

COLLIER COUNTY
Collier County Hearing Examiner



AGENDA

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

December 14, 2023

9: 00 AM

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

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

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

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

1. **Pledge of Allegiance**
2. **Review of Agenda**
3. **Advertised Public Hearing**
 - A. **Petition No. VA-PL20230009299 – 267 3rd Street West - Request for a variance from Land Development Code Section 5.03.06 to reduce the minimum side yard riparian setbacks from 7.5 feet to zero on both side yards for a proposed dock facility within a Residential Single-Family-4 (RSF-4) zoning district. The subject property is located at 267 3rd Street West and is also described as Lot 2, Block G, Little Hickory Shores, Unit 3 Replat subdivision, in Section 5, Township 48 South, Range 25 East, Collier County, Florida. (Coordinator: John Kelly, Planner III) (Companion Item #PL20220006082) (Commissioner District 2)**
 - B. **Petition No. BDE-PL20220006082 – 267 3rd Street West - Request for an 18-foot boat dock extension from the maximum permitted protrusion of 20 feet allowed by Section 5.03.06.E.1 of the Collier County Land Development Code (LDC) for waterways greater than 100 feet in width, to allow a boat docking facility protruding a total of 38 feet into a waterway that is 125± feet wide, for a proposed dock facility within a Residential Single-Family-4 (RSF-4) zoning district. The subject property is located at 267 3rd Street West, also described as Lot 2, Block G, Little Hickory Shores, Unit 3 Replat subdivision, in Section 5, Township 48 South, Range 25 East, Collier County, Florida. (Coordinator: John Kelly, Planner III) (Companion Item #PL20230009299) (Commissioner District 2)**
 - C. **Petition No. NUA- PL20230012731 – 1114 Palm Drive - Request for an alteration to a nonconforming use pursuant to Land Development Code Section 9.03.03 to allow for the replacement of a mobile home that will satisfy all other dimensional standards for principal structures within the Residential Single-Family-4 (RSF-4) Zoning District, for property located at 1114 Palm Drive in Immokalee, in Section 32, Township 46 South, Range 29 East, Collier County, Florida. [Coordinator: John Kelly, Planner III] Commission District 5**
 - D. **Petition No. PDI-PL20230011202 - Yarberry Lane and Arbour Walk Circle - Request for an insubstantial change to the Palisades Residential Planned Unit Development (RPUD), Ordinance No. 22-20, to modify the cross sections in Exhibit C of the Master Plan, including the depiction of the as-built elevations of 12.5 feet for the wall that runs the length of the perimeter RPUD boundary; and to revise Deviation 1 to reflect the correct elevation of the wall. The subject property consists of ±12.0 acres in the northwest quadrant of the intersection of Yarberry Lane and Arbour Walk Circle in Section 2, Township 49 South, Range 25 East, Collier County, Florida. [Eric Ortman, Planner III] Commissioner District 2**
 - E. **Petition No. VA PL20220003012 - 2560 39th St. SW - Request for a variance from LDC 5.05.09.G.2 that requires the base of a communications tower to be set back from the property line by a distance of two and one-half times the height of the tower to reduce the setback from the northern property line from 375 feet to 72 feet, a reduction of 303 feet; to reduce the setback from the southern property line from 375 feet to 72 feet, a reduction of 303 feet; and to reduce the setback from the eastern property line from 375 feet to 220.7 feet, a reduction of 154.3 feet on a +/-2.38-acre property located at 2560 39th St SW, also known as Golden Gate Estates Unit 28 North 150 feet of Tract 144, in Section 26, Township 49 South, Range 26 East, Collier County, Florida. [Eric Ortman, Planner III] Commissioner District 3**

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