

COLLIER COUNTY
Collier County Hearing Examiner



AGENDA

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

October 28, 2021

9: 00 AM

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

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

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

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

1. **Pledge of Allegiance**
2. **Review of Agenda**
3. **Advertised Public Hearing**
 - A. **PETITION NO. VA-PL20200000998 – Request for variances associated with post-hurricane reconstruction of Walker’s Coon Key Marina, specifically for four variances from dimensional requirements of Section 4.02.01 of the Land Development Code for the General Commercial (C-4) Zoning District: [a] from the required building separation of 40 feet between the existing Ship Store Building and existing Boat Storage Building #2 to allow separation of 15 feet; [b] from the required building separation of 59 feet between the existing Boat Storage Building #2 and existing Boat Storage Building #3 to allow separation of 34 feet; [c] from the required separation of 59 feet for existing Boat Storage Building #3 and proposed reconstruction of Boat Storage Building #4 to allow separation of 50 feet; and [d] variance from the required side setback of 25 feet to allow a side setback of 6 feet for proposed reconstruction of Boat Storage Building #4. The request is for property located at 604 Palm Avenue in Goodland in Section 18, Township 52 South, Range 27 East, Collier County, Florida. [Coordinator: Ray Bellows, AICP, Zoning Manager] Commissioner District 1**
 - B. **PETITION NO. DR-PL20180002114 – Request for approval of a site plan with deviations pursuant to LDC Section 10.02.03.F with eight total deviations, including one deviation from LDC Section 4.06.02.C.1 to remove the 10 foot wide Type A buffer along the western property line due to existing rip-rap and docks, three deviations from LDC Section 4.06.02.C.2, to reduce the 15-foot Type B buffer and reduce the number of plantings along the eastern property line, and to reduce the plantings along the northern property line; three deviations from LDC Sections 4.06.03.B, to allow trees to be more than 50 feet from the parking stall, allow trees required in parking islands to be located elsewhere on the site, and allow no terminal landscape islands at the ends of some rows of parking; and one deviation from LDC Section 4.06.05.C.1 to reduce the foundation plantings for Building 1 to one façade; for the redevelopment of the Walker’s Coon Key Marina consisting of 1.68± acres, located at 604 Palm Avenue in Goodland in Section 18, Township 52 South, Range 27 East, Collier County, Florida. [Coordinator: Ray Bellows, AICP, Zoning Manager] Commissioner District 1**

- C. **PETITION NO. DR-PL20210001068, Petitioners, Yaima and Roylan Reyes, request approval of a site plan with deviations pursuant to LDC Section 4.02.26.E and seek two deviations, one deviation from LDC Section 4.02.26.B.16.a, which requires parking lots to be located to the sides or rear of buildings, to allow for an extension of the current parking lot to the front of the building and playground to the back; one deviation from LDC Section 4.02.26.B.8.a, which requires a minimum five-foot-wide planting strip with shrubs and trees to be provided along the perimeter of any lot line for a non-residential use adjacent to lands outside the Golden Gate Parkway Overlay District (GGPOD) and zoned for single-family residential dwellings, to allow for no planting strip along a portion of the northern property line where an existing fence and playground area have been permitted and constructed for the redevelopment of a child daycare center consisting of 0.76± acres, also described as 5269/5275 Golden Gate Parkway, located on the northern side of Golden Gate Parkway, approximately 1,700 feet east of Santa Barbara Boulevard, in Section 28, Township 49 South, Range 26 East, Collier County, Florida. [Coordinator: Timothy Finn, Principal Planner] Commission District 3**
- D. **PETITION NO. PDI - PL20200002125 Germain Toyota - Request for insubstantial change to the Germain Toyota Commercial Planned Unit Development (CPUD), Ordinance Number 08-60, to add a deviation from LDC Section 5.06.04.F.4 to increase the number of on-premises signs from one sign to two signs, with the additional sign not exceeding 150 square feet. The subject property is approximately 13.1 acres located at 13327 and 13315 Tamiami Trail North, approximately 1,000 feet south of Wiggins Pass Road, in Section 16, Township 48 South, Range 25 East, Collier County, Florida. . [Coordinator: Ray Bellows, AICP, Zoning Manager] Commission District 2**
- E. **PETITION NO. VA-PL20210000098 - Request for a variance from Section 5.03.06.E.5 of the Land Development Code to reduce the required side yard/riparian setback for dock facilities on lots with water frontage of 60 feet or greater from 15 feet to 5 feet for a lot with 113± feet of water frontage located within the residential component of the Lely Barefoot Beach Planned Unit Development, Ordinance No. 77-48, as amended, at 219 Malibu Cove and further described as Lot 19, Southport on the Bay Unit 1, in Section 6, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 2**
- F. **PETITION NO. BDE-PL20210000039 - Request for a 43-foot boat dock extension over the maximum permitted protrusion of 20 feet allowed by Section 5.03.06 of the Collier County Land Development Code for waterways greater than 100 feet in width, for a total protrusion of 63 feet into a waterway that is 325± feet wide, to accommodate a new docking facility with two boat lifts, one for a 43-foot vessel and the other to be decked over to be used for kayak and paddleboard access, for property located at 219 Malibu Cove and further described as Lot 19, Southport on the Bay Unit 1, in Section 6, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 2**
- G. **PETITION NO. VA PL20190001162 - Request for after-the-fact variances to allow a pool that encroaches 4.35 feet and spa that encroaches 1.45 feet into the required 30-foot western side yard setback; and to allow an accessory garage that encroaches 22.4 feet into the required 75-foot rear yard setback; and to allow the carport encroaching 6.45 feet into the required 30-foot eastern side yard setback; and to allow the home encroaching 0.1 foot into the required 30-foot western side yard setback as provided for in Land Development Code Section 4.02.01 for the Estates (E) zoning district. The subject property is 2035 Golden Gate Boulevard West, in Section 6, Township 49 South, Range 27 East, Collier County, Florida. [Coordinator: Ray Bellows, AICP, Zoning Manager] Commissioner District 5**

4. **Other Business**
5. **Public Comments**
6. **Adjourn**