSIONS; ALL EXTERIOR DIMENSIONS ARE TO CONCRETE BLOCK OR FRAMING UNLESS OTHERWISE NOTED. DO NOT SCALE DRAWINGS; ALL LARGE SCALE DETAILS SHALL GOVERN. GENERAL CONTRACTOR SHALL REVIEW ANY DISCREPANCIES WITH OWNER.

9. ALL WORK SHALL BE CONSTRUCTED PLUMB, LEVEL, AND TRUE IN ACCORDANCE WITH DETAILS WITHIN THIS DOCUMENT.

10. ANY MATERIAL SPECIFIED BUT NOT DETAILED, SHALL BE INSTALLED AS PER MANUFACTURERS RECOMMENDATION. ALL INSTALLED FINISHES SHALL BE PROTECTED AFTER INSTALLATION TO AVOID DAMAGE OR STAINING DURING FINAL PHASES OF CONSTRUCTION.

11. ALL DOOR THRESHOLDS SHALL BE PROTECTED FROM DAMAGE DURING CONSTRUCTION. IF THE FINISH OF THE THRESHOLDS IS DAMAGED BEYOND REPAIR OR DOES NOT FUNCTION CORRECTLY AFTER ADJUSTMENT, THE GENERAL CONRACTOR SHALL BE RESPONSIBLE FOR REPLACEMENT AT NO ADDITIONAL COST TO THE OWNER.

12. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR KEEPING HIS AND HIS SUB–CONTRACTORS MATERIALS AND EQUIPMENT AT THE JOB SITE NEATLY STORED, STACKED, AND PROTECTED FROM WEATHER AS RECOMMENDED BY THE MANUFACTURER TO PREVENT DAMAGE. JOB SITE SHALL BE KEPT CLEAN AND DEBRIS FREE.

13. GENERAL CONTRACTOR SHALL INSURE AND WARRANTY THAT ALL EXPOSED WALL/ROOF OPENINGS AND/OR WORKS IN PROGRESS SHALL BE ADEQUATELY PROTECTED FROM THE ELEMENTS.

14. GENERAL CONTRACTOR SHALL GUARANTEE ALL LABOR AND MATERIALS FOR A PERIOD OF ONE YEAR FROM THE TIME OF FINAL COMPLETION.

LYMOLO
DESIGN STUDIO

NORTON RESIDENCE

9100 VANDERBILT DRIVE
NAPLES, FLORIDA

PROJECT:

COVER, SITE PLAN

DATE: 09.06.23

W N S E

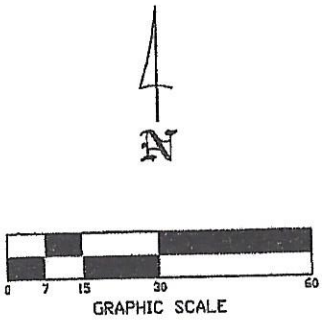
NOT FOR CONSTRUCTION

A-1A

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

1 - Existing House
1 - Building Envelope

PAROL COLLIER COUNTY
BUILDING SETBACKS
FRONT YARD-25'
SIDEYARDS-7.5'
REAR YARD-25'



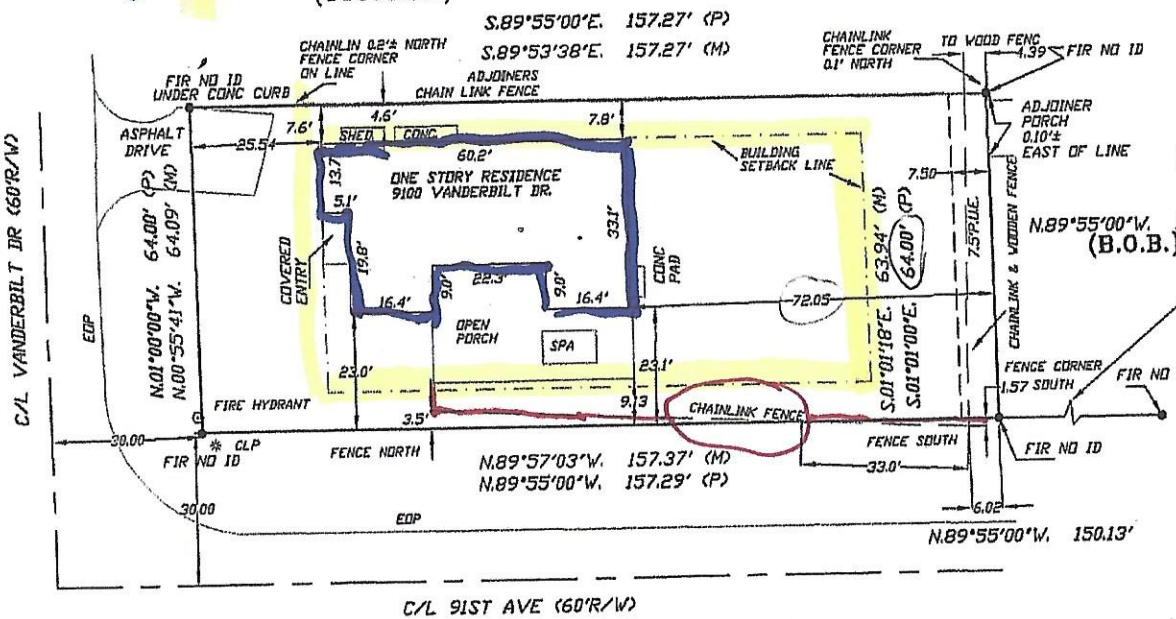
LEGAL DESCRIPTION

BEING LOT 23, BLOCK 46, NAPLES PARK UNIT NO. 6, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 15 OF THE PUBLIC RECORDS OF COLLIER COUNTY FLORIDA.

ABBREVIATIONS

BOB = BASIS OF BEARING
C = CALCULATED
C/L = CENTERLINE
CLF = CHAIN LINK FENCE
CLP = CONCRETE LIGHT POLE
CO = SANITARY CLEAN OUT
CONC = CONCRETE
D = DEED
CTV = CABLE TV
DE. = DRAINAGE EASEMENT
EOP = EDGE OF PAVEMENT
EOW = EDGE OF WATER
ELEC. B= ELECTRIC BOX
FCM = FOUND CONCRETE MONUMENT
FIR = FOUND 5/8" IRON ROD
F.F. ELEV. = FINISHED FLOOR ELEVATION
FN = FOUND NAIL
FND = FOUND NAIL AND DISC
FPK&D = SET PK NAIL & DISK
FPL = FLORIDA POWER AND LIGHT
H = MEASURED
ME = MAINTENANCE EASEMENT
NGVD = NATIONAL GEODETIC VERTICAL DATUM
OHW = OVERHEAD WIRES
P = PLAT
PCP = PERMANENT CONTROL POINT
PK = PK NAIL
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
PRM = PERMANENT REFERENCE MONUMENT
PSM = PROFESSIONAL SURVEYOR AND MAPPER
PUADE = PUBLIC UTILITY AND DRAINAGE EASEMENT
R/W = RIGHT OF WAY LINE
SIR = SET 5/8 IRON ROD AND CAP VKH 5839
SPK&D = SET PK NAIL & DISK #5839
TEL = TELEPHONE BOX
TOB = TOP OF BANK
UE. = UTILITY EASEMENT
UE&PE = UTILITY EASEMENT AND PEDESTRIAN EASEMENT
WMB = WATER METER BOX
WPP = WOOD POWER POLE
WV = WATER VALVE

NOTES
1. BEARINGS ARE BASED ON PLAT AND/OR DEED AS SHOWN
2. ELEVATIONS ARE BASED ON N.G.V.D., 1929 UNLESS NOTED.
3. FIELD MEASUREMENTS ARE IN SUBSTANTIAL AGREEMENT WITH PLAT AND/OR DEED CALLS UNLESS NOTED.
4. SUBJECT TO EASEMENTS OF RECORD. THERE MAY BE ADDITIONAL COVENANTS, CONDITIONS, AND RESTRICTIONS NOT RECORDED ON THIS PLAT, WHICH MAY BE FOUND IN THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.
5. ABSTRACT NOT REVIEWED.
6. SURVEYORS CERTIFICATION DOES NOT APPLY TO MATTERS OF TITLE, ZONING, OR FREEDOM OF ENCUMBRANCES, AND IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
7. NO UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER UNDERGROUND INSTALLATIONS WERE LOCATED UNLESS SHOWN.
8. NO OTHER PERSONS OR ENTITIES, OTHER THAN SHOWN, MAY RELY ON THIS SURVEY.
9. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
10. LEGAL DESCRIPTION WAS FURNISHED BY CLIENT.
11. THIS SURVEY IS NOT FOR CONSTRUCTION PURPOSES UNLESS FIELD CHECKED 24 HOURS PRIOR TO CONSTRUCTION.



FLOOD ZONE: ZONE AE 14.3' | PANEL NO.: 12021C0189G 120067 | MAP REVISION DATE: NOVEMBER 17, 2005

CERTIFICATION:
I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT CHAPTER 472.027, FLORIDA STATUTES.

BY: W. KARL MAYSON JR. PSM #5839

BOUNDARY SURVEY

CERTIFIED TO:
MARGARET BRODY, AS TRUSTEE OF THE MARGARET M. BRODY TRUST UNDER AGREEMENT DATED JANUARY 8, 1992
KRUASE & BALLENGER, P.A.
ATTORNEYS' TITLE INSURANCE FUND, INC.

MAYSON
LAND SURVEYING INC.
LB #7385
2211 19th ST SW
NAPLES, FLORIDA 34117
(239) 353-9157 (239) 353-9156 FAX

bk#	pg#	date: JULY 9, 2008
114	1-2	scale: 1" = 30'
		cogo #: 08-38

design:
drawn: WKM
checked: JBM
acad #: DWG
view: PLOT
project#: 08-38
sheet #: 1 of 1
file #: 1-100

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) Variance for 9100 Vanderbilt Drive, Naples FL 34108

I, Michael J. Norton Sr. and Theresa A. Norton (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 Michael J. Norton Sr. 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

08/23/2023 8/29/2023
Date

STATE OF ~~FLORIDA~~ Delaware
COUNTY OF ~~COLLIER~~ Sussex

The foregoing instrument was acknowleged before me by means of [X] physical presence or [ ] online notarization this 25 day of August, 2023, by (printed name of owner or qualifier) Michael J Norton Sr., Michael J. Norton Theresa A. Norton

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

[ ] Are personally known to me

[X] Has produced a current drivers license FL DL - Michael J. Norton Sr and Theresa Norton

[X] Has produced passport - Michael J. Norton Jr. as identification.

Notary Seal

Notary Signature: ~~Michael J. Norton Sr.~~ Digitally signed by Michael J. Norton Sr. Date: 2023.08.23 12:42:06 -04'00'

Thomas Owen Robinson

THOMAS OWEN ROBINSON
Notary Public
STATE OF DELAWARE
My Commission Expires 06-26-2025

Thomas Owen Robinson

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

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

Prepared by:
Ross Title, Inc.
8950 Fontana Del Sol Way
Suite 101
Naples, FL 34109

File Number: 2022-1514
Consideration: $1,150,000.00

General Warranty Deed

Made this 16th day of February, 2023 A.D. By **Margaret Brophy, Individually and as Trustee of the Margaret M Brophy Trust under agreement dated January 8, 1992, joined by her spouse John F. Gehrke**, whose address is: 4 Highland Ave, Lake Orion, MI 48362, hereinafter called the Grantor, to **Michael J. Norton, Sr. and Theresa A. Norton husband and wife and Michael J. Norton, Jr., a single man, Ryan C. Norton, a single man and Kathleen T. Norton, married woman, as joint tenants with full rights of survivorship**, whose post office address is: 838 Neapolitan Wa #208, Naples, FL 34103, hereinafter called the Grantee:

(Whenever used herein the term "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)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, ($10.00) and other valuabl considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys an confirms unto the grantee, all that certain land situate in Collier County, Florida, viz:

Lot 23, Block 46, Unit No. 6, Naples Park, according to the plat thereof recorded in Plat Book 3, Page 15, of the Public Records of Collier County, Florida.

Parcel ID Number: 62838840001

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 December 31, 2022.

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence as to all signers:

Signature of Witness #1 as to both
Witness Printed Name Dawn M White

Margaret Brophy, Individually and as Trustee of the Margaret M. Brophy Trust under agreement dated January 8, 1992

Signature of Witness #2 as to both
Witness Printed Name Kayla White

John F. Gehrke

State of Florida
County of Collier

The foregoing instrument was acknowledged before me by means of (X) physical presence or [ ] online notarization, thi 9 day of February, 2023, by Margaret Brophy, Individually and as Trustee of the Margaret M. Brophy Trust unde agreement dated January 8, 1992, joined by her spouse John F. Gehrke who is/are personally known to me or who ha produced Drivers License as identification.

(NOTARY SEAL)

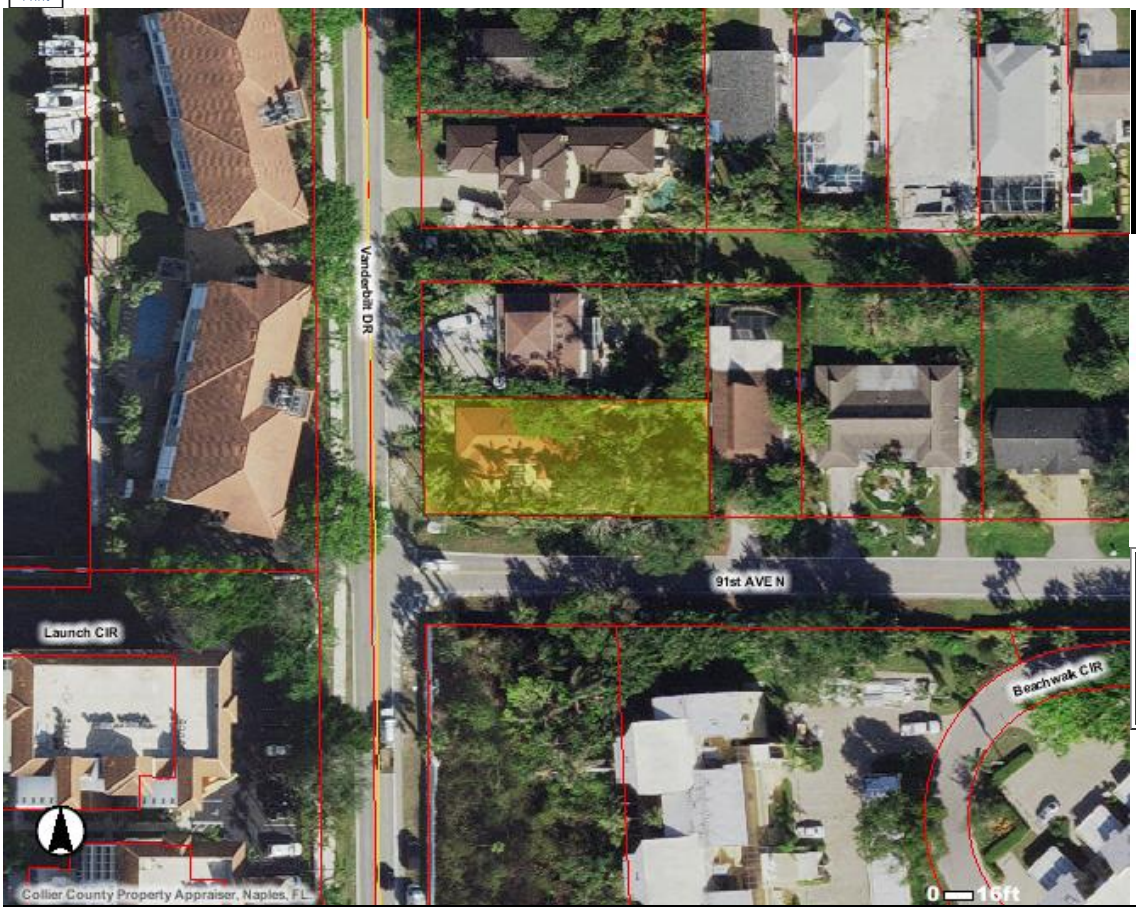
DAWN M. WHITE
MY COMMISSION # HH 178908
EXPIRES: January 13, 2026
Bonded Thru Notary Public Underwriters

Notary Public Signature
Print Name:_____

My Commission Expires:_____

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

Print





MAP LEGEND

- Major Roads
- Street Names
- Parcels
- Aerials 2023 Urban [6IN]
- Aerials 2023 Rural [2FT]
- Collier County

Folio Number: 62838840001
Name: NORTON SR ET AL, MICHAEL J
Street# & Name: 9100 VANDERBILT DR
Build# / Unit#: 46 / 23
Legal Description: NAPLES PARK UNIT 6 BLK 46 LOT 23

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 A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

Nature of Petition Section 3

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?

Response: Yes, there are special conditions. The lot is a corner lot, requiring two front yards and two side yards. The depth of the lot is only 64 feet, so after applying the required 25 feet front yard and 7.5 feet side yard, the usable exterior depth is 31.5' and less than 29.5' internally. The requested 1.67' is the minimal amount of relief needed for the home that we have designed. The front wall of the current house is 1.92' into the setback with a non-conforming pool 12.7' into the same front yard setback. This wall and pool will be removed with the construction of the new home.

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

Response: Yes, the corner lot has 2 front yard 25' setbacks with 1 of the setbacks significantly reducing the narrow buildable dimension creating a maximum internal space / dimension less than 29.5'. The pre-existing home is 1.92' into the setback and a new structure would be 1.67' into the setback. Also, there is an existing pool which encroaches 12.7' into the same front yard setback along 91st Ave. Lastly, the current home sits 5' below the current base flood elevation. The nonconforming wall and pool will be removed, and the base flood elevation will be met if a new home is built.

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

Response: Yes, because it is a corner lot, we have 2 front yard setbacks and 2 side yard setbacks. We do not have a smaller rear yard setback thereby causing us to build an unorthodox structure. In RMF- 6 zoning district, lots have a 25' front yard, 7.5' side yard and 20' rear yard setbacks. Legal conforming corner lot RMS 6 we have (2) 25' front yards and (2) 7.5' side yards thereby limiting the building footprint.

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

Response: Yes, we have requested the minimum variance necessary to allow us to have the needed buildable width of 33.17 feet (33' – 2"). Again, bearing in mind that this corner lot yields a buildable width of 31.25' (after applying 25' and 7.5' setbacks to the 64' depth).

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.*

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

Response: No. Any other lot corner lot owner similarly situated has the same right to seek a minimal variance. Also, with the additional 20' R.O.W., the structure will be further from the road than most homes throughout the neighborhood.

As noted by the county staff, the buildable footprint for most lots in Naples Park is much larger, even though the area for these lots is less. The long narrow geometry and the double application of the front yard setbacks inordinately burdens this lot.

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.

Response: The existing house and entire pool encroach into the setback with the existing pool encroaching more than 12'. A new house would encroach less into the setback than the current home's front wall. The pool would also be removed. The new proposed house and pool building footprint would adhere to this same minimal variance request. Also, the new home designed with the variance request will not be discernible, nor will it have any negative impact on neighbors.

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

Response: Our goal is to keep as many trees as possible and would attempt to relocate any trees on the property if needed. The proposed building footprint supports this.

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

Response: Yes, if granted, the parcel will still be utilized for a single-family detached home, is consistent with the Growth Management Plan applicable Goals, Objectives, and Policies.

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

Collier County
Growth Management
Community Development Department

ADDRESSING CHECKLIST

Please complete the following and upload via the CityView Portal with your submittal. Items marked with (*) are required for every application, other items are optional and may not apply to every project.

Forms are valid for 6 months following their submittal; an updated form will be required for a new submittal after that timeframe and any time the properties within the project boundary are modified.

Additional documents may be attached to this form and can include:

- * LOCATION MAP and/or SURVEY showing the proposed project boundary.
- List of additional folio numbers and associated legal descriptions.
- E-mail from Addressing Official for any pre-approved project and/or street names.

LOCATION INFORMATION

***FOLIO (Property ID) Number(s)** of subject property or properties. [Attach list if necessary]

62838840001

***LEGAL DESCRIPTION** of subject property or properties. [Attach list if necessary]

STREET ADDRESS(ES) where applicable, if already assigned.

9100 Vanderbilt Drive, Naples FL 34108

PROJECT INFORMATION

Acceptance of this form does not constitute project and/or street name approval and is subject to further review by the Addressing Official. Pre-Approval may be requested by contacting us at GMD_Addressing@colliercountyfl.gov or 239-252-2482 prior to your submittal.

CURRENT PROJECT NAME

PROPOSED PROJECT NAME

PROPOSED STREET NAME(s)

LATEST APPROVED PROJECT NUMBER [e.g., SDP-94-##, PPL-2002-AR-####, PL2017000####]

AVA - PL20230007638

Operations & Regulatory Management Division • 2800 North Horseshoe Drive • Naples, FL 34104 • 239-252-2400
www.colliercountyfl.gov

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

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 7th day of November, ~~2010~~ 2023 by Michael Joseph Norton, who is personally known to me or who has produced Driver's License N635-550-61-381-0 as identification.

(Signature of Notary Public)

Suada Bylyku
Printed Name of Notary

(Notary Seal)

NOTARY PUBLIC
SUADA BYLYKU
Notary Public, State of Florida
Commission# HH 75898
My comm. expires Dec. 29, 2024

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

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

Petition: PL20230014103 | Buffer: 150' | Date: 11/13/2023 | Site Location: 62838840001

NAME1	NAME2	NAME3	NAME4	NAME5	NAME6	LEGAL1	LEGAL2	LEGAL3	LEGAL4	FOLIO	ADDRESSTY
1JAKS LTD	677 MYRTLE RD				NAPLES, FL 34108---2677	NAPLES PARK UNIT 6 BLK 46	LOTS 20 + 21			62838760000	U
565 BEACHWALK CIRCLE LLC	4186 GREENVALE RD				SOUTH EUCLID, OH 44121---2839	BEACHWALK GARDENS CONDOMINIUM	BLDG T-101			23526440008	U
565 BEACHWALK CIRCLE LLC	4186 GREENVALE RD				SOUTH EUCLID, OH 44121---2839	BEACHWALK GARDENS CONDOMINIUM	BLDG T-204			23526720003	U
586 BEACHWALK LLC	840 OELLA AVE #430				ELLICOTT CITY, MD 21043---0	BEACHWALK GARDENS CONDOMINIUM	BLDG O-105			23524600002	U
631 BEACHWALK CIRCLE LLC	4186 GREENVALE RD				SOUTH EUCLID, OH 44121---2839	BEACHWALK GARDENS CONDOMINIUM	BLDG F-101			23521480005	U
631 BEACHWALK CIRCLE TRUST	631 BEACHWALK CIR #103F				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG F-103			23521560006	U
AHUJA, MICHAEL & NIKKI	583 BEACHWALK CIR	# Q 201			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG Q-201			23525640003	U
AMY E HYSELL LIVING TRUST	589 BEACHWALK CIR #P201				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG P-201			23525320006	U
ANDERLE, ROBERT D	CHRISTINA L ANDERLE	2721 COLCHESTER ROAD			CLEVELAND HGHTS, OH 44106---0	BEACHWALK GARDENS CONDOMINIUM	BLDG T-202			23526640002	U
ASTRID COOPER TRUST	2580 DUFFY LN				RIVERWOODS, IL 60015---1732	BEACHWALK GARDENS CONDOMINIUM	BLDG L-101			23523080005	U
BABINGTON, NANCY L	601 BEACHWALK CIR #L203				NAPLES, FL 34108---8728	BEACHWALK GARDENS CONDOMINIUM	BLDG L-203			23523320008	U
BARNETT, MICHAEL & JILL	7743 SHAUNGHNESSY RD				EDINA, MN 55439---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 1-303			25992500143	U
BEACH PARTNERS LLC	2065 LAKEWAY DR				HOLLAND, MI 49423---0	BEACHWALK GARDENS CONDOMINIUM	BLDG B-102			23520400002	U
BEACHWALK E203 LLC	10911 LONGSHORE WAY E				NAPLES, FL 34119---0	BEACHWALK GARDENS CONDOMINIUM	BLDG E-203			23521400001	U
BEACHWALK RESIDENTS ASSOC INC	705 REEF POINT CIR				NAPLES, FL 34108---8737	33 48 25 COMM E1/4 CNR SEC 33,	S 17.65FT, N 80 DEG W	152.55FT, CONT N 80 DEG W	1685.50FT TO POB, N 9 DEG	00169280004	U
BENNETT, JEFFREY K & JEANNINE	691 104TH AVE N				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-204			23524080004	U
BITTNER JR, JOSEPH T	595 BEACHWALK CIR M-101				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG M-101			23523400009	U
BONNETT, BRIAN J & PAMELA T	619 BEACHWALK CIR #I201				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG I-201			23522360001	U
BRIAN P MCMAHON TRUST	625 BEACHWALK CIR #G102				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG G-102			23521840001	U
BRIGHT CITY LIMITED LLC	571 BEACHWALK CIR #S-101				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG S-101			23526120001	U
BROCK TRUST	13354 GREENLEAF LANE				GRAND HAVEN, MI 49417---945	BEACHWALK GARDENS CONDOMINIUM	BLDG O-201			23524680006	U
C A CHRISTENSEN REV TRUST	20 DAWLEY ROAD				WESTMINSTER, MA 01473---1544	BEACHWALK GARDENS CONDOMINIUM	BLDG M-203			23523640005	U
C C & J Y CONTI REV TRUST	3265 BLOOMFIELD SHORE DRIVE				W BLOOMFIELD, MI 48323---3301	BEACHWALK GARDENS CONDOMINIUM	BLDG R-101			23525800005	U
CAROL E CLARK TRUST	619 BEACHWALK CIR # I-102				NAPLES, FL 34108---8719	BEACHWALK GARDENS CONDOMINIUM	BLDG I-102			23522320009	U
CASALE NOLEGGIARE LLC	34 PALMER AVE				BRONXVILLE, NY 10708---0	BEACHWALK GARDENS CONDOMINIUM	BLDG T-102			23526480000	U
CATHY RUSSELL RENTALS INC	2522 COVINGTON ST				W LAFAYETTE, IN 47906---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-106			23523920000	U
CATHY RUSSELL RENTALS INC	3723 HIGHBANK PLACE				WEST LAFAYETTE, IN 47906---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-206			23524160005	U
CEDARS FAMILY TRUST	414 HAMPTON ST				CAMDEN, SC 29020---0	BEACHWALK GARDENS CONDOMINIUM	BLDG A-203			23520280002	U
CHA CHA BEACH LLC	2815 WEST GREENLEAF				CHICAGO, IL 60645---0	BEACHWALK GARDENS CONDOMINIUM	BLDG C-201			23520680000	U
CHANDOK, SURINDER S & TRIPAT	295 BARTON NORTH DR				ANN ARBOR, MI 48105---1015	BEACHWALK GARDENS CONDOMINIUM	BLDG O-303			23525000009	U
CHESNEY, TIMOTHY & JILL	400 RIVERSIDE CT #8				POLAND, OH 44514---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 2-308			25992500321	U
CHRISTOPHER M KENT TRUST	635 CHATHAM ROAD				GLENVIEW, IL 60025---0	BEACHWALK GARDENS CONDOMINIUM	BLDG D-103			23520920003	U
CM BACKC MANAGEMENT LLC	764 STACY OAK WAY				MILLERSVILLE, MD 21108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-201			23523960002	U
CM FRAMM INVESTMENTS LLC	2789 AERIES WAY				CUYAHOGA FALLS, OH 44223---0	BEACHWALK GARDENS CONDOMINIUM	BLDG U-101			23526760005	U
COLONIAL CREST HOLDINGS LLC	44662 JEFFREY CIR				CANTON, MI 48187---0	BEACHWALK GARDENS CONDOMINIUM	BLDG O-104			23524560003	U
CONCETTA A DONATELLI TRUST	3328 DOWLING DRIVE				FAIRLAWN, OH 44333---0	BEACHWALK GARDENS CONDOMINIUM	BLDG O-102			23524480002	U
COYLE, ADAM F	3323 NORTH STONE CREEK CIR				MADISON, WI 53719---0	BEACHWALK GARDENS CONDOMINIUM	BLDG O-204			23524800006	U
DALE L EAKIN REV TRUST	42 LAKE SHORE DR #A2				MOULTONBOROUGH, NH 03254---0	BEACHWALK GARDENS CONDOMINIUM	BLDG L-102			23523120004	U
DAUBER FAMILY TRUST	40 CHESTNUT STREET				HUNTINGTON, NY 11743---0	BEACHWALK GARDENS CONDOMINIUM	BLDG Q-104			23525600001	U
DAVID J LEGUS TRUST	9101 VANDERBILT DR #202				NAPLES, FL 34108---2367	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 1-202			25992500046	U
DAVID J WHITE REV LIV TRUST	68 FOX TRL				LINCOLNSHIRE, IL 60069---0	BEACHWALK GARDENS CONDOMINIUM	BLDG L-204			23523360000	U
DAVIES, SUSAN D	583 BEACHWALK CIR Q103				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG Q-103			23525560002	U
DOLAN, SCOTT & CHRISTINE P	203 SOUTH ST				MEDFIELD, MA 02052---0	BEACHWALK GARDENS CONDOMINIUM	BLDG Q-204			23525760006	U
DONALD & LORI SOFOLO TRUST	626 WILLOW ROAD				NAPERVILLE, IL 60540---0	NAPLES PARK UNIT 6 BLK 46 LOT	27			62839000002	U
DONNA JEAN ZGONINA REV TRUST	47 LAKEVIEW LN				BARRINGTON, IL 60010---5109	BEACHWALK GARDENS CONDOMINIUM	BLDG A-201			23520200008	U
DORN, JILL	595 BEECHWALK CIR #201M				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG M-201			23523560004	U
ELIZABETH H O'CONNOR REV TRUST	613 BEACHWALK CIR #102				NAPLES, FL 34108---8711	BEACHWALK GARDENS CONDOMINIUM	BLDG J-102			23522480004	U
ELLIS, JIM	2815 RAINBOW DR				LOUISVILLE, KY 40206---0	NAPLES PARK UNIT 6 BLK 46 LOT	25			62838920002	U
EXIT GLACIER TRUST	C/O MARY ASTOR GOMEZ	415 COUNTRY LN			GLENVIEW, IL 60025---0	BEACHWALK GARDENS CONDOMINIUM	BLDG G-201			23521960004	U
FELIKS, SUSAN	577 BEACHWALK CIR #R-103				NAPLES, FL 34108---8732	BEACHWALK GARDENS CONDOMINIUM	BLDG R-103			23525880009	U
FEMINO, MARY E	MICHAEL D RIEMAN	586 BEACHWALK CIR #O205			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG O-205			23524840008	U
FETHEROLF, KYLE C & MICHELE T	24 FOX RUN				NORTH CALDWELL, NJ 07006---0	BEACHWALK GARDENS CONDOMINIUM	BLDG J-204			23522720007	U
FITZPATRICK, ROCHELLE	100 CROMWELL CIR				STATEN ISLAND, NY 10304---0	BEACHWALK GARDENS CONDOMINIUM	BLDG F-204			23521760000	U
FLEISNER, PETER	511 91ST AVE N				NAPLES, FL 34108---2420	NAPLES PARK UNIT 6 BLK 46 LOT	22 OR 1298 PG 744			62838800009	U
GAGLIANO, BILL J	BAUMGARDNER, LORRAINE R	2216 MACON CT			WESTLAKE, OH 44145---1864	BEACHWALK GARDENS CONDOMINIUM	BLDG J-201			23522600004	U
GAMBOCURTA, MAUREEN K	4400 ROSEBAY COURT WEST				BETHLEHEM, PA 18020---0	BEACHWALK GARDENS CONDOMINIUM	BLDG I-202			23522400000	U
GARDNER, PHILIP M & MARIANNE J	39 HUYLER COURT				EAST SETAUKET, NY 11733---0	BEACHWALK GARDENS CONDOMINIUM	BLDG F-203			23521720008	U
GCE 301 LLC	861 STONY LAKE CT				OXFORD, MI 48371---0	BEACHWALK GARDENS CONDOMINIUM	BLDG E-103			23521240009	U
GERAMITA JOINT REV TRUST	42 COLLINSWOOD ROAD				WILTON, CT 06897---0	BEACHWALK GARDENS CONDOMINIUM	BLDG P-204			23525440009	U
GIAMPAPA, THELMA IRENE	631 BEACHWALK CIR #F202				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG F-202			23521680009	U
GIGLIA FAMILY TRUST	9153 ESPLANADE BLVD				NAPLES, FL 34119---0	BEACHWALK GARDENS CONDOMINIUM	BLDG Q-202			23525680005	U
GIGLIA FAMILY TRUST	9153 ESPLANADE BLVD				NAPLES, FL 34119---0	BEACHWALK GARDENS CONDOMINIUM	BLDG L-104			23523200005	U
GINA L ROWE IRREV TRUST	62 COLTON ROAD				MAHOPAC, NY 10541---0	BEACHWALK GARDENS CONDOMINIUM	BLDG M-202			23523600003	U
GLENNON, THOMAS J & PATRICIA J	559 BEACHWALK CIR APT 104				NAPLES, FL 34108---8733	BEACHWALK GARDENS CONDOMINIUM	BLDG U-104			23526880008	U
GMITRIC, PETER & PAUNKA	607 BEACHWALK CIR K202				NAPLES, FL 34108---8729	BEACHWALK GARDENS CONDOMINIUM	BLDG K-202			23522960003	U
GOURAIGE, GHISLAIN	MARJORIE P GOURAIGE	8601 SW 54TH AVE			MIAMI, FL 33143---0	BEACHWALK GARDENS CONDOMINIUM	BLDG S-202			23526320005	U
GUERRIERI, DAVID A & LENA A	9103 VANDERBILT DR #206				NAPLES, FL 34108---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 2-206			25992500208	U
GUSTAVO A SCHULTZ R/L TRUST	643 BEACHWALK CIR #D204				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG D-204			23521120006	U
HAKEY, RICHARD F & JENNIFER R	5055 DEERFIELD DR				MORRIS, IL 60450---0	BEACHWALK GARDENS CONDOMINIUM	BLDG S-102			23526160003	U
HARRIS FAMILY R/L TRUST	2813 PRAIRIE RD				WILMINGTON, OH 45177---0	BEACHWALK GARDENS CONDOMINIUM	BLDG D-101			23520840002	U
HISSA, INGEBORG M	9103 VANDERBILT DR #306				NAPLES, FL 34108---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 2-306			25992500282	U
HOSKET, WILMER EDWARD	ELIZABETH HOSKET	1420 FRIAR LANE			COLUMBUS, OH 43221---0	BEACHWALK GARDENS CONDOMINIUM	BLDG R-204			23526080002	U
HRONCICH, FRED & JUTTA	595 BEACHWALK CIR APT 104				NAPLES, FL 34108---8727	BEACHWALK GARDENS CONDOMINIUM	BLDG M-104			23523520002	U
HUDAK JR, WILLIAM & CAROL ANN	61 SABAL DR				PUNTA GORDA, FL 33950---0	BEACHWALK GARDENS CONDOMINIUM	BLDG P-104			23525280007	U
JABLONSKI, ANTHONY L	CLAUDIA J JABLONSKI	8384 RIVERSIDE DR			BRIGHTON, MI 48116---0	BEACHWALK GARDENS CONDOMINIUM	BLDG A-103			23520120007	U
JACOB M GERSON FAM IRREV TRUST	SHEILA D GERSON FAM IRRV TRUST	30 MOHAWK ROAD			MARBLEHEAD, MA 01945---2133	BEACHWALK GARDENS CONDOMINIUM	BLDG A-101			23520040006	U
JAHRLING FAMILY REV TRUST	112 PELHAM RD				SALEM, NH 03079---0	BEACHWALK GARDENS CONDOMINIUM	BLDG E-104			23521280001	U
JANE CONN SPRINGER (AKA JANE	M SPRINGER) TRUST	3642 SUTHERLAND ROAD			SHAKER HEIGHTS, OH 44122---0	BEACHWALK GARDENS CONDOMINIUM	BLDG E-201			23521320000	U
JANET LOSI REV TRUST	625 BEACHWALK CIR #203				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG G-203			23522040004	U
JOHN A MURPHY TRUST 1996	29 SHADOW FARM WAY				WAKEFIELD, RI 02879---0	BEACHWALK GARDENS CONDOMINIUM	BLDG K-101			23522760009	U
JOHN JEFFERY BARKLEY LIV TRUST	586 BEACHWALK CIR # O-106				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG O-106			23524640004	U
JOHNSON LIVING TRUST	631 BEACHWALK CIR #F201				NAPLES, FL 34108---8721	BEACHWALK GARDENS CONDOMINIUM	BLDG F-201			23521640007	U
JOHNSON, MARC W	NANCY E ZUGLAN	14 PATROON PL			BALLSTON LAKE, NY 12019---2215	BEACHWALK GARDENS CONDOMINIUM	BLDG U-102			23526800004	U
JOHNSTON JR, CLIFFORD W	501 VAN HOOK RD				REIDSVILLE, NC 27320---0	BEACHWALK GARDENS CONDOMINIUM	BLDG T-104			23526560001	U
JOY G SCHUMACHER R/I TRUST	9401 LYNDALE AVE S APT 326				BLOOMINGTON, MN 55420---4257	BEACHWALK GARDENS CONDOMINIUM	BLDG C-101			23520520005	U
KALLERGES, LEONIDAS & JOANNE	113 ROSEWOOD DR				BORDENTOWN, NJ 08505---0	BEACHWALK GARDENS CONDOMINIUM	BLDG H-202			23522240008	U
KANEY TR, E JAMES	JULIA A KANEY TRUST	UTD 9-6-91 9-6-91	6710 PELICAN BAY BLVD #445		NAPLES, FL 34108---8214	BEACHWALK GARDENS CONDOMINIUM	BLDG M-102			23523440001	U
KAPLAN, JENNY	607 BEACHWALK CIR #K-201				NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG K-201			23522920001	U
KELLY, PATRICIA C & BRIAN	1005 BOULEVARD				WESTFIELD, NJ 07090---0	BEACHWALK GARDENS CONDOMINIUM	BLDG U-103			23526840006	U
KERRIGAN, MARY ANN	8940 S BELL AVE				CHICAGO, IL 60643---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-203				

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive

KILMARTIN JR, PETER J	DANIELLE L KILMARTIN	607 BEACHWALK CIR		NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG K-103	23522840000	U
KINKEAD, KATHRYN GAIL	KRISTOPHER GLEN KINKEAD	8121 WESTFIELD BLVD		INDIANAPOLIS, IN 46240---2654	BEACHWALK GARDENS CONDOMINIUM	BLDG O-302	23524960001	U
KLANE, SCOTT A & KAREN	5 W LEISTON DR			ROGERS, AR 72758---0	BEACHWALK GARDENS CONDOMINIUM	BLDG O-301	23524920009	U
KMET, COLE	402 SOUTH BRISTOL LN			ARLINGTON HEIGHT, IL 60005---0	BEACHWALK GARDENS CONDOMINIUM	BLDG G-204	23522080006	U
LAROC DEVELOPMENT LLC	295 GRANDE WAY #1603			NAPLES, FL 34110---0	BEACHWALK GARDENS CONDOMINIUM	BLDG D-102	23520880004	U
LARRY & CONNIE SHOEMAKE	FAMILY LIV TRUST	613 BEACHWALK CIR #J103		NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG J-103	23522520003	U
LAURA L EPIFANIO TRUST	9103 VANDERBILT DR #305			NAPLES, FL 34108---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 2-305	25992500266	U
LAURETTA M KEEGAN REV TRUST	631 BEACHWALK CIR #102			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG F-102	23521520004	U
LEMIEUX, JOHN E & NORA A	16 PORTSIDE CIR			EAST FALMOUTH, MA 02536---0	BEACHWALK GARDENS CONDOMINIUM	BLDG H-101	23522120005	U
LEMIEUX, JOHN ERIC & NORA A	16 PORTSIDE CIR			EAST FALMOUTH, MA 02536---0	BEACHWALK GARDENS CONDOMINIUM	BLDG L-103	23523160006	U
LINDA JOHNSON REV TRUST	2 ENGLEWOOD DRIVE UNIT E8			HARWICH, MA 02645---0	BEACHWALK GARDENS CONDOMINIUM	BLDG S-103	23526200002	U
LOCKHART, MARCY D	3158 11TH STREET			BOULDER, CO 80304---0	BEACHWALK GARDENS CONDOMINIUM	BLDG D-201	23521000003	U
LOLAS BEACH HOUSE LLC	% DENTONS COHEN & GRIGSPY PC	MERCATO #6200 STRADA PL		NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG K-204	23523040003	U
LOOP, CHRISTOPHER A	607 BEACHWALK CIR #104			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG K-104	23522880002	U
LORENZI, GENE MARIE	1212 ARKANSAS AVE			PITTSBURGH, PA 15216---0	BEACHWALK GARDENS CONDOMINIUM	BLDG O-206	23524880000	U
LORI ANN FAIRHURST REV TRUST	3303 WELSH ABBEY ROAD			DUBLIN, OH 43017---0	BEACHWALK GARDENS CONDOMINIUM	BLDG C-204	23520800000	U
LOUISE H STONE LIV TRUST	613 BEACHWALK CIR #101			NAPLES, FL 34108---8711	BEACHWALK GARDENS CONDOMINIUM	BLDG J-101	23522440002	U
LUCEY, MICHELLE	9 MONTEREY DR			CHERRY VALLEY, MA 01611---0	BEACHWALK GARDENS CONDOMINIUM	BLDG Q-203	23525720004	U
LUCZAK, STEPHEN A & CAROLYN G	571 BEACHWALK CIR #204			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG S-204	23526400006	U
LUKAC, PETER	SYLVIA LUKACOVA	601 BEACHWALK CIRCLE	#L-202	NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG L-202	23523280009	U
M L CAMINO TRUST	620 BEACHWALK CIR # H102			NAPLES, FL 34108---8720	BEACHWALK GARDENS CONDOMINIUM	BLDG H-102	23522160007	U
MABE JR, ROLAND WALLACE	DONNA M MABE	1000 RICHARD DR		LINWOOD, NJ 08221---0	BEACHWALK GARDENS CONDOMINIUM	BLDG A-204	23520320001	U
MAHERLU LLC	7700 N KENDALL DR STE 405			MIAMI, FL 33156---0	BEACHWALK GARDENS CONDOMINIUM	BLDG D-202	23521040005	U
MARIEN, GAIL A	643 BEACHWALK CIR # D-203			NAPLES, FL 34108---8723	BEACHWALK GARDENS CONDOMINIUM	BLDG D-203	23521080007	U
MATTHEWS, JULIE	DREW PAGE EBBING	1875 OLD WILLOW RD #115		NORTHFIELD, IL 60093---0	BEACHWALK GARDENS CONDOMINIUM	BLDG E-101	23521160008	U
MCCONNELL, SARA	589 BEACHWALK CIR #101			NAPLES, FL 34108---8731	BEACHWALK GARDENS CONDOMINIUM	BLDG P-101	23525160004	U
MCELHINNEY, THANH	EDWARD J MCELHINNEY JR	110 3RD ST SW		NAPLES, FL 34117---0	BEACHWALK GARDENS CONDOMINIUM	BLDG Q-102	23525520000	U
MCKENZIE, MARY C	649 BEACHWALK CIR APT C102			NAPLES, FL 34108---8724	BEACHWALK GARDENS CONDOMINIUM	BLDG C-102	23520560007	U
MILENKOVICH, JELISAVETA	MILOSH D MILENKOVICH	7986 WRIGHT RD		BROADVIEW HTS, OH 44147---1440	BEACHWALK GARDENS CONDOMINIUM	BLDG N-205	23524120003	U
MOFFAT, SAMUEL S & CHERYL M	114 JENCKES HILL RD			LINCOLN, RI 02865---4635	BEACHWALK GARDENS CONDOMINIUM	BLDG O-203	23524760007	U
MONTONI, JENNIFER A & JOHN A	134 CROSS HIGHWAY			WESTPORT, CT 06880---0	BEACHWALK GARDENS CONDOMINIUM	BLDG B-101	23520360003	U
MOONCOTCH, THOMAS R	ELIZABETH ANN MOONCOTCH	9103 VANDERBILT DR 2-208		NAPLES, FL 34108---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 2-208	25992500240	U
MORA, JOHANNA C	586 BEACHWALK CIR #O-101			NAPLES, FL 34108---7734	BEACHWALK GARDENS CONDOMINIUM	BLDG O-101	23524440000	U
MORTON, JEFFREY B & JUDY G	2624 S BENNINGTON RD			CHARLOTTESVILLE, VA 22901---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-301	23524200004	U
MULLEN, MARY JOLENE	GREGORY F MULLEN	116 PILLAR LN		CREVE COEUR, MO 63141---0	BEACHWALK GARDENS CONDOMINIUM	BLDG G-104	23521920002	U
MUNRO, PAUL E & PAULA R	PO BOX 1137	10080 ORION AVE NE		ROLLA, ND 58367---0	BEACHWALK GARDENS CONDOMINIUM	BLDG P-203	23525400007	U
MURRAY, MARGARET I	107 HURON DR			CHATHAM, NJ 07928---1206	BEACHWALK GARDENS CONDOMINIUM	BLDG D-104	23520960005	U
MUTIMER, JAMES R & SUSAN L	571 BEACHWALK CIR #201			NAPLES, FL 34108---8742	BEACHWALK GARDENS CONDOMINIUM	BLDG S-201	23526280006	U
NAKEMI PROPERTIES LLC	125 HILLANDALE RD			WESTPORT, CT 06880---0	BEACHWALK GARDENS CONDOMINIUM	BLDG R-203	23526040000	U
NANCY R YANNEY TRUST	1007 GARY COURT			WHEATON, IL 60187---0	BEACHWALK GARDENS CONDOMINIUM	BLDG L-201	23523240007	U
NEESE TR, GLADYS PATRICIA H	6175 HICKORY FLAT HWY	STE 110-349		CANTON, GA 30115---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-102	23523760008	U
NEIHART, SHARON S	DANIEL D HOFFMAN	13881 N STONE GATE PL		ORO VALLEY, AZ 85755---0	BEACHWALK GARDENS CONDOMINIUM	BLDG C-203	23520760001	U
NORTON SR ET AL, MICHAEL J	THERESA A NORTON	838 NEAPOLITAN WAY #208		NAPLES, FL 34103---0	NAPLES PARK UNIT 6 BLK 46 LOT	23	62838840001	U
NOVAK, FRANCIS & BETH	42 LANCASTER ST			LEOMINISTER, MA 01845---0	BEACHWALK GARDENS CONDOMINIUM	BLDG U-202	23526960009	U
OMALLEY, MARK G & MARY BETH	592 BEACHWALK CIR 305			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-305	23524360009	U
ONEILL, RYAN	KATHY KEANE	8809 WOOD CLIFF ROAD		BLOOMINGTON, MN 55438---0	BEACHWALK GARDENS CONDOMINIUM	BLDG T-203	23526680004	U
OWENS, VINCENT P & KERRY A	29331 GRAYSTONE DR			WESTLAKE, OH 44145---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 1-301	25992500101	U
PARSEKIAN, MARY JANE	625 BEACHWALK CIR G101			NAPLES, FL 34108---8716	BEACHWALK GARDENS CONDOMINIUM	BLDG G-101	23521800009	U
PAVER, NIGEL CHARLES	300 BOWIE ST #2903			AUSTIN, TX 78703---0	BEACHWALK GARDENS CONDOMINIUM	BLDG O-306	23525120002	U
PEAKE GROUP INC	% TIA CARSON	914 SAINT MARTINS LOOP		SEVERNA PARK, MD 21146---0	BEACHWALK GARDENS CONDOMINIUM	BLDG A-104	23520160009	U
PEDRIANES, MIKE A & CECILIA	11025 SW 125TH ST			MIAMI, FL 33176---4574	BEACHWALK GARDENS CONDOMINIUM	BLDG A-102	23520080008	U
PHILLIPOS, STEVE T	365 S WALNUT RIDGE COURT			FRANKFORT, IL 60423---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-304	23524320007	U
PJA GROUP LLC	27 SHADY LN			SYOSSET, NY 11791---0	BEACHWALK GARDENS CONDOMINIUM	BLDG S-104	23526240004	U
RAAB, PETER A & ELIZABETH E	592 BEACHWALK CIR #N303			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-303	23524280008	U
RE, ELAINE F	607 BEACHWALK CIR #102			NAPLES, FL 34108---8729	BEACHWALK GARDENS CONDOMINIUM	BLDG K-102	23522800008	U
REEDY, MARJORIE	50 CARILLON CIR			LIVINGSTON, NJ 07039---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-105	23523880001	U
REGATTA AT VANDERBILT BEACH	COMMONS ASSOCIATION INC	440 LAUNCH CIR		NAPLES, FL 34108---0	32 48 25 THAT PORTION OF SEC	32 AS DESC IN OR 4325 PG 3927	00168840403	U
RENU TRUST	9120 VANDERBILT DR			NAPLES, FL 34108---2303	NAPLES PARK UNIT 6 BLK 46 LOT	24	62838880003	U
ROGERS, STEPHEN J & BARBARA E	307 N PROSPECT AVE			PARK RIDGE, IL 60068---0	BEACHWALK GARDENS CONDOMINIUM	BLDG H-201	23522200006	U
ROGOZIA, ELWIRA	18 HARBOR HILL DR			LLOYD HARBOR, NY 11743---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 2-205	25992500185	U
ROSENFELD, SCOTT	8760 BELLANO CT #2-104			NAPLES, FL 34119---0	BEACHWALK GARDENS CONDOMINIUM	BLDG O-202	23524720005	U
RUSSELL PEACOCK LLC	7235 MILL RUN CIR			NAPLES, FL 34109---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 1-203	25992500062	U
SALTWATER CLUB DEFINED	BENEFIT PLAN	415 N STAR LANE		NEWPORT BEACH, CA 92660---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 1-201	25992500020	U
SAYLOR, BRANDON & KRISTIN A	559 BEACHWALK CIR #U201			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG U-201	23526920007	U
SAYRAFE, GEORGE & KRISTNE	378 FOREST DR			ENGLEWOOD CLIFFS, NJ 07632---0	BEACHWALK GARDENS CONDOMINIUM	BLDG S-203	23526360007	U
SCHERMERHORN, THOMAS J	THEODORA A VAPORIS	655 WINDSURF LN		NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG B-201	23520440004	U
SCHUR, JEANNE M	5308 W 70TH ST			EDINA, MN 55439---0	BEACHWALK GARDENS CONDOMINIUM	BLDG R-202	23526000008	U
SCHWARTZ, JOHN W & SUSAN	120 SINEGAR PL			STERLING, VA 20165---0	BEACHWALK GARDENS CONDOMINIUM	BLDG C-202	23520720009	U
SEEF, MICHAEL	BONNIE MICHAELS	592 BEACHWALK CIR # N-202		NAPLES, FL 34108---7735	BEACHWALK GARDENS CONDOMINIUM	BLDG N-202	23524000000	U
SG BEACHWALK FAM LTD PRTNRSHP	C/O JOHN M GANN &	STEFANIE A SOVAK	114 BYRON CT	CORNWALL, NY 12518---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-103	23523800007	U
SHEETZ, FLORIA M	565 BEACHWALK CIR # T103			NAPLES, FL 34108---8741	BEACHWALK GARDENS CONDOMINIUM	BLDG T-103	23526520009	U
SIEGEL, KENNETH J & ROBIN J	9103 VANDERBILT DR #307			NAPLES, FL 34108---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 2-307	25992500305	U
SILVA, ARTHUR & MARY	619 BEACHWALK CIR #101			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG I-101	23522280000	U
SILVER STREET INVESTMENTS LLC	3328 DOWLING DRIVE			FAIRLAWN, OH 44333---0	BEACHWALK GARDENS CONDOMINIUM	BLDG O-103	23524520001	U
SMITH, ROBIN	589 BEACHWALK CIR #P202			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG P-202	23525360008	U
ST FRANCIS FUND LLC	135 FRANKLIN ST			HUDSON, OH 44236---0	BEACHWALK GARDENS CONDOMINIUM	BLDG C-104	23520640008	U
STACY L PINCK REV TRUST	510 EVERGREEN LN N			PLYMOUTH, MN 55441---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 1-204	25992500088	U
STEPANEK TR, JANE V	JANE V STEPANEK REV LAND TRUST	UTD 10/04/04	2036 VISTA CIR NW	CEDAR RAPIDS, IA 52405---1218	BEACHWALK GARDENS CONDOMINIUM	BLDG J-202	23522640006	U
STEPHENS, JOHN H & BARBARA C	107 WILLOW DRIVE			SLIPPERY ROCK, PA 16057---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-101	23523720006	U
STOJKOVICH, PREDRAG & BOSILJKA	2323 OAKMEADE DR			CHARLOTTE, NC 28270---0	BEACHWALK GARDENS CONDOMINIUM	BLDG Q-101	23525480001	U
SULLIVAN FLAGSHIP REALTY TRUST	661 WINDSURF LN #A202			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG A-202	23520240000	U
SUNSPOT LIMITED LLC	11066 RAMBLING OAKS DR			ST LOUIS, MO 63128---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 1-302	25992500127	U
SUSAN ROBERTSON REV TRUST	222 7TH ST #2F			GARDEN CITY, NY 11530---0	BEACHWALK GARDENS CONDOMINIUM	BLDG R-201	23525960000	U
SUVEDI, SUDIP & ELIZABETH	2658 ATWATER HILLS DR NE			GRAND RAPIDS, MI 49525---0	BEACHWALK GARDENS CONDOMINIUM	BLDG B-202	23520480006	U
TEREZINHA A SCHUCHMANN TRUST	13493 MANDARIN CIR			NAPLES, FL 34109---0	BEACHWALK GARDENS CONDOMINIUM	BLDG M-103	23523480003	U
TERN PROPERTIES LLC	3611 FIRST AVE NW			NAPLES, FL 34120---0	BEACHWALK GARDENS CONDOMINIUM	BLDG J-203	23522680008	U
TIPLITZ, SUZANNE LUBLIN	BERNARD A=& ROBERTA G LUBLIN	309 SANTA CLARA DR		RICHMOND, VA 23229---7123	BEACHWALK GARDENS CONDOMINIUM	BLDG N-302	23524240006	U
TRIGILIO, MICHAEL & HEATHER	14 CEDAR LANE			GEORGETOWN, MA 01833---0	BEACHWALK GARDENS CONDOMINIUM	BLDG E-204	23521440003	U
TYNAN, JULIANA P	9103 VANDERBILT DR #207			NAPLES, FL 34108---2365	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 2-207	25992500224	U
WAITE, NANCY J	559 BEACHWALK CIR #U203			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG U-203	23527000007	U
WALBRIDGE, BRUCE K & JULIE L	41 HALFMOON LN			WILLISTON, VT 05495---0	BEACHWALK GARDENS CONDOMINIUM	BLDG E-202	23521360002	U
WALLIN, HOWARD A & DONNA E	589 BEACHWALK CIR #P102			NAPLES, FL 34108---0	BEACHWALK GARDENS CONDOMINIUM	BLDG P-102	23525200003	U
WALSH JR, DANIEL P & MOLLY S	3035 CARLTON RD			SHAKER HEIGHTS, OH 44122---0	BEACHWALK GARDENS CONDOMINIUM	BLDG N-104	23523840009	U
WARD, PETER & DARLENE	410 BAY CREEK DR			BAY VILLAGE, OH 44140---0	BEACHWALK GARDENS CONDOMINIUM	BLDG M-204	23523680007	U

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive

WAYMIRE, PATRICIA M	625 BEACHWALK CIR # G103			NAPLES, FL 34108---8716	BEACHWALK GARDENS CONDOMINIUM	BLDG G-103		23521880003 U
WEBER TR, STEVEN E	STEVEN E WEBER TRUST	UTD 07/01/04	3130 WOODLAND SHORES DR	DECATUR, IL 62521---0	CHATEAU VANDERBILT	A CONDOMINIUM BLDG 1-304		25992500169 U
WEBER, DOUGLAS & PATRICIA ANN	11 N PARK DR			BRIDGETON, NJ 08302---3725	BEACHWALK GARDENS CONDOMINIUM	BLDG R-102		23525840007 U
WILLIAM E PATERSON REV TRUST	SHERYL L PATERSON REV TRUST	5080 CLEBURNE COURT		PLEASANT HILL, IA 50327---0	BEACHWALK GARDENS CONDOMINIUMB	LDG R-104		23525920008 U
WISE FAMILY TRUST	244 MOUNTWELL AVE			HADDONFIELD, NJ 08033---3846	BEACHWALK GARDENS CONDOMINIUM	BLDG F-104		23521600005 U
WISE FAMILY TRUST	244 MOUNTWELL AVE			HADDONFIELD, NJ 08033---3846	BEACHWALK GARDENS CONDOMINIUM	BLDG P-103		23525240005 U
YARMOUTH NAPLES LLC	100 MAGNOLIA LN			YARMOUTH, ME 04096---0	BEACHWALK GARDENS CONDOMINIUM	BLDG G-202		23522000002 U
YOSCO, NATALIA	1000 MONROE LN			BRENTWOOD, TN 37027---0	NAPLES PARK UNIT 6 BLK 46	LOT 29		62839080006 U
ZAGE RENTALS I LLC	4705 WEST LEGACY DRIVE			MUNCIE, IN 47304---0	BEACHWALK GARDENS CONDOMINIUM	BLDG K-203		23523000001 U
BECKER, JOHANNES	STUETTGERHOFWEG 14			KOELN 50858 GERMANY	NAPLES PARK UNIT 6 BLK 46 LOT	28		62839040004 F
CABRAL, CARLOS & DEBORAH	53 BEN MACHREE DR			MISSISSAUGA L5H 2S2 CANADA	BEACHWALK GARDENS CONDOMINIUM	BLDG O-305		23525080003 F
DALESSANDRO ET AL, LORENZO	50 JOPLING AVENUE N			TORONTO M9B 4G2 CANADA	BEACHWALK GARDENS CONDOMINIUM	BLDG J-104		23522560005 F
DISOMMA, TONY	DAVID DISOMMA	23 LONG ISLAND CREST		SCARBOROUGH M1C 5E5 CANADA	BEACHWALK GARDENS CONDOMINIUM	BLDG E-102		23521200007 F
JASSPARK INV, D J	36 WEBB ST			BARRIE L4N 6U2 CANADA	BEACHWALK GARDENS CONDOMINIUM	BLDG C-103		23520600006 F
MILKIS, YAKOV & MARIANNA G	JULIAN MILKIS	131 BEECROFT RD APT 2108		TORONTO M2N 6G9 CANADA	BEACHWALK GARDENS CONDOMINIUM	BLDG U-204		23527040009 F
RAYMOND, KIRK J & ANNAROSA	11483 AMALFI COURT			WINDSOR N8P 1S6 CANADA	BEACHWALK GARDENS CONDOMINIUM	BLDG N-306		23524400008 F
REUST, URS NIKLAUS	BORISRIED 218			OBERBALM CH 3096 SWITZERLAND	BEACHWALK GARDENS CONDOMINIUM	BLDG O-304		23525040001 F
RITZEL, DR HARALD	OPPENHEIMER STR 92			MAINZ 55130 GERMANY	BEACHWALK GARDENS CONDOMINIUM	BLDG T-201		23526600000 F
BEACHWALK GARDENS A COND	OMINIUM				BEACHWALK GARDENS A CONDOMINIUM		hrd_parcel_id: 23520000004	169400004
CHATEAU VANDERBILT A CON	DOMINIUM				CHATEAU VANDERBILT A CONDOMINIUM		hrd_parcel_id: 25992500004	27580280006

Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive

Name
Address
Naples, FL34108

November 8, 2023

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:

9100 Vanderbilt Drive
Naples, FL 34108

It is our intent to ask the County to allow us to build a new home 1.67 feet into the current 25 feet 91st Ave setback. The current home is 1.92 feet into the 91st Ave setback meaning a new home will be further from the road than the current home. The 91st Ave setback is 25 feet from the property line and 45 feet from the road dure to the county's 20 feet R.O.W. (right of way). There is also a small pool which is 12.7 feet into the setback which would be removed. A new home would be less intrusive into the setbacks than the current property.
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,
Michael and Theresa Norton

552 97th Ave N

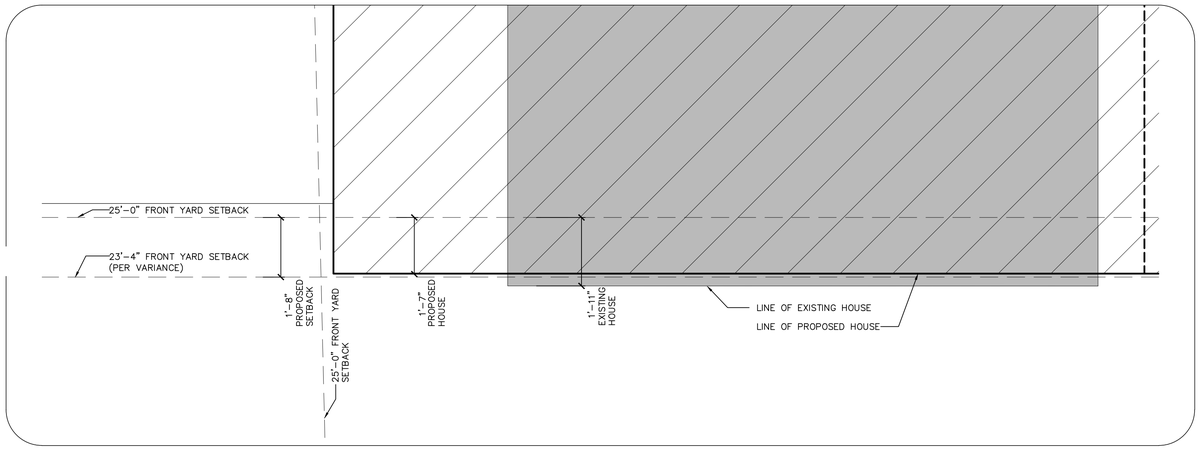
Naples, FL 34018

Cell 703-282-3311

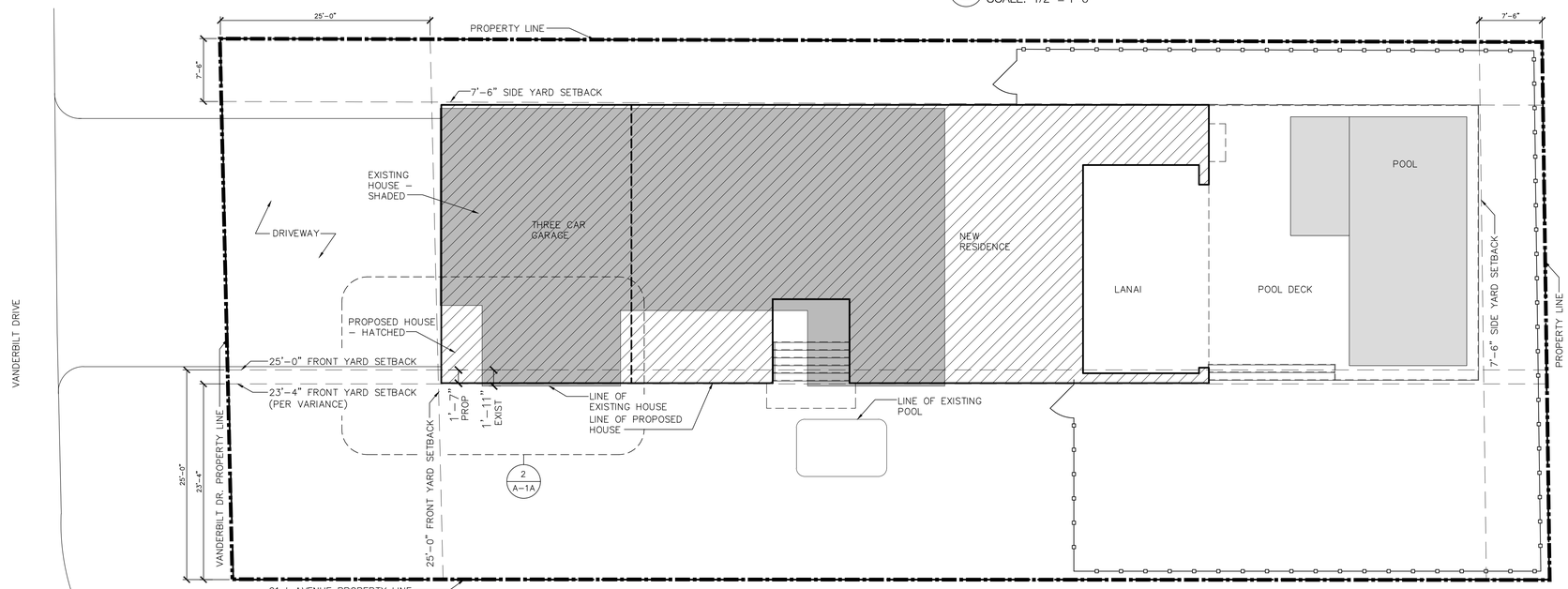
Attachment: ATTACHMENT A - Backup Package (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

SETBACKS		
FRONT YARD PER ZONING (FROM VANDERBILT DRIVE)	25'–0"	UNCHANGED
FRONT YARD PER ZONING (FROM 91ST AVENUE 20' R.O.W.)	25'–0"	---
REQUESTED FRONT YARD (FROM 91ST AVENUE NORTH)	23'–4"	DIFFERENCE OF 1'–8"
SIDE YARD	7'–6"	UNCHANGED

LEGEND	
INDICATES FOOT PRINT OF EXISTING HOUSE	
INDICATES FOOT PRINT OF PROPOSED HOUSE	
INDICATES PROPERTY LINE	
INDICATES SETBACK LINE	



2 SITE PLAN FRAGMENT
SCALE: 1/2" = 1'-0"



1 SITE PLAN
SCALE: 1/8" = 1'-0"

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PROJECT SUMMARY

ADDRESS:
9100 VANDERBILT DRIVE
NAPLES FLORIDA, 34108

FLOOD ZONE: AE-10
ZONE: RMF-6
BASE FLOOD ELEV: 10' NAVD

LEGAL DESCRIPTION

LOT 23, BLOCK "46", UNIT NO. 6, NAPLES PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 15, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

DRAWING INDEX

A-1A	COVER, SITE PLAN,	S-1	---
		S-2	---
		S-3	---

GENERAL NOTES

1. ALL WORK SHALL COMPLY WITH ALL CODES AND ORDINANCES ADOPTED BY COLLIER COUNTY AND THE STATE OF FLORIDA. IF ANY PART OF THE CONSTRUCTION DOCUMENTS ARE INCONSISTENT WITH ANY APPLICABLE SECTION OF THE COLLIER COUNTY COMPREHENSIVE DEVELOPMENT CODE OR THE FLORIDA BUILDING CODE, THE CODE SHALL SUPERSEDE THE PART OF THE CONSTRUCTION DOCUMENTS IN CONFLICT.

2. THE GENERAL CONTRACTOR SHALL VISIT AND INSPECT THE JOB SITE TO BECOME FAMILIAR WITH ALL EXISTING CONDITIONS IN ORDER TO FORM AN ACCURATE BID. IF IT IS NECESSARY FOR ALL SUB–CONTRACTORS TO VISIT JOB SITE, THE GENERAL CONTRACTOR SHALL COORDINATE WITH THE OWNER, 1–2 DAYS IN WHICH SUB–CONTRACTORS WILL BE PERMITTED TO INSPECT EXISITING CONDITIONS.

3. THE GENERAL CONTRACTOR SHALL PROVIDE A LIST OF SUB–CONTRACTORS PRIOR TO SIGNING OF CONSTRUCTION CONTRACT. THIS LIST SHALL REPRESENT ALL SUB–CONTRACTORS THAT WILL BE PERFORMING WORK SPECIFIED IN THE CONSTUCTION DOCUMENTS AND WITHIN THE LIMITS OF THE CONSTRUCTION CONTRACT.

4. THE GENERAL CONTRACTOR SHALL PROVIDE A SCHEDULE OF WORK OUTLINING THE PERIOD OF CONSTRUCTION. IF FOR ANY REASON THIS SCHEDULE CANNOT BE MET DUE TO CHANGES, DELAYS, OR SUBSTITUTIONS BY THE GENERAL CONTRACTOR (AS STATED WITHIN) OR BY THE OWNER, THE GENERAL CONTRACTOR SHALL SUBMIT TO THE OWNER A REVISED SCHEDULE OF WORK REFLECTING THESE CHANGES.

5. THE GENERAL CONTRACTOR SHALL VERIFY LEAD TIME OF ALL ITEMS AND MATERIALS SPECIFIED PRIOR TO SUBMITTING BID. GENERAL CONTRACTOR SHALL ORDER ALL ITEMS AND MATERIALS WITH SUFFICIENT TIME TO ACCOMMODATE CONSTRUCTION SCHEDULE.

6. ALL SUBSTITUTIONS REQUESTED BY GENERAL CONTRACTOR SHALL BE SUBMITTED TO THE OWNER FOR REVIEW AND APPROVAL A MINIMUM OF 2 WEEKS PRIOR TO INSTALLATION. IN ADDITION TO THIS, THE GENERAL CONTRACTOR SHALL SUBMIT A BREAKDOWN OF ANY ADDITIONAL COSTS ASSOCIATED WITH SUBSTITUTION. IF THE GENERAL CONTRACTOR FAILS TO OBTAIN THE REQUIRED APPROVAL, THE ADDITIONAL COST SHALL NOT BE REMEDIED BY THE OWNER OR EFFECT THE CONTRACT SUM.

7. GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ANGLES, AND DETAILS OF CONSTRUCTION DOCUMENTS PRIOR TO PROCEEDING WITH ANY WORK. ANY INFORMATION WITHIN THESE DOCUMENTS THAT VARIES FROM EXISTING SITE CONDITIONS SHALL BE REPORTED IMMEDIATELY TO THE OWNER. WORK SHALL NOT COMMENCE UNTIL CLARIFICATIONS ARE MADE.

8. ALL INTERIOR DIMENSIONS ARE ROUGH DIMENSIONS; ALL EXTERIOR DIMENSIONS ARE TO CONCRETE BLOCK OR FRAMING UNLESS OTHERWISE NOTED. DO NOT SCALE DRAWINGS; ALL LARGE SCALE DETAILS SHALL GOVERN. GENERAL CONTRACTOR SHALL REVIEW ANY DISCREPANCIES WITH OWNER.

9. ALL WORK SHALL BE CONSTRUCTED PLUMB, LEVEL, AND TRUE IN ACCORDANCE WITH DETAILS WITHIN THIS DOCUMENT.

10. ANY MATERIAL SPECIFIED BUT NOT DETAILED, SHALL BE INSTALLED AS PER MANUFACTURERS RECOMMENDATION. ALL INSTALLED FINISHES SHALL BE PROTECTED AFTER INSTALLATION TO AVOID DAMAGE OR STAINING DURING FINAL PHASES OF CONSTRUCTION.

11. ALL DOOR THRESHOLDS SHALL BE PROTECTED FROM DAMAGE DURING CONSTRUCTION. IF THE FINISH OF THE THRESHOLDS IS DAMAGED BEYOND REPAIR OR DOES NOT FUNCTION CORRECTLY AFTER ADJUSTMENT, THE GENERAL CONRACTOR SHALL BE RESPONSIBLE FOR REPLACEMENT AT NO ADDITIONAL COST TO THE OWNER.

12. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR KEEPING HIS AND HIS SUB–CONTRACTORS MATERIALS AND EQUIPMENT AT THE JOB SITE NEATLY STORED, STACKED, AND PROTECTED FROM WEATHER AS RECOMMENDED BY THE MANUFACTURER TO PREVENT DAMAGE. JOB SITE SHALL BE KEPT CLEAN AND DEBRIS FREE.

13. GENERAL CONTRACTOR SHALL INSURE AND WARRANTY THAT ALL EXPOSED WALL/ROOF OPENINGS AND/OR WORKS IN PROGRESS SHALL BE ADEQUATELY PROTECTED FROM THE ELEMENTS.

14. GENERAL CONTRACTOR SHALL GUARANTEE ALL LABOR AND MATERIALS FOR A PERIOD OF ONE YEAR FROM THE TIME OF FINAL COMPLETION.

LYMOLO
DESIGN STUDIO

NORTON RESIDENCE

9100 VANDERBILT DRIVE
NAPLES, FLORIDA

PROJECT:

COVER, SITE PLAN

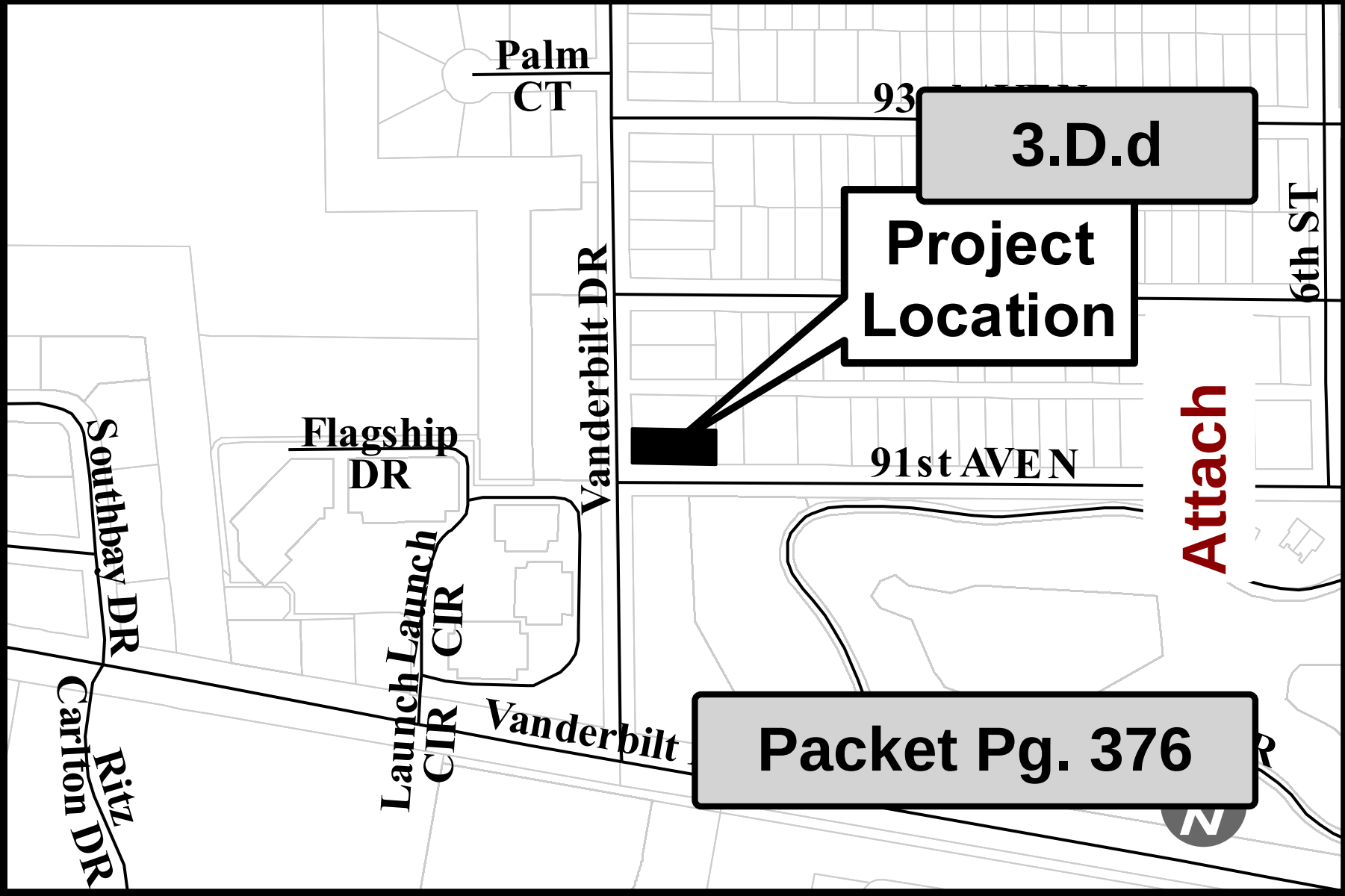
W N S E

NOT FOR CONSTRUCTION

DATE: 09.06.23

A-1A

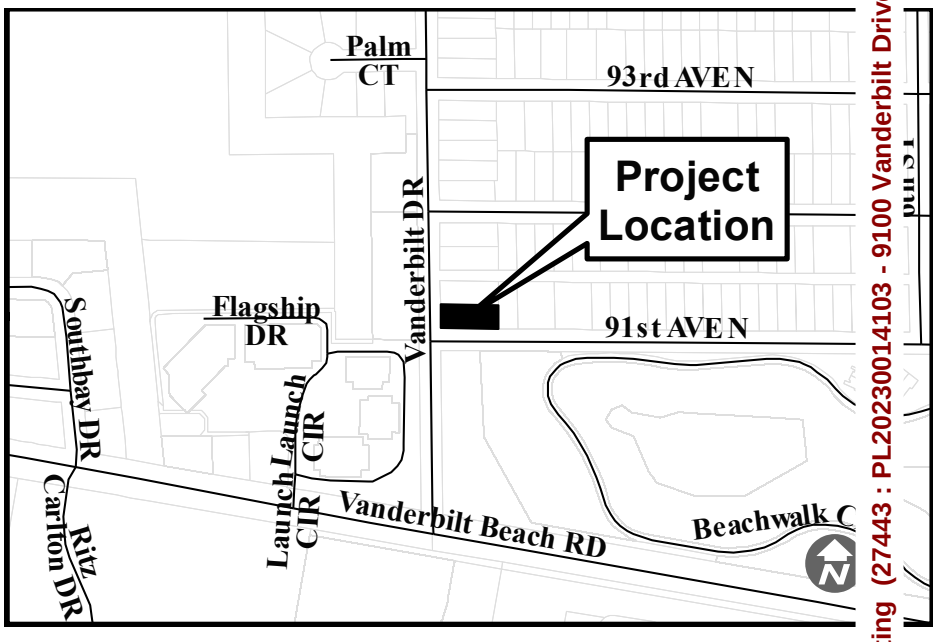
Attachment: ATTACHMENT B - Site Plan & Detail for Proposed Variance (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)


Palm CT
93
3.D.d
Project Location
6th ST
Vanderbilt DR
Flagship DR
91st AVE N
Attach
Southbay DR
Launch CIR
Launch CIR
Vanderbilt
Ritz Carlton DR
Packet Pg. 376
N

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the **Collier Co ng Examiner (HEX)** at **9:00 A.M., January 11, 2024,** in the Hearing Examiner's Meeting Room, at 2800 North Horseshoe Drive, Room 609/610, Naples FL 34104, to consider:

PETITION NO. PL20230014103 VA – REQUEST FOR A VARIANCE FROM ND DEVELOPMENT CODE SECTION 4.02.01 A, TABLE 2.1, TO REDUCE THE REQUIRED NT SETBACK FROM 25 FEET TO 23.33 FEET ON THE SOUTH PROPERTY LINE FO HE PROPOSED SINGLE-FAMILY RESIDENCE AND ACCESSORY POOL TO BE LOCATED OT 23, BLOCK 46, UNIT NO. 6, NAPLES PARK, ALSO KNOWN AS 9100 VANDERBILT VE, NAPLES, FL 34108 IN SECTION 33, TOWNSHIP 48 SOUTH, RANGE 25 EAST, C ER COUNTY, FLORIDA.



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

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

As to any petition upon which the Hearing Examiner takes action, an aggrieved petitior ay appeal such final action. Such appeal shall be filed per Section 2-88 of the Collier nty Code of Laws and Ordinances within 30 days of the decision by the Hearing Exami An aggrieved non-party may appeal a decision by the Hearing Examiner to the Circui urt of Collier County within 30 days of the decision. In the event that the petition ha en approved by the Hearing Examiner, the applicant shall be advised that he/she procee ith construction at his/her own risk during this 30-day period. Any construction work cor ed ahead of the approval authorization shall be at their own risk.

As part of an ongoing initiative to encourage public involvement, the public wi ve the opportunity to provide public comments remotely, as well as in person, duri his proceeding. Individuals who would like to participate remotely should register throu he link provided within the specific event/meeting entry on the Calendar of Events on the nty website at www.colliercountyfl.gov/our-county/visitors/calendar-of-events after the da is posted on the County website. Registration should be done in advance of the lic meeting, or any deadline specified within the public meeting notice. Individuals who ter will receive an email in advance of the public hearing detailing how they can par ate remotely in this meeting. Remote participation is provided as a courtesy and is at the r's risk. The County is not responsible for technical issues. For additional information ab he meeting, please call Geoffrey Willig at 252-8369 or ema to Geoffrey.Willig@colliercountyfl.gov.

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

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

Attachment: ATTACHMENT C- Legal Ad & HEX Sign Posting (27443 : PL20230014103 - 9100 Vanderbilt Drive Variance)

ND-38163688

JUDD
& Associates
DEMOLITION
&
EXCAVATING
239.370.5070
Licensed & Insured

PUBLIC HEARING NOTICE

9100 Vanderbilt Drive
Variance (VA)
Petition No. 20230014103

HEX: January 11, 2024 - 9:00 a.m.
Growth Management Building
2800 N. Horseshoe Dr., Naples, FL 34104
Planner: Sean Sammon 239-252-8422

DA

CONTACT

Attachment: ATTACHMENT C, Level A-4 ANA Sign Posting (20230014103 : 9100 Vanderbilt Drive Variance)



Attachment: ATTACHMENT C Legal Ad 4 HEX Sign Posting (21161 : AR20230014103 - 9100 Vanderbilt Drive Variance)



Attachment: ATTACHMENT C - Page A4 (4816 : Kim Pevlow, [21163] - PLN20250001 - 2150 Vanderbilt Dr(Site Variance))


PUBLIC HEARING NOTICE

3100
JUDD
DEMOLITION
EXCAVATING
PUBLIC HEARING NOTICE
DA
CONTACT

01/11/2024

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.E
Doc ID: 27553
Item Summary: Petition No. PDI-PL20230013897 - 8927 Founders Square DR. - Request for an insubstantial change to Ordinance No. 19-11, as amended, the Baumgarten Mixed Use Planned Unit Development (MPUD), Exhibit B, Section I, Mixed-Use Development Standards, by reducing the minimum floor area for principal structures from 1,000 square feet to 700 square feet. The subject PUD is located southeast of the intersection of Immokalee Road and Collier Boulevard in Section 26, Township 48 South, Range 26 East, Collier County, Florida. [Sean Sammon, Planner III] Commissioner District 3

Meeting Date: 01/11/2024

Prepared by:
Title: Principal Planner – Zoning
Name: Sean Sammon
12/18/2023 4:28 PM

Submitted by:
Title: Zoning Director – Zoning
Name: Mike Bosi
12/18/2023 4:28 PM

Approved By:

Review:

Growth Management Community Development Department	Diane Lynch		GMD Approver	Completed 12/19/2023 10:13 AM
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	12/19/2023 10:13 AM
Operations & Regulatory Management	Michael Stark	Review Item	Completed	12/27/2023 10:13 AM
Zoning	Ray Bellows	Review Item	Completed	12/29/2023 10:01 AM
Zoning	Mike Bosi	Division Director	Completed	01/02/2024 8:23 AM
Hearing Examiner (GMD Approvers)	David Merino	Additional Reviewer	Completed	01/02/2024 2:40 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	01/11/2024 9:00 AM	

STAFF REPORT

TO: HEARING EXAMINER

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

HEARING DATE: JANUARY 11, 2024

SUBJECT: PDI-PL20230013897, BAUMGARTEN MPUD

APPLICANT:

BCHD Partners II, LLC
2600 Golden Gate Parkway
Naples, FL 34105

AGENT:

Chris Scott, AICP, Planning Manager
Peninsula Engineering
2600 Golden Gate Parkway
Naples, FL 34105

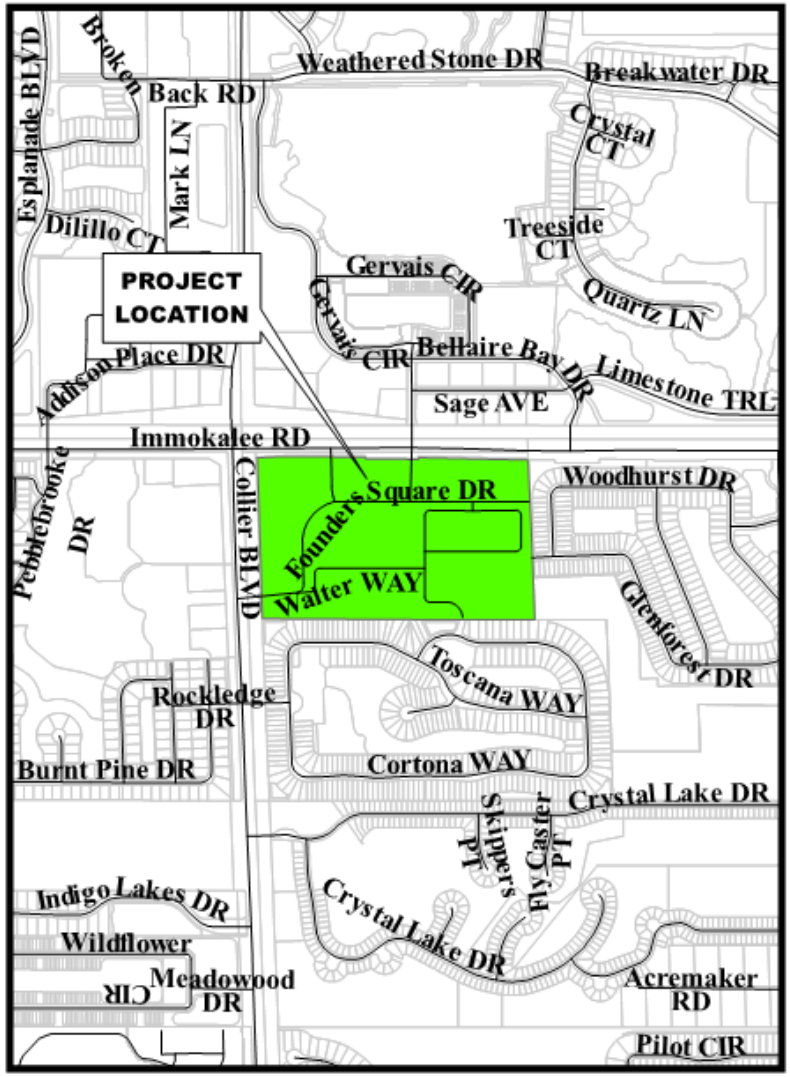
REQUESTED ACTION:

The petitioner requests for an insubstantial change to Ordinance No. 19-11, as amended, the Baumgarten Mixed Use Planned Unit Development (MPUD), Exhibit B, Section I, Mixed-Use Development Standards, by reducing the minimum floor area for principal structures from 1,000 square feet to 700 square feet.

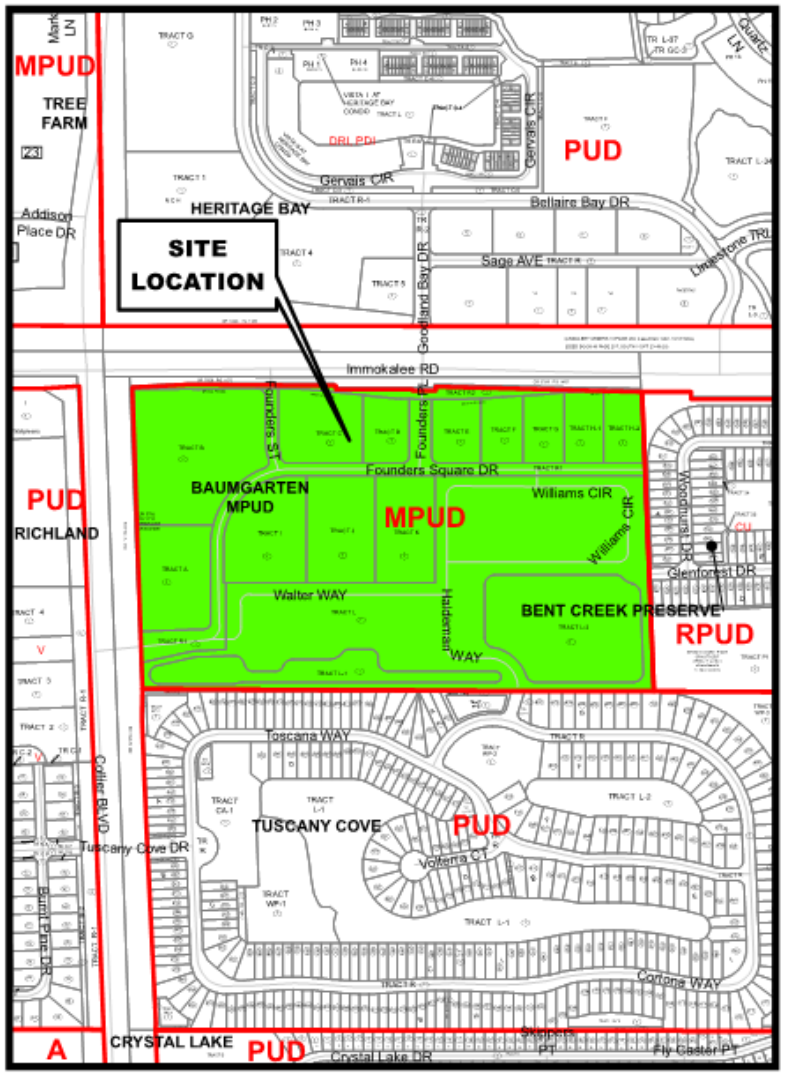
GEOGRAPHIC LOCATION:

The subject property is located in the Baumgarten MPUD located southeast of the intersection of Immokalee Road and Collier Boulevard in Section 26, Township 48 South, Range 26 East, Collier County, Florida. *(See the location map on page 2).*

Attachment: Staff Report - PL20230013897 - Baumgarten MPUD (PDI) [Revision 1] (27553 : PL20230013897 - Baumgarten MPUD (PDI))



Location Map



Zoning Map

Petition Number: PL20230013897

Attachment: Staff Report - PL20230013897 - Baumgarten MPUD (PDI) [Revision 1] (27553 : PL20230013897

PURPOSE/DESCRIPTION OF PROJECT:

The insubstantial change request to the Baumgarten MPUD will revise Exhibit B, Table I, of the Mixed-Use Development Standards by proposing to reduce the minimum floor area for principal structures from 1,000 square feet to 700 square feet. The Baumgarten MPUD is an existing ±55.66-acre Mixed Use Planned Unit Development approved by Ordinance 2019-11. The location for the MPUD is at the southeast intersection of Immokalee Road and Collier Boulevard. Ord. 2019-11 was approved for 270,000 square feet of commercial uses and 400 residential units. Baumgarten MPUD is arranged into ±10 acres designated as Residential (R), ±20 acres designated as Mixed Use (MU), and ±14 acres designated as Mixed Use or Residential (MU/R).

In December of 2019, the MPUD received approval of Construction Plans and Plat (PPL), PL20190000344, for 247,696 square feet of commercial floor area and 400 multifamily residential units. Of the total, most have been constructed or approved for site development plans, per tract this includes:

Tract A: 34,275 square feet Founders Square Medical Office Building (PL20190001346)
Tract B: 39,664 square feet the Pointe at Founders Square shopping center (PL20190001486)
Tract C: 4,200 square feet Lake Park Diner restaurant (PL20220005937)
Tract D: 4,715 square feet 7-Eleven gas station/convenience store and carwash (PL20200000997)
Tract E: 3,337 square feet Kelly's Roast Beef restaurant (PL20220003927)
Tract F*: 1,023 square feet Roadie's Coffee Shop (PL20220006009)*
Tracts I and J: 47,587 square feet the Plaza at Founders Square shopping center (PL20210001055)
Tract K: 109,457 square foot indoor self-storage building (SDP, PL20190001486)
Tract L: 400-unit Haldeman Luxury Apartments (SDP, PL20190000132)

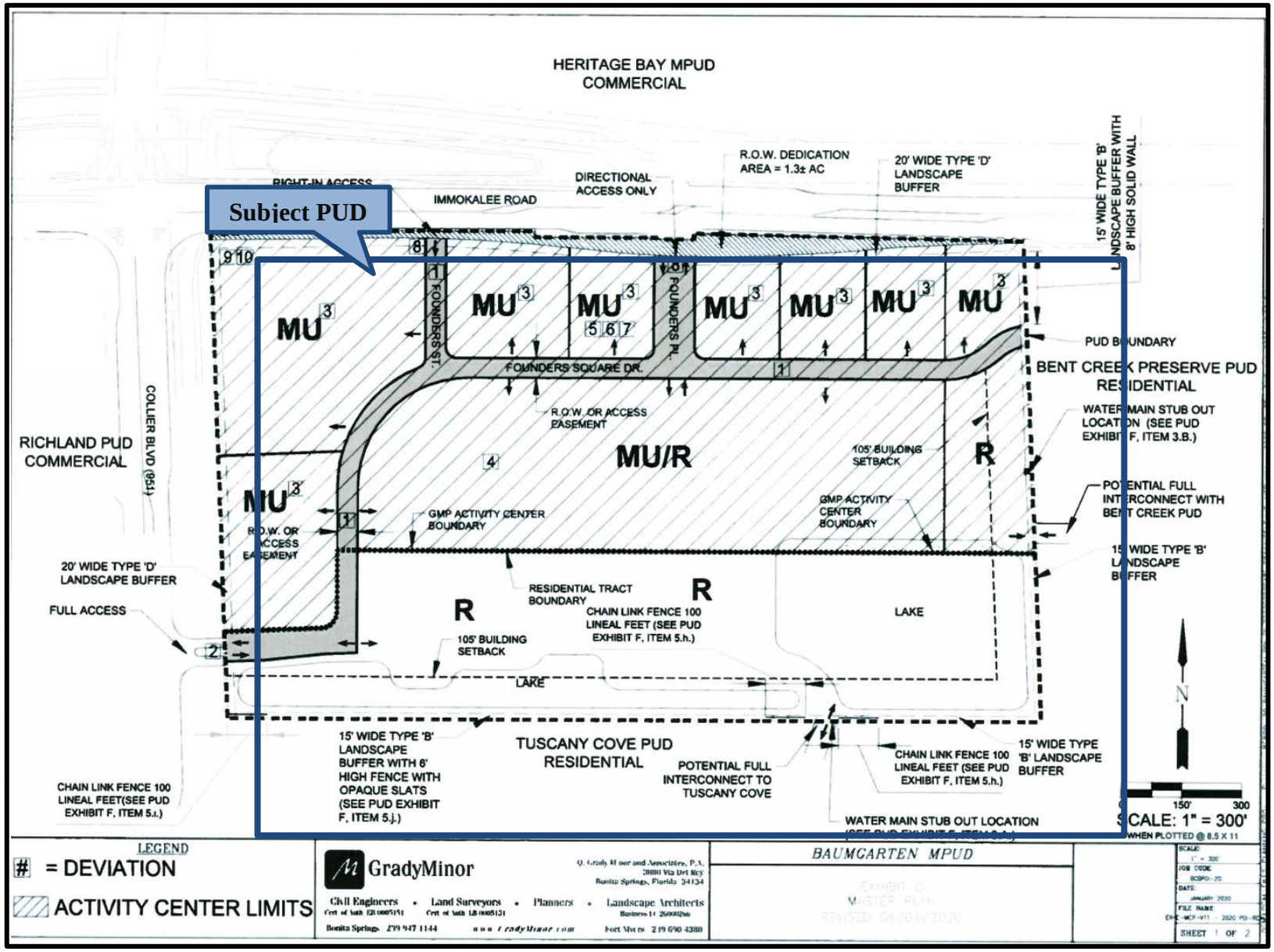
This insubstantial change to a PUD request is primarily planned for principal uses in the Mixed-Use designation of the Baumgarten MPUD. Tract F is the immediate proposed use in relation to the request, and the parcels adjacent to the east, Tracts G, H-1, and H-2, currently have not received a development order approval but will be related for future planning purposes. Per Staff review, the request to reduce the minimum floor area for principal structures to 700 square feet is consistent with the commercial uses in the C-3 through C-5 commercial zoning districts. The reduction in the minimum floor area may allow for a smaller building footprint for the Baumgarten MPUD, inclusive of the proposed Roadie's Coffee Shop on Tract F. The proposed coffee shop is designed as a drive-through and carryout with no inside dining. The proposed facility was approved with 1,023 square feet of building area; however, since it will be limited to a non-kitchen area and a walk-in cooler, this facility will not require the 1,000 square feet of floor area. A justification for the reduction in the minimum floor area is that this is consistent with current market trends for what is termed Quick Service Restaurants (QSRs).

Over the past few years, the restaurant and food service industry has observed a dramatic shift in consumer habits in the utilization of drive-throughs, carryout services, and delivery services. Because of this, many restaurants have reduced or eliminated in-restaurant dining areas. Many fast-food providers created applications and digital sale services providing loyalty rewards and easier ordering options for consumers. QSRs across the nation, which include national food chains, have focused on redesigning to drive-through, take-out, and mobile ordering, so much so that many chains have eliminated or are eliminating their indoor seating completely.

Attachment: Staff Report - PL20230013897 - Baumgarten MPUD (PDI) [Revision 1] (27553 : PL20230013897 - Baumgarten MPUD (PDI))

The proposed reduction in the minimum floor area within the Mixed-Use designation enables proposed retailers to meet customer demands based on market trends. Reducing the building area will not negatively impact uses within or outside the Baumgarten MPUD. The proposed structure is still subject to the other development standards of the PUD and the Land Development Code (LDC), which includes the county's architectural and site design requirements of LDC Section 5.05.08. The proposed insubstantial change to a PUD request will specifically be implemented in the Baumgarten MPUD Ord. 2019-11 in Exhibit B, Table I, Mixed-Use, the "Minimum Floor Area" for the Principal Uses of the Development Standards, changing from 1,000 square feet to the proposed reduction of 700 square feet.

Attachment: Staff Report - PL20230013897 - Baumgarten MPUD (PDI) [Revision 1] (27553 : PL20230013897 - Baumgarten MPUD (PDI))



Baumgarten MPUD – Current Master Concept Plan

Attachment: Staff Report - PL20230013897 - Baumgarten MPUD (PDI) [Revision 1] (27553 : PL20230013897

SURROUNDING LAND USE AND ZONING (related to the subject site location)

This section of the staff report identifies the land uses, zoning classifications, and maximum approved densities for properties surrounding boundaries of the Baumgarten MPUD:

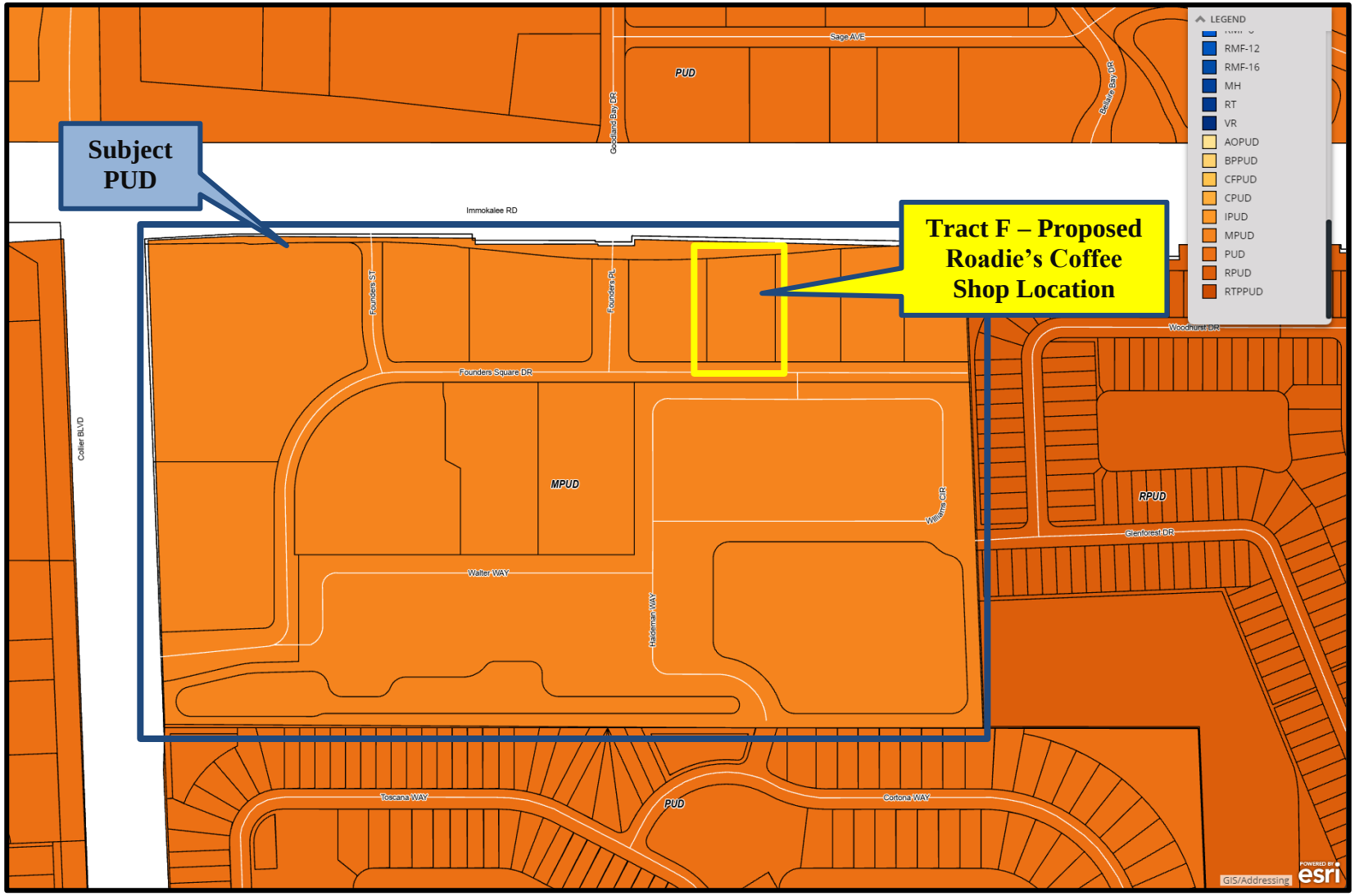
North: Immokalee Road, a six-lane roadway Right-of-Way (R.O.W.), and then Developed Mixed Commercial and Residential uses; Planned Unit Development (PUD) of Heritage Bay.

East: Developed Residential; The Residential Planned Unit Development (RPUD) Bent Creek Preserve.

South: Internal roadway, Developed Residential; Planned Unit Development (PUD) of Tuscany Cove.

West: Collier Boulevard, a six-land roadway, Right-of-Way (R.O.W.), and then developed mixed commercial, preserve, and residential uses, Planned Unit Development (PUD) of Richland.

Attachment: Staff Report - PL20230013897 - Baumgarten MPUD (PDI) [Revision 1] (27553 : PL20230013897 - Baumgarten MPUD (PDI))



Base Zoning Map – Collier County GIS/Addressing, ESRI

STAFF ANALYSIS

Comprehensive Planning: According to the Current Future Land Use Map the Subject property is located in the Urban Commercial district as well as within Activity Center #3. Mixed Use Activity Centers are designed to concentrate almost all new commercial zoning in locations where traffic impacts can readily be accommodated, to avoid strip and disorganized patterns of commercial development, and to create focal points within the community. The proposed reduction of the minimum floor area for principal structures from 1,000 square feet to 700 square feet is a minor amendment to the development regulations for the PUD. This change does not affect the Urban Commercial or activity center designation. It is therefore the opinion of zoning staff that the proposed amendment is consistent with the Future Land Use Plan.

Transportation Element: Not applicable.

Zoning Review: The original request for the insubstantial change request was for a reduced minimum floor area from 1,000 SF to 500 SF for principal structures in the Mixed-Use designation. The request was to allow for a smaller building footprint for a proposed drive-thru coffee shop. The justification provided was for the proposed drive-thru coffee shop and not for all the listed permitted principal uses in the PUD for the MU designation, however, the revised PUD was written to reduce the minimum floor area for all principal uses. Staff reviewed and requested the applicant to update Exhibit B to either specify that the floor reduction to 500 SF was to be tied solely to the proposed coffee shop or keep the reduction for all principal uses to a reduced 700 SF as comparable to the C-3/C-4 uses in the LDC, with an updated justification in the narrative for all uses. The applicant abided and edited the reduction request to be 700 SF for all principal uses, which is consistent with the C-3, C-4, and C-5 uses in the LDC Sec. 4.02.01, Table 2, Minimum Floor Area of Buildings. Therefore, staff is recommending **approval** for this PUD Insubstantial Change petition.

Landscape Review: Not Applicable.

Conservation and Coastal Management Element (CCME): Environmental review staff has found this project to be consistent with the Conservation & Coastal Management Element (CCME). No revisions to the environmental portions of the PUD are being requested.

Environmental Review: Environmental Planning staff has reviewed this petition. The request is to amend (Ordinance 19-11) to modify the PUD to allow a proposed reduction in minimum floor area. 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. Environmental Services staff recommends **approval** of the proposed petition.

PLANNED UNIT DEVELOPMENT INSUBSTANTIAL CHANGE CRITERIA:

There are three types of changes to a PUD Ordinance: Substantial, Insubstantial, and Minor. An insubstantial change includes any change that is not considered a substantial or minor change. An insubstantial change to an approved PUD Ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1.

Attachment: Staff Report - PL20230013897 - Baumgarten MPUD (PDI) [Revision 1] (27553 : PL20230013897 - Baumgarten MPUD (PDI))

LDC Section 10.02.13 E.1 Criteria:

a. Is there a proposed change in the boundary of the Planned Unit Development (PUD)?

No, the request does not include a change in the boundary of the PUD.

b. Is there a proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development?

No, the request does not increase the number of dwelling units or intensity of land use or height of buildings within the development. The MPUD will still be limited to a maximum of 270,000 square feet of commercial uses, 400 dwelling units and a maximum trip cap of 1,159 two-way PM peak hour trips.

c. Is there a proposed decrease in preservation, conservation, recreation, or open space areas within the development in excess of five (5) percent of the total acreage previously designated as such, or five (5) acres in area?

No, the request does not change preservation, conservation, recreation, or open space areas.

d. Is there a proposed increase in the size of areas used for non-residential uses, to include institutional, commercial, and industrial land uses (excluding preservation, conservation, or open space), or a proposed relocation of nonresidential land uses?

No, the request does not increase areas or relocate areas for nonresidential uses. The changes to the Mixed-Use Development standards does not increase or relocate areas designated as Mixed-Use on the Master Concept Plan and does not increase the amount of non-residential intensity permitted in the MPUD.

e. Is there a substantial increase in the impacts of the development which may include, but are not limited to increases in traffic generation; changes in traffic circulation; or impacts on other public facilities?

No, the MPUD already allows for drive through facilities. The proposed change allows for a smaller commercial floor area and does not increase impacts of development, such as traffic generation, circulation or impacts on other public facilities.

f. Will the change result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers?

No, the request does not change land use activities and does not generate high level of vehicular trips. The MPUD will remain subject to the maximum trip cap of 1,159 two-way PM peak hour trips as identified in Exhibit F, Developer Commitment 4.a.

g. Will the change result in a requirement for increased stormwater retention, or otherwise increase stormwater discharge?

Attachment: Staff Report - PL20230013897 - Baumgarten MPUD (PDI) [Revision 1] (27553 : PL20230013897 - Baumgarten MPUD (PDI))

No, the request does not result in a requirement for increased stormwater retention or increased stormwater discharges.

h. Will the proposed change bring about a relationship to an abutting land use that would be incompatible with an adjacent land use?

No, the request to reduce the minimum floor area does not create incompatibility with, or negatively impact, adjacent land uses. Developments will still need to meet minimum setback and buffering requirements and will still be subject to the County's architectural and site design standards.

i. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other elements of the Growth Management Plan or which modification would increase the density of intensity of the permitted land uses?

No, the request is consistent with the Collier County Growth Management Plan. The Future Land Use Element and GMP do not mandate minimum floor areas.

j. The proposed change is to a PUD District designated as a Development of Regional Impact (DRI) and approved pursuant to Chapter 380.06, Florida Statues, where such change requires a determination and public hearing by Collier County pursuant to Sec. 380.06 (19), F.S. Any change that meets the criterion of Sec. 380.06 (19)(e)2., F.S., and any changes to a DRI/PUD Master Plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under Section 10.02.13 of the LDC.

No, the MPUD is not located within a Development of Regional Impact (DRI).

k. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under Section(s) 10.02.13 E.?

No, the request is not deemed a substantial modification to the MPUD and may be processed as an Insubstantial Change (PDI) pursuant to the LDC and Administrative Code.

The request complies with the thresholds for insubstantial changes to PUDs as outlined in LDC Sec. 10.02.13.E.2 as follows:

a. Does this petition change the analysis of findings and criteria used for the original application?

No change to the permitted land uses, intensities or design standards are being requested as part of the petition.

Attachment: Staff Report - PL20230013897 - Baumgarten MPUD (PDI) [Revision 1] (27553 : PL20230013897 - Baumgarten MPUD (PDI))

NEIGHBORHOOD INFORMATION MEETING (NIM):

The NIM was advertised and held on Tuesday, November 7, 2023, at 5:30pm, at the Collier County Library Headquarters Branch, Sugden Theater, located at 2385 Orange Blossom Road, Naples, FL 34109. There were zero (0) members of the public present, and zero (0) who participated remotely on Zoom. There is no copy of the transcript since the meeting adjourned 15 minutes after the scheduled start time. A copy of the NIM advertising and the prepared presentation are included in the Backup Package, Attachment A.

PETITION APPEAL TO HEARING EXAMINER

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

STAFF RECOMMENDATION:

Staff recommends that the Hearing Examiner **APPROVE** Petition PDI-PL20230013897, Baumgarten MPUD PDI subject to including the following attachments in the HEX Decision:

1. Attachment B – *PUD Language Changes*

Attachments:

Attachment A – *Backup Package*
Attachment B – *PUD Language Changes*
Attachment C – *Signs & Notification*

Attachment: Staff Report - PL20230013897 - Baumgarten MPUD (PDI) [Revision 1] (27553 : PL20230013897 - Baumgarten MPUD (PDI))

HEARING PACKAGE CHECKLIST Return this form with printed materials

A. Backup provided by the County Planner

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

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

B. Backup provided by Applicant:

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

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

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

N/A Boundary Survey

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

N/A Submerged Resource Surveys may be included here if required.

N/A **CD with *only one* pdf file for all documents <u>in the same order as the packets are put together. They must be in the same order.</u>**

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

Signature of Agent Representative

11/20/2023
Date

CHRISTOPHER O SCOTT
Printed Name of Signing Agent Representative

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

Collier County
Growth Management
Community Development Department

Need Help?
GMCD Public Portal
Online Payment Guide
E-Permitting Guides

Insubstantial Change to a PUD (PDI)

LDC subsection 10

Chapter 3 of the Administrative Code

Pursuant to LDC subsection 10, a PUD insubstantial change includes any change that is not considered a substantial or a minor change. A PUD insubstantial change to an approved PUD ordinance shall be based upon an evaluation of LDC subsection 10 and shall require the review and approval of the Hearing Examiner. The Hearing Examiner's approval shall be based on the findings and criteria used for the original application.

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): BCHD Partners II, LLC

Name of Applicant if different than owner: _____

Address: 2600 Golden Gate Parkway **City:** Naples **State:** FL **ZIP:** 34105

Telephone: 239-262-2600 **Cell:** _____ **Fax:** _____

E-Mail Address: dgenson@barroncollier.com

Name of Agent: Christopher Scott

Firm: Peninsula Engineering

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

Telephone: 239-403-6727 **Cell:** _____ **Fax:** _____

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

DETAIL OF REQUEST

On a separate sheet, attached to the application, describe the insubstantial change request. Identify how the request does not meet the PUD substantial change criteria established in LDC subsection 10.02.13 E.1.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

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PUD NAME: Buamgarten MPUD **ORDINANCE NUMBER:** 19-11, as amended
FOLIO NUMBER(S): See Attached

Provide a legal (if PUD is recorded) or graphic description of area of amendment (this may be graphically illustrated on Amended PUD Master Plan). If applying for a portion of the PUD, provide a legal description for subject portion.

Attach on a separate sheet, a written description of the map or text change.

Does amendment comply with the Growth Management Plan? ■ Yes ☐ No

If no, please explain: _____

Has a public hearing been held on this property within the last year? ☐ Yes ☐ No

If yes, in whose name? _____

Has any portion of the PUD been ■ SOLD and/or ■ DEVELOPED?

Are any changes proposed for the area sold and/or developed? ■ Yes ☐ No
If yes, please describe on an attached separate sheet.

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

REQUIREMENTS FOR REVIEW	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	☒	
Pre-Application Meeting notes	☐	☑
Project Narrative, including a detailed description of proposed changes and why amendment is necessary	☑	☐
Detail of request	☒	
Current Master Plan & 1 Reduced Copy	☒	
Revised Master Plan & 1 Reduced Copy Not Required - No changes to MCP	☐	x
Revised Text and any exhibits	☑	☐
PUD document with changes crossed through & underlined	☑	☐
PUD document as revised with amended Title Page with Ordinance #	☐	☐
Warranty Deed	☑	☐
Legal Description		☐
Boundary survey, if boundary of original PUD is amended	☐	☑
If PUD is platted, include plat book pages	☑	☐
List identifying Owner & all parties of corporation	☑	☐
Affidavit of Authorization, signed & notarized	☒	
Completed Addressing Checklist	☒	
Property Ownership Disclosure Form	☒	
Copy of 8 ½ in. x 11 in. graphic location map of site	☑	☐
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	☑	☐
***If located in Immokalee or seeking affordable housing, include an additional set of each submittal requirement.**		

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

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

☐	School District (Residential Components):	☐	Bayshore/Gateway Triangle Redevelopment: Executive Director
☐	Utilities Engineering:	☐	Parks and Recreation:
☐	Emergency Management:	☐	Naples Airport Authority:
☐	Conservancy of SWFL:	☐	Other:
☐	City of Naples:	☐	Other:

FEE REQUIREMENTS

- ☐ **PUD Amendment Insubstantial (PDI):** $1,500.00
- ☐ **Pre-Application Meeting:** $500.00
- ☐ **Estimated Legal Advertising fee for the Office of the Hearing Examiner**: $1,125.00
  Same fee applies if the petition is referred to the Collier County Planning Commission, where the CCPC serves as the deciding authority instead of the HEX.

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

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

Christopher Scott
Digitally signed by Christopher Scott
DN: cn=Christopher Scott, c=US, o=Peninsula Engineering, email=CScott@pen-eng.com
Date: 2023.08.21 13:27:44 -04'00'

Agent/Owner Signature

8/21/2023
Date

Christopher O. Scott (Agent)
Applicant/Owner Name (please print)

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

PENINSULA ENGINEERING

BAUMGARTEN MPUD PLANNED UNIT DEVELOPMENT INSUBSTANTIAL CHANGE

PROJECT NARRATIVE & EVALUATION CRITERIA

PROJECT OVERVIEW:

The application proposes an insubstantial change to the Baumgarten MPUD, by revising Exhibit B, Table I, Mixed Use Development Standards by reducing the minimum floor area for principal structures from 1,000 square feet to 700 square feet.

PROJECT BACKGROUND:

The existing 55.66-acre Baumgarten MPUD (aka Founders Square) was approved by Ordinance 2019-011 and is located southeast intersection of Immokalee Road and Collier Boulevard. The MPUD is approved for 270,000 square feet of commercial uses and 400 residential units. The MPUD includes approximately 10-acres designated as Residential (R), 20-acres designated as Mixed Use (MU) and 14-acres designated as Mixed Use or Residential (MU/R).



The MPUD has been amended through the PDI process twice:

- HEX No. 2020-27 (Corrective Decision to HEX No. 2020-15) approved an Insubstantial Change petition, PL20200000048, to add deviations from LDC Sections 5.05.05.B.1., 5.05.05.D.2.a., and 5.05.05.D.2.b. related to "Facilities with Fuel Pumps;" from LDC Sections 5.06.04.F.2.b. related to "outparcels-ground signs;" and from LDC Section 5.06.04.F.3., related to "Directory Signs." This PDI also modified a previously approved Deviation #3 related to "Ground Signs."

- HEX No. 2021-42 approved an Insubstantial Change petition, PL20210000379, to revise the Exhibit B, Section I, Mixed Use Development Standards, by decreasing the required minimum side yard setback from the eastern property boundary from 50-feet to 25-feet, removing the requirement to increase setback based on building height, and limiting the maximum height of principal structures within 50' of the eastern property boundary to 35-feet zoned height and 45-feet actual height.

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The property received approval of the Construction Plans and Plat (PPL, PL20190000344) in December 2019. Most of the project has been developed or has received development order approval. A total of 247,696 square feet of commercial floor area and 400 multifamily residential units have been constructed or received site development plan approval. These include the following:

- Tract A: 34,275 square feet Founders Square Medical Office Building (PL20190001346)
- Tract B: 39,664 square feet the Pointe at Founders Square shopping center (PL20190001486)
- Tract C: 4,200 square feet Lake Park Diner restaurant (PL20220005937)
- Tract D: 4,715 square feet 7-Eleven gas station/convenience store and carwash (PL20200000997)
- Tract E: 3,337 square feet Kelly's Roast Beef restaurant (PL20220003927)
- Tract F: 1,023 square feet Roadie's coffee shop (PL20220006009)
- Tracts I and J: 47,587 square feet the Plaza at Founders Square shopping center (PL20210001055)
- Tract K: 109,457 square foot indoor self-storage building (SDP, PL20190001486)
- Tract L: 400-unit Haldeman Luxury Apartments (SDP, PL20190000132)

To date, only three outparcels, Tracts G, H-1 and H-2, have not received a development order approval. Tract H-1 did have an SDP submittal for a 3,004 square feet First Florida Integrity Bank (PL20210001094); however, that project was never approved.

DETAILS OF REQUEST:

This PDI seeks to reduce the minimum floor area requirement for principal structures within the Mixed Use designation from 1,000 square feet to 700 square feet. The 700 square feet minimum floor area is consistent with the minimum requirements for commercial uses within the C-3, C-4 and C-5 zoning districts as specified in LDC Section 4.02.01, Table 2. Building Dimension Standards for Principal Uses in Base Zoning Districts. The commercial uses permitted within the Baumgarten MPUD Mixed Use designation are consistent with the uses permitted in the C-3, C-4 and C-5 zoning designations.

The reduction in minimum floor area will allow for a smaller building footprint for the proposed Roadie's Coffee shop on Tract F. This facility is designed as a drive-through and carryout facility with no inside dining. It is currently approved with a 1,023 sf building. Because the Roadie's Coffee building will be limited to non-public kitchen area and a walk-in cooler, it does not require 1,000 sf of floor area. The reduction in minimum floor area is consistent with current market trends for Quick Service Restaurants (QSRs).

The COVID-19 pandemic had a dramatic effect on the restaurant industry as consumers and providers had to react to mandatory shutdowns. Contactless ordering and to-go options became the only way to "dine out." Even now that restaurants have reopened their dining rooms, the industry has seen a dramatic shift in consumer habits. Since the pandemic, there is a significantly larger percentage of customers utilizing drive-thrus and carryout service, delivery service and providers such as DoorDash and UberEats have flourished, and many restaurants are reducing or eliminating in-restaurant dining areas. Additionally,

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many national fast-food providers have created apps and digital sales services that provide loyalty rewards and easier ordering options for consumers.



QSRs including many national chains, are focusing on drive-through, take-out and mobile ordering and many are eliminating indoor seating completely. Chipotle has seen their digital sales, which makes up around 40% of their business, increase 350% from 2018 to 2021[1]. This increase has led to new drive-thru only facilities featuring what they refer to as "Chipotlanes." Similarly, Starbuck's reinvention plan initiated in 2022 anticipates that "35% of new stores will be drive-thru only stores, while 14% will be pickup-only and 5% will be delivery. Café-style store openings will be 2% of all openings from fiscal year starting 2023 to 2025[2]." Jimmy Johns, who is already known for being "freaky-fast," recently introduced its first ever drive-thru only model with a drastically reduced building footprint which was recently recognized as a Restaurant Development and Design 2023 award winner for Best New Prototype for an Existing Concept[3].

The proposed reduction in minimum floor area within the Mixed Use designation will enable proposed retailers to meet customer demands based on current market trends. The reduced square footage will not have a negative impact to uses within or outside of the PUD. Structures will still be subject to the other development standards of the PUD and Land Development Code (LDC), including the County's architectural and site design requirements of LDC Section 5.05.08.

[1] "What's New with Fast-Food Drive-Thrus?" QSR magazine 8/9/2022
[2] "Starbucks adapts to Market Changes with Focus on Convenience" Seattle Times 9/23/2022
[3] "2023 Award Winners" Restaurant development + design 1/18/2023

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The proposed request to reduce the minimum floor area within the Mixed Use designation from 1,000 square feet to 700 square feet is consistent with minimum floor area requirements for similar zoning designations and complies with the insubstantial change criteria of LDC Section 10.03.13 E.:

COMPLIANCE WITH LDC SECTION 10.02.13 E.

E. Changes and amendments. There are three types of changes to a PUD Ordinance: Substantial, Insubstantial, and Minor.

1. Substantial changes. Any substantial change(s) to an approved PUD Ordinance shall require the review and recommendation of the Planning Commission and approval by the Board of County Commissioners as a PUD amendment prior to implementation. Applicants shall be required to submit and process a new application complete with pertinent supporting data, as set forth in the Administrative Code. For the purpose of this section, a substantial change shall be deemed to exist where:

a. A proposed change in the boundary of the PUD;

The request does NOT include a change in the boundary of the PUD.

b. A proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development;

The request does NOT increase the number of dwelling units or intensity of land use or height of buildings within the development. The MPUD will still be limited to a maximum of 270,000 sf of commercial uses, 400 dwelling units and a maximum trip cap of 1,159 two-way PM Peak hour trips.

c. A proposed decrease in preservation, conservation, recreation or open space areas within the development not to exceed 5 percent of the total acreage previously designated as such, or 5 acres in area;

The request does NOT change preservation, conservation, recreation or open space areas.

d. A proposed increase in the size of areas used for nonresidential uses, to include institutional, commercial and industrial land uses (excluding preservation, conservation or open spaces), or a proposed relocation of nonresidential land uses;

The request does NOT increase areas or relocate areas for nonresidential land uses. The changes to the Mixed-Use Development standards does not increase or relocate areas

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designated as Mixed-Use on the Master Concept Plan and does not increase the amount of non-residential intensity permitted in the MPUD.

e. A substantial increase in the impacts of the development which may include, but are not limited to, increases in traffic generation; changes in traffic circulation; or impacts on other public facilities;

The MPUD already allows for drive through facilities. The proposed change allows for a smaller commercial floor area and does NOT increase impacts of development, such as traffic generation, circulation or impacts on other public facilities.

f. A change that will result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers;

The request does NOT change land use activities and does NOT generate higher level of vehicular trips. The MPUD will remain subject to the maximum trip cap of 1,159 two-way PM Peak hour trips as identified in Exhibit F, Developer Commitment 4.a.

g. A change that will result in a requirement for increased stormwater retention, or will otherwise increase stormwater discharges;

The request does NOT result in a requirement for increased stormwater retention or increased stormwater discharges.

h. A change that will bring about a relationship to an abutting land use that would be incompatible with an adjacent land use;

The request to reduce the minimum floor area does NOT create incompatibility with, or negatively impact, adjacent land uses. Developments will still need to meet minimum setback and buffering requirements and will still be subject to the County's architectural and site design standards.

i. Any modification to the PUD master plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other element of the Growth Management Plan or which modification would increase the density or intensity of the permitted land uses;

The request IS consistent with the Collier County Growth Management Plan. The Future Land Use Element and GMP do not mandate minimum floor areas.

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j. The proposed change is to a PUD district designated as a development of regional impact (DRI) and approved pursuant to F.S. § 380.06, where such change requires a determination and public hearing by Collier County pursuant to F.S. § 380.06(19). Any change that meets the criterion of F.S. § 380.06(19)(e)2, and any changes to a DRI/PUD master plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under this LDC section 10.02.13; or

The request is NOT located within a DRI.

k. Any modification in the PUD master plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under this LDC section 10.02.13.

The request is NOT deemed a substantial modification and may be processed as an Insubstantial Change (PDI).

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EXHIBIT B

BAUMGARTEN MPUD
DEVELOPMENT STANDARDS

The tables below set forth the development standards for land uses within the Baumgarten MPUD. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of approval of the SDP or subdivision plat.

I. MIXED- USE:

	PRINCIPAL USES		**ACCESSORY USES**	
MINIMUM LOT AREA	10, 000 Sq. Ft.		N/A	
AVERAGE LOT WIDTH	100 ft.		N/A	
MINIMUM YARDS (External)				
From Immokalee Road ROW	25 ft.		SPS	
From Collier Boulevard ROW	25 ft.		SPS	
From Eastern Project Boundary***	25 ft.		15 ft.	
From Southern Project Boundary	200 ft. Minimum		200 ft. Minimum	
MINIMUM YARDS (Internal)				
Internal Drives/ ROW	10 ft.		10 ft.	
Rear	10 ft.		10 ft.	
Side	10 ft.		10 ft.	
Lakes (measured from control elevation)	25 ft.		20 ft.*	
Preserve	25 ft.		10 ft.	
MIN. DISTANCE BETWEEN STRUCTURES	1/2 the sum of building heights		10 ft.	
MAXIMUM HEIGHT* **	**ZONED**	**ACTUAL**	**ZONED**	**ACTUAL**
Retail Buildings	45 ft.	65 ft.	35 ft.	45 ft.
Office Buildings and Hotel/ Motel	55 ft.	65 ft.	35 ft.	45 ft.
MINIMUM FLOOR AREA (ground floor)	~~1,000~~ 700 sq. ft. **		N/A	
MAXIMUM GROSS COMMERCIAL AREA	270,000 sq. ft.		N/A	

* No structure may be located closer than 20 feet to the control elevation of a lake (allowing for the required minimum 20-foot wide lake maintenance easement).

** Per principal structure. Kiosk vendor, concessions, and temporary or mobile sales structures shall be permitted to have a minimum floor area of twenty-five (25) square feet and shall be subject to the accessory structure standards set forth in the LDC.

*** Any building located 50 feet of the eastern PUD boundary is limited to a maximum zoned height of 35 ft. and a maximum actual height of 45 ft. No dumpster enclosure permitted within 105 feet of the eastern PUD boundary.

Note: Residential dwellings may be constructed above retail or office use.

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PENINSULA ENGINEERING

BAUMGARTEN MPUD, PDI

LIST AND MAP OF PROPERTY OWNERS

MAP	PARCEL ID	OWNER NAME	LEGAL DESCRIPTION
1	33155000825	Collier County	Founders Square Tract R2
2	33155000809	Founders Square Umbrella Association, Inc.	Founders Square Tract R1
3	33155000760	Founders Square Umbrella Association, Inc.	Founders Square Tract L-1
4	33155000786	Founders Square Umbrella Association, Inc.	Founders Square Tract L-2
5	33155000265	Pearl at Founders Square, LLC	Founders Square Tract L
6	33155000249	8890 Founders Square SP, LLC	Founders Square Tract K
7	33155000223	BCHD Partners II, LLC	Founders Square Tract J Less
8	33155000207	BCHD Partners II, LLC	Founders Square Tract I and Part of Tract J
9	33155000029	BCHD Partners II, LLC	Founders Square Tract A
10	33155000045	BCHD Partners II, LLC	Founders Square Tract B
11	33155000061	BCHD Partners II, LLC	Founders Square Tract C Less E 120.57’
12	33155000087	BCHD Partners II, LLC	Founders Square Tract D and E 120.57’ of Tract C
13	33155000100	BCHD Partners II, LLC	Founders Square Tract E
14	33155000126	BCHD Partners II, LLC	Founders Square Tract F
15	33155000142	BCHD Partners II, LLC	Founders Square Tract G
16	33155000168	BCHD Partners II, LLC	Founders Square Tract H-1
17	33155000184	BCHD Partners II, LLC	Founders Square Tract H-2



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Growth Management Community Development Department
2800 North Horseshoe Drive, Naples, Florida 34104
Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
www.colliercountyfl.gov

PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

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www.colliercountyfl.gov

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
BCHD Partners II, LLC (See Attached)	100%
Members of BCHD Partners II, LLC: BCAM, LLC & Metro Pelican, LLC	
Members of BCAM, LLC: Barron Collier Corp & Barron Collier Partnership, LLLP	
Manager of Metro Pelican, LLC: Pelican Investors, LLC	

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 2020

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

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

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Phone: (239) 252-1036 | Email: GMDClientServices@colliercountyfl.gov
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Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

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

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

***The completed application, all required submittal materials, and fees shall be submitted to:**
Growth Management Community Development Department | GMD Portal:
https://cvportal.colliercountyfl.gov/cityviewweb

Questions? Email: GMDclientservices@colliercountyfl.gov

Christopher Scott Digitally signed by Christopher Scott DN: cn=Christopher Scott, c=US, o=Peninsula Engineering, email=CScott@pen-eng.com Date: 2023.08.29 16:39:58 -04'00'
_____
Agent/Owner Signature

8/21/2023
_____
Date

Christopher O. Scott
_____
Agent/Owner Name (please print)

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

OWNERSHIP DETAIL

NAME	%	BENEFICIARY OF TRUST
BCHD Partners II, LLC	**100%**	
BCAM, LLP	**50%**	
Barron Collier Partnership, LLLP-LP	99.900%	
Barron Collier Management, LLC		
Juliet C. Sproul Family Inheritance Trust		Juliet C. Sproul and lineal descendants
Barron G. Collier III Lifetime Irrevocable Trust		Barron G. Collier III's descendants
Lamar Gable Lifetime Irrevocable Trust		Lamar Gable and lineal descendants
FGVLIRT – Christopher D. Villere Family		
FGVLIRT – Mathilde V. Currence Family		
FGVLIRT – Lamar G. Villere Family		
Phyllis G. Alden Lifetime Irrevocable Trust		Phyllis G. Alden and lineal descendants
Donna C. Keller Lifetime Irrevocable Trust		Donna C. Keller and lineal descendants
Barron Collier Corporation-GP	0.100%	
Barron Collier III, President		
Katherine G. Sproul, Vice President		
Blakeslee R. Gable, Vice President		
Brian Goguen, Vice President		
Douglas E. Baird, Vice President		
Bradley A. Boaz, Secretary/Treasurer/Agent		
Metro Pelican, LLC	**50%**	
Pelican Investors	66.67%	
Daniel J. Hughes		
Thomas Londres		
Stephen Niggeman		
Paul Rumley		
Glen Marvin		
Daniel Brickner and Carlyn von Schaumburg		
Joseph and Stephanie Dougherty h/w ATBTE		
Eric Mallory		
IM951, LLC	33.3%	
Initus, Inc.		
Timothy Schneider		
Fredrickson Enterprises, Inc.		
Bruce Douglas Olson, PA		
Mangione Enterprises, Inc.		

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AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20230013897

I, David Gensen (print name), as VP of Barron Collier Corporation (title, if applicable) of as partner of BCAM, LLLP, as manager of BCHD Partners II, 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 Peninsula Engineering to act as our/my representative in any matters regarding this petition including 1 through 2 above.

Notes:

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

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

_____ 10/10/2023
Signature **Date**

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [✓] physical presence or [ ] online notarization this 10 day of OCTOBER, 2023, by (printed name of owner or qualifier) David Gensen.

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

[✓] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

Notary Signature: _____

Notary Seal
SABINA HARDY
MY COMMISSION # HH 343836
EXPIRES: January 14, 2027

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

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

PENINSULA ENGINEERING

Memorandum

Date: November 8, 2023

To: Sean Sammon

From: Christopher Scott, AICP

RE: Baumgarten PDI (PL20230013897) NIM Summary

A Neighborhood Information Meeting (NIM) was conducted for the above referenced project on Tuesday, November 7, 2023 at 5:30 pm at the Collier County Library Headquarters Branch, Sugden Theater, located at 2385 Orange Blossom Road, Naples, Florida.

No members of the public attended.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

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

Fla Engineer CA 28275 Fla Landscape CA LC26000632 Fla Surveyor/Mapper LB8479

Baumgarten PUD Insubstantial Change (PL20230013897)
Neighborhood Meeting Sign-In Sheet

Tuesday, November 7, 2023 5:30-7:00
Collier County Library Headquarters Branch, Sugden Theater

PENINSULA ENGINEERING

Name	Address/Company	Phone	E-Mail
Chris Scott	2600 Golden Gate Pkwy, Naples FL	239-261-3494	CScott@pen-eng.com
Sean Sammon	2802 Horseshoe Dr N	239-252-8427	Sean.Sammon@call.ircank

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

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Florida
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

_ DEFAULT
Peninsula Engineering
2600 Golden Gate PKWY
Naples FL 34105-3227

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Naples Daily News, a newspaper published in Collier County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Classified Legal CLEGL, was published on the publicly accessible website of Collier and Lee Counties, Florida, or in a newspaper by print in the issues of, on:

10/23/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 10/23/2023

Legal Clerk

Notary, State of WI, County of Brown

My commision expires 5.15.27

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Notary Public
State of Wisconsin

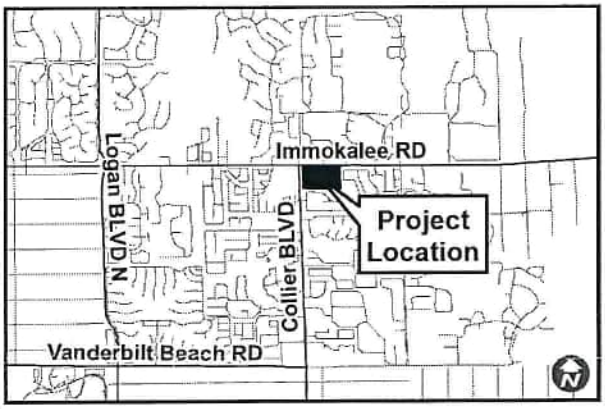
Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

NEIGHBORHOOD INFORMATION MEETING ADVERTISEMENT

NEIGHBORHOOD INFORMATION MEETING

The public is invited to attend a neighborhood information meeting hosted by Chris Scott of Peninsula Engineering on Tuesday, November 7, 2023, at 5:30 p.m. at the Collier County Library Headquarters Branch, Sugden Theater, 2385 Orange Blossom Road, Naples, FL 34109.

BCHD Partners II, LLC is seeking approval of an Insubstantial Change to Ordinance 19-11, as amended, the Baumgarten Mixed Use Planned Unit Development (MPUD), Exhibit B, Section I, Mixed-Use Development Standards, by reducing the required minimum floor area from 1,000 square feet to 700 square feet. The subject property is located at the southeast intersection of Immokalee Road and Collier Boulevard, in Section 26, Township 48 South, Range 26 East, Collier County, Florida. [PL20230013897].



Business and property owners, residents, and visitors are welcome to attend the presentation and discuss the project. If you are unable to attend this meeting in person, but have questions or comments or wish to attend simultaneously through Zoom, please contact: Chris Scott, Planning Manager, Peninsula Engineering, 2600 Golden Gate Parkway, Naples, FL 34105 cscott@pen-eng.com (239) 403-6727.

ND-37641335

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

PENINSULA ENGINEERING

October 16, 2023

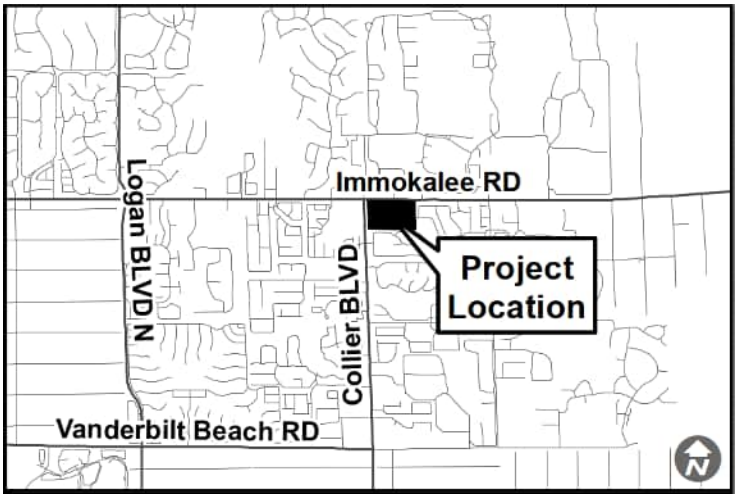
Dear Property Owner:

The public is invited to attend a Neighborhood Information Meeting (NIM) to discuss a proposed insubstantial change to the Baumgarten Mixed Use Planned Unit Development. The NIM will be held:

Tuesday, November 7, 2023 at 5:30 pm
Collier County Library Headquarters Branch, Sugden Theater*
2385 Orange Blossom Road
Naples, FL 34109

* *The Collier County Public Library does not sponsor or endorse this program.*

BCHD Partners II, LLC is seeking approval of an Insubstantial Change to Ordinance 19-11, as amended, the Baumgarten Mixed Use Planned Unit Development (MPUD), Exhibit B, Section I, Mixed-Use Development Standards, by reducing the required minimum floor area from 1,000 square feet to 700 square feet. The subject property is located at the southeast intersection of Immokalee Road and Collier Boulevard, in Section 26, Township 48 South, Range 26 East, Collier County, Florida. [PL20230013897].



On-line participation in the meeting will be available via Zoom. If you have questions related to the project or would like to participate via Zoom, please contact the individual listed below:

Christopher Scott, AICP
Peninsula Engineering
Phone: 239.403.6727
Email: cscott@pen-eng.com

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

ORDINANCE NO. 19-11

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NUMBER 2004-41, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE, WHICH ESTABLISHED THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, BY AMENDING THE APPROPRIATE ZONING ATLAS MAP OR MAPS BY CHANGING THE ZONING CLASSIFICATION OF THE HEREIN DESCRIBED REAL PROPERTY FROM A RURAL AGRICULTURAL (A) ZONING DISTRICT TO A MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) ZONING DISTRICT FOR THE PROJECT TO BE KNOWN AS THE BAUMGARTEN MPUD, TO ALLOW CONSTRUCTION OF A MAXIMUM OF 400 MULTIFAMILY AND/OR TOWNHOUSE RESIDENTIAL DWELLING UNITS AND UP TO 270,000 SQUARE FEET OF COMMERCIAL LAND USES AT THE SOUTHEAST QUADRANT OF IMMOKALEE ROAD AND COLLIER BOULEVARD, IN SECTION 26, TOWNSHIP 48, RANGE 26, COLLIER COUNTY, FLORIDA, CONSISTING OF 55.66 +/- ACRES; AND BY PROVIDING AN EFFECTIVE DATE. [PL20170000768]

WHEREAS, Wayne Arnold, AICP, of Q. Grady Minor & Associates, P.A. and Richard D. Yovanovich, Esq. of Coleman, Yovanovich & Koester, P.A., representing BCHD Partners II, LLC, petitioned the Board of County Commissioners to change the zoning classification of the herein described real property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE:

The zoning classification of the herein described real property located in Section 26, Township 48, Range 26, Collier County, Florida, is changed from a Rural Agricultural (A) Zoning District to a Mixed Use Planned Unit Development (MPUD) Zoning District for the 55.66+/- acre project to be known as the Baumgarten MPUD, to allow construction of a maximum of 400 residential dwelling units and up to 270,00 square feet of commercial land uses

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

in accordance with the Baumgarten MPUD Document, in accordance with Exhibits A through F attached hereto and incorporated by reference herein. The appropriate zoning atlas map or maps, as described in Ordinance Number 2004-41, as amended, the Collier County Land Development Code, is/are hereby amended accordingly.

SECTION TWO:

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

PASSED AND DULY ADOPTED by super-majority vote of the Board of County Commissioners of Collier County, Florida, this 11th day of June, 2019.

ATTEST:
CRYSTAL K. KINZEL, CLERK

By: _____, Deputy Clerk

Attest as to Chairman's signature only.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
William L. McDaniel, Jr., Chairman

Approved as to form and legality:

_____ FINAL 6-7-19
Heidi Ashton-Cicko
Managing Assistant County Attorney

Exhibit A: Permitted Uses
Exhibit B: Development Standards
Exhibit C: Master Plan
Exhibit D: Legal Description
Exhibit E: Requested Deviations from LDC
Exhibit E1: Deviation #1 Cross Section
Exhibit F: Developer Commitments

This ordinance filed with the Secretary of State's Office the 17th day of June, 2019 and acknowledgement of that filing received this 17th day of June, 2019.
By _____ Deputy Clerk

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

EXHIBIT A

BAUMGARTEN MPUD
PERMITTED USES

A maximum of 400 residential dwelling units and 270,000 square feet of gross commercial floor area shall be permitted within the MPUD. Any commercial square footage above 250,000 square feet must include indoor self-storage. The uses are subject to the trip cap identified in Exhibit F, Section 4.a of this PUD. No building or structure, or part thereof, shall be erected, altered or used, or land used, in whole or in part, for other than the following:

MIXED-USE:

A. Principal Uses (SIC In Parenthesis):

1.	Accident and Health Insurance Services	(6321)
2.	Accounting, Auditing and Bookkeeping Services	(8721)
3.	Adjustment services	(7322)
4.	Advertising (consultants) agencies	(7311)
5.	Advertising, not elsewhere classified	(7319)
6.	Agricultural uses (interim until first certificate of occupancy for any permitted use)	(N/A)
7.	Architectural services	(8712)
8.	Animal Hospitals	(0742)
9.	Auto and Home Supply Stores	(5531)
10.	Automotive Washing and Polishing	(7542)
11.	Bakeries, Retail	(5461)
12.	Banks, commercial: national	(6021)
13.	Banks, commercial: not chartered	(6029)
14.	Banks, commercial: state	(6022)
15.	Banks, savings: Federal	(6035)
16.	Banks, savings: not federally chartered	(6036)
17.	Barber Shops	(7241)
18.	Beauty Shops	(7231)
19.	Book Stores	(5942)
20.	Breweries (limited to a maximum of 5,000 sq. ft.)	(2082)
21.	Business Associations	(8611)
22.	Business Consulting Services, not elsewhere classified	(8748)
23.	Camera and Photographic Supply Stores	(5946)
24.	Candy, Nut and Confectionery Stores	(5441)

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

25.	Carpet and Upholstery Cleaning	(7217)
26.	Civic, Social and Fraternal Associations	(8641)
27.	Clothing and Accessory Stores, Men's and Boy's	(5611)
28.	Clothing Stores, Women's	(5621)
29.	Collection Services	(7322)
30.	Commodity Contracts Brokers and Dealers	(6221)
31.	Commercial Art and Graphic Design	(7336)
32.	Commercial Photography	(7335)
33.	Commercial Economic, Sociological and Educational Research	(8732)
34.	Computer and Computer Software Stores	(5734)
35.	Computer Facilities Management Services	(7376)
36.	Computer Maintenance and Repair	(7378)
37.	Computer Processing and Data Preparation Services	(7374)
38.	Computer Programming services	(7371)
39.	Computer Rental and Leasing	(7377)
40.	Credit Reporting Services	(7323)
41.	Credit Unions, Federal	(6061)
42.	Credit Unions, State: not federally chartered	(6062)
43.	Dairy Products Stores	(5451)
44.	Data Processing Consultants	(7379)
45.	Dance Studios, Schools and Halls	(7911)
46.	Data Processing Services	(7374)
47.	Dental Laboratories	(8072)
48.	Dentist Office/Clinic	(8021)
49.	Department Stores	(5311)
50.	Direct mail advertising service	(7331)
51.	Direct Selling Establishments	(5963)
52.	Doctors - Medicine Offices and Clinics	(8011)
53.	Doctors - Osteopathy Offices and Clinics	(8031)
54.	Doctors - Chiropractors Offices and Clinics	(8041)
55.	Dog Grooming	(0752)
56.	Drapery, Curtain and Upholstery Stores	(5714)
57.	Drinking Places (Alcoholic Beverages); Bottle Clubs and Cabarets are not permitted	(5813)
58.	Drug Stores	(5912)
59.	Dwelling Units - Multi-family and Townhouse, above retail or office uses	

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

60.	Eating Places, no outdoor dining may be located on the easternmost MU tract adjacent to Bent Creek Preserve PUD.	(5812)
61.	Engineering services: industrial, civil, electrical, mechanical, marine and design	(8711)
62.	Executive Offices	(9111)
63.	Executive and Legislative Offices Combined	(9131)
64.	Fire, Marine and Casualty Insurance Services	(6331)
65.	Florists	(5992)
66.	Food Stores, Miscellaneous	(5411, 5499)
67.	Foreign Branches and Agencies of Banks	(6081)
68.	Foreign Trade and International Banking Institutions	(6082)
69.	Funeral home or parlor	(7261)
70.	Garment Pressing, and Agents for Dry Cleaners	(7212)
71.	Gasoline Service Stations	(5541)
72.	General Automotive Repair Shops	(7538)
73.	General Government, not elsewhere classified	(9199)
74.	General Merchandise Stores (including warehouse clubs and discount retail superstores)	(5311-5399)
75.	Gift, Novelty and Souvenir Shops	(5947)
76.	Hair weaving or Replacement Services	(7299)
77.	Hardware Store	(5251)
78.	Health practitioners - not elsewhere classified	(8049)
79.	Hobby, Toy and Games Shops	(5945)
80.	Home health care services	(8082)
81.	Home Furniture and Furnishings Stores	(5712 – 5719)
82.	Household Appliance Stores	(5722)
83.	Hospital and Medical Service Plans	(6324)
84.	Information Retrieval Services	(7375)
85.	Insurance Carriers, not elsewhere classified	(6399)
86.	Investment Advice	(6282)
87.	Jewelry Stores	(5944)
88.	Land Subdividers and Developers	(6552)
89.	Landscape architects, consulting and planning	(0781)
90.	Laundries (Coin Operated) and Dry-cleaning	(7215)
91.	Legal services	(8111)
92.	Libraries (except regional libraries)	(8231)
93.	Life Insurance	(6311)
94.	Liquor Stores	(5921)
95.	Loan brokers	(6163)

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

96.	Luggage and Leather Goods Stores	(5948)
97.	Lumber and Other Building Materials Dealers (including home improvement superstores)	(5211)
98.	Management Services	(8741)
99.	Management Consulting Services	(8742)
100.	Markets, Meat and Fish (Seafood) Markets	(5421)
101.	Markets, Fruit and Vegetable Markets	(5431)
102.	Medical Equipment Rental and Leasing	(7352)
103.	Medical Laboratories	(8071)
104.	Membership Organizations, not elsewhere classified	(8699)
105.	Membership Warehouse Clubs with Gas and Liquor	(No SIC)
106.	Miniwarehouse/self-storage (indoor air conditioned only)	(4225)
107.	Miscellaneous amusement and recreational services not elsewhere classified. Only judo instruction, karate instruction, moped rental, motorcycle rental, rental of bicycles, scuba and skin diving instruction are permitted	(7999)
108.	Miscellaneous Business Credit Institutions	(6159)
109.	Miscellaneous Home Furnishings Stores	(5719)
110.	Miscellaneous personal services, not elsewhere classified excluding massage parlors, steam baths, tattoo parlors and Turkish baths. Day spas are permitted.	(7299)
111.	Miscellaneous Retail Stores, not elsewhere classified	(5999)
112.	Mortgage Bankers and Loan Correspondents	(6162)
113.	Motion Picture Theaters	(7832)
114.	Musical Instrument Stores	(5736)
115.	News Dealers and Newsstands	(5994)
116.	Nondeposit Trust Facilities	(6091)
117.	Optical Goods Stores	(5995)
118.	Optometrists - offices and clinics	(8042)
119.	Paint, Glass and Wallpaper Stores	(5231)
120.	Pension, Health and Welfare Funds	(6371)
121.	Personal Credit Institutions	(6141)
122.	Photocopying and Duplicating Services	(7334)
123.	Photographic Studios, Portrait	(7221)
124.	Photofinishing Laboratories	(7384)
125.	Physical Fitness Facilities	(7991)
126.	Podiatrists - offices and clinics	(8043)
127.	Political Organizations	(8651)

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

128.	Professional Membership Organizations	(8621)
129.	Professional Sports Clubs and Promoters, indoor only	(7941)
130.	Public Relations Services	(8743)
131.	Radio, Television and Consumer Electronics Stores	(5731)
132.	Radio, Television and Publishers Advertising Representatives	(7313)
133.	Real Estate Agents and Managers	(6531)
134.	Record and Prerecorded Tape Stores; adult video rental or sales prohibited	(5735)
135.	Religious Organizations	(8661)
136.	Repair Shops and Related Services, not elsewhere classified	(7699)
137.	Retail Nurseries, Lawn and Garden Supply Stores	(5261)
138.	Secretarial and Court Reporting Services	(7338)
139.	Security Brokers, Dealers and Flotation Companies	(6211)
140.	Security and Commodity Exchanges	(6231)
141.	Services Allied with the Exchange of Securities or Commodities, not elsewhere classified	(6289)
142.	Sewing, Needlework and Piece Goods Stores	(5949)
143.	Shoe Repair Shops and Shoeshine Parlors	(7251)
144.	Short-Term Business Credit Institutions, except agricultural	(6153)
145.	Social Services, Individual and Family (activity centers, elderly or handicapped only; day care centers for adult and handicapped only)	(8322)
146.	Sporting Goods Stores and Bicycle Shops	(5941)
147.	Stationery Stores	(5943)
148.	Stores, Children's and Infants Wear	(5641)
149.	Stores, Family Clothing	(5651)
150.	Stores, Miscellaneous Apparel and Accessory	(5699)
151.	Stores, Shoes	(5661)
152.	Stores, Women's Accessory and Specialty	(5632)
153.	Surety Insurance	(6351)
154.	Surveying Services	(8713)
155.	Tanning Salons	(7299)
156.	Tax Return Preparation Services	(7291)
157.	Tire retreading and repair shops, tire repair only	(7534)
158.	Title Abstract Offices	(6541)
159.	Title Insurance	(6361)
160.	Tobacco Stores and Stands	(5993)
161.	Travel Agencies (no other transportation services)	(4724)

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

162.	Tutoring	(8299)
163.	Used Merchandise Stores (excluding pawn shops)	(5932)
164.	Veterinary services for animal specialties	(0742)
165.	Video Tape Rental, adult video rental or sales prohibited	(7841)
166.	Watch, Clock and Jewelry Repair	(7631)
167.	Any other principal use, which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals ("BZA") or the Hearing Examiner.	

B. Accessory Uses:

1. Uses and structures that are accessory and incidental to the permitted uses within this MPUD document.

2. Water management facilities to serve the project such as lakes.

3. Open space uses and structures such as, but not limited to, boardwalks, nature trails, gazebos and picnic areas.

4. Any other accessory and related use that is determined to be comparable in nature with the foregoing uses and consistent with the permitted accessory uses of this MPUD as determined by the BZA or the Hearing Examiner.

RESIDENTIAL:

A. Principal Uses:

1. Dwelling Units - Multi-family and Townhouse

2. Model homes / model sales or leasing offices

3. Any other principal use, which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals ("BZA") or the Hearing Examiner.

B. Accessory Uses:

1. Accessory uses and structures customarily associated with the principal uses permitted in this MPUD, including but not limited to garages, carports, swimming pools, spas and screen enclosures.
2. Water management facilities to serve the project such as lakes.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

3. Any other accessory and related use that is determined to be comparable in nature with the foregoing uses and consistent with the permitted accessory uses of this MPUD as determined by the BZA or the Hearing Examiner.

C. Amenity Area:

1. Principal Uses:

a. Clubhouses, community administrative facilities and recreational facilities intended to serve residents and guests, including leasing and construction offices.

b. Any other principal use, which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals ("BZA") or the Hearing Examiner.

2. Accessory Uses:

a. Accessory uses and structures customarily associated with the principal uses permitted in this MPUD, including but not limited to swimming pools and spas.

b. Water management facilities to serve the project such as lakes.

c. Open space uses and structures such as, but not limited to, boardwalks, nature trails, gazebos and picnic areas.

d. Any other accessory and related use that is determined to be comparable in nature with the foregoing uses and consistent with the permitted accessory uses of this MPUD as determined by the BZA or the Hearing Examiner.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

EXHIBIT B

BAUMGARTEN MPUD
DEVELOPMENT STANDARDS

The tables below set forth the development standards for land uses within the Baumgarten MPUD. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of approval of the SDP or subdivision plat.

I. MIXED-USE:

	PRINCIPAL USES		ACCESSORY USES	
MINIMUM LOT AREA	10,000 Sq. Ft.		N/A	
AVERAGE LOT WIDTH	100 ft.		N/A	
MINIMUM YARDS (External)				
From Immokalee Road ROW	25 ft.		SPS	
From Collier Boulevard ROW	25 ft.		SPS	
From Eastern Project Boundary***	50 ft.		15 ft	
From Southern Project Boundary	200 ft. Minimum		200 ft. Minimum	
MINIMUM YARDS (Internal)				
Internal Drives/ROW	10 ft.		10 ft	
Rear	10 ft.		10 ft.	
Side	10 ft.		10 ft.	
Lakes (measured from control elevation)	25 ft.		20 ft.*	
Preserve	25 ft.		10 ft.	
MIN. DISTANCE BETWEEN STRUCTURES	1/2 the sum of building heights		10 Ft.	
MAXIMUM HEIGHT* **	**ZONED**	**ACTUAL**	**ZONED**	**ACTUAL**
Retail Buildings	45 ft.	65 ft.	35 ft.	45 ft.
Office Buildings and Hotel/Motel	55 ft.	65 ft.	35 ft.	45 ft.
MINIMUM FLOOR AREA (ground floor)	1,000 sq. ft. **		N/A	
MAXIMUM GROSS COMMERCIAL AREA	270,000 sq. ft.		N/A	

* No structure may be located closer than 20 feet to the control elevation of a lake (allowing for the required minimum 20-foot wide lake maintenance easement).

** Per principal structure. Kiosk vendor, concessions, and temporary or mobile sales structures shall be permitted to have a minimum floor area of twenty-five (25) square feet and shall be subject to the accessory structure standards set forth in the LDC.

*** Any building exceeding 50 feet in height shall increase its setback by one foot for each one feet exceeding 50 feet of zoned height from the eastern PUD boundary. No dumpster enclosure permitted within 105 feet of the eastern PUD boundary.

Note: Residential dwellings may be constructed above retail or office use.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

II. RESIDENTIAL:

PRINCIPAL STRUCTURE *6	TOWNHOUSE (PER UNIT)	MULTI-FAMILY	AMENITY AREA *4
Minimum Lot Area	1,440 SF	43,560 SF	N/A
Minimum Lot Width	18 feet	N/A	N/A
Minimum Lot Depth	80 feet	N/A	N/A
Minimum Front Yard Setback	20 feet *2	20 feet *2	15 feet
Minimum Side Yard Setback	0/10 feet *1	0/10 feet *1	15 feet
Minimum Rear Yard Setback	15 feet	15 feet	15 feet
Minimum Preserve Setback	25 feet	25 feet	25 feet
Minimum PUD Boundary Setback	105 feet	105 feet	105 feet *5
Maximum Building Height Zoned Actual	 45 feet 50 feet	 55 feet 65 feet	 25 feet 35 feet
Minimum Distance Between Buildings	20 feet	20 feet	N/A
Floor Area Minimum, per unit	750 SF	684 SF	N/A
ACCESSORY STRUCTURES *6			
Minimum Front Yard Setback *2	15 feet	15 feet	10 feet
Minimum Side Yard Setback	10 feet	10 feet	10 feet
Minimum Rear Yard Setback *3	10 feet	10 feet	10 feet
Minimum Preserve Setback	10 feet	10 feet	10 feet
Minimum PUD Boundary Setback	15 feet	15 feet	15 feet*7
Minimum Distance Between Buildings	0/10 feet	0/10 feet	N/A
Maximum Height Zoned Actual	 35 feet 40 feet	 35 feet 40 feet	 25 feet 30 feet

SPS – Same as Principal Structure

BH – Building Height (zoned height)

*1 – Minimum separation between adjacent dwelling units, if detached, shall be 10'.

*2 – Front yards shall be measured from back of curb (if curbed) or edge of pavement (if not curbed) for private streets or drives, and from ROW line for any public roadway. Single-family front entry garages shall have a 23' setback from back of sidewalk.

*3 – All landscape Buffer Easements and/or Lake Maintenance Easements shall be located within open space tracts or lake tracts and not be within a residential lot. Where a home site abuts a Landscape Buffer Easement or Lake Maintenance Easement within open space tracts or lake tracts, the accessory structure setback on the residential lot may be reduced to zero (0) feet where it abuts the easement.

*4 – When not located in a residential building within the "R" tract.

*5 – Does not apply to passive recreational uses such as trails/pathways.

*6 - Community structures such as guardhouses, gatehouses, fences, walls, columns, decorative architectural features, streetscape, passive parks and access control structures shall have no required setback, except as listed below, and are permitted throughout the "R" designated areas of the PUD; however such structures shall be located such that they do not cause vehicular stacking into the road right-of-way or create site distance issues for motorists and pedestrians.

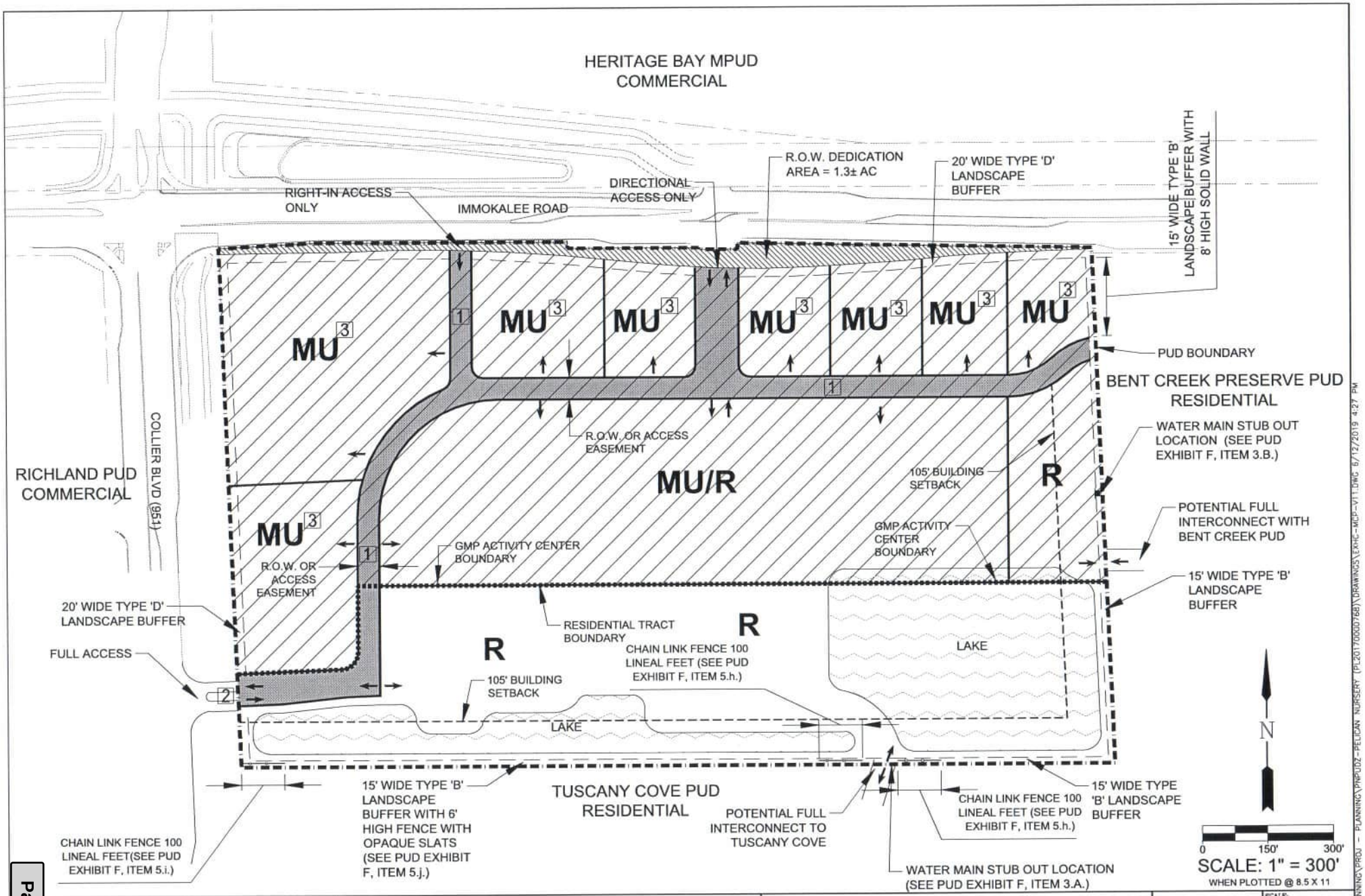
*7 – No swimming pool or dumpster enclosure may be located within 105 feet of the southern or eastern PUD boundary.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

Maximum Height for Guardhouses/Gatehouses:
Zoned: 25'
Actual: 30'

Note: nothing in this MPUD Document shall be deemed to approve a deviation from the LDC unless it is expressly stated in a list of deviations.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))



LEGEND

= DEVIATION

ACTIVITY CENTER LIMITS

GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects

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

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

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

BAUMGARTEN MPUD

EXHIBIT C
MASTER PLAN
REVISED 06/12/2019

SCALE: 1" = 300'
JOB CODE: PNPUDZ
DATE: MAY 2017
FILE NAME: EXHC-MCP-V11
SHEET 1 OF 2

Packet Pg. 431

3.E.b

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

SITE SUMMARY

TOTAL SITE AREA: 55.66± ACRE

MIXED USE (MU)	20± AC (36%)
MIXED USE OR RESIDENTIAL (MU/R)	14± AC (25%)
RESIDENTIAL (R)	10± AC (18%)
AMENITY AREA (IN R AREA)	0.5± AC (1%)
WATER MANAGEMENT	8± AC (15%)
ROW DEDICATION AREA	1.3± AC (2%)
BUFFERS	1.86± AC (3%)

RESIDENTIAL: MAXIMUM 400 DWELLING UNITS

COMMERCIAL: MAXIMUM 270,000 S.F.

OPEN SPACE:

REQUIRED: 30%

PROVIDED: 30%

DEVIATIONS (APPLIES TO ENTIRE PROJECT, SEE EXHIBIT E)

1. STREET SYSTEM REQUIREMENTS AND APPENDIX B
2. DIRECTORY SIGNS
3. GROUND SIGNS

NOTES

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MINOR MODIFICATION DUE TO AGENCY PERMITTING REQUIREMENTS.
2. THE SITE CONTAINS NO NATIVE VEGETATION COMMUNITIES AND NO ORIGINAL NATIVE TREES REMAIN; THEREFORE NO NATIVE VEGETATION PRESERVATION IS REQUIRED.

LEGEND

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

BAUMGARTEN MPUD

EXHIBIT C
MASTER PLAN NOTES
REVISED 05/16/2019

SCALE: 1" = 300'
JOB CODE: PHPUDZ
DATE: MAY 2017
FILE NAME: EXHC-MCP-V10
SHEET 2 OF 2

...ES\PLANNING\PROJ - PLANNING\PHPUDZ-PELICAN NURSERY (PL20170000768)\DRAWINGS\EXHC-MCP-V10.DWG 5/16/2019 2:36 PM

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

EXHIBIT D

BAUMGARTEN MPUD
LEGAL DESCRIPTION

PARCEL 1 (PARCEL NO. 00192920001):

THE NW 1/4 OF THE NW 1/4, SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LESS THE NORTH 100 FEET PREVIOUSLY CONVEYED FOR ROAD RIGHT-OF-WAY AND LESS RIGHT OF WAY DESCRIBED IN O.R. BOOK 2568, PAGE 1176 AND LESS RIGHT OF WAY DESCRIBED IN O.R. BOOK 3328, PAGE 1487, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

PARCEL 2 (PARCEL NO. 00192360001):

THE WEST 60% OF THE NE 1/4 OF THE NW 1/4, SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LESS THE NORTH 100 FEET PREVIOUSLY CONVEYED FOR ROAD RIGHT-OF-WAY AND LESS ROAD RIGHT-OF-WAY DESCRIBED IN O.R. BOOK 3328, PAGE 1487, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

THE ABOVE DESCRIBED LANDS BEING SUBJECT TO THE TERMS OF THAT BOUNDARY LINE AGREEMENT RECORDED IN OFFICIAL RECORD BOOK 2228, PAGE 1540, COLLIER COUNTY, FLORIDA, AND SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OR PARCEL OF LAND LYING IN SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA,
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 26, THENCE S.89°58'37"E. ALONG THE NORTH LINE OF SAID SECTION 26, A DISTANCE OF 105.55 FEET; THENCE S.00°01'23"W. DEPARTING SAID NORTH LINE, A DISTANCE OF 136.96 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF IMMOKALEE ROAD AND THE POINT OF BEGINNING.
FROM SAID POINT OF BEGINNING, THENCE RUN ALONG SAID SOUTH RIGHT-OF-WAY THE FOLLOWING NINE (9) COURSES:

1. N.86°54'32"E., A DISTANCE OF 220.75 FEET,
2. S.89°58'57"E., A DISTANCE OF 585.17 FEET,
3. S.00°01'25"W., A DISTANCE OF 15.00 FEET,
4. S.89°58'25"E., A DISTANCE OF 301.91 FEET,
5. S.00°01'35"W., A DISTANCE OF 3.94 FEET,
6. S.89°58'25"E., A DISTANCE OF 89.97 FEET,
7. N.00°01'25"E., A DISTANCE OF 15.00 FEET,
8. S.88°54'04"E., A DISTANCE OF 22.92 FEET,
9. S.88°54'04"E., A DISTANCE OF 793.22 FEET;

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

TO AN INTERSECTION WITH THE WEST BOUNDARY LINE OF THE PLAT OF BENT CREEK PRESERVE, AS RECORDED IN PLAT BOOK 55, PAGE 61, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE S.02°16'43"E. DEPARTING SAID SOUTH RIGHT-OF-WAY ALONG SAID WEST BOUNDARY LINE, A DISTANCE OF 1,194.23 FEET TO AN INTERSECTION WITH THE NORTH BOUNDARY LINE OF THE PLAT OF TUSCANY COVE, AS RECORDED IN PLAT BOOK 42, PAGE 15, OF SAID PUBLIC RECORDS; THENCE N.89°59'25"W. ALONG SAID NORTH LINE, A DISTANCE OF 2,013.46 FEET TO AN INTERSECTION WITH THE EAST LINE OF A 100 FOOT WIDE CANAL RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK 12, PAGE 348, OF SAID PUBLIC RECORDS; THENCE N.02°15'50"W., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1,201.93 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 00192920001 CONTAINS 33.82 ACRES, MORE OR LESS.
PARCEL NO. 00192360001 CONTAINS 21.84 ACRES, MORE OR LESS.
TOTAL PARCEL CONTAINS 55.66 ACRES, MORE OR LESS.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

EXHIBIT E

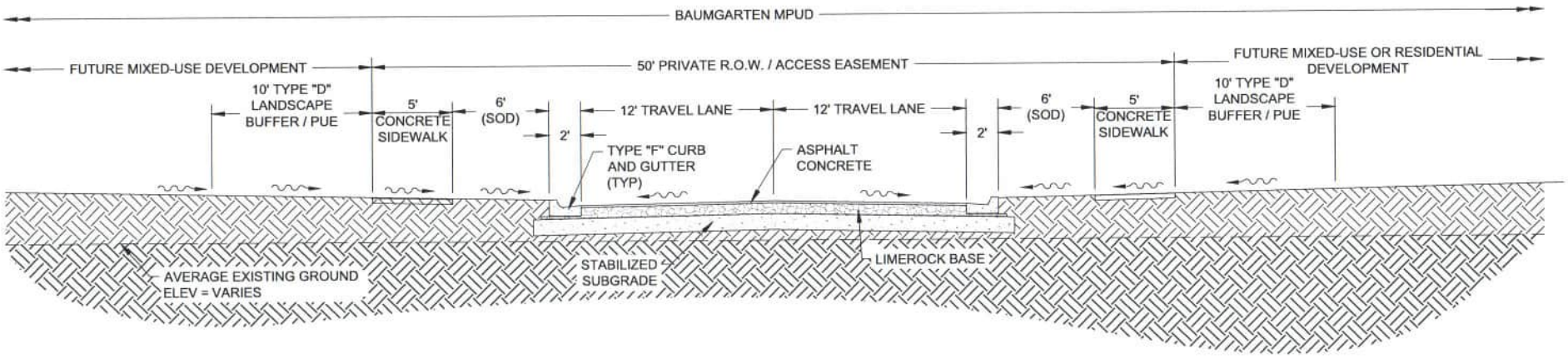
BAUMGARTEN MPUD
DEVIATIONS FROM THE LDC

DEVIATION 1: From LDC Section 6.06.01. – "Street System Requirements" and "Appendix B, Typical Street Sections and Right-of-Way Design Standards". The LDC establishes a minimum 60-foot right of way width for local streets. This deviation proposes to instead allow for private roads within the site to be located in a 50-foot wide access easement or Right-of-Way, as shown on the Master Plan and in Exhibit E1, Deviation #1 Cross Section.

DEVIATION 2: From LDC Section 5.06.04.F.3, "Directory Signs", which requires a Directory Sign to be a maximum of 20 feet in height and a maximum of 200 square feet, to instead allow the Directory Sign located at the Collier Boulevard entrance to the MPUD to be a maximum of 25 feet in height and a maximum of 250 square feet in size.

DEVIATION 3: From LDC Sections 5.06.04.F1 and 5.06.04.F.2, "Ground Signs", which allows each outparcel to have a single ground sign along a public street, to instead allow outparcels and individual free standing uses within the MPUD to have one additional ground sign that is oriented to the internal private by-pass driveway (labeled as R.O.W or access easement on the Master Plan) that is provided for in the MPUD.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))



LEGEND

GradyMinor
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Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266
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G. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

BAUMGARTEN MPUD

EXHIBIT E1
DEVIATION #1 CROSS SECTION
REVISED 03/11/2019

SCALE: 1" = 10'
JOB CODE: PNPUDZ
DATE: JULY 2017
FILE NAME: EXHC-MCP-V6
SHEET 1 OF 1

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

EXHIBIT F

BAUMGARTEN MPUD
DEVELOPMENT COMMITMENTS

1. PUD MONITORING

One entity (hereinafter the Managing Entity) shall be responsible for PUD monitoring until close-out of the PUD, and this entity shall also be responsible for satisfying all PUD commitments until close-out of the PUD. At the time of this PUD approval, the Managing Entity is BCHD Partners II, LLC, 2600 Golden Gate Parkway, Naples, FL 34105. Should the Managing Entity desire to transfer the monitoring and commitments to a successor entity, then it must provide a copy of a legally binding document that needs to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of its obligations upon written approval of the transfer by County staff, and the successor entity shall become the Managing Entity. As Owner and Developer sell off tracts, the Managing Entity shall provide written notice to County that includes an acknowledgement of the commitments required by the PUD by the new owner and the new owner's agreement to comply with the Commitments through the Managing Entity, but the Managing Entity shall not be relieved of its responsibility under this Section. When the PUD is closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD commitments.

2. MISCELLANEOUS

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

b. 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.

c. Parking lot lighting shall be dark sky compliant (flat panel, full cut off fixtures—BUG rating where U = 0) to avoid light spill onto adjacent properties. Fixtures within 50-ft of residential properties along the PUD boundary shall be set at no higher than a 15-ft mounting height. Otherwise the site light poles shall not exceed a 25-ft mounting height. Light levels along the PUD boundary shall be limited to no more than 0.2-ft-candles along the joint property line where adjacent to residential property (i.e. not applicable to Collier Blvd and Immokalee Rd). However light levels at

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

interconnections identified on the Master Plan may be standard lighting for residential development.

3. UTILITIES

a. As part of the subdivision plat approval or SDP for the residential portion of the PUD, the owner shall provide a water main stub-out to the southern property line of the PUD, at the interconnect location shown on the PUD Master Plan, in a location determined by the owner and approved by the County. A County Utility Easement will be conveyed by owner to County at no cost to the County for the water main stub-out and shall be shown on the recorded plat or recorded by separate instrument prior to preliminary acceptance of utilities. The stub-out shall be sized to supply fire flow to the PUD under maximum day conditions, as required by Collier County Design Criteria in the Collier County Water-Sewer District Utilities Standards Manual, as adopted by Ordinance 2004-31, as amended, and as further amended by Resolution No. 2014-258, or its successor resolution. This stub-out will not be required if the residential tract is master metered.

b. As part of the subdivision plat approval or SDP for the residential portion of the PUD, the owner shall provide a water main stub-out to the eastern property line of the PUD, at the location of the terminus of Glenforest Drive within the Bent Creek Preserve RPUD. A County Utility Easement will be conveyed by owner to County at no cost to the County for the water main stub-out and shall be shown on the recorded plat or recorded by separate instrument prior to preliminary acceptance of utilities. The stub-out shall be sized to supply fire flow to the PUD under maximum day conditions, as required by Collier County Design Criteria in the Collier County Water-Sewer District Utilities Standards Manual, as adopted by Ordinance 2004-31, as amended, and as further amended by Resolution No. 2014-258, or its successor resolution. This stub-out will not be required if the residential tract is master metered.

4. TRANSPORTATION

a. The maximum net external trip generation for the PUD shall not exceed 1,159 two-way PM peak hour trips as a mixed-use commercial/residential project (internal capture and pass by trips deducted). The trips will be based on the applicable land use codes in the Institute of Transportation Engineers (ITE) Trip Generation Manual in effect at the time of application for Site Development Plan (SDP), or Plat and Construction Plan (PPL) approval.

b. As a part of the first application for Site Development Plan or Plat for construction of the development an operational Transportation Impact Statement will be provided that includes the entire development (highest and best use) for review and approval by Collier County Transportation staff which will be updated/revised with each subsequent SDP or Plat application until the build-out condition is achieved.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

5. SPECIAL CONDITIONS

a. No adult orientated sales are permitted.

b. For commercial uses, outdoor music and televisions shall be limited to the areas that are a minimum of 500 feet from the southern and eastern PUD boundaries. There will be no outdoor amplified sound between the hours of 10 p.m. and 8 a.m. weekdays and 12 a.m. and 8 a.m. on weekends. There will be no outdoor dining on the MU Tract adjacent to Bent Creek Preserve PUD.

c. Dumpsters shall be oriented as far away from residential units as possible.

d. Delivery bays shall not abut external residential development.

e. Service bays related to automobile service and repair shall be located so that they do not face any external residential district within 1500 feet.

f. All pole lighting located in Amenity Areas shall be limited to flat full cutoff shields.

g. Residential Amenity Area – no amplified sound after 10:00 p.m. and no lighted recreational facilities, other than low illumination ground mounted light, after 10:00 p.m.

h. Pedestrian and vehicular interconnection to Tuscany Cove shall be gated and six foot high, chain link fencing shall be extended 100 lineal feet on each side of the gated access prior to the first Certificate of Occupancy for the residential dwelling units adjacent to the southern PUD boundary.

i. 100 lineal feet of six foot high, chain link fencing shall be installed near the southwest portion of the site as shown on the Master Plan prior to the first Certificate of Occupancy for the residential dwelling units adjacent to the southern PUD boundary.

j. As part of the initial project site work, the developer shall install the berm and perimeter landscape buffers along the southern and eastern PUD boundaries. The southern perimeter landscape buffer shall include a 6-foot high fence with opaque slats. Within the southern landscape buffer, the developer shall provide supplemental landscape plantings meeting the type C landscape buffer canopy tree requirement where the Tuscany Cove landscape buffer has missing canopy trees. This supplement planting shall occur within the Baumgarten PUD's 15-foot wide landscape buffer.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 17, 2019

Ms. Ann Jennejohn, Senior Deputy Clerk
Office of the Clerk of the Circuit Court
& Comptroller of Collier County
3299 Tamiami Trail, Suite #401
Naples, Florida 34112-5324

Dear Ms. Jennejohn:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 19-11, which was filed in this office on June 17, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270
www.dos.state.fl.us

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

HEX NO. 2020-15

HEARING EXAMINER DECISION

DATE OF HEARING.

September 24, 2020

PETITION.

PETITION NO. MPUD PL20200000048 Baumgarten MPUD - Request for an insubstantial change to the Baumgarten Planned Unit Development (PUD) by seeking deviations from LDC Sections 5.05.05 B.1., 5.05.05. D.2.a., and 5.05.05. D.2.b. "Facilities with Fuel Pumps" and LDC Sections 5.06.02.B.14, 5.06.02.B.14.a. and 5.06.02.B.14.b. "Boundary Marker Sign," LDC Section 5.06.04.F.2.b., "Outparcels-Ground Signs" and LDC Section 5.06.04. F.3., "Directory Signs" and modifying previously approved Deviation #3. The subject PUD is 55.66± acres located at the southeast quadrant of Immokalee Road and Collier Boulevard, in Section 26, Township 48 South, Range 26 East, Collier County, Florida.

STAFF RECOMMENDATION.

Approval with conditions.

FINDINGS.

1. The public hearing for this Petition was properly noticed and conducted in accordance with all County and state requirements.

2. The public hearing was conducted electronically and in-person in accordance with Emergency/Executive Order 2020-04.

3. The Petitioner and/or Petitioner's representative executed the Hybrid Virtual Quasi-Judicial Public Hearing Waiver related to conducting the public hearing electronically and in-person.

4. The Petitioner and/or Petitioner's representative presented the Petition, followed by County staff and then public comment.

ANALYSIS.

Based on a review of the record including the Petition, application, exhibits, the County's staff report, and hearing comments and testimony from the Petitioner and/or the Petitioner's representative(s), County staff and any given by the public, the Hearing Examiner finds that there is sufficient competent, substantial evidence as applied to the criteria set forth in Section 10.02.13.E.1 of the Land Development Code to approve Petition.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

DECISION.

The Hearing Examiner hereby APPROVES Petition Number PDI-PL202000000048, filed by Richard D. Yovanovich, Esq. of Coleman, Yovanovich and Koester, P.A. representing D. Wayne Arnold, AICP of Q. Grady Minor and Associates, P.A., with respect to the property as described Ordinance Number 2019-11, 55.66± acres, located at the southeast quadrant of Immokalee Road and Collier Boulevard, in Section 26, Township 48, Range 26, Collier County, Florida, for the following:

- An insubstantial change to the Baumgarten Planned Unit Development (PUD) by seeking deviations from LDC Sections 5.05.05 B.1., 5.05.05. D.2.a., and 5.05.05. D.2.b. "Facilities with Fuel Pumps" and LDC Sections 5.06.02.B.14, 5.06.02.B.14.a. and 5.06.02.B.14.b. "Boundary Marker Sign," LDC Section 5.06.04.F.2.b., "Outparcels-Ground Signs" and LDC Section 5.06.04. F.3., "Directory Signs" and modifying previously approved Deviation #3.

Said changes are subject to the condition(s) set forth below.

ATTACHMENTS.

Exhibit A – None.

LEGAL DESCRIPTION.

See Ordinance Number 2019-11, 55.66± acres, located at the southeast quadrant of Immokalee Road and Collier Boulevard, in Section 26, Township 48, Range 26, Collier County, Florida.

CONDITIONS.

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

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.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

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.

October 7, 2020
Date

Andrew Dickman, Esq., AICP
Hearing Examiner

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

HEX NO. 2020-27

CORRECTIVE HEARING EXAMINER DECISION
(To Correct Scrivener's Error in Hex No. 2020-15)

DATE OF HEARING.

This CORRECTIVE DECISION is approved on December 2, 2020, in order to correct a scrivener's error in HEX Decision No. 2020-15, wherein the exhibits to the decision were inadvertently not included.

PETITION.

PETITION NO. MPUD PL20200000048 Baumgarten MPUD - Request for an insubstantial change to the Baumgarten Planned Unit Development (PUD) by seeking deviations from LDC Sections 5.05.05 B.1., 5.05.05. D.2.a., and 5.05.05. D.2.b. "Facilities with Fuel Pumps" and LDC Sections 5.06.02.B.14, 5.06.02.B.14.a. and 5.06.02.B.14.b. "Boundary Marker Sign," LDC Section 5.06.04.F.2.b., "Outparcels-Ground Signs" and LDC Section 5.06.04. F.3., "Directory Signs" and modifying previously approved Deviation #3. The subject PUD is 55.66± acres located at the southeast quadrant of Immokalee Road and Collier Boulevard, in Section 26, Township 48 South, Range 26 East, Collier County, Florida.

STAFF RECOMMENDATION.

Approval with conditions.

FINDINGS.

1. The public hearing for this Petition was properly noticed and conducted in accordance with all County and state requirements.

2. The public hearing was conducted electronically and in-person in accordance with Emergency/Executive Order 2020-04.

3. The Petitioner and/or Petitioner's representative executed the Hybrid Virtual Quasi-Judicial Public Hearing Waiver related to conducting the public hearing electronically and in-person.

4. The Petitioner and/or Petitioner's representative presented the Petition, followed by County staff and then public comment.

ANALYSIS.

Based on a review of the record including the Petition, application, exhibits, the County's staff report, and hearing comments and testimony from the Petitioner and/or the Petitioner's representative(s), County staff and any given by the public, the Hearing Examiner finds that there

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

is sufficient competent, substantial evidence as applied to the criteria set forth in Section 10.02.13.E.1 of the Land Development Code to approve Petition.

DECISION.

The Hearing Examiner hereby APPROVES Petition Number PDI-PL202000000048, filed by Richard D. Yovanovich, Esq. of Coleman, Yovanovich and Koester, P.A. representing D. Wayne Arnold, AICP of Q. Grady Minor and Associates, P.A., with respect to the property as described Ordinance Number 2019-11, 55.66± acres, located at the southeast quadrant of Immokalee Road and Collier Boulevard, in Section 26, Township 48, Range 26, Collier County, Florida, for the following:

- An insubstantial change to the Baumgarten Planned Unit Development (PUD) by seeking deviations from LDC Sections 5.05.05 B.1., 5.05.05. D.2.a., and 5.05.05. D.2.b. "Facilities with Fuel Pumps" and LDC Sections 5.06.02.B.14, 5.06.02.B.14.a. and 5.06.02.B.14.b. "Boundary Marker Sign," LDC Section 5.06.04.F.2.b., "Outparcels-Ground Signs" and LDC Section 5.06.04. F.3., "Directory Signs" and modifying previously approved Deviation #3.

Said changes are subject to the condition(s) set forth below.

ATTACHMENTS.

Exhibit A – Baumgarten MPUD Master Plan Revised 4/1/20
Exhibit B - Baumgarten MPUD Deviations from the LDC

LEGAL DESCRIPTION.

See Ordinance Number 2019-11, 55.66± acres, located at the southeast quadrant of Immokalee Road and Collier Boulevard, in Section 26, Township 48, Range 26, Collier County, Florida.

CONDITIONS.

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

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.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

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.

December 2, 2020
Date

Andrew Dickman, Esq., AICP
Hearing Examiner

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

EXHIBIT "A"

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

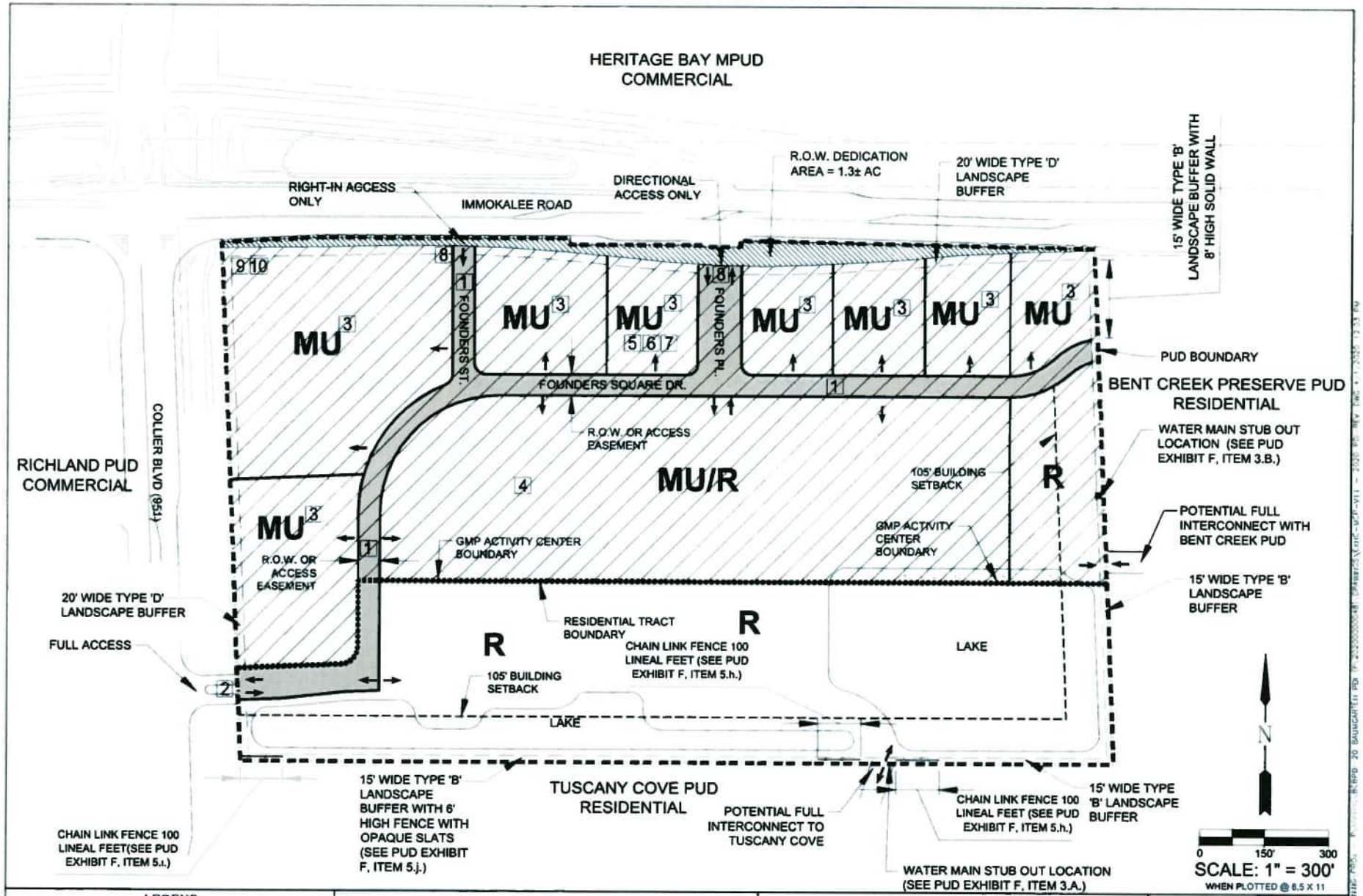


EXHIBIT "A"

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

SITE SUMMARY

TOTAL SITE AREA: 55.66± ACRE

MIXED USE (MU)	20± AC (36%)
MIXED USE OR RESIDENTIAL (MU/R)	14± AC (25%)
RESIDENTIAL (R)	10± AC (18%)
AMENITY AREA (IN R AREA)	0.5± AC (1%)
WATER MANAGEMENT	8± AC (15%)
ROW DEDICATION AREA	1.3± AC (2%)
BUFFERS	1.86± AC (3%)

RESIDENTIAL: MAXIMUM 400 DWELLING UNITS

COMMERCIAL: MAXIMUM 270,000 S.F.

OPEN SPACE:
REQUIRED: 30%
PROVIDED: 30%

DEVIATIONS (~~APPLIES TO ENTIRE PROJECT,~~ SEE EXHIBIT E)

1. STREET SYSTEM REQUIREMENTS AND APPENDIX B
2. DIRECTORY SIGNS
3. GROUND SIGNS
4. GROUND SIGNS
5. LANDSCAPING AND MASONRY WALL STANDARDS
6. LANDSCAPING AND MASONRY WALL STANDARDS
7. SITE DESIGN REQUIREMENTS
8. DIRECTORY SIGNS
9. BOUNDARY MARKER SIGN
10. BOUNDARY MARKER SIGN

NOTES

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MINOR MODIFICATION DUE TO AGENCY PERMITTING REQUIREMENTS.
2. THE SITE CONTAINS NO NATIVE VEGETATION COMMUNITIES AND NO ORIGINAL NATIVE TREES REMAIN; THEREFORE NO NATIVE VEGETATION PRESERVATION IS REQUIRED.

LEGEND

GradyMinor
© Grady Minor and Associates, P.A.
Civil Engineers • Land Surveyors • Planners • Landscape Architects
Bonita Springs 239 947 1144 www.GradyMinor.com Fort Myers: 239.690.4380

BAUMGARTEN MPUD

EXHIBIT C
MASTER PLAN NOTES
REVISED 04/01/2020

SCALE: N.T.S.
JOB CODE: BCBPD-20
DATE: JANUARY 2020
FILE NAME: CH2-MCP-V11 - 2020 PD-RE
SHEET 2 OF 2

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

EXHIBIT "B"

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

BAUMGARTEN MPUD
DEVIATIONS FROM THE LDC

DEVIATION 1: From LDC Section 6.06.01. – "Street System Requirements" and "Appendix B, Typical Street Sections and Right-of-Way Design Standards". The LDC establishes a minimum 60-foot right of way width for local streets. This deviation proposes to instead allow for private roads within the site to be located in a 50-foot wide access easement or Right-of-Way, as shown on the Master Plan and in Exhibit E1, Deviation #1 Cross Section.

DEVIATION 2: From LDC Section 5.06.04.F.3, "Directory Signs", which requires a Directory Sign to be a maximum of 20 feet in height and a maximum of 200 square feet, to instead allow the Directory Sign located at the Collier Boulevard entrance to the MPUD to be a maximum of 25 feet in height and a maximum of 250 square feet in size.

DEVIATION 3: From LDC Sections 5.06.04.F1 ~~and 5.06.04.F.2~~, "Ground Signs", which allows each ~~out~~parcel or tract to have a single ground sign along a public street, to ~~instead~~ also allow ~~out~~parcels or tracts and individual free standing uses abutting Collier Boulevard and Immokalee Road within the MPUD to have one additional ground sign that is oriented to the internal private by-pass driveway (labeled as R.O.W or access easement on the Master Plan) that is provided for in the MPUD. The second sign shall be limited to 6 feet in height and 40 square feet in sign area.

DEVIATION 4: Relief from LDC Section 5.06.04.F.2.b, "Outparcels-Ground Signs", which allows each parcel or tract to have a single ground sign along a public street, to also allow platted interior tracts, not adjacent to Immokalee Road or Collier Boulevard, to have a single ground sign along the interior right-of-way or access easement with a maximum height of 8 feet and 60 square feet in sign area.

DEVIATION 5: Relief from from LDC Section 5.05.05.D.2.a, "Facilities with Fuel Pumps" which requires facilities with fuel pumps to be subject to the following standards where located within 250 feet of residentially zoned or residentially developed properties:

a. Facility with fuel pumps sites shall be separated from residential property by a thirty-foot wide landscape buffer and an architecturally designed masonry wall. The masonry wall shall be eight (8) feet in height, centered within the landscape buffer, and shall use materials similar in color, pattern, and

EXHIBIT "B"

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

texture to those utilized for the principal structure. The masonry wall shall be located on top of a berm. The berm shall be constructed and maintained at a height of three (3) feet and a maximum slope of 3:1. The berm shall be planted with ground cover.

This deviation will instead not require this MPUD to provide a wall or berm to be constructed where the facility with fuel pumps is located within 250 feet of any residential building.

Deviation #6: Relief from LDC Section 5.05.05.D.2.b, "Facilities with Fuel Pumps", which requires facilities with fuel pumps to be subject to the following standards where located within 250 feet of residentially zoned or residentially developed properties:

b. Landscaping shall be required on both sides of the masonry wall. On the residential property wall side, a hedgerow consisting of #10 shrubs, spaced three (3) feet on center, and four (4) feet high at planting and five (5) feet high within one year shall be provided. In addition, a row of canopy trees spaced thirty (30) feet on center, and ten (10) feet in height at planting are required. On the facility with fuel pumps wall side, a row of canopy trees, spaced thirty (30) feet on center, and twelve (12) feet in height at planting are required. A hedgerow consisting of #10 shrubs, spaced three (3) feet on center, and four (4) feet high at planting and five (5) feet high within one year shall be provided. Required canopy trees shall be staggered to accommodate the canopy trees on the residential property wall side.

This deviation will instead allow this MPUD to provide a 10-foot wide type 'D' landscape buffer planted with 10-foot-high canopy trees planted 20 feet on center, and a hedge 3 feet in height at installation, which shall be permanently maintained at a minimum height of three feet along the eastern and southern lot boundaries. The deviation is applicable only in the location noted on the PUD Master Plan.

Deviation #7: Relief from LDC Section 5.05.05.B.1 "Facilities with Fuel Pumps", which establishes site design standards for facilities with fuel pumps by requiring any front yard setback to be a minimum of 50 feet, to instead allow a reduction in the required front yard setback to a minimum of 30 feet.

Deviation #8: Relief from LDC Section 5.06.04.F.3, "Directory Signs", which requires Multiple-occupancy parcels or multiple parcels developed under a unified development plan, with a minimum of eight independent units, and containing 20,000 square feet or more of leasable floor area to be permitted one directory sign at one entrance on each public street, to instead allow the directory sign to be

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

relocated so that the directory sign is permitted at the westernmost PUD entrance along Immokalee Road. This sign shall be permitted to include tenant names for "The Pointe" which is currently under review (SDP PL20190001486).

Deviation #9: Relief from LDC Section 5.06.02.B.14, "Boundary Marker sign", which allows residential developments to have one boundary marker sign or monument structure to be located at each property corner, to instead allow a mixed-use project to have one boundary marker sign at a single corner. The boundary marker sign shall include the logo and/or project name.

Deviation #10: Relief from LDC Section 5.06.02.B.14.a. and b., "Boundary Marker sign", which requires that the maximum height is 8 feet to the uppermost portion of the boundary marker structure, and the sign face area may not exceed 24 square feet in area and may not exceed the height or length of the monument or structure upon which it is located, to instead allow the boundary marker sign or sculpture located at the intersection of Immokalee Road and Collier Boulevard to be 10 feet in height with a maximum of 40 square feet in area.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

ORIGINAL DOCUMENTS CHECKLIST & ROUTING SLIP TO ACCOMPANY ALL ORIGINAL DOCUMENTS SENT TO CLERK OF COURT'S OFFICE COLLIER COUNTY HEARING EXAMINER

Route to Addressee(s) (List in routing order)	Office	Initials	Date
Minutes and Records minutesandrecords@collierclerk.com	Clerk of Court's Office	HD	9/24/21

PRIMARY CONTACT INFORMATION

Normally the primary contact is the person who created/prepared the Document. Primary contact information is needed in the event there is a need for additional or missing information.

Name of Primary Contact	Andrew Dickman, Esq. Heather DeSanto, Paralegal	Phone Number 239-434-0840	Alternate Phone Number 239-302-2701
Hearing Examiner Meeting Date	9/9/21	Hearing Petition ID(s)	PDI-PL20210000379
Type of Document Attached	☐ Agenda ☑ Decision ☐ Back-up Documents ☐ Transcript	Number of Original Documents Attached	1
PO number or account number if document is to be recorded	**131-138350-649030**		

INSTRUCTIONS & CHECKLIST

	Use the Check Box in the Yes column or mark "N/A" in the Not Applicable column, whichever is appropriate.	Yes	N/A
1.	Does the decision amend an Ordinance? If yes, Ordinance Number Amended is 19-11	☑	☐
2.	Other than the Hearing Examiner, documents are to be emailed to: Diane.Lynch@colliercountyfl.gov; Patricia.Mill@colliercountyfl.gov		
3.	Has the date for the Hearing Examiner's signature line been entered as the Final Decision date? Original document has been signed/initialed for legal sufficiency?	☑ ☑	☐ ☐
4.	**The final decision is dated** 9/24/21		

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

HEX NO. 2021-42

HEARING EXAMINER DECISION

DATE OF HEARING.

September 9, 2021

PETITION.

PETITION NO. PDI-PL20210000379, Baumgarten PUD Founder's Request for an insubstantial change to Ordinance No. 19-11, as amended, the Baumgarten Mixed Use Planned Unit Development (MPUD), Exhibit B, Section I, Mixed-Use Development Standards, by decreasing the required minimum yard setback from the Eastern Project Boundary from 50 feet to 25 feet, removing the applicable provision that any building exceeding 50 feet in height shall increase its setback by one foot for each one feet exceeding 50 feet of zoned height from the eastern PUD boundary, and limiting the maximum height of principal structures within 50 feet of the Eastern Project Boundary to 35 feet zoned height and 45 feet actual height, located at the southeast quadrant of Immokalee Road (CR 846) and Collier Boulevard (CR 951) in Section 26, Township 48 South, Range 26 East, Collier County, Florida

GENERAL PURPOSE FOR THE PETITION.

An Insubstantial Change to amend Exhibit B, Section 1, Mixed-Use Development Standards by changing the minimum yard requirement from the eastern project boundary as follows:

- Setback to the eastern project boundary reduced from 50 feet to 25 feet;
- Removal of the provision that any building exceeding 50 feet in height increase its setback to the eastern project boundary by one foot for each foot exceeding 50 feet of zoned height; and
- Limits the maximum height of principal structures within 50 feet of the eastern project boundary to 35 feet zoned height and 45 feet actual height.

STAFF RECOMMENDATION.

Approval with conditions.

FINDINGS.

1. The Hearing Examiner has jurisdiction over this Petitioner pursuant to Sec. 2-87 of the Collier County of Ordinances, Sec. 8.10.00 of the Land Development Code, and Chapter 9 of the County Administrative Code.

2. The public hearing for this Petition was properly noticed and conducted in accordance with all County and state requirements.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

3. The public hearing was conducted electronically and in-person in accordance with Emergency/Executive Order 2020-04.

4. The Petitioner and/or Petitioner's representative executed the Hybrid Virtual Quasi-Judicial Public Hearing Waiver related to conducting the public hearing electronically and in-person.

5. The Petitioner and/or Petitioner's representative presented the Petition, followed by County staff and then public comment. There a letter of objection submitted on August 11, 2021, by counsel for the Bent Creek Preserve Homeowners Association, Inc. Counsel did not attend the hearing nor present evidence or testimony. A few other residents from the adjacent residential area testified in opposition.

6. The Neighborhood Information Meeting (NIM) was duly noticed and advertised and conducted on May 19, 2021, at Saint Monica's Episcopal Church located at 7070 Immokalee Road, the meeting was simultaneously run-on Zoom to allow for remote audience participation.

7. This Petition was continued from the August 12, 2021, HEX hearing. Staff was notified by the applicant prior to the hearing that their sign contractor had failed to post the required Public Hearing signs in a timely manner. The application's sign contractor posted the required Public Hearing signs on or about August 9, 2021, with the new hearing date being displayed on said signs.

8. The County's Land Development Code Sections 10.02.13.E.1 and 10.02.13.E.2 lists the criteria for an insubstantial change to an approved PUD Ordinance. The Hearing Examiner having the authority of the Planning Commission may approve a request for an insubstantial change to an approved PUD ordinance upon review and evaluation of the criteria in the Collier County Land Development Code.[1]

Section 10.02.13.E.1 Criteria:

1. Is there a proposed change in the boundary of the Planned Unit Development (PUD)?

   The record from the public hearing reflects that there is no proposed change in the boundary of the PUD.

2. Is there a proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development?

   The record from the public hearing reflects that there is no proposed increase in the number of dwelling units or intensity of land use or height of buildings within the development.

[1] The Hearing Examiner's findings are italicized.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

3. Is there a proposed decrease in preservation, conservation, recreation, or open space areas within the development in excess of five (5) percent of the total acreage previously designated as such, or five (5) acres in area?

   The record from the public hearing reflects that there is no proposed decrease in preservation, conservation, recreation, or open space areas within the development as designated on the approved Master Plan.

4. Is there a proposed increase in the size of areas used for non-residential uses, to include institutional, commercial, and industrial land uses (excluding preservation, conservation or open space), or a proposed relocation of nonresidential land uses?

   The record from the public hearing reflects that the request does not increase areas or relocate areas for nonresidential land uses. The changes to the Mixed-Use Development standards does not increase or relocate areas designated as Mixed-Use on the Master Concept Plan and does not increase the amount of non-residential intensity permitted in the PUD.

5. Is there a substantial increase in the impacts of the development which may include, but are not limited to increases in traffic generation; changes in traffic circulation; or impacts on other public facilities?

   The record from the public hearing reflects that there are no substantial impacts resulting from this amendment.

6. Will the change result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers?

   The record from the public hearing reflects that the request does not change land use activities and does not generate a higher level of vehicular trips.

7. Will the change result in a requirement for increased stormwater retention, or otherwise increase stormwater discharge?

   The record from the public hearing reflects that the proposed changes will not impact or increase stormwater retention or increase stormwater discharge.

8. Will the proposed change bring about a relationship to an abutting land use that would be incompatible with an adjacent land use?

   The record from the public hearing reflects that there will be no incompatible relationships with abutting land uses.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

9. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other elements of the Growth Management Plan or which modification would increase the density of intensity of the permitted land uses?

   The record from the public hearing reflects that this modification is in compliance with the Future Land Use Element of the Growth Management Plan.

10. The proposed change is to a PUD District designated as a Development of Regional Impact (DRI) and approved pursuant to Chapter 380.06, Florida Statues, where such change requires a determination and public hearing by Collier County pursuant to Sec. 380.06 (19), F.S. Any change that meets the criterion of Sec. 380.06 (19)(e)2., F.S., and any changes to a DRI/PUD Master Plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under Section 10.02.13 of the LDC.

    The record from the public hearing reflects that the Baumgarten MPUD is not a DRI, therefore this criterion is not applicable.

11. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under Section(s) 10.02.13 E.?

    The record from the public hearing reflects that the proposed change is not deemed to be substantial.

Section 10.02.13.E.2 Criteria:

1. Does this petition change the analysis of the findings and criteria used for the original application?

   The record from the public hearing reflects that the change proposed does not affect the original analysis, rezone, and PUD findings.

ANALYSIS.

Based on a review of the record including the Petition, application, exhibits, the County's staff report, and hearing comments and testimony from the Petitioner and/or the Petitioner's representative(s), County staff and any given by the public, the Hearing Examiner finds that there is enough competent, substantial evidence as applied to the criteria set forth in Sections 10.02.13.E.1 and 10.02.13.E.2 of the Land Development Code to approve Petition.

DECISION.

The Hearing Examiner hereby APPROVES Petition Number PDI-PL20210000379, filed by Christopher O. Scott of Peninsula Engineering, representing BCHD Partners II, LLC, with respect to the property in the Baumgarten Mixed-Use Planned Unit Development (MPUD), Ordinance No.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

19-11, as amended, and described as 55.66± acres located at the southeast quadrant of Immokalee Road (CR 846) and Collier Boulevard (CR 951) in Section 26, Township 48 South, Range 26 East, Collier County, Florida, for the following:

- An insubstantial amendment to the Baumgarten Mixed-Use Planned Unit Development (MPUD), Ordinance No. 19-11, as amended, Exhibit B, Section I, Mixed-Use Development Standards, by decreasing the required minimum yard setback from the eastern project boundary from 50 feet to 25 feet, removing the applicable provision that any building exceeding 50 feet in height shall increase its setback by one foot for each one feet exceeding 50 feet of zoned height from the eastern PUD boundary, and limiting the maximum height of principal structures within 50 feet of the eastern project boundary to 35 feet zoned height and 45 feet actual height.

Said changes are fully described in the Proposed Language to Ordinance 19-11, as amended, Exhibit B, Section I, Baumgarten MPUD Development Standards attached as Exhibit "A" and are subject to the condition(s) set forth below.

ATTACHMENTS.

Exhibit A – Proposed Language to Ordinance 19-11, as amended, Exhibit B, Section I, Baumgarten MPUD Development Standards.

LEGAL DESCRIPTION.

See Ordinance No. 19-11, as amended and described as 55.66± acres located at the southeast quadrant of Immokalee Road (CR 846) and Collier Boulevard (CR 951) in Section 26, Township 48 South, Range 26 East, Collier County, Florida

CONDITIONS.

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

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. An appeal of this decision shall be done in accordance with applicable ordinances, codes and law.

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

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.



September 24, 2021
Date

Andrew Dickman, Esq., AICP
Hearing Examiner

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

EXHIBIT “A”

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

EXHIBIT B

BAUMGARTEN MPUD
DEVELOPMENT STANDARDS

The tables below set forth the development standards for land uses within the Baumgarten MPUD. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of approval of the SDP or subdivision plat.

I. MIXED- USE:

	PRINCIPAL USES		ACCESSORY USES	
MINIMUM LOT AREA	10, 000 Sq. Ft.		N/A	
AVERAGE LOT WIDTH	100 ft.		N/A	
MINIMUM YARDS (External)				
From Immokalee Road ROW	25 ft.		SPS	
From Collier Boulevard ROW	25 ft.		SPS	
From Eastern Project Boundary***	~~50 ft.~~ 25 ft.		15 ft.	
From Southern Project Boundary	200 ft. Minimum		200 ft. Minimum	
MINIMUM YARDS (Internal)				
Internal Drives/ ROW	10 ft.		10 ft.	
Rear	10 ft.		10 ft.	
Side	10 ft.		10 ft.	
Lakes (measured from control elevation)	25 ft.		20 ft.*	
Preserve	25 ft.		10 ft.	
MIN. DISTANCE BETWEEN STRUCTURES	1/2 the sum of building heights		10 ft.	
MAXIMUM HEIGHT* **	**ZONED**	**ACTUAL**	**ZONED**	**ACTUAL**
Retail Buildings	45 ft.	65 ft.	35 ft.	45 ft.
Office Buildings and Hotel/ Motel	55 ft.	65 ft.	35 ft.	45 ft.
MINIMUM FLOOR AREA (ground floor)	1,000 sq. ft. **		N/A	
MAXIMUM GROSS COMMERCIAL AREA	270,000 sq. ft.		N/A	

* No structure may be located closer than 20 feet to the control elevation of a lake (allowing for the required minimum 20-foot wide lake maintenance easement).

** Per principal structure. Kiosk vendor, concessions, and temporary or mobile sales structures shall be permitted to have a minimum floor area of twenty-five (25) square feet and shall be subject to the accessory structure standards set forth in the LDC.

*** Any building <u>located within</u> ~~exceeding 50 feet in height shall increase its setback by one foot for each one feet exceeding~~ 50 feet of ~~zoned height from~~ the eastern PUD boundary <u>is limited to a maximum zoned height of 35 ft. and a maximum actual height of 45 ft.</u> No dumpster enclosure permitted within 105 feet of the eastern PUD boundary.

Note: Residential dwellings may be constructed above retail or office use.

EXHIBIT "A"

Attachment: ATTACHMENT A - Backup Package (27553 : PL20230013897 - Baumgarten MPUD (PDI))

EXHIBIT B

BAUMGARTEN MPUD
DEVELOPMENT STANDARDS

The tables below set forth the development standards for land uses within the Baumgarten MPUD. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of approval of the SDP or subdivision plat.

I. MIXED- USE:

	PRINCIPAL USES		ACCESSORY USES	
MINIMUM LOT AREA	10, 000 Sq. Ft.		N/A	
AVERAGE LOT WIDTH	100 ft.		N/A	
MINIMUM YARDS (External)				
From Immokalee Road ROW	25 ft.		SPS	
From Collier Boulevard ROW	25 ft.		SPS	
From Eastern Project Boundary***	25 ft.		15 ft.	
From Southern Project Boundary	200 ft. Minimum		200 ft. Minimum	
MINIMUM YARDS (Internal)				
Internal Drives/ ROW	10 ft.		10 ft.	
Rear	10 ft.		10 ft.	
Side	10 ft.		10 ft.	
Lakes (measured from control elevation)	25 ft.		20 ft.*	
Preserve	25 ft.		10 ft.	
MIN. DISTANCE BETWEEN STRUCTURES	1/2 the sum of building heights		10 ft.	
MAXIMUM HEIGHT* **	**ZONED**	**ACTUAL**	**ZONED**	**ACTUAL**
Retail Buildings	45 ft.	65 ft.	35 ft.	45 ft.
Office Buildings and Hotel/ Motel	55 ft.	65 ft.	35 ft.	45 ft.
MINIMUM FLOOR AREA (ground floor)	~~1,000~~ 700 sq. ft. **		N/A	
MAXIMUM GROSS COMMERCIAL AREA	270,000 sq. ft.		N/A	

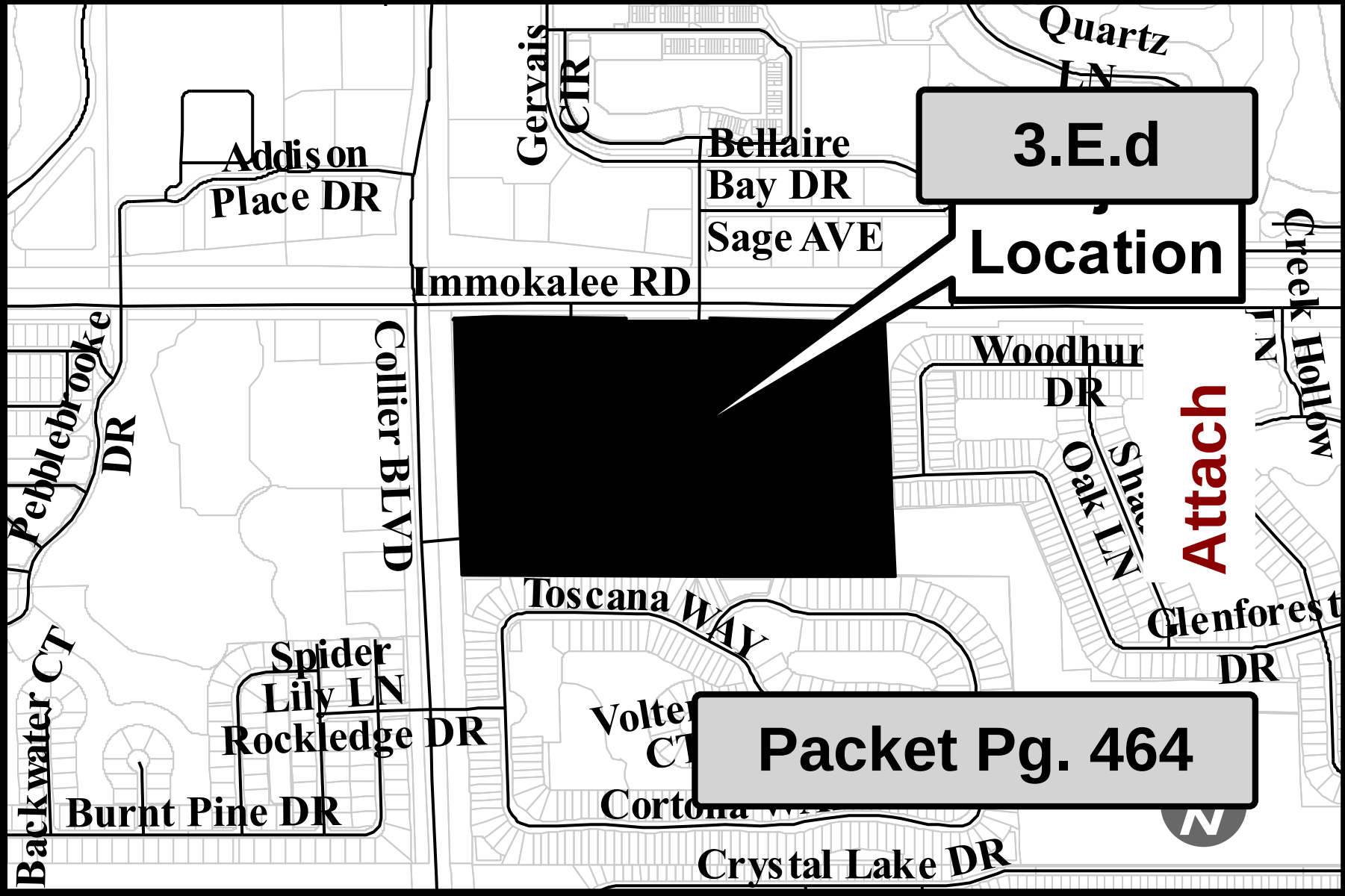
* No structure may be located closer than 20 feet to the control elevation of a lake (allowing for the required minimum 20-foot wide lake maintenance easement).

** Per principal structure. Kiosk vendor, concessions, and temporary or mobile sales structures shall be permitted to have a minimum floor area of twenty-five (25) square feet and shall be subject to the accessory structure standards set forth in the LDC.

*** Any building located 50 feet of the eastern PUD boundary is limited to a maximum zoned height of 35 ft. and a maximum actual height of 45 ft. No dumpster enclosure permitted within 105 feet of the eastern PUD boundary.

Note: Residential dwellings may be constructed above retail or office use.

Attachment: ATTACHMENT B - PUD Language Changes (27553 : PL20230013897 - Baumgarten MPUD (PDI))

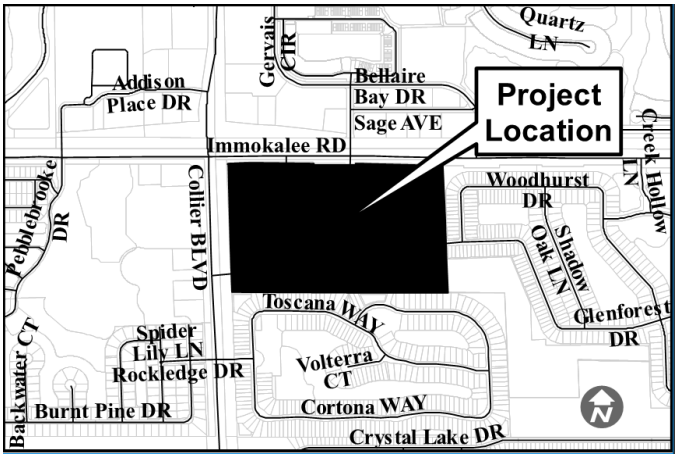

3.E.d
Location
Attach
Packet Pg. 464
Addison Place DR
Gervais CIR
Quartz LN
Bellaire Bay DR
Sage AVE
Immokalee RD
Creek Hollow
Woodhur DR
Collier BLVD
Pebblebrooke DR
Oak LN
Toscana WAY
Glenforest DR
Spider Lily LN
Rockledge DR
Backwater CT
Burnt Pine DR
Crystal Lake DR
N

Collier County
Growth Management
Community Development Department
Zoning Division

PUBLIC HEARING NOTICE

Baumgarten MPUD - (PDI)
Petition Type: Planned Unit Development Insubstantial Change
Petition No.: PL20230013897
Planner Name: Sean Sammon
Phone: (239) 252-8422

This is to advise you of an upcoming public hearing because you may have interest in the proceedings, or you own property located near the vicinity of the following property.



For more information, or to register to participate remotely:
https://bit.ly/Public_Hearings

*Remote participation is provided as a ***courtesy*** and is at the user's risk. ***The County is not responsible for technical issues***

For difficulties registering please call Ailyn Padron at (239) 252-5187 or email to ailyn.padron@CollierCountyFL.Gov.

Hearing Examiner:

Date: 1/11/2024
Time: 09:00 AM
Location: GMD Conference Room 609/610
2800 N. Horseshoe Dr, Naples, FL 34104

Meeting information: Individual speakers may be limited to five (5) minutes on any item. Persons wishing to have written or graphic materials included in the agenda packets must submit materials a minimum of ten (10) days prior to the respective public hearing, to the county staff member noted above. All material used in presentations before the Hearing Examiner 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 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.

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

This petition and other pertinent information related to this petition is kept on file and may be reviewed at the Growth Management Community Development Department building located at 2800 North Horseshoe Drive, Naples, Florida 34104.

Attachment: ATTACHMENT C - Signs & Notification (27553 : PL20230013897 - Baumgarten MPUD (PDI))

See reverse for more information

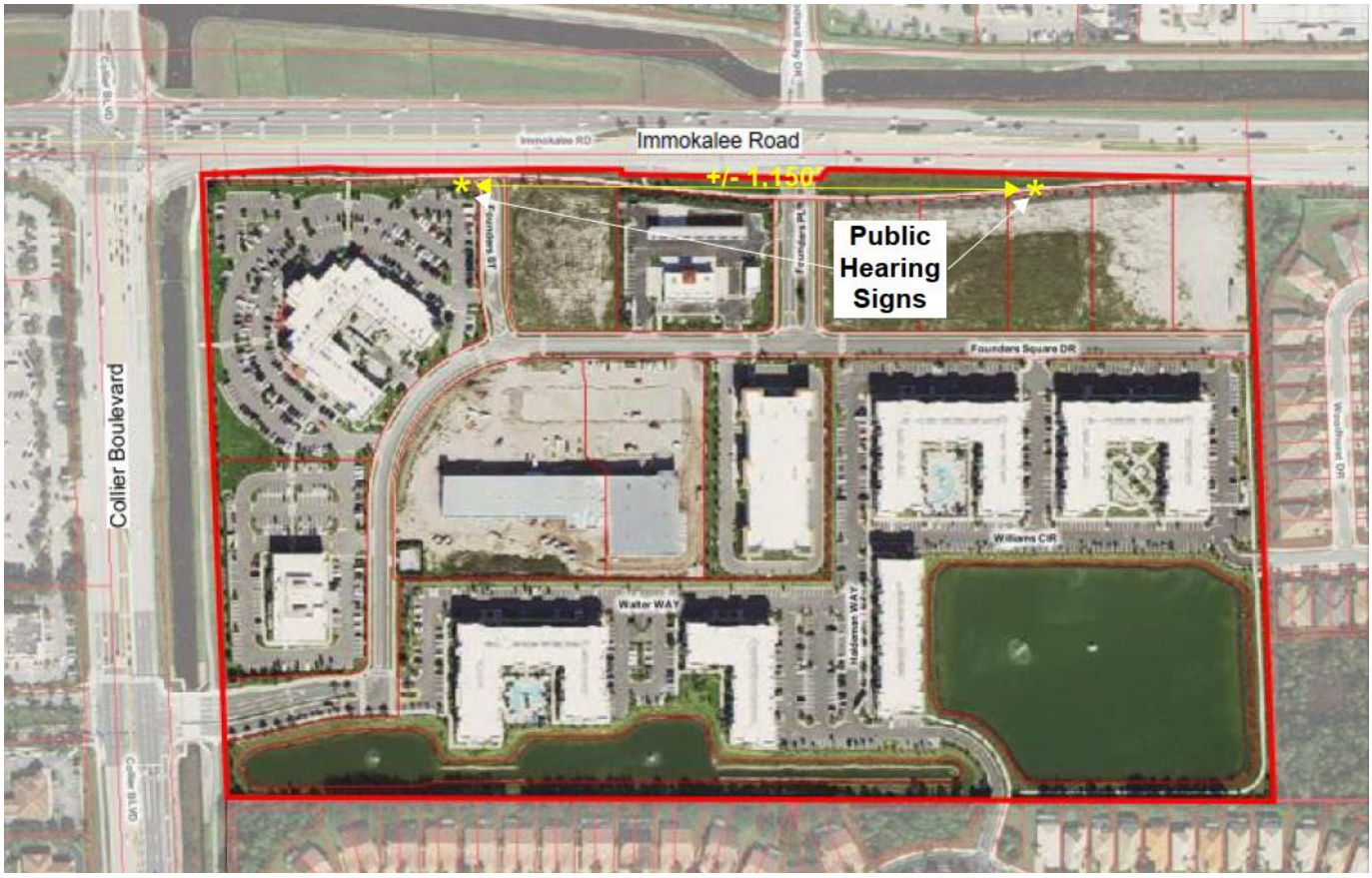
Hearing Examiner to consider the following:

PETITION NO. PDI-PL20230013897 – REQUEST FOR AN INSUBSTANTIAL CHANGE TO ORDINANCE NO. 19-11, AS AMENDED, THE BAUMGARTEN MIXED USE PLANNED UNIT DEVELOPMENT (MPUD), EXHIBIT B, SECTION I, MIXED-USE DEVELOPMENT STANDARDS, BY REDUCING THE MINIMUM FLOOR AREA FOR PRINCIPAL STRUCTURES FROM 1,000 SQUARE FEET TO 700 SQUARE FEET. THE SUBJECT PUD IS LOCATED SOUTHEAST OF THE INTERSECTION OF IMMOKALEE ROAD AND COLLIER BOULEVARD IN SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA.

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PENINSULA ENGINEERING

BAUMGARTEN PUD INSUBSTANTIAL CHANGE
PDI, PL20230013897
Collier County Hearing Examiner
Public Hearing Sign Posting – December 14, 2023







Attachment: ATTACHMENT C - Signs & Notification (27553 : PL20230013897 - Baumgarten MPUD (PDI))

SIGN POSTING INSTRUCTIONS

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

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

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

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

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