

COLLIER COUNTY
Collier County Hearing Examiner



AGENDA

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

September 14, 2023

9: 00 AM

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

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

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

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

1. **Pledge of Allegiance**
2. **Review of Agenda**
3. **Advertised Public Hearing**
 - A. **Petition No. DR-PL20220006184 – Outdoor Resorts at Chokoloskee Island – Request for approval of a site plan with deviations pursuant to LDC Section 10.02.03.F and seeks four deviations: (1) from LDC Section 4.02.01.A.2 to instead allow a setback between 15 feet and 23 feet, five inches to the south property line for Building 1 and 36 feet 10 inches and 49 feet 10 inches to the south property line for Building 2, both buildings identified on Deviations Exhibit B Site Plan; (2) from LDC Section 4.06.06.A.1 to instead allow the existing opaque fence to satisfy the required screening; (3) from LDC Section 4.06.06.A.2 to instead allow the existing opaque fence to satisfy the required visual screening; (4) from LDC Section 4.06.03.B.1 to instead allow a minimum of 3.33 percent of the amount of vehicular area onsite to be devoted to interior landscaping for the redevelopment of Outdoor Resorts at Chokoloskee Island, consisting of ±19.0 acres and located at 150 Smallwood Drive, Chokoloskee, FL 34138 also known as Outdoor Resorts at Chokoloskee Island (Condo) in Section 31, Township 53 South, Range 30 East, Collier County, Florida. [Sean Sammon, Planner III] Commissioner District 5**
 - B. **Petition No. PCUD-PL20230004883 - Hana Foot Massage & Spa (PCUD) - Request for a comparable use decision of the Hearing Examiner that a massage therapy spa business, including foot massage and spa treatments, is comparable in nature to other permitted uses in Section 5.02.A of the Berkshire Lakes Planned Unit Development (PUD) adopted by Ordinance Number 83-46, as amended. The subject property is located at 7071 Radio Road, just east of Devonshire Boulevard, in Section 32, Township 49 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Planner III] Commission District 4**
4. **Other Business**
5. **Public Comments**
6. **Adjourn**