

COLLIER COUNTY
Collier County Hearing Examiner



AGENDA

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

October 26, 2023

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. BDE-PL20230006459 - 178 Tahiti Circle (BDE)– Request for a 27-foot boat dock extension, over 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 construct a new dock facility that will protrude a total of 47 feet into a waterway that is 219± feet wide for the benefit of property located at 178 Tahiti Circle, also known as Lot 155, Isles of Capri No. 2, in Section 32, Township 51 South, Range 26 East, Collier County, Florida.
[Coordinator: John Kelly, Planner III] Commission District 1**
4. **Other Business**
5. **Public Comments**
6. **Adjourn**

10/26/2023

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.A**Doc ID:** 26817

Item Summary: Petition No. BDE-PL20230006459 - 178 Tahiti Circle (BDE)– Request for a 27-foot boat dock extension, over 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 construct a new dock facility that will protrude a total of 47 feet into a waterway that is 219± feet wide for the benefit of property located at 178 Tahiti Circle, also known as Lot 155, Isles of Capri No. 2, in Section 32, Township 51 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Planner III] Commission District 1

Meeting Date: 10/26/2023**Prepared by:**

Title: Planner – Zoning

Name: John Kelly

10/04/2023 4:25 PM

Submitted by:

Title: Zoning Director – Zoning

Name: Mike Bosi

10/04/2023 4:25 PM

Approved By:

Review:

Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	10/05/2023 6:41 PM
Operations & Regulatory Management	Michael Stark	Review Item	Completed	10/09/2023 12:54 PM
Zoning	James Sabo	Review Item	Skipped	10/09/2023 2:22 PM
Zoning	Ray Bellows	Review Item	Completed	10/09/2023 4:11 PM
Zoning	Mike Bosi	Division Director	Completed	10/09/2023 4:25 PM
Hearing Examiner	Andrew Dickman	Meeting Pending		10/26/2023 9:00 AM



STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

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

HEARING DATE: OCTOBER 26, 2023

SUBJECT: BD-PL20230006459, 178 TAHITI CIRCLE – DEMARET DOCK

PROPERTY OWNER/APPLICANT:

Kenneth J. and Kathleen A. Demaret, Co-Trustees,
Kenneth and Kathleen Demaret 2009 Family Trust
192 Tahiti Cir
Naples, FL 34113

AGENT:

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

REQUESTED ACTION:

The petitioner requests a 27-foot boat dock extension, over the maximum 20 feet allowed by Section 5.03.06.E.1 of the Collier County Land Development Code (LDC) for waterways 100 feet or greater in width, to construct a new dock facility that will protrude a total of 47 feet into a waterway that is 219± feet wide for the benefit of the subject property.

GEOGRAPHIC LOCATION:

The subject property comprises 0.18± acres located at 178 Tahiti Circle and is legally described as Lot 155, Isles of Capri No. 2, in Section 32, Township 51 South, Range 26 East. Collier County, Florida. *(See location map on the following page.)*

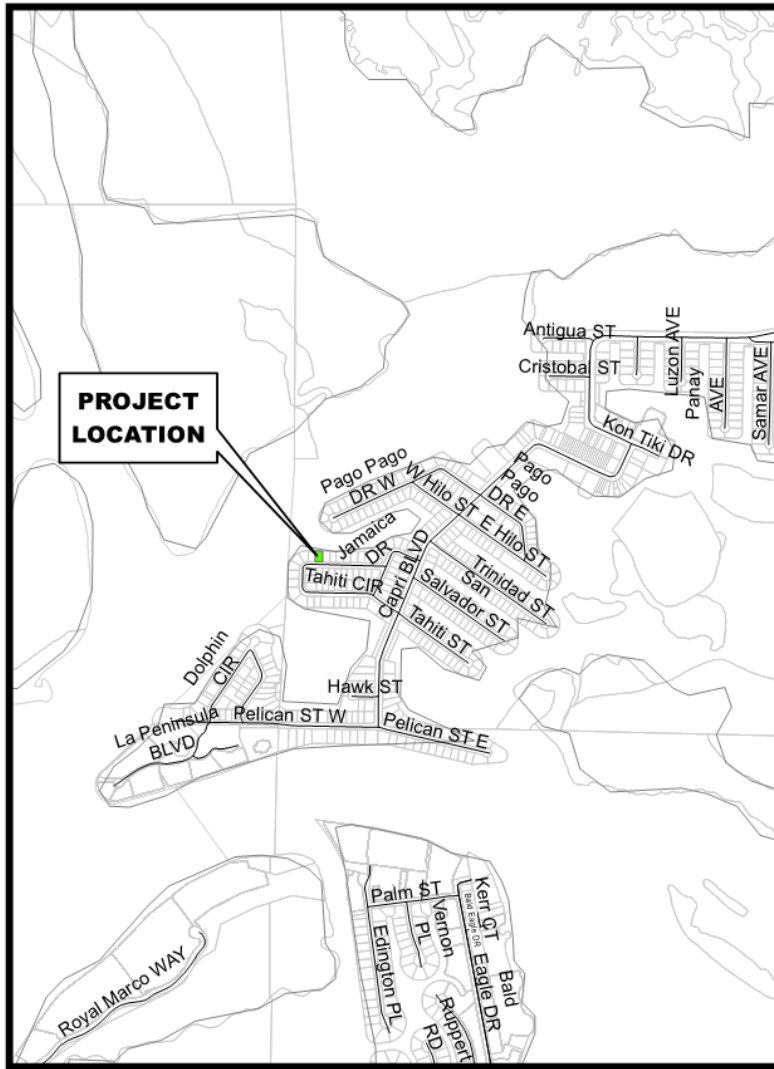
PURPOSE/DESCRIPTION OF PROJECT:

The subject property is within a Residential Single-Family-4 (RSF-4) zoning district and enjoys 102± feet of waterfrontage on Johnson Bay. At present, Building Permit application No. PRFH20220416412 has been issued for a 3-story single-family dwelling that is presently in “inspect” status. The petitioner seeks to construct a 2-slip dock facility perpendicular to the shoreline, with two boatlifts; one to accommodate a 44-foot vessel and the other to be decked over to serve two personal watercrafts (PWCs). The primary slip and lift have been designed to be at a 60± degree angle to the shoreline, and the PWC lift has been placed on the west side of the facility to limit any impacts to properties to the east. A prior BD, HEX Decision No. 2022-42, to allow a 54-foot protrusion for a 50-foot vessel was previously denied; see Attachment C.

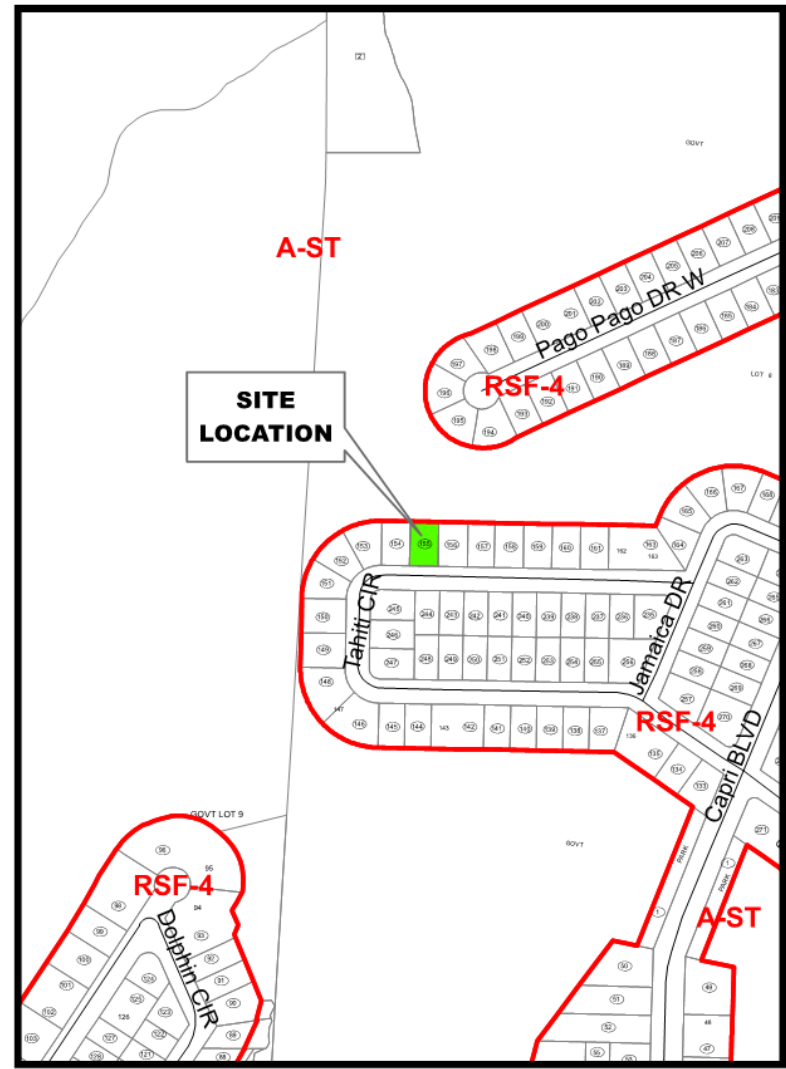
BDE-PL20230006459 – 178 Tahiti Cir
September 30, 2023

Page 1 of 8

Attachment: Staff Report 09302023 (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)



Location Map



Zoning Map

Petition Number: PL20230006459

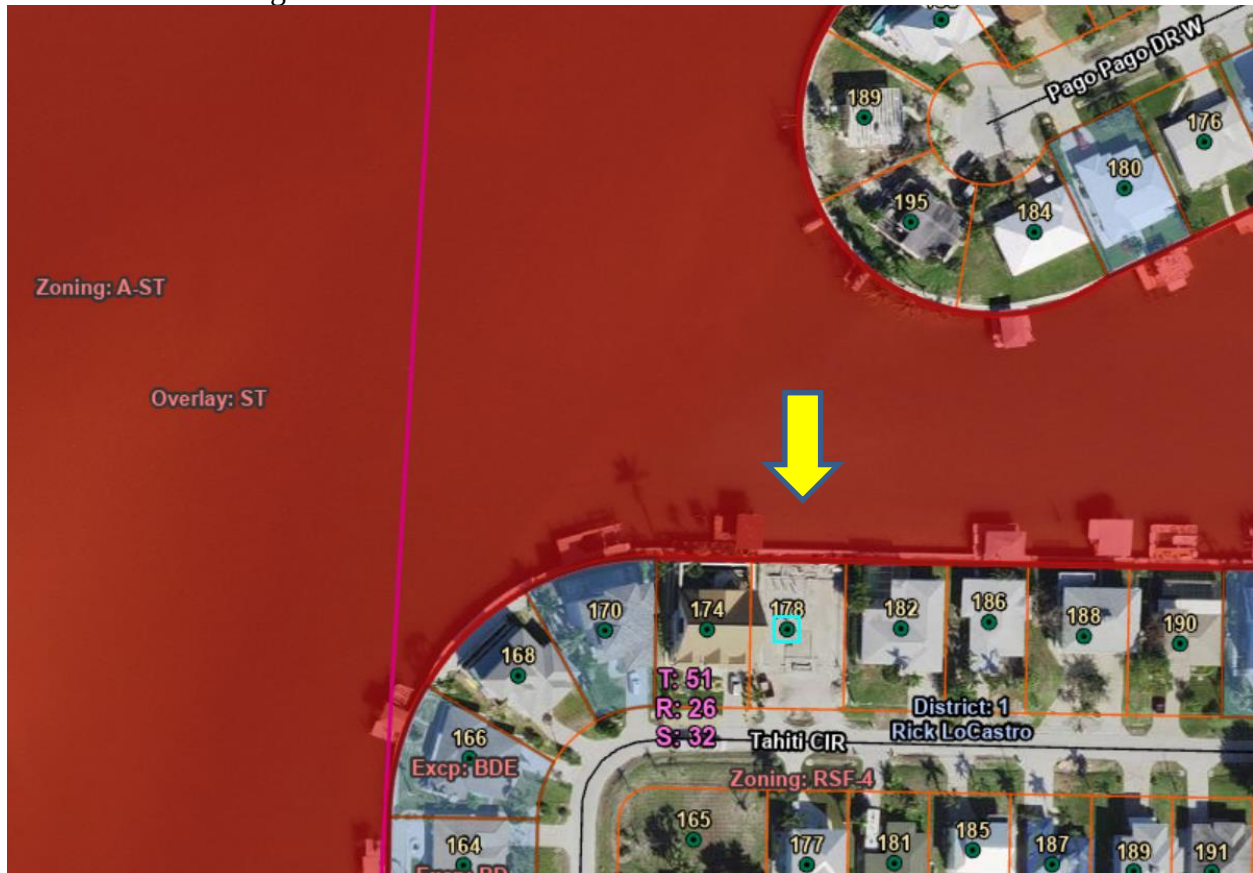
SURROUNDING LAND USE & ZONING:

North: Johnson Bay (waterway located within an Agricultural zoning with a Special Treatment overlay (A-ST))

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

South: Tahiti Circle (Right-of-Way) then a Residential Single-Family-4 (RSF-4) zoning district

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



Aerial – Collier County GIS



Aerial – Collier County Property Appraiser

ENVIRONMENTAL EVALUATION:

Environmental Planning Staff has reviewed this petition and has no objection to granting this request. The property is located adjacent to an ST overlay zone (Marlin Bay), which will require an ST-permit for the proposed docking facilities prior to the issuance of the building permits. The proposed docking facilities will be constructed waterward of the existing sea walled shoreline. The shoreline does not contain vegetation. A submerged resources survey provided by the applicant found no submerged resources in the area 200 feet beyond the proposed docking facility. Exhibit sheet page 8 of 10 provides an aerial with a note stating that no seagrasses were observed within 200 feet.

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

STAFF ANALYSIS:

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

Primary Criteria:

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

Criterion met. The subject property comprises 0.18 acres located within an RSF-4 zoning district upon which a single-family dwelling is presently being constructed by means of Building Permit No. PRFH20220416412 and the proposed project consists of a dock facility with two boatlifts, one to accommodate a 44-foot vessel and the other to be decked over for two personal watercrafts (PWCs).

2. **Whether the water depth at the proposed site is so shallow that a vessel of the general length, type, and draft as described in the petitioner's application cannot 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 boat dock extension is necessary to accommodate the owners' vessels due to the existing on-site water depths being too shallow within the allowed 20 feet. The subject shoreline consists of a seawall with no rip-

rap out in front. Still, the existing on-site water depths indicated on the attached survey are too shallow for any vessel with a 3-foot draft to be properly moored within the allowed 20 feet, as indicated on sheets 13 & 14 of 14.

The proposed 44-foot vessel is advertised as having a 3-foot draft with a boatlift and the cross-support beams being at least 12". The overall depth of water needed to float this vessel on and off the boatlift is at least 4.5 feet. Based on those facts and the existing on-site water depths, the BDE is needed to reach sufficient water depths, as shown in the attached BDE exhibits. Also, with the adjacent dock and boathouse being within the applicant's riparian area, which is considered grandfathered structures, and with no docking facility on the east side, it was determined the best option was to angle the dock towards the west to allow more flexibility for the owners or future owners to the east on a dock design if one was ever proposed as well as be as least impactful to their current view of the subject waterway.

Additionally, on sheets 13 & 14 of 14, I have included these two exhibits to show the maximum sized vessel being 40 feet that can fit within the required 15-foot setbacks and 20 feet of protrusion. The issue is the fact that the water depths are still too shallow for any vessel with a 3-foot or greater draft to be moored within the allowable area, especially when a boatlift is proposed." Based upon the provided exhibits, see Attachment A, staff concurs.

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

Criterion met. The applicant's agent states that there are no marked channels within this section of Johnson Bay. Therefore, the entire waterway provides safe navigation. It is further noted that there is a natural shoal area to the NW as a vessel exits Marlin Bay out to Johnson Bay. However, it's a local knowledge channel that one navigates parallel to the shoreline to reach the nearest marked channel. As proposed, the dock facility will also maintain the ingress/egress to neighboring docks. Staff concurs.

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 waterway is 219± feet wide at this point, and the proposed dock protrusion is 47 feet or 21.46 percent of the waterway. The distance between dock facilities is 146 feet; 66.67 percent of the waterway remains clear 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.)**

Criterion met. The applicant's agent states: "The proposed docking facility is consistent with the other docks within this bay and the adjacent bay on the Isles of Capri. The dock design ensures that the vessel and dock are all within the required setbacks, puts the stern of the vessel in the deeper water, maintains access to the existing dock immediately adjacent to the west property line, and ensures any future dock constructed on the eastern adjacent property will have unobstructed access." Staff concurs.

Secondary Criteria:

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

Criterion met. The applicant's agent states: "Riprap is not a factor as it was previously determined that there is no riprap along the subject property shoreline. The one special condition that was taken into consideration is the existing neighboring dock, which is partially within the applicant's riparian area, with no setback provided. This was the most restrictive existing condition design factor considered in that we could design the ingress/egress of our proposed slips to avoid conflict. This was the driving factor behind putting our vessel ingress/egress to come/cross over the western riparian line, as there is no telling what the adjacent property with no existing dock could or would propose in the future. Additionally, the subject property location on a wider waterway allows the proposed dock to protrude further out into the waterway without impacting navigation." Provided exhibits, see Attachment A, give credence to the applicant's statement; therefore, staff concurs.

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

Criterion met. The applicant states the proposed dock facility has been minimized to the fullest extent possible and provides deck area for routine maintenance, safe access, recreational activities like fishing, and storage of kayaks and/or paddleboards. Staff concurs.

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

Criterion not met. The proposed dock facility has been redesigned to accommodate a 44-foot vessel and two personal watercrafts (PWCs), each approximately 12 feet long. The subject shoreline is 70± feet long; therefore, the vessel size will exceed the 50% threshold. The prior design, denied by HEX Decision No. 2022-42, was for a 50-foot vessel that also reduces the requested protrusion. Staff concurs.

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

Criterion met. The applicant's agent states: "As proposed, the dock has been designed within the designated setbacks and is consistent with the other previously approved BDE boat docks perpendicular to the shoreline. This allows you to design within the allowed riparian area and avoid ingress/egressing over either of the shared riparian lines. Based on our analysis, as shown on the BDE exhibits (sheet 12 of 13), the overall impacts to each adjacent property owner are indicated. It is our position that the proposed dock will NOT have a MAJOR impact on their views of the waterway. As indicated in the exhibit, at 20-feet, the eastern property owner's view would be open to 99-degrees, and the proposed dock would be reduced to 93-degrees. Therefore, based on this analysis, their view is only slightly obstructed and should not have a MAJOR impact on anyone's view." Based upon the plans provided within Attachment A, staff concurs.

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

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

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

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

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

CONCURRENT LAND USE APPLICATIONS:

Building Permit Application No. PRFH20220416412 has been issued for a 3-story single-family dwelling, and construction has commenced; the permit is currently in "inspect" status.

APPEAL OF BOAT DOCK EXTENSION:

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. If the Hearing Examiner approves the petition, the

applicant shall be advised that they proceed with construction at their own risk during this 30-day period. Any construction work completed ahead of the approval authorization shall be at their own risk.

STAFF RECOMMENDATION:

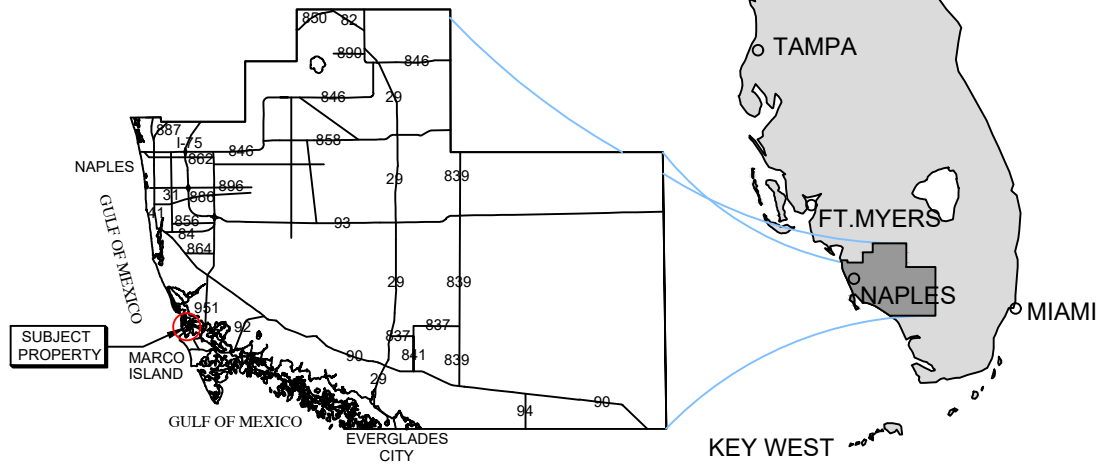
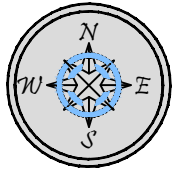
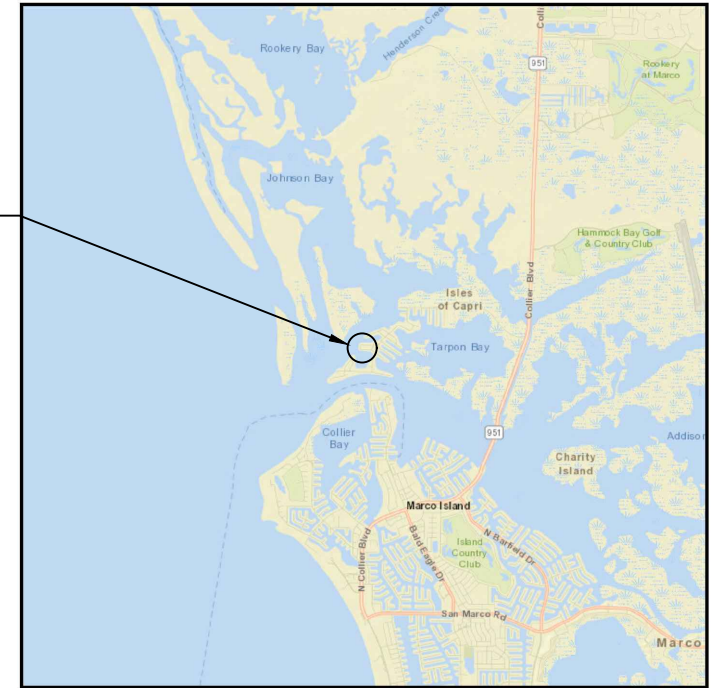
Based on the above findings, staff recommends that the Hearing Examiner APPROVE Petition BDE-PL20230006459 to allow for the construction of the proposed dock facility that will protrude 47 feet into the waterway as depicted within the plans contained within Attachment A, subject to the following condition:

1. A Certificate of Completion can not be approved for the subject dock facility until such time as a Certificate of Occupancy has been issued for the principal structure, to wit, a single-family dwelling.

Attachments:

- A. Site and Dock Plans
- B. Building Permit No. PRFH20220416412
- C. HEX Decision No. 2022-42
- D. Applicant's Backup and Supporting Documents
- E. Public Hearing Sign Posting

STATE OF FLORIDA

COLLIER COUNTYVICINITY MAP**SITE ADDRESS:**

<> 178 TAHITI CIR
NAPLES, FL 34113

<> LATITUDE: N 25.981681
<> LONGITUDE: W -81.732712

NOTES:

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

SUBJECT
PROPERTYCOUNTY AERIAL

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

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

178 TAHITI CIR

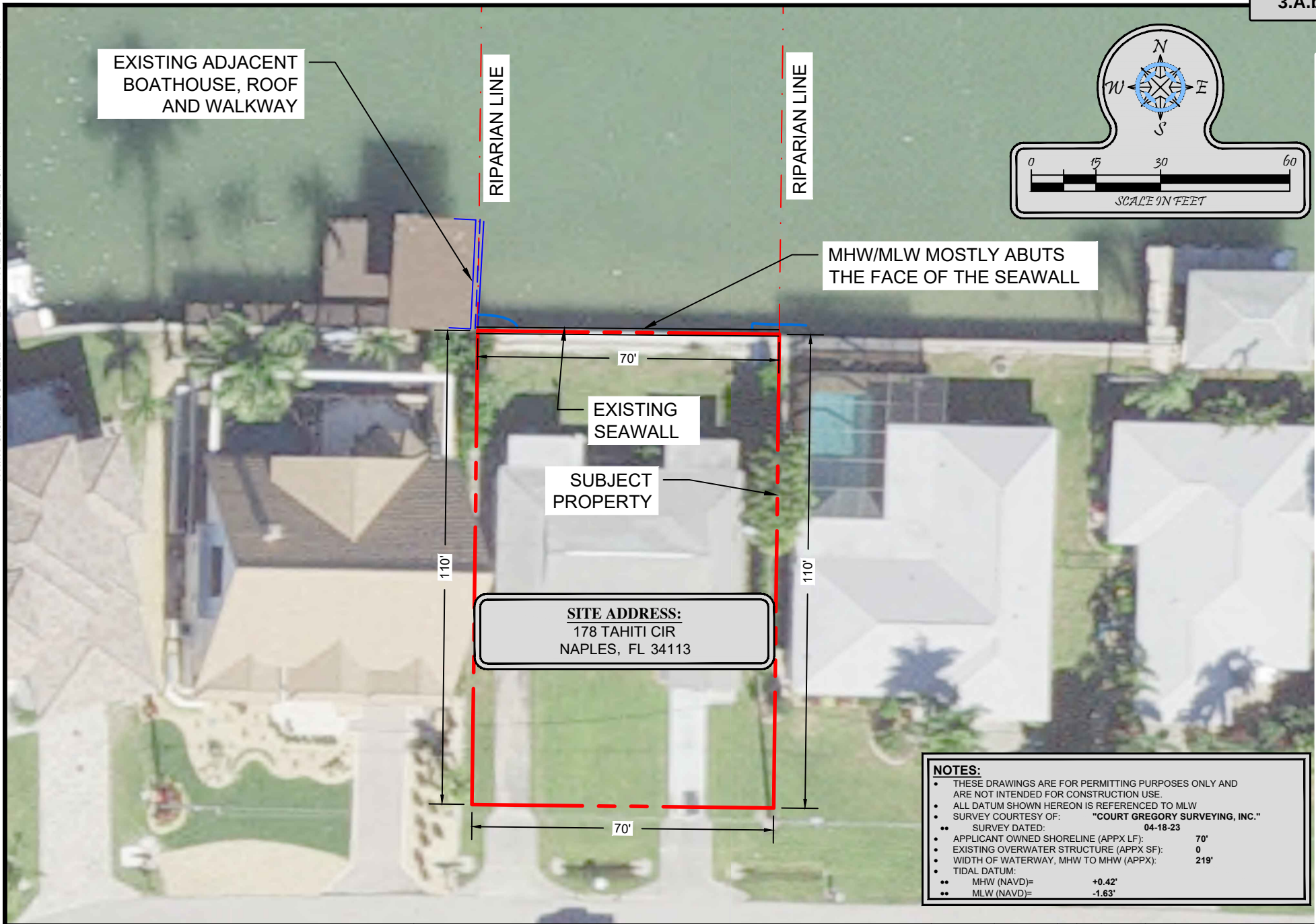
LOCATION MAP

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DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGED:
DRAWN BY:	RMJ	1.	RMJ	08-0423	JR	SHTS 02-06,10,12-14
CREATED:	06-06-23	2.	-	-	-	-
JOB NO.:	21145	3.	-	-	-	-
SHEET NO.:	01 OF 14	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

P:\21145.00 demaret-178 tahiti cir\CAD\PERMIT-COUNTY\21145-BDE.dwg EXISTING CONDITIONS 8/4/2023



SITE ADDRESS:
178 TAHITI CIR
NAPLES, FL 34113

- NOTES:**
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 - ALL DATUM SHOWN HEREON IS REFERENCED TO MLW
 - SURVEY COURTESY OF: "COURT GREGORY SURVEYING, INC."
 - SURVEY DATED: 04-18-23
 - APPLICANT OWNED SHORELINE (APPX LF): 70'
 - EXISTING OVERWATER STRUCTURE (APPX SF): 0
 - WIDTH OF WATERWAY, MHW TO MHW (APPX): 219'
 - TIDAL DATUM:
 - MHW (NAVD)= +0.42'
 - MLW (NAVD)= -1.63'

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

178 TAHITI CIR

EXISTING CONDITIONS

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CREATED:	06-06-23	2.	-	-	-	-
JOB NO.:	21145	3.	-	-	-	-
SHEET NO.:	02 OF 14	4.	-	-	-	-
		5.	-	-	-	-

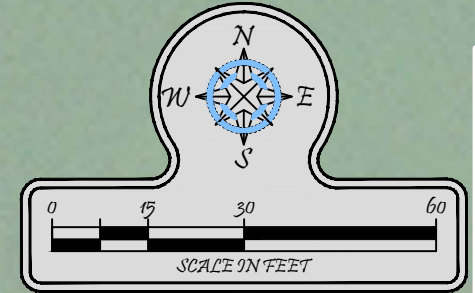
SECTION-32 TOWNSHIP- 51 S

Attachment: Attachment A - Site and Dock Plans (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)

EXISTING ADJACENT
BOATHOUSE, ROOF
AND WALKWAY

RIPARIAN LINE

RIPARIAN LINE



MHW/MLW MOSTLY ABUTS
THE FACE OF THE SEAWALL

EXISTING
SEAWALL

SUBJECT
PROPERTY

SITE ADDRESS:
178 TAHITI CIR
NAPLES, FL 34113

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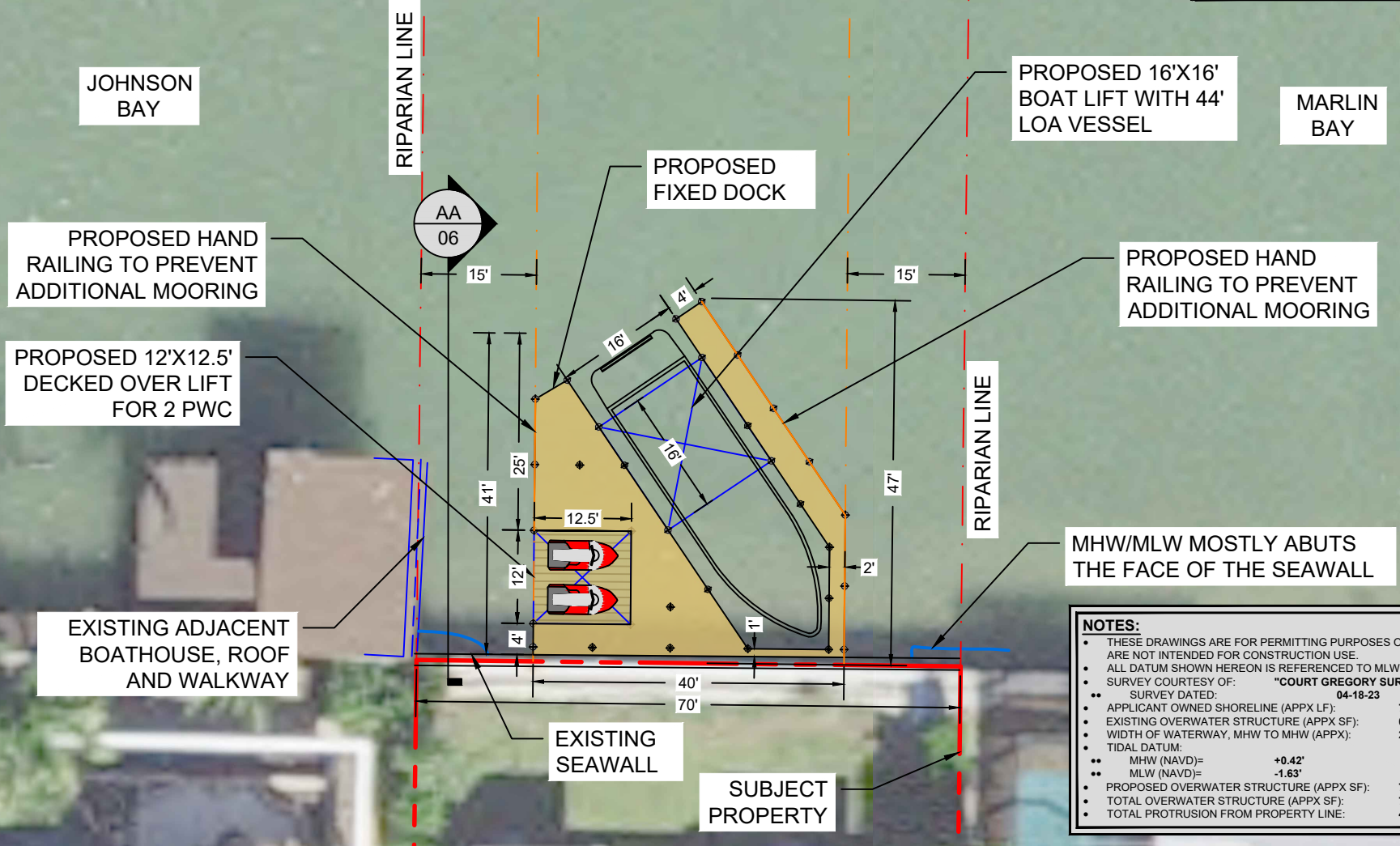
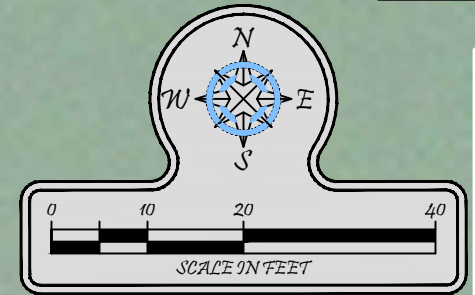
EXISTING CONDITIONS WITH DEPTHS

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		5.	-	-	-	-

SECTION-32 TOWNSHIP- 51 S

p121145.00 demarec-178 tahiti circadp permit-county1145-bde.dwg RMJ/PROJ/ED DOCK - DIMENSIONS 8/4/2023



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- TIDAL DATUM:
- MHW (NAVD)= +0.42'
- MLW (NAVD)= -1.63'
- PROPOSED OVERWATER STRUCTURE (APPX SF): 747
- TOTAL OVERWATER STRUCTURE (APPX SF): 747
- TOTAL PROTRUSION FROM PROPERTY LINE: 47'

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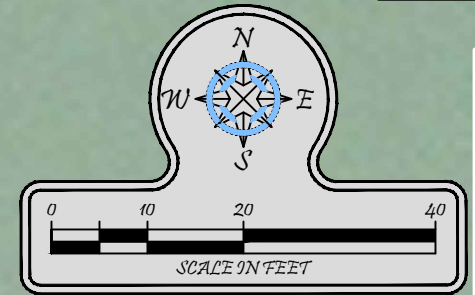
178 TAHITI CIR

PROPOSED DOCK - DIMENSIONS

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SECTION- 32 TOWNSHIP- 51 S

p121145.00 demarc-178 tahiti circADPERMIT-COUNTY1145-BDE.dwg RM20230006459 BD 178 Tahiti Circle Demaret



JOHNSON BAY

MARLIN BAY

RIPARIAN LINE

RIPARIAN LINE

PROPOSED FIXED DOCK

PROPOSED 16'X16' BOAT LIFT WITH 44' LOA VESSEL

PROPOSED 12'X12.5' DECKED OVER LIFT FOR 2 PWC

EXISTING ADJACENT BOATHOUSE, ROOF AND WALKWAY

EXISTING SEAWALL

SUBJECT PROPERTY

MHW/MLW MOSTLY ABUTS THE FACE OF THE SEAWALL

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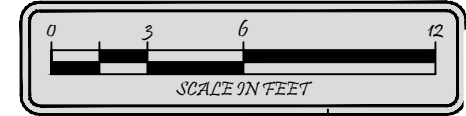
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Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

178 TAHITI CIR

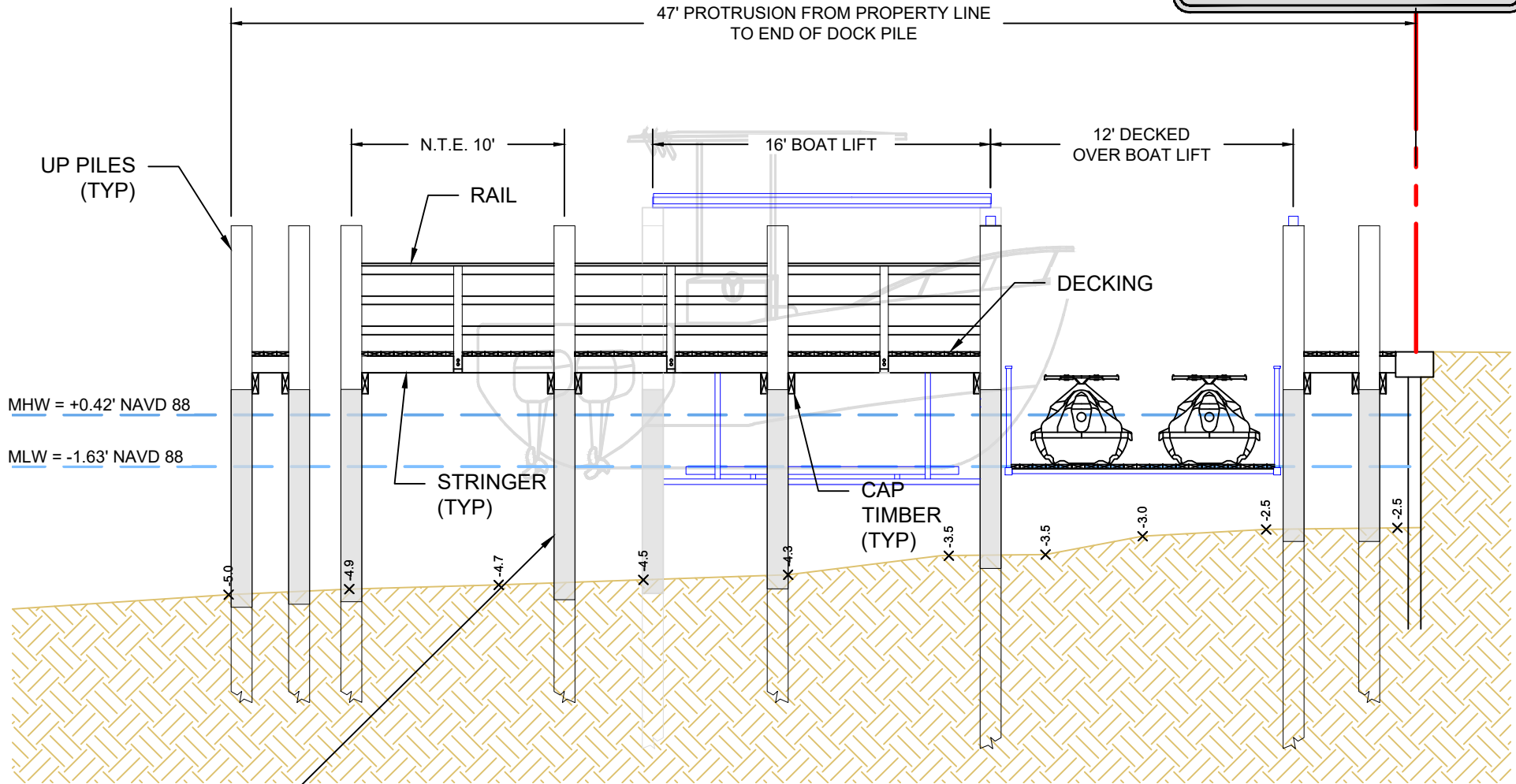
PROPOSED DOCK - DEPTHS

DESIGNED:	JR	REV	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	RMJ	08-04-23	JR	REVISED NOTE BOX
CREATED:	06-06-23	2.	-	-	-	-
JOB NO.:	21145	3.	-	-	-	-
SHEET NO.:	05 OF 14	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

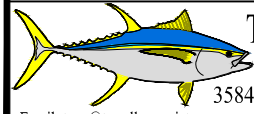


47' PROTRUSION FROM PROPERTY LINE
TO END OF DOCK PILE



SECTION A-A

ALL PILINGS TO BE
WRAPPED FROM 12"
ABOVE MHW TO 6"
BELOW SUBSTRATE



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Marine & Environmental Consulting
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178 TAHITI CIR

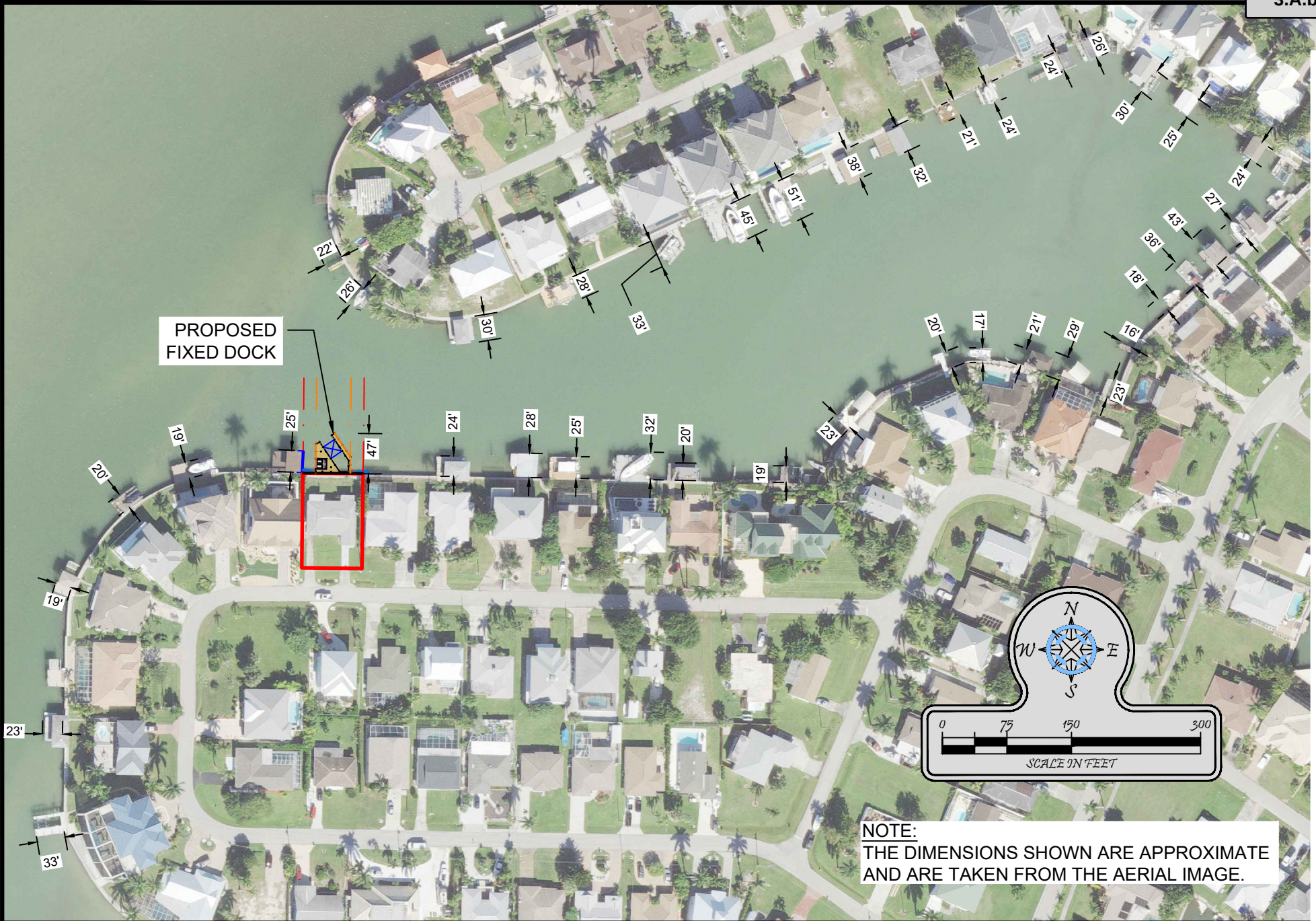
CROSS SECTION AA

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

DESIGNED:	JR	REV	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	RMJ	08-04-23	JR	ADDED BUNK, MOVED LIFTS TO M
CREATED:	06-06-23	2.	-	-	-	-
JOB NO.:	21145	3.	-	-	-	-
SHEET NO.:	06 OF 14	4.	-	-	-	-
		5.	-	-	-	-

SECTION-32 TOWNSHIP-51 S

p121145.00 demarc-178 north of CAD PERMIT-COUNTY 21145-BDE.dwg A04/20/2023



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178 TAHITI CIR

ADJACENT DOCKS-NORTH

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

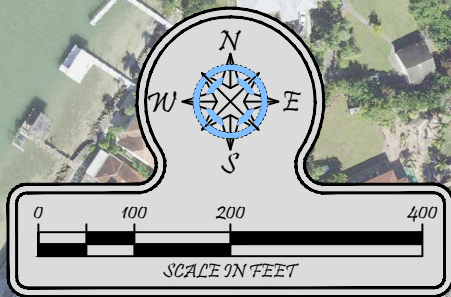
DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGES
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	06-06-23	2.	-	-	-	-
JOB NO.:	21145	3.	-	-	-	-
SHEET NO.:	07 OF 14	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

p:\21145.00 demaret-178 bnhil drc\ADP\PERMIT-COUNTY\21145-BDE.dwg A04\2023

3.A.b

PROPOSED
FIXED DOCK



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



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178 TAHITI CIR

ADJACENT DOCKS-SOUTH

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

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	06-06-23	2.	-	-	-	-
JOB NO.:	21145	3.	-	-	-	-
SHEET NO.:	08 OF 14	4.	-	-	-	-
		5.	-	-	-	-

SECTION-32 TOWNSHIP- 51 S

Packet Pg. 19

Attachment: Attachment A - Site and Dock Plans (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)

P:\21145.00.demarec-178 Tahiti Circle.dwg 8/4/2023 8:42:00 AM



NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- SURVEY COURTESY OF: "COURT GREGORY SURVEYING, INC."
- SURVEY DATED: 04-18-23



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

178 TAHITI CIR

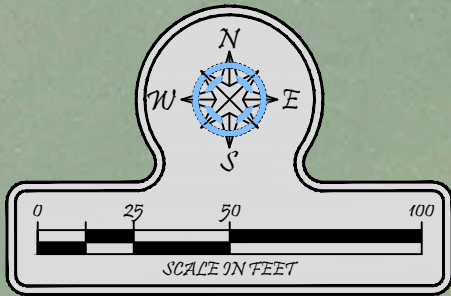
SUBMERGED RESOURCE SURVEY

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

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGES
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	06-06-23	2.	-	-	-	-
JOB NO.:	21145	3.	-	-	-	-
SHEET NO.:	09 OF 14	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

P:\21145.00.demarec-178.tbl\DWG\PERMIT-COUNTY\21145-BDE.dwg 8/4/2023 8:42:23 AM



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

JOHNSON
BAY

MARLIN
BAY

PROPOSED
FIXED DOCK

146'
219'



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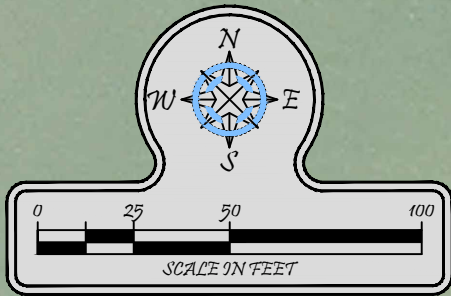
178 TAHITI CIR
WIDTH OF WATERWAY

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

DESIGNED:	JR	REV	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	RMJ	08-04-23	JR	REV. DIMENSION
CREATED:	06-06-23	2.	-	-	-	-
JOB NO.:	21145	3.	-	-	-	-
SHEET NO.:	10 OF 14	4.	-	-	-	-
		5.	-	-	-	-

SECTION-32 TOWNSHIP- 51 S

P:\21145.00.demarec-178.tbl\178.dwg CADPERMIT-COUNTY\21145.BDE.dwg 8/14/2023 9:42:23



JOHNSON
BAY

ST
OVERLAY

MARLIN
BAY

PROPOSED
FIXED DOCK



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178 TAHITI CIR

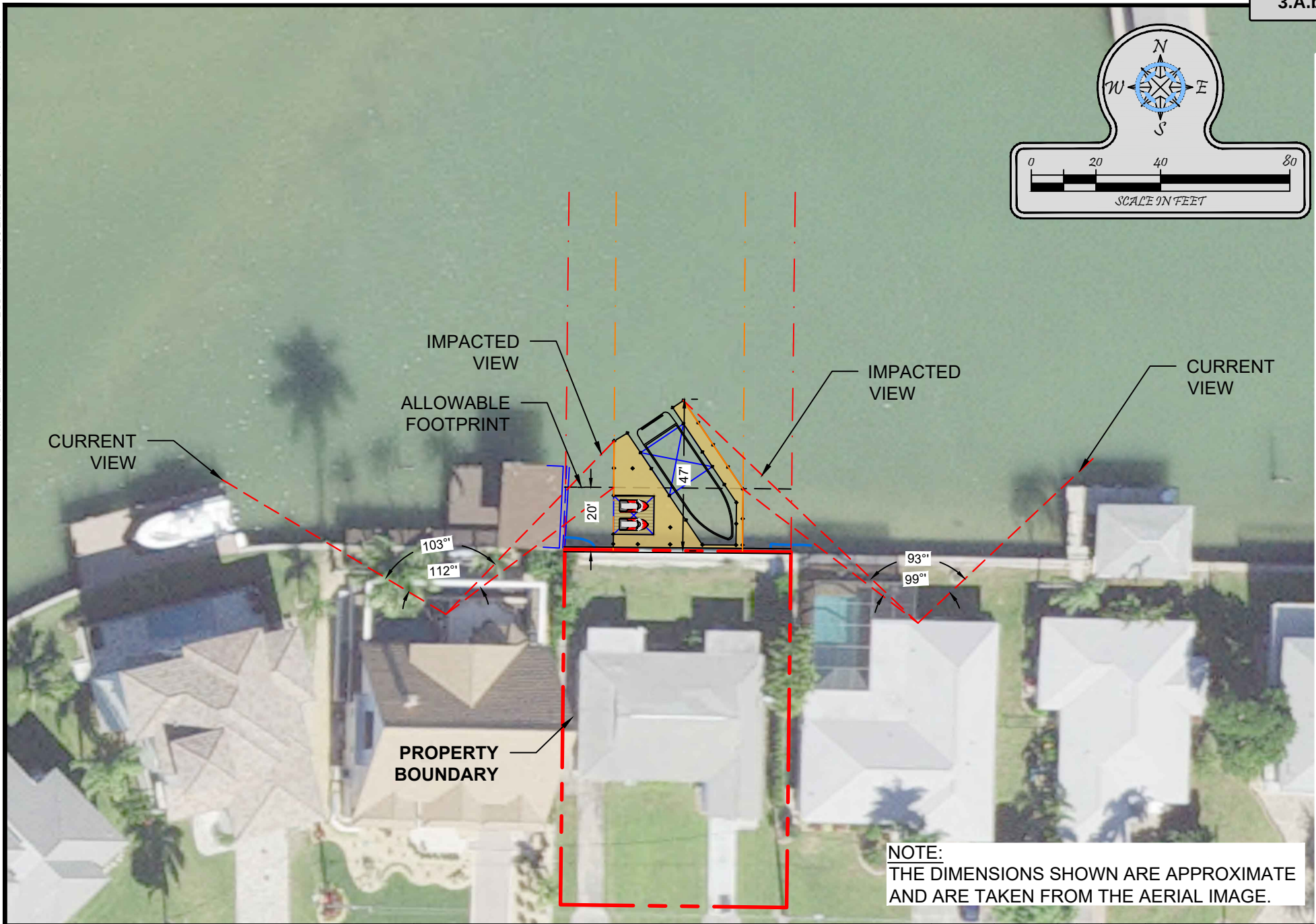
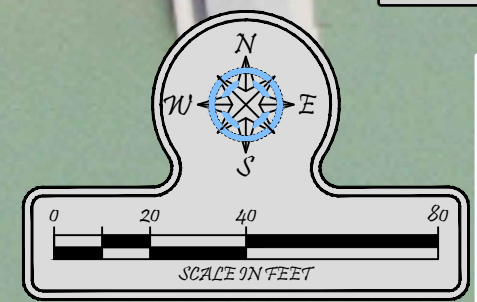
ST OVERLAY

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

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	06-06-23	2.	-	-	-	-
JOB NO.:	21145	3.	-	-	-	-
SHEET NO.:	11 OF 14	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

P:\21145-00 demarec-178 tahiti cir\CAD\PERMIT-COUNTY\21145-BDE.dwg VIEW EXHIBIT 8/4/2023





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

178 TAHITI CIR

VIEW EXHIBIT

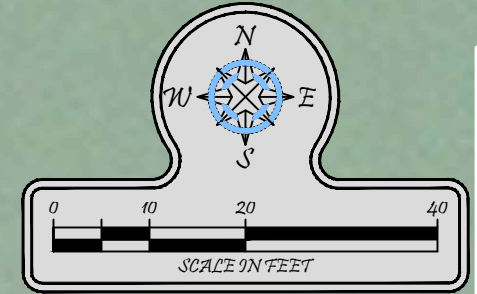
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	RMJ	08-04-23	JR	ZOOMED IN FOR CLARITY
CREATED:	06-06-23	2.	-	-	-	-
JOB NO.:	21145	3.	-	-	-	-
SHEET NO.:	12 OF 14	4.	-	-	-	-
		5.	-	-	-	-

SECTION-32 TOWNSHIP- 51 S

Attachment: Attachment A - Site and Dock Plans (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)

p121145.00 demarec-178 bahiti drcADP PERMIT-COUNTY 21145-BDE-20FT_PROTRUSION.dwg BDA022AROTRUSION DOCK 8/4/2023



JOHNSON BAY

MARLIN BAY

PROPOSED 16'X16'
BOAT LIFT WITH 40'
LOA VESSEL

RIPARIAN LINE

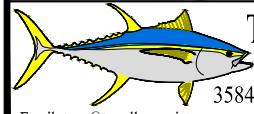
RIPARIAN LINE

MHW/MLW MOSTLY ABUTS
THE FACE OF THE SEAWALL

EXISTING
SEAWALL

PROPOSED
FIXED
DOCK

SUBJECT
PROPERTY



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

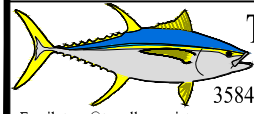
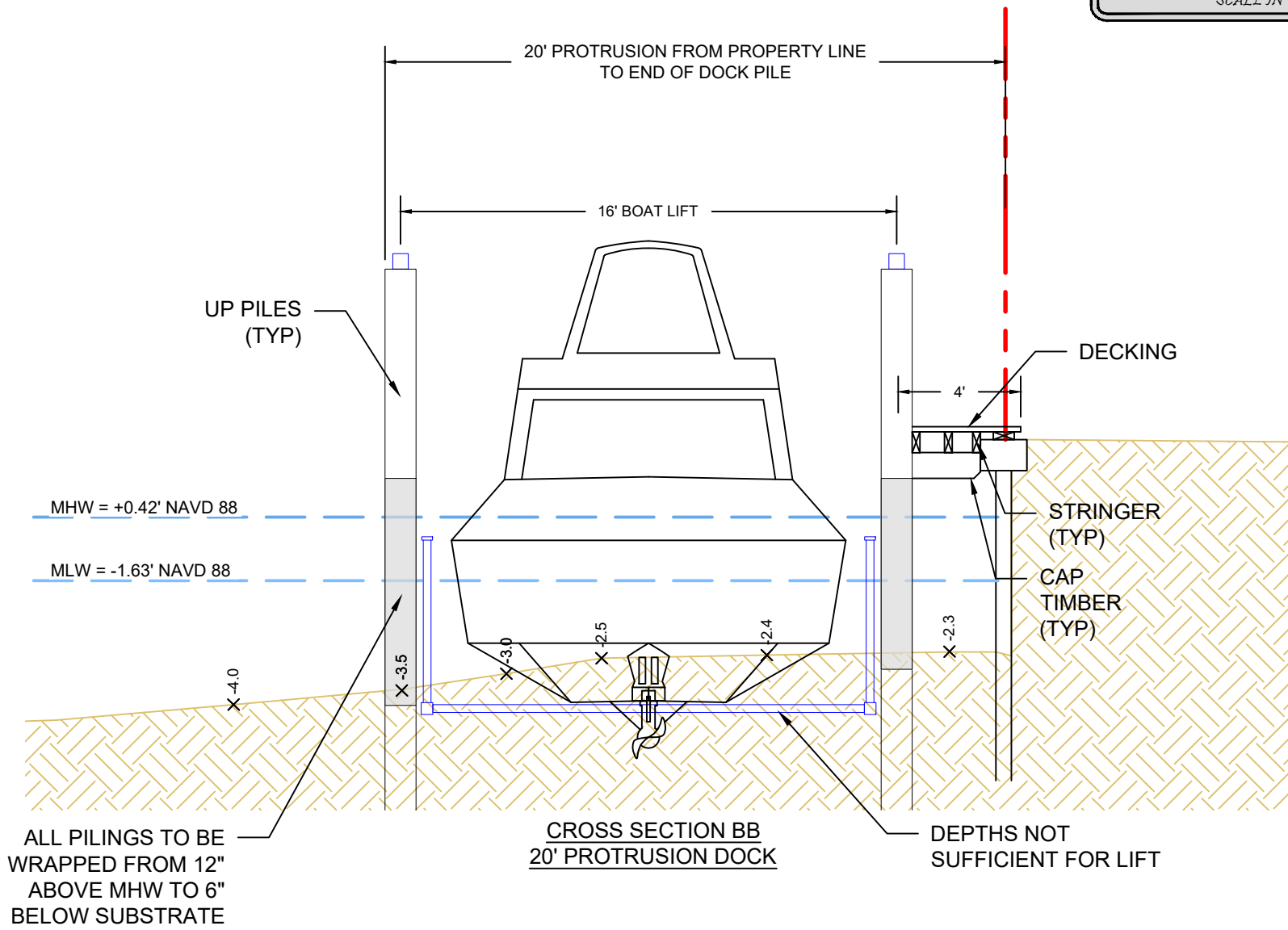
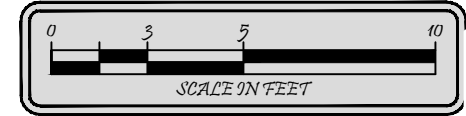
178 TAHITI CIR

20 FT PROTRUSION DOCK

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

DESIGNED:	JR	REV	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	RMJ	08-04-23	JR	ADDED SECTION SYMBOL
CREATED:	06-06-23	2.	-	-	-	-
JOB NO.:	21145	3.	-	-	-	-
SHEET NO.:	13 OF 14	4.	-	-	-	-
		5.	-	-	-	-

SECTION-32 TOWNSHIP-51S



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

178 TAHITI CIR

CROSS SECTION BB

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

DESIGNED:	JR	REV	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	08-04-23	2.	-	-	-	-
JOB NO.:	21145	3.	-	-	-	-
SHEET NO.:	14 OF 14	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

**COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS**

PERMIT

PERMIT #: PRFH2022041641201

PERMIT TYPE: Building

DATE ISSUED: August 26, 2022

BUILDING CODE IN EFFECT: FBC 7th Edition 2020

JOB ADDRESS: 178 Tahiti CIR, Unit, Naples, Single Family

FOLIO #:

JOB DESCRIPTION: New Single Family Residence

178 Tahiti CIR

4 bed / 5 bath (5wc) rm

OWNER INFORMATION:

K & K DEMARET 2009 FAM TRUST

192 TAHITI CIR

NAPLES, FL 34113

AREA OF WORK (SQFT): 7598

SETBACKS:

FRONT: 25' REAR: 20' P / 10' A LEFT: 7.5' RIGHT: 7.5'

FLOOD ZONE: AE

SEWER: Septic

WATER: New

CONTRACTOR INFORMATION:

STILES SOWERS CONSTRUCTION INC

3050 N HORSESHOE DR BLDG B UNIT 290

NAPLES, FL 34104

(239) 213-1222

CERTIFICATE #:

C21679

SUB CONTRACTOR INFORMATION:

WORLD PLUMBING, LLC (DBA) ACE PLUMBING OF NAPLES

3050 HORSESHOE DR. N. STE 290

NAPLES, FL 34104

(239) 692-9746

ROMEO AIR CONDITIONING, INC.

1852 E 40TH TERRACE SW

NAPLES, FL 34116

(239) 348-8999

PROFESSIONAL ELECTRIC OF SW FLORIDA, LLC

5490 YAHL ST UNIT #20

NAPLES, FL 34109

(239) 919-6595

Attachment: Attachment B - Building Permit PRFH20220416412 (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)

INSPECTION JOB CARD
To schedule inspections call 239-252-3726
or visit <https://cvportal.colliercountyfl.gov/cityviewweb>

SETBACKS:											
FRONT:	25'	REAR:	20' P / 10' A	LEFT:	7.5'	RIGHT:	7.5'	SPECIAL:		FLOOD ZONE:	FZAE
INSPECTION		OUTCOME				COMMENTS					
102 - Grade Beam											
103 - Floating Slab											
104 - Tie Beam											
105 - Shearwall							cast in place wall				
106 - Columns											
107 - Truss/Sheathing/Bucks											
108 - Framing											
109 - Insulation											
111 - Dry-in/Flashing											
115 - Building Final											
119 - Fill Cells											
120 - Flood Vent Relief											
121 - Elevated Structural Deck											
124 - Steel In Stairs											
125 - Elevator Pit											
134 - Roofing Final											
135 - Shutters Final											
136 - Impact Glass											
151 - Shearwall/Nailing											
152 - Shearwall/Water Barrier											
153 - Shearwall/Stucco Lath											
154 - Soffit Coverings In progress							Please do NOT complete Soffit installation prior to inspection.				
200 - Plumbing Underground											
201 - Plumbing Rough-in											

Attachment: Attachment B - Building Permit PRFH20220416412 (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)

202 - Plumbing Stack		
203 - Sewer Tap		
204 - Plumbing Final		
300 - A/C Rough		
301 - A/C Final		
501 - Electrical Rough		
502 - Electrical Final		
505 - Temporary Power Residential		
508 - TV/Telephone Rough		
509 - TV/Telephone Final		
801 - Site Drainage		Type I Stormwater Plan, signed and sealed by a PE. DiazDidier 04/15/2022 8:48 AM Discharging into the ocean, therefore a Type I Stormwater Plan is needed.
802 - Landscaping		
805 - Septic in Progress		
810 - Exotic Vegetation Removal		
813 - Final Septic		
814 - Erosion/Silt		The 814 - Erosion/Silt must be passed before any other inspections are scheduled.

OPEN CONDITIONS	
Condition Type:	Condition Description:
Informational	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.
Inspection Hold	Notice of Commencement: Upload to the condition on the portal.
CO Hold	Waiting for Blower Door Test documentation. Upload to the condition on the portal.

	Per plans not greater than 5.0 ACH50
CO Hold	Waiting for Final Energy Calc Summary Sheet. Send document to EnergyCalc@CollierCountyFL.gov and include your permit number in the emails subject line.
Informational	FEMA - All equipment must be above flood plus one foot. Any materials used below flood level must comply with FEMA regulations
CO Hold	A Spot Survey will be required within ten days of passing a 704 shell reinforcement or 103/133 inspection of slab. Prior to obtaining County approval of the Spot Survey, the permit holder's construction activities are at his/her own risk. After 10 days an "Inspection HOLD" will be placed on this Permit for survey review. NOTE: A Spot Survey must verify slab meets setbacks and minimum elevation per Chapter 62, Collier County Code of Laws and Ordinances, e.g., 18' above the crown of the road or the elevation established by the SFWMD permit.
Informational	New Future generator and New Seawall mentioned on the plans require separate permits.
CO Hold	> Elevation Certificate Flood zone AE 8' NAVD; Prop living=16.25' NAVD; COR=3.32' NAVD; Garage (LP) 4.83' NAVD; Lower level to be vented by (16) Smart Vent Model 1540-520 (200SF/ea) & two (2) 1540-530 (fire damper (fire rated) units
CO Hold	At the time of permit application, the permitted structure is in the special flood hazard area. An Under Construction Elevation Certificate is required within 10 days of passing a 103 or 133 inspection of slab or other foundation system. Prior to obtaining County approval of the Under Construction Elevation Certificate, the permit holder's construction activities are at his/her own risk. Under Construction Elevation Certificates must verify the slab meets minimum elevations per the Florida Building Code and Chapter 62, Collier County Code of Laws and Ordinances (e.g., BFE +1 or 18' above the crown of the road, whichever is higher, and the elevation established by the SFWMD permit). Flood zone AE 8' NAVD; Prop living=16.25' NAVD; COR=3.32' NAVD; Garage (LP) 4.83' NAVD; Lower level to be vented by (16) Smart Vent Model 1540-520 (200SF/ea) & two (2) 1540-530 (fire damper (fire rated) units f
CO Hold	Pursuant to the Floodplain Management Ordinance 2019-01 a Non-conversion Agreement shall be recorded in the public records of Collier County, FL prior to issuance of the certificate of occupancy or certificate of completion for this permit. Once the Non-Conversion Agreement is recorded, upload to the condition on the portal. For questions, contact the Floodplain Management section at 239-252-2942 or email BuildingFloodDocs@colliercountyfl.gov. The form can be downloaded here: https://www.colliercountyfl.gov/home/showdocument?id=84981
Inspection Hold	Permit is on inspection hold until the following deferred items are submitted as a revision: truss
CO Hold	Waiting for Duct Leakage Test documentation. Upload test documentation to the condition on the portal. Per plans not greater than .000 QN
CO Hold	Any required County impact fees will be due prior to issuance of a temporary or final Certificate of Occupancy
CO Hold	Engineering Certificate/Letter (Structural). Upload to the condition on the portal. Engineers Letter/Certificate of Compliance and Inspection Reports required for pilings. CO Hold until receipt of Engineers Report.
Inspection Hold	Sub Contractor (Roofing) Upload to the condition on portal.
Inspection Hold	Sub Contractor (Septic) Upload to the condition on portal. Owner can not act as the septic sub, must be a licensed plumber or registered septic contractor.
CO Hold	Please contact the Inspection/CO section at 239-252-2406 or email us at inspections@colliercountyfl.gov to have this condition resolved prior to paying CO fees. This will generate the Mandatory Curbside Solid Waste Collection fee based on the total permit fees due.

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 are in effect at all times. Work permitted, RESIDENTIAL Areas – 6:30 AM to 7:00 PM Monday thru Saturday; NON-RESIDENTIAL

Areas (more than 500 feet from Residential Area) 6:00AM to 8:00PM Monday thru Saturday. No Work on Sundays or Holidays. RADIOS, LOUDSPEAKERS, ETC. – Must not disturb peace, quiet and comfort of neighboring inhabitants. FREE CABLE LOCATIONS – Call 48 Hours prior to digging/FPL 434-1222/UTS 1-800-542-0088/PalmerCATV 783-0638 and all other applicable utilities.

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 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.

NOTICE: 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. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

HEX NO. 2022-42

HEARING EXAMINER DECISION

DATE OF HEARING.

August 25, 2022

PETITION.

Petition No. BDE-PL20220002144 - 178 Tahiti Circle - Request for a 34-foot boat dock extension, over 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 construct a new dock facility that will protrude a total of 54 feet into a waterway that is 224± feet wide for the benefit of property located at 178 Tahiti Circle, also known as Lot 155, Isles of Capri No. 2, in Section 32, Township 51 South, Range 26 East, Collier County, Florida.

GENERAL PURPOSE FOR THE PETITION.

The petitioner seeks to construct a 2-slip dock facility, perpendicular to the shoreline, with two boatlifts; one to accommodate a 50-foot vessel and the other to be decked over to serve two personal watercrafts (PWCs).

STAFF RECOMMENDATION.

Approval with conditions.

FINDINGS.

1. The Hearing Examiner has jurisdiction over this Petitioner pursuant to Sec. 2-87(4) of the Collier County 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.
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 County Staff presented the Petition followed by the Petitioner and/or Petitioner's representative, public comment and then rebuttal by the Petitioner and/or Petitioner's representative. There were objections made at the public hearing by Robert Buckel, the neighbor at 168 Tahiti, who is also an attorney, and Michael, Jeffrey and Sandra Clark who

are the property owners of both 182 Tahiti and 186 Tahiti. They are concerned regarding the length of the boat dock extensions that will block the views on their properties. Also, Mr. Buckel pointed out errors with the Submerged Resource Survey.

6. There is a concurrent land use application of Building Permit Application No. PRFH20220416412 is under review for a 3-story residential dwelling unit.
7. The County's Land Development Section 5.03.06.H. lists the criteria for dock facility extensions. The Hearing Examiner may approve, approve with conditions, or deny a boat dock extension request if it is determined that at least four (4) of the five (5) primary criteria, and at least four (4) of the six (6) secondary criteria have been met.¹

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.)

*The record evidence and testimony from the public hearing reflects that the criterion **HAS BEEN MET**. The subject property is located within an RSF-4 zoning district and will be improved with a single-family dwelling for which the LDC allows two boat slips. The proposed project consists of a dock facility with two boatlifts, one to accommodate a 50-foot vessel and the other to be decked over for two personal watercrafts (PWCs). There will also be a railing installed to inhibit a third unauthorized slip.*

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

*The record evidence and testimony from the public hearing reflects that the criterion **HAS NOT BEEN MET**. The boat dock extension (BDE) is necessary to accommodate the owners' vessels and due to riprap along the subject seawall; the proposed dock cannot come any closer to the shoreline. A more shore parallel dock design would not work due to the riprap and would then also require the vessel to cross over into the adjacent property owners' riparian area. The reason for this BDE is both the riprap of the shoreline and vessel size.*

¹ The Hearing Examiner's findings are italicized.

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.)

*The record evidence and testimony from the public hearing reflects that the criterion **HAS BEEN MET**. There are no marked channels within this section of Johnson Bay, therefore the entire waterway provides safe navigation. As proposed, the dock facility will also maintain the ingress/egress to both neighboring docks.*

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.)

*The record evidence and testimony from the public hearing reflects that the criterion **HAS BEEN MET**. The subject waterway is 224± feet wide at this point. The proposed dock facility will protrude 54 feet into the subject waterway which is 24.1% of said waterway. The distance between the subject dock facility and that on the opposite shore is 137 feet; given that the total width of the waterway is 224± feet, over 50% (or 112 feet) is open and available 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.)

*The record evidence and testimony from the public hearing reflects that the criterion **HAS BEEN MET**. The proposed dock facility will exceed the required 15-foot side/riparian setback and allows for the intended vessel to make a direct approach without crossing the riparian area of others. The subject dock facility will not inhibit the access of neighboring dock facilities.*

Secondary Criteria:

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

*The record evidence and testimony from the public hearing reflects that the criterion **HAS NOT BEEN MET**. The applicant states that due to the riprap the dock facility must be 3 feet away to prevent the vessel from striking the riprap while ingress/egressing the boatlift, and that the 3-foot offset provides sufficient space to protect the vessel but limits the ability to reduce protrusion. The applicant also states that this part of Johnson Bay is located within the Rookery Bay Aquatic Preserve which required the applicant to follow the aquatic preserve dock guidelines which are more restrictive on design options and*

location. However, there is no evidence that riprap is an issue, nor are there any other special conditions pertaining to this criterion.

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 record evidence and testimony from the public hearing reflects that the criterion **HAS BEEN MET**. The proposed dock facility has been designed for routine maintenance, safe access as well as recreational activities like fishing, plus storage of kayaks and/or paddleboards.*

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.)

*The record evidence and testimony from the public hearing reflects that the criterion **HAS NOT BEEN MET**. The proposed dock facility was designed to accommodate a 50-foot vessel and two personal watercrafts (PWCs) each approximately 12-feet in length. The subject shoreline is 70± feet in length; therefore, the vessel size will exceed the 50% threshold.*

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

*The record evidence and testimony from the public hearing reflects that the criterion **HAS NOT BEEN MET**. As proposed, the dock facility has been designed to be constructed fully within the required 15-foot side/riparian setbacks. However, the dock facility design will have a major impact on the waterfront view of neighboring property owners.*

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

*The record evidence and testimony from the public hearing reflects that the criterion **HAS BEEN 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.)

*The record evidence and testimony from the public hearing reflects that the criterion is **NOT APPLICABLE**. The provisions of the Collier County Manatee Protection Plan do not apply to single-family dock facilities except for those within the seawalled basin of Port of the Islands; the subject property is not located within Port of the Islands.*

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 Section 5.03.06.H of the Land Development Code to deny Petition. The Petition meets 4 out of 5 of the primary criteria and 3 out of 6 secondary criteria.

DECISION.

The applicant has met 4 of 5 primary criteria and 3 of 6 secondary criteria. Therefore, the Hearing Examiner hereby DENIES Petition Number BDE-PL20220002144, filed by Jeff Rogers of Turrell, Hall & Associates, Inc. representing Kenneth J. and Kathleen A. Demaret, Co-Trustees of the Kenneth and Kathleen Demaret 2009 Family Trust, with respect to the property described as 0.18± acres located at 178 Tahiti Circle and is legally described as Lot 155, Isles of Capri No. 2, in Section 32, Township 51 South, Range 26 East. Collier County, Florida, for the following:

- A 34-foot boat dock extension, over the maximum 20 feet allowed by Section 5.03.06.E.1 of the Collier County Land Development Code (LDC) for waterways 100 feet or greater in width, to construct a new dock facility that will protrude a total of 54 feet into a waterway that is 224± feet wide for the benefit of the subject property.

ATTACHMENTS.

Exhibit A – Site and Dock Plans

LEGAL DESCRIPTION.

0.18± acres located at 178 Tahiti Circle and is legally described as Lot 155, Isles of Capri No. 2, in Section 32, Township 51 South, Range 26 East. Collier County, Florida

CONDITIONS.

Not applicable.

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.

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 23, 2022

Date

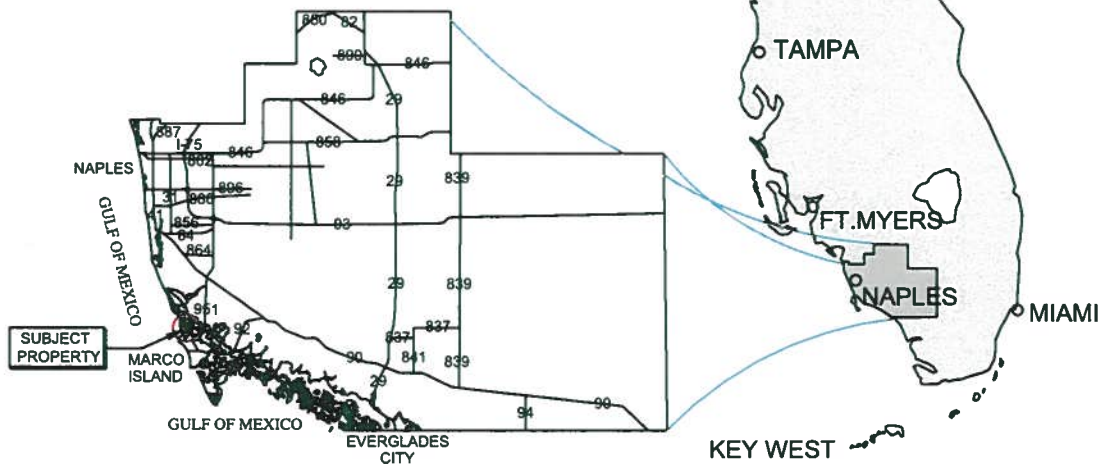


Andrew Dickman, Esq., AICP
Hearing Examiner

EXHIBIT “A”

p:\21145.00 demareel-178 tahiti cir\CAD\PERMIT-COUNTY\21145-8DE.dwg LOCATION MAP 6/2/2022

STATE OF FLORIDA



COLLIER COUNTY



VICINITY MAP

SITE ADDRESS:

<> 178 TAHITI CIR
NAPLES, FL 34113

<> LATITUDE: N 25.981681

<> LONGITUDE: W -81.732712

NOTES:

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



COUNTY AERIAL



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Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732

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

178 TAHITI CIR LOCATION MAP

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

DESIGNED:	JR	DRAWN BY:	RMJ	CHECKED BY:	RMJ	DATE:	06-02-22
DRAWN BY:	RMJ	CREATED:	06-02-22	JOB NO.:	21145	SHEET NO.:	01 OF 10
SECTION-32	TOWNSHIP-51 S	RANGE-36 E					

EXHIBIT "A"

EXISTING
ADJACENT
BOATHOUSE,
ROOF AND
WALKWAY

RIPARIAN LINE

RIPARIAN LINE

MHW/MLW MOSTLY ABUTS
THE FACE OF THE SEAWALL

70'

EXISTING
SEAWALL

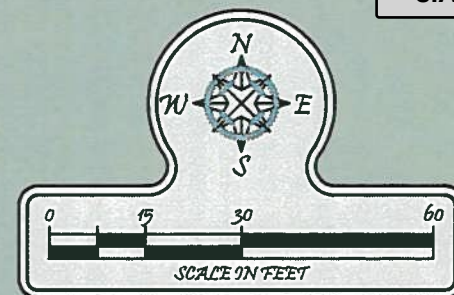
SUBJECT
PROPERTY

SITE ADDRESS:
178 TAHITI CIR
NAPLES, FL 34113

110'

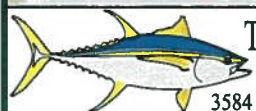
110'

70'



NOTES:

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- ALL DATUM SHOWN HEREON IS REFERENCED TO MLW
- SURVEY COURTESY OF: "COURT GREGORY SURVEYING, INC."
- SURVEY DATED: 11-10-21
- APPLICANT OWNED SHORELINE (APPX LF): 70'
- EXISTING OVERWATER STRUCTURE (APPX SF): 0
- WIDTH OF WATERWAY, MHW TO MHW (APPX): 224'
- TIDAL DATUM:
 - MHW (NAVD)= +0.42'
 - MLW (NAVD)= -1.53'



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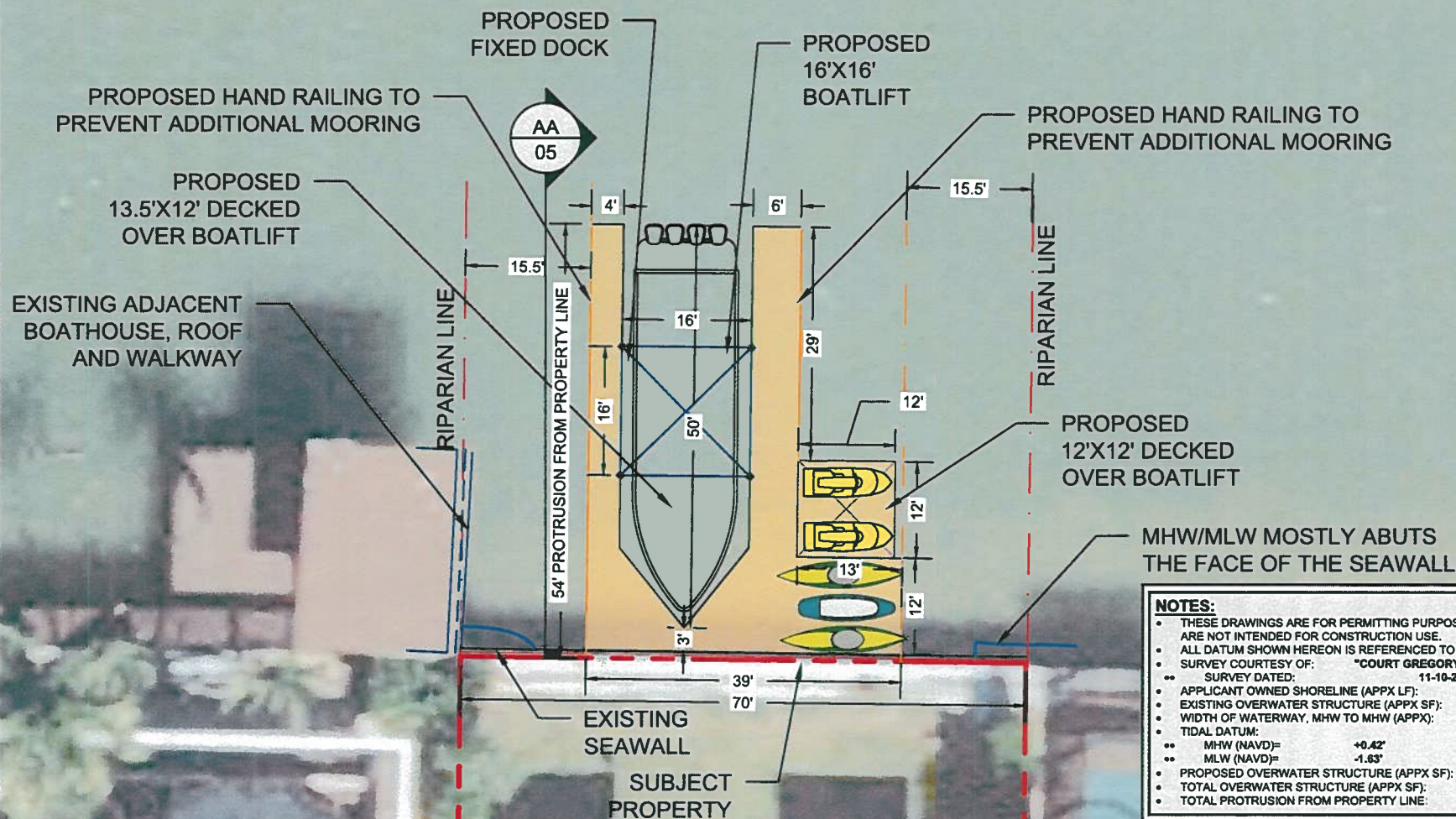
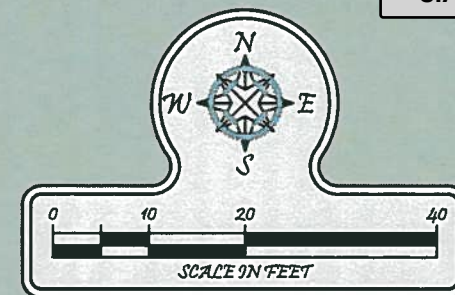
178 TAHITI CIR

EXISTING CONDITIONS

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

DESIGNED:	JR	DATE	CHECKED	DATE
DRAWN BY:	RMJ	DATE	CHECKED	DATE
CREATED:	06-02-22	DATE	CHECKED	DATE
JOB NO.:	21145	DATE	CHECKED	DATE
SHEET NO.:	02 OF 10	DATE	CHECKED	DATE

SECTION-32 TOWNSHIP- 51 S RANGE- 26 E

**NOTES:**

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- SURVEY DATED: 11-10-21
- APPLICANT OWNED SHORELINE (APPX LF): 70'
- EXISTING OVERWATER STRUCTURE (APPX SF): 0
- WIDTH OF WATERWAY, MHW TO MHW (APPX): 224'
- TIDAL DATUM:
 - MHW (NAVD)= +0.42'
 - MLW (NAVD)= -1.83'
- PROPOSED OVERWATER STRUCTURE (APPX SF): 957
- TOTAL OVERWATER STRUCTURE (APPX SF): 957
- TOTAL PROTRUSION FROM PROPERTY LINE: 54'



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178 TAHITI CIR

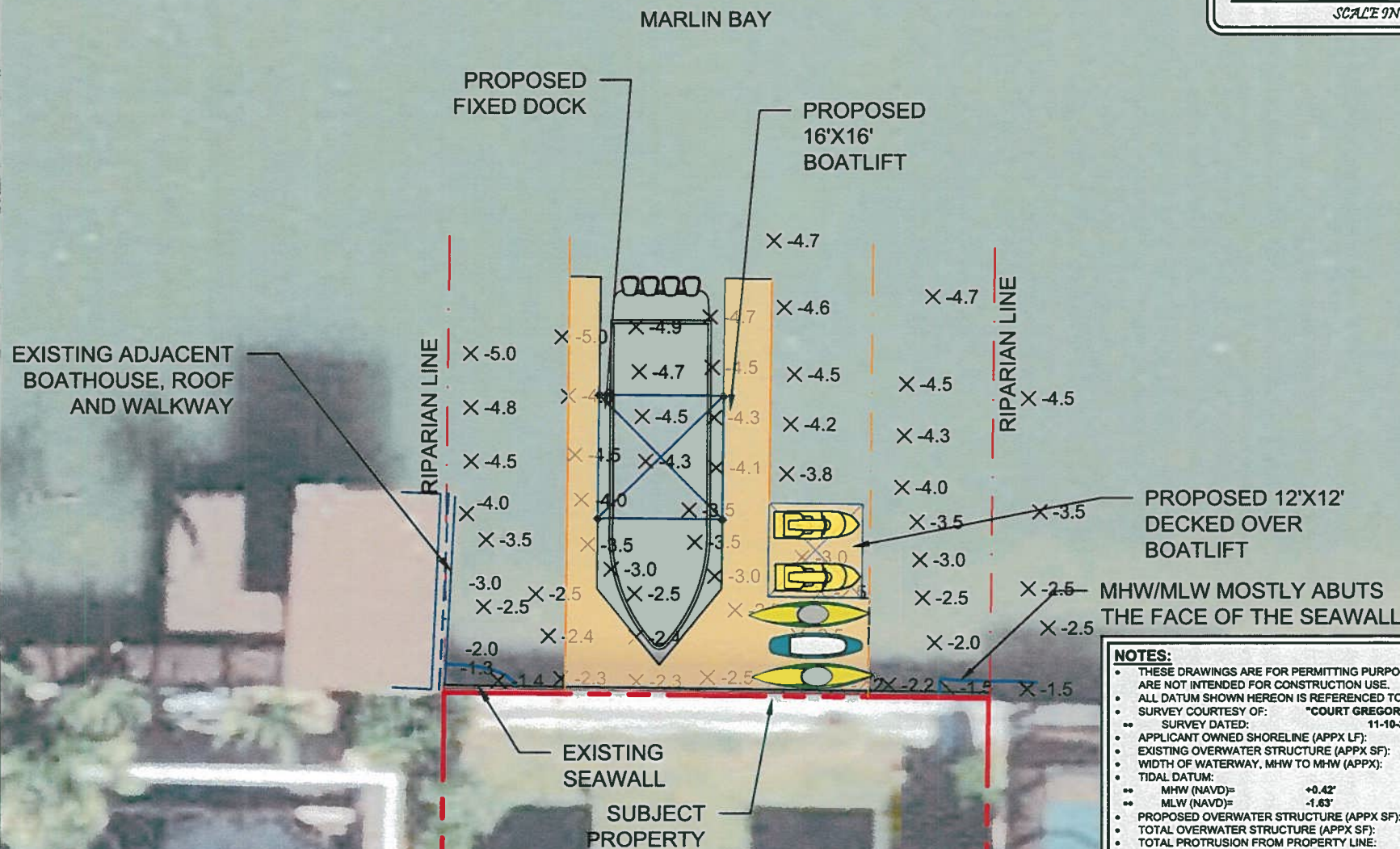
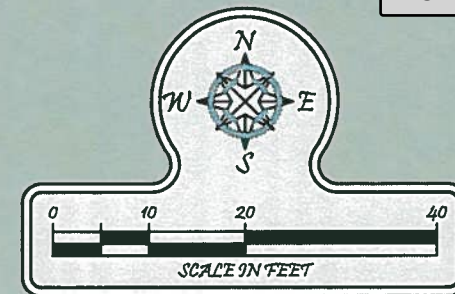
PROPOSED DOCK - DIMENSIONS

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

DESIGNED:	JR	DATE	CHECKED	DATE
DRAWN BY:	RMJ	DATE	CHECKED	DATE
CREATED:	06-02-22	DATE	CHECKED	DATE
JOB NO.:	21145	DATE	CHECKED	DATE
SHEET NO.:	03 OF 10	DATE	CHECKED	DATE

SECTION- 32 TOWNSHIP- 51 S RANGE- 26 E

p121145.00 demarsh-178 units of CAD/PERMIT-COUNTY121145-BDE.dwg 8/22/2022 PROPOSED DOCK - DEPTHS 8/22/2022



- NOTES:**
- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
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 - SURVEY DATED: 11-10-21
 - APPLICANT OWNED SHORELINE (APPX LF): 70'
 - EXISTING OVERWATER STRUCTURE (APPX SF): 0
 - WIDTH OF WATERWAY, MHW TO MHW (APPX): 224'
 - TIDAL DATUM:
 - MHW (NAVD)= +0.42'
 - MLW (NAVD)= -1.63'
 - PROPOSED OVERWATER STRUCTURE (APPX SF): 957
 - TOTAL OVERWATER STRUCTURE (APPX SF): 957
 - TOTAL PROTRUSION FROM PROPERTY LINE: 54'



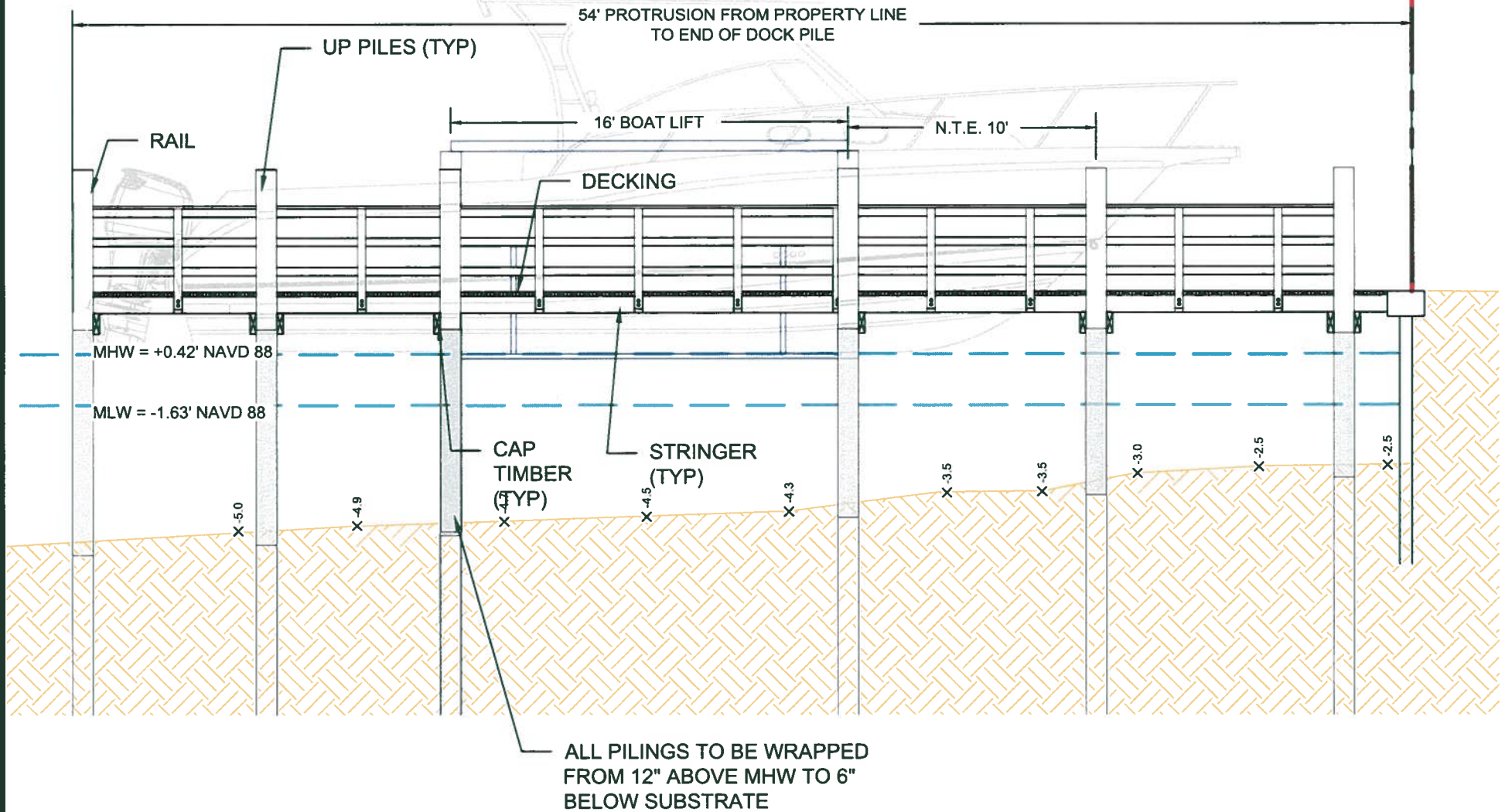
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Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

178 TAHITI CIR PROPOSED DOCK - DEPTHS

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

DESIGNED:	JR	DATE:	DATE:	DATE:	DATE:
DRAWN BY:	RMJ	DATE:	DATE:	DATE:	DATE:
CREATED:	06-02-22	DATE:	DATE:	DATE:	DATE:
JOB NO.:	21145	DATE:	DATE:	DATE:	DATE:
SHEET NO.:	04 OF 10	DATE:	DATE:	DATE:	DATE:

SECTION-32 TOWNSHIP-51S RANGE-26E



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Fax: (239) 643-6632

178 TAHITI CIR

CROSS SECTION AA

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DESIGNED:	JR	REVIEW BY:	DATE:	CHK BY:	CHANGED:
DRAWN BY:	RMJ	1.	-	-	-
CREATED:	08-02-22	2.	-	-	-
JOB NO.:	21145	3.	-	-	-
SHEET NO.:	05 OF 10	4.	-	-	-
		5.	-	-	-

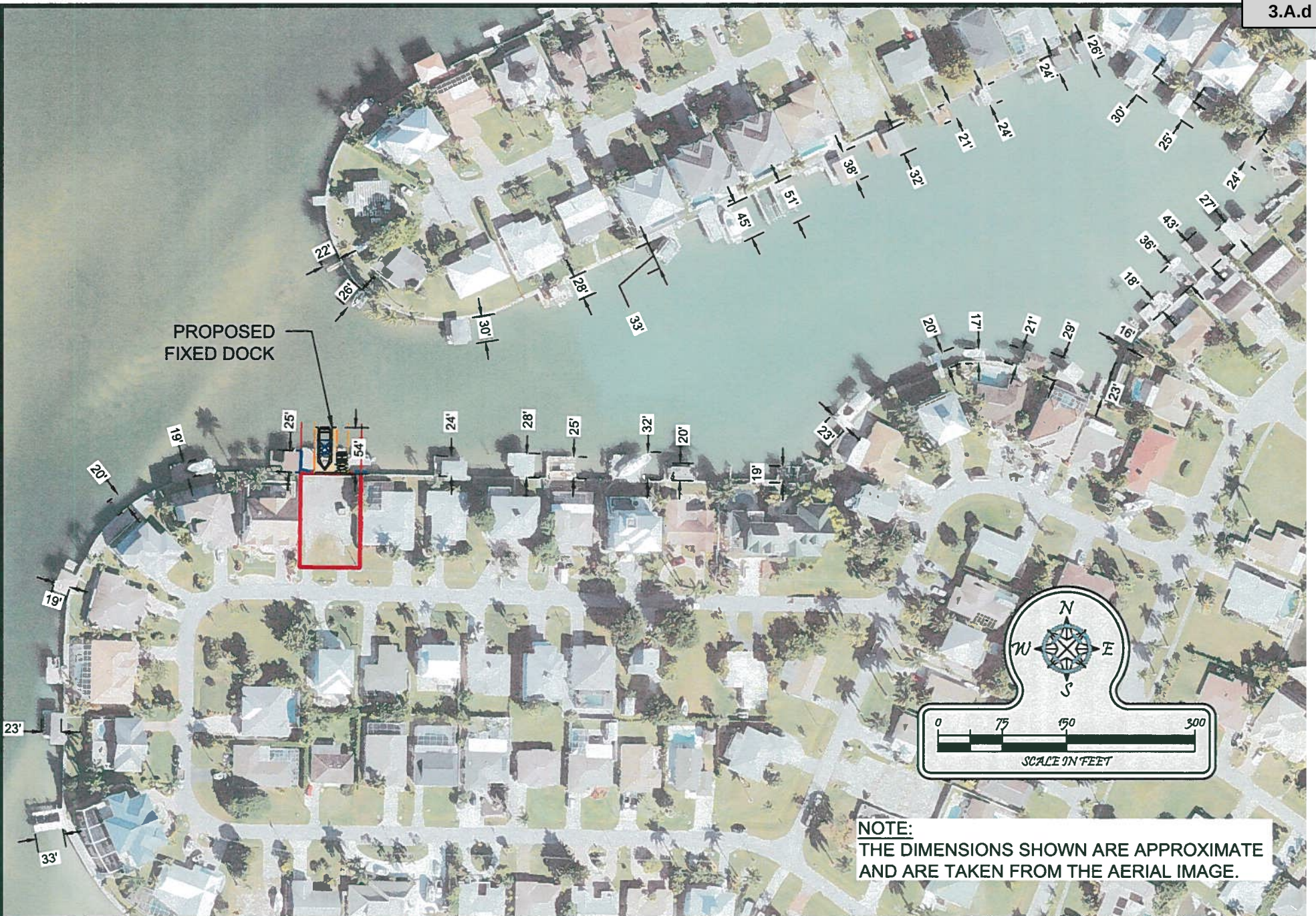
SECTION- 32

TOWNSHIP- 51S

RANGE- 26E

Packet Pg. 42

p:\21145.00 demareh-178 tahiti cir\ADJACENT DOCKS-NORTH 8/22/2022



PROPOSED
FIXED DOCK

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



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178 TAHITI CIR

ADJACENT DOCKS-NORTH

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

DESIGNED:	JR	DATE:	06-02-22	DRAWN BY:	RMJ	CHECK BY:	
DRAWN BY:	RMJ	CHECK BY:		DATE:	06-02-22	JOB NO.:	21145
CREATED:	06-02-22	SHEET NO.:	06 OF 10	SECTION-32	TOWNSHIP- 51 S	RANGE- 26 E	
JOB NO.:	21145	SECTION-32	TOWNSHIP- 51 S	RANGE- 26 E			
SHEET NO.:	06 OF 10						

p:\21145.00 demareh-178 lahi cnc\ADJACENT DOCKS-SOUTH 8/22/2022



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



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178 TAHITI CIR

ADJACENT DOCKS-SOUTH

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

DESIGNED:	JR	DATE:	1/1/2022	SCALE:	AS SHOWN
DRAWN BY:	RMJ	DATE:	1/1/2022	SCALE:	AS SHOWN
CREATED:	06-02-22	DATE:	1/1/2022	SCALE:	AS SHOWN
JOB NO.:	21145	DATE:	1/1/2022	SCALE:	AS SHOWN
SHEET NO.:	07 OF 10	DATE:	1/1/2022	SCALE:	AS SHOWN

SECTION-32 TOWNSHIP- 51 S

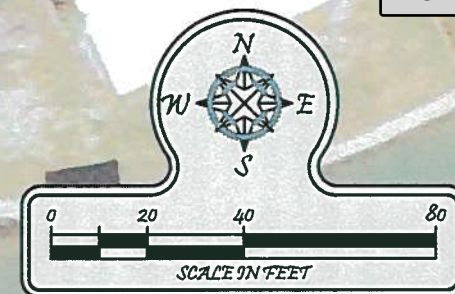
RANGE- 26 S

Packet Pg. 44

3.A.d

Attachment: Attachment C - HEX Decision 2022-42, 8-25-22 (26817 : PL20230006459 BD 178 Tahiti Circle

TYPICAL DIVE TRANSECT



200'

10'

200'

TRANSECTS (TYP)

NO SEAGRASSES WERE
OBSERVED GROWING
WITHIN 200 FT OF THE
PROPOSED PROJECT

SUBJECT
PROPERTY

NOTES:

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

- SURVEY COURTESY OF: "COURT GREGORY SURVEYING, INC."
- SURVEY DATED: 11-10-21



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Marine & Environmental Consulting

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178 TAHITI CIR

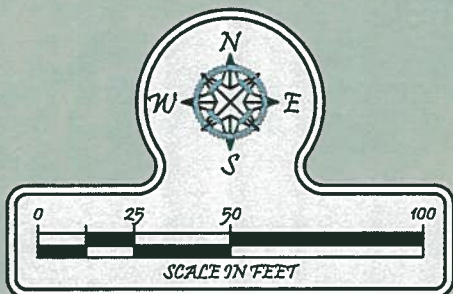
SUBMERGED RESOURCE SURVEY

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

DESIGNED:	JR	DATE:		DATE:	
DRAWN BY:	RMJ	DATE:		DATE:	
CREATED:	06-02-22	DATE:		DATE:	
JOB NO.:	21145	DATE:		DATE:	
SHEET NO.:	08 OF 10	DATE:		DATE:	

SECTION- 32 TOWNSHIP- 51 S RANGE- 26 E

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

MARLIN BAY

PROPOSED
FIXED DOCK

137'
224'

178 TAHITI CIR

WIDTH OF WATERWAY

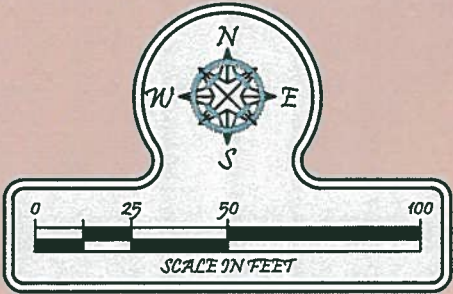


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DESIGNED:	JR	DATE:	DATE:	DATE:	DATE:
DRAWN BY:	RMJ	1.	-	-	-
CREATED:	06-02-22	2.	-	-	-
JOB NO.:	21145	3.	-	-	-
SHEET NO.:	09 OF 10	4.	-	-	-
		5.	-	-	-
SECTION- 32	TOWNSHIP- 51 S	RANGE- 26 E			

p:\21145.00.dwg 6/22/2022



MARLIN BAY

ST
OVERLAY

PROPOSED
FIXED DOCK



Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting

3584 Exchange Ave. Naples, FL 34104-3732

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

178 TAHITI CIR
ST OVERLAY

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

DESIGNED:	JR	DATE:	DATE:	DATE:	DATE:
DRAWN BY:	RMJ	1.	-	-	-
CREATED:	06-02-22	2.	-	-	-
JOB NO.:	21145	3.	-	-	-
SHEET NO.:	10 OF 10	4.	-	-	-
		5.	-	-	-

SECTION- 32 TOWNSHIP- 51 S RANGE- 26E

HEARING PACKAGE CHECKLIST**A. Backup provided by the County Planner**

The agent is responsible for all required data included in the digital file of information for the Hearing Examiner (Hex) or the Collier County Planning Commission (CCPC). **DO NOT ACCEPT DUPLICATES OF ANY DOCUMENTS. MAKE SURE ONLY THE LATEST, ACCEPTED/APPROVED COPY OF THE BELOW DOCUMENTATION. PLEASE CONFIRM THE DOCUMENTS ARE IN THE ORDER DESCRIBED IN "BACKUP PROVIDED BY APPLICANT."**

Planner responsible for providing the County Attorney-drafted Ordinance for PUDs and placing in backup materials. AGENTS DO NOT INCLUDE THE PUD DOCUMENT – STAFF PROVIDES THIS TO THE COUNTY ATTORNEY WHEN THE ORDINANCE IS DRAFTED FOR A PUD. THE FINAL PUD ORDINANCE/RESOLUTION IS THE FIRST ITEM AFTER THE STAFF REPORT. [FOR HEX, THE REQUESTED LANGUAGE/ PROPOSED PLAN IS THE FIRST ITEM AFTER THE STAFF REPORT]

B. Backup provided by Applicant:

PLEASE PROVIDE THE DOCUMENTS IN THE ORDER DESCRIBED BELOW. **DO NOT PROVIDE DUPLICATES OF ANY DOCUMENTS. PROVIDE ONLY THE LATEST, ACCEPTED/APPROVED COPY OF THE BELOW DOCUMENTATION. IF THE BACKUP PROVIDED BY APPLICANT IS IN DISARRAY-MEANING IT IS NOT IN THE PROPER ORDER AND/OR THE APPLICANT PROVIDES MULTIPLE DUPLICATES-THE APPLICANT COULD LOSE ITS HEARING DATE.**

- ☒ Application, to include but not limited to the following:
 - ☒ Narrative of request
 - ☒ Property Information
 - ☒ Property Ownership Disclosure Form
 - ☒ Any other documents required by the specific petition type; such as a variance, a boat dock extension; PUD amendment, rezone request, etc.
- ☐ Disclosure of Property Ownership Interest (if there is additional documentation aside from disclosure form)
- ☐ Affidavit of Unified Control
- ☒ Affidavit of Representation
- ☒ 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
- ☒ Deviation Justifications

Attachment: Attachment D - Applicant's Backup Package (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)

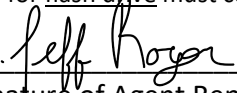
☒ Boundary Survey

☒ 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.

☒ Submerged Resource Surveys may be included here if required.

☒ **flash drive with *only one* pdf file for all documents** or E-mailed .pdf file

I understand that by submitting the above materials, it is the agent's/applicant's responsibility to ensure all materials are in the same order for flash drive must contain the documents in one pdf file. It is the agent's responsibility to ensure no documentation is left out.



Signature of Agent Representative

10/2/2023

Date

Jeff Rogers

Printed Name of Signing Agent Representative

Attachment: Attachment D - Applicant's Backup Package (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)



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): Kenneth & Kathleen Demaret 2009 Family Trust Dated January 13, 2009

Name of Applicant if different than owner: Ken Demaret

Address: 192 Tahiti Cir City: Naples State: FL ZIP: 34104

Telephone: _____ Cell: 239-302-9770

E-Mail Address: kjd5358@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 / 51 / 26 Property I.D. Number: 52390840009

Subdivision: Isles of Capri Unit: 2 Lot: 155 Block: _____

Address/ General Location of Subject Property:

178 Tahiti Circle, Naples, FL 34113

Current Zoning and Land use of Subject Property:

RSF-4 Single-Family Residential

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

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	A-ST	Johnson Bay
S	RSF-4	Tahiti Cir
E	RSF-4	Residential Single-Family
W	RSF-4	Residential Single-Family

DESCRIPTION OF PROJECT

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

See attached

SITE INFORMATION

1. **Water Width:** 219 ft. Measurement from: ☐ plat ☒ survey ☐ visual estimate
 ft. other (specify)

2. **Total Property Water Frontage:**
70 ft.

3. **Setbacks:** Provided: 15 ft.
Required: 15 ft.

4. **Total Protrusion of Proposed Facility into Water:**
47

5. **Number and Lengths of Vessels to Use Facility:**

1. 44 ft.
2. 2 PWC ft.

6. **If applicable, the distance between dock facilities per the Land Development Code section 5.03.06 H.1.d.**
146 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 42-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. Isles of Capri is a boating community that is growing. See attached BDE exhibits.

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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?

.18 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 be constructed on the subject lot prior to, or simultaneously with, the construction of any boathouse or covered dock structure.
7. The boathouse or covered structure must be so located as to minimize the impact on the view of the adjacent neighbors to the greatest extent practical.



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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: _____

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: _____



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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.



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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 assessed 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



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

Zoning Pre-Application Meeting Notes

Petition Type: Boat Dock Extension (BD)

Date and Time: Wednesday 4/19/23 at 1:00 PM - ZOOM

Assigned Planner: John Kelly

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

Project Information

Project Name: 178 Tahiti Circle (BD)

PL #: 20230006459

Property ID #: 52390840009 **Current Zoning:** RSF-4

Project Address: 178 Tahiti Circle **City:** Naples **State:** FL **Zip:** 34113

Applicant: Jeff Rogers, Turrell Hall & Associates

Agent Name: Jeff Rogers **Phone:** 239-643-0166

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

Property Owner: K&K Demaret 2009 Fam Trust

Please provide the following, if applicable:

- i. **Total Acreage:** 0.18
- 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 -

- PLEASE REFER TO GENERAL GUIDELINES ON PAGE 3 of 5
- WHEN RESPONDING TO THE PRIMARY AND SECONDARY CRITERIA, ATTEMPT TO ALSO ADDRESS ANY CONCERNS THAT MAY HAVE BEEN PROVIDED BY THE HEARING EXAMINER AS PART OF HEX DECISION NO. 2022-42.
- IF SUBMITTING ALTERNATE CONCEPT PLANS FOR REVIEW, PLEASE SHOW LENGTH OF SHORELINE, PROTRUSION AND HOW MEASURED, AND SETBACK INFORMATION.

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.

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)

PAGE 3 of 5



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Meeting Notes

ENVIRONMENTAL - CRAIG BROWN - SEE ATTACHED E-MAIL NOTES
AND BDE CHECKLIST ON PAGE 3.B.1 - 3.B.3.

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.

ThomasClarkeVEN

From: BrownCraig
Sent: Wednesday, April 19, 2023 12:09 PM
To: ThomasClarkeVEN
Subject: PL20230006459 178 Tahiti Cir
Attachments: Boat Dock Extension Checklist 2017 for customer.doc

Thomas,

Here are my notes for this one:

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 native shoreline vegetation (approximate area in square feet to be impacted).

Please provide complete answers to Secondary Criteria #5 and #6 See **LDC section 5.03.06. H.2**

If lighting is proposed, please provide a description of the type and locations on the docking facility.

Please provide any written authorization from any state and federal agencies **if any approvals** have been obtained.

Label the name of any natural waterbody in close proximity to the proposed docking facility. (**as applicable**).

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

Craig Brown
 Environmental Supervisor
 Development Review Division
 (239) 252-2548.

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 D - Applicant's Backup Package (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)

Residential Boat Dock Extension Checklist FOR APPLICANTS
Submerged Resources Survey Checklist

1. Is there an overlay? ST overlay needs an ST permit (much of Isle of Capri & Keewaydin has an ST Overlay over the water)
2. Include an aerial with a note indicating whether seagrass beds exist within 200 feet of the proposed dock facility. (LDC 5.03.06 J)
Provide a submerged resources survey from an Environmental Consultant done between April and October.
3. All proposed dock facilities shall be located and aligned to stay at least ten feet from any existing seagrass beds, or meet restrictions for continuous beds. (LDC 5.03.06 J.)
4. Provide complete answers to Secondary Criteria #5 & #6.
5. Demonstrate how negative impacts to seagrass beds and other native shoreline vegetation and hard bottom communities have been minimized. (LDC 5.03.06 J .4)
6. Provide a clearing plan for removal of any vegetation related to the boat dock. This is simply an information exhibit being requested.
7. Are there any draft restrictions? Look at the MPP.
Note: Draft restrictions exist for Wiggins Pass.

Keewaydin: BDE not required for Keewaydin

- Most always need an ST permit related to a Building Permit– water and land have ST Overlay

**SUGGESTED FORMAT AND INFORMATION TO INCLUDE IN
SUBMERGED RESOURCES SURVEY**

- Location of survey – property address and folio#
 - The survey shall indicate any seagrass or seagrass beds located within 200 feet on any proposed dock facility (5.03.06.J). In order for this to be accomplished, any within 200 feet of the proposed dock (within the riparian lines of the property and adjacent to the property) shall be surveyed.
- Who did the survey – which firm and their contact information including name, address, phone #, email
- What date was the survey conducted? Guidance from FWC is to do between April and October
 - Weather conditions, water temperature, low tide & high tide times
- Objective of Survey & Work done on the site
 - Was the site snorkeled?
 - What methodologies were used?
 - Was a GPS used?
 - Was an aerial photograph reviewed and used to establish survey transect lines?
- Results
 - What was found? Substrate and what kind? Seagrass, shell, oysters?
 - What was along the shoreline? Mangroves, seawall, etc?

Page 3.B.2

Page 1 of 2

- Why does the consultant think no submerged resources were found?
- Other observations
- When seagrass is found, include all requirements of LDC section 5.03.06. J.
- Conclusions
 - Were any submerged resources found? If yes, what?
 - Are any impacts to submerged resources expected or proposed?
- Pictures (suggested angles)
 - Looking toward and away from the shoreline
 - The proposed location of the boat access
 - Observations in the water - Any oyster debris, shell, seagrass
- Aerial photograph
 - Where new **docking** facilities or boat **dock** extensions are proposed, the location and presence of seagrass or seagrass beds within 200 feet of any proposed **dock** facility shall be identified on an aerial photograph having a scale of 1 inch to 200 feet when available from the County, or a scale of 1 inch to 400 feet when such photographs are not available from the County. (LDC 5.03.06.J)
 - An aerial is required even when seagrasses are not found. The aerial shall indicate whether seagrasses were found within 200 feet of the proposed dock facility.

5.03.06. J. (LDC section up to date as of 2017)

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

1. Where new **docking** facilities or boat **dock** extensions are proposed, the location and presence of seagrass or seagrass beds within 200 feet of any proposed **dock** facility shall be identified on an aerial photograph having a scale of 1 inch to 200 feet when available from the County, or a scale of 1 inch to 400 feet when such photographs are not available from the County. The location of seagrass beds shall be verified by the County Manager or designee prior to issuance of any project approval or permit.
2. All proposed **dock** facilities shall be located and aligned to stay at least 10 feet from any existing seagrass beds, except where a continuous bed of seagrasses exists off the **shore** of the property and **adjacent** to the property, and to minimize negative impacts to seagrasses and other native **shoreline**, emergent and submerged vegetation, and hard bottom communities.
3. Where a continuous bed of seagrasses exists off the **shore** of the property and **adjacent** to the property, the **applicant** shall be allowed to build a **dock** across the seagrass beds, or a **docking** facility within 10 feet of seagrass beds. Such **docking** facilities shall comply with the following conditions:
 - a. The **dock** shall be at a height of at least 3.5 feet NGVD.
 - b. The terminal platform area of the **dock** shall not exceed 160 square feet.
 - c. The **access dock** shall not exceed a width of 4 feet.
 - d. The **access dock** and terminal platform shall be sited to impact the smallest area of seagrass beds possible.
4. The petitioner shall be required to demonstrate how negative impacts to seagrass beds and other native **shoreline** vegetation and hard bottom communities have been minimized prior to any project approval or permit issuance.

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

Zoning Pre-Application Meeting Sign-In Sheet
PL# 20230006459

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 -Bataillion 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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☐ 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 Klopff	GMP-Comp Planning – Planner II	252-2471	Parker.klopff@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.		

178 Tahiti Cir(BD) – PL20230006459 – John Kelly / Applicant: Jeff Rogers

Participants (4)

TC

thomas clarke (Host, me)

JR

Jeff Rogers

K

kellyjohn

RB

Ray Bellows, Zoning Manager

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

PL20230006459 - 178 Tahiti Circle (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 & Assoc.

239-643-0166

jeff@thanaples.com

- Agent to list for PL#

Jeff Rogers - Turrell Hall & Assoc.

- Owner of property (all owners for all parcels)

K&K Demaret 2009 Fam Trust

- Confirm Purpose of Pre-App: Boat Dock Extension
- 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 dock is very similar to the previous proposed dock which was denied a BDE approval per Resolution # 2022-42. As proposed the dock protrusion has been reduced to 47-feet from the previous request of 54-feet which is a 7-foot less. The dock design was able to be reduced as the applicant has decided not to purchase the larger boat and just keep their current boat being a 45-foot LOA vessel. As proposed the dock will have two boatlifts one for the 45-foot LOA vessel and the other being decked over for three PWC's.

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



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, <i>IF AVAILABLE</i> ←	☒	☐

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.



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



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]

52390840009

***LEGAL DESCRIPTION** of subject property or properties. [Attach list if necessary]

ISLES OF CAPRI NO 2 LOT 155

STREET ADDRESS(ES) where applicable, if already assigned.

178 Tahiti Circle, Naples, FL 34113

PROJECT INFORMATION

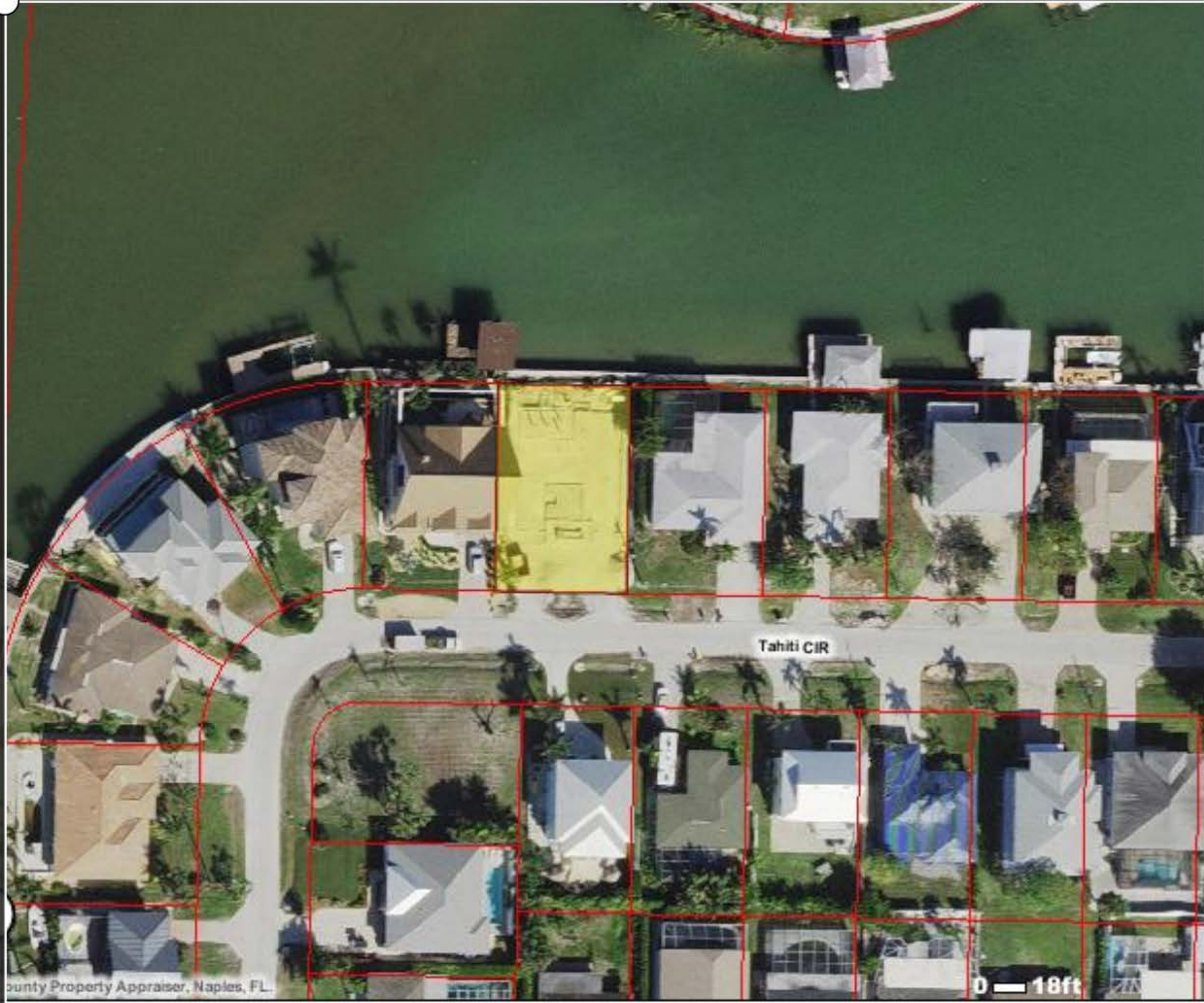
Acceptance of this form does not constitute project and/or street name approval and is subject to further review by the Addressing Official. Pre-Approval may be requested by contacting us at GMD_Address@colliercountyfl.gov or 239-252-2482 prior to your submittal.

CURRENT PROJECT NAME

PROPOSED PROJECT NAME

PROPOSED STREET NAME(s)

LATEST APPROVED PROJECT NUMBER [e.g., SDP-94-##, PPL-2002-AR-####, PL2017000####]



MAP LEGEND

- Major Roads
- Street Names
- Parcels
- Aerials 2023 Urban [6IN]
- Aerials 2023 Rural [2FT]
- Collier County

Folio Number: 52390840009
Name: K & K DEMARET 2009 FAM TRUST
Street# & Name: 178 TAHITI CIR
Build# / Unit#: / 155
Legal Description: ISLES OF CAPRI NO 2 LOT 155

Collier County Property Appraiser, Naples, FL

0 — 18ft

Attachment: Attachment D - Applicant's Backup Package (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)

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



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www.colliergov.net

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

PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

- 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
Kenneth and Kathleen Demaret 2009 Family Trust Dated January 13, 2009	
Kenneth Demaret	50
Kathleen Demaret	50



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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

- g. Date subject property acquired _____

☐ Leased: Term of lease _____ years /months

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



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

Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

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

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

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

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



Agent/Owner Signature

Date

Jeff Rogers

Agent/Owner Name (please print)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20230006459

I, Kathleen Demaret (print name), as trustee (title, if applicable) of K & K Demaret 2009 Farm Trust (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.

Kathleen Demaret
Signature

07/27/23
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 27 day of July, 20 23, by (printed name of owner or qualifier) _____.

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

- ☒ Are personally known to me
- ☐ Has produced a current drivers license _____
- ☐ Has produced _____ as identification.

Notary Signature: Randall A Whitson

Notary Seal



AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) _____

I, Ken Demaret (print name), as Trustee (title, if applicable) of K & K DEMARET 2009 FAM TRUST (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 Turrell, Hall & Associates, Inc. and Jeff Rogers 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.

Ken Demaret
Signature

7-27-23
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 27-July-23 (date) by Kenneth Demaret (name of person providing oath or affirmation), as _____ who is personally known to me or who has produced _____ (type of identification) as identification.

STAMP/SEAL



Randall Whitson
Signature of Notary Public

STATE OF FLORIDA

§
§
§

COUNTY OF COLLIER

WE, the undersigned, being the Settlor, the Trustees, and the witnesses, respectively, whose names are signed to the attached or foregoing instrument, having been sworn, declared to the undersigned officer that the Settlor and the Trustees, in the presence of witnesses, signed the instrument as their revocable trust, that such Settlor and Trustees signed such instrument, that the Settlor and the Trustees signed such instrument willingly, and that each of the witnesses, in the presence of the Settlor and the Trustees and in the presence of each other, signed the revocable trust as a witness.

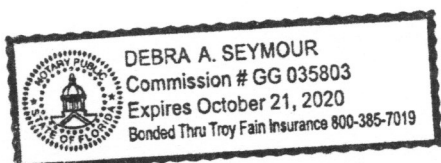
Kenneth J. Demaret
KENNETH J. DEMARET, Settlor and Co-Trustee

Kathleen A. Demaret
KATHLEEN A. DEMARET, Settlor and Co-Trustee

Jeffrey R. Grant, Witness

Joshua Grant, Witness

SUBSCRIBED AND SWORN TO before me by KENNETH J. DEMARET, Settlor and Co-Trustee, who is personally known to me or who has produced FL. Driver's Lic (type of identification) as identification proving him to be the person whose name is subscribed to the foregoing instrument as Settlor and as Co-Trustee, by KATHLEEN A. DEMARET, Settlor and Co-Trustee, who is personally known to me or who has produced FL. Driver's Lic (type of identification) as identification proving her to be the person whose name is subscribed to the foregoing instrument as Settlor and as Co-Trustee, by Jeffrey R. Grant a witness who is personally known to me, and by Joshua A. Grant, a witness who is personally known to me, on November 7, 2019.



Debra A. Seymour
Debra A. Seymour
Notary Public, State of Florida

GRANT
LAW, P.A.

Narrative Description: The proposed Boat Dock Extension request is to construct a new single-family docking facility with two boatlifts, 1 being for a 44-foot vessel and the other for a decked over for 2 PWC's, located at 178 Tahiti Circle on Isles of Capri. The subject waterway is considered Johnson Bay along the north side of Isles of Capri just outside the surrounding Rookery Bay Aquatic Preserve. The subject property has a seawall that is located on the property/Mean High Water line which is the most restrictive point. There is no riprap in front of the seawall as was previously stated. Additionally, the applicant is currently constructing a new single-family residence on the upland portion of the property.

As proposed the dock will have two boatlifts, one for the 44-foot LOA vessel and the other for two PWC's. The proposed dock will protrude approximately 47-feet from the MHWL/seawall/property line and therefore we are requesting a 27-foot extension over the allowed 20-feet. This is approximately 7-feet less than the previous request.

The subject waterway is approximately 219-feet wide and as proposed the dock and boat lift would protrude just under 22% into the subject waterway. The subject waterway is an unmarked waterway and completely open to navigation but as previously discussed in the last hearing there is a shoal area close by but again there is no marked channel and therefore no impacts to navigation within the area will result from the proposed dock.

The previous BDE was submitted and denied (HEX 2022-42) for a 34-foot dock extension over the allowed 20-feet for a total of 54-feet. The reason for the denial was mostly due to the vessel size and overall impacts to adjacent(eastern) neighbor's view of the subject waterway. Based on this denial and the existing on-site conditions which consist of the adjacent neighbor's dock and boathouse being partial within our riparian area limited our design options to further reduce the proposed overall protrusion. The applicant has also made some changes to their overall plans which include keeping their existing vessel instead of upgrading to the larger vessel, agreed to angle the dock as much as possible and remain within the allowed 15-foot setbacks, and the proposed plan has moved the proposed boatlift closer to the seawall in order for the vessel to maintain only 1-foot off the seawall. All these design factors were taken into consideration to reduce the overall protrusion request as well as to minimize impacts to adjacent neighboring property owners.

The proposed dock will provide 15-foot setbacks which is equivalent to what is required for lots with 60-feet of shoreline or greater. There are no impacts to any submerged resources, the decking area has been minimized and still provides sufficient surface area for recreational activities, routine maintenance, and associated storage.

Also, the applicant has had some communication with the adjacent property owners to discuss gaining their support for the newly proposed dock design. Both parties have reviewed the currently proposed design, but no letters of No Objection have been received to date.

PRIMARY CRITERIA

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

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

The subject property is zoned for a single-family residential unit which warrants no more than 2 slips per the CC-LDC. The proposed docking facility consists of installing two boatlifts one to accommodate a 44-foot LOA vessel and the other is a decked over boatlift for two PWC's. The proposed dock will extend out 47-feet from the seawall/plotted property line which is 27-feet of protrusion past the allowed 20-feet. Additionally, the proposed dock will provide 15-foot setbacks from both riparian lines and therefore will not interfere with the adjacent properties as the vessels ingress/egress the proposed 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 boat dock extension is necessary to accommodate the owners' vessels due to the existing on-site water depths being too shallow within the allowed 20-feet. The subject shoreline consists just of a seawall with no rip-rap out in front but the existing on-site water depths as indicated on the attached survey are too shallow for any vessel with a 3-foot draft to be properly moored within the allowed 20-feet, as indicated on sheet 13 & 14 of 14.

The proposed 44-foot vessel is advertised as having a 3-foot draft then with a boatlift and the cross-support beams being at least 12" the overall depth of water needed to float this vessel on and off the boatlift is at least 4.5-feet. Based on those facts and the existing on-site water depths the BDE is needed to reach sufficient water depths as shown on the attached BDE exhibits. Also, with the adjacent dock and boathouse

being within the applicant's riparian area which are considered grandfathered structures and with no docking facility on the east side it was determined the best option was to angle the dock towards the west in order to allow more flexibility for the owners or future owners to the east on a dock design if one was ever proposed as well as be as least impactful to their current view of the subject waterway.

Additionally, on sheet 13 & 14 of 14 I have included these two exhibits to show the maximum sized vessel being 40-feet that can fit within the required 15-foot setbacks and 20-foot of protrusion. The issue is the fact that the water depths are still too shallow for any vessel with a 3-foot or greater draft to be moored within the allowable area especially when a boatlift is proposed.

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 proposed docking facility design is consistent with numerous other docks along the subject and adjacent waterways as well as the overall protrusion. As proposed the dock and boatlift will not impact navigation as there is no marked channel within this section of Johnson Bay. Therefore, the entire waterway provides safe navigation and no impacts to any navigation will result from the proposed project.

There is a natural shoal area to the NW as a vessel exits Marlin Bay out to Johnson Bay but it's a local knowledge channel that one navigates parallel to the shoreline to reach the closest marked channel.

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 219-feet wide. The proposed dock protrusion is 47-feet which is under 22% 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 other docks within this bay and the adjacent bay on the Isles of Capri. The dock design ensures that the vessel and dock are all within the required setbacks, puts the stern of the vessel in the deeper water, maintains access to the existing dock immediately adjacent on the west property line and ensures any future dock constructed on the eastern adjacent property will have unobstructed access.

Criterion Met

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.)

Riprap is not a factor as it was previously determined that there is no riprap along the subject property shoreline. The one special condition that was taken into consideration is the existing neighboring dock, which is partially within the applicant's riparian area, with no setback provided. This was the most restrictive existing condition design factor that was considered in that if we could design the ingress/egress of our proposed slips to avoid conflict. This was the driving factor behind putting our vessel ingress/egress to come/cross over the western riparian line as there is no telling what the other adjacent property with no existing dock could or would propose in the future.

Additionally, the subject property location being on a wider waterway does allow the proposed dock to protrude further out into the waterway without impacting navigation.

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 minimized to the fullest extent possible and still provides sufficient deck area for routine maintenance, safe access as well as recreational activities like fishing plus storage of kayaks or paddleboards. The total over-water square footage is 747 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 existing docking facility has been designed to moor one vessel 44-feet in length as well as two 12-foot PWC's. The subject property's shoreline length is approximately 70-feet and therefore this criterion is NOT met.

In the previous BDE which was denied per HEX Decision #2022-42 this criterion was not met then but the applicant has reduced the overall proposed vessel size and reduced the overall proposed protrusion by 7-feet.

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 the other previously approved BDE boat docks being perpendicular to the shoreline. This allows you to design within the allowed riparian area as well as avoid ingress/egressing over either of the shared riparian lines. Based off our analysis as shown on the BDE exhibits (sheet 12 of 13) the overall impacts to each adjacent property owner are indicated. It is our position that the proposed dock will NOT have a MAJOR impact on their views of the waterway. As indicated on the exhibit at 20-feet the eastern property owners view would be open to 99-degrees and with the proposed dock would be reduced to 93-degrees. Therefore, based off this analysis their view is only slightly obstructed and should not have a MAJOR impact on anyone's view.

Criterion Met

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.)

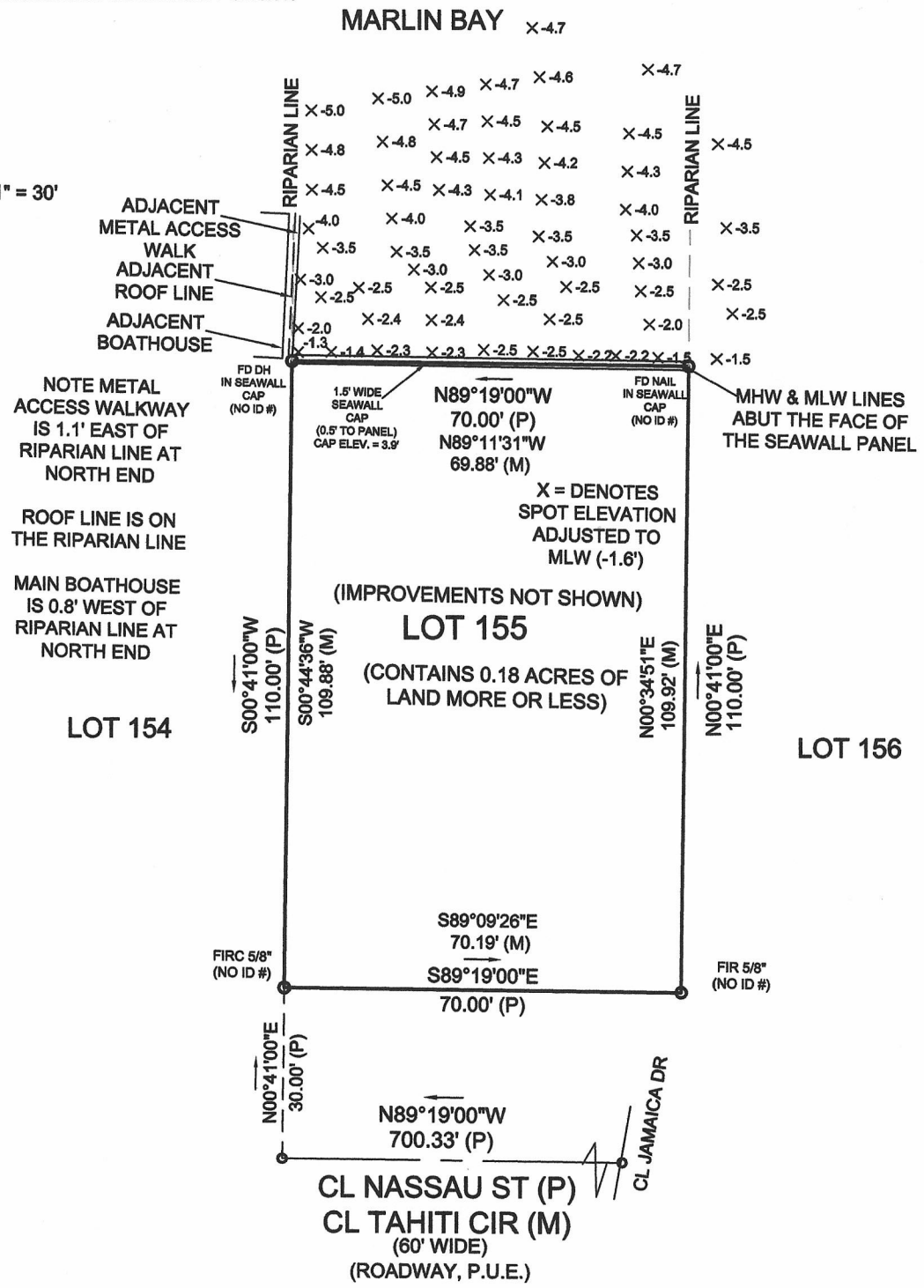
The proposed work is a single-family dock facility and therefore not subject to Manatee Protection Requirements.

N/A

BOUNDARY INFORMATION FURNISHED BY CLIENT.



SCALE 1" = 30'



NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF NASSAU ST (P) AS SHOWN IN PLAT BOOK 3 PAGE 46 OF COLLIER COUNTY, BEING NORTH 64° 41' 00" EAST.
2. IMPROVEMENTS OTHER THAN THOSE SHOWN ARE NOT A PART OF THIS SURVEY.
3. SAID DESCRIBED LAND IS SUBJECT TO ALL SUBDIVISION REGULATIONS, RESERVATIONS, RESTRICTIONS, ZONING AND RIGHTS-OF-WAY OF RECORD.
4. DATE OF FIELD SURVEY: NOVEMBER 10, 2021.
5. THIS SURVEY MAP IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
6. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS, UTILITIES OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
7. ELEVATIONS SHOWN ARE BASED ON N.A.V.D. DATUM OF 1988. DESCRIPTION OF BENCHMARK IS AS FOLLOWS: FPKND IN WEST EDGE OF ROAD BETWEEN RES #S 165 & 166 ELEV. = 3.36
8. THE PURPOSE OF THIS SURVEY IS TO SHOW THE EXISTING SHORELINE CONDITIONS WITH RESPECT TO THE PLATTED SUBJECT PROPERTY.
9. SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE " " AS INDICATED ON FEMA FLOOD ZONE MAP PANEL NO N/A DATED: BASE ELEVATION DETERMINED AT N/A
10. NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. ALL INFORMATION HAS BEEN SUPPLIED BY THE CLIENT. IT IS POSSIBLE THAT THERE ARE DEEDS, EASEMENTS, OR OTHER INSTRUMENTS (RECORDED OR UNRECORDED) WHICH MAY AFFECT THE SUBJECT PROPERTY. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SURVEYOR.

LEGEND

- = FOUND (") IRON ROD (SURVEYOR ID #) (FIR)
- = SET 1/2" IRON ROD (PSM #6004)(SIRC)
- = SET 4" X 4" CONCRETE MONUMENT (PSM #6004)(SCM)
- = FOUND CONCRETE MONUMENT (SURVEYOR ID #)(FCM)
- ⊕ = BENCHMARK (FOUND OR SET) R/W = RIGHT OF WAY(R.O.W.)
- = FOUND NAIL OR PK NAIL AND DISC (SURVEYOR ID #) (FIR)
- = SET PK NAIL AND DISC (PSM #6004) (SPKN&D) FD. = FOUND FN&TT = FOUND NAIL AND TIN TAB BM = BENCHMARK
- P.C.P. = PERMANENT CONTROL POINT (#)
- P.R.M. = PERMANENT REFERENCE MONUMENT (#)
- CBS=CONCRETE BLOCK & STUCCO FF = FINISHED FLOOR
- (PG) = PAGE CATV=CABLE TV CMP = CORRUGATED METAL PIPE
- (M) = FIELD MEASUREMENT U.T.S.= UNITED TELEPHONE RISER
- (P) OR (D) = PLAT OR RECORDED(DEED) MEASUREMENT
- (C) = CALCULATED MEASUREMENT CONC = CONCRETE
- (PB) = PLAT BOOK LME = LAKE MAINTENANCE EASEMENT
- R.C.P. = REINFORCED CONCRETE PIPE PROP = PROPERTY
- C.L. = CENTERLINE T.O.B. = TOP OF BANK UE = UTILITY EASEMENT
- DE = DRAINAGE EASEMENT CUE = COUNTY (U.E.)
- LBE = LANDSCAPE BUFFER EASEMENT ELEC = ELECTRIC
- PUE = PUBLIC UTILITY EASEMENT SWE = SIDEWALK EASEMENT

MAP OF BOUNDARY SURVEY
(EXISTING SHORELINE & BATHYMETRIC)

LOT 155
OF
ISLES OF CAPRI NO. 2
AS RECORDED IN
PLAT BOOK 3 PAGE(S) 46
OF THE PUBLIC RECORDS OF
COLLIER COUNTY, FLORIDA

178 TAHITI CIRCLE
(FORMERLY NASSAU STREET)

THIS SURVEY IS PREPARED FOR:
TURRELL, HALL & ASSOCIATES

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 AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

SIGNED _____
COURT H. GREGORY PSM #6004
DATE 04/18/2023
DATE OF FIELD SURVEY 11-10-2021

PSM # 6004
LB # 7112

C.G.S.
Court Gregory Surveying, Inc.
761 Teton Court
Naples, Florida 34104

(239)643-7845 office Date 04/18/2023
cgs6004@comcast.net Job # EN40220Mrev1
(239)272-3707 cell Fb EN4-44 Pg 31

Attachment: Attachment D - Applicant's Backup Package (26817 : PL20230006459 BD 178 Tahiti Circle

Packet Pg. 84

**178 TAHITI CIRCLE
NAPLES, FL 34113
FOLIO #52395960007**

**SUBMERGED RESOURCE SURVEY REPORT
MARCH 2023**

PREPARED BY:

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

Attachment: Attachment D - Applicant's Backup Package (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)

Table of Contents

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1 INTRODUCTION

Turrell, Hall & Associates, Inc. (THA) has been contracted to provide environmental permitting services which includes completing an onsite Submerged Resource Survey (SRS) at the subject property 178 Tahiti Circle in Naples, FL 34113 that can be identified by folio #52390840009. 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 0.18-acre single-family parcel that can be found on the southwest side of Isle of Capri just off Johnson Bay/ Capri Pass. The subject waterway is considered man-made and connects directly to the Gulf of Mexico through Capri Pass and the Big Marco River. The upland parcel currently consists of a single-family residence currently under construction which has an existing concrete seawall shoreline. The property is neighbored to the north and south by single family residences, to the east by the subject waterway, and to the southwest by Tahiti Circle.

The SRS was conducted on March 25, 2023, between approximately 2:30p.m. and 3:15 p.m. Site conditions on that day consisted of mostly sunny skies with a southwest breeze approximately 10-15mph. Water clarity was good to fair which allowed for approximately 12-18 inches of visibility. The ambient air temperature was approximately 76 degrees Fahrenheit with an incoming tide. Low tide occurred before the site visit at approximately 10:04 a.m. and reached approximately 0.8' feet above the Mean Low Water Mark. High tide was achieved after the site visit at approximately 3:52 p.m., reaching approximately 2.70 feet above the Mean Low Water Mark.

2 OBJECTIVE

The objective of the SRS was to identify and locate any existing submerged resources within 200 feet of the proposed dock 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 METHODOLOGY

THA biologists intentionally designed the methodology of the SRS to cover not only the entire subject property shoreline for the proposed dock 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 boat 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.

4 RESULTS

The substrate found within the surveyed area consists of silty sand material and shell debris. Depths increased gradually with distance from the shoreline to the middle of the waterway from approximately four to eight feet.

During the submerged portion of the survey, no seagrasses, oysters, or other resources were observed in any capacity. Accordingly, no impacts to submerged resources are expected to occur as the result of the proposed project. A list of species observed during the SRS can be seen below in Table 1.

Table 1: Observed species of wildlife and vegetation within the vicinity of the project site

Common Name	Scientific Name
Eastern mudminnow	<i>Umbra pygmaea</i>
Sheepshead	<i>Archosargus probatocephalus</i>
Bottle-nosed dolphin	<i>Tursiops truncatus</i>
Common Snook	<i>Centropomus undecimalis</i>
Gray Snapper	<i>Lutjanus griseus</i>
Greenback	<i>Oncorhynchus clarkii stomias</i>

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 concrete seawall is present along the shoreline with part of the immediately adjacent dock and boathouse partial within the subject property's riparian area. There were no seagrasses or other marine resources that were observed anywhere within the vicinity of the project site. There were significant amounts of barnacles observed on the face of seawall 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 PHOTOS



Photo 1: Existing property shoreline and adjacent dock.



Photo 2: View of subject waterway.

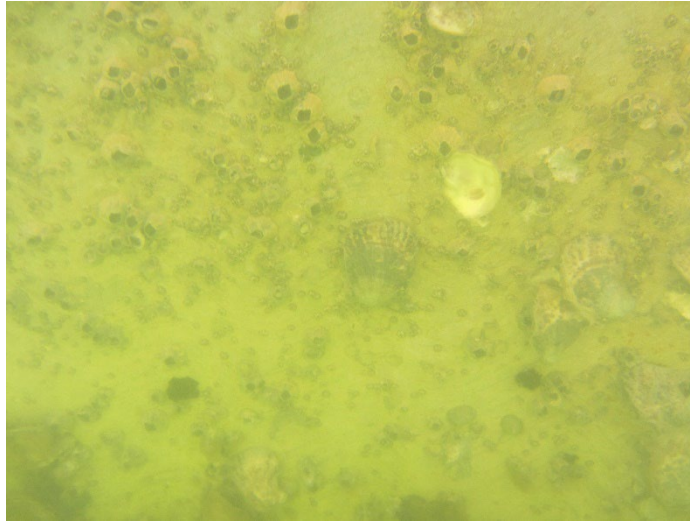


Photo 3: Existing Seawall and Dock piles with Barnacle growth.



Photo 4: Typical sediment observed in survey area.

From: John Kelly
Sent: Thursday, October 12, 2023 9:14 PM
To: John Kelly
Subject: BD-PL20230006459 - 178 Tahiti Cir - Sign Posting for 10/26/2023 HEX
Attachments: IMG_1590.jpeg; IMG_1591.jpeg

I, John Kelly, herewith affirm that I posted a Public Hearing Sign for the 10/26/2023 Meeting of the Hearing Examiner to the front of the subject property at approximately 1:55 PM on Tuesday, October 10, 2023, as evidenced by the attached photos.

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>



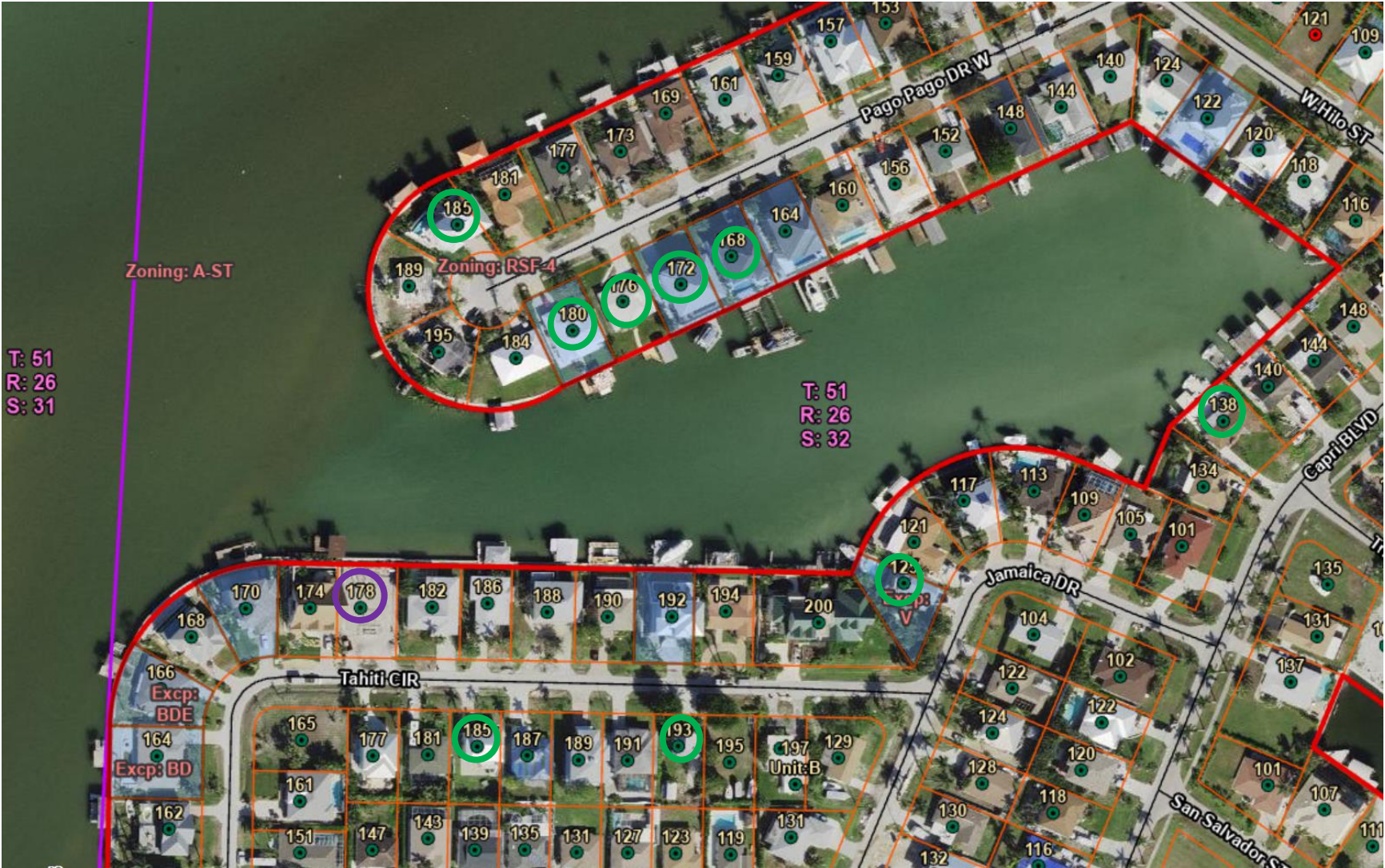
size=2 width="100%" align=center>

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



ATTACHMENT F:
Letters of No Objection

BD-PL20230003459
178 Tahiti Circle



○ = Subject Property

○ = Letter Received (see attached)

Attachment: Attachment F - Letters of No Objection (26817 : PL20230006459 BD 178 Tahiti Circle

From: Kathleen Demaret <kathleen.demaret@demaretconsulting.com>
Sent: Monday, October 16, 2023 4:28 PM
To: John Kelly
Cc: Ken Demaret; Jeff
Subject: Letters in Support of 178 Tahiti Circle Boat Dock Extension Petition #: PL20230006459
Attachments: Letters of Support for 178 Tahiti Circle.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Attn: John Kelly

Attached are letters of support from bay and street neighbors in support of our petition for a boat dock extension per concept 5 drawing.

A few support letters have been emailed directly to your attention.

Thank you for your consideration,
Kathleen & Kenneth Demaret
Property Owners: 178 Tahiti Circle, Naples, FL 34113

Attachment: Attachment F - Letters of No Objection (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)

Date 10-16-23

To Whom It May Concern,

I, Kenny Deeks live at 185 W Pago Pago Dr which is on/near/adjacent to the subject waterway as the proposed docking facility located 178 Tahiti Circle. I have fully reviewed the proposed dock design that is being requested within PL20230003459-BDE Application and fully support this dock extension request.

Sincerely,

Kenny Deeks

Date 10 -16- 23

To Whom It May Concern,

I, Greg Getlin live at 172 W. Paga Paga Rd which is on/near/adjacent to the subject waterway as the proposed docking facility located 178 Tahiti Circle. I have fully reviewed the proposed dock design that is being requested within PL20230003459-BDE Application and fully support this dock extension request.

Sincerely,

Greg Getlin

Date 10-16-23

To Whom It May Concern,

I, MIKE GIOVANNONE live at 176 W. PAGO PAGO Dr. which is on/near/adjacent to the subject waterway as the proposed docking facility located 178 Tahiti Circle. I have fully reviewed the proposed dock design that is being requested within PL20230003459-BDE Application and fully support this dock extension request.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Giovannone", followed by a horizontal line.

Date 10/16/2023

To Whom It May Concern,

I, JOE PASTROGIOVANNI live at 168 W Pago Pago Dr which is on/near/adjacent to the subject waterway as the proposed docking facility located 178 Tahiti Circle. I have fully reviewed the proposed dock design that is being requested within PL20230003459-BDE Application and fully support this dock extension request.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Pastrogiovanni", written over the word "Sincerely,".

Date 10-16-23

To Whom It May Concern,

I, MIKE GIOVANNONE live at 180 W. PAGO PAGO DR.
which is on/near/adjacent to the subject waterway as the proposed
docking facility located 178 Tahiti Circle. I have fully reviewed the
proposed dock design that is being requested within PL20230003459-
BDE Application and fully support this dock extension request.

Sincerely,



Attachment: Attachment F - Letters of No Objection (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)

Date Oct 13, 2023

To Whom It May Concern,

I, Jeanne Montana live at 125 Jamaica Drive which is on/near/adjacent to the subject waterway as the proposed docking facility located 178 Tahiti Circle. I have fully reviewed the proposed dock design that is being requested within PL20230003459-BDE Application and fully support this dock extension request.

Sincerely,


(owner)

Attachment: Attachment F - Letters of No Objection (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)

Date 10/12/23

To Whom It May Concern,

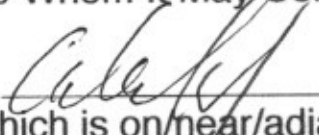
I, Randall Whitson live at 185 Tahiti Circle which is on/near/adjacent to the subject waterway as the proposed docking facility located 178 Tahiti Circle. I have fully reviewed the proposed dock design that is being requested within PL20230003459-BDE Application and fully support this dock extension request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Randall Whitson", with a stylized, elongated flourish extending to the right.

Date 10/15/23

To Whom It May Concern,

I,  Andrew Nacker live at 193 Tahiti Cir
which is on/near/adjacent to the subject waterway as the proposed
docking facility located 178 Tahiti Circle. I have fully reviewed the
proposed dock design that is being requested within PL20230003459-
BDE Application and fully support this dock extension request.

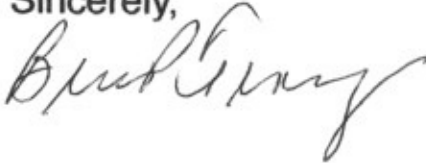
Sincerely,

Date 10-13-2023

To Whom It May Concern,

I, BRIAN TINNEY live at 138 CAPRI BLVD, NAPLES ³⁴¹ ²
which is on/near/adjacent to the subject waterway as the proposed
docking facility located 178 Tahiti Circle. I have fully reviewed the
proposed dock design that is being requested within PL20230003459-
BDE Application and fully support this dock extension request.

Sincerely,



Attachment: Attachment F - Letters of No Objection (26817 : PL20230006459 BD 178 Tahiti Circle Demaret)