

COLLIER COUNTY
Collier County Hearing Examiner



AGENDA

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

August 24, 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. PDI-PL20230007509 – Lord’s Way - Request for an insubstantial change to Ordinance No. 14-12, as amended, the Lord’s Way 30 Acre Residential Planned Unit Development(RPUD) by modifying Deviation No. 4 to allow the existing 5-foot-wide sidewalk instead of an 8-foot-wide sidewalk on one side of Sapphire Cove Drive adjacent to the preserve area. The subject PUD is located at the south side of Hacienda Lakes Parkway and ±0.4 miles east of Collier Boulevard in Section 14, Township 50 South, Range 26 East, Collier County, Florida. [Sean Sammon, Planner III] Commissioner District 1**
 - B. **Petition No. BDE-PL20210002028 - Sunrise Cay II Dock Facility - Request for a nine-foot boat dock extension from the maximum permitted protrusion of 20 feet for waterways greater than 100 feet in width to allow construction of a private multi-family boat docking facility protruding a total of 29 feet into a waterway that is 149 feet wide. The subject property is It Sunrise Cay Phase II in Port of the Islands, Section 9, Township 52 South, Range 28 East, Collier County, Florida. [Coordinator: John Kelly, Planner III] Commission District 1**
4. **Other Business**
5. **Public Comments**
6. **Adjourn**

08/24/2023

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.A**Doc ID:** 26220

Item Summary: Petition No. PDI-PL20230007509 – Lord’s Way - Request for an insubstantial change to Ordinance No. 14-12, as amended, the Lord’s Way 30 Acre Residential Planned Unit Development(RPUD) by modifying Deviation No. 4 to allow the existing 5-foot-wide sidewalk instead of an 8-foot-wide sidewalk on one side of Sapphire Cove Drive adjacent to the preserve area. The subject PUD is located at the south side of Hacienda Lakes Parkway and ±0.4 miles east of Collier Boulevard in Section 14, Township 50 South, Range 26 East, Collier County, Florida. [Sean Sammon, Planner III] Commissioner District 1

Meeting Date: 08/24/2023**Prepared by:**

Title: Principal Planner – Zoning

Name: Sean Sammon

07/26/2023 9:13 AM

Submitted by:

Title: Zoning Director – Zoning

Name: Mike Bosi

07/26/2023 9:13 AM

Approved By:**Review:**

Operations & Regulatory Management	Michael Stark	Review Item	Completed	08/01/2023 1:19 PM
Zoning	Mike Bosi	Review Item	Completed	08/09/2023 9:10 AM
Zoning	Sean Sammon	Review Item	Skipped	07/26/2023 8:54 AM
Zoning	Ray Bellows	Review Item	Completed	08/07/2023 5:56 PM
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	08/08/2023 6:17 PM
Zoning	Mike Bosi	Division Director	Completed	08/14/2023 4:27 PM
Hearing Examiner	Andrew Dickman	Meeting Pending		08/24/2023 9:00 AM



STAFF REPORT

TO: HEARING EXAMINER

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

HEARING DATE: AUGUST 24, 2023

SUBJECT: PDI-PL20230007509, LORD’S WAY 30 ACRE RPUD

APPLICANT:

Lord’s Way 30, LLC
7742 Alico Rd
Ft. Myers, FL 33912

AGENT:

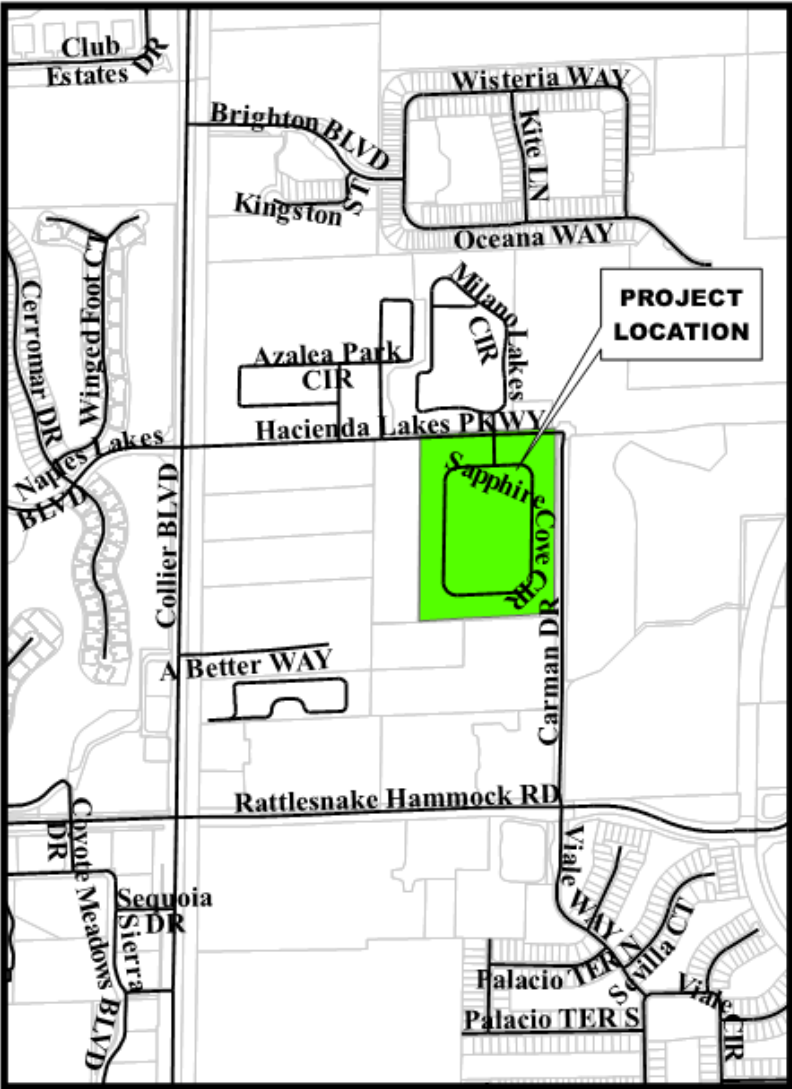
Josephine Medina, AICP, LEED Green Assoc.
RVi Planning + Landscape Architecture
28100 Bonita Grande Dr., Ste 305
Bonita Springs, FL 34135

REQUESTED ACTION:

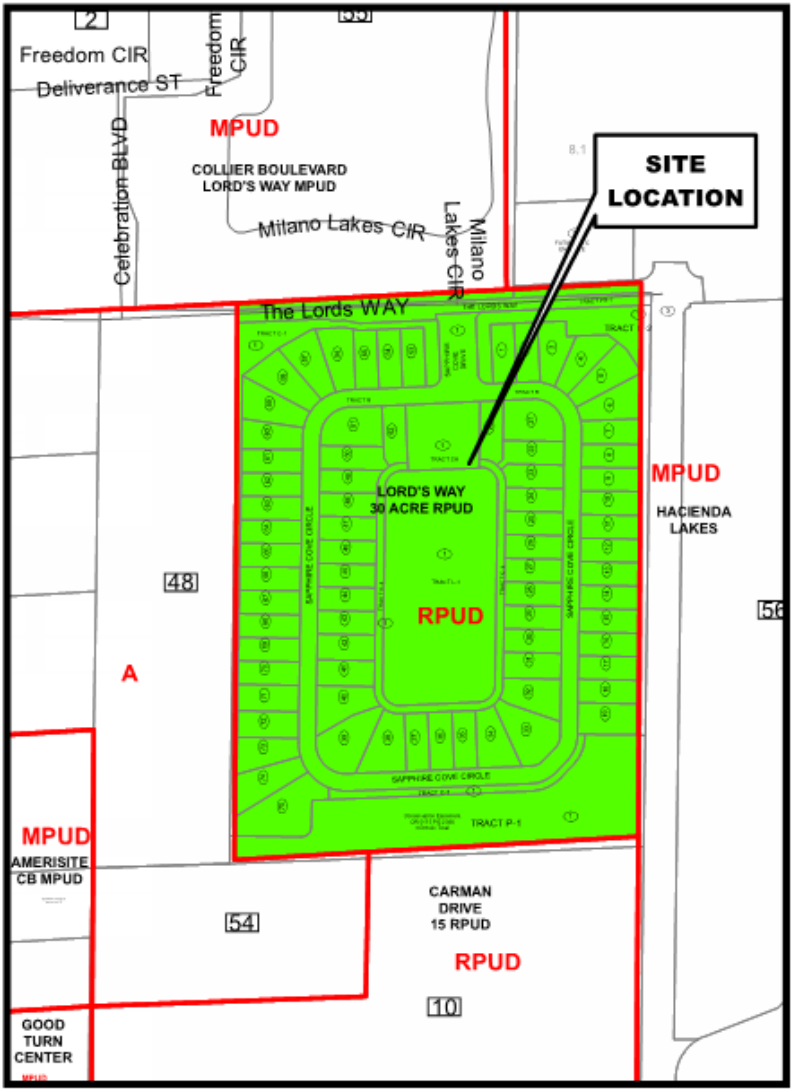
The petitioner requests for an insubstantial change to Ordinance No. 14-11, as amended, the Lord’s Way 30 Acre Residential Planned Unit Development (RPUD) by modifying Deviation No. 4 to allow the existing 5-foot-wide sidewalk instead of an 8-foot-wide sidewalk on one side of Sapphire Cove Circle where adjacent to the preserve area.

GEOGRAPHIC LOCATION:

The subject property is located on the south side of Hacienda Lakes Parkway and ±0.4 miles east of Collier Boulevard in Section 14, Township 50 South, Range 26 East, Collier County, Florida, consisting of ±30 acres (*see the location map on page 2*).



Location Map



Zoning Map

Petition Number: PL20230007509

PURPOSE/DESCRIPTION OF PROJECT:

The applicant requests to modify Deviation Number Four (4) to allow the existing 5-foot-wide sidewalk instead of an 8-foot-wide sidewalk on one side of Sapphire Cove Circle adjacent to the preserve area.



Aerial Location Zoning Map, red line indicates PDI request location – Collier County GIS

In 2014, the Board of County Commissioners rezoned the Lord's Way 30 Acre RPUD from a Rural Agricultural (A) zoning district to a Residential Planned Unit Development (RPUD), Ordinance 14-11, as amended. The RPUD consists of 75 single-family residential dwelling units and an amenity center which have all been built out.

Deviation No. 4, approved within Ord. 14-11, provided relief from the LDC Section 6.06.02 A.1, "Sidewalks, Bike Lane, and Pathway Requirements," requires sidewalks on both sides of the street and to allow an eight (8) foot-wide sidewalk on only one side of the street where the street is adjacent to the preserve. The applicant requests that the Deviation remain while seeking a simple modification to allow for only a single five (5) foot-wide sidewalk where the street is adjacent to the preserve instead of a single eight (8) foot-wide sidewalk.

This Insubstantial Change request will be limited only to the portion of Sapphire Cove Circle located along the southern portion of the PUD. There is no other request to expand the deviation, and this is the only change to the PUD Master Plan that is being requested. The Insubstantial Change request is because of the unintended construction of the existing 5-foot-wide sidewalk along the northern side of

Sapphire Cove Circle adjacent to the preserve instead of an 8-foot-wide sidewalk, as approved in Deviation No. 4.

The PUD contains one interior looped road at 42 feet wide for the entire development, providing lower vehicular speeds and enhancing pedestrian safety. Approximately 80% of the entire development provides a 5-foot-wide sidewalk on both sides. This includes a marked walkway crossing provided for pedestrians to the north of the PUD along the amenity center and along the exterior where Sapphire Cove ends, providing sufficient safety and mobility to pedestrians in the development.

Therefore, the request would help alleviate the reconstruction of the sidewalks and disturbance of the existing homeowners since the PUD is completely built out. As shown in the image below, adding 3 feet of concrete to create an 8-foot-wide sidewalk along Sapphire Cove Circle will cause more of a nuisance and hazard to the community since it is already built out with the existing 5-foot sidewalk. This will also require reconstructing existing infrastructure to the community, such as removing pervious sodded area and the softened transition between the sidewalks, storm drains, and the internal road.



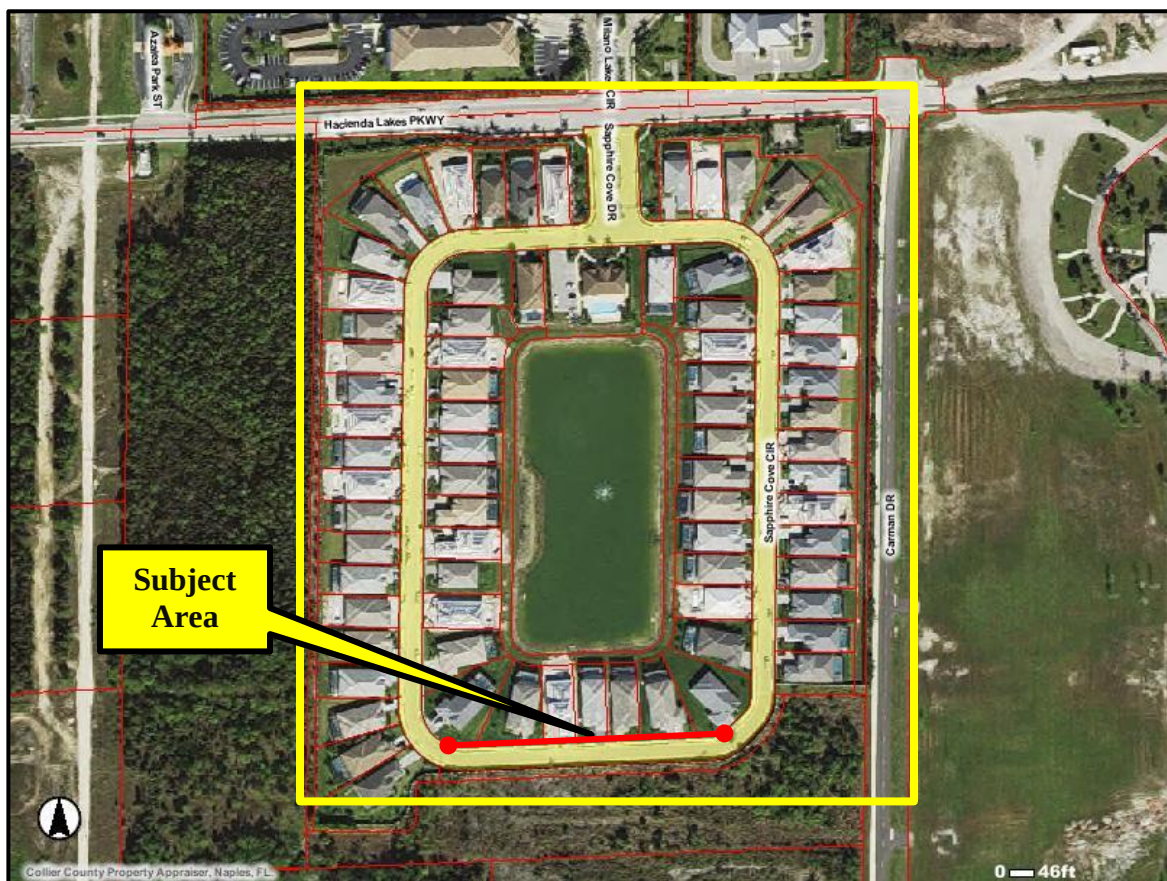
Location of PDI Request; Photo provided by Applicant

This request won't set precedence to allow requests for after-the-fact reductions. There are unique characteristics in this community why an 8-foot-wide sidewalk is not suitable in the southern portion of the community. The approved Deviation contains low pedestrian-type uses on one side of the road and physical constraints from protecting the preserve on the other side of the road. Other deviation approvals on other projects by having 5-foot sidewalks on both sides of the road are for the entire development where this applies. There have been deviation approvals for 5-foot-wide sidewalks on one side of a single-loaded road where single-family residence lots exist. Therefore, the RPUD is built with single-family residences, reducing the need for wider sidewalks, thus making an 8-foot sidewalk in front of a single-family lot on a private looped local road out-of-scale with the development.

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

This section of the staff report identifies the land uses, zoning classifications, and maximum approved densities for properties surrounding boundaries of the Lord's Way 30 Acre RPUD:

- North:** Hacienda Lakes Parkway, a two-lane roadway, and then Mixed Use Planned Unit Developments (MPUD) of Collier Boulevard Lord's Way MPUD and Hacienda Lakes.
- East:** Carman Drive, a two-lane roadway, and then the Mixed Use Planned Unit Development (MPUD) Hacienda Lakes.
- South:** Developed Agricultural (A) zoned property owned by Florida Power & Light and an approved and developing Residential Planned Unit Development (RPUD) of Carman Drive 15 RPUD.
- West:** Vacant Agricultural (A) zoned property.



Collier County GIS



Base Zoning Map – Collier County GIS/Addressing, ESRI

STAFF ANALYSIS

Comprehensive Planning: According to the Current Future Land Use Map, the subject property is located within the Urban Residential Fringe Subdistrict of the Urban Mixed-use District. The purpose of this Subdistrict is to provide transitional densities between the Urban Designated Area and the Agricultural/Rural Areas. The proposed change to deviation No. 4 in the PUD will allow for the existing 5-foot-wide sidewalk instead of an 8-foot-wide sidewalk on one side of Sapphire Cove Drive adjacent to the preserve area. This change does not affect the intensity of the development and thus keeps it consistent with the Future Land Use subdistrict designation.

Transportation Element: Transportation staff reviewed Staff's conclusions. The only suggestion for the PUD Insubstantial Change is that the proposed sidewalk deviation /reduction impact is limited to only six of the residential lots. Therefore, staff is recommending approval for this PUD Insubstantial Change petition.

Zoning Review: As previously stated, the applicant proposes to modify Deviation Number 4 to retain the 5-foot width for the sidewalk on the community's south end across the street adjacent to the preserve area. The unique situation due to the community's layout and the preserve's location will not create a

precedence to allow reductions of sidewalk widths after-the-fact for future developments. Furthermore, all LDC Section 10.02.13 E.1 criteria are compliant with retaining this 5-foot sidewalk width across the street adjacent to the preserve as an insubstantial change to the PUD. Because of these changes, the PUD Ordinance 14-11 has been updated. Therefore, staff is recommending approval for this PUD Insubstantial Change petition.

Landscape Review: Not Applicable.

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.

Environmental Review: Environmental Planning staff has reviewed this petition. The request is to amend Ordinance 2014-11, as amended, to modify the RPUD to allow a modification of Deviation No. 4 to reduce the sidewalk. This project does not require Environmental Advisory Council (EAC) review, as this project did not meet the EAC scope of land development project reviews identified in Section 2-1193 of the Collier County Codes of Laws and Ordinances. Environmental Services staff recommends **approval** of the proposed petition.

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, the request will not impact the existing RPUD boundary.
- 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, the request will not increase the proposed buildings' approved density, intensity, or height.
- 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, the request will not decrease preserve, conservation, recreation, or open space areas.
- d. **Is there a proposed increase in the size of areas used for non-residential uses, including institutional, commercial, and industrial land uses (excluding preservation, conservation, or open space), or a proposed relocation of nonresidential land uses?**

No, the request does not impact the size of non-residential areas or propose to relocate such areas within the RPUD 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, the request will not result in a substantial increase in the impact of the development.

- 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 request will not generate a higher level of vehicular traffic. No change in land use activities or intensities is being requested.

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

No, the request will not increase stormwater retention requirements or increase stormwater discharges. The request will reduce the impervious area by reducing the amount of concrete along approximately 600 feet of roadway.

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

No, the request will not modify any existing uses or intensities that would impact any surrounding land uses or that would be incompatible.

- i. **Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance 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, the request does not impact the project's compliance with the Growth Management Plan (GMP).

- 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.**

No, the RPUD is not within a Development of Regional Impact.

- 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.?**

No, the request is not a substantial modification to the RPUD and may be processed as a PDI pursuant to the LDC and Administrative Code.

The request complies with the thresholds for insubstantial changes to PUDs as outlined in LDC Sec. 10.02.13.E.2 as follows:

- a. **Does this petition change the analysis of findings and criteria used for the original application?**

As outlined on pages 9 through 13 of the original Staff Report for the PUD Rezoning of the subject RPUD, the proposed petition has not modified the original analysis of findings and criteria. No change to the permitted land uses, intensities, or design standards is being requested as part of the petition. Furthermore, staff Deviation No. 4 discussion on page 14 through 15 of the original Staff Report remain true with no change to staff's analysis. The dwelling units are located on one side of the road where the internal loop road is adjacent to the preserve. Current circumstances provide further justification provided that the development is now built out with only six single-family residential lots located across from the preserve area as well as a wall between the internal loop road and the preserve area, limiting the amount of pedestrian traffic generated in this area.

NEIGHBORHOOD INFORMATION MEETING (NIM):

The NIM was advertised and held on Tuesday, June 27, 2023, at 5:30 pm, at the Collier County South Regional Library, Meeting Room A, at 8065 Lely Cultural Parkway #9005, Naples, FL 34113. There were zero (0) members of the public present, and zero (0) who participated remotely on Zoom. There is no copy of the transcript since the meeting adjourned 15 minutes after the scheduled start time. A copy of the NIM advertising and the prepared presentation is included in the Backup Package, Attachment A.

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 Hearing Examiner has approved the petition, the applicant shall be advised that they proceed with construction at their own risk during this 30-day period. Any construction work completed before the approval authorization shall be at their own risk.

COUNTY ATTORNEY OFFICE REVIEW:

The County Attorney's Office reviewed the staff report for this petition on July 25, 2023.

STAFF RECOMMENDATION:

Staff recommends that the Hearing Examiner **APPROVE** Petition PDI-PL20230007509, Lord's Way 30 Acre RPUD PDI subject to the following condition:

1. The proposed sidewalk PUD Insubstantial Change is limited to only six of the residential lots, 3681 through 3701 Sapphire Cove Circle.

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

1. Attachment B – *PUD Language Changes*

Attachments:

Attachment A – *Backup Package*

Attachment B – *PUD Language Changes*

Attachment C – *Letter of No Objection*

Attachment D – *Signs & Notification*

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.

- x Application, to include but not limited to the following:
 - x Narrative of request
 - x Property Information
 - x Property Ownership Disclosure Form
 - x 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
- n/a Affidavit of Representation
- n/a Drawings (may include Cross-Section (for BDEs generally), proposed Boat Dock(s) with Water depth, location maps etc.)
- x 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 A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

n/a Boundary Survey

x 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.

x **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

07/24/2023

Date

Josephine Medina

Printed Name of Signing Agent Representative

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

**Lord's Way 30 Acre RPUD
Collier County Insubstantial Change to a PUD
Application (PDI)**

PDI-PL20230007509

**COLLIER COUNTY
HEARING EXAMINER
PACKAGE**

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

COVERSHEET & NARRATIVE

July 18, 2023

Mr. Sean Sammon, Planner III
Planning and Zoning Division
Zoning Section
2800 North Horseshoe Drive
Naples, Florida 34104

**RE: Lord's Way 30 Acre RPUD
Insubstantial Change to a Planned Unit Development (PDI)**

Dear Mr. Sammon:

Enclosed for your review is an application for an Insubstantial Change to a PUD in regard to the Lord's Way 30 Acre RPUD, a 30+/- acre residential project located on the south side of Hacienda Lakes Parkway and approximately 0.4 mile east of Collier Boulevard in unincorporated Collier County, Florida. The Applicant is requesting to modify Deviation No. 4 to allow for a 5-foot-wide sidewalk instead of an 8-foot-wide sidewalk on one side of Sapphire Cove Circle where adjacent to the preserve area.

BACKGROUND/EXISTING CONDITIONS

The Lord's Way 30 Acre RPUD was originally rezoned by the Board of County Commissioners in March 11, 2014, from Rural Agricultural (A) to Residential Planned Unit Development (RPUD) per Ordinance No. 2014-11. The RPUD allowed the development of up to 75 residential dwelling units and an amenity center, which have been developed.

REQUEST

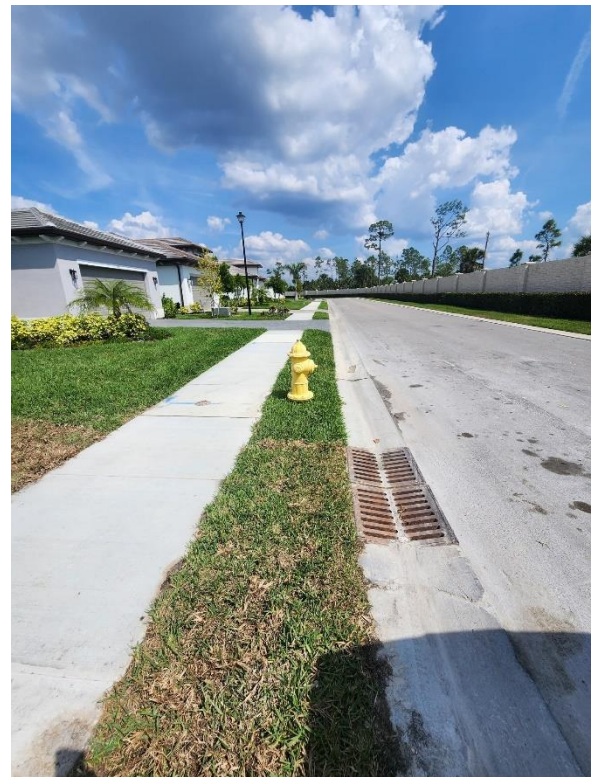
Lord's Way 30, LLC ("Applicant") is requesting Staff's approval of an insubstantial change to the Lord's Way 30 Acre RPUD to allow for the modification of Deviation No.4 approved per Ordinance 14-11. Deviation No. 4 provides relief from LDC Section 6.06.02.A.1, Sidewalks, Bike Lane, and Pathway Requirements, which requires sidewalks on both sides of the street, to allow for a single eight (8) foot-wide sidewalk on only one side of a street where the street is adjacent to the preserve. The Applicant is requesting for Deviation No.4 to remain in place with the simple change of allowing for a single 5-foot-wide sidewalk instead of a single 8-foot-wide sidewalk where the street is adjacent to the preserve. As identified in the approved PUD Master Plan this deviation is limited to a portion of Sapphire Cove Circle located along the southern portion of the PUD, and this request is not looking to expand the deviation beyond the area originally approved, nor is any change to the PUD Master Plan being requested. The reason for the request is the unintentional construction of a 5-foot-wide sidewalk along the northern side of Sapphire Cove Circle adjacent to the preserve instead of the 8-foot-wide sidewalk as provided for in the approval of Deviation No. 4.

The PUD provides a single interior looped road, Sapphire Cove Circle, at a reduced roadway width of 42 feet for the entire development. Studies have shown that the reduction of roadway width leads to lower vehicular speeds helping enhance pedestrian safety in the development. The PUD also provides 5-foot sidewalks located on both sides of the road for approximately 80% of the development with clearly marked walkway crossing provided for pedestrians to the north of the PUD along the amenity center and where the sidewalk along the exterior of Sapphire Cove Circle ends, enhancing safety and mobility of pedestrians within the development.

This PUD has been fully built out with homeowners already occupying the constructed homes. The request would help alleviate the reconstruction of the sidewalks and disturbance of the existing homeowners. Furthermore, the area along Sapphire Cove Circle where only a single sidewalk is provided is a single loaded road containing approximately six (6) single family homes and with a concrete wall located across the street adjacent to the preserve. Therefore, the additional 3 feet of width to the existing 5-foot sidewalk along approximately 600-feet of roadway would not help to enhance safety or walkability when compared to the 5-foot-wide already constructed due to small length of area that is covered and the existence of low activity to no activity generating uses on both sides of the road.

The images below illustrate how the retainment of a 5-foot sidewalk throughout the entirety of the interior loop road allows for a more cohesive and aesthetically pleasing pedestrian path compared to what would be an abrupt addition of 3 feet of concrete to create an 8-foot-wide sidewalk along Sapphire Cove Circle.

This additional concrete for the sidewalk also entails the reworking of existing infrastructure already in place including the removal of the pervious sodded area and removing the softened transition between the concrete sidewalks and the hard surface valley gutter and roadway infrastructure. Furthermore, an 8 foot-wide sidewalk would generally be out of scale along the front yard of 6 single family homes within this development.



The request to allow a 5-foot-wide sidewalk would not set a precedence to allow additional Applicants to request a reduction to requirements after the fact. The development contains unique characteristics which provide justification on why an 8-foot-wide sidewalk in the southern portion of this PUD. The area where this Deviation was approved contains density/low pedestrian traffic type uses on one side of the road and has physical constraints created by the protection of the preserve area on the other side of the road. A review of past deviation approvals from the requirement of having 5-foot-wide sidewalks on both sides of the road reveal most

approvals are for entire development or a greater portion of the development and do not require width as excessive as 8 feet wide as was required by this approval. It was found that there were deviation approvals for 5-foot-wide sidewalks along one side of the road where the road was single loaded and where single-family homes lots existed. Additionally, at the time of approval the RPUD allowed for several housing types such as Single-family, Townhomes and Multifamily however the RPUD is now fully built out as a single-family residential subdivision reducing the need for wider sidewalks and making an 8-foot-wide sidewalk in the front of single-family lot along private looped local road out of scale with the rest of the development.

JUSTIFICATION/COMPLIANCE WITH LDC §10.02.13.E.1:

The request complies with the thresholds for insubstantial changes to PUDs as outlined in LDC§ 10.02.13.E.1 as follows:

- a. A proposed change in the boundary of the PUD;

No, the request will not impact the existing PUD boundary.

- b. A proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development;

No, the request will not increase the approved density or intensity, or the height of proposed buildings.

- 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;

No, the request will not result in a decrease of preserve, conservation, recreation, or open space areas.

- 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;

No, the request does not impact the size of non-residential areas or propose to relocate such areas within the PUD boundary.

- 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;

No, the request will not result in a substantial increase in the impact of the development.

- 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;

No, the request will not generate a higher level of vehicular traffic. No change in land use activities or intensities is being requested.

- g. A change that will result in a requirement for increased stormwater retention, or will otherwise increase stormwater discharges;

No, the request will not result in increased requirements for stormwater retention or increase stormwater discharges. The request will serve to reduce the amount of impervious area by reducing the amount of concrete along approximately 600 feet of roadway.

- h. A change that will bring about a relationship to an abutting land use that would be incompatible with an adjacent land use;

No, the request will not modify any existing uses or intensities that would impact any surrounding land uses or that would be incompatible.

- 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;

No, the request does not impact the project's compliance with the Growth Management Plan (GMP).

- 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

No, the RPUD is not within a Development of Regional Impact.

- 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.

No, the request is not a substantial modification to the RPUD and may be processed as a PDI pursuant to the LDC and Administrative Code.

The request complies with the thresholds for insubstantial changes to PUDs as outlined in LDC§ 10.02.13.E.2 as follows:

- 1. Does this petition change the analysis of findings and criteria used for the original application?

As outlined in pages 9 through 13 of the original Staff Report for the PUD Rezoning of the subject RPUD the proposed petition has not modified the original analysis of findings and criteria. No change to the permitted land uses, intensities or design standards are being requested as part of the petition. Furthermore, staff Deviation No. 4 discussion on page 14 through 15 of the original Staff Report remain true with no change to staff's analysis. The dwelling units are located on one side of the road where the internal loop road is adjacent to the preserve. Current circumstances provide for further justification provided that the development is now built out with only 6 single family residential lots located across from the

preserve area as well as a wall between the internal loop road and the preserve area limiting the amount of pedestrian traffic generated in this area.

CONCLUSION:

In summary, the proposed Insubstantial Change to modify the approved Deviation No.4 to allow a single 5-foot-wide sidewalk along one side of Sapphire Cove Circle adjacent to the preserve instead of an 8-foot sidewalk allows for a reduction to the amount of impervious area within the development, allows for a transition between pedestrian infrastructure and valley gutter/roadway infrastructure, creates a harmonious and continuous pedestrian walkway, and furthermore will not result in the reduction of safety or walkability within the development. The request is limited to roughly 600 feet of a single loaded roadway adjacent to an on-site preserve. This application will not negatively impact public health, safety, or welfare, and the RPUD will remain consistent with the LDC and GMP.

Should you require additional information or have any questions, please feel free to contact me directly at 239-908-3421 or JMedina@RViPlanning.com.

Sincerely,

RVi Planning + Landscape Architecture



Josephine Medina, AICP, LEED Green Assoc.

Project Manager

Enclosures

cc: Jason Tomasseti, Lord's Way 30, LLC
David E. Torres, Lord's Way 30, LLC

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)



PDI APPLICATION



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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): Lord's Way 30 Acre, LLC

Name of Applicant if different than owner: _____

Address: 7742 Alico Road City: Fort Myers State: FL ZIP: 33912

Telephone: _____ Cell: _____ Fax: _____

E-Mail Address: jtomassetti@fl-star.com

Name of Agent: Josephine Medina, AICP

Firm: RVI Planning + Landscape Architecture

Address: 28100 Bonita Grande Dr City: Bonita Springs State: FL ZIP: 34135

Telephone: 239-908-3421 Cell: 954-376-0378 Fax: _____

E-Mail Address: Jmedina@RViPlanning.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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NAPLES, FLORIDA 34104
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PROPERTY INFORMATION

PUD NAME: Lord's Way 30 Acre ORDINANCE NUMBER: 2014-11
FOLIO NUMBER(S): 31374000187

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.



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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.



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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**


Agent/Owner Signature

04/18/2023

Date

Josephine Medina

Applicant/Owner Name (please print)

ESTILO ACRES BOOK 65 PAGES 69-71

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

DEDICATIONS AND RESERVATIONS

STATE OF FLORIDA
COUNTY OF COLLIER

KNOW ALL MEN BY THESE PRESENTS THAT:

LORD'S WAY 30, LLC, A FLORIDA CORPORATION,

THE OWNERS OF THE LANDS DESCRIBED HEREON HAVE CAUSED THIS PLAT ENTITLED "ESTILO ACRES" TO BE MADE AND DOES HEREBY DEDICATE OR RESERVE THE FOLLOWING:

SAPPHIRE COVE HOMEOWNER'S ASSOCIATION, INC.

1. DEDICATE TO THE ~~ESTILO ACRES PROPERTY OWNER'S ASSOCIATION~~
 - A. TRACT R, AS A PRIVATE ROAD RIGHT OF WAY SUBJECT TO EASEMENTS DEPICTED THEREON (A.E., C.U.E., P.U.E. & D.E.) WITH RESPONSIBILITY FOR MAINTENANCE.
 - B. ALL ACCESS EASEMENTS (A.E.) AS DEPICTED, FOR THE PURPOSE OF INGRESS AND EGRESS TO ALL TRACTS, WITH RESPONSIBILITY FOR MAINTENANCE
 - C. ALL DRAINAGE EASEMENTS (D.E.) AS DEPICTED HEREON, FOR THE PURPOSE OF CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF STORMWATER/DRAINAGE FACILITIES, WITH RESPONSIBILITY FOR MAINTENANCE.
 - D. ALL PEDESTRIAN ACCESS EASEMENTS (P.A.E.) AS DEPICTED HEREON FOR THE PURPOSE OF PEDESTRIAN ACCESS TO COMMON TRACTS WITH RESPONSIBILITY FOR MAINTENANCE.
 - E. ALL LAKE ACCESS EASEMENTS (L.A.E.) AS DEPICTED HEREON FOR THE PURPOSE OF ACCESS TO COMMON TRACTS WITH RESPONSIBILITY FOR MAINTENANCE.
 - F. ALL LAKE MAINTENANCE EASEMENTS (L.M.E.) AS DEPICTED HEREON WITH RESPONSIBILITY FOR MAINTENANCE.
 - G. ALL LANDSCAPE BUFFER EASEMENTS (L.B.E.) AS DEPICTED HEREON FOR THE PURPOSE OF CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF LANDSCAPING, IRRIGATION, LIGHTING, AND COMMUNITY SIGNAGE, SUBJECT TO THE EASEMENTS DEPICTED HEREON WITH RESPONSIBILITY FOR MAINTENANCE.
 - H. TRACTS C-1, C-2, C-3 AND C-4 FOR USE AS COMMON AREA SUBJECT TO EASEMENTS DEPICTED THEREON WITH RESPONSIBILITY FOR MAINTENANCE.
 - I. TRACT CH FOR USE AS A CLUBHOUSE SUBJECT TO EASEMENTS DEPICTED THEREON WITH RESPONSIBILITY FOR MAINTENANCE.
 - J. PRESERVE TRACT P-1 IS DEDICATED AS COMMON AREA WITH PERPETUAL RESPONSIBILITY FOR MAINTENANCE. THE PRESERVE TRACT MAY IN NO WAY BE ALTERED FROM ITS NATURAL OR PERMITTED STATE. ACTIVITIES PROHIBITED WITHIN THE PRESERVE AREA INCLUDES, BUT IS NOT LIMITED TO: CONSTRUCTION OR PLACING OF BUILDINGS ON OR ABOVE THE GROUND; DUMPING OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH; REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION WITH THE EXCEPTION OF EXOTIC/NUISANCE VEGETATION REMOVAL; EXCAVATION, DREDGING OR REMOVAL OF SOIL MATERIAL; DIKING OR FENCING; ANY OTHER ACTIVITIES DETRIMENTAL TO DRAINAGE, FLOOD CONTROL, WATER CONSERVATION, EROSION CONTROL, OR FISH AND WILDLIFE HABITAT CONSERVATION OR PRESERVATION.
2. DEDICATE TO COLLIER COUNTY:
 - A. ALL ACCESS EASEMENTS (A.E.) AS DEPICTED, FOR THE PURPOSE OF INGRESS AND EGRESS TO ALL TRACTS, WITHOUT RESPONSIBILITY FOR MAINTENANCE
 - B. ALL DRAINAGE EASEMENTS (D.E.), AS DEPICTED HEREON, FOR THE PURPOSE OF ACCESS AND INSPECTION WITH NO RESPONSIBILITY FOR MAINTENANCE.
 - C. ALL LAKE MAINTENANCE EASEMENTS (L.M.E.) WITHOUT RESPONSIBILITY FOR MAINTENANCE.
 - D. ALL PRESERVE TRACTS WITHOUT RESPONSIBILITY FOR MAINTENANCE AND SUBJECT TO THE CONDITIONS OF THE DEDICATION IN PARAGRAPH 1.J ABOVE.
3. DEDICATE TO COLLIER COUNTY WATER-SEWER DISTRICT:
 - A. THAT ALL COUNTY UTILITY EASEMENTS (C.U.E.) FOR POTABLE WATER, NON-POTABLE IRRIGATION WATER AND/OR WASTEWATER SYSTEM(S) OR PORTION(S) THEREOF AND INGRESS AND EGRESS RIGHTS, WHERE APPROPRIATE, ARE PROVIDED TO THE COLLIER COUNTY WATER-SEWER DISTRICT TO OPERATE AND MAINTAIN POTABLE WATER, NON-POTABLE IRRIGATION WATER AND/OR WASTEWATER UTILITY SYSTEMS OR PORTION(S) THEREOF WITHIN THE PLATTED AREA AFTER FINAL CONVEYANCE TO THE CCWSD AND, WHERE APPLICABLE, TO INSTALL THE CCWSD'S CONNECTING UTILITY FACILITIES WITHIN SUCH EASEMENT(S), WITH NO RESPONSIBILITY FOR MAINTENANCE OF THE SURFACE EASEMENT AREA; AND
 - B. APPLICABLE POTABLE WATER, NON-POTABLE IRRIGATION WATER AND/OR WASTEWATER SYSTEM(S) OR PORTION(S) THEREOF CONSTRUCTED WITHIN THIS PLATTED AREA IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN THE COLLIER COUNTY UTILITIES STANDARDS AND PROCEDURES ORDINANCE (2004-31), AS AMENDED, SHALL BE CONVEYED TO THE BOARD AS THE EX-OFFICIO GOVERNING BOARD OF THE WATER-SEWER DISTRICT UPON ACCEPTANCE OF THE ADDITIONS, EXTENSIONS AND/OR IMPROVEMENTS REQUIRED BY THE PLAT.
4. DEDICATE TO COLLIER COUNTY, IT'S FRANCHISES AND THE GREATER NAPLES FIRE RESCUE DISTRICT:
 - A. AN ACCESS EASEMENT (A.E.) OVER TRACT "R" AND TRACT "PR-1" FOR THE PURPOSE OF PERMITTING EMERGENCY AND SERVICE VEHICLES ACCESS TO THE PLATTED AREA, WITHOUT RESPONSIBILITY FOR MAINTENANCE.
5. DEDICATE A NON-EXCLUSIVE PUBLIC UTILITY EASEMENT (P.U.E.) TO ALL LICENSED OR FRANCHISED PUBLIC OR PRIVATE UTILITIES FOR PUBLIC UTILITY PURPOSES:
 - A. ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
6. DEDICATE TO HACIENDA LAKES COMMUNITY DEVELOPMENT DISTRICT:
 - A. TRACT PR-1 (THE LORDS WAY) AS A PRIVATE ROAD RIGHT-OF-WAY, SUBJECT TO THE EASEMENTS DEPICTED HEREON, (R.O.W., A.E., C.U.E., P.U.E. & D.E.), WITH RESPONSIBILITY FOR MAINTENANCE.

IN WITNESS WHEREOF, THE UNDERSIGNED OWNERS, HAVE CAUSED THIS DEDICATION

TO BE MADE THIS 14th DAY OF February, 2019 A.D.

LORD'S WAY 30, LLC.

BY David E. Torres
DAVID E. TORRES, MANAGER
PRINTED NAME

WITNESSES:

Si-hana Navarro
SIGNATURE
PRINTED NAME

Tamela M. Schrader
SIGNATURE
PRINTED NAME

ACKNOWLEDGMENTS

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 14 DAY OF Feb, 2019, BY David Torres, ON BEHALF OF THE Lords Way 30, LLC HE IS PERSONALLY

KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

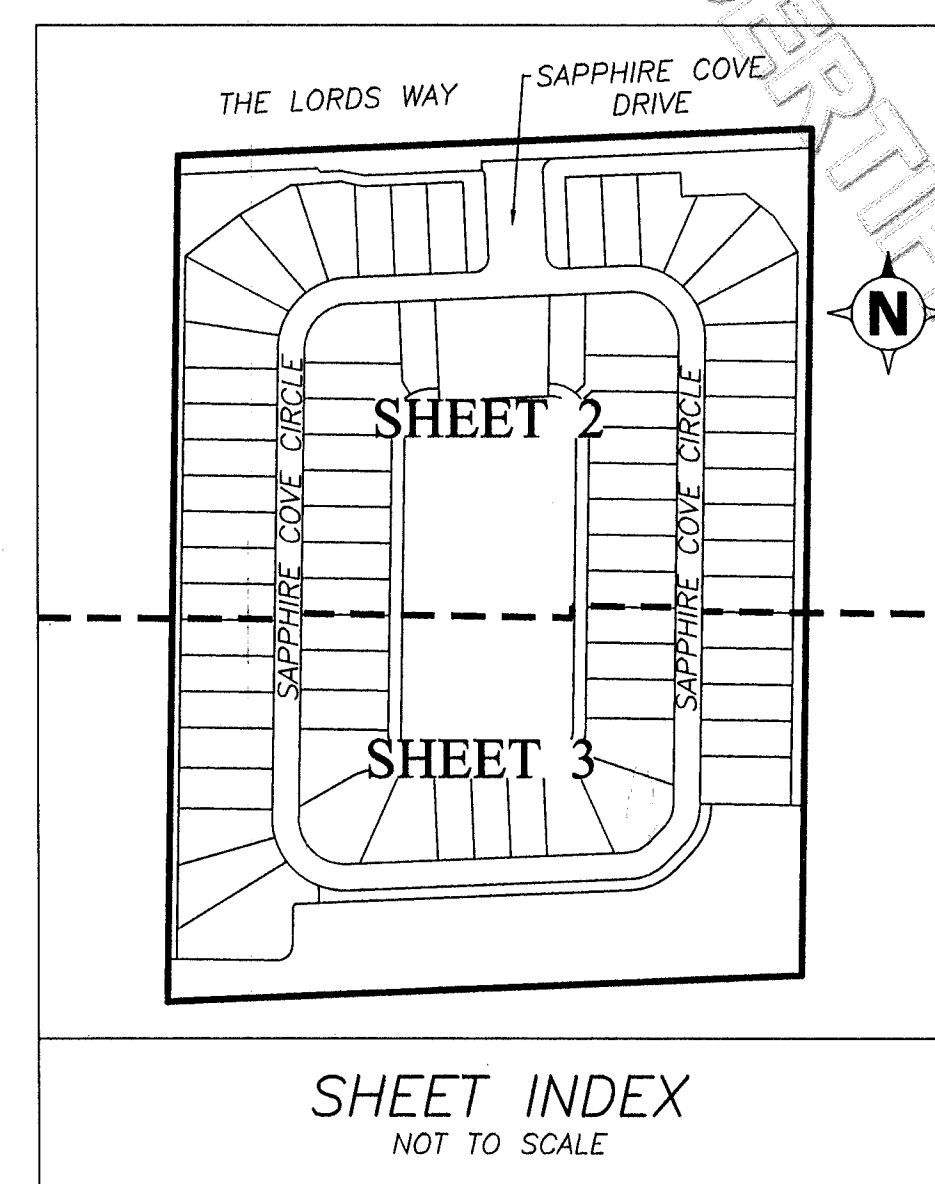
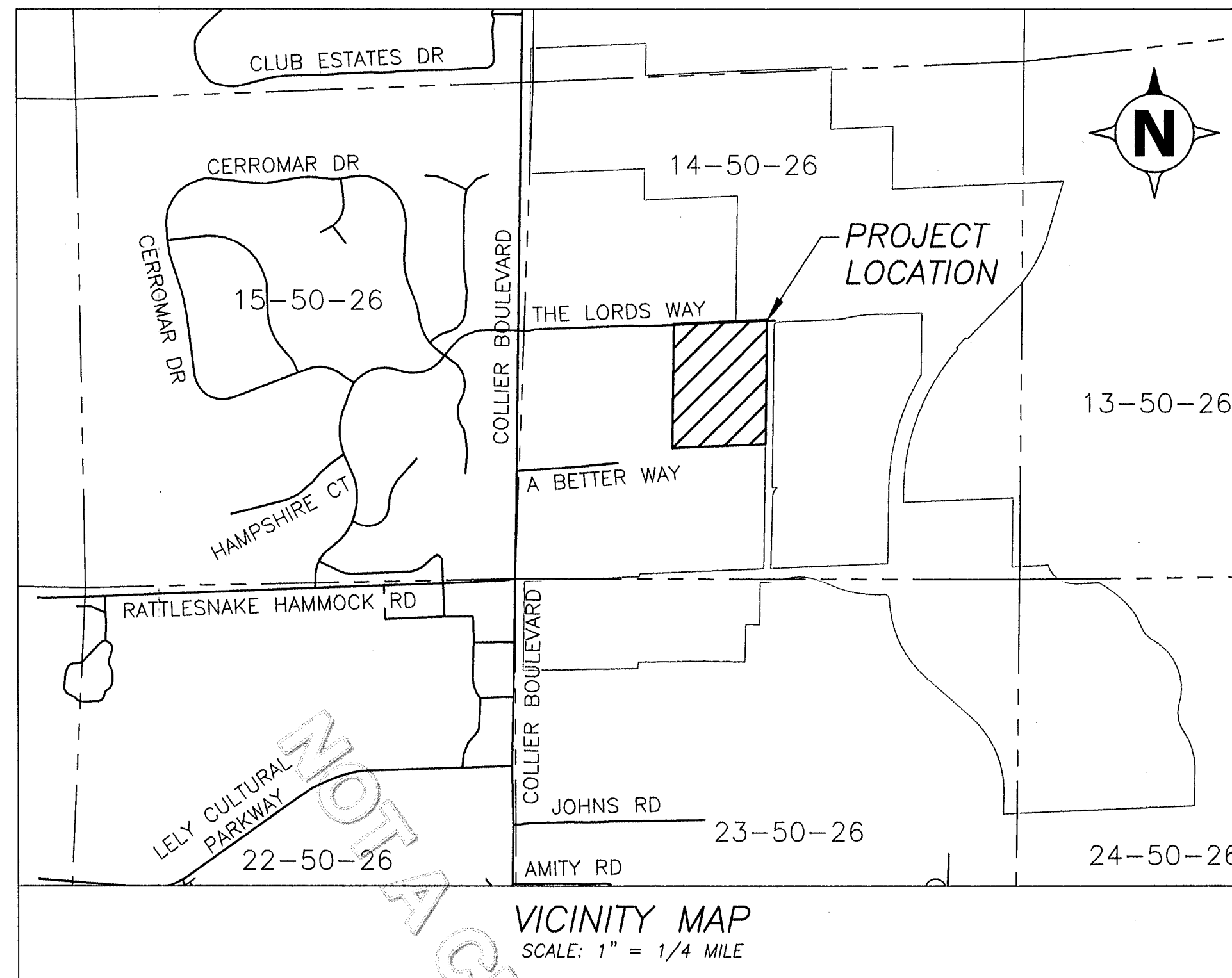
Tamela M. Schrader
SIGNATURE OF PERSON TAKING ACKNOWLEDGEMENT

NAME OF ACKNOWLEDGER (TYPED, PRINTED OR STAMPED)

(SEAL)



ESTILO ACRES

A SUBDIVISION OF A PORTION OF
SECTION 14, TOWNSHIP 50 SOUTH, RANGE 26 EAST,
COLLIER COUNTY, FLORIDA

LEGEND:

- | | |
|----------|--|
| A.E. | = ACCESS EASEMENT |
| ASSL | = ACCESSORY STRUCTURE SETBACK LINE |
| C.U.E. | = COUNTY UTILITY EASEMENT |
| D.E. | = DRAINAGE EASEMENT |
| F.P.L.E. | = FLORIDA POWER & LIGHT EASEMENT |
| I.D. | = IDENTIFICATION |
| L.A.E. | = LAKE ACCESS EASEMENT |
| LB | = LICENSE BUSINESS |
| L.B.E. | = LANDSCAPE BUFFER EASEMENT |
| L.M.E. | = LAKE MAINTENANCE EASEMENT |
| (NAV) | = NORTH AMERICAN VERTICAL DATUM |
| (N.R.) | = NON RADIAL |
| O.R. | = OFFICIAL RECORDS |
| PG. | = PAGE |
| P.A.E. | = PEDESTRIAN ACCESS EASEMENT |
| PSSL | = PRINCIPLE STRUCTURE SETBACK LINE |
| P.U.E. | = PUBLIC UTILITY EASEMENT |
| R.O.W. | = RIGHT-OF-WAY |
| U.E. | = UTILITY EASEMENT |
| I.-E. | = INGRESS-EGRESS EASEMENT |
| □ | INDICATES FOUND PERMANENT REFERENCE MONUMENT (4X4 CONCRETE MONUMENT #LB7705) |
| ■ | INDICATES SET PERMANENT REFERENCE MONUMENT (4X4 CONCRETE MONUMENT STAMPED #LB8082) |
| ⊙ | INDICATES PERMANENT CONTROL POINT (PCP #LB8082) |

DESCRIPTION OF LAND PLATTED

THE WEST 1/2 OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE EAST 1/2 OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA; THENCE RUN NORTH 87°37'31" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 14, FOR A DISTANCE OF 2676.00 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 14; THENCE RUN NORTH 00°48'00" EAST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 14, FOR A DISTANCE OF 1341.65 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 14 AND THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING: THENCE CONTINUE NORTH 00°48'00" EAST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 14, FOR A DISTANCE OF 1341.67 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 14; THENCE RUN SOUTH 87°31'38" WEST, ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 14, FOR A DISTANCE OF 1002.62 FEET, TO THE NORTHWEST CORNER OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 14; THENCE RUN SOUTH 00°49'57" WEST, ALONG THE WEST LINE OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 14, FOR A DISTANCE OF 1340.69 FEET, TO THE SOUTHWEST CORNER OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 14; THENCE RUN NORTH 87°35'08" EAST, ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 14, FOR A DISTANCE OF 1003.32 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,342,988.78 SQUARE FEET OR 30.83 ACRES MORE OR LESS.

PLAT BOOK 65 PAGES 69Resolution No. 2021-84
Renaming a street from The Lords Way to
Hacienda Lakes Parkway
Recorded 04/19/2021 OR: 5930 PG: 2203-2205
Plat Book: 65 Page: 69-71

SHEET 1 OF 3

COUNTY APPROVALS

COUNTY ENGINEER

THIS PLAT APPROVED BY THE GROWTH MANAGEMENT DEPARTMENT OF COLLIER COUNTY, FLORIDA, THIS 14th DAY OF FEBRUARY, 2019, A.D.

Jack McKenna, P.E.
JACK MCKENNA, P.E.
COLLIER COUNTY ENGINEER

COUNTY SURVEYOR

THIS PLAT REVIEWED BY THE COLLIER COUNTY SURVEYOR THIS 14th DAY OF FEBRUARY, 2019, A.D.

Marcus L. Bertram, P.S.M.
MARCUS L. BERMAN, P.S.M. #5086
COLLIER COUNTY SURVEYOR

COUNTY ATTORNEY

THIS PLAT APPROVED BY THE COLLIER COUNTY ATTORNEY THIS 14th DAY OF FEBRUARY, 2019, A.D.

Scott A. Stone
SCOTT A. STONE
ASSISTANT COUNTY ATTORNEY

COUNTY COMMISSION APPROVAL

THIS PLAT APPROVED FOR RECORDING IN A REGULAR OPEN MEETING BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, THIS 8TH DAY OF SEPTEMBER, 2015, A.D. PROVIDED THAT THE PLAT IS FILED IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF COLLIER COUNTY, FLORIDA.

Crystal K. Kinzel
ATTEST:
CRYSTAL K. KINZEL

W. L. McDaniel, Jr., Chairman
W. L. MCDANIEL, JR., CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA.

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 3:18 (a.m. or p.m.) THIS 15th DAY OF February, 2019 A.D., AND DULY RECORDED IN PLAT BOOK 65 PAGE(S) 69 THROUGH 71, INCLUSIVE, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

Crystal K. Kinzel
CRYSTAL K. KINZEL
CLERK OF THE CIRCUIT COURT IN
AND FOR COLLIER COUNTY, FLORIDA.

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM A BOUNDARY SURVEY PERFORMED BY ME, OR UNDER MY SUPERVISION, AS PROVIDED IN CHAPTER 177.041, FLORIDA STATUTES AND THAT THIS PLAT COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, PART 1, AS AMENDED, FLORIDA STATUTES. IT IS FURTHER CERTIFIED THAT ALL PERMANENT REFERENCE MONUMENTS WILL BE SET PRIOR TO RECORDING OF THIS PLAT AND THAT ALL PERMANENT CONTROL POINTS AND LOT CORNERS WILL BE SET PRIOR TO FINAL ACCEPTANCE OF THE REQUIRED IMPROVEMENTS.

TRASK SURVEYING, P.A.

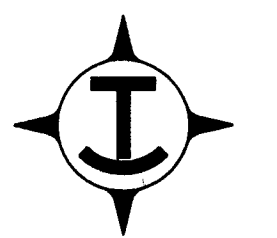
Kenneth E. Trask, PLS
KENNETH E. TRASK, PLS #LS4684

02/14/2019
DATED

GENERAL NOTES:

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. BEARINGS SHOWN HEREON REFER TO STATE PLANE COORDINATES NORTH AMERICAN DATUM OF 1983/2007 ADJUSTMENT (NAD 83/07) FLORIDA EAST ZONE. BEARINGS ARE BASED ON THE EAST LINE OF THE S.W. 1/4 OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, BEING NORTH 00°48'00" EAST.
3. ALL CURVES ARE CIRCULAR CURVES AND ARE TANGENTIAL UNLESS NOTED OTHERWISE IN DESCRIPTION OF LAND PLATTED. ALL LOT LINES ARE RADIAL UNLESS NOTED (N.R.).
4. DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR Sapphire Cove ARE RECORDED IN OFFICIAL RECORD BOOK 5299, PAGE(S) 115, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.
5. PROPERTY FALLS IN LORDS WAY 30 RPUD ORDINANCE 14-11.

THIS INSTRUMENT WAS PREPARED BY
KENNETH E. TRASK, PLS #LS4684
TRASK SURVEYING, P.A.
12345 BLASINGM ROAD
FORT MYERS, FLORIDA 33966
PHONE: (239) 980-1495
CERTIFICATE OF AUTHORIZATION #LB8082



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.

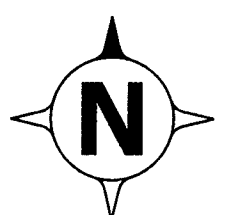
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

ESTILO ACRES

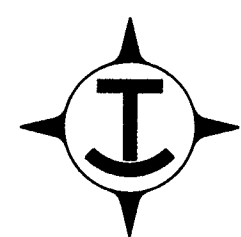
A SUBDIVISION OF A PORTION OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 26 EAST,
COLLIER COUNTY, FLORIDA

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
C1	95.00'	93°16'00"	154.64'	N45°50'00"W	138.12'
C5	95.00'	86°42'03"	143.76'	S44°10'58"W	130.43'
C6	116.00'	93°16'00"	188.83'	N45°50'00"W	168.66'
C7	74.00'	93°16'00"	120.46'	N45°50'00"W	107.59'
C14	74.00'	86°42'03"	111.98'	S44°10'58"W	101.60'
C15	116.00'	86°42'03"	175.53'	S44°10'58"W	159.26'
C16	24.00'	90°00'00"	37.70'	N42°32'00"E	33.94'
C17	24.00'	90°00'00"	37.70'	S47°28'00"E	33.94'
C18	4.00'	090°00'22"	6.28'	S47°28'11"E	5.66'
C19	20.00'	089°59'38"	31.41'	S42°31'49"W	28.28'
C20	116.00'	10°05'41"	20.44'	N87°25'10"W	20.41'
C21	116.00'	17°49'31"	36.09'	N73°27'34"W	35.94'
C22	116.00'	18°27'17"	37.36'	N55°19'10"W	37.20'
C23	116.00'	18°07'39"	36.88'	N37°01'42"W	36.55'
C24	116.00'	17°12'54"	34.85'	N19°21'25"W	34.72'
C25	116.00'	11°32'58"	23.38'	N04°58'30"W	23.34'
C26	60.00'	93°16'00"	97.67'	N45°50'00"W	87.24'
C27	40.00'	93°16'00"	65.11'	N45°50'00"W	58.16'
C28	60.00'	42°06'24"	44.09'	N71°24'48"W	43.11'
C29	60.00'	15°19'28"	16.05'	N42°41'52"W	16.00'
C30	60.00'	35°50'08"	37.53'	N17°07'04"W	36.92'
C31	40.00'	86°42'03"	60.53'	S44°10'58"W	54.92'
C32	60.00'	86°42'03"	90.79'	S44°10'58"W	82.38'
C33	60.00'	44°08'44"	46.23'	S22°54'19"W	45.09'
C34	60.00'	13°47'16"	14.44'	S51°52'18"W	14.40'
C35	60.00'	28°46'04"	30.13'	S73°08'58"W	29.81'
C36	116.00'	15°19'52"	31.04'	S79°52'04"W	30.95'
C37	116.00'	19°51'23"	40.20'	S62°16'27"W	40.00'
C38	116.00'	19°51'23"	40.20'	S42°25'04"W	40.00'
C39	116.00'	20°44'29"	41.99'	S22°07'08"W	41.76'
C40	116.00'	10°54'57"	22.10'	S06°17'25"W	22.07'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S45°00'00"E	7.26'
L2	N87°31'38"E	32.89'
L3	S78°57'44"E	37.01'
L4	N85°52'18"E	10.31'
L5	S78°57'44"E	37.01'
L6	S78°57'44"E	22.29'
L7	S78°57'44"E	14.72'
L8	S02°28'22"E	48.00'
L9	S87°31'38"W	40.00'
L10	N87°32'00"E	10.97'
L11	N87°32'00"E	11.01'
L12	S02°28'22"E	20.00'
L13	S87°31'38"W	50.00'
L14	N87°31'38"E	22.68'
L15	N87°31'38"E	27.32'
L16	N87°32'00"E	1.50'
L17	N87°32'00"E	191.41'
L18	N87°32'00"E	191.41'
L19	N87°32'00"E	16.77'



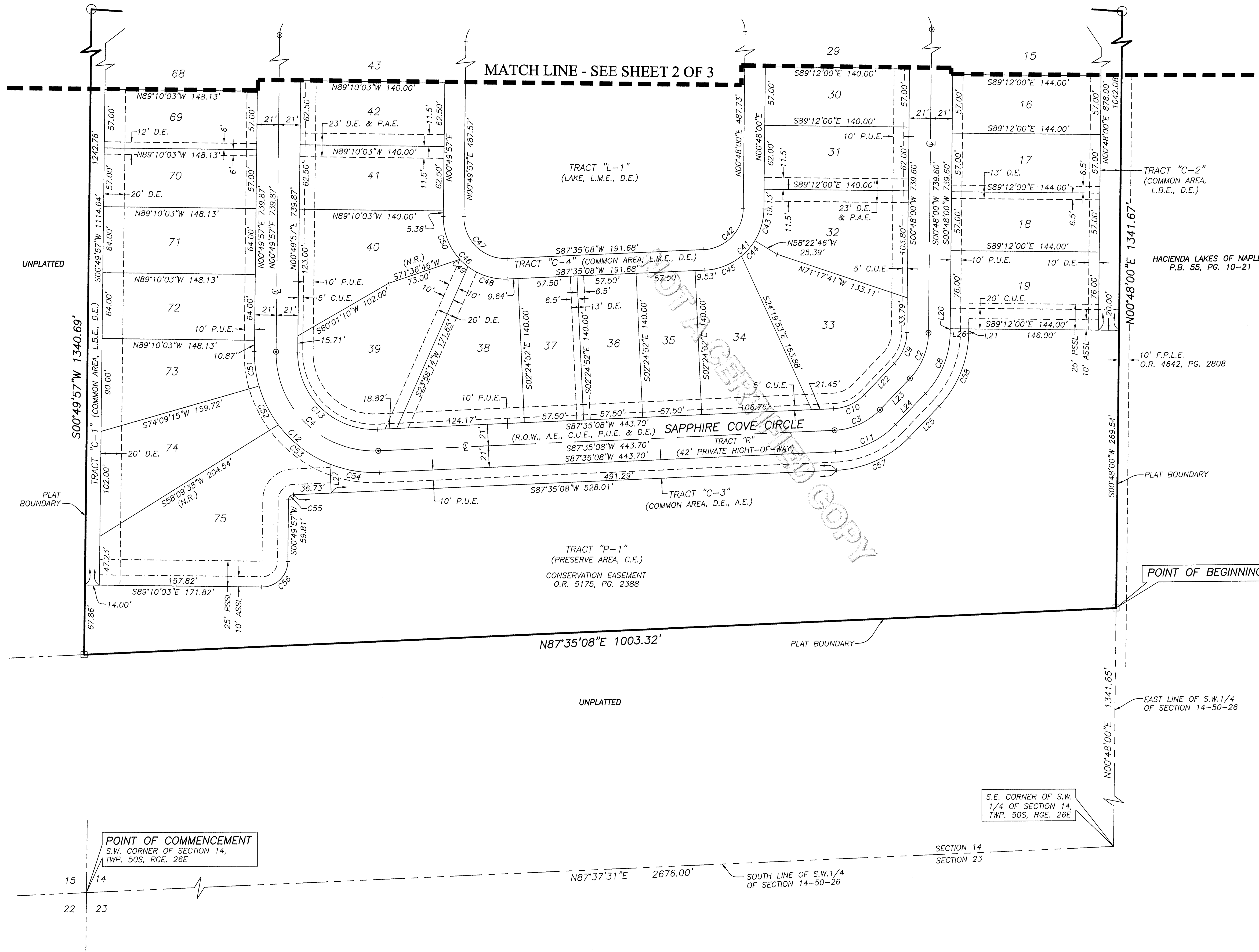
GRAPHIC SCALE
0 25 50 100
(IN FEET)
1 INCH = 50 FT.



THIS INSTRUMENT WAS PREPARED BY
KENNETH E. TRASK, PLS. #LS4684
TRASK SURVEYING, P.A.
12345 BLASINGM ROAD
FORT MYERS, FLORIDA 33966

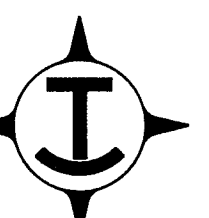
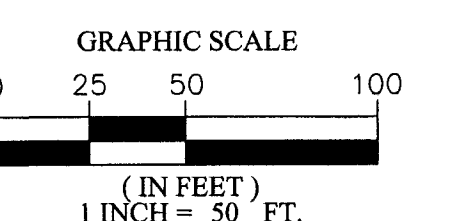
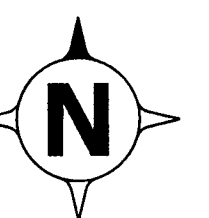
ESTILO ACRES

A SUBDIVISION OF A PORTION OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 26 EAST,
COLLIER COUNTY, FLORIDA



CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
C2	65.00'	43°12'00"	49.01'	N22°24'00"E	47.86'
C3	65.00'	43°35'08"	49.45'	N65°47'34"E	48.26'
C4	95.00'	93°14'49"	154.61'	S45°47'28"E	138.10'
C8	86.00'	43°12'00"	64.84'	N22°24'00"E	63.32'
C9	44.00'	43°12'00"	33.18'	N22°24'00"E	32.40'
C10	44.00'	43°35'08"	33.47'	N65°47'34"E	32.67'
C11	86.00'	43°35'08"	65.42'	N65°47'34"E	63.86'
C12	116.00'	93°14'49"	188.79'	S45°47'28"E	168.63'
C13	74.00'	93°14'49"	120.43'	S45°47'28"E	107.57'
C41	60.00'	86°47'08"	90.88'	N44°11'34"E	82.44'
C42	40.00'	86°47'08"	60.59'	N44°11'34"E	54.96'
C43	60.00'	30°49'15"	32.28'	N16°12'37"E	31.89'
C44	60.00'	19°01'53"	19.93'	N41°08'11"E	19.84'
C45	60.00'	36°56'01"	38.68'	N69°07'08"E	38.01'
C46	60.00'	93°14'49"	97.65'	S45°47'28"E	87.22'
C47	40.00'	93°14'49"	65.10'	S45°47'28"E	58.15'
C48	60.00'	039°36'05"	41.47'	S72°36'50"E	40.65'
C49	60.00'	10°04'05"	10.54'	S47°46'44"E	10.53'
C50	60.00'	43°34'39"	45.63'	S20°57'23"E	44.54'
C51	116.00'	16°40'41"	33.77'	S07°30'24"E	33.65'
C52	116.00'	20°53'05"	42.28'	S26°17'17"E	42.05'
C53	116.00'	31°28'01"	63.71'	S52°27'50"E	62.91'
C54	116.00'	24°13'01"	49.03'	S80°18'21"E	48.67'
C55	5.00'	86°45'11"	7.57'	S44°12'32"W	6.87'
C56	25.00'	90°00'00"	39.27'	N45°49'57"E	35.36'
C57	104.00'	43°35'08"	79.11'	N65°47'34"E	77.22'
C58	104.00'	43°12'00"	78.41'	N22°24'00"E	76.57'

LINE TABLE		
LINE	BEARING	DISTANCE
L20	N00°48'00"E	4.17'
L21	N00°48'00"E	4.17'
L22	N44°00'00"E	42.02'
L23	S44°00'00"W	42.02'
L24	N44°00'00"E	42.02'
L25	N44°00'00"E	42.02'
L26	N89°12'00"W	18.00'
L27	N02°24'52"W	28.21'



THIS INSTRUMENT WAS PREPARED BY
KENNETH E. TRASK, PLS #LS4684
TRASK SURVEYING, P.A.
12345 BLASINGIM ROAD
FORT MYERS, FLORIDA 33966



WARRANTY DEED

This Instrument Prepared By:
Harold J. Webre, Esquire
COLEMAN, YOVANOVICH & KOESTER, P.A.
4001 Tamiami Trail N., Suite 300
Naples, FL 34103
(239) 435-3535

Consideration: \$900,000.00

WARRANTY DEED

This Warranty Deed is made this 30th day of June, 2016, between **MARCO ISLAND GROUP, LLC, a Florida limited liability company ("Grantor")**, and **LORD'S WAY 30, LLC, a Florida limited liability company ("Grantee")**, whose address is 7742 Alico Road, Ft. Myers, FL 33192.

The Grantor, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said Grantor in hand paid by the Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold to the said Grantee and Grantee's successors and assigns forever, the following described property, situated, lying and being in Collier County, Florida, to wit:

The West 1/2 of the East 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 14, Township 50 South, Range 26 East, Collier County, Florida.

AND

The East 1/2 of the East 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 14, Township 50 South, Range 26 East, Collier County, Florida.

AND

The East 1/2 of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 14, Township 50 South, Range 26 East, Collier County, Florida.

Subject to: (a) ad valorem and non ad valorem real property taxes for 2016 and subsequent years; (b) zoning, building code and other use restrictions imposed by governmental authority; (c) outstanding oil, gas and mineral interests of record, if any; and (d) covenants, conditions, reservations, easements and restrictions of record.

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 con

said land; and that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has executed and delivered this Warranty Deed the day and year first above written.

Signed, sealed and delivered
in our presence:

Marco Island Group, LLC, a Florida limited
liability company

By: George P. Bauer
George P. Bauer, its Manager

[Company Seal]

Witness 1 - Signature

Witness 1 - Printed Name

Witness 2 - Signature

Witness 2 - Printed Name

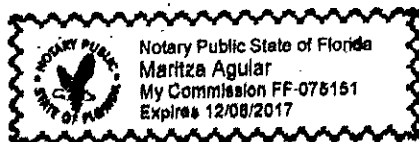
STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me on this 28th day of June, 2016,
by George P. Bauer, as Manager of Marco Island Group, LLC, a Florida limited liability
company, who is personally known to me or who has produced
as identification.

Notary Public - Signature

Print Name: Maritza Aguilar

(SEAL)



Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

ADDRESS CHECKLIST



ADDRESSING CHECKLIST

Please complete the following and upload via the CityView Portal with your submittal. Items marked with (*) are required for every application, other items are optional and may not apply to every project.

Forms are valid for 6 months following their submittal; an updated form will be required for a new submittal after that timeframe and any time the properties within the project boundary are modified.

Additional documents may be attached to this form and can include:

- * LOCATION MAP and/or SURVEY showing the proposed project boundary.
- List of additional folio numbers and associated legal descriptions.
- E-mail from Addressing Official for any pre-approved project and/or street names.

LOCATION INFORMATION

***FOLIO (Property ID) Number(s)** of subject property or properties. [Attach list if necessary]

31374000187

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

ESTILO ACRES TRACT R

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

PROJECT INFORMATION

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

CURRENT PROJECT NAME

LORD'S WAY 30 RPUD (SAPPHIRE COVE FKA ESTILO ACRES)

PROPOSED PROJECT NAME

PROPOSED STREET NAME(s)

N/A

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

PL20170001889

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)



Copyright RVI

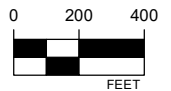
Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)



28100 Bonita Grande Drive
Suite 305
Bonita Springs, FL 34135
Tel: 239.405.7777
www.rviplanning.com

Lord's Way 30 Acre RPUD • AERIAL LOCATION MAP

- Collier County, FL
- Date: 07/18/2023
- RVI23001555
- ▲ Lord's Way 30, LLC



Information furnished regarding this property from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and approval.



PROPERTY OWNERSHIP DISCLOSURE FORM

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)



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

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



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

- 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
Lord's Way 30, LLC - 7742 Alico Road	100%
David E. Torres Revocable Trust	20%
Jennifer Toll Revocable Trust	77%
Carolyn Toll	1%
Courtney Toll	1%
Taylor Toll	1%

- 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 06/30/2016

☐ Leased: Term of lease _____ years /months

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



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

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 Community Development Department | GMD Portal:

<https://cvportal.colliercountyfl.gov/cityviewweb>

Questions? Email: GMDclientservices@colliercountyfl.gov

Agent/Owner Signature

David E. Torres

Agent/Owner Name (please print)

Date

6-2-23

AFFIDAVIT OF AUTHORIZATION

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20230007509

I, David E. Torres (print name), as Managing Member (title, if applicable) of Lord's Way 30, LLC (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 Josephine Medina, RVI Planning and Landscape Architecture 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

David E. Torres
Manager
Lord's Way 30, LLC

Date

6-2-23.

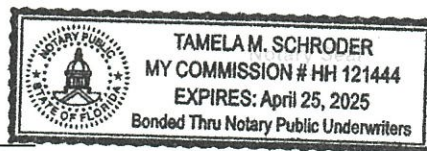
STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 2 day of June, 2023 by (printed name of owner or qualifier) David E Torres.

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:

Tamela M Schroder

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

SAPPHIRE COVE HOA LETTER OF NO OBJECTION

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)



July 24, 2023

Collier County GMD
2800 North Horseshoe Drive
Naples, FL 34104

Re: Letter of No Objection
PL20230007509 - Lord's Way 30 Acre RPUD

To Whom It May Concern:

I am the President of the Sapphire Cove Homeowners Association and I have no objection to the insubstantial change to the Lord's Way 30 Acre RPUD, Application No. PL20230007509.

Regards,

A handwritten signature in blue ink, appearing to read "Gary Hains".

Gary Hains

President, Sapphire Cove HOA

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

NEIGHBORHOOD INFORMATION MEETING



Memorandum

To: Sean Sammon, Collier County Zoning Division
From: Josephine Medina, AICP, RVI Planning + Landscape Architecture, Inc.
Date: July 18, 2023
Subject: Lord's Way 30 Acre RPUD PDI (PL20230007509)
Neighborhood Information Meeting Summary

RVI Planning + Landscape Architecture, Inc. and Lord's Way 30, LLC conducted a neighborhood informational meeting (NIM) for the Lord's Way 30 Acre Residential Planned Unit Development (RPUD) Insubstantial Change to a PUD (PDI). The meeting was held on Tuesday, June 27, 2023, at 5:30 p.m. at the Collier County South Regional Library, 8065 Lely Cultural Pkwy #9005, Naples, FL 34113, Meeting Room A.

The applicant, the applicant's project team and Collier Staff were present at the meeting until 5:45pm. There were no member of the public in attendance. A copy of the legal notice, affidavit of publication, a copy of the letter sent to surrounding property owners, and a list of the surrounding property owners are attached as Exhibit "A". For the meeting, the applicant had prepared a 10-slide presentation Exhibit "B" that included a map and aerial of the area, development in the surrounding area.

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

Final Publication Date

6/8/2023

Email Address

rurbach@localiq.com

Ad Number

GCI1070445

Publication

Naples Daily News

Special Requests

Attn: Josephine Medina

Market

Naples

Delivery Method

Email

Number of Affidavits Needed

1

Customer Name

RVI Planning, Inc

Customer Phone Number

(239) 405-7777

Customer Address

28100 Bonita Grande Dr Ste 205

Bonita Springs, FL 34135

Account Number (If Known)

507176

Customer Email

jmedina@rviplanning.com

Your Name

Rose Urbach

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

Naples Daily News

PART OF THE USA TODAY NETWORK

Published Daily
Naples, FL 34110

RVI PLANNING INC
28100 BONITA GRANDE DR #205
BONITA SPRINGS, FL 34135
ATTN JOSEPHINE MEDINA

Affidavit of Publication

STATE OF WISCONSIN
COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Naples Daily News, published in Collier County, Florida; that the attached copy of advertisement, being a PUBLIC NOTICE, was published on the publicly accessible website of Collier and Lee Counties, Florida, or in a newspaper by print in the issues of, on:

Issue(s) dated: 6/8/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

[Signature]

Subscribed and sworn to before me, by the legal clerk, who is personally Known to me, on JUNE 8th, 2023:

[Signature: Nancy Heyrman]
Notary, State of WI, County of Brown

My commission expires:

5.15.27

Publication Cost: \$470.40
Ad No: GC11070445
Customer No: 507176
PO #: PUBLIC NOTICE – DISPLAY AD 2X7

of Affidavits: 1

This is not an invoice

NANCY HEYRMAN
Notary Public
State of Wisconsin

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

NEIGHBORHOOD INFORMATION MEETING

The public is invited to attend a neighborhood information meeting held by RVi Planning + Landscape Architecture, Inc. on behalf of Lord's Way 30, LLC at the following time and location:

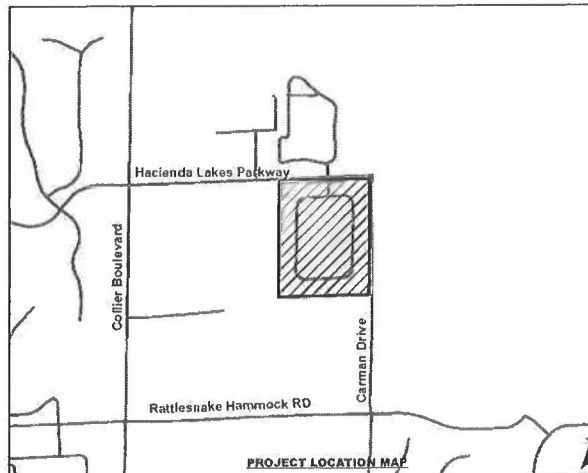
Tuesday, June 27, 2023, at 5:30 p.m.
Collier County South Regional Library
8065 Lely Cultural Pkwy #9005, Naples, FL 34113
Meeting Room A

**Attending Virtually is also available using
Zoom Meeting ID: 890 9256 9245, Passcode: 0000.**

Josephine Medina is inviting you to a scheduled Zoom meeting.

Please be advised that Lord's Way 30, LLC has filed an application (PL20230007509) with Collier County. This application is seeking approval of an Insubstantial Change to a Planned Unit Development (PDI). The Application will allow for the modification to a deviation to allow for a 5-foot-wide sidewalk on one side of the road where adjacent to the developments preserve area.

The Lord's Way 30 Acre RPUD Property totals 30 +/- acres and is generally located on the southwest corner of the intersection of Hacienda Lakes Parkway and Carman Drive in unincorporated Collier County, Florida.

**WE VALUE YOUR INPUT**

Business and property owners and residents are welcome to attend the presentation and discuss the project with the owners' representatives and Collier County staff. If you are unable to attend this meeting, but have questions or comments, they can be directed to:

RVi Planning + Landscape Architecture, Inc. c/o Josephine Medina
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
(239) 908-3421 OR jmedina@RViPlanning.com

ND-GC1070445-01

Your Source

Public Notices

for the latest...

Notice of Sales

NOTICE OF PUBLIC SALE OF PERSONAL PROPERTY

NOTICE IS HEREBY GIVEN that the undersigned intends to sell the personal property described below to enforce a lien imposed on said property under the Florida Self Storage Facility Act (Sections 63.001-63.009). The undersigned will sell by competitive online bidding on Tuesday, the 27th day of June, 2023, ending at 12:00 PM, the following:

Norma Barrios - 1176 - Miscellaneous

The sale will occur online at www.StorageTreasures.com, at the request of StorQuest Express Self Storage. Purchases must be paid for at the time of purchase. All purchased items are sold as is, where is, and must be removed within 24 hours of the sale. The property has been stored at and is located at StorQuest Express Self Storage, 5320 Uespa Drive, City of Ave Maria, County of Collier, State of Florida. Sale is subject to cancellation in the event of settlement between owner and obligated party.

Dated this 8th day of June, 2023 and 15th day of June, 2023
June 8, 15, 2023 #5715455

Public Notices

NOTICE
The Immokalee Fire Control District Board of Fire Commissioners will be rescheduling the Regular Monthly Board Meeting previously scheduled for June 15, 2023 to now be held on

June 22, 2023 at 3pm at Fire Station 32 Headquarters, 5386 Uespa Drive, Ave Maria, FL 34142. Anyone requiring special assistance to attend these meetings, please call (239) 657-2111. #5716513
Notice Under Fictitious Name Law Pursuant to Section 865.09, Florida Statutes
NOTICE IS HEREBY GIVEN that the undersigned, desiring to engage in business under the fictitious name of WalPen USA located at 821 Highway Cir E, in the County of Collier, in Marco Island, Florida 34145, intends to register the said name with the Division of Corporations, the Florida Department of State, Tallahassee, Florida.

Dated at: Marshall, North Carolina, June 5, 2023
Concept Ink LLC
Mark Tisdall (Co-Founder)
June 8, 2023 #5729234

HAVING A GARAGE SALE?
Advertise it in the CLASSIFIEDS!

Public Notices

IN THE CIRCUIT COURT OF THE 12TH JUDICIAL CIRCUIT, IN AND FOR COLLIER COUNTY, FLORIDA
Case No.: 11-2022-DK-001605-FMO1-XC
Divisor: José Alfredo Reconcio, Petitioner
and Sharon Moraima Velazquez Rivera Respondent

NOTICE OF ACTION FOR DISSOLUTION OF MARRIAGE (NO CHILD OR FINANCIAL SUPPORT)
TO: Sharon Moraima Velazquez Rivera
1612 Great Bend Dr. Durham, NC 27704
YOU ARE NOTIFIED that an action for DISSOLUTION OF MARRIAGE has been filed against you and that you are required to serve a copy of your written defenses, if any, to it on José Alfredo Reconcio whose address is on or before 06/02/2023, and file the original with the clerk of this court at before service on Petitioner or immediately thereafter. If you fail to do so, a default may be entered against you for the relief demanded in the petition. Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents upon request. You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Notice of Current Address, Florida Supreme Court Approved Family Law Form 12.915.) Future papers in this lawsuit will be mailed to the address on record at the clerk's office.
WARNING: Rule 12.285, Florida Family Law Rules of Procedure, requires certain automatic disclosure of documents and information. Failure to comply can result in sanctions, including dismissal or striking of pleadings.

CLERK OF THE CIRCUIT COURT
Notice Under Fictitious Name Law Pursuant to Section 865.09, Florida Statutes

NOTICE IS HEREBY GIVEN that the undersigned, desiring to engage in business under the fictitious name of JANIE MARIE FALLON-MURPHY, LICENSED REAL ESTATE BROKER, 013004041 located at 4808 OLENTANGY RIVER RD, DELAWARE OH 43015, in the County of Collier, City of Naples, Florida 34109 intends to register the said name with the Division of Corporations, the Florida Department of State, Tallahassee, Florida. Dated at Naples, Florida, this 1st day of January 1991. Janie Marie Fallon-Murphy, Licensed Estate Broker 013004041.
Pub Date: June 8, 2023 5729569

Books Movers will be holding a public auction on June 15, 2023, at 5700 Taylor Rd Naples, FL of the stored belongings. Anyone wishing to pay the full balance of Jeff Longtreich of Naples, FL or Steve Donahue of Naples, FL can do so by contacting our office no later than 4:00pm on June 14, 2023 by calling 802-864-5115 or 800-645-3165.
Pub Date: June 1, 8, 2023 5706470

Notice of Sheriff's Sale

NOTICE IS HEREBY GIVEN that pursuant to an EXECUTION issued in the COUNTY Court of Broward County, Florida, on the 10th day of October, 2022, in the cause wherein PALM COAST RECOVERY CORP., A FLORIDA CORPORATION, plaintiff(s) and BONIFACE LAURENT, defendant(s), case no. 07004137COCF, in said court; I, Kevin J. Rambosk, as Sheriff of Collier County, Florida, have levied upon all the right, title and interest of the defendant(s), BONIFACE LAURENT, in and to the following described Personal property to-wit:

2013 LINDR RANGE ROVER SPORT
VIN: SALP3ZD410A783936
TAG R: NBGH60

And on the 12th day of July, 2023, at the Collier County Sheriff's Office 2373 Horseshoe Drive East, Naples, FL 34104 at the hour of 10:00 AM, or shortly thereafter, I will offer for sale all of the defendant(s), BONIFACE LAURENT, right, title and interest in aforesaid property at public outcry and will sell same, subject to all prior liens, encumbrances and judgments, if any, to the highest and best bidder for CASH IN HAND. The proceeds to be applied as far as may be to the payment of costs and the satisfaction of the above described execution. Vehicle may be seen at Bald Eagle Towing 3880 Enterprise Avenue, Naples, Florida 34104.

Kevin J. Rambosk, as Sheriff
Collier County Florida
by: A/April Ide, Deputy Sheriff

Dates Advertised: 6/8/2023, 6/15/2023, 6/22/2023, 6/29/2023

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact Bevelly Adams, Judicial Process Manager, whose office is located at Collier County Sheriff's Office, 2373 Horseshoe Drive East, Naples, FL 34104, telephone: 239-252-0880, at least seven days prior to the proceeding. If hearing impaired, (TDD) 1-800-955-8771, or Voice (V) 1-800-955-8770, via Florida Relay Service.
June 8, 15, 22, 29, 2023 #5728375

Notice To Creditors

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR COLLIER COUNTY, FLORIDA PROBATE DIVISION
IN RE: ESTATE OF JANCIE CLARE TODD
Deceased.

File No.: 23-CP-001651
Division: PROBATE

NOTICE TO CREDITORS

The administration of the estate of JANCIE CLARE TODD, deceased, whose date of death was October 11, 2022, is pending in the Circuit Court for Collier County, Florida, Probate Division, the address of which is 3315 Tamiami Trail East, Naples, Florida 34112. The names and addresses of the personal representatives and the personal representatives' attorney are set forth below. All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM. All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE. ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN THE FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED. NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice is June 8, 2023.

Attorney for Personal Representatives:
Tyler Hunter Stahl, Esq.
Florida Bar Number 1024673
THREKELD LAW, P.A.
3003 Tamiami Trail N., Suite 400
Naples, FL 34103
Telephone: (239) 234-5034
E-Mail: hunter@napleslegal.net
Personal Representatives:
Samuel Giannone, David Giannone, and Clare Giannone
232 Nelson Ave.
Waterloo, Ontario
Canada, N2T 2M3
Pub: June 8, 15, 2023 5730267

Notice To Creditors

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT COLLIER COUNTY, FLORIDA PROBATE DIVISION
IN RE: ESTATE OF THOMAS J. CARROLL

Case No.: 11-2023-CP-001365-0001-XC
Deceased.

NOTICE TO CREDITORS

The administration of the estate of THOMAS J. CARROLL, deceased, File No. 11-2023-CP-001365-0001-XC, is pending in the Circuit Court for Collier County, Florida, Probate Division, the address of which is 3301 Tamiami Trail East, Naples, FL 34112. The name and address of the personal representative and the personal representative's attorney are set forth below. All creditors of the decedent and other persons having claims or demands against decedent's estate, including unmatured, contingent or liquidated claims, on whom a copy of this notice is served must file their claims with this court WITHIN THE LATER OF THREE (3) MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE OR THIRTY (30) DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM. All other creditors of the decedent and other persons having claims or demands against decedent's estate, including unmatured, contingent or liquidated claims, must file their claims with this court WITHIN THREE (3) MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE. ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED. The date of first publication of this notice is June 1, 8, 2023.

THOMAS MICHAEL CARROLL, Personal Representative
521 Cub Lane, Massanutten, VA 22840
Attorney for Personal Representative:
MARK A. PERRY, P.A.
88 NE Fifth Avenue
Delray Beach, FL 33483
Tel: (561) 276-4146
Fax: (561) 276-3859
By: MARK A. PERRY, ESQ.,
Florida Bar No. 316806
June 1, 8, 2023 5717787

NEIGHBORHOOD INFORMATION MEETING

The public is invited to attend a neighborhood information meeting held by RVI Planning + Landscape Architecture, Inc. on behalf of Lord's Way 30, LLC at the following time and location:

Tuesday, June 27, 2023, at 5:30 pm.
Collier County South Regional Library
8065 Lely Cultural Pkwy #9005, Naples, FL 34113
Meeting Room A

Attending Virtually is also available using
Zoom Meeting ID: 890 9256 9245, Passcode: 0000.

Josephine Medina is inviting you to a scheduled Zoom meeting:

Please be advised that Lord's Way 30, LLC has filed an application (PL20230007509) with Collier County. This application is seeking approval of an Institutional Change to a Planned Unit Development (PID). The Application will allow for the modification to a deviation to allow for a 5-foot-wide sidewalk on one side of the road where adjacent to the development's preserve area.

The Lord's Way 30 Acre RPUD Property totals 30 +/- acres and is specifically located on the southwest corner of the intersection of Haulanda Lakes Parkway and Carnian Drive in unincorporated Collier County, Florida.



WE VALUE YOUR INPUT

Business and property owners and residents are welcome to attend the presentation and discuss the project with the owners' representatives and Collier County staff. If you are unable to attend this meeting, but have questions or comments, they can be directed to:

RVI Planning + Landscape Architecture, Inc. c/o Josephine Medina
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
(239) 908-3421 OR jmedina@rviplanning.com

NO CONSENTS YET

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PERFECT SLEEP CHAIR
FOR RENT

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— J. Fitzgerald, VA

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Please mention code 116687 when ordering.

Chestnut | Burgundy | Tan | Chocolate | Black

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MicroLux™ Microfibre
breathable & amazingly soft

Light Gray | Sand | Chocolate

enjoying life never gets old™

journey
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Because each Perfect Sleep Chair is a made-to-order building product, it cannot be returned, but if it arrives damaged or defective, at our option we will repair it or replace it. © 2022 Journey Health and Life Style

44635



June 5, 2023

RE: Lord's Way 30 Acre RPUD PDI
PL20230007509

Dear Property Owner:

Please be advised that Lord's Way 30, LLC has filed an application (PL20230007509) with Collier County. This application is seeking approval of an Insubstantial Change to a Planned Unit Development (PDI). The Application will allow for the modification to a deviation to allow for a 5-foot-wide sidewalk on one side of the road where adjacent to the developments preserve area.

The Lord's Way 30 Acre RPUD Property totals 30 +/- acres and is generally located on the southwest corner of the intersection of Hacienda Lakes Parkway and Carman Drive in unincorporated Collier County, Florida (see attached project location map).

In compliance with the Land Development Code requirements, a Neighborhood Information Meeting will be held to provide you an opportunity to hear a presentation about this application and ask questions. **The Neighborhood Information Meeting will be held on Tuesday, June 27, 2023, at 5:30 p.m. at the Collier County South Regional Library, 8065 Lely Cultural Pkwy #9005, Naples, FL 34113, Meeting Room A.**

Attending virtually is also available via Zoom. Please visit www.zoom.us, click on "Join A Meeting" in the top right corner, and enter **Zoom Meeting ID: 890 9256 9245, Passcode: 0000.**

Should you have questions prior to the meeting, please contact me directly at (239) 908-3421 or JMedina@RViPlanning.com

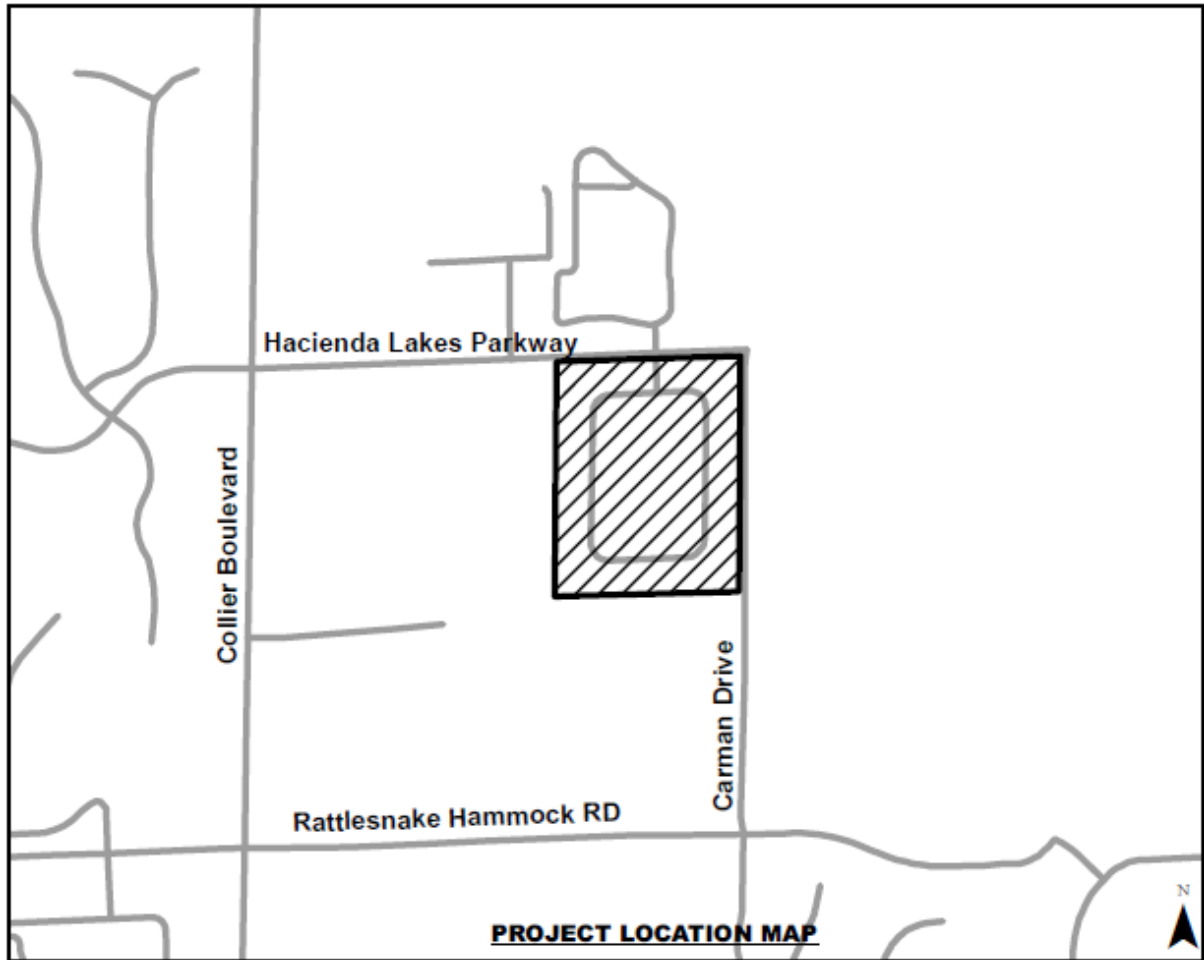
Thank you,

RVI Planning + Landscape Architecture

A handwritten signature in blue ink, appearing to read 'J Medina'.

Josephine Medina, AICP
Project Manager

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)



3713 MILANO LAKES FL OWNER LLC
% REVANTAGE PROPERTY TAX
PO BOX A3878
CHICAGO, IL 60690---0

3805 TLE LLC
7742 ALICO RD
FORT MYERS, FL 33912---0

3805 TLW LLC
7742 ALICO RD
FORT MYERS, FL 33912---0

3805 TLW LLC
7742 ALICO RD
FT MYERS, FL 33912---0

ACKERMAN, KEVIN MICHAEL
CHRISTINE ACKERMAN
3651 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

ALI R GHAHRAMANI MD INVESTMENT
LIMITED PARTNERSHIP
7223 AYRSHIRE LN
BOCA RATON, FL 33496---1421

ARMENTANO, MATTHEW & SHERI-ANN
3770 SAPPHIRE COVE CIRCLE
NAPLES, FL 34114---0

BAILEY, NATALIE KARENE
3786 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

CANDINO, CHRISTOPHER
3726 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

CARMAN DRIVE 15 LLC
7742 ALICO RD
FORT MYERS, FL 33912---0

CINQUEGRANA, BENNETT & DEBRA
3707 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

COLLADO, GEANETTE
3652 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

COLLIER CNTY
3335 TAMIAMI TRAIL E
NAPLES, FL 34112---0

COREY, TIMOTHY
ALISON MADELINE COREY
150 DORSET ST
SOUTH BURLINGTON, VT 05403---0

COYNE, MARY P
WADE A MURRAY
3663 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

CRESPO, ALBERTO & EVELYN
3631 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

CROCKER, DENNIS J
COLIN JAYNE GRABESKI
3640 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

CUMMINGS, MALCOLM ROSS
BETH ANN CUMMINGS
3685 SAPPHIRE COVE CIR
NAPLES, FL 34114---2925

ELMENDORF, MARIE Y
3636 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

EXPOSITO, MOISES
RITA MARIA AGUILAR DELGADO
3676 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

EYMAN, CASEY M
JILL ELIZABETH EYMAN
7215 NORTH DRAKE CT
PEORIA, IL 61615---0

EZ TRUST
3664 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

FL STAR CONSTRUCTION LLC
7742 ALICO RD
FT MYERS, FL 33192---0

FL STAR CONSTRUCTION LLC
7742 ALICO RD
FT MYERS, FL 33192---0

FLICK V, LAWRENCE F
LORI A BARAJAS
107 CHAPEL HILL CIR
PAOLI, PA 19301---0

FLORIDA POWER & LIGHT CO
PROPERTY TAX-PSX/JB
700 UNIVERSE BLVD
JUNO BEACH, FL 33408---2657

FRANCIS, THOMAS J & LYDIA
3722 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

GALEANO, FERNANDO
MAGALI CASADO
3778 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

GALINA BELOVA REV TRUST
6415 BLUE STEM CT
LONG GROVE, IL 60047---0

GARANT, CHRISTINE
3753 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

GRACE A PRIDAL PETERS
REVOCABLE TRUST
3681 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

GRAW FAMILY TRUST
1414 CROIX CREST DR
HUDSON, WI 54016---0

HACIENDA LAKES CMNTY DEV DIST
% REAS EST ECONOMETRICS INC
707 ORCHID DR STE 100
NAPLES, FL 34102---0

HACIENDA LAKES OF NAPLES LLC
7742 ALICO RD
FORT MYERS, FL 33912---0

SWAMP BUGGY DAY INC
PO BOX 10528
NAPLES, FL 34101---528

STRATTON, HEATHER
3616 SAPHIRE COVE CIR
NAPLES, FL 34114---0

HART, JONATHAN D & JASMINE P
3697 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

HARVEY, ANTHONY & LAURA
3655 SAPPHIRE COVE CIR
NAPLES, FL 34114---2925

HIBBARD, KATHLEEN M & STEVEN M
3612 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

JAFFE, SCOTT F & KATHERINE A
759 NW 124TH AVE
CORAL SPRINGS, FL 33071---0

JAFFER, ADIL & KATHLEEN I
3749 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

JANKOWSKI, ANDREW M
3762 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

JOHNSON, RONALD
3644 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

LATIGO NAPLES LLC
11845 W OLYMPIC BLVD STE 515W
LOS ANGELES, CA 90064---0

LOCONTE, FRANK
KELLY L SAMSON
11 HART ST
BEVERLY, MA 01915---0

LORDS WAY 30 LLC
7742 ALICO RD
FORT MYERS, FL 33192---0

SWEARINGEN, ALLEN HOWARD
TAMI WALTER SWEARINGEN
3659 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

SWAMP BUGGY INC
PO BOX 10528
NAPLES, FL 34101---0

TARAF, LUIS ALBERTO
AILEEN LAFONT
3660 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

THOMAS, JANE
SUSAN HILTY
3628 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

THOMSA H SHANKER 2023 LV TRUST
MICHELE K SHANKER 2023 LV TRST
3758 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

VLADIMIR VAYNER LIV TRUST
RITA TODRES VAYNER LIV TRUST
3754 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

WAGNER, ANDRE & HEIKE
186 UPPER GULPH RD
STRAFFORD, PA 19087---0

WANG, JIAJIN
3734 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

ZALEWSKI, WALTER J & JUDITH B
3693 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

ZAPPIA, RICCARDO
3714 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

ZILBERMAN, VERA & MICHAEL
3604 SAPPHIRE COVE CIR
NAPLES, FL 34114---0

CLARK, CAROLYN ELIZABETH
JAMES CLARK
78 MARLBOROUGH DR
FREDERICTON E3B 6K1 CANADA

JANEIRO, DARLENE G & FRANK M
149 MILLER DR
ANCASTER L9G 4W2 CANADA

STANG, PEGGY DIANE
DOUGLAS JAMES STANG
11 LAGUNA PKWY #33
BRECHIN L0K 1B0 CANADA

LOUGHERY, STEPHEN J
CHRISTINE F LOUGHERY
3710 SAPHIRE COVE CIR
NAPLES, FL 34114---0

LOWNDES, DAVID N
3746 SAPHIRE COVE CIR
NAPLES, FL 34114---0

MAROTTI, MELISSA
3620 SAPHIRE COVE CIR
NAPLES, FL 34114---2925

MATSON III, DUFFIELD W & SARAH
4960 SUNSET DR
MIAMI, FL 33143---0

MCLOUGHLIN, ANN
3647 SAPHIRE COVE CIR
NAPLES, FL 34114---0

MIDONECK, KENNETH & STEPHANIE
4445 KINGS BARN CT #305
FT MYERS, FL 33916---0

MIKULA, PATRYCJA
DZOKO STOJANOV
3632 SAPHIRE COVE CIR
NAPLES, FL 34114---0

MILLET, MARY G
3791 SAPHIRE COVE CIR
NAPLES, FL 34114---0

MONIZ, MANUEL & ODETTE
3741 SAPHIRE COVE CIR
NAPLES, FL 34114---0

MORGAN, STEPHEN E
RONALD W MCKENDREE
3765 SAPHIRE COVE CIR
NAPLES, FL 34114---0

NABER, JEFFREY
DONALD W SCOTT
3701 SAPHIRE COVE CIR
NAPLES, FL 34114---0

NAPLES COLLIER BLVD OWNER LLC
2500 BEE CAVES RD
BLDG 1 STE 380
AUSTIN, TX 78746---0

NOBLE FAMILY TRUST
38 LINCOLN ST
GLENVIEW, IL 60025---0

PEREZ, ARMANDO & MARIA C
3745 SAPHIRE COVE CIR
NAPLES, FL 34114---0

PHAM, HUNG D
3761 SAPHIRE COVE CIR
NAPLES, FL 34114---0

PRATT, FREDY & BARBARA J
3774 SAPHIRE COVE CIR
NAPLES, FL 34114---2926

RAZUMOV, DANIEL & IRINA
3643 SAPHIRE COVE CIR
NAPLES, FL 34114---0

RESTREPO SR, MAURICIO & KAREN
MAURICIO RESTREPO JR
FELIPE RESTREPO
3730 SAPHIRE COVE CIR
NAPLES, FL 34114---0

ROSONE, EVA & BENEDETTO
3671 SAPHIRE COVE CIR
NAPLES, FL 34114---0

ROWE, JERALDE
15460 SW 162ND ST
MIAMI, FL 33187---0

SHEEDY, MARK & SUSAN
3668 SAPHIRE COVE CIR
NAPLES, FL 34114---0

SICILIANO, ROBERT E
3737 SAPHIRE COVE CIRCLE
NAPLES, FL 34114---0

SILVERMINE HOLDINGS LLC
7742 ALICO RD
FORT MYERS, FL 33912---0

SILVERMINE HOLDINGS LLC
7742 ALICO RD
FORT MYERS, FL 33912---0

SLACK, MICHAEL KITZEL
LAUREN KRANAK SLACK
3790 SAPHIRE COVE CIR
NAPLES, FL 34114---0

STONE, HAROLD
MICHELE CARECCIO
3742 SAPHIRE COVE CIR
NAPLES, FL 34114---0

LORD'S WAY 30 ACRE PUD INSUBSTANTIAL CHANGE (PDI)

NEIGHBORHOOD INFORMATION MEETING
JUNE 27, 2023

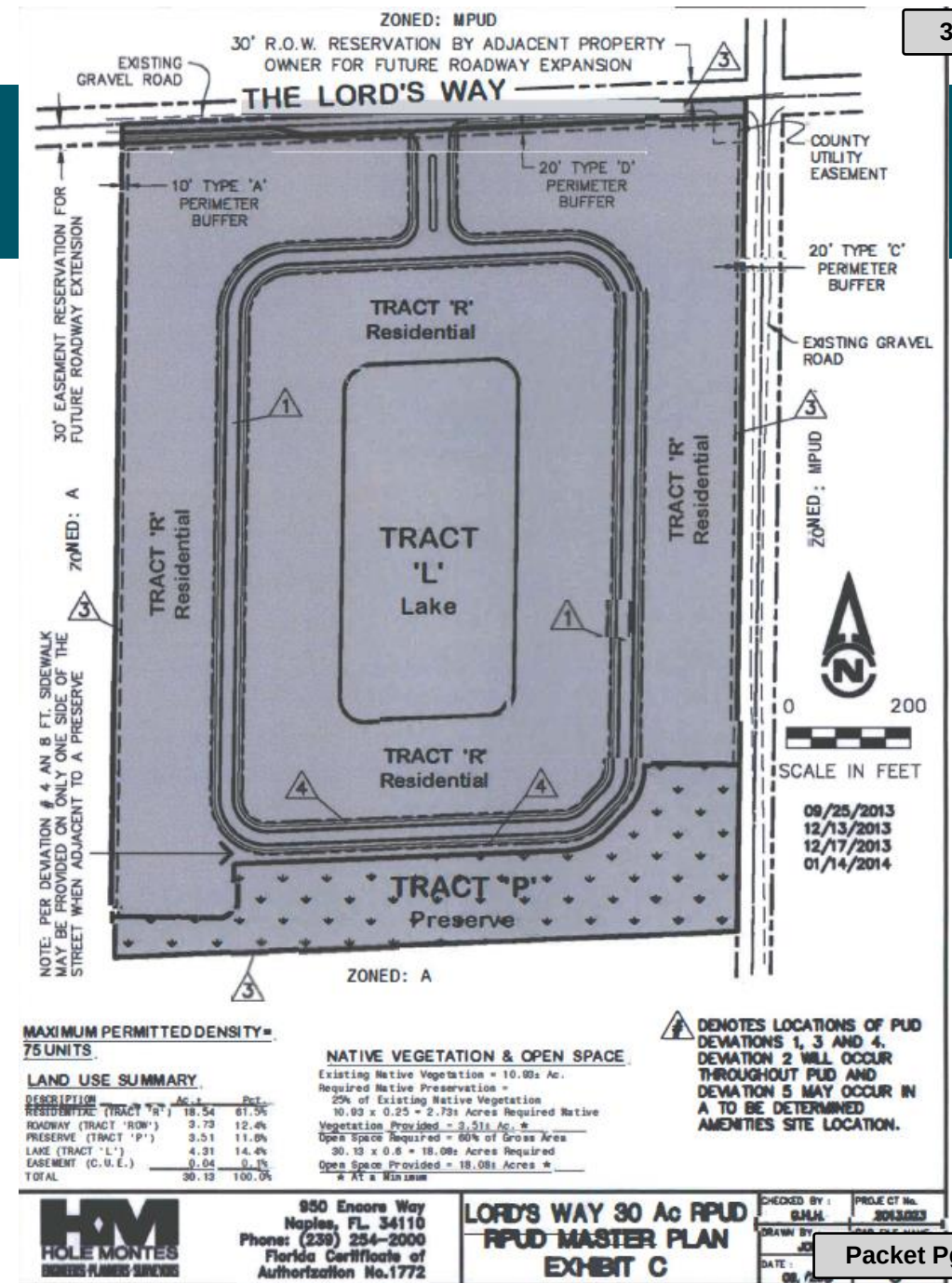
PROPERTY OVERVIEW

- ❑ 30.0+/-acres
- ❑ Access from Hacienda Lakes Parkway
- ❑ Single Family Subdivision (Sapphire Cove)
- ❑ Zoning: Residential Planned Unit Development (RPUD)
- ❑ FLU: Urban Residential Fringe (URF) Subdistrict



LORDS WAY 30 ACRE RPUD

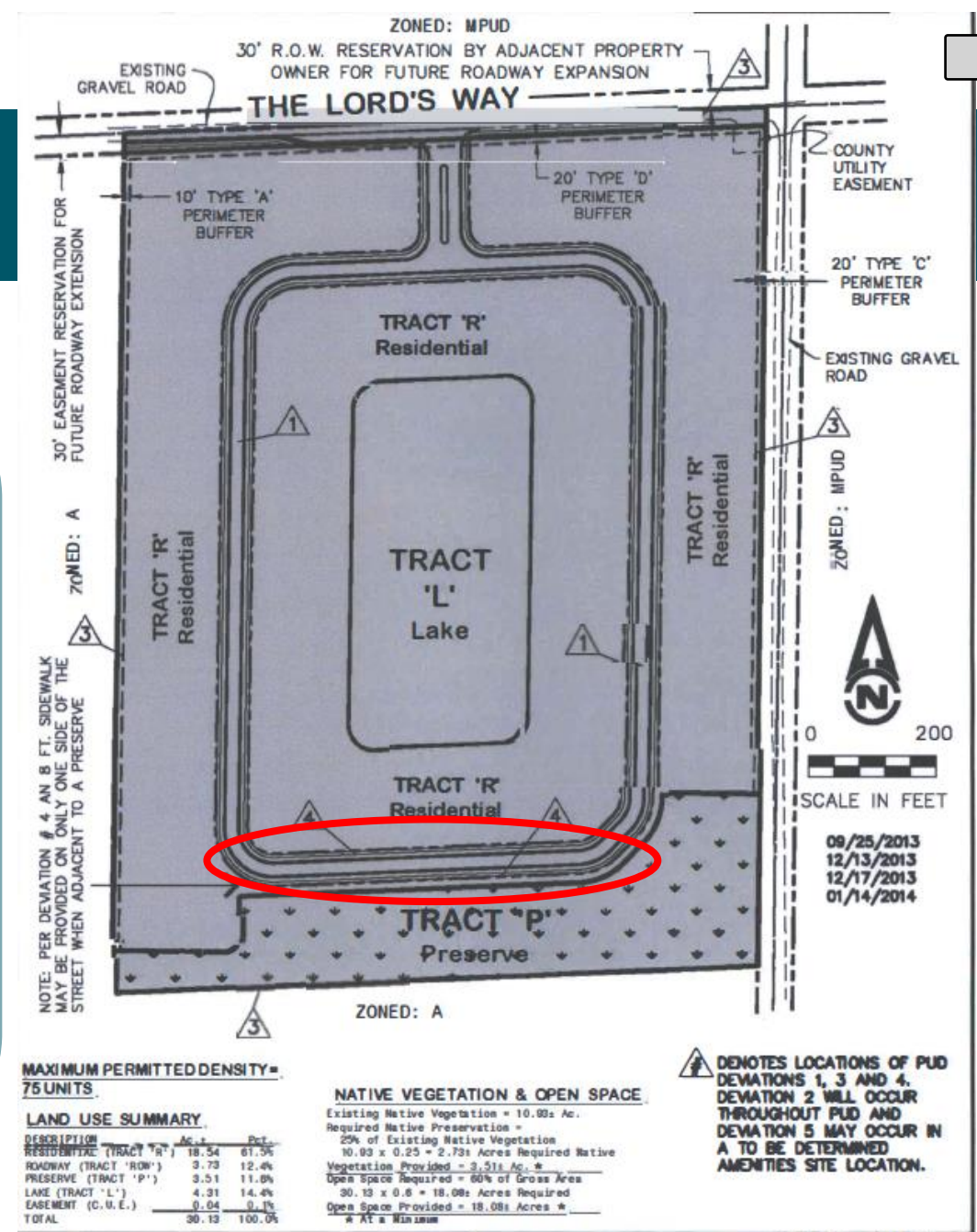
- ❑ Approved in 2014, via Ordinance 14-11
- ❑ Allowed for up to 75 dwelling units and recreational building or clubhouse.
- ❑ 2.73-acre on-site preserve



REQUEST SUMMARY

Insubstantial Change to a Residential Planned Unit Development to allow for the following modifications:

- Revised Deviation No. 4 to allow a single 5-foot-wide sidewalk instead of an 8-foot-wide sidewalk.
- Limited to the southern portion of Sapphire Cove Circle adjacent to the preserve area.



EXISTING CONDITIONS – 5-FOOT-WIDE SIDEWALK



Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

NEXT STEPS:

- ✓ Filed Insubstantial change to a PUD (PDI) application
- ✓ Found Sufficient by County Planning Staff
- ✓ Conduct Required Neighborhood Information Meeting
- Hearing Examiner Hearing – August 24

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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): _____
Name of Applicant if different than owner: _____
Address: _____ City: _____ State: _____ ZIP: _____
Telephone: _____ Cell: _____ Fax: _____
E-Mail Address: _____

Name of Agent: _____
Firm: _____
Address: _____ City: _____ State: _____ ZIP: _____
Telephone: _____ Cell: _____ Fax: _____
E-Mail Address: _____

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.

Revised 3/27/2018

Page 1 of 4

THANK YOU

QUESTIONS?

JOSEPHINE MEDINA
JMEDINA@RVIPLANNING.COM
239-908-3421



ORDINANCE 14-11

ORDINANCE NO. 14-11

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NO. 2004-41, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE, WHICH ESTABLISHED THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA BY AMENDING THE APPROPRIATE ZONING ATLAS MAP OR MAPS BY CHANGING THE ZONING CLASSIFICATION OF THE HEREIN DESCRIBED REAL PROPERTY FROM A RURAL AGRICULTURAL (A) ZONING DISTRICT TO A RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) ZONING DISTRICT TO ALLOW UP TO 75 RESIDENTIAL DWELLING UNITS AND A CLUBHOUSE FOR A PROJECT TO BE KNOWN AS THE LORD'S WAY 30 ACRE RPUD. THE SUBJECT PROPERTY IS LOCATED ON THE LORD'S WAY ON THE EAST SIDE OF COLLIER BOULEVARD (CR 951) IN SECTION 14, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA CONSISTING OF 30± ACRES; AND BY PROVIDING AN EFFECTIVE DATE. (PUDZ-PL20130000827)

WHEREAS, Robert J. Mulhere of Hole Montes, Inc. representing Lord's Way 30, LLC, petitioned the Board of County Commissioners to change the zoning classification of the herein described property.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

SECTION ONE: Zoning Classification.

The zoning classification of the herein described real property located in Section 14, Township 50 South, Range 26 East, Collier County, Florida is changed from a Rural Agricultural (A) zoning district to a Residential Planned Unit Development (RPUD) for a 30.0± acre parcel to be known as the Lord's Way 30 Acre Planned Unit Development in accordance with Exhibits A through F, attached hereto and incorporated by reference herein. The appropriate zoning atlas map or maps, as described in Ordinance No. 2004-41, as amended, the Collier County Land Development Code, is/are hereby amended accordingly.

SECTION TWO: Effective Date.

This Ordinance shall become effective upon filing with the Department of State.

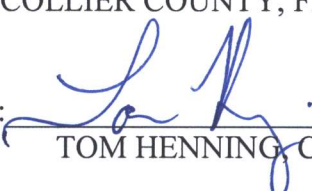
PASSED AND DULY ADOPTED by super-majority vote of the Board of County Commissioners of Collier County, Florida, this 11th day of March, 2014.

ATTEST
DWIGHT E. BROCK, CLERK

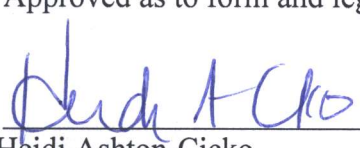
By: 
Deputy Clerk

Attest as to Chairman's
signature only.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: 
TOM HENNING, Chairman

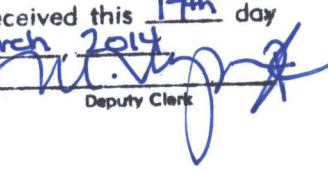
Approved as to form and legality:


Heidi Ashton-Cicko
Managing Assistant County Attorney

HIFAC
11/21/14

Attachment: Exhibit A – List of Permitted Uses
Exhibit B – Development Standards
Exhibit C – Master Plan
Exhibit C-1 – ROW Section
Exhibit C-2 – Typical Lot Layout
Exhibit D - Legal Description
Exhibit E – List of Deviations
Exhibit F – List of Developer Commitments

CP\13-CPS-01243\29

This ordinance filed with the
Secretary of State's Office the
17th day of March, 2014
and acknowledgement of that
filing received this 17th day
of March, 2014
By: 
Deputy Clerk



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 17, 2014

Honorable Dwight E. Brock
Clerk of the Circuit Court
Collier County
Post Office Box 413044
Naples, Florida 34101-3044

Attention: Martha Vergara, Deputy Clerk

Dear Mr. Brock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 14-11, which was filed in this office on March 17, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/elr
Enclosure

ORIGINAL PUD REZONE STAFF REPORT



STAFF REPORT

TO: COLLIER COUNTY PLANNING COMMISSION

**FROM: PLANNING & ZONING DEPARTMENT
GROWTH MANAGEMENT DIVISION, PLANNING AND REGULATION**

HEARING DATE: JANUARY 16, 2014

**SUBJECT: PETITION PUDZ-PL20130000827, THE LORD'S WAY 30 ACRE RPUD
(RESIDENTIAL PLANNED UNIT DEVELOPMENT)**

APPLICANT:

Lord's Way 30, LLC
Mr. David Torres, Manager
3921 Prospect Avenue
Naples, Florida 34104

AGENT:

Mr. Robert J. Mulhere, FAICP
Hole Montes, Inc.
950 Encore Way
Naples, Florida 34110

OWNER:

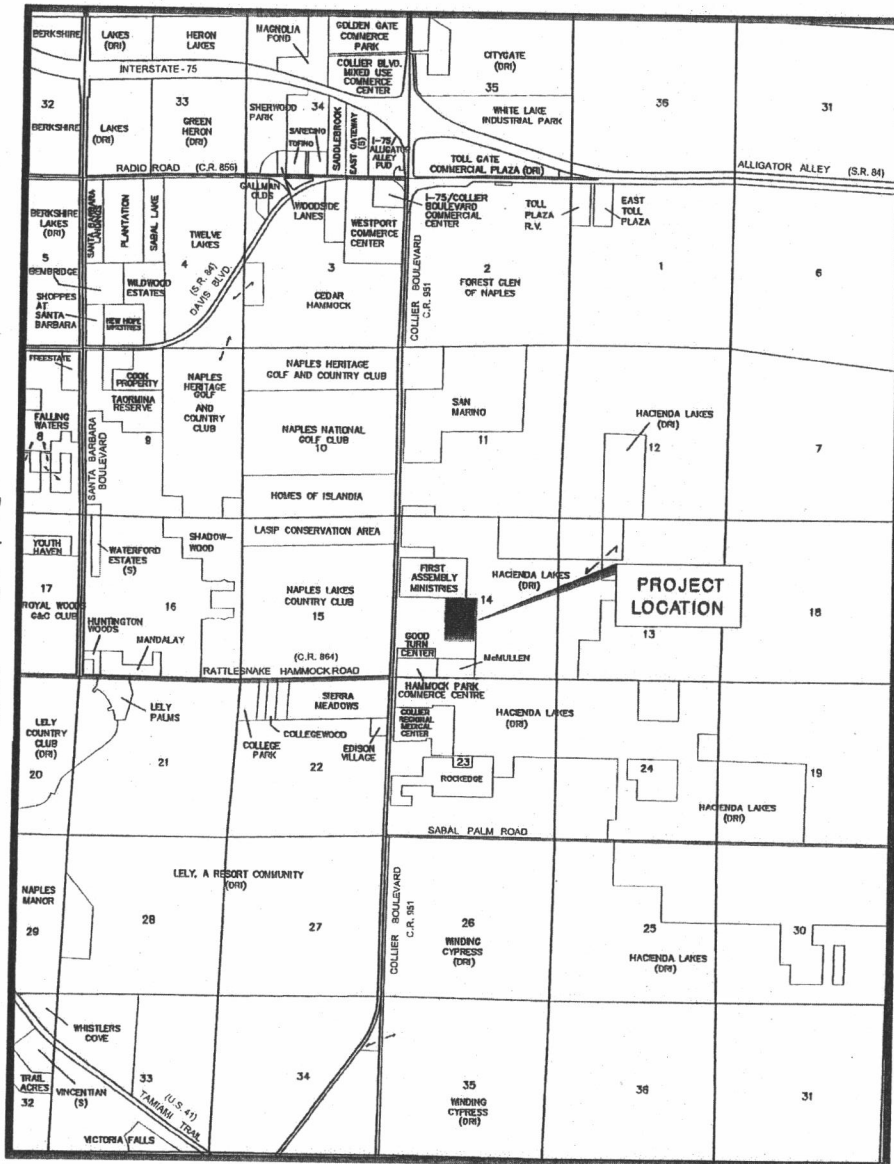
Marco Island Group LLC
206 Dudley Road
Wilton, CT 06897

REQUESTED ACTION:

The petitioner requests that the Collier County Planning Commission (CCPC) consider amending the appropriate zoning atlas map or maps by changing the zoning classification of the herein described real property from a Rural Agricultural (A) zoning district to a Residential Planned Unit Development (RPUD) zoning district to allow up to 75 residential dwelling units and a clubhouse for a project to be known as The Lord's Way 30 Acre RPUD.

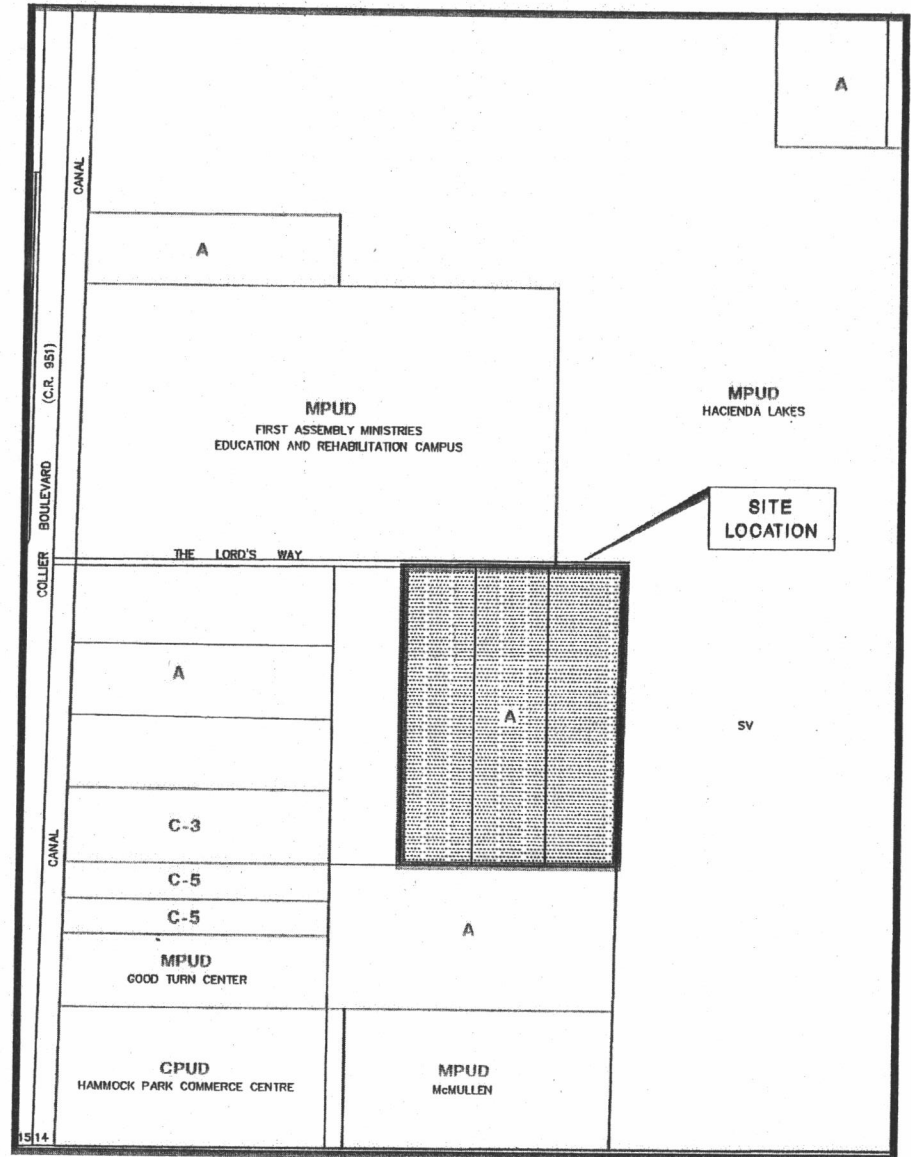
GEOGRAPHIC LOCATION:

The 30± acre subject property is located on the east side of Collier Boulevard (CR 951) and on the south side of The Lord's Way in Section 14, Township 50 South, Range 26 East, Collier County, Florida. (See Location Map on following page.)

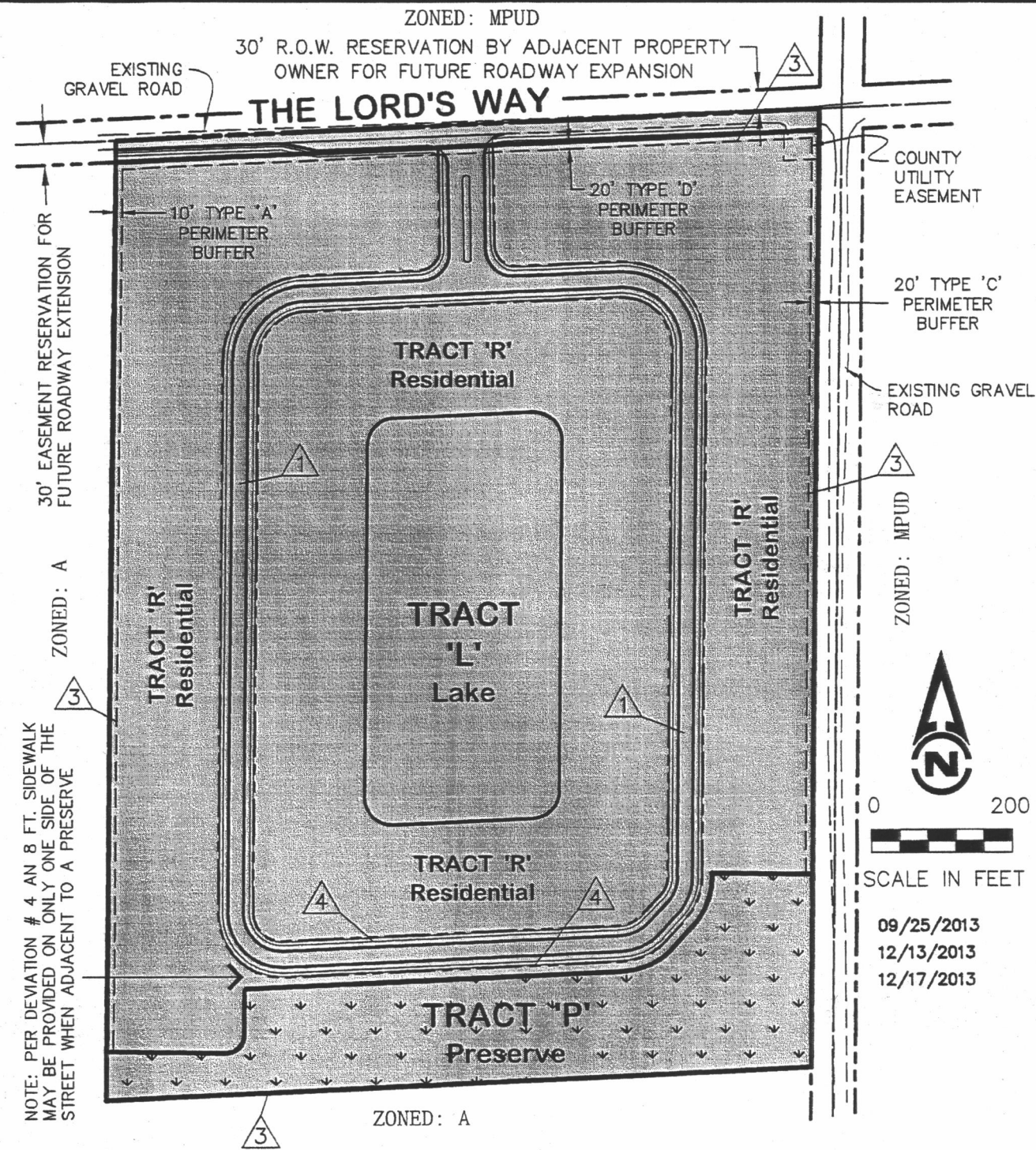


LOCATION MAP

PETITION # PUDZ - PL - 2013 - 827



ZONING MAP



MAXIMUM PERMITTED DENSITY=
75 UNITS

LAND USE SUMMARY

DESCRIPTION	Ac.±	Pct.
RESIDENTIAL (TRACT 'R')	18.54	61.5%
ROADWAY (TRACT 'ROW')	3.73	12.4%
PRESERVE (TRACT 'P')	3.51	11.6%
LAKE (TRACT 'L')	4.31	14.4%
EASEMENT (C.U.E.)	0.04	0.1%
TOTAL	30.13	100.0%

NATIVE VEGETATION & OPEN SPACE

Existing Native Vegetation = 10.93± Ac.
 Required Native Preservation =
 25% of Existing Native Vegetation
 $10.93 \times 0.25 = 2.73\pm$ Acres Required Native
 Vegetation Provided = 3.51± Ac. *
 Open Space Required = 60% of Gross Area
 $30.13 \times 0.6 = 18.08\pm$ Acres Required
 Open Space Provided = 18.08± Acres *
 * At a Minimum

DENOTES LOCATIONS OF PUD DEVIATIONS 1, 3 AND 5. DEVIATION 2 WILL OCCUR THROUGHOUT PUD AND DEVIATION 4 MAY OCCUR IN A TO BE DETERMINED AMMENITIES SITE LOCATION.



950 Encore Way
 Naples, FL 34110
 Phone: (239) 254-2000
 Florida Certificate of
 Authorization No.1772

**LORD'S WAY 30 Ac RPUD
 RPUD MASTER PLAN
 EXHIBIT C**

CHECKED BY : G.H.H.	PROJECT No. 2013.023
DRAWN BY : JON	CAD FILE NAME: 3023_RPUD
DATE : 09/2013	EXHIBIT - ITEM C

PURPOSE/DESCRIPTION OF PROJECT:

This petition seeks to rezone 30± acres of vacant, undeveloped land zoned Rural Agricultural (A) to Residential Planned Unit Development (RPUD) to allow a maximum of 75 residential dwelling units along with associated recreation and open space uses.

The PUD proposes the development of no more than 75 single-family and multi-family residential units with a density of 2.5 dwelling units per acre. All of the buildings except for the townhome or multi-family buildings are a maximum of two stories and will have a zoned height of 35 feet and an actual height of 42 feet. The townhome or multi-family buildings are a maximum of four stories and will have a zoned height of 50 feet and an actual height of 57 feet. Ingress/egress will be from The Lord's Way which leads to Collier Boulevard (CR 951).

The Master Plan provided on the previous pages of this Staff Report depicts the areas of residential development, a lake, and traffic/pedestrian circulation. The Master Plan also shows that 18.54 acres will be residential area, 4.31 acres will be a lake, and 3.51 acres will be preserve area. In addition, the open space requirement of 60 percent will be provided.

Landscape buffering requirements are met by a 20-foot wide Type D right-of-way Landscape Buffer (trees 30 feet on center) adjacent to The Lord's Way. A 20-foot wide Type C Landscape Buffer (a double row of trees at 25 feet on center with a 6-foot high hedge or wall) will be provided along the east property line. A 10-foot wide Type A Landscape Buffer will be provided along the west property line adjacent to vacant undeveloped Rural Agriculture (A) zoned land. No landscape buffer is required adjacent to the preserve area along the south property line. A deviation is being sought for a Type B Landscape Buffer that is required along the lake between recreational area and residential area. (For more information, please refer to the Deviations section of this Staff Report.)

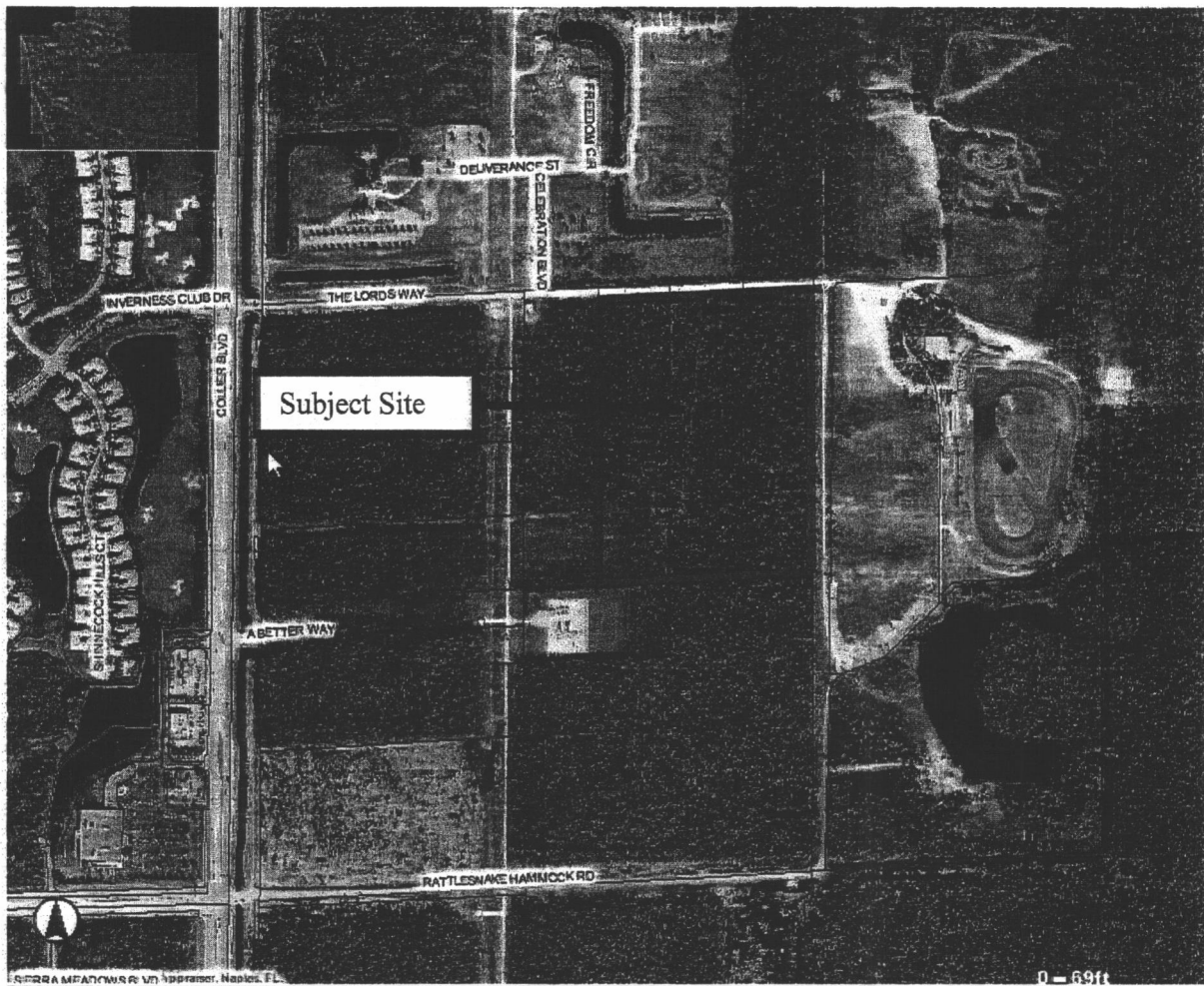
SURROUNDING LAND USE AND ZONING:

North: The Lord's Way (a roadway), then a partially developed residential rehabilitation area with a zoning designation of First Assembly Ministries Education and Rehabilitation Campus MPUD (Mixed-use Planned Development)

East: Swamp Buggy Grounds with a zoning designation of Hacienda Lakes MPUD

South: Undeveloped land and an FPL substation with a zoning designation of Rural Agriculture (A)

West: Undeveloped land with a zoning designation of Rural Agriculture (A)



AERIAL PHOTO

GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

Future Land Use Element (FLUE): The subject property is designated Urban, Urban – Mixed Use District, Urban Residential Fringe Subdistrict, as depicted on the Future Land Use Map (FLUM) and in the Future Land Use Element (FLUE) of the Collier County Growth Management Plan (GMP). Relative to this petition, the Urban Residential Fringe Subdistrict allows a residential density of 1.5 dwelling units per acre (DU/A) and of 2.5 DU/A via use of Transfer of Development Rights (TDR) credits – as well as associated recreational uses and essential services. TDR credits must be obtained from Rural Fringe Mixed Use District Sending Lands located within one mile of the Urban Residential Fringe Subdistrict. This PUD proposes the maximum eligible density of 75 dwelling units (30 acres X 2.5 DU/A = 75 DUs).

The Urban Residential Fringe Subdistrict also requires that development be fully responsible for all necessary water management improvements, including the routing of all on-site and appropriate off-

site water through the project's water management system, and a fair share cost of necessary improvements to the CR 951 canal/out-fall system made necessary by new development.

Future Land Use Element (FLUE) Policy 5.4 requires new developments to be compatible with the surrounding land area. Please refer to the Zoning and Land Development Review section of this Staff Report for further information.

In order to promote smart growth policies, and adhere to the existing development character of Collier County, the following FLUE policies shall be implemented for new development and redevelopment projects, where applicable. Each policy is followed by staff analysis in **[bold text]**.

Objective 7:

In an effort to support the Dover, Kohl & Partners publication, *Toward Better Places: The Community Character Plan for Collier County, Florida*, promote smart growth policies, and adhere to the existing development character of Collier County, the following policies shall be implemented for new development and redevelopment projects, where applicable.

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. **[Exhibit C, RPUD Master Plan, depicts a single, direct access to The Lord's Way, leading to Collier Boulevard, classified as arterial road in the Transportation Element.]**

Policy 7.2:

The County shall encourage internal accesses or loop roads in an effort to help reduce vehicle congestion on nearby collector and arterial roads and minimize the need for traffic signals. **[Exhibit C, RPUD Master Plan, depicts a private roadway loop that runs around the project.]**

Policy 7.3:

All new and existing developments shall be encouraged to connect their local streets and their interconnection points with adjoining neighborhoods or other developments regardless of land use type. **[Exhibit C, RPUD Master Plan, does not depict interconnections with any abutting properties. To the north is The Lord's Way. Staff recognizes how the Florida Sports Park to the east makes vehicular connection infeasible. A wetland preserve is along the southern boundary - required by the South Florida Water Management District - precluding an interconnection there. The abutting 10-acre A-zoned property to the west does offer an opportunity where an interconnection appears possible. However, the feasibility of a vehicular interconnection is questionable: that 10-acre site is limited to a maximum of 25 DUs (2.5 DU/A, same as the subject site); the relatively small size of, and low density allowed on, the subject site and that adjacent site limits the functional benefit of an interconnection and limits design flexibility for either project without potential loss of one or more single family dwelling unit sites (should the projects develop as single family).]**

Policy 7.4:

The County shall encourage new developments to provide walkable communities with a blend of densities, common open spaces, civic facilities and a range of housing prices and types. [The PUD allows for a variety of dwelling unit types and indicates the required 60% open space will be provided. As to "walkable communities," the applicant proposes a walkable design. Sidewalks (5 feet wide) will be provided on both sides of the street except where abutting the preserve, in which case a sidewalk (8 feet wide) will be provided on one side only. Exhibit C, RPUD Master Plan, does not depict non-vehicular interconnections with any abutting properties – even though the opportunities to do so are there – to the east and west. The lack of pedestrian and bicycle interconnection with abutting properties introduces and fosters a development style not encouraged by the County, and establishes closed boundaries where future development will be unable to interconnect.]

REVIEW OF PUD DOCUMENT:

- Exhibit F, List of Developer Commitments: Add a commitment to provide non-vehicular interconnection to the property to the east and the property to the west.

Based upon the above analysis, the proposed PUD may be deemed consistent with the Future Land Use Element – subject to the above additions to the PUD Exhibit F.

Transportation Element:

Transportation Planning staff has reviewed the petitioner's Traffic Impact Statement (TIS) and has determined that the adjacent roadway network has sufficient capacity to accommodate this project within the 5 year planning period. Staff recommends that the subject application be found consistent with Policy 5.1 of the Transportation Element of the Growth Management Plan (GMP).

Collier Boulevard (CR 951) Impacts:

Link 34.0, Collier Boulevard between Davis Boulevard and Rattlesnake Hammock, is the first concurrency link impacted by this rezoning. The project generates a total of 81 p.m. peak hour, two-way trips. Of those trips, 24 result in a peak direction, peak hour directional impact which results in a 0.9 percent impact.

Conservation and Coastal Management Element (CCME): Environmental review staff found this project to be consistent with the Conservation and Coastal Management Element (CCME). The project site consists of 10.93 acres of native vegetation; a minimum of 2.73 (25%) acres of the existing native vegetation shall be placed under preservation and dedicated to Collier County.

Based on the above analysis and the Staff Recommendation at the end of this Staff Report, Comprehensive Planning staff can find the proposed rezone consistent with the Future Land Use Element (FLUE) of the Growth Management Plan (GMP).

ANALYSIS:

Staff completed a comprehensive evaluation of this land use petition including the criteria upon which a recommendation must be based, specifically noted in LDC Subsection 10.02.13 B.5.,

Planning Commission Recommendation (commonly referred to as the "PUD Findings"), and Subsection 10.02.08 F., *Nature of Requirements of Planning Commission Report* (referred to as "Rezone Findings"), which establish the legal bases to support the CCPC's recommendation. The CCPC uses these same criteria as the basis for their recommendation to the BCC, who in turn use the criteria to support their action on the rezoning request. An evaluation relative to these subsections is discussed below, under the heading "Zoning and Land Development Review Analysis." In addition, staff offers the following analyses:

Environmental Review: Environmental Services staff has reviewed the petition and the PUD document to address environmental concerns. The PUD Master Plan provides a 3.51 acre Preserve, which exceeds the minimum requirement of 2.73 acres. The application information indicated that the location of the preserve area along the south project boundary was based on the recommendation of the U.S. Army Corps of Engineers (COE) and Environmental Protection Agency (EPA). During the federal review process, the EPA recommended a reduction of wetland impacts by expansion of the onsite preserve along the southern boundary to provide for further connection to adjacent undeveloped forested wetlands to the south.

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.

Transportation Review: Transportation Staff has reviewed this petition and recommends approval subject to the Development Commitment in Exhibit F that the cost of signalization of Collier Boulevard at The Lord's Way is shared with other developments located in the area.

Utility Review: The Utilities Department Staff has reviewed this petition and recommends approval subject to the Development Commitment contained in Exhibit "F" of the proposed RPUD document.

Emergency Management Review: The Emergency Management staff has reviewed the petition and has no concerns.

Zoning and Land Development Review: The subject site is surrounded developed, undeveloped and partially developed land. As previously stated, to the east is a parking area and race track that are part of the Swamp Buggy Grounds. To the southwest is an FPL substation and undeveloped land. To the west is undeveloped land. To the north is partially developed lands consisting of a lake and roadways. The most significant impact to this proposed residential development is the Swamp Buggy Grounds. To address the Swamp Buggy event noise, the petitioner has committed to:

- A. Provide a noise disclosure to any potential resident.
- B. Record a notice of proximity to the Florida Sports Park and Swamp Buggy Grounds in the Public Records of Collier County.
- C. Construct residential buildings to an ambient sound level reduction of SLR 35 decibels.

For further information regarding the Developer Commitments, see Exhibit F, List of Developer Commitments in the PUD document.

In addition, the petitioner is seeking a Deviation to provide additional buffering. Deviation number 3 seeks to permit a wall greater than the allowed 6-foot height to permit a taller wall at 8-foot height. For further discussion of the Deviation, see the Deviation section of this Staff Report.

REZONE FINDINGS:

LDC Subsection 10.02.08 F. states, "When pertaining to the rezoning of land, the report and recommendations to the planning commission to the Board of County Commissioners...shall show that the planning commission has studied and considered proposed change in relation to the following when applicable." Additionally, Section 10.02.13 of the Collier County LDC requires the Planning Commission to make findings as to the PUD Master Plans' compliance with the additional criteria as also noted below: Rezone findings are designated as RZ and PUD findings are designated as PUD. (Staff's responses to these criteria are provided in non-bold font):

1. Whether the proposed change will be consistent with the goals, objectives, and policies and future land use map and the elements of the GMP.

Subject to the Staff Recommendation, the Comprehensive Planning Section has indicated that the proposed PUD rezone is consistent with all applicable provisions of the Future Land Use Element (FLUE) of the Growth Management Plan (GMP).

2. The existing land use pattern.

As described in the "Surrounding Land Use and Zoning" portion of this report and discussed in the zoning review analysis, the neighborhood's existing land use pattern can be characterized as undeveloped agricultural lands, sports park lands, and residential rehabilitation lands.

3. The possible creation of an isolated district unrelated to adjacent and nearby districts.

The subject parcel is of sufficient size that it will not result in an isolated district unrelated to adjacent and nearby districts. It is also comparable with expected land uses by virtue of its consistency with the FLUE of the GMP.

As described in the Staff Report, the subject site is surrounded by the Swamp Buggy to the east; undeveloped land and an FPL substation with an Agricultural zoning designation to the south. To the west of the subject site is undeveloped land with an Agricultural zoning designation; to the north is a partially developed residential rehabilitation area with a zoning designation of First Assembly Ministries Education and Rehabilitation Campus MPUD (Mixed-use Planned Development).

4. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

The district boundaries are logically drawn as discussed in Items 2 and 3 above.

5. Whether changed or changing conditions make the passage of the proposed amendment necessary.

The growth and development trends, changing market conditions, specifically the development of the site with residences, and the development of the surrounding area, support the proposed PUD. This site is located within an area of development with a mixture of uses.

6. Whether the proposed change will adversely influence living conditions in the neighborhood.

The proposed change should not adversely influence living conditions in the existing neighborhood. However, the adjacent Swamp Buggy Grounds will have an impact on the proposed residential development. As previously noted in the Staff Report, the petitioner has made Developer Commitments and requested Deviations that will mitigate for the noise emanating from the Swamp Buggy Grounds.

7. Whether the proposed change will create or excessively increase traffic congestion or create types of traffic deemed incompatible with surrounding land uses, because of peak volumes or projected types of vehicular traffic, including activity during construction phases of the development, or otherwise affect public safety.

Evaluation of this project took into account the requirement for consistency with the applicable policies of the Traffic Element of the GMP. The proposed development was found consistent with those policies. Additional transportation commitments are contained in Exhibit "F" of the PUD document.

8. Whether the proposed change will create a drainage problem.

The proposed development will not create a drainage problem. Furthermore, the project is subject to the requirements of Collier County and the South Florida Water Management District.

9. Whether the proposed change will seriously reduce light and air to adjacent areas.

The proposed change will not seriously reduce light and air to adjacent areas.

10. Whether the proposed change would adversely affect property values in the adjacent area.

Staff is of the opinion this PUD rezone will not adversely impact property values. However, zoning by itself may or may not affect values, since value determination by law is driven by market value.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Property to the north is partially developed and property to the east of the subject site is already developed. The basic premise underlying all of the development standards in the Land Development Code is that their sound application, when combined with the site development plan approval process and/or subdivision process, gives reasonable assurance that a change in zoning will not result in deterrence to improvement or development of adjacent property. Therefore, the proposed zoning change should not be a deterrent to the improvement of adjacent properties.

12. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

The proposed change will not constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

13. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

The subject property can be developed within existing zoning.

14. Whether the change suggested is out of scale with the needs of the neighborhood or the county.

The change suggested is not out of scale with the needs of the neighborhood or the county.

15. Whether it is impossible to find other adequate sites in the county for the proposed use in districts already permitting such use.

There may be other sites in the County that could accommodate the uses proposed; however, this is not the determining factor when evaluating the appropriateness of a zoning decision. The petition was reviewed on its own merit for compliance with the GMP and the LDC; and staff does not review other sites in conjunction with a specific petition.

16. The physical characteristics of the property and the degree of site alteration which would be required to make the property usable for any of the range of potential uses under the proposed zoning classification.

Any development anticipated by the PUD document would require site alteration and these residential sites will undergo evaluation relative to all federal, state, and local development regulations during the building permit process.

17. The impact of development on the availability of adequate public facilities and services consistent with the levels of service adopted in the Collier County GMP and as defined and implemented through the Collier County adequate public facilities ordinance.

The development will have to meet all applicable criteria set forth in the LDC regarding Adequate Public Facilities. The project must also be consistent with all applicable goals and objectives of the GMP regarding adequate public facilities. This petition has been reviewed by county staff that is responsible for jurisdictional elements of the GMP as part of the rezoning process, and that staff has concluded that no Level of Service will be adversely impacted.

18. Such other factors, standards, or criteria that the Board of County Commissioners shall deem important in the protection of the public health, safety and welfare.

To be determined by the BCC during its advertised public hearing.

PUD FINDINGS:

LDC Subsection 10.02.13.B.5 states that, "In support of its recommendation, the Planning Commission shall make findings as to the PUD Master Plan's compliance with the following criteria:"

1. The suitability of the area for the type and pattern of development proposed in relation to physical characteristics of the land, surrounding areas, traffic and access, drainage, sewer, water, and other utilities.

The petitioner will be required to comply with all county regulations regarding drainage, sewer, water and other utilities. In addition, the commitments included in the PUD exhibit adequately address the impacts from the proposed development.

2. Adequacy of evidence of unified control and suitability of any proposed agreements, contract, or other instruments, or for amendments in those proposed, particularly as they may relate to arrangements or provisions to be made for the continuing operation and maintenance of such areas and facilities that are not to be provided or maintained at public expense.

Documents submitted with the application, which were reviewed by the County Attorney's Office, demonstrate unified control of the property. Additionally, the development will be required to gain platting and/or site development plan approval. Both processes will ensure that appropriate stipulations for the provision of, continuing operation of, and maintenance of infrastructure will be provided by the developer.

3. Conformity of the proposed Planned Unit Development with the goals, objectives and policies of the GMP.

County staff has reviewed this petition and has offered an analysis of the relevant goals, objectives and policies of the GMP within the GMP discussion of this staff report. Based on that analysis and the Staff Recommendation, staff is of the opinion that this petition can be found consistent with the overall GMP.

4. The internal and external compatibility of proposed uses, which conditions may include restrictions on location of improvements, restrictions on design, and buffering and screening requirements.

As previously stated in this Staff Report, the biggest impact on compatibility with the proposed development is the Swamp Buggy Grounds. The petitioner has adequately address the compatibility issues through Developer Commitments and requested Deviations that will mitigate for the noise emanating from the Swamp Buggy Grounds.

5. The adequacy of usable open space areas in existence and as proposed to serve the development.

The amount of open space set aside by this project is consistent with the provisions of the Land Development Code.

6. The timing or sequence of development for the purpose of assuring the adequacy of available improvements and facilities, both public and private.

Currently, the roadway infrastructure has adequate capacity to serve the proposed project at this time, i.e., GMP consistent at the time of rezoning as evaluated as part of the GMP Transportation Element consistency review. In addition, the project's development must comply with all other applicable concurrency management regulations when development approvals are sought.

7. The ability of the subject property and of surrounding areas to accommodate expansion.

If "ability" implies supporting infrastructure such as wastewater disposal system, potable water supplies, characteristics of the property relative to hazards, and capacity of roads, then the subject property has the ability to support expansion based upon the commitments made by the petitioner and the fact that adequate public facilities requirements will be addressed when development approvals are sought.

8. Conformity with PUD regulations, or as to desirable modifications of such regulations in the particular case, based on determination that such modifications are justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.

The petitioner is seeking 5 deviations to allow design flexibility in compliance with the purpose and intent of the Planned Unit Development Districts (LDC Section 2.03.06 A). This criterion requires an evaluation of the extent to which development standards and deviations proposed for this PUD depart from development standards that would be required for the most similar conventional zoning district. Staff believes that the 8 deviations proposed can be supported, finding that, in compliance with LDC Section 10.02.13 A.3., the petitioner has demonstrated that "the elements may be waived without a detrimental effect on the health, safety and welfare of the community" and LDC Section 10.02.13 B.5.h., the petitioner has demonstrated that the deviations are "justified as meeting public purposes to a degree at least equivalent to literal application of such regulations."

Please refer to the Deviation Discussion below for a more extensive examination of the deviations.

Deviation Discussion: The petitioner is seeking 5 deviations from general LDC requirements and has provided justification in support of the deviations. Staff has analyzed the deviation requests and provides the analysis and recommendations below:

Deviation # 1 seeks relief from LDC Section 6.06.01. N. "Street System Requirements," which requires a minimum 60-foot right-of-way width for a local street to allow a minimum 42 foot right-of-way width.

Petitioner's Rationale: The applicant states that the justification for this deviation is that this right-of-way width can be found sufficient to accommodate travel lanes, drainage facilities, and utilities. This deviation is routinely granted, particularly for small scale residential projects such as this, where traffic volumes are low and internal traffic is limited to that directly related to the project.

Staff Analysis and Recommendation: Zoning and Land Development Review staff recommends approval finding that, in compliance with LDC Section 10.02.13 A.3., the petitioner has demonstrated that “the element may be waived without a detrimental effect on the health, safety and welfare of the community” and LDC Section 10.02.13 B.5.h., the petitioner has demonstrated that the deviation is “justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.”

Deviation # 2 Deviation 2 seeks relief from LDC Section 6.01.02.B.2, “Drainage Easements,” which requires that an easement shall be no less than 15 feet in width to allow for an easement that is no less than 10 feet in width for storm drainage pipes less than 24” in diameter and with an invert no more than 6 feet from finished grade. All installations will follow OSHA and ACPA Standards.

Petitioner's Rationale: The applicant states that the justification for this deviation is that piping of smaller diameter and shallow burial depth can be adequately maintained within a 10-foot wide easement provided all installations follow OSHA and ACPA Standards. There is no objection from County Engineering, and this deviation has been previously granted.

Staff Analysis and Recommendation: Zoning and Land Development Review staff recommends approval finding that, in compliance with LDC Section 10.02.13 A.3., the petitioner has demonstrated that “the element may be waived without a detrimental effect on the health, safety and welfare of the community” and LDC Section 10.02.13 B.5.h., the petitioner has demonstrated that the deviation is “justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.”

Deviation # 3 seeks relief from LDC Section 5.03.02.C, Fences and Walls, which limits the fence or wall height to 6 feet, to allow a perimeter wall or fence and berm in combination up to 13 feet in height, (including an 8-foot fence or wall installed on the perimeter berm, which will be between 2 and 5 feet in height).

Petitioner's Rationale: The justification for this deviation is that the berm is necessary to meet SWFWMD permitting requirements and the wall will provide an appropriate perimeter buffer from adjacent nonresidential land uses, including roadways, Swamp Buggy/Sports Park use, and agricultural uses.

Staff Analysis and Recommendation: Zoning and Land Development Review staff recommends approval finding that, in compliance with LDC Section 10.02.13 A.3., the petitioner has demonstrated that “the element may be waived without a detrimental effect on the health, safety and welfare of the community” and LDC Section 10.02.13 B.5.h., the petitioner has demonstrated that the deviation is “justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.”

Deviation # 4 seeks relief from LDC Section 6.06.02A.1., “Sidewalks, Bike Lane and Pathway Requirements,” which requires sidewalks on both sides of the street, to allow a single 8 foot-wide sidewalk on only one side of a street where the street is adjacent to the preserve.

Petitioner's Rationale: The justification for this deviation is that where the internal loop road is adjacent to preserve, dwelling units are located on only one side of the road. This Deviation has been
PUDZ-PL20130000827, THE LORD'S WAY 30 ACRE RPUD
December 31, 2013

granted in several other PUDs where this condition occurs

Staff Analysis and Recommendation: Zoning and Land Development Review staff recommends approval finding that, in compliance with LDC Section 10.02.13 A.3., the petitioner has demonstrated that “the element may be waived without a detrimental effect on the health, safety and welfare of the community” and LDC Section 10.02.13 B.5.h., the petitioner has demonstrated that the deviation is “justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.”

Deviation # 5 seeks relief from LDC Section 4.06.02.C.2, “Buffer Requirements,” which requires a typical Type “B” buffer width of 15 feet, to allow such buffers on the Amenity Center/Clubhouse tract, if constructed, to be a minimum of 10 feet in width with Type “B” buffer vegetation installed.

Petitioner's Rationale: The justification for this deviation is that the deviation will allow for parking in supported of the clubhouse facility, should one be constructed. Since the same Type “B” Buffer vegetation can easily be provide for in the 10 foot width. Moreover, this will be a relatively small clubhouse/amenity center site, in keeping with the relatively low density (75 dwelling units) in the PUD. Finally, the clubhouse site, if provided, will be identified on the subdivision plat for the project, and potential purchases of lots adjacent (2) will be aware of the clubhouse and amenity center use.

Staff Analysis and Recommendation: Zoning and Land Development Review staff recommends approval finding that, in compliance with LDC Section 10.02.13 A.3., the petitioner has demonstrated that “the element may be waived without a detrimental effect on the health, safety and welfare of the community” and LDC Section 10.02.13 B.5.h., the petitioner has demonstrated that the deviation is “justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.”

NEIGHBORHOOD INFORMATION MEETING (NIM):

The agent/applicant duly noticed and held the required NIM on November 18, 2013. For further information, please see Attachment B: “Neighborhood Information Meeting Notes.”

COUNTY ATTORNEY OFFICE REVIEW:

The County Attorney Office has reviewed the staff report for Petition PUDZ-PL20130000827, revised on December 23, 2013.

RECOMMENDATION:

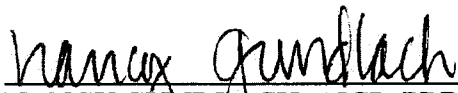
Planning and Zoning Review staff recommends that the Collier County Planning Commission forward Petition PUDZ-PL20130000827 to the Board of County Commissioners with a recommendation of approval subject to the following stipulation:

1. Add a commitment to Exhibit F List of Developer Commitments to provide non-vehicular interconnection to the property to the east and to the property to the west.

Attachments:

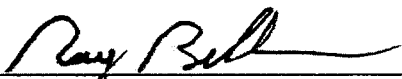
Attachment A: Proposed PUD Ordinance

Attachment B: Neighborhood Information Notes

PREPARED BY:

NANCY GUNDLACH, AICP, PRINCIPAL PLANNER
GROWTH MANAGEMENT DIVISION

Dec. 16, 2013
DATE

REVIEWED BY:

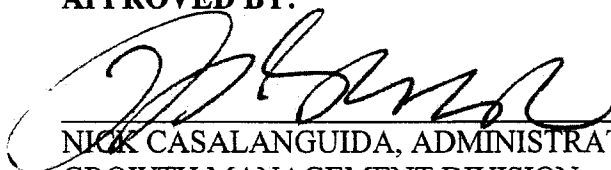
RAYMOND V. BELLOWS, ZONING MANAGER
GROWTH MANAGEMENT DIVISION

12.16.13
DATE



MICHAEL BOSI, AICP, DIRECTOR
GROWTH MANAGEMENT DIVISION

12-18-13
DATE

APPROVED BY:

NICK CASALANGUIDA, ADMINISTRATOR
GROWTH MANAGEMENT DIVISION

1-2-14
DATE

Attachment: ATTACHMENT A - BackupPackage (26220 : Lord's Way 30 Acre RPUD PDI)

**EXHIBIT A
LORD'S WAY 30 ACRE RPUD**

PERMITTED USES

1. RESIDENTIAL/TRACT R

No building or structure, or part thereof, shall be erected, altered or used, in whole or in part, for other than the following:

A. Principal Uses:

1. Single-family detached dwellings.
2. Single-family attached dwellings.
3. Two-family and single-family zero lot line.
4. Townhouse and multi-family.
5. A recreational building or clubhouse, with typical accessory recreational facilities shall be permitted which serves the residents and their guests. The location of such recreational building and facilities shall be denoted on the first subdivision plat or Site Development Plan for the project, as the case may be, prior to sale of any platted lots or condominium units.
6. Any other principal use, which is comparable in nature with the foregoing listed of permitted principal uses, determined by the Board of Zoning Appeals ("BZA") or the Hearing Examiner ("HEX") by the process outlined in the Land Development Code ("LDC").

B. Accessory Uses:

1. Accessory uses and structures customarily associated with principal residential uses permitted in this RPUD, including recreational facilities, such as swimming pools and screen enclosures.
2. Essential services as set forth under Land Development Code, Section 2.01.03.
3. Guardhouses, gatehouses and access control structures.
4. Temporary construction, sales and administrative offices for the developer and developer's authorized contractors and consultants, including necessary access ways, parking areas, and related uses, subject to the procedures for a temporary use permit provided in the Land Development Code.

2. **PRESERVE/TRACT P**

The minimum required native vegetation preservation is 2.73 acres (25% of 10.93 acres of existing native vegetation). The "P" Preserve Tract provides for the preservation of 3.51 acres of native vegetation. This exceeds the minimum required amount of native vegetation preservation by 0.78 acres.

3. **MAXIMUM DWELLING UNITS**

The maximum dwelling units shall be seventy-five (75) provided that 30 of the maximum 75 units are obtained through a transfer of development rights in accordance with the requirements set forth in the LDC and GMP (Growth Management Plan).

EXHIBIT B LORD'S WAY 30 ACRE RPUD

Exhibit B Table 1 below sets forth the development standards for land uses within the RPUD Residential Subdistrict. Standards not specifically set forth herein shall be those specified in applicable sections of the Land Development Code in effect as of the date of approval of the Site Development Plan or Subdivision plat.

DEVELOPMENT STANDARDS TABLE 1

PERIMETER PUD SETBACK: The perimeter PUD setback shall be, at a minimum, equal to the required width of perimeter landscape buffers.					
PLATTED RESIDENTIAL OR AMENITY CENTER LOTS					
DEVELOPMENT STANDARDS	SINGLE-FAMILY	SINGLE-FAMILY ATTACHED	TWO-FAMILY & SINGLE-FAMILY ZERO LOT LINE	TOWNHOME or MULTI-FAMILY	CLUBHOUSE/ RECREATION BUILDINGS
PRINCIPAL STRUCTURES					
MINIMUM LOT AREA	4,800 S.F. PER UNIT	1,800 S.F. PER UNIT	4,000 S.F. PER UNIT	10,000 S.F. PER BLDG.	N/A
MINIMUM LOT WIDTH	40 FEET	30 FEET	40 FEET	N/A	N/A
MINIMUM FLOOR AREA	1,200 S.F.	1,200 S.F. PER UNIT	1,200 S.F. PER UNIT	1,000 S.F. PER UNIT	N/A
MINIMUM FRONT YARD	23 FEET ¹	23 FEET ¹	23 FEET ¹	23 FEET	N/A
MINIMUM SIDE YARD	6 FEET	0 OR 6 FEET ²	0 OR 6 FEET ²	0 or 15 FEET	20 FEET ³
MINIMUM REAR YARD	10 FEET	10 FEET	10 FEET	10 FEET	15 FEET ³
MINIMUM PRESERVE SETBACK	25 FEET	25 FEET	25 FEET	25 FEET	25 FEET
MINIMUM DISTANCE BETWEEN STRUCTURES	12 FEET	20 FEET	12 FEET	20 FEET	12 FEET
MAXIMUM BUILDING HEIGHT - ZONED	35 FEET NTE ² STORIES	35 FEET NTE 2 STORIES	35 FEET NTE 2 STORIES	50 FEET NTE 4 STORIES	35 FEET NTE 2 STORIES
MAXIMUM BUILDING HEIGHT - ACTUAL	42 FEET	42 FEET	42 FEET	57 FEET	42 FEET
ACCESSORY STRUCTURES					
FRONT	SPS	SPS	SPS	23 FEET	SPS
SIDE	SPS	SPS	SPS	SPS	SPS
REAR ⁴	5 FEET	5 FEET	5 FEET	5 FEET	5 FEET
PRESERVE SETBACK	10 FEET	10 FEET	10 FEET	10 FEET	10 FEET
MAXIMUM HEIGHT ZONED & ACTUAL	S.P.S.	S.P.S.	S.P.S.	S.P.S.	S.P.S.

NTE = Not to Exceed; S.P.S. = Same as Principal Structures; BLDG. = Building; S.F. = Square Feet; N/A = Not Applicable

General: Except as provided for herein, all criteria set forth in Exhibit B below shall be understood to be in relation to individual parcel or lot boundary lines or between structures. Condominium and/or homeowners' association boundaries shall not be utilized for determining development standards.

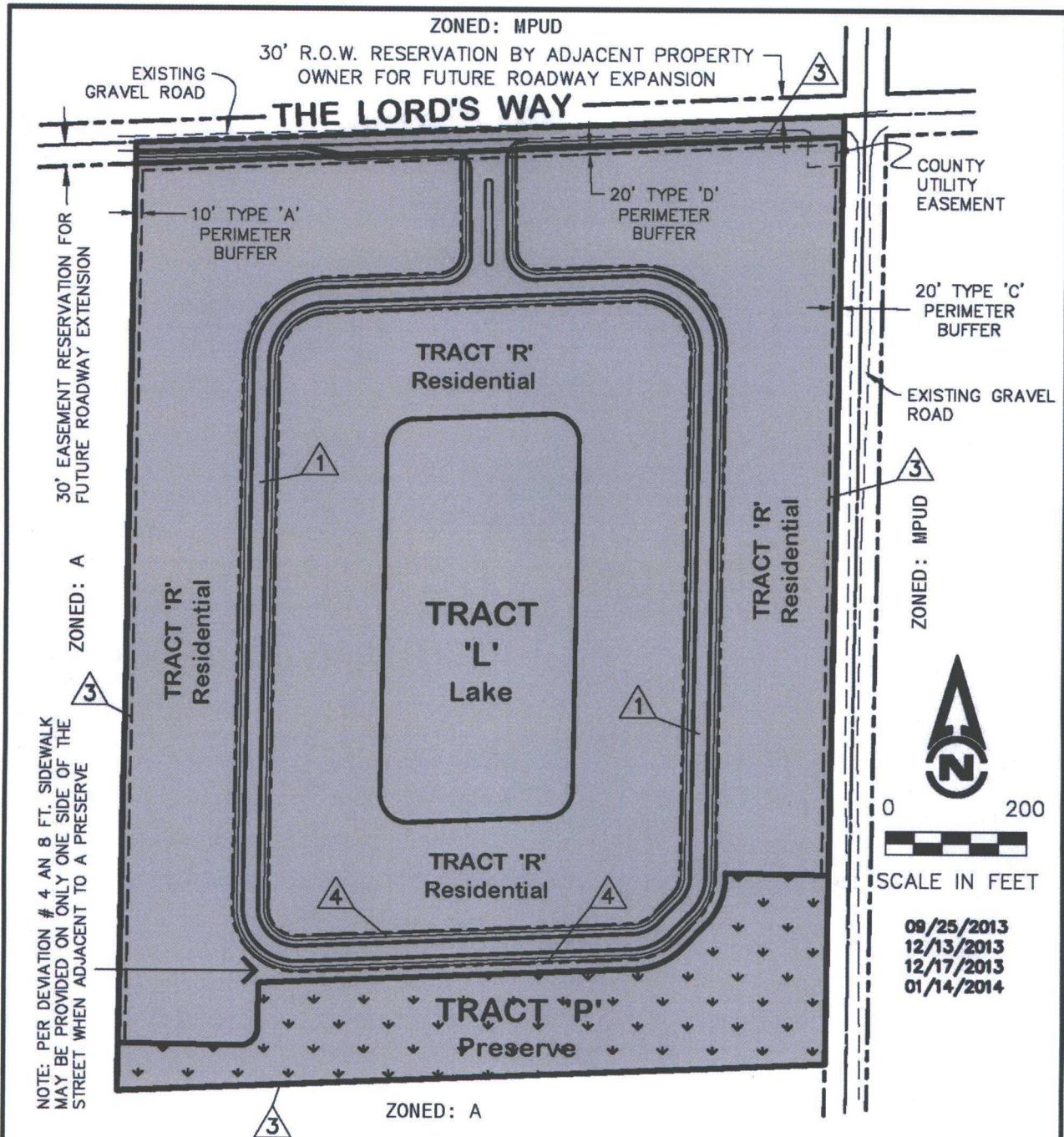
Footnotes:

¹ Lots fronting on two streets shall provide a full front yard setback along the street with the shorter frontage, and a minimum 10' front yard setback along the other street frontage. Front entry garages shall be at least 23 feet from back of sidewalk. Where side entry garages are provided, the driveway shall be designed in such a manner so that a parked vehicle shall not conflict with the sidewalk, however, in no case shall the front setback be less than 10'.

² 6' minimum side setbacks for single-family attached, two-family and single-family zero lot line must be accompanied by another 6' minimum side setback on adjoining lot to achieve minimum 12' separation.

³ Should an "Amenity Center/Clubhouse" be constructed, it may be partially constructed up to lake edge and a deck area may extend into (over) the lake, in accordance with the permit requirements or limitations of the South Florida Water Management District. Should the Amenity Center/Clubhouse be constructed up to lake edge, or contain a deck area extending (over) the lake, the normally required buffer area and landscape plantings shall redistributed to the other buffers on the Amenity Center/Clubhouse site. Refer to Deviation No. 5.

⁴ Rear yards adjacent to the Lake Maintenance Easement (or tract) or adjacent to a perimeter landscape buffer shall not be subject to the rear yard accessory structure setback.



MAXIMUM PERMITTED DENSITY=
75 UNITS

LAND USE SUMMARY

DESCRIPTION	Ac. ±	Pct.
RESIDENTIAL (TRACT 'R')	18.54	61.5%
ROADWAY (TRACT 'ROW')	3.73	12.4%
PRESERVE (TRACT 'P')	3.51	11.6%
LAKE (TRACT 'L')	4.31	14.4%
EASEMENT (C.U.E.)	0.04	0.1%
TOTAL	30.13	100.0%

NATIVE VEGETATION & OPEN SPACE

Existing Native Vegetation = 10.93± Ac.
Required Native Preservation =
25% of Existing Native Vegetation
10.93 x 0.25 = 2.73± Acres Required Native
Vegetation Provided = 3.51± Ac. ★
Open Space Required = 60% of Gross Area
30.13 x 0.6 = 18.08± Acres Required
Open Space Provided = 18.08± Acres ★
★ At a Minimum

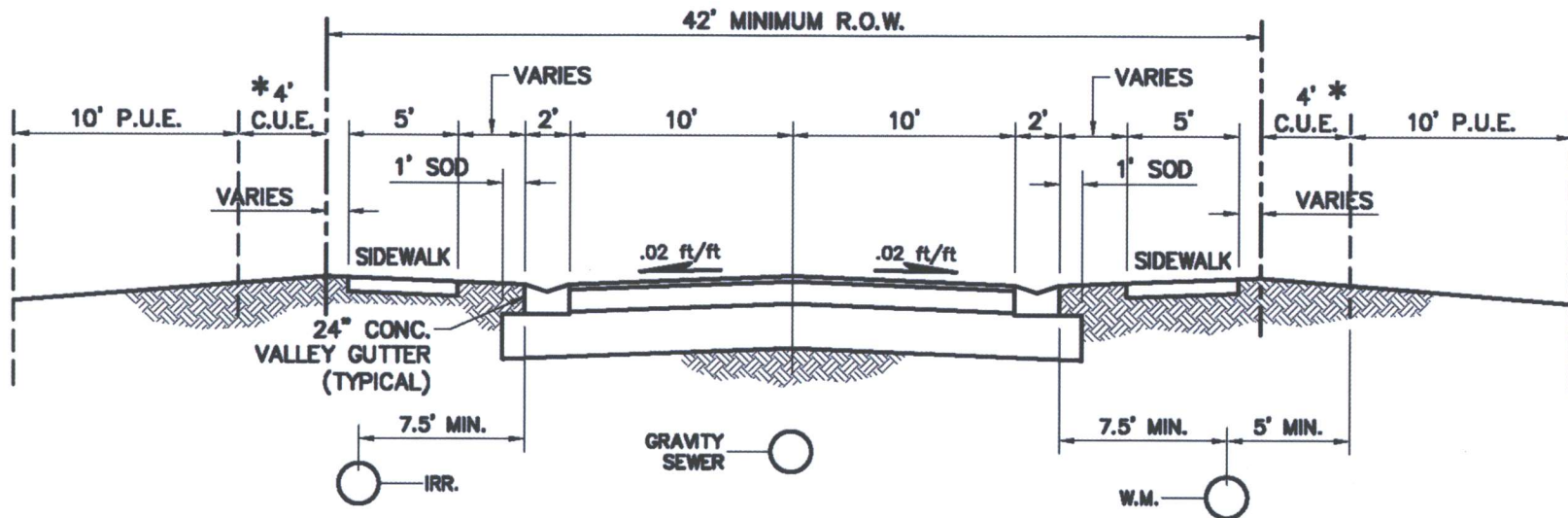
△ DENOTES LOCATIONS OF PUD
DEVIATIONS 1, 3 AND 4.
DEVIATION 2 WILL OCCUR
THROUGHOUT PUD AND
DEVIATION 5 MAY OCCUR IN
A TO BE DETERMINED
AMENITIES SITE LOCATION.



950 Encore Way
Naples, FL 34110
Phone: (239) 254-2000
Florida Certificate of
Authorization No.1772

**LORD'S WAY 30 Ac RPUD
RPUD MASTER PLAN
EXHIBIT C**

CHECKED BY :	PROJECT No.
G.H.H.	2013.023
DRAWN BY :	CAD FILE NAME:
JON	3023_RPUD
DATE :	EXHIBIT - ITEM
09/2013	C



TYPICAL ROAD SECTION

- NOTES :
- 1) ALL UNPAVED AREAS WITHIN ROW ARE TO BE SEEDED AND MULCHED (OR SODDED AS NOTED).
 - 2) * DENOTES 4' C.U.E. NOT REQUIRED IF R.O.W. IS AT LEAST 50' WIDE.

01/14/2014
09/25/2013

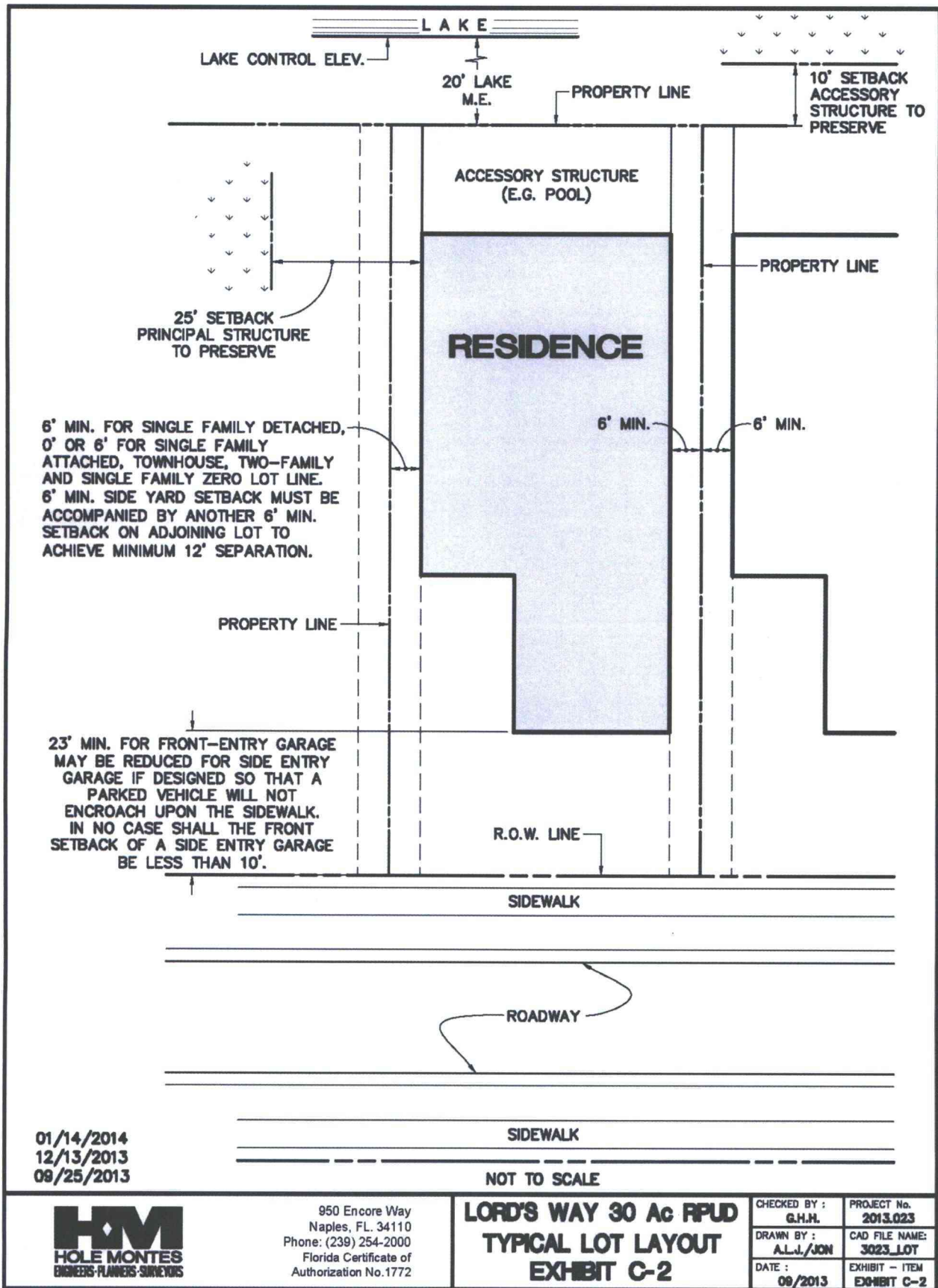
DESIGNED BY A.L.J.	DATE 07/2013
DRAWN BY A.L.J./JON	DATE 07/213
CHECKED BY R.J.M.	DATE 07/2013
VERTICAL SCALE N/A	HORIZONTAL SCALE N/A



950 Encore Way
Naples, FL. 34110
Phone: (239) 254-2000
Florida Certificate of
Authorization No.1772

**LORD'S WAY 30
R.O.W. SECTION
EXHIBIT C-1**

CAD FILE NAME: SDP_ROW	DRAWING NO. SK130711
PROJECT NO. 2013.023	SHEET NO. EXHIBIT C-1



Attachment: ATTACHMENT B - PUD Language Changes (26220 : Lord's Way 30 Acre RPUD PDI)

EXHIBIT D
LORD'S WAY 30 ACRE RPUD

LEGAL DESCRIPTION

Parcel 1

The West $\frac{1}{2}$ of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 50 South, Range 26 East, Collier County, Florida.

Parcel 2

The East $\frac{1}{2}$ of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 50 South, Range 26 East, Collier County, Florida.

Parcel 3

The East $\frac{1}{2}$ of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 50 South, Range 26 East, Collier County, Florida.

**EXHIBIT E
LORD'S WAY 30 ACRE RPUD**

LIST OF REQUESTED DEVIATIONS FROM LDC

PRIVATE ROADWAY WIDTH

1. Deviation No. 1 seeks relief from LDC Section 6.06.01, Private Roadway Width, which requires a 60-foot right-of-way width, to allow that the private roadway shall have a minimum 42 foot right-of-way width.

DRAINAGE EASEMENT WIDTH

2. Deviation No. 2 seeks relief from LDC Section 6.01.02.B.2, Drainage Easements, which requires that an easement shall be no less than 15 feet in width to allow for an easement that is no less than 10 feet in width for storm drainage pipes less than 24" in diameter and with an invert no more than 6 feet from finished grade. All installations will follow OSHA and ACPA Standards.

PERIMETER WALL/FENCE HEIGHT

3. Deviation No. 3 seeks relief from LDC Section 5.03.02.C Fences and Walls and Section 4.06.02.C.3, Types of Buffers, which limit the fence or wall height to 6 feet, to allow a perimeter wall or fence and berm in combination up to thirteen (13) feet in height, (including an eight (8) foot fence or wall installed on the perimeter berm, which will be between 2 and 5 feet in height).

SIDEWALKS

4. Deviation No. 4 seeks relief from LDC Section 6.06.02.A.1, Sidewalks, Bike Lane and Pathway Requirements, which requires sidewalks on both sides of the street, to allow a single ~~eight~~ ~~five~~ (85) foot-wide sidewalk on only one side of a street where the street is adjacent to the preserve.

AMENITY SITE LANDSCAPE BUFFERS

5. Deviation No. 5 seeks relief from LDC Section 4.06.02.C.2, Buffer Requirements, which requires a typical Type "B" buffer width of 15 feet, to allow such buffers on the Amenity Center/Clubhouse tract, if constructed, to be a minimum of 10 feet in width with Type "B" buffer vegetation installed.

EXHIBIT F
LORD'S WAY 30 ACRE RPUD

LIST OF DEVELOPER COMMITMENTS

1. TRANSPORTATION REQUIREMENTS

- A. When the Collier Boulevard at The Lord's Way intersection at CR-951 is signalized upon meeting warrants, the cost of the signalization of this intersection will be shared proportionately among the Owner and other developments located in the area (east and west of C.R.951) and at no cost to Collier County and without road impact fee credits. These improvements are site-related improvements and shall not be eligible for impact fee credits.
- B. If at the time of application of the first plat or first Site Development Plan (SDP) for this development, The Lord's Way along the development's frontage is not improved to County standards for a two-lane paved local road, The Lord's Way shall be constructed by the developer to the County's standards for a two-lane paved local road from the eastern terminus of the existing paved The Lord's Way to a point adjacent to the eastern property line of the development. This shall include an eastbound right-turn lane into the development. Stormwater management for this segment of road shall be accommodated in the stormwater management system of this development. This shall occur prior to the issuance of a Certificate of Occupancy (CO) for the first building permit within the project. These improvements are site-related and shall not be eligible for impact fee credits.
- C. A 6" thick, 5-foot wide concrete sidewalk shall be installed on the south side of The Lord's Way along the frontage of the development prior to the issuance of the first CO for any residential building permit within the project.

2. UTILITY REQUIREMENTS

- A. The development shall be subject to application for and conditions associated with a water and sewer availability letter from Collier County Utilities Division.

3. PLANNING

- A. The developer, its successor or assignee, shall provide to any potential resident a disclosure statement with respect to the noise that is associated with the Swamp Buggy Races located at 8250 Collier Boulevard, Naples, Florida within the Florida Sports Park (within the Hacienda Lakes RPUD) as it relates to the location of this RPUD. The statement shall disclose that the Florida Sports Park and Swamp Buggy operations regularly generate noise which may be heard on the Lord's Way 30 Acre PUD property, both during the day and into the evening, including but not limited to, noise from swamp buggy racing, tractor pulls, festivals, and music concerts. This statement must be presented to the buyer prior to entering into any sales contract.

- B. Within 120 days of approval of this PUD, Owner shall record in the public records of Collier County a notice of proximity to the Florida Sports Park and Swamp Buggy grounds. This notice shall disclose that the Florida Sports Park and Swamp Buggy operations regularly generate noise which can be heard on the PUD property, both during the day and into the evening, including but not limited to, noise from swamp buggy racing, tractor pulls, festivals, and music concerts. The legal description of the PUD shall be attached to the notice.
- C. The eastern boundary of the RPUD shall be landscaped in accordance with the requirements for a Type C buffer.
- D. All residential buildings shall be constructed in a manner to provide an exterior ambient sound level reduction of SLR 35 decibels, consistent with the provisions of LDC Subsection 4.02.06.N.6.g.

4. **PUD MONITORING**

- A. One entity (hereinafter the Managing Entity) shall be responsible for PUD monitoring until close-out of the PUD, and this entity shall also be responsible for satisfying all PUD commitments until close-out of the PUD. At the time of this PUD approval, the Managing Entity is Lord's Way 30, LLC. Should the Managing Entity desire to transfer the monitoring and commitments to a successor entity, then it must provide a copy of a legally binding document that needs to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of its obligations upon written approval of the transfer by County staff, and the successor entity shall become the Managing Entity. As Owner and Developer sell off tracts, the Managing Entity shall provide written notice to County that includes an acknowledgement of the commitments required by the PUD by the new owner and the new owner's agreement to comply with the Commitments through the Managing Entity, but the Managing Entity shall not be relieved of its responsibility under this Section. When the PUD is closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD commitments.

5. **DENSITY CALCULATION AND TRANSFER OF DEVELOPMENT RIGHTS (TDR) CREDITS**

- A. A density calculation and TDR Credit tracking sheet shall be submitted with each Site Development Plan (SDP) and/or plat for the redemption of TDR Credits needed for the project.



July 24, 2023

Collier County GMD
2800 North Horseshoe Drive
Naples, FL 34104

Re: Letter of No Objection
PL20230007509 - Lord's Way 30 Acre RPUD

To Whom It May Concern:

I am the President of the Sapphire Cove Homeowners Association and I have no objection to the insubstantial change to the Lord's Way 30 Acre RPUD, Application No. PL20230007509.

Regards,

A handwritten signature in blue ink, appearing to read "Gary Hains".

Gary Hains

President, Sapphire Cove HOA

Attachment: ATTACHMENT C - No objection letter (26220 : Lord's Way 30 Acre RPUD PDI)

Hacienda Lakes-PKWY

3.A.e

LOCATION

Collier BLVD

A Better
WAY

Carman DR

Attach

Rattlesnake Hammock

Packet Pg. 98

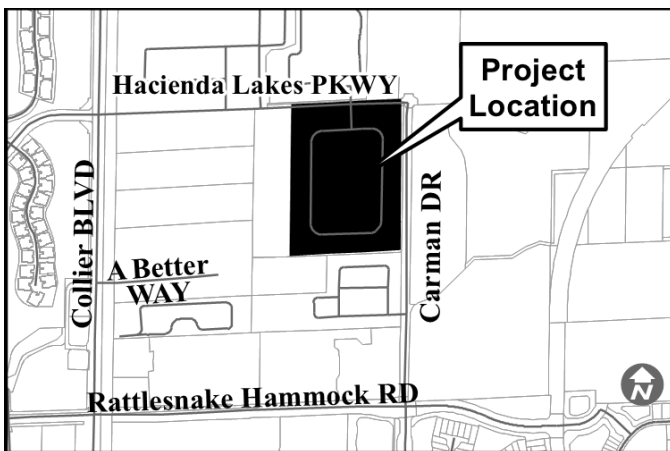




PUBLIC HEARING NOTICE

Lord's Way 30 Acre RPUD (PDI)
Petition Type: Planned Unit Development
Insubstantial Change
Petition No.: PL20230007509
Planner Name: Sean Sammon
Phone: (239) 252-8422

This is to advise you of an upcoming public hearing because you may have interest in the proceedings, or you own property located near the vicinity of the following property.



For more information, or to register to participate remotely:
https://bit.ly/Public_Hearings

*Remote participation is provided as a **courtesy** and is at the user's risk. **The County is not responsible for technical issues**



For difficulties registering please call Ailyn Padron at (239) 252-5187 or email to ailyn.padron@CollierCountyFL.Gov.

Hearing Examiner:

Date: 08/24/2023
Time: 09:00 AM
Location: GMD Conference Room 609/610
2800 N. Horseshoe Dr, Naples, FL 34104

Meeting information: Individual speakers may be limited to five (5) minutes on any item. Persons wishing to have written or graphic materials included in the agenda packets must submit materials a minimum of ten (10) days prior to the respective public hearing, to the county staff member noted above. All material used in presentations before the Hearing Examiner 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 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.

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 Drive, Naples, FL 34104, (239) 252-2400, at least two (2) days prior to the meeting. Assisted listening devices for the hearing impaired are available upon request.

This petition and other pertinent information related to this petition is kept on file and may be reviewed at the Growth Management Community Development Department building located at 2800 North Horseshoe Drive, Naples, Florida 34104.

Hearing Examiner to consider the following:

PETITION NO. PDI-PL20230007509 – REQUEST FOR AN INSUBSTANTIAL CHANGE TO ORDINANCE NO. 14-12, AS AMENDED, THE LORD'S WAY 30 ACRE RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) BY MODIFYING DEVIATION NO. 4, TO ALLOW FOR A 5-FOOT-WIDE SIDEWALK INSTEAD OF AN 8-FOOT-WIDE SIDEWALK ON ONE SIDE OF SAPPHIRE COVE CIRCLE WHERE ADJACENT TO THE PRESERVE AREA. THE SUBJECT PUD IS LOCATED AT THE SOUTH SIDE OF HACIENDA LAKES PARKWAY AND ±0.4 MILES EAST OF COLLIER BOULEVARD IN SECTION 14, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA.



Attachment: ATTACHMENT D - Signs & Notification (26220 : Lord's Way 30 Acre RPUD PDI)

SIGN POSTING INSTRUCTIONS**(CHAPTER 8, COLLIER COUNTY ADMINISTRATIVE CODE FOR LAND DEVELOPMENT)**

A zoning sign(s) must be posted by the petitioner or the petitioner's agent on the parcel for a minimum of fifteen (15) calendar days in advance of the first public hearing and said sign(s) must be maintained by the petitioner or the petitioner's agent through the Board of County Commissioners Hearing. Below are general guidelines for signs, however these guidelines should not be construed to supersede any requirement of the LDC. For specific sign requirements, please refer to the Administrative Code, Chapter 8 E.

1. The sign(s) must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
2. The sign(s) must be securely affixed by nails, staples, or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
3. The petitioner or the petitioner's agent must maintain the sign(s) in place, and readable condition until the requested action has been heard and a final decision rendered. If the sign(s) is destroyed, lost, or rendered unreadable, the petitioner or the petitioner's agent must replace the sign(s)

NOTE: AFTER THE SIGN HAS BEEN POSTED, THIS AFFIDAVIT OF POSTING NOTICE SHOULD BE RETURNED NO LATER THAN TEN (10) WORKING DAYS BEFORE THE FIRST HEARING DATE TO THE ASSIGNED PLANNER.

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF COLLIER

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Josephine Medina
WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 10.03.00 OF THE
COLLIER COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN PETITION NUMBER
P20230007509 :

[Signature]
SIGNATURE OF APPLICANT OR AGENT

28100 Bonita Grande Drive
STREET OR P.O. BOX Suite 305

Josephine Medina
NAME (TYPED OR PRINTED)

Bonita Springs, FL 34135
CITY, STATE ZIP

#

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was sworn to and subscribed before me this 4th day of August, 2023 by
Josephine Medina, personally known to me or who produced _____ as identification
and who did/did not take an oath.

[Signature]
Signature of Notary Public

Jessica K. Linn
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)



Rev. 3/4/2015

08/24/2023

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.B**Doc ID:** 26294

Item Summary: Petition No. BDE-PL20210002028 - Sunrise Cay II Dock Facility - Request for a nine-foot boat dock extension from the maximum permitted protrusion of 20 feet for waterways greater than 100 feet in width to allow construction of a private multi-family boat docking facility protruding a total of 29 feet into a waterway that is 149 feet wide. The subject property is Lt Sunrise Cay Phase II in Port of the Islands, Section 9, Township 52 South, Range 28 East, Collier County, Florida. [Coordinator: John Kelly, Planner III] Commission District 1

Meeting Date: 08/24/2023**Prepared by:**

Title: Planner – Zoning

Name: John Kelly

08/08/2023 2:42 PM

Submitted by:

Title: Zoning Director – Zoning

Name: Mike Bosi

08/08/2023 2:42 PM

Approved By:

Review:

Operations & Regulatory Management	Michael Stark	Review Item	Completed	08/08/2023 4:05 PM
Zoning	James Sabo	Review Item	Skipped	08/08/2023 5:07 PM
Zoning	Ray Bellows	Review Item	Completed	08/09/2023 5:23 PM
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	08/11/2023 3:14 PM
Zoning	Mike Bosi	Division Director	Completed	08/11/2023 3:26 PM
Hearing Examiner	Andrew Dickman	Meeting Pending		08/24/2023 9:00 AM



STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

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

HEARING DATE: AUGUST 24, 2023

SUBJECT: BDE-PL20210002028, SUNRISE CAY II CONDOMINIUM DOCK FACILITY

PROPERTY OWNER/APPLICANT:

Sunrise Cay Commons Association, Inc.
Sunrise Cay II
301 Sunrise Cay
Naples, FL 34114

AGENT:

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

REQUESTED ACTION:

The petitioner requests a nine-foot boat dock extension from the maximum permitted protrusion of 20 feet for waterways greater than 100 feet in width to allow the construction of a private multi-family boat docking facility with 42 slips protruding up to 29 feet into a waterway that is 149± feet wide, pursuant to LDC Section 5.03.06.

GEOGRAPHIC LOCATION:

The subject property is at 301 Sunrise, within Sunrise Cay Phase II in Port of the Islands, in Section 9, Township 52 South, Range 28 East. Collier County, Florida. *(See location map on the following page)*

PURPOSE/DESCRIPTION OF PROJECT:

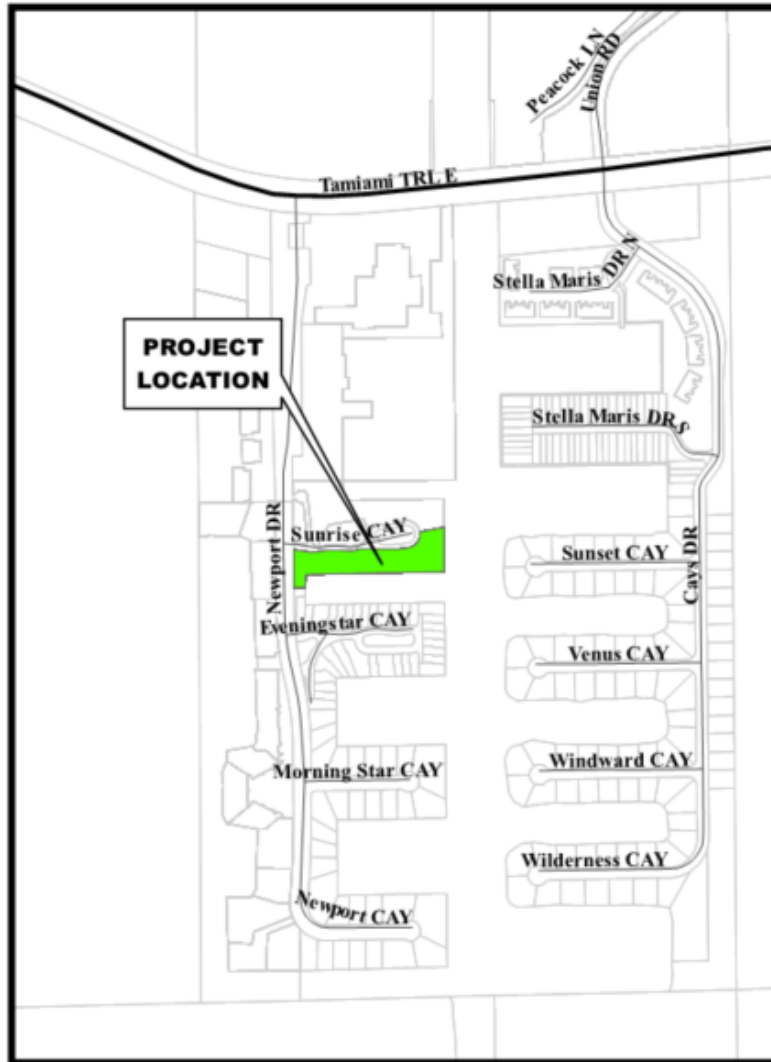
The proposed Boat Dock Extension is for a multi-family dock facility associated with the upland Sunrise Cay II development that comprises 42 residential condominium units in five buildings that were constructed between 1996 and 1999, within a Residential Multi-Family-16 (RMF-16) zoning district, with approximately 975 linear feet of sea walled shoreline along the Sunrise Cay Canal and the Faka Union Canal. The existing dock facility has 42 slips, 36 are located along the southern shoreline abutting the Sunrise II Canal, and six are along the eastern shoreline abutting the Faka (Continued on Page 4)

[21-CPS-02138/1808584/1]
PL20210002028 – Sunrise Cay II
August 9, 2023

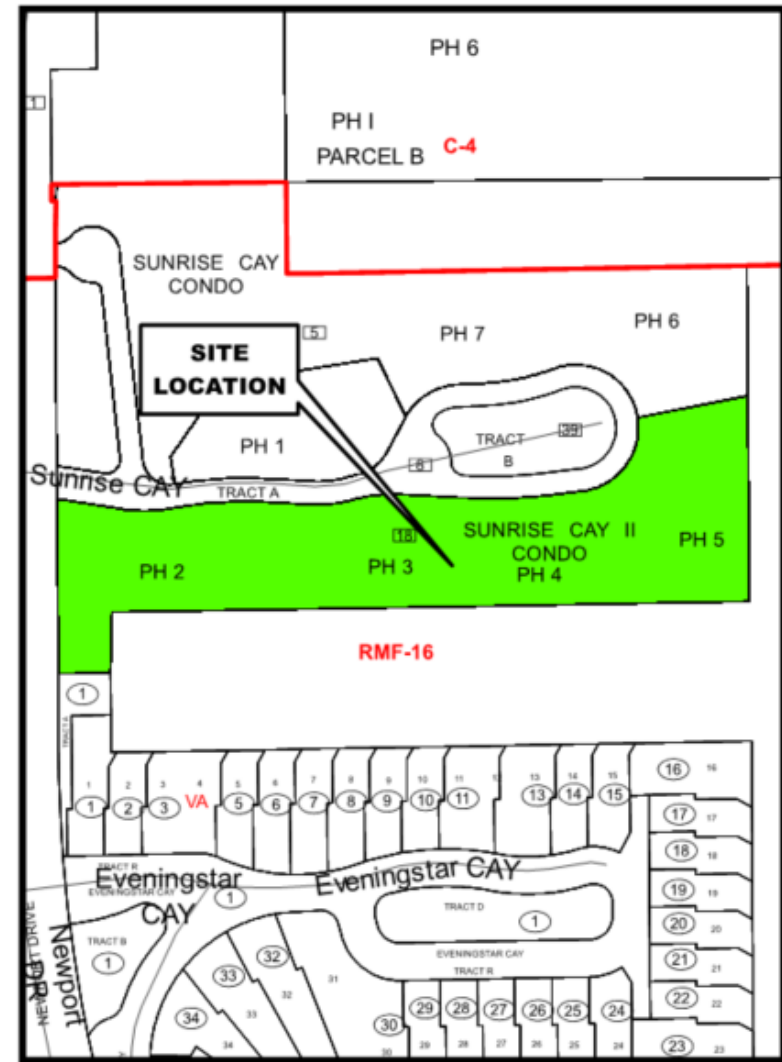
BD-
Page 1 of 8

Attachment: Staff Report 08092023 (26294 : PL20210002028 BD Sunrise Cay II Multi-Family Dock Facility)

[21-CPS-02138/1808584/1]
 PL20210002028 – Sunrise Cay II
 August 9, 2023



Location Map



Zoning Map

Petition Number: PL20210002028

SURROUNDING LAND USE & ZONING:

North: Sunrise Cay (Right-of-Way) then an improved multi-family development;
Residential Multi-Family-16 (RMF-16) District

East: Faka Union Canal (waterway), then an improved single-family development;
Residential-Single-Family-4 (RSF-4) Zoning District

South: Sunrise Cay Canal (waterway), then an improved single-family development;
Residential Multi-Family-16 (RMF-16) District

West: Newport Drive (Right-of-Way) then an improved multi-family development;
Residential Multi-Family-16 (RMF-16) District



Aerial – Collier County GIS

Purpose/Description of Project (Continued from Page 1)

Union Canal. An existing marginal concrete floating common dock area will remain as-is and within the existing footprint. The above-described dock facility was approved by the Board of County Commissioners by means of a Settlement Agreement; See Attachment B.

The applicant now proposes to relocate the six slips on the eastern shoreline to the southern shoreline and to reconfigure the existing 36 angled slips so that all 42 slips will be shore perpendicular. The proposed reconfiguration includes installing 42 floating boatlifts within each slip to allow the vessels to be stored out of the water on the float. This will help protect the hull from marine growth and other potential damages associated with keeping a boat in the water. As proposed, the floating lifts each measure 26 feet; the total protrusion requested is 29 feet as measured from the existing seawall/MHWL, which is the most restrictive point; see Attachment A. The required 15-foot side/riparian setbacks for boat docks on lots with 60 feet or greater of water frontage will be satisfied on both sides. Staff notes that the Board of County Commissioners has since amended the previously issued Settlement Agreement to allow for the requested dock facility reconfiguration, contingent upon the approval of the Hearing Examiner, as per LDC section 5.03.06; see Attachment B.

ENVIRONMENTAL EVALUATION:

Environmental Planning Staff has reviewed this petition and has no objection to granting this request. The property is located adjacent to the Faka Union Canal. The proposed docking facility will be constructed waterward of the existing seawall. The multi-family development has been approved to allow 42 wet slips. The existing multi-slip docking facility has been issued permits from the Department of Environmental Protection (DEP #11-0220350-001) and the US Army Corps of Engineers (ACOE # SAJ-2003-09792). The amended Settlement Agreement dated December 13, 2022 (#ADA-2008-AR14059) authorized the location and reconfiguration of the 42 wet slips; See Attachment B.

The shoreline is sea walled and does not contain native vegetation. A submerged resources survey provided by the applicant found no submerged resources in the area 200 feet beyond the proposed docking facility. Exhibit sheet 6 of 11 of the Site Plan provides an aerial with a note stating that no seagrasses were observed within 200 feet. A manatee consistency determination has been completed for the proposed multi-slip docking facility in accordance with LDC Section 5.03.06.E.11 (PL20230007438). The Manatee Protection Plan (MPP) review revealed that the proposed docking facility meets the “Preferred” status and is consistent with the Collier County MPP. See Attachment C.

This project does not require an Environmental Advisory Council (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. 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. Private docks are a listed permitted use within the RMF-16 zoning district. The total water frontage of the subject property is 975 feet. The subject development has 42 dwelling units, and the total number of existing and proposed slips are 42. Both the original and amended Settlement Agreements allow for 42 boat slips.

2. **Whether the water depth at the proposed site is so shallow that a vessel of the general length, type, and draft as described in the petitioner's application 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.)**

Criteria not met. The applicant's agent states: "Water depths are not the driving factor for the requested BDE. The driving factor is the configuration of the slips being perpendicular to the seawall [and] is the reason for the BDE petition request. The justification of the proposed slip design is to create a safe design to allow all 42 slips [to] ingress/egress their slip with less of a chance to create a chance of conflicting with their neighboring slip. A shore parallel design would reduce the overall protrusion but creates a navigational issue when 42 slips/vessels bow to stern laying along the shoreline with little to no room for navigation." Staff concurs based upon the provided cross-section and Special Purpose Survey depicting water levels.

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

Criterion met. The subject canal measures 149 feet, MHWL to MHWL, and no navigational markers indicate an exact thread of travel. The proposed dock facility satisfies setback requirements and allows sufficient space for docks on the opposite shore.

4. **Whether the proposed dock facility protrudes no more than 25 percent of the width of the waterway and whether a minimum of 50 percent of the waterway width between dock facilities on either side is maintained for navigability. (The facility should maintain the required percentages.)**

Criterion met. The subject canal is 149 feet wide, MHWL to MHWL, and the proposed dock facility will protrude 29 feet into said waterway; the actual protrusion will account for 19.46 percent of the waterway. The Zoning Atlas reveals no approved BDEs on the opposite shore; as such, it is believed that their protrusion does not exceed 20 feet or 13.42 percent of the waterway. Staff, therefore, finds that 67.12 percent of the waterway will remain open for navigation should the proposed BDE be approved.

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 states: “The proposed dock facility will provide more than the required 15-foot setbacks from both property/riparian lines. The dock design and location have been designed to be located within the required setbacks, provide safe access with a vessel and not interfere with any future neighboring dock facilities that may be constructed.” Staff further notes that the subject dock facility accounts for the entire southern property line of the subject property. The property includes the side end of the canal; no additional slips can be added without obtaining special permissions that would trigger the public hearing process. Additionally, property owners located across the canal are able to engage the Boat Dock Extension process in the event they desire to seek permission for a dock facility exceeding those allowed by right. Staff finds this criterion satisfied, with 37.12 percent of the canal open for navigation.

Secondary Criteria:

1. **Whether there are special conditions not involving water depth related to the subject property or waterway which justify the proposed dock facility's proposed dimensions and location. (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 applicable special condition is the fact that the subject property is a multi-family development for which both the LDC and the Manatee Protection Plan (MPP) allow one slip per dwelling unit; the total number of dwelling units is 42. The applicant contends that insufficient shoreline length is available to construct sore parallel docks with

less protrusion, thus making shore perpendicular the preferred design. Staff finds the applicant's methodology valid and agrees that this criterion has been satisfied.

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 main reason for the proposed project is to reconfigure the existing slip layout and locations as well as to install new floating boatlifts within each slip. These floating boatlifts will provide additional dock surface area for each slip owner, providing better access to their vessel and allowing for routine maintenance like hull cleaning. The proposed design will also improve the existing access to each slip/vessel without using excessive decking or constructing new docks." Staff concurs and therefore finds this criterion to be satisfied.

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.)**

Not Applicable. The proposed docking facility is a multi-family docking facility.

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

Criterion met. The applicant's agent states: "The proposed project consists of just reconfiguring and relocating the existing 42 slips already authorized for the subject property. Additional decking will be added; however, there should not be any new impacts to any of the surrounding properties nor their existing view of the subject waterway." Staff concurs.

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

Criterion met. No seagrass beds are present on the property or the neighboring properties within 200 feet of the existing dock structure.

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

Criterion met. The applicant's agent states: "The subject property is subject to the Collier County MPP. As proposed, we have met all the requirements within the MPP and will be installing new Manatee Awareness and Educational signs for public awareness.

Additionally, the project will not increase the total slip count of 2 slips.” Staff further notes that a manatee consistency determination has been completed for the proposed multi-slip docking facility in accordance with LDC Section 5.03.06.E.11, PL20230007438. The Manatee Protection Plan (MPP) review revealed that the proposed docking facility meets the “Preferred” status and is consistent with the Collier County MPP; See Attachment C.

Staff analysis finds this request complies with four of the five primary criteria and five of the six secondary criteria, with Criterion #3 being not applicable as the proposed is a multi-family dock facility. As of the time this staff report was drafted, no public objections or other correspondence had been received.

CONCURRENT LAND USE APPLICATIONS:

An Insubstantial Change to SDP-89-229, SDPI-PL20220008960, is being reviewed to accommodate the dock facility changes proposed within this BDE request.

APPEAL OF BOAT DOCK EXTENSION TO BOARD OF COUNTY COMMISSIONERS:

As to any boat dock extension petition upon which the Hearing Examiner takes action, an aggrieved petitioner may appeal such final action. Such appeal shall be filed per Section 2-88 of the Collier County Code of Ordinances within 30 days of the Decision by the Hearing Examiner. An aggrieved non-party may appeal a decision of the Hearing Examiner to the Circuit Court of Collier County within 30 days of the decision. If the Hearing Examiner has approved the petition, the applicant shall be advised that they proceed with construction at their own risk during this 30-day period. Any construction work completed ahead of the approval authorization shall be at their own risk.

RECOMMENDATION:

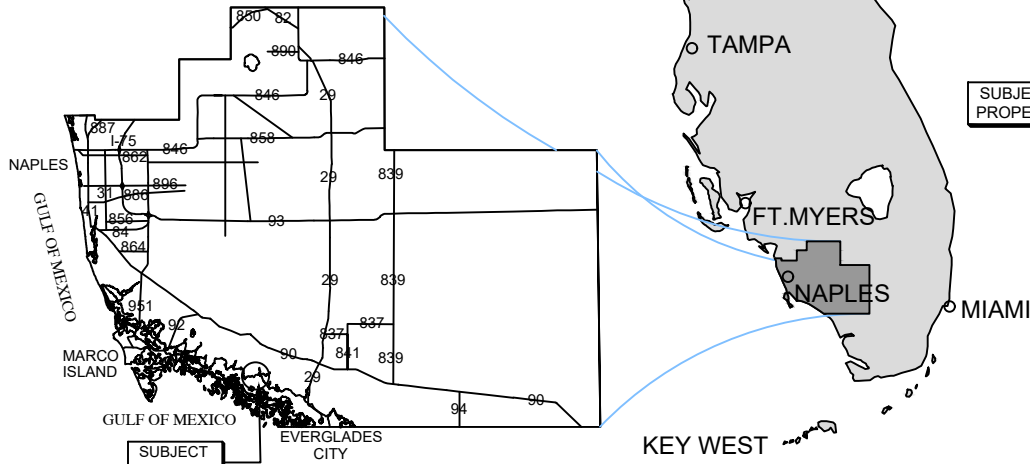
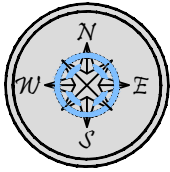
Based on the above findings, staff recommends that the Hearing Examiner approve Petition BD-PL20210002028 in accordance with the Proposed Dock Plans provided within Attachment A, which are consistent with the Amended Settlement Agreement in Attachment B.

Attachments:

- A. Proposed Dock Plans
- B. Settlement Agreement and Amendment
- C. MPP Analysis PL20230007438
- D. Zoning Atlas 2809S
- E. SDPI-PL20220008960 Rev3 – Pending Approval
- F. Applicant’s Backup; Application and Supporting Documents

P:\0304.02 sunrise cay il\CAD\PERMIT-COUNTY\0304.02-BDE.dwg LOCATION MAP 7/17/2023

STATE OF FLORIDA



COLLIER COUNTY

SITE ADDRESS:

<> 301 SUNRISE CAY
NAPLES, FL 34114
FOLIO: 01067081401

<> LATITUDE: N 25.954337
<> LONGITUDE: W -81.511161

NOTES:

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



VICINITY MAP



COUNTY AERIAL



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SUNRISE CAY II

LOCATION MAP

RY NO. 5875

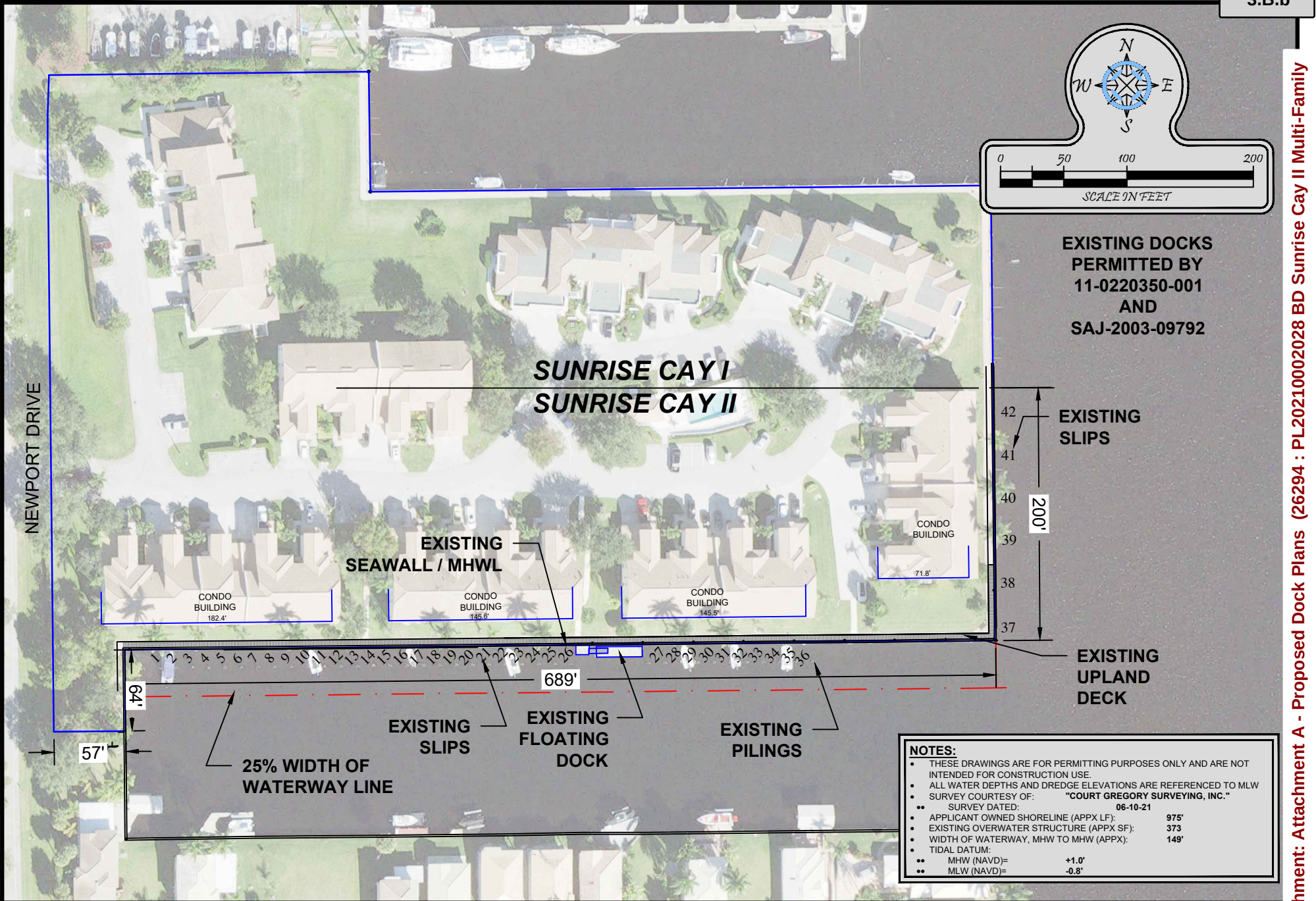
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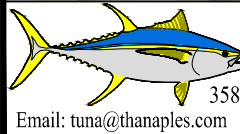
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SECTION-9

TOWNSHIP- 52S

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**Turrell, Hall & Associates, Inc.**
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

SUNRISE CAY II

EXISTING CONDITIONS WITH AERIAL

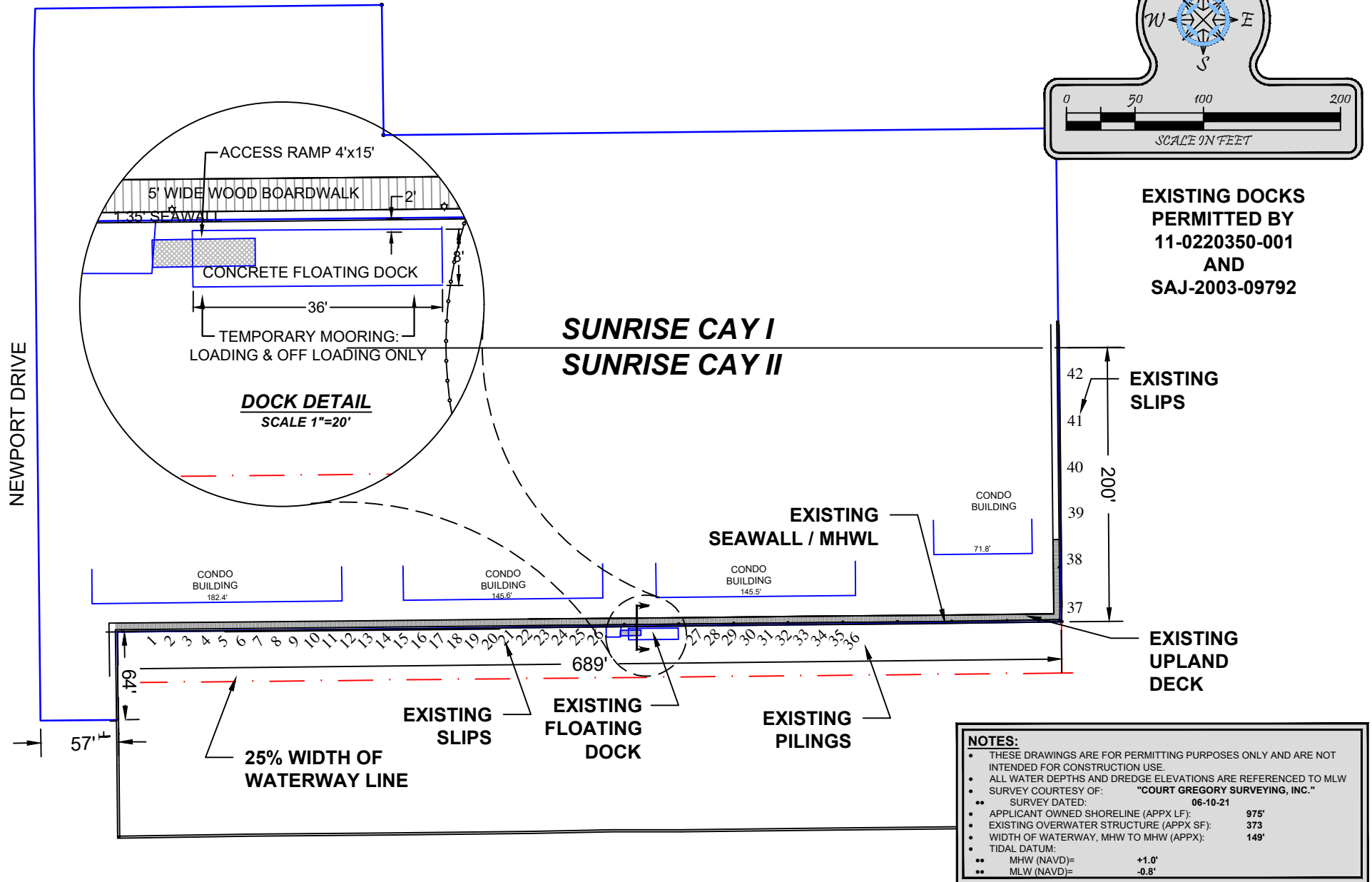
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SECTION-9

TOWNSHIP- 52 S



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SUNRISE CAY II **EXISTING CONDITIONS**

RY NO. 5875

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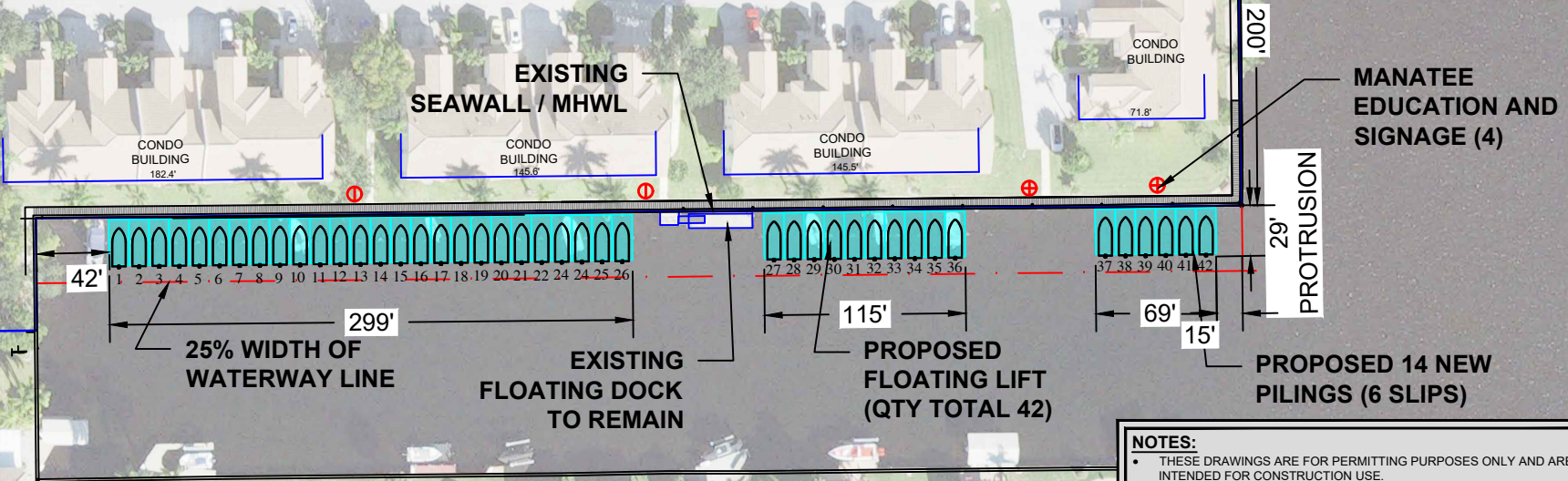
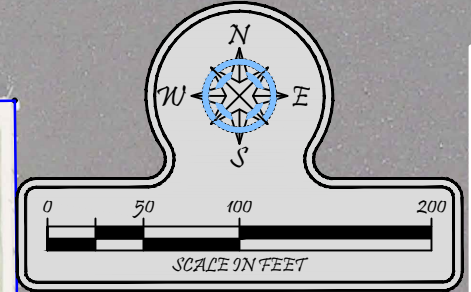
SECTION-9

TOWNSHIP- 52 S

P:\10304.02 sunrise cay I\CAD\PERMIT-COUNTY\10304.02-BDE.dwg PROPOSED FLOATING DOCKS AND BOAT LIFT PLAN 7/17/2023

NEWPORT DRIVE

SUNRISE CAY I SUNRISE CAY II



- NOTES:**
- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
 - ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
 - SURVEY COURTESY OF: "COURT GREGORY SURVEYING, INC."
 - SURVEY DATED: 06-10-21
 - APPLICANT OWNED SHORELINE (APPX LF): 975'
 - EXISTING OVERWATER STRUCTURE (APPX SF): 373
 - WIDTH OF WATERWAY, MHW TO MHW (APPX): 149'
 - TIDAL DATUM:
 - MHW (NAVD)= +1.0'
 - MLW (NAVD)= -0.8'
 - PROPOSED OVERWATER STRUCTURE (APPX SF): 12,553
 - TOTAL OVERWATER STRUCTURE (APPX SF): 12,553
 - TOTAL PROTRUSION FROM MHWL: 29'



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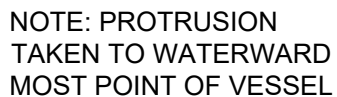
SUNRISE CAY II PROPOSED FLOATING DOCKS AND BOAT LIFT PLAN

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SECTION-9 TOWNSHIP- 52 S



SCALE: 1" = 8'



SUNRISE CAY II

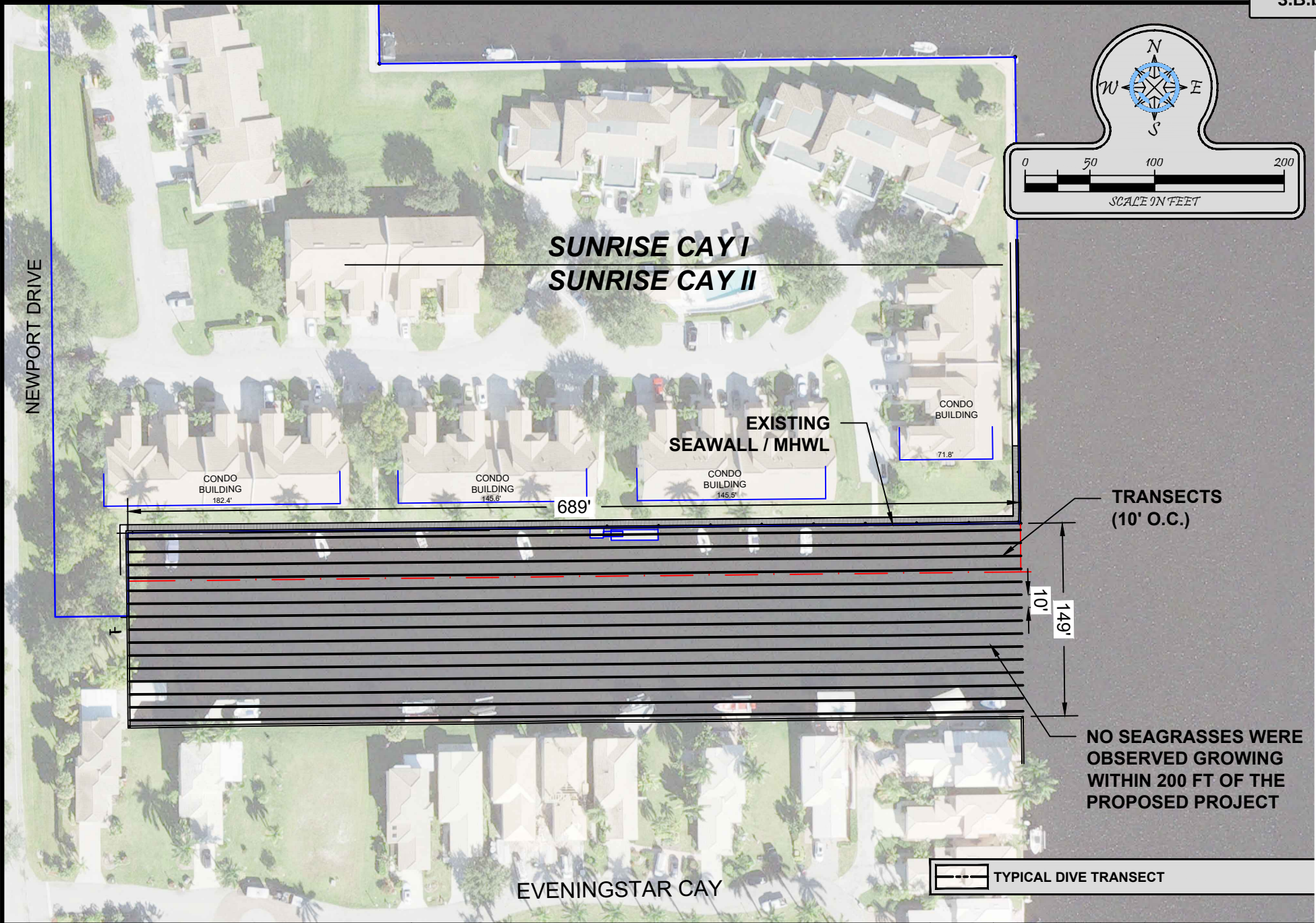
FLOATING DOCK DETAILS

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SECTION-9	TOWNSHIP- 52S
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SUNRISE CAY II

SUBMERGED RESOURCE SURVEY

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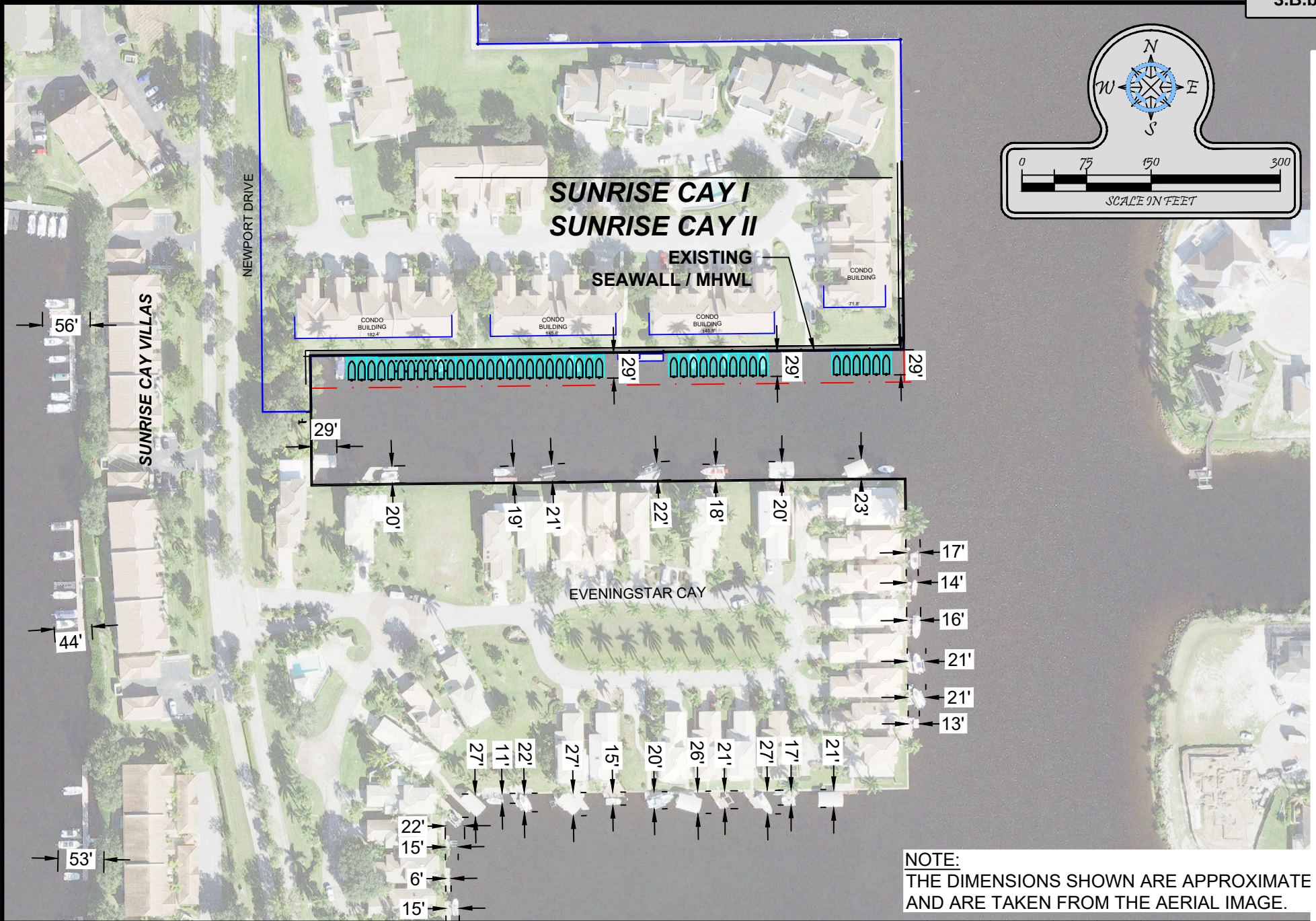
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SECTION-9

TOWNSHIP- 52 S

P:\10304.02 sunrise cay II\CAD\PERMIT-COUNTY\10304.02-BDE.dwg ADJACENT DOCKS 7/17/2023



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SUNRISE CAY II **ADJACENT DOCKS**

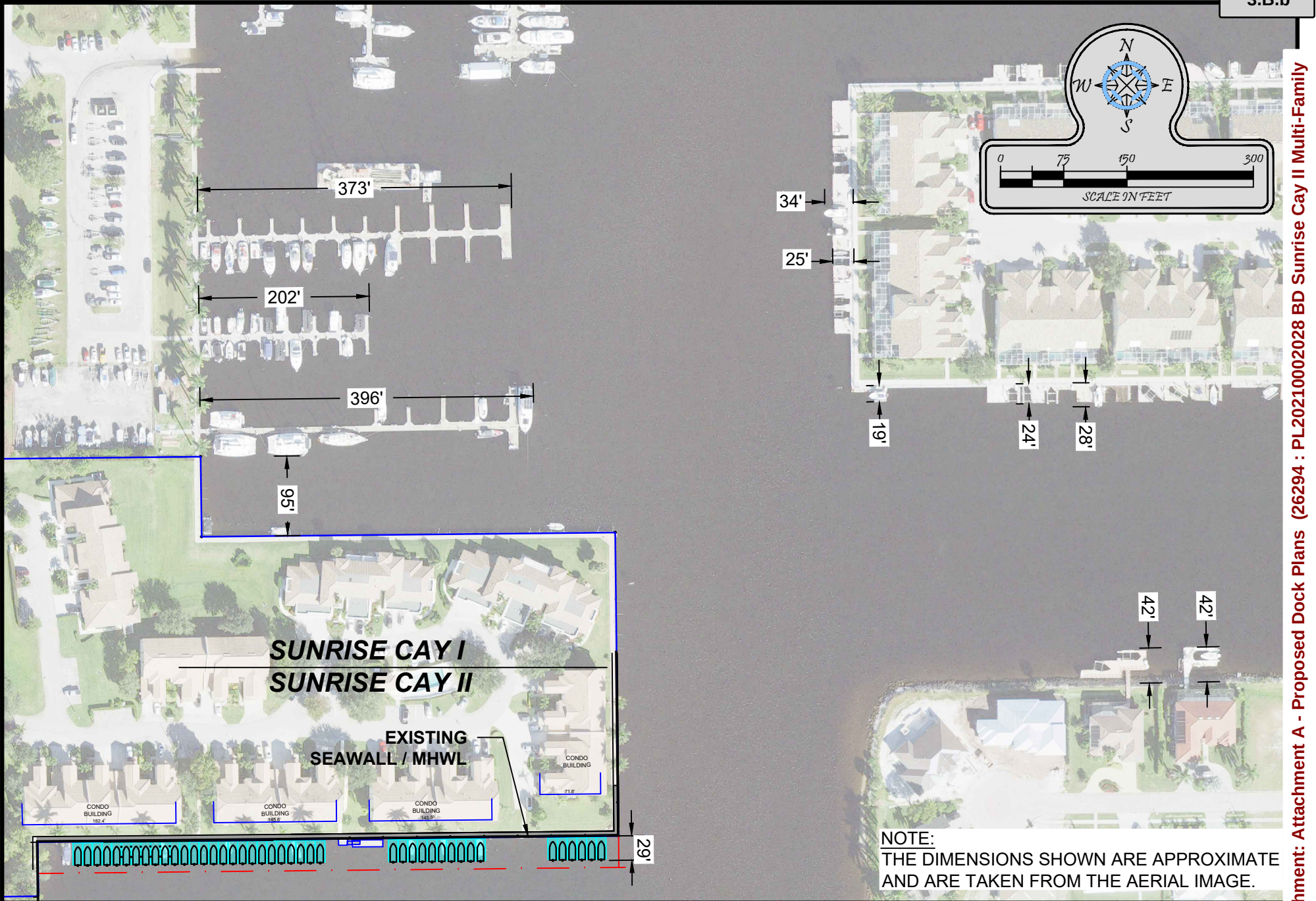
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SECTION-9 TOWNSHIP- 52 S

P:\10304_02 sunrise cay\10304\PERMIT-COUNTY\10304_02-BDE.dwg ADDITIONAL ADJACENT DOCKS 7/17/2023



3.B.b



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SUNRISE CAY II

ADDITIONAL ADJACENT DOCKS

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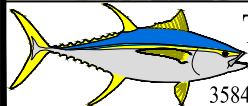
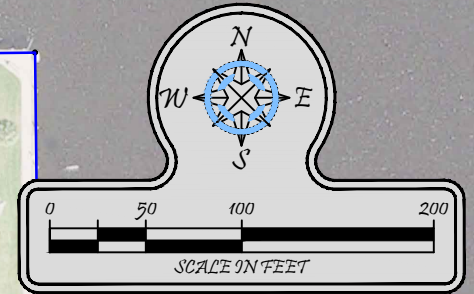
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SHEET NO.:	08 OF 11	4.	-	-	-	-
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SECTION-9 **TOWNSHIP- 52 S**

Packet Pg. 119

Attachment: Attachment A - Proposed Dock Plans (26294 : PL20210002028 BD Sunrise Cay II Multi-Family

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SUNRISE CAY II

WIDTH OF WATERWAY

RY NO. 5875

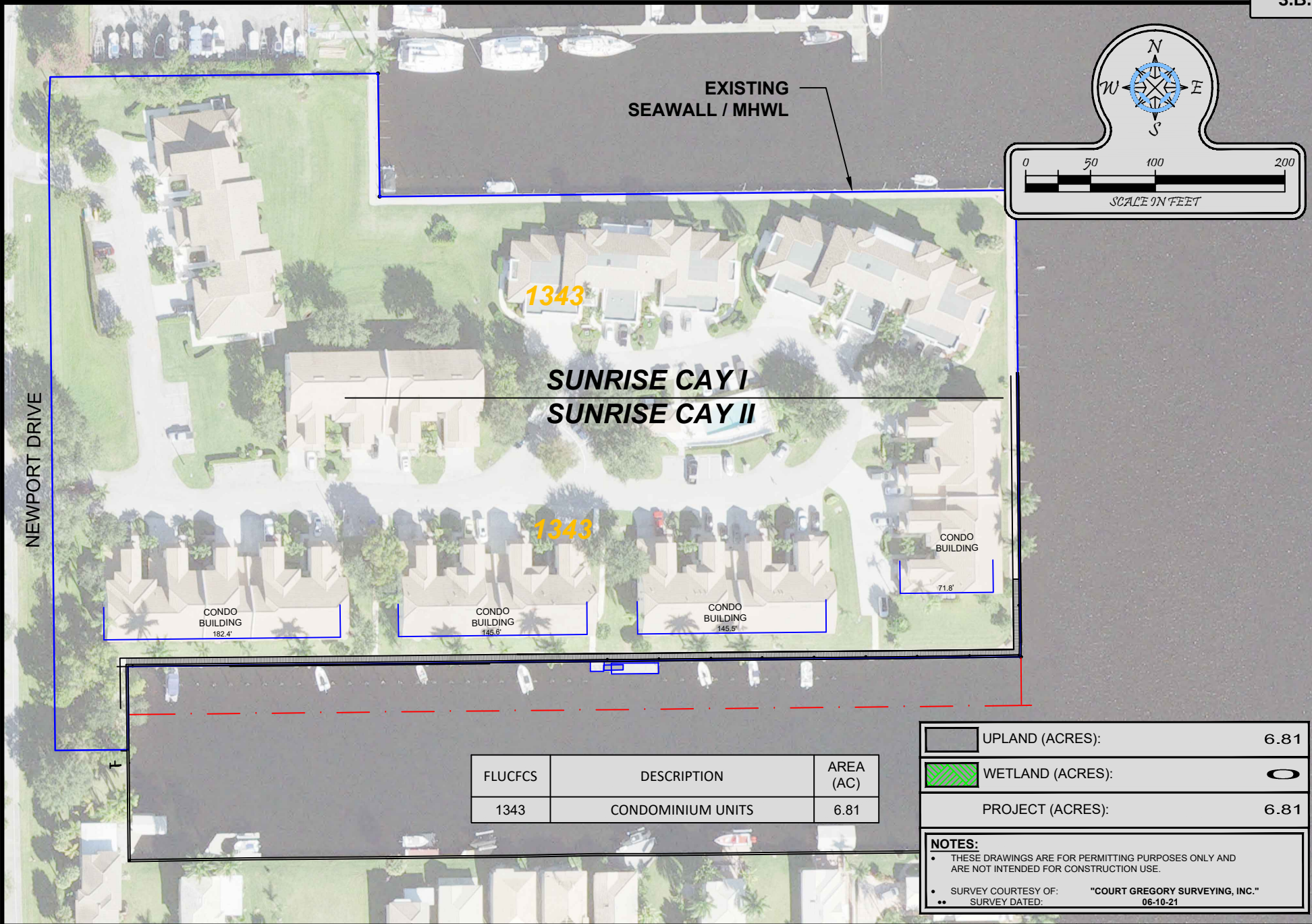
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGES
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	07-07-23	2.	-	-	-	-
JOB NO.:	0304.02	3.	-	-	-	-
SHEET NO.:	09 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION-9

TOWNSHIP- 52 S

P:\10304.02 sunrise cay II\CAD\PERMIT-COUNTY\10304.02.BDE.dwg FLUCFCS MAP 7/17/2023



FLUCFCS	DESCRIPTION	AREA (AC)
1343	CONDOMINIUM UNITS	6.81

UPLAND (ACRES):	6.81
WETLAND (ACRES):	0
PROJECT (ACRES):	6.81

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- SURVEY COURTESY OF: "COURT GREGORY SURVEYING, INC."
- SURVEY DATED: 06-10-21



Turrell, Hall & Associates, Inc.
 Marine & Environmental Consulting
 3584 Exchange Ave. Naples, FL 34104-3732
 Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

SUNRISE CAY II **FLUCFCS MAP**

RY NO. 5875

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

DESIGNED:	JR	REV	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	07-07-23	2.	-	-	-	-
JOB NO.:	0304.02	3.	-	-	-	-
SHEET NO.:	10 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION-9 TOWNSHIP- 52 S

AMENDMENT TO SETTLEMENT AGREEMENT AND GENERAL RELEASE

This **AMENDMENT TO SETTLEMENT AGREEMENT AND GENERAL RELEASE** (the "Amendment") is made and entered into this 13th day of December 2022, by and between Sunrise Cay II Condominium Association, Inc., a Florida not-for-profit corporation (the "Association"), and Collier County, Florida, a political subdivision of the State of Florida (the "County").

WHEREAS, the Association and County entered into a Settlement Agreement and General Release dated September 15, 2009 (the "Settlement Agreement"), Agenda Item No. 17.E, ADA-2008-AR-14059, pertaining to the application of the County's Manatee Protection Plan and the Association's request for interpretation, INTP-2008-AR-12749, for the configuration of proposed boat dock facilities at the Association's property ("Property") located in Section 9, Township 52 South, Range 28 East, as legally described in the Declaration of Condominium for Sunrise Cay II recorded in OR Book 2245, Page 1343, of the Public Records of Collier County, Florida, as amended from time to time; and

WHEREAS, the Settlement Agreement, along with ACOE permit SAJ-2003-0972, and DEP permit 11-0220350, and Collier County SDP-89-229, all as amended from time to time, authorized the installation of certain boat dock facilities in a particular configuration as shown in Exhibit "A" to the Settlement Agreement, and those boat dock facilities were installed by the Association in 2009; and

WHEREAS, the Association has requested an amendment to the Settlement Agreement for a proposed reconfiguration of the boat dock facilities at Sunrise Cay II, as reflected in the attached amended Exhibit "A", modifying the total protrusion from the Mean High Water Line (MHWL) from 18 feet to 29 feet, moving six slips from the Faka Union Canal to the Sunrise Cay Canal, adding 14 additional pilings, and increasing the total overwater structure from 390 square feet to 12,553 square feet (for floating boat docks); but without any change to the maximum number of slips or the cumulative total length of the vessels as established in the Settlement Agreement; and

WHEREAS, the County agrees that the proposed reconfiguration of the boat slips as reflected in attached amended Exhibit "A" (with 42 boat slips, floating boatlifts, approximately 90 boatlift control piles, and the relocation of six (6) slips from the Faka Union Canal to the man-made canal on the south shoreline, and protruding 29 feet into a man-made canal) is approved and complies with the Collier County Manatee Protection Plan, subject to approval by the Hearing Examiner per LDC section 5.03.06.

NOW, THEREFORE, in consideration of the foregoing premises and the following mutual promises (the receipt and sufficiency of such consideration being acknowledged by the parties), the parties agree as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. Exhibit "A" of the Settlement Agreement is replaced with the amended Exhibit "A", attached hereto and incorporated herein by reference.
3. The parties acknowledge and agree that the numerical limit of 42 boat slips with the loading dock, and the 973-foot cap on the cumulative total length of the vessels, not including engines, remain in effect and are not changed.

4. All other provisions of the Agreement shall remain in full force and effect.
5. The effective date of this Amendment shall be the date of approval for both BDE-PL20210002028 and its related SDP amendment, as determined by the County Manager or designee. If the BDE or SDP amendment are not approved, then the September 15, 2009 Settlement Agreement for the existing dock configuration remains in effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their appropriate officials, as of the date first above written.

ATTEST:
CRYSTAL K. KINZEL, CLERK

By: [Signature]
Attest as to Chairman's Deputy Clerk

signature only.
WITNESSES:

~~Witness #1 Signature~~

~~Witness #1 Printed Name~~

~~Witness #2 Signature~~

~~Witness #2 Printed Name~~

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of physical presence this 18 day of November 2022 by Ovidio C. Giberga, as President of Sunrise Cay II Condominium Association, Inc., a Florida not for profit corporation, on behalf of the corporation, who ☒ is personally known to me, or ☐ has produced _____ as identification.

Approved as to form and legality:

Derek D. Perry, Assistant County Attorney

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: William L. McDaniel, Jr., Chairman

AS TO ASSOCIATION:

SUNRISE II CONDOMINIUM
ASSOCIATION, INC.

By: 
Ovidio C. Giberger, President

Notary Public

Print Name: Lonja Mariano

Approved by the Zoning Director:

Mike Bosi, Zoning Director

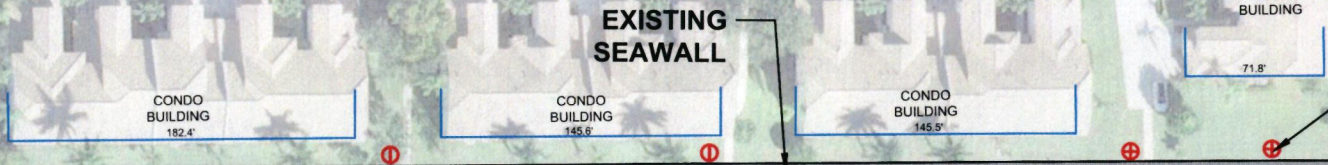
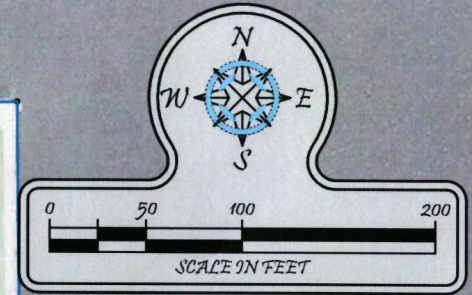


Amended Exhibit “A”

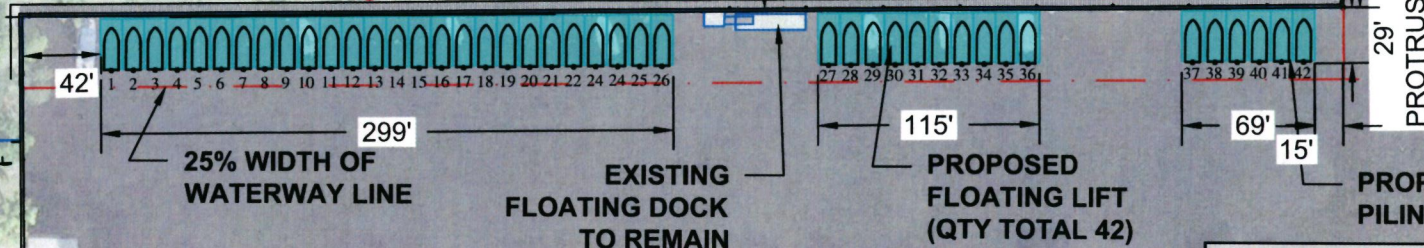
P:\0304 02 Sunrise Cay\ICAD\PERMIT-COUNTY\0304 02 BD.DWG AMENDED EXHIBIT A 11/17/2022

NEWPORT DRIVE

**SUNRISE CAY I
SUNRISE CAY II**



**MANATEE
EDUCATION AND
SIGNAGE (4)**



- NOTES:**
- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
 - ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
 - SURVEY COURTESY OF: "COURT GREGORY SURVEYING, INC."
 - SURVEY DATED: 06-10-21
 - APPLICANT OWNED SHORELINE (APPX LF): 975'
 - EXISTING OVERWATER STRUCTURE (APPX SF): 373
 - WIDTH OF WATERWAY, MHW TO MHW (APPX): 148'
 - TIDAL DATUM:
 - MHW (NAVD)= +1.0'
 - MLW (NAVD)= -0.8'
 - PROPOSED OVERWATER STRUCTURE (APPX SF): 12,553
 - TOTAL OVERWATER STRUCTURE (APPX SF): 12,553
 - TOTAL PROTRUSION FROM MHWL: 29'

EVENINGSTAR CAY

SUNRISE CAY II
AMENDED EXHIBIT A

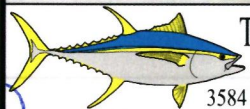
RY NO. 5875

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

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1	-	-	-	-
CREATED:	09-22-22	2	-	-	-	-
JOB NO.:	0304.02	3	-	-	-	-
SHEET NO.:	01	4	-	-	-	-
		5	-	-	-	-

SECTION-9 TOWNSHIP- 52S

Packet Pg. 125



Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

2800 North Horseshoe Drive
Naples, Florida 34104
239-252-2400



Sunrise Cay II Manatee Protection Plan Analysis (PL20230007438)

An analysis of the project considering the Collier County Manatee Protection Plan (MPP) has concluded the following:

Vegetation Impact – For shoreline vegetation, such as mangroves, “No Impact” is defined as no greater than 5% of the native marine habitat is disturbed. For seagrasses, “No Impact” means that no more than 100 square feet of seagrasses can be impacted (Manatee Protection Plan, page 79). An analysis of shoreline vegetation was provided by Turrell, Hall and Associates. Based upon the existing dock site plan, no impacts of shoreline vegetation are proposed. As a result of the historic and ongoing dredging, no seagrasses are present within 200 feet of the proposed docking facility located as part of the Faka Union Canal. Overall, this factor is classified as “No Marine Impact” to Marine Habitat under the Marina Siting Criteria of the MPP.

Water Depth – Adequate water depths must be greater than -4 feet Mean Low Water (MLW; Manatee Protection Plan, page 72). Current depth of the area ranges between -4.5ft MLW to -8.4 ft MLW. Therefore, this factor is classified as “Greater than 4 feet MLW” for Water Depth under the Marina Siting Criteria.

Manatee Deaths – The MPP considers High Manatee Use densities to be in areas where more than 20 percent of all the watercraft-caused manatee deaths in Collier County have been found (Manatee Protection Plan, page 73). An analysis of the most recent data has 38 out of 188 (20%) watercraft-related manatee deaths within a 5-mile radius of the project site. **Based upon the data the area is considered “Not High for Manatee Use” under the Marina Siting Criteria of the MPP. Additionally, the primary route to and from the proposed docking facility is marked and a “No Wake Zone”; the Manatee protections are enhanced.**

In summary, the above information results in no marine impact and water depths exceeding -4 feet MWL. The project’s location is determined to be not high manatee use the outcome results in a **Preferred ranking** under the MPP.

Under Preferred Ranking, new boat slip density would be allowed at 18 slips per 100 feet of shoreline.

The application states there are 975 linear feet of shoreline, which would equate to 176 slips allowed (975 linear feet x 18 slips/100). The applicant is **proposing 42 wet slips**, which is under the 176-boat slip limit; therefore, the **project is consistent** with the MPP.

MARINA SITING CRITERIA

	Water Depth		Native Marine Habitat		Manatee Use	
	Greater Than 4' MLW	Less Than 4' MLW	No Impact ¹	Impact	Not High	High
PREFERRED	X		X	X		
MODERATE	X		X			X
MODERATE	X			X	X	
MODERATE		X	X		X	
PROTECTED	X			X		X
PROTECTED		X		X		X
PROTECTED		X	X			X
PROTECTED		X		X	X	

(1) For shoreline vegetation such as mangroves, no impact is defined as no greater than 5% of the native marine habitat is disturbed. For sea grasses, no impact means that no more than 100 square feet of sea grasses can be impacted.

Table 3-1 Marina Siting Criteria & Allowable Wet Slip Densities

Preferred Sites.

New or expanded wet slip marinas and multi-family facilities:
Shall be allowed at a density of 18 boat slips for every 100 feet of shoreline.

Dry Storage facilities:
Expansion of existing and construction of new facilities allowed.

Boat Ramps:
Expansion of existing and construction of new ramps allowed.

Page 79 of MPP



and Approved For:
PL20230007438 Date: 5/25/2023

Attachment: Attachment C - MPP Analysis PL20230007438 (26294 : PL20210002028 BD Sunrise Cay II Multi-Family Dock Facility)

SUBDIVISION INDEX

NO.	NAME	P.B.	Pg.
1	PORT-OF-THE-ISLANDS PH.I	13	122-123
2	EVENINGSTAR CAY AT PORT OF THE ISLANDS	17	40-41
3	PORT OF THE ISLANDS (THE CAYS) PH.II	21	1-4
4	STELLA MARIS	26	26-27
5			
6			
7			
8			
9			
10			

ZONING NOTES

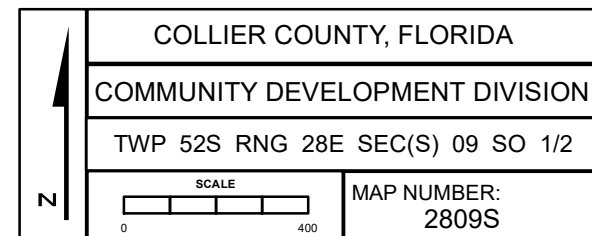
- [illegible]

DEVELOPMENT STANDARDS MODIFICATIONS

THIS IS TO CERTIFY THAT THIS IS A PAGE OF THE
OFFICIAL ZONING ATLAS REFERRED TO AND ADOPTED
BY REFERENCE BY ORDINANCE NO. 04-41 OF THE
COUNTY OF COLLIER, FLORIDA, ADOPTED JUNE 22, 2004.
AS AMENDED BY THE ZONING NOTES AND SUBDIVISION
INDEX REFERENCED HEREON.

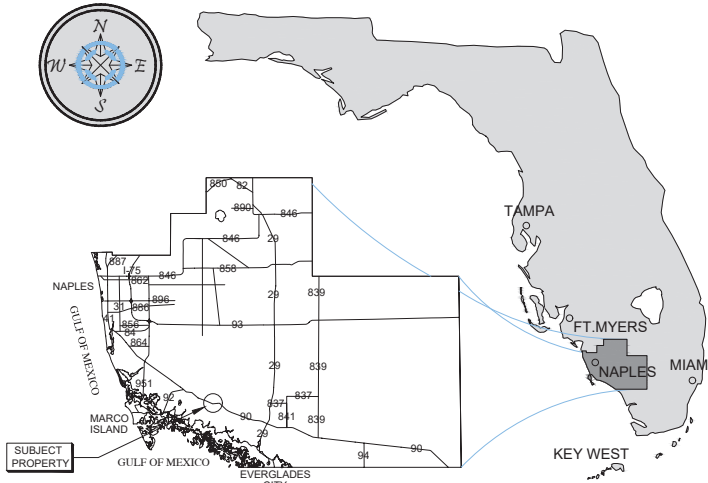
BY _____ CHAIRMAN

ATTEST _____ CLERK



SUNRISE CAY SDP - 89-229A INSUBSTANTIAL CHANGE

STATE OF FLORIDA



COLLIER COUNTY

Zoning: RMF-16

Folio# 01067081401

Folio #'s 75530002024, 75530002040, 75530002066, 75530002082, 75530002105, 75530002121, 75530002147, 75530002163, 75530002189, 75530002202, 75530002228, 75530002244, 75530002260, 75530002286, 75530002309, 75530002325, 75530002341, 75530002367, 75530002383, 75530002406, 75530002422, 75530002448, 75530002464, 75530002480, 75530002503, 75530002529, 75530002545, 75530002561, 75530002587, 75530002600, 75530002626, 75530002642, 75530002668, 75530002684, 75530002707, 75530002723, 75530002749, 75530002765, 75530002781, 75530002804, 75530002820, 75530002846

Legal Description: Commence at the southeast corner of Section 9, Township 52 South, Range 28 East, Collier County, Florida. Run thence along the south line of Section 9, South 89°56'40" West, 1433.00 feet, thence departing said south line North 00°17'47" East, 136.90 feet to the POINT OF BEGINNING. Thence continue North 00°17'47" East, 360.56 feet; thence North 89°43'47" West, 538.84 feet; thence North 00°18'11" East, 369.70 feet; thence South 00°39'47" East, 538.80 feet; thence North 00°17'47" East, 361.26 feet; thence North 89°42'41" West, 539.39 feet; thence North 00°21'22" East, 185.00 feet. The foregoing seven courses all being along an existing seawall. Thence departing said seawall North 89°43'20" West, 137.10 feet to a point on a curve whose center bears South 83°15'39" West from said point. Thence 169.78 feet along the arc of said curve to the left having a radius of 1645.00 feet, a central angle of 05°54'48", a chord of 169.70 feet and a chord bearing of North 09°41'45" West; thence 350.93 feet along the arc of a curve to the right having a radius of 1555.00 feet, a central angle of 12°55'49", a chord of 350.18 feet and a chord bearing of North 06°11'14" West; thence North 00°16'40" East, 509.02 feet; thence North 89°43'20" West, 90.00 feet; thence South 00°16'40" West, 509.02 feet; thence 371.24 feet along the arc of a curve to the left having a radius of 1645.00 feet, a central angle of 12°55'49", a chord of 370.45 feet and a chord bearing of South 06°11'14" East; thence 350.93 feet along the arc of a curve to the right having a radius of 1555.00 feet, a central angle of 12°55'49", a chord of 350.18 feet and a chord bearing of South 06°11'14" East; thence South 00°16'40" West, 299.89 feet; thence 434.62 feet along the arc of a curve to the right having a radius of 4955.00 feet, a central angle of 05°01'32", a chord of 434.68 feet and a chord bearing of South 02°47'26" West; thence 149.33 feet along the arc of a curve to the left having a radius of 180.00 feet, a central angle of 47°32'00", a chord of 145.08 feet and a chord bearing of South 18°27'48" East; thence non-tangent South 00°16'40" West, 207.88 feet; thence North 89°56'40" East, 726.01 feet returning to the POINT OF BEGINNING. Containing 17.36 acres, more or less.

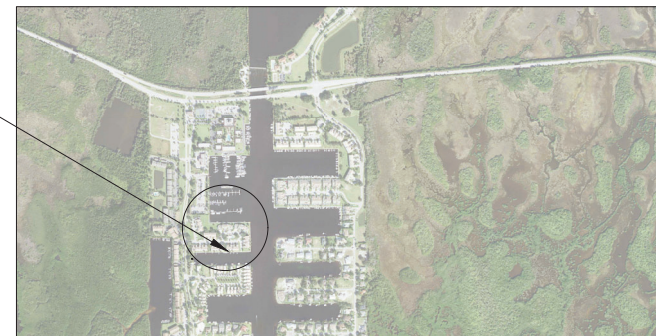
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<> 301 SUNRISE CAY
NAPLES, FL 34114

<> LATITUDE: N 25.954337
<> LONGITUDE: W -81.511161

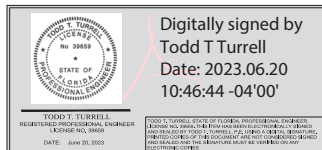
SUBJECT
PROPERTY



VICINITY MAP



COUNTY AERIAL



Attachment: Attachment E - SDPI-PL20220008960 Rev3 - Pending Approval (26294 : PL20210002028 BD

LOCATION MAP

01

N/A

MANATEE AWARENESS AND PROTECTION PLAN**1.0 INTRODUCTION**

Sunrise Cay II is located on Sunrise Cay (Naples, FL 34114) along the southern terminus of the Fuka Union Canal in Section 09, Township 32 South, Range 28 East, Collier County. The marina will maintain the existing number of workslips being a total of 42 for a private multi-family docking facility. Currently, the development is authorized to have 42 slips in total with 36 bow to shoreline mooring (Mediterranean mooring) and 6 parallel/lay along mooring on the existing canal.

The proposed project consists of installing 42 floating boatlifts within the existing slips, including the installation of the approximate 90 boatlift control piles. Additionally, the project includes the relocation of the 6 parallel mooring slips along the Fuka Union Canal to now be within the man-made canal on the south shoreline where the remaining 36 slips are currently located.

1.1 Background

The West Indian Manatee (Subspecies Florida Manatee) (*Trichechus manatus latirostris*) is a slow-moving herbivore marine mammal which frequents waters and bays of South Florida for its warmer waters. They are protected under the Endangered Species and Marine Mammal Protection Acts.

They can reach lengths of 14 feet and weigh up to 3,000 pounds. Manatee feed on marine grasses, algae, and floating plants.

Boats until recently were the most significant danger to manatees, however in 2020 and 2021 a sharp decline in seagrass beds have led to a rash of mortalities from starvation in the North Florida springs where they will winter. Seagrass beds in the Fuka Union Canal system are very sporadic and generally small in size. The Sunrise Cay facility's bottom lands do not contain seagrasses or macro algae.

Fuka Union Canal to the Gulf of Mexico is also a Slow/No Wake Speed Zone, so the manatee which can be found in these waters are protected from vessels to a large degree.

2.0 EDUCATION AND PUBLIC AWARENESS

The applicant has agreed to install and maintain the following signage which will be required by special condition in the Department of Environmental Protection and U.S. Army Corps of Engineers permits. (Signage map attached.)

- Manatee educational signage at each dock entrance on the upland.
- Mooring/signage and disposal boxes at each dock entrance, except the fuel dock where it will be located at the ship store.
- Sea turtle, Dolphin and Smallmouth Sawfish signage at the ship store.

3.0 POSTING AND MAINTENANCE OF MANATEE SIGNAGE

Attached is a signage location map for the facility which includes the manatee and other federally protected sea life. That signage will be maintained in good condition for the life of the facility. If the signage becomes damaged or faded it will be replaced.

4.0 MONITORING AND MAINTENANCE OF WATER QUALITY TO COMPLY WITH STATE STANDARDS

It is expected that the state water quality certification will require some kind of water quality monitoring upon issuance. The testing and monitoring will be done and submitted as required.

5.0 INFORMATION ON THE TYPE AND DESTINATION OF BOAT TRAFFIC GENERATED BY THE FACILITY

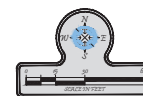
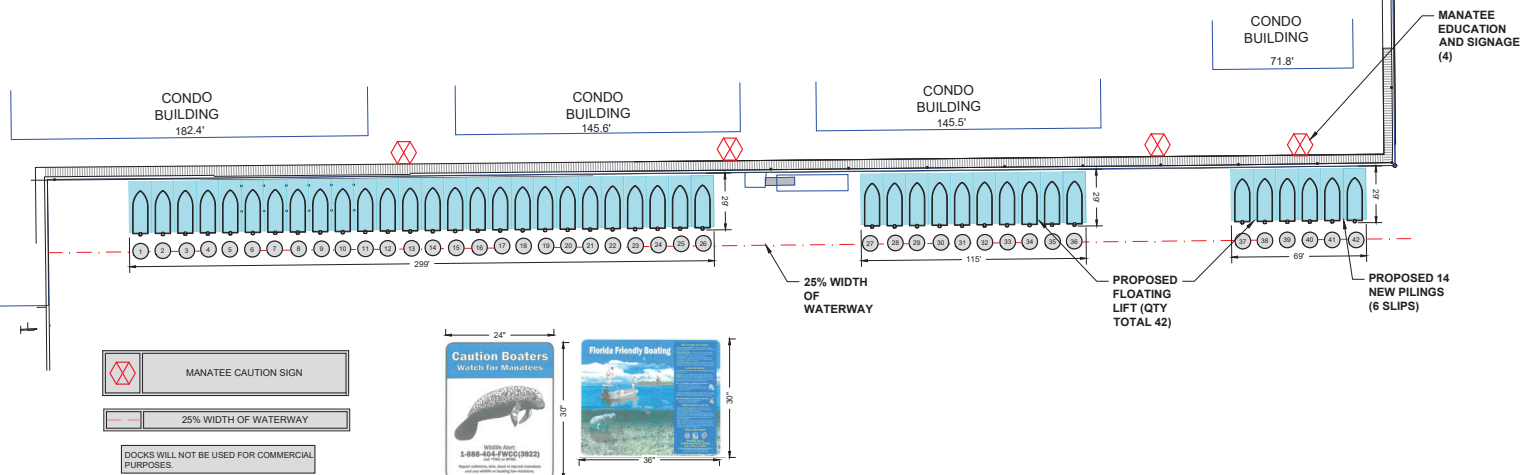
This facility will continue to only accommodate residential boat traffic associated with each upland unit owner. There are 42 slips existing and proposed, but not all will be generating boat traffic on the same day. Additionally, the Port of the Islands Marina within the adjacent Fuka Union Canal offers fuel to the local surrounding community and any transient vessels but no additional traffic will be a result of the proposed project.

The facility will be used strictly by Sunrise Cay residents for their private vessels. Most boat traffic will be destined for the Fuka Union Canal and the Gulf of Mexico.

6.0 MARKING OF NAVIGATIONAL CHANNELS

Since the facility is located at the southern terminus of a canal with one entrance and exit point with no threat of navigation, the navigational channels start out in the Fuka Union Canal extending out to reach the Gulf of Mexico. The Fuka Union Canal is already well-marked so no other navigational markers will be required in association with the proposed facility.

NEWPORT DRIVE

SUNRISE CAY I**SUNRISE CAY II**

Attachment: Attachment E - SDPI-PL20220008960 Rev3 - Pending Approval (26294 : PL20210002028 BD

PROPOSED DESIGN

02

N/A

PROPOSED DESIGN

RMJ

DATE

CHANGED

REVISION

MANATEE EDUCATION AND SIGNAGE (4)

CONDO BUILDING 71.8'

CONDO BUILDING 145.5'

CONDO BUILDING 145.6'

CONDO BUILDING 182.4'

25% WIDTH OF WATERWAY

PROPOSED FLOATING LIFT (QTY TOTAL 42)

PROPOSED 14 NEW PILINGS (6 SLIPS)

MANATEE CAUTION SIGN

DOCKS WILL NOT BE USED FOR COMMERCIAL PURPOSES.

Caution Boaters Watch for Manatees

Florida Friendly Boating

24' x 30'

24'

30'

36'

299'

115'

69'

71.8'

145.5'

145.6'

182.4'

25% WIDTH OF WATERWAY

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CONDO BUILDING 182.4'

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182.4'

25% WIDTH OF WATERWAY

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CONDO BUILDING 145.6'

CONDO BUILDING 182.4'

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PROPOSED FLOATING LIFT (QTY TOTAL 42)

PROPOSED 14 NEW PILINGS (6 SLIPS)

MANATEE CAUTION SIGN

DOCKS WILL NOT BE USED FOR COMMERCIAL PURPOSES.

Caution Boaters Watch for Manatees

Florida Friendly Boating

24' x 30'

24'

30'

36'

299'

115'

69'

71.8'

145.5'

145.6'

182.4'

25% WIDTH OF WATERWAY

MANATEE EDUCATION AND SIGNAGE (4)

CONDO BUILDING 71.8'

CONDO BUILDING 145.5'

CONDO BUILDING 145.6'

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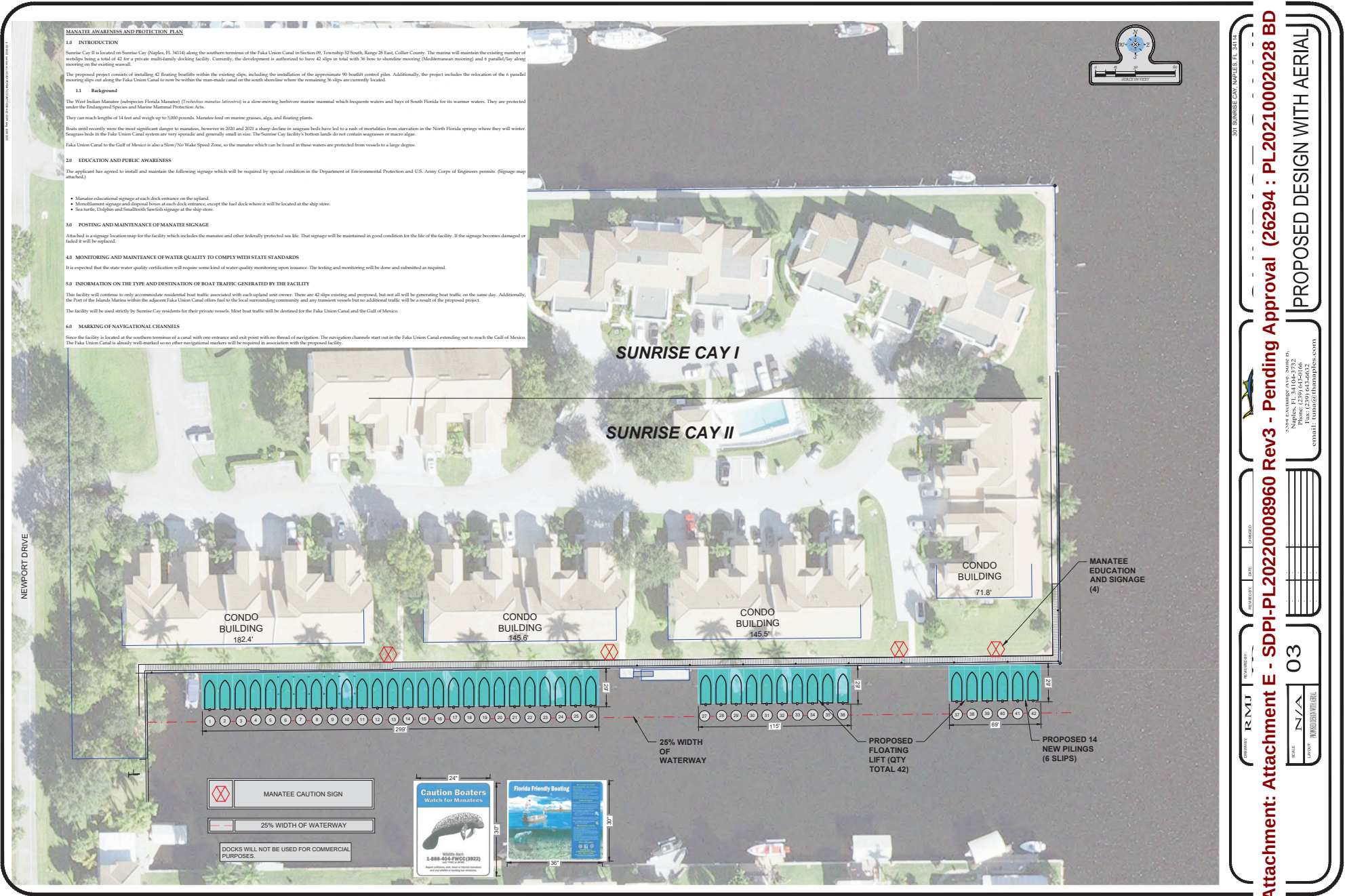
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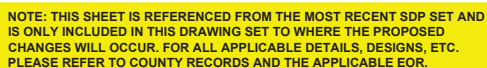
Attachment: Attachment E - SDPI-PL20220008960 Rev3 - Pending Approval (26294 : PL20210002028 BD

PROPOSED DESIGN WITH AERIAL

2504 LAKESHORE AVE. SUITE 10
Naples, FL 34104-1732
Phone: (239) 643-6632
Fax: (239) 643-6632
email: tanner@thunaples.com

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REVISION TABLE



HEARING PACKAGE CHECKLIST

A. Backup provided by the County Planner

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

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

B. Backup provided by Applicant:

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

- ☒ Application, to include but not limited to the following:
 - ☒ Narrative of request
 - ☒ Property Information
 - ☒ Property Ownership Disclosure Form
 - ☒ Any other documents required by the specific petition type; such as a variance, a boat dock extension; PUD amendment, rezone request, etc. **SETTLEMENT AGREEMENT**
- ☒ Disclosure of Property Ownership Interest (if there is additional documentation aside from disclosure form)
- ☐ Affidavit of Unified Control
- ☒ Affidavit of ^{AUTHORIZATION} Representation
- ☒ Drawings (may include Cross-Section (for BDEs generally), proposed Boat Dock(s) with Water depth, location maps etc.)
- ☐ NIM Information (Sign in sheet, notes, minutes and transcript/or summary)
 - ☒ Include 3 thumbnail drives of video and/or audio
- ☐ Traffic Impact Study (TIS)
- ☐ Environmental Data
- ☐ Historical/Archeological Survey or Waiver
- ☐ Utility Letter
- ☒ Deviation Justifications

- ✓ Boundary Survey *OR APPROVED SDP/SITE PLAN*
- ✓ Other documents, as needed, on a case-by-case basis such as relevant prior Ordinances, Conditional Uses, historical documents, any "private or legal" agreements affecting the PUD etc.
- ✓ Submerged Resource Surveys may be included here if required.
- ✓ flash drive with *only one pdf file* for all documents *OR VIA EMAIL*

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

Jeff Rogers

Signature of Agent Representative

Jeff Rogers

7/19/2023

Date

Printed Name of Signing Agent Representative

Attachment: Attachment F - HEX Backup Package 08082023 (26294 : PL20210002028 BD Sunrise Cay II Multi-Family Dock Facility)



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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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): Sunrise Cay Commons Association, Inc.Name of Applicant if different than owner: Sunrise Cay IIAddress: 301 Sunrise Cay City: Naples State: FL ZIP: 34114Telephone: _____ Cell: 305-778-9515 Fax: _____E-Mail Address: ogiberga@aol.comName of Agent(s): Jeff RogersFirm: Turrell, Hall & Associates, Inc.Address: 3584 Exchange Ave City: Naples State: FL ZIP: 34104Telephone: 239-643-0166 Cell: 239-784-0081 Fax: 239-643-6632E-Mail Address: jeff@thanaples.com**PROPERTY LOCATION**Section/Township/Range: 09 / 52 S / 28 E Property I.D. Number: 01067081401Subdivision: Sunrise Cay II Unit: _____ Lot: _____ Block: _____

Address/ General Location of Subject Property:

301 Sunrise Cay

Current Zoning and Land use of Subject Property:

Residential Multi-Family (RMF-16)



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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	RMF-16	Condos
S	RMF-16	Faka Union Canal
E	RMF-16	Condos
W	RMF-16	Condos

DESCRIPTION OF PROJECT

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

See attached Narrative

SITE INFORMATION

1. Waterway Width:

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

2. Total Property Water Frontage:

975 ft.

3. Setbacks:

Provided: 42 & 200+ ft.
Required: 15 & 15 ft.

4. Total Protrusion of Proposed Facility into Water:

29 ft.

5. Number and Length of Vessels to use Facility:

- 42 slips ft.
- ft.

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

There numerous other single-family and multi-family/commercial properties all of which have been granted BDE approvals within the Faka Union canal and canals. Most of the previous extensions range from 10-30 feet past the allowed 20-feet. See attached exhibits.

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?

3.27 Acres



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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.**

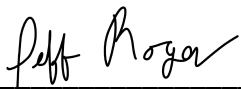
Fire Code Plans Review Fees are collected at the time of application submission and those fees are set forth by the Authority having jurisdiction. The Land Development Code requires Neighborhood Notification mailers for Applications headed to hearing, and this fee is collected prior to hearing.

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

6.28.2023

Date



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

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

Pre-Application Meeting Notes

Petition Type: BDE

Date and Time: Tuesday 8/31/21 at 1:30PM - Bridge Line

Assigned Planner: John Kelly

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

Project Information

Project Name: 301 Sunrise Cay II (BDE)

PL #: 20210002028

Property ID #: 01067083506 Current Zoning: RMF-16

Project Address: 301 Sunrise Cay City: Naples State: FL Zip: 34114

Applicant: Jeff Rogers - Turrell, Hall & Associates, Inc.

Agent Name: Jeff Rogers Phone: _____

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

Property Owner: Sunrise Cay Commons Assn Inc.

Please provide the following, if applicable:

- i. Total Acreage: .33
- ii. Proposed # of Residential Units: _____
- iii. Proposed Commercial Square Footage: _____
- iv. For Amendments, indicate the original petition number: _____
- v. If there is an Ordinance or Resolution associated with this project, please indicate the type and number: _____
- vi. If the project is within a Plat, provide the name and AR#/PL#: _____



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Meeting Notes

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

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

ZONING

- REQUIRES AMENDMENT TO MOST CURRENT SETTLEMENT AGREEMENT; SAID AMENDMENT MUST BE APPROVED PRIOR TO SUBMITTAL OF THE SUBJECT BDE.
PROVIDE COPY OF SIGNED SETTLEMENT AGREEMENT AMENDMENT.
- ADDRESS REQUIREMENTS of MANATEE PROTECTION PLAN (MPP)
- REFER TO ATTACHED BDE PRE-APP NOTES
- IF APPLYING SIMULTANEOUSLY, PROVIDE COPY of AMENDMENT OR LAWS CHANGE TO SITE DEVELOPMENT PLAN (SDPA or SDP).

SEE ATTACHED ADDITIONAL NOTES ON PAGE 2A.

If Site is within the City of Naples Water Service Area please send to Naples Utilities and Planning Departments. Then, if the petition is submitted, we are to send it (by email) to the four persons below in their Utilities and Planning Depts. - along with a request that they send us a letter or email of "no objection" to the petition. Bob Middleton RMiddleton@naplesgov.com
Allyson Holland AMHolland@naplesgov.com Robin Singer RSinger@naplesgov.com Erica Martin emartin@naplesgov.com

Disclaimer: Information provided by staff to applicant during the Pre-Application Meeting is based on the best available data at the time of the meeting and may not fully inform the applicant of issues that could arise during the process. The Administrative Code and LDC dictates the regulations which all applications must satisfy. Any checklists provided of required data for an application may not fully outline what is needed. It is the applicant's responsibility to provide all required data.

Pre-Application Meeting Notes
GMD - Zoning Services

Planner: John Kelly
 (239)252-5719
John.kelly@colliercountyfl.gov

Boat Dock Extension

- Complete the required application; respond to each question and sign
- Refer to the Final Submittal Requirement Checklist and provide/submit required documents
 - All submitted plans must be legible when duplicated on 8.5" X 11" standard paper
 - The final recording of documents is in black & white; minimize the use of color
- Provide a Boundary Survey to demonstrate water frontage and lot dimensions as well as the principal use of the subject property
- Either as part of the application, or on a separate sheet, provide a detailed Narrative Statement fully describing the project and what is being requested
- On a sheet separate from the application, please provide persuasive and convincing responses to each of the Primary and Secondary Criteria contained within LDC Section 5.03.06.H
 - state if each criterion has been satisfied or not satisfied
 - provide sufficient evidence to support any claims such as insufficient water depth, unique characteristics of the property or waterfront, width of waterway and/or canal
- Site Plans
 - Site Plans should be measured in feet
 - Note that the dock facility includes any docked vessel(s); show vessel(s) on plan
 - Demonstrate width of property and/or the total property water frontage
 - Demonstrate side and/or riparian setbacks for the dock facility
 - Demonstrate amount of dock protrusion using such points of measure as are contained within LDC Section 5.03.06.C.1, Measurement of Dock Protrusion.
- Note that dock facilities should be minimized to allow reasonable, safe access to the vessel(s) for loading, unloading, and routine maintenance without the use of excessive deck area

Boathouse

- See above for general information
- On a sheet separate from the application, please provide persuasive and convincing responses to each of the Boathouse Criteria contained within LDC Section 5.03.06.F
 - state if each criterion has been satisfied or not satisfied
 - provide sufficient evidence to support any claims such as insufficient water depth, unique characteristics of the property or waterfront, width of waterway and/or canal
- Site Plans
 - Demonstrate setback requirements from property and riparian lines, demonstrate the separation from other structures on the site, Demonstrate height of boathouse and type of roof; note that the roof alone may overhang up to 3 feet into the waterway beyond the maximum protrusion and/or setback (plans must show the amount of roof overhang)



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(239) 252-2400

Meeting Notes

Development Review - GABBY CASTRO - See email Page 3A.

N. Collier Fire - Linda Simmons - Please contact Thomas MASTROBENTO
see Page 4

Environmental - CRAIG BROWN - See email & checklist Page 3B.1-B5

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: CastroGabriela
Sent: Tuesday, August 31, 2021 2:33 PM
To: ThomasClarkeVEN
Subject: Notes for the pre-app PL20210002028 - Sunrise Cay II (BDE)

Hello

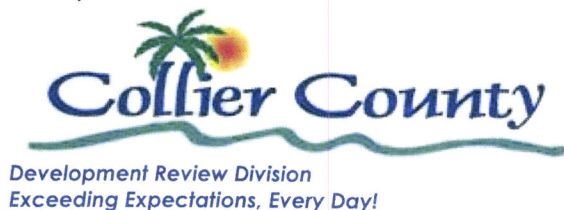
Boat Dock extension would still be required in addition to site plans (SDPI/SDPA etc). LDC section below exempts non-residential to just show it on the site plans

5.03.06.I.3

Nonresidential **dock facilities** shall be subject to all of the provisions of LDC [section 5.03.06](#), with the exception that protrusions for nonresidential **dock facilities** beyond the specified limits shall be determined administratively by the County Manager or designee at the time of site **development plan** review, based on an evaluation of the criteria in LDC subsection [5.03.06](#) H

Respectfully,

Gabriela Castro, AICP
 Principal Planner



NOTE: Email Address Has Changed

2800 North Horseshoe Drive, Naples Florida 34104
 Phone: 239-252-4211

How are we doing? Please [CLICK HERE](#) to fill out a Customer Survey.
We appreciate your Feedback!

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.

ThomasClarkeVEN

From: BrownCraig
Sent: Wednesday, September 01, 2021 10:51 AM
To: ThomasClarkeVEN
Subject: RE: Pre-App Research for Sunrise Cay II (BDE) - PL20210002028- Today Tuesday 8/31/2021 at 1:30 PM - Bridge Call
Attachments: Boat Dock Extension Checklist 2016.doc

Thomas Here are my notes:

Please provide a benthic survey with an exhibit to indicate the location of seagrasses or oyster beds within 200 feet of the proposed docking facility. LDC Section 5.03.06.J

Please provide a description of the shoreline and any native vegetation present. Indicate any proposed impacts to the native shoreline vegetation (approximate area in square feet to be impacted).

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

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

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

- **See 5.03.06 E 11 and 5.05.02 for Manatee awareness requirements for multi-slip docking facilities**

Whether the proposed **dock** facility is subject to the manatee protection requirements of subsection **5.03.06(E)(11)** of this LDC.

(If applicable, compliance with section 5.03.06(E)(11) must be demonstrated).

Is Dredging proposed? Please provide illustrations.

Please label the waterbody the project will occur in and indicate typical navigation

Routes.

(See Attached Checklist).

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: Tuesday, August 31, 2021 11:23 AM

To: AshtonHeidi <Heidi.Ashton@colliercountyfl.gov>; BeardLaurie <Laurie.Beard@colliercountyfl.gov>; CookJaime <Jaime.Cook@colliercountyfl.gov>; CrotteauKathynell <Kathynell.Crotteau@colliercountyfl.gov>; FaulknerSue <Sue.Faulkner@colliercountyfl.gov>; FeyEric <Eric.Fey@colliercountyfl.gov>; JosephitisErin <Erin.Josephitis@colliercountyfl.gov>; OrthRichard <Richard.Orth@colliercountyfl.gov>; PollardBrandi <Brandi.Pollard@colliercountyfl.gov>; AshkarSally <Sally.Ashkar@colliercountyfl.gov>; SawyerMichael <Michael.Sawyer@colliercountyfl.gov>; TempletonMark <Mark.Templeton@colliercountyfl.gov>; WilkieKirsten <Kirsten.Wilkie@colliercountyfl.gov>

Cc: KellyJohn <John.Kelly@colliercountyfl.gov>; YoungbloodAndrew <Andrew.Youngblood@colliercountyfl.gov>;

Residential Boat Dock Extension Checklist
Submerged Resources Survey Checklist

1. Is there an overlay? ST overlay needs an ST permit (much of Isle of Capri & Keewaydin has an ST Overlay over the water)
2. Seagrass or seagrass beds within 200 feet of any proposed dock facility shall be identified on an aerial photograph. (LDC 5.03.06 I)
Provide a submerged resources survey from an Environmental Consultant done between April and October. P530
3. All proposed dock facilities shall be located and aligned to stay at least ten feet from any existing seagrass beds, or meet restrictions for continuous beds. (LDC 5.03.06 J.) P530
4. Provide complete answers to Secondary Criteria #5 & #6. (Use Misc in CV)
5. Demonstrate how negative impacts to seagrass beds and other native shoreline vegetation and hard bottom communities have been minimized. (LDC 5.03.06 J.4) P530
6. The dock shall be field adjusted to minimize impacts to mangroves. (LDC 5.03.06 I.2) Remove this checklist item – look at LDC? P530
7. Provide a clearing plan for removal of any vegetation related to the boat dock. This is simply an information exhibit being requested. (Use Misc in CV)
8. Are there any draft restrictions? Look at the MPP. (Use Misc in CV)

Keewaydin: BDE not required for Keewaydin

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

Seagrass: Light penetration is needed to survive, usually in more shallow areas

Submerged Resources Survey:

- Read thoroughly
- Check location description for street & waterway (if given)
- Check to see if it was uploaded to CV
- Indicate in CV “Comments box” if one was done & if it was uploaded to CV

*****SEE SUGGESTED FORMAT OF SUBMERGED RESOURCES SURVEY ON NEXT PAGE*****

MULTI SLIP DOCKING FACILITY

- Look at supplemental criteria in 5.05.02
 - Port of the Islands uses different Rating system – see MPP
- **See 5.03.06 E 11 and 5.05.02 for Manatee awareness requirements for multi-slip docking facilities**
Whether the proposed **dock** facility is subject to the manatee protection requirements of subsection **5.03.06(E)(11)** of this LDC. (If applicable, compliance with section 5.03.06(E)(11) must be demonstrated).

SUGGESTION FORMAT AND INFORMATION TO INCLUDE IN SUBMERGED RESOURCES SURVEY

- Location of survey – property address and folio#
 - The survey shall indicate any seagrass or seagrass beds located within 200 feet on any proposed dock facility (5.03.06.J). In order for this to be accomplished, any within 200 feet of the proposed dock (within the riparian lines of the property and adjacent to the property) shall be surveyed.
- Who did the survey – which firm and their contact information including name, address, phone #, email
- What date was the survey conducted? **Guidance from FWC is to do between April and October**
 - Weather conditions, water temperature, low tide & high tide times
- Objective of Survey & Work done on the site
 - Was the site snorkeled?
 - What methodologies were used?
 - Was a GPS used?
 - Was an aerial photograph reviewed and used to establish survey transect lines?
- Results
 - What was found? Substrate and what kind? Seagrass, shell, oysters?
 - What was along the shoreline? Mangroves, seawall, etc?
 - Why does the consultant think no submerged resources were found?
 - Other observations
- When seagrass is found, include all requirements of LDC section 5.03.06. J.
- Conclusions
 - Were any submerged resources found? If yes, what?
 - Are any impacts to submerged resources expected or proposed?
- Pictures (suggested angles)
 - Looking toward and away from the shoreline
 - The proposed location of the boat access
 - Observations in the water - Any oyster debris, shell, seagrass

5.03.06. J. (LDC section up to date as of 2016)

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

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

4. The petitioner shall be required to demonstrate how negative impacts to seagrass beds and other native **shoreline** vegetation and hard bottom communities have been minimized prior to any project approval or permit issuance.



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GROWTH MANAGEMENT DEPARTMENT
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NAPLES, FLORIDA 34104
(239) 252-2400

Pre-Application Meeting Sign-In Sheet
PL# 20210002028

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
☒ 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
☐ Alexandra Casanova	Operations Coordinator	252-2658	Alexandra.casanova@colliercountyfl.gov
☐ Heidi Ashton Cicko	Managing Asst. County Attorney	252-8773	heidi.ashton@colliercountyfl.gov
☒ Thomas Clarke	Zoning Operations Coordinator	252-2584	thomas.clarke@colliercountyfl.gov
☐ Jamie Cook	Prin. Environmental Specialist	252-6290	Jaime.cook@colliercountyfl.gov
☐ Jackie De la Osa	North Collier Fire	252-2312	jdelaosa@northcollierfire.com
☐ Maggie DeMeo	North Collier Fire	252-2308	pdemeo@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	Comprehensive Planning	252-5715	sue.faulkner@colliercountyfl.gov
☐ Jeremy Frantz	LDC Manager	252-2305	Jeremy.Frantz@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
☐ 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	Zoning Senior Planner	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

Updated 1/12/2021

Page | 4 of 5



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☐	Jack McKenna, P.E.	Engineering Services	252-2911	jack.mckenna@colliercountyfl.gov
☐	Matt McLean, P.E.	Development Review Director	252-8279	matthew.mclean@colliercountyfl.gov
☐	Michele Mosca, AICP	Capital Project Planning	252-2466	michele.mosca@colliercountyfl.gov
☐	Annis Moxam	Addressing	252-5519	annis.moxam@colliercountyfl.gov
☐	Richard Orth	Stormwater Planning	252-5092	richard.orth@colliercountyfl.gov
☐	Brandy Otero	Transit	252-5859	brandy.otero@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	Zoning Principal Planner	252-2708	james.sabo@colliergo.net
☐	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

EX GABBY CASTRO

Additional Attendee Contact Information:

Name	Representing	Phone	Email
<i>JEFF ROBENS</i>	<i>TURNELL HALL & ASSOC</i>	<i>643-0166</i>	<i>JEFF@THANAPLES.COM</i>

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www.colliergov.net

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

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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2800 NORTH HORSESHOE DRIVE
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
☐ 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

Date

May 8, 2018

Page 6 of 6

Packet Pg. 154



ADDRESSING CHECKLIST

Please complete the following and upload via the CityView Portal with your submittal. Items marked with (*) are required for every application, other items are optional and may not apply to every project.

Forms are valid for 6 months following their submittal; an updated form will be required for a new submittal after that timeframe and any time the properties within the project boundary are modified.

Additional documents may be attached to this form and can include:

- * LOCATION MAP and/or SURVEY showing the proposed project boundary.
- List of additional folio numbers and associated legal descriptions.
- E-mail from Addressing Official for any pre-approved project and/or street names.

LOCATION INFORMATION

***FOLIO (Property ID) Number(s)** of subject property or properties. [Attach list if necessary]

01067083506

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

9 52 28 UNREC'D TRACT B COMMON AREA FOR SUNRISE CAY

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

301 Sunrise Cay, Naples, FL 34114

PROJECT INFORMATION

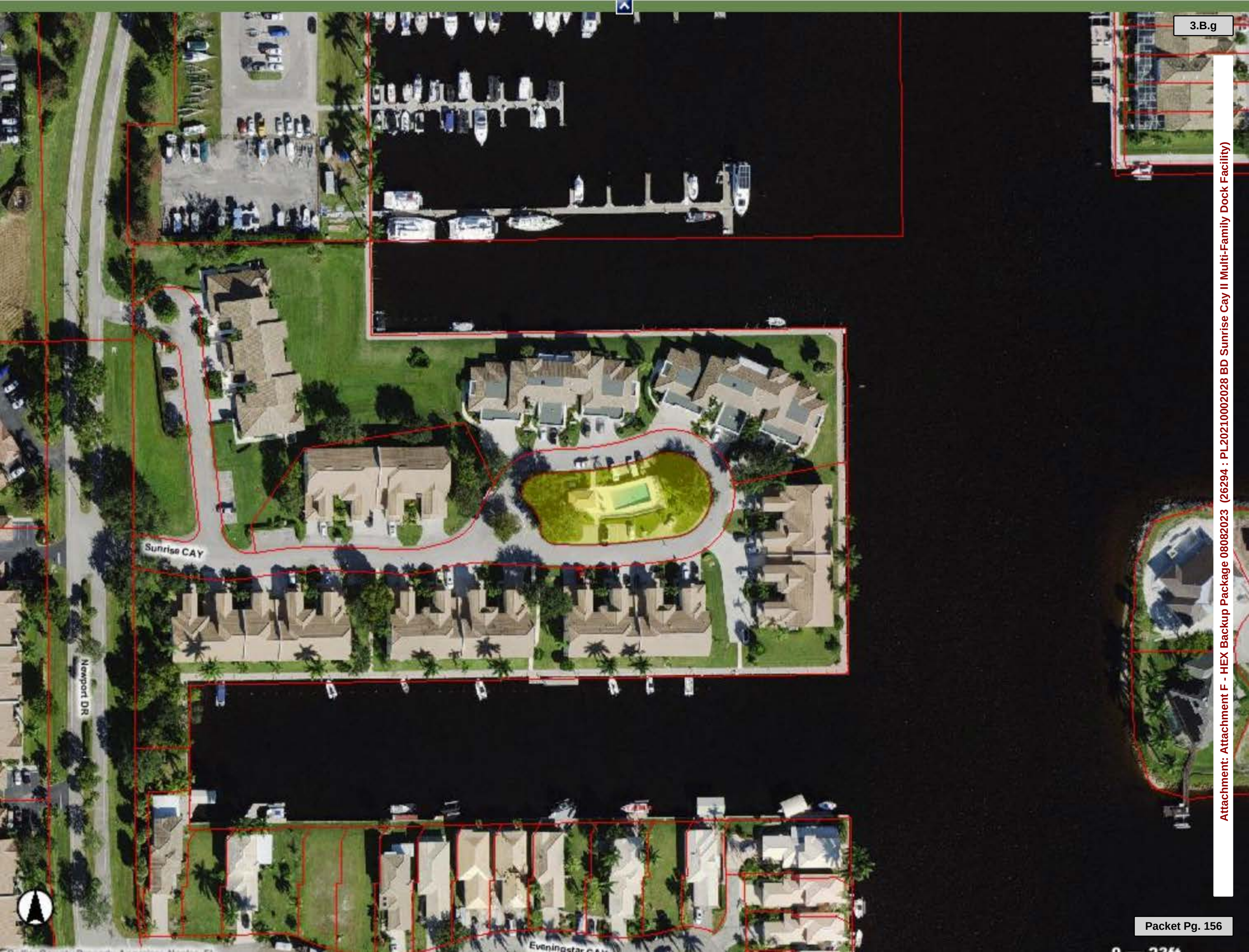
Acceptance of this form does not constitute project and/or street name approval and is subject to further review by the Addressing Official. Pre-Approval may be requested by contacting us at GMD_Address@colliercountyfl.gov or 239-252-2482 prior to your submittal.

CURRENT PROJECT NAME

PROPOSED PROJECT NAME

PROPOSED STREET NAME(s)

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





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
Sunrise Cay II Condominium Association, Inc.	100 %

- 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:



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

X 
Agent/Owner Signature

8/11/21
Date

X Ovidio Giberga
Agent/Owner Name (please print)

Sunrise Cay II

Owner List - Thursday, February 16, 2023

Owner	Address
James Meister Joyce Meister	205 Sunrise Cay, 101
Robert J LaTour Susan F LaTour	205 Sunrise Cay, 102
Deborah Kay Jansen	205 Sunrise Cay, 103
Jon Erickson Sara Erickson	205 Sunrise Cay, 104
Curtis R Gross Lynnette Gross	205 Sunrise Cay, 105
Tina L Martin Ricky A Martin	205 Sunrise Cay, 201
Wetz Florida, LLC	205 Sunrise Cay, 202
Marie Kaikini Prabhat Kaikini	205 Sunrise Cay, 203
Carol F Halvorson David L Halvorson	205 Sunrise Cay, 204
Peter J Castellaneta	205 Sunrise Cay, 205
Suzanne Smith Douglas Smith	221 Sunrise Cay, 101
Mauri Salzman Judith Salzman	221 Sunrise Cay, 102

Sunrise Cay II

Owner List - Thursday, February 16, 2023

Owner	Address
Sherri K Rutherford Ronald G Rutherford	221 Sunrise Cay, 103
Eugene Abramoff	221 Sunrise Cay, 104
Lynda Speen Alexander Speen	221 Sunrise Cay, 201
Lisa Wells Gregory Wells	221 Sunrise Cay, 202
Herbert Orth Cynthia Hicks-Orth	221 Sunrise Cay, 203
Carole Buxell Irvin Buxell	221 Sunrise Cay, 204
Daniel J Grevas Kim M Grevas	237 Sunrise Cay, 101
Linda K Schroeder James E Schroeder	237 Sunrise Cay, 102
Jennifer L Lederman Joni L Leedy	237 Sunrise Cay, 103
Robert Martin Geraldine Martin	237 Sunrise Cay, 104
Kathryn Otto Duane Otto	237 Sunrise Cay, 201
MAGC Properties, LLC Michael J Carl	237 Sunrise Cay, 202

Sunrise Cay II

Owner List - Thursday, February 16, 2023

Owner	Address
Ovidio Giberga Rebecca Giberga	237 Sunrise Cay, 203
John Ward Kimberly Ward	237 Sunrise Cay, 204
John Hale Wanda Hale	253 Sunrise Cay, 101
Matt Dembrow	253 Sunrise Cay, 102
Patricia Dieter Richard Dieter	253 Sunrise Cay, 103
Cheryl L Hollis Richard M Hollis	253 Sunrise Cay, 104
Margaretha Lavey Robert Lavey	253 Sunrise Cay, 201
Academy Properties LLC	253 Sunrise Cay, 202
Kathi M Olson Jeffrey S Olson	253 Sunrise Cay, 203
Thomas D Brusca	253 Sunrise Cay, 204
Sunrise Cay 101 LLC	317 Sunrise Cay, 101
Kelly Trevelline Robert Trevelline	317 Sunrise Cay, 102

Sunrise Cay II

Owner List - Thursday, February 16, 2023

Owner	Address
John Tolle	317 Sunrise Cay, 103
Susan Pratt John Pratt	317 Sunrise Cay, 104
Taylor N Griffin Thomas A Griffin	317 Sunrise Cay, 201
Mercedes Busto William Jennings	317 Sunrise Cay, 202
Randall Fortner	317 Sunrise Cay, 203
James Williams Carrie Williams	317 Sunrise Cay, 204

**SUNRISE CAY II CONDOMINIUM ASSOCIATION, INC.
BOARD OF DIRECTORS
As of 2022 Revised on 6/3/22**

Ovidio “Jack” Giberga, President (2002) Violations-Committee

237 Sunrise Cay #203
Naples, FL 34114
Cell: (305) 778-9515
ogiberga@aol.com
Term expires: 2023

Dick Dieter (Bldg 253 # 103)
Seth LaVey (Bldg 253 # 201)
Doug Smith (Bldg 221 # 101)

Curt Gross 2nd Vice President (2021)

205 Sunrise Cay #105
Naples, FL 34114
Cell (334) 740-1881
curtgross60@gmail.com
Term expires: 2024

Mauri Salzman, Treasurer (2016)

221 Sunrise Cay #102
Naples, FL 34114
C:(585) 355-0753
H: (585)-223-6116
maurisalzman@gmail.com
Term expires: 2023

Herb Orth, Vice President (2014)

221 Sunrise Cay # 203
Naples, FL 34114
H: (239) 394-0789
C:(305) 525-8333
herb1723@bellsouth.net
Term Expires: 2024

Rick Martin, Secretary (2022)

205 Sunrise Cay #201
Naples, FL 34114
(270) 210-6445
rickmartin1856@gmail.com
Term expires: 2024

Cardinal Management Group of South Florida, Inc.

Manager: Jodie Ownby / Assistant: Diana Reyes
4670 Cardinal Way Suite # 302 Naples FL 34112
Phone (239) 774-0723 ext. 212 Fax (239) 775-0723
j.ownby@cmgflorida.com / d.reyes@cmgflorida.com

AMENDMENT TO SETTLEMENT AGREEMENT AND GENERAL RELEASE

This **AMENDMENT TO SETTLEMENT AGREEMENT AND GENERAL RELEASE** (the "Amendment") is made and entered into this 13th day of December 2022, by and between Sunrise Cay II Condominium Association, Inc., a Florida not-for-profit corporation (the "Association"), and Collier County, Florida, a political subdivision of the State of Florida (the "County").

WHEREAS, the Association and County entered into a Settlement Agreement and General Release dated September 15, 2009 (the "Settlement Agreement"), Agenda Item No. 17.E, ADA-2008-AR-14059, pertaining to the application of the County's Manatee Protection Plan and the Association's request for interpretation, INTP-2008-AR-12749, for the configuration of proposed boat dock facilities at the Association's property ("Property") located in Section 9, Township 52 South, Range 28 East, as legally described in the Declaration of Condominium for Sunrise Cay II recorded in OR Book 2245, Page 1343, of the Public Records of Collier County, Florida, as amended from time to time; and

WHEREAS, the Settlement Agreement, along with ACOE permit SAJ-2003-0972, and DEP permit 11-0220350, and Collier County SDP-89-229, all as amended from time to time, authorized the installation of certain boat dock facilities in a particular configuration as shown in Exhibit "A" to the Settlement Agreement, and those boat dock facilities were installed by the Association in 2009; and

WHEREAS, the Association has requested an amendment to the Settlement Agreement for a proposed reconfiguration of the boat dock facilities at Sunrise Cay II, as reflected in the attached amended Exhibit "A", modifying the total protrusion from the Mean High Water Line (MHWL) from 18 feet to 29 feet, moving six slips from the Faka Union Canal to the Sunrise Cay Canal, adding 14 additional pilings, and increasing the total overwater structure from 390 square feet to 12,553 square feet (for floating boat docks); but without any change to the maximum number of slips or the cumulative total length of the vessels as established in the Settlement Agreement; and

WHEREAS, the County agrees that the proposed reconfiguration of the boat slips as reflected in attached amended Exhibit "A" (with 42 boat slips, floating boatlifts, approximately 90 boatlift control piles, and the relocation of six (6) slips from the Faka Union Canal to the man-made canal on the south shoreline, and protruding 29 feet into a man-made canal) is approved and complies with the Collier County Manatee Protection Plan, subject to approval by the Hearing Examiner per LDC section 5.03.06.

NOW, THEREFORE, in consideration of the foregoing premises and the following mutual promises (the receipt and sufficiency of such consideration being acknowledged by the parties), the parties agree as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. Exhibit "A" of the Settlement Agreement is replaced with the amended Exhibit "A", attached hereto and incorporated herein by reference.
3. The parties acknowledge and agree that the numerical limit of 42 boat slips with the loading dock, and the 973-foot cap on the cumulative total length of the vessels, not including engines, remain in effect and are not changed.

4. All other provisions of the Agreement shall remain in full force and effect.
5. The effective date of this Amendment shall be the date of approval for both BDE-PL20210002028 and its related SDP amendment, as determined by the County Manager or designee. If the BDE or SDP amendment are not approved, then the September 15, 2009 Settlement Agreement for the existing dock configuration remains in effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their appropriate officials, as of the date first above written.

ATTEST:
CRYSTAL K. KINZEL, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
William L. McDaniel, Jr., Chairman

WITNESSES:

AS TO ASSOCIATION:

Witness #1 Signature

SUNRISE II CONDOMINIUM
ASSOCIATION, INC.

Witness #1 Printed Name

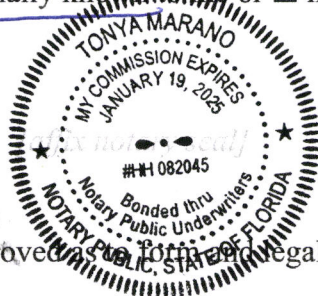
By: _____
Ovidio C. Giberga, President

Witness #2 Signature

Witness #2 Printed Name

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of physical presence this 18th day of November 2022 by Ovidio C. Giberga, as President of Sunrise Cay II Condominium Association, Inc., a Florida not for profit corporation, on behalf of the corporation, who ☒ is personally known to me or ☐ has produced _____ as identification.



Approved by _____
Notary Public, State of Florida

Notary Public

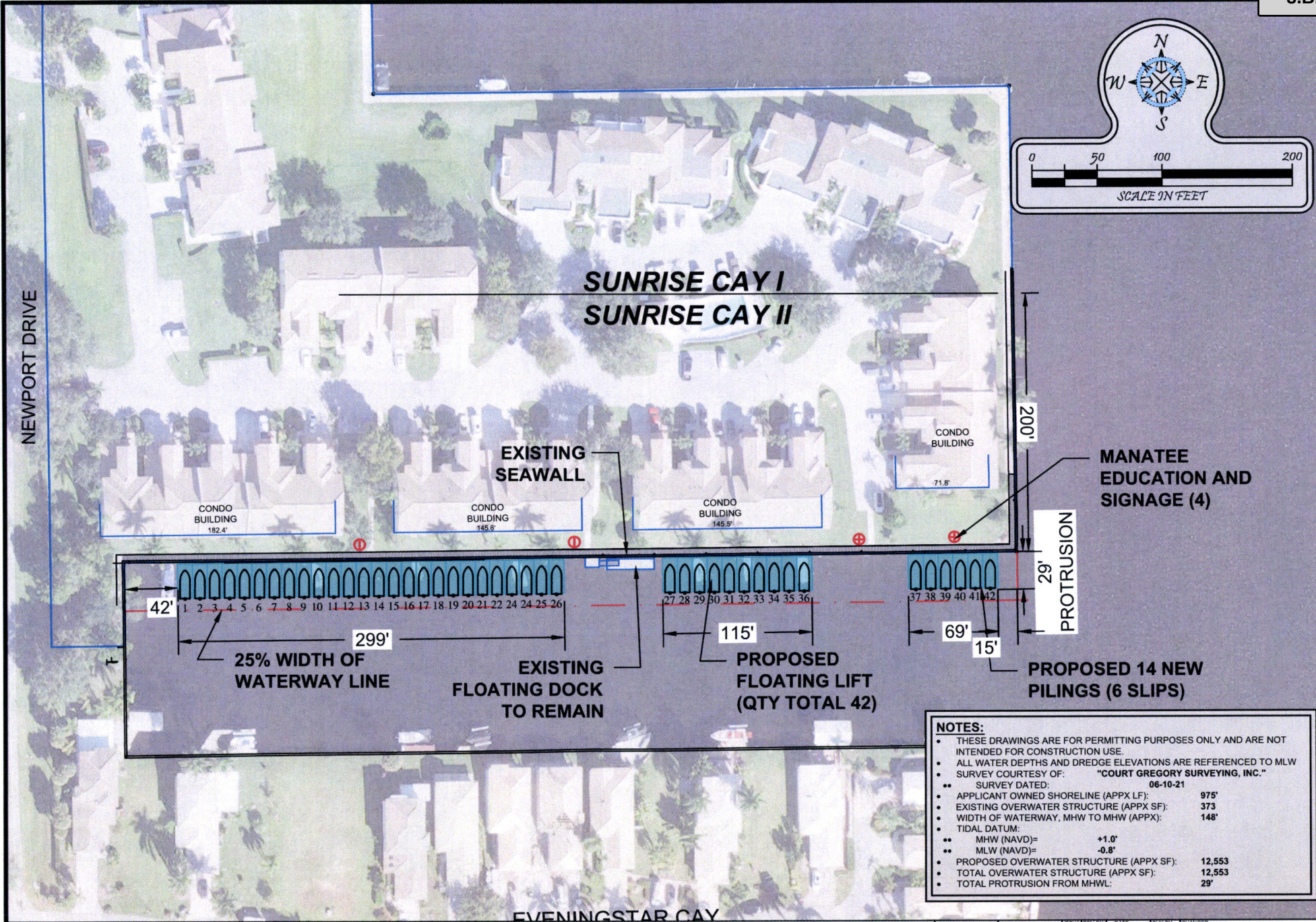
Print Name: Tonya Marano

Approved by the Zoning Director:

Derek D. Perry, Assistant County Attorney

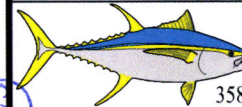
Mike Bosi, Zoning Director

Amended Exhibit “A”



NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: "COURT GREGORY SURVEYING, INC."
- SURVEY DATED: 06-10-21
- APPLICANT OWNED SHORELINE (APPX LF): 975'
- EXISTING OVERWATER STRUCTURE (APPX SF): 373
- WIDTH OF WATERWAY, MHW TO MHW (APPX): 148'
- TIDAL DATUM:
 - MHW (NAVD)= +1.0'
 - MLW (NAVD)= -0.8'
- PROPOSED OVERWATER STRUCTURE (APPX SF): 12,553
- TOTAL OVERWATER STRUCTURE (APPX SF): 12,553
- TOTAL PROTRUSION FROM MHWL: 29'

 **Turrell, Hall & Associates, Inc.**
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

SUNRISE CAY II
AMENDED EXHIBIT A

RY NO. 5875

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

DESIGNED:	JR	REV	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	09-22-22	2.	-	-	-	-
JOB NO:	0304.02	3.	-	-	-	-
SHEET NO.:	01	4.	-	-	-	-
		5.	-	-	-	-

SECTION-9 TOWNSHIP- 52S

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20210002028

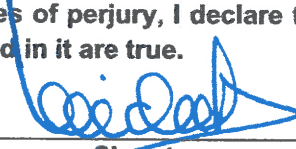
I, Ovidio Giberga (print name), as President (title, if applicable) of Sunrise Cay II Condo Association, Inc. (company, if applicable), swear or affirm under oath, that I am the (choose one) owner ☐ applicant ☒ contract purchaser ☐ and that:

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 Turrell, Hall & Associates, Inc. to act as our/my representative in any matters regarding this petition including 1 through 2 above.

*Notes:

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

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


Signature

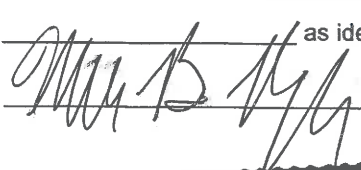
12.28.22
Date

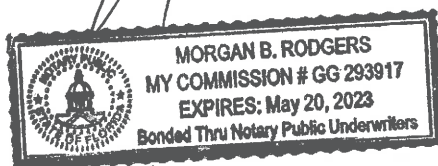
STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 29th day of December, 2022, by (printed name of owner or qualifier) Ovidio Carlos Giberga.

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

- ☐ Are personally known to me
- ☒ Has produced a current drivers license G162-643-45-408-0
- ☐ Has produced _____ as identification.

Notary Signature: 



Narrative Description: The proposed Boat Dock Extension request is for a multi-family docking facility associated with the upland development Sunrise Cay II in Port of the Islands. The subject waterway is a man-made canal system called the Faka Union Canal which the subject docks are located along as well as an off-shoot canal that run along the eastern and southern property shorelines. The existing slips associated with the multi-family development are currently authorized to have 42 slips along their 975 of seawall shoreline. Thirty-six (36) of the existing slips are located within the canal off the Faka Union Canal along the southern seawall shoreline with only 6 being located out along the Faka Union Canal being their eastern shoreline. There is also an existing marginal concrete floating common dock area that will remain as is and within the existing footprint. All these slips and common dock were approved under the previous BDE which authorized the current angled slip configuration which was also approved as part of the existing Settlement Agreement #ADA-2008-AR-14059 the applicant has in place with Collier County.

The proposed project consists of reconfiguring the slips from angled slips to being perpendicular to the shoreline and relocating the 6 slips out on the eastern shoreline to now having all 42 slips along the southern shoreline. The proposed slip reconfiguration also includes installing 42 floating boatlifts within each slip to allow the vessels to be stored out of the water on the float which will help protect the hull from marine growth and potential associated damages with always keeping the boat in the water. As proposed the vessels and associated boatlifts will protrude approximately 29-feet into the man-made canal that is approximately 149-feet wide therefore the proposed reconfiguration will not extend out past the allowed 25% width of waterway. The actual protrusion will be approximately 21% width of the subject waterway.

The applicant's shoreline consists of approximately 975 linear feet of vertical seawall and the proposed structures would add up to a total of 12,553 square feet of over-water structure. As proposed the project is requesting for a 9-foot Boat Dock Extension from the allowed 20-feet for a total of 29-feet out from the Mean High-Water Line/seawall. Additionally, the project meets all requirements outlined with the Collier County MPP.

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.)

Response: The total waterfront length for this property is 975-ft. The zoning and upland land use is multi-family with 42 residential units which currently has 42 slips along their seawall shoreline being 1 slip per upland unit. The proposed project is a reconfiguration of the existing 42 slips with the installation of floating boatlifts within each slip (42). As proposed the project will maintain the existing slip count which still meets all the requirements under the Collier County Manatee Protection Plan (MPP).

Criterion Met

2. Whether or not the water depth at the proposed site is so shallow that a vessel of the general length, type, and draft as that described in the petitioner's application is unable to launch or moor at mean low tide (MLT). (The petitioner's application and survey should show that the water depth is too shallow to allow launch and mooring of the vessel (s) described without an extension.)

Response: Water depths are not the driving factor for the requested BDE. The driving factor is the configuration of the slips being perpendicular to the seawall is the reason for the BDE petition request. The justification of the proposed slip design is to create a safe design to allow all 42 slips ingress/egress their slip with less of a chance of conflicting with their neighboring slip. A shore parallel design would reduce the overall protrusion but creates a navigational issue when you have 42 slips/vessels bow to stern laying along the shoreline with little to no room for navigation.

With how this question is stated the proposed project does not meet this criterion.

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: The proposed docking facility will not have any adverse impacts on navigation as it will only protrude 29-feet from the MHWL into the waterway that is approximately 149-feet wide from MHWL to MHWL. The entire waterway is used for navigation as there are no navigational markers indicating the exact thread of navigation. The proposed docking facility provides adequate space for navigation through this waterway as well as provides sufficient space for a dock to be built across the waterway from the subject property and still provide adequate space for navigation. Overall dock protrusion is approximately 21% width of the waterway.

Criterion Met

4. Whether or not the proposed dock facility protrudes no more than 25 percent of the width of the waterway, and whether or not a minimum of 50 percent of the waterway width between dock facilities on either side of the waterway is maintained for navigability. (The facility should maintain the required percentages.)

Response: The proposed docking facility protrudes approximately 29-feet from the MHWL into a waterway that is 149-feet wide from MHW to MHW. The proposed dock protrudes approximately 21% into the waterway and therefore as proposed the dock does meet this criterion.

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: The proposed dock facility will provide the more than the required 15-foot setbacks from both property/riparian lines. The dock design and location has been designed to be located within the required setbacks, provide safe access with a vessel and not interfere with any future neighboring docking facilities that maybe constructed.

Criterion Met

SECONDARY CRITERIA

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

Response: The one special criterion is the number of upland units being 42 which per the MPP allows us to have 1 slip per upland unit therefore we are allowed 42 slips. With the allowed number of slips there is not enough shoreline length owned by this development to allow safe shore parallel mooring of vessels up to 29-feet and have enough area for 42 slips. Therefore, the only option is to propose perpendicular mooring of the vessels which increases the overall protrusion into the waterway but due to the waterway width being 149-feet wide will allow the proposed modification without impacting navigation nor any adjacent properties.

Criterion Met

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

Response: The main reason for the proposed project is to reconfigure the existing slip layout and locations as well as to install new floating boatlifts within each slip. These floating boatlifts will provide additional dock surface area for each slip owner which will provide better access to their vessel and allow for routine maintenance like hull cleaning. The proposed design will also improve the existing access to each slip/vessel without using excessive decking or constructing new docks.

Criterion Met

3. For single-family dock facilities, whether or not the length of the vessel, or vessels in combination, described by the petitioner exceeds 50 percent of the subject property's linear waterfront footage. (The applicable maximum percentage should be maintained.)

Response: N/A

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.)

Response: The proposed project consists of just reconfiguring and relocating the existing 42 slips already authorized for the subject property. Additional decking area will be added however there should not be any new impacts to any of the surrounding properties nor their existing view of the subject waterway.

Criterion Met

5. Whether or not seagrass beds are located within 200 feet of the proposed dock facility. (If seagrass beds are present, compliance with LDC subsection 5.03.06 I must be demonstrated.)

Response: There are no seagrass beds present on the property nor the neighboring properties within 200' of the existing dock structure.

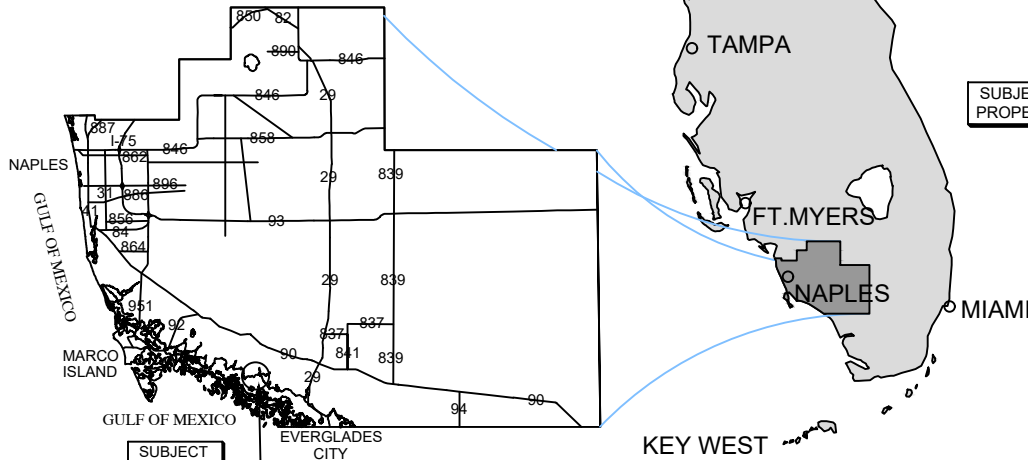
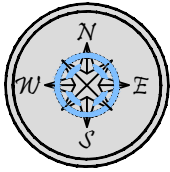
Criterion Met

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

Response: The subject property is subject to the Collier County MPP. As proposed, we have met all the requirements within the MPP and will be installing new Manatee Awareness and Educational signs for public awareness. Additionally, the project will not be increasing the total slip count of 42 slips.

Criterion Met

STATE OF FLORIDA



COLLIER COUNTY

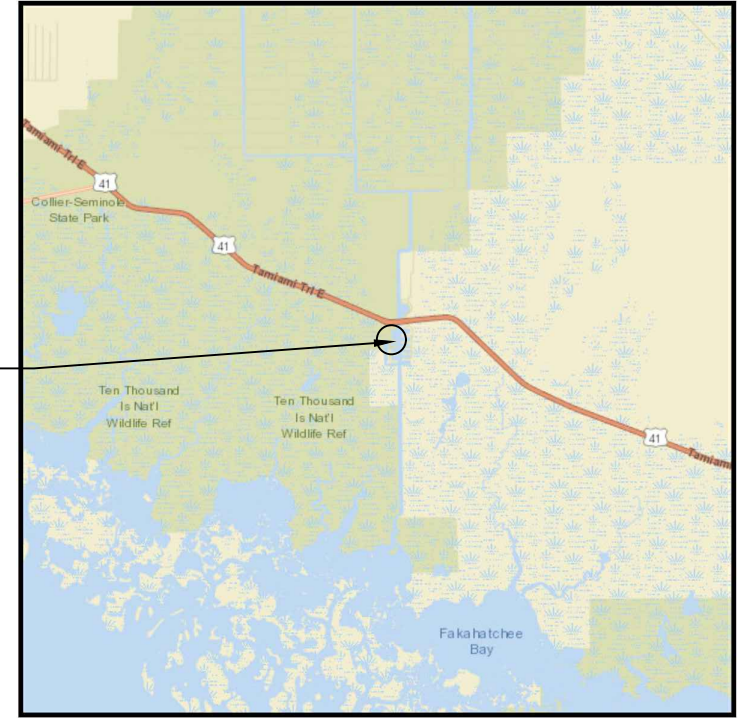
SITE ADDRESS:

<> 301 SUNRISE CAY
NAPLES, FL 34114
FOLIO: 01067081401

<> LATITUDE: N 25.954337
<> LONGITUDE: W -81.511161

NOTES:

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



VICINITY MAP



COUNTY AERIAL



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

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

SUNRISE CAY II

LOCATION MAP

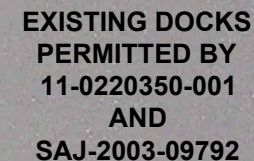
RY NO. 5875

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

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	07-07-23	2.	-	-	-	-
JOB NO.:	0304.02	3.	-	-	-	-
SHEET NO.:	01 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION-9 TOWNSHIP- 52S

Packet Pg. 175



SUNRISE CAY I
SUNRISE CAY II

EXISTING SLIPS

200

EXISTING
UPLAND
DECK

**EXISTING
SEAWALL / MHWL**

CONDO
BUILDING

CONDO
BUILDING
182.4'

CONDO
BUILDING
145.6'

CONDO
BUILDING
145.5'

689'

25% WIDTH OF WATERWAY LINE

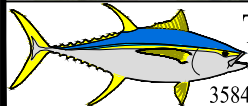
EXISTING SLIPS

EXISTING FLOATING DOCK

EXISTING PILINGS

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: **"COURT GREGORY SURVEYING, INC."**
- SURVEY DATED: **06-10-21**
- APPLICANT OWNED SHORELINE (APPX LF): **975'**
- EXISTING OVERWATER STRUCTURE (APPX SF): **373**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **149'**
- TIDAL DATUM:
- MHW (NAVD)= **+1.0'**
- MLW (NAVD)= **-0.8'**



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

3584 Exchange Ave. Naples, FL 34104-3732

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

SUNRISE CAY II

EXISTING CONDITIONS WITH AERIAL

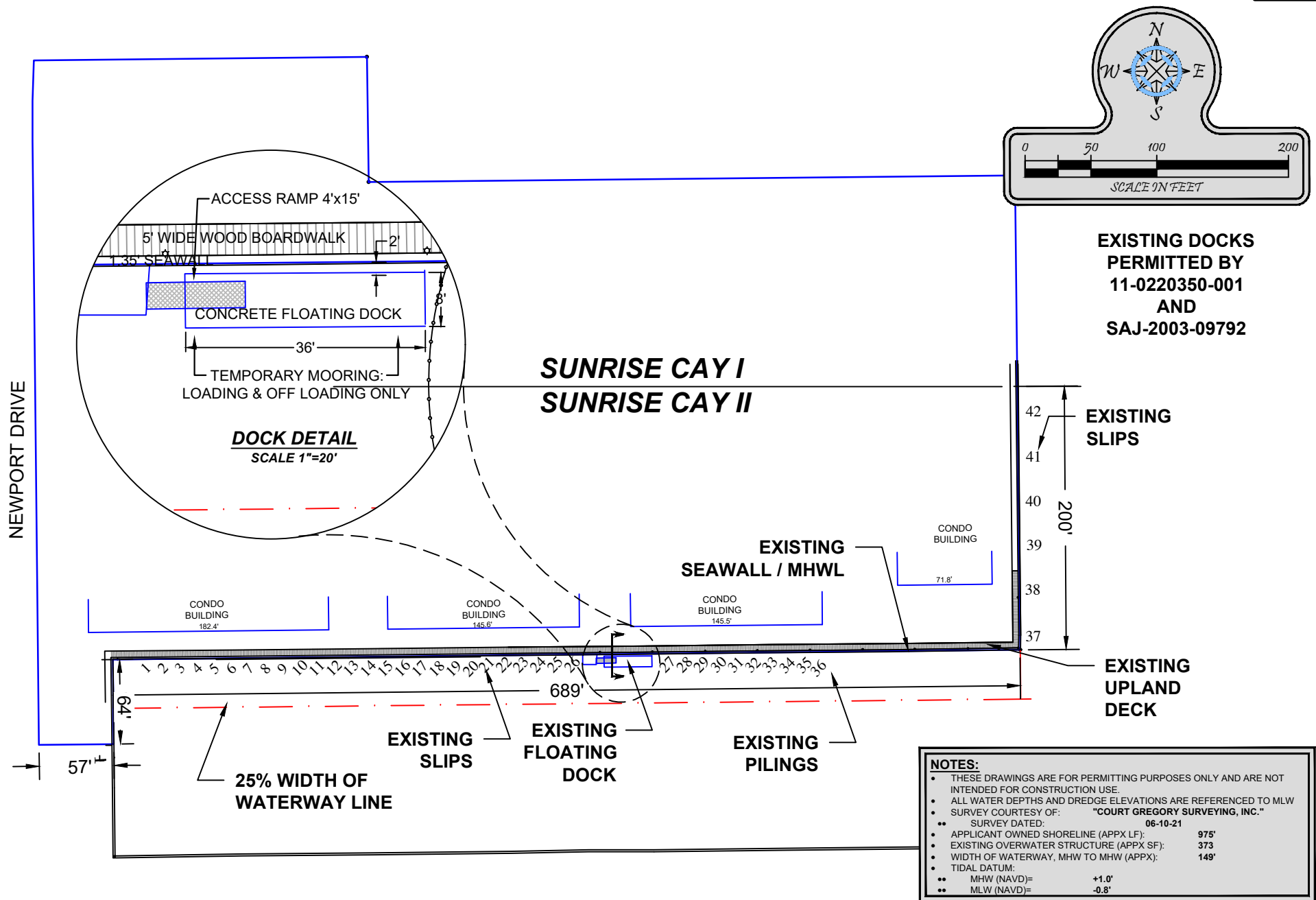
RY NO. 5875

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

DESIGNED:	JR	REV#	REV BY:	DATE:	CHK BY:	CHANGED:
		1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	07-07-23	3.	-	-	-	-
JOB NO.:	0304.02	4.	-	-	-	-
SHEET NO.:	02 OF 11	5.	-	-	-	-

SECTION-9 TOWNSHIP- 52S

Packet Pg. 176



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

3584 Exchange Ave. Naples, FL 34104-3732

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

SUNRISE CAY II

EXISTING CONDITIONS

RY NO. 5875

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

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	07-07-23	2.	-	-	-	-
JOB NO.:	0304.02	3.	-	-	-	-
SHEET NO.:	03 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION-9

TOWNSHIP- 52 S

Packet Pg. 177

NEWPORT DRIVE

SUNRISE CAY I SUNRISE CAY II

EXISTING
SEAWALL / MHWL

CONDO
BUILDING
182.4'

CONDO
BUILDING
145.6'

CONDO
BUILDING
145.5'

CONDO
BUILDING
71.8'

MANATEE
EDUCATION AND
SIGNAGE (4)

PROTRUSION

42' 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26

299'

25% WIDTH OF
WATERWAY LINE

EXISTING
FLOATING DOCK
TO REMAIN

27 28 29 30 31 32 33 34 35 36

115'

PROPOSED
FLOATING LIFT
(QTY TOTAL 42)

37 38 39 40 41 42

69'

15'

PROPOSED 14 NEW
PILINGS (6 SLIPS)

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: "COURT GREGORY SURVEYING, INC."
- SURVEY DATED: 06-10-21
- APPLICANT OWNED SHORELINE (APPX LF): 975'
- EXISTING OVERWATER STRUCTURE (APPX SF): 373
- WIDTH OF WATERWAY, MHW TO MHW (APPX): 149'
- TIDAL DATUM:
- MHW (NAVD)= +1.0'
- MLW (NAVD)= -0.8'
- PROPOSED OVERWATER STRUCTURE (APPX SF): 12,553
- TOTAL OVERWATER STRUCTURE (APPX SF): 12,553
- TOTAL PROTRUSION FROM MHWL: 29'

EVENINGSTAR CAY



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

3584 Exchange Ave. Naples, FL 34104-3732

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

SUNRISE CAY II

PROPOSED FLOATING DOCKS AND BOAT LIFT PLAN

RY NO. 5875

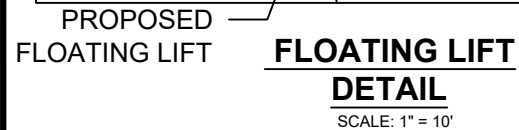
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	07-07-23	2.	-	-	-	-
JOB NO.:	0304.02	3.	-	-	-	-
SHEET NO.:	04 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION-9

TOWNSHIP- 52 S

Packet Pg. 178



CROSS SECTION OF FLOATING LIFT

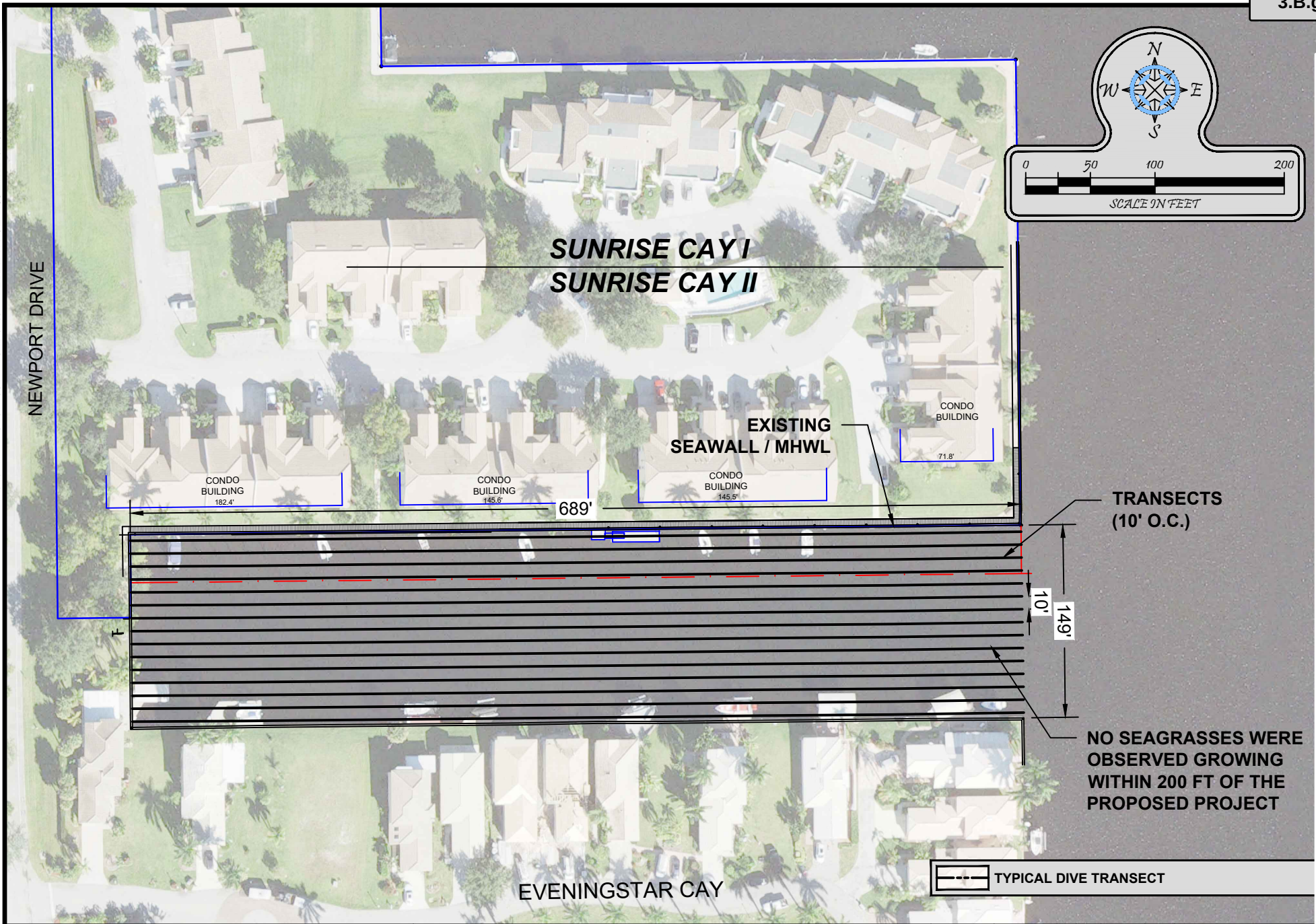
SCALE: 1" = 8'



RY NO. 5875

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

SECTION-9	TOWNSHIP- 52S
-----------	---------------



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

SUNRISE CAY II

SUBMERGED RESOURCE SURVEY

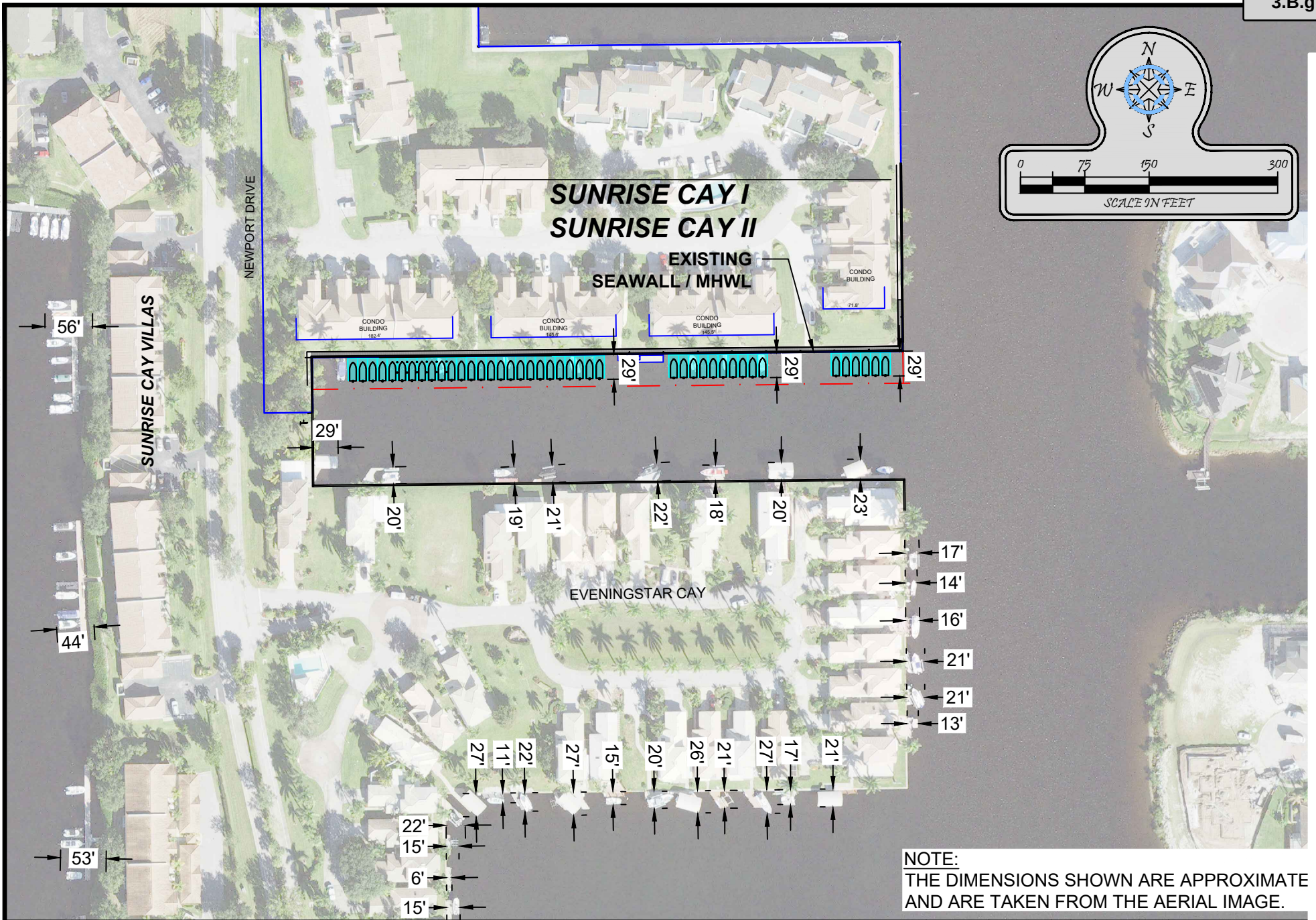
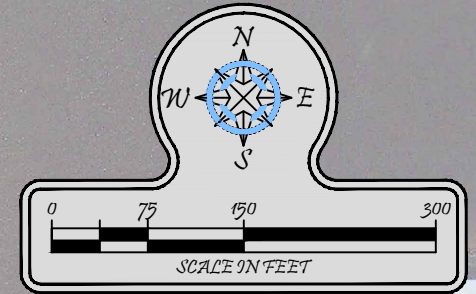
RY NO. 5875

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

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	07-07-23	2.	-	-	-	-
JOB NO.:	0304.02	3.	-	-	-	-
SHEET NO.:	06 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION-9

TOWNSHIP- 52 S



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



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Marine & Environmental Consulting
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SUNRISE CAY II

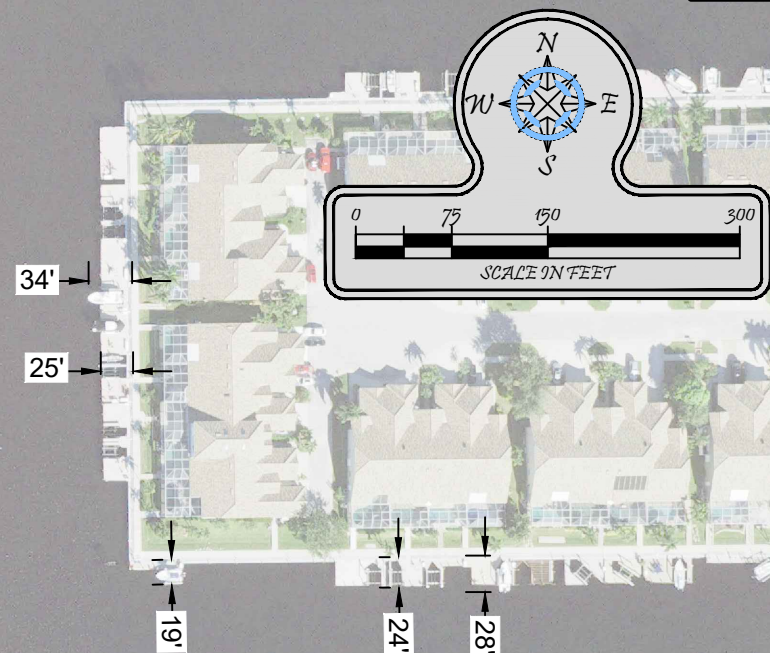
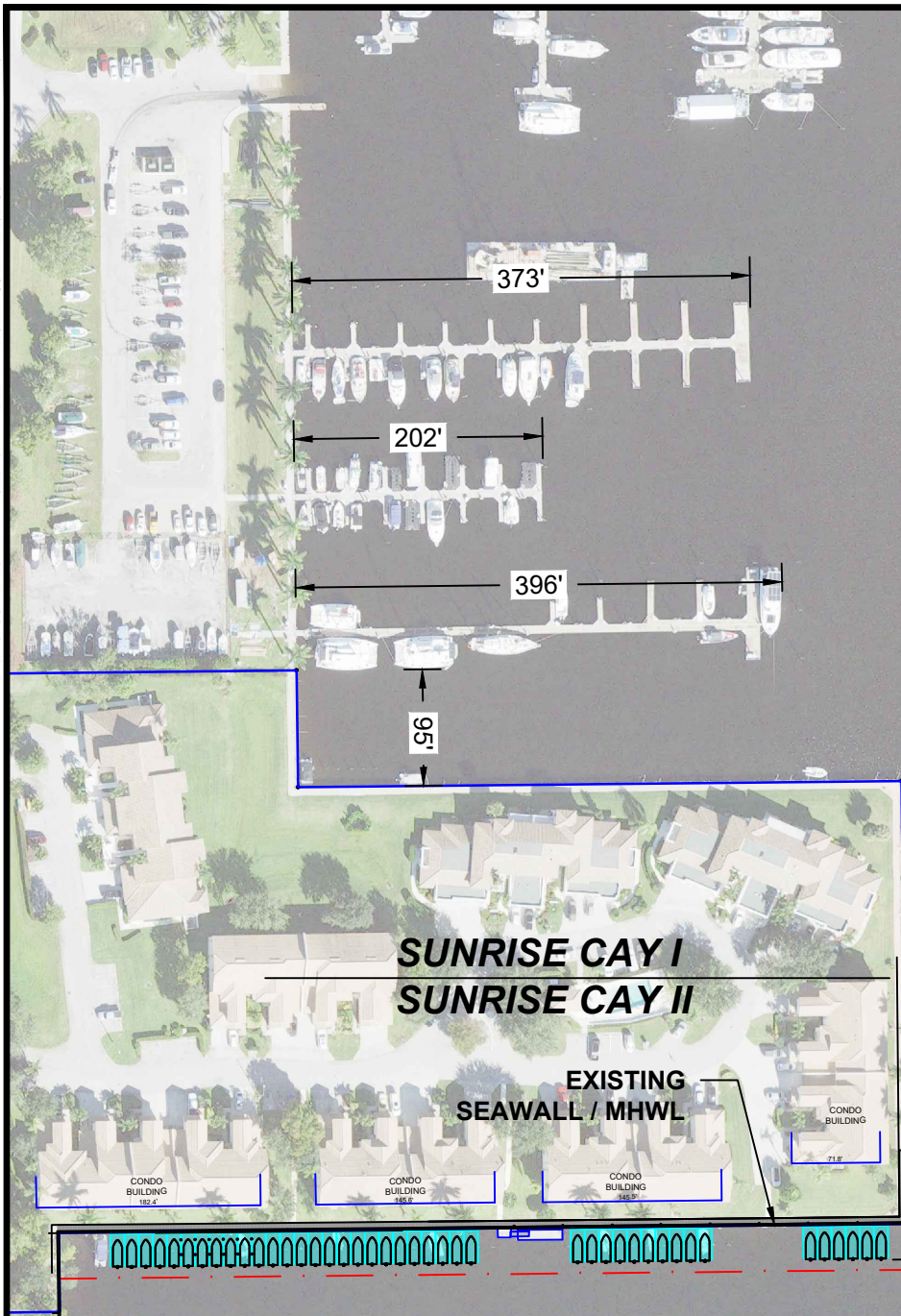
ADJACENT DOCKS

RY NO. 5875

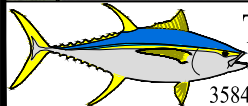
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGES
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	07-07-23	2.	-	-	-	-
JOB NO.:	0304.02	3.	-	-	-	-
SHEET NO.:	07 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION-9 TOWNSHIP- 52 S



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



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 Marine & Environmental Consulting
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 Phone: (239) 643-0166 Fax: (239) 643-6632

SUNRISE CAY II

ADDITIONAL ADJACENT DOCKS

RY NO. 5875

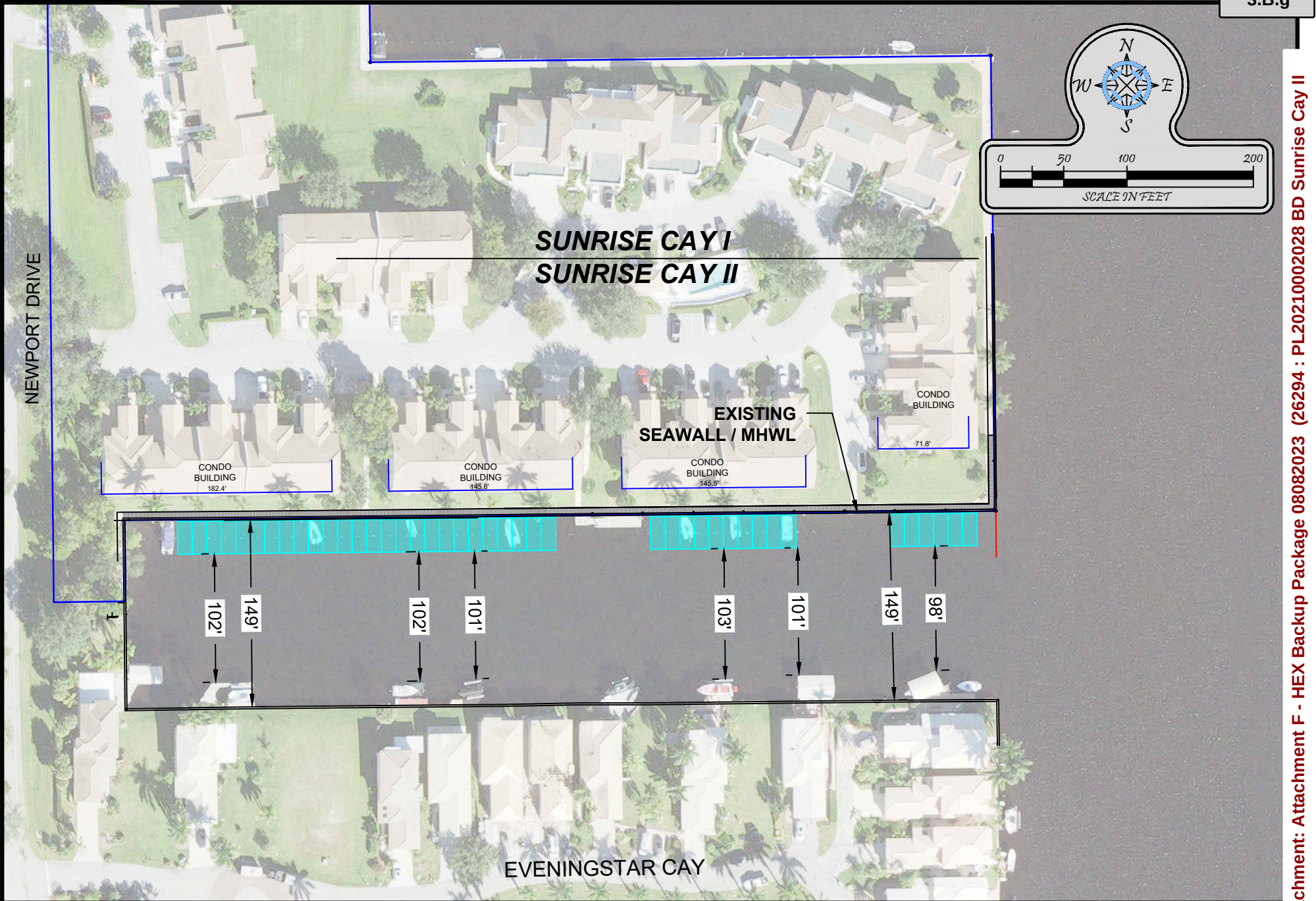
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE

DESIGNED:	JR	REV	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	07-07-23	2.	-	-	-	-
JOB NO.:	0304.02	3.	-	-	-	-
SHEET NO.:	08 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION-9

TOWNSHIP- 52 S

Packet Pg. 182



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

SUNRISE CAY II

WIDTH OF WATERWAY

RY NO. 5875

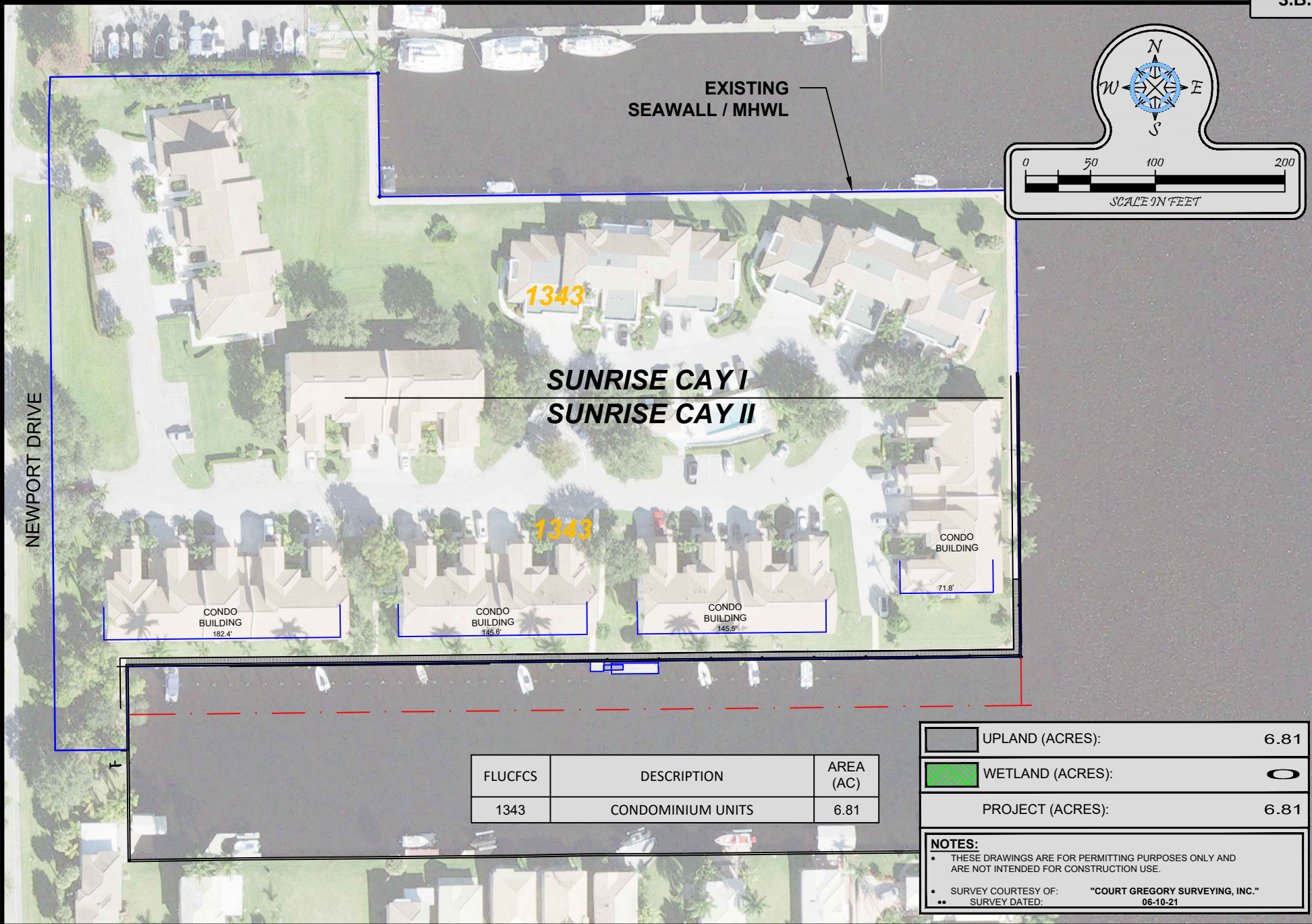
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	07-07-23	2.	-	-	-	-
JOB NO.:	0304.02	3.	-	-	-	-
SHEET NO.:	09 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION-9

TOWNSHIP- 52 S

P:\10304.02 sunrise cay I\CAD\PERMIT-COUNTY\10304.02.BDE.dwg FLUCFCS MAP 7/17/2023



FLUCFCS	DESCRIPTION	AREA (AC)
1343	CONDOMINIUM UNITS	6.81

UPLAND (ACRES):	6.81
WETLAND (ACRES):	0
PROJECT (ACRES):	6.81

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- SURVEY DATED OF: "COURT GREGORY SURVEYING, INC." 06-10-21



Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

SUNRISE CAY II **FLUCFCS MAP**

RY NO. 5875

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

DESIGNED:	JR	REV	REV BY	DATE	CHK BY	CHANGES
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	07-07-23	2.	-	-	-	-
JOB NO.:	0304.02	3.	-	-	-	-
SHEET NO.:	10 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION-9 TOWNSHIP- 52 S

MAP OF SPECIFIC PURPOSE SURVEY

OF A PORTION OF SUNRISE CAY II, A CONDOMINIUM

AS DESCRIBED IN
O.R. BOOK 2245 PAGE(S) 1394-1416
OF THE PUBLIC RECORDS OF
COLLIER COUNTY, FLORIDA

CERTIFY TO:
TURRELL, HALL & ASSOCIATES

CERTIFICATION:
I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY
DIRECTION AND THAT IT MEETS THE STANDARDS OF
PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL
LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17,
FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION
472.027, FLORIDA STATUTES.
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR
FREEDOM OF ENCUMBRANCES.

Digitally signed by Court
Gregory
DN: cn=Court Gregory,
o=Court Gregory
Surveying Inc, ou,
email=cgs6004@comcast.
net, c=US
Date: 2023.01.05 15:49:06
-05'00'

SIGNED _____
COURT H. GREGORY PSM #6004
DATE 06/30/2021
DATE OF FIELD SURVEY 06-10-2021

PSM # 6004
LB # 7112

C.G.S.

Court Gregory Surveying, Inc.
761 Teton Court
Naples, Florida 34104

(239)643-7845 office
cgs6004@comcast.net
(239)643-3707 cell

Date 06/30/2021
Job # P104444
Fb PI-4

Packet Pg. 185

NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE SUBJECT PROPERTY AS DESCRIBED IN O.R. BOOK 2245 PAGE(S) 1394-1416 OF COLLIER COUNTY, BEING SOUTH 32D 43' 01" EAST.
2. IMPROVEMENTS OTHER THAN THOSE SHOWN ARE NOT A PART OF THIS SURVEY.
3. SAID DESCRIBED LAND IS SUBJECT TO ALL SUBDIVISION REGULATIONS, RESERVATIONS, RESTRICTIONS, ZONING AND RIGHTS-OF-WAY OF RECORD.
4. DATE OF FIELD SURVEY JUNE 10, 2021.

5. THIS SURVEY MAP IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

6. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS, UTILITIES OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

7. ELEVATIONS SHOWN ARE BASED ON N.G.V.D. DATUM OF 1929. DESCRIPTION OF BENCHMARK IS AS FOLLOWS: SET BM ON FOUND DH ON CONCRETE SEAWALL AT SOUTHEAST PROPERTY CORNER. ELEV. = 2.70' NAVD '88. ORIGI BM IS FD 4" X 4" CONC. MON. & DISC @ CL RT. 41 & NEWPORT DR. ENTRANCE. STAMPED DENI & ASSOC. #5228-091 ELEV. = 4.16' (N.A.V.D. '88)

8. THE PURPOSE OF THIS SURVEY IS TO SHOW THE EXISTING SHORELINE CONDITIONS AND A PARTIAL BATHYMETRIC SURVEY PROPERTY LINES ARE PER DEED.

9. SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE AS INDICATED ON FEMA FLOOD ZONE MAP PANEL # DATED: BASE ELEVATION DETERMINED AT

10. NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. ALL INFORMATION HAS BEEN SUPPLIED BY THE CLIENT. IT IS POSSIBLE THAT THERE ARE DEEDS, EASEMENTS, OR OTHER INSTRUMENTS (RECORDED OR UNRECORDED) WHICH MAY AFFECT THE SUBJECT PROPERTY.

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SURVEYOR.

REVISIONS

LEGEND

- = FOUND (") IRON ROD (SURVEYOR ID #) (FIR)
- = SET 1/2" IRON ROD (PSM #6004)(SIRC)
- = SET 4" X 4" CONCRETE MONUMENT (PSM #6004)(SCM)
- = FOUND CONCRETE MONUMENT (SURVEYOR ID #)(FCM)
- ⊕ = BENCHMARK (FOUND OR SET) R/W = RIGHT OF WAY(R.O.W.)
- = FOUND NAIL OR PK NAIL AND DISC (SURVEYOR ID #) (FPKN)
- = SET PK NAIL AND DISC (PSM #6004) (SPKN&D) FD. = FOUND FN&TT = FOUND NAIL AND TIN TAB BM = BENCHMARK
- (M) = FIELD MEASUREMENT (C) = CALCULATED MEASUREMENT
- P.C.P. = PERMANENT CONTROL POINT (#) C.L. = CENTERLINE
- P.R.M. = PERMANENT REFERENCE MONUMENT (#) (PG) = PAGE
- (P) OR (D) = PLAT OR RECORDED(DEED) MEASUREMENT
- (PB) = PLAT BOOK PL EXT = PROPERTY LINE EXTENDED
- CMP = CORRUGATED METAL PIPE CATV=CABLE TV
- FF = FINISHED FLOOR U.T.S.= UNITED TELEPHONE RISER
- W = WELL CONC = CONCRETE CB = CATCH BASIN OR INLET
- W = WATERGATE VALVE R.C.P. = REINFORCED CONCRETE PIPE
- ⊗ = SANITARY SEWER PROP = PROPERTY X = SPOT ELEVATION
- TOB = TOP OF BANK TOS = TOP OF SLOPE EOW = EDGE OF WATER
- BOS = BOTTOM OF BANK BOS = BOTTOM OF SLOPE EO = EDGE OF
- CBS=CONCRETE BLOCK & STUCCO VG = VALLEY GUTTER
- ELEC. = ELECTRIC TRANS = TRANSFORMER JAC = JACUZZI
- DE = DRAINAGE EASEMENT SWE = SIDEWALK EASEMENT
- LBE = LANDSCAPE BUFFER EASEMENT IE = IRRIG. EASEMENT
- PUE = PUBLIC UTILITY EASEMENT UE = UTILITY EASEMENT
- LMA(E)= LAKE MAINTENANCE ACCESS EASEMENT
- LME = LAKE MAINTENANCE EASEMENT A.E.= ACCESS EASEMENT

PAGE 1 OF 2

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CH BRG	CHRD
C1	81.29	1166.00	3°02'25"	S01°47'53"W	81.28

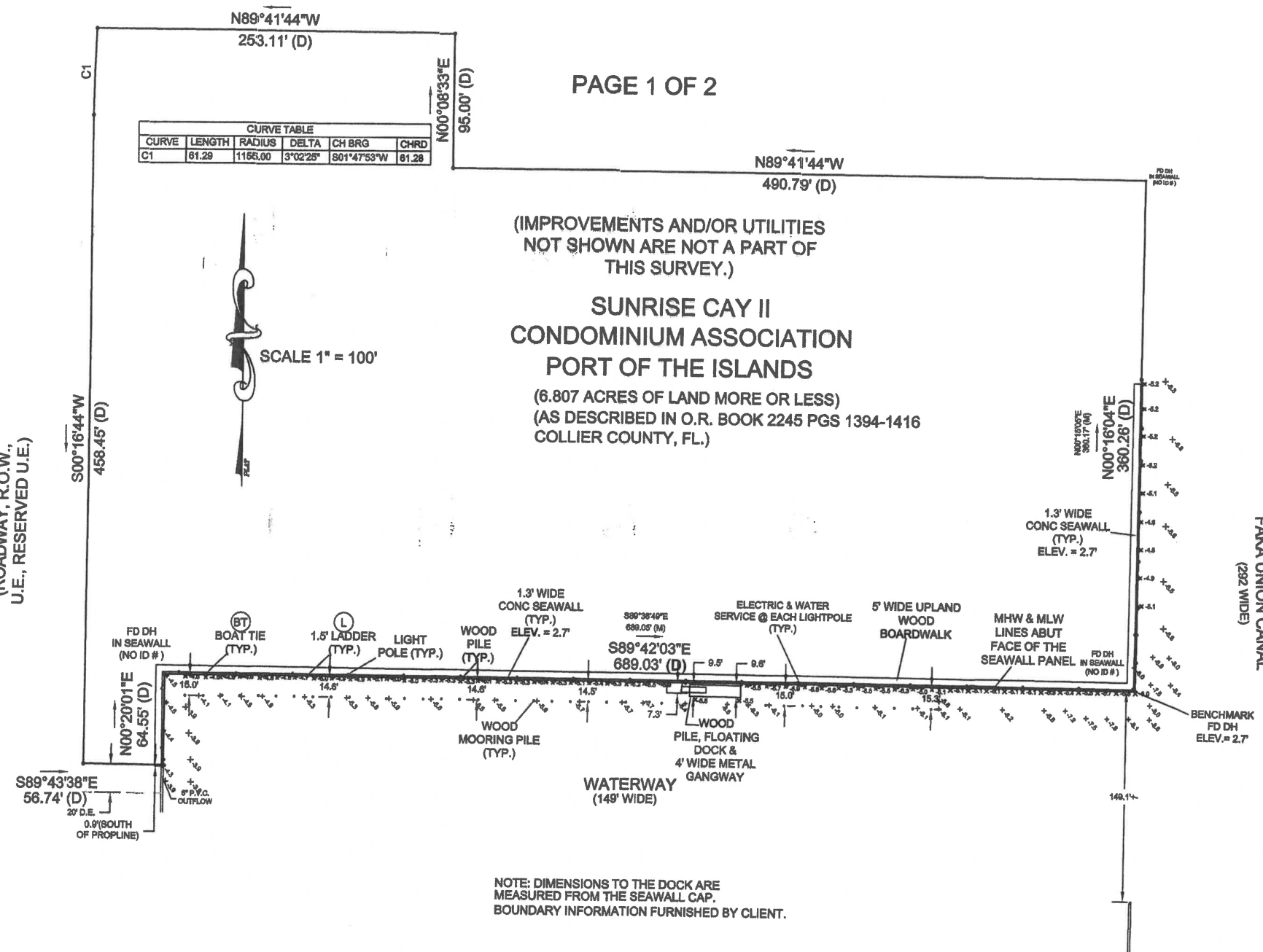
SCALE 1" = 100'

(IMPROVEMENTS AND/OR UTILITIES
NOT SHOWN ARE NOT A PART OF
THIS SURVEY.)

SUNRISE CAY II CONDOMINIUM ASSOCIATION PORT OF THE ISLANDS

(6.807 ACRES OF LAND MORE OR LESS)
(AS DESCRIBED IN O.R. BOOK 2245 PGS 1394-1416
COLLIER COUNTY, FL.)

NEWPORT DRIVE
(TRACT "R")
(90' WIDE)
(ROADWAY, R.O.W.,
U.E., RESERVED U.E.)



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CH BRG	CHRD
C1	61.29	1155.00	3°02'25"	S01°47'53"W	61.28

MAP OF
SPECIFIC PURPOSE SURVEY

OF
A PORTION
OF
**SUNRISE CAY II,
A CONDOMINIUM**

AS DESCRIBED IN
O.R. BOOK 2245 PAGE(S) 1394-1416
OF THE PUBLIC RECORDS OF
COLLIER COUNTY, FLORIDA

CERTIFY TO:
TURRELL, HALL & ASSOCIATES

CERTIFICATION:
I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY
DIRECTION AND THAT IT MEETS THE STANDARDS OF
PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL
LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17,
FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION
472.027, FLORIDA STATUTES.
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR
FREEDOM OF ENCUMBRANCES.

Digitally signed by Court
Gregory
DN: cn=Court Gregory,
o=Court Gregory Surveying
Inc, ou,
email=cgs6004@comcast.net, c=US
Date: 2023.01.05 15:49:41
-05'00'

SIGNED
COURT H. GREGORY PSM #6004
DATE 06/30/2021
DATE OF FIELD SURVEY 06-10-2021

PSM # 6004
LB # 7112

C.G.S.

Court Gregory Surveying, Inc.
761 Teton Court
Naples, Florida 34104

(239)643-7845 office Date 06/30/2021
cgs6004@comcast.net Job # PI0114M
(239)643-3707 cell Fb PI

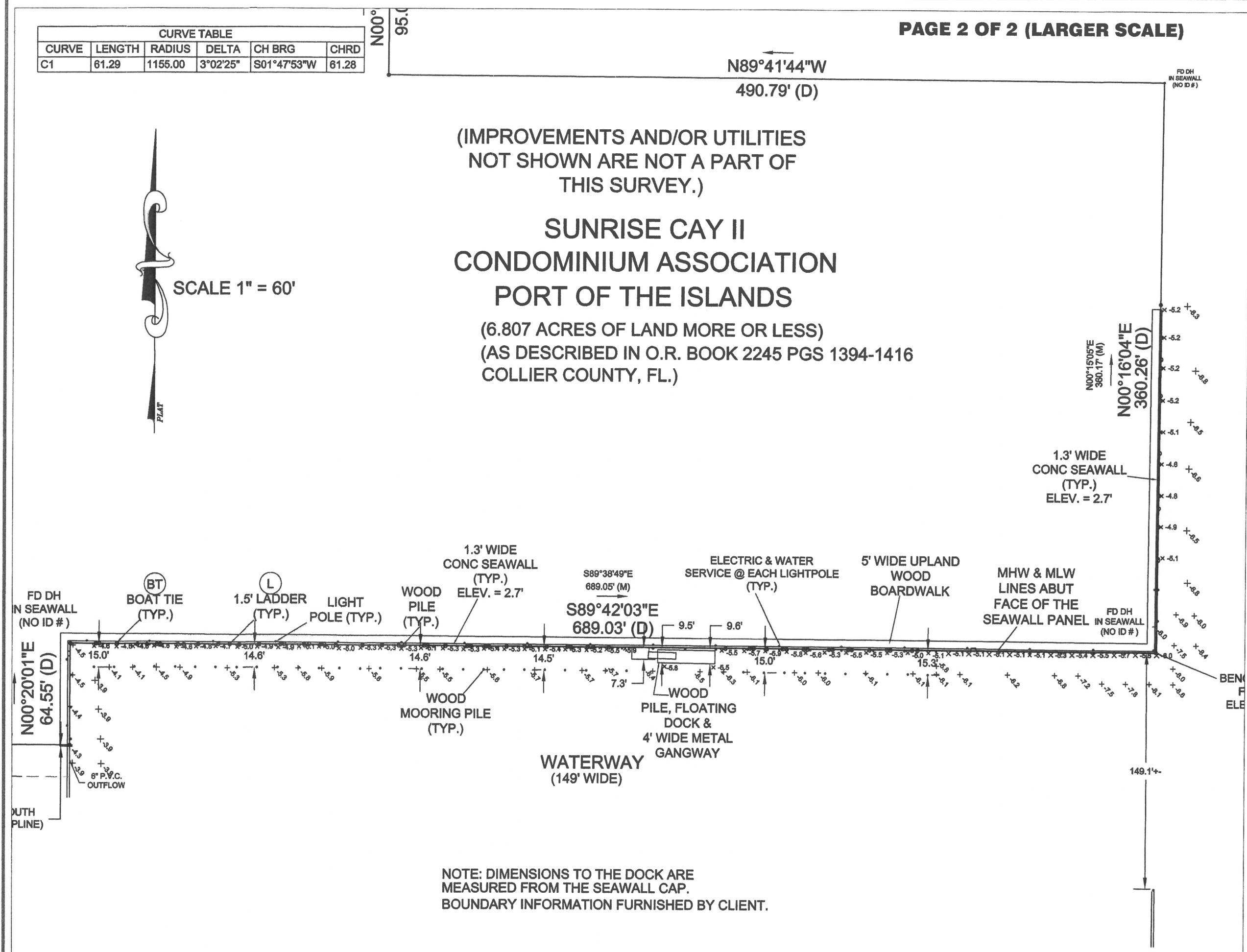
Attachment: Attachment F - HEX Backup Package 08082023 (26294 : PL20210002028 BD Sunrise Cay II Multi-Family Dock Facility)

(IMPROVEMENTS AND/OR UTILITIES
NOT SHOWN ARE NOT A PART OF
THIS SURVEY.)

**SUNRISE CAY II
CONDOMINIUM ASSOCIATION
PORT OF THE ISLANDS**

(6.807 ACRES OF LAND MORE OR LESS)
(AS DESCRIBED IN O.R. BOOK 2245 PGS 1394-1416
COLLIER COUNTY, FL.)

SCALE 1" = 60'



NOTE: DIMENSIONS TO THE DOCK ARE
MEASURED FROM THE SEAWALL CAP.
BOUNDARY INFORMATION FURNISHED BY CLIENT.

**SUNRISE CAY II
301 SUNRISE CAY DRIVE
NAPLES, FL 34114**

SUBMERGED RESOURCE SURVEY

SEPTEMBER 2, 2022

PREPARED BY:



**TURRELL, HALL & ASSOCIATES, INC
3584 EXCHANGE AVENUE, STE B
NAPLES, FL 34104**

1.0 INTRODUCTION

The Sunrise Cay multi-family residences are located at 301 Sunrise Cay Drive, Naples, FL and can be identified by parcel #01067083506. The property is bound to the north by the sister development known as Sunrise Cay I, to the south by the man-made canal off the Faka Union Canal, to the east by the Faka Union Canal, and to the west by Newport Drive. The property is located at Section 09, Township 52 S, and Range 28 E. The landward portion of the property currently contains 4 separate multi-family buildings with a concrete seawall shoreline with 42 individual slips and one concrete floating dock for the association all of which has been authorized by both DEP & the U.S. Army Corps of Engineers (USACE), through permit numbers #0220350-002 & SAJ-2003-09792.

Turrell, Hall & Associates was contracted to provide environmental permitting services pertaining to the proposed slip reconfiguration and installation of 42 floating boatlifts which includes completion of a Submerged Resource Survey (SRS). This observation survey will provide planning and assistance to both the owner(s) and government agencies reviewing the proposed project.

The SRS survey was conducted on September 2, 2022. Weather conditions consisted of mostly sunny skies, light winds out of the east, and an air temperature of 84° F at the time the observations were conducted. The tide was a high tide but falling upon arrival to the site around 10:30am. High tide provided clear water allowing for observance of most of the bottom substrate with just a mask and snorkel from the surface to mid-level water column. It is estimated visibility was approximately 3-5' which are ideal conditions for this area. High tide at the project site occurred prior to our arrival at 6:34 A.M. (2.7 ft.) and low tide had occurred after to our observations were completed at 2:41 P.M. (0.2 ft.). The water temperature was approximately 83° F which was a little low for this time of the year but was determined the amount of freshwater run off from upstream influenced the temperature more than the warmer gulf waters.

2.0 OBJECTIVE

The objective of the submerged resource survey was to identify and locate any existing submerged resources within the proposed project footprint and general area extending out approximately 200-feet from the subject property shoreline. The survey provided onsite environmental information to help determine if the proposed project would impact any existing submerged resources and if so, would assist in reconfiguring the proposed slip/boatlift layout to minimize any impacts. The general scope of work performed at the site is summarized below.

- Turrell, Hall & Associates personnel conducted a site visit in order to verify the location of any submerged resources.
- Turrell, Hall & Associates personnel identified submerged resources at the site (or the lack there of), estimated the percent coverage, and delineated the approximate limits of any submerged resources observed.

- Turrell, Hall & Associates personnel delineated limits via a handheld GPS (Garmin Model 76csx).

3.0 METHODOLOGY

Turrell, Hall & Associates biologists intentionally designed the methodology of the Submerged Resource Survey to cover the entire property shoreline extending out approximately 200-feet as required by the Collier County LDC. The components for this survey included:

- Review of aerial photography of survey area
- Establish survey transects lines overlaid onto aerials extending out 200-feet from the subject property shoreline.
- Physically swim transects, GPS locate limits of submerged resources, and determine approximate percent of coverage
- Document and photograph all findings

The survey area was evaluated systematically by following the established transects, spaced approximately 10-15 feet apart along the entire subject property shoreline extending out across the southern canal and out approximately 200-feet out into the Fake Union Canal. The existing dock piles and adjacent docks all provided numerous reference points for easily identifiable land markers which assisted in maintaining position within each transect.

4.0 RESULTS

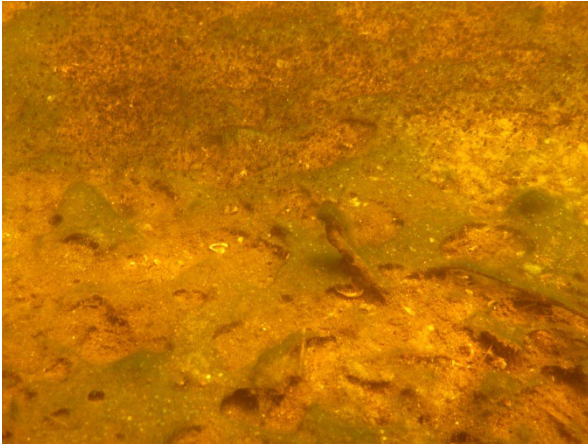
The substrate found within the surveyed area consists of 2 distinct classifications: silt sand and muck with a various level of scattered shell debris. The substrates were found throughout the entire surveyed area ranging from the base of the seawall (silt sand) with the more muck material being observed out towards the center of each waterway where depths are greater. The shoreline consists of a concrete seawall with existing dock piles outlining the 42 slips and one floating dock which all support a variety of fish as well as sessile and motile invertebrates such as barnacles which were observed growing on portions of the seawall panels and piles. All the existing dock piles will be replaced and so loss of motile organisms that have recruited on those piles will occur. But considering the abundance of life in the area in general, it is likely that the replacement piles will be quickly re-colonized. Accordingly, no impacts or permanent loss of function associated with submerged resources is expected to occur as the result of the proposed work. A list of species observed during the SRS can be seen below in Table 1.

Table 1 – Observed species

Common Name	Scientific Name
Common barnacle	<i>Balanus spp.</i>
Mangrove snapper	<i>Lutjanus griseus</i>
Atlantic sheepshead	<i>Archosargus probatocephalus</i>
Common snook	<i>Centropomus undecimalis</i>
Striped Mullet	<i>Mugil cephalus</i>
Crevalle Jack	<i>Caranx hippos</i>
American Alligator	<i>Alligator mississippiensis</i>
West Indian Manatee	<i>Trichechus manatus</i>

5.0 CONCLUSIONS

The SRS was conducted and completed throughout the proposed project surrounding area and yielded no results besides barnacle growth and some floating freshwater grasses. No mangroves, seagrasses, or other resources were otherwise observed anywhere within the vicinity of the project site. Therefore, negative impacts to submerged resources are not expected as a result of any proposed project at this location.

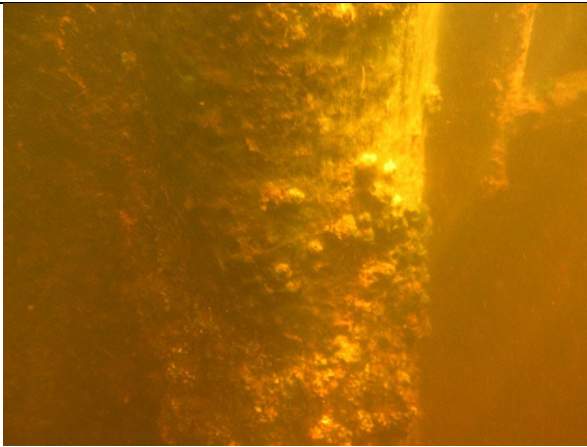
	
EXISTING DOCK & SUBJECT SOUTHERN SHORELINE	TYPICAL OBSERVED BOTTOM SEDIMENT



SEDIMENT ON-SITE



SEDIMENT ON-SITE



DOCK PILE WITH BARNACLE GROWTH



**EASTERN SHORELINE ALONG FAKA UNION
CANAL**



Sunrise Cay II Manatee Protection Plan Analysis (PL20230007438)

An analysis of the project considering the Collier County Manatee Protection Plan (MPP) has concluded the following:

Vegetation Impact – For shoreline vegetation, such as mangroves, “No Impact” is defined as no greater than 5% of the native marine habitat is disturbed. For seagrasses, “No Impact” means that no more than 100 square feet of seagrasses can be impacted (Manatee Protection Plan, page 79). An analysis of shoreline vegetation was provided by Turrell, Hall and Associates. Based upon the existing dock site plan, no impacts of shoreline vegetation are proposed. As a result of the historic and ongoing dredging, no seagrasses are present within 200 feet of the proposed docking facility located as part of the Faka Union Canal. Overall, this factor is classified as “No Marine Impact” to Marine Habitat under the Marina Siting Criteria of the MPP.

Water Depth – Adequate water depths must be greater than -4 feet Mean Low Water (MLW; Manatee Protection Plan, page 72). Current depth of the area ranges between -4.5ft MLW to -8.4 ft MLW. Therefore, this factor is classified as “Greater than 4 feet MLW” for Water Depth under the Marina Siting Criteria.

Manatee Deaths – The MPP considers High Manatee Use densities to be in areas where more than 20 percent of all the watercraft-caused manatee deaths in Collier County have been found (Manatee Protection Plan, page 73). An analysis of the most recent data has 38 out of 188 (20%) watercraft-related manatee deaths within a 5-mile radius of the project site. **Based upon the data the area is considered “Not High for Manatee Use” under the Marina Siting Criteria of the MPP. Additionally, the primary route to and from the proposed docking facility is marked and a “No Wake Zone”; the Manatee protections are enhanced.**

In summary, the above information results in no marine impact and water depths exceeding -4 feet MWL. The project’s location is determined to be not high manatee use the outcome results in a **Preferred ranking** under the MPP.

Under Preferred Ranking, new boat slip density would be allowed at 18 slips per 100 feet of shoreline.

The application states there are 975 linear feet of shoreline, which would equate to 176 slips allowed (975 linear feet x 18 slips/100). The applicant is **proposing 42 wet slips**, which is under the 176-boat slip limit; therefore, the **project is consistent** with the MPP.

MARINA SITING CRITERIA

	Water Depth		Native Marine Habitat		Manatee Use	
	Greater Than 4' MLW	Less Than 4' MLW	No Impact ¹	Impact	Not High	High
PREFERRED	X		X	X		
MODERATE	X		X			X
MODERATE	X			X	X	
MODERATE		X	X		X	
PROTECTED	X			X		X
PROTECTED		X		X		X
PROTECTED		X	X			X
PROTECTED		X		X	X	

(1) For shoreline vegetation such as mangroves, no impact is defined as no greater than 5% of the native marine habitat is disturbed. For sea grasses, no impact means that no more than 100 square feet of sea grasses can be impacted.

Table 3-1 Marina Siting Criteria & Allowable Wet Slip Densities

Preferred Sites.

New or expanded wet slip marinas and multi-family facilities:
Shall be allowed at a density of 18 boat slips for every 100 feet of shoreline.

Dry Storage facilities:
Expansion of existing and construction of new facilities allowed.

Boat Ramps:
Expansion of existing and construction of new ramps allowed.

Page 79 of MPP



and Approved For:
PL20230007438 Date: 5/25/2023

Attachment F - HEX Backup Package 08082023 (26294 : PL20210002028 BD Sunrise Cay II Multi-Family Dock Facility)

SIGN POSTING INSTRUCTIONS

(CHAPTER 8, COLLIER COUNTY ADMINISTRATIVE CODE FOR LAND DEVELOPMENT)

A zoning sign(s) must be posted by the petitioner or the petitioner's agent on the parcel for a minimum of fifteen (15) calendar days in advance of the first public hearing and said sign(s) must be maintained by the petitioner or the petitioner's agent through the Board of County Commissioners Hearing. Below are general guidelines for signs, however these guidelines should not be construed to supersede any requirement of the LDC. For specific sign requirements, please refer to the Administrative Code, Chapter 8 E.

1. The sign(s) must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
2. The sign(s) must be securely affixed by nails, staples, or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
3. The petitioner or the petitioner's agent must maintain the sign(s) in place, and readable condition until the requested action has been heard and a final decision rendered. If the sign(s) is destroyed, lost, or rendered unreadable, the petitioner or the petitioner's agent must replace the sign(s)

NOTE: AFTER THE SIGN HAS BEEN POSTED, THIS AFFIDAVIT OF POSTING NOTICE SHOULD BE RETURNED NO LATER THAN TEN (10) WORKING DAYS BEFORE THE FIRST HEARING DATE TO THE ASSIGNED PLANNER.

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF COLLIER

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Jeff Rogers
WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 10.03.00 OF THE
COLLIER COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN PETITION NUMBER

PL 20210002028 :

Jeff Rogers (Agent)
SIGNATURE OF APPLICANT OR AGENT

3584 Exchange Ave
STREET OR P.O. BOX

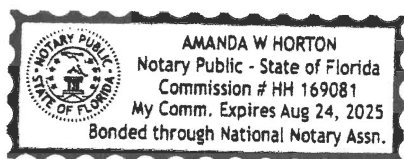
Jeff Rogers
NAME (TYPED OR PRINTED)

Naples, FL 34104
CITY, STATE ZIP

#

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was sworn to and subscribed before me this 8 day of Aug, 2023, by
Jeff Rogers, personally known to me or who produced _____ as identification
and who did/did not take an oath.



Amanda W Horton
Signature of Notary Public

AMANDA W HORTON
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)



