

COLLIER COUNTY
Collier County Hearing Examiner



AGENDA

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

September 23, 2021

9: 00 AM

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

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

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

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

1. **Pledge of Allegiance**
2. **Review of Agenda**
3. **Advertised Public Hearing**
 - A. **PETITION NO. PDI-PL20210000341 – LB Orange Blossom, LLC requests an insubstantial change to Ordinance Number 09-03, the Savannah Place RPUD, for (1) the modification to the PUD Master Plan to modify right-of-way and dry retention areas and the addition of a fence/wall at all PUD boundaries; (2) the modification to the minimum front yard setback to allow for a ten (10) foot front yard setback for single-family detached and attached dwelling types with side-loaded garages; (3) the modification to the maximum intensity from 20 to 17 dwelling units; (4) the modification to the PUD Commitments to incorporate the County’s Managing Entity standard language, provide a timing trigger for the proportionate fair share payment towards the Orange Blossom/Airport Pulling Road intersection improvements, address yard tree requirements, and require a 4- to 6-foot tall fence along specified property lines; (5) a deviation from LDC Section 6.06.01.N to allow for a 45-foot right of- way internal private right-of-way; (6) a deviation from LDC Section 6.06.02.A to allow a 6-foot wide side sidewalk on one side of the right-of-way; (7) a deviation from LDC Section 4.06.02.C.2 to allow a 10-foot-wide Type B buffer along the portion of the eastern boundary abutting the Cay Lagoon PUD; The subject property consists of 6.81 acres, located on the south side of Orange Blossom Drive approximately ½ mile west of Airport-Pulling Road (CR 31) in Section 2, Township 49 South, Range 25 East, Collier County, Florida. Commissioner District 2**
 - B. **PETITION NO. PDI-PL20210000895 – Hammock Park Apartments, LLC requests an insubstantial change to the Hammock Park MPUD, Ordinance No. 07-30, as amended, for (1) a deviation from LDC Section 5.03.02.C to increase the maximum fence and wall height of 6 feet to 8 feet around the multi-family residential portion on the C/MU(1) tract shown on the Hammock Park PUD master plan subject to approval from FPL and Collier County Public Utilities Department, where applicable, and to revise the Hammock Park PUD master plan showing the maximum fence and wall height of 8 feet around the multi-family residential portion on the C/MU(1) tract; (2) the modification of General Development Commitment 5.10.A to clarify that the affordable housing units are for Essential Service Providers earning 100% or less than the County’s median income; and (3) the modification of General Development Commitment 5.10.B to clarify that the 5,000 square feet of “Eating and Drinking Places, Sit Down/ Quality Restaurant” includes outdoor seating area. The subject property consists of 19.13 acres, at the northeast corner of Rattlesnake Hammock Road and Collier Boulevard in Section 14, Township 50 South, Range 26 East, Collier County, Florida. Commissioner District 1**
 - C. **PETITION NO. VA-PL20200001329 - 992 Spanish Moss Trail - Request for a variance from Table I, Section III, Ord. 02-71, as amended, the Pelican Marsh Planned Unit Development, to reduce the required Rear Yard Accessory Setback of 10 feet to 0 feet, to allow a pool deck and screen enclosure to be extended to the property line abutting a lake maintenance easement, located at Lot 19, Pelican Marsh Unit Four, Phase 2, also described as 992 Spanish Moss Trail, in Section 27, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 2**

- D. **PETITION NO. BDE-PL20200001723 - 678 Palm Court - Request for a 73-foot boat dock extension for a boat dock that extends 53 feet from the maximum permitted protrusion of 20 feet for waterways greater than 100 feet in width, to allow construction of a boat docking facility with two slips each with a boat-lift for which the dock and vessel combination will protrude up to 73 feet into a waterway that is 430 feet wide. The subject property is located at 678 Palm Court in Section 18, Township 52 South, Range 27 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1**
- E. ***** NOTE: This item has been Continued to the October 14, 2021, HEX Meeting ***
PETITION NO. PE -PL20210000596 - 2831 Becca Avenue Parking Exemption - Request for modification to condition of approval #6 of Hearing Examiner Decision #2019-38 which limited operation to no more than six days a week to allow operation on Mondays as part of the parking exemption for an off-site parking lot consisting of 62 spaces serving the Celebration Food Truck Park site pursuant to Land Development Code Section 4.05.02.K. The site that is subject to the parking exemption is in the RMF-6-BMUD-R1 zoning district and is located at 2831 Becca Avenue in Section 11, Township 50 South, Range 25 East, Collier County, Florida. [Coordinator: Ray Bellows, AICP, Zoning Manager] Commission District 4.**

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