

COLLIER COUNTY
Collier County Hearing Examiner



AGENDA

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

December 22, 2022

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 Andrew.Youngblood@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-PL20210002681 - Request for a 31.47-foot boat dock extension from the maximum permitted protrusion of 20 feet for waterways greater than 60 feet in width, to allow construction of a boat docking facility protruding a total of 51.47 feet into a waterway that is 480 feet wide. The subject property is located at 52 Southport Cove also known as Lot 44, Southport on the Bay Unit Two, in Section 6, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 2**
 - B. **PETITION NO. PDI-PL20210003207 – Request for an insubstantial change to the Master Plan of Ordinance No. 01-61, as amended, the Mediterra Planned Unit Development (PUD), to re-establish the access point to Veterans Memorial Boulevard from the roundabout intersection of Giardino Lane, Celebrita Court, and Buonasera Court, also known as Tracts R and Q, Mediterra Phase Three East, Unit One subdivision, in Section 12, Township 48 South, Range 25 East, Collier County, Florida. [Sean Sammon, Planner III] Commissioner District 2**
 - C. **PETITION NO. PL20220003811 VA – Request for a variance from Land Development Code Section 4.02.03 D to reduce the required accessory side setback from 30 feet to 22 feet on the west property line; and a second variance from Section 5.03.02 C.2.a to increase the required maximum height of a fence from 6 feet to 10 feet for the proposed tennis court to be located at Lot 7, Block K, Pine Ridge Extension subdivision, also known as 89 Mahogany DR, Naples, FL 34108 in Section 3, Township 49 South, Range 25 East, Collier County, Florida. [Sean Sammon, Planner III] Commissioner District 2**
4. **Other Business**
5. **Public Comments**
6. **Adjourn**



STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION- ZONING SERVICES SECTION

HEARING DATE: DECEMBER 22, 2022

SUBJECT: BDE-PL20210002681, 52 SOUTHPORT COVE – RAPP DOCK

PROPERTY OWNER/APPLICANT:

Robert and Jackie Rapp
52 Southport Cv.
Naples, FL 34134

AGENT:

Michael T. Jones
SteMic Marine Construction
16240 Old US 41
Fort Myers, FL 33912

REQUESTED ACTION:

The petitioner requests a 31.47-foot boat dock extension over the maximum permitted protrusion of 20 feet for waterways greater than 100 feet in width, to allow a boat docking facility that will protrude a total of 51.47 feet into a waterway that is 480± feet wide pursuant to Section 5.03.06.E.1 of the Collier County Land Development Code (LDC) for the benefit of the subject property.

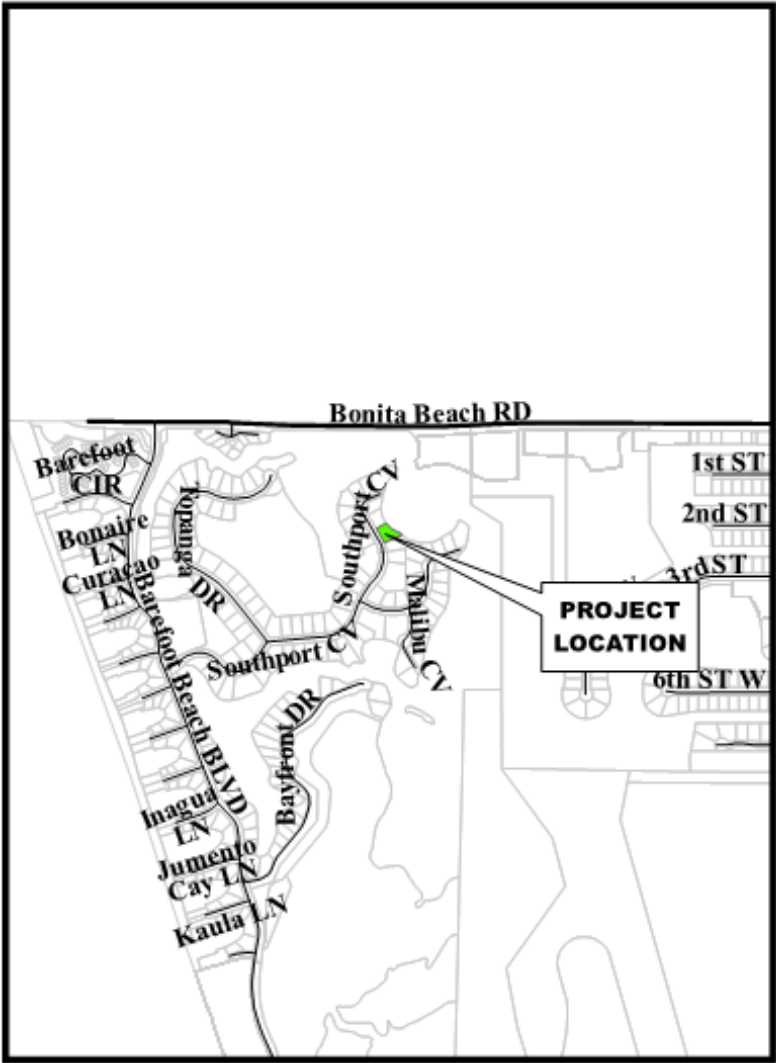
GEOGRAPHIC LOCATION:

The subject property is located at 52 Southport Cove, also known as Lot 44, Southport on the Bay, Unit Two, in Section 6, Township 48 South, Range 25 East. Collier County, Florida. *(See location map on the following page)*

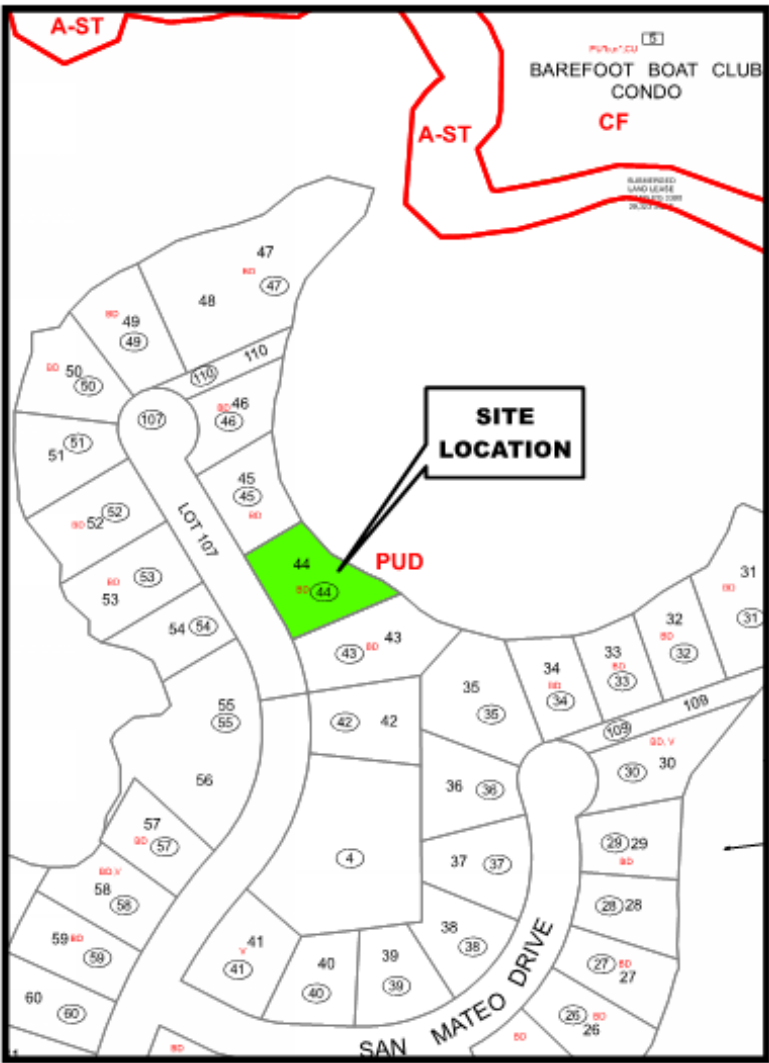
PURPOSE/DESCRIPTION OF PROJECT:

The subject property is homesteaded and located within Tract H, a residential component of the Lely Barefoot Beach Planned Unit Development (PUD), and comprises 0.31± acres with 152.59 feet of water frontage on Little Hickory Bay. The petitioner desires to replace the existing U-shaped dock facility, approved by means of CCPC Resolution No. 95-40 in 1995 and allowing a 36-foot protrusion, with a dock facility comprising a walkway leading to an 8-foot by 20-foot terminal platform with a boatlift on either end; the western lift will accommodate a 30.25-foot vessel and the eastern will accommodate a 23-foot vessel.

(Continued on Page 3)



Location Map



Zoning Map

Petition Number: PL20210002681

PURPOSE/DESCRIPTION OF PROJECT (Continued from Page 1):

The dock and vessel combination will protrude 51.47 feet from the Mean High-Water Line (MHWL), which also serves as the platted property line, into a waterway that is 480± feet wide. This BDE is requested to accommodate the desired vessel size, a meandering natural mangrove shoreline, and a platted 20-foot Conservation Easement that exists landward of the MHWL for which the Conservancy of Southwest Florida has provided a letter of no objection in keeping with an existing settlement agreement; see Attachment F. The proposed dock facility will be located within the required 15-foot side/riparian setbacks and has been designed so as not to affect the ingress or egress of neighboring dock facilities.

SURROUNDING LAND USE & ZONING:

- North: Little Hickory Bay then Barefoot Boat Club, a marina with clubhouse, located within a Community Facility (CF) zoning district
- South: Southport Cove (Right-of-Way) then a single-family residence located within the Lely Barefoot Beach PUD
- East: A single-family residence located within the Lely Barefoot Beach PUD
- West: A single-family residence located within the Lely Barefoot Beach PUD



Collier County GIS

ENVIRONMENTAL EVALUATION:

Environmental Planning Staff has reviewed this petition and has no objection to the granting of this request. The shoreline for this property contains mangroves. The proposed dock will be constructed waterward through the mangrove fringe. The access walkway will be 4 feet wide and constructed beyond the mangrove fringe parallel to the shoreline. Any additional impacts to mangroves will require written approval from the Florida Department of Environmental Protection (DEP). A submerged resources survey provided by the applicant found no submerged resources in the area 200 feet beyond the proposed docking facility. The Submerged Resource Survey sheet page 5 of 8 indicates no seagrass has been observed within 200 feet of the proposed docking structure. The property contains a conservation easement just landward of the MHWL (OR Book 1756 PG 1358). A site visit revealed a portion of the conservation easement has been impacted; therefore, the applicant has provided a restoration plan to restore the area with native plant species.

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 is located within Tract H, a residential component, of the Lely Barefoot Beach PUD upon which a single-family residence exists. The proposed boat docking facility will replace the existing dock and comprises two slips, each with a boat lift.

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

Criterion met. The applicant's agent states: "If a dock were to be constructed at this location without the waterward extension, the water depths at the maximum distance out (20') would be -1.8 MLW at the outermost extent. With a boat lift installed, that depth would not be adequate to launch a 27' boat off of the boat lift cradle beams that are typically 10" tall. Even without a boat lift, the moored boat would be sitting on the bottom at an average low tide." Based upon the provided Cross-section, 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 the proposed dock facility does not intrude into any marked or chartered navigable channel, thus there will be no adverse impact on navigation. Further, the typical route of travel for boats is not marked and crosses approximately 258 feet from the proposed dock's point of maximum protrusion. As based upon the exhibits contained within Attachment A, 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. As per the provided Boundary Survey, the subject waterway measures 480 feet, MHW to MHW; see Attachment B. The proposed boat dock facility will protrude 51.47 feet into said waterway as measured from the MHWL which also serves as the platted property line. The distance between the outermost portions of the proposed dock facility and the facility existing on the opposite shore is approximately 385 feet. As such, the dock facility will occupy 10.72 percent of the waterway and 80.47 percent of the waterway is open for navigational purposes.

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: "Use of the proposed dock would not impose on neighbors' use of their legal docks. Based upon January 2022 aerial available on the Collier County Property Appraiser's website, the neighbor to the northwest accesses the nearest lift by coming in straight into the shoreline, while the neighbor to the southwest has a lift that is oriented parallel to the shoreline and is used by personal watercraft, such as jet skis or kayaks. The distance between the neighbor's existing lift and the nearest proposed boatlift is over 65', which is a sufficient distance for ingress/egress into the neighbor's lift." Staff concurs and further notes that the required side yard/riparian setback is 15 feet; the provided site plans and survey reveal the proposed dock facility is setback 36.97 feet from the northwest side/riparian line and 44.18 from the southeast side/riparian line. See the Boundary Survey, Attachment B, for separation between 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 the type of shoreline reinforcement, shoreline configuration, mangrove growth, or seagrass beds.)**

Criterion met. The applicant's agent states: "Mangrove growth is well developed and extensive along the property's shoreline. The mangroves grow out into the waterway beyond the MHWL, as shown on the Boundary Survey, filling the area where a dock would be located if the maximum 20' waterway extension was enforced." Staff concurs and further notes that The Barefoot Beach Subdivision, in which the subject property is located, has a conservation easement that encumbers the entire subdivision's water frontage from 20' landward of the MHWL/property line. The conservation easement at the subject property contains (and protects) mangroves. This combined with the shallow water depths allows for constant recruitment of mangroves waterward of the easement as well. A letter of no objection has been obtained from the Conservancy of Southwest Florida concerning the conservation easement; see Attachment F.

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

Criterion met. The applicant's agent states: "The proposed dock facility does allow reasonable, safe, access to the vessels for loading/unloading and routine maintenance, without the use of excessive dock area not related to these functions. The structure is designed with two slips for recreational vessels to be maintained safely." It is staff's understanding that the terminal platform will be used for loading/unloading and routine maintenance functions and therefore 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 met. The applicant provided vessel lengths of 27 feet and 20 feet for a total combination of 47 feet; however, the BD Application, Plans, and Survey all depict vessels of 30.25 feet and 23 feet LOA. For the purposes of this analysis, staff is using the larger vessel sizes. The applicant's shoreline measures 152.59 feet, as determined using the provided Boundary Survey, and the combined vessel length is 53.25 feet; therefore, the vessels would only occupy 34.9 percent of the waterfront if stacked end to end.

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 proposed dock has been designed within the designated riparian lines and is consistent with the existing docks along the subject shoreline. Additionally, as the subject property is located within the Coastal High Hazard Area, as per the Future Land Use Map (FLUM), most residences are constructed well above grade with the habitable area being over parking.

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

Criterion met. The submerged resources survey provided indicates that no seagrass beds exist within 200 feet of the proposed dock. No seagrass beds will be impacted by the proposed dock facility.

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 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 five of the five primary criteria and four of the six secondary criteria with the sixth criterion being not applicable.

CONCURRENT LAND USE APPLICATIONS:

- **Building Permit No. PRFH20220732580** - issued on 09/20/2022 for the construction of a 3-story single-family residence, prior dwelling unit razed, current permit status is "Inspections Commenced."

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. In the event that the petition has been approved by the Hearing Examiner, the applicant shall be advised that he/she proceeds with construction at his/her own risk during this 30-day period. Any construction work completed ahead of the approval authorization shall be at their own risk.

STAFF RECOMMENDATION:

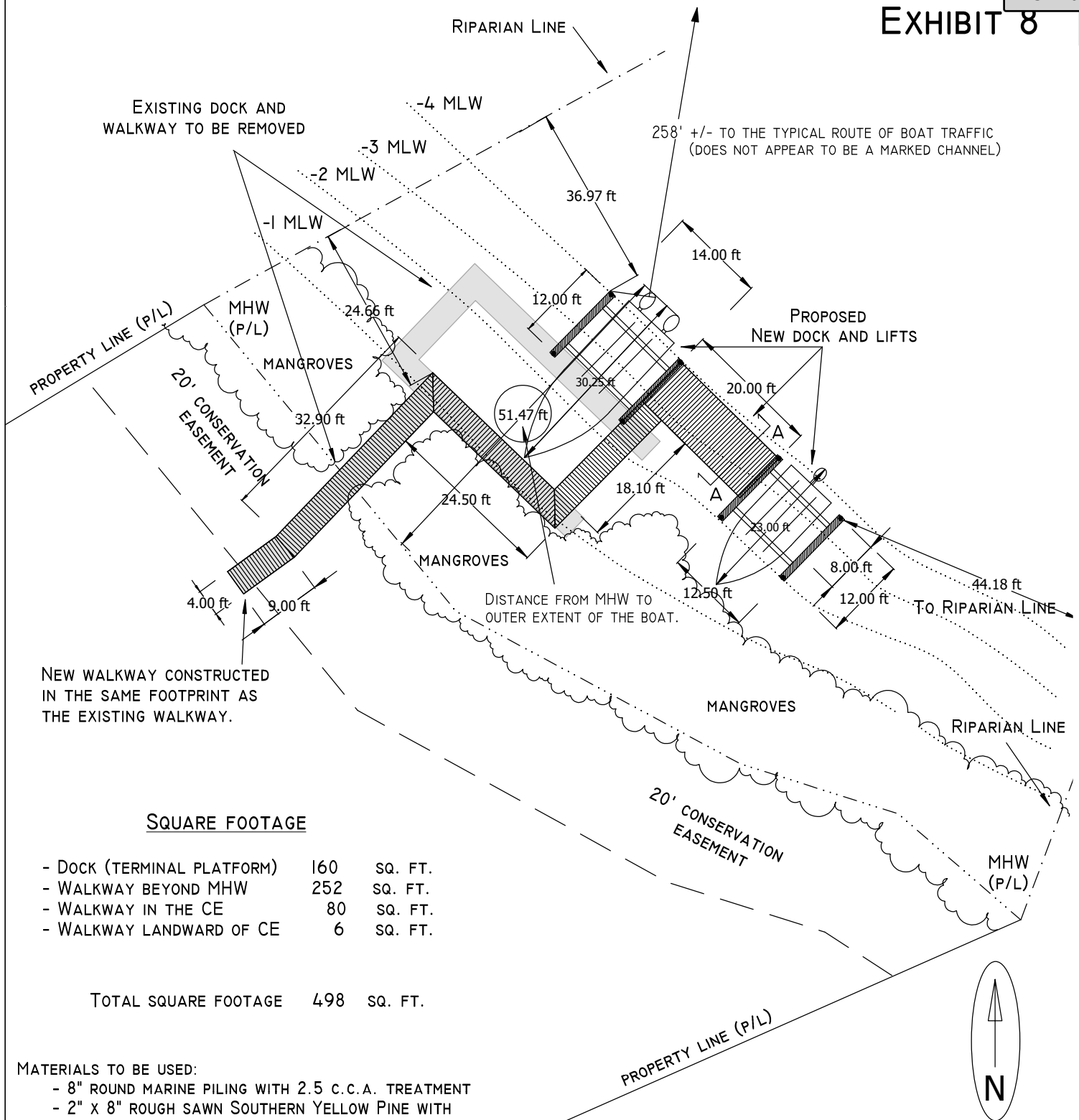
Based on the above findings, staff recommends that the Hearing Examiner APPROVE Petition BDE-PL20210002681, to allow the proposed dock facility depicted within the plans comprising Attachment A, with the following condition:

1. The restoration plantings must be installed and inspected by Collier County staff prior to issuance of a Certificate of Completion for the boat dock.

Attachments:

- A. Site and Dock Plans
- B. Boundary Survey
- C. Plat – PB 16 PG 100-101
- D. CCPC Resolution 95-40
- E. Public Hearing Sign Posting
- F. Applicant's Backup, application, and supporting documents

EXHIBIT 8



SQUARE FOOTAGE

- DOCK (TERMINAL PLATFORM)	160	SQ. FT.
- WALKWAY BEYOND MHW	252	SQ. FT.
- WALKWAY IN THE CE	80	SQ. FT.
- WALKWAY LANDWARD OF CE	6	SQ. FT.

TOTAL SQUARE FOOTAGE 498 SQ. FT.

MATERIALS TO BE USED:

- 8" ROUND MARINE PILING WITH 2.5 C.C.A. TREATMENT
- 2" X 8" ROUGH SAWN SOUTHERN YELLOW PINE WITH .60 C.C.A. TREATMENT
- 2" X 6" PT DECKING OR 1" X 6" WEAR DECK DECKING
- FRAMING WILL BE SECURED USING 5/8" 305 STAINLESS STEEL BOLTS
- DECKING WILL BE SECURED USING #10 X 3" 305 STAINLESS STEEL SCREWS

EXHIBIT 8

BOAT DOCK EXTENSION
PL20210002681
RAPP DOCK AND LIFTS 52 SOUTHPORT CV (BD)



Office 239-481-7143
Fax 239-481-3563
www.stemicmarine.com

CGC 1527841

NAME RAPP DOCK AND LIFTS

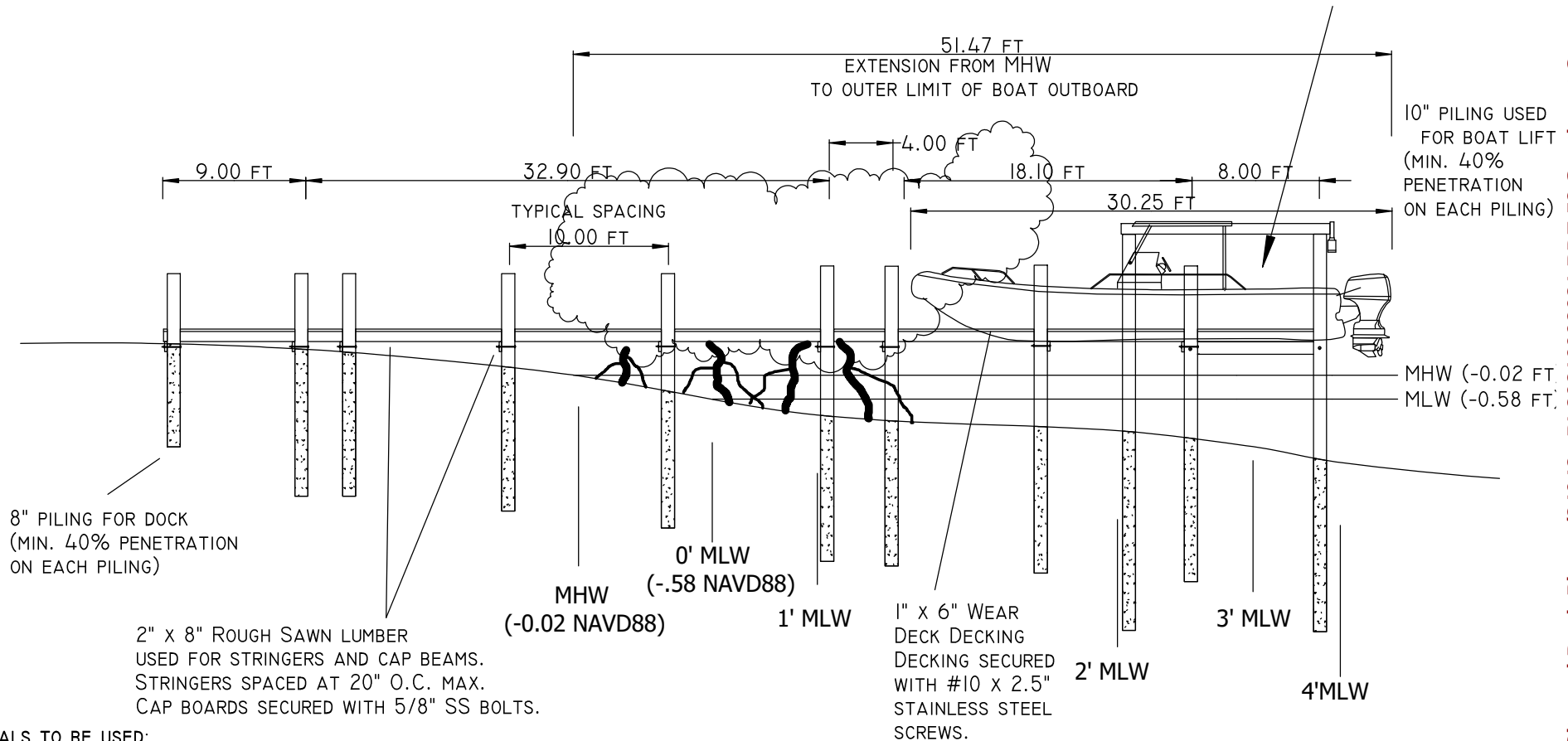
JOB ADDRESS 52 SOUTHPORT COVE

Scope of Work: REMOVAL OF AN EXISTING DOCK AND CONSTRUCTION OF A NEW 8' X 20' DOCK WITH A 4' X 84.5' WALKWAY. INCLUDES INSTALLATION OF TWO BOAT LIFTS.

Date 7-22-22 Scale 1"=20' Dwg# 2
SQ FT over water 412 Total SQ FT 498

EXHIBIT 5

SIDE VIEW A-A RAPP DOCK AND LIFTS

27' BOAT SHOWN ON THE LIFT WITH
MAX EXTENSION INTO THE WATERWAY

MATERIALS TO BE USED:

- 8" ROUND MARINE PILING WITH 2.5 C.C.A. TREATMENT FOR THE DOCK
- 10" ROUND MARINE PILING WITH 2.5 C.C.A. TREATMENT FOR THE LIFT
- 2" x 8" ROUGH SAWN SOUTHERN YELLOW PINE WITH .60 C.C.A. TREATMENT
- 1" x 6" WEAR DECK DECKING
- FRAMING WILL BE SECURED USING 5/8" 305 STAINLESS STEEL BOLTS
- DECKING WILL BE SECURED USING #10 x 2.5" 305 STAINLESS STEEL SCREWS

EXHIBIT 5

BOAT DOCK EXTENSION

PL20210002681

RAPP DOCK AND LIFTS 52 SOUTHPORT CV (BD)



Office 239-481-7143
Fax 239-481-3563
www.stemicmarine.com

CGC 1527841

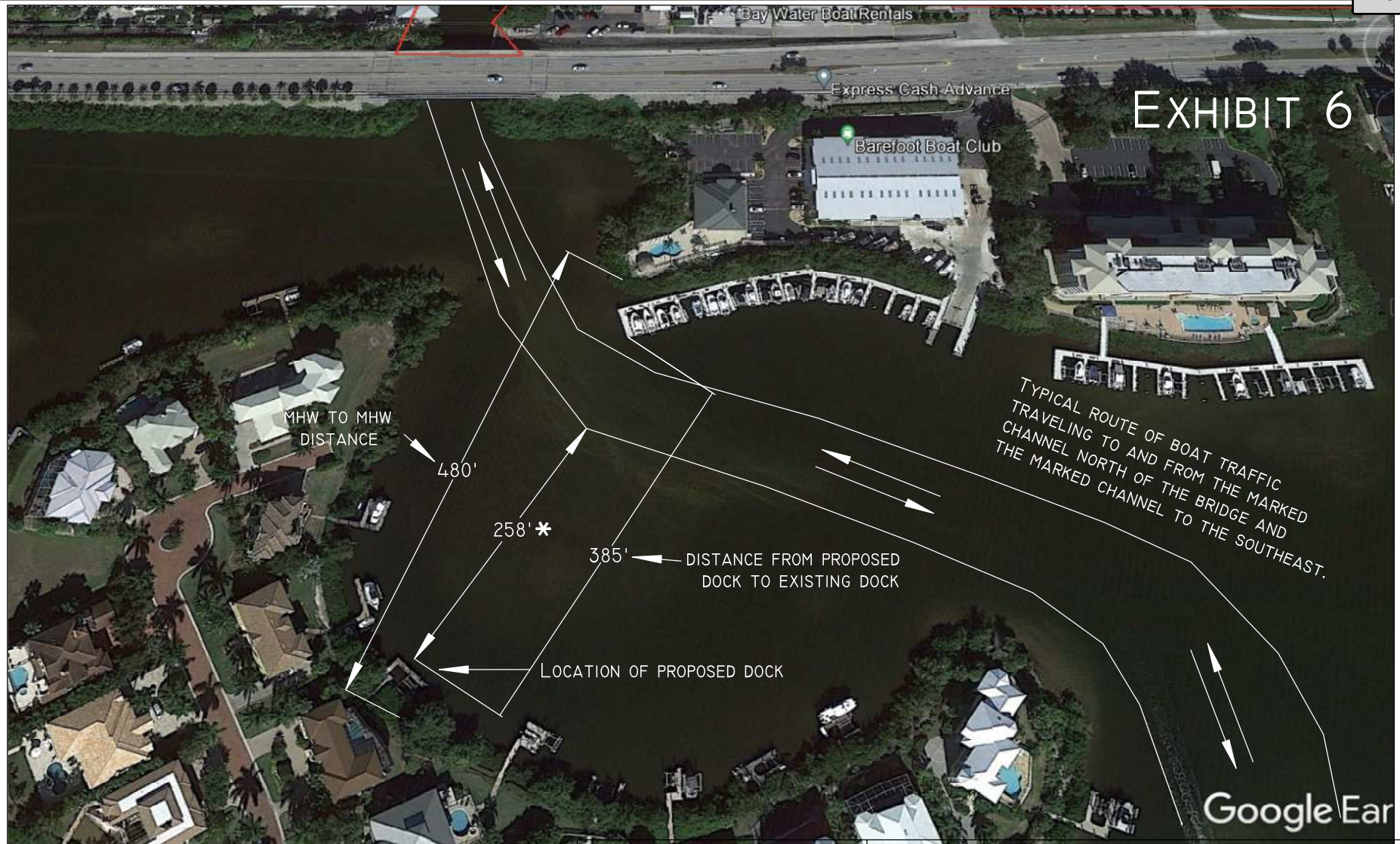
NAME RAPPJOB ADDRESS 52 SOUTHPORT COVE

Scope of Work:

CONSTRUCTION OF A 8' x 20' TIMBER DOCK
WITH A 4' WIDE WALKWAY AND INSTALLATION
OF A 16,000# ALUMINUM AND A 10,000#
LIFT.

Date 7-22-22 Scale 1"=10' Dwg# 2SQ FT over water 412 Total SQ FT 408

Packet Pg. 12



* -THE DISTANCE SHOWN ABOVE (258') IS THE DISTANCE BETWEEN THE EDGE OF THE ESTIMATED ROUTE OF BOAT TRAVEL AND THE OUTER EXTENT OF A BOAT SITTING ON THE CLOSEST BOAT LIFT AT THE PROPOSED DOCK.

BOAT DOCK EXTENSION
PL20210002681
RAPP DOCK AND LIFTS 52 SOUTHPORT CV (BD)

EXHIBIT 6



Office 239-481-7143
Fax 239-481-3563
www.stemicmarine.com

CGC 1527841

NAME	RAPP
JOB ADDRESS	52 SOUTHPORT COVE
Scope of Work:	CONSTRUCTION OF A 8' X 20' TIMBER DOCK WITH A 4' WIDE WALKWAY AND INSTALLATION OF A 16,000# ALUMINUM AND A 10,000# LIFT.
Date	11-1-22
Scale	N.T.S.
Dwg#	
SQ FT over water	
Total SQ FT	

Exhibit 2

Rapp Plant List
5/23/2022

Qty	Symbol	Botanical Name	Common Name	Spec. Location	Spacing	Notes
3	BRF	Bougainvillea New River	New River Bougainvillea	6' on line from		
3	FLU	Flowering Umbrella	White Flamingo	6' ft		
1	MOU	Mourning Dove	White Flamingo	6' ft		
PALETTES						
1	BRF	Bougainvillea New River	New River Bougainvillea	6' on line from		
1	FLU	Flowering Umbrella	White Flamingo	6' ft		
1	MOU	Mourning Dove	White Flamingo	6' ft		
ACCENTS						
1	BRF	Bougainvillea New River	New River Bougainvillea	6' on line from		
1	FLU	Flowering Umbrella	White Flamingo	6' ft		
1	MOU	Mourning Dove	White Flamingo	6' ft		
SHRUBS						
11	BRF	Bougainvillea New River	New River Bougainvillea	6' on line from		
30	FLU	Flowering Umbrella	White Flamingo	6' ft		
1	MOU	Mourning Dove	White Flamingo	6' ft		
GROUND COVERS						
43	BRF	Bougainvillea New River	New River Bougainvillea	6' on line from		
43	FLU	Flowering Umbrella	White Flamingo	6' ft		
153	MOU	Mourning Dove	White Flamingo	6' ft		
22	BRF	Bougainvillea New River	New River Bougainvillea	6' on line from		
16	FLU	Flowering Umbrella	White Flamingo	6' ft		
VINES						
1	BRF	Bougainvillea New River	New River Bougainvillea	6' on line from		
1	FLU	Flowering Umbrella	White Flamingo	6' ft		
1	MOU	Mourning Dove	White Flamingo	6' ft		
CONSERVATION/PAINT/PAINT VESSELIZATION						
1	BRF	Bougainvillea New River	New River Bougainvillea	6' on line from		
1	FLU	Flowering Umbrella	White Flamingo	6' ft		
1	MOU	Mourning Dove	White Flamingo	6' ft		
WINDHAWK						
1	BRF	Bougainvillea New River	New River Bougainvillea	6' on line from		
1	FLU	Flowering Umbrella	White Flamingo	6' ft		
1	MOU	Mourning Dove	White Flamingo	6' ft		

CONTRACTOR NOTE:
AT THE TIME OF DESIGN, IF UNIDENTIFIED PLANTS ARE FOUND ON THE PROPERTY, UNIDENTIFIED PLANTS WILL HAVE A CONSERVED REPORT TO AVOID PLANTS THAT ARE SUSCEPTIBLE TO BEING EATEN.
IF ANY PLANTS ARE FOUND THAT ARE SUSCEPTIBLE TO BEING EATEN, THE CONTRACTOR SHALL REMOVE THEM PRIOR TO ORDERING AND THE INSTALLATION OF PLANTS. THE CONTRACTOR SHALL ASSESS THE SPECIFIC PROPERTY AND DETERMINE IF ANY ALTERNATIVE PLANTS ARE RECOMMENDED.
UNIDENTIFIED PLANTS WILL BE HELD RESPONSIBLE FOR THE DISTRIBUTION OF PLANT MATERIAL DUE TO THE EVER-CHANGING SITE CONDITIONS.

UNIDENTIFIED PLANTS: THE CONTRACTOR IS REQUIRED TO USE OF ROOT BARRIER (BARRIER) SURROUNDING PLANTS. IF THE CONTRACTOR, AT HIS COST, WOULD LIKE TO TAKE THIS ACTION, IN EITHER CASE, UNIDENTIFIED PLANTS WILL BE HELD RESPONSIBLE FOR THE DISTRIBUTION OF PLANT MATERIAL DUE TO THE EVER-CHANGING SITE CONDITIONS.
IF ROOT BARRIER ON ROOT BARRIER PRODUCTS FAILING TO PROTECT AGAINST SUCH DAMAGE, THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR THE DISTRIBUTION OF PLANT MATERIAL DUE TO THE EVER-CHANGING SITE CONDITIONS.
IF ROOT BARRIER ON ROOT BARRIER PRODUCTS FAILING TO PROTECT AGAINST SUCH DAMAGE, THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR THE DISTRIBUTION OF PLANT MATERIAL DUE TO THE EVER-CHANGING SITE CONDITIONS.

EXISTING BEA GRAPES (CUL-DOCOLOLA VITIFERA)
EXISTING GREEN BUTTWOOD (CELE-CONCANNULUS BREVIFLUS)

EXISTING CONCRETE WALL
EXISTING RETAIL

EXISTING CONCRETE WALL
EXISTING RETAIL

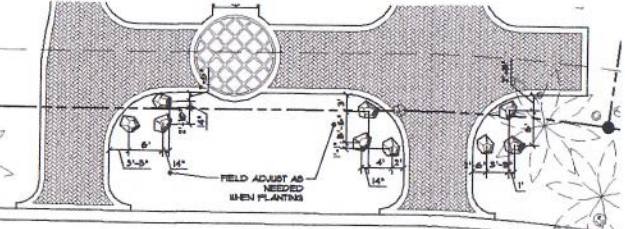
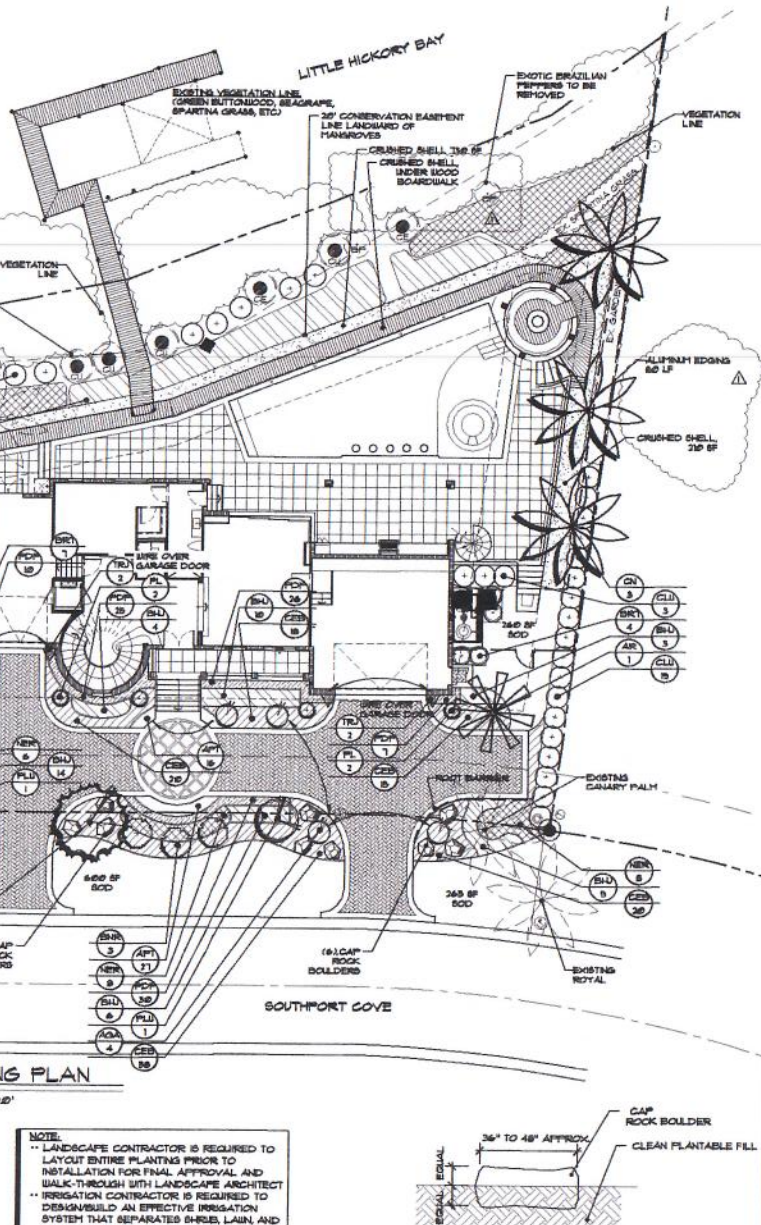
EXISTING CONCRETE WALL
EXISTING RETAIL

EXISTING CONCRETE WALL
EXISTING RETAIL

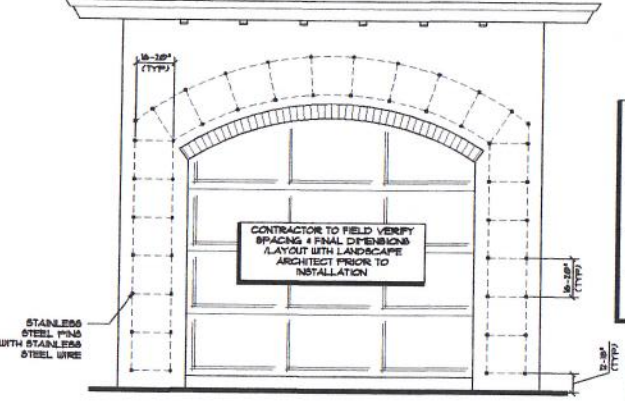
EXISTING CONCRETE WALL
EXISTING RETAIL

EXISTING CONCRETE WALL
EXISTING RETAIL

EXISTING CONCRETE WALL
EXISTING RETAIL



CAP ROCK BOULDERS LAYOUT PLAN
SCALE: 1" = 10'0"



TYPICAL GARAGE ESPALIER DETAIL
SCALE: 1/2" = 1'-0"



TYP. BOULDER PLANTING DETAIL
SCALE: N.T.S.

WINDHAWK studio inc.
Joni Hahn, Landscape Architect, 10.03
p.o. box 11, bonita springs, florida 334
phone: 239.394.11
fax: 239.394.11
www.windhawkstudio.com

THE RAPP RESIDENCE
52 SOUTHPORT COVE BONITA SPRINGS, FL
PREPARED FOR: MR. & MRS. RAPP

JOB # 060-21
This plan and design are the property of Windhawk Studio, Inc. and shall not be reproduced or used in any way without the written permission of Windhawk Studio, Inc.

PLANTING PLAN
SHEET NUMBER: L-1

Attachment: Attachment A - Site and Dock Plans (24042 : PL20210002681 BDE 52 Southport Cove - Rapp)

NORTH
ARROW

FOUNDATION LOCATION

FIELDBOOK PAGE

LEGAL DESCRIPTION

(AS PROVIDED BY CLIENT)

This is a boundary survey of the following: Lot 44, Southport on the Bay, Unit Two as recorded in Plat Book 16, Pages 100-101 of the public records of Collier County, Florida.

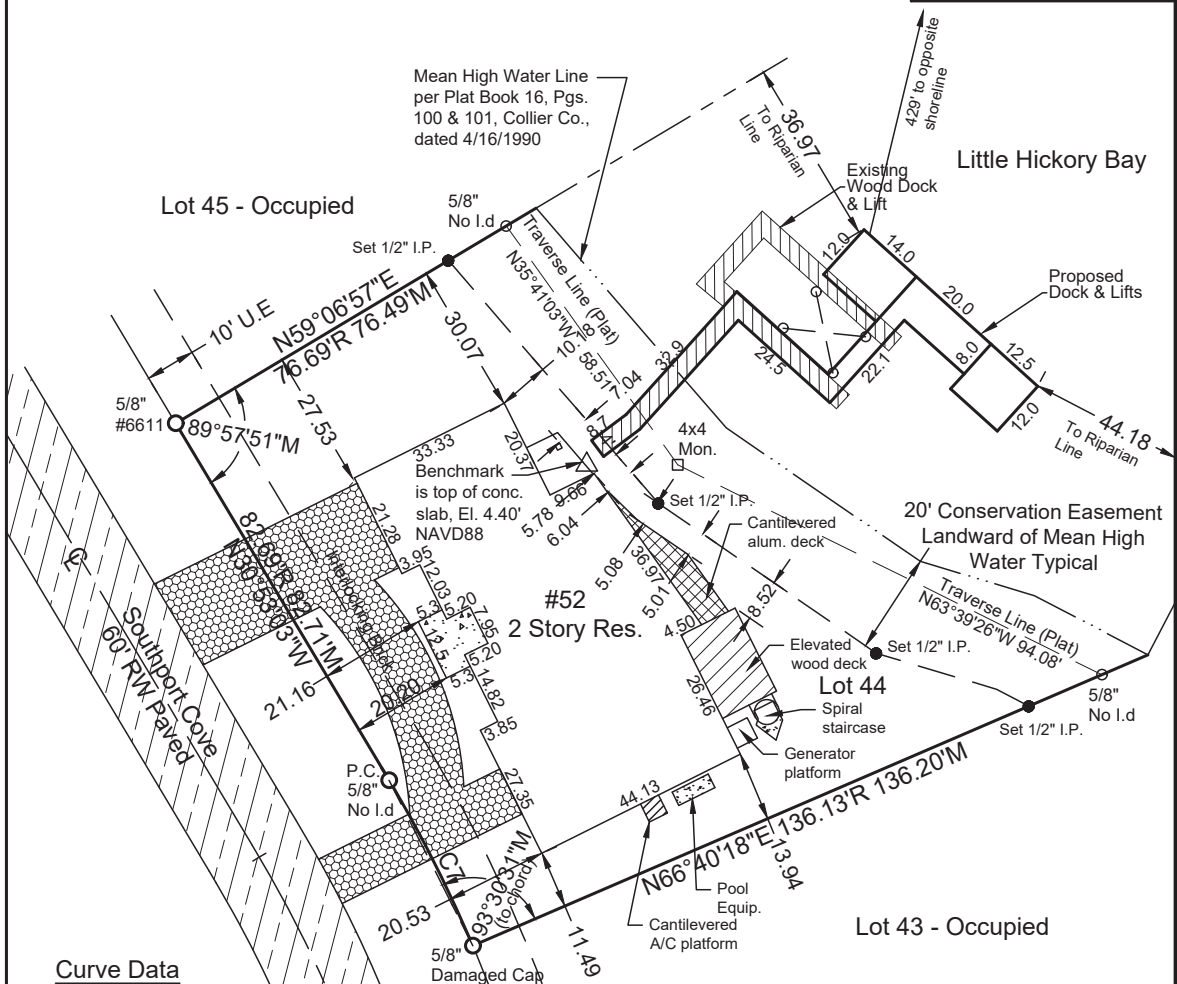
SCALE
1"=30'

LEGEND

■ SET CONC. MON. W/CAP I.D.# 3553
 ■ SET IRON PIN W/CAP I.D. # 3553
 ■ FD. CONC. MON. W/CAP
 □ FD. CONC. MON.
 ○^{FL} FD. IRON PIN
 △ ASSUMED ELEVATION
 R BENCHMARK
 M RECORDED
 M MEASURED

CON'T REVERSE SIDE

FINAL SURVEY DATE



Curve Data

C7

R=280.0

Arc=36.92

CH=36.90'R 36.85'M

CB=N27°06'23"W

Update survey and locate MHW line, 8/8/18,
see files for fieldwork.

Added Detail 8/14/18

Update boundary survey and show proposed dock & lifts
8/6/21, see files for fieldwork.

Located elevated decks
12/26/18, see files for fieldwork.

Staked Conservation Easement
8/22/18, see files for fieldwork

Additional information added 12/17/21,
see sheet 2 of 2

NOTES

1. REPRODUCTION OF THIS SKETCH IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN.
3. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
4. BEARINGS SHOWN HEREON ARE BASED ON
Centerline Southport Cove being N30°53'03"W
5. THIS PROPERTY LIES IN FLOOD ZONE AE EL 9 NAVD88 PER F.I.R.M. PANEL NO. 12021C 0179H, DATED 5/16/2012
6. LAST DATE OF FIELDWORK 4-4-06, 8/8-18, 8/22/18, 12/26/18, 8/6/21
7. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

CERTIFICATE

I hereby certify that the above described property was surveyed under my direction and the sketch of survey is true and correct to the best of my knowledge. This survey meets or exceeds the standards of practice set forth by the Florida Board of Land Surveyors, pursuant to Rule 5J-17 Florida Administrative Code, and pursuant to Section 472.027 Florida Statutes. There are no visible encroachments other than those shown hereon.

Mark O. Allen

Digitally signed by Mark
O. Allen
Date: 2021.12.23 20:29:19
-05'00'

MARK O. ALLEN P.L.S. #3553
LB #6558

FAX: (239) 992-6070
TELE: (239) 992-8900

MARK O. ALLEN, INC.
PROFESSIONAL LAND SURVEYOR

10602 WOODS CIRCLE
BONITA SPRINGS, FL 34135

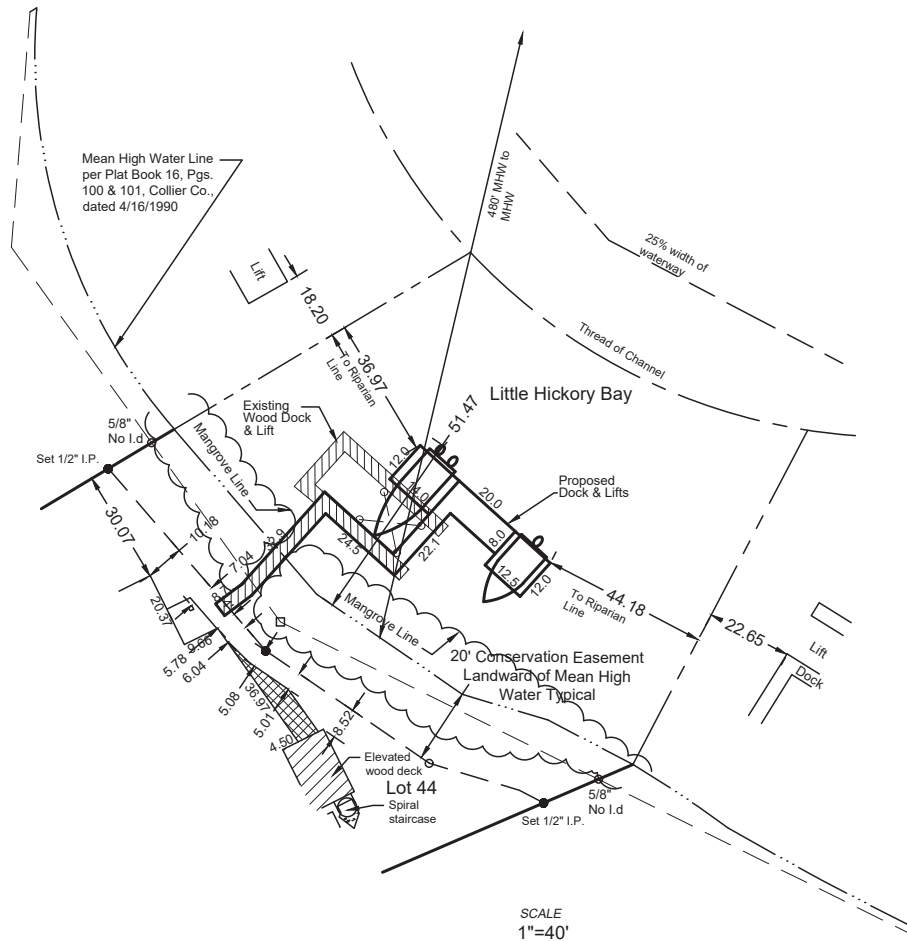
DWN. BY
SMA

CHK'D BY

ORDERED BY
Robert & Jackie Rapp

SHEET 1 OF 2
DWG. NO. 2006-127

Packe



APPENDIX A

LEGEND OF ABBREVIATIONS

A= Arc
 APPROX= Approximate
 ASPH= Asphalt
 AVE= Avenue
 BLVD= Boulevard
 B.M= Benchmark
 C= Centerline
 CH= Chord
 CALC= Calculated
 C.B= Chord Bearing
 CBS= Concrete Block Structure
 C&GS= Coastal and Geodetic Survey
 CHK'D= Checked
 CMP= Corrugated Metal Pipe
 CO= County
 CONC= Concrete
 COR= Corner
 CT= Court
 D.E= Drainage Easement
 Desc= Description
 D.H= Drill Hole
 DWN= Drawn
 EL or ELEV= Elevation
 EOP= Edge of Pavement

EOW= Edge of Water
 FB= Fieldbook
 FD= Found
 FLA= Florida
 IP= Iron Pin
 LN= Lane
 M= Measured
 M.E= Maintenance Easement
 MH= Manhole
 MHW= Mean High Water
 MON= Monument
 N/A= Not Applicable
 NGVD= National Geodetic Vertical Datum
 NO= Number
 O.R Book= Official Record Book
 ORIG= Original
 O/S= Offset
 P.B= Plat Book
 P.C= Point of Curvature
 P.G= Page
 P.I= Point of Intersection
 PLS= Professional Land Surveyor
 PL= Property Line
 PLS= Professional Land Surveyor

P.O.B= Point of Beginning
 P.O.C= Point of Commencement
 P.O.L= Point on Line
 PROP= Property
 P.T= Point of Tangency
 PUE= Public Utility Easement
 R= Record or Radius
 RAD= Radius
 RCP= Reinforced Concrete Pipe
 RD= Road
 RDL= Radial
 RES= Residence
 RLS= Registered Land Surveyor
 R.O.W= Right of Way
 R or RGE= Range
 SEC= Section
 ST= Street
 STY= Story
 TOB= Top of Bank
 T.U.E= Technology Utility Easement
 TYP= Typical
 T or TWP= Township
 UE= Utility Easement
 W/= With
 Δ= Delta or Benchmark
 ⚡= Fire Hydrant

SOUTHPORT ON THE BAY, UNIT TWO

A SUBDIVISION LYING IN SECTION 6, TOWNSHIP 48 SOUTH,
RANGE 25 EAST, COLLIER COUNTY, FLORIDA.

DEDICATIONS

State of Florida

County of Collier

KNOW ALL MEN BY THESE PRESENTS that Southport Venture Associates, A New Jersey General Partnership, authorized to do business in Florida, the owners of the lands described hereon has caused this plat entitled "SOUTHPORT ON THE BAY, UNIT TWO" to be made and does hereby subject said lands to that certain Declaration of Covenants, Conditions and Restrictions recorded in O.R. Book 745, Pages 1699 through 1707, O.R. Book 766, Pages 1773 through 1783, O.R. Book 767, Pages 561 through 567, O.R. Book 867, Pages 1318 through 1327, inclusive, and further does hereby dedicate the following:

1. To SOUTHPORT ON THE BAY PROPERTY OWNERS' ASSOCIATION INC. with responsibility for maintenance, all road rights-of-way, indicated as Lot 107, all conservation easements indicated on the plat and Lot 110 as an access easement.
2. To Collier County Water - Sewer District - all water and sewer lines constructed within this platted area, upon acceptance of the improvements required by the plat.
3. To Collier County - all drainage easements with no responsibility for maintenance.
4. To Collier County Water - Sewer District - an easement for ingress and egress over and across Lot 107 (Road R.O.W.), and Lot 110 (access easement) and all county utility easements (C.U.E.) to install and maintain water and sewer utility facilities within these platted areas.
5. To Collier County, with no responsibility for maintenance a conservation easement over Lots 55 and 56 and all other areas designated conservation easement (C.E.), land modifications or structures are prohibited within this zone except for nature trails, boardwalks and docks. No building structure will be established within 5 feet of said easements and with the exception of mandatory removal of exotic species, there shall be no removal, trimming, fill, transplanting or planting of any vegetation within the Conservation Easement without approval of Collier County.
6. To SOUTHPORT ON THE BAY PROPERTY OWNERS ASSOCIATION, INC., All drainage easements indicated on the plat for the purpose of construction, installation, maintenance and operation of these facilities.
7. To Florida Power and Light Company, United Telephone Company and any Cable Television Franchise Company. A non-exclusive utility easement as noted or indicated on the plat (U.E.), for the purpose of construction, installation, maintenance and operation of electric, telephone and cable television facilities. No construction, installation, maintenance or operation of cable television facilities and services shall interfere with the electric or telephone facilities and services. In the event a cable television company damages the facilities of another public utility, it shall be solely responsible for said damages.

SOUTHPORT VENTURE ASSOCIATES, a
NEW JERSEY GENERAL PARTNERSHIP

By: Orion Marketing, Inc., a
Florida Corporation, a
general partner

By: Kenneth J. Gluckman
KENNETH J. GLUCKMAN,
Its President

WITNESSES:

Geo L. Consoer Jr.
Karin L. Barry

CORPORATE ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF COLLIER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Kenneth J. Gluckman to me known to be the President of Orion Marketing, Inc., a Florida corporation which is the general partner of Southport Venture Associates, a New Jersey partnership named as dedicatior on the foregoing plat and that he acknowledged executing the same voluntarily under authority duly vested in him by said corporations and that the seals affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State aforesaid this 22nd day of March, 1990.

My commission expires:

Nov. 20, 1992

NOTARY PUBLIC

TITLE CERTIFICATION

I, George L. Consoer, Jr., a duly licensed attorney in the State of Florida, do hereby certify that I have examined the title to the herein described property, and that such title is vested in Southport Venture Associates, a New Jersey General Partnership, that the current taxes have been paid, and that the property is free of encumbrances other than a mortgage in favor of Barnett Bank of Naples O.R. Book 1469, Page 0559.

MORTGAGEE'S CONSENT

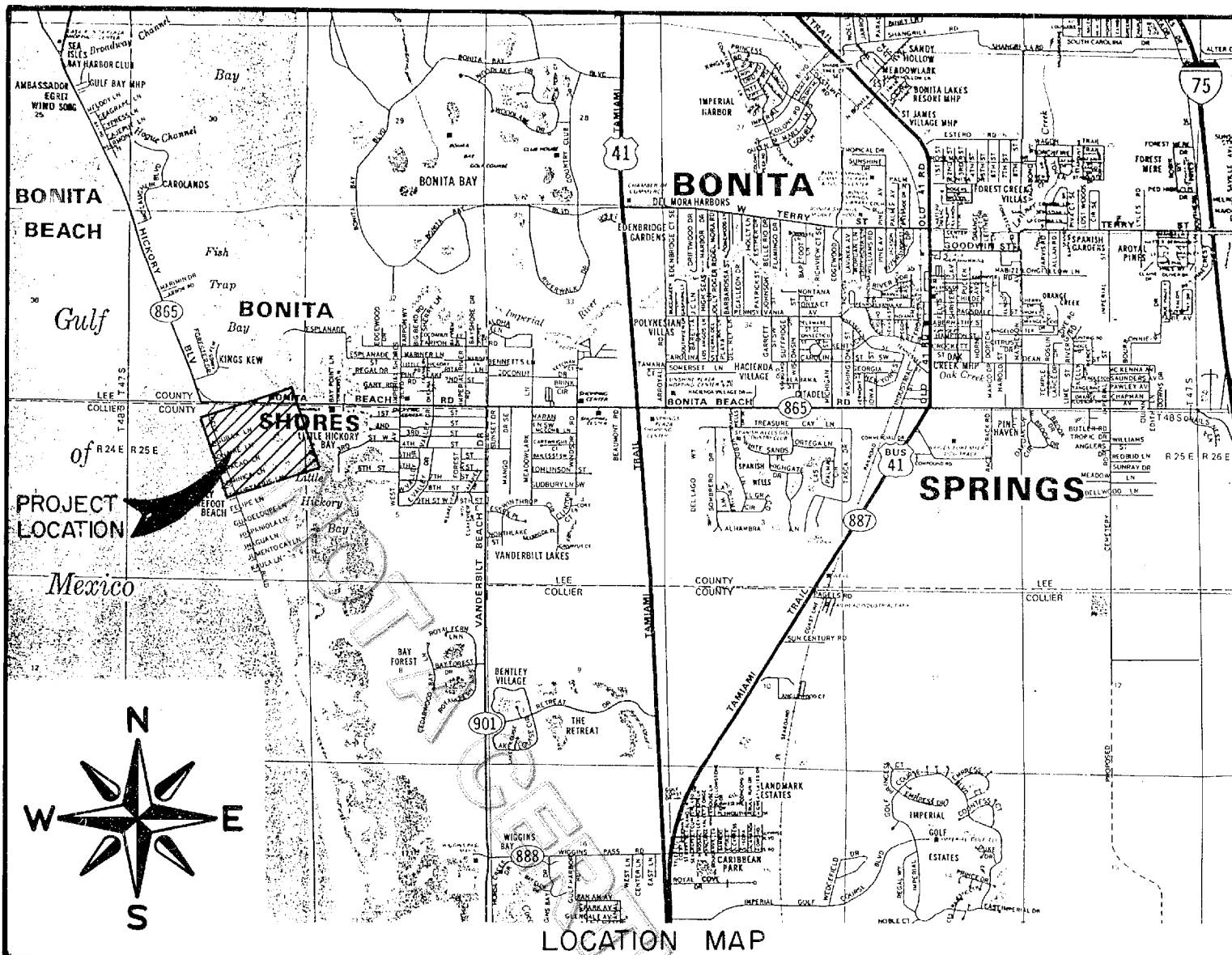
Barnett Bank of Naples, a Florida banking corporation, hereby certifies that it is the holder of a mortgage upon the herein described property, and does hereby join in and consent to the dedication of lands described in the dedication hereto by the owner of, and agrees that its mortgage shall be subordinated to the dedications shown hereon.

(CORPORATE SEAL)
BARNETT BANK OF NAPLES, a
Florida banking corporation

By: Charles F. Bailey
AS, VICE PRESIDENT

WITNESSES:

Susan J. Pagan
Rebecca S. Court



DESCRIPTION OF LANDS PLATTED

All those lands lying above the Mean High Water Line of Little Hickory Bay within the following described Parcel.

A parcel lying in Section 6, Township 48 South, Range 25 East Collier County, Florida, more particularly described as follows:
Beginning at the northeast corner of Lot 42 of Southport On the Bay, Unit One, a subdivision recorded in Plat Book 15, Pages 51 through 53 of the Public Records of Collier County, Florida run S80°44'21"W along the boundary of said subdivision a distance of 200.57 feet to a concrete monument; thence 83.03 feet along the arc of a nontangent curve concave to the southwest having a radius of 220.00 feet, a central angle of 21°37'24" and a chord of 82.54 feet, bearing N20°04'21"W to a point of tangency; thence N30°53'03"W 80.00 feet; thence S59°06'57"W 345.04 feet; thence N13°53'27"W 884.18 feet; thence S89°49'01"E 595.44 feet; thence S45°29'49"E 666.97 feet; thence S42°12'26"W 439.70 feet to the Point of Beginning.

The above describes a land area of approximately 4.05 acres, based on the location of approximate Mean High Water Line of Little Hickory Bay.

GENERAL NOTES

1. ■ = Permanent Reference Monument set, stamped P.R.M. 4118
2. • = Set P.K. Nail and Brass Disk, stamped P.C.P. 4118
3. C.U.E. = County Utility Easement
4. D.E. = Drainage Easement
5. C.E. = Conservation Easement
6. A.E. = Access Easement
7. N.R. = Non Radial all other lines are Radial
8. Bearings based on a bearing of S09°56'11"E on the east line of Tract "B" of Lely Barefoot Beach Unit One as Recorded in Plat Book 12, Pages 34 through 37.
9. NOTICE: There may be additional restrictions that are not recorded on this Plat that may be found in the Public Records of the County.
10. The elevation of the pavement centerline ranges from a low of 5.60 to a high of 7.40 as per design plans, the average existing lot elevation is approximately 3.6 which is natural ground.
11. The platted area lies within several flood zone designations, refer to F.I.R.M. Panel 120067-0179D, dated June 3, 1986.

COUNTY COMMISSION APPROVAL

This plat approved for recording in regular open meeting by the Board of County Commissioners of Collier County, Florida, this 19th day of September, 1990, A.D., provided that the plat is filed in the office of the clerk of the Circuit Court of Collier County, Florida.

CHAIRMAN, BOARD OF COUNTY
COMMISSIONERS, COLLIER
COUNTY, FLORIDA

JAMES C. GILES, CLERK

FILING RECORD

I HEREBY CERTIFY that this plat has been examined by me and that it complies in form with the requirements of Chapter 177, Florida Statutes. I further certify that said plat was filed for record at 2:24 P.M. this 20th day of APRIL, 1990, A.D. and duly recorded in Plat Book 16, pages 100-101, inclusive, of the Public Records of Collier County, Florida.

JAMES C. GILES, Clerk

By: Sandra T. Y. D.C.

COUNTY APPROVALS

This plat approved by the Collier County Engineer this 26th day of MARCH, 1990, A.D.

John F. Madajewski
JOHN F. MADAJEWSKI, E.E.
Project Review Services Manager, County Engineer

COUNTY HEALTH DEPARTMENT

This plat approved by the Collier County Health Department this 27th day of MARCH, 1990, A.D. connection to central water and central sewage system; and no individual potable water wells or individual sewage systems are permitted.

L.D. LUKIN, P.E.
Environmental Engineering Director

This plat approved by Collier County Attorney this 16th day of APRIL, 1990, A.D.

Kenneth B. Cuyler
KENNETH CUYLER
County Attorney

COUNTY UTILITIES DIVISION

This plat approved by Collier County Utilities Division this 27th day of March, 1990, A.D.

C. W. Temby
C. W. TEMBY, P.E.
Utilities Engineering Director

SURVEYOR'S CERTIFICATE

It is hereby certified that this plat is a true and correct representation of the lands surveyed; that the survey was made under my responsible direction and supervision as provided in Rule 21-H-6 Florida Administration Code and Chapter 472, Florida Statutes; that the permanent reference monuments shown hereon have been set; that all permanent control points shown hereon will be set prior to final acceptance of the subdivision; and that the survey data complies with all the requirements of the current edition of Chapter 177, Florida Statutes.

COASTAL ENGINEERING CONSULTANTS, INC.

James S. Richmond
JAMES S. RICHMOND, P.L.S.
Florida Certificate No. 4118
DATE:

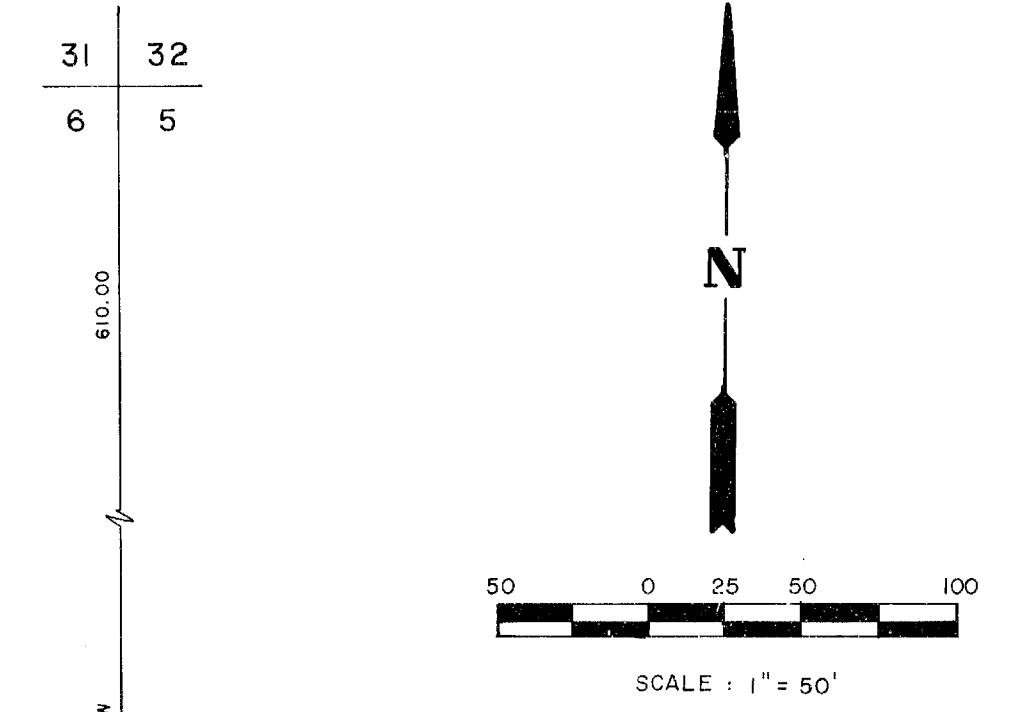
THIS INSTRUMENT PREPARED BY:

JAMES S. RICHMOND, P.L.S.
COASTAL ENGINEERING CONSULTANTS, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
3106 SOUTH HORSESHOE DRIVE, NAPLES, FLORIDA

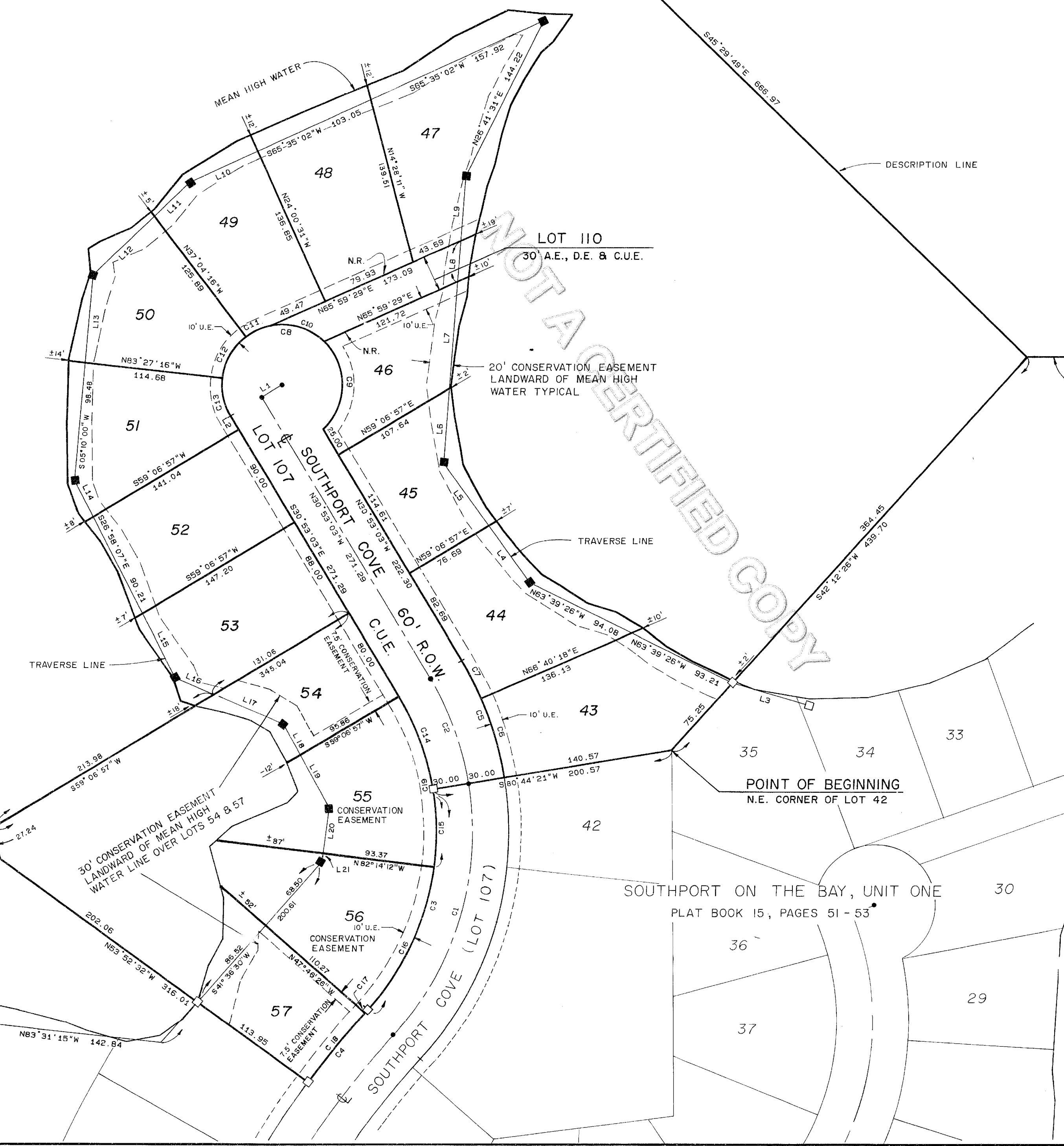
SOUTHPORT ON THE BAY, UNIT TWO

A SUBDIVISION LYING IN SECTION 6, TOWNSHIP 48 SOUTH,
RANGE 25 EAST, COLLIER COUNTY, FLORIDA.

LITTLE HICKORY BAY NOT INCLUDED



SOUTHPORT ON THE BAY, UNIT ONE
PLAT BOOK 15, PAGES 51 - 53



Cxx - CURVE DATA

No.	Delta	Radius	Arc Length	Tangent	Chord	Bearing
1	51°42'40"	250.00	225.63	121.15	218.05	N16°35'41"E
2	21°37'24"	250.00	94.35	47.74	93.79	N20°04'21"W
3	51°42'40"	220.00	198.56	106.62	191.89	S16°35'41"W
4	06°19'33"	700.00	77.29	38.68	77.25	S39°17'14"W
5	21°37'24"	280.00	105.67	53.47	105.05	N20°04'21"W
6	14°04'03"	280.00	68.75	34.55	68.57	N16°17'41"W
7	07°33'21"	280.00	36.92	18.49	36.90	N27°06'23"W
8	258°27'47"	50.00	225.55	-61.24	77.46	N81°39'10"W
9	93°33'27"	50.00	81.64	53.21	72.87	N00°48'00"E
10	54°58'02"	50.00	47.97	26.01	46.15	N73°27'44"W
11	26°07'31"	50.00	22.80	11.60	22.60	S65°59'29"W
12	46°23'00"	50.00	40.48	21.42	39.38	S29°44'14"W
13	37°25'47"	50.00	32.66	16.94	32.09	S12°10'10"E
14	21°37'24"	220.00	83.03	42.01	82.54	S20°04'21"E
15	73°20'04"	220.00	281.58	163.79	262.75	S05°46'59"W
16	34°41'13"	220.00	133.19	68.71	131.16	N25°06'25"E
17	00°13'27"	700.00	2.74	1.37	2.74	N42°20'18"E
18	06°06'07"	700.00	74.55	37.31	74.51	N39°10'31"E
19	38°38'52"	220.00	148.40	77.15	145.60	S10°43'37"E

Lxx - COURSE DATA

No.	Direction	Length
1	N59°06'57"E	20.00
2	S30°53'03"E	13.29
3	N73°25'59"W	66.07
4	N35°41'03"W	58.51
5	N35°41'03"W	63.78
6	N04°31'00"E	62.63
7	N04°31'00"E	88.87
8	N04°31'00"E	34.14
9	N04°31'00"E	53.90
10	S66°35'02"W	62.11
11	S46°15'39"W	40.81
12	S46°15'39"W	70.59
13	S05°10'00"W	73.05
14	S26°58'07"E	33.84
15	S26°58'07"E	59.83
16	S66°25'14"E	34.79
17	S66°25'14"E	62.52
18	S28°38'46"E	23.14
19	S28°38'46"E	50.41
20	S08°08'20"W	36.96
21	S08°08'20"W	8.16

THIS INSTRUMENT PREPARED BY:
JAMES S. RICHMOND, P.L.S.
COASTAL ENGINEERING CONSULTANTS, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
3106 SOUTH HORSESHOE DRIVE, NAPLES, FLORIDA

C.E.C. FILE NO.: 87-194

CCPC RESOLUTION NO. 95-40

RELATING TO PETITION NUMBER BD-95-17 FOR
AN EXTENSION OF A BOAT DOCK ON PROPERTY
HEREINAFTER DESCRIBED IN COLLIER COUNTY,
FLORIDA.

WHEREAS, the Legislature of the State of Florida in Chapter 125, Florida Statutes, has conferred on all counties in Florida the power to establish, coordinate and enforce zoning and such business regulations as are necessary for the protection of the public; and

WHEREAS, the County pursuant thereto has adopted a Land Development Code (Ordinance 91-102) which establishes regulations for the zoning of particular geographic divisions of the County, among which is the granting of variances; and

WHEREAS, the Collier County Planning Commission, being the duly elected and constituted Planning Commission for the area hereby affected, has held a public hearing after notice as in said regulations made and provided, and has considered the advisability of a 16-foot extension of a boat dock from the required 20 feet to allow for a 36-foot "U"-shaped boat dock facility as shown on attached plot plan, Exhibit "A", in a "PUD" zone for the property hereinafter described, and has found as a matter of fact that satisfactory provision and arrangement have been made concerning all applicable matters required by said regulations and in accordance with Section 2.6.21. of the Collier County Land Development Code; and

WHEREAS, all interested parties have been given the opportunity to be heard by this Commission in public meeting assembled, and the Commission having considered all matters presented;

NOW THEREFORE, BE IT RESOLVED BY the Collier County Planning Commission of Collier County, Florida, that:

The petition filed by Ben Nelson, Jr., of Nelson Marine Construction, Inc., representing Fritz Traugott, with respect to the property hereinafter described as:

Lot 44, Southport on the Bay, Unit 2, as recorded in Plat Book 16, Pages 100-101, of the Public Records of Collier County, Florida.

be and the same is hereby approved for a 16-foot extension of a boat dock from the required 20 feet to allow for a 36-foot "U"-shaped boat dock facility as shown on attached plot plan, Exhibit "A", in the "PUD" zoning district wherein said property is located, subject to the following conditions:

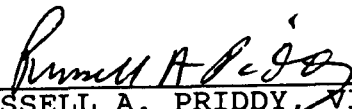
1. All docks, or mooring pilings, whichever protrudes the greater into the water, regardless of length shall have reflectors and house numbers four (4) inches minimum size installed at the outermost end on both sides.
2. In order to address the protection of manatees, one (1) "Manatee Alert" sign shall be permanently affixed to the pilings and shall be visible from the waterway.
3. Permits or letters of exemption from the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection shall be presented prior to issuance of a building permit.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number BD-95-17 be recorded in the minutes of this Commission and filed with the County Clerk's Office.

This Resolution adopted after motion, second and majority vote.

Done this 5th day of October, 1995.

COLLIER COUNTY PLANNING COMMISSION
COLLIER COUNTY, FLORIDA


RUSSELL A. PRIDDY, VICE-CHAIRMAN

ATTEST:


VINCENT A. CAUTERO
EXECUTIVE SECRETARY
COMMUNITY DEVELOPMENT SERVICES ADMINISTRATOR

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


MARJORIE M. STUDENT
ASSISTANT COUNTY ATTORNEY

BD RESOLUTION/15315



APPLICATION DATE
10/27/95

PERMIT NUMBER
950011947

OWNER-
TRAUGOTT, FRITZ
52 SOUTHPORT COVE
NAPLES

FL 339230000

CONTRACTOR-
NELSON MARINE CONSTRUCTION, INC
10900 E. TERRY ST. S.E.
BONITA SPRINGS FL 339230000

941/992-4443

PROJECT NAME-DOCK & LIFT/BROTHERS ELECTRIC
JOB ADDRESS- 52 SOUTHPORT COVE

GEN LOCATION-NORTH NAPLES
SUBDIVISION-SOUTHPORT ON THE BAY
SECTION- 5 TWP-48 RANGE-25 MAP/AREA-
LEGAL

FOLIO #- 74435010109
TRACT-000
BLK- LOT/PARCEL- 44 UNIT- 2

PERMIT TYPE- DOCK & DAVITS

COST OF CONSTRUCTION- \$11,210 APPROVAL DATE-10/27/95

CONTACT PERSON-BEN
CONTACT PHONE #- 992-4443

The above application has been examined and is hereby approved subject to the payment of \$ 95.50, as provided by the Collier County Building Code and Ordinances. 10,27,95
Payment Received by: [Signature] Date Issued: 10,27,95 Receipt No. 1315567

Per Collier County Ordinance No. 95-16, as amended, all work under the approved building permit shall comply with applicable laws, codes, ordinances and additional stipulations and/or Conditions of Permit. The approved permit expires if work authorized is not commenced within six (6) months from date of issue as evidenced by the successful completion of the foundation inspections as stated in Ordinance No. 95-16 103.6.1.1b., as amended. Fee Resolution No. 93-366 T) provide for additional fees for failing to obtain permits prior to commencing construction. The permittee further understands that only licensed contractors may be employed and that the structure shall not be used or occupied until a Certificate of Occupancy is issued.

Signature of Contractor [Signature]

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

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



White - Customer
Yellow - Records Room
Pink - Property Appraiser
Gold - Lobby File
Rev/8-91

Packet Pg. 21



County of Collier
BOARD OF COUNTY COMMISSIONERS

COLLIER COUNTY COURTHOUSE
3301 TAMiami TRAIL EAST
NAPLES, FLORIDA 33962

3.A.e

VALID #: 315479 10/27/95

OFFICIAL RECEIPT

When Validated

CHECK: 85.50

11 AMT PAID: 85.50

BY: _____
DEPUTY CLERK

RECEIPT: 1315567

PAYOR: NELSON MARINE

REF: TRAUGOTT
000013310
95-11947/PB

DESCRIPTION	AMOUNT DUE
=====	=====
BUILDING PERMITS - NAPLES	24.00
SURCHARGE FOR MICROFILM	1.50

DEPT: OSC: CUSTOMER SERVICES NAPLES

TOTAL DUE:

Packet Pg. 22

Attachment: Attachment D - CCPC Resolution 95-40 (24042 : PL20210002681 BDE 52

95-11947

EXPRESS
APPLICATION FOR BUILDING PERMIT
COLLIER COUNTY FLORIDA • (813) 643-8400

Property ID# 744350 10109 Application Date _____ Approved Date _____ CSA [Signature]

☐ 301 Construction Trailer	☐ 306 Fences	☐ 320 Screen Enclosure 1 & 2 Family	☐ 334 Tents
☐ 300 A/C Replacement	☐ 332 Fireplace	☐ 321 Seawall	☐ 333 Wood Deck
☐ 339 Awning	☐ 309 Fire Suppression Systems	☐ 322 Septic Tanks	☐ 337 Screen Room W/Vinyl Windows
☐ 345 Carport 1 & 2 Family/Panroof	☐ 336 Flagpole	☐ 323 Sewer Tap	☐ 800 Wells
☐ 308 Chickens	☐ 338 Interior Partition	☐ 343 Siding	☐ 347 Tenant Separation
☐ 310 Combust Liquid Storage Tank	☐ 311 Lawn Sprinkler	☐ 324 Signs	☐ 331 Wall/Firewall
☐ 302 Dock & Davits 1 & 2 Family	☐ 341 Piling	☐ 342 Slab	☐ Site Improvement (Tennis Courts, Parking Lots, Landscaping)
☐ 303 Demolition	☐ 330 Plumbing Repair/Modifications	☐ 335 Sliding Glass Doors/Windows	
☐ 304 Driveways	☐ 314 Propane Gas Tanks	☐ 325 Solar Heat	
☐ 312 Electrical Work/Minor	☐ 315 Refrigeration	☐ 326 Storage Sheds Residential	
☐ 305 Exhaust Hood System	☐ 316 Reroof	☐ 327 Swimming Pool 1 & 2 Family	
☐ 344 Exterior Wall/Alteration	☐ 319 Satellite Dish	☐ 328 Temp. Electric Poles	
	☐ 307 Fire Alarms		Other _____

RESIDENTIAL-USE/OCC CODE

☐ 998 Express Residential Other
Specify: _____

☐ 328 Other Residential Buildings
Sheds/Carport-1 & 2 Family

☒ 329 Structures other than Buildings
Pool/Seawall/Dock/Fence
Specify: DOCK & LIFT

NONRESIDENTIAL-USE/OCC CODE

☐ 999 Express NonResidential Other
Specify: _____

☐ 528 Other NonResidential Buildings
Cooler/Freezer/Shed
Specify: _____

☐ 529 Structures other than Buildings
Fence/Dish/Pool/Seawall/Dock/Tank Tower/
Roof Structure
Specify: _____

Construction Address 52 SOUTHPORT COVE
BON. SPGS FL

Section 5 Township 48 Range 25 Map/Area _____

Block _____ Lot/Parcel 44 Unit 2 Tract _____

General Location: 1 2 3 4 5 6 7 8 9 10 11 12

GPIN _____ ZONING RUD

Subdivision SOUTHPORT ON THE BAY

Property Owner of Record FRITZ TRAUOGT

Address 52 SOUTHPORT COVE

City BON SPGS State FL Zip 33923

Job Representative BEN NELSON

Phone No. 992 4443

Contracted Value of Improvement/Construction 14,210.00

WARNING - WORK IN COUNTY RIGHT OF WAY

This permit does not authorize construction or installation of any structure or utility, above or below ground, within any right-of-way or easement reserved for access, drainage or utility purposes. This restriction specifically prohibits fencing, sprinkler systems, landscaping other than sod, signs, water, sewer, cable and drainage work therein. If such improvements are necessary, a separate permit for that purpose must be obtained from Project Review Services (643-8471).

☐ 100 Footings	☐ 200 Plumbing Rough	☐ 127 Elevation Certificate
☐ 103 Slab	☐ 204 Final Plumbing	☐ 900 Marco Fire Dept.
☐ 104 Tie Beam	☐ 300 Mechanical Rough A/C	☐ 901 East Naples Fire Dept.
☐ 107 Tin Tab	☐ 301 Final Mechanical A/C	☐ 902 North Naples Fire Dept.
☐ 108 Framing	☐ 115 Final Building	☐ 903 Golden Gate Fire Dept.
☐ 501 Electric Rough	☐ 111 Final Roof	☐ 904 Little Hickory-Bonita Shore
☐ 502 Final Electric	☐ 400 Rough Gas	☐ 905 Ochopee Fire Dept.
☐ 203 Sewer Tap	☐ 401 Final Gas	☐ 906 Immokalee
☐ 110 Tie Down	☐ 800 Right of Way	☐ 907 Big Corkscrew
☐ 619 Pollution Control	☐ 801 Storm Water Mgmt.	☐ 811 Site Improvement
☐ 700 Pool Steel & Ground	☐ 122 Spot Survey - 10 days	☐ 702 Deck
☐ 701 Final Pool	☐ 99 Notice of Commencement	☐ 205 Irrigation
		☐ 503 Service Charge

REVIEWED FOR CODE COMPLIANCE COUNTY DEPTS.

	Initial	Date	Fee
Zoning/Building	<u>[Signature]</u>	<u>10-27</u>	<u>\$12.00</u>
Engineering	<u>[Signature]</u>		<u>\$42.00</u>
Utilities	<u>[Signature]</u>		<u>\$150</u>
Fire			
Microfilm			
BCAI			
TOTAL PERMIT FEE	<u>[Signature]</u>	<u>10-27</u>	<u>\$85.50</u>

Florida Statute #837.06 - False Official Statements Law states that:

"Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided by a fine to a maximum of \$500.00 and/or maximum of a sixty day jail term."

Florida Statute #837.012 - Perjury when not in an official proceeding states that:

"Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083."

Florida Statute #92.525b(2)

"Under penalty of perjury, I declare that I have read the foregoing statements and that the facts stated in it are true."

In Accordance with the exemption statutory defined by Florida Statute 489.103 (7) :

Owners of property when acting as their own contractor and providing all material supervision themselves, when building or improving farm buildings or one-family or two family residences on such property for the occupancy or use of such owners and not offered for sale. In an action brought under this part act, proof of the sale or lease, or offering for sale or lease, of more than one such structure by the owner/builder within one year after completion of same is prima facie presumptive evidence that the construction was undertaken for purposes of sale or lease. This subsection does not exempt any person who is employed by such owner and who acts in the capacity of a contractor. To qualify for exemption under this subsection, an owner must personally appear and sign the building permit application. The local permitting agency shall provide that person with a disclosure agreement in substantially the following form:

DISCLOSURE STATEMENT:

State law and Collier County Ordinance amending the state statute requires construction to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as owner of your property, to act as your own contractor even though you do not have a license. You must supervise the construction yourself. You may build or improve a one-family or two-family residence or farm building. The building must be for your own use and occupancy. It may not be built for sale or lease. If you sell or lease more than one building you have built yourself within one year after the construction is complete, the law will assume that you built it for sale or lease, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your construction must be done according to building codes and zoning regulations. It is your responsibility to make sure that people employed by you have licenses required by state law and county or municipal licensing ordinances.

STATE-REGISTRATION NO. (If contractor) 642 SP CARD NO. _____

SOCIAL SECURITY # (If owner/builder) _____

Contractor/Owner NELSON MARINE CONSTRUCTION

Address 10700 S. FERRY RD S City BON. SPGS State FL Zip Code 33923

Signature BEN NELSON, JR Date 10-16-95

FLORIDA SHORT-FORM INDIVIDUAL ACKNOWLEDGMENT (F.S. 695.254)

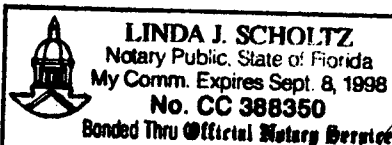
STATE OF FLORIDA

The foregoing instrument was acknowledged before me this 10-16-95 (Date)

COUNTY OF LEE

by BEN NELSON JR, who is personally known to me,

or who has produced P.K. (Type of Identification)



as Identification and who did/did not take an oath.

Linda J. Scholtz (Signature) Notary Public, Commission No. 388350

LINDA J. SCHOLTZ (Name of Notary typed, printed or stamped)

(SEAL ABOVE)

APPLICATION FOR BUILDING PERMIT
COLLIER COUNTY, FLORIDA
813-643-8400

The approved permit and/or permit application expires if not commenced within six (6) months from date of issuance. The permit or application fee will be four times the amount of the permit fee, if work is started without an approved permit. The permittee further understands that only licensed contractors may be employed and that the structure shall not be used or occupied until a certificate of occupancy is issued.

By signing this permit application, I agree that I have been retained by the owner/permittee to provide contracting services for the trade for which I am listed. Furthermore, it is my responsibility to notify the Customer Service section of the Building Review and Permitting Department should I no longer be the contractor responsible for providing said contracting services. I further swear that I understand that the review and issuing of this permit does not exempt me from complying with all county codes and ordinances. It is further understood that the property owner/permittee is the owner of the permit.

Florida Statute #837.06 - False Official Statements Law states that:

"Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided by a fine to maximum of \$500.00 and/or maximum of a sixty day jail term."

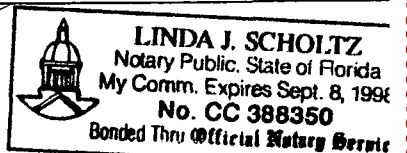
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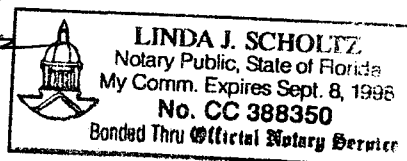
Florida Statute #92.525b(2)

"Under penalty of perjury, I declare that I have read the foregoing owner-building residential statement and that the facts stated in it are true."

General Contractor: NELSON MARINE CONST, INC State Registration No: _____ Card No. 642 S
Address: 10900 E. PERRY ST City: B.S. State: FL Zip Code: 339
Signature: [Signature] Qualifier Name Printed: BEN NELSON JR. personally known to me
Owner/Builder SS# _____ Date: 10-16-95
NOTARY as to Contractor... LINDA J. SCHOLTZ Linda J Scholtz
My Commission Expires... 9-8-98 #388350



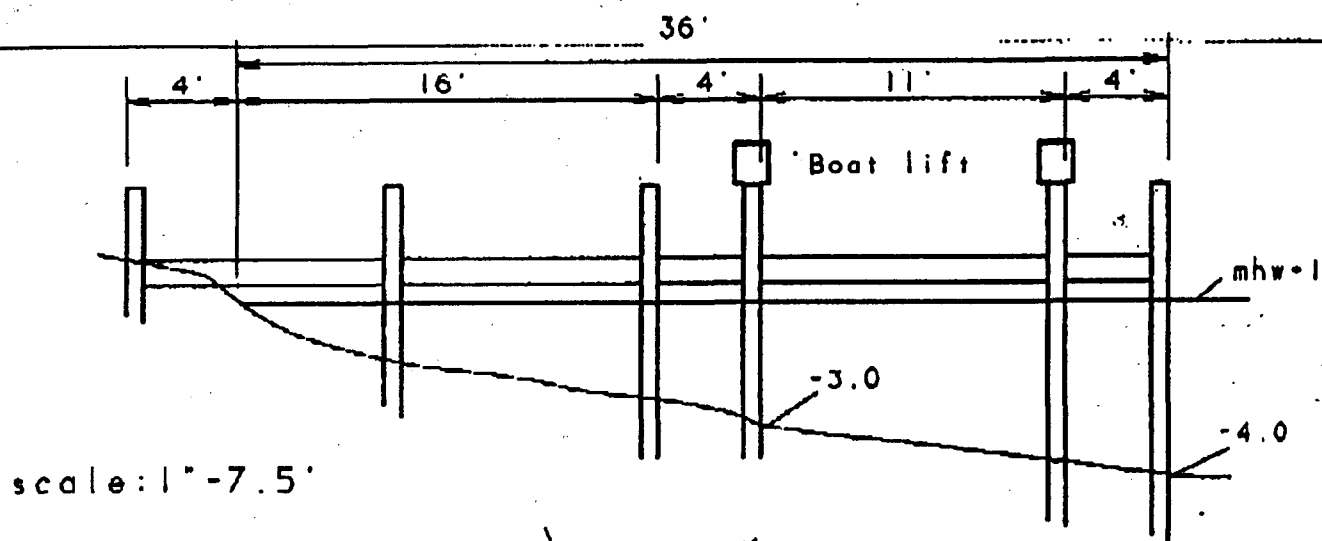
Electrical: BROTHERS Elect. OF S.W. FLA State Registration No: ER 0008837 Card No. 241 m
Address: 25512 Tropic Acres DR. City: B.S. State: FL
Signature: Joseph M. Hoque Qualifier Name Printed: "JOE" Hoque
Owner/Builder SS# Personally known to me. Date: 10-23-95
NOTARY as to Contractor... Linda J Scholtz LINDA J SCHOLTZ
My Commission Expires... 9-8-98



Plumbing: _____ State Registration No: _____ Card No. _____
Address: _____ City: _____ State: _____
Signature: _____ Qualifier Name Printed: _____
Owner/Builder SS# _____ Date: _____
NOTARY as to Contractor...
My Commission Expires.....

A/C Mechanical: _____ State Registration No: _____ Card No. _____
Address: _____ City: _____ State: _____
Signature: _____ Qualifier Name Printed: _____
Owner/Builder SS# _____ Date: _____
NOTARY as to Contractor...
My Commission Expires.....

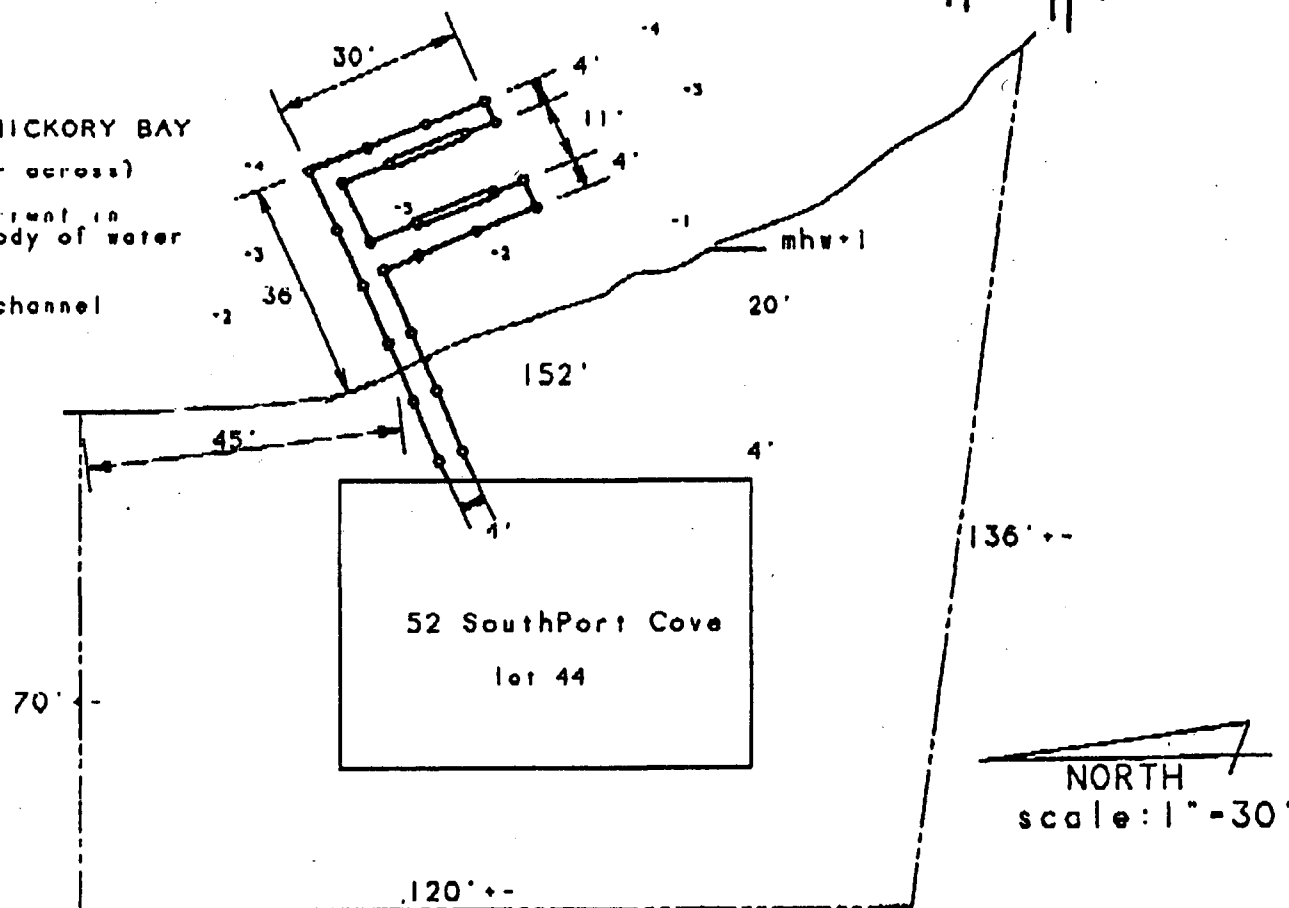
Roofing: _____ State Registration No: _____ Card No. _____
Address: _____ City: _____ State: _____
Signature: _____ Qualifier Name Printed: _____
Owner/Builder SS# _____ Date: _____
NOTARY as to Contractor...
My Commission Expires.....



LITTLE HICKORY BAY
(300' wide across)

little current in
Sardge body of water

175' to channel



by **Nelson**
MARINE CONSTRUCTION, INC.

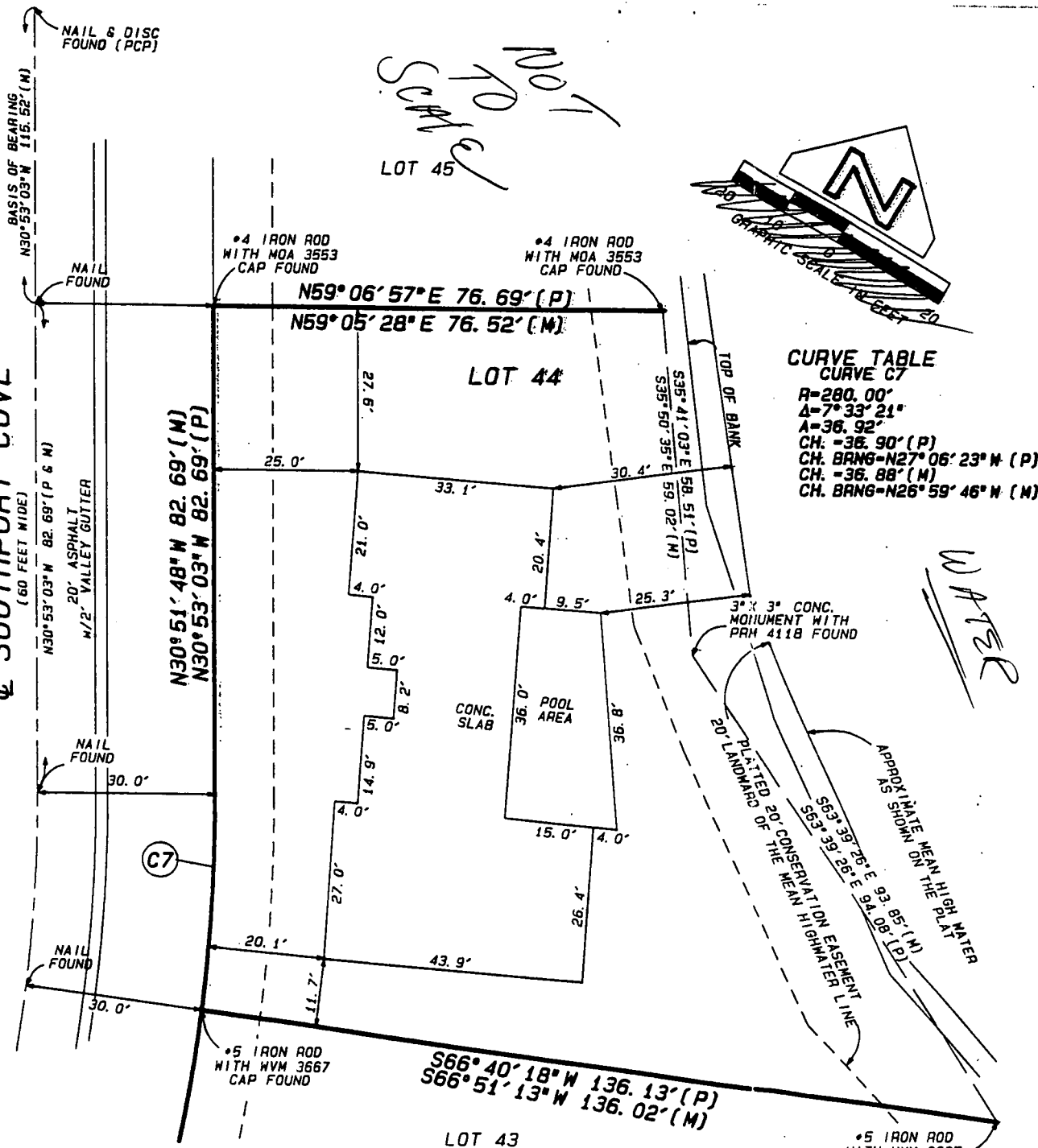
Owner: Traugott
Purpose: Dock & Lift
Adjacent property owners

1.
2.

In: Lely Barefoot
County of Collier

EXHIBIT "A"

Q SOUTHPORT COVE (60 FEET WIDE)



3.A.e

LEGAL DESCRIPTION

LOT 44, SOUTHPORT ON THE BAY, UNIT TWO, according to recorded in Plat Book 16, at pages 100 and of Collier County, Florida.

SURVEYORS

- No search of the Public Records was made by office for review.
- The legal description shown hereon was furnished by the owner.
- No mean high water survey was performed by this specific purpose survey, mean high water information as shown on the Plat.
- The property shown hereon is subject to easements and/or reservations of record, if any, including utility easement over and across the front certain 20 foot conservation easement over LOT 44 as said easement is landward of mean high water.
- Improvements, other than those shown and/or utilities if any, were not located by this survey.
- Bearings shown hereon are in the meridian of the 60 foot wide SOUTHPORT COVE (LOT 17) resulting in a bearing of North 30°53'03" W of the 60 foot wide SOUTHPORT COVE (LOT 17).
- The subject property lies within Flood Zone Emergency Management Agency (F.E.M.A.) Community No. 0179 D revised 6-03-86. Base flood elevation is 9.0 feet.
- This certification is only for the lands depicted on this plat. This certification is not valid unless seal and signed with the original surveyors sign.

SURVEYORS CERTIFICATION

I HEREBY CERTIFY to MILLER CONSTRUCTION Specific Purpose Survey shown hereon was performed on February 15, 1995, that the survey was made and that said survey meets the requirements of the Florida Board of Land Surveying Code pursuant to Section 472.27, F.S.

Date of Signature: 2-18-95

LEGEND AND ABBREVIATIONS

CONC.	denotes concrete	(P)
P.U.E.	denotes public utility easement	(M)
D.E.	denotes drainage easement	(C)
PC	denotes point of curvature	Sec.
PT	denotes point of tangency	T.
P.O.L.	denotes point on line	R.
		Q

SPECIFIC PURPOSE SURVEY
LOT 44 SOUTHPORT
UNIT TW
PLAT BOOK 16 PAGES
COLLIER COUNTY,
as prepared
FRITZ TRAU

STEVEN K. SANI
SURVEYING PLATTING

775 100TH AVENUE NORTH
NAPLES FLORIDA, 33963
TEL. (813) 594-8953
FAX (813) 498-1

BOOK 10 PAGE 7 | SHEET 1 OF 1 | SCALE: 1"

95-11947

BUILDING DEPT. COPY

REVIEWED FOR CODE COMPLIANCE		DATE
Zoning	 	10-21-95
Engineering		
Building		
Electrical		
Mechanical		
Gas		
Plumbing		
Structural		
Fire Prev.		
Health		
Utilities		

KellyJohn

From: KellyJohn
Sent: Friday, December 2, 2022 4:54 PM
To: KellyJohn
Subject: BDE-PL20210002681 - 52 Southport Cove - Public Hearing Sign Posted on 12/02/2022
Attachments: BE1C95B4-C4FF-4229-ABF1-89310CFE51A9.jpeg; 85661C26-39C0-4A57-AAD1-0F160EF4ECAE.jpeg; B289167C-A270-4E95-AE10-89C4A410F222.jpeg

I, John Kelly, personally posted a Public Hearing Sign for the above referenced petition, scheduled for hearing by the Hearing Examiner on December 22, 2022, at approximately 12:45PM this date. Said sign was posted to the front of the subject property, immediately adjacent to the public right-of-way, as evidenced by the attached photos.

Respectfully,
John Kelly
 Planner II

Zoning Division – Zoning Services Section
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>



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 E - Public Hearing Sign Posting (24042 : PL20210002681 BDE 52 Southport Cove - Rapp)







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GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

DOCK FACILITY EXTENSION OR BOATHOUSE ESTABLISHMENT PETITION

LDC Section 5.03.06

Ch. 3 B. of the Administrative Code

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

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

*To be completed by staff***APPLICANT INFORMATION**

Name of Property Owner(s): Robert and Jackie Rapp
Name of Applicant if different than owner: Michael T. Jones
Address: 52 Southport Cove City: Bonita Springs State: FL ZIP: 34134
Telephone: _____ Cell: 239-225-5543 Fax: _____
E-Mail Address: mrsrapp@comcast.net

Name of Agent(s): Michael T. Jones
Firm: SteMic Marine Construction
Address: 16420 OLD US 41 City: Fort Myers State: FL ZIP: 33912
Telephone: 239-481-7143 Cell: 239-340-6364 Fax: N/A
E-Mail Address: mtjones@stemicmarine.com

PROPERTY LOCATION

Section/Township/Range: 6 / 48 / 25 Property I.D. Number: #74435010109
Subdivision: Southport on the Bay Unit: 2 Lot: 44 Block: _____
Address/ General Location of Subject Property:
52 Southport Cove
Current Zoning and Land use of Subject Property:
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	Single Family Residential	Single Family
S	Single Family Residential	Single Family
E	Little Hickory Bay	Little Hickory Bay
W	Single Family 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):

Remove the existing dock. Install proposed dock and (2) lifts as shown on site plan. Existing walk to be rebuilt in the same location.

SITE INFORMATION

1. Waterway Width:

480 ft. Measurement from ☐ plat ☒ survey ☐ visual estimate
☐ other (specify) _____

2. Total Property Water Frontage:

152.59 ft.

3. Setbacks:

Provided: 36.97 and 44.16 ft.

Required: 15 ft.

4. Total Protrusion of Proposed Facility into Water:

51.47 ft.

5. Number and Length of Vessels to use Facility:

1. 30.25 LOA incl. moor ft.

2. 23 LOA incl. moor ft.

6. List any additional dock facilities in close proximity to the subject property and indicate the total protrusion into the waterway of each:

54 Southport Cove - 52'

50 Southport Cove - 48'

7. Signs are required to be posted for all petitions. On properties that are 1 acre or larger in size, the applicant shall be responsible for erecting the required sign. What is the size of the petitioned property?

0.31 Acres

May 8, 2018

Page 2 of 6



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8. Official Interpretations or Zoning Verifications:

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

PRIMARY CRITERIA

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

1. Whether or not the number of dock facilities and/or boat slips proposed is appropriate in relation to the waterfront length, location, upland land use, and zoning of the subject property; consideration should be made of property on unbridged barrier islands, where vessels are the primary means of transportation to and from the property. (The number should be appropriate; typical, single-family use should be no more than two slips; typical multi-family use should be one slip per dwelling unit; in the case of unbridged barrier island docks, additional slips may be appropriate.)
2. Whether or not the water depth at the proposed site is so shallow that a vessel of the general length, type, and draft as that described in the petitioner's application is unable to launch or moor at mean low tide (MLT). (The petitioner's application and survey should show that the water depth is too shallow to allow launch and mooring of the vessel (s) described without an extension.)
3. Whether or not the proposed dock facility may have an adverse impact on navigation within an adjacent marked or charted navigable channel. (The facility should not intrude into any marked or charted navigable channel thus impeding vessel traffic in the channel.)
4. Whether or not the proposed dock facility protrudes no more than 25 percent of the width of the waterway, and whether or not a minimum of 50 percent of the waterway width between dock facilities on either side of the waterway is maintained for navigability. (The facility should maintain the required percentages.)
5. Whether or not the proposed location and design of the dock facility is such that the facility would not interfere with the use of neighboring docks. (The facility should not interfere with the use of legally permitted neighboring docks.)



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SECONDARY CRITERIA

1. Whether or not there are special conditions, not involving water depth, related to the subject property or waterway, which justify the proposed dimensions and location of the proposed dock facility. (There must be at least one special condition related to the property; these may include type of shoreline reinforcement, shoreline configuration, mangrove growth, or seagrass beds.)
2. Whether the proposed dock facility would allow reasonable, safe, access to the vessel for loading/unloading and routine maintenance, without the use of excessive deck area not directly related to these functions. (The facility should not use excessive deck area.)
3. For single-family dock facilities, whether or not the length of the vessel, or vessels in combination, described by the petitioner exceeds 50 percent of the subject property's linear waterfront footage. (The applicable maximum percentage should be maintained.)
4. Whether or not the proposed facility would have a major impact on the waterfront view of neighboring waterfront property owners. (The facility should not have a major impact on the view of either property owner.)
5. Whether or not seagrass beds are located within 200 feet of the proposed dock facility. (If seagrass beds are present, compliance with LDC subsection 5.03.06 I must be demonstrated.)
6. Whether or not the proposed dock facility is subject to the manatee protection requirements of LDC subsection 5.03.06 E.11. (If applicable, compliance with subsection 5.03.06.E.11 must be demonstrated.)



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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.**

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

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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



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

FEE REQUIREMENTS:

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

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

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

All checks payable to: Board of County Commissioners.

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

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



Signature of Petitioner or Agent

9/6/22

Date



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GROWTH MANAGEMENT DEPARTMENT
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PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership
ROBERT & JACKIE RAPP	100%

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership



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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

- g. Date subject property acquired _____

☐ Leased: Term of lease _____ years /months

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



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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

February 23, 2022
Date

Michael T. Jones
Agent/Owner Name (please print)



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ADDRESSING CHECKLIST

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

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

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

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

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

SOUTHPORT ON THE BAY UNIT #2 LOT 44

T48, R25, S06

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

74435010109

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

52 SOUTHPORT COVE

- **LOCATION MAP** must be attached showing exact location of project/site in relation to nearest public road right-of-way
- **SURVEY** (copy - needed only for unplatted properties)

CURRENT PROJECT NAME (if applicable)

RAPP DOCK-LIFTS

PROPOSED PROJECT NAME (if applicable)

RAPP DOCK AND LIFTS

name not yet approved

PROPOSED STREET NAMES (if applicable)

52 Southport Cove

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

SDP - or AR or PL # _____



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

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

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

Applicant Name: MICHAEL T. JONES

Phone: 239-481-7143 Email/Fax: mtjones@stemicmarine.com

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

FOR STAFF USE ONLY

Folio Number 74435010109

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Approved by: S.L.H. Date: 10/19/2021

Updated by: _____ Date: _____

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

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) _____

I, JACKIE M RAPP (print name), as OWNER (title, if applicable) of 52 SOUTHPORT COVE (company, if applicable), swear or affirm under oath, that I am the (choose one) owner ☒ applicant ☐ contract purchaser ☐ and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action;
5. We/I authorize MICHAEL T. JONES 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.

Jackie M Rapp
Signature

9/8/21
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☒ online notarization this 8 day of SEPTEMBER, 2021 by (printed name of owner or qualifier): JACKIE M RAPP

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: Loisa Ross



LOISA ROSS
Commission # GG 353267
Expires August 8, 2023
Bonded Thru Budget Notary Services

CP008-COA-00115/155
REV 3-4-2020

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) _____

I, Robert Rapp (print name), as owner (title, if applicable) of 52 Southport Cove (company, if applicable), swear or affirm under oath, that I am the (choose one) owner ☒ applicant ☐ contract purchaser ☐ and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Michael T. Jones to act as our/my representative in any matters regarding this petition including 1 through 2 above.

*Notes:

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trust, then they must include the trustee's name and the words "as trustee".
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

Signature

Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 23 day of February, 2022, by (printed name of owner or qualifier) Robert Rapp.

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:



LOISA A. ROSS
 Commission # GG 353267
 Expires August 8, 2023
 Bonded Thru Budget Notary Services

CP 08-COA-00115 (55)
 REV 3/4/2020

This instrument prepared by & return to: Adrienne Graeber
Sun National Title Company, LLC
2801 Estero Boulevard, Suite R
Fort Myers Beach, FL 33931
Consideration: \$1,580,000.00
Rec.: \$27.00
Tax ID No: 74435010109
Our File: 2020-3553

General Warranty Deed

Made this 31st day of March 2021, by **William Dean Malone, an unmarried widower, individually and as Trustee of the William Dean Malone Trust Agreement Dated May 26, 1998**, whose post office address is: 1561 Riverton Avenue SE, Grand Rapids, MI 49546, hereinafter called the grantor, to **Robert F. Rapp and Jackie M. Rapp, Husband and Wife, as tenants by the entirety**, whose post office address is: 52 Southport Cove, Bonita Springs, FL 34134, hereinafter called the grantee,

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

WITNESSETH: that the grantor, for and in consideration of the sum of ten dollars and zero cents (\$10.00) and other variable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situated in Collier, Florida, viz:

Lot 44, Southport on the Bay, Unit Two, according to the plat thereof as recorded in Plat Book 16, Pages 100 and 101, of the Public Records of Collier County, Florida.

Certificate of Approval Attached Hereto.

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 12/31/2020.

Subject to easements, restrictions, reservations and limitations of record, if any.

SOUTHPORT ON THE BAY

CERTIFICATE OF APPROVAL

This is to certify that **Robert F and Jackie M Rapp**

Have been approved as the purchaser(s) of the following property:

52 Southport Cove, of SOUTHPORT ON THE BAY PROPERTYS OWNERS' ASSOCIATION, INC., according to the Restated Declaration of Covenants, Conditions and Restrictions, Public of Collier County, Florida.

Such approval has been granted by the Board of Directors of SOUTHPORT ON THE BAY PROPERTY OWNERS' ASSOCIATION, INC. for the transfer of ownership rights, pursuant to the provisions of its Declaration of Covenants, Conditions and Restrictions and based upon the representations in the Application for approval, and the Association has or does hereby waive any rights which it may have to purchase said unit.

Dated this 18th day of MARCH, 2021.

By: [Signature]
Allen Bouley

STATE OF FLORIDA
COUNTY OF COLLIER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME on this 18th day of March, 2021, by Allen Bouley on behalf of Southport on the Bay Homeowners Association., who is either well known to me or produced identification and executed the same freely and voluntarily for the purpose therein.

WITNESS my hand and official seal the day and year aforesaid.

[Signature]
Notary Public
My commission expires:



DARLENE GRAHAM
Commission # GG 322336
Expires August 10, 2023
Bonded Thru Budget Notary Services

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

Witness

Print Name

Witness

Print Name

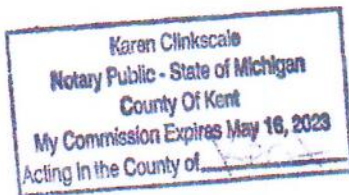
William Dean Malone, individually and as Trustee
1561 Riverton Avenue SE
Grand Rapids, MI 49546

State of: Michigan

County of: Kent

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 31st day of March 2021 by William Dean Malone, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Seal]



Notary Public

Print Name: Karen Clinkscale

My Commission Expires: May 16, 2023

SteMic Marine Construction

CGC 1527841

16420 Old U.S. 41
 Ft. Myers, FL 33912

Division of SteMic Enterprises, Inc.

Telephone (239) 481-7143
 Fax (239) 481-3563

DOCK FACILITY EXTENSION OR BOATHOUSE ESTABLISHMENT PETITION

SEPTEMBER 6, 2022

Boat Dock Extension

PL20210002681

Rapp Dock and Lifts 52 Southport CV (BD)

PRIMARY CRITERIA Questions

Primary Criteria

1. Whether or not the number of dock facilities and/or boat slips proposed is appropriate in relation to the waterfront length, location, upland land use, and zoning of the subject property; consideration should be made of property on unabridged 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 unabridged barrier island docks, additional slips may be appropriate.)

Response: Criteria met- The property has 152.59' of water frontage. The property is zoned for a single-family residence which allows two slips per LDC. The proposed dock consists of two slips with boat lifts in those two slips, attached to the dock, which is appropriate for a single-family dock and consistent with neighboring docks. We are requesting a 31.47' extension beyond the allowed 20' protusion into the waterway.

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.)

Response: Criteria met- If a dock were to be constructed at this location without the waterward extension, the water depths at the maximum distance out (20')

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Timber and Concrete Dock Construction /Dredging

would be -1.8 MLW at the outermost extent. With a boat lift installed, that depth would not be adequate to launch a typical 27' boat off of the boat lift cradle beams that are typically 10" tall. Even without a boat lift, the moored boat would be sitting on the bottom at an average low tide.

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.)

Response: Criteria met- The proposed dock with lifts does not intrude into any marked or charted navigable channel, so there will be no adverse impact on navigation. While the typical route of travel for boats is not marked, the route, moving from north to south or vice-versa, is 258' from the back of the proposed boats while sitting in the boat lift.

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.)

Response: Criteria met- The proposed structure with boat extends 51.47 from the MHWL into the waterway. The overall extension of the dock/boat into the waterway will take up 10.72 percent of the 480' waterway as measured from MHW to MHW. This distance is shown on the second page of the survey prepared by Mark O. Allen, Inc., Professional Land Surveyor.

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.)

Response: Criteria met – Use of proposed dock would not impose on neighbors use of their legal docks. Based on the January 2022 aerial available on the Collier County Property Appraisers website, the neighbor to the northwest accesses the nearest lift by coming in straight into the shoreline, while the neighbor to the southwest has a lift that is oriented parallel to the shoreline and is used by personal watercraft, such as jet skis or kayaks. The distance between the neighbors existing lift and the nearest proposed boat lift is over 65', which is sufficient distance for ingress/egress into the neighbors lift.

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SteMic Marine Construction

CGC 1527841

16420 Old U.S. 41
Fl. Myers, FL 33912

Division of SteMic Enterprises, Inc.

Telephone (239) 481-7143
Fax (239) 481-3563

DOCK FACILITY EXTENSION OR BOATHOUSE ESTABLISHMENT PETITION

SEPTEMBER 6, 2022

Boat Dock Extension

PL20210002681

Rapp Dock and Lifts 52 Southport CV (BD)

SECONDARY CRITERIA Questions

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.)

Response: Criteria met- Mangrove growth is well developed and extensive along this property's shoreline. The mangroves grow out into the waterway beyond the MHWL, as shown on the boundary survey, filling the area where a dock would be located if the maximum 20' waterway extension was enforced.

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.)

Response: Criteria met- The proposed dock facility does allow reasonable, safe, access to the vessels for loading/unloading and routine maintenance, without the use of excessive dock area not related to these functions. The structure is designed with two slips for recreational vessels to be maintained safely.

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.)

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Response: Criteria met- The combined length of the proposed vessels (27' + 20' = 47') does not exceed 50% of the property's linear waterfront footage (152.59' x .50 = 76.23'.)

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

Response: Criteria met- Proposed dock does not have major impact on waterfront view of neighbors. The layout and placement of the proposed dock and lifts is consistent with neighboring dock facilities. The proposed dock is within the riparian lines and setbacks.

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 must be demonstrated.)

Response: Criteria met – Seagrasses are not located within 200 feet of the proposed dock facility. A Benthic Survey Report by Hans Wilson and Associates, Inc. has been provided as a part of this application to verify that claim.

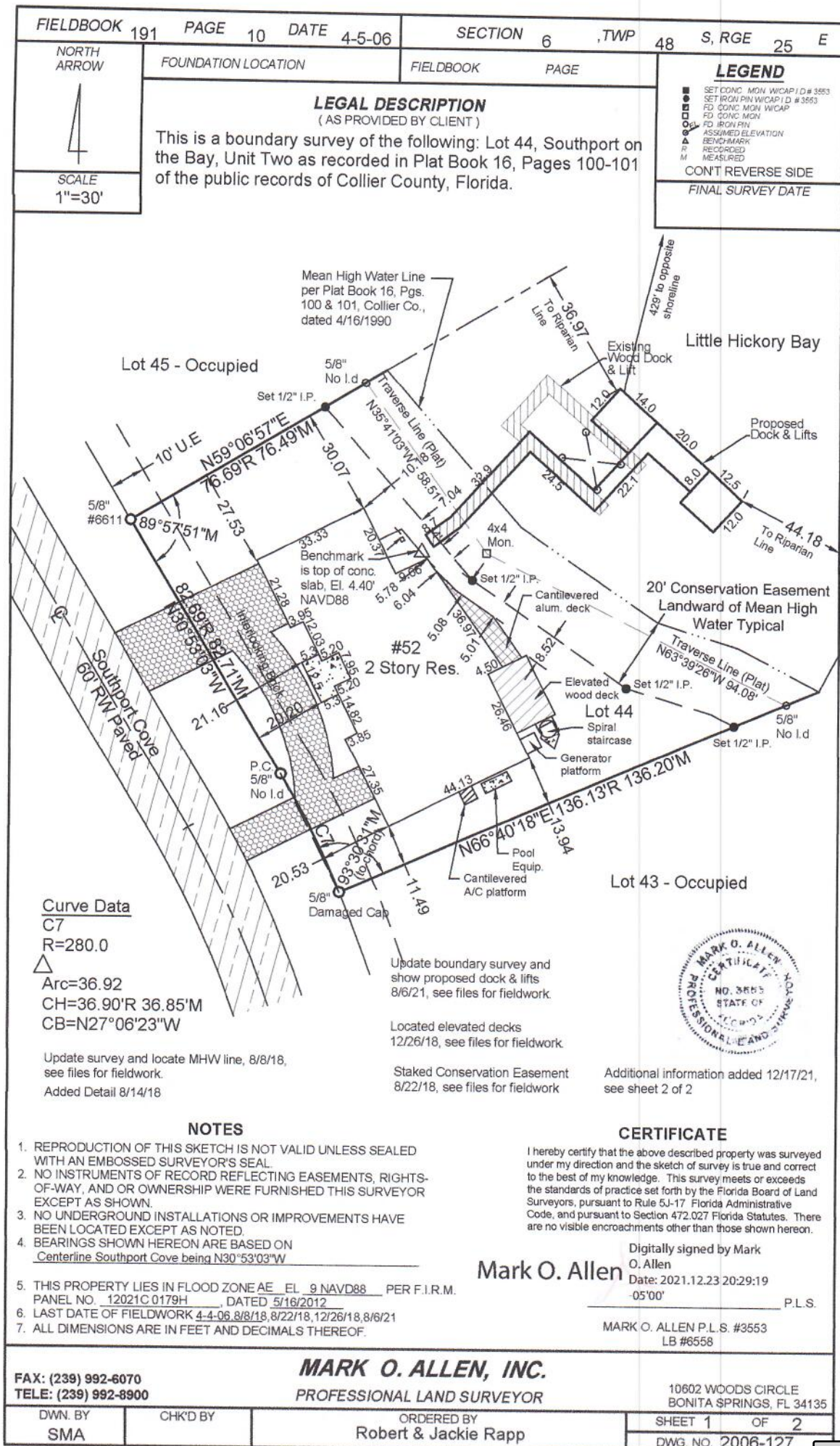
6. Whether or not the proposed dock facility is subject to the protection requirements of LDC subsection 5.03.06.E.11. (If applicable, compliance with subsection 5.03.06.E.11 must be demonstrated.)

Response: Criteria met – Since the proposed dock is a single family dock facility and will contain only two slips and not ten or more slips, it is not subject to the manatee protection requirements of LDC subsection 5.03.06.E.11

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Timber and Concrete Dock Construction /Dredging

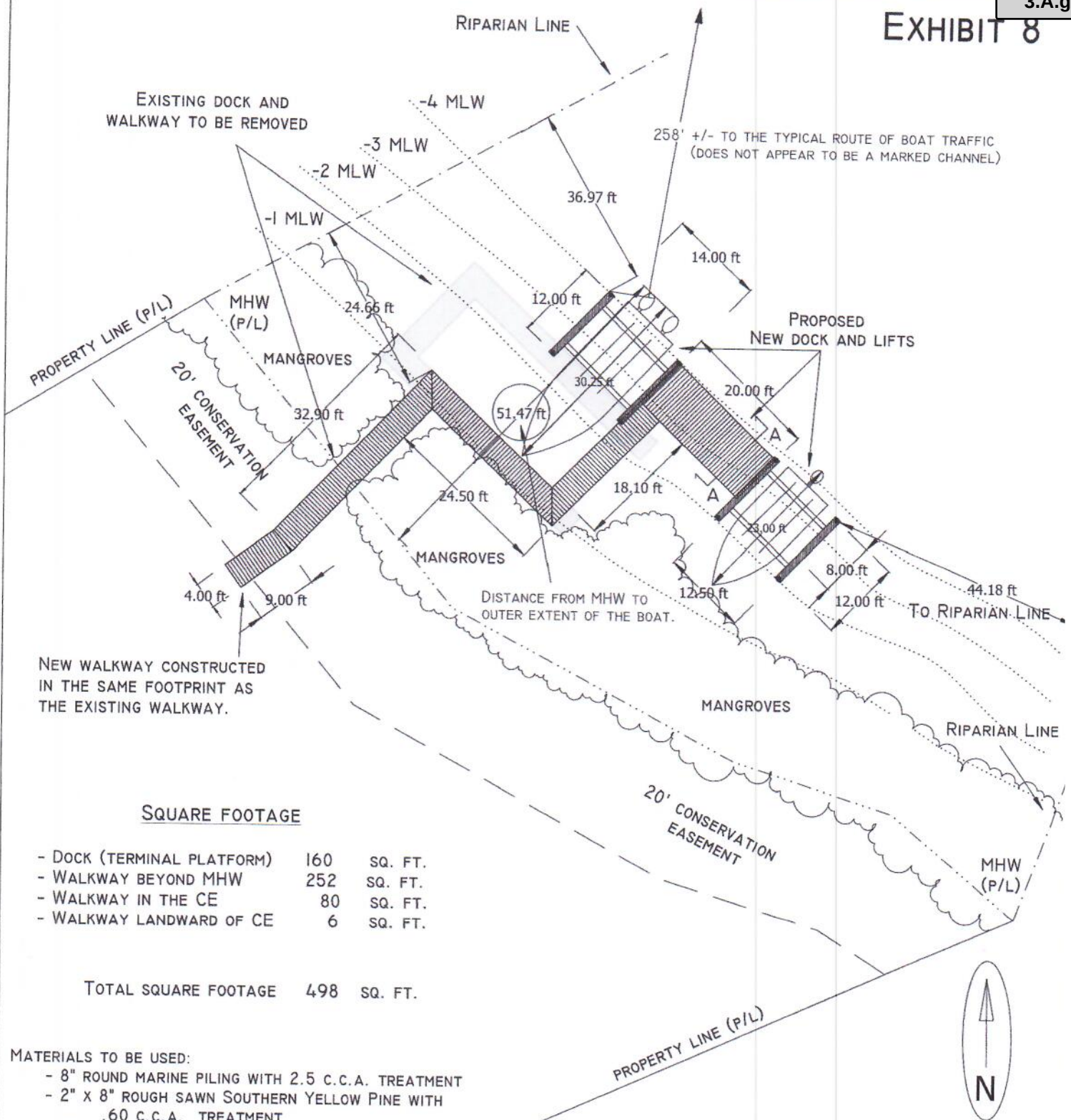




LEGEND OF ABBREVIATIONS

P.O.B = Point of Beginning
P.O.C = Point of Commencement
P.O.L = Point on Line
PROP = Property
P.T = Point of Tangency
PUE = Public Utility Easement
R = Record or Radius
RAD = Radius
RCP = Reinforced Concrete Pipe
RD = Road
RD = Radial
RES = Residence
RLS = Registered Land Survey
R.O.W = Right of Way
R or RGE = Range
SEC = Section
ST = Street
STY = Story
TOB = Top of Bank
TUE = Technology Utility Easement
TYP = Typical
T or TWP = Township
UE = Utility Easement
W = With
 Δ = Delta or Benchmark
F = Fire Hydrant

EXHIBIT 8



SQUARE FOOTAGE

- DOCK (TERMINAL PLATFORM)	160	SQ. FT.
- WALKWAY BEYOND MHW	252	SQ. FT.
- WALKWAY IN THE CE	80	SQ. FT.
- WALKWAY LANDWARD OF CE	6	SQ. FT.

TOTAL SQUARE FOOTAGE 498 SQ. FT.

MATERIALS TO BE USED:

- 8" ROUND MARINE PILING WITH 2.5 C.C.A. TREATMENT
- 2" X 8" ROUGH SAWN SOUTHERN YELLOW PINE WITH .60 C.C.A. TREATMENT
- 2" X 6" PT DECKING OR 1" X 6" WEAR DECK DECKING
- FRAMING WILL BE SECURED USING 5/8" 305 STAINLESS STEEL BOLTS
- DECKING WILL BE SECURED USING #10 X 3" 305 STAINLESS STEEL SCREWS

EXHIBIT 8

BOAT DOCK EXTENSION
PL20210002681
RAPP DOCK AND LIFTS 52 SOUTHPORT CV (BD)



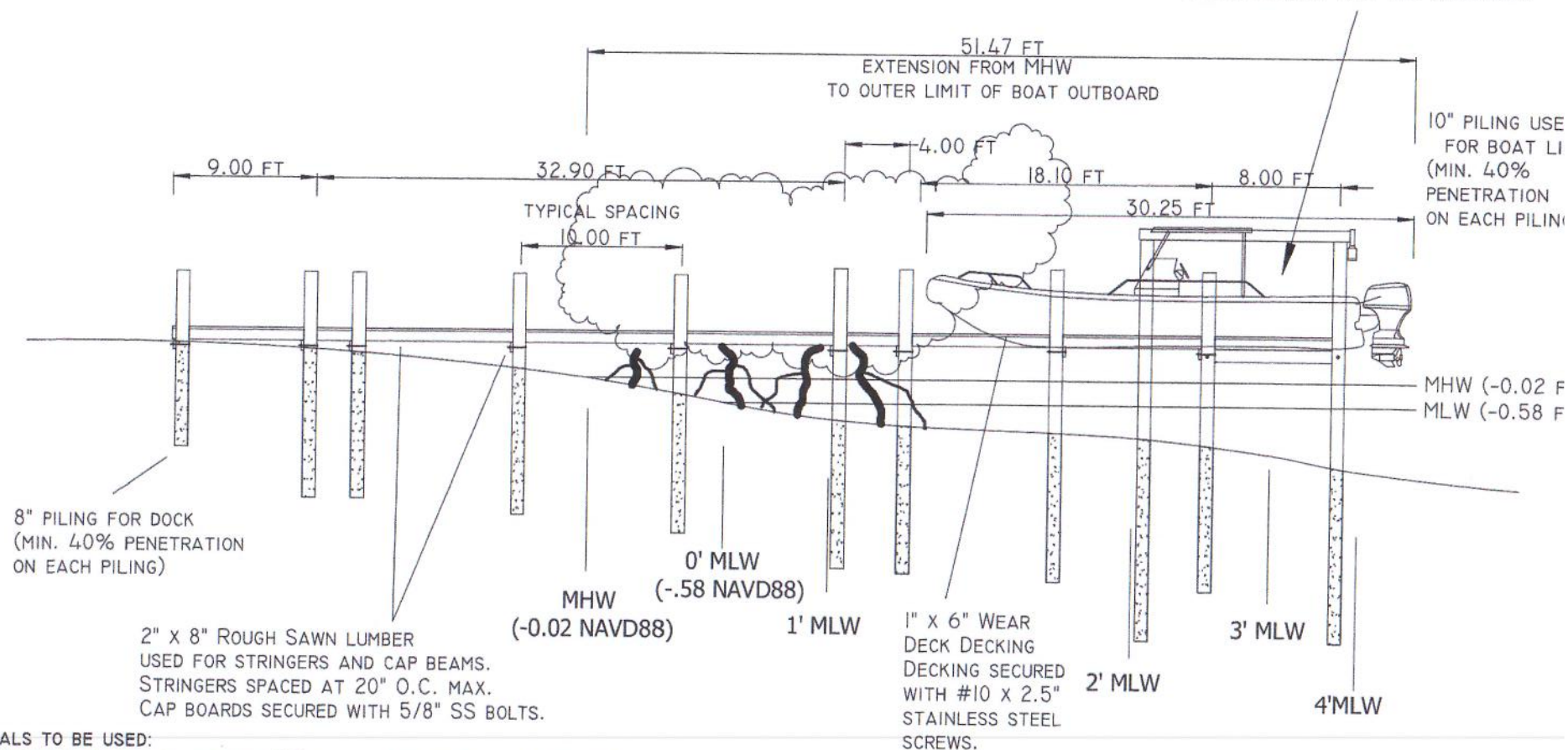
Office 239-481-7143
Fax 239-481-3563
www.stemicmarine.com

CGC 1527841

NAME	RAPP DOCK AND LIFTS
JOB ADDRESS	52 SOUTHPORT COVE
Scope of Work:	REMOVAL OF AN EXISTING DOCK AND CONSTRUCTION OF A NEW 8' X 20' DOCK WITH A 4' X 84.5' WALKWAY. INCLUDES INSTALLATION OF TWO BOAT LIFTS.
Date	7-22-22
Scale	1"=20'
Dwg#	2
SQ FT over water	412
Total SQ FT	498

EXHIBIT 5

SIDE VIEW A-A RAPP DOCK AND LIFTS

27' BOAT SHOWN ON THE LIFT WITH
MAX EXTENSION INTO THE WATERWAY

MATERIALS TO BE USED:

- 8" ROUND MARINE PILING WITH 2.5 C.C.A. TREATMENT FOR THE DOCK
- 10" ROUND MARINE PILING WITH 2.5 C.C.A. TREATMENT FOR THE LIFT
- 2" X 8" ROUGH SAWN SOUTHERN YELLOW PINE WITH .60 C.C.A. TREATMENT
- 1" X 6" WEAR DECK DECKING
- FRAMING WILL BE SECURED USING 5/8" 305 STAINLESS STEEL BOLTS
- DECKING WILL BE SECURED USING #10 X 2.5" 305 STAINLESS STEEL SCREWS

EXHIBIT 5

BOAT DOCK EXTENSION
PL20210002681

RAPP DOCK AND LIFTS 52 SOUTHPORT CV (BD)

Office 239-481-7143
Fax 239-481-3563
www.stemicmarine.com

CGC 1527841

NAME RAPP

JOB ADDRESS 52 SOUTHPORT COVE

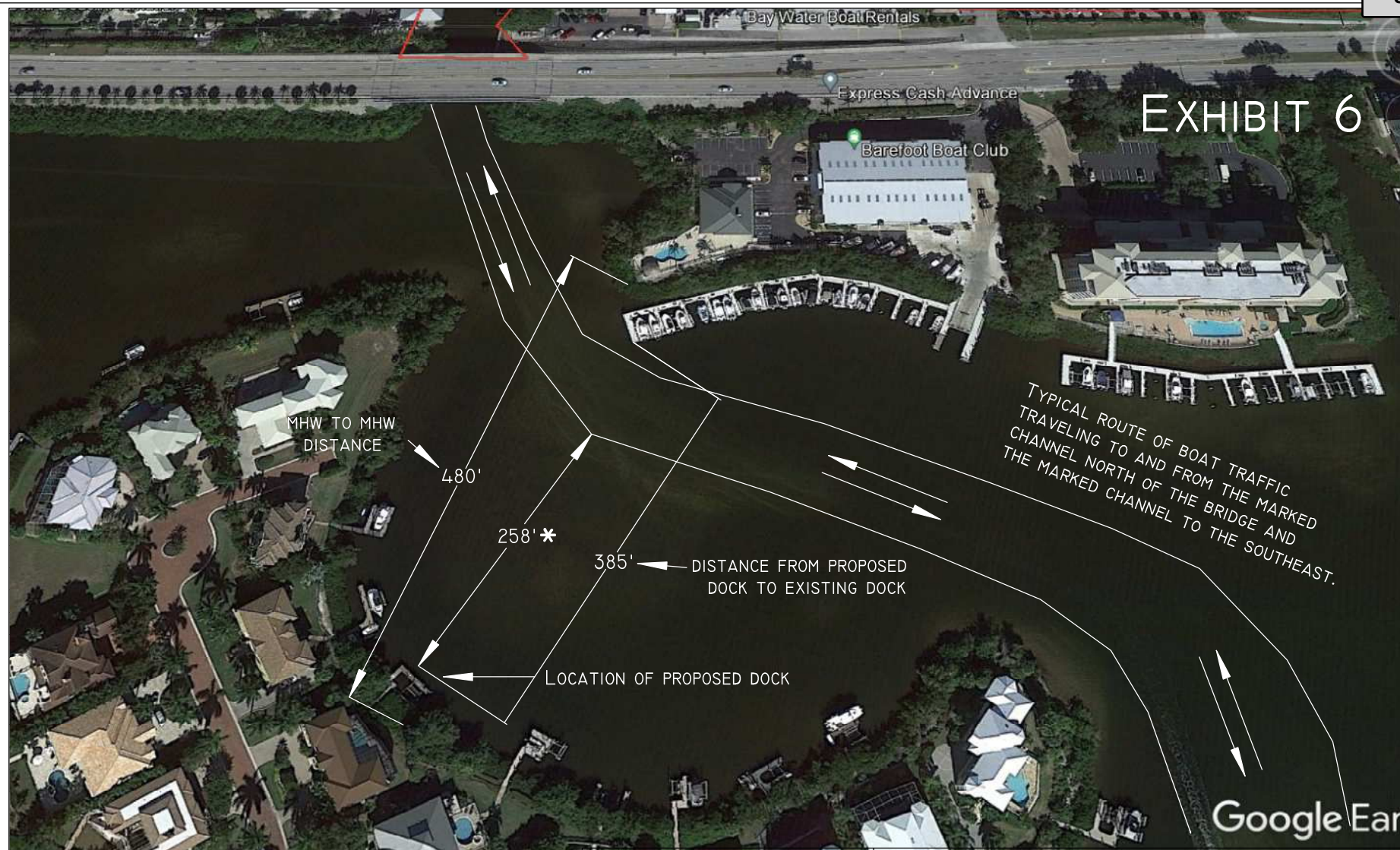
Scope of Work:

CONSTRUCTION OF A 8' X 20' TIMBER DOCK
WITH A 4' WIDE WALKWAY AND INSTALLATION
OF A 16,000# ALUMINUM AND A 10,000#
LIFT.

Date 7-22-22 Scale 1"=10' Dwg# 2

SQ FT over water 412 Total SQ FT

Packet Pg. 54



* -THE DISTANCE SHOWN ABOVE (258') IS THE DISTANCE BETWEEN THE EDGE OF THE ESTIMATED ROUTE OF BOAT TRAVEL AND THE OUTER EXTENT OF A BOAT SITTING ON THE CLOSEST BOAT LIFT AT THE PROPOSED DOCK.

BOAT DOCK EXTENSION
PL20210002681
RAPP DOCK AND LIFTS 52 SOUTHPORT CV (BD)

EXHIBIT 6



Office 239-481-7143
Fax 239-481-3563
www.stemicmarine.com

CGC 1527841

NAME RAPP

JOB ADDRESS 52 SOUTHPORT COVE

Scope of Work:

CONSTRUCTION OF A 8' X 20' TIMBER DOCK WITH A 4' WIDE WALKWAY AND INSTALLATION OF A 16,000# ALUMINUM AND A 10,000# LIFT.

Date 11-1-22 Scale N.T.S Dwg#

SQ FT over water Total SQ FT

Packet Pg. 55

Benthic Survey Report 52 Southport Cove



Prepared for
Robert & Jackie Rapp



Hans Wilson & Associates, Inc.

Marine & Environmental Consultants
1938 Hill Avenue • Fort Myers, FL 33901
Office: 239-334-6870 • Fax: (239) 334-7810
info@hanswilson.com

December 2021

PHYSICAL LOCATION OF PROJECT: The project is located in Sections 6, Township 48 South, Range 25 East, Collier County, Florida, which can be found at the physical address of 52 Southport Cove, Bonita Springs.

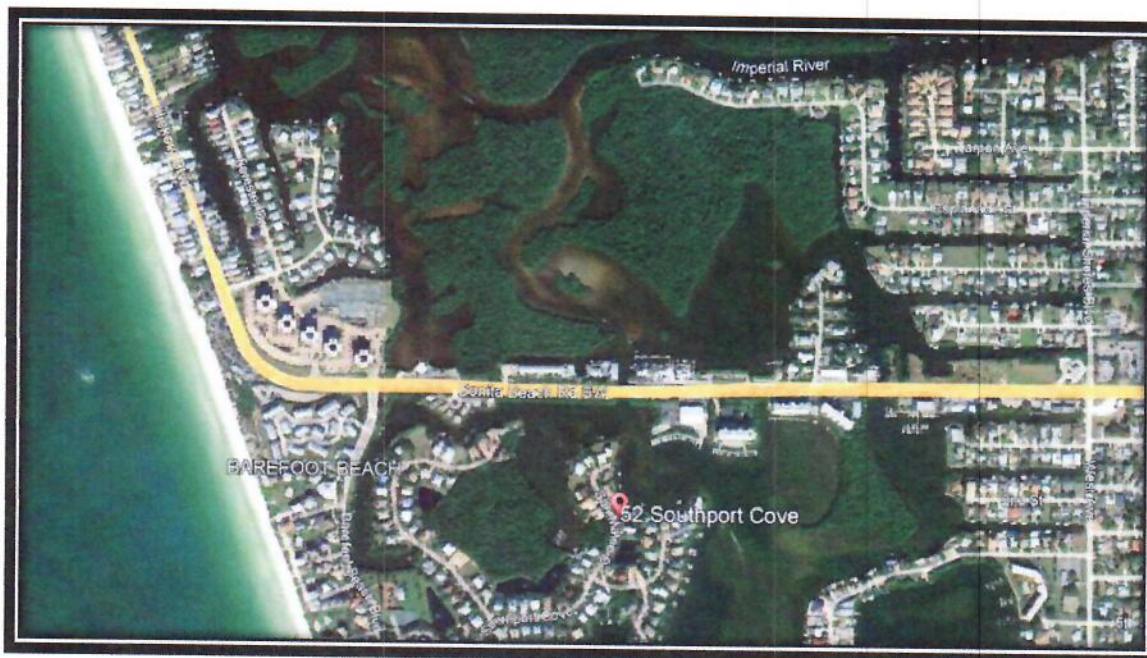
NAME OF FIRM PERFORMING SITE SURVEY: Hans Wilson & Associates, Inc.

NAME OF INDIVIDUAL PERFORMING SITE SURVEY: Ian Fisher & Clayton Wasson

DATE OF SITE SURVEY: December 17, 2021

PROJECT DESCRIPTION: HWA was contracted by Stemic Marine Construction to evaluate benthic conditions associated with 52 Southport Cove. A benthic survey was requested for the rebuild of the dock. The Collier County requirements regarding submerged resources survey done between April and October was waived by the Environmental Specialist, Craig Brown, at Collier County.

DESCRIPTION OF GENERAL PROJECT AREA: The project site is located in the north end of Collier County just south of Bonita Beach Road (Location figure below). The project area is located south of Fish Trap Bay & the Imperial River. The survey area was within the property boundaries and 200' waterward of the current limits of the dock.



Location of subject area

METHODOLOGY OF SURVEY: A diver was deployed to scan the project area for seagrasses. A benthic survey was conducted from within the property boundary limits and included surveying under and around the current dock.



Screen shot of the Google Earth Desktop Application
outlining survey area

BIOPHYSICAL CHARACTERISTICS OF THE PROJECT SITE:

Determining Percent Cover: Within the area surveyed there was no submerged aquatic vegetation (SAV's) observed. The water clarity and bottom sediments are less than ideal for seagrass growth and success. A majority of the survey depths were too deep to support seagrass growth relative to light penetration.

Vegetation: Notable aquatic vegetation was filamentous green algae that was observed in sparse locations within the survey area. The projects shoreline consisted of red mangroves (*Rhizophora mangle*) and black mangrove (*Avicennia germinans*). Outside of the vegetation along the shoreline, no other vegetation was present within the survey area.

Bivalves: Oyster shells were found within the survey area. While sparse, they were present covering about 10-15% of the bottom, with none alive. Bivalves were present along the roots of the mangroves and along the deteriorating dock pilings. No commercially and/or recreationally harvestable bivalves (hard clams, sun ray venus clams, brackish water clams, and scallops) were observed in the benthic environment surrounding the proposed project.

BENTHIC SURVEY IMAGES



Photo showing bottom type. No seagrasses found.



Photo showing bivalve shells. No seagrasses found.

“Bare” Submerged Bottoms: The entirety of the survey area’s bottom consisted of mainly silt, sand, rock, and oyster/shell debris. The bottom consistency makes it difficult for seagrass to grow.

Hard-bottom Communities: There were no corals, sponges, worm reefs, and rock outcrops in the project area. No hard-bottom communities were noted.

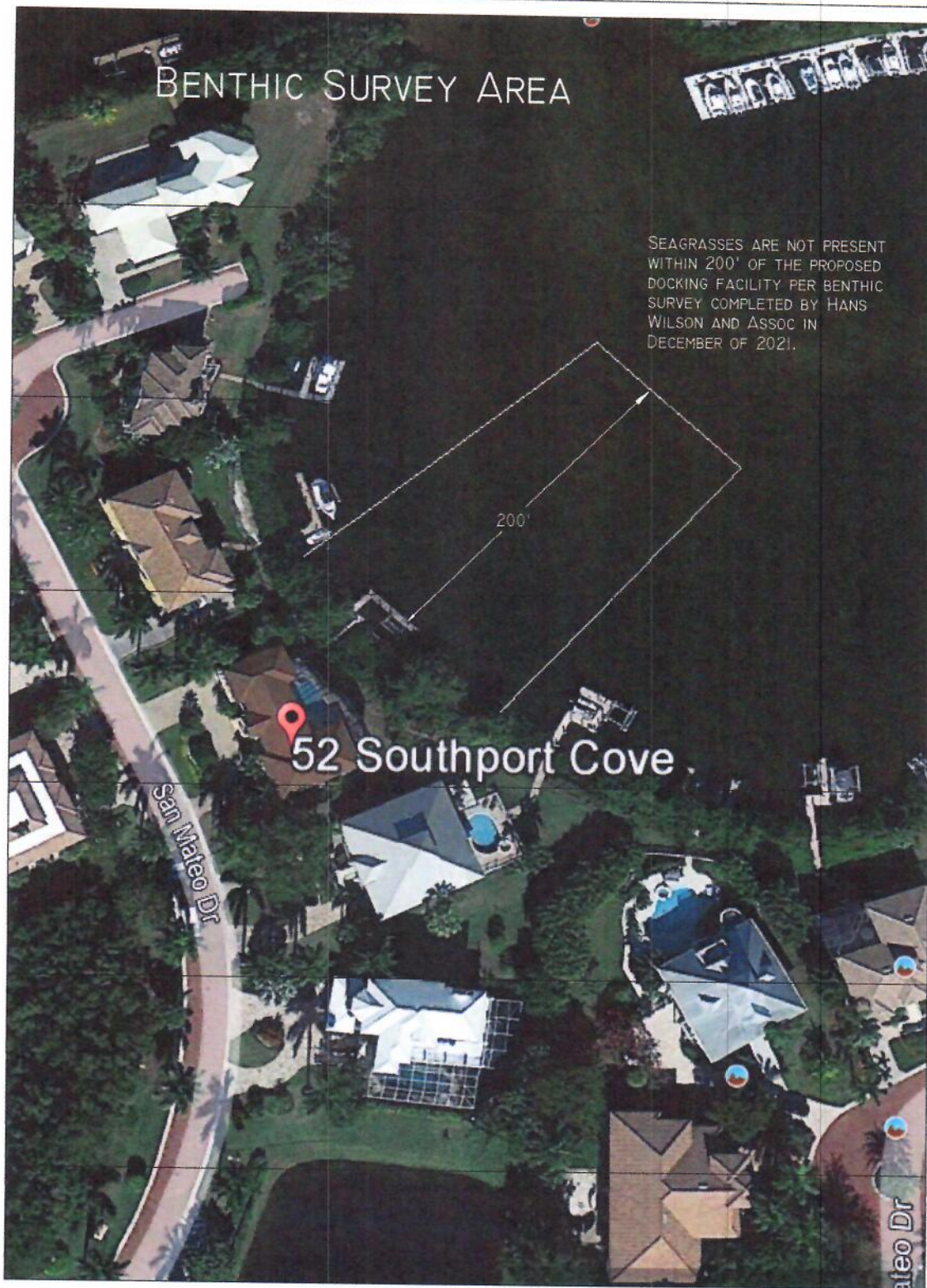
Summary: No seagrasses were present within the survey area of 52 Southport Cove. There should be no restrictions on dock construction based on the lack of seagrass and bottom communities. No native shoreline vegetation will be impacted because the proposed walkway will be constructed in the same footprint as the existing access walkway. In regards to the Collier County Manatee Protection Plan (MPP), the subject site is considered to be within Little Hickory Bay to Wiggins Pass (3.1.1.1). According to the MPP, the area of Wiggins Pass System is designed for 3-foot draft vessels (3.2.3.1).

The environmental limitations described in this document are based on observations and technical information available on the date of the on-site evaluation. Should you have any questions or require any additional information, please do not hesitate to contact our office at (239)-334-6870.

Signature of person performing site survey:

Clyde Woson

Date: December 21, 2021



AREA WHERE SEAGRASS SURVEY WAS
PERFORMED SHOWN IN WHITE OUTLINE ABOVE.



Office 239-481-7143
Fax 239-481-3563
www.stemicmarine.com

CGC 1527841

NAME	RAPP DOCK AND LIFTS		
JOB ADDRESS	52 SOUTHPORT COVE		
Scope of Work:	REMOVAL OF AN EXISTING DOCK AND CONSTRUCTION OF A NEW 8' X 20' DOCK WITH A 4' X 84.5' WALKWAY. INCLUDES INSTALLATION OF TWO BOAT LIFTS.		
Date	6-2-22	Scale	NTS
Dwg#	3		
SQ FT over water	412	Total SQ FT	498

DRAWING ACCEPTED BY _____

THE RAPP RESIDENCE
52 SOUTHPORT COVE, BONITA SPRINGS, FL.

This plan and design, the property of Linn Studio, Inc. shall be copied or reproduced with our permission. Linn Studio, Inc.

SCALE: 1" = 10.0'

PLANTING PLAN

Attachment: Attachment F - Applicant's Backup, Application and Supporting Documents (24042 :

* Corbair to remove vines from nursery beds and attach to well with the most steel pins and staples (good wire)

SCALE: 1" = 100'

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

SCALE: 1" = 100'

SCALE: NTA

CONTRACTOR NOTE:

- 11. AT THE TIME OF DESIGN, A GEOTECHNICAL STUDY IS AWARE OF THE PRESENCE OF CREEP AND/OR SUBSIDENCE ON THE PROPERTY, URBAN AND RURAL STUDIOS WILL MAKE A CONSIDERABLE EFFORT TO AVOID PLANTS THAT ARE SUSCEPTIBLE TO BEING KILLED.
- 12. NEW AREAS AND DIFFERENT PLANTS ARE BEING ADAPTED CONTINUALLY, OFTEN TIMES AFTER PLANS HAVE BEEN SUBMITTED.
- 13. PRIOR TO ORDERING AND THE INSTALLATION OF PLANTS, THE CONTRACTOR SHALL ASSESS THE SPECIFIC PROPERTY AND DETERMINE IF ANY ALTERNATIVE PLANTS ARE RECOMMENDED.
- 14. URBAN STUDIOS CANNOT BE HELD RESPONSIBLE FOR THE DESTRUCTION OF PLANT MATERIAL DUE TO THE EVER-CHANGING SITE CONDITIONS.

UNIMARK STUDIOS INC. RECOMMENDS THE USE OF ROOF DRAINAGE SENSORS BEFORE OR PROPOSED THREE-PARTY ARE ADJACENT TO HANDICAPPED ENTRY BLURTS. IF THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY IF THE CLIENT/OWNER'S LIFE AND COST, WOULD LIKE TO TAKE THIS ACTION. IN EITHER CASE, UNIMARK STUDIOS GIVES HELD RESPONSIBILITY FOR THE DIRECTION OF HANDICAPPED ENTRY BLURTS OVER TO A LACK OF ROOF DRAINAGE, PROPER INSTALLATION OF ROOF DRAINAGE, OR ROOF DRAINAGE PRODUCT'S FAILURE TO PROTECT AGAINST SUCH DAMAGE. THREE-PARTY HAVE THE POTENTIAL TO CAUSE DAMAGE DUE TO THE UNRELIABLE AND UNPROVEN DESIGN OF HANDICAPPED ENTRY BLURTS. UNIMARK STUDIOS RECOMMENDS THE RESPONSIBILITY OF THE CLIENT/OWNER TO MONITOR SUCH SITUATIONS AND PROVIDE ADEQUATE MAINTENANCE TO PROTECT AGAINST SUCH DAMAGE.

ROUGH GRADE AND FINISH A/C NOTE:
 -- CONTRACTOR TO COORDINATE SOIL SPECIFICATIONS OF CIVIL AND LANDSCAPE ARCHITECTS.
 -- CONTRACTOR IS REQUIRED TO REMOVE ROCKS/CLAY/CLAY/MUCK FROM SITE AND BRING CLEAN FILL PER SPECIFICATIONS. CONTRACTOR IS TO BE RESPONSIBLE FOR POOR SOIL AND/OR COMPACTED SOIL/ROCKS/CLAY PICTURED FROM ABOVE. CONTRACTOR TO BE RESPONSIBLE TO TEMPORARILY STABILIZE FOR EROSION AROUND THE BUILDING.
 -- LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY ROUGH GRADE OR TOPSOIL, IF THEY DO NOT MEET THE SPECIFICATIONS.
 -- IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO NOTIFY THE LANDSCAPE ARCHITECT OF ANY SOILS PLANTING IF ANY AREA OF THE SITE DOES NOT MEET THE SOIL REQUIREMENTS HEREIN.

ESPALIER NOTE:
 ** WBI HIGHLY RECOMMENDS THE LANDSCAPE CONTRACTOR SUB-CONTRACT ALL ESPALIER WIRE WORK TO JIM HILLIARD FROM WIRED FOR GROWTH
 ** CONTACT: 235-283-2618
 ** CONTRACTOR REQUIRED TO MEASURE AND CONFIRM FINAL LAYOUT WITH LANDSCAPE ARCHITECT PRIOR TO INSTALLATION

NOTE:

- ** LANDSCAPE CONTRACTOR IS REQUIRED TO LAYOUT ENTIRE PLANTING PRIOR TO INSTALLATION FOR FINAL APPROVAL AND WALK-THROUGH WITH LANDSCAPE ARCHITECT
- ** IRRIGATION CONTRACTOR IS REQUIRED TO DESIGN/BUILD AN EFFECTIVE IRRIGATION SYSTEM THAT SEPARATES SHRUB, LAWN, AND ANNUAL ZONES PER THE LANDSCAPE PLAN



Protecting Southwest Florida's unique natural environment and quality of life ... now and forever.

January 21, 2022

Michael T. Jones, President
SteMic Marine Construction
16420 Old US 41
Ft. Myers, FL 33912

Sent via email

RE: Proposed Dock at 52 Southport Cove

Dear Mr. Jones:

Thank you for sending us the boat dock extension survey drawings for 52 Southport Cove for review. Pursuant to the Settlement Agreement between the Conservancy, Lely Estates, Inc., and Collier County pertaining to the Lely Barefoot Beach PUD, the Conservancy must be notified of any proposed construction activities within the conservation easement. Upon review of the survey drawings dated December 23, 2021 from Mark O. Allen, Inc. Professional Land Surveyor, we do not see any inconsistencies with the plan in regards to the easement or settlement agreement. Per the settlement agreement, an access ramp or walkway through the conservation easement is permissible provided that the ramp or walkway is consistent with the DEP permits and it does not exceed 4 feet in width.

Sincerely,

Nicole Johnson
Director of Environmental Policy



Conservancy of Southwest Florida has been awarded Charity Navigator's prestigious 4-Star top rating for good governance, sound fiscal management and commitment to accountability and transparency. Charity Navigator is America's largest and most respected independent evaluator of charities.

1495 Smith Preserve Way | Naples, Florida 34102 | 239.262.0304 | Fax 239.262.0672 | www.conservancy.org

SOUTHPORT ON THE BAY - RENOVATION PROJECTS - SCOPE OF WORK

Please provide a complete description of all proposed projects and submit with the signed Construction Packet in the Rules and Regulations, deposit (required), and samples or charts of proposed materials (e.g., paint swatches with names/numbers and areas to be painted, roof, pavers, shutters, railing etc.) to Ability Management.

Once submitted, the ARB has up to 30 days to review and approve and/or provide further guidance prior to the start of any renovation.

Please do not begin work or take delivery of any dumpsters, materials, or portable restrooms prior to ARB approval.

You will be notified when approval has been obtained. Once the project is complete, it is the homeowner's responsibility to contact Ability to request final ARB inspection and deposit refund. Thank you.

ADDENDUM to CONSTRUCTION PACKET Already on file

Construction of a new 8'x20' dock with a 4' x 84.5' walkway and installation of (2) boat lifts.

The proposed dock will extend 11' further into the waterway than the current, existing dock. The new walkway will be in the same footprint as the existing walkway.

Owner Name: Robert and Jackie Rapp Date: Jan. 24, 2022

Address: 52 Southport Cove, Bonita Springs, FL 34134

ok
[Signature] 2/23/22

HOA
RECEIVED

JAN 31 2022

BY: _____



FLORIDA DEPARTMENT OF Environmental Protection

South District
Post Office Box 2549
Fort Myers, Florida 33902-2549
SouthDistrict@FloridaDEP.gov

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

May 17, 2021

William Malone
c/o Lois Ross
Stemic Marine Construction
16420 Old US 41
Fort Myers, FL 33912
lross@stemicmarine.com

File No.: 0399918-001 EE, Collier County

Dear William Malone:

On March 5, 2021, we received your request for verification of exemption to perform the following activities:

To install a dock with two uncovered lifts for a total over water structure of 492 square feet at 52 Southport Cove, Bonita Springs, FL 34134 in Little Hickory Bay, Class III Outstanding Florida Waters, Section 6, Township 48 South, Range 25 East, Collier County.

Your request has been reviewed to determine whether it qualifies for (1) a regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the **Choose an item.** of this verification request. Specifically, the proposed structure is located on a natural waterbody and does not comply with the "Construction Guidelines". **Additional authorization must be obtained prior to commencement of the proposed activity.** This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

File Name: William Malone
 File No: 0399918-001 EE
 Page 2 of 7

If you have any questions regarding this matter, please contact Michael Baker by telephone at (239) 344-5602 or by e-mail at Michael.A.Baker@FloridaDEP.gov.

1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has verified that the activity as proposed is exempt under Chapter 62-330.051(5)(b), Florida Administrative Code, and Section 403.813(1)(b) of the Florida Statutes from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review - GRANTED

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258 of the Florida Statutes, and Chapters 18-18, 18-20, and 18-21, Florida Administrative Code, as applicable.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for an automatic consent by rule under Rule 18-21.005(1)(b), Florida Administrative Code, and Section 253.77 of the Florida Statutes to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. No further application is required for this consent by rule.

Special Consent Conditions

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant, including the attached recorded conservation easement.

General Conditions for Authorizations for Activities

All authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or 258, Part II, F.S.

- (a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.
- (b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
- (c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.
- (d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.

File Name: William Malone
 File No: 0399918-001 EE
 Page 4 of 7

- (e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
- (f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.
- (g) Structures or activities shall not create a navigational hazard.
- (h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities.

3. Federal Review - SPGP NOT APPROVED

Your proposed activity as outlined on your application and attached drawings does not qualify for Federal authorization pursuant to the State Programmatic General Permit and a SEPARATE permit or authorization shall be required from the Corps. You must apply separately to the Corps using their *APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT*, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>.

Authority for review an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
 - (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
 - (c) A statement of when and how the petitioner received notice of the agency decision;
 - (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
 - (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
 - (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
 - (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.
- The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be

filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

File Name: William Malone
 File No: 0399918-001 EE
 Page 7 of 7

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Executed in Orlando, Florida

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Daniel Sensi
 Environmental Administrator
 South District

Enclosures:

3 Project drawings
 62-330.051(5)(b), F.A.C./403.813(1)(b), F.S.
 Attachment A: Conservation Easement

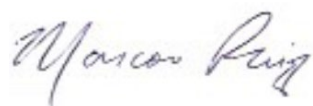
CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments, including all copies, were sent to the addressee and to the following listed persons:

U.S. Army Corps of Engineers, Fort Myers Office, fdep.other@usace.army.mil

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated Department clerk, receipt of which is hereby acknowledged.



Clerk

May 17, 2021
 Date

SOUTHPORT ON THE BAY, UNIT TWO

A SUBDIVISION LYING IN SECTION 6, TOWNSHIP 48 SOUTH,
RANGE 25 EAST, COLLIER COUNTY, FLORIDA.

DEDICATIONS

State of Florida

County of Collier

KNOW ALL MEN BY THESE PRESENTS that Southport Venture Associates, A New Jersey General Partnership, authorized to do business in Florida, the owners of the lands described hereon has caused this plat entitled "SOUTHPORT ON THE BAY, UNIT TWO" to be made and does hereby subject said lands to that certain Declaration of Covenants, Conditions and Restrictions recorded in O.R. Book 745, Pages 1699 through 1707, O.R. Book 766, Pages 1773 through 1783, O.R. Book 767, Pages 561 through 567, O.R. Book 867, Pages 1318 through 1327, inclusive, and further does hereby dedicate the following:

1. To SOUTHPORT ON THE BAY PROPERTY OWNERS' ASSOCIATION INC. with responsibility for maintenance, all road rights-of-way, indicated as Lot 107, all conservation easements indicated on the plat and Lot 110 as an access easement.
2. To Collier County Water - Sewer District - all water and sewer lines constructed within this platted area, upon acceptance of the improvements required by the plat.
3. To Collier County - all drainage easements with no responsibility for maintenance.
4. To Collier County Water - Sewer District - an easement for ingress and egress over and across Lot 107 (Road R.O.W.), and Lot 110 (access easement) and all county utility easements (C.U.E.) to install and maintain water and sewer utility facilities within these platted areas.
5. To Collier County, with no responsibility for maintenance a conservation easement over Lots 55 and 56 and all other areas designated conservation easement (C.E.), land modifications or structures are prohibited within this zone except for nature trails, boardwalks and docks. No building structure will be established within 5 feet of said easements and with the exception of mandatory removal of exotic species, there shall be no removal, trimming, fill, transplanting or planting of any vegetation within the Conservation Easement without approval of Collier County.
6. To SOUTHPORT ON THE BAY PROPERTY OWNERS ASSOCIATION, INC., All drainage easements indicated on the plat for the purpose of construction, installation, maintenance and operation of these facilities.
7. To Florida Power and Light Company, United Telephone Company and any Cable Television Franchise Company. A non-exclusive utility easement as noted or indicated on the plat (U.E.), for the purpose of construction, installation, maintenance and operation of electric, telephone and cable television facilities. No construction, installation, maintenance or operation of cable television facilities and services shall interfere with the electric or telephone facilities and services. In the event a cable television company damages the facilities of another public utility, it shall be solely responsible for said damages.

SOUTHPORT VENTURE ASSOCIATES, a
NEW JERSEY GENERAL PARTNERSHIP

By: Orion Marketing, Inc., a
Florida Corporation, a
general partner

By: Kenneth J. Gluckman
KENNETH J. GLUCKMAN,
Its President

WITNESS:

George L. Consoer Jr.
George L. Consoer Jr.

CORPORATE ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF COLLIER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Kenneth J. Gluckman to me known to be the President of Orion Marketing, Inc., a Florida corporation which is the general partner of Southport Venture Associates, a New Jersey partnership named as the dedicator on the foregoing plat and that he acknowledged executing the same voluntarily under authority duly vested in him by said corporation and that the seals affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State of this 22nd day of March, 1990.

My commission expires:

Nov. 20, 1992

NOTARY PUBLIC

TITLE CERTIFICATION

I, George L. Consoer, Jr., a duly licensed attorney in the State of Florida, do hereby certify that I have examined the title to the herein described property, and that such title is vested in Southport Venture Associates, a New Jersey General Partnership, that the current taxes have been paid, and that the property is free of encumbrances other than a mortgage in favor of Barnett Bank of Naples O.R. Book 1469, Page 0559.

MORTGAGEE'S CONSENT

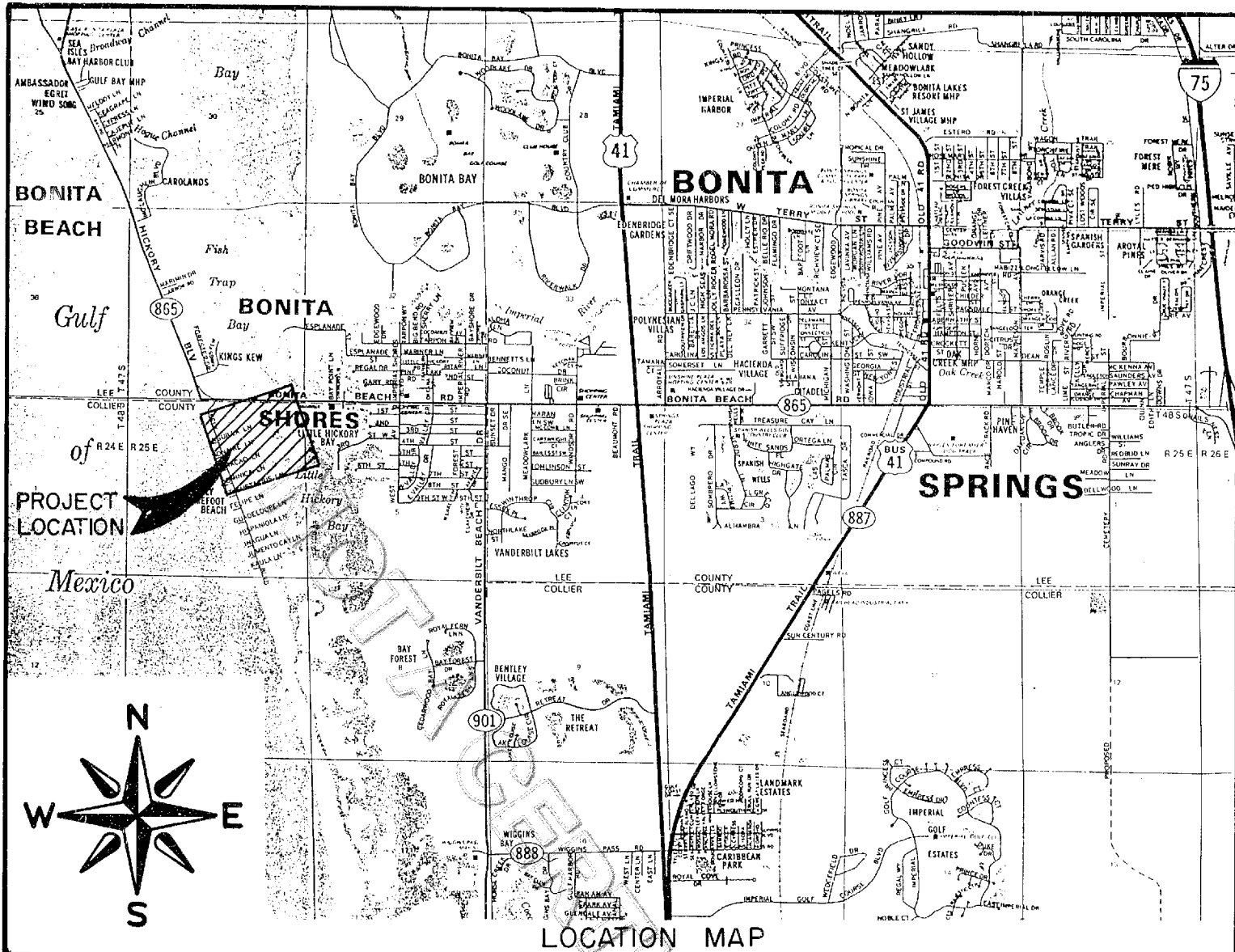
Barnett Bank of Naples, a Florida banking corporation, hereby certifies that it is the holder of a mortgage upon the herein described property, and does hereby join in and consent to the dedication of lands described in the dedication hereto by the owner of, and agrees that its mortgage shall be subordinated to the dedications shown hereon.

(CORPORATE SEAL)
BARNETT BANK OF NAPLES, a
Florida banking corporation

WITNESSES:

Susan J. Pagan
Rebecca S. Court

By: Charles F. Bailey
AS, VICE PRESIDENT



DESCRIPTION OF LANDS PLATTED

All those lands lying above the Mean High Water Line of Little Hickory Bay within the following described Parcel.

A parcel lying in Section 6, Township 48 South, Range 25 East Collier County, Florida, more particularly described as follows:
Beginning at the northeast corner of Lot 42 of Southport On the Bay, Unit One, a subdivision recorded in Plat Book 15, Pages 51 through 53 of the Public Records of Collier County, Florida run S80°44'21"W along the boundary of said subdivision a distance of 200.57 feet to a concrete monument; thence 83.03 feet along the arc of a nontangent curve concave to the southwest having a radius of 220.00 feet, a central angle of 21°37'24" and a chord of 82.54 feet, bearing N20°04'21"W to a point of tangency; thence N30°53'03"W 80.00 feet; thence S59°06'57"W 345.04 feet; thence N13°53'27"W 884.18 feet; thence S89°49'01"E 595.44 feet; thence S45°29'49"E 666.97 feet; thence S42°12'26"W 439.70 feet to the Point of Beginning.

The above describes a land area of approximately 4.05 acres, based on the location of approximate Mean High Water Line of Little Hickory Bay.

GENERAL NOTES

1. ■ = Permanent Reference Monument set, stamped P.R.M. 4118
2. • = Set P.K. Nail and Brass Disk, stamped P.C.P. 4118
3. C.U.E. = County Utility Easement
4. D.E. = Drainage Easement
5. C.E. = Conservation Easement
6. A.E. = Access Easement
7. N.R. = Non Radial all other lines are Radial
8. Bearings based on a bearing of S09°56'11"E on the east line of Tract "B" of Lely Barefoot Beach Unit One as Recorded in Plat Book 12, Pages 34 through 37.
9. NOTICE: There may be additional restrictions that are not recorded on this Plat that may be found in the Public Records of the County.
10. The elevation of the pavement centerline ranges from a low of 5.60 to a high of 7.40 as per design plans, the average existing lot elevation is approximately 3.6 which is natural ground.
11. The platted area lies within several flood zone designations, refer to F.I.R.M. Panel 120067-0179D, dated June 3, 1986.

COUNTY COMMISSION APPROVAL

This plat approved for recording in regular open meeting by the Board of County Commissioners of Collier County, Florida, this 19th day of September, 1990, A.D., provided that the plat is filed in the office of the clerk of the Circuit Court of Collier County, Florida.

Butt. Neale
CHAIRMAN, BOARD OF COUNTY
COMMISSIONERS, COLLIER
COUNTY, FLORIDA

James C. Giles
JAMES C. GILES, CLERK

FILING RECORD

I HEREBY CERTIFY that this plat has been examined by me and that it complies in form with the requirements of Chapter 177, Florida Statutes. I further certify that said plat was filed for record at 2:24 P.M. this 20TH day of APRIL, 1990, A.D. and duly recorded in Plat Book 16, pages 100-101, inclusive, of the Public Records of Collier County, Florida.

JAMES C. GILES, Clerk

By: Sandra T. Y. D.C.

COUNTY APPROVALS

This plat approved by the Collier County Engineer this 26th day of MARCH, 1990, A.D.

John F. Madajewski
JOHN F. MADAJEWSKI, E.E.
Project Review Services Manager, County Engineer

COUNTY HEALTH DEPARTMENT

This plat approved by the Collier County Health Department this 27th day of MARCH, 1990, A.D. connection to central water and central sewage system; and no individual potable water wells or individual sewage systems are permitted.

L.D. Lukin
L.D. LUKIN, P.E.
Environmental Engineering Director

This plat approved by Collier County Attorney this 16th day of APRIL, 1990, A.D.

Kenneth B. Cuyler
KENNETH CUYLER
County Attorney

COUNTY UTILITIES DIVISION

This plat approved by Collier County Utilities Division this 27th day of MARCH, 1990, A.D.

C. W. Temby
C. W. TEMBY, P.E.
Utilities Engineering Director

SURVEYOR'S CERTIFICATE

It is hereby certified that this plat is a true and correct representation of the lands surveyed; that the survey was made under my responsible direction and supervision as provided in Rule 21-H-6 Florida Administration Code and Chapter 472, Florida Statutes; that the permanent reference monuments shown hereon have been set; that all permanent control points shown hereon will be set prior to final acceptance of the subdivision; and that the survey data complies with all the requirements of the current edition of Chapter 177, Florida Statutes.

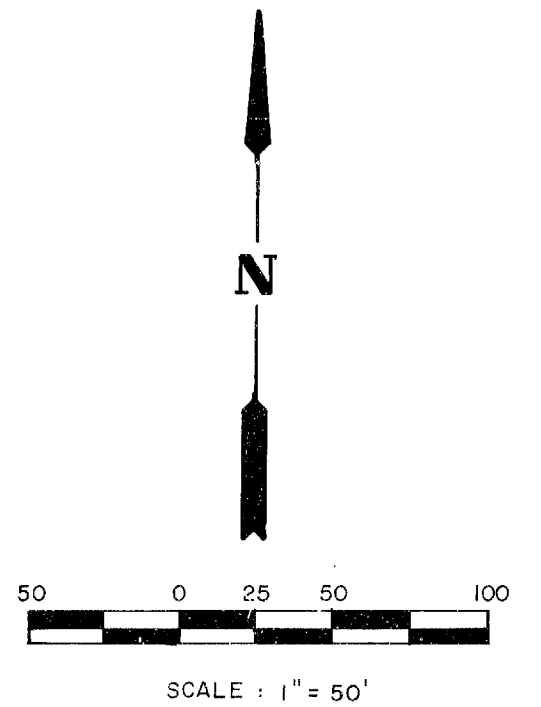
COASTAL ENGINEERING CONSULTANTS, INC.

James S. Richmond
JAMES S. RICHMOND, P.L.S.
Florida Certificate No. 4118
DATE:

THIS INSTRUMENT PREPARED BY:
JAMES S. RICHMOND, P.L.S.
COASTAL ENGINEERING CONSULTANTS, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
3106 SOUTH HORSESHOE DRIVE, NAPLES, FLORIDA

A SUBDIVISION LYING IN SECTION 6, TOWNSHIP 48 SOUTH,
RANGE 25 EAST, COLLIER COUNTY, FLORIDA.

The image shows the official seal of the Florida Department of Environmental Protection on the left. To its right is a large, bold, black rectangular stamp with the word "EXEMPT" in white capital letters. Below "EXEMPT", the text "File Number:" is printed in black, followed by the file number "0399918-001 EE" in red. A horizontal black line is positioned below the file number.



— AGREED BOUNDARY LINE
(O.R. 82, PG. 74)

Cxx - CURVE DATA

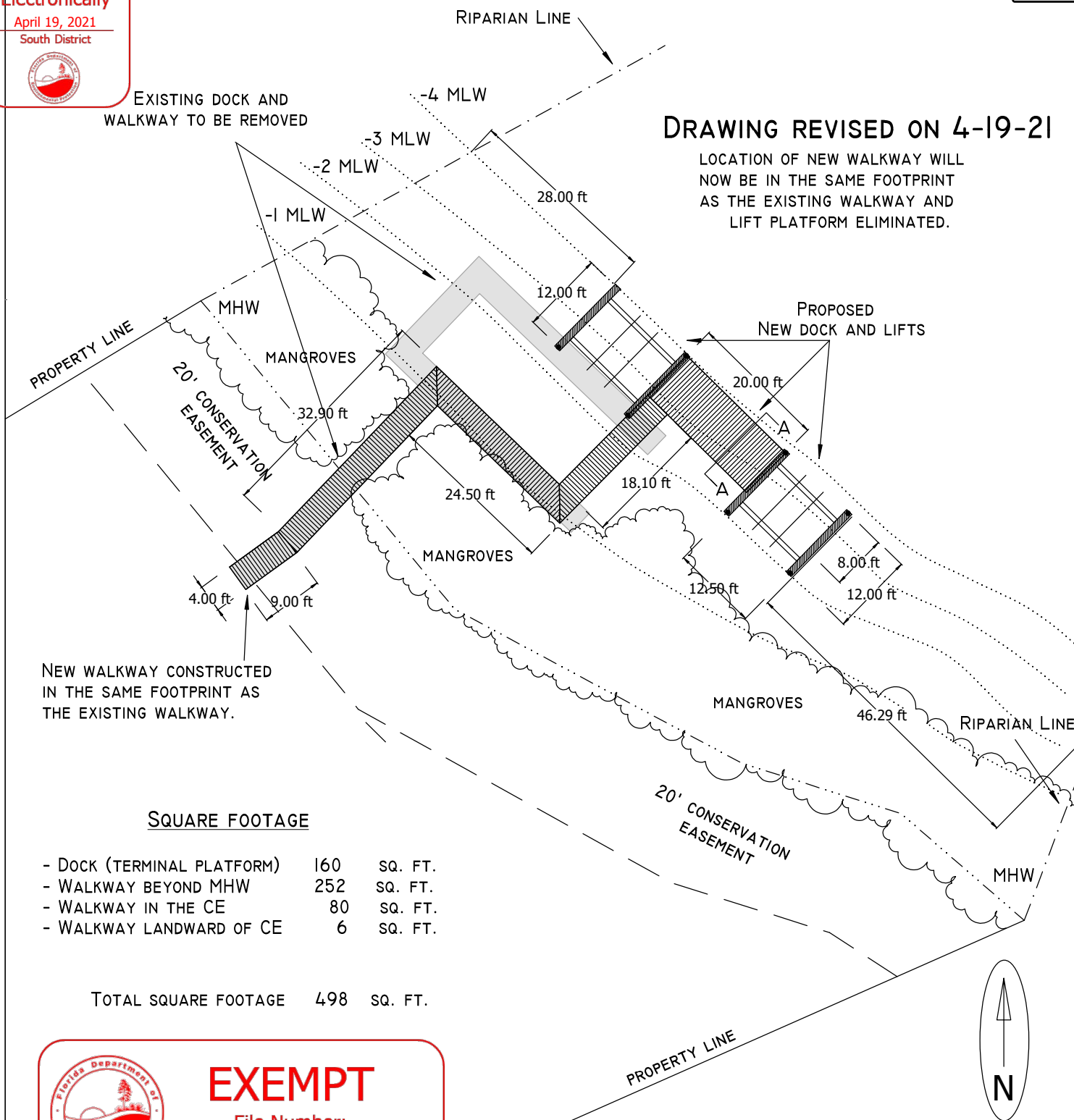
No.	Delta	Radius	Arc Length	Tangent	Chord	Bearing
1	51° 42' 40"	250.00	225.63	121.15	218.05	N16° 35' 41"E
2	21° 37' 24"	280.00	105.67	53.47	105.05	N20° 04' 21"W
3	51° 42' 40"	220.00	198.56	106.62	191.89	S16° 35' 41"W
4	06° 19' 33"	700.00	77.29	38.68	77.25	S39° 17' 14"W
5	21° 37' 24"	280.00	105.67	53.47	105.05	N20° 04' 21"W
6	14° 04' 03"	280.00	68.75	34.55	68.57	N16° 17' 41"W
7	07° 33' 21"	280.00	36.92	18.49	36.90	N27° 06' 23"W
8	258° 27' 47"	50.00	225.55	-61.24	77.46	N81° 39' 10"W
9	93° 33' 27"	50.00	81.64	53.21	72.87	N00° 48' 00"E
10	54° 58' 02"	50.00	47.97	26.01	46.15	N73° 27' 44"W
11	26° 07' 31"	50.00	22.80	11.60	22.60	S65° 59' 29"W
12	46° 23' 00"	50.00	40.48	21.42	39.38	S29° 44' 14"W
13	37° 25' 47"	50.00	39.66	16.94	32.09	S12° 10' 10"E
14	21° 37' 24"	220.00	82.03	42.11	82.54	N20° 04' 21"E
15	73° 20' 04"	220.00	281.59	163.79	266.75	S05° 46' 59"W
16	34° 41' 13"	720.00	133.19	68.71	131.16	N25° 06' 25"E
17	00° 13' 27"	200.00	2.74	1.37	2.74	N42° 20' 18"E
18	06° 06' 07"	700.00	74.55	37.31	74.51	N39° 10' 31"E
19	38° 38' 52"	220.00	148.40	77.15	145.60	S10° 43' 37"E

Lxx - COURSE DATA

No.	Direction	Length
1	N59° 05' 57"E	20.00
2	S30° 53' 03"E	13.29
3	N73° 25' 59"W	66.07
4	N35° 41' 03"W	58.51
5	N35° 41' 03"W	63.78
6	N04° 31' 00"E	62.63
7	N04° 31' 00"E	88.87
8	N04° 31' 00"E	34.34
9	N04° 31' 00"E	53.10
10	S65° 35' 02"W	62.11
11	S46° 15' 39"W	40.81
12	S48° 13' 39"W	70.59
13	S05° 10' 00"W	73.05
14	S26° 58' 07"E	33.84
15	S26° 58' 07"E	59.83
16	S66° 25' 14"E	34.79
17	S66° 25' 14"E	62.52
18	S28° 46' 14"E	23.14
19	S28° 38' 46"E	50.41
20	S08° 08' 20"W	36.96
21	S08° 08' 20"W	8.16

THIS INSTRUMENT PREPARED BY:
JAMES S. RICHMOND, P.L.S.
COASTAL ENGINEERING CONSULTANTS, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
3106 SOUTH HORSESHOE DRIVE, NAPLES, FLORIDA

C.E.C. FILE NO.: 87-194

**EXEMPT**File Number:
0399918-001 EE**MATERIALS TO BE USED:**

- 8" ROUND MARINE PILING WITH 2.5 C.C.A. TREATMENT
- 2" X 8" ROUGH SAWN SOUTHERN YELLOW PINE WITH .60 C.C.A. TREATMENT
- 2" X 6" PT DECKING OR 1" X 6" WEAR DECK DECKING
- FRAMING WILL BE SECURED USING 5/8" 305 STAINLESS STEEL BOLTS
- DECKING WILL BE SECURED USING #10 X 3" 305 STAINLESS STEEL SCREWS

DRAWING ACCEPTED BY _____

Office 239-481-7143
Fax 239-481-3563
www.stemicmarine.com

CGC 1527841

NAME WILLIAM D MALONE TRJOB ADDRESS 52 SOUTHPORT COVEScope of Work: **REMOVAL OF AN EXISTING DOCK AND CONSTRUCTION OF A NEW 8' X 20' DOCK WITH A 4' X 84.5' WALKWAY. INCLUDES INSTALLATION OF TWO BOAT LIFTS.**Date 3-2-2021 Scale 1"=20' Dwg# 2SQ FT over water 412 Total 60 FT 498

62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under chapters 253 and 258, F.S., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers and recreational docking facilities, in accordance with section 403.813(1)(b), F.S. This includes associated structures such as boat shelters, boat lifts, and roofs, provided:

1. The cumulative square footage of the dock or pier and all associated structures located over wetlands and other surface waters does not exceed the limitations in section 403.813(1)(b), F.S.;
2. No structure is enclosed on more than three sides with walls and doors;
3. Structures are not used for residential habitation or commercial purposes, or storage of materials other than those associated with water dependent recreational use; and
4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

Section 403.813, Florida Statutes Permits issued at district centers; exceptions.—

(1) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for activities associated with the following types of projects; however, except as otherwise provided in this subsection, this subsection does not relieve an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or a water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(b) The installation and repair of mooring pilings and dolphins associated with private docking facilities or piers and the installation of private docks, piers and recreational docking facilities, or piers and recreational docking facilities of local governmental entities when the local governmental entity's activities will not take place in any manatee habitat, any of which docks:

1. Has 500 square feet or less of over-water surface area for a dock which is located in an area designated as Outstanding Florida Waters or 1,000 square feet or less of over-water surface area for a dock which is located in an area which is not designated as Outstanding Florida Waters;
2. Is constructed on or held in place by pilings or is a floating dock which is constructed so as not to involve filling or dredging other than that necessary to install the pilings;
3. Shall not substantially impede the flow of water or create a navigational hazard;
4. Is used for recreational, noncommercial activities associated with the mooring or storage of boats and boat paraphernalia; and
5. Is the sole dock constructed pursuant to this exemption as measured along the shoreline for a distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

Nothing in this paragraph shall prohibit the department from taking appropriate enforcement action pursuant to this chapter to abate or prohibit any activity otherwise exempt from permitting pursuant to this paragraph if the department can demonstrate that the exempted activity has caused water pollution in violation of this chapter.

COLLIER COUNTY CONSERVATION EASEMENT

STATE OF FLORIDA)

) SS.

REC 1700 COUNTY OF COLLIER)

PRM 259

DOC 333

INT

IND

KNOW ALL MEN BY THESE PRESENTS that for and in consideration of issuance of State of Florida Department of Environmental Regulation Permits Numbered 111501035 and 111703805 in the name of SOUTHPORT VENTURE ASSOCIATES, a general partnership and other good and valuable considerations, the receipt of which is hereby acknowledged, SOUTHPORT VENTURE ASSOCIATES, a general partnership, ("Grantor") has bargained, sold, conveyed and granted to the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION ("Grantee"), 7451 Golf Course Boulevard, Punta Gorda, Florida 33950-9359, a non-exclusive conservation easement in accordance with Section 704.06, Florida Statutes (1985), in and over the real property located in Collier County, Florida and described on the attached Exhibit "A".

1. This Easement conveys to Grantee a perpetual non-exclusive interest in the property, consisting of the following affirmative and negative covenants on the part of the Grantor and Grantor's successors and assigns:

a. No construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures of any kind whatsoever on or above the ground on the property shall be undertaken without prior written consent of Grantee.

b. No dumping or placing of soil or other substance whatsoever or dumping or placing of trash, waste or unsightly or offensive material on the property.

c. No removal or destruction of native trees, shrubs, or other vegetation on the property.

d. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other material substance in such manner as to affect the surface on the property.

e. No surface use except for purposes that permit the land or water area to remain predominantly in its natural condition on the property.

f. No activities detrimental to drainage, flood control, water management, water conservation, water quality, erosion control, soil conservation or fish or wildlife habitat preservation on the property.

g. No acts or uses detrimental to such retention of land or water area on the property.

h. Grantor and its successors and assigns shall maintain the described real property free from exotic vegetation.

2. Provided, however, that this Easement shall not preclude the following specific activities from being undertaken on the subject property as authorized pursuant to the above referenced Permits Numbered 111501035 and 111703805.

a. The placement, construction and maintenance of ramps and walkways for access and single family boat docks for property owners and associations of such property owners within the Southport on the Bay subdivision, provided such access ramps or walkways do not exceed 4' in width.

b. Maintenance of mangroves located adjacent to residential lots within Southport on the Bay Subdivision provided such mangroves may not be trimmed to a height of less than ten (10) feet.

c. Grantor retains and reserves the use of the property for any and all purposes which do not interfere with and prevent the uses herein granted to the Grantee.

HUMPHREY & KNOX, P.A.
1625 HENDRY STREET, THIRD FLOOR
FORT MYERS, FL 33901

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3. In the event of violation of any covenant contained in this Conservation Easement, Grantee shall be entitled to pursue all available legal and equitable remedies, including injunction.

4. Grantee may, in its sole discretion, transfer its rights under this Easement to such other state or local agency or to a private or public organization provided same is dedicated to the conservation and preservation of land in its natural state.

It is understood that the granting of this Conservation Easement entitles the Grantee or its authorized representatives to enter the above described land in a reasonable manner and at reasonable times to assure compliance.

The Grantor on behalf of itself and its successors or assigns hereby agrees to bear all costs and liability relating to the operation and maintenance of the land subject to this Conservation Easement in the natural vegetative and hydrologic condition existing at the time of execution of this Conservation Easement, including the maintenance of enhanced or created wetlands in the vegetative and hydrologic condition required by the aforementioned permit, and Grantor does hereby indemnify and hold harmless the Grantee from same. The Conservation Easement hereby granted and the obligation to retain and maintain the land forever predominantly in the vegetative and hydrologic condition as herein specified shall run with the land and shall be binding upon the Grantor and its successors and assigns, and shall inure to the benefit of the Grantee and its successors and assigns.

The terms and conditions of this Conservation Easement may be enforced by the Grantee by injunctive relief and other appropriate available remedies, and Grantor consents that venue for such enforcement actions shall lie exclusively in the circuit court of the Second Judicial Circuit, in Leon County, Florida. In any enforcement action in which the Grantee prevails, Grantee shall be entitled to recover reasonable attorney's fees and costs in the trial and appellate courts, in addition to the cost of restoring the land to the natural vegetative and hydrologic condition existing at the time of execution of this Conservation Easement or to the vegetative and hydrologic condition required by the aforementioned permits. These remedies are in addition to any other remedy, fine or penalty which may be applicable under Chapter 403, Florida Statutes.

Any forbearance on behalf of the Grantee to exercise its rights in the event of the failure of Grantor to comply with the provisions of this Conservation Easement shall not be deemed or construed to be a waiver of the Grantee's rights hereunder in the event of any subsequent failure of the Grantors to comply.

IN WITNESS WHEREOF, the undersigned does execute this Grant of Conservation Easement on the date first above written.

Grantor:

SOUTHPORT VENTURE ASSOCIATES, a
New Jersey general partnership

By: Orion Marketing, Inc.,
a general partner

By: Kenneth J. Gluckman
President

Donald E. Muls
1st Witness

Pauline E. Smith
2nd Witness

Received \$ 55 Documentary Stamp Tax
Received \$ 15 Class C Intangible
Personal Property Tax

COLLIER COUNTY ALFRED B. CLARK

BY W. D. Wang D.C.

STATE OF FLORIDA)
) SS.
COUNTY OF COLLIER)

The foregoing instrument was acknowledged before me by Kenneth J. Gluckman, as President of Orion Marketing, Inc., a general partner of Southport Venture Associates this 27 day of NOVEMBER, 1990.

My Commission Expires:
NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. OCT. 9, 1992
BONDED THRU GENERAL INS. LTD.

Donald K. Milne (SEAL)
Notary Public

Accepted:

By: Philip R. Edwards Dated: 11/28/90, 1990

By: _____ Dated: _____, 1990

STATE OF FLORIDA)
) SS.
COUNTY OF COLLIER)

The foregoing instrument was acknowledged before me by Philip R. Edwards ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ this 28th day of November, 1990.

My Commission Expires:

Notary Public, State of Florida
My Commission Expires Oct. 9, 1992
BONDED THRU GENERAL INS. LTD.

Jane L. Helming (SEAL)
Notary Public

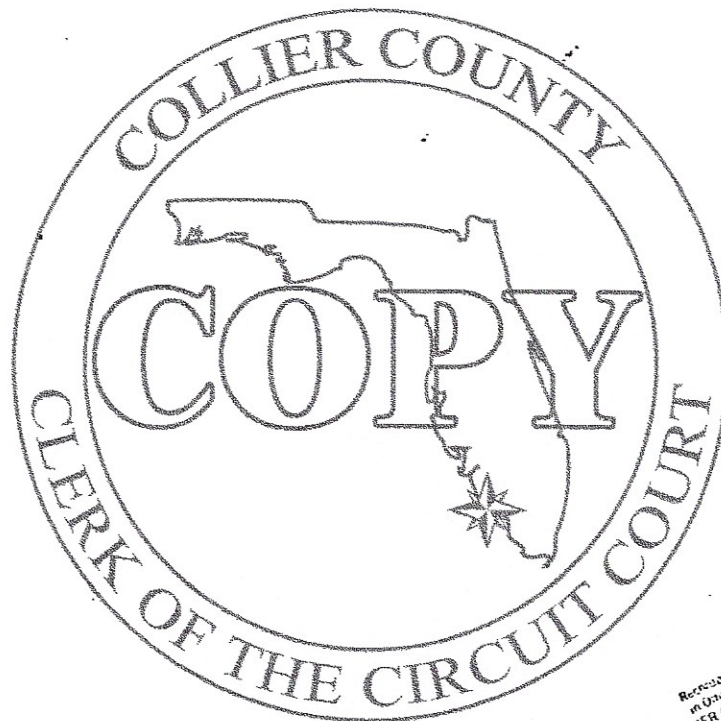
This Instrument Prepared By:

George L. Consoer, Jr., Esq.
HUMPHREY & KNOTT, P.A.
1625 Hendry Street
Fort Myers, Florida 33901

EXHIBIT "A"

Legal Description of Conservation Easement

All of that certain property designated as Conservation Easement Area (C.E.) upon the plat of Southport on the Bay, Unit One, as recorded at Plat Book 15, Pages 51 - 53, and the Plat of Southport on the Bay, Unit Two, as recorded at Plat Book 16, Pages 100 - 101, both recorded in the Public Records of Collier County, Florida.



Recorded and Indexed
in Official Records of
COLLIER COUNTY, FLORIDA
JAMES C. GILES CLERK

001575
OR BOOK

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PAGE



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
1520 ROYAL PALM SQUARE BLVD, SUITE 310
FORT MYERS, FLORIDA 33919

July 7, 2021

Regulatory Division
West Permits Branch
Fort Myers Permits Section
SAJ-2021-00756(RGP-SJR)

William Malone
52 Southport Cove
Bonita Springs, FL 34134

Dear Mr. Malone:

Your application for a Department of the Army permit received on March 9, 2021, has been assigned number SAJ-2021-00756(RGP-SJR). A review of the information and drawings provided shows the proposed work includes the installation of 25 pilings to support a 492 square foot dock with 2 boatlifts. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project would affect waters of the United States associated with Little Hickory Bay at 52 Southport Cove, in Section 6, Township 48 South, Range 25 East, Bonita Springs, Collier County, Florida.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-20. This authorization is valid until March 27, 2023. Please access the Corps' Jacksonville District Regulatory Division Internet page to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there you will need to click on "Source Book"; and, then click on "General Permits". Then you will need to click on the specific SAJ permit noted above. You must comply with all of the special and general conditions of the permit; and, any project-specific conditions noted below, or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

1. Reporting Address: The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

Attachment: Attachment F - Applicant's Backup, Application and Supporting Documents (24042 : PL20210002681 BDE 52 Southport Cove -

The Permittee shall reference this permit number, SAJ-2021-00756(RGP-SJR), on all submittals.

2. Commencement Notification: Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" Form

3. Self-Certification: Within 60 days of completion of the work authorized by this permit, the permittee shall complete the attached "Self-Certification Statement of Compliance" form and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

4. Assurance of Navigation and Maintenance: The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

5. Cultural Resources/Historic Properties:

a. No structure or work shall adversely affect, impact, or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Corps. The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. A cultural resources assessment may be required of the permit area, if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO and the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work in the vicinity shall immediately cease and the Permittee shall immediately notify the medical examiner,

Corps, and State Archeologist. The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist, SHPO, and the Corps.

e. In the unlikely event that human remains are encountered on federal or tribal lands, or in situations where Archaeological Resources Protection Act of 1979 or Native American Graves Protection Repatriation Act of 1990 applies, all work in the vicinity shall immediately cease and the Permittee immediately notify the Corps. The Corps shall then notify the appropriate THPO(s) and SHPO. Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. After such notification, project activities on federal lands shall not resume without written authorization from the Corps, and/or appropriate THPO(s), SHPO, and federal manager. After such notification, project activities on tribal lands shall not resume without written authorization from the appropriate THPO(s) and the Corps.

6. Manatee Conditions: The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011”

7. Turbidity Barriers: Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend to within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all suspended and erodible materials have been stabilized. Turbidity barriers shall be removed upon stabilization of the work area.

8. Noise Impact Restrictions: No more than ten piles are to be driven per day to minimize noise impacts.

9. Daylight Hours: All work must be completed during daylight hours.

10. NMFS PDCs for In-Water Activities: Comply with the attached National Marine Fisheries Service’s “PDCs for In-Water Activities” dated November 20, 2017

11. NMFS PDCs for Pile Supported Structures: Comply with the attached National Marine Fisheries Service’s “PDCs for Pile Supported Structures” dated November 20, 2017

12. NMFS PDCs for In-Water Noise form Pile and Sheet Pile Installation: Comply with the attached National Marine Fisheries Service’s “PDCs for In-Water Noise form Pile and Sheet Pile Installation” dated November 20, 2017

13. Coastal Zone Management Act Consistency Determination: The activity, as proposed, has been verified or presumed to be exempt under Chapter 62-330.051(5)(b), Florida Administrative Code, and Section 403.813(1)(b) of the Florida Statutes from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes. In Florida, under 33 C.F.R. § 325.2(b)(2), the Corps may presume CZMA concurrence for the exempted activities by operation of s. 380.23(7), F.S, and the rules of the F.A.C. adopted thereunder.

This authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced RGP, please contact Steven Rabney by telephone at 239-334-1975 x0009.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Sincerely,



Steven Rabney
Project Manager

Enclosures

General Conditions

Department of the Army Permit Transfer Request

Commencement Notification

Self-Certification Statement of Compliance

Standard Manatee Conditions for In-Water Work

National Marine Fisheries Service's "PDCs for In-Water Activities"

National Marine Fisheries Service's "PDCs for Pile Supported Structures"

National Marine Fisheries Service's "PDCs for In-Water Noise form Pile and Sheet Pile Installation"

Permit Drawings

GENERAL CONDITIONS
33 CFR PART 320-330

1. The time limit for completing the work authorized ends on **March 27, 2023**.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort of if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2021-00756(RGP-SJR)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019.

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

COMMENCEMENT NOTIFICATION

*Within ten (10) days of initiating the authorized work, submit this form via electronic mail to saj-rd-enforcement@usace.army.mil (preferred, not to exceed 15 MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. **Department of the Army Permit Number:** SAJ-2021-00756(RGP-SJR)

2. **Permittee Information:**

Name: _____

Email: _____

Address: _____

Phone: _____

3. **Construction Start Date:** _____

4. **Contact to Schedule Inspection:**

Name: _____

Email: _____

Phone: _____

Signature of Permittee

Printed Name of Permittee

Date

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

*Within sixty (60) days of completion of the authorized work, submit this form via electronic mail to saj-rd-enforcement@usace.army.mil (preferred, not to exceed 15MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. **Department of the Army Permit Number:** SAJ-2021-00756(RGP-SJR)
2. **Permittee Information:** Name: _____
 Email: _____
 Address: _____

 Phone: _____
3. **Date Authorized Work Started:** _____ **Completed:** _____
4. **Contact to Schedule Inspection:** Name: _____
 Email: _____
 Phone: _____
5. **Description of Authorized Work (e.g. bank stabilization, fill placed within wetlands, docks, dredging, etc.):** _____

6. **Acreage or Square Feet of Impacts to Waters of the United States:** _____
7. **Describe Mitigation completed (if applicable):** _____

8. **Describe any Deviations from Permit (attach drawing(s) depicting the deviations):**

I certify that all work and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

 Signature of Permittee

 Printed Name of Permittee

 Date

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shut down if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

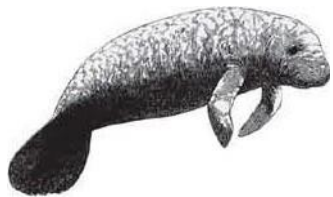
All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

888-404-FWCC (3922)

cell *FWC or #FWC

**U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological
Opinion (JaxBO) Project Design Criteria (PDCs) for In-Water Activities**

November 20, 2017

- 1) **(AP.7.) Education and Observation:** The permittee must ensure that all personnel associated with the project are instructed about the potential presence of species protected under the ESA and the Marine Mammal Protection Act (MMPA). All on-site project personnel are responsible for observing water-related activities for the presence of protected species. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing ESA-listed species or marine mammals. To determine which species may be found in the project area, please review the relevant Protected Species List at:
http://sero.nmfs.noaa.gov/protected_resources/section_7/threatened_endangered/index.html
- 2) **(AP.8.) Reporting of interactions with protected species:**
 - a) Any collision(s) with and/or injury to any sea turtle, sawfish, whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (1-727-824-5312) or by email to takereport.nmfs@noaa.gov and SAJ-RD-Enforcement@usace.army.mil.
 - b) Smalltooth sawfish: Report sightings to 1-844-SAWFISH or email Sawfish@MyFWC.com
 - c) Sturgeon: Report dead sturgeon to 1-844-STURG 911 (1-844-788-7491) or email nmfs.ser.sturgeonnetwork@noaa.gov
 - d) Sea turtles and marine mammals: Report stranded, injured, or dead animals to 1-877-WHALE HELP (1-877-942-5343).
 - e) North Atlantic right whale: Report injured, dead, or entangled right whales to the USCG via VHF Channel 16.
- 3) **(AP.9.) Vessel Traffic and Construction Equipment:** All vessel operators must watch for and avoid collision with species protected under the ESA and MMPA. Vessel operators must avoid potential interactions with protected species and operate in accordance with the following protective measures:
 - a) *Construction Equipment:*
 - i) All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while operating in water depths where the draft of the vessel provides less than a 4-foot (ft) clearance from the bottom, and in all depths after a protected species has been observed in and has departed the area.
 - ii) All vessels will follow marked channels and/or routes using the maximum water depth whenever possible.
 - iii) Operation of any mechanical construction equipment, including vessels, shall cease immediately if a listed species is observed within a 50-ft radius of

construction equipment and shall not resume until the species has departed the area of its own volition.

- iv) If the detection of species is not possible during certain weather conditions (e.g., fog, rain, wind), then in-water operations will cease until weather conditions improve and detection is again feasible.
- b) *All Vessels:*
- i) Sea turtles: Maintain a minimum distance of 150 ft.
 - ii) North Atlantic right whale: Maintain a minimum 1,500-ft distance (500 yards).
 - iii) Vessels 65 ft in length or longer must comply with the Right Whale Ship Strike Reduction Rule (50 CFR 224.105) which includes reducing speeds to 10 knots or less in Seasonal Management Areas (<http://www.fisheries.noaa.gov/pr/shipstrike/>).
 - iv) Mariners shall check various communication media for general information regarding avoiding ship strikes and specific information regarding right whale sightings in the area. These include NOAA weather radio, USCG NAVTEX broadcasts, and Notices to Mariners.
 - v) Marine mammals (i.e., dolphins, whales [other than North Atlantic right whales], and porpoises): Maintain a minimum distance of 300 ft.
 - vi) When these animals are sighted while the vessel is underway (e.g., bow-riding), attempt to remain parallel to the animal's course. Avoid excessive speed or abrupt changes in direction until they have left the area.
 - vii) Reduce speed to 10 knots or less when mother/calf pairs or groups of marine mammals are observed, when safety permits.
- 4) **(AP.10.) Turbidity Control Measures during Construction:** Turbidity must be monitored and controlled. Prior to initiating any of the work covered under this Opinion, the Permittee shall install turbidity curtains as described below. In some instances, the use of turbidity curtains may be waived by the USACE project manager if the project is deemed too minimal to generate turbidity (e.g., certain ATON installation, scientific survey device placement, marine debris removal) or if the current is too strong for the curtains to stay in place. Turbidity curtains specifications:
- a) Install floating turbidity barriers with weighted skirts that extend to within 1 ft of the bottom around all work areas that are in, or adjacent to, surface waters.
 - b) Use these turbidity barriers throughout construction to control erosion and siltation and ensure that turbidity levels within the project area do not exceed background conditions.
 - c) Position turbidity barriers in a way that does not block species' entry to or exit from designated critical habitat.
 - d) Monitor and maintain turbidity barriers in place until the authorized work has been completed and the water quality in the project area has returned to background conditions.
 - e) In the range of ESA-listed corals (St. Lucie Inlet, Martin County south to the Dry Tortugas and the U.S. Caribbean) and Johnson's seagrass (Turkey Creek/Palm

Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida):

- i) Projects that include upland earth moving (e.g., grading to install a building or parking lot associated with a dock and seawall project), must install sediment control barriers to prevent any upland sediments from reaching estuarine or marine waters.
 - ii) The turbidity curtain requirement cannot be waived for any project that moves or removes sediment (e.g., dredging, auger to create a pile, trenching to install a cableline). If turbidity curtains are not feasible in an area based on site conditions such as water current, high wave action, or stormy conditions, the project must undergo individual Section 7 consultation and is not covered under this Programmatic Opinion.
- 5) **(AP.11.) Entanglement:** All turbidity curtains and other in-water equipment must be properly secured with materials that reduce the risk of entanglement of marine species (described below). Turbidity curtains likewise must be made of materials that reduce the risk of entanglement of marine species.
- a) In-water lines (rope, chain, and cable, including the lines to secure turbidity curtains) must be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, must be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line is allowed in the water.
 - b) Turbidity curtains and other in-water equipment must be placed in a manner that does not entrap species within the construction area or block access for them to navigate around the construction area.

Activity 2 (A2): Pile-Supported Structures and Anchored Buoys

Project Design Criteria

PDCs Specific to Activity 2 - Pile-Supported Structures and Anchored Buoys:

- A2.1. Activities covered by this Opinion include the installation, repair, replacement, and removal of structures as described below:
- A2.1.1. The pile-supported and anchored structures included in this Opinion are: docks and piers, boatlifts, mooring piles and dolphin piles associated with docks/piers; ATONs and PATONs; floating docks; pile-supported chickees (i.e., small, back-country, over-water, pile-supported, primitive camping shelters); boardwalks (as long as they are designed and clearly marked to prohibit fishing and vessel mooring); mooring fields and buoys; and other minor pile-supported structures. This does not include structures that support large commercial vessels including ferries, tankers, and cargo ships such as ferry terminals and large ports.
 - A2.1.2. Pile-supported docks/piers for a single-family residential lot are limited to 4 slips for motorized vessels. Slips for non-motorized vessels (e.g., kayak, canoe, and paddleboard) and associated launching areas do not count toward the total slip number.
 - A2.1.3. Pile-supported structures for marinas, multi-family facilities (e.g., condo complexes, trailer parks, subdivisions when the homeowners association owns and controls the in-water structures). Docks and piers for multi-family residential properties (e.g., condos, trailer parks, apartment complexes), and marinas are limited to a maximum of 50 total slips (i.e., combination of wet and dry slips for existing plus proposed slips).
 - A2.1.4. Anchored buoys and temporary pile-supported structures associated with marine events. Upon completion of the event, these structures must be removed and, to the maximum extent practical, the site must be restored to pre-construction elevations. Water depths in the area of marine events must be deep enough to support at least 5 ft of water depth under the keel of a vessel and between the keel of a vessel and ESA-listed coral colonies when transiting to the mooring areas. There is no limit on the number of vessel slips allowed for temporary structures associated marine events such as boat shows.
 - A2.1.5. Mooring fields are limited to a maximum of 50 motorized vessels (there is no limit on the number of non-motorized vessels).
 - A2.1.6. All pile-supported structures constructed must comply with PDC 2.17 for *Docks or Other Minor Structures Constructed in Florida Under this Opinion* (see below).

The following PDCs apply to all the activities described in PDC A2.1 above:

- A2.2. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at:

(http://sero.nmfs.noaa.gov/protected_resources/section_7/protected_species_education_al_signs/index.html). The signs required to be posted by area are stated below:

- A2.2.1. All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.
- A2.2.2. Projects within the North Atlantic right whale educational sign zone (as defined in Section 2.1.1.4) shall post the Help Protect North Atlantic Right Whales sign.
- A2.2.3. On the east coast of Florida, projects located within the St. John's River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.
- A2.2.4. We are still developing the signs to be used in the U.S. Caribbean. Once developed, those signs will be included at the website above.
- A2.3. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:
 - A2.3.1. Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.
 - A2.3.2. Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.
- A2.4. For any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of North Atlantic right whale critical habitat (as measured in a radius from the center of the nearest inlet to open ocean and described in Section 2.1.1.4), the property owner will be provided a handout with their USACE permit describing the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales (Appendix C).
- A2.5. ATONs and PATONs must be approved by and installed in accordance with the requirements of the USCG (see 33 CFR, chapter I, subchapter C, part 66 and RHA Section 10 and any other pertinent requirements).
- A2.6. Chickees must be less than 500 ft² and support no more than 2 slips.
- A2.7. No activities associated with municipal or commercial fishing piers are covered under this Opinion.
- A2.8. Docks installed within visible distance of ocean beaches are required to comply with turtle-friendly lighting, if lighting is necessary to the project. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/>
- A2.9. Project construction will take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited.

PDCs for In-Water Noise from Pile and Sheet Pile Installation

Page 86

Open Water

The letters A-E in the tables below specify the PDC category. Activities labeled A-D must follow the corresponding PDCs for labeled Category A-D below. Activities labeled E are excluded from this Opinion, as stated in Category E below.

	Trench and fill	Pilot hole (auger or drop punch)	Jetting	Vibratory	Impact hammer
Wood piles 14-inch (in) diameter or less when installed via impact hammer and 36-in or less for all other installation methods	A	A	A	A	B
Concrete pile 24-in diameter/width or less in open water	A	A	A	A	B
Metal pipe pile 36-in diameter or less	A	A	A	A	E
2 metal boatlift I-beams	A	A	A	A	B
Concrete slab wall- any size	A	A	A	A	B
Vinyl sheet pile- any size	A	A	A	A	B
Metal sheet pile- any size	A	A	A	A	E

Confined Space

In Florida, we consider the confined space to be any area that has a solid object (e.g., shorelines or seawalls) within 150 ft of the pile installation site and in the U.S. Caribbean we consider confined space to be any area that has a solid object within 260 ft of the pile installation site.

	Trench and fill	Pilot hole (auger or drop punch)	Jetting	Vibratory	Impact hammer
Wood pile 14-in diameter or less when installed via impact hammer and 36-in or less for all other installation methods	A	A	A	A	B
Concrete pile 24-in diameter/width or less (5 piles or less installed/day)	A	A	A	A	C
Concrete pile 24-in diameter/width or less (6-10 piles installed/day)	A	A	A	A	D
Metal pipe pile 36-in diameter or less	A	A	A	A	E

12

2 metal boatlift I-beams	A	A	A	A	B
Vinyl sheet pile – any size	A	A	A	A	B
Concrete slab wall- any size (5 slabs or less installed/day)	A	A	A	A	C
Concrete slab wall- any size (6-10 slabs installed/day)	A	A	A	A	D
Metal sheet pile- any size	A	A	A	A	E

A. The Projects identified as A above must comply with PDCs identified for all projects in this Opinion. Specific PDCs related to noise include:

1. All work must occur during daylight hours only (PDC AP.6).
2. All construction personnel are responsible for observing water-related activities to detect the presence of these species and avoid them (PDC AP.7).

B. The projects identified as B above must follow all of the conditions under A, above, AND also must limit the maximum number of piles installed per day to no more than 10 piles per day.

C. The projects identified as C above must follow all of the conditions under A, above, AND also must limit the maximum number of piles installed per day to no more than 5 piles per day.

D. The projects identified as D above must follow all of the conditions under A and B, above, AND also must abide by one of the noise abatement measures below, as chosen by the applicant:

1. Bubble curtain: The bubble curtain design must adhere to the guidelines for unconfined and confined bubble curtains described in Appendix B.
2. Temporary noise attenuation pile (TNAP) also known as a pile isolation casing: The TNAP design must be constructed of a double-walled tubular casing (a casing within a larger casing), with at least a 5-in-wide area between the casings that is dewatered to create a hollow space or 5-in wide area between the casings completely filled with closed-cell foam or other noise dampening material between the walls. The TNAP must be long enough to be seated firmly on the sea bottom, fit over the pile being driven, and extend at least 3 ft above the surface of the water.
3. The use of any other alternative noise control method must receive prior approval by NMFS and the USACE, as described in Section 2.3.

E. The projects identified as E are not covered under this Opinion.

52 Southport Cove
Bonita Springs, FL.
34134



MALONE 52 SOUTHPORT COVE

3.A.g

Legend

-  52 Southport Cove
-  Barry DeNicola Realty Inc : Denicola Barry C
-  Boat Club
-  Coconut Jacks
-  Lely Barefoot Beach
-  Vester Marine Field Station



Attachment: Attachment F - Applicant's Backup, Application and Supporting Documents (24042 :

MALONE 52 SOUTHPORT COVE

3.A.g

Legend

Attachment: Attachment F - Applicant's Backup, Application and Supporting Documents (24042 :

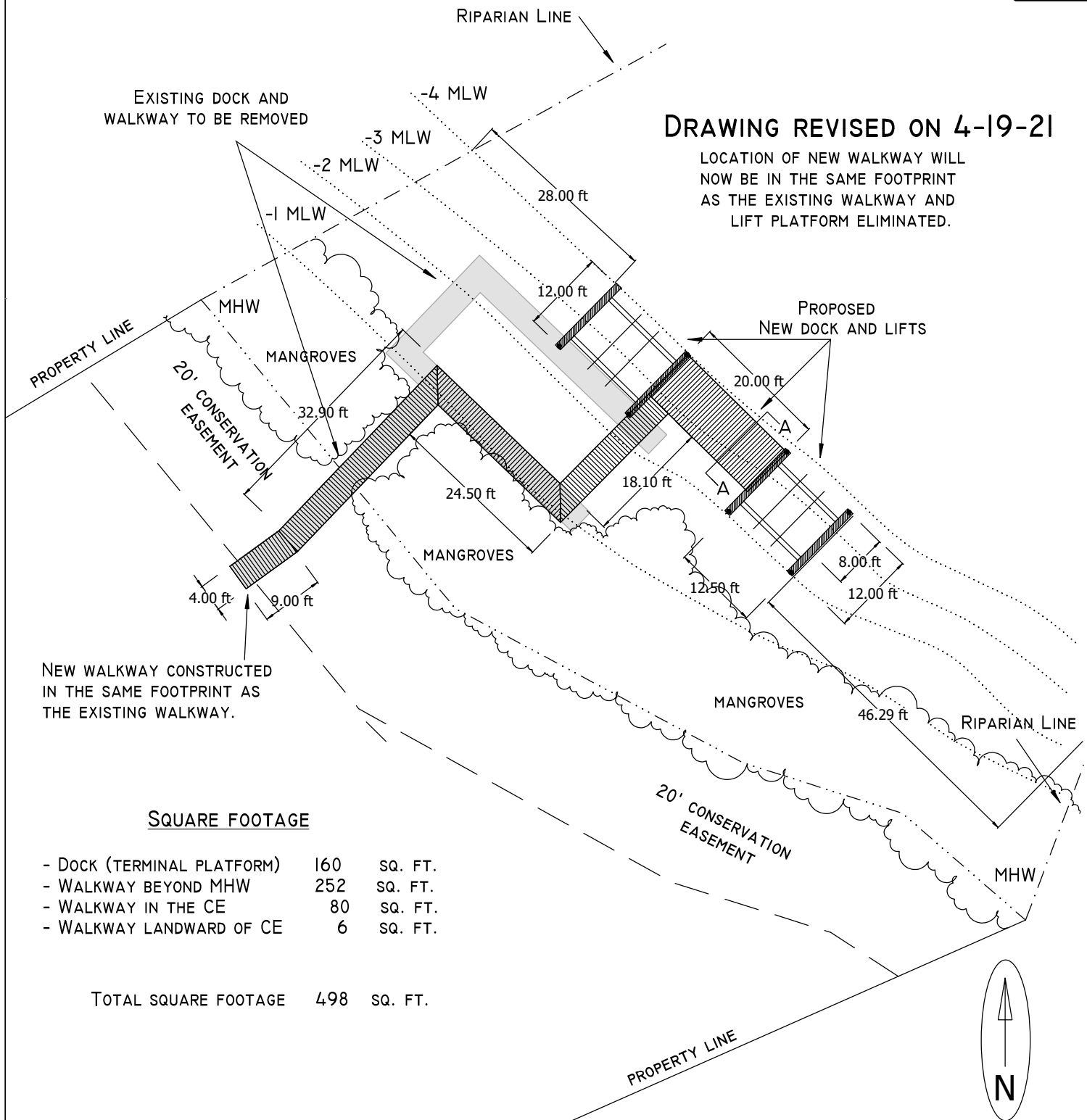
52 Southport Cove

San Mateo Dr

Google Earth

© 2021 Google

Packet Pg. 98



MATERIALS TO BE USED:

- 8" ROUND MARINE PILING WITH 2.5 C.C.A. TREATMENT
- 2" X 8" ROUGH SAWN SOUTHERN YELLOW PINE WITH .60 C.C.A. TREATMENT
- 2" X 6" PT DECKING OR 1" X 6" WEAR DECK DECKING
- FRAMING WILL BE SECURED USING 5/8" 305 STAINLESS STEEL BOLTS
- DECKING WILL BE SECURED USING #10 X 3" 305 STAINLESS STEEL SCREWS

DRAWING ACCEPTED BY _____



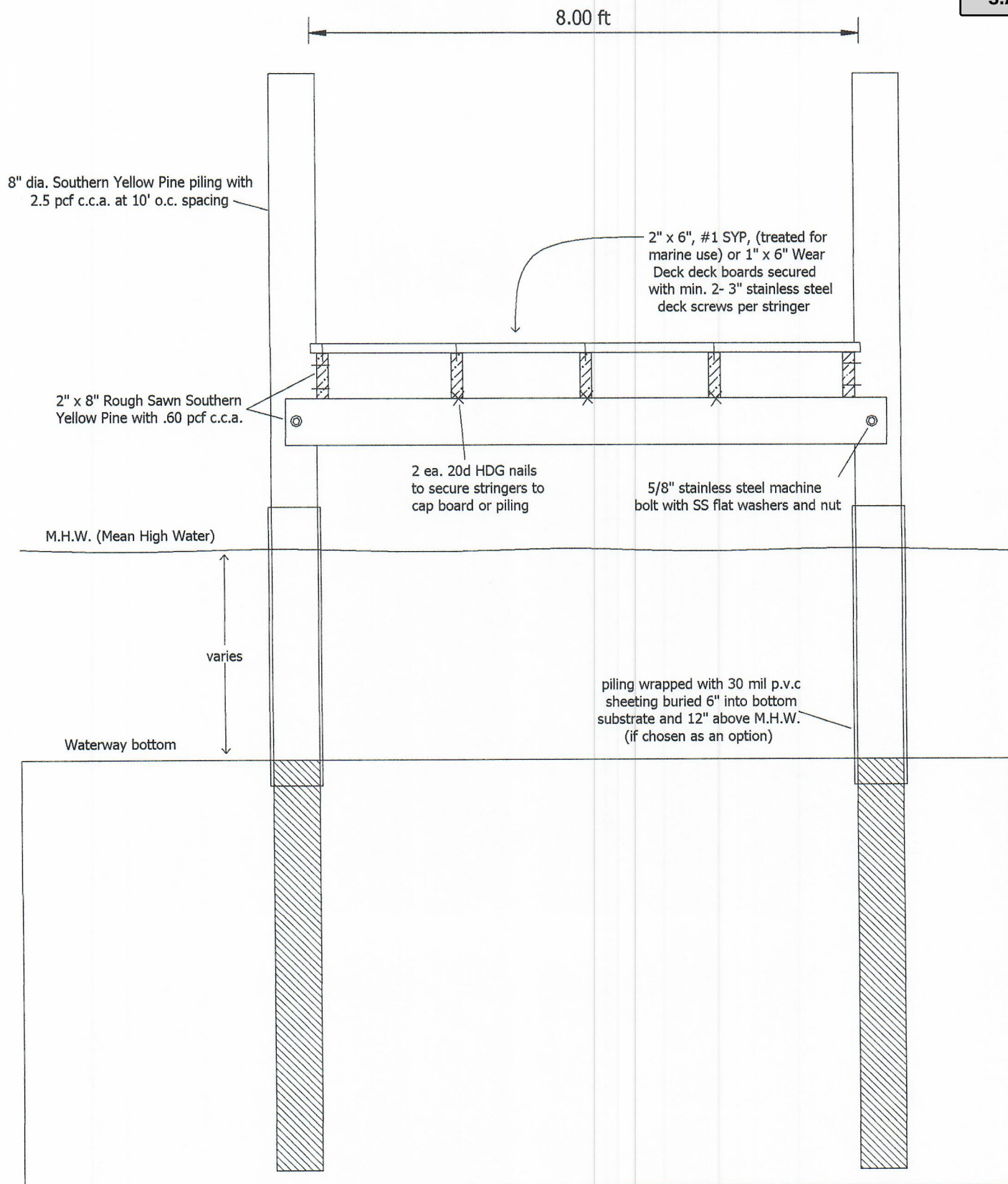
Office 239-481-7143
Fax 239-481-3563
www.stemicmarine.com

CGC 1527841

NAME WILLIAM D MALONE TRJOB ADDRESS 52 SOUTHPORT COVE

Scope of Work: **REMOVAL OF AN EXISTING DOCK AND CONSTRUCTION OF A NEW 8' X 20' DOCK WITH A 4' X 84.5' WALKWAY. INCLUDES INSTALLATION OF TWO BOAT LIFTS.**

Date 3-2-2021 Scale 1"=20' Dwg# 2SQ FT over water 412 Total 60 FT 498



Section A - A

Typical Section

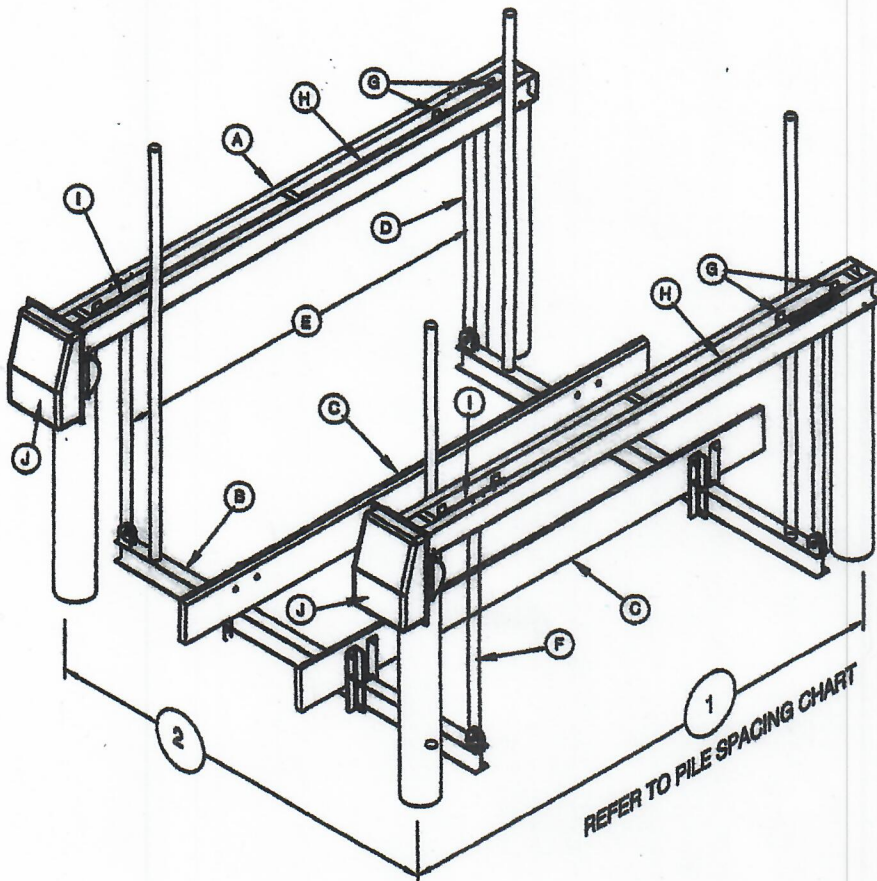
1" = 2'



Office 239-481-7143
Fax 239-481-3563
www.stemicmarine.com

CGC 041839
CBC 058440

ACE ENGINEERED 4 POST, 2 MOTOR BOAT LIFTS



PILE SPACING CHART
The boat center of gravity needs to be set in the center of the top beam

Lift Capacity		1" Dimension		2" Dimension		Recommended Pile Diameters	
Lb.	Kg.	FL.	M.	FL.	M.	In.	Mm.
4,500	2041	11	3.35	10	3.0	8	203.2
7,000	3175	12	3.66	12	3.66	10	254
10,000	4540			12.5	3.81		
14,000	6350			14	4.27		
16,000	7257	14	4.27	16	4.88	12	304.8
20,000	9072			16	4.88		
24,000	10886	16	4.88				

STRUCTURAL ENGINEERING REVIEW

THIS CONSTRUCTION HAS BEEN DESIGNED AS A MAIN WIND FORCE RESISTING SYSTEM, WITH CALCULATED GRAVITY AND WIND LOADS IN COMPLIANCE WITH THE FLORIDA BUILDING CODE 2010, SECTION 1608, ADM 2008, ASCE/SEI 7-10, AND "MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES" TO WITHSTAND THE WIND LOADS ASSOCIATED WITH AN ULTIMATE WIND SPEED OF 170 MPH, EXPOSURE "D", RISK CATEGORY "I". ARNOLD/SANDERS CONSULTING ENGINEERS HAS NO CONTROL OF THE MANUFACTURING, PERFORMANCE, OR INSTALLATION OF THIS PRODUCT. THESE GENERAL PLANS WERE ENGINEERED IN ACCORDANCE WITH ACCEPTED ENGINEERING PRACTICES AND DATA PROVIDED BY THE MANUFACTURER.

J.L. Sanders
7-16-14

Arnold/Sanders Consulting Engineers, Inc.
Certificate of Authorization 0681
13881 McGregor Blvd., Suite 100, Ft. Myers, FL 33919
888-957-2882 Fax 888-957-6771

J.L. SANDERS
Reg. Florida No. 06881

Date:

SIGNATURE NOT VALID WITHOUT RAISED SEAL.

STAINLESS STEEL PILING
MOUNT BRACKET, 4-7/8"
STAINLESS STEEL LAG SCREWS
USED TO CONNECT THE
BRACKETS TO THE PILING AND
2-3/8" CARRIAGE BOLTS USED
TO CONNECT THE BRACKETS
TO THE LIFT CHANNELS



NOTE:
THIS STRUCTURE WILL WITHSTAND WIND LOADS ASSOCIATED WITH AN ULTIMATE WIND SPEED OF 170 MPH, EXPOSURE "D", RISK CATEGORY "I" CALCULATED PER F.B.C. 2010 AND ASCE/SEI 7-10. BOATS SHALL NOT BE STORED ON LIFT DURING HIGH WIND EVENTS.

IN GENERAL, PILING PENETRATION TO BE 10' INTO THE SAND BOTTOM OR 5' INTO THE ROCK STRATA. SUB-SURFACE CONDITIONS CAN VARY GREATLY, THE CONTRACTOR SHALL VERIFY ALL PILE CAPACITIES. ALL PILING TO BE 2.5 C.C.A. PRESSURE TREATED WOOD.

LIFT CAPACITY		TOP BEAM CHANNEL 2 EACH		CRADLE I-BEAM 2 EACH		BUNK BOARDS (PT)	CABLE SIZE		CABLE SPREAD		GUIDE POST H6TH	BRGS	DRIVE SHAFT	WINDER DIA	MOTOR HP VOLTAGE	INCHES OF LIFT PER MIN	RECOM PILE SIZES
Lbs	Kg	INCHES	MM	INCHES	MM		INCHES	MM	IN	MM							
4,500#	2041 kg	4 H x .15 2 W x .28 140" OAL	101.6h x 3.8mm 50.8w x 6.8mm 3.6m OAL	6 H x .19 4 W x .29 120" LGTH	152.4h x 4.8mm 101.6w x 7.4mm 3.05m OAL	2-1/2" x 10" x 1/2" PT	4-5/16" x15 ST ST 1 PART	4-7.9mm x4.5m ST ST 1 PART	98"	2.5m	60" 2M	10-2" (50.8 MM) EXTRUDED 6061-T6 ALUM.	1.9" DIA. (48.3 MM) 9 GAUGE GALV. PPE	2-3/4" DIA (60.5 MM) SCH 80 ALUM PPE	2-3/4 HP 120V/240V 240V/10A	27"	8" DIA 203.2 mm
7,000#	3175 kg	5 H x .15 2.25 W x .28 x 153" OAL	127h x 3.8mm 57.2w x 7.1mm x 3.9 m OAL	6 H x .19 4 W x .29 144" LGTH	152.4h x 4.8mm 101.6w x 7.4mm 3.8 m OAL										2-1 HP 120V/240V 240V/10A		
10,000#	4536 kg	6 H x .17 2.5 W x .29 x 153" OAL	152.4h x 4.3mm 63.5w x 7.4mm 3.9m OAL	8 H x .23 5 W x .35 160" LGTH	203.2h x 5.8mm 127w x 8.9mm 3.8 m OAL										2-3/4 HP 120V/240V 240V/10A	12-1/2"	10" DIA 254 mm
14,000#	6350 kg	7 H x .17 2.75 W x .29 x 153" OAL	177.8h x 4.3mm 69.5w x 7.4mm 3.9 m OAL	8 H x .25 6 W x .41 150" LGTH	203.4h x 6.4mm 127w x 10.4mm 3.8 m OAL	2-1/2" x 10" x 1/2" PT	4-5/16" x30 ST ST 2 PART	4-7.94mm x9.2m ST ST 2 PART	110"	2.8m	120" 3.1M	10-2" (50.8 MM) EXTRUDED 6061-T6 ALUM.	1.9" DIA. (48.3 MM) 8 GAUGE GALV. PPE	2-3/4" DIA (60.5 MM) SCH 80 ALUM PPE			
16,000#	7257 kg	8 H x .19 3 W x .35 x 153" OAL	203.2h x 4.8mm 76.2w x 8.9mm 3.9 m OAL	10 H x .25 6 W x .41 168" LGTH	254h x 6.4mm 152.4w x 10.4mm 4.3 m OAL												
20,000#	9071 kg	8 H x .25 3.75 W x .41 x 177" OAL	203.2h x 6.4mm 95.3w x 10.4mm 4.5 m OAL	10 H x .25 6 W x .41 182" LGTH	254h x 6.4mm 152.4w x 10.4mm 4.9 m OAL												
24,000#	10886 kg	8 H x .25 3.75 W x .41 x 201" OAL	203.2h x 6.4mm 95.3w x 10.4mm 5.1 m OAL	10 H x .29 6 W x .50 192" LGTH	254h x 7.4mm 152.4w x 12.7mm 4.9 m OAL		4-5/16" x15 ST ST 3 PART	4-7.94mm x13.7m ST ST 3 PART	122"	3.1m	134"	10-2" (50.8 MM) EXTRUDED 6061-T6 ALUM.	1.9" DIA. (48.3 MM) 8 GAUGE GALV. PPE	2-3/4" DIA (60.5 MM) SCH 80 ALUM PPE	2-1 HP 120V/240V 240V/10A	9"	12" DIA 304.8 mm
									134"	3.4m							

PUB. 7-16-2014

Ace Boat Lifts, 7990 Mercantile St., North Fort Myers, FL 33917



STAFF REPORT

TO: HEARING EXAMINER

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

HEARING DATE: DECEMBER 22, 2022

SUBJECT: PDI-PL20210003207, MEDITERRA PLANNED UNIT DEVELOPMENT
(PUD)

APPLICANT:

Mediterra Community Association
15735 Corso Mediterra Cir
Naples, FL 34110

AGENT:

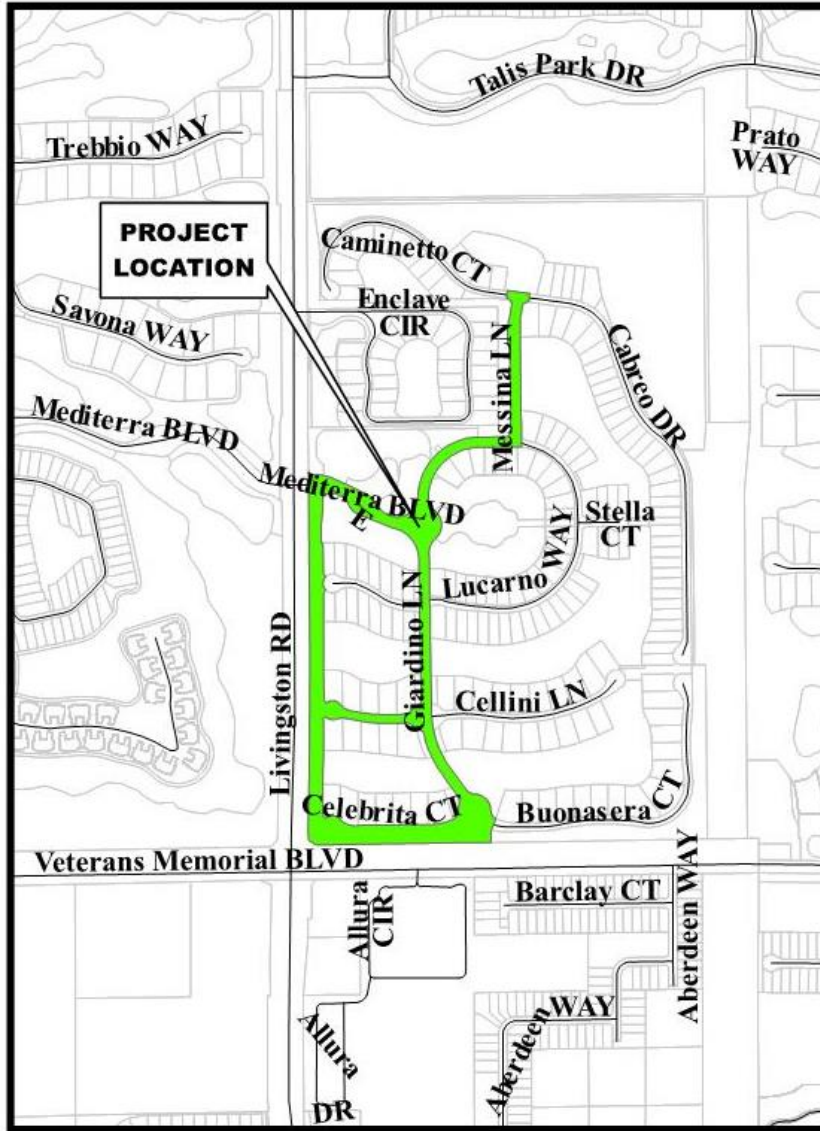
Ben Smith, AICP
Morris-Depew Associates
2914 Cleveland Ave
Fort Myers, FL 33901

REQUESTED ACTION:

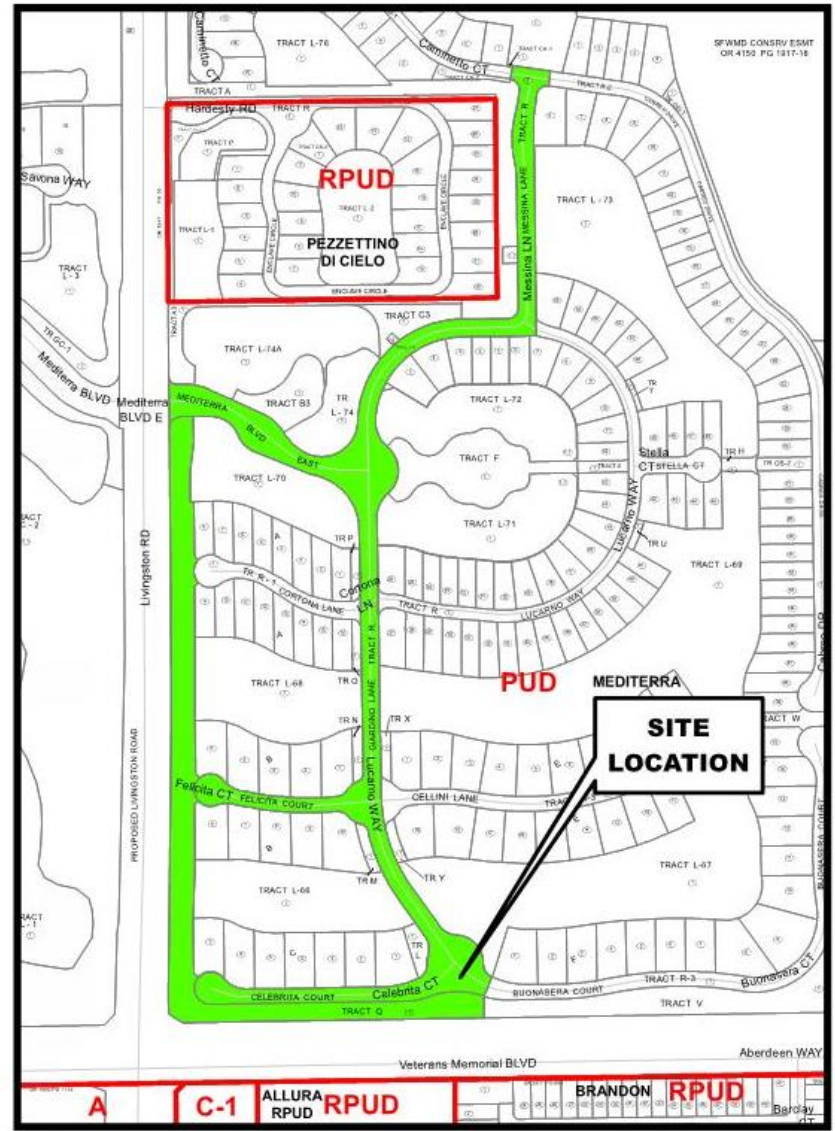
The petitioner requests an insubstantial change to the Master Plan of Ordinance No. 01-61, as amended, the Mediterra Planned Unit Development (PUD), to re-establish the access point to Veterans Memorial Boulevard from the roundabout intersection of Giardino Lane, Celebrita Court, and Buonasera Court.

GEOGRAPHIC LOCATION:

The subject area is located approximately 850 feet east of the Livingston Road and Veterans Memorial Boulevard intersection within Tracts R and Q, Mediterra Phase Three East, Unit One subdivision, in Section 12, Township 48 South, Range 25 East, Collier County, Florida. (See the Location Map on page 2 of this Staff Report.)

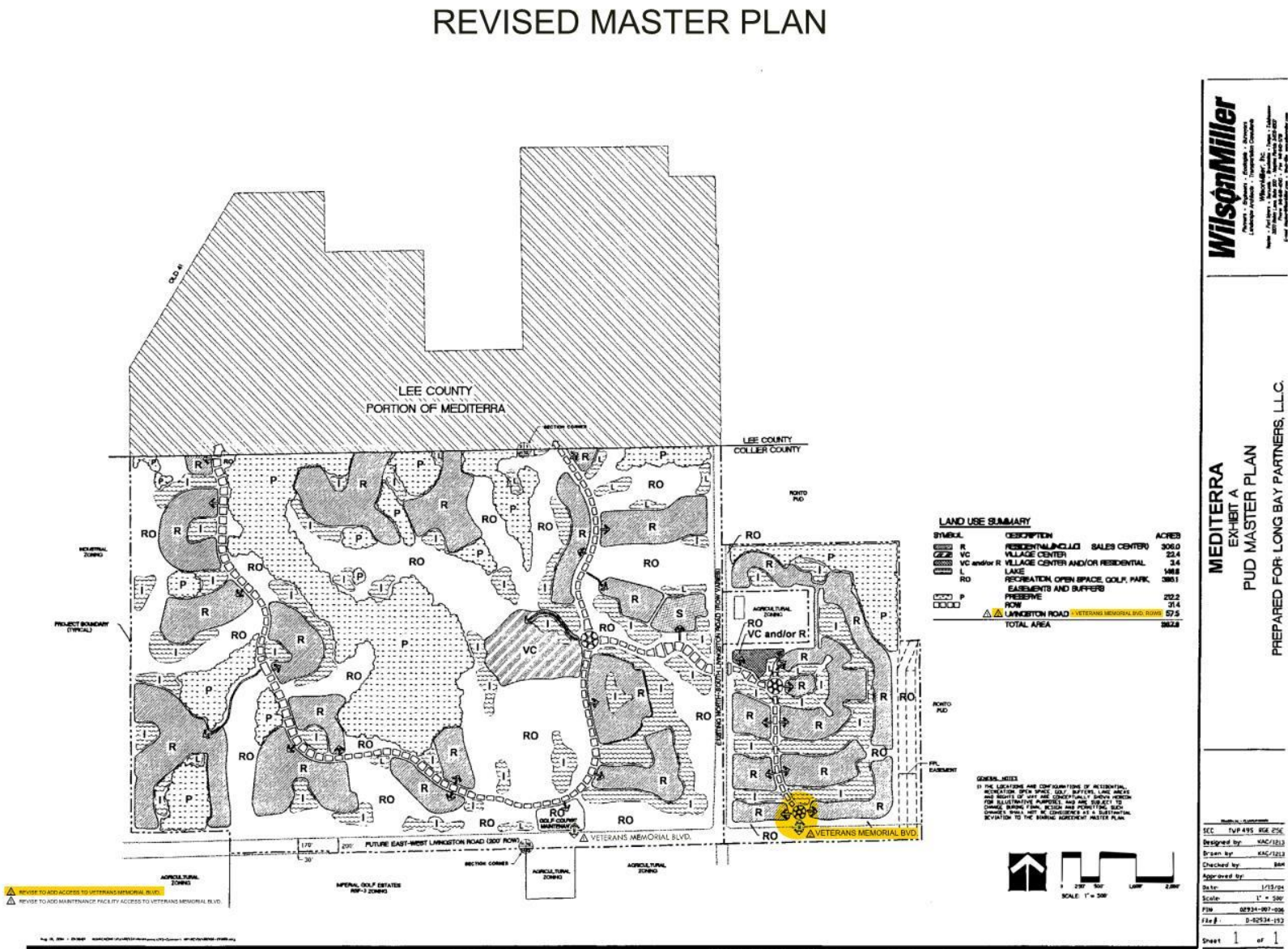


Location Map



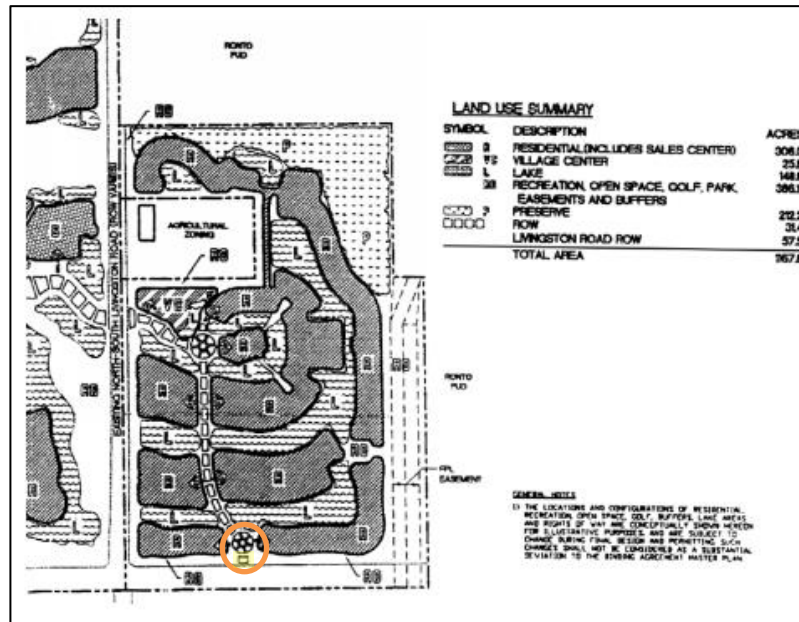
Zoning Map

Petition Number: PL20210003207

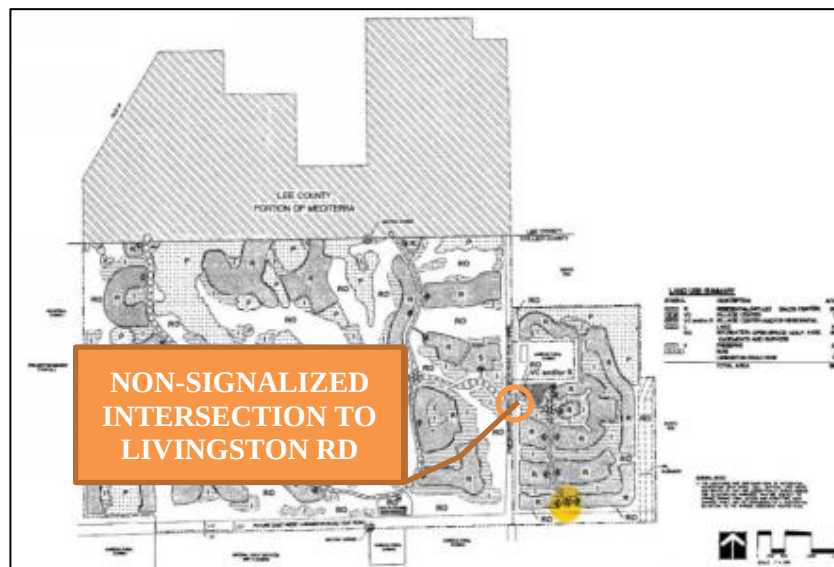


PURPOSE/DESCRIPTION OF PROJECT:

The applicant is requesting to re-establish the access point to Veterans Memorial Boulevard from the roundabout intersection of Giardino Lane, Celebrita Court, and Buonasera Court located within the Mediterra Planned Unit Development (PUD) community. In 2001, the Mediterra PUD was approved and adopted by Collier County under Ordinance No. 01-61. When it was approved and adopted, there was an access point at the southern boundary of Mediterra East to connect to what is currently Veterans Memorial Boulevard (*see image below*).



Three years later, in 2004, Collier County approved an Insubstantial Change to a PUD Amendment, PDI Resolution No. 04-11. The PDI, specifically related to this request, removed the Veterans Memorial Boulevard Access Point from the Master Plan (*see image below*).



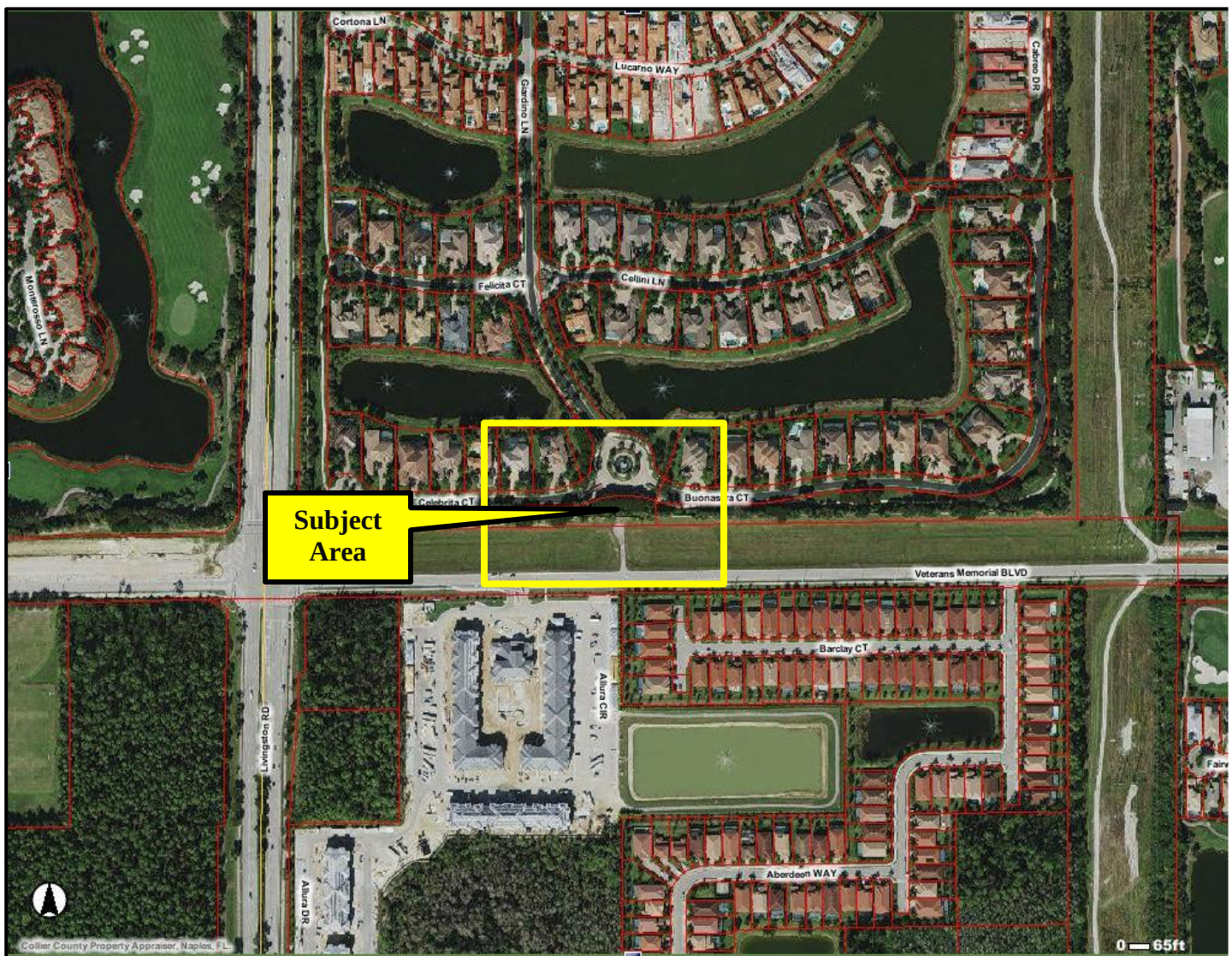
The problem without an access point from Veterans Memorial Boulevard presents only one non-signalized intersection with Livingston Road from the Mediterra East community. This has presented traffic safety issues primarily for vehicles leaving Mediterra East to travel southbound onto Livingston Road, requiring them to turn left to merge with southbound traffic without a signal and needing to avoid northbound traffic. Re-establishing the Veterans Memorial Boulevard Access Point will help to facilitate better traffic safety, reduce congestion on Livingston Road, and increase roadway connectivity. This can be a catalyst to support Collier County's plan to connect Veterans Memorial Boulevard to Old-41.

As it is planned to be constructed, if the access point is re-established, it will connect the existing roundabout inside Mediterra East, Corso Mediterra Circle, and align it with the entrance to Allura to the south across Veterans Memorial Boulevard, a multifamily development currently under construction. This access point is proposed to be designed as a two-way traffic ingress/egress for Mediterra East. In communications with the agents, the ingress will be permitted for emergency vehicles only and the egress will be restricted to serve only the Mediterra residents. The Mediterra Community Association (MCA) will reserve the right to open the ingress for Mediterra residents according to Collier County permitting requirements. The existing wall, landscape berm, and buffer on the southern boundary of Mediterra East will be preserved and enhanced to reduce any impact on existing homes and private property.



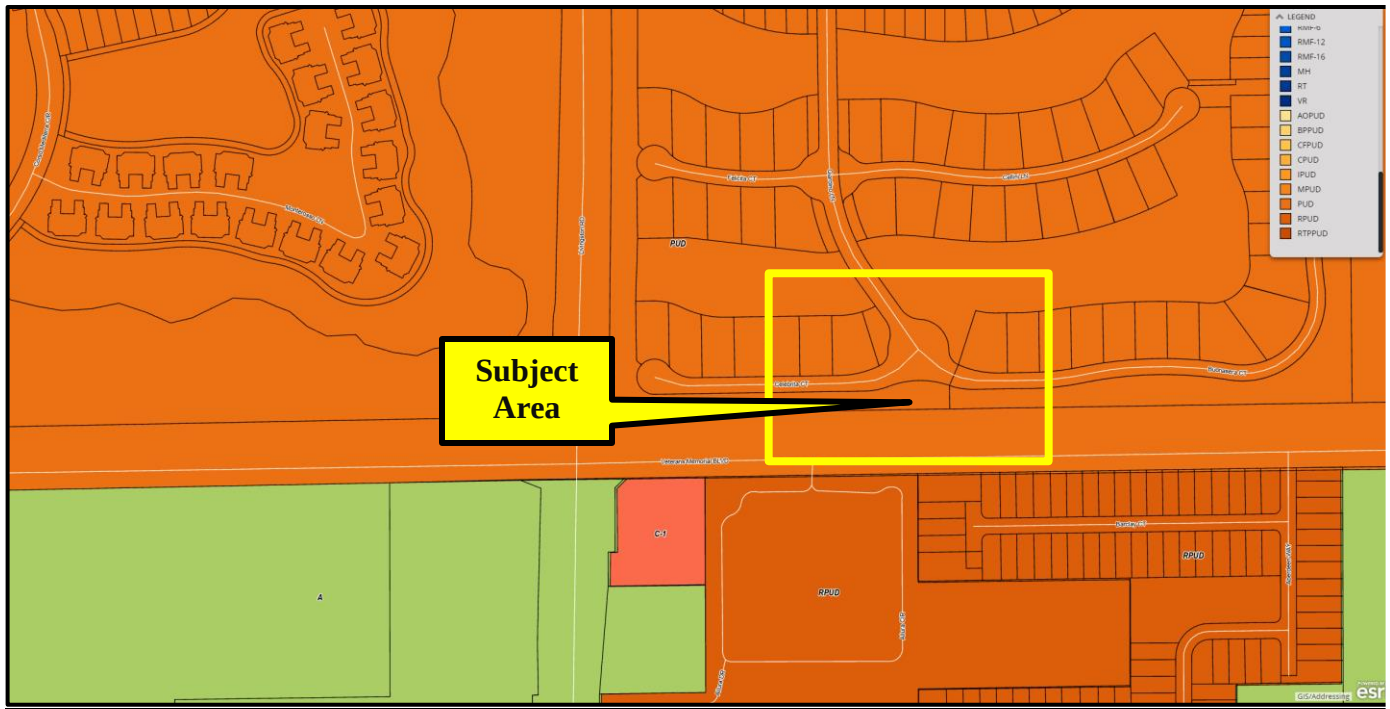
SURROUNDING LAND USE AND ZONING (related to the subject site location)

- North:** Mediterra Planned Unit Development (PUD); single-family residences.
- East:** Tuscany Reserve PUD and Pelican Strand PUD; single-family residences.
- South:** Veterans Memorial Boulevard, Right-of-Way, Allura Residential Planned Unit Development (RPUD) and a developed single-family development with zoning designation Brandon RPUD
- West:** Livingston Rd, right-of-way, Mediterra PUD, Agricultural zoning



Collier County GIS

Attachment: PL20210003207 - Mediterra - Staff Report (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)



STAFF ANALYSIS:

Comprehensive Planning: The Future Land Use Map designates the subject site as Urban, Urban Mixed-Use District, Urban Residential Subdistrict. The project is consistent with the following FLUE and Transportation Policies:

- **Future Land Use Policy 7.1:** The County shall encourage developers and property owners to connect their properties to fronting collector and arterial roads, except where no such connection can be made without violating intersection spacing requirements of the Land Development Code.
- **Future Land Use Policy 7.3:** All new and existing developments shall be encouraged to connect their local streets and/or interconnection points with adjoining neighborhoods or other developments regardless of land use type. The interconnection of local streets between developments is also addressed in Policy 9.3 of the Transportation Element.
- **Transportation Policy 9.3:** The County shall require, wherever feasible, the interconnection of local streets between developments to facilitate convenient movement throughout the road network. The Collier County Transportation Division shall develop guidelines, which identify the conditions that would require the interconnection of two neighboring developments and shall also develop standards and criteria for the safe interconnection of such local streets.
- **Transportation Policy 9.6:** The County shall review impacts on emergency vehicle access or response time to neighborhoods, both before and after implementation of traffic calming measures. If emergency vehicle access or response times into a neighborhood have been

adversely impacted by the traffic calming measures, the County shall work with the relevant emergency responders to reduce or eliminate such adverse impacts while still maintaining traffic calming measures.

The project is consistent with the Growth Management Plan.

Transportation Element: Staff finding: According to the PUDA documents the proposed change will have no net increase or decrease in the number of trips generated by this development. The request is to allow another vehicle access to Veterans Memorial Boulevard as shown on the proposed master plan. Based on the submitted documents, this request can be found consistent with Policy 5.1 of the Transportation Element of the Growth Management Plan because there are no additional traffic impacts resulting from the proposed changes. Therefore, the Transportation Planning staff recommends approval of this request.

Zoning Review: As previously stated, the applicant is proposing to re-establish the access point that was originally planned in the Mediterra PUD prior to its removal in 2004 through the PDI Resolution 04-11. The proposed insubstantial change to the PUD will most importantly help increase the health and welfare of the community as well as improving traffic flow within Mediterra East community. The health and welfare will be enhanced by an emergency vehicle entrance to help improve emergency response times serving the Mediterra East community residents. As discussed with the agent, the ingress will initially be an emergency vehicle entrance only and the egress will be used by the community's residents. Any changes to allow a residential ingress will be decided by the Mediterra Community Association. The re-established access point will include the installation of a wall, entry gate, and landscape berm and buffer. The schematics of which will be included in the PDI update. The impact on existing homes and private properties will be reduced because the existing wall and the landscape berm and buffer on the southern boundary of Mediterra East will be preserved and enhanced. Therefore, staff is recommending approval.

Landscape Review: The buffers labeled on the Master Plan are consistent with the LDC.

Environmental Review: Environmental Planning staff has reviewed this petition. The request is to amend Ordinance 01-61 to modify the PUD to allow an additional road access (Veterans Memorial Boulevard). This project does not require Environmental Advisory Council (EAC) review, as this project did not meet the EAC scope of land development project reviews as identified in Section 2-1193 of the Collier County Codes of Laws and Ordinances. Environmental Services staff recommends **approval** of the proposed petition.

Conservation and Coastal Management Element (CCME): Conservation and Coastal Management Element (CCME): Environmental review staff has found this project to be consistent with the Conservation & Coastal Management Element (CCME). No revisions to the environmental portions of the PUD are being requested.

PLANNED UNIT DEVELOPMENT INSUBSTANTIAL CHANGE CRITERIA:

There are three types of changes to a PUD Ordinance: Substantial, Insubstantial, and Minor. An insubstantial change includes any change that is not considered a substantial or minor change. An insubstantial change to an approved PUD Ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1.

LDC Section 10.02.13 E.1 Criteria:

a. Is there a proposed change in the boundary of the Planned Unit Development (PUD)?

No, there is no proposed change in the boundary of the PUD.

b. Is there a proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development?

No, there is no proposed increase in the number of dwelling units, the intensity of land use, or the height of the buildings within the development.

c. Is there a proposed decrease in preservation, conservation, recreation, or open space areas within the development in excess of five (5) percent of the total acreage previously designated as such, or five (5) acres in area?

No, there is no proposed decrease in excess of five percent in preservation, conservation, recreation, or open space areas within the development as designated on the approved Master Plan. The Master Concept Plan provides for 386 acres of recreation, open space, golf, park, easement, and buffers. This proposed vehicular access point will convert the area in the right-of-way which comprises of 0.10 acres, equating to 0.03% of the entire area.

d. Is there a proposed increase in the size of areas used for non-residential uses, to include institutional, commercial, and industrial land uses (excluding preservation, conservation, or open space), or a proposed relocation of nonresidential land uses?

No, the requests do not impact the size of non-residential areas, such as institutional, commercial, or industrial, or proposed to relocate such areas within the PUD boundary.

e. Is there a substantial increase in the impacts of the development which may include, but are not limited to increases in traffic generation; changes in traffic circulation; or impacts on other public facilities?

No changes, such as an increase in dwelling units, nonresidential square footage, or in amount of uses, are proposed that would increase traffic generation. Mediterra East is platted/approved for 176 single family residential dwelling units. The development has existing access on Livingston Road and this amendment proposes to add an access point on Veterans Memorial Boulevard. A traffic analysis prepared by TR Transportation has been submitted with the associated PPLA application which indicates that the resulting changes in traffic circulation will not be substantial.

The projected left turn volume at the proposed Veterans Memorial Boulevard access point is only 16 vehicles during the PM peak hour. It is important to note that these turning movements will only occur if the community decides to allow this access point to be used for ingress other than for emergency vehicles. The Transportation Impact Study (TIS) determined that the projected left turn volume, eastbound on Veterans Memorial Boulevard turning into Mediterra, is not enough to warrant an eastbound turn lane. The TIS also determined that the projected right turn volume, westbound on Veterans Memorial Boulevard turning into Mediterra, is also not enough to warrant a westbound turn lane.

f. Will the change result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers?

No. The proposed amendment would not result in land-use activities that generate higher levels of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers.

g. Will the change result in a requirement for increased stormwater retention, or otherwise increase stormwater discharge?

No. The Veterans Memorial Boulevard right-of-way exists within Mediterra's stormwater management system. The existing stormwater was designed to accommodate the impervious area of the access point project as future pavement. The proposed changes will not impact or increase stormwater retention or increase stormwater discharge.

h. Will the proposed change bring about a relationship to an abutting land use that would be incompatible with an adjacent land use?

No. The access point has been designed to align with the opposing access point on the south side of Veterans Memorial Boulevard. There will be no incompatible relationships with adjacent land uses.

i. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other elements of the Growth Management Plan or which modification would increase the density of intensity of the permitted land uses?

No. There are no changes proposed which decrease the consistency of the PUD with the County's Comprehensive Plan. There is no proposed increase in density or intensity or any changes in the permitted land uses.

j. The proposed change is to a PUD District designated as a Development of Regional Impact (DRI) and approved pursuant to Chapter 380.06, Florida Statutes, where such change requires a determination and public hearing by Collier County pursuant to Sec. 380.06 (19), F.S. Any change that meets the criterion of Sec. 380.06 (19)(e)2., F.S., and any

changes to a DRI/PUD Master Plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under Section 10.02.13 of the LDC.

Not applicable. Both the subject property and the PUD are not designated as a DRI.

- k. **Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under Section(s) 10.02.13 E.?**

Based on the analysis provided above, the proposed change is not deemed to be a substantial amendment to the PUD. It is requested that this amendment continues to be reviewed as an insubstantial change to the PUD consistent with county staff discussions.

NEIGHBORHOOD INFORMATION MEETING (NIM):

The NIM was advertised and held on July 13, 2022 at 5:30pm at the club ballroom, 15755 Corso Mediterra Circle, Naples, Florida. There were twenty (20) members of the public present and eight (8) who participated remotely on Zoom. A copy of the transcript has been made available as an attachment. A copy of the NIM advertising is included in the Backup Package attachment.

PETITION APPEAL TO HEARING EXAMINER

As to any petition upon which the Hearing Examiner takes action, an aggrieved petitioner may appeal such final action. Such appeal shall be filed per Section 2-89 of the Collier County Code of Ordinances within 30 days of the Decision by the Hearing Examiner. In the event that the petition has been approved by the Hearing Examiner, the applicant shall be advised that he/she proceeds with construction at his/her own risk during this 30-day period. Any construction work completed ahead of the approval authorization shall be at their own risk.

STAFF RECOMMENDATION:

Staff recommends that the Hearing Examiner **approve** Petition PDI-PL20220003207, Mediterra PDI subject to the following condition:

1. **Ingress/egress connection to the Public ROW at the southeast location on Veterans Memorial Blvd, east of Livingston Road, shall require a ROW permit and maintenance agreement consistent with County standards, as well as any developer commitment required as part of the ROW permit approval process, as applicable and/or determined by the County Manager or designee.**

The approval is also subject to including the following attachments in the HEX Decision:

1. Attachment A – *PUD Language Changes*
2. Attachment B – *Revised Master Concept Plan*
3. Attachment C – *Gate-Wall-Landscape Details*
4. Attachment D – *PDI Schedule of Deviations*

Attachments:

Attachment A – *PUD Language Changes*
Attachment B – *Revised Master Concept Plan*
Attachment C – *Gate-Wall-Landscape Details*
Attachment D – *PDI Schedule of Deviations*
Attachment E – *Mediterra SE Access PDI Presentation*
Attachment F – *NIM Materials*
Attachment G – *Backup Package*
Attachment H – *Signs & Notification*
Attachment I – *Objection Letter (Relevant Letters on Page 1, 14-16)*

2.16 GENERAL PERMITTED USES

Certain uses shall be considered general permitted uses throughout the Mediterra PUD except in the Wetland Conservation Area. General permitted uses are those uses which generally serve LBP and residents of Mediterra and are typically part of the common infrastructure or are considered community facilities.

A. General Permitted Uses:

1. Essential services as set forth under LDC, Section 2.6.9.1.
2. management facilities and related structures.
3. Temporary sewage treatment facilities.
4. Septic system for remote golf shelters.
5. Lakes including lakes with bulkheads or other architectural or structural bank treatments.
6. Guardhouses, gatehouses, and access control structures.
7. Community and neighborhood parks, trails and recreational facilities.
8. Temporary construction, sales, and administrative offices for LBP and LBP's authorized contractors and consultants, including necessary access ways, parking areas and related uses.
9. Landscape/hardscape features including, but not limited to, landscape buffers, berms, fences, water features and walls subject to the standards set forth in Section 2.11 of this PUD.
10. Fill storage, site filling and grading are subject to the standards set forth in Section 2.12 of this PUD.
11. Any other use which is comparable in nature with the foregoing uses and which the Community Development and Environmental Services Administrator determines to be compatible.

B. Standards:

Unless otherwise set forth in this document, the following development standards shall apply to structures:

1. Setback from property lines:

Front: ten feet (10')

Side: five feet (5')

Rear: ten feet (10')

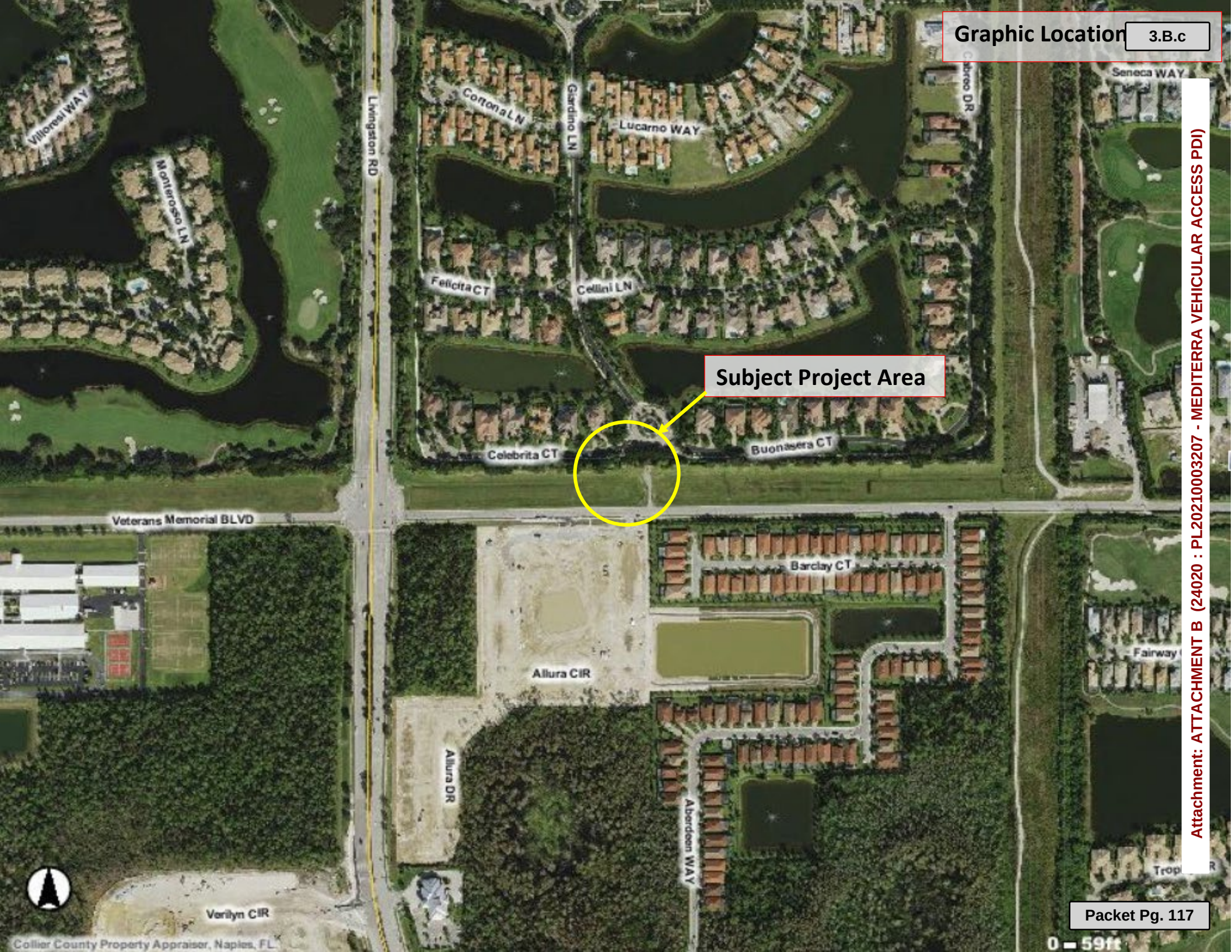
2. Minimum distance between structures which are part of an architecturally unified grouping - five feet (5').
3. Minimum distance between unrelated structures - ten feet (10').
4. Maximum height of structures - thirty-five feet (35').
5. Minimum floor area - None required.
6. Minimum lot or parcel area - None required.
7. Sidewalks and bike paths may occur within County required buffers.
8. Standards for parking, landscaping, signs and other land uses where such standards are not specified herein or within Mediterra development standards, are to be in accordance with the applicable LDC provision in effect at the time this PUD is approved.

C. Southeastern Access Point on Veterans Memorial Boulevard, east of Livingston Road:

Unless otherwise set forth in this subsection C, the following development standards shall apply to the southeastern vehicular access point on Veterans Memorial Boulevard, east of Livingston Road:

1. A vehicular access point connecting Celebrita Court to Veterans Memorial Boulevard may be provided for Mediterra Phase Three East (for reference, see Exhibit B).
2. Maximum wall height from the highest elevation of the landscape berm: eight feet (8').
3. The existing eight-foot (8') wall will transition to a step-down precast wall system atop the landscape berm slope (for reference, see Exhibit B).
4. The grade elevation of the landscape berms on either side of the southern access point shall transition from the grade of the existing berm to the grade of the access point gate with a maximum slope of four to one (4 to 1) such that the toe of the slope transitions to the base of the decorative columns.

5. Where grading transitions along the berm are required, the downhill side of the fence/wall panel is limited to a maximum of twelve feet (12') in height from the elevation of the berm.
6. Maximum height of decorative columns: twelve feet (12') as measured from the toe of the landscape berm slope. An additional maximum height of four feet (4') is allowable for optional architectural features, such as precast finial caps, atop the columns (for reference, see Exhibit B).
7. Maximum height of the security gate affixed to the decorative columns: twelve feet (12').
8. Maximum distance between each toe of the slope of the landscape berm on either side of the access point: forty-seven feet (47').



Subject Project Area

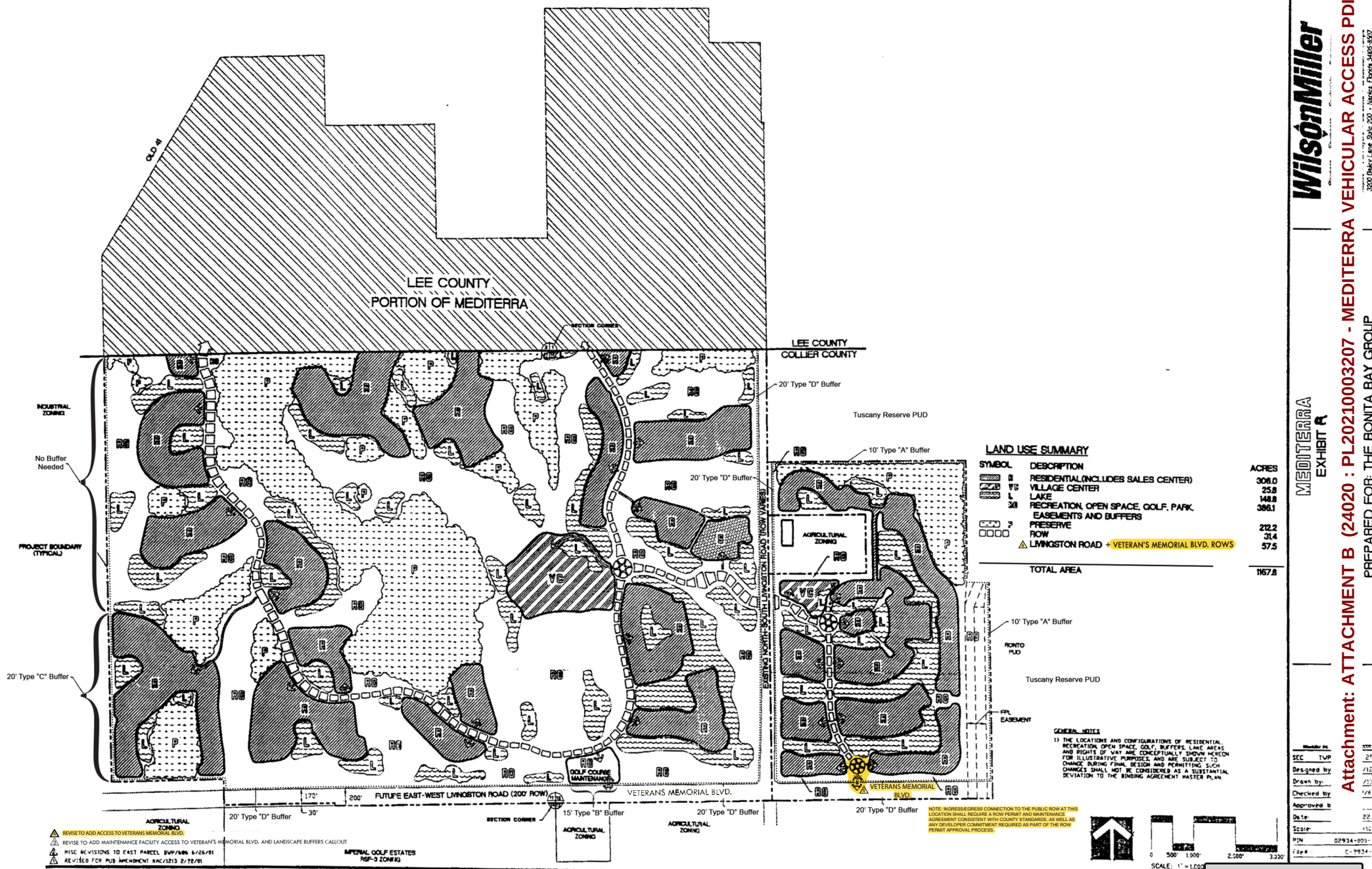
Attachment: ATTACHMENT B (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)



Revised Master Concept Plan

3.B.c

REVISED: JULY 27, 2022



WilsonMiller

MEDITERRA
EXHIBIT A

Attachment: ATTACHMENT B (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)
PREPARED FOR: THE BONITA BAY GROUP

SEC TWP
Designed by
Drawn by
Checked by
Approved by
Date
Scale
PIN 02934-001
File # C-7934-

3.B.c

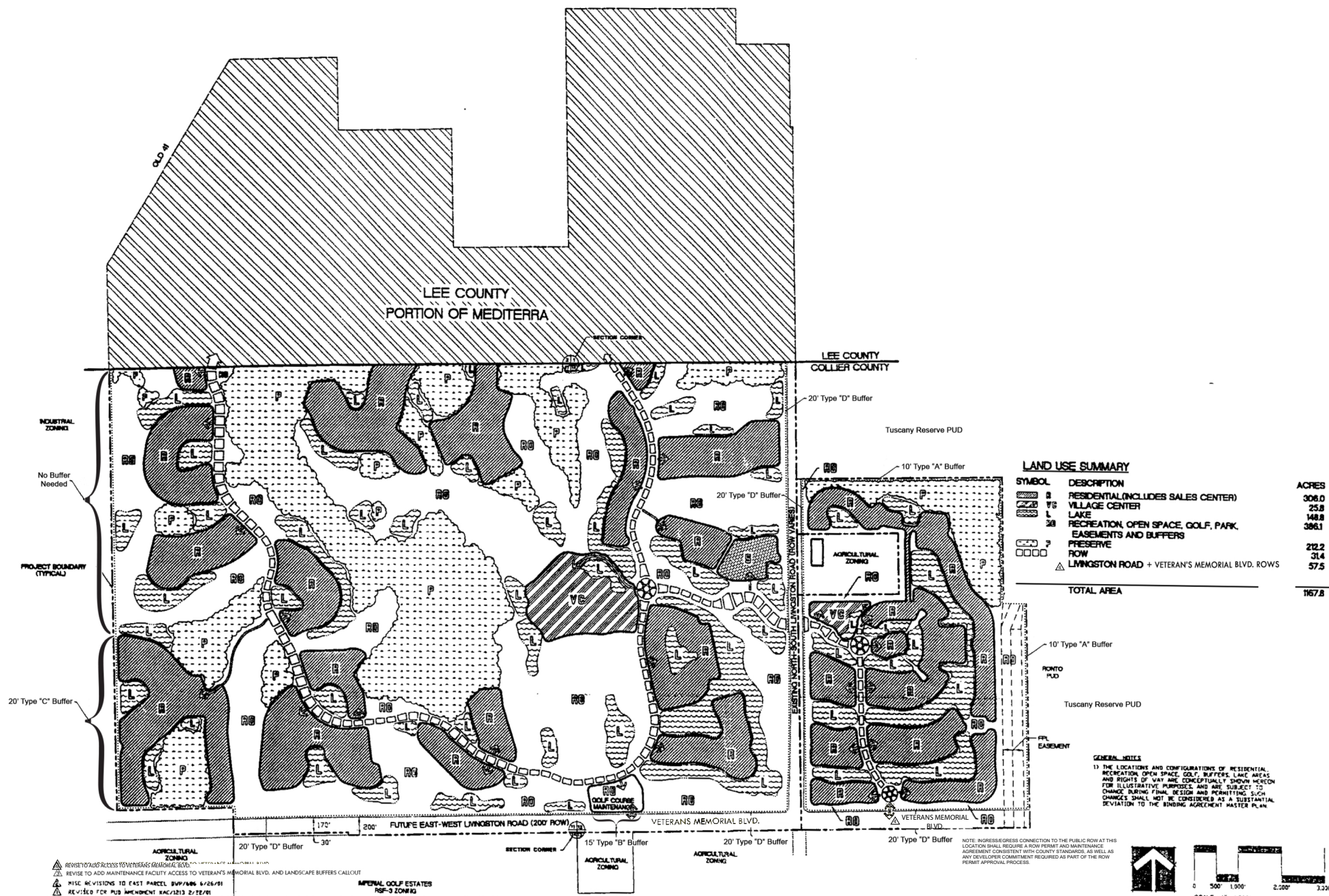
Wilson Miller

EXHIBIT A
MEDITERRA

Attachment: ATTACHMENT B (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

SEC	TWF
Designed by	
Drawn by	
Checked by	
Approved by	
Date	
Scale	
P/N	02934-000-
File #	C-2934

Packet Pg. 120



3.B.d

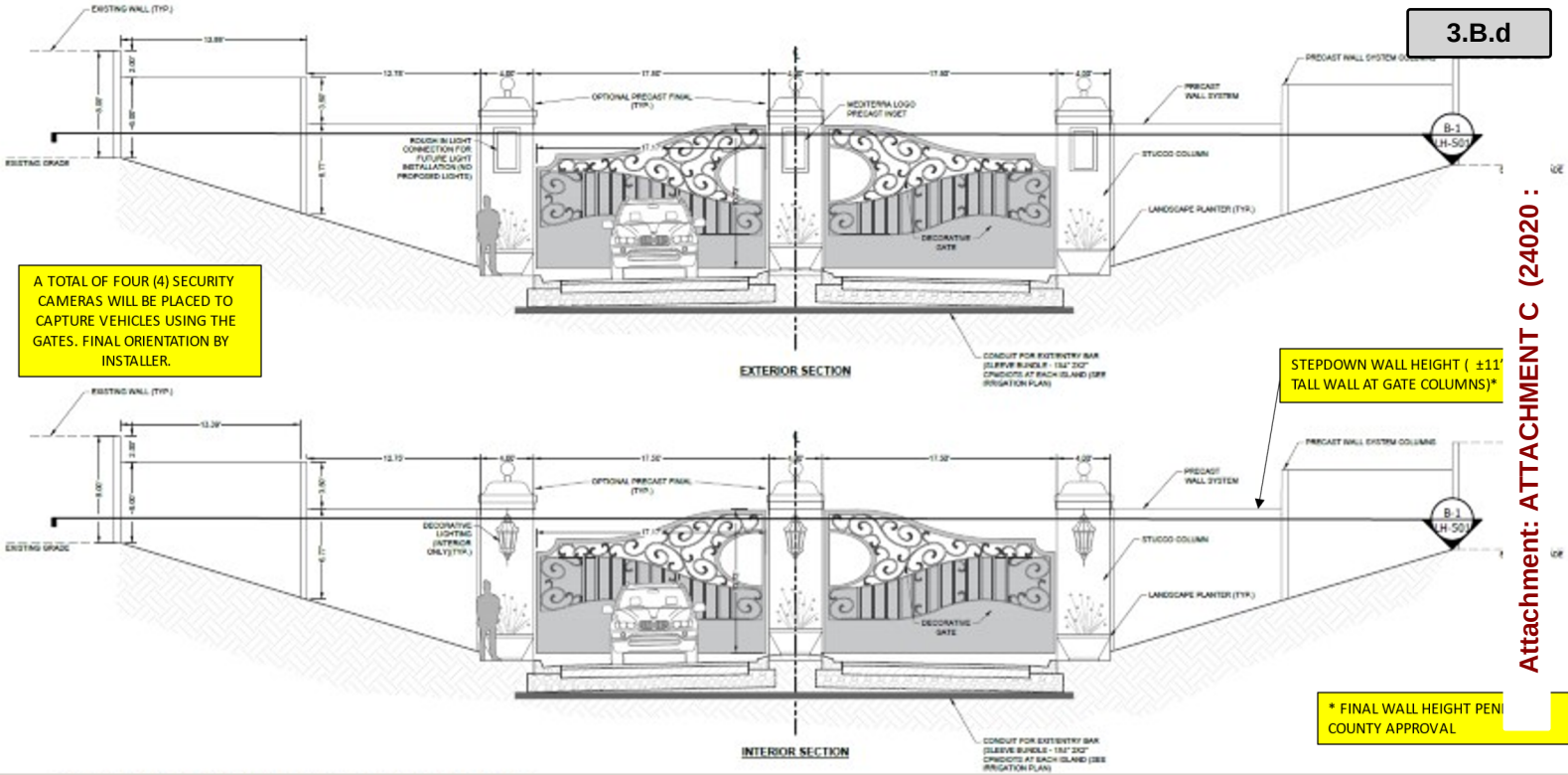
Attachment: ATTACHMENT C (24020 :

A TOTAL OF FOUR (4) SECURITY CAMERAS WILL BE PLACED TO CAPTURE VEHICLES USING THE GATES, FINAL ORIENTATION BY INSTALLER.

STEPDOWN WALL HEIGHT (±11' TALL WALL AT GATE COLUMNS)*

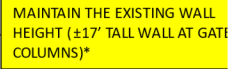
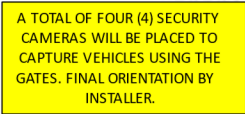
* FINAL WALL HEIGHT PENDING COUNTY APPROVAL

Packet Pg. 121



Stepdown Wall

3.B.d

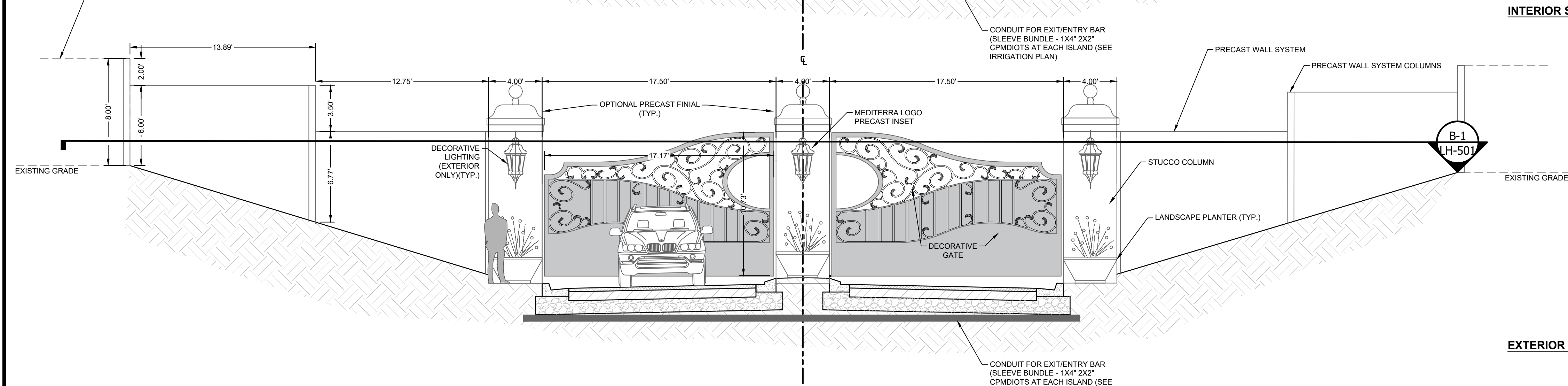
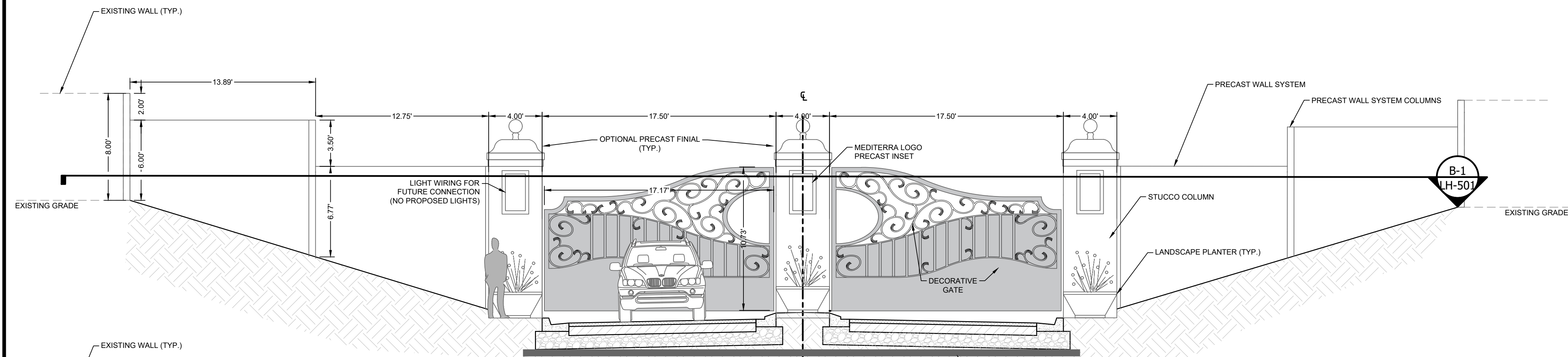
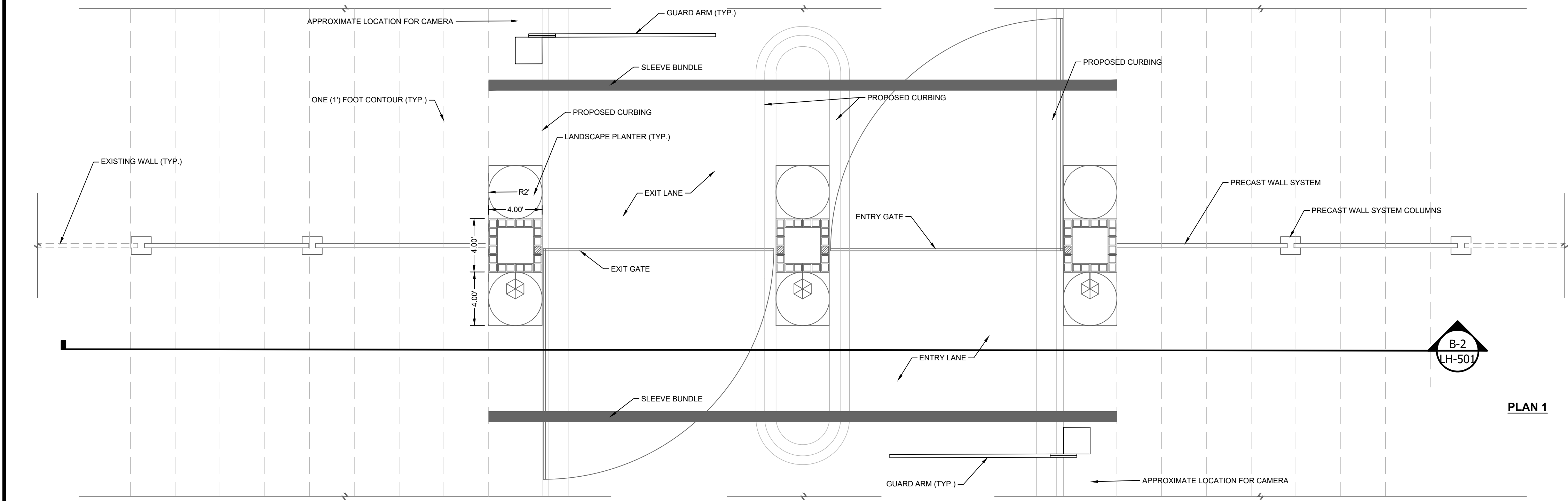


* FINAL WALL HEIGHT PEN
COUNTY APPROVAL

Attachment: ATTACHMENT C (24020 :

Level Wall

Packet Pg. 122



A VEHICULAR ENTRY AND EXIT GATES - SECTIONS

SCALE: N.T.S.

PROJECT:

MEDITERRA

LOCATION:

VETERANS MEMORIAL BLVD.
COLLIER COUNTY, FLORIDA

CLIENT:

MEDITERRA
COMMUNITY
ASSOCIATION, INC.

CONSULTANT:

**MORRIS
DEPEW**
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL CA NO. 6532 / FL CERT NO. LB6891 / LC26000330

Fort Myers

2914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-3993
Fax: (239) 337-3994
Toll free: 866-337-7341

Tallahassee

113 South Monroe Street
1st Floor
Tallahassee, Florida 32301
Toll free: 866-337-7341

Destin

5597 Highway 98
Unit 201
Santa Rosa Beach, Florida 32459
Toll free: 866-337-7341

PREPARED BY:

MICHAEL G. EKBLAD
FL LIC. # LA 6667058

DRAWING IS NOT VALID WITHOUT AN EMBOSSED SEAL WITH AN
ORIGINAL SIGNATURE BY THE LANDSCAPE ARCHITECT OF RECORD

REVISIONS DATE

PROJECT MANAGER: JRM

DRAWING BY: VDL

JURISDICTION: COLLIER COUNTY

DATE: 8/2/2022

SHEET TITLE:

HARDSCAPE DETAILS

SHEET NUMBER: LH-501

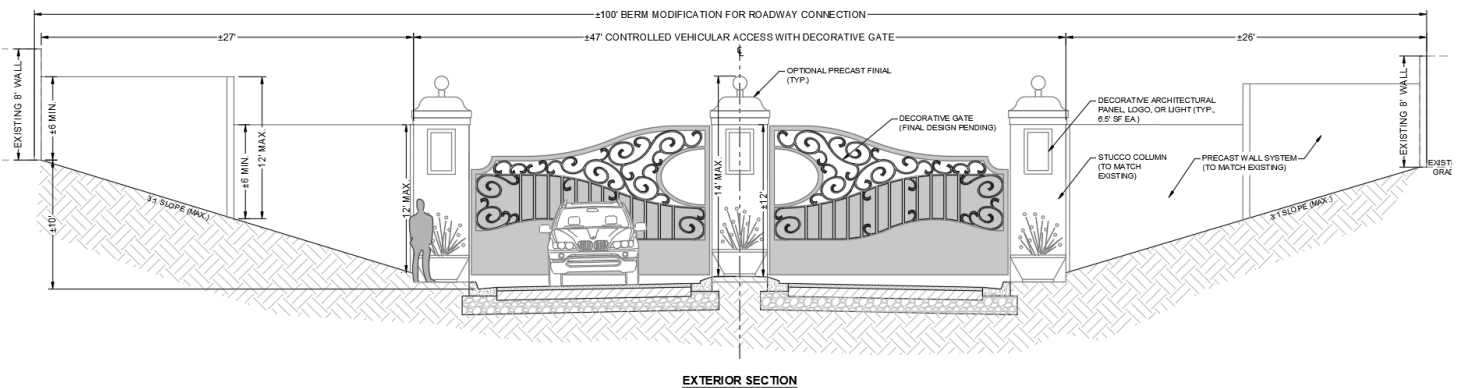
JOB/FILE NUMBER: 21203-00

Attachment: ATTACHMENT C (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

Mediterra Southeast Access Insubstantial Change Amendment Schedule of Deviations

1. Deviation from LDC section 5.03.02.C.1. which limits wall and fence height to a maximum of 6 feet if located within the required front yard to allow for a maximum wall height of 12 feet to allow for a grade transition.

Justification: An increase of the maximum permitted wall height to 12' within the existing buffer along Veterans Memorial Blvd. will limit re-grading activities associated with the proposed roadway connection to Veterans Memorial Blvd. by allowing the wall to transition down approximate ten (10) feet vertically within a $\pm 100'$ section. By limiting the grading activities to a compact area, additional existing mature vegetation along the existing berm will remain in place. The maximum wall height of 12' will only be utilized on the downhill side of the slope transition as the wall panel approaches the next supporting post, while on the uphill side the maximum wall height will be 8' or less to match the existing wall. These transitions will also be screened with additional buffer plantings after the wall has been installed to maintain a consistent aesthetic within the context of the existing community.



2. Deviation from LDC section 5.06.02.B.1.a. which limits signage height to a maximum of 8 feet to allow for a maximum height of 14' to allow for decorative columns.

Justification: The Mediterra PUD seeks to deviate from the design standard requirement of a maximum height of 8 feet for all signs within residential portions of PUD zoned properties. This will allow for decorative gate columns to be affixed with a community themed logo at the proposed vehicular access to Veterans Memorial Blvd. The proposed height is necessary to allow the step-down wall transition from the existing berm elevation ($\pm 10'$ above), and to provide for the addition of a decorative column cap/finial similar to the existing decorative columns within the community. This will maintain design consistency and allow for community identification to be located outside of the existing Veterans Memorial Blvd. right-of-way without further impacts to the existing berm and buffer.



Mediterra Southeast Access

PL20210003207



December 22nd, 2022



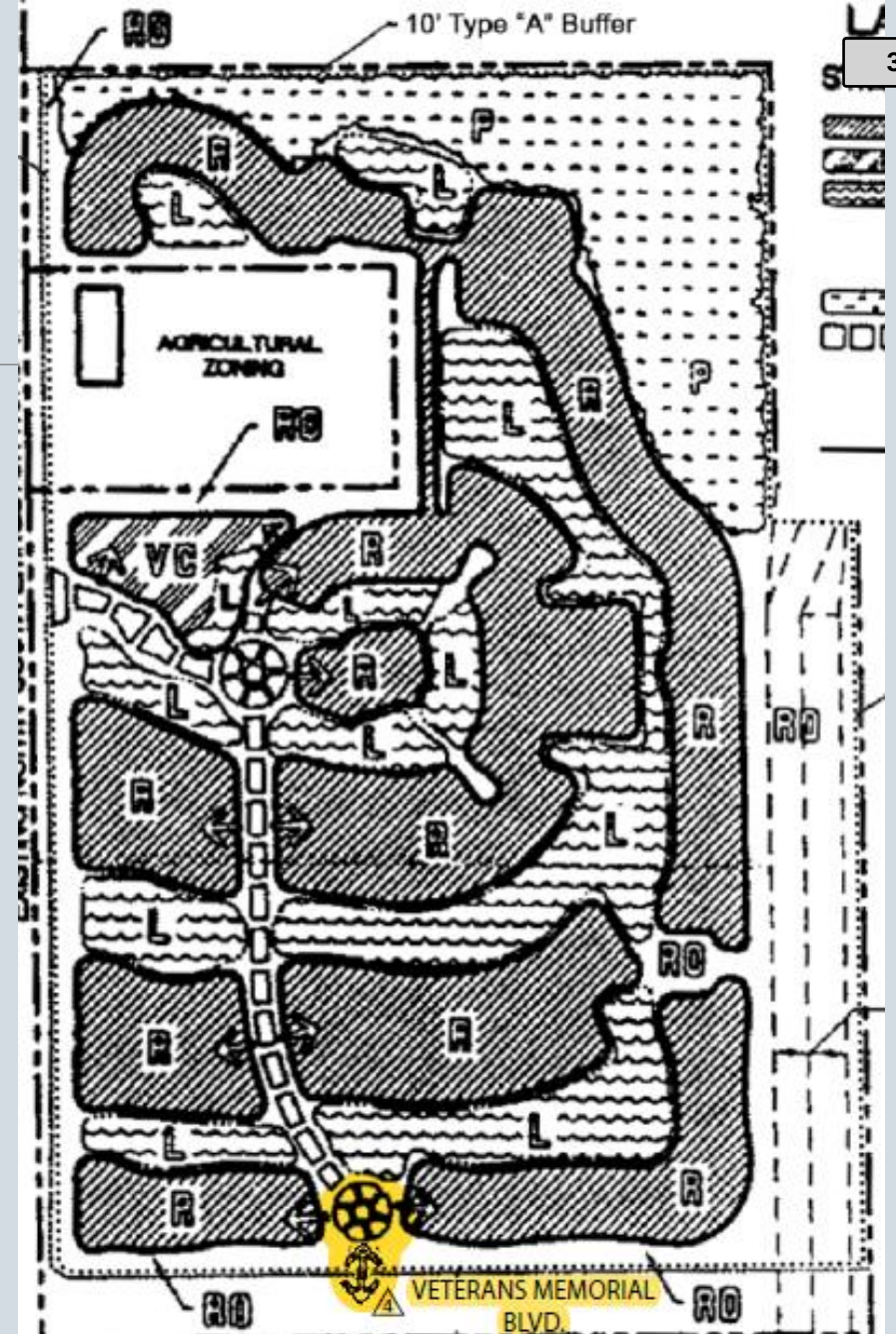
Prepared by:



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Project Request

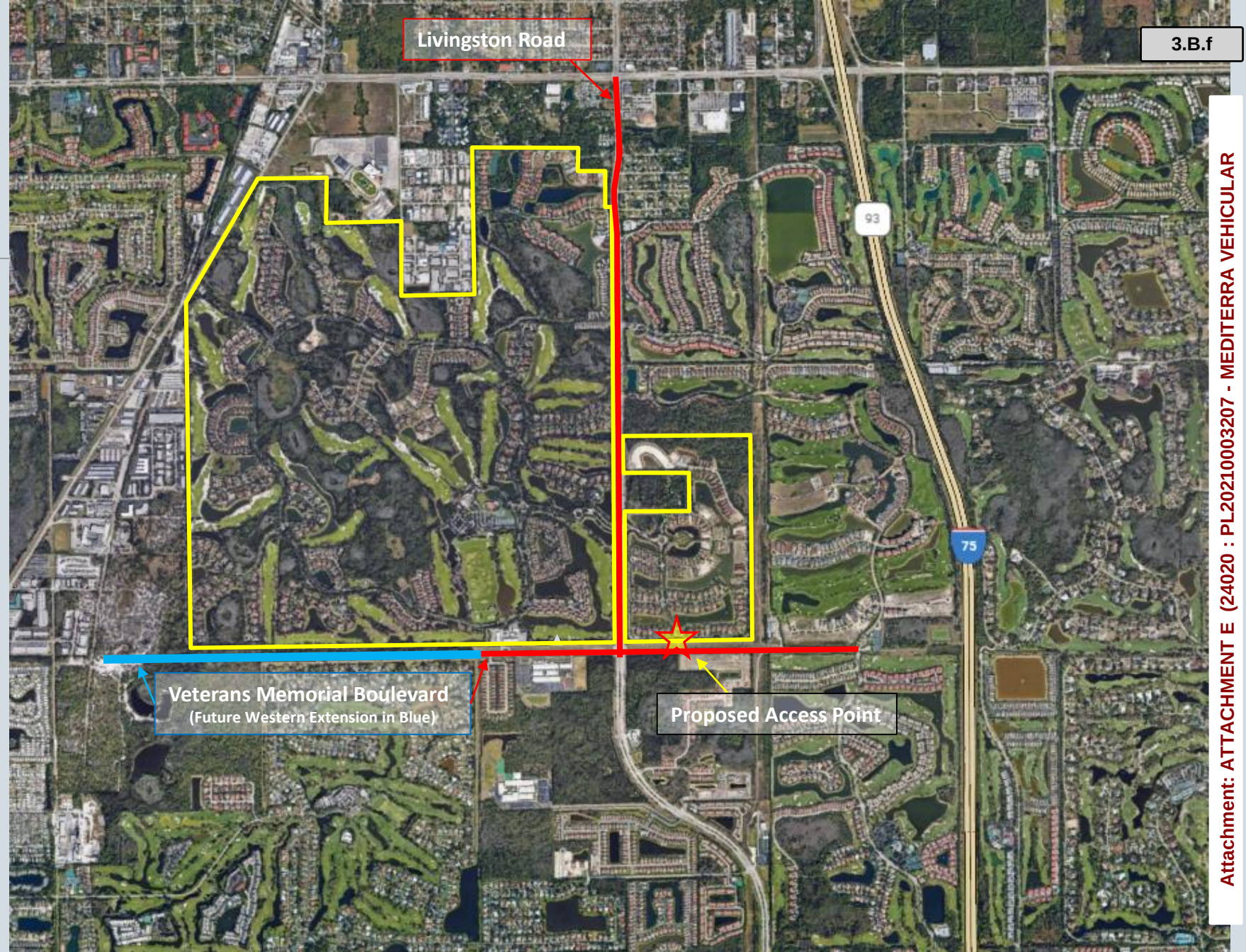
- The request focuses on a portion of the existing Mediterra PUD (Mediterra East).
- The Request is to add a vehicular access point on the southern boundary of the PUD.
- The access point will connect Mediterra East directly to Veterans Memorial BLVD.



3.B.f

Attachment: ATTACHMENT E (24020 : PL20210003207 - MEDITERRA VEHICULAR

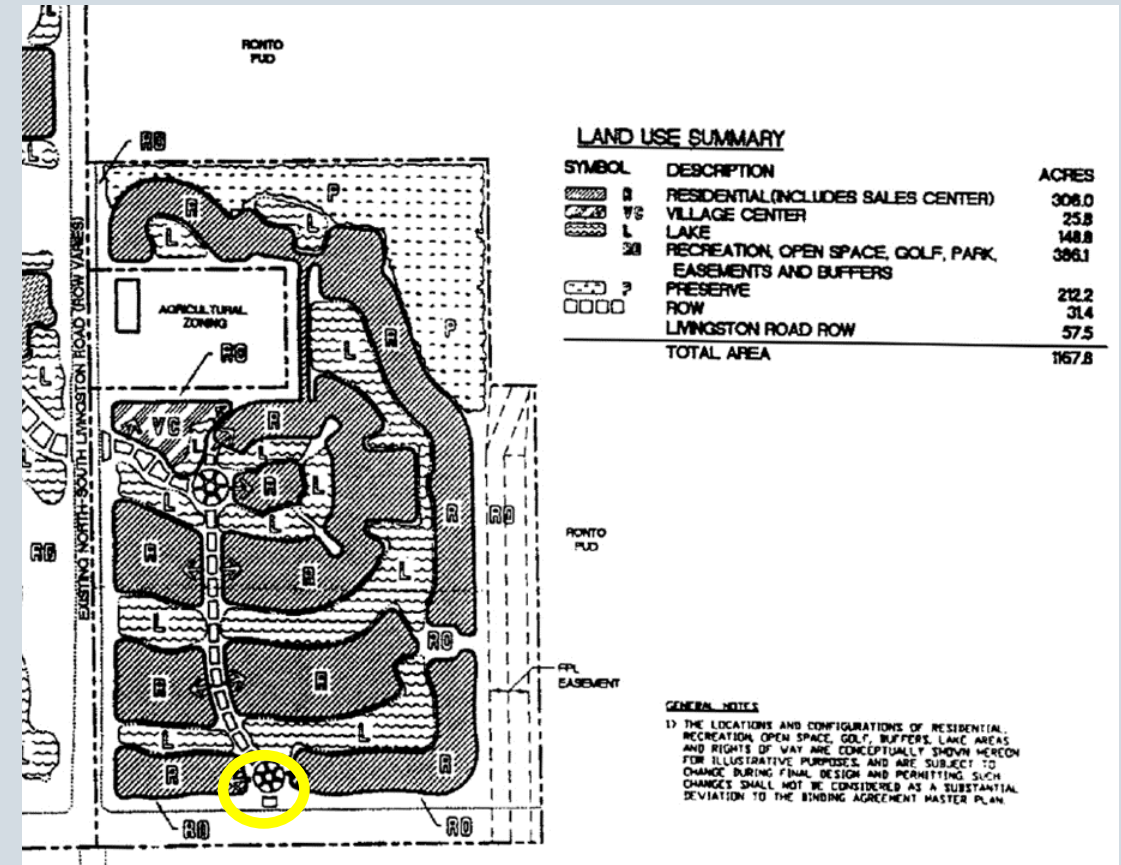
Project Aerial



Mediterra PUD Background

In 2001, Collier County approved Mediterra as a Planned Unit Development via adoption of Ordinance No. 01-61.

At that time, the PUD Master Plan showed an access point at the southern boundary of Mediterra East connecting to what is now Veterans Memorial Boulevard (VMB Access Point).

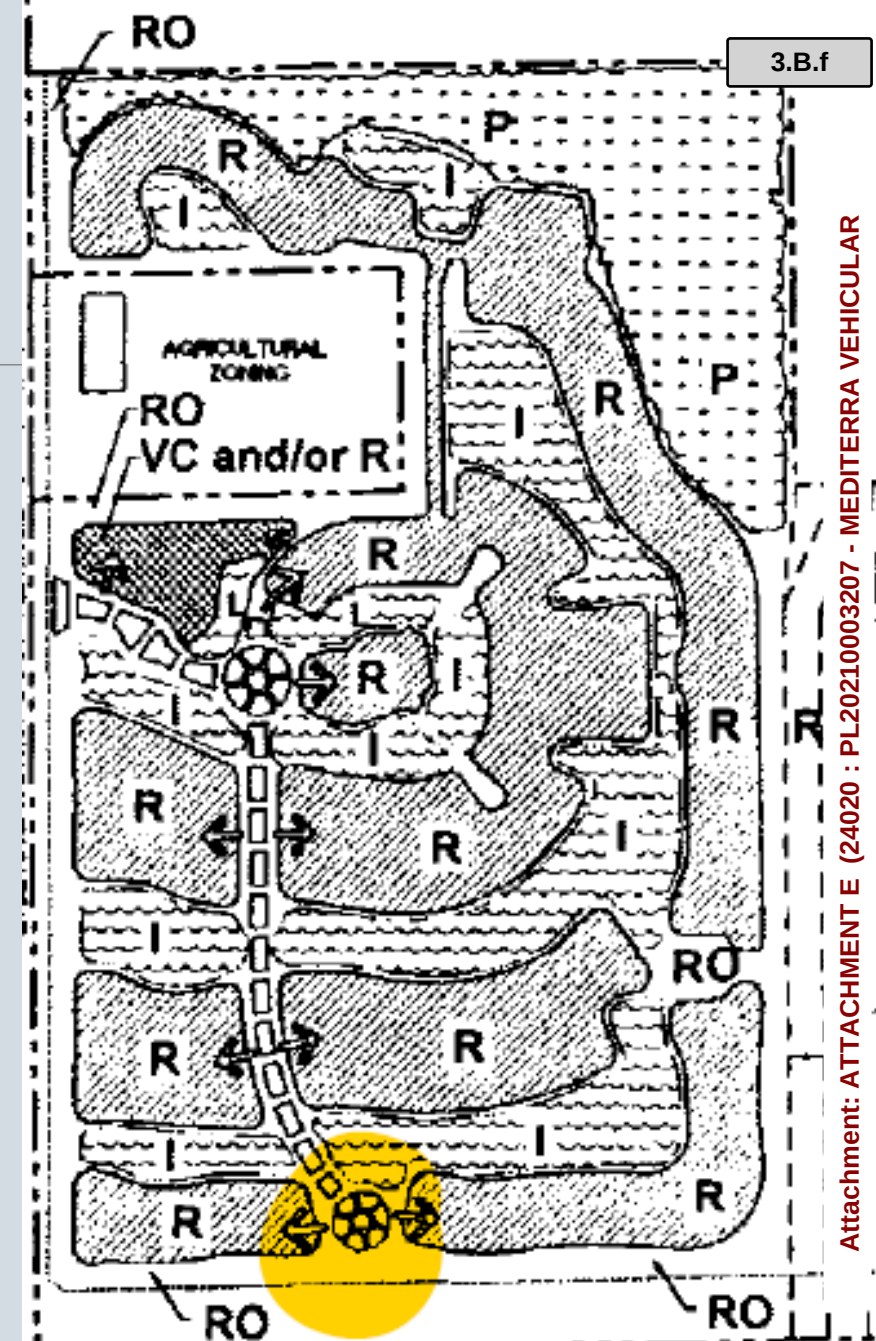


Original 2001 PUD Master Plan Cropped for Mediterra East

Mediterra PUD Background

In 2004, Collier County approved an Insubstantial Amendment to the PUD.

- PDI Resolution No. 04-11.
- The resolution removed the VMB Access Point from the PUD Master Concept Plan.
- Added an option for residential density to the Village Center designation.

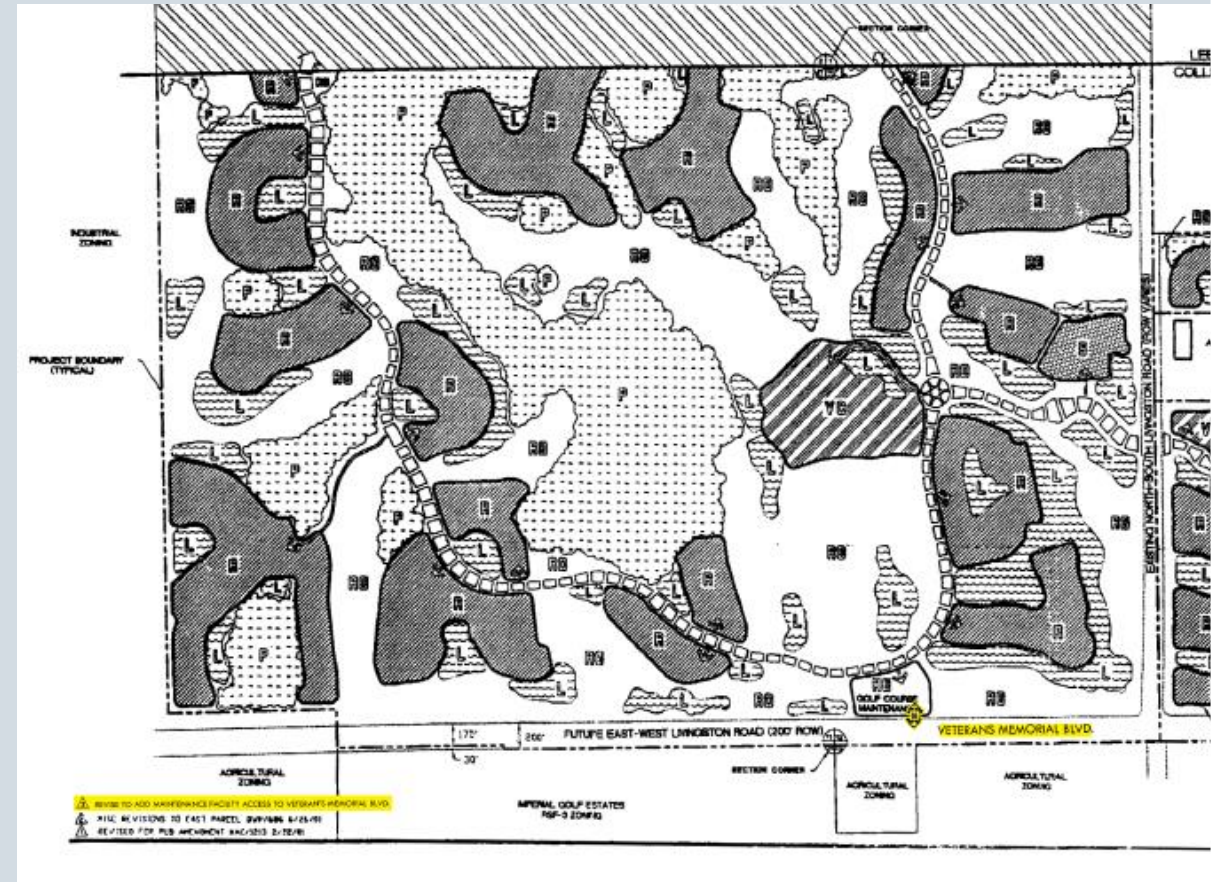


Attachment: ATTACHMENT E (24020 : PL20210003207 - MEDITERRA VEHICULAR

Mediterra PUD Background

In 2021, Collier County approved an Insubstantial Amendment to the PUD.

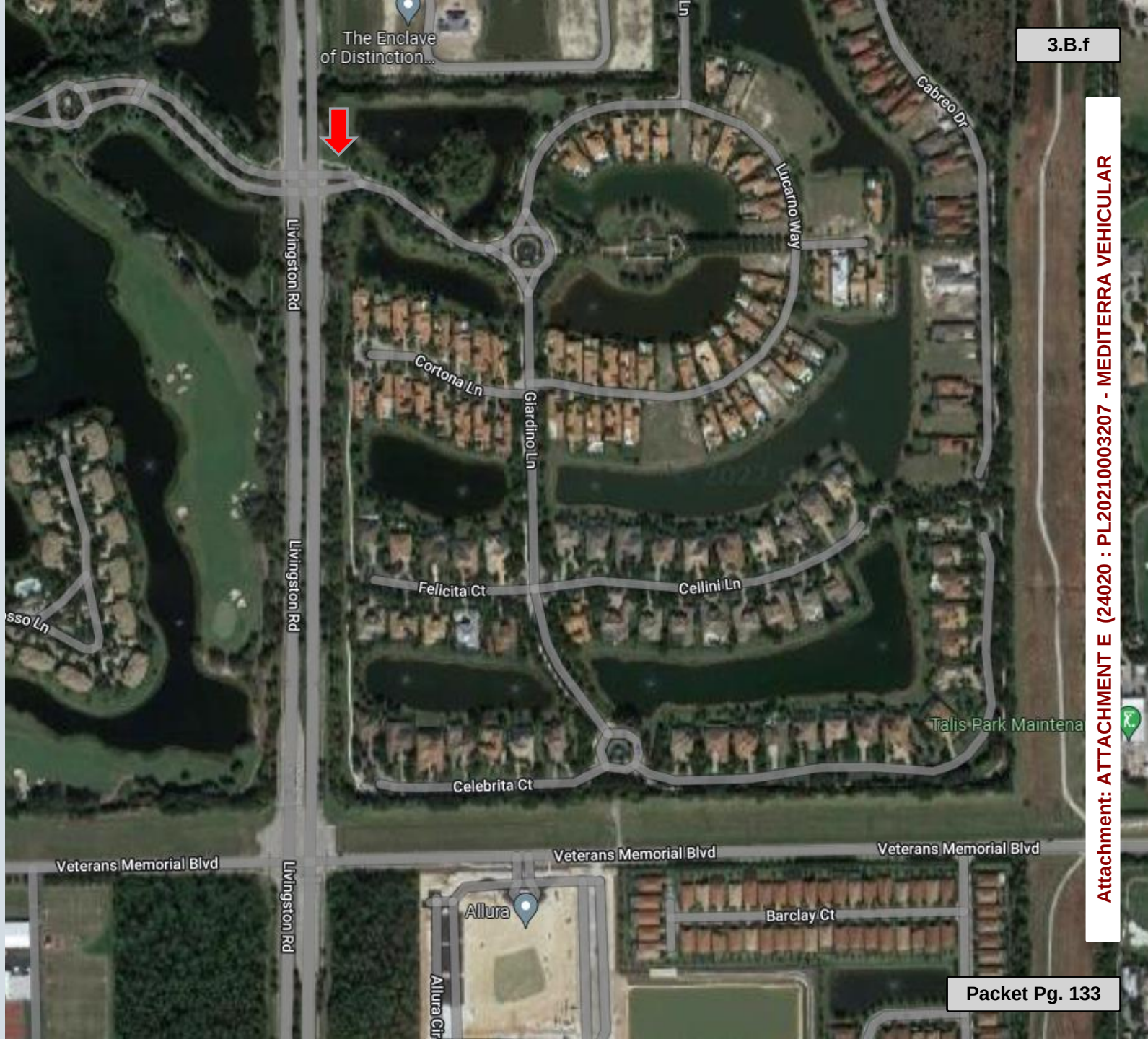
- PL20210000159, recently approved.
- Amended the Master Concept Plan for Mediterra West of Livingston Road.
- The resolution approved an access point connecting Mediterra to Veterans Memorial Blvd West of Livingston Road.



2021 PUD Amendment Master Plan

Mediterra East Existing Point of Access

Without the proposed access point, the sole point of ingress and egress for Mediterra East residents is the existing non-signalized intersection on Livingston Road.



Existing Point of Access

That existing intersection presents traffic safety issues, especially for vehicles exiting Mediterra East to travel southbound on Livingston Road.

If permitted today, a PUD of this size would likely be required to provide two access points.

Benefits of the proposed access point include:

- Increased traffic safety
- Reduced congestion of Livingston Road
- Increased roadway connectivity
- Reduced emergency service response times
- Secondary access allows for backup access in the event of unexpected primary access closure



Existing Access – Mediterra East

Conceptual Design

- Access alignment with Allura (South side of VMB)
- Reconfigured internal round-a-bout intersection
- Gated access
- Landscape Enhancements



Conceptual Rendering

Proposed Point of Access: Streetview

- The proposed access point will be aligned with the Allura access point.
- Allura is the existing development on the south side of Veterans Memorial Boulevard, across from the proposed access point.



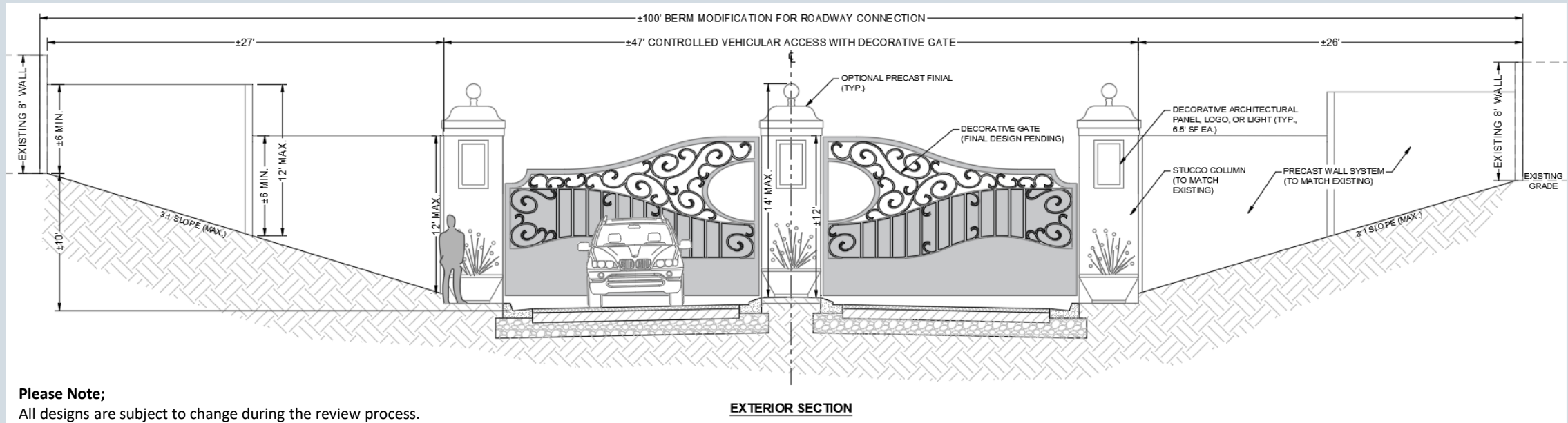
3.B.f



Attachment: ATTACHMENT E (24020 : PL20210003207 - MEDITERRA VEHICULAR

Proposed Deviation

LDC section 5.03.02.C.1. limits wall and fence height to a maximum of 6 feet if located within the required front yard. A deviation is proposed to allow for a maximum wall height of 12 feet to allow for a grade transition from the top of the existing berm to the elevation of the proposed access roadway.



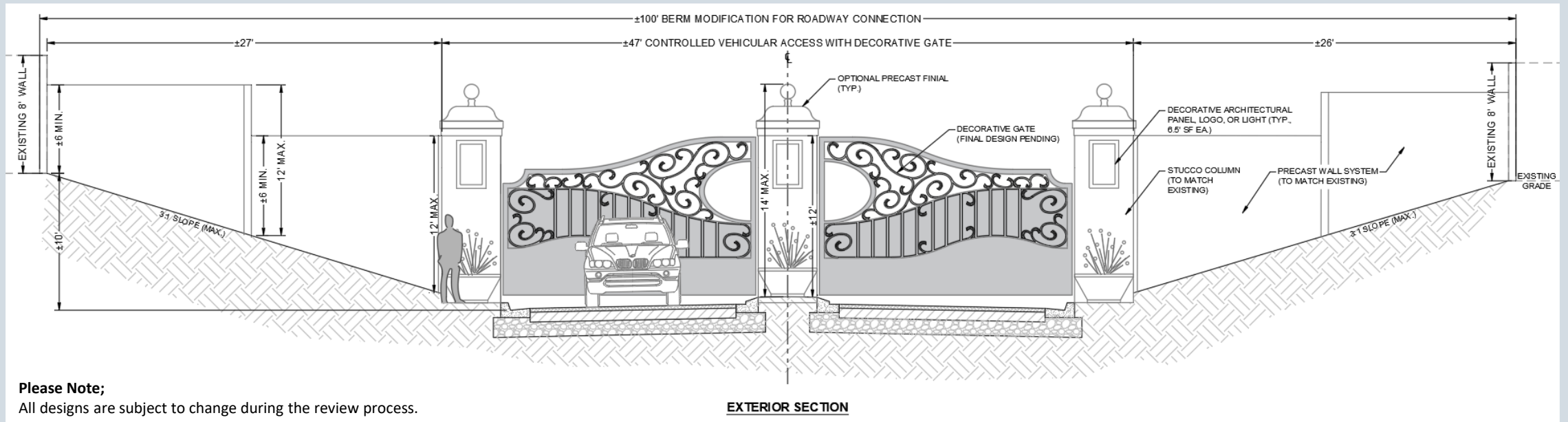
Please Note;

All designs are subject to change during the review process.

Proposed Deviation

LDC section 5.06.02.B.1.a. limits signage height to a maximum of 8 feet. A deviation is proposed to allow for a maximum height of 14' to allow for decorative columns.

- Deviation to allow decorative architectural panel, logo, or lighting to be affixed to the Decorative columns.



Please Note;

All designs are subject to change during the review process.

Conclusion

SUSAN LASS	414-791-4674	sllass@comcast.net	16634 CORTON LOTN
RICHARD SAYER	804-814-0031	RS4MAIL@ICOW.COM	16870 CAMINETO CT

LaShelle/David Ginter	9135264599	lginter@gmail.com	16705 Cabreo Dr
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ROB CAPANELLI	908-489-4111	rcapanelli@gmail.com	16807 CABREO
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HARVEY SACHSON	818-775-3200	harvey@calfp.com	16551 Cellini
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LARRY GIBBS	650 387 1131	LGIBBS@Stupid.com	Villaves
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Douglas A. Lewis	239-316-3006	Doug@TLFirm.com	Thompson Lewis
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Sign In Sheet

July 13th, 2022

NAME	PHONE NUMBER	EMAIL	ADDRESS
Sean Samman	239-252-8422	Sean.Samman@collinscountytfl.gov	2500 Horseshoe Dr N.
Rona STEPHANIE STOVASH	239-431-7006	rpstovash@comcast.net	16496 Felicita Cte.
Rob + Rob Oblar	609-577-3055	Oblarob@49.com	—
Jeff & Pat Roberts			Lucarno
Oxley Greg & Delinda	703 623 0947	glo4749@aol.com	16713 Cabro
Alberto & Chris Negro	167 239-5924339	albertnegro@aol.com	16703 Lucarno Way.
Sub Thompson	973-978-2915	sthompson@infilan.com	16477 Celebrita Court

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LANDSCAPE ARCHITECTS**NIM Meeting Transcript**

PUDI Amendment

Zoom Comment/Response

00:18:55 Dick Johnson: When the question and answer begins, would you please repeat all questions that are asked so those not in the room can understand the question. I cannot hear the questions.

00:45:59 Steve Izzi: Is there any provision for pedestrian foot traffic

A: Yes, we are accommodating interior foot traffic, we are preserving the sidewalk that already exists (moving it a bit)

00:47:53 Larry.Drake: The current wall is about 8 to 10 foot above grade. The shows level. What does the transition look like?

A: The current wall is 6 or 8 feet, the proposed wall sections will remain consistent with existing, there is a 10-foot barrier below the wall so altogether the top of the wall is 18 feet approximately above grade, wall will be stepped down as quickly as we can at the gate.

00:48:20 Larry.Drake: This show at grade

00:49:39 Daryl.Adams: What is the approval process of this Southeast Access?

A: The PUD application which does amend the zoning resolution for the development, the master concept plan essentially showing that there is or is not an access here. The submittal needs to be reviewed by the County, and another application was also submitted with the engineering plans.

00:50:26 Peter Bowen's iPhone: Who will pay for the gate?

A: I can't speak to that, that will be paid for by Mediterra

00:50:35 Larry.Drake: sorry for the type o's

00:50:45 Pat Ward: Will any activity at the proposed gate be monitored, via camera, by the "manned" security gate?

A: That is a question that I cannot answer, video monitoring is not part of the submitted plans, that is the decision of the Mediterra community.

01:04:12 Dick Johnson: I live on that side

01:04:43 Suzy Riedel's iPhone: I live on this side and am totally opposed to this gate going in!

01:05:16 Daryl.Adams: I live on this side

01:07:28 Daryl.Adams: and I'm opposed to the gate being added.

Attachment: ATTACHMENT F (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

01:09:08 Dick Johnson: Was there ever in your knowledge a Collier County traffic safety study completed on Livingston between the east and west side of Mediterra was submitted for purposes of installing traffic lights?

A: Traffic studies have been done in the past however we have no knowledge of this.

01:11:21 Pat Ward: I live on the east side, and my security concerns, which i have raised from day 1, remain a major issue for me. Disappointed with MCA Board's response to this, to date.

01:13:59 lcasa_v62ar2c: Where was the original access point relative to where this access point is.

01:18:53 Larry.Drake: If this is a safety issue with turning left onto Livingston from the east gate, why do we need an entrance? Why can't it just be an exit to solve the problem?

A: Some confusion, the proposed gate is being permitted as entrance/exit to give the option in the future, although it is currently only proposed as an exit.

01:19:08 Todd Van Fleet: For the sake of clarity, did i hear the right arrow turn lane is no longer needed/feasible because of the traffic volume?

A: that is not something that I am able to answer at this time, this application does not include the design of the gate.

01:19:49 Larry.Drake: No, just an exit from this point

01:20:20 lcasa_v62ar2c: Where was the original access point relative to where this access point is.

01:20:57 Larry.Drake: Thx

01:22:04 lcasa_v62ar2c: For the purposes of safety and security, can you assure us that gate height will be as tall as the existing wall height?

In-Person Comment/Response

Q: What is the property to the east of Mediterra East

A: That is a utility easement

Q: Is this exit only or will this be an entrance/exit access point

A: The entrance is being permitted to be able to function as an entrance/exit, which will allow a second point of entry for emergency vehicles only, which is a major justification for the project. The Mediterra community will have the ability to leave the entrance gate non-operable, which is the intent, so it would be an exit only function for residents, delivery drivers, maintenance etc. The functionality for entrance for all would be there if the residents ever decided to allow that in the future.

Comment: Community member states that “the functionality is there but it was mentioned at an earlier board meeting that it could be changed to entrance/exit without any voting from membership or anything like that so we might as well plan on it being entrance exit”

Q: I would like to know what the materials being used for the buffer will be and also the height of the walls.

A: That is still being designed and it is pending owner approval which is the Mediterra Community. The majority of the buffer will not change except for the gate area, a lot of what you are seeing is additional landscaping being planted.

Q: Allison Wescott: how much land is there.

Q: Pat Roberts: I have a long-term question so we are looking at this road and we all know that eventually that road is going to go to I-75, we just know, is going to continue to grow so we have the apartment complex on one side and ours on the other. Has the city discussed what the city will do when we face the same problem there (at the new access point) turning left to get into the neighborhood that we are now facing turning left onto Livingston. Have they talked to you about traffic lights, which they won't let us have to turn safely onto Livingston, has any of that been in discussion?

A: The short answer is the traffic impact statement which analysis traffic is currently under review with Collier County Staff. I can tell you a couple facts that are public knowledge. One is that there was a point in time where veterans would extend to I-75 before the on/off ramps. The talis park next door has built within space needed for that extension so that is not to say that it couldn't be done, Collier has not given up on that option but there has not been any discussion that the extension would come to fruition. There are two vehicular drives available to residents of Mediterra. The two exits would solve a lot of the turning movements that could be described as you experience them on Livingston. If that problem arises turning left into the new access off veterans, you can simply go to the light, make a right, and go into the other entrance so it provides options.

Q: Alberto Negro: this gate that you are mentioning, is this only available for people with their car registered or is there another way this will work.

A: there are a lot of different options for how to operate automatic gates, as of now with the plan for it to be exit only, it automatically opens for any vehicle that comes up to it, as is required for emergency reasons, but nobody will be able to get in the exit gate except for emergency vehicles that has a special entrance device.

Q: Alberto Negro: so far, the gate will exit only?

A: So far, that is the option that Mediterra would like to use, this application does show the option in the future to allow both so if the community decides otherwise, there are a lot of different technologies that residents could choose to access the new point using.

Q: Rob Obler: Is most of the landscaping on county land, are they going to let us use that land for the project.

A: The short answer is that the project is still under review with Collier, and we have had preliminary meeting with the county and they have verbally approved the idea pending final documents, the

maintenance would be the responsibility of Mediterra but the county would allow it in that area if approved.

Q: Please return to the overlay slide, so what does the red show exactly.

A: The B/W photo is a representation of the new entrance pending final review, the red linework is what is there today so you can see the alignment of Celebrita Court going into the roundabout.

Q: Why the proposed drive continues coming out of the roundabout in a southeasterly direction instead of just south.

A: There are two answers to that question; first, is that the proposed drive actually does go further south than the existing drive so there is essentially more real estate gained on the north end with the proposed entrance, it grows that area along the house on the corner so we did push it (the entrance) down as far as we felt that we could with the understanding that the roundabout design is geometrically designed with the separation requirement of the three drives entering the roundabout in mind for traffic safety reasons. So to realign the drive further south we would have had to move the entrance so close to the other drive that it would have created unsafe conditions.

Q: What is the impact on the first house on the corner

A: There is no work proposed within the lot of that house, all work proposed is within the existing roadway tract and the common area tract to the south. The pragmatic impact of that area along that closest house is that the edge of the roadway will move further away from that house and there will actually be more landscaping between that house and the road.

Q: Scott Thompson: (property owner of the house on the corner) I've started this in 2020 when the first survey came out and my response was this is a horrible decision, and we should stop wasting resources on this. I voted for every assessment of Mediterra and I moved here in 2008 and I've been a full time resident ever since. I sent an official letter to the board stating the impact to my neighbor and myself of our home values and the impact that this is going to have on our homes and I was listened to but nothing really happened. We have had no choice but to at least have an attorney take a look to see if this is feasible or not and whether the planned unit development can do this or not and we will have a little more on that later and I am being as professional as possible and I would think that any of you, which if this happens can happen to any of you would be in the same situation that I am. I bought in the back of this subdivision and yes, there was an old construction drawing that had an access but that was never part of it. I bought in the back of the subdivision because it was private and I knew that there was never going to be anything like this which (the proposed access) now goes right through my front yard.

A: we will take that into consideration.

Q: Mrs. Thompson: Can you go back to the picture of the gate please, so what goes on either side of the pillars, that just shows there are trees.

A: I would chalk this up to detail on the rendering that may end up being a bit different in reality. Currently the wall is proposed to extend to either side of the gates.

Q: Mrs. Thompson: So when are we going to see that is truly happening because that is not the case in the picture (referencing small gaps between the pillars and the proposed wall in the rendering).

A: the construction drawing submitted to Collier County do show the wall extending from the existing wall to the pillars on the gate. The only break in the wall that is proposed is the gate itself.

Q: Mrs. Thompson: have you looked at gates because I am going to tell you right now, every child that is thin slides underneath all these gates in all these communities to go fishing, to meet up with their friends and I will tell you that we have one of them. We have told him not to do it, but they make their bodies completely flat, and they get under every single wall possible. So, unless that gate is going to come all the way down, people will be doing this.

A: acknowledged, the final design of the gate is not complete, and we will take that into consideration.

Q: Pat Roberts: did you not say earlier it was planned to have two gates with a center pillar and this isn't representative of what is planned.

A: that is correct, the current construction plans that are submitted to Collier County show two 14-foot gates with a pillar in between.

Q: Pat Roberts: so it is much wider than what we are looking at correct?

A: It is not much wider than what we are looking at.

Q: Isn't there a reason why the access is in the spot that it is, such as an electrical box

A: The factor that influenced the alignment of the access the most was the Counties requirement for traffic safety issues as they pertain to Allura, although it did work out because there is a county lift station there as well.

Q: Jerry Garland: if this is county land and it is our expense to upkeep it, how do you permit homeless encampments from showing up, because everybody has a right to that area.

A: That is not under the purview of our plans. I can't speak to what they (the county) would or would not allow in the right of way.

Q: Is the wall on that line

A: the wall is 10-20 feet behind the Right of Way line. There is some private land between the wall and the right of way

Q: John Handy: Do the homeowners get to vote to approve this project as part of the development application?

A: The County is the decision maker on whether the plans are approved. Whether the project moves forward or not is the Communities decision.

Q: Ron Stovash: Why can't the wall just be higher than the pillars of the gate to provide security.

A: This application does not have the detailed design as part of it, there are options, and the design is still under review.

Q: Mrs. Thompson, when you say the community's decision, just refer to it as the board decision because we have zero say in this.

A: The contractors and consultants are retained by the Mediterra Community Association, the relationship between the association and the community is out of our scope.

Q: After the county approves the project, how much input do the people directly impacted have and can we sit down and have input on aspects such as tree selection etc?

A: That is not a decision that we don't make those decisions. We make decisions based on the client, Mediterra Community Association.

Q: Has there been a meeting set to review application and can the submitted application be viewed anywhere

A: The plans are public record and can be viewed through the CityView Portal. No HEX has been planned yet.

Q: Who will pay

A: The community will fund it, no official plans have been decided

Q: How is this work today and in the past being paid for.

A: The work is being paid for by the Mediterra Community Association.

Q: What will happen to the existing sidewalk?

A: The sidewalk will be moved from the existing position.

A: The corner property will gain 20-30 feet of front yard because of the proposed changes. There is no construction or demolition proposed on private land. All work is within the existing roadway tract.

Q: Mrs. Thompson: question regarding the length of the corner driveway and also about how they plan to match the cement color of the driveway, question regarding what the construction will entail for her private property and if she needs to give permission.

A: These are code minimum construction drawings, that is a construction item that is out of the scope of our work, construction on private property would require your permission.

Q: Why can't we have a guard house at the gate.

A: That question was contemplated in the initial planned stages however there are county codes that make that geometrically difficult, further construction and impacts would happen in order for a guardhouse to work.

Q: Is this where the original PUD Masterplan showed the access point.

A: The plan was conceptual; however, the access is located in the same general area.

Q: Why can't the county create an exception to allow us to have a manned gate.

A: The county advised us that a manned gate would likely not be approvable.

Q: Can we expand the project area to include room for a possible gatehouse if it is allowed by new staff in the future?

A: Noted.

Q: Is there a signal proposed for this project.

A: there is no signal proposed for this project. The traffic study did not show that it was warranted.

Q: what happens to existing monument on Celebrita?

A: The monument will be relocated to the new island which is slightly shifted.

Q: How will trucks be able to get around this turn off of the roundabout?

A: Whatever can navigate it now will continue to be able to navigate it, the changes are compliant with the County requirements.

Q: Where will the monument go/look

A: That is at the prerogative of the Mediterra Community Association.

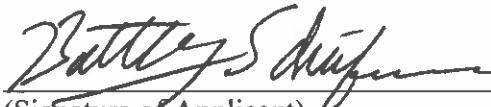
Q: Will there be a time where designs are less conceptual that the community can give input?

A: There are no more required informational meetings although the public hearing with the Collier County Hearing Examiner is open to the public and the public can attend and provide input. There will be public notice for that meeting.

AFFIDAVIT OF COMPLIANCE

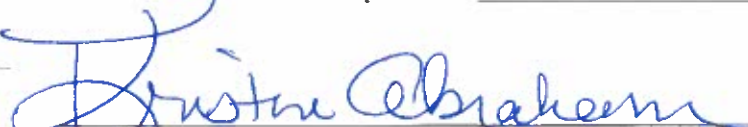
I hereby certify that pursuant to Ordinance 2004-41, of the Collier County Land Development Code, I did cause the attached newspaper advertisement to appear and I did give notice by mail to the following property owners and/or condominium and civic associations whose members may be affected by the proposed land use changes of an application request for a rezoning, PUD amendment, or conditional use, at least 15 days prior to the scheduled Neighborhood Information Meeting. *For the purposes of this requirement, the names and addresses of property owners shall be deemed those appearing on the latest tax rolls of Collier County and any other persons or entities who have made a formal request of the county to be notified.* The said notice contained the laymen's description of the site property of proposed change and the date, time, and place of a Neighborhood Information Meeting.

Per the attached letters, property owner's list, and copy of newspaper advertisement which are hereby made a part of this Affidavit of Compliance


(Signature of Applicant)

State of Florida
County of Lee

The foregoing Affidavit of compliance was acknowledged before me this 12 day of July, 2022 by Bailey Schuler, who is personally known to me or who has produced _____ as identification.


(Signature of Notary Public)

Kristen Abraham
Printed Name of Notary

(Notary Seal)



Kristen Abraham
Notary Public
State of Florida
Comm# HH102345
Expires 3/9/2025

Publication Date

6/27/2022

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Number of Affidavits Needed

1

Customer Name

Morris Depew Assoc

Customer Phone Number

(239) 337-3993

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Fort Myers, FL 33901-6003

Account Number (If Known)

AP-538614

Customer Email

BSchleifer@m-da.com

Your Name

Marita Froimson

Email Address

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Published Daily
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MORRIS DEPEW ASSOC
2914 CLEVELAND AVE
FORT MYERS, FL 33901
ATTN

Affidavit of Publication
STATE OF WISCONSIN
COUNTY OF BROWN

Before the undersigned they serve as the authority, personally appeared who on oath says that they serve as **legal clerk** of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida; distributed in Collier and Lee counties of Florida; that the attached copy of the advertising was published in said newspaper on dates listed. Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida; distributed in Collier and Lee counties of Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement and affiant further says that he has neither paid nor promised any person, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

6/27/2022



Subscribed and sworn to before on June 27th, 2022



Notary, State of WI, County of Brown

My commission expires:

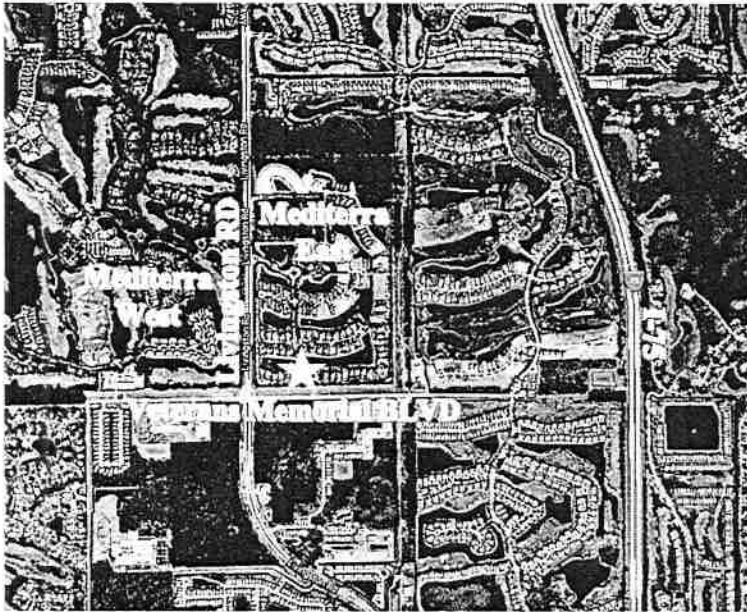
5.15.23

PUBLICATION COST: \$1,008.00
AD NO: GCI0904074
CUSTOMER NO: 538614
PO#: PUBLIC NOTICE
AD SIZE: DISPLAY AD

NANCY HEYRMAN
Notary Public
State of Wisconsin

Attachment: ATTACHMENT F (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

NEIGHBORHOOD INFORMATION MEETING



The public is invited to attend a neighborhood meeting held by Ben Smith, AICP, of Morris-Depew Associates, representing Mediterra Community Association on July 13th, 2022, at 5:30 p.m. at 15755 Corso Mediterra Circle, Naples, located in the club ballroom. The subject property (FOLIO #59960211948) is located at the southern boundary of Mediterra East, south of Celebrita Court, to the north of Veterans Memorial Boulevard and to the east of Livingston Road. The Mediterra Community Association is petitioning Collier County to approve a Planned Unit Development Insubstantial Amendment that would allow for a new vehicular access point connecting the Mediterra East internal vehicular circulation network to Veterans Memorial Boulevard. The Applicant has created a revised Master Concept Plan for Mediterra to include the proposed vehicular access, which will become the official plan following approval.

WE VALUE YOUR INPUT

Business and property owners, residents and visitors are welcome to attend the presentation and discuss the project with the project team and Collier County staff. If you are unable to attend this meeting, but have questions or comments, or would like to participate by Zoom, please contact Ben Smith by July 13th, 2022 by phone or email at: (239) 337-3993, Morris Depew Associates, 2914 Cleveland Ave, Fort Myers, Florida 33901. Bsmith@m-da.com

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 **Public Notices**

Business and property owners, residents and visitors are welcome to attend the presentation and discuss the project with the project team and Collier County staff. If you are unable to attend this meeting, but have questions or comments, or would like to participate by Zoom, please contact Ben Smith by July 13th, 2022 by phone or email at: (239) 337-3993, Morris Depew Associates, 2914 Cleveland Ave, Fort Myers, Florida 33901. bsmith@mda.com

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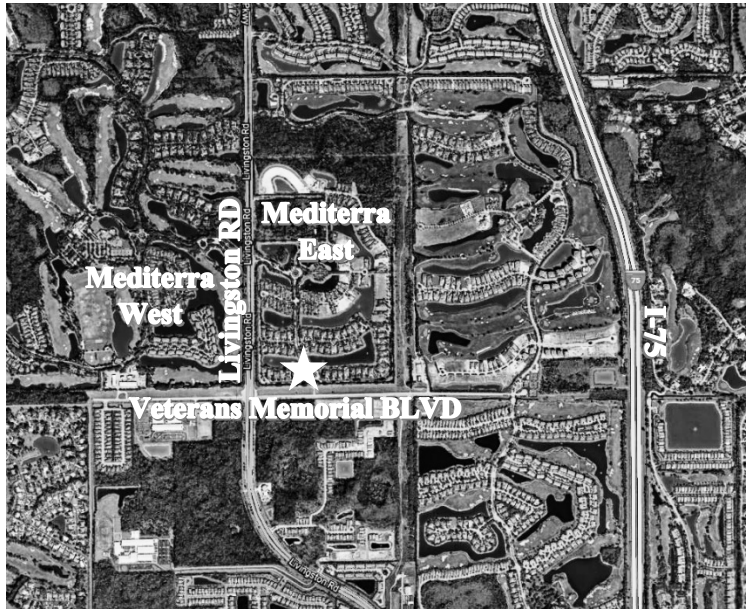
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NEIGHBORHOOD INFORMATION MEETING

3.B.g

Attachment: ATTACHMENT F (24020 : F



The public is invited to attend a neighborhood meeting held by Ben Smith, AICP, of Morris-Depew Associates, representing Mediterra Community Association on July 13th, 2022, at 5:30 p.m. at 15 5 Corso Mediterra Circle, Naples, located in the club ballroom. The subject property (FOLIO #59960211948) is located at the south boundary of Mediterra East, south of Celebrita Court, to the north of Veterans Memorial Boulevard and to the east of Livingston Rd. The Mediterra Community Association is petitioning Collier County to approve a Planned Unit Development Insubstantial Amendment that would allow for a new vehicular access point connecting Mediterra East internal vehicular circulation network to Veterans Memorial Boulevard. The Applicant has created a revised Master Concept Plan for Mediterra to include the proposed vehicular access, which will become the official plan following approval.

WE VALUE YOUR INPUT

Business and property owners, residents and visitors are welcome to attend the presentation and discuss the project with the project team and Collier County staff. If you are unable to attend this meeting, but have questions or comments, or would like to participate by Zoom, please contact Ben Smith by July 13th, 2022 by phone or email at: (239) 337-3993, Morris Depew Associates, 2914 Cleveland Ave, Fort Myers, Florida 33901. Ben Smith@mda.com

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ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS**Notification of Neighborhood Meeting**
PUDI Amendment

6/22/2022

Dear Property Owner:

Please be advised that a formal application has been submitted to Collier County seeking approval of a Planned Unit Development Insubstantial Amendment for the following described property:

The project site is located at the southern boundary of Mediterra East, south of Celebrita Court, to the north of Veterans Memorial Boulevard and to the east of Livingston Road.

The petitioner is asking the County to approve this application to allow development of a new vehicular access point connecting the Mediterra East internal vehicular circulation network to Veterans Memorial Boulevard.

In compliance with the Land Development Code requirements, a Neighborhood Information Meeting will be held to provide you an opportunity to become fully aware of the proposed improvements and to give you an opportunity to comment and influence the form of development. The Neighborhood Information Meeting will be held on July 13th, 2022, at 5:30 pm at 15755 Corso Mediterra Circle, Naples, FL 34110 in the Club Ballroom. If you are unable to attend in person, the meeting will also be available through Zoom. Please contact us at the email below if you would like the Zoom attendance link.

At this meeting, the petitioner will make every effort to illustrate the proposed improvements related to the new access point and to answer any questions. Should you have questions prior to the meeting, please contact me.

Sincerely,



Ben Smith, AICP

2914 Cleveland Avenue, Fort Myers, FL 33905
(239) 337-3993
BSmith@m-da.com

Attachment: ATTACHMENT F (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

HEARING PACKAGE CHECKLIST Return this form with printed materials**A. Backup provided by the County Planner**

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

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

B. Backup provided by Applicant:

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

- ☒ Application, to include but not limited to the following:
 - ☒ Narrative of request
 - ☒ Property Information
 - ☒ Property Ownership Disclosure Form
 - ☒ 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)
- N/A Affidavit of Unified Control
- N/A 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
- N/A Traffic Impact Study (TIS)
- N/A Environmental Data
- N/A Historical/Archeological Survey or Waiver
- N/A Utility Letter
- ☒ Deviation Justifications

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

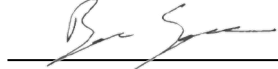
☒ Boundary Survey

☒ 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.

☐ **CD with *only one* pdf file for all documents in the same order as the packets are put together. They must be in the same order.**

I understand that by submitting the above materials, it is the agent's/applicant's responsibility to ensure all materials are in the same order for all copies of backup materials to provide to the Hex/CCPC and the CD must contain the documents in one pdf file (not multiple files) in the same order as the printed materials. It is the agent's responsibility to ensure no documentation is left out.



Signature of Agent Representative

November 28, 2022

Date

Ben Smith

Printed Name of Signing Agent Representative

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)



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INSUBSTANTIAL CHANGE TO A PUD (PDI)

LDC subsection 10.02.13 E & Code of Laws section 2-83 – 2-90
Ch. 3 G.3 of the Administrative Code

Pursuant to LDC subsection 10.02.13 E.2, a PUD insubstantial change includes any change that is not considered a substantial or a minor change. A PUD insubstantial change to an approved PUD ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1 and shall require the review and approval of the Hearing Examiner. The Hearing Examiner's approval shall be based on the findings and criteria used for the original application.

PETITION NO
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): Mediterra Community Association

Name of Applicant if different than owner: _____

Address: 15735 Corso Mediterra Cir City: Naples State: Florida ZIP: 34110

Telephone: (239) 254-3040 Cell: _____ Fax: 239-254-3045

E-Mail Address: billb@mediterraca.com

Name of Agent: Ben Smith, AICP

Firm: Morris-Depew Associates

Address: 2914 Cleveland Ave City: Fort Myers State: Florida ZIP: 33901

Telephone: (239) 337-3993 Cell: _____ Fax: _____

E-Mail Address: bsmith@m-da.com

DETAIL OF REQUEST

On a separate sheet, attached to the application, describe the insubstantial change request. Identify how the request does not meet the PUD substantial change criteria established in LDC subsection 10.02.13 E.1.



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PROPERTY INFORMATION

PUD NAME: Mediterra ORDINANCE NUMBER: 2001-61
FOLIO NUMBER(S): 59960211948

Provide a legal (if PUD is recorded) or graphic description of area of amendment (this may be graphically illustrated on Amended PUD Master Plan). If applying for a portion of the PUD, provide a legal description for subject portion.

Attach on a separate sheet, a written description of the map or text change.

Does amendment comply with the Growth Management Plan? ☒ Yes ☐ No

If no, please explain: _____

Has a public hearing been held on this property within the last year? ☐ Yes ☒ No

If yes, in whose name? _____

Has any portion of the PUD been ☒ SOLD and/or ☒ DEVELOPED?

Are any changes proposed for the area sold and/or developed? ☐ Yes ☒ No

If yes, please describe on an attached separate sheet.

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)



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**Pre-Application Meeting and Final Submittal Requirement Checklist for:
PUD Insubstantial Change
Chapter 3 G.3 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 final submittal, the checklist is to be completed and submitted with the application packet. Please provide the submittal items in the exact order listed below, with cover sheets attached to each section. **Incomplete submittals will not be accepted.**

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	1	☒	
Pre-Application Meeting notes	1	☒	☐
Project Narrative, including a detailed description of proposed changes and why amendment is necessary	1	☒	☐
Detail of request	1	☒	
Current Master Plan & 1 Reduced Copy	1	☒	
Revised Master Plan & 1 Reduced Copy	1	☒	
Revised Text and any exhibits	☐	☒	☐
PUD document with changes crossed through & underlined	☐	☒	☐
PUD document as revised with amended Title Page with Ordinance #	☐	☐	☐
Warranty Deed	☐	☒	☐
Legal Description	1		☐
Boundary survey, if boundary of original PUD is amended	☐	☐	☐
If PUD is platted, include plat book pages	☐	☐	☐
List identifying Owner & all parties of corporation	1	☒	☐
Affidavit of Authorization, signed & notarized	1	☒	
Completed Addressing Checklist	1	☒	
Property Ownership Disclosure Form	1	☒	
Copy of 8 ½ in. x 11 in. graphic location map of site	1	☒	☐
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	☐	☒	☐
*If located in Immokalee or seeking affordable housing, include an additional set of each submittal requirement.			

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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



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

☐	School District (Residential Components): Amy Lockheart	☐	Bayshore/Gateway Triangle Redevelopment: Executive Director
☒	Utilities Engineering: Eric Fey	☐	Parks and Recreation: Barry Williams and David Berra
☐	Emergency Management: Dan Summers	☐	Naples Airport Authority:
☐	Conservancy of SWFL: Nichole Johnson	☐	Other:
☐	City of Naples: Robin Singer, Planning Director	☐	Other:

FEE REQUIREMENTS

- ☐ **PUD Amendment Insubstantial (PDI):** \$1,500.00
- ☐ **Pre-Application Meeting:** \$500.00
- ☐ **Estimated Legal Advertising fee for the Office of the Hearing Examiner:** \$1,125.00
Same fee applies if the petition is referred to the Collier County Planning Commission, where the CCPC serves as the deciding authority instead of the HEX.

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

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

All checks payable to: Board of County Commissioners.

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

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

3-31-2022

Agent/Owner Signature

Date

Mediterra Community Association

Applicant/Owner Name (please print)



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Pre-Application Meeting Notes

Petition Type: PUDA

Date and Time: Tuesday 12/21/21 at 3:00PM

Assigned Planner: Gabriela Castro

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

Project Information

Project Name: Mediterra Community Assoc Vehicular Access (PUDA)

PL #: 20210003207

59960211948

Property ID #: 59960211964

Current Zoning: Mediterra PUD

Project Address: _____ City: Naples State: FL Zip: 34110

Applicant: Jack Morris, P.E. - Morris-Depew Associates, Inc.

Agent Name: Same as above Phone: 239-337-3993

Agent/Firm Address: 2914 Cleveland Ave. City: Ft. Myers State: FL Zip: 33901

Property Owner: Mediterra Community Association, Inc.

Please provide the following, if applicable:

- i. Total Acreage: _____
- ii. Proposed # of Residential Units: _____
- iii. Proposed Commercial Square Footage: _____
- iv. For Amendments, indicate the original petition number: _____
- v. If there is an Ordinance or Resolution associated with this project, please indicate the type and number: _____
- vi. If the project is within a Plat, provide the name and AR#/PL#: _____



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Meeting Notes

As of 10/16/2017 all Zoning applications have revised applications, and your associated Application is included in your notes; additionally a *new Property Ownership Disclosure Form is required for all applications. A copy of this new form is included in your pre-app

Note – link is <https://www.colliercountyfl.gov/Home/ShowDocument?id=75093>

- CCPC + BCC
- Pre-ise Master Plan
- PUDA
- Master Plan entirety or (portion)
- Portion of Master Plan is allowed to be shown

Mike Bosi - Director of Planning
Michael.Bosi@colliercountyfl.gov
239-252-1061

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.



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Meeting Notes

COMP PLANNING - See FAULKNER - See Attached email & notes
on PAGE 3A1-3A2.

TRANSPORTATION - Mike Sawyer - See Attached email notes
on PAGE 3.B.

ENVIRONMENTAL - CARIE BROWN - NO ENVIRONMENTAL REP'TS
SEE PAGE 3.C.

LANDSCAPE - MARK TEMPLETON - See email on PAGE 3.D

Other required documentation for submittal (not listed on application):

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: FaulknerSue
Sent: Thursday, December 23, 2021 3:32 PM
To: ThomasClarkeVEN
Subject: Pre-Application Meeting PL2021003207 - Mediterra Community Association - Vehicular Access (PUDA).docx
Attachments: Pre-Application Meeting PL2021003207 - Mediterra Community Association - Vehicular Access (PUDA).docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Thomas,
Here are my pre-app notes for Mediterra PUDA PL20210003207.
Sue

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 G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)



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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.colliergov.net/Home/ShowDocument?id=75093>.

Comp Planning: Pre-Application Meeting PL2021003207 - Mediterra Community Association - Vehicular Access (PUDA). Pre-app meeting was held at 3:00 PM on December 21, 2021. The subject site is 1,168+ acres. The site is shown on the Future Land Use Map as Agricultural/Rural Designation and within the Rural Lands Stewardship Area Overlay (RLSAO) "Open" lands. It is zoned as Agricultural/ Mobile Home Overlay/RLSAO.

The applicant would like to obtain a CU permit for sand mining for these 120 acres, there was already a CU previously issued for the original acres of Stewart Mining.

No apparent Comprehensive Planning issues: Applicant needs to address on a separate blank page the following if applicable:

- Compliance with the FLUE/FLUM Rural Lands Stewardship Area Overlay (RLSAO);
- Compliance with FLUE Objective 5 and its applicable policies, esp. s/s 5.3, 5.6 (GMP consistency clause; LDC compatibility & complementary clause);
- Compliance with FLUE Objective 7 and its applicable policies 7.1 through 7.4 (Toward Better Places – Community Character Plan);

Contact Hendry County Planning Dept., as neighboring Comprehensive Plan has been updated since this Conditional Use was first approved; Hendry County has plans to allow for development immediately to the north, and notification to them & informing them of your plans – along with their review and comments – is important to both jurisdictions, and the applicants.

Provide a narrative statement to explain changes in property/operation/activities since previous Conditional Use approval.

Revise Mining Plan, (and elsewhere land uses, acreage figures, etc. need to be revised) to correct & bring current. Include any changes affecting reclamation plans. Review all site plans, reclamation plans, written documents, etc., as they require updating, and/or need relabeling to show current FLU designations. Check throughout, also, for accurate zoning designations, and so forth

Please feel free to contact me with any questions (239-252-5715)

Sue Faulkner, Comprehensive Planning Principal Planner
12/21/2021

ThomasClarkeVEN

From: SawyerMichael
Sent: Tuesday, December 21, 2021 10:51 AM
To: ThomasClarkeVEN
Subject: RE: Pre-App RESEARCH for Mediterra Community Association-Vehicular Access(PUDA) - PL20210003207 - Tuesday 12/21/21 at 3:00 PM

Follow Up Flag: Follow up
Flag Status: Flagged

Thomas,

I'm out of the office this week. Please provide the following pre app notes and let me know of any questions or concerns.

Please provide the following pre app meeting notes:

For this petition request please provide a letter of no impact TIS Waiver; (separate letter on letterhead requesting the waiver based on deminimis transportation impacts). Please include no additional development is proposed beyond what is currently provided by the existing ordinance and that the access was previously allowed-shown on the master plan and that all access management standards will be meet at time of SDP-Platting.

Please let us know of any questions-concerns.

Respectfully,

Michael Sawyer

Principal Planner
 Growth Management Department
 Transportation Planning
 2685 South Horseshoe Drive, Suite 103
 Naples, Florida 34104
 239-252-2926
michael.sawyer@colliercountyfl.gov

From: ThomasClarkeVEN <Thomas.Clarke@colliercountyfl.gov>

Sent: Monday, December 20, 2021 12:10 PM

To: AshtonHeidi <Heidi.Ashton@colliercountyfl.gov>; BeardLaurie <Laurie.Beard@colliercountyfl.gov>; BrownCraig <Craig.Brown@colliercountyfl.gov>; CookJaime <Jaime.Cook@colliercountyfl.gov>; CrotteauKathynell <Kathynell.Crotteau@colliercountyfl.gov>; PerryDerek <Derek.Perry@colliercountyfl.gov>; OrtmanEric <Eric.Ortman@colliercountyfl.gov>; FeyEric <Eric.Fey@colliercountyfl.gov>; ImpactFees <ImpactFees@colliercountyfl.gov>; MoscaMichele <Michele.Mosca@colliercountyfl.gov>; OrthRichard <Richard.Orth@colliercountyfl.gov>; HansenRachel <Rachel.Hansen@colliercountyfl.gov>; AshkarSally <Sally.Ashkar@colliercountyfl.gov>; SawyerMichael <Michael.Sawyer@colliercountyfl.gov>; TempletonMark <Mark.Templeton@colliercountyfl.gov>; WilkieKirsten <Kirsten.Wilkie@colliercountyfl.gov>

Cc: CastroGabriela <Gabriela.Castro@colliercountyfl.gov>; SaboJames <James.Sabo@colliercountyfl.gov>; Klopfparker <Parker.Klopfp@colliercountyfl.gov>; FaulknerSue <Sue.Faulkner@colliercountyfl.gov>

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

ThomasClarkeVEN

From: BrownCraig
Sent: Tuesday, December 21, 2021 7:39 PM
To: ThomasClarkeVEN
Subject: RE: Pre-App RESEARCH for Mediterra Community Association-Vehicular Access(PUDA) - PL20210003207 - Tuesday 12/21/21 at 3:00 PM

Thomas

There are no Environmental Data requirements for this request.

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

How are we doing? Please [CLICK HERE](#) to fill out a Customer Survey.
We appreciate your Feedback!

From: ThomasClarkeVEN <Thomas.Clarke@colliercountyfl.gov>
Sent: Monday, December 20, 2021 12:10 PM
To: AshtonHeidi <Heidi.Ashton@colliercountyfl.gov>; BeardLaurie <Laurie.Beard@colliercountyfl.gov>; BrownCraig <Craig.Brown@colliercountyfl.gov>; CookJaime <Jaime.Cook@colliercountyfl.gov>; CrotteauKathynell <Kathynell.Crotteau@colliercountyfl.gov>; PerryDerek <Derek.Perry@colliercountyfl.gov>; OrtmanEric <Eric.Ortman@colliercountyfl.gov>; FeyEric <Eric.Fey@colliercountyfl.gov>; ImpactFees <ImpactFees@colliercountyfl.gov>; MoscaMichele <Michele.Mosca@colliercountyfl.gov>; OrthRichard <Richard.Orth@colliercountyfl.gov>; HansenRachel <Rachel.Hansen@colliercountyfl.gov>; AshkarSally <Sally.Ashkar@colliercountyfl.gov>; SawyerMichael <Michael.Sawyer@colliercountyfl.gov>; TempletonMark <Mark.Templeton@colliercountyfl.gov>; WilkieKirsten <Kirsten.Wilkie@colliercountyfl.gov>
Cc: CastroGabriela <Gabriela.Castro@colliercountyfl.gov>; SaboJames <James.Sabo@colliercountyfl.gov>; Klopfparker <Parker.Klopfparker@colliercountyfl.gov>; FaulknerSue <Sue.Faulkner@colliercountyfl.gov>
Subject: Pre-App RESEARCH for Mediterra Community Association-Vehicular Access(PUDA) - PL20210003207 - Tuesday 12/21/21 at 3:00 PM

Good Morning All,

Please review the attached Zoning Pre-App Research for **Mediterra Community Association-Vehicular Access(PUDA) - PL20210003207.**

The virtual meeting is **Tuesday 12/21/21 at 3:00 PM-** [SKYPE/Bridge Call](#)

Let me know if you have any questions.

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

ThomasClarkeVEN

From: TempletonMark
Sent: Tuesday, December 21, 2021 3:40 PM
To: ThomasClarkeVEN
Subject: RE: Pre-App RESEARCH for Mediterra Community Association-Vehicular Access(PUDA) - PL20210003207 - Tuesday 12/21/21 at 3:00 PM

Hi Thomas,
 My only comment on this one is to make sure the updated master plan labels the required perimeter buffers.

Respectfully,

Mark Templeton, RLA
 Principal Planner/Landscape Review



Development Review Division
 Exceeding Expectations, Every Day!

NOTE: Email Address Has Changed

2800 North Horseshoe Drive, Naples Florida 34104
 Phone: 239.252.2475

How are we doing? Please [CLICK HERE](#) to fill out a Customer Survey.

We appreciate your Feedback!

Disclaimer- this email is not to be interpreted as an endorsement or approval of any permit, plan, project, or deviation from the Land Development Code.

From: ThomasClarkeVEN <Thomas.Clarke@colliercountyfl.gov>
Sent: Monday, December 20, 2021 12:10 PM
To: AshtonHeidi <Heidi.Ashton@colliercountyfl.gov>; BeardLaurie <Laurie.Beard@colliercountyfl.gov>; BrownCraig <Craig.Brown@colliercountyfl.gov>; CookJaime <Jaime.Cook@colliercountyfl.gov>; CrotteauKathynell <Kathynell.Crotteau@colliercountyfl.gov>; PerryDerek <Derek.Perry@colliercountyfl.gov>; OrtmanEric <Eric.Ortman@colliercountyfl.gov>; FeyEric <Eric.Fey@colliercountyfl.gov>; ImpactFees <ImpactFees@colliercountyfl.gov>; MoscaMichele <Michele.Mosca@colliercountyfl.gov>; OrthRichard <Richard.Orth@colliercountyfl.gov>; HansenRachel <Rachel.Hansen@colliercountyfl.gov>; AshkarSally <Sally.Ashkar@colliercountyfl.gov>; SawyerMichael <Michael.Sawyer@colliercountyfl.gov>; TempletonMark <Mark.Templeton@colliercountyfl.gov>; WilkieKirsten <Kirsten.Wilkie@colliercountyfl.gov>
Cc: CastroGabriela <Gabriela.Castro@colliercountyfl.gov>; SaboJames <James.Sabo@colliercountyfl.gov>; KlopParker <Parker.KlopParker@colliercountyfl.gov>; FaulknerSue <Sue.Faulkner@colliercountyfl.gov>
Subject: Pre-App RESEARCH for Mediterra Community Association-Vehicular Access(PUDA) - PL20210003207 - Tuesday 12/21/21 at 3:00 PM

Good Morning All,

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
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NAPLES, FLORIDA 34104
(239) 252-2400

Pre-Application Meeting Sign-In Sheet
PL# 20210003207

Collier County Contact Information:

Name	Review Discipline	Phone	Email
☐ Maggie Acevedo	North Collier Fire	252-2309	macevedo@northcollierfire.com
☐ Steve Baluch	Transportation Planning	252-2361	stephen.baluch@colliercountyfl.gov
☐ Shar A.Beddow	MSM/Deputy Fire Marshal - Greater Naples Fire	241-1422	sbeddow@gnfire.org
☐ Ray Bellows	Zoning, Planning Manager	252-2463	raymond.bellows@colliercountyfl.gov
☐ Laurie Beard	PUD Monitoring	252-5782	laurie.beard@colliercountyfl.gov
☒ Craig Brown	Environmental Specialist	252-2548	craig.brown@colliercountyfl.gov
☐ Heidi Ashton Cicko	Managing Asst. County Attorney	252-8773	heidi.ashton@colliercountyfl.gov
☒ Thomas Clarke	Zoning Operations Analyst	252-2584	thomas.clarke@colliercountyfl.gov
☐ Jamie Cook	Development Review Director	252-6290	Jaime.cook@colliercountyfl.gov
☒ Gabriela Castro	Zoning Principal Planner	252-4211	gabriela.castro@colliercountyfl.gov
☐ Maggie DeMeo	North Collier Fire	252-2308	pdmeo@northcollierfire.com
☐ Eric Fey, P.E.	Utility Planning	252-1037	eric.fey@colliercountyfl.gov
☒ Tim Finn, AICP	Zoning Principal Planner	252-4312	timothy.finn@colliercountyfl.gov
☒ Sue Faulkner	GMP - Comprehensive Planning	252-5715	sue.faulkner@colliercountyfl.gov
☐ Michael Gibbons	Structural/Residential Plan Review	252-2426	michael.gibbons@colliercountyfl.gov
☐ Storm Gewirtz, P.E.	Engineering Stormwater	252-2434	storm.gewirtz@colliercountyfl.gov
☐ Cormac Giblin, AICP	Development Review-Planning Manager	252-5095	Cormac.giblin@colliercountyfl.gov
☐ Nancy Gundlach, AICP	Zoning Principal Planner	252-2484	nancy.gundlach@colliercountyfl.gov
☒ Rachel Hansen	GMP – Comprehensive Planning	252-1142	Rachel.hansen@colliercountyfl.gov
☐ Richard Henderlong	Zoning Principal Planner	252-2464	richard.henderlong@colliercountyfl.gov
☐ John Houldsworth	Engineering Subdivision	252-5757	john.houldsworth@colliercountyfl.gov
☐ Alicia Humphries	Right-Of-Way Permitting	252-2326	alicia.humphries@colliercountyfl.gov
☐ Anita Jenkins	Planning & Zoning Director	252-5095	Anita.jenkins@colliercountyfl.gov
☐ John Kelly	Zoning Senior Planner	252-5719	john.kelly@colliercountyfl.gov
☐ Parker Klopff	GMP – Comprehensive Planning	252-2471	Parker.klopff@colliercountyfl.gov
☐ Troy Komarowski	North Collier Fire	252-2521	tkomarowski@northcollierfire.com
☐ Sean Lintz	North Collier Fire	597-9227	slintz@northcollierfire.com
☐ Diane Lynch	Operations Analyst	252-8243	diane.lynch@colliercountyfl.gov
☐ Thomas Mastroberto	Greater Naples Fire	252-7348	thomas.mastroberto@colliercountyfl.gov
☐ Jack McKenna, P.E.	Engineering Services	252-2911	jack.mckenna@colliercountyfl.gov



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☐	Matt McLean, P.E.	Division Director - IF, CPP & PM	252-8279	matthew.mclean@colliercountyfl.gov
☐	Michele Mosca, AICP	Capital Project Planning	252-2466	michele.mosca@colliercountyfl.gov
☐	Richard Orth	Stormwater Planning	252-5092	richard.orth@colliercountyfl.gov
☐	Eric Ortman	Zoning Principal Planner	252-1032	Eric.Ortman@colliercountyfl.gov
☒	Derek Perry	Assistant County Attorney	252-8066	Derek.perry@colliercountyfl.gov
☐	Brandi Pollard	Utility Impact fees	252-6237	brandi.pollard@colliercountyfl.gov
☐	Todd Riggall	North Collier Fire	597-9227	triggall@northcollierfire.com
☐	Brett Rosenblum, P.E.	Development Review Principal Project Manager	252-2905	brett.rosenblum@colliercountyfl.gov
☐	James Sabo, AICP	GMP, Comp Planning Manager	252-2708	james.sabo@colliercountyfl.gov
☐	Michael Sawyer	Transportation Planning	252-2926	michael.sawyer@colliercountyfl.gov
☐	Corby Schmidt, AICP	Comprehensive Planning	252-2944	corby.schmidt@colliercountyfl.gov
☐	Linda Simmons	North Collier Fire	252-2311	Linda.Simmons@colliercountyfl.gov
☐	Peter Shawinsky	Architectural Review	252-8523	peter.shawinsky@colliercountyfl.gov
☒	Mark Templeton	Landscape Review	252-2475	mark.templeton@colliercountyfl.gov
☐	Connie Thomas	Client Services Supervisor	252-6369	Consuela.thomas@colliercountyfl.gov
☐	Jessica Velasco	Client Services	252-2584	jessica.velasco@colliercountyfl.gov
☐	Jon Walsh, P.E.	Building Review	252-2962	jonathan.walsh@colliercountyfl.gov
☐	Kirsten Wilkie	Environmental Review Manager	252-5518	kirsten.wilkie@colliercountyfl.gov
☐	Christine Willoughby	Development Review - Zoning	252-5748	christine.willoughby@colliercountyfl.gov
☒	Daniel Zunzunegui	North Collier Fire	252-2310	Daniel.Zunzunegui@colliercountyfl.gov

☒ Gino Santabarbara

Additional Attendee Contact Information:

Name	Representing	Phone	Email
Michael Fernandez			
Manuela Massam	Transportation Engineer	Collier County	
Bee Thao	"	Morris DePew	
Jack Morris	Agent		
Ben Smith	" - Director Planning		



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

PL20210003207 – Mediterra Community Assoc Vehicular Access(PUDA)

Planner: Nancy Gundlach

Assigned Ops Staff: Thomas Clarke

STAFF FORM FOR SUPPLEMENTAL PRE-APPLICATION MEETING INFORMATION

- **Name and Number of who submitted pre-app request**
Jack Morris, P.E. – Morris-Depew Associates, Inc.
- **Agent to list for PL#collier**
Jack Morris, P.E. – Morris-Depew Associates, Inc.
- **Owner of property (all owners for all parcels)**
59960211948 Mediterra Community Association, Inc.
59960211964 Mediterra Community Association, Inc.
- **Confirm Purpose of Pre-App: (Rezone, etc.)**
PUD Amendment Application
- **Please list the density request of the project if applicable and number of homes/units/offices/docks (any that apply):**
No new units proposed. Existing community approved for 950 single family and townhome units in Lee and Collier County. 550 residential dwellings within Lee County and 400 residential dwellings within Collier County.
- **Details about Project:** The community is seeking to restore a planned entrance to Veterans Memorial Blvd., east of Livingston. The original PUD Ordinance 2001-061 MCP approved a vehicular entrance at the proposed location on the south end of the southerly roundabout. This was subsequently removed via an insubstantial amendment (PDI Res. 4-11, 2001-AR-5337)) and never constructed. The increased congestion on Livingston since 2001, and the planned improvements to VMB have caused the residents to revisit the need for this entrance to promote the safety and wellness of the residents and emergency vehicles.

REQUIRED Supplemental Information provided by:

Name: Ben Smith – Morris-Depew Associates, Inc.

Title: Director of Planning

Email: bsmith@m-da.com

Phone: 239-337-3993

Cancellation/Reschedule Requests: Contact Connie Thomas-Client Services Supervisor

Consuela.Thomas@colliercountyfl.gov Phone: 239-252-2473





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PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership



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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

- g. Date subject property acquired _____

☐ Leased: Term of lease _____ years /months

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



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Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

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

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

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

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

Agent/Owner Signature

Date

Agent/Owner Name (please print)

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)



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Final Submittal Requirement Checklist for:

- ☐ PUD Rezone- Ch. 3 G. 1 of the Administrative Code
☒ Amendment to PUD- Ch. 3 G. 2 of the Administrative Code
☐ PUD to PUD Rezone- Ch. 3 G. 1 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 final submittal, the checklist is to be completed and submitted with an up-to-date application. Please provide the submittal items in the exact order listed below, with cover sheets attached to each section. **Incomplete submittals will not be accepted. A Model PUD Document is available online at <http://www.colliercountyfl.gov/Home/ShowDocument?id=76983>.**

REQUIREMENTS	# OF COPIES	REQUIRED	NOT REQUIRED
Cover Letter with Narrative Statement including a detailed description of why amendment is necessary	1	☒	☐
Completed Application with required attachments (download latest version)	1	☒	
Pre-application meeting notes	1	☒	☐
Affidavit of Authorization , signed and notarized	1	☒	
Property Ownership Disclosure Form	1	☒	
Notarized and completed Covenant of Unified Control	1	☒	
Completed Addressing Checklist	1	☒	
Warranty Deed(s)	1	☒	☐
List Identifying Owner and all parties of corporation	1	☒	☐
Signed and sealed Boundary Survey	1	☒	☐
Architectural Rendering of proposed structures	1	☐	☒
Current Aerial Photographs (available from Property Appraiser) with project boundary and, if vegetated, FLUCFCS Codes with legend included on aerial.	1	☒	☐
Statement of Utility Provisions <i>- Route to Eric Fey</i>	1	☐	☐
Environmental Data Requirements pursuant to LDC section 3.08.00	1	☐	☒
Environmental Data Requirements collated into a single Environmental Impact Statement (EIS) packet at time of public hearings. Coordinate with project planner at time of public hearings.	☐	☐	☒
Listed or Protected Species survey, less than 12 months old. Include copies of previous surveys.	1	☐	☒
Traffic Impact Study <i>- TIS Waiver - Letter of NO IMPACT - See Notes</i>	1	☒	☐
Historical Survey	1	☐	☒
School Impact Analysis Application, if applicable	1	☐	☒
Electronic copy of all required documents	1	☒	☐
Completed Exhibits A-F (see below for additional information)*	☐	☐	☒
List of requested deviations from the LDC with justification for each (this document is separate from Exhibit E)	☐	☐	☒
Checklist continues on next page			



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Revised Conceptual Master Site Plan 24" x 36" and One 8 1/2" x 11" copy	☐	☒	☐
Original PUD document/ordinance, and Master Plan 24" x 36" – Only if Amending the PUD	☐	☒	☐
Revised PUD document with changes crossed thru & underlined	1	☐	☐
Copy of Official Interpretation and/or Zoning Verification	1	☐	☐
*If located in Immokalee or seeking affordable housing, include an additional set of each submittal requirement			

*The following exhibits are to be completed on a separate document and attached to the application packet:

- ☐ **Exhibit A: List of Permitted Uses**
- ☐ **Exhibit B: Development Standards**
- ☐ **Exhibit C: Master Plan- See Chapter 3 E. 1. of the Administrative Code**
- ☐ **Exhibit D: Legal Description**
- ☐ **Exhibit E: List of Requested LDC Deviations and justification for each**
- ☐ **Exhibit F: List of Development Commitments**

If located in RFMU (Rural Fringe Mixed Use) Receiving Land Areas

Pursuant to LDC subsection 2.03.08.A.2.a.2.(b).i.c., the applicant must contact the Florida Forest Service at **239-690-3500** for information regarding "Wildfire Mitigation & Prevention Plan."

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

☐ School District (Residential Components): Amy Lockheart	☐ Conservancy of SWFL: Nichole Johnson
☒ Utilities Engineering: Eric Fey	☐ Parks and Recreation: Barry Williams (Director)
☐ Emergency Management: Dan Summers	☐ Immokalee Water/Sewer District:
☐ City of Naples: Robin Singer, Planning Director	☐ Other:
☐ City of Naples Utilities	☐ Other:

ASSOCIATED FEES FOR APPLICATION

- 87- ☒ **Pre-Application Meeting: \$500.00**
- ☐ **PUD Rezone: \$10,000.00*** plus \$25.00 an acre or fraction of an acre
 - ☐ **PUD to PUD Rezone: \$8,000.00*** plus \$25.00 an acre or fraction of an acre
 - ☒ **PUD Amendment: \$6,000.00*** plus \$25.00 an acre or fraction of an acre
 - ☒ **Comprehensive Planning Consistency Review: \$2,250.00**
 - ☐ **Environmental Data Requirements-EIS Packet (submittal determined at pre-application meeting): \$2,500.00**
 - ☐ **Listed or Protected Species Review (when an EIS is not required): \$1,000.00**
 - ☐ **Transportation Review Fees:**
 - o Methodology Review: \$500.00
 - *Additional fees to be determined at Methodology Meeting.
 - o Minor Study Review: \$750.00
 - o Major Study Review \$1,500.00



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✓ **Legal Advertising Fees:**

- CCPC: \$1,125.00
- BCC: \$500.00

□ **School Concurrency Fee, if applicable:**

- Mitigation Fees, if application, to be determined by the School District in coordination with the County

Fire Code Plans Review Fees are not listed, but are collected at the time of application submission and those fees are set forth by the Authority having jurisdiction. The Land Development Code requires Neighborhood Notification mailers for Applications headed to hearing, and this fee is collected prior to hearing. All checks payable to: Board of County Commissioners.

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.*

Signature of Petitioner or Agent

Date

Printed named of signing party

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

**Mediterra Southeast Access
Insubstantial Planned Unit Development Amendment
Project Narrative, Detail of Request, and Growth Management Plan Compliance**

Project Narrative and Detail of Request

The residential development known as Mediterra is comprised of land within both Lee and Collier Counties, with Livingston Road bifurcating the development into east and west portions. This request focuses on that portion of the development within Collier County on the east side of Livingston Road (Mediterra East). In 2001, Collier County approved Mediterra as a Planned Unit Development via adoption of Ordinance No. 01-61. At that time, the PUD Master Plan showed an access point at the southern boundary of Mediterra East connecting to what is now Veterans Memorial Boulevard (VMB Access Point). See Figures 1 and 2 below.

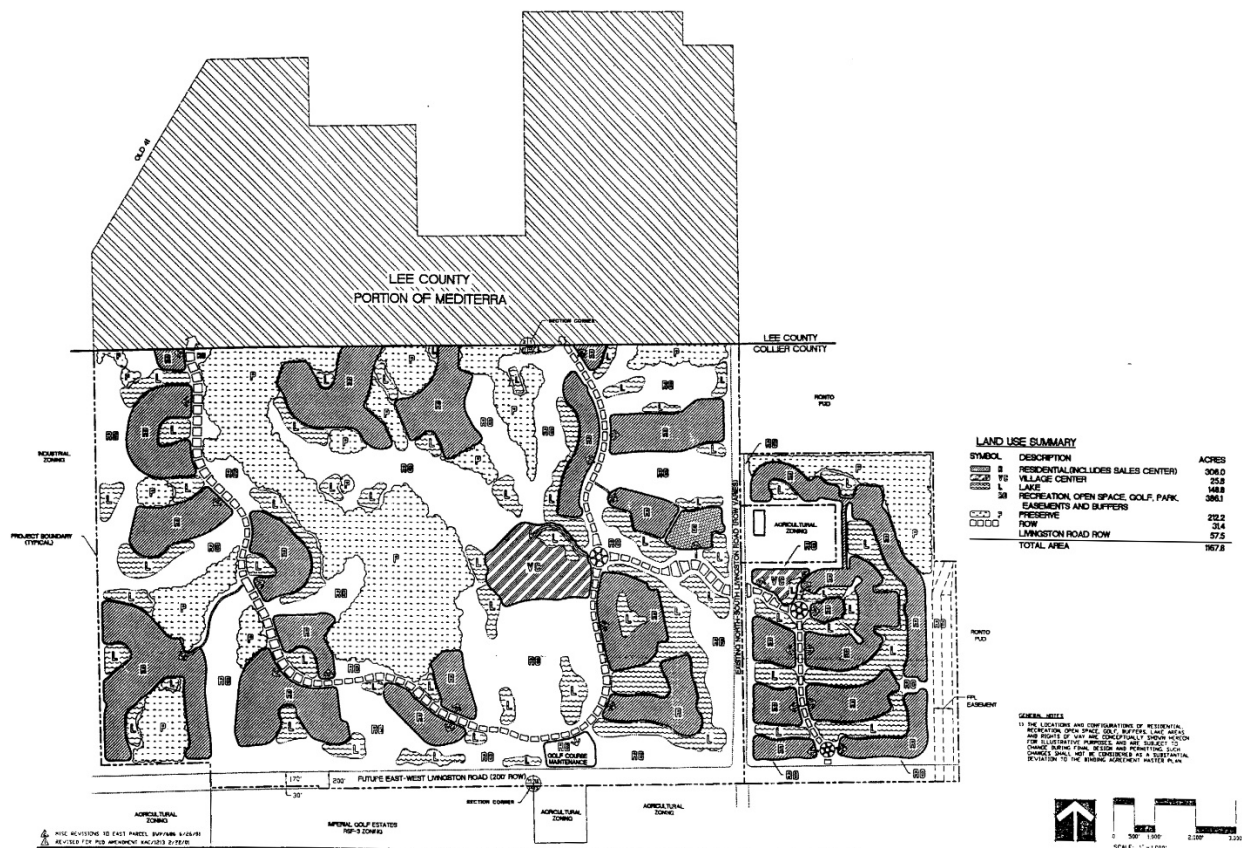


Figure 1: Original 2001 PUD Master Plan

Mediterra SE Access PUDI
Project Narrative, Detail of Request, and Growth Management Plan Compliance
Revised July 27, 2022

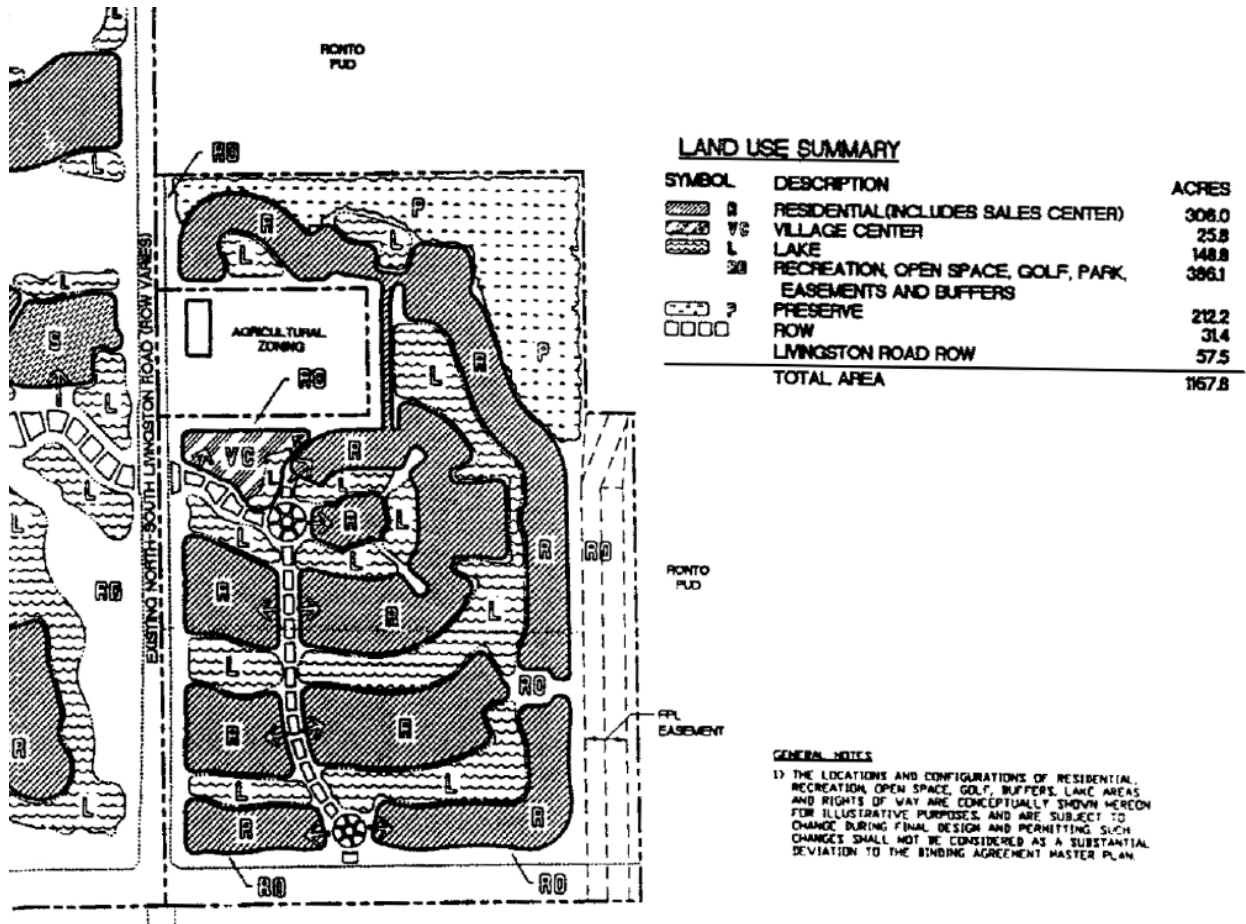


Figure 2: Original 2001 PUD Master Plan Cropped for Mediterra East

Mediterra SE Access PUDI
Project Narrative, Detail of Request, and Growth Management Plan Compliance
Revised July 27, 2022

However, three years later, in 2004, Collier County approved an insubstantial amendment to the PUD (PDI Resolution No. 04-11) which, among other things, removed the VMB Access Point from the PUD Master Plan. See Figure 3 below.

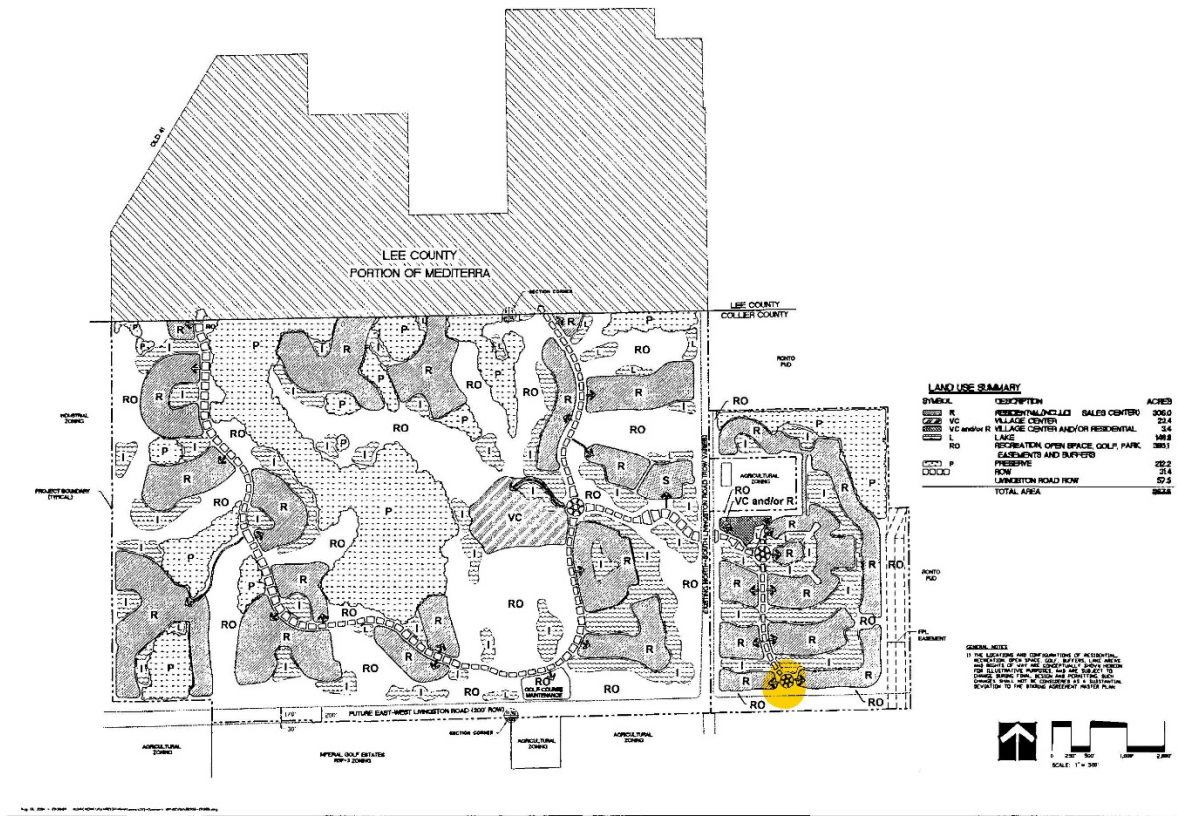


Figure 3: 2004 PUD Master Plan

Through this application, the Mediterra Community Association (“MCA”) requests that the VMB Access Point be re-inserted into the PUD Master Plan. Without the VMB Access Point, the sole point of ingress and egress for Mediterra East residents is a non-signalized intersection with Livingston Road, as shown on the Master Plan. This intersection presents traffic safety issues, especially for vehicles exiting Mediterra East to travel southbound on Livingston Road. These vehicles must avoid northbound Livingston traffic flow and then attempt to merge with southbound Livingston traffic flow. The VMB Access Point would facilitate traffic safety, reduce congestion on Livingston Road, and increase roadway connectivity (especially in conjunction with the County’s plans to connect Veterans Memorial Boulevard to Old 41). The proposed, revised Master Plan, with the VMB Access Point re-inserted, is set forth below in Figure 4.

Mediterra SE Access PUDI
Project Narrative, Detail of Request, and Growth Management Plan Compliance
Revised July 27, 2022

REVISED: JULY 27, 2022

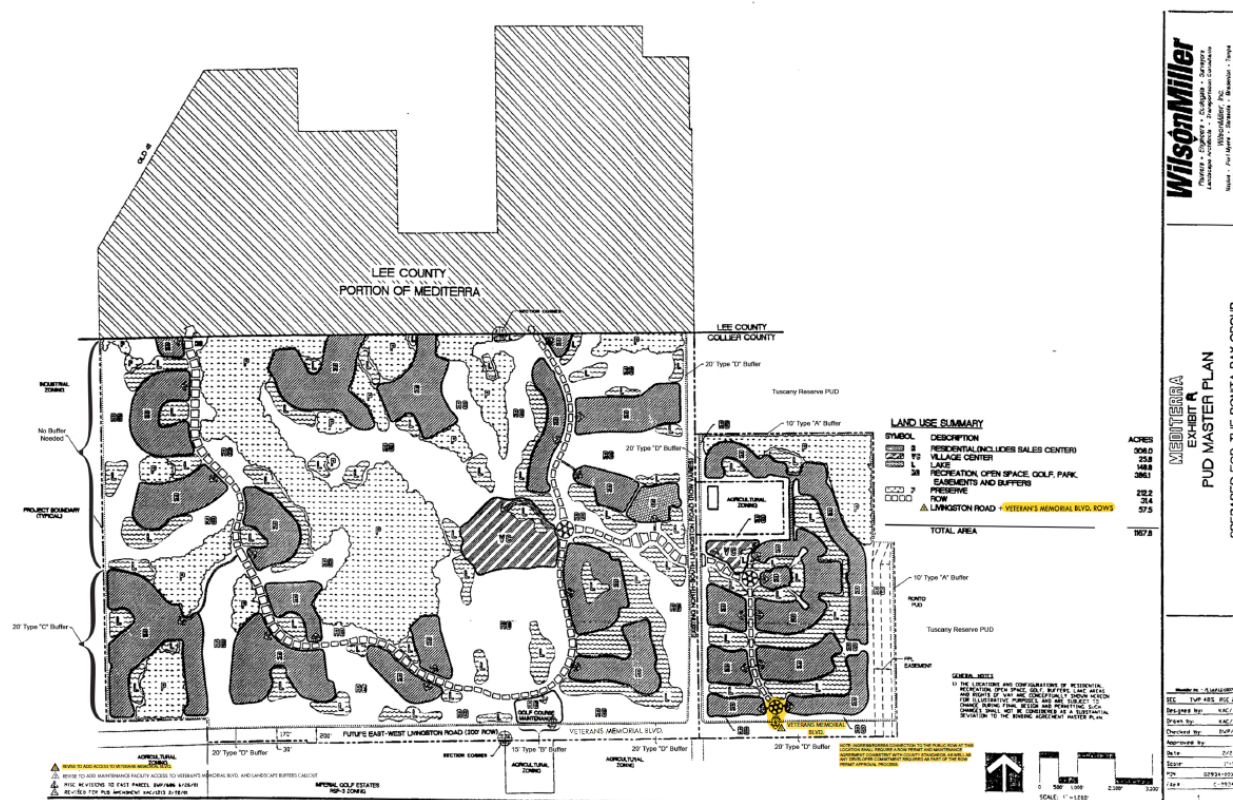


Figure 4: Proposed Revised PUD Master Plan *

* Note: The Mediterra Master Plan has been modified through various PUD amendments throughout the years. Based on instruction from County Staff provided in a correction comment in the Collier County Growth Management Department review comment letter dated May 16, 2022, the “current” version of the Master Plan that this application is proposing modifications to is the version included in recent PUDA amendment application PL20210001368.

As illustrated below in Figure 5, the proposed VME Access Point will connect Corso Mediterra Circle, the existing roundabout inside Mediterra East, to Veterans Memorial Boulevard, and align with the entrance to Allura, the multifamily development currently under construction on the south side of Veterans Memorial Boulevard. The VME Access Point has been designed to provide two-way traffic in and out of Mediterra East. However, the community currently plans to restrict the VME Access Point to egress only for the Mediterra residents. Ingress would be permitted for emergency vehicles only. MCA would reserve the right to open ingress to Mediterra residents, subject to any County permitting requirements.

Should the VMB Access Point be approved, proposed improvements will be limited to land owned by MCA and the County (after a ROW permit is obtained). The existing wall, landscape berm and buffer along the southern boundary of Mediterra East will be preserved and enhanced, such that existing homes and private property inside Mediterra East will not be impacted.

Mediterra SE Access PUDI
 Project Narrative, Detail of Request, and Growth Management Plan Compliance
 Revised July 27, 2022



Figure 5: Proposed VMB Access Point Design

Mediterra SE Access PUDI
Project Narrative, Detail of Request, and Growth Management Plan Compliance
Revised July 27, 2022

Consistency with Land Development Code Review Criteria (Section 10.02.13.E.1)

For the purpose of this section, a substantial change shall be deemed to exist where:

- a. *A proposed change in the boundary of the PUD;*

Applicant Response: No changes are proposed in the boundary of the PUD as part of this application.

- b. *A proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development;*

Applicant Response: No changes are proposed as part of this application which would increase in the total number of dwelling units or intensity of land use or height of buildings within the development.

- c. *A proposed decrease in preservation, conservation, recreation or open space areas within the development not to exceed 5 percent of the total acreage previously designated as such, or 5 acres in area;*

Applicant Response: The master concept plan provides for 386 acres of Recreation, Open Space, Golf, Park, Easement and Buffers. The proposed vehicular access point will convert 0.10 acres of that area to ROW, which is about 0.03 percent of the total.

- d. *A proposed increase in the size of areas used for nonresidential uses, to include institutional, commercial and industrial land uses (excluding preservation, conservation or open spaces), or a proposed relocation of nonresidential land uses;*

Applicant Response: No changes are proposed to increase the size of areas used for institutional, commercial or industrial land uses as part of this application.

- e. *A substantial increase in the impacts of the development which may include, but are not limited to, increases in traffic generation; changes in traffic circulation; or impacts on other public facilities;*

Applicant Response: No changes (such as an increase dwelling units, increase in nonresidential square footage, or changes in uses) are proposed that would increase traffic generation. Mediterra East is platted/approved for 176 single family residential dwelling units. The development has existing access on Livingston Road and this amendment proposes to add an access point on Veteran's Memorial Boulevard. A traffic analysis prepared by TR Transportation has been submitted with the associated PPLA application which indicates that the resulting changes in traffic circulation will not be substantial:

- The projected left turn volume at the proposed VMB access point is only 16 vehicles during the PM peak hour (and these turning movements will only occur if the community decides to allow this access point to be used for ingress other than emergency vehicles).
- An eastbound left turn is not warranted for the new access point on VMB.
- A westbound right turn lane is not warranted for the access point on VMB.

- f. *A change that will result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers;*

Applicant Response: No changes are proposed in land use activities as part of this application.

Mediterra SE Access PUD
Project Narrative, Detail of Request, and Growth Management Plan Compliance
Revised July 27, 2022

- g. *A change that will result in a requirement for increased stormwater retention, or will otherwise increase stormwater discharges;*

Applicant Response: This project does not require additional stormwater retention, nor will it result in additional stormwater discharges. The existing stormwater system was designed to accommodate this project's impervious area as future pavement. Veteran's Memorial Blvd ROW exists within Mediterra's stormwater management system.

- h. *A change that will bring about a relationship to an abutting land use that would be incompatible with an adjacent land use;*

Applicant Response: No changes are proposed that will result in compatibility issues with adjacent land uses. The access point has been designed to align with the opposing access point on the south side of Veteran's Memorial Blvd.

- i. *Any modification to the PUD master plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other element of the Growth Management Plan or which modification would increase the density or intensity of the permitted land uses;*

Applicant Response: No changes are proposed which decrease the consistency of the PUD with the County's Comprehensive Plan. More specifically, no increase in density or intensity or any changes in the permitted land uses are proposed.

- j. *The proposed change is to a PUD district designated as a development of regional impact (DRI) and approved pursuant to F.S. § 380.06, where such change requires a determination and public hearing by Collier County pursuant to F.S. § 380.06(19). Any change that meets the criterion of F.S. § 380.06(19)(e)2, and any changes to a DRI/PUD master plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under this LDC section 10.02.13; or*

Applicant Response: The subject property and PUD are not designated as a DRI.

- k. *Any modification in the PUD master plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under this LDC section 10.02.13.*

Applicant Response: Based on the analysis above, no modifications are proposed which meet the standards for consideration of a substantial PUD amendment. As such, we request that this amendment continue to be reviewed and processed as an insubstantial PUD consistent with our previous discussions with County staff.

Mediterra SE Access PUDI
Project Narrative, Detail of Request, and Growth Management Plan Compliance
Revised July 27, 2022

Growth Management Plan Compliance

The applicant's request to insubstantially amend the PUD and Master Plan is not contrary to any of the goals, objectives and policies of the County's Comprehensive Plan. However, it does serve to further several adopted policies related to affirming the County's desire for an interconnected transportation network and reduction of emergency response times:

Future Land Use Policy 7.1:

The County shall encourage developers and property owners to connect their properties to fronting collector and arterial roads, except where no such connection can be made without violating intersection spacing requirements of the Land Development Code.

Future Land Use Policy 7.3:

All new and existing developments shall be encouraged to connect their local streets and/or interconnection points with adjoining neighborhoods or other developments regardless of land use type. The interconnection of local streets between developments is also addressed in Policy 9.3 of the Transportation Element.

Transportation Policy 9.3:

The County shall require, wherever feasible, the interconnection of local streets between developments to facilitate convenient movement throughout the road network. The Collier County Transportation Division shall develop guidelines, which identify the conditions that would require the interconnection of two neighboring developments, and shall also develop standards and criteria for the safe interconnection of such local streets.

Transportation Policy 9.6:

The County shall review impacts on emergency vehicle access or response time to neighborhoods, both before and after implementation of traffic calming measures. If emergency vehicle access or response times into a neighborhood have been adversely impacted by the traffic calming measures, the County shall work with the relevant emergency responders to reduce or eliminate such adverse impacts while still maintaining traffic calming measures.

The proposed access road will provide direct access to Veterans Memorial Blvd for residents and reduced trip lengths for emergency vehicles routed to the southeast vicinity of Mediterra. The proposed improvements serve to increase connectivity.

3.B.h

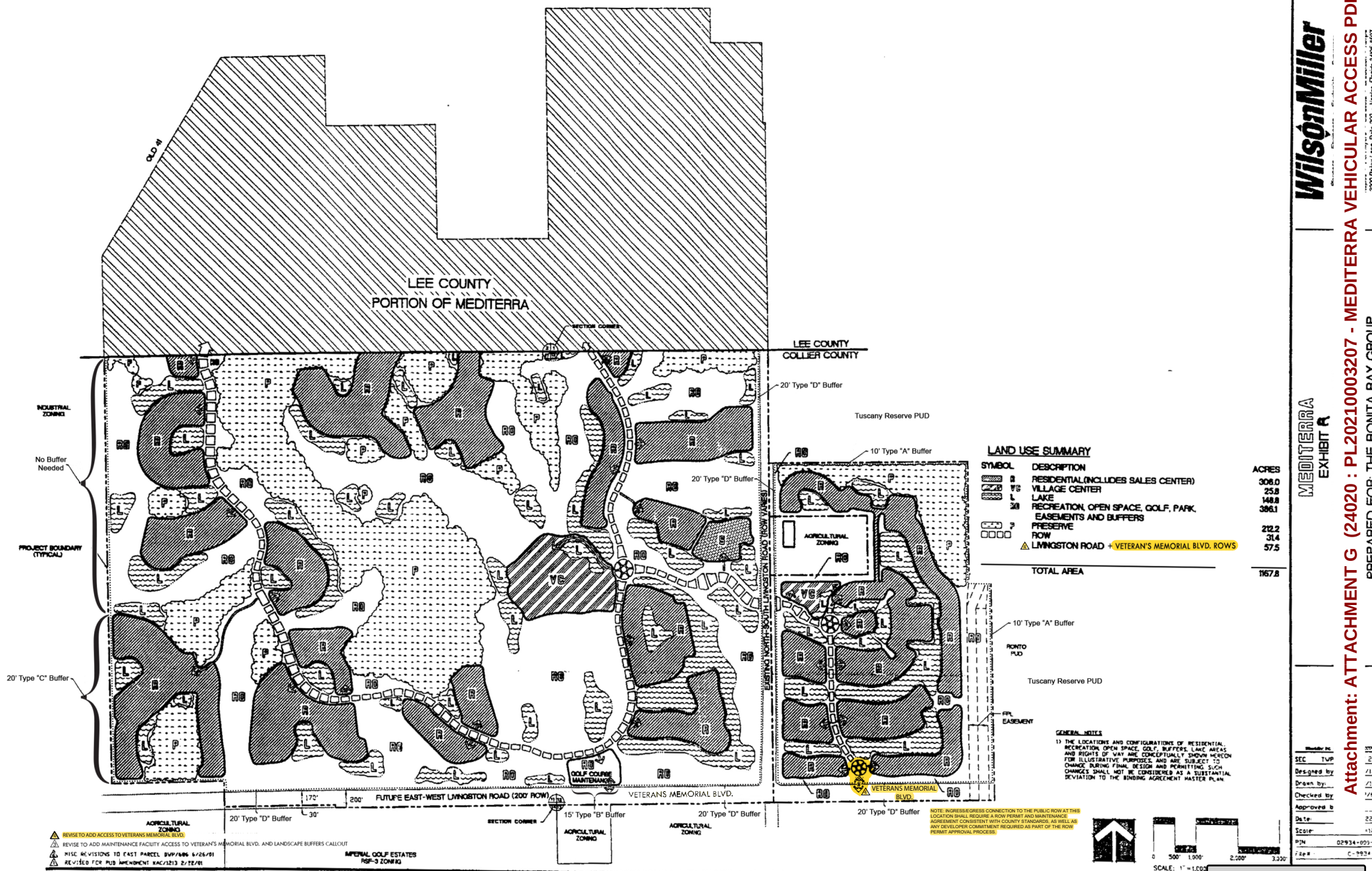


3.B.h

Wilson Miller

MEDITERRA
EXHIBIT A

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)



3.B.h

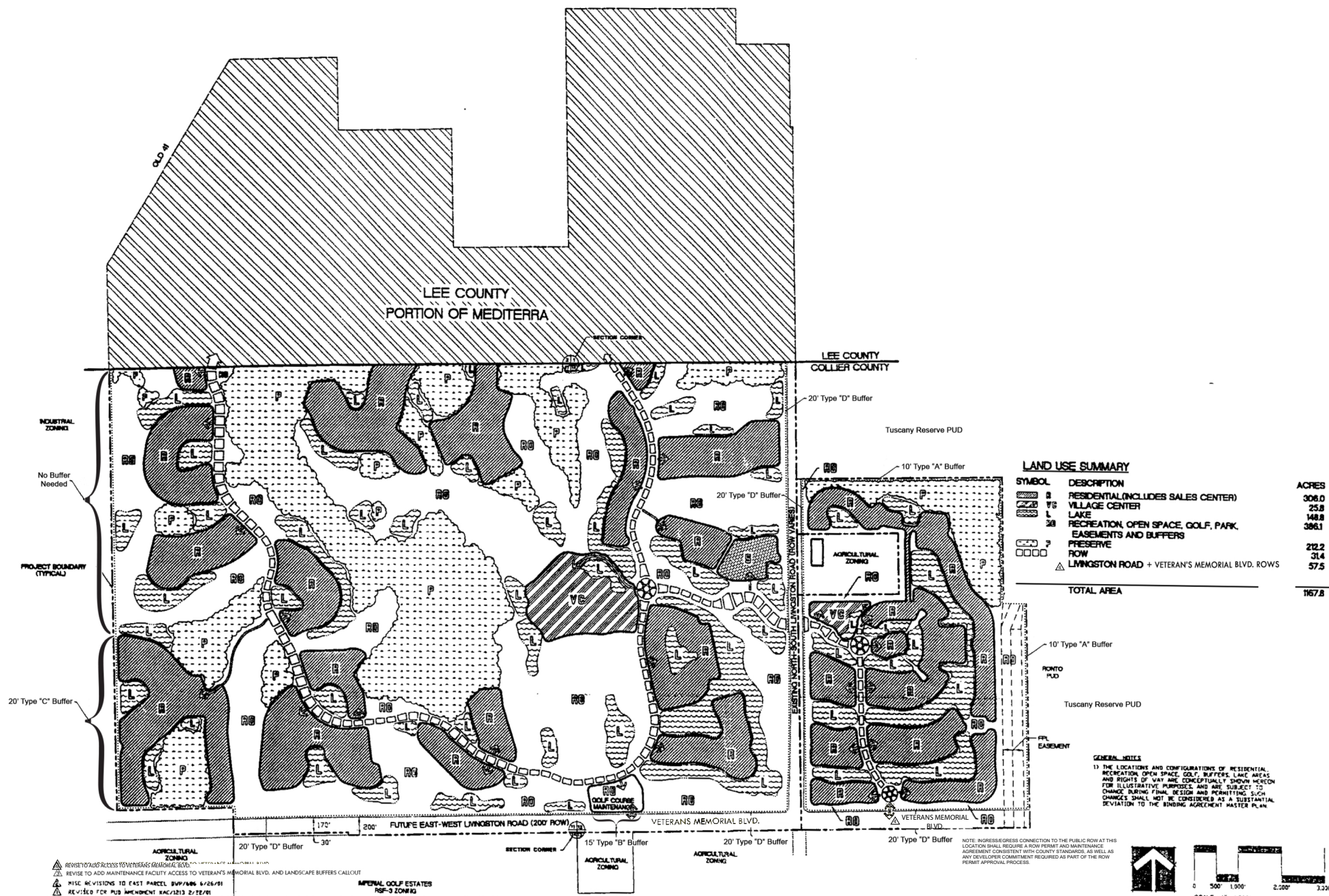
Wilson Miller

EXHIBIT A
MEDITERRA

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

SEC	TWF
Designed by	
Drawn by	
Checked by	
Approved by	
Date	
Scale	
PIN	02934-000-
File #	C-2934

Packet Pg. 189



2.16 GENERAL PERMITTED USES

Certain uses shall be considered general permitted uses throughout the Mediterra PUD except in the Wetland Conservation Area. General permitted uses are those uses which generally serve LBP and residents of Mediterra and are typically part of the common infrastructure or are considered community facilities.

A. General Permitted Uses:

1. Essential services as set forth under LDC, Section 2.6.9.1.
2. management facilities and related structures.
3. Temporary sewage treatment facilities.
4. Septic system for remote golf shelters.
5. Lakes including lakes with bulkheads or other architectural or structural bank treatments.
6. Guardhouses, gatehouses, and access control structures.
7. Community and neighborhood parks, trails and recreational facilities.
8. Temporary construction, sales, and administrative offices for LBP and LBP's authorized contractors and consultants, including necessary access ways, parking areas and related uses.
9. Landscape/hardscape features including, but not limited to, landscape buffers, berms, fences, water features and walls subject to the standards set forth in Section 2.11 of this PUD.
10. Fill storage, site filling and grading are subject to the standards set forth in Section 2.12 of this PUD.
11. Any other use which is comparable in nature with the foregoing uses and which the Community Development and Environmental Services Administrator determines to be compatible.

B. Standards:

Unless otherwise set forth in this document, the following development standards shall apply to structures:

1. Setback from property lines:

Front: ten feet (10')

Side: five feet (5')

Rear: ten feet (10')

2. Minimum distance between structures which are part of an architecturally unified grouping - five feet (5').
3. Minimum distance between unrelated structures - ten feet (10').
4. Maximum height of structures - thirty-five feet (35').
5. Minimum floor area - None required.
6. Minimum lot or parcel area - None required.
7. Sidewalks and bike paths may occur within County required buffers.
8. Standards for parking, landscaping, signs and other land uses where such standards are not specified herein or within Mediterra development standards, are to be in accordance with the applicable LDC provision in effect at the time this PUD is approved.

C. Southeastern Access Point on Veterans Memorial Boulevard, east of Livingston Road:

Unless otherwise set forth in this subsection C, the following development standards shall apply to the southeastern vehicular access point on Veterans Memorial Boulevard, east of Livingston Road:

1. A vehicular access point connecting Celebrita Court to Veterans Memorial Boulevard may be provided for Mediterra Phase Three East (for reference, see Exhibit B).
2. Maximum wall height from the highest elevation of the landscape berm: eight feet (8').
3. The existing eight-foot (8') wall will transition to a step-down precast wall system atop the landscape berm slope (for reference, see Exhibit B).
4. The grade elevation of the landscape berms on either side of the southern access point shall transition from the grade of the existing berm to the grade of the access point gate with a maximum slope of four to one (4 to 1) such that the toe of the slope transitions to the base of the decorative columns.

5. Where grading transitions along the berm are required, the downhill side of the fence/wall panel is limited to a maximum of twelve feet (12') in height from the elevation of the berm.
6. Maximum height of decorative columns: twelve feet (12') as measured from the toe of the landscape berm slope. An additional maximum height of four feet (4') is allowable for optional architectural features, such as precast finial caps, atop the columns (for reference, see Exhibit B).
7. Maximum height of the security gate affixed to the decorative columns: twelve feet (12').
8. Maximum distance between each toe of the slope of the landscape berm on either side of the access point: forty-seven feet (47').

Prepared by and return to:
David L. Cook, Esq.

Henderson, Franklin, Starnes & Holt, P.A. (B)
3451 Bonita Bay Boulevard Suite 206
Bonita Springs, FL 34134
239-344-1100

[Space Above This Line For Recording Data]

Quit Claim Deed

This Instrument is Prepared Without Opinion of Title

This Quit Claim Deed made this 29 day of APRIL, 2010 between Long Bay Partners, LLC., a Florida limited liability company, whose post office address is 9990 Coconut Road, Suite 200, Bonita Springs, FL 34135, grantor, and Mediterra Community Association, Inc., a Florida corporation, whose post office address is 15735 CORSO MEDITERRA CIRCLE, NAPLES FL 34110; grantee:

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

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, lying and being in Collier County, Florida to-wit:

See Exhibit A and B attached hereto and made a part hereof.

Subject to taxes for 2010 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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

The property being conveyed shall be continually maintained by Grantee, its successors and assigns, as a landscape buffer and by the acceptance of this Deed, Grantee agrees to maintain the property as required hereby.

#1778194

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

Signed, sealed and delivered in our presence:

LONG BAY PARTNERS LLC,
a Florida limited liability company,
By: BONITA BAY PROPERTIES, INC.,
a Florida corporation, Managing Member

Bonnie Thinnnes
Witness

BONNIE THINNES
Printed Name

Diane Murray
Witness

DIANE MURRAY
Printed Name

By: [Signature]

Printed Name: Gray Dumais

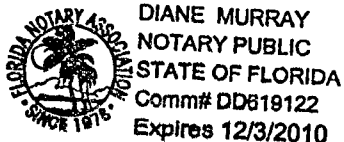
Its: VP

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 29th day of April, 2010, by Gray Dumais as Vice President of Bonita Bay Properties, Inc., a Florida corporation, Managing Member of Long Bay Partners LLC, a Florida limited liability company, on behalf of the corporation and the company. Who is personally known to me.

(Notary Seal)



Diane Murray
Notary Public

Printed Name: DIANE MURRAY

My Commission Expires: 12/3/10

#1778194

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

MORRIS

2914 Cleveland Avenue | Fort Myers, Florida 33901

DEPEWENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

Phone (239) 337-3993 | Toll Free (866) 337-7341

www.morris-depew.com

Mediterra Southeast Entry**Legal Description****DESCRIPTION:**

TRACT Q AND TRACT R, "MEDITERRA PHASE THREE EAST, UNIT ONE", A SUBDIVISION, RECORDED AS PLAT BOOK 40, PAGES 59 THROUGH 68, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

CONTAINING 44 ACRES, MORE OR LESS.

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

Explanation of Exhibit A

The parcels listed on rows 2-49 on Exhibit A are described by the Plat name in Column A, the Tract name in Column B, as described on the Plat, the Plat recording information in Column C, and the Property Appraiser's folio number in Column E.

NOT A CERTIFIED COPY

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

EXHIBIT "A"

	A	B	C	D	E	F
1	<u>Parcel / Area</u>	<u>Legal Description</u>	<u>PB/Page</u>	<u>Folio/Strap</u>	<u>Numbers</u>	<u>County</u>
2	Mediterra Parcel 100	Tract R	PB34 PGS 1-2	Folio	59960001077	Collier
3	Mediterra Parcel 100	Tract A	PB34 PGS 1-2	Folio	59960001035	Collier
4	Mediterra Parcel 100	Tract B	PB34 PGS 1-2	Folio	59960001051	Collier
5	Mediterra Parcel 101	Tract R	PB34 PGS 43-44	Folio	59960001802	Collier
6	Mediterra Parcel 101	Tract A	PB34 PGS 43-44	Folio	59960001763	Collier
7	Mediterra Parcel 101	Tract B	PB34 PGS 43-44	Folio	59960001789	Collier
8	Mediterra Parcel 101 A	Tract R	PB35 PGS 59-60	Folio	59960001802	Collier
9	Mediterra Parcel 102	Tract R	PB34 PGS 3-4	Folio	59960001381	Collier
10	Mediterra Parcel 108	Tract R	PB34 PGS 33-34	Folio	59960003596	Collier
11	Mediterra Parcel 108	Tract A	PB34 PGS 33-34	Folio	59960003554	Collier
12	Mediterra Parcel 108	Tract B	PB34 PGS 33-34	Folio	59960003570	Collier
13	Mediterra Parcel 109	Tract R	PB35 PGS 77-78	Folio	59960011083	Collier
14	Mediterra Parcel 109	Tract B	PB35 PGS 77-78	Folio	59960011041	Collier
15	Mediterra Parcel 110	Tract R	PB35 PGS 79-80	Folio	59960012189	Collier
16	Mediterra Parcel 110	Tract A	PB35 PGS 79-80	Folio	59960012163	Collier
17	Mediterra Parcel 110	Tract B	PB35 PGS 79-80	Folio	59960012024	Collier
18	Mediterra Parcel 110	Tract G	PB35 PGS 79-80	Folio	59960012147	Collier
19	Mediterra Parcel 110	Tract H	PB35 PGS 79-80	Folio	59960012163	Collier
20	Mediterra Parcel 111	Tract R	PB37 PGS 8-9	Folio	59960040067	Collier
21	Mediterra Parcel 111	Tract A	PB37 PGS 8-9	Folio	59960040025	Collier
22	Mediterra Parcel 111	Tract B	PB37 PGS 8-9	Folio	59960040041	Collier
23	Mediterra Parcel 117	Tract R	PB44 PGS 29-31	Folio	59960180024	Collier
24	Mediterra Parcel 120	Tract R	PB 37 PGS 77-78	Folio	59960200043	Collier
25	Mediterra Phase 3 East	Tract R	PB 40 PGS 59-68	Folio	59960211964	Collier
26	Mediterra Phase 3 East	Tract F	PB 40 PGS 59-68	Folio	59960211485	Collier
27	Mediterra Phase 3 East	Tract L	PB 40 PGS 59-68	Folio	59960211621	Collier
28	Mediterra Phase 3 East	Tract M	PB 40 PGS 59-68	Folio	59960211867	Collier
29	Mediterra Phase 3 East	Tract N	PB 40 PGS 59-68	Folio	59960211883	Collier
30	Mediterra Phase 3 East	Tract H	PB 40 PGS 59-68	Folio	59960211540	Collier
31	Mediterra Phase 3 East	Tract O	PB 40 PGS 59-68	Folio	59960211906	Collier
32	Mediterra Phase 3 East	Tract P	PB 40 PGS 59-68	Folio	59960211922	Collier
33	Mediterra Phase 3 East Unit One	Tract Q	PB 40 PGS 59-68	Folio	59960211948	Collier
34	Mediterra Phase 3 East Unit One	Tract A	PB 40 PGS 59-68	Folio	59960210020	Collier
35	Mediterra Phase 3 East Unit Three	Tract A3	PB 47 PGS 50-51	Folio	59960210046	Collier
36	Mediterra Phase 3 East Unit Two	Tract R3	PB 42 PGS 82-83	Folio	59960213946	Collier
37	Mediterra Phase 3 East Unit Two	Tract R2	PB 42 PGS 82-83	Folio	59960213920	Collier
38	Mediterra Phase 3 East Unit Two	Tract X	PB 42 PGS 82-83	Folio	59960213988	Collier

EXHIBIT "A"

	A	B	C	D	E	F
39	Mediterra Phase 3 East Unit Two	Tract Y	PB 42 PGS 82-83	Folio	59960214000	Collier
40	Mediterra Phase 3 East Unit Two	Tract V	PB 42 PGS 82-83	Folio	59960213962	Collier
41	Mediterra Phase 3 East Unit Two	Tract W	PB 42 PGS 82-83	Folio	59960214026	Collier
42	Mediterra Unit One	Tract R	PB 33 PGS 96-101	Folio	59960000081	Collier
43	Mediterra Unit One	Tract R	PB 33 PGS 96-101	Folio	59960000104	Collier
44	Mediterra Unit One	Tract A	PB 33 PGS 96-101	Folio	59960000023	Collier
45	Mediterra Unit One	Tract B	PB 33 PGS 96-101	Folio	59960000049	Collier
46	Mediterra Unit One	Tract C	PB 33 PGS 96-101	Folio	59960000065	Collier
47	Mediterra Unit Two	Tract R	PB 36 PGS 78-79	Folio	59970000042	Collier
48	Mediterra Phase 3 East Unit Three	Tract B3	PB 47 PGS 50-51	Folio	59960210046	Collier
49	Mediterra Phase 3 East Unit Three	Tract C3	PB 47 PGS 50-51	Folio	59960210046	Collier

UNOFFICIAL COPY

EXHIBIT B TO MCA COLLIER COUNTY DEED

(PARCEL NUMBERS ARE BASED ON AND NUMBERED CONSISTENT WITH PARCEL NUMBERS APPEARING AS "LESSOUT PARCELS" ON SURVEY OF MEDITERRA COLLIER COUNTY GOLF COURSE HOLES PREPARED BY BOCK & CLARK CORP. DATED JANUARY 8, 2010, PROJECT NO. 200900558-4. PARCELS #1, #2, #16, #21 AND #37 ARE PORTIONS OF LESSOUT PARCELS #1, #2, #16, #21 AND #37 ON SAID SURVEY)

PARCEL #1

A TRACT OR PARCEL OF LAND LYING IN TRACT "GC-4" OF MEDITERRA SOUTH GOLF COURSE PHASE FOUR, RECORDED IN PLAT BOOK 38, PAGES 69 THROUGH 77, COLLIER COUNTY RECORDS, IN SECTION 11, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SOUTHEAST CORNER OF MEDITERRA PARCEL 113, RECORDED IN PLAT BOOK 38, PAGES 43 AND 44, COLLIER COUNTY RECORDS RUN SOUTHEASTERLY ALONG THE WESTERLY LINE OF MEDITERRA UNIT TWO, RECORDED IN PLAT BOOK 36, PAGE 78 AND 79, COLLIER COUNTY RECORDS, ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 450.00 FEET (DELTA 04°53'08") (CHORD BEARING S23°20'53"E) (CHORD 38.36 FEET) FOR 38.37 FEET A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHEASTERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 500.00 FEET (DELTA 21°01'20") (CHORD BEARING S15°16'47"E) (CHORD 182.43 FEET) FOR 183.45 FEET TO THE NORTHEAST CORNER OF MEDITERRA PARCEL 112, RECORDED IN PLAT BOOK 36, PAGES 80 AND 81, COLLIER COUNTY RECORDS; THENCE RUN N88°34'27"W ALONG THE NORTHERLY LINE OF SAID MEDITERRA PARCEL 112 FOR 20.12 FEET; THENCE RUN NORTHWESTERLY ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 480.00 FEET (DELTA 20°45'47") (CHORD BEARING N15°24'34"W) (CHORD 172.99 FEET) FOR 173.94 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN NORTHWESTERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 470.00 FEET (DELTA 05°53'18") (CHORD BEARING N22°50'49"W) (CHORD 48.28 FEET) FOR 48.30 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID MEDITERRA PARCEL 113; THENCE RUN S88°28'46"E ALONG SAID SOUTHERLY LINE FOR 21.56 FEET TO THE POINT OF BEGINNING. CONTAINING 0.10 ACRES, MORE OR LESS.

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE SOUTHERLY LINE OF MEDITERRA PARCEL 113 RECORDED IN PLAT BOOK 38, PAGES 43 AND 44, COLLIER COUNTY RECORDS TO BEAR S88°28'46"E.

PARCEL #2

A TRACT OR PARCEL OF LAND LYING IN MEDITERRA SOUTH GOLF COURSE PHASE FOUR, RECORDED IN PLAT BOOK 38, PAGES 69 THROUGH 77, COLLIER COUNTY RECORDS, IN SECTION 11, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SOUTHEAST CORNER OF MEDITERRA PARCEL 112, RECORDED IN PLAT BOOK 36, PAGES 80 AND 81, COLLIER COUNTY RECORDS RUN SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF MEDITERRA UNIT TWO, RECORDED IN PLAT BOOK 36, PAGE 78 AND 79, COLLIER COUNTY RECORDS, ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 600.00 FEET (DELTA 15°19'56") (CHORD BEARING S37°36'19"E) (CHORD 160.08 FEET) FOR 160.56 FEET A POINT OF TANGENCY; THENCE RUN S45°16'16"E ALONG SAID SOUTHWESTERLY LINE FOR 18.68 FEET TO THE NORTHERLY MOST CORNER OF MEDITERRA PARCEL 111, RECORDED IN PLAT BOOK 37, PAGES 8 AND 9, COLLIER COUNTY RECORDS; THENCE RUN S44°43'44"W ALONG THE NORTHERLY LINE OF SAID MEDITERRA PARCEL 111 FOR 20.00 FEET; THENCE RUN

N45°16'16"W FOR 18.68 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHWESTERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 620.00 FEET (DELTA 15°19'56") (CHORD BEARING N37°36'19"W) (CHORD 165.42 FEET) FOR 165.91 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID MEDITERRA PARCEL 112; THENCE RUN N60°03'39"E ALONG SAID SOUTHERLY LINE FOR 20.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 0.08 ACRES, MORE OR LESS.

BEARINGS HEREBY ABOVE MENTIONED ARE BASED ON THE SOUTHERLY LINE OF TRACT "A" OF MEDITERRA PARCEL 112 RECORDED IN PLAT BOOK 36, PAGES 80 AND 81, COLLIER COUNTY RECORDS TO BEAR N 60°03'39" E.

PARCEL #3

A TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 11, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY FLORIDA.

SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SECTION 11, SAID POINT ALSO BEING THE NORTHWEST CORNER OF TRACT GC-4A, MEDITERRA SOUTH GOLF COURSE PHASE 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 38, PAGE 69, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE N88°57'27"E, ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 1281.03 FEET; THENCE S.01°02'29"E, LEAVING SAID NORTH LINE, A DISTANCE OF 1049.42 FEET TO THE POINT OF BEGINNING, SAID POINT LYING AND BEING ON THE EASTERLY RIGHT OF WAY LINE OF CORSO MEDITERRA CIRCLE, AS SHOWN ON AFOREMENTIONED PLAT; THENCE S.88°32'04"E., LEAVING SAID EASTERLY RIGHT OF WAY, A DISTANCE OF 15.00 FEET TO A POINT ON THE WEST BOUNDARY LINE OF CONSERVATION EASEMENT #4AC, AS RECORDED IN O.R. BOOK 2871, PAGE 2481; THENCE ALONG SAID WEST BOUNDARY LINE FOR THE FOLLOWING TWO (2) CALLS; (1) THENCE S.01°27'56"W., 114.26 FEET TO (2) A POINT OF CURVATURE CONCAVE EASTERLY, HAVING A RADIUS OF 485.00 FEET, A CENTRAL ANGLE OF 19°26'24" AND A CHORD BEARING AND DISTANCE OF S 08°15'16"E., 163.77 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 164.56 FEET; THENCE S.89°04'33"W., A DISTANCE OF 15.67 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF SAID CORSO MEDITERRA CIRCLE; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE FOR THE FOLLOWING TWO (2) CALLS: (1) THENCE WITH A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 18°54'49" AND A CHORD BEARING AND DISTANCE OF N.07°59'28"W., 164.30 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 165.05 FEET; (2) THENCE N.01°27'56"E., A DISTANCE OF 114.26 FEET TO THE POINT OF BEGINNING.

PARCEL #4

A TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 11, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY FLORIDA.

SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SECTION 11, SAID POINT ALSO BEING THE NORTHWEST CORNER OF TRACT GC-4A, MEDITERRA SOUTH GOLF COURSE PHASE 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 38, PAGE 69, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE N88°57'27"E, ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 1234.30 FEET; THENCE S.01°02'29"E, LEAVING SAID NORTH LINE, A DISTANCE OF 172.62 FEET TO THE POINT OF BEGINNING, SAID POINT LYING AND BEING ON THE EASTERLY RIGHT OF WAY LINE OF CORSO MEDITERRA CIRCLE, AS SHOWN ON AFOREMENTIONED PLAT; THENCE N.75°26'26"E., LEAVING SAID EASTERLY RIGHT OF WAY, A DISTANCE OF 15.04 FEET TO

A POINT ON THE WEST BOUNDARY LINE OF CONSERVATION EASEMENT #4AC, AS RECORDED IN O.R. BOOK 2871, PAGE 2481; THENCE ALONG SAID EASTERLY BOUNDARY LINE FOR THE FOLLOWING THREE (3) CALLS; (1) THENCE WITH A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 335.00 FEET, A CENTRAL ANGLE OF 7°24'30" AND A CHORD BEARING AND DISTANCE OF S.22°05'12"E., 43.29 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 43.32 FEET TO (2) A POINT OF REVERSE CURVATURE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 615.00 FEET, A CENTRAL ANGLE OF 27°15'25" AND A CHORD BEARING AND DISTANCE OF S.12°09'46"E., 289.82 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 292.57 FEET; (3) THENCE S.01°27'56"W., A DISTANCE OF 308.72 FEET; THENCE N.88°32'04"W., A DISTANCE OF 15.00 FEET TO A POINT ON SAID EASTERLY RIGHT OF WAY LINE OF CORSO MEDITERRA CIRCLE; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE FOR THE FOLLOWING THREE (3) CALLS; (1) THENCE N.01°27'56"E., A DISTANCE OF 308.72 FEET TO (2) A POINT OF CURVATURE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 600.00 FEET, A CENTRAL ANGLE OF 27°15'25" AND A CHORD BEARING AND DISTANCE OF N.12°09'46"W., 282.75 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 285.43 FEET TO (3) A POINT OF REVERSE CURVATURE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 350.00 FEET, A CENTRAL ANGLE OF 7°34'21" AND A CHORD BEARING AND DISTANCE OF N.22°00'16"E., 46.22 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 46.26 FEET TO THE POINT OF BEGINNING.;

PARCEL #14

A TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 12, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY FLORIDA.

SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 12; THENCE RUN N.00°47'58"W., ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 12, FOR 2001.73 FEET TO A POINT; THENCE, DEPARTING SAID EAST LINE, RUN S89°08'46"W. FOR 99.99 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE FOR LIVINGSTON ROAD; THENCE N.71°50'22"W. ALONG THE SOUTH LINE OF A 15.00 PRIMARY DRAINAGE EASEMENT, FOR 73.55 FEET TO A POINT ON A LINE OF THE BOUNDARY LINE OF TRACT L-2 (LAKE AND DRAINAGE EASEMENT), AS SHOWN ON MEDITERRA SOUTH GOLF COURSE PHASE 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 37, PAGES 59-66, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE, ALONG SAID TRACT L-1 THE FOLLOWING 16 CALLS, RUN N.17°35'34"E. FOR 15.00 FEET TO THE NORTH LINE OF SAID 15.00 FOOT EASEMENT; THENCE RUN N.17°35'34"E. FOR 11.37 FEET TO A POINT ON A LINE; THENCE RUN N.10°16'37"E. FOR 64.58 FEET TO A POINT ON A LINE; THENCE RUN N.04°03'26"W. FOR 75.72 FEET TO A POINT ON A LINE; THENCE RUN N.42°16'39"W. FOR 31.63 FEET TO A POINT ON A LINE; THENCE RUN N.70°41'38"W. FOR 25.45 FEET TO A POINT ON A LINE; THENCE RUN N.80°17'24"W. FOR 78.89 FEET TO A POINT ON A LINE; THENCE RUN N.65°18'28"W. FOR 57.74 FEET TO A POINT ON A LINE; THENCE RUN N.54°47'55"W. FOR 55.04 FEET TO A POINT ON A LINE; THENCE RUN N.47°24'47"W. FOR 48.04 FEET TO A POINT ON A LINE; THENCE RUN N.45°34'17"W. FOR 93.48 FEET TO A POINT ON A LINE; THENCE RUN N.47°02'38"W. FOR 118.11 FEET TO A POINT ON A LINE; THENCE RUN N.67°33'46"W. FOR 20.27 FEET TO A POINT ON A LINE; THENCE RUN N.84°34'29"W. FOR 77.01 FEET TO A POINT ON A LINE; THENCE RUN S.69°18'25"W. FOR 54.86 FEET TO A POINT ON A LINE; THENCE RUN S.52°47'08"W. FOR 52.66 FEET TO A POINT ON A LINE; THENCE, DEPARTING AFOREMENTIONED TRACT L-2, N.25°08'22"W., FOR 40.01 FEET TO A POINT ON A CURVE ON THE SOUTHERLY RIGHT OF WAY OF MEDITERRA BOULEVARD; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 83.00 FEET (DELTA 26°25'00") (CHORD BEARING N.51°39'08"E.) (CHORD 37.93 FEET) FOR 38.27 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 148.00 FEET (DELTA 95°51'54") (CHORD BEARING N.86°22'38"E.) (CHORD 219.74 FEET) FOR 247.63 FEET TO A POINT OF TANGENCY;

THENCE RUN S.45°41'25"E. FOR 255.98 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 296.00 FEET (DELTA 38°46'18") (CHORD BEARING S.65°04'34"E.) (CHORD 196.50 FEET) FOR 200.30 FEET TO A POINT ON A LINE; THENCE RUN S.53°22'50"E. FOR 56.04 FEET TO A POINT ON A LINE; THENCE N.89°08'50"E. FOR 12.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF LIVINGSTON ROAD; THENCE S.00°51'10"E., ALONG SAID RIGHT OF WAY, FOR 193.29 FEET TO THE POINT OF BEGINNING.

PARCEL #15

A TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 12, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY FLORIDA.

SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SECTION 12; THENCE RUN S00°50'59"E., ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 12, FOR 1960.80 FEET TO A POINT; THENCE, DEPARTING SAID EAST LINE, RUN S89°09'01"W. FOR 99.91 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE FOR LIVINGSTON ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE, ALONG SAID RIGHT OF WAY THE FOLLOWING 3 CALLS, RUN S.00°51'10"E. FOR 579.13 FEET TO A POINT, THENCE RUN S.12°40'18"W. FOR 51.31 FEET TO A POINT; THENCE S.00°50'59"E. FOR 264.14 FEET TO A POINT ON A CURVE ON THE NORTHERLY RIGHT OF WAY LINE OF MEDITERRA BOULEVARD; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET (DELTA 106°42'20") (CHORD BEARING S.52°29'56"W.) (CHORD 80.23 FEET) FOR 93.12 FEET TO A POINT OF COMPOUND CURVATURE; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 184.00 FEET (DELTA 28°27'28") (CHORD BEARING N.59°55'09"W.) (CHORD 90.45 FEET) FOR 91.39 FEET TO A POINT OF TANGENCY; THENCE N.45°41'25"W. FOR 255.98 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 260.00 FEET (DELTA 61°41'15") (CHORD BEARING N.76°32'03"W.) (CHORD 266.60 FEET) FOR 279.93 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 133.00 FEET (DELTA 32°43'50") (CHORD BEARING S.88°59'15"W.) (CHORD 74.95 FEET) FOR 75.98 FEET TO A POINT OF REVERSE CURVATURE, THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 107.00 FEET (DELTA 51°33'08") (CHORD BEARING S.79°34'36"W.) (CHORD 93.06 FEET) FOR 96.27 FEET TO A POINT OF TANGENCY; THENCE S.53°48'02"W. FOR 86.15 FEET TO A POINT ON A LINE; THENCE, DEPARTING AFOREMENTIONED NORTHERLY RIGHT OF WAY, N.30°06'55"W. FOR 78.91 FEET TO A POINT ON THE BOUNDARY OF TRACT L-5 (LAKE AND DRAINAGE EASEMENT), AS SHOWN ON MEDITERRA SOUTH GOLF COURSE PHASE 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 37, PAGES 52-58, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, THENCE, ALONG SAID L-5 TRACT THE FOLLOWING 12 CALLS, RUN N.59°53'05"E. FOR 23.54 FEET TO A POINT ON A LINE; THENCE RUN N.54°33'58"E. FOR 97.86 FEET TO A POINT ON A LINE; THENCE RUN N.31°55'53"E. FOR 23.69 FEET TO A POINT ON A LINE; THENCE RUN N.29°09'48"W. FOR 32.58 FEET TO A POINT ON A LINE; THENCE RUN N.33°29'22"W. FOR 51.67 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 470.00 FEET (DELTA 13°46'27") (CHORD BEARING N.58°30'12"W.) (CHORD 470.00 FEET) FOR 112.99 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 430.00 FEET (DELTA 24°29'29") (CHORD BEARING N.63°51'43"W.) (CHORD 182.41 FEET) FOR 183.81 FEET TO A POINT OF TANGENCY; THENCE RUN N.76°06'27"W. FOR 168.28 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 70.00 FEET (DELTA 66°00'12") (CHORD BEARING N.43°06'21"W.) (CHORD 76.25 FEET) FOR 80.64 FEET TO A POINT OF TANGENCY; THENCE RUN N.10°06'15"W. FOR 173.46 FEET TO A POINT ON A LINE; THENCE N.76°06'21"W. FOR 162.01 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A

RADIUS OF 195.00 FEET (DELTA 15°16'59") (CHORD BEARING N.68°27'58"W.) (CHORD 51.86 FEET) FOR 52.01 FEET TO A POINT ON A LINE; THENCE, DEPARTING AFOREMENTIONED TRACT L-5, RUN N.29°10'31"E. FOR 20.00 FEET TO A POINT ON THE BOUNDARY OF MEDITERRA SOUTH GOLF COURSE PARCEL 102, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 34, PAGES 3-4, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE, ALONG SAID PARCEL 102 THE FOLLOWING 13 CALLS, RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 175.00 FEET (DELTA 15°16'59") (CHORD BEARING S.68°27'58"E.) (CHORD 46.54 FEET) FOR 46.68 FEET TO A POINT OF TANGENCY; THENCE RUN S.76°06'27"E. FOR 175.00 FEET TO A POINT; THENCE RUN S.10°06'15"E. FOR 186.45 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET (DELTA 66°00'12") (CHORD BEARING S.43°06'21"E.) (CHORD 54.47 FEET) FOR 57.60 FEET TO A POINT OF TANGENCY; THENCE RUN S.76°06'27"E. FOR 168.28 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 450.00 FEET (DELTA 24°28'22") (CHORD BEARING S.63°52'16"E.) (CHORD 190.75 FEET) FOR 192.21 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 450.00 FEET (DELTA 41°50'13") (CHORD BEARING S.72°33'11"E.) (CHORD 331.34 FEET) FOR 328.59 FEET TO A POINT OF TANGENCY; THENCE RUN N.86°31'42"E. FOR 274.92 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 40.00 FEET (DELTA 87°22'56") (CHORD BEARING N.42°50'14"E.) (CHORD 55.26 FEET) FOR 61.00 FEET TO A POINT OF TANGENCY; THENCE RUN N.00°51'14"W. FOR 163.19 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 55.00 FEET (DELTA 131°52'48") (CHORD BEARING N.66°17'24"E.) (CHORD 100.44 FEET) FOR 126.60 FEET TO A POINT ON A NON-TANGENT LINE; THENCE RUN N.89°08'46"E. FOR 41.88 FEET TO A POINT ON A LINE; THENCE RUN N.00°51'14"W. FOR 255.00 FEET TO A POINT ON A LINE; THENCE, DEPARTING AFOREMENTIONED PARCEL 102, RUN N.89°08'46"E. FOR 128.08 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT TRACT L-3 (LAKE AND DRAINAGE EASEMENT), AS SHOWN ON MEDITERRA SOUTH GOLF COURSE PHASE 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 37, PAGE 52-58, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

PARCEL #16

A TRACT OR PARCEL OF LAND BEING A PORTION OF TRACT "GC-2" OF MEDITERRA SOUTH GOLF COURSE PHASE TWO, RECORDED IN PLAT BOOK 37, PAGES 59 THROUGH 66, COLLIER COUNTY RECORDS, LYING IN SECTION 12, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF MEDITERRA PARCEL 103 RECORDED IN PLAT BOOK 34, PAGES 26 THROUGH 29, COLLIER COUNTY RECORDS, RUN N77°14'10"E ALONG THE SOUTHERLY LINE OF SAID RECORD PLAT FOR 20.00 FEET; THENCE RUN S12°45'50"E FOR 14.20 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 420.00 FEET (DELTA 15°37'06") (CHORD BEARING S04°57'17"E) (CHORD 114.13 FEET) FOR 114.49 FEET TO A POINT OF COMPOUND CURVATURE; THENCE RUN SOUTHERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 745.00 FEET (DELTA 09°57'47") (CHORD BEARING S07°50'09"W) (CHORD 129.38 FEET) FOR 129.55 FEET TO A POINT ON A NON-TANGENT CURVE AND AN INTERSECTION WITH THE NORTHERLY LINE OF MEDITERRA PARCEL 104 RECORDED IN PLAT BOOK 34, PAGES 30 AND 31, COLLIER COUNTY RECORDS; THENCE RUN WESTERLY ALONG SAID NORTHERLY LINE AND ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 600.00 FEET (DELTA 01°55'34") (CHORD BEARING N69°52'45"W) (CHORD 20.17 FEET) FOR 20.17 FEET TO A INTERSECTION WITH THE EASTERLY LINE OF MEDITERRA UNIT ONE RECORDED IN PLAT BOOK 33, PAGES 96 THROUGH 101, COLLIER

COUNTY RECORDS; THENCE RUN THE FOLLOWING THREE (3) COURSES ALONG SAID EASTERLY LINE: NORTHERLY ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 725.00 FEET (DELTA 09°45'38") (CHORD BEARING N07°44'04"E) (CHORD 123.36 FEET) FOR 123.51 FEET TO A POINT OF COMPOUND CURVATURE; NORTHERLY ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 400.00 FEET (DELTA 15°37'06") (CHORD BEARING N04°57'17"W) (CHORD 108.70 FEET) FOR 109.04 FEET TO A POINT OF TANGENCY AND N12°45'50"W FOR 14.20 FEET TO THE POINT OF BEGINNING. CONTAINING 0.12 ACRES, MORE OR LESS.

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE SOUTHERLY LINE OF MEDITERRA PARCEL 103 RECORDED IN PLAT BOOK 34, PAGES 26 THROUGH 29, COLLIER COUNTY RECORDS TO BEAR N77°14'10"E.

AND

A TRACT OR PARCEL OF LAND BEING A PORTION OF TRACT "GC-2" OF MEDITERRA SOUTH GOLF COURSE PHASE TWO, RECORDED IN PLAT BOOK 37, PAGES 59 THROUGH 66, COLLIER COUNTY RECORDS, LYING IN SECTION 12, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY MOST CORNER OF MEDITERRA PARCEL 104 RECORDED IN PLAT BOOK 34, PAGES 30 AND 31, COLLIER COUNTY RECORDS RUN S54°31'26"E ALONG THE SOUTHERLY LINE OF SAID RECORD PLAT FOR 20.00 FEET; THENCE RUN THE FOLLOWING TWO (2) COURSES, BEING 20 FEET SOUTHEASTERLY AS MEASURED PERPENDICULAR TO THE EASTERLY LINE OF MEDITERRA UNIT ONE RECORDED IN PLAT BOOK 33, PAGES 96 THROUGH 101, COLLIER COUNTY RECORDS; SOUTHWESTERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 745.00 FEET (DELTA 09°37'36") (CHORD BEARING S40°17'22"W) (CHORD 125.03 FEET) FOR 125.17 FEET TO A POINT OF COMPOUND CURVATURE AND SOUTHWESTERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 220.00 FEET (DELTA 10°01'44") (CHORD BEARING S50°07'02"W) (CHORD 38.46 FEET) FOR 38.51 FEET TO A COMMON CORNER OF TRACT "GC-2" AND TRACT "L-1" OF SAID RECORD PLAT OF MEDITERRA SOUTH GOLF COURSE PHASE TWO; THENCE RUN N24°29'17"W FOR 20.37 FEET TO AN INTERSECTION WITH SAID EASTERLY LINE OF MEDITERRA UNIT ONE; THENCE RUN THE FOLLOWING TWO (2) COURSES ALONG SAID EASTERLY LINE: NORTHEASTERLY ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 200.00 FEET (DELTA 08°58'39") (CHORD BEARING N49°35'29"E) (CHORD 31.31 FEET) FOR 31.34 FEET TO A POINT OF COMPOUND CURVATURE AND NORTHEASTERLY ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 725.00 FEET (DELTA 09°37'36") (CHORD BEARING N40°17'22"E) (CHORD 121.67 FEET) FOR 121.81 FEET TO THE POINT OF BEGINNING. CONTAINING 0.07 ACRES, MORE OR LESS.

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE SOUTHERLY LINE OF MEDITERRA PARCEL 104 RECORDED IN PLAT BOOK 34, PAGES 30 AND 31, COLLIER COUNTY RECORDS TO BEAR S54°31'26"E.

AND

A TRACT OR PARCEL OF LAND BEING A PORTION OF TRACT "GC-2" OF MEDITERRA SOUTH GOLF COURSE PHASE TWO, RECORDED IN PLAT BOOK 37, PAGES 59 THROUGH 66, COLLIER COUNTY RECORDS, LYING IN SECTION 12, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF MEDITERRA PARCEL 103 RECORDED IN

PLAT BOOK 34, PAGES 26 THROUGH 29, COLLIER COUNTY RECORDS, RUN NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY ALONG THE EASTERLY LINE OF SAID TRACT "GC-2" THE FOLLOWING SIX COURSES: NORTHEASTERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 183.00 FEET (DELTA 29°32'55") (CHORD BEARING N 33°11'25" E) (CHORD 93.33 FEET) FOR 94.38 FEET TO A POINT OF TANGENCY; N 47°57'52" E FOR 24.30 FEET TO A POINT OF CURVATURE; EASTERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 148.00 FEET (DELTA 33°10'28") (CHORD BEARING N 64°33'06" E) (CHORD 84.50 FEET) FOR 85.69 FEET TO A POINT OF COMPOUND CURVATURE; SOUTHEASTERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 508.00 FEET (DELTA 31°45'31") (CHORD BEARING S 82°58'54" E) (CHORD 277.99 FEET) FOR 281.58 FEET TO A POINT OF TANGENCY; S 67°06'09" E FOR 258.89 FEET TO A POINT OF CURVATURE AND SOUTHEASTERLY ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 292.00 FEET (DELTA 06°09'55") (CHORD BEARING S 70°11'06" E) (CHORD 31.41 FEET) FOR 31.42 FEET; THENCE RUN S 16°43'56" W ALONG A NON-TANGENT LINE FOR 55.51 FEET TO AN INTERSECTION WITH A WESTERLY LINE OF SAID TRACT "GC-2"; THENCE RUN ALONG SAID WESTERLY LINE THE FOLLOWING NINE COURSES: N 66°18'55" W FOR 89.64 FEET; N 63°58'43" W FOR 87.67 FEET; N 67°14'32" W FOR 161.65 FEET; N 77°22'53" W FOR 84.17 FEET; N 89°45'55" W FOR 79.59 FEET; S 81°02'00" W FOR 67.68 FEET; S 69°46'51" W FOR 32.92 FEET; S 23°32'16" W FOR 23.36 FEET AND S 06°37'01" W FOR 55.17 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID MEDITERRA PARCEL 103; THENCE RUN N 83°22'59" W ALONG SAID NORTHERLY LINE FOR 88.90 FEET TO THE POINT OF BEGINNING.
CONTAINING 0.86 ACRES, MORE OR LESS

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE NORTHERLY LINE OF MEDITERRA PARCEL 103 RECORDED IN PLAT BOOK 37, PAGES 67 THROUGH 72, COLLIER COUNTY RECORDS TO BEAR N 83°22'59" W.

PARCEL #21 (PARK CELESTIAL)

A TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 11, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY FLORIDA.

SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 11; THENCE RUN N.00°43'04"W. ALONG THE EAST LINE OF SECTION 11, FOR 200.52 FEET TO A POINT ON THE SOUTHERLY LINE OF TRACT GC-2, MEDITERRA SOUTH GOLF COURSE PHASE TWO, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN PLAT BOOK 37, PAGE 59, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE, ALONG SAID SOUTH LINE, S.88°42'12"W. FOR 2364.00 FEET; THENCE, DEPARTING SAID SOUTH LINE, RUN N.01°17'48"W. FOR 1090.36 FEET TO THE POINT OF BEGINNING SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF CORSO MEDITERRA CIRCLE; THENCE RUN N.06°16'10"W. FOR 226.14 FEET TO A POINT; THENCE RUN N.83°43'50"E. FOR 38.93 FEET TO A POINT; THENCE RUN S.75°39'11"E. FOR 215.86 FEET TO A POINT; THENCE RUN N.68°40'59"E. FOR 113.29 FEET TO A POINT; THENCE RUN S.71°49'55"E. FOR 108.78 FEET TO A POINT; THENCE RUN S.76°55'44"E. FOR 106.85 FEET TO A POINT; THENCE RUN S.75°50'09"E. FOR 55.61 FEET TO A POINT; THENCE RUN S.60°06'27"E. FOR 74.55 FEET TO A POINT; THENCE RUN S.37°44'07"E. FOR 59.06 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 815.00 FEET (DELTA 19°37'40") (CHORD BEARING S.66°56'17"E.) (CHORD 277.83 FEET) FOR 279.19 FEET TO A POINT ON A LINE; THENCE N.32°52'33"E. FOR 52.93 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 60.00 FEET (DELTA 55°45'18") (CHORD BEARING N.60°45'04"E.) (CHORD 56.11 FEET) FOR 58.39 FEET TO A POINT OF TANGENCY; THENCE N.88°40'03"E. FOR 26.81 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 25.00 FEET (DELTA 67°28'36") (CHORD BEARING

N.54°52'41"E.) (CHORD 27.77 FEET) FOR 29.44 FEET TO A POINT OF TANGENCY; THENCE N.21°11'43"E. FOR 35.30 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET (DELTA 42°20'08") (CHORD BEARING N.42°21'49"E.) (CHORD 36.11 FEET) FOR 36.94 FEET TO A POINT OF TANGENCY; THENCE N.63°31'54"E. FOR 53.10 FEET TO A POINT ON A LINE; THENCE S.12°59'28"E. FOR 50.01 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 2687.00 FEET (DELTA 06°37'41") (CHORD BEARING S.17°47'37"E.) (CHORD 310.67 FEET) FOR 310.84 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET (DELTA 53°51'35") (CHORD BEARING S.05°49'26"W.) (CHORD 45.29 FEET) FOR 47.00 FEET TO A POINT OF TANGENCY; THENCE S.32°45'19"W. FOR 54.31 FEET TO A POINT ON A CURVE, SAID POINT BEING ON THE AFOREMENTIONED NORTHERLY RIGHT OF WAY LINE OF CORSO MEDITERRA CIRCLE, THENCE, ALONG SAID RIGHT OF WAY THE FOLLOWING 8 CALLS, RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 650.00 FEET (DELTA 03°12'18") (CHORD BEARING N.53°22'30"W.) (CHORD 36.38 FEET) FOR 36.36 FEET TO A POINT OF TANGENCY, THENCE N.51°46'18"W. FOR 39.05 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 520.00 FEET (DELTA 10°14'40") (CHORD BEARING N.46°38'58"W.) (CHORD 92.85 FEET) FOR 92.97 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 800.00 FEET (DELTA 32°20'05") (CHORD BEARING N.57°41'41"W.) (CHORD 445.51 FEET) FOR 451.48 FEET TO A POINT OF TANGENCY; THENCE N.73°51'44"W. FOR 106.00 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 401.00 FEET (DELTA 35°48'35") (CHORD BEARING S.88°13'59"W.) (CHORD 246.56 FEET) FOR 250.62 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 771.00 FEET (DELTA 13°29'49") (CHORD BEARING S.77°04'36"W.) (CHORD 181.20 FEET) FOR 181.62 FEET TO A POINT OF TANGENCY; THENCE S.83°49'30"W. FOR 203.63 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT TRACT L-16 (LAKE AND DRAINAGE EASEMENT), AS SHOWN ON MEDITERRA SOUTH GOLF COURSE PHASE 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 37, PAGE 59, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

AND LESS AND EXCEPT TO PARCEL #21

A TRACT OR PARCEL OF LAND LYING IN MEDITERRA SOUTH GOLF COURSE PHASE THREE, RECORDED IN PLAT BOOK 37, PAGES 67 THROUGH 72, COLLIER COUNTY RECORDS, LYING IN SECTION 11, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY MOST CORNER OF MEDITERRA PARCEL 106, AS RECORDED IN PLAT BOOK 36, PAGES 45 AND 46, COLLIER COUNTY RECORDS, RUN SOUTHEASTERLY ALONG THE WESTERLY LINE OF SAID MEDITERRA PARCEL 106 ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 500.00 FEET (DELTA 08°28'11") (CHORD BEARING S30°42'12"E) (CHORD 73.84 FEET) FOR 73.91 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING CONTINUE ALONG SAID WESTERLY LINE THE FOLLOWING FOUR COURSES: S12°59'28"E FOR 49.89 FEET TO A POINT OF CURVATURE; SOUTHERLY ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 2,687.00 FEET (DELTA 06°37'41") (CHORD BEARING S17°47'37"E) (CHORD 310.67 FEET) FOR 310.84 FEET TO A POINT OF REVERSE CURVATURE; SOUTHERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 50.00 FEET (DELTA 53°51'47") (CHORD BEARING S05°49'26"W) (CHORD 45.29 FEET) FOR 47.00 FEET TO A POINT OF TANGENCY AND S32°45'19"W FOR 34.29 FEET; THENCE RUN NORTHWESTERLY ALONG AN ARC OF A CURVE TO THE

RIGHT OF RADIUS 630.00 FEET (DELTA 01°49'19") (CHORD BEARING N53°58'28"W) (CHORD 20.03 FEET) FOR 20.03 FEET; THENCE RUN N32°45'19"E FOR 33.15 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHERLY ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 30.00 FEET (DELTA 53°51'47") (CHORD BEARING N05°49'26"E) (CHORD 27.18 FEET) FOR 28.20 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN NORTHERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 2,707.00 FEET (DELTA 06°38'01") (CHORD BEARING N17°47'27"W) (CHORD 313.24 FEET) FOR 313.41 FEET TO A POINT OF TANGENCY; THENCE RUN N12°59'28"W FOR 24.79 FEET; THENCE RUN S63°31'54"W FOR 27.43 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 30.00 FEET (DELTA 42°20'11") (CHORD BEARING S42°21'48"W) (CHORD 21.67 FEET) FOR 22.17 FEET TO A POINT OF TANGENCY; THENCE RUN S21°11'43"W FOR 35.31 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 45.06 FEET (DELTA 67°19'14") (CHORD BEARING S54°53'48"W) (CHORD 49.95 FEET) FOR 52.94 FEET TO A POINT OF TANGENCY; THENCE RUN S88°40'03"W FOR 26.81 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 40.00 FEET (DELTA 55°45'03") (CHORD BEARING S60°45'04"W) (CHORD 37.40 FEET) FOR 38.92 FEET TO A POINT OF TANGENCY; THENCE RUN S32°52'33"W FOR 48.17 FEET; THENCE RUN NORTHWESTERLY ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 820.00 FEET (DELTA 01°23'51") (CHORD BEARING N56°25'31"W) (CHORD 20.00 FEET) FOR 20.00 FEET; THENCE RUN N32°52'33"E FOR 47.93 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 60.00 FEET (DELTA 55°45'03") (CHORD BEARING N60°45'04"E) (CHORD 56.11 FEET) FOR 58.38 FEET TO A POINT OF TANGENCY; THENCE RUN N88°40'03"E FOR 26.81 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG AN ARC OF A CURVE TO THE LEFT OF RADIUS 25.06 FEET (DELTA 67°16'58") (CHORD BEARING N54°52'40"E) (CHORD 27.76 FEET) FOR 29.43 FEET TO A POINT OF TANGENCY; THENCE RUN N21°11'43"E FOR 35.30 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 50.00 FEET (DELTA 42°20'11") (CHORD BEARING N42°21'48"E) (CHORD 36.11 FEET) FOR 36.95 FEET TO A POINT OF TANGENCY; THENCE RUN N63°31'54"E FOR 52.79 FEET TO THE POINT OF BEGINNING. CONTAINING 0.32 ACRES, MORE OR LESS.

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE WESTERLY LINE OF MEDITERRA PARCEL 106, RECORDED IN PLAT BOOK 36, PAGES 45 AND 46, COLLIER COUNTY RECORDS TO BEAR S 12°59'28" E.

PARCEL #34

A TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 11, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY FLORIDA.

SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 11; THENCES 88°41'15"W., A DISTANCE OF 3222.16 FEET; THENCE N.01°41'15"W., A DISTANCE OF 1703.62 FEET TO THE POINT OF BEGINNING; SAID POINT LYING ON THE BOUNDARY LINE OF CONSERVATION EASEMENT #2, AS RECORDED IN OFFICIAL RECORDS BOOK 2685, PAGE 2252, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE ALONG SAID BOUNDARY FOR THE FOLLOWING FOUR (4) CALLS: (1) THENCE WITH A POINT OF CURVATURE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1020.00 FEET, A CENTRAL ANGLE OF 2°00'14" AND A CHORD BEARING AND DISTANCE OF N.18°17'10"E., 35.67 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 35.68 FEET; (2) THENCE N.17°17'02"W., A DISTANCE OF 219.83 FEET TO (3) A POINT OF CURVATURE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 880.00 FEET, A CENTRAL ANGLE OF 11°51'37" AND A CHORD BEARING AND DISTANCE OF N.23°12'50"W., 181.84 FEET; THENCE

ALONG THE ARC OF SAID CURVE A DISTANCE OF 182.16 FEET; (4) THENCE N.29°08'38"W., A DISTANCE OF 113.77 FEET; THENCE N.60°18'54"W., A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF CORSO MEDITERRA CIRCLE, AS SHOWN ON MEDITERRA SOUTH GOLF COURSE PHASE 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 38, PAGE 69, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE ALONG SAID RIGHT OF WAY FOR THE FOLLOWING FOUR (4) CALLS: (1) THENCE S.29°08'38"E., A DISTANCE OF 113.96 FEET TO (2) A POINT OF CURVATURE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 900.00 FEET, A CENTRAL ANGLE OF 11°51'37" AND A CHORD BEARING AND DISTANCE OF S.23°12'50"E., 185.97 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 186.30 FEET; (3) THENCE S.17°17'02"E., 219.83 FEET TO (4) A POINT OF CURVATURE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1000.00 FEET, A CENTRAL ANGLE OF 1°46'37" AND A CHORD BEARING AND DISTANCE OF S.18°10'21"E., 31.01 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 31.01 FEET; THENCE S.59°30'13"W., A DISTANCE OF 20.40 FEET TO THE POINT OF BEGINNING.

PARCEL #37

A TRACT OR PARCEL OF LAND BEING A PORTION OF TRACT "GC-1B" OF MEDITERRA SOUTH GOLF COURSE PHASE ONE, RECORDED IN PLAT BOOK 37, PAGES 52 THROUGH 58, COLLIER COUNTY RECORDS, LYING IN SECTION 12, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT "GC-1B" ALSO BEING THE SOUTHEAST CORNER OF THE RECORD PLAT OF MEDITERRA PARCEL 100, AS RECORDED IN PLAT BOOK 34, PAGES 1 THROUGH 2, COLLIER COUNTY RECORDS RUN S 20°57'25" E ALONG THE EASTERLY LINE OF SAID TRACT "GC-1B" FOR 148.90 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHERLY ALONG SAID EASTERLY LINE ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 558.00 FEET (DELTA 10°54'24") (CHORD BEARING S 15°30'13" E) (CHORD 106.06 FEET) FOR 106.22 FEET; THENCE RUN S 85°16'11" W ALONG A NON-TANGENT LINE FOR 51.88 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF SAID TRACT "GC-1B"; THENCE RUN ALONG SAID WESTERLY LINE THE FOLLOWING FOUR COURSES: N 22°28'59" W FOR 75.45 FEET; N 11°50'16" W FOR 58.14 FEET; N 27°59'47" W FOR 38.73 FEET AND N 66°04'51" W FOR 72.02 FEET; THENCE RUN N 06°16'45" E FOR 20.99 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID TRACT "GC-1B", SAID POINT BEING ON A NON-TANGENT CURVE; THENCE RUN ALONG SAID NORTHERLY LINE THE FOLLOWING TWO COURSES: EASTERLY ALONG AN ARC OF A NON-TANGENT CURVE TO THE LEFT OF RADIUS 55.00 FEET (DELTA 09°35'31") (CHORD BEARING N 73°50'20" E) (CHORD 9.20 FEET) FOR 9.21 FEET TO A POINT OF TANGENCY AND N 69°02'35" E FOR 89.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.37 ACRES, MORE OR LESS.

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE SOUTHERLY LINE OF TRACT "B" AS SHOWN ON THE RECORD PLAT OF "MEDITERRA PARCEL 100" RECORDED IN PLAT BOOK 34 PAGES 1 THROUGH 2, COLLIER COUNTY RECORDS TO BEAR N 69°02'35" E.

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

MORRIS

2914 Cleveland Avenue | Fort Myers, Florida 33901

DEPEWENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTSPhone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com

Property Owners List

Mediterra SE Entrance

Mediterra Community Association, INC

15735 Corso Mediterra Circle

Naples, FL 34110

MORRIS

2914 Cleveland Avenue | Fort Myers, Florida 33901

DEPEW

Phone (239) 337-3993 | Toll Free (866) 337-7341

www.morris-depew.com

ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS**LETTER OF AUTHORIZATION**

TO WHOM IT MAY CONCERN:

PLEASE BE ADVISED THAT I (WE) AM (ARE) THE FEE SIMPLE PROPERTY OWNER(S) OF THE PROPERTY DESCRIBED BELOW AND THAT MORRIS-DEPEW ASSOCIATES, INC. HAS BEEN AUTHORIZED TO REPRESENT ME (US) FOR THE BELOW REFERENCED PARCEL(S) IN ALL MATTERS PERTAINING TO REZONING OR DEVELOPMENT PERMITS. THIS AUTHORITY TO REPRESENT MY (OUR) INTEREST INCLUDES ANY AND ALL DOCUMENTS REQUIRED BY THE REZONING, PLANNING OR PERMITTING REQUESTS SUBMITTED ON MY (OUR) BEHALF BY MORRIS-DEPEW ASSOCIATES, INC.

STRAP NUMBER OR LEGAL DESCRIPTION:

STRAP# 59960211964

Mediterra Community Association, Inc.

COMPANY NAME

Rodney Chase

SIGNATURE

Rodney Chase, President

PRINTED NAME & TITLE

STATE OF FL
COUNTY OF Collier

The foregoing instrument was acknowledged before me, by means of ☒ physical presence
or online notarization, this 27th day of May, 2022, by RODNEY CHASE.

My Commission Expires:

09/02/2023Stacy R. Rion
Notary PublicStacy R. Rion
Notary Printed Name

(seal)



STACY R. RION
Commission # GG 909583
Expires September 2, 2023
Sanded Thru Budget Notary Services

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

Packet Pg. 211

DRAWING NUMBER
PG 60

DRAWING NUMBER
PG 40

DRAWING NUMBER

DRAWING NUMBER

THIS INSTRUMENT WAS PREPARED BY:
JOHN P. MALONEY, P.S.M.#LS4493
WILSON MILLER, INC.
ENGINEERS, PLANNERS AND SURVEYORS
WILSON PROFESSIONAL CENTER, SUITE 200
3200 BAYVIEW LANE AT AIRPORT ROAD
NAPLES, COLLIER COUNTY, FLORIDA 34105
(239) 649-4040
CERTIFICATE OF AUTHORIZATION # LB-43

NOTICE:
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL
DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN
NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC
OR DIGITAL FORM OF THE PLAT, WHETHER GRAPHIC OR DIGITAL.

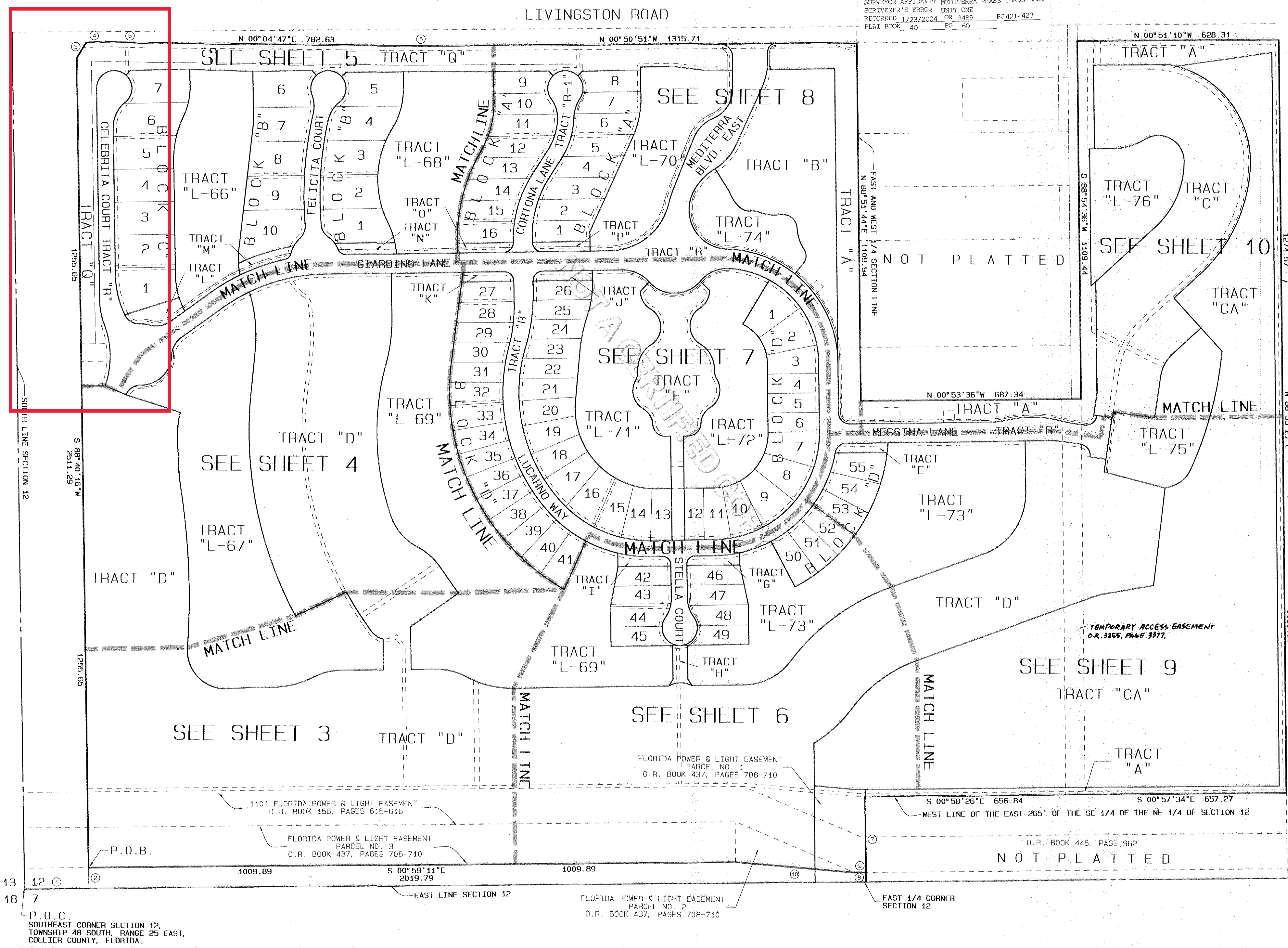
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON
THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

MEDITERRA PHASE THREE EAST, UNIT ONE

A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA.

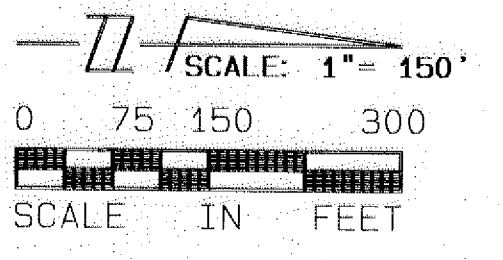
PLAT BOOK **40** PAGE **60**
SHEET 2 OF 10

SKETCH TO FOLLOW DESCRIPTION
AND SHEET INDEX MAP



- ### TRACT USAGE
- TRACT "A" (LANDSCAPE BUFFER EASEMENT)
 - TRACT "B" - TRACT "D" (FUTURE DEVELOPMENT)
 - TRACT "E" (D.E. AND L.B.E.)
 - TRACT "F" (PARK SITE)
 - TRACT "G" (LANDSCAPE BUFFER EASEMENT)
 - TRACT "H" (A.E., D.E., P.D.E. AND L.B.E.)
 - TRACT "I" - TRACT "Q" (LANDSCAPE BUFFER EASEMENT)
 - TRACT "R" AND TRACT "R-1" (A.E., P.U.E., D.E. AND C.U.E.)
 - TRACT "L-66" - TRACT "L-72" (LAKE, D.E., F.E. AND L.M.E.)
 - TRACT "L-73" (LAKE, D.E. AND L.M.E.)
 - TRACT "L-74" - TRACT "L-76" (LAKE, D.E., F.E. AND L.M.E.)
 - TRACT "CA" (CONSERVATION AREA)

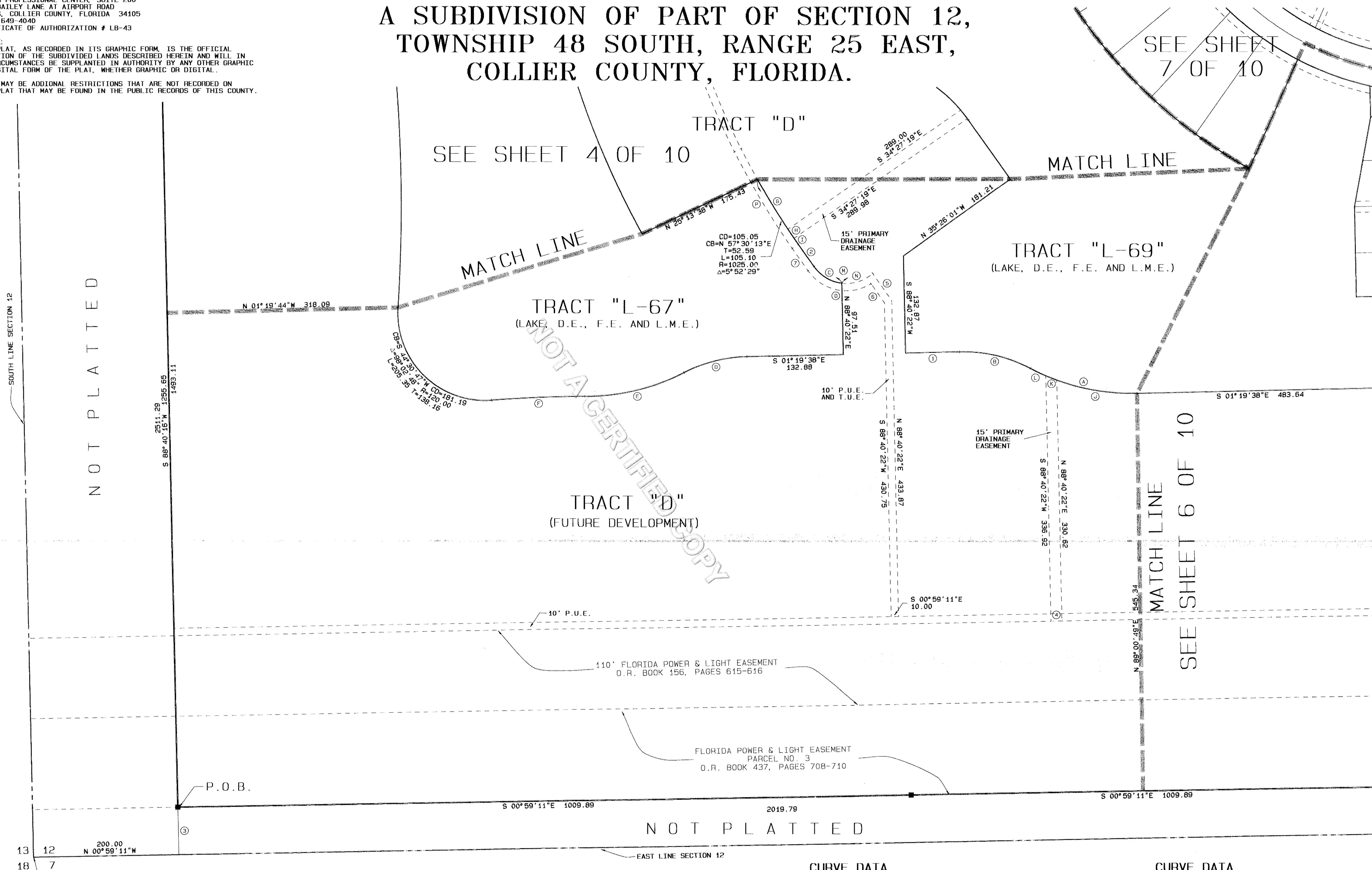
LINE DATA		
BEARING	DISTANCE	
1 N 00°59'11"W	200.00	
2 S 88°40'16"W	65.00	
3 N 58°38'42"W	55.56	
4 N 02°55'41"W	51.18	
5 N 00°53'22"E	168.77	
6 N 00°51'30"W	83.55	
7 N 88°51'44"E	264.89	
8 S 87°25'59"W	29.60	
9 S 00°58'39"E	36.48	
10 S 04°32'17"W	367.80	



P.O.C.
SOUTHEAST CORNER SECTION 12,
TOWNSHIP 48 SOUTH, RANGE 25 EAST,
COLLIER COUNTY, FLORIDA.

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON
THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY

MEDITERRA PHASE THREE EAST, UNIT ONE
A SUBDIVISION OF PART OF SECTION 12,
TOWNSHIP 48 SOUTH, RANGE 25 EAST,
COLLIER COUNTY, FLORIDA.



	BEARING	DISTANCE
①	S 01° 19' 38" E	74.95
②	N 54° 33' 59" E	37.62
③	S 88° 40' 16" W	65.00
④	S 00° 59' 11" E	15.00
⑤	N 54° 33' 59" E	44.93
⑥	S 54° 33' 59" W	31.76
⑦	S 54° 33' 59" W	37.62

	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD DIST
(A)	29°04'46"	300.00	152.26	77.81	S 13°12'45"W	150.63
(B)	29°04'46"	200.00	101.51	51.87	S 13°12'45"W	100.42
(C)	47°46'43"	55.00	45.86	24.36	N 30°40'37"E	44.55
(D)	25°53'28"	200.00	90.38	45.97	S 14°16'22"E	89.51
(E)	26°58'32"	300.00	141.24	71.96	S 13°43'50"E	139.94
(F)	4°16'03"	1725.00	128.48	64.27	S 02°22'36"E	128.45
(G)	4°28'37"	1025.00	80.09	40.07	N 58°12'09"E	80.07
(H)	0°50'19"	1025.00	15.00	7.50	N 58°32'41"E	15.00

	CURVE DATA					
	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD DIST
(I)	0° 33' 33"	1025.00	10.00	5.00	N 54° 50' 45" E	10.00
(J)	21° 31' 21"	300.00	112.69	57.02	S 09° 26' 02" W	112.03
(K)	3° 06' 52"	300.00	16.31	8.16	S 21° 45' 09" W	16.31
(L)	4° 26' 33"	300.00	23.26	11.64	S 25° 31' 52" W	23.26
(M)	96° 40' 55"	55.00	91.85	60.74	N 06° 43' 31" E	81.54
(N)	47° 54' 12"	55.00	45.98	24.43	N 17° 09' 50" W	44.66
(O)	85° 58' 55"	65.00	97.54	60.59	S 11° 34' 31" W	88.64
(P)	8° 33' 33"	1035.00	154.61	77.45	S 58° 50' 45" W	153.47

MEDITERRA PHASE THREE EAST, UNIT ONE

A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA.

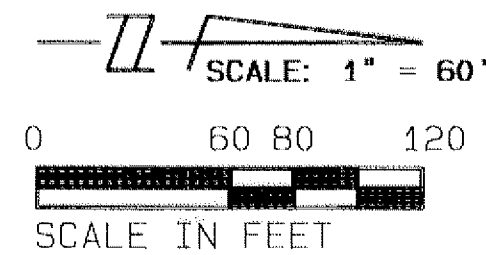
PLAT BOOK **40** PAGE **62**
SHEET 4 OF 10

THIS INSTRUMENT WAS PREPARED BY:
JOHN P. MALONEY, P.S.M. #154493
WILSON MILLER, INC.
ENGINEERS, PLANNERS AND SURVEYORS
WILSON PROFESSIONAL CENTER, SUITE 200
3200 BAILEY LANE AT AIRPORT ROAD
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OR DIGITAL FORM OF THE PLAT, WHETHER GRAPHIC OR DIGITAL.

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON
THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

NOT PLATTED



TRACT "D"
(FUTURE DEVELOPMENT)

TRACT "L-67"
(LAKE, D.E., F.E.
AND L.M.E.)

TRACT "D"
(FUTURE DEVELOPMENT)

TRACT "L-69"
(LAKE, D.E., F.E.
AND L.M.E.)

SEE SHEET 7 OF 10

SEE SHEET 3 OF 10

MATCH LINE

MATCH LINE

MATCH LINE

LINE DATA		
STATION	BEARING	DISTANCE
1	S 57°07'18"E	81.00
2	S 22°49'56"W	70.50
3	S 22°49'56"W	25.00
4	S 22°49'56"W	45.49
5	S 83°46'26"E	29.57
6	N 83°46'26"E	29.57

CURVE DATA					
STATION	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING
1	34°45'19"	600.00	363.96	187.77	S 18°42'18"E
2	9°28'58"	325.00	53.79	26.96	S 61°51'47"E
3	34°45'19"	570.00	345.76	178.38	S 18°42'18"E
4	51°51'20"	75.00	67.88	36.46	S 62°00'36"E
5	88°05'37"	95.00	146.06	91.89	S 43°53'27"E
6	66°42'48"	50.00	58.22	32.91	S 33°12'03"E
7	27°13'41"	200.00	95.04	48.44	S 40°57'08"W
8	22°36'35"	470.00	185.47	93.96	N 83°57'08"E
9	7°56'34"	800.00	110.90	55.54	S 84°42'05"W
10	24°40'20"	570.00	245.45	124.66	S 13°39'48"E
11	10°04'59"	570.00	100.31	50.28	S 31°02'27"E

CURVE DATA					
STATION	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING
12	0°36'07"	200.00	2.10	1.05	S 54°15'55"W
13	4°18'26"	200.00	15.04	7.52	S 51°48'39"W
14	22°19'08"	200.00	77.91	39.45	S 38°29'52"W
15	8°33'33"	1035.00	154.61	77.45	S 58°50'45"W
16	51°51'04"	40.00	36.20	19.45	S 57°50'54"W
17	29°06'09"	98.00	49.78	25.44	S 46°28'26"W
18	74°56'42"	15.00	19.62	11.50	S 23°33'10"W
19	20°46'15"	25.00	9.06	4.58	N 50°38'24"E
20	29°06'09"	88.00	44.70	22.84	N 46°28'26"E
21	51°51'04"	50.00	45.25	24.31	N 57°50'54"E
22	8°33'32"	1025.00	153.12	76.70	N 58°50'45"E

MEDITERRA PHASE THREE EAST, UNIT ONE

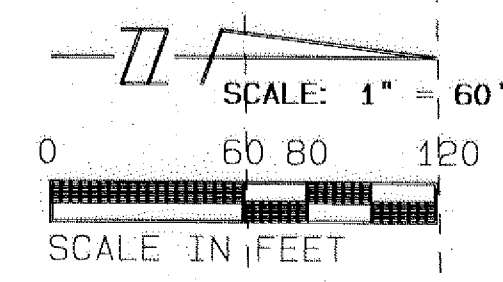
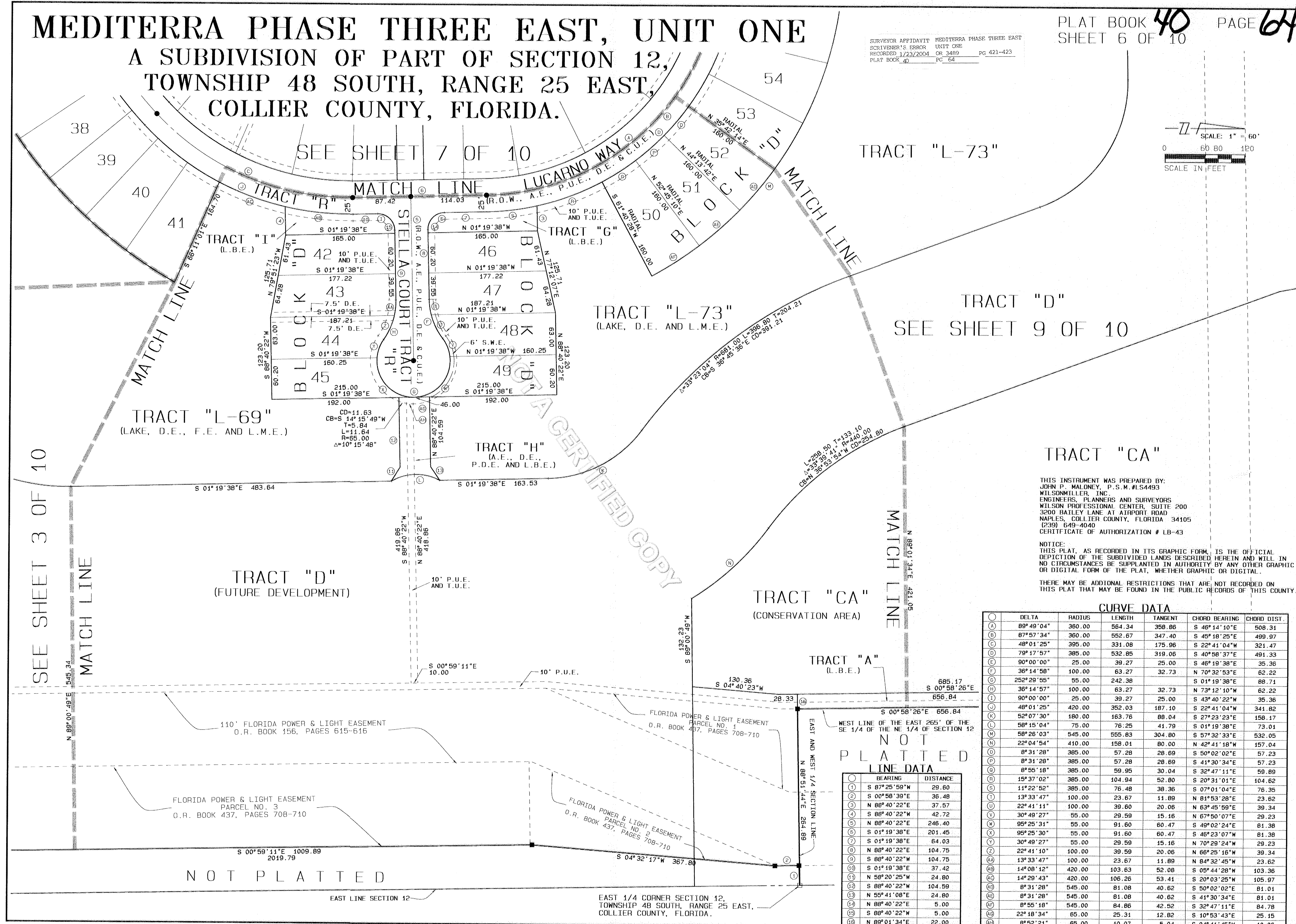
A SUBDIVISION OF PART OF SECTION 12,
TOWNSHIP 48 SOUTH, RANGE 25 EAST,
COLLIER COUNTY, FLORIDA.

SURVEYOR AFFIDAVIT
SCRIVENER'S ERROR
RECORDED 1/23/2004
PLAT BOOK 40

MEDITERRA PHASE THREE EAST
UNIT ONE
OR 3489
PG 421-423
PG 64

PLAT BOOK **40**
SHEET 6 OF 10

PAGE **64**



THIS INSTRUMENT WAS PREPARED BY:
JOHN P. MALONEY, P.S.M.#LS4493
WILSONMILLER, INC.
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WILSON PROFESSIONAL CENTER, SUITE 200
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NAPLES, COLLIER COUNTY, FLORIDA 34105
(239) 649-4040
CERTIFICATE OF AUTHORIZATION # LB-43

NOTICE:
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DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN
NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC
OR DIGITAL FORM OF THE PLAT, WHETHER GRAPHIC OR DIGITAL.

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THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

CURVE DATA

	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD DIST.
(A)	89°49'04"	360.00	564.34	358.86	S 46°14'10"E	508.31
(B)	87°57'34"	360.00	552.67	347.40	S 45°18'25"E	499.97
(C)	48°01'25"	395.00	331.08	175.96	S 22°41'04"W	321.47
(D)	79°17'57"	385.00	532.85	319.06	S 40°58'37"E	491.33
(E)	90°00'00"	25.00	39.27	25.00	S 46°19'38"E	35.36
(F)	36°14'58"	100.00	63.27	32.73	N 70°32'53"E	62.22
(G)	252°29'55"	55.00	242.38		S 01°19'38"E	88.71
(H)	36°14'57"	100.00	63.27	32.73	N 73°12'10"W	62.22
(I)	90°00'00"	25.00	39.27	25.00	S 43°40'22"W	35.36
(J)	48°01'25"	420.00	352.03	187.10	S 22°41'04"W	341.82
(K)	52°07'30"	180.00	163.76	88.04	S 27°23'23"E	158.17
(L)	58°15'04"	75.00	76.25	41.79	S 01°19'38"E	73.01
(M)	58°26'03"	545.00	555.83	304.80	S 57°32'33"E	532.05
(N)	22°04'54"	410.00	158.01	80.00	N 42°41'18"W	157.04
(O)	8°31'28"	385.00	57.28	28.69	S 50°02'02"E	57.23
(P)	8°31'28"	385.00	57.28	28.69	S 41°30'34"E	57.23
(Q)	8°55'18"	385.00	59.95	30.04	S 32°47'11"E	59.89
(R)	15°37'02"	385.00	104.94	52.80	S 20°31'01"E	104.62
(S)	11°22'52"	385.00	76.48	38.36	S 07°01'04"E	76.35
(T)	13°33'47"	100.00	23.67	11.89	N 81°53'28"E	23.62
(U)	22°41'11"	100.00	39.60	20.06	N 63°45'59"E	39.34
(V)	30°49'27"	55.00	29.59	15.16	N 67°50'07"E	29.23
(W)	95°25'31"	55.00	91.60	60.47	S 49°02'24"E	81.38
(X)	95°25'30"	55.00	91.60	60.47	S 46°23'07"W	81.38
(Y)	30°49'27"	55.00	29.59	15.16	N 70°29'24"W	29.23
(Z)	22°41'10"	100.00	39.59	20.06	N 66°25'16"W	39.34
(AA)	13°33'47"	100.00	23.67	11.89	N 84°32'45"W	23.62
(AB)	14°08'12"	420.00	103.63	52.08	S 05°44'28"W	103.36
(AC)	14°29'43"	420.00	106.26	53.41	S 20°03'25"W	105.97
(AD)	8°31'28"	545.00	81.08	40.62	S 50°02'02"E	81.01
(AE)	8°31'28"	545.00	81.08	40.62	S 41°30'34"E	81.01
(AF)	8°55'18"	545.00	84.86	42.52	S 32°47'11"E	84.78
(AG)	22°18'34"	65.00	25.31	12.82	S 10°53'43"E	25.15
(AH)	8°52'21"	65.00	10.07	5.04	S 04°41'45"W	10.06

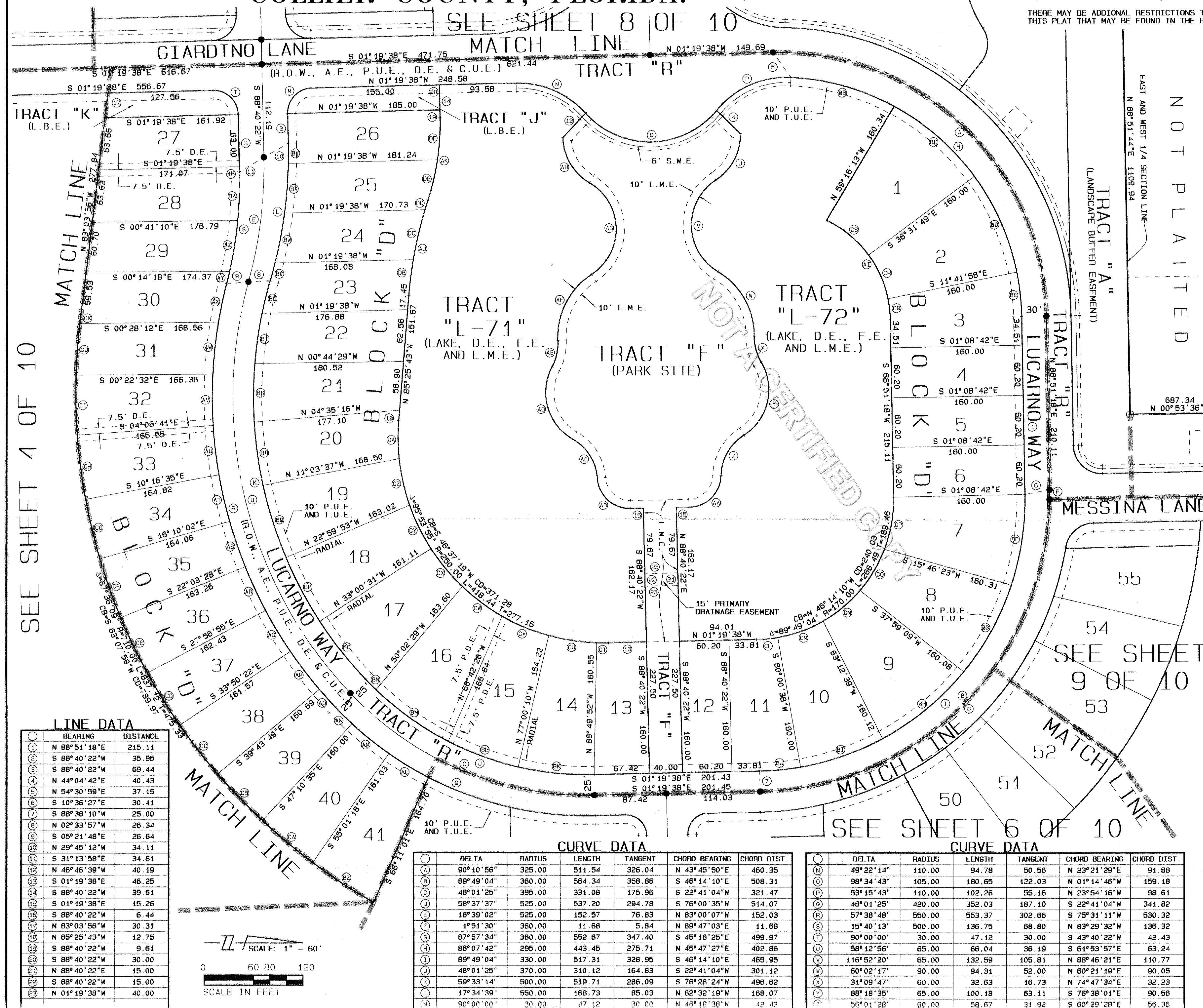
NOT
PLATTED
LINE DATA

	BEARING	DISTANCE
(1)	S 87°25'59"W	29.60
(2)	S 00°58'39"E	36.48
(3)	N 88°40'22"E	37.57
(4)	S 88°40'22"W	42.72
(5)	N 88°40'22"E	246.40
(6)	S 01°19'38"E	201.45
(7)	S 01°19'38"E	64.03
(8)	N 88°40'22"E	104.75
(9)	S 88°40'22"W	104.75
(10)	S 01°19'38"E	37.42
(11)	N 58°20'25"W	24.80
(12)	S 88°40'22"W	104.59
(13)	N 55°41'08"E	24.80
(14)	N 88°40'22"E	5.00
(15)	S 88°40'22"W	5.00
(16)	N 89°01'34"E	22.00

PLAT BOOK 40
SHEET 7 OF 10

PAGE 65

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY



CURVE DATA							
	CHORD	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD DIS
AA	87°10'34"	40.00	60.86	38.08	S 44°54'55"E	55.16	
AB	87°10'33"	40.00	60.86	38.08	S 42°15'38"W	55.16	
AC	56°01'28"	60.00	58.67	31.92	S 57°50'11"W	56.36	
AD	88°18'35"	65.00	100.18	63.11	S 73°58'44"W	90.56	
AE	31°09'47"	60.00	32.63	16.73	N 77°26'51"W	32.23	
AF	60°02'17"	90.00	94.31	52.00	N 63°00'36"W	90.05	
AG	116°52'50"	65.00	132.59	105.81	S 88°34'22"W	110.77	
AH	58°32'55"	65.00	66.42	36.44	S 59°24'40"W	63.57	
AI	63°39'04"	135.00	149.97	83.79	S 57°01'46"W	142.38	
AJ	13°27'44"	500.00	117.48	59.01	N 78°41'51"W	117.21	
AK	19°21'39"	300.00	101.37	51.17	N 81°38'49"W	100.89	
AL	7°41'08"	420.00	56.34	28.21	S 31°08'51"W	56.30	
AM	7°50'38"	420.00	57.50	28.79	S 38°54'44"W	57.44	
AN	3°51'44"	420.00	28.31	14.16	S 44°45'55"W	28.33	
AO	3°03'19"	550.00	29.33	14.67	S 48°13'27"W	29.33	
AP	6°03'50"	550.00	58.21	29.13	S 52°47'01"W	58.18	
AQ	6°04'02"	550.00	58.24	29.15	S 58°50'57"W	58.21	
AR	6°04'09"	550.00	58.26	29.16	S 54°55'02"W	58.23	
AS	6°04'08"	550.00	58.26	29.16	S 70°59'11"W	58.23	
AT	6°04'02"	550.00	58.24	29.15	S 77°03'16"W	58.21	
AU	6°20'43"	550.00	60.91	30.49	S 83°15'39"W	60.88	
AV	6°25'49"	550.00	61.73	30.90	S 89°38'55"W	61.69	
AW	6°33'24"	550.00	62.94	31.50	N 83°51'29"W	62.91	
AX	4°55'22"	550.00	47.26	23.63	N 78°07'06"W	47.24	
AY	1°47'41"	500.00	15.66	7.84	N 76°33'16"W	15.66	
AZ	7°09'24"	500.00	62.45	31.27	N 81°01'48"W	62.41	
BA	6°43'08"	500.00	58.63	29.35	N 87°58'04"W	58.60	
BB	25°28'39"	295.00	131.18	66.69	N 15°27'55"E	130.10	
BC	25°15'56"	295.00	130.09	66.12	N 40°50'13"E	129.03	
BD	24°49'51"	295.00	127.85	64.94	N 65°53'07"E	126.85	
BE	10°33'16"	295.00	54.34	27.25	N 83°34'40"E	54.27	
BF	19°28'05"	330.00	112.13	56.61	S 81°24'40"E	111.59	
BG	20°56'22"	330.00	120.60	60.98	S 61°12'26"E	119.93	
BH	22°21'55"	330.00	128.81	65.24	S 39°33'17"E	128.00	
BI	18°22'58"	330.00	105.88	53.40	S 19°10'51"E	105.42	
BJ	8°39'44"	330.00	49.89	24.99	S 05°39'30"E	49.84	
BK	14°19'28"	370.00	92.50	46.49	S 05°50'06"W	92.26	
BL	14°05'55"	370.00	91.04	45.75	S 20°02'47"W	90.82	
BM	16°46'19"	370.00	108.31	54.54	S 35°28'54"W	107.92	
BN	2°49'43"	370.00	18.27	9.14	S 45°16'56"W	18.26	
BO	10°17'42"	500.00	89.84	45.04	S 51°50'38"W	89.72	
BP	10°00'38"	500.00	87.36	43.79	S 61°59'48"W	87.25	
BQ	10°36'29"	500.00	92.57	46.42	S 72°18'21"W	92.44	
BR	8°55'32"	500.00	77.89	39.02	S 82°04'22"W	77.81	
BS	8°05'27"	500.00	70.61	35.36	N 89°25'09"W	70.55	
BT	7°01'11"	500.00	61.26	30.67	N 81°51'49"W	61.22	
BU	4°36'15"	500.00	40.18	20.10	N 76°03'06"W	40.17	
BV	2°19'47"	550.00	22.36	11.18	N 74°54'52"W	22.36	
BW	6°24'56"	550.00	61.58	30.82	N 79°17'14"W	61.55	
BX	6°18'20"	550.00	60.53	30.30	N 85°38'52"W	60.50	
BY	2°13'36"	550.00	24.25	12.13	S 89°56'10"W	24.25	
BZ	7°06'55"	710.00	88.17	44.14	S 32°53'22"W	88.11	
CA	6°24'45"	710.00	79.46	39.77	S 39°39'12"W	79.42	
CB	6°19'57"	710.00	78.47	39.28	S 46°01'34"W	78.43	
CC	6°02'06"	710.00	74.78	37.43	S 52°12'35"W	74.75	
CD	6°02'41"	710.00	74.91	37.49	S 58°14'58"W	74.88	
CE	6°03'11"	710.00	75.01	37.54	S 64°17'55"W	74.97	
CF	6°03'34"	710.00	75.09	37.58	S 70°21'17"W	75.05	
CG	6°03'52"	710.00	75.15	37.61	S 76°25'00"W	75.11	
CH	6°20'58"	710.00	78.68	39.38	S 82°37'25"W	78.64	
CI	5°51'09"	710.00	72.52	36.29	S 88°43'29"W	72.49	
CJ	5°02'18"	710.00	62.43	31.24	N 85°49'48"W	62.41	
CK	0°14'43"	710.00	3.04	1.52	N 83°11'18"W	3.04	
CL	8°39'44"	170.00	25.70	12.88	N 05°39'30"W	25.68	
CM	19°52'26"	170.00	58.97	29.78	N 19°55'35"W	58.67	
CN	19°40'19"	170.00	58.37	29.47	N 39°41'57"W	58.08	
CO	19°44'14"	170.00	58.56	29.57	N 59°24'14"W	58.27	
CP	21°52'21"	170.00	64.90	32.85	N 80°12'31"W	64.50	
CQ	10°33'16"	135.00	24.87	12.47	S 83°34'40"W	24.83	
CR	24°49'51"	135.00	58.51	29.72	S 65°53'07"W	58.05	
CS	28°15'57"	135.00	66.60	33.99	S 39°20'12"W	65.93	
CT	3°15'01"	250.00	14.18	7.09	S 00°17'52"W	14.18	
CU	13°30'25"	250.00	58.94	29.60	S 08°40'36"W	58.80	
CV	14°05'25"	250.00	61.48	30.90	S 22°28'31"W	61.33	
CW	13°49'05"	250.00	60.29	30.29	S 38°25'45"W	60.15	
CX	13°43'28"	250.00	59.88	30.09	S 50°12'02"W	59.74	
CY	13°33'10"	250.00	59.14	29.71	S 63°50'21"W	59.00	
CZ	13°21'05"	250.00	58.26	29.26	S 77°17'29"W	58.12	
DA	10°36'16"	250.00	46.27	23.20	S 89°16'09"W	46.20	
DB	4°57'50"	500.00	43.32	21.67	N 82°56'48"W	43.30	
DC	7°07'39"	500.00	62.20	31.14	N 76°54'03"W	62.16	
DD	1°22'15"	500.00	11.96	5.98	N 72°39'06"W	11.96	
DE	9°39'12"	300.00	50.54	25.33	N 76°47'35"W	50.48	
DF	9°42'27"	300.00	50.83	25.48	N 86°28'25"W	50.77	

THIS INSTRUMENT WAS PREPARED BY:
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CERTIFICATE OF AUTHORIZATION # LB-43

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MEDITERRA PHASE THREE EAST, UNIT ONE

A SUBDIVISION OF PART OF SECTION 12,
TOWNSHIP 48 SOUTH, RANGE 25 EAST,
COLLIER COUNTY, FLORIDA.

PLAT BOOK 40
SHEET 9 OF 10

PAGE 65

SEE SHEET 10 OF 10

MATCH LINE

(R.O.W., A.E., P.U.E., D.E. & C.U.E.)

MESSINA LANE

TRACT
"L-75"

TRACT
"CA"

MATCH LINE

TRACT
"L-72"

BLOCK
"D" 7 OF 10

SEE SHEET 7 OF 10

LUCARNO WAY

(R.O.W., A.E., P.U.E., D.E. & C.U.E.)

TRACT "E"
(D.E. AND L.B.E.)

TRACT "L-73"
(LAKE, D.E. AND L.M.E.)

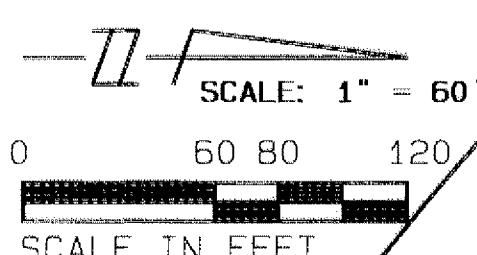
TRACT "D"
(FUTURE DEVELOPMENT)

TRACT "CA"
(CONSERVATION AREA)

TRACT "L-73"

SEE SHEET 6 OF 10

TRACT "D"



LINE DATA

BEARING	DISTANCE
S 82° 15' 58" E	65.00
N 82° 15' 58" W	65.00
S 07° 44' 02" W	50.00
S 07° 44' 02" W	50.24
S 82° 15' 58" E	18.32
S 07° 44' 02" W	2.00
S 82° 15' 58" E	39.88

LINE DATA

BEARING	DISTANCE
N 14° 26' 24" W	16.50
S 07° 44' 02" W	25.00
N 07° 44' 02" E	25.00
N 07° 44' 02" E	22.00
N 07° 44' 02" E	49.00
S 00° 57' 34" E	15.00
N 89° 01' 34" E	22.00

CURVE DATA

DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD DIST.
89° 49' 04"	360.00	564.34	358.86	S 48° 14' 10" E	508.31
1° 51' 30"	360.00	11.68	5.84	N 89° 47' 03" E	11.68
87° 57' 34"	360.00	552.67	347.40	S 45° 18' 25" E	499.97
8° 52' 44"	350.00	54.24	27.17	N 03° 17' 40" E	54.18
90° 00' 00"	35.00	54.98	35.00	S 52° 44' 02" W	49.50
8° 52' 44"	320.00	49.59	24.84	S 03° 17' 40" W	49.54
79° 28' 53"	35.00	48.55	29.10	S 40° 53' 08" E	44.75
79° 17' 57"	385.00	532.85	319.06	S 40° 58' 37" E	491.33
51° 29' 45"	95.00	85.38	45.82	N 40° 11' 16" W	82.54
19° 06' 07"	1144.75	381.65	192.61	N 75° 29' 12" W	379.89
58° 26' 03"	545.00	555.83	304.80	S 57° 32' 33" E	532.05
0° 12' 38"	385.00	1.41	0.71	S 80° 31' 16" E	1.41
8° 56' 35"	385.00	60.09	30.11	S 75° 56' 40" E	60.03
8° 39' 08"	385.00	58.14	29.12	S 67° 08' 48" E	58.08
8° 31' 28"	385.00	57.28	28.69	S 58° 33' 30" E	57.23
3° 10' 18"	545.00	30.17	15.09	S 85° 10' 26" E	30.17
10° 30' 52"	545.00	100.01	50.15	S 78° 19' 51" E	99.87
10° 15' 11"	545.00	97.53	48.89	S 67° 56' 50" E	97.40
8° 31' 28"	545.00	81.08	40.62	S 58° 33' 30" E	81.01

MATCH LINE

TRACT "CA"

S 00° 58' 26" E 685.17

656.84

S 00° 58' 26" E 656.84

TRACT "A"

NOT PLATTED

15' DRAINAGE
EASEMENT

S 89° 02' 26" W
22.00

S 89° 02' 26" W
22.00

10' P.U.E.

S 00° 57' 34" E 635.23

615.19

S 00° 57' 34" E 657.27

WEST LINE OF THE EAST 265' OF THE SE 1/4 OF THE NE 1/4 OF SECTION 12

TRACT "A" - (LANDSCAPE BUFFER EASEMENT)

NORTH LINE OF THE S 1/2 OF THE NE 1/4 OF SECTION 12

N 89° 55' 21" E 1059.38

NOT PLATTED

Attachment: ATTACHMENT G (24020 - PL20210003207 - MEDITERRA VEHICULAR ACCESS PDF)

MEDITERRA PHASE THREE EAST, UNIT ONE

A SUBDIVISION OF PART OF SECTION 12
TOWNSHIP 48 SOUTH, RANGE 25 EAST,
COLLIER COUNTY, FLORIDA.

LIVINGSTON ROAD
EAST RIGHT-OF-WAY

PLAT BOOK 40 PAGE 68
SHEET 10 OF 10

SEE SHEET 8 OF 10

TRACT "A"

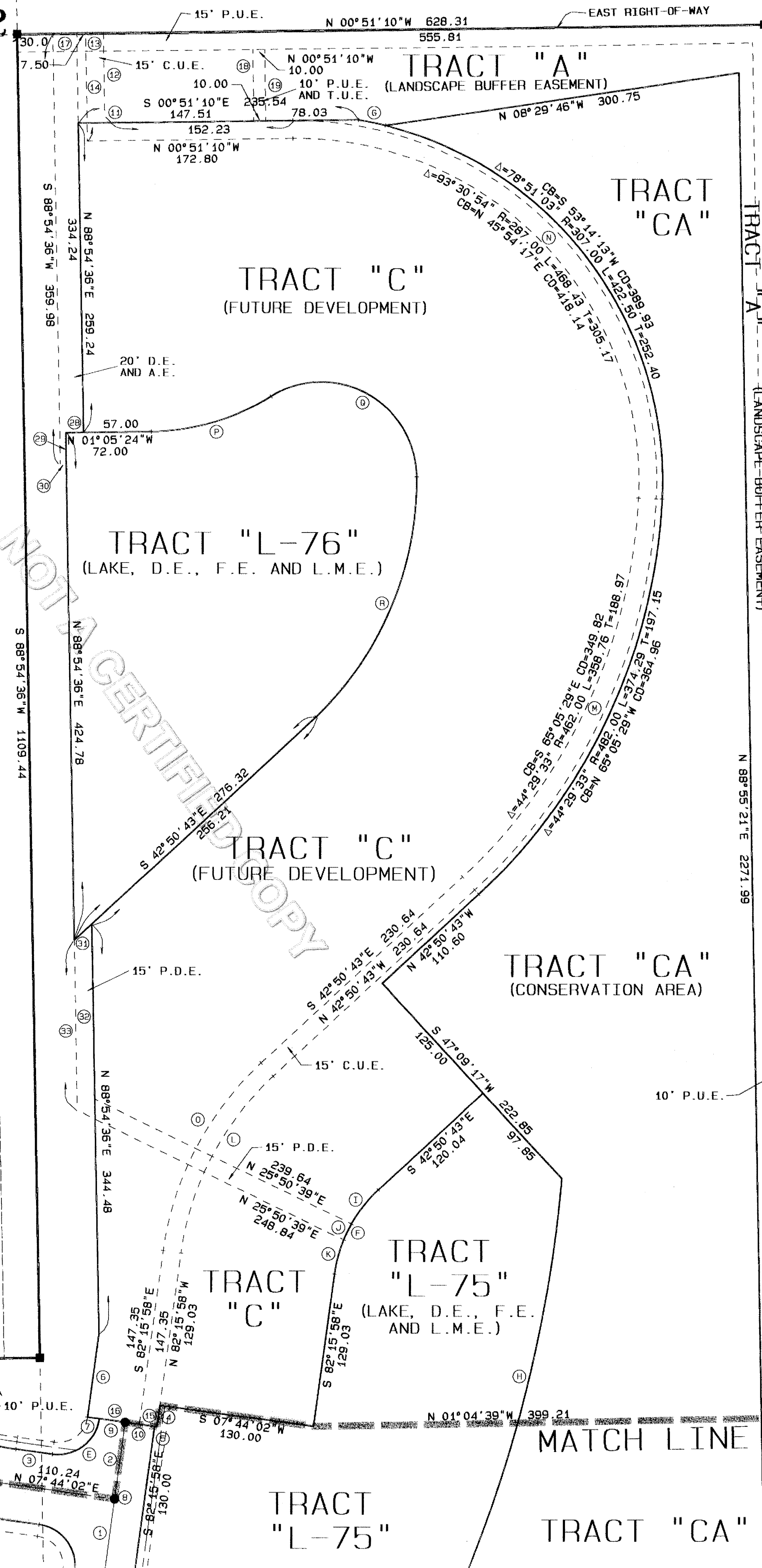
NOT PLATTED

MATCH LINE
LUCARNO WAY

TRACT "R"

SEE SHEET 9 OF 10

MESSINA LANE

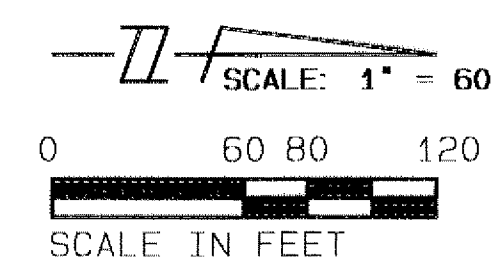


NOT PLATTED

THIS INSTRUMENT WAS PREPARED BY:
JOHN P. MALONEY, P.S.M. #154493
WILSON MILLER, INC.
ENGINEERS, PLANNERS AND SURVEYORS
WILSON PROFESSIONAL CENTER, SUITE 200
3200 BAYVIEW LANE AT AIRPORT ROAD
NAPLES, COLLIER COUNTY, FLORIDA 34105
(239) 649-4040
CERTIFICATE OF AUTHORIZATION # LB-43

NOTICE:
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL
DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN
NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC
OR DIGITAL FORM OF THE PLAT, WHETHER GRAPHIC OR DIGITAL.

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON
THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



LINE DATA		
BEARING	DISTANCE	
1 S 82°15'58"E	65.00	
2 N 82°15'58"E	65.00	
3 N 07°44'02"E	30.91	
4 S 82°15'58"E	18.32	
5 S 07°44'02"W	2.00	
6 S 82°15'58"E	69.96	
7 N 07°44'02"E	10.00	
8 S 82°15'58"E	130.00	
9 N 07°44'02"E	22.00	
10 N 07°44'02"E	25.00	
11 S 44°01'43"W	7.98	
12 S 88°54'36"W	69.37	
13 S 00°51'10"E	15.00	
14 N 88°54'36"E	90.00	
15 N 07°44'02"E	15.00	
16 N 07°44'02"E	44.00	
17 N 00°51'10"W	20.00	

LINE DATA		
BEARING	DISTANCE	
18 S 89°08'50"W	60.00	
19 N 89°08'50"E	60.00	
20 S 88°51'18"W	50.00	
21 N 01°08'42"W	50.00	
22 N 88°51'18"E	50.00	
23 S 01°08'42"E	50.00	
24 S 88°51'18"W	37.00	
25 N 01°08'42"W	34.00	
26 N 88°51'18"E	37.00	
27 S 01°08'42"E	34.00	
28 N 01°05'24"W	15.00	
29 N 88°54'36"E	25.65	
30 S 01°05'24"E	5.00	
31 S 42°50'43"E	20.11	
32 N 88°54'36"E	146.53	
33 N 88°54'36"E	142.34	

CURVE DATA					
DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD DIST.
8°52'44"	350.00	54.24	27.17	N 03°17'40"E	54.18
11°19'07"	325.00	64.20	32.21	N 06°48'15"W	64.10
26°51'00"	372.00	174.33	88.79	N 00°57'41"E	172.74
6°39'09"	325.00	37.74	18.89	N 11°03'36"E	37.71
90°00'00"	35.00	54.98	35.00	N 37°15'58"W	49.50
39°25'15"	118.00	81.19	42.27	S 62°33'20"E	79.59
4°18'33"	307.00	23.09	11.55	S 11°39'24"W	23.08
19°06'07"	1144.75	381.65	192.61	N 75°29'12"W	379.89
17°39'59"	118.00	36.38	18.34	S 51°40'42"E	36.24
7°17'18"	118.00	15.01	7.52	S 64°09'21"E	15.00
14°27'58"	118.00	29.79	14.98	S 75°01'59"E	29.71
39°25'16"	248.00	170.63	88.85	N 62°33'20"W	167.29
44°29'33"	477.00	370.41	195.11	N 65°05'29"W	361.17
93°30'54"	302.00	482.91	321.12	S 45°54'17"W	439.99
39°25'16"	263.00	180.95	94.22	S 62°33'20"E	177.40
30°52'38"	197.00	106.17	54.41	S 16°31'43"E	104.89
121°13'48"	80.00	169.27	142.06	S 28°38'52"W	139.41
46°54'11"	274.00	224.30	118.86	N 67°17'08"W	218.00

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20220003207

I, Rodney Chase (print name), as President, Board of Directors, MCA. (title, if applicable) of Mediterra Community Association, Inc. (company, if applicable), swear or affirm under oath, that I am the (choose one) owner ☒ applicant ☐ contract purchaser ☐ and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Morris-Depew 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.

Rodney Chase
Signature

5-27-22
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 27th day of May, 2022, by (printed name of owner or qualifier) Rodney Chase.

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:

Stacy R. Rion



STACY R. RION
Commission # GG 909583
Expires September 2, 2023
Bonded Thru Budgetary Services



ADDRESSING CHECKLIST

Please complete the following and email to GMD_Addressing@colliercountyfl.gov or submit in person to the Addressing Section at the address listed below. This form must be signed by Addressing personnel *prior* to the pre-application meeting. **Please allow 3 business days for processing.**

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

PETITION TYPE (Indicate type below. Complete a separate Addressing Checklist for each Petition type).

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

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

MEDITERRA PHASE THREE EAST UNIT ONE TRACT ~~SR LESS THAN PORT NKA TR R MEDITERRA PARCEL 125 REPLAT PB 42 PG 55-56~~

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

59960211948

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

~~15735 Corso Mediterra Circle, Naples, FL 33901~~

- **LOCATION MAP** must be attached showing exact location of project/site in relation to nearest public road right-of-way
- **SURVEY** (copy – only needed for unplatted properties)

CURRENT PROJECT NAME (if applicable)

Mediterra Phase 3 **East, Unit One**

PROPOSED PROJECT NAME (if applicable)

Mediterra Southeast Entrance

PROPOSED STREET NAMES (if applicable)

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

SDP _____ or AR or PL # **PUDZ01-AR-620**

Addressing Checklist (Rev 12/2021)

Page 1 of 2



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

Mediterra Phase 3 East Unit 1

Please Return Approved Checklist By: ☒ Email ☐ Personally picked up

Applicant Name: Mediterra Community Association

Phone: (239) 337-3993

Email: bsmith@m-da.com (agent)

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

FOR STAFF USE ONLY

Folio Number **59960211948**

Folio Number **59960211964**

Folio Number

Folio Number

Folio Number

Folio Number

Approved by:

Donnie Moran

Date: **4/7/22**

Updated by:

Date:

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

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership

- 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
Mediterra Community Association, INC	Not For Profit
15735 Corso Mediterra Circle, Naples, FL 34110	
Note: Please see attached.	

- 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



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

- g. Date subject property acquired _____

☐ Leased: Term of lease _____ years /months

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



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

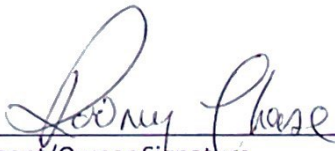
AFFIRM PROPERTY OWNERSHIP INFORMATION

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

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

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

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


Agent/Owner Signature

5-27-22
Date

RODNEY CHASE
Agent/Owner Name (please print)



STACY R. RION
Commission # GG 909583
Expires September 2, 2023
Bonded Thru Budget Notary Services



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Not For Profit Corporation
MEDITERRA COMMUNITY ASSOCIATION, INC.

Filing Information

Document Number N00000000565
FEI/EIN Number 65-0993064
Date Filed 01/28/2000
State FL
Status ACTIVE

Principal Address

15735 CORSO MEDITERRA CIRCLE
NAPLES, FL 34110

Changed: 05/13/2010

Mailing Address

15735 CORSO MEDITERRA CIRCLE
NAPLES, FL 34110

Changed: 05/13/2010

Registered Agent Name & Address

HART, THOMAS B, ESQ
1625 HENDRY ST
THIRD FLOOR
FORT MYERS, FL 33901

Name Changed: 01/10/2022

Address Changed: 01/10/2022

Officer/Director Detail

Name & Address

Title D, President

CHASE, RODNEY
15735 CORSO MEDITERRA CIRCLE
NAPLES, FL 34110

Title D, VP

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

TARR, KEN
15735 CORSO MEDITERRA CIRCLE
NAPLES, FL 34110

Title D, Treasurer

FOLLIT, EVELYN
15735 CORSO MEDITERRA CIRCLE
NAPLES, FL 34110

Title D, Secretary

JAFFE, ALAN
15735 CORSO MEDITERRA CIRCLE
NAPLES, FL 34110

Title D

BREWER, CHRISTINE
15735 CORSO MEDITERRA CIRCLE
NAPLES, FL 34110

Title D

PERNA, ELAINE
15735 CORSO MEDITERRA CIRCLE
NAPLES, FL 34110

Title D

RUSATE, DAVID
15735 CORSO MEDITERRA CIRCLE
NAPLES, FL 34110

Title D

WATERS, LESLIE
15735 CORSO MEDITERRA CIRCLE
NAPLES, FL 34110

Title D

YIE, CHARLES
15735 CORSO MEDITERRA CIRCLE
NAPLES, FL 34110

Annual Reports

Report Year	Filed Date
2020	02/14/2020
2021	03/08/2021

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

2022

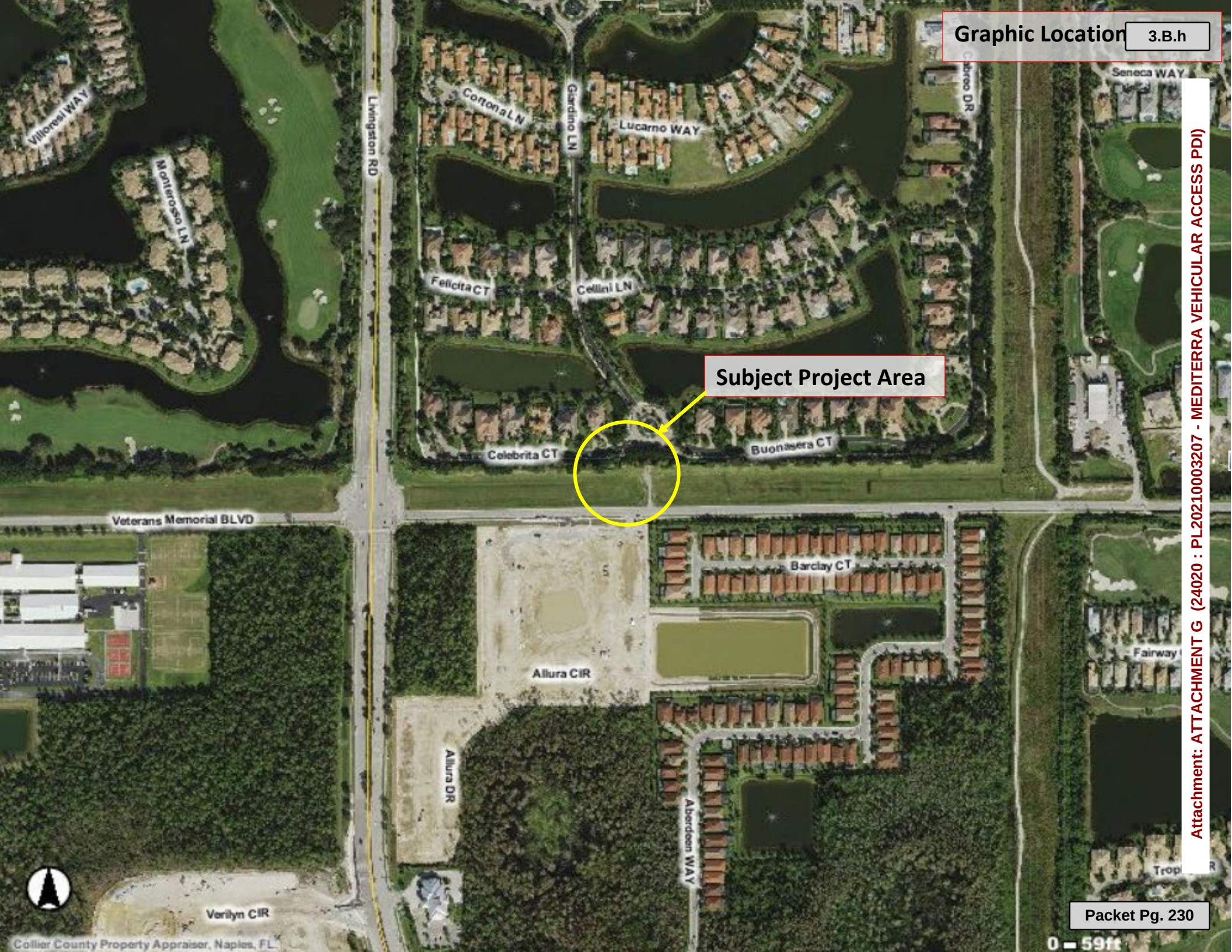
02/16/2022

Document Images

02/16/2022 -- ANNUAL REPORT	View image in PDF format
01/10/2022 -- Reg. Agent Change	View image in PDF format
03/08/2021 -- ANNUAL REPORT	View image in PDF format
02/14/2020 -- ANNUAL REPORT	View image in PDF format
03/14/2019 -- ANNUAL REPORT	View image in PDF format
04/10/2018 -- ANNUAL REPORT	View image in PDF format
11/15/2017 -- AMENDED ANNUAL REPORT	View image in PDF format
10/23/2017 -- Reg. Agent Change	View image in PDF format
03/16/2017 -- ANNUAL REPORT	View image in PDF format
03/18/2016 -- ANNUAL REPORT	View image in PDF format
02/05/2015 -- ANNUAL REPORT	View image in PDF format
03/13/2014 -- ANNUAL REPORT	View image in PDF format
03/22/2013 -- ANNUAL REPORT	View image in PDF format
04/26/2012 -- ANNUAL REPORT	View image in PDF format
12/06/2011 -- ANNUAL REPORT	View image in PDF format
04/29/2011 -- ANNUAL REPORT	View image in PDF format
08/03/2010 -- ANNUAL REPORT	View image in PDF format
05/13/2010 -- ANNUAL REPORT	View image in PDF format
03/04/2010 -- ANNUAL REPORT	View image in PDF format
10/08/2009 -- ANNUAL REPORT	View image in PDF format
02/05/2009 -- ANNUAL REPORT	View image in PDF format
03/13/2008 -- ANNUAL REPORT	View image in PDF format
03/27/2007 -- ANNUAL REPORT	View image in PDF format
03/20/2006 -- ANNUAL REPORT	View image in PDF format
03/25/2005 -- ANNUAL REPORT	View image in PDF format
04/30/2004 -- ANNUAL REPORT	View image in PDF format
02/27/2003 -- ANNUAL REPORT	View image in PDF format
05/15/2002 -- ANNUAL REPORT	View image in PDF format
05/18/2001 -- ANNUAL REPORT	View image in PDF format
01/28/2000 -- Domestic Non-Profit	View image in PDF format

Florida Department of State, Division of Corporations

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)



Subject Project Area

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)





SUSAN LASS	414-791-4674	sllass@comcast.net	16634 CORTON ^{LOT N}
RICHARD SAYER	804-814-0031	PKS4MAIL@ICLOUD.COM	16870 CAMINETO CT

LaShelle/David Ginter	9135264599	lginter@gmail.com	16705 Cabreo Dr
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ROB CAPANELLI	908-489-4111	rcapanelli@gmail.com	16807 CABREO
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HARVEY SACHSON	818-775-3200	harvey@calfp.com	16551 Cellini
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LARRY GIBBS	650 387 1131	LGIBBS@Stupid.com	Villaves
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Douglas A. Lewis	239-316-3006	Doug@TLFirm.com	Thompson Lewis
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Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDF)

Sign In Sheet

July 13th, 2022

NAME	PHONE NUMBER	EMAIL	ADDRESS
Sean Samman	239-252-8422	Sean.Samman@collinscountytfl.gov	2500 Horseshoe Dr N.
Rona STEPHANIE STOVASH	239-431-7006	rpstovash@comcast.net	16496 Felicita Cte.
Rob + Rob Oblar	609-577-3055	Oblarob@49.com	—
Jeff & Pat Roberts			Lucarno
Oxley Greg & Delinda	703 623 0947	glo4749@aol.com	16713 Cabro
Alberto & Chris Negro	167 239-5924339	albertnegro@aol.com	16703 Lucarno Way.
Sub Thompson	973-978-2915	sthompson@infila.com	16477 Celebrita Court

MORRIS

2914 Cleveland Avenue | Fort Myers, Florida 33901

DEPEW

Phone (239) 337-3993 | Toll Free (866) 337-7341

www.morris-depew.com

ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS**NIM Meeting Transcript**

PUDI Amendment

Zoom Comment/Response

00:18:55 Dick Johnson: When the question and answer begins, would you please repeat all questions that are asked so those not in the room can understand the question. I cannot hear the questions.

00:45:59 Steve Izzi: Is there any provision for pedestrian foot traffic

A: Yes, we are accommodating interior foot traffic, we are preserving the sidewalk that already exists (moving it a bit)

00:47:53 Larry.Drake: The current wall is about 8 to 10 foot above grade. The shows level. What does the transition look like?

A: The current wall is 6 or 8 feet, the proposed wall sections will remain consistent with existing, there is a 10-foot barrier below the wall so altogether the top of the wall is 18 feet approximately above grade, wall will be stepped down as quickly as we can at the gate.

00:48:20 Larry.Drake: This show at grade

00:49:39 Daryl.Adams: What is the approval process of this Southeast Access?

A: The PUD application which does amend the zoning resolution for the development, the master concept plan essentially showing that there is or is not an access here. The submittal needs to be reviewed by the County, and another application was also submitted with the engineering plans.

00:50:26 Peter Bowen's iPhone: Who will pay for the gate?

A: I can't speak to that, that will be paid for by Mediterra

00:50:35 Larry.Drake: sorry for the type o's

00:50:45 Pat Ward: Will any activity at the proposed gate be monitored, via camera, by the "manned" security gate?

A: That is a question that I cannot answer, video monitoring is not part of the submitted plans, that is the decision of the Mediterra community.

01:04:12 Dick Johnson: I live on that side

01:04:43 Suzy Riedel's iPhone: I live on this side and am totally opposed to this gate going in!

01:05:16 Daryl.Adams: I live on this side

01:07:28 Daryl.Adams: and I'm opposed to the gate being added.

01:09:08 Dick Johnson: Was there ever in your knowledge a Collier County traffic safety study completed on Livingston between the east and west side of Mediterra was submitted for purposes of installing traffic lights?

A: Traffic studies have been done in the past however we have no knowledge of this.

01:11:21 Pat Ward: I live on the east side, and my security concerns, which i have raised from day 1, remain a major issue for me. Disappointed with MCA Board's response to this, to date.

01:13:59 lcasa_v62ar2c: Where was the original access point relative to where this access point is.

01:18:53 Larry.Drake: If this is a safety issue with turning left onto Livingston from the east gate, why do we need an entrance? Why can't it just be an exit to solve the problem?

A: Some confusion, the proposed gate is being permitted as entrance/exit to give the option in the future, although it is currently only proposed as an exit.

01:19:08 Todd Van Fleet: For the sake of clarity, did i hear the right arrow turn lane is no longer needed/feasible because of the traffic volume?

A: that is not something that I am able to answer at this time, this application does not include the design of the gate.

01:19:49 Larry.Drake: No, just an exit from this point

01:20:20 lcasa_v62ar2c: Where was the original access point relative to where this access point is.

01:20:57 Larry.Drake: Thx

01:22:04 lcasa_v62ar2c: For the purposes of safety and security, can you assure us that gate height will be as tall as the existing wall height?

In-Person Comment/Response

Q: What is the property to the east of Mediterra East

A: That is a utility easement

Q: Is this exit only or will this be an entrance/exit access point

A: The entrance is being permitted to be able to function as an entrance/exit, which will allow a second point of entry for emergency vehicles only, which is a major justification for the project. The Mediterra community will have the ability to leave the entrance gate non-operable, which is the intent, so it would be an exit only function for residents, delivery drivers, maintenance etc. The functionality for entrance for all would be there if the residents ever decided to allow that in the future.

Comment: Community member states that “the functionality is there but it was mentioned at an earlier board meeting that it could be changed to entrance/exit without any voting from membership or anything like that so we might as well plan on it being entrance exit”

Q: I would like to know what the materials being used for the buffer will be and also the height of the walls.

A: That is still being designed and it is pending owner approval which is the Mediterra Community. The majority of the buffer will not change except for the gate area, a lot of what you are seeing is additional landscaping being planted.

Q: Allison Wescott: how much land is there.

Q: Pat Roberts: I have a long-term question so we are looking at this road and we all know that eventually that road is going to go to I-75, we just know, is going to continue to grow so we have the apartment complex on one side and ours on the other. Has the city discussed what the city will do when we face the same problem there (at the new access point) turning left to get into the neighborhood that we are now facing turning left onto Livingston. Have they talked to you about traffic lights, which they won't let us have to turn safely onto Livingston, has any of that been in discussion?

A: The short answer is the traffic impact statement which analysis traffic is currently under review with Collier County Staff. I can tell you a couple facts that are public knowledge. One is that there was a point in time where veterans would extend to I-75 before the on/off ramps. The talis park next door has built within space needed for that extension so that is not to say that it couldn't be done, Collier has not given up on that option but there has not been any discussion that the extension would come to fruition. There are two vehicular drives available to residents of Mediterra. The two exits would solve a lot of the turning movements that could be described as you experience them on Livingston. If that problem arises turning left into the new access off veterans, you can simply go to the light, make a right, and go into the other entrance so it provides options.

Q: Alberto Negro: this gate that you are mentioning, is this only available for people with their car registered or is there another way this will work.

A: there are a lot of different options for how to operate automatic gates, as of now with the plan for it to be exit only, it automatically opens for any vehicle that comes up to it, as is required for emergency reasons, but nobody will be able to get in the exit gate except for emergency vehicles that has a special entrance device.

Q: Alberto Negro: so far, the gate will exit only?

A: So far, that is the option that Mediterra would like to use, this application does show the option in the future to allow both so if the community decides otherwise, there are a lot of different technologies that residents could choose to access the new point using.

Q: Rob Obler: Is most of the landscaping on county land, are they going to let us use that land for the project.

A: The short answer is that the project is still under review with Collier, and we have had preliminary meeting with the county and they have verbally approved the idea pending final documents, the

maintenance would be the responsibility of Mediterra but the county would allow it in that area if approved.

Q: Please return to the overlay slide, so what does the red show exactly.

A: The B/W photo is a representation of the new entrance pending final review, the red linework is what is there today so you can see the alignment of Celebrita Court going into the roundabout.

Q: Why the proposed drive continues coming out of the roundabout in a southeasterly direction instead of just south.

A: There are two answers to that question; first, is that the proposed drive actually does go further south than the existing drive so there is essentially more real estate gained on the north end with the proposed entrance, it grows that area along the house on the corner so we did push it (the entrance) down as far as we felt that we could with the understanding that the roundabout design is geometrically designed with the separation requirement of the three drives entering the roundabout in mind for traffic safety reasons. So to realign the drive further south we would have had to move the entrance so close to the other drive that it would have created unsafe conditions.

Q: What is the impact on the first house on the corner

A: There is no work proposed within the lot of that house, all work proposed is within the existing roadway tract and the common area tract to the south. The pragmatic impact of that area along that closest house is that the edge of the roadway will move further away from that house and there will actually be more landscaping between that house and the road.

Q: Scott Thompson: (property owner of the house on the corner) I've started this in 2020 when the first survey came out and my response was this is a horrible decision, and we should stop wasting resources on this. I voted for every assessment of Mediterra and I moved here in 2008 and I've been a full time resident ever since. I sent an official letter to the board stating the impact to my neighbor and myself of our home values and the impact that this is going to have on our homes and I was listened to but nothing really happened. We have had no choice but to at least have an attorney take a look to see if this is feasible or not and whether the planned unit development can do this or not and we will have a little more on that later and I am being as professional as possible and I would think that any of you, which if this happens can happen to any of you would be in the same situation that I am. I bought in the back of this subdivision and yes, there was an old construction drawing that had an access but that was never part of it. I bought in the back of the subdivision because it was private and I knew that there was never going to be anything like this which (the proposed access) now goes right through my front yard.

A: we will take that into consideration.

Q: Mrs. Thompson: Can you go back to the picture of the gate please, so what goes on either side of the pillars, that just shows there are trees.

A: I would chalk this up to detail on the rendering that may end up being a bit different in reality. Currently the wall is proposed to extend to either side of the gates.

Q: Mrs. Thompson: So when are we going to see that is truly happening because that is not the case in the picture (referencing small gaps between the pillars and the proposed wall in the rendering).

A: the construction drawing submitted to Collier County do show the wall extending from the existing wall to the pillars on the gate. The only break in the wall that is proposed is the gate itself.

Q: Mrs. Thompson: have you looked at gates because I am going to tell you right now, every child that is thin slides underneath all these gates in all these communities to go fishing, to meet up with their friends and I will tell you that we have one of them. We have told him not to do it, but they make their bodies completely flat, and they get under every single wall possible. So, unless that gate is going to come all the way down, people will be doing this.

A: acknowledged, the final design of the gate is not complete, and we will take that into consideration.

Q: Pat Roberts: did you not say earlier it was planned to have two gates with a center pillar and this isn't representative of what is planned.

A: that is correct, the current construction plans that are submitted to Collier County show two 14-foot gates with a pillar in between.

Q: Pat Roberts: so it is much wider than what we are looking at correct?

A: It is not much wider than what we are looking at.

Q: Isn't there a reason why the access is in the spot that it is, such as an electrical box

A: The factor that influenced the alignment of the access the most was the Counties requirement for traffic safety issues as they pertain to Allura, although it did work out because there is a county lift station there as well.

Q: Jerry Garland: if this is county land and it is our expense to upkeep it, how do you permit homeless encampments from showing up, because everybody has a right to that area.

A: That is not under the purview of our plans. I can't speak to what they (the county) would or would not allow in the right of way.

Q: Is the wall on that line

A: the wall is 10-20 feet behind the Right of Way line. There is some private land between the wall and the right of way

Q: John Handy: Do the homeowners get to vote to approve this project as part of the development application?

A: The County is the decision maker on whether the plans are approved. Whether the project moves forward or not is the Communities decision.

Q: Ron Stovash: Why can't the wall just be higher than the pillars of the gate to provide security.

A: This application does not have the detailed design as part of it, there are options, and the design is still under review.

Q: Mrs. Thompson, when you say the community's decision, just refer to it as the board decision because we have zero say in this.

A: The contractors and consultants are retained by the Mediterra Community Association, the relationship between the association and the community is out of our scope.

Q: After the county approves the project, how much input do the people directly impacted have and can we sit down and have input on aspects such as tree selection etc?

A: That is not a decision that we don't make those decisions. We make decisions based on the client, Mediterra Community Association.

Q: Has there been a meeting set to review application and can the submitted application be viewed anywhere

A: The plans are public record and can be viewed through the CityView Portal. No HEX has been planned yet.

Q: Who will pay

A: The community will fund it, no official plans have been decided

Q: How is this work today and in the past being paid for.

A: The work is being paid for by the Mediterra Community Association.

Q: What will happen to the existing sidewalk?

A: The sidewalk will be moved from the existing position.

A: The corner property will gain 20-30 feet of front yard because of the proposed changes. There is no construction or demolition proposed on private land. All work is within the existing roadway tract.

Q: Mrs. Thompson: question regarding the length of the corner driveway and also about how they plan to match the cement color of the driveway, question regarding what the construction will entail for her private property and if she needs to give permission.

A: These are code minimum construction drawings, that is a construction item that is out of the scope of our work, construction on private property would require your permission.

Q: Why can't we have a guard house at the gate.

A: That question was contemplated in the initial planned stages however there are county codes that make that geometrically difficult, further construction and impacts would happen in order for a guardhouse to work.

Q: Is this where the original PUD Masterplan showed the access point.

A: The plan was conceptual; however, the access is located in the same general area.

Q: Why can't the county create an exception to allow us to have a manned gate.

A: The county advised us that a manned gate would likely not be approvable.

Q: Can we expand the project area to include room for a possible gatehouse if it is allowed by new staff in the future?

A: Noted.

Q: Is there a signal proposed for this project.

A: there is no signal proposed for this project. The traffic study did not show that it was warranted.

Q: what happens to existing monument on Celebrita?

A: The monument will be relocated to the new island which is slightly shifted.

Q: How will trucks be able to get around this turn off of the roundabout?

A: Whatever can navigate it now will continue to be able to navigate it, the changes are compliant with the County requirements.

Q: Where will the monument go/look

A: That is at the prerogative of the Mediterra Community Association.

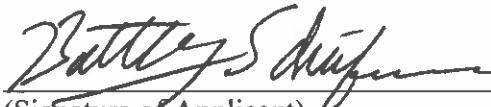
Q: Will there be a time where designs are less conceptual that the community can give input?

A: There are no more required informational meetings although the public hearing with the Collier County Hearing Examiner is open to the public and the public can attend and provide input. There will be public notice for that meeting.

AFFIDAVIT OF COMPLIANCE

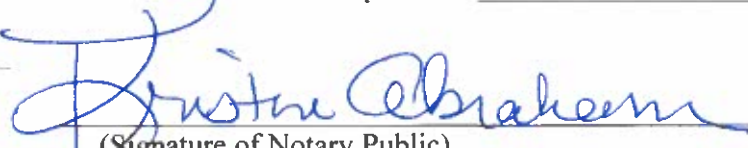
I hereby certify that pursuant to Ordinance 2004-41, of the Collier County Land Development Code, I did cause the attached newspaper advertisement to appear and I did give notice by mail to the following property owners and/or condominium and civic associations whose members may be affected by the proposed land use changes of an application request for a rezoning, PUD amendment, or conditional use, at least 15 days prior to the scheduled Neighborhood Information Meeting. *For the purposes of this requirement, the names and addresses of property owners shall be deemed those appearing on the latest tax rolls of Collier County and any other persons or entities who have made a formal request of the county to be notified.* The said notice contained the laymen's description of the site property of proposed change and the date, time, and place of a Neighborhood Information Meeting.

Per the attached letters, property owner's list, and copy of newspaper advertisement which are hereby made a part of this Affidavit of Compliance


(Signature of Applicant)

State of Florida
County of Lee

The foregoing Affidavit of compliance was acknowledged before me this 12 day of July, 2022 by Bailey Schuler, who is personally known to me or who has produced _____ as identification.


(Signature of Notary Public)

Kristen Abraham
Printed Name of Notary

(Notary Seal)



Kristen Abraham
Notary Public
State of Florida
Comm# HH102345
Expires 3/9/2025

Publication Date

6/27/2022

Ad Number

GCI0904074

Publication

Naples Daily News

Market

Naples

Delivery Method

Email

Number of Affidavits Needed

1

Customer Name

Morris Depew Assoc

Customer Phone Number

(239) 337-3993

Customer Address

2914 Cleveland AVE

Fort Myers, FL 33901-6003

Account Number (If Known)

AP-538614

Customer Email

BSchleifer@m-da.com

Your Name

Marita Froimson

Email Address

mfroimson@gannett.com

Naples Daily News

PART OF THE USA TODAY NETWORK

Published Daily
Naples, FL 34110

MORRIS DEPEW ASSOC
2914 CLEVELAND AVE
FORT MYERS, FL 33901
ATTN

Affidavit of Publication
STATE OF WISCONSIN
COUNTY OF BROWN

Before the undersigned they serve as the authority, personally appeared who on oath says that they serve as **legal clerk** of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida; distributed in Collier and Lee counties of Florida; that the attached copy of the advertising was published in said newspaper on dates listed. Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida; distributed in Collier and Lee counties of Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement and affiant further says that he has neither paid nor promised any person, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

6/27/2022



Subscribed and sworn to before on June 27th, 2022



Notary, State of WI, County of Brown

My commission expires:

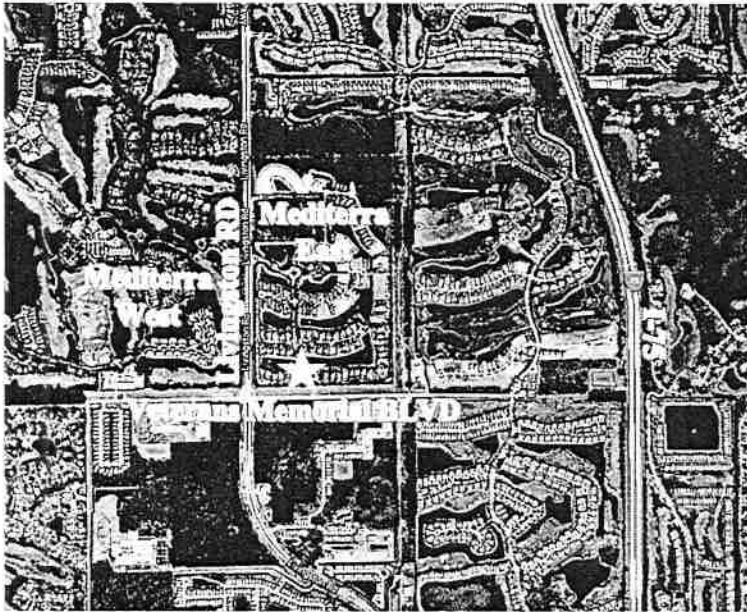
5.15.23

PUBLICATION COST: \$1,008.00
AD NO: GCI0904074
CUSTOMER NO: 538614
PO#: PUBLIC NOTICE
AD SIZE: DISPLAY AD

NANCY HEYRMAN
Notary Public
State of Wisconsin

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

NEIGHBORHOOD INFORMATION MEETING



The public is invited to attend a neighborhood meeting held by Ben Smith, AICP, of Morris-Depew Associates, representing Mediterra Community Association on July 13th, 2022, at 5:30 p.m. at 15755 Corso Mediterra Circle, Naples, located in the club ballroom. The subject property (FOLIO #59960211948) is located at the southern boundary of Mediterra East, south of Celebrita Court, to the north of Veterans Memorial Boulevard and to the east of Livingston Road. The Mediterra Community Association is petitioning Collier County to approve a Planned Unit Development Insubstantial Amendment that would allow for a new vehicular access point connecting the Mediterra East internal vehicular circulation network to Veterans Memorial Boulevard. The Applicant has created a revised Master Concept Plan for Mediterra to include the proposed vehicular access, which will become the official plan following approval.

WE VALUE YOUR INPUT

Business and property owners, residents and visitors are welcome to attend the presentation and discuss the project with the project team and Collier County staff. If you are unable to attend this meeting, but have questions or comments, or would like to participate by Zoom, please contact Ben Smith by July 13th, 2022 by phone or email at: (239) 337-3993, Morris Depew Associates, 2914 Cleveland Ave, Fort Myers, Florida 33901. Bsmith@m-da.com

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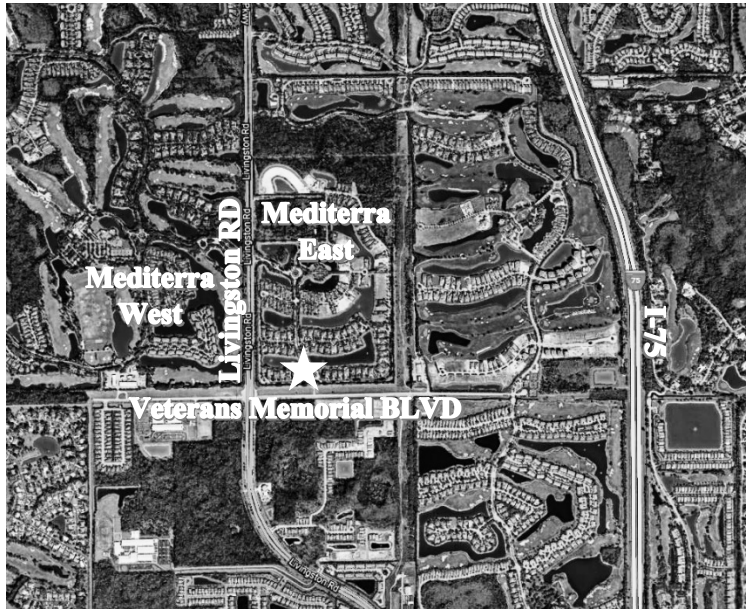
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NEIGHBORHOOD INFORMATION MEETING

3.B.h

Attachment: ATTACHMENT G (24020 : 1



The public is invited to attend a neighborhood meeting held by Ben Smith, AICP, of Morris-Depew Associates, representing Mediterra Community Association on July 13th, 2022, at 5:30 p.m. at 15 5 Corso Mediterra Circle, Naples, located in the club ballroom. The subject property (FOLIO #59960211948) is located at the south boundary of Mediterra East, south of Celebrita Court, to the north of Veterans Memorial Boulevard and to the east of Livingston Rd. The Mediterra Community Association is petitioning Collier County to approve a Planned Unit Development Insubstantial Amendment that would allow for a new vehicular access point connecting Mediterra East internal vehicular circulation network to Veterans Memorial Boulevard. The Applicant has created a revised Master Concept Plan for Mediterra to include the proposed vehicular access, which will become the official plan following approval.

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Notification of Neighborhood Meeting
PUDI Amendment

6/22/2022

Dear Property Owner:

Please be advised that a formal application has been submitted to Collier County seeking approval of a Planned Unit Development Insubstantial Amendment for the following described property:

The project site is located at the southern boundary of Mediterra East, south of Celebrita Court, to the north of Veterans Memorial Boulevard and to the east of Livingston Road.

The petitioner is asking the County to approve this application to allow development of a new vehicular access point connecting the Mediterra East internal vehicular circulation network to Veterans Memorial Boulevard.

In compliance with the Land Development Code requirements, a Neighborhood Information Meeting will be held to provide you an opportunity to become fully aware of the proposed improvements and to give you an opportunity to comment and influence the form of development. The Neighborhood Information Meeting will be held on July 13th, 2022, at 5:30 pm at 15755 Corso Mediterra Circle, Naples, FL 34110 in the Club Ballroom. If you are unable to attend in person, the meeting will also be available through Zoom. Please contact us at the email below if you would like the Zoom attendance link.

At this meeting, the petitioner will make every effort to illustrate the proposed improvements related to the new access point and to answer any questions. Should you have questions prior to the meeting, please contact me.

Sincerely,



Ben Smith, AICP

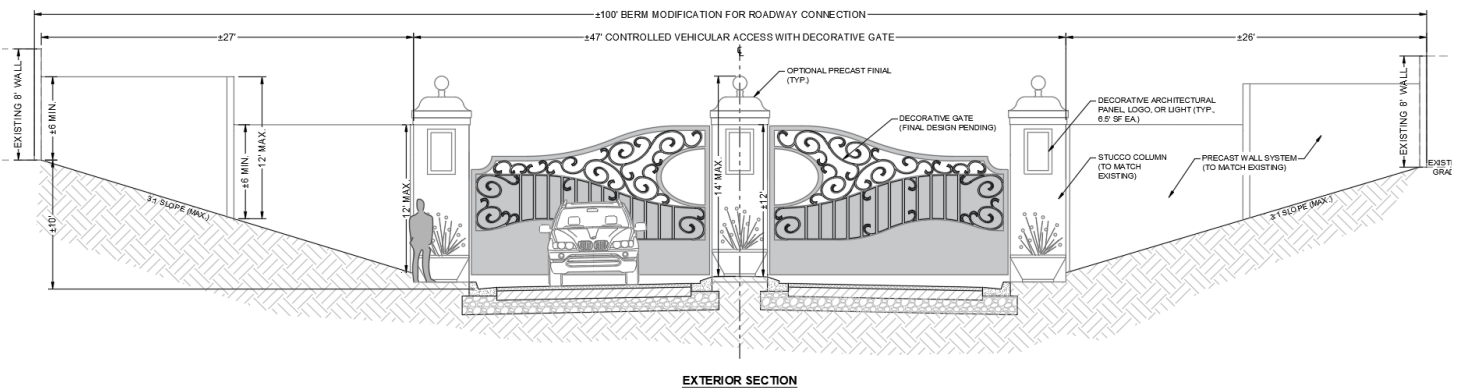
2914 Cleveland Avenue, Fort Myers, FL 33905
(239) 337-3993
BSmith@m-da.com

Attachment: ATTACHMENT G (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

Mediterra Southeast Access Insubstantial Change Amendment Schedule of Deviations

1. Deviation from LDC section 5.03.02.C.1. which limits wall and fence height to a maximum of 6 feet if located within the required front yard to allow for a maximum wall height of 12 feet to allow for a grade transition.

Justification: An increase of the maximum permitted wall height to 12' within the existing buffer along Veterans Memorial Blvd. will limit re-grading activities associated with the proposed roadway connection to Veterans Memorial Blvd. by allowing the wall to transition down approximate ten (10) feet vertically within a $\pm 100'$ section. By limiting the grading activities to a compact area, additional existing mature vegetation along the existing berm will remain in place. The maximum wall height of 12' will only be utilized on the downhill side of the slope transition as the wall panel approaches the next supporting post, while on the uphill side the maximum wall height will be 8' or less to match the existing wall. These transitions will also be screened with additional buffer plantings after the wall has been installed to maintain a consistent aesthetic within the context of the existing community.



2. Deviation from LDC section 5.06.02.B.1.a. which limits signage height to a maximum of 8 feet to allow for a maximum height of 14' to allow for decorative columns.

Justification: The Mediterra PUD seeks to deviate from the design standard requirement of a maximum height of 8 feet for all signs within residential portions of PUD zoned properties. This will allow for decorative gate columns to be affixed with a community themed logo at the proposed vehicular access to Veterans Memorial Blvd. The proposed height is necessary to allow the step-down wall transition from the existing berm elevation ($\pm 10'$ above), and to provide for the addition of a decorative column cap/finial similar to the existing decorative columns within the community. This will maintain design consistency and allow for community identification to be located outside of the existing Veterans Memorial Blvd. right-of-way without further impacts to the existing berm and buffer.



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Attach

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Packet Pg. 250



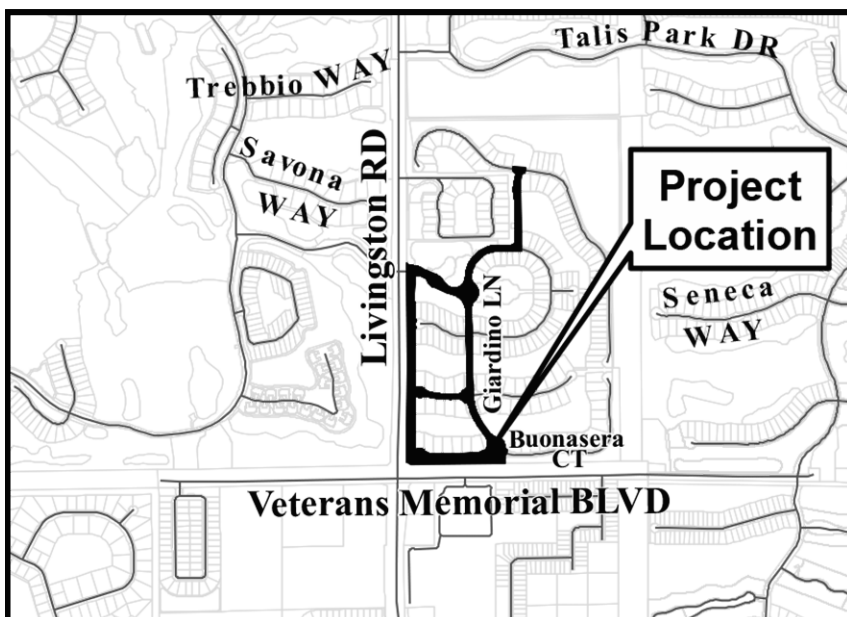
NOTICE OF PUBLIC HEARING

3.B.i

Notice is hereby given that a public hearing will be held by the Collier County Hearing Examiner (HEX) at 9:00 A.M., December 22, 2022, in the Hearing Examiner's Meeting Room, at 2800 North Horseshoe Drive, Room 609/610, Naples, FL 34104 to consider:

Petition No. PDI-PL20210003207 – Request for an insubstantial change to the master plan of ordinance no. 01-61, as amended, the mediterranean unit development (pud), to re-establish the access point to veterans memorial boulevard from the roundabout intersection of giardino lane, celebrita boulevard, also known as tracts R and Q, Mediterra Phase Three East One Subdivision, in Section 12, Township 48 South, Range 25 East, Collier County, Florida.

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All interested parties are invited to appear and be heard. All materials used in presentation to the Hearing Examiner will become a permanent part of the record.

Copies of staff report are available one (1) week prior to the hearing. The file can be reviewed at the Collier County Growth Management Community Development Department, Zoning Division, 2800 North Horseshoe Drive, Naples, FL 34104.

As to any petition upon which the Hearing Examiner takes action, an aggrieved petitioner may appeal such final action. Such appeal shall be filed per Section 2-88 of the Collier County Code of Laws and Ordinances within 30 days of the decision by the Hearing Examiner. An aggrieved party may appeal a decision by the Hearing Examiner to the Circuit Court of Collier County within 30 days of the decision. In the event that the petition has been approved by the Hearing Examiner, the applicant shall be advised that he/she proceeds with construction at his/her own risk during this 30-day period. Any construction work completed ahead of the approval authorization shall be at their own risk.

As part of an ongoing initiative to encourage public involvement, the public will have the opportunity to provide public comments remotely, as well as in person, during this proceeding. Individuals who would like to participate remotely should register through the link provided within the event/meeting entry on the Calendar of Events on the County website at www.colliercountyfl.gov/our-county/visitors/calendar-of-events after the agenda is posted on the County website. Registration should be done in advance of the public meeting, or any deadline specified in the public meeting notice. Individuals who register will receive an email in advance of the hearing detailing how they can participate remotely in this meeting. Remote participation is provided as a courtesy and is at the user's risk. The County is not responsible for technical difficulties. For additional information about the meeting, please call Geoffrey Willig at (239) 252-8369 or email Geoffrey.Willig@colliercountyfl.gov.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Collier County Zoning Division located at 2800 N. Horseshoe Dr, Naples, Florida 34104, (239) 252-2400, at least 10 days prior to the meeting.

Andrew W. J. Dickman, Esq., AICP
Chief Hearing Examiner
Collier County, Florida

Packet Pg. 251

Attachment: ATTACHMENT H (24020 : PL20210003207 - MEDITERRA VEHICULAR ACCESS PDI)

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STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: ZONING DIVISION; GROWTH MANAGEMENT COMMUNITY DEVELOPMENT DEPARTMENT

HEARING DATE: DECEMBER 22, 2022

SUBJECT: VA – PL20220003811 – 89 MAHOGANY DRIVE

PROPERTY OWNER/AGENT:

Owner: Richard Forman
89 Mahogany DR
Naples, FL 34103

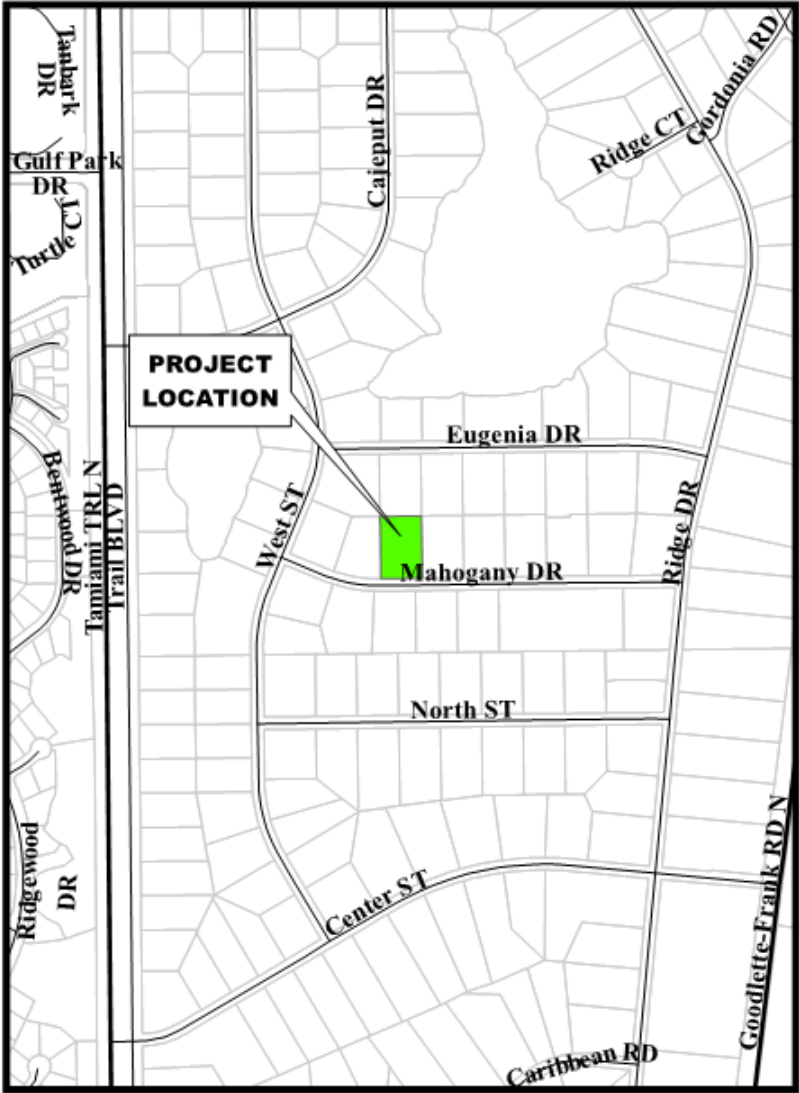
Agent: Blair Foley, PE
Blair Foley, PE, LLC
120 Edgemere Way S
Naples, FL 34105

REQUESTED ACTION:

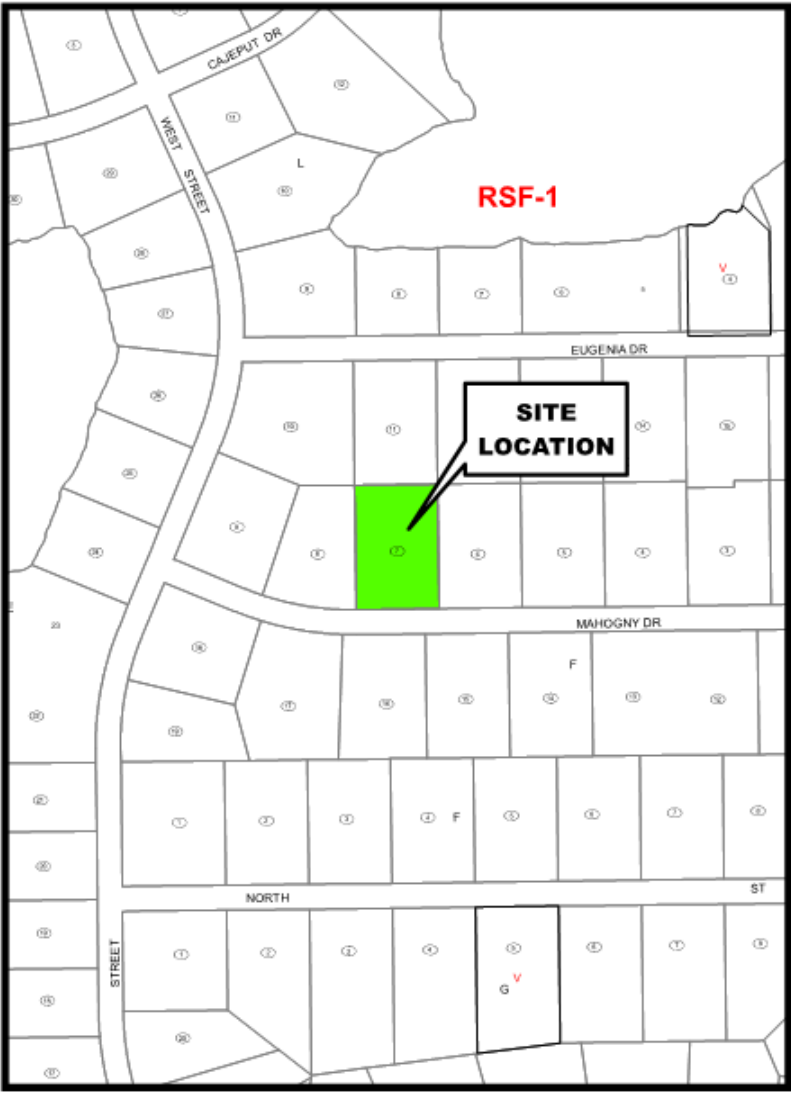
To have the Hearing Examiner (HEX) consider a request for a variance from the Land Development Code Section 4.02.03 D to reduce the required accessory side setback from 30 feet to 22 feet on the west property line, and a second variance from Section 5.03.02 C.2.a to increase the required maximum height of a fence from 6 feet to 10 feet for the proposed tennis court.

GEOGRAPHIC LOCATION:

The subject property is located in Lot 7, Block K, Pine Ridge Extension subdivision, also known as 89 Mahogany DR, Naples, FL 34108 in Section 3, Township 49 South, Range 25 East, Collier County, Florida. *(See location map on the following page)*



Location Map



Zoning Map

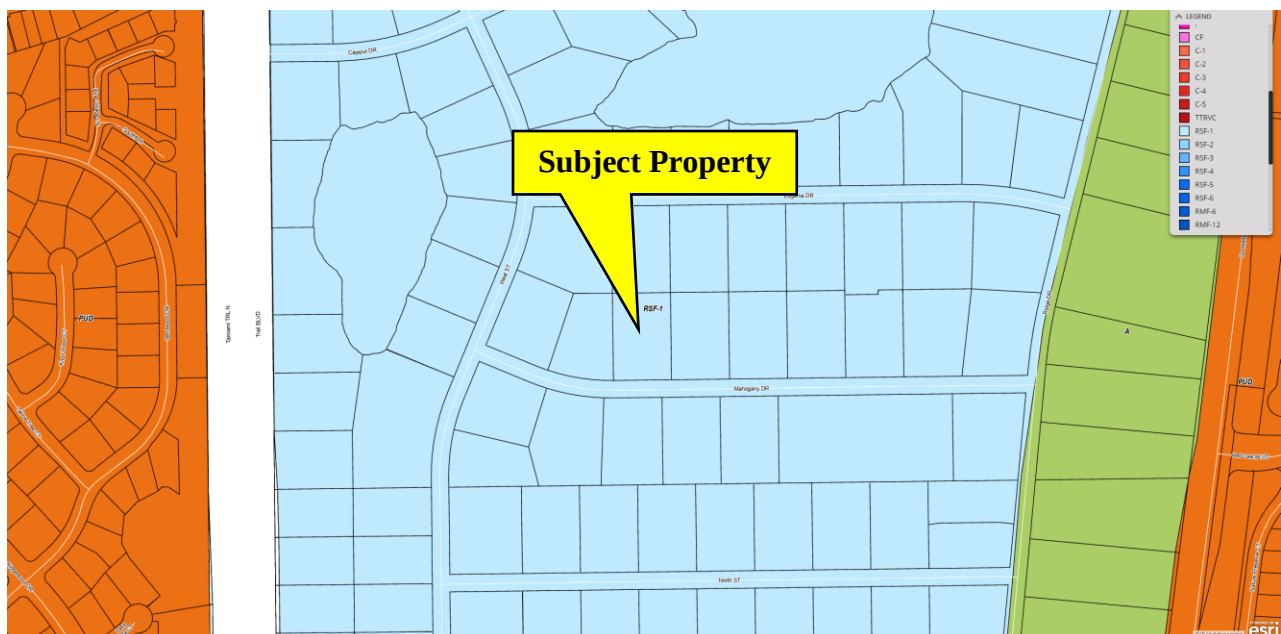
Petition Number: PL20220003811

PURPOSE/DESCRIPTION OF PROJECT:

The applicant is requesting a total of two variance requests in order to construct a new tennis court as an approved accessory use to the principal structure on their ±1.37-acre property. First, the applicant is requesting a variance for relief from LDC Sec. 4.02.01 Table 2.1 to reduce the side yard setback from 30 feet to 22 feet. Second, the applicant is requesting a variance for relief from LDC Sec. 5.03.02 C.2.a to increase the height of the fence from 6 feet to 10 feet. The reason for the tennis court to be located in the proposed location is due to the required position of the septic system drain field. The Florida Department of Health regulates septic systems through the FAC, any part of the septic system is required to be more than 75 feet from all subsurface wells. The separation distance from the drain field to the potable well on the adjacent property to the east is approximately 80 feet. The reason for the land-related hardship is that the septic system can't be relocated, therefore, leaving the west side of the subject property as the only available location for the tennis court to be constructed. Lastly, the proposed 10-foot fence height will better protect the adjacent properties from any wayward or loose tennis balls from infringing on to those properties.

SURROUNDING LAND USE & ZONING:

- North:** Single-Family Residence in the Pine Ridge Extension subdivision zoned RSF-1
- East:** Single-Family Residence in the Pine Ridge Extension subdivision zoned RSF-1 & Agricultural
- South:** Mahogany Drive & Single-Family Residence in the Pine Ridge Extension subdivision zoned R.O.W & RSF-1
- West:** Single-Family Residence in the Pine Ridge Extension subdivision zoned RSF-1





10/25/2022, 4:41:08 PM

- | | | |
|--|--|--|
| — Collier County Roads | Zoning_General | aMasterProjectsJoin |
| PAO Township Range Section | Zoning_Exception | Approved |
| PARCELJOIN | ZoningLinks | In Review |

GMCD0
GMCD0

GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

The subject property is located within the Urban Residential Subdistrict on the Future Land Use Map (FLUM) of the Future Land Use Element of the GMP. The GMP does not address individual Variance requests but deals with the larger issue of the actual use. As previously noted, the petitioner seeks an 8-foot Variance for the west side setback, as well as a 4-foot fence height increase. The subject use is consistent with the Future Land Use Map of the GMP. The requested variance does not have any impact on this property's consistency with the County's GMP.

STAFF ANALYSIS:

Section 9.04.01 of the Land Development Code gives the Hearing Examiner (HEX) the authority to grant Variances. The HEX utilizes the provisions of Section 9.04.03 A. through H. (in bold font below), as general guidelines to assist in making their recommendation of approval or denial. Staff has analyzed this petition relative to these provisions and offers the following responses:

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

The proposed septic system, identified on the site plan, has a limited location due to existing potable water wells on the adjacent east and west properties. The location of the proposed septic system limits the location where the tennis court can be constructed.

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

The action of the applicant did not cause where the existing potable water wells on the adjacent properties are located.

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

Due to regulations, size, and dimensions to build a tennis court, along with the aforementioned details of the separation distance from the potable wells in the adjacent properties to the required septic system on the subject property, the literal interpretation of the land development code will not allow the applicant to construct the tennis court on the subject property other than the proposed location.

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

The proposed location of the tennis court on the west side yard minimizes the setback reduction required, compared to possibly sitting it anywhere else available, on the property due to the configuration of the existing principal structure residence as well as the septic system.

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

Tennis courts are a common property improvement within the Pine Ridge community. There are currently a total of 24 tennis/pickleball courts, which are represented in the plan *Exhibit A*, in the area between Pine Ridge RD to the south, Vanderbilt Beach RD to the north, Tamiami Trl N to the west, and Goodlette-Frank RD to the east. Within the surrounding neighborhood, there are three other variances for setbacks specifically for tennis courts:

- V-00-19; 95 Myrtle Rd. – both side yards were reduced by 8.4’
- V-94-13; 163 Eugenia Dr. – both side and front yard reduced by 20’
- PL20200002057; 132 North St. – side yard reduced by 17.5’

All current variances are more than the proposed subject property variance request of 8’ on the west side yard setback. Also, at the time V-94-13 was granted, the BCC minutes stated that “14 of the 16 tennis courts were nonconforming and 11 of them had setbacks of 10’ or less”. Thus, granting this variance does not confer any special privilege for the applicant.

- f. **Will granting the Variance be in harmony with the general intent and purpose of this Land Development Code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?**

Tennis courts are a common feature in the Pine Ridge Extension neighborhood. Each court may improve the property value for each residence. Regular recreational activity, in which playing tennis provides regular exercise, is consistent with a healthy lifestyle promoted by Collier County. Balancing between public and private activities, a resident that has a private recreational facility provides themselves a safe, healthy, recreational activity as an option from their home and property. The proposed location will keep in effect the health and safety of the adjacent neighbors providing that the septic system will be at or more than the required 75 feet from their potable wells. Lastly, permitting a sufficiently high fence protects adjacent neighbors from wayward or loose balls, reducing a possible nuisance.

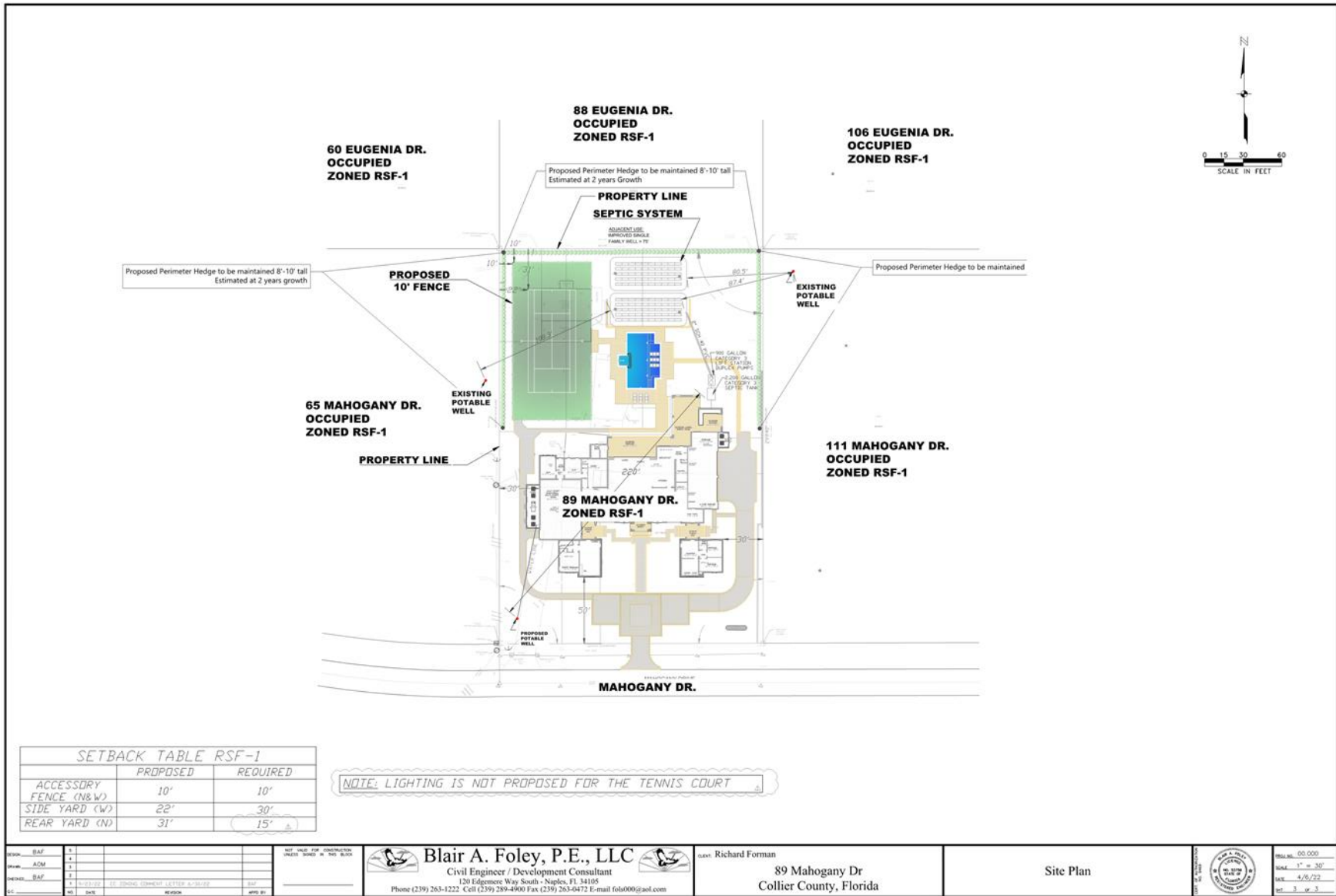
- g. **Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf courses, etc.?**

No.

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

The granting of the variance will be consistent with the Growth Management Plan since it will not alter the density, nature, or single-family residential character of the subject property.





CONCURRENT LAND USE APPLICATIONS:

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

COUNTY ATTORNEY OFFICE REVIEW:

The County Attorney's Office reviewed the staff report for **PL20220003811** on November 8, 2022.

RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner (HEX) make a determination of **approval**, subject to the following conditions of approval:

1. There will be no artificial lighting for the tennis courts.

Attachments:

- A. Aerials & Other Tennis Court Variances
- B. Survey or Conceptual Site Plan
- C. Backup Package
- D. Tennis Court Buffer Plan
- E. Legal Ad & HEX Sign Posting

NOTE: THE NUMBERED ITEMS POINT TO TENNIS COURTS, THE ONLY EXCEPTION IS COURT NO. 4 WHICH IS AN OUTDOOR BASKETBALL COURT, COURT NO. 20 WAS CONSTRUCTED AFTER THIS AERIAL WAS TAKEN.



DESIGN	BAF	5			
DRAWN	AOM	4			
CHECKED	BAF	3			
		2			
		1			
Q.C.					
NO.	DATE	REVISION	APPRO	BY	

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED IN THIS BLOCK



Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant
120 Edgemere Way South - Naples, FL 34105

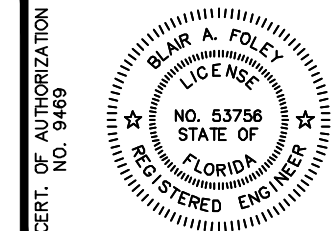
Phone (239) 263-1222 Cell (239) 289-4900 Fax (239) 263-0472 E-mail fols000@aol.com



CLIENT: Richard Forman

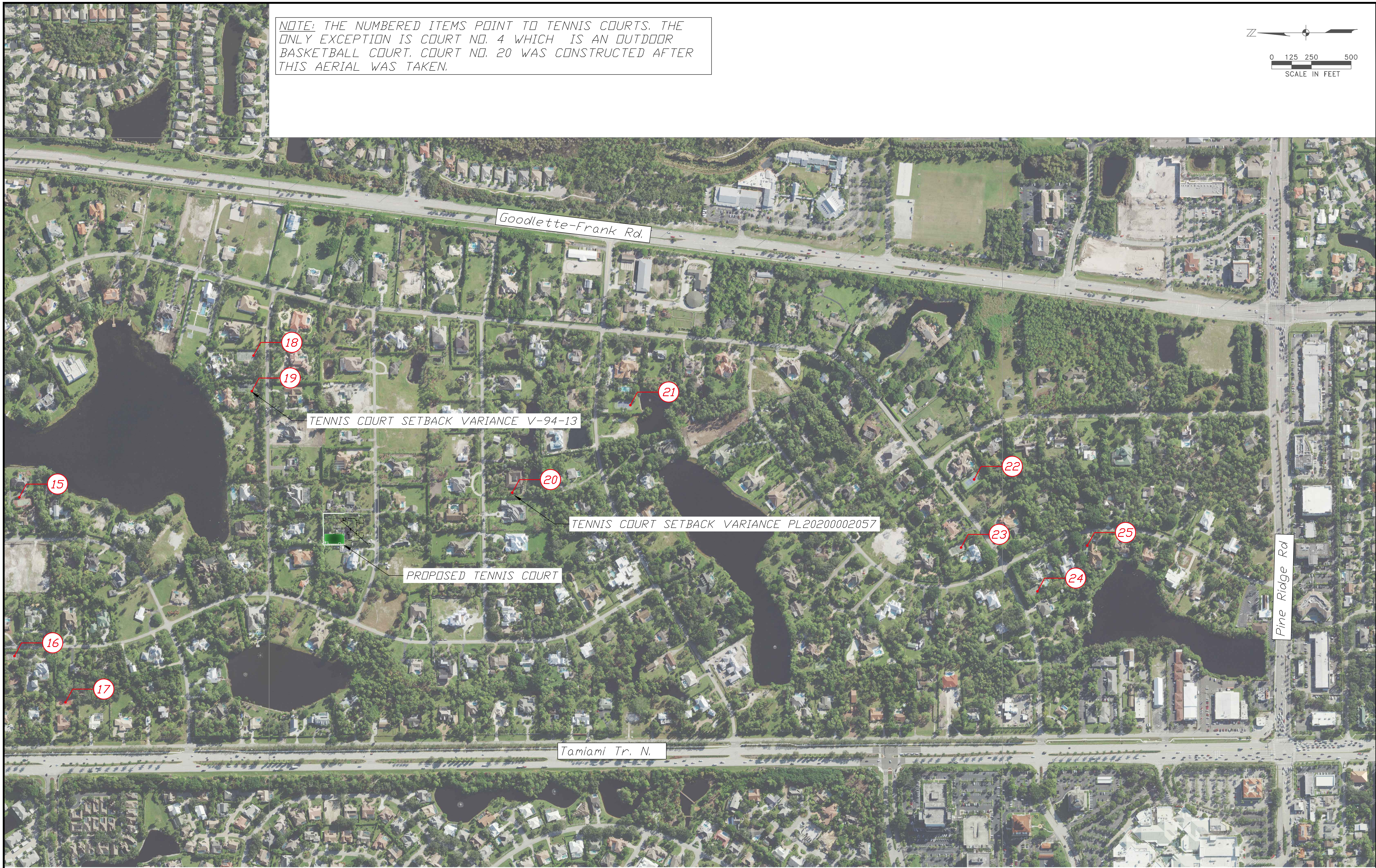
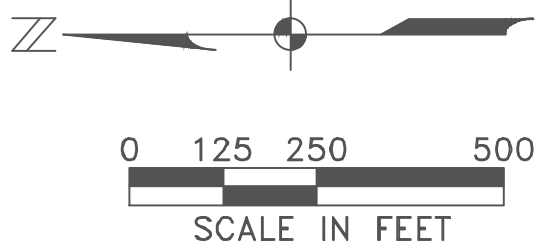
89 Mahogany Dr
Collier County, Florida

Exhibit A



PROJ. NO.	00.000
SCALE	1" = 250'
DATE	9/22/2022
SHT	1 OF 2

NOTE: THE NUMBERED ITEMS POINT TO TENNIS COURTS, THE ONLY EXCEPTION IS COURT NO. 4 WHICH IS AN OUTDOOR BASKETBALL COURT, COURT NO. 20 WAS CONSTRUCTED AFTER THIS AERIAL WAS TAKEN.



DESIGN	BAF	5			
DRAWN	ACM	4			
CHECKED	BAF	3			
		2			
		1			
Q.C.			NO.	DATE	REVISION
					APPRO BY

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED IN THIS BLOCK



Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant
120 Edgemere Way South - Naples, FL 34105

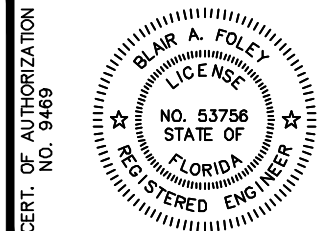
Phone (239) 263-1222 Cell (239) 289-4900 Fax (239) 263-0472 E-mail fols000@aol.com



CLIENT: Richard Forman

89 Mahogany Dr
Collier County, Florida

Exhibit A



PROJ NO. 00.000
SCALE 1" = 250'
DATE 9/22/2022
SHT 2 OF 2

Variance Request for Tennis Court Side Yard Setback & Fence Height

FOR 89 Mahogany Dr.- Pine Ridge Extension

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	AERIAL PHOTO WITH CONCEPTUAL PLAN
3	SITE PLAN

PROJECT DATA

PROJECT NAME:	89 Mahogany Dr.
COUNTY PL NO.:	
ZONING:	RSF-1
FOLIO:	67281920007
\LOCATION:	COLLIER COUNTY, FL S10 T49 R25

BUILDING DATA

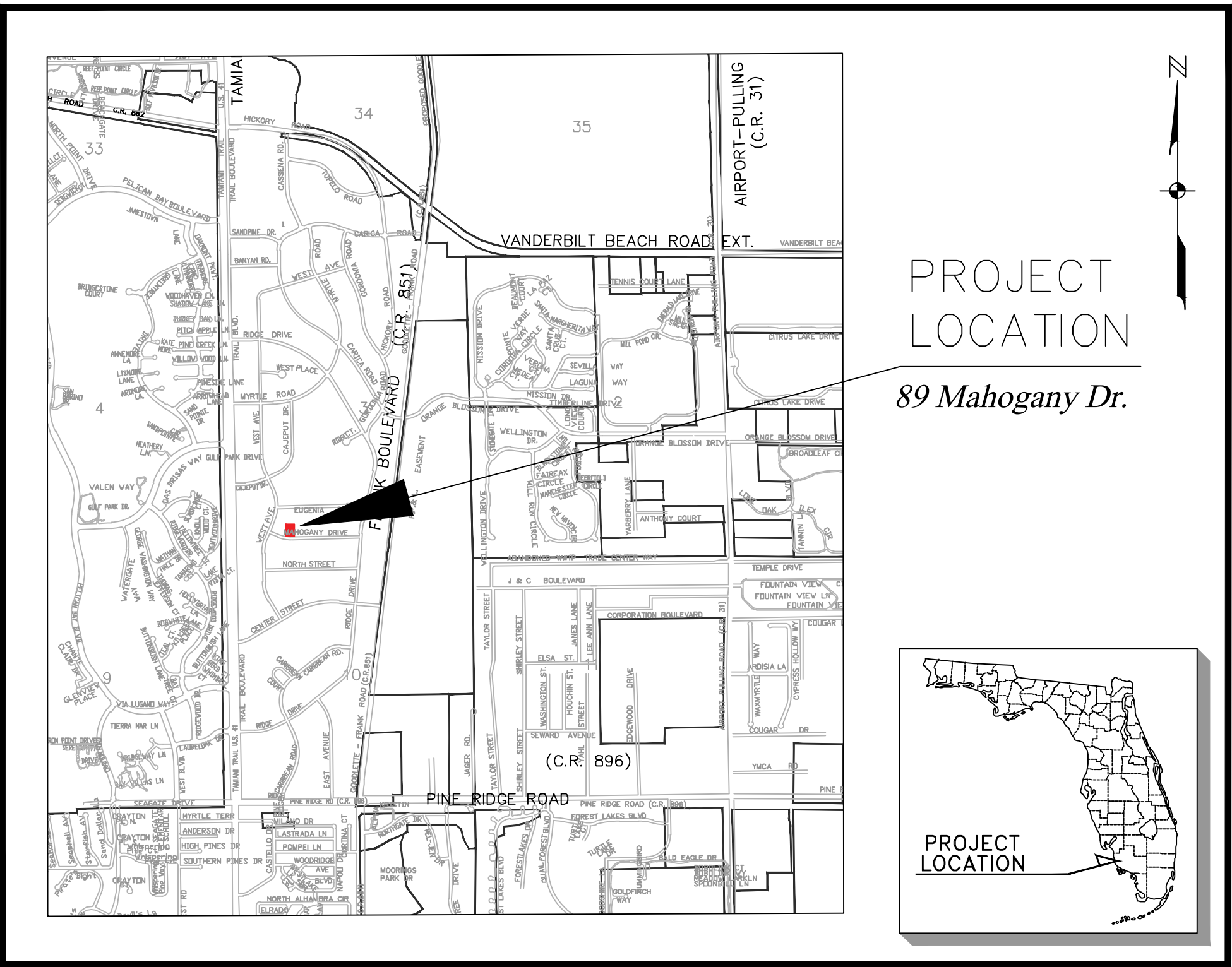
BUILDING CODE REFERENCES:
N/A
BUILDING CODE DATA:
N/A

Prepared for Owner:

Richard Forman
89 Mahogany Dr.
Naples, FL

LEGAL DESCRIPTION

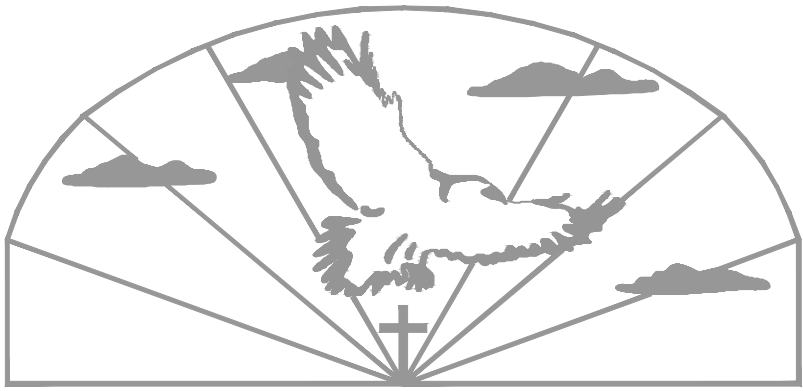
PINE RIDGE EXT BLK K LOT 7



LOCATION MAP



May 2022
September 2022

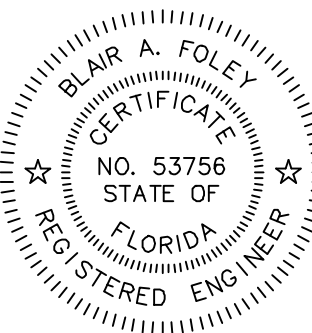


Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant

120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 - Cell (239) 289-4900 - Fax (239) 263-0472 - E-mail fols000@aol.com

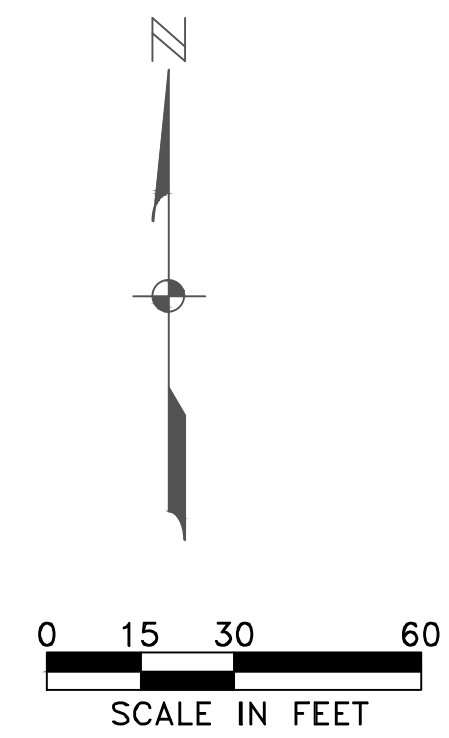
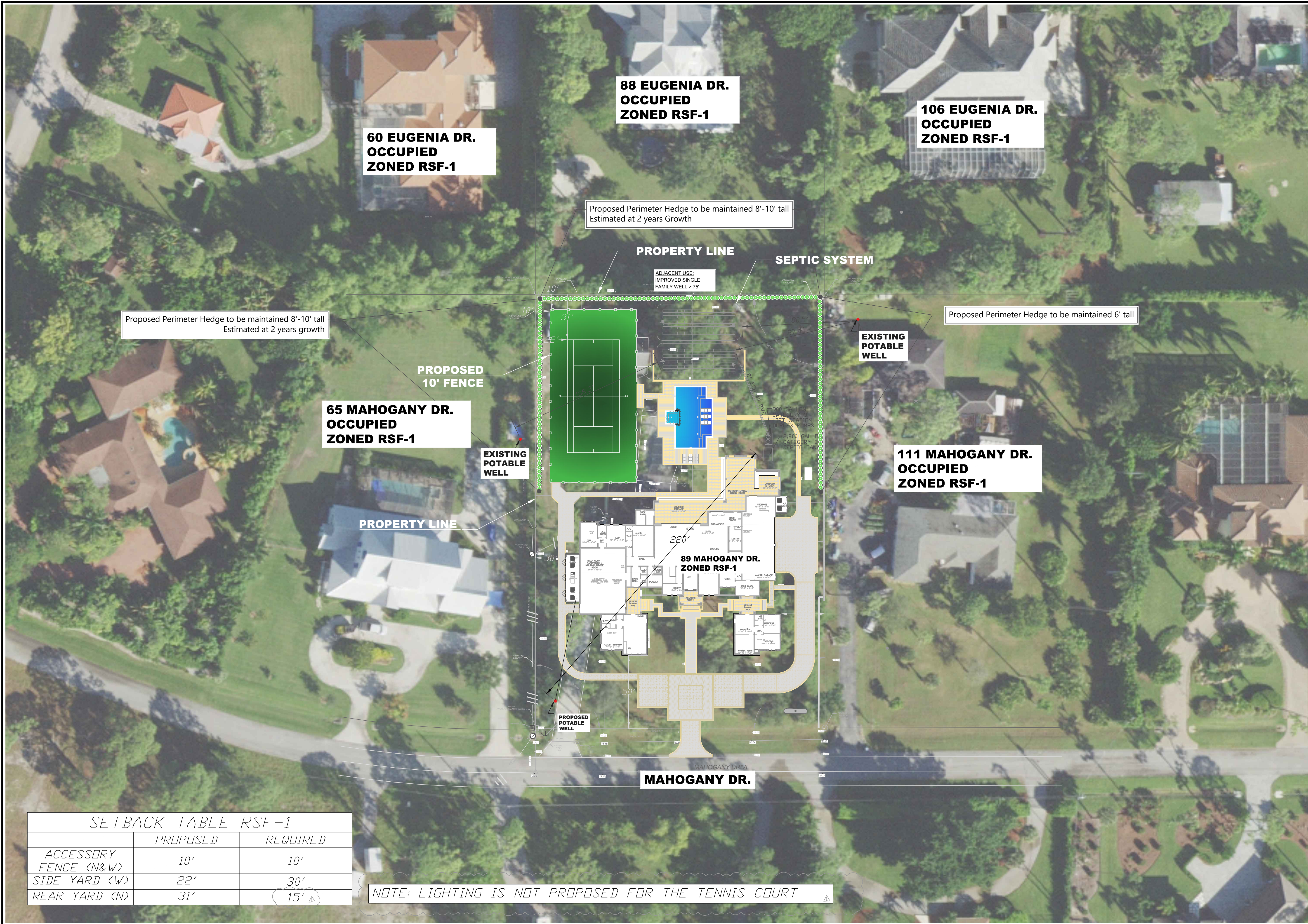
Certificate Of Authorization No. 9469
Florida Registered Professional Engineer No. 53756

Name _____ Date _____



89 Mahogany
Dr. (VA)

SHEET
1 of 3



SETBACK TABLE RSF-1		
	PROPOSED	REQUIRED
ACCESSORY FENCE (N&W)	10'	10'
SIDE YARD (W)	22'	30'
REAR YARD (N)	31'	15'

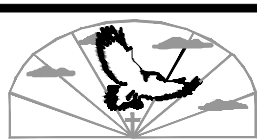
NOTE: LIGHTING IS NOT PROPOSED FOR THE TENNIS COURT

DESIGN	BAF	5				
DRAWN	AOM	4				
CHECKED	BAF	3				
Q.C.		2				
		1	9/23/22	CC ZONING COMMENT LETTER DATED 6/30/22	BAF	
			NO.	DATE	REVISION	APPRO BY

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED IN THIS BLOCK

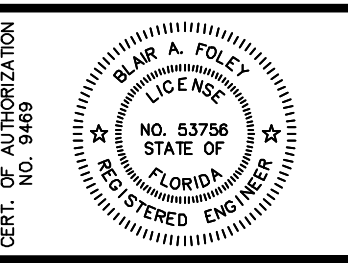


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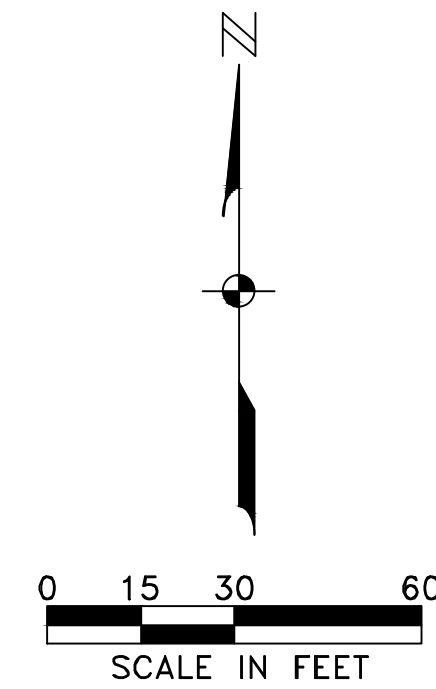
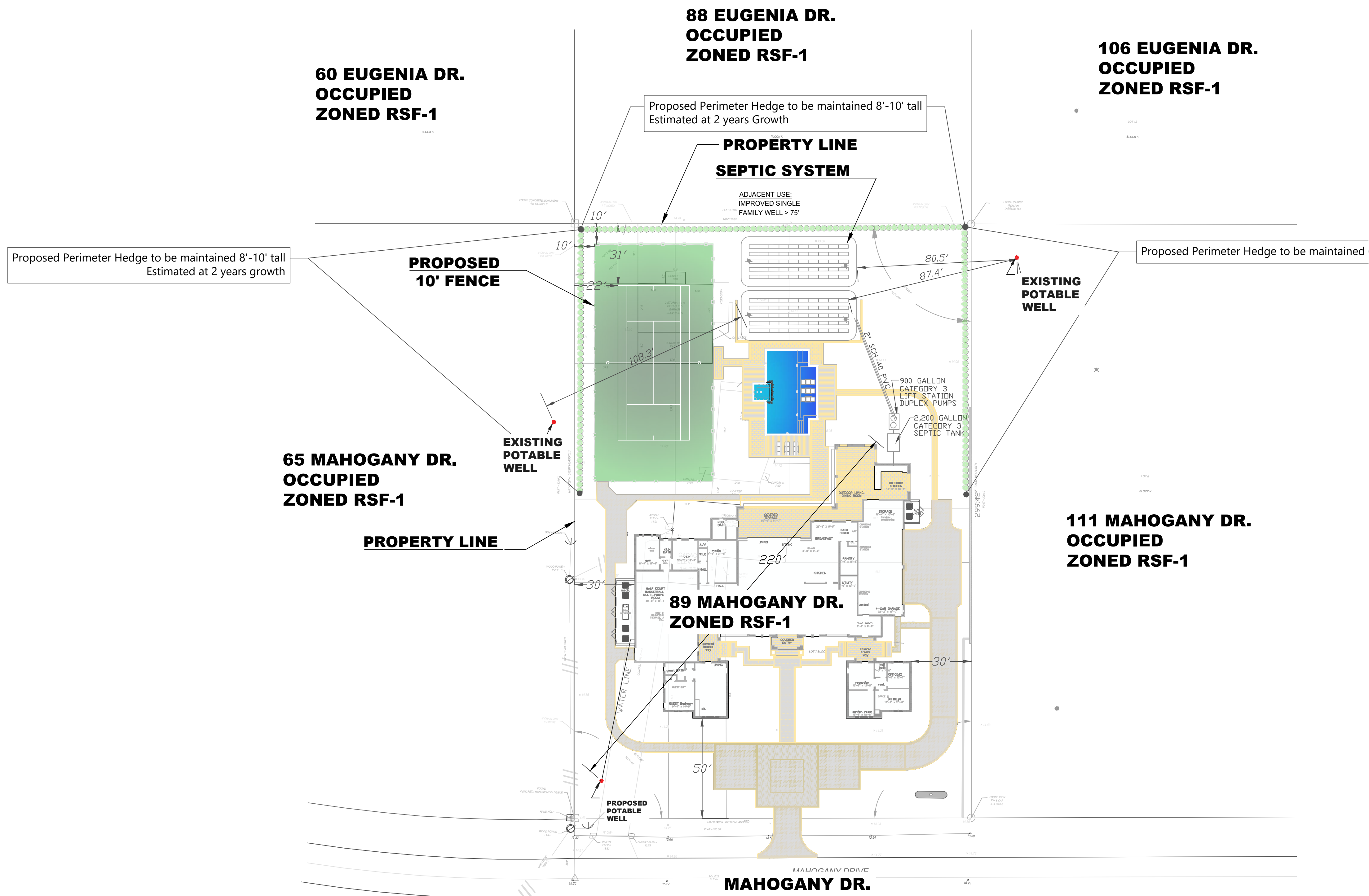


CLIENT: Richard Forman
89 Mahogany Dr
Collier County, Florida

Aerial Photo with Concept Plan



PROJ. NO. 00.000
SCALE 1" = 30'
DATE 4/6/22
SHT 2 OF 3



SETBACK TABLE RSF-1		
	PROPOSED	REQUIRED
ACCESSORY FENCE (N&W)	10'	10'
SIDE YARD (W)	22'	30'
REAR YARD (N)	31'	15'

NOTE: LIGHTING IS NOT PROPOSED FOR THE TENNIS COURT

DESIGN	BAF	5			
DRAWN	AOM	4			
CHECKED	BAF	3			
		2			
Q.C.		1	9/23/22	CC ZONING COMMENT LETTER 6/30/22	BAF
		NO.	DATE	REVISION	APPD BY

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED IN THIS BLOCK



Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant

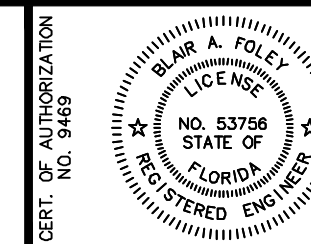
120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 Cell (239) 289-4900 Fax (239) 263-0472 E-mail fols000@aol.com



CLIENT: Richard Forman

89 Mahogany Dr
Collier County, Florida

Site Plan



PROJ. NO.	00.000
SCALE	1" = 30'
DATE	4/6/22
SHT	3 OF 3

HEARING PACKAGE CHECKLIST Return this form with printed materials**A. Backup provided by the County Planner**

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

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

B. Backup provided by Applicant:

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

- ✓ Application, to include but not limited to the following:
 - ✓ Narrative of request
 - ✓ Property Information
 - ✓ Property Ownership Disclosure Form
 - ✓ Any other documents required by the specific petition type; such as a variance, a boat dock extension; PUD amendment, rezone request, etc.

N/A Disclosure of Property Ownership Interest (if there is additional documentation aside from disclosure form)

N/A Affidavit of Unified Control

- ✓ Affidavit of Compliance
- ✓ Drawings (may include Cross-Section (for BDEs generally), proposed Boat Dock(s) with Water depth, location maps etc.)

N/A NIM Information (Sign in sheet, notes, minutes and transcript/or summary)

- ✓ Include 3 thumbnail drives of video and/or audio

N/A Traffic Impact Study (TIS)

N/A Environmental Data

N/A Historical/Archeological Survey or Waiver

N/A Utility Letter

N/A Deviation Justifications

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)

N/A Boundary Survey

- ✓ Other documents, as needed, on a case-by-case basis such as relevant prior Ordinances, Conditional Uses, historical documents, any “private or legal” agreements affecting the PUD etc.

N/A Submerged Resource Surveys may be included here if required.

- ✓ **CD with *only one* pdf file for all documents in the same order as the packets are put together. They must be in the same order.**

I understand that by submitting the above materials, it is the agent’s/applicant’s responsibility to ensure all materials are in the same order for all copies of backup materials to provide to the Hex/CCPC and the CD must contain the documents in one pdf file (not multiple files) in the same order as the printed materials. It is the agent’s responsibility to ensure no documentation is left out.

Signature of Agent Representative

Date

Printed Name of Signing Agent Representative

Blair A Foley Digitally signed by Blair A Foley
Date: 2022.11.21 11:22:30
-05'00'

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

VARIANCE PETITION APPLICATION

Variance from Setbacks Required for a Particular Zoning District
LDC section 9.04.00 & Code of Laws section 2-83 – 2-90
Chapter 3 J. of the Administrative Code

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): _____

Name of Applicant if different than owner: _____

Address: 89 MAHOGANY DR City: NAPLES State: FL ZIP: 34108

Telephone: _____ Cell: _____ Fax: _____

E-Mail Address: _____

Name of Agent: BLAIR FOLEY, PE

Firm: BLAIR FOLEY, PE, LLC

Address: _____ City: NAPLES State: FL ZIP: 34105

Telephone: 239 263 1222 Cell: 239 289 4900 Fax: _____

E-Mail Address: FOLS000@AOL.COM

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

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)



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

PROPERTY INFORMATION

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

Property I.D. Number: 67281920007 Section/Township/Range: 03/49/25
Subdivision: Pine Ridge Ext Unit: Lot: 7 Block: K
Metes & Bounds Description: See Survey Total Acreage: 1.38
Address/ General Location of Subject Property: 89 MAHOGANY DR

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	RSF-1	OCCUPIED
S	RSF-1 & ROW	MAHOGANY DR/PUBLIC ROAD
E	RSF-1 & AGRICULTURAL	OCCUPIED
W	RSF-1	OCCUPIED

Minimum Yard Requirements for Subject Property:

Front: 50 Corner Lot: Yes ☐ No ☒
Side: 30 Waterfront Lot: Yes ☐ No ☒
Rear: 50

Minimum Accessory Setbacks for Subject Property (Tennis Courts/ Single Family):

Front: 50/SPS
Side: 30/SPS
Rear: 15

Chapter 8 of the Administrative Code requires that the applicant must remove their public hearing advertising sign(s) after final action is taken by the Board of County Commissioners. Based on the Board's final action on this item, please remove all public hearing advertising sign(s) immediately.

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)



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GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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NAPLES, FLORIDA 34104
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ASSOCIATIONS

Complete the following for all registered Association(s) that could be affected by this petition. Provide additional sheets if necessary. Information can be found on the Board of County Commissioner's website at <http://www.colliergov.net/Index.aspx?page=774>.

Name of Homeowner Association: Pine Ridge Civic Of Naples Homeowners Association

Mailing Address: PO Box 111208 **City:** Naples **State:** FL **ZIP:** 34108

Name of Homeowner Association: _____

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

Name of Homeowner Association: _____

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

Name of Homeowner Association: _____

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

Name of Homeowner Association: _____

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

NATURE OF PETITION

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

1. A detailed explanation of the request including what structures are existing and what is proposed; the amount of encroachment proposed using numbers, i.e. reduce front setback from 25 ft. to 18 ft.; when property owner purchased property; when existing principal structure was built (include building permit number(s) if possible); why encroachment is necessary; how existing encroachment came to be; etc.
2. For projects authorized under LDC Section 9.04.02, provide a detailed description of site alterations, including any dredging and filling.
3. Pursuant to LDC section 9.04.00, staff shall be guided in their recommendation to the Hearing Examiner, and the Hearing Examiner shall be guided in the determination to approve or deny a variance petition by the criteria (a-h) listed below. Please address the following criteria:
 - a) Are there special conditions and circumstances existing which are peculiar to the location, size and characteristics of the land, structure, or building involved.



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
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- b) Are there special conditions and circumstances which do not result from the action of the applicant such as pre-existing conditions relative to the property which is the subject of the variance request.
 - c) Will a literal interpretation of the provisions of this zoning code work unnecessary and undue hardship on the applicant or create practical difficulties on the applicant.
 - d) Will the variance, if granted, be the minimum variance that will make possible the reasonable use of the land, building or structure and which promote standards of health, safety or welfare.
 - e) Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district.
 - f) Will granting the variance be in harmony with the intent and purpose of this zoning code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
 - g) Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf course, etc.
 - h) Will granting the variance be consistent with the Growth Management Plan?
4. Official Interpretations or Zoning Verifications: To your knowledge, has there been an official interpretation or zoning verification rendered on this property within the last year?

☐ Yes ☒ No If yes, please provide copies.

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)



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GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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

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

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

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)



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

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

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

FEE REQUIREMENTS

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

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

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

All checks payable to: Board of County Commissioners.

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

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

 Applicant Signature
Blair A. Foley, PE

Printed Name

 Date



Amanda McLean <mcleanm123@gmail.com>

FW: pre-app meeting waiver request

1 message

BellowsRay <Ray.Bellows@colliercountyfl.gov>
To: "mcleanm123@gmail.com" <mcleanm123@gmail.com>
Cc: VelascoJessica <Jessica.Velasco@colliercountyfl.gov>

Thu, Apr 7, 2022 at 4:01 PM

Good afternoon,

Based upon the information provided, your request for a waiver from holding a pre-application meeting has been approved.

Respectfully,

Ray

Raymond V. Bellows, Zoning Manager

Zoning Division - Zoning Services Section
Growth Management Department

Telephone: 239.252.2463; Fax: 239.252.6350



Exceeding expectations, every day!

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

From: Amanda McLean <mcleanm123@gmail.com>
Sent: Thursday, April 07, 2022 3:32 PM
To: BellowsRay <Ray.Bellows@colliercountyfl.gov>
Subject: pre-app meeting waiver request

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.

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)

Good afternoon Ray,

We would like to request a preapp waiver for a variance petition for a proposed setback reduction for a tennis court.

We completed a nearly identical variance petition last year (132 North St. VA-PL20200002057), and feel we have an understanding of the process.

The current project is at 89 Mahogany Dr. I attached the draft site plan for reference.

Thank you for help you can offer,

Mandy McLean, PE

Civil Engineer/Development Consultant

Blair A. Foley, P.E. LLC

(239) 784-2835

mcleanm123@gmail.com

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.

2 attachments



89 mahogany tennis court variance PLANS DRAFT.pdf

3353K



oledata.mso

230K

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)

Variance Request for Tennis Court Side Yard Setback & Fence Height

OWNER/APPLICANT: Richard Forman

FOLIO: 67281920007

ADDRESS: 89 Mahogany Dr., Naples, FL 34108

Request:

1. The applicant is requesting a variance for relief from LDC 4.02.1 Table 2.1 to reduce the side yard setback from 30' to 22'.
2. The applicant is requesting a variance for relief from LDC 5.03.02C.2.a to increase the fence height to 10'

Variance Criteria:

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

The property is a proposed single-family residence on ~1.37 acres. The existing home is planned for demolition under building permit number PRDM20220208400.

The applicant purchased the property on March 15, 2021 (deed is book-page, 5911-3248). The applicant proposes to construct a single-family home with a pool and tennis court. Site elements such as a pool and tennis court are common accessories in the Pine Ridge subdivision. A quick survey of the most recent aerial shows +/- 24 tennis or pickleball courts and one (1) outdoor basketball court at single-family homes in the subdivision. See Exhibit A.

The applicant requests variance for a reduction in the west side yard setback from 30' to 22' to install the tennis court with a 10' fence.

The proposed location of the tennis court is driven by the required position of the septic system and drainfield. This part of the neighborhood uses both wells and septic systems. According to the Florida Department of Health, which regulates septic systems through the FAC, any part of the septic system must be more than seventy-five feet (75') from all subsurface wells.

On the proposed plan, the distance from the septic drainfield to the potable well on the adjacent property to the east was set at about eighty feet (80') for the health and safety of the residents. This leaves sufficient open space on the west side of the property to accommodate the tennis court with the requested setback reduction.

To provide sufficient protection from loose balls, the industry standard for hard court fence height is ten (10) feet.

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

The applicant has a demolition permit under building permit number PRDM20220208400. Otherwise, the site has not been altered.

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

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

There are existing potable water wells on the east and west property lines that limit the location of the proposed septic system. The location of the proposed septic system, then, limits the location of the tennis court.

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

The location of the existing potable water wells on the neighboring properties did not result from any action by the applicant.

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

Literal interpretation of the zoning code will not allow the applicant to construct the tennis court improvement.

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

The proposed location of the tennis court on the west side yard minimizes the setback reduction compared to siting it on the east side of the property due to the configuration of the home.

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

In Pine Ridge, tennis courts are a common property improvement. Exhibit A shows 24 tennis/pickleball courts and one (1) basketball court.

In the near vicinity, there are three (3) other variances for setbacks for tennis courts:

95 Myrtle Rd.	V-00-19	both Side Yards reduced by 8.4'
163 Eugenia Dr.	V-94-13	Side Yard reduced by 20', Front Yard reduced by 20'
132 North St.	PL20200002057	Side Yard reduced by 17.5'

This petition proposes an 8' reduction to 22' in the side yard setback which is less than the previously granted variances.

A short aerial search shows that many of the tennis courts have been constructed in the side and rear yard setbacks. When the V-94-13 was granted, the BCC minutes (Sept. 27, 1994) state that 14 of the 16 court were nonconforming and 11 of them had setbacks of ten (10) feet or less. Therefore, granting the variance does not confer any special privilege on the petitioner.

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

A tennis court is a typical feature in the Pine Ridge neighborhood which improves the property value and is consistent with healthy lifestyle promoted by Collier County.

Allowing a sufficiently high fence will provide protection from loose balls. An exhibit, Tennis Court Buffer Plan, is attached to demonstrate sufficient screening for the fence.

As more residents seek to manage their balance between public and private activities due to Covid, having private recreational facilities allows residents safe options for activities at home.

The proposed location of the court protects the health and safety of the adjacent neighbors by ensuring that the septic system is more than 75 ft from their wells.

g) Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf course, etc. No.

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

Granting the variance will not alter the density, nature, or single-family residential character of the property so it will continue to be consistent with the Growth Management Plan.



ADDRESSING CHECKLIST

Please complete the following and email to GMD_Addressing@colliercountyfl.gov or submit in person to the Addressing Section at the address listed below. This form must be signed by Addressing personnel *prior* to the pre-application meeting. **Please allow 3 business days for processing.**

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

PETITION TYPE (Indicate type below. Complete a separate Addressing Checklist for each Petition type).

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

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

PINE RIDGE EXT BLK K LOT 7

T49, R45, S03

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

67281920007

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

89 MAHOGANY DR., Naples, FL, 34108

- **LOCATION MAP** must be attached showing exact location of project/site in relation to nearest public road right-of-way
- **SURVEY** (copy – only needed for unplatted properties)

CURRENT PROJECT NAME (if applicable)

PROPOSED PROJECT NAME (if applicable)

89 Mahogany Dr

name not yet approved

PROPOSED STREET NAMES (if applicable)

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

SDP _____ or AR or PL # _____

Addressing Checklist (Rev 12/2021)

Page 1 of 2



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

Please Return Approved Checklist By: ☒ Email ☐ Personally picked up

Applicant Name: Blair Foley, PE

Phone: (239) 263-1222

Email: fols000@aol.com or mcleanm123@gmail.com

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

FOR STAFF USE ONLY

Folio Number 67281920007

Folio Number

Folio Number

Folio Number

Folio Number

Folio Number

Approved by:

S.L.H.

Date:

5/13/2022

Updated by:

Date:

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

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)

Collier County Property Appraiser Property Summary

3.C.d

Parcel No	67281920007	Site Address <u>*Disclaimer</u>	89 MAHOGANY DR	Site City	NAPLES	Site Zone <u>*Note</u>	3410
-----------	-------------	------------------------------------	----------------------	-----------	--------	---------------------------	------

Name / Address	FORMAN, RICHARD					
	89 MAHOGANY DR					
City	NAPLES	State	FL	Zip	34108	

Map No.	Strap No.	Section	Township	Range	Acres	<u>*Estimated</u>
4A03	561400 K 74A03	3	49	25	1.37	

Legal	PINE RIDGE EXT BLK K LOT 7					
-------	----------------------------	--	--	--	--	--

<u>Millage Area</u> ①	118	<u>Millage Rates</u> ① <u>*Calculations</u>			
Sub./Condo	561400 - PINE RIDGE EXTENTION	School	Other	Total	
Use Code ①	1 - SINGLE FAMILY RESIDENTIAL	4.459	6.0042	10.4632	

Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
03/15/21	5911-3248	\$ 1,495,000
08/01/81	933-1102	\$ 0

2022 Certified Tax Roll

(Subject to Change)

Land Value	\$ 1,629,18
(+) Improved Value	\$ 100,62
(-) Market Value	\$ 1,729,81
(=) Assessed Value	\$ 1,729,81
(-) Homestead	\$ 25,00
(=) School Taxable Value	\$ 1,704,81
(-) Additional Homestead	\$ 25,00
(=) Taxable Value	\$ 1,679,81

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

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership
Richard Forman	100

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

Name and Address	% of Ownership
N/A	

- 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
N/A	



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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

Name and Address	% of Ownership
N/A	

- 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
N/A	

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
N/A

- g. Date subject property acquired 3/15/21

☐ Leased: Term of lease _____ years /months

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



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

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

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

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

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

Agent/Owner Signature

05/25/2022

Date

Richard Forman

Agent/Owner Name (please print)

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)

**This instrument was prepared
without opinion of title by:**

Peregrin Law Firm, P.A.
6621 Willow Park Drive, Suite 1
Naples, Florida 34109
Consideration: \$1,495,000.00
Parcel Id Number: 67281920007

Warranty Deed

This Warranty Deed made this 15th day of March, 2021, between **Marie L. Janasik, a unmarried widow**, whose post office address is **3612 Valencia Cove Court, Land O'Lakes, Florida 34639**, hereinafter called the grantor, to **Richard Forman, a married man** whose post office address is **6017 Pine Ridge Rd., Naples, Florida 34119** hereinafter called the grantee:

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

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

Lot 7, Block K, Pine Ridge Extension, according to the plat thereof as recorded in Plat Book 3, Page 51, of the Public Records of Collier County, Florida.

Said property is the homestead of the Grantor under the laws and constitution of the State of Florida.

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2020.

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

Signed, sealed and delivered in our presence:

Tracy L. Price
 Witness Name: TRACY L. PRICE
Vincent Branda
 Witness Name: Vincent Branda

Marie L. Janasik (Seal)
 Marie L. Janasik

State of Florida
 County of Collier

The foregoing instrument was sworn to and subscribed before me by means of ☒ physical presence or () online notarization, this 15th day of March, 2021, by **Marie L. Janasik**, who ___ is/are personally known to me or who ☒ has/have produced Drivers License as identification.



Tracy L. Price
 Notary Public
 Print Name: TRACY L PRICE
 My Commission Expires: 03/05/2022

(Seal)

Variance Request for Tennis Court Side & Rear Yard Setback

3.C.d

FOR 89 Mahogany Dr.- Pine Ridge Extension

DRAFT

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	AERIAL PHOTO WITH CONCEPTUAL PLAN
3	SITE PLAN

PROJECT DATA

PROJECT NAME: 89 Mahogany Dr.
COUNTY PL NO.:
ZONING: RSF-1
FOLIO: 67281920007
LOCATION: COLLIER COUNTY, FL S10 T49 R25

BUILDING DATA

BUILDING CODE REFERENCES:

N/A

BUILDING CODE DATA:

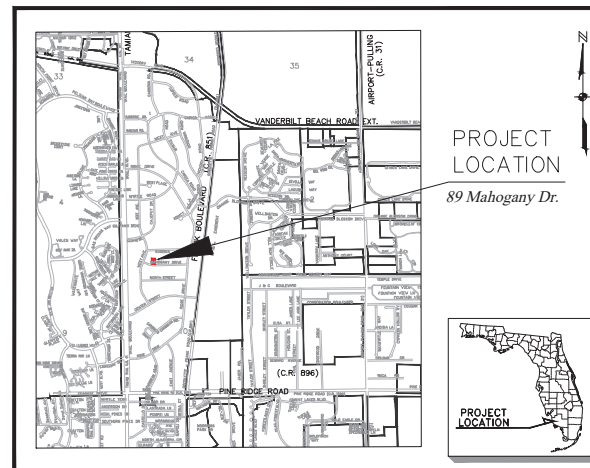
N/A

Prepared for Owner:

Richard Forman
89 Mahogany Dr.
Naples, FL

LEGAL DESCRIPTION

PINE RIDGE EXT BLK K LOT 7



LOCATION MAP



May 2022



Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant
120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 - Cell (239) 289-4900 - Fax (239) 263-0472 - E-mail fols000@aol.com

Certificate Of Authorization No. 9469
Florida Registered Professional Engineer No. 53756

Name _____ Date _____



89 Mahogany
Dr. (VA)

SHEET
1 of 3

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20220003811

I, Richard Forman (print name), as _____ (title, if applicable) of _____ (company, if applicable), swear or affirm under oath, that I am the (choose one) owner ☒ applicant ☐ contract purchaser ☐ and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Blair Foley, PE to act as our/my representative in any matters regarding this petition including 1 through 2 above.

***Notes:**

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trust, then they must include the trustee's name and the words "as trustee".
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.


Signature

3/30/2022
Date

STATE OF FLORIDA
COUNTY OF COLLIER

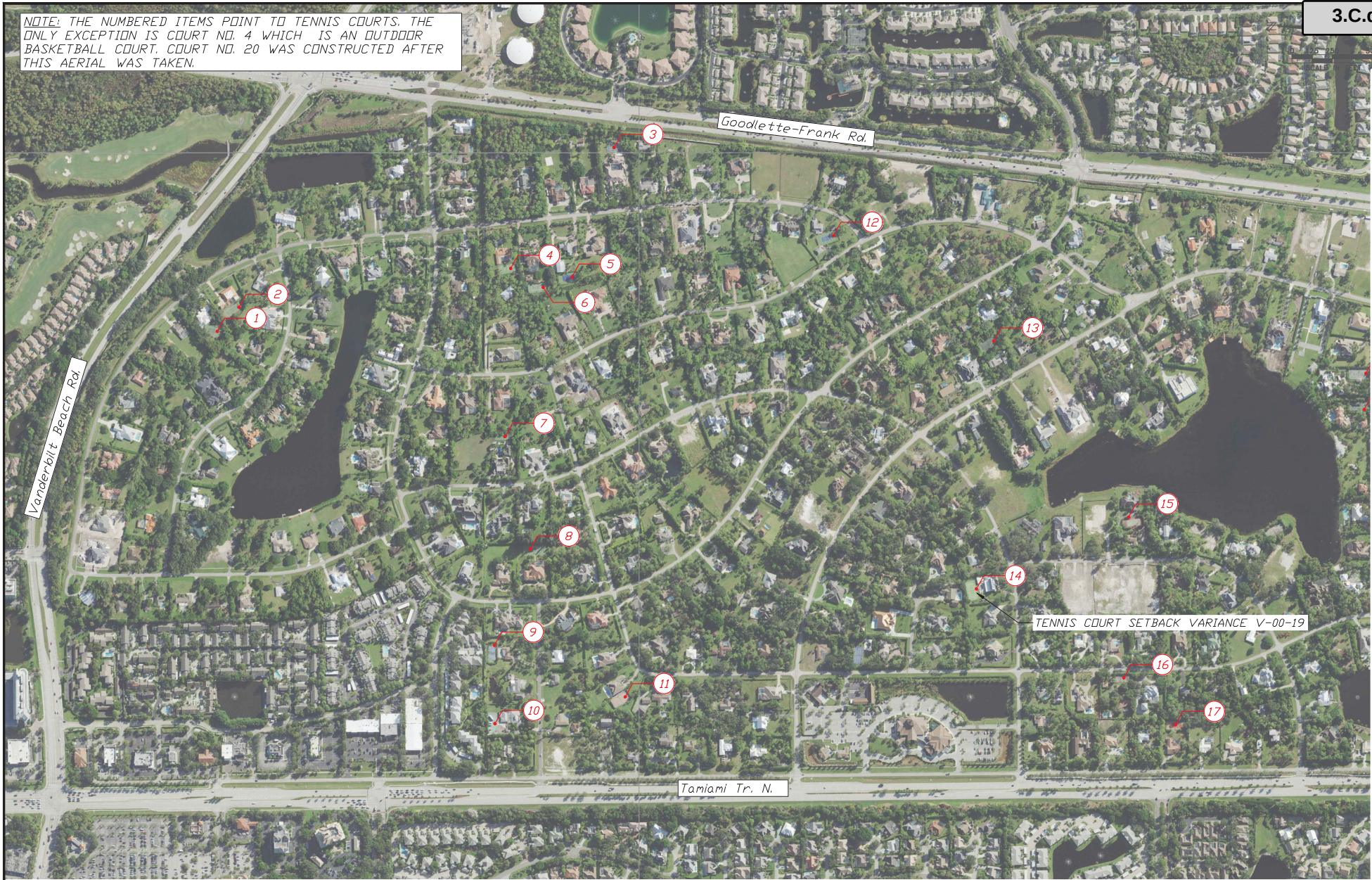
The foregoing instrument was sworn to (or affirmed) and subscribed before me on 30, March (date) by Richard Forman (name of person providing oath or affirmation), as owner who is personally known to me or who has produced driver's license (type of identification) as identification.

STAMP/SEAL




Signature of Notary Public

NOTE: THE NUMBERED ITEMS POINT TO TENNIS COURTS. THE ONLY EXCEPTION IS COURT NO. 4 WHICH IS AN OUTDOOR BASKETBALL COURT. COURT NO. 20 WAS CONSTRUCTED AFTER THIS AERIAL WAS TAKEN.



DESIGN	BAF	3			
DRAWN	AOM	4			
CHECKED	BAF	2			
		1			
DATE					
NO.	DATE	REVISION	APPD BY		

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED IN THIS BLOCK



Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant

120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 Cell (239) 289-4900 Fax (239) 263-0472 E-mail fols000@aol.com



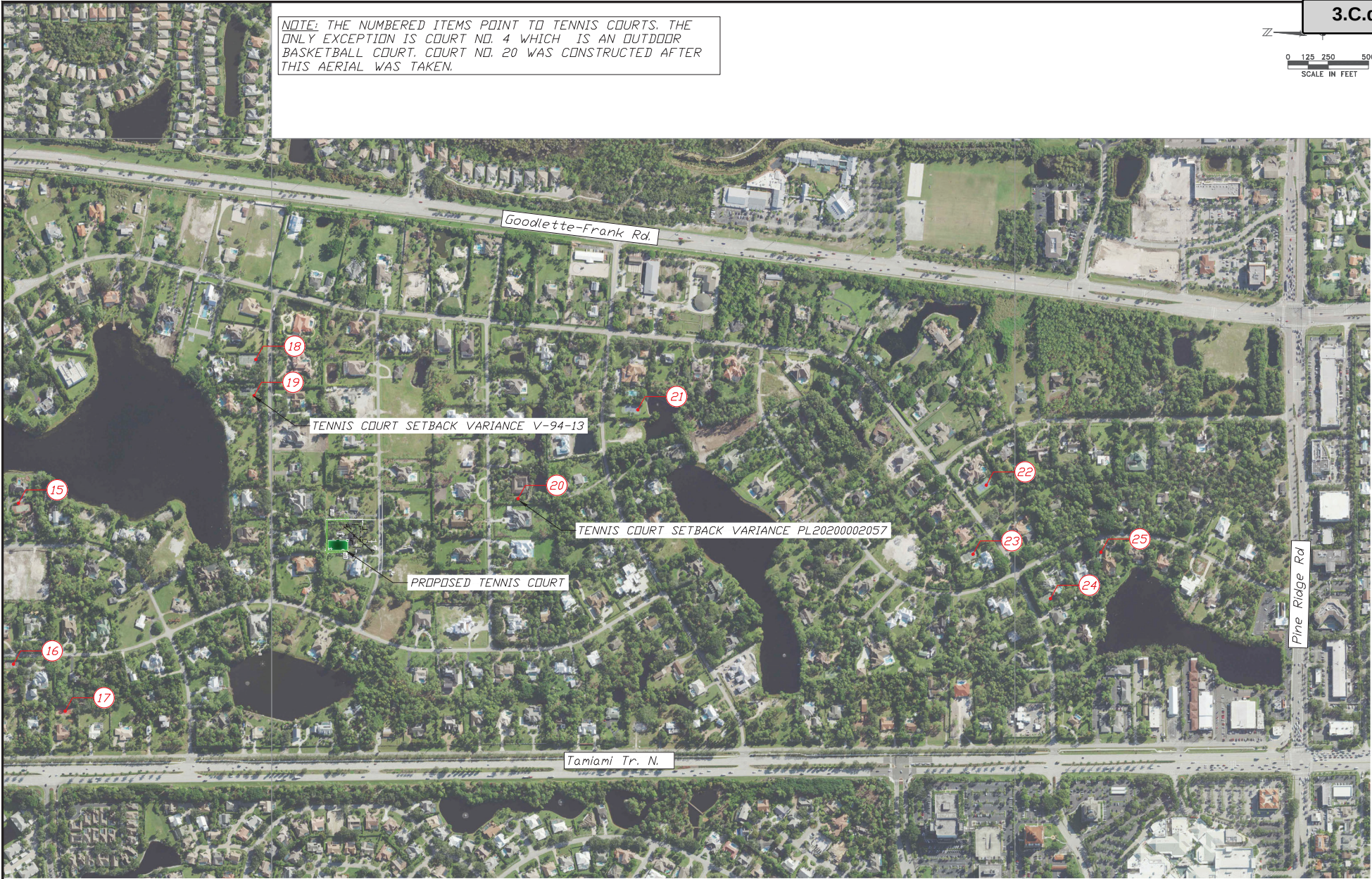
CLIENT: Richard Forman

89 Mahogany Dr
Collier County, Florida

Exhibit A



PROJ. NO. 00.00
SCALE 1" =
DATE 9/22/
SHEET 1 OF



NOTE: THE NUMBERED ITEMS POINT TO TENNIS COURTS. THE ONLY EXCEPTION IS COURT NO. 4 WHICH IS AN OUTDOOR BASKETBALL COURT. COURT NO. 20 WAS CONSTRUCTED AFTER THIS AERIAL WAS TAKEN.

3.C.d

0 125 250 500
SCALE IN FEET

DESIGN	BAF	3				
DRAWN	AOM	4				
CHECKED	BAF	2				
		1				
		1				
NO.	DATE	REVISION	APPROVED BY			

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED IN THIS BLOCK



Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant

120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 Cell (239) 289-4900 Fax (239) 263-0472 E-mail fols000@aol.com



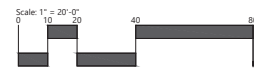
CLIENT: Richard Forman

89 Mahogany Dr
Collier County, Florida

Exhibit A



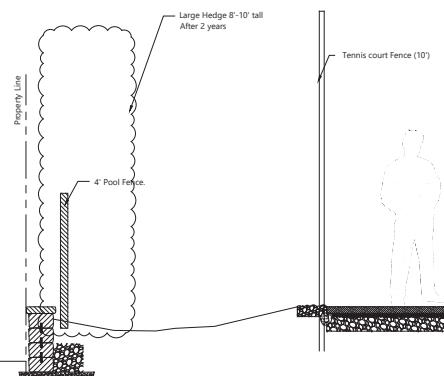
PROJ. NO. 00.00
SCALE 1" =
DATE 9/22/
SHEET 2 OF



Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)



A Side Yard Section
Scale: 1/4" = 1'-0"



Possible Plantings



Clusea guttifera
Small Leaf Clusea

AFFIDAVIT OF COMPLIANCE

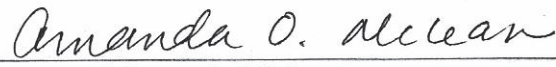
I hereby certify that pursuant to Ordinance 2004-72, of the Collier County Land Development Code, I did give notice by mail at least 30 days after receipt of letter indicating that the application is sufficient to the following property owners and or condominium and civic associations whose members may be impacted by the proposed land use changes of an application request for a variance or parking exemption. *For the purposes of this requirement, the names and addresses of property owners shall be deemed those appearing on the latest tax rolls of Collier County and any other persons or entities who have made a formal request of the county to be notified.* The said notice contained the laymen's description of the site property of proposed change.

Per attached letters and or property owner's list, which are hereby made a part of this Affidavit of Compliance.


 BLAIR FOLEY
 (Signature of Applicant)

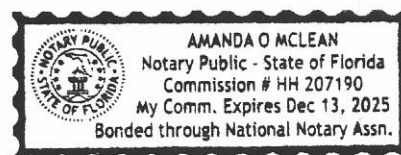
State of Florida
County of Collier

The foregoing Affidavit of compliance was acknowledged before me this 3 day of November, 2022 by Blair Foley, who is ☒ personally known to me or ☐ who has produced _____ as identification.


 (Signature of Notary Public)

Amanda O. McLean
 Printed Name of Notary

(Notary Seal)



Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)



Blair A. Foley, P.E.
Civil Engineer / Development Consultant

November 2, 2022

RICHARD FORMAN
89 MAHOGANY DR
NAPLES, FL 34108

Dear Property Owner:

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

89 Mahogany Dr., Naples, FL- Pine Ridge Ext.

It is our intent to request, from Collier County, a proposed 8-foot variance from the required western side yard setback of 30 feet as provided for in the Land Development Code Section 4.02.03D for the Residential Single Family -1 Zoning District. A second variance request was made to increase the maximum fence height for a tennis court from 6 feet to 10 feet as provided for in the Land Development Code Section LDC 5.03.02C.

The request is to allow a tennis court, enclosed with a 10-foot fence, at 22 feet from the west property line located at Lot 7, Block K, Pine Ridge Extension, also known as 89 Mahogany DR, Naples, FL 34108 in Section 3, Township 49 South, Range 25 East, Collier County, Florida.
[PL20220003811]

In order to provide you with an opportunity to become fully aware of our intention, we are contacting you directly via this letter, or you may choose to telephone the sender for further information. In any event, please be advised that we are interested in assuring you that our request should not adversely affect your property interest.

Sincerely,

Blair Foley, PE
President

Blair Foley, PE, LLC
120 Edgemere Way S.
Naples, FL 34105
Tele: 239.263.1222

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)

Variance Request for Tennis Court Side Yard Setback & Fence Height

3.C.d

FOR 89 Mahogany Dr.- Pine Ridge Extension

INDEX OF PLANS

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PROJECT DATA

PROJECT NAME: 89 Mahogany Dr.
COUNTY PL NO.:
ZONING: RSF-1
FOLIO: 67281920007
LOCATION: COLLIER COUNTY, FL S10 T49 R25

BUILDING DATA

BUILDING CODE REFERENCES:

N/A

BUILDING CODE DATA:

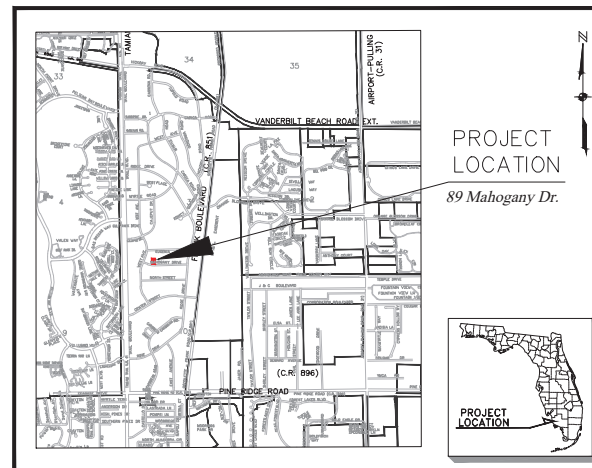
N/A

Prepared for Owner:

Richard Forman
89 Mahogany Dr.
Naples, FL

LEGAL DESCRIPTION

PINE RIDGE EXT BLK K LOT 7



LOCATION MAP

0 1/2 1 2
MILES

May 2022
September 2022



Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant
120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 - Cell (239) 289-4900 - Fax (239) 263-0472 - E-mail fols000@aol.com

Certificate Of Authorization No. 9469
Florida Registered Professional Engineer No. 53756

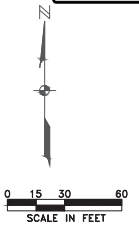
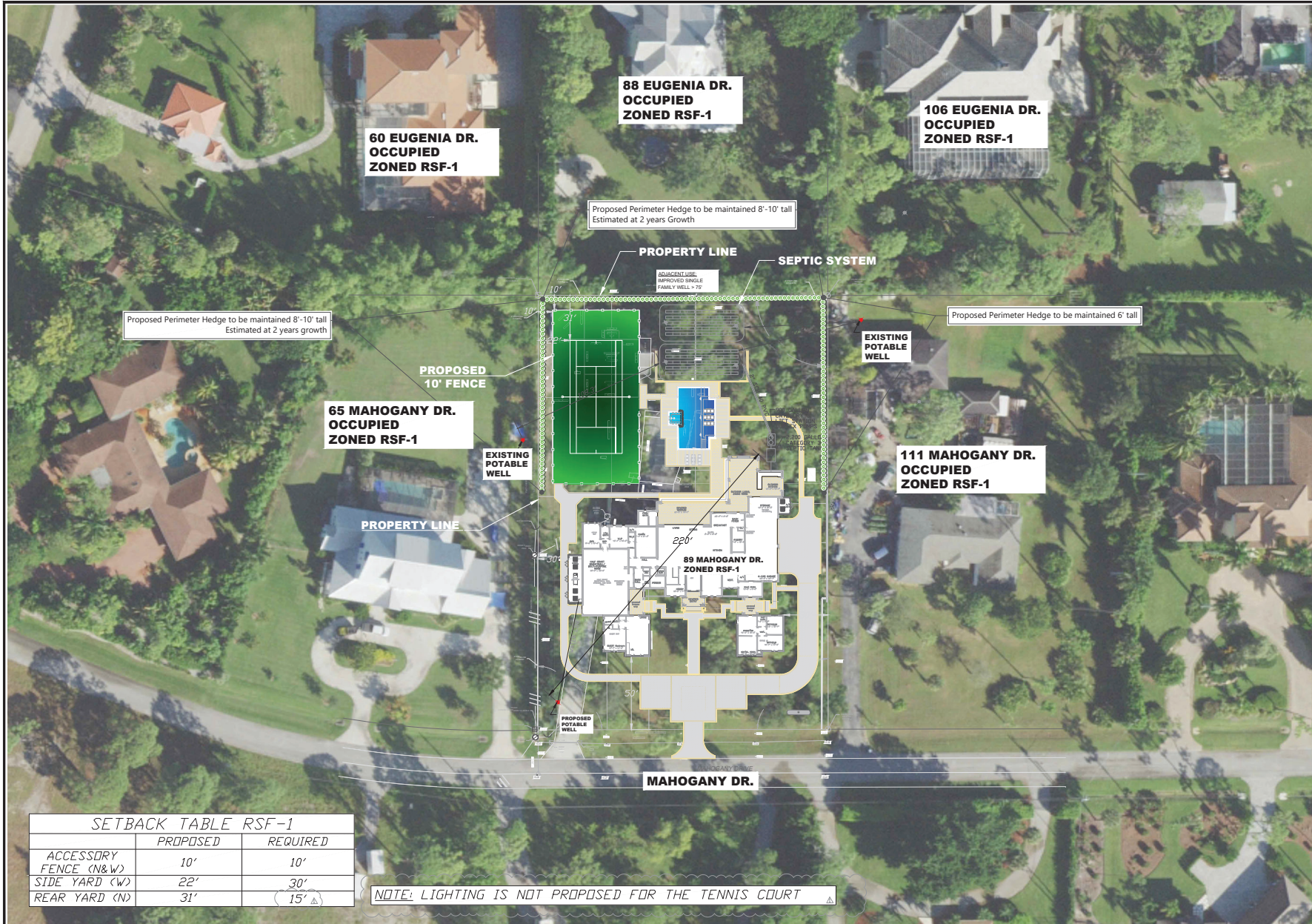
Name _____ Date _____



89 Mahogany
Dr. (VA)

SHEET
1 of 3

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)



SETBACK TABLE RSF-1		
	PROPOSED	REQUIRED
ACCESSORY FENCE (N&W)	10'	10'
SIDE YARD (W)	22'	30'
REAR YARD (N)	31'	15' Δ

NOTE: LIGHTING IS NOT PROPOSED FOR THE TENNIS COURT

DESIGN	BAF	3			
DRAWN	AOM	4			
CHECKED	BAF	2			
DATE	12/23/22	CC ZONING COMMENT LETTER DATED 6/30/22	BAF		
NO.	1	REVISION		APP'D BY	

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED IN THIS BLOCK



Blair A. Foley, P.E., LLC
Civil Engineer / Development Consultant
120 Edgemere Way South - Naples, FL 34105

Phone (239) 263-1222 Cell (239) 289-4900 Fax (239) 263-0472 E-mail fols000@aol.com



CLIENT: Richard Forman

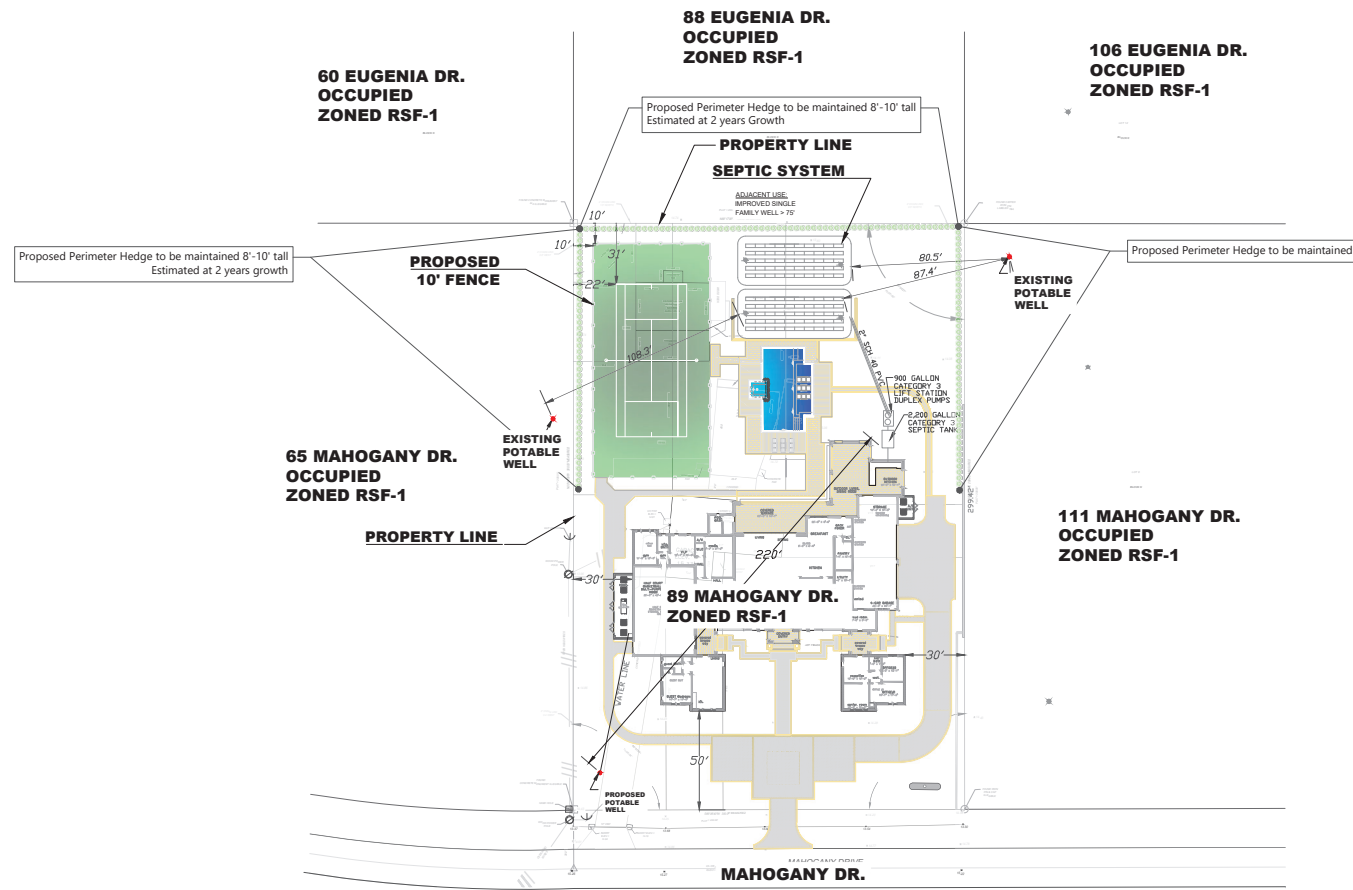
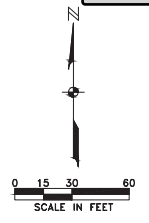
89 Mahogany Dr
Collier County, Florida

Aerial Photo with Concept Plan



PROJ. NO.	00.00
SCALE	1" =
DATE	4/6/23
SHEET	2 OF

3.C.d



SETBACK TABLE RSF-1		
	PROPOSED	REQUIRED
ACCESSORY FENCE (N&W)	10'	10'
SIDE YARD (W)	22'	30'
REAR YARD (N)	31'	15'

NOTE: LIGHTING IS NOT PROPOSED FOR THE TENNIS COURT

DESIGN	BAF	3			
DRAWN	ADM	4			
CHECKED	BAF	2			
D.C.		1	5/23/22	CC ZONING COMMENT LETTER 6/30/22	BAF
NO.	DATE	REVISION	APP'D BY		

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED IN THIS BLOCK

**Blair A. Foley, P.E., LLC**
Civil Engineer / Development Consultant
120 Edgemere Way South - Naples, FL 34105
Phone (239) 263-1222 Cell (239) 289-4900 Fax (239) 263-0472 E-mail fols000@aol.com



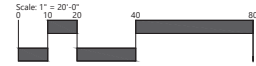
CLIENT: Richard Forman
89 Mahogany Dr
Collier County, Florida

Site Plan



PROJECT NO. 00.00
SCALE 1" = 30'
DATE 4/6/22
SHEET 3 OF 3

Attachment: ATTACHMENT C (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)



ARCHITECTURAL
LAND DESIGN
INCORPORATED
ANDSCAPE ARCHITECTURE
780 S. Horseshoe Drive Suite 5
Naples, FL 34104
(239) 430-1661
Design@ALDinc.net
License LC26000259

Christian Andrea

License No. 1178

Seal of the State of Florida

Forman Residence
89 Mahogany Drive, Naples, FL

TENNIS COURT BUFFER PLAN

Attachment: ATTACHMENT D (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)

Revised Set: ca 11.14.22
J Date: 3: ca 12.15.21
Handscape revision: CA 11.30.21
New Floor Plan: YAC 08.25.21
Issued Date: 05.06.21

Scale: 1"=20', XREF

1-014



File Name: 21-014-20 Tennis court.dwg

Information Provided By:

Property Name:

Address:

Information Provided By:

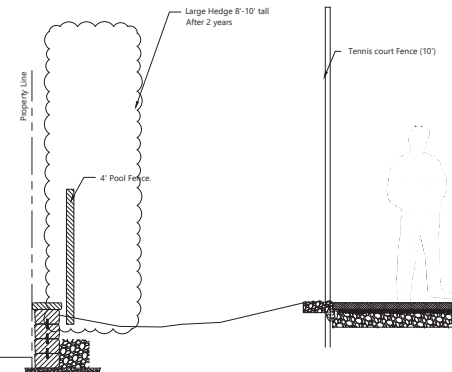
Property Name:

Address:

2A

Side Yard Section

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



Possible Plantings



Clusea guttifera
Small Leaf Clusea



**Project
Location**

3.C.f

West ST

Eugenia DR

Mahogany DR

North ST

Center ST

Bentwood DR

Trail BLVD

Godlette-Frank RD N

's BLVD

Autumn

Attach

Packet Pg. 300

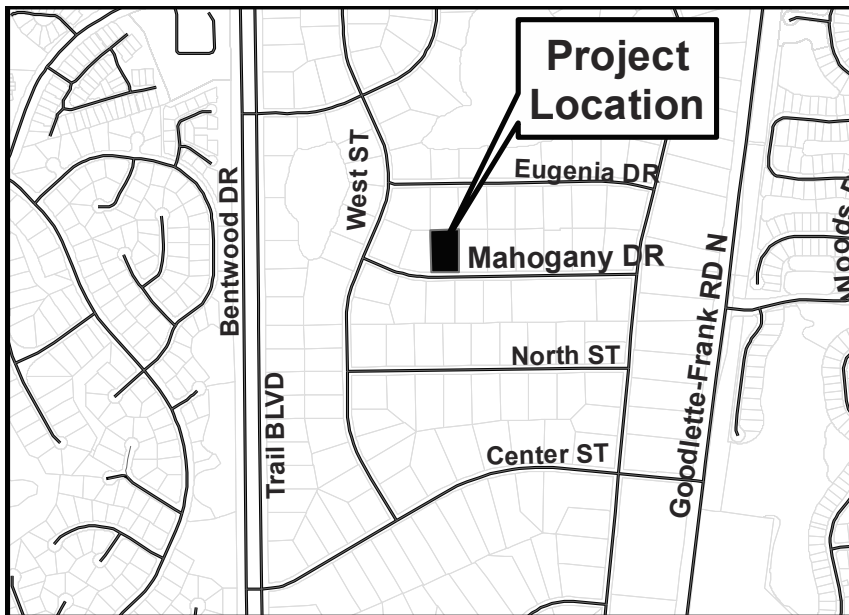


NOTICE OF PUBLIC HEARING

3.C.f

Notice is hereby given that a public hearing will be held by the Collier Hearing Examiner (HEX) at 9:00 A.M., December 22, 2022, in the Hearing Examiner's Meeting Room, at 2800 North Horseshoe Drive, Room 609/610, Naples, FL 34104 to consider

PETITION NO. PL20220003811 VA - REQUEST FOR A VARIANCE FROM DEVELOPMENT CODE SECTION 4.02.03 D TO REDUCE THE REQUIRED ACCE: SIDE SETBACK FROM 30 FEET TO 22 FEET ON THE WEST PROPERTY LINE A SECOND VARIANCE FROM SECTION 5.03.02 C.2.a TO INCREASE THE REQ MAXIMUM HEIGHT OF A FENCE FROM 6 FEET TO 10 FEET FOR THE PROI TENNIS COURT TO BE LOCATED AT LOT 7, BLOCK K, PINE RIDGE EXTE SUBDIVISION, ALSO KNOWN AS 89 MAHOGANY DR, NAPLES, FL 34108 IN SE 3, TOWNSHIP 49 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA.



All interested parties are invited to appear and be heard. All materials used in presentation before the Hearing Examiner will become a permanent part of the record.

Copies of staff report are available one (1) week prior to the hearing. The file can be reviewed at the Collier County Growth Management Community Development Department, Planning Division, 2800 North Horseshoe Drive, Naples, FL 34104.

As to any petition upon which the Hearing Examiner takes action, an aggrieved party may appeal such final action. Such appeal shall be filed per Section 2-88 of the County Code of Laws and Ordinances within 30 days of the decision by the Hearing Examiner. An aggrieved non-party may appeal a decision by the Hearing Examiner to the Circuit Court of Collier County within 30 days of the decision. In the event that the appeal has been approved by the Hearing Examiner, the applicant shall be advised that the project proceeds with construction at his/her own risk during this 30-day period. Any construction work completed ahead of the approval authorization shall be at their own risk.

As part of an ongoing initiative to encourage public involvement, the public will have the opportunity to provide public comments remotely, as well as in person, during this process. Individuals who would like to participate remotely should register through the link provided within the specific event/meeting entry on the Calendar of Events on the County website at www.colliercountyfl.gov/our-county/visitors/calendar-of-events after the agenda is posted on the County website. Registration should be done in advance of the public meeting and any deadline specified within the public meeting notice. Individuals who register will receive an email in advance of the public hearing detailing how they can participate remotely during the meeting. Remote participation is provided as a courtesy and is at the user's risk. The County is not responsible for technical issues. For additional information about the meeting, please call Geoffrey Willig at (239) 252-8369 or email to Geoffrey.Willig@colliercountyfl.gov.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Collier County Zoning Division located at 2800 N. Horseshoe Dr, Naples, Florida 34104, (239) 252-2400, at least two (2) days prior to the meeting.

Andrew W. J. Dickman, Esq., AICP,
Chief Hearing Examiner
Collier County, Florida

Packet Pg. 301

Attachment: ATTACHMENT E (24018 : PL20220003811 - 89 MAHOGANY DR VARIANCE)



PUBLIC HEARING NOTICE
Variance (VA) 89 Mahogany Drive
Petition No. PL20220003811
HEX: December 22, 2022- 9:00am
Growth Management Building
2800 N. Horseshoe Dr., Naples, FL 34104
Sean Sammon, Principal Planner: 239-252-8422

MILESTONE
DEVELOPMENT & DESIGN
239-777-1526
WWW.MILESTONEFLORIDA.COM

PUBLIC HEARING NOTICE

Variance (VA) 89 Mahogany Drive

Petition No. PL20220003811

HEX: December 22, 2022– 9:00am

Growth Management Building

2800 N. Horseshoe Dr., Naples, FL 34104

Sean Sammon, Principal Planner: **239-252-8422**