

TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY HEARING EXAMINER
Naples, Florida
February 22, 2024

LET IT BE REMEMBERED that the Collier County Hearing Examiner, in and for the County of Collier, having conducted business herein, met on this date at 1:00 p.m., in REGULAR SESSION at 2800 North Horseshoe Drive, Room 609/610, Naples, Florida, with the following people present:

HEARING EXAMINER ANDREW DICKMAN

ALSO PRESENT:

Michael Bosi, Planning and Zoning Director
Raymond V. Bellows, Zoning Manager
Sean Sammon, Planner III
Ailyn Padron, Management Analyst I

PROCEEDINGS

HEARING EXAMINER DICKMAN: Good morning, everybody. This is the Hearing Examiner --

MR. BOSI: Afternoon.

HEARING EXAMINER DICKMAN: Oh, sorry. You're right. It is afternoon. I apologize for the change. I had a long night last night.

Good afternoon. It's February 22nd, 2024. This is the Collier County Hearing Examiner meeting.

Please rise for the Pledge of Allegiance.

(The Pledge of Allegiance was recited in unison.)

HEARING EXAMINER DICKMAN: All right. My name is Andrew Dickman. I am the Hearing Examiner for Collier County. I am a Florida attorney under the Florida Bar in good standing for over 20 years. My practice area's in land use, zoning, local government.

The Board of County Commissioners has retained me to operate in this capacity under the codes for the Hearing Examiner. I'm not an employee of the county. The county employees are here to my right. My job is to conduct these quasi-judicial hearings for the petitions that fall under the Hearing Examiner's jurisdiction and to hear the evidence that's presented here today, conduct the meeting, and then render a written decision within 30 days. I will not be rendering decisions here at the hearing, but we will be using this opportunity to take in all of the information, public comment, information from staff, information from the applicant, and then putting all that together and then rendering a decision within the appropriate time frame.

If anyone is going to have conversations or have cell phones on or want to make a phone call, please step outside in the hallway, if you don't mind, so that we can get through this.

The procedure that we follow is that first the county will introduce the petition. They'll talk about their staff report, any recommendations, and any conditions associated with that, then we'll go to the applicant or the applicant's representative, and then we'll open it up for public comment.

This is a -- both a virtual meeting and an in-person meeting. The county has set up an avenue for people to attend via Zoom if they choose to do so. So we'll see if anyone is logged in to speak today.

But either way, we'll take public comment. If you want to give public comment, please fill out a speaker's card and give it to this young lady over here, and then I'll go back to the applicant or the applicant's representative for rebuttal. And after that, we will -- I will close the meeting, and that will be it.

I have had no conversations outside of this -- this meeting with anyone regarding the applications. I've had no what are called ex parte communications. I have had no meetings with staff, no meetings with applicants or the public regarding the applications. I have all of the documentation that has been supplied through the county on every -- all the applications, and I have reviewed those. And my job, as I said, is to be here in an impartial, unbiased manner to conduct this hearing and to make sure that everybody is afforded due process.

In order for everyone to speak -- whoever's going to speak here today, they need to do so under oath.

So with that, I am going to ask that -- everyone who is going to speak to stand, raise your right hand, and I'm going to ask the court reporter to administer the oath, please.

THE COURT REPORTER: Do you swear or affirm the testimony you will give will be the truth, the whole truth, and nothing but the truth?

(The speakers were duly sworn and indicated in the affirmative.)

HEARING EXAMINER DICKMAN: Okay. Well, I think we're ready to go. We have two items on the agenda today.

***3A is a petition.

Hey, Sean, how are you?

MR. SAMMON: How are you?

HEARING EXAMINER DICKMAN: It's nice to see you.

MR. SAMMON: It's nice to see you, too.

Good afternoon, Mr. Dickman. For the record Sean Sammon, Planner III, in the zoning division.

Before you is Agenda Item 3A. It's for a variance, Project No. PL20230014986.

This is a request for a variance from the LDC Section 4.02.01.A, Table 2.1, to reduce the required Estates front setback from 75 feet to 50 feet on the north property line for the proposed accessory garage; the required side setback from 30 feet to 13.2 feet on the west property line for the proposed principal residential structure and on the east property line for the proposed residential structure, the garage, and the accessory guest house; the required rear yard setback from 75 feet to 42.8 feet on the south property line for the proposed guest house; and the required setback from the seawall and riprap surrounding on the lagoon from 75 feet to zero feet for the proposed principal residential structure.

The subject property is approximately 1.5 acres and is located southwest of the intersection of Cocohatchee Boulevard and Cocohatchee Drive, also known as 182 Cocohatchee Boulevard, Naples, Florida 34110, in Section 22, Township 48 South, Range 25 East, Collier County, Florida.

The petition was reviewed by staff based upon review criteria contained within LDC Section 9.04.03, a through h, and staff believes this petition is consistent with the review criteria in the LDC as well as with the GMP.

There is -- there's new material that I have submitted for the record to the court reporter and the Hearing Examiner. First is the waiver application for the required historical and archaeological survey and assessment. This was heard by the Historic and Archaeological Preservation Board on February 16th, 2024, and was approved with a condition. The condition is that any excavation on the subject property will be monitored by a certified archeologist.

The second new material is that there was a change made by the applicant on Tuesday, February 20th, 2024, on the site plan and variance request which reduces the variance request only on the east side setback.

Staff is unopposed to this change since it's a reduction in the variance request, and staff defers to the Hearing Examiner's decision.

With respect to the public notice requirements, they were complied with as per LDC Section 10.03.06.F.

The agent letter was distributed by the property owner on Thursday, January 18th, 2024. The property owner notification letter and newspaper ad were taken care of by the county on Friday, February 2nd, 2024, and the public hearing signs were placed by the applicant on Wednesday, February 7th, 2024.

I have received three calls from the public pertaining to requests for information. One communicated they all extended their support for the petition. I received two other calls from homeowners beyond the notification area.

Therefore, because staff believes the petition is consistent with the LDC and GMP, staff recommends that you approve this petition as described specifically in accordance with the updated site plan presented as new material.

There are two conditions in association with the recommendation of approval. One, during the building permit process, the construction of the residence and guest house will include best-management practices for additional treatment and to control direct runoff into the surrounding Outstanding Florida Waters and, two, no direct discharge of untreated stormwater is allowed over or across the seawall.

That concludes staff summary.

HEARING EXAMINER DICKMAN: Thank you, sir. Appreciate it.

Is the applicant or applicant's representative here?

Good afternoon.

MR. YOVANOVICH: I'll try to remember to say "afternoon" as well.

HEARING EXAMINER DICKMAN: I know.

MR. YOVANOVICH: Good afternoon. For the record, Rich Yovanovich on behalf of the applicant.

I'm used to controlling the PowerPoint, so if I forget to say, "Next slide," someone help me along.

Next slide. Can you -- next slide, please.

MS. PADRON: One second, please.

MR. YOVANOVICH: Mr. Dickman, I've just got a very brief presentation because I know you've read everything.

HEARING EXAMINER DICKMAN: Sure.

MR. YOVANOVICH: But just in case there's anybody here from the audience who wants a little bit better explanation.

With me today is Dena Joyner. She's the property owner and applicant. And I have Renee Zepeda here from Stofft Cooney, who's the architect, if you have any questions from the architect.

Next slide, please. Thanks. This is -- too far. Back one. Thanks. There we go.

That's the subject property. It's about one and a half acres. It's zoned Estates. As you can see, it's kind of an odd-shaped piece of property.

Next slide, please.

Technically, this piece of property is a conforming lot but as you can see with the configuration of the lot, it's an odd-shaped piece of property. It's got, basically, two waterfronts, and I'll get a little bit closer. Those are the reasons for the requested variances to both the rear yards and the side yards from this piece of property.

We're essentially using the 10 percent rule that applies for nonconforming lots for purposes of calculating the side yard.

And as Sean went through and went in detail, is the requested setback, these are the requested variances that we're requesting through this process. We're requesting a setback of 40 feet along the front so that we can have an appropriate setback for the garage on the west side. And originally on the east side we were asking for a setback of 13.2 feet. We met with our neighbor on the east side, and they asked us to increase that setback to 20 feet. The architect can make that happen. And so we're modifying that request, as Sean pointed out, to that being a 20-foot setback on the east side.

HEARING EXAMINER DICKMAN: So let me make sure that -- so the staff report needs to be amended a little bit? So that change is not --

MR. YOVANOVICH: That was the change he was referring to when he did his opening remarks.

HEARING EXAMINER DICKMAN: It's 20 feet now instead of --

MR. YOVANOVICH: Instead of 13.2.

HEARING EXAMINER DICKMAN: Okay. Got it.

MR. YOVANOVICH: And the exhibit I handed out to you was so that you could see how those changes were made because -- I'm going to put them up on the visualizer, but for those of us who have visual issues, it's not as clear.

HEARING EXAMINER DICKMAN: So on the west side it's still 13.2?

MR. YOVANOVICH: Still 13.2 feet.

HEARING EXAMINER DICKMAN: Twenty on the right, on the --

MR. YOVANOVICH: And then on the rears, you could see from the exhibit you're looking at, we basically have two waterfronts. So in order to have those waterfronts and build the guest house and build a main house, we needed to have additional setback requests for variances to those. And those are, respectively, a requested setback for the guest house of 42.8 feet and for

zero feet on the main house.

Next slide.

And this is the overall site plan that I handed out to you that shows the 20-foot setback on the east versus the 13.2. It shows you kind of the buildable area for a home based upon the setbacks that we're requesting that shows you the guest house on the -- I guess that's the southwest corner. You can see that, and you can see the pool, and you can see the main house, and you can see the garage.

Next slide, please.

This is a closeup to show the different setbacks that we're requesting from the front. And I think I might have misspoken, although I can't read that number for the front yard setback.

HEARING EXAMINER DICKMAN: It looks like 50.

MR. YOVANOVICH: It's 50, yeah. So we'll be set back 50 feet there. I had a feeling when I said "40," I was not right. So it's a 50-foot setback from the front. Initially we were asking for 40, but staff asked us to increase that back to 50 feet for the garage. So that shows you the front and the sides.

And then next slide, please.

That shows you the changes close up for the rear for the guest house and also the rear for the main home.

Last slide, please.

Again, this is an odd-shaped piece of property. That part of the county is -- homes are being purchased, demolished, and being rebuilt. We're asking for a home that will be the stature of other homes in the neighborhood. The variances are the minimum necessary to result in a home consistent with the neighborhood as it's -- as it's redeveloping. You've already heard your staff is recommending approval.

I have the property owner and architect here if you have any questions, but other than that, we just wanted to do a brief overview for you and the --

HEARING EXAMINER DICKMAN: Yeah. I mean, I'm looking at the Collier County Property Appraiser map, and it appears that a lot of the lots along the Cocohatchee waterway are -- I mean, that's what's causing the odd shape.

MR. YOVANOVICH: Yes, yes.

HEARING EXAMINER DICKMAN: It's an interesting looking lagoon, but not everybody gets a lagoon.

MR. YOVANOVICH: No, they don't, and sometimes maybe you don't want one.

HEARING EXAMINER DICKMAN: Let's just hope you don't find any archaeological things.

MR. YOVANOVICH: From your mouth to God's ears.

That's our presentation, Mr. Dickman.

HEARING EXAMINER DICKMAN: All right. Thank you. This is pretty straightforward, but is there anybody signed up to speak for the public?

MS. PADRON: Good afternoon. We do have a speaker. Perry Hodges.

HEARING EXAMINER DICKMAN: Mr. Hodges, come on up.

MR. YOVANOVICH: You have to go to the microphone.

HEARING EXAMINER DICKMAN: Right here to the center microphone. How are you? Good afternoon. I want to say "morning." I don't know why.

MR. HODGES: My only concern with this was a variance that was originally requested. I believe you're calling it the east side of my property; is that correct?

HEARING EXAMINER DICKMAN: Are you on the east side? You're the abutting property?

MR. YOVANOVICH: He's on the east side of us.

HEARING EXAMINER DICKMAN: Okay.

MR. HODGES: And I see now that they have amended that to both of our --

HEARING EXAMINER DICKMAN: To 20.

MR. HODGES: -- agreement. Other than that, I have no concern with anything they're doing.

HEARING EXAMINER DICKMAN: So you're satisfied with the 20 foot? They expanded it to 20 feet from your property line.

MR. HODGES: I'm satisfied, yes.

HEARING EXAMINER DICKMAN: Okay. Great. Thank you. Thanks for being here. I appreciate it.

Anybody else?

MS. PADRON: We do not have additional speakers.

HEARING EXAMINER DICKMAN: Okay. I assume you have no rebuttal.

MR. YOVANOVICH: I don't have any rebuttal, no, sir.

HEARING EXAMINER DICKMAN: Pretty straightforward. I'll get a decision out as quickly as I possibly can.

MR. YOVANOVICH: I appreciate it.

HEARING EXAMINER DICKMAN: All right. Have a nice day.

MR. YOVANOVICH: Thank you.

HEARING EXAMINER DICKMAN: ***All right. Let's go to 3B. And we've got Sean again. All right. The Sean Show.

MR. SAMMON: Good afternoon, Mr. Dickman. Again, for the record, Sean Sammon, Planner III, in the zoning division.

Before you is Agenda Item 3B. This is a request for you to approve a conditional use to allow a car condo facility also known as motor freight and warehousing, SIC Code 4225, air-conditioned and mini- and self-storage warehousing only, pursuant to LDC Section 2.03.03.D.1.c.24 on approximately 2.47 acres for the benefit of the subject property located at the southeast corner of Tamiami Trail East (U.S. 41) and Confederate Drive or Dixie Drive, also described as Lots 1, 4, 5, and 6, Block 1, Naples Manor Unit No. 1, in Section 29, Township 50 South, Range 26 East, Collier County, Florida.

The petition was reviewed by staff based upon review criteria contained within LDC Section 10.08.00.D, 1 through 4, and staff believes this petition is consistent with the review criteria in the LDC as well as with the GMP.

The applicant conducted one neighborhood information meeting on Thursday, September 7th, 2023. Thirteen members of the public attended. There were several concerns, questions, and comments directed toward the applicant in which the applicant addressed at the meeting.

A summary of this was provided in the staff report, and a record is provided in the backup package provided by the applicant in Attachment A to the staff report.

With respect to the public notice requirements, they were complied with as per LDC Section 10.03.06.C. The property owner notification letter and newspaper ad were taken care of by the county on February 2nd, 2024, and the public hearing signs were placed by the applicant on Tuesday, February 6th, 2024.

I received zero public comments pertaining to this petition; therefore, staff recommends that you approve this petition as described in accordance with the attachments to the staff report and subject to the five conditions of approval in association with the recommendation to approve included in the staff report.

That concludes staff's summary.

HEARING EXAMINER DICKMAN: Thank you, Sean. Appreciate it.

MR. SAMMON: You're welcome.

HEARING EXAMINER DICKMAN: Is the applicant or applicant's representative here? Good afternoon.

MS. KLUTZ: For the record, my name is Jessica Klutz, and I am the representative for

the applicant.

As Sean so kindly presented, I'm here to present the Harklau Storage conditional use.

Next slide, please.

MS. PADRON: There's a delay.

HEARING EXAMINER DICKMAN: That's okay.

MS. KLUTZ: No worries.

Here is our site location. It is 2.47 acres of vacant land along Tamiami Trail East, and we are surrounded by Tamiami Trail East, Floridian Avenue, Joan Street, and Confederate Drive.

The current zoning of the parcel -- go back one, please. Thank you.

The current zoning of the parcel is C-4, and some already permitted uses in this zoning district are parking lots and garages, automotive vehicles and equipment dealers, car washes, automotive services, retail nurseries, lawn/garden supply, motorcycle dealers, and laundromats, and so the conditional uses allowed in this zoning are those warehouse, air-conditioned mini- and self-storage, outdoor amusement, and veterinarian services.

Next slide.

So our proposed use conforms with that conditional use of warehousing. And we are proposing an automobile storage facility which will have 31 indoor units, one story in height, and each of these units will have a private restroom.

This proposed use is a private storage, and it will have minimal impact on neighboring properties in relation to noise, glare, economic, and odor effects. There are no noxious odors, glazes -- glares, or sounds associated with the self-storage use.

And the building sides will be screened by appropriate landscaping buffering, which I'll go into a little bit further later in my presentation. And each of these units will be for private sale without options to rent.

Next slide.

MS. PADRON: I apologize. There's a delay.

MS. KLUTZ: No worries.

So to discuss some of the consistency of this conditional use, 2,000 feet to the south of us, there is an approved conditional use from HEX Decision 2017-04, which is a similar conditional use for indoor self-storage, at 11201 Tamiami Trail East. And this shows that this general area has been historically deemed to be compatible with self-storage, and this particular conditional use from 2017 included three stories. We are only asking for one.

Next slide, please.

So to discuss our immediately surrounding uses, we are surrounded on three sides by right-of-way, and then to the north we directly abut a convenience store, and then across the right-of-ways from us are single-family, vacant, and commercial developments.

Next slide, please.

So this slide is our conceptual site plan which shows those 31 automotive storage units. Each unit is 25-by-50 in size, approximately, and it comes out to a total of 34,420 square feet of warehouse space.

HEARING EXAMINER DICKMAN: Quick question for you. So what -- going to the issue of compatibility, is there going to be any outdoor mechanical work done or any washing or anything that might be considered a nuisance that would occur outside of the units themselves?

MS. KLUTZ: So we're not proposing to allow any kind of overnight storage or outside noise or amplification of noise. It's intended for people to come and then go inside the unit, and the unit will have its own bathroom, water hookup, and be completely self-sufficient on the inside.

HEARING EXAMINER DICKMAN: Okay. And access will be through some kind of security gate, I would imagine.

MS. KLUTZ: Yes, it will be gated.

HEARING EXAMINER DICKMAN: Okay. All right.

MS. KLUTZ: Next slide, please.

So this slide kind of shows our access a little more. We're proposing that primary access on Johns Street. Then in order to comply with fire code, we do have a secondary gated access that interconnects with that convenience store to our north.

Next slide.

So now to talk about our buffering a little bit more. On three of our sides, so to the north, east, and south, we are proposing a 25-foot-wide landscape buffer that will exceed code minimum along Floridian, Dixie Drive, and Johns Street. And then along U.S. 41, we're proposing a code standard 15-foot-wide Type D, and then where we abut commercial, it will be a 10-foot-wide Type A buffer.

Next slide.

So these are our five aforementioned proposed conditions of approval. This sets a trip cap for the proposed development. We're proposing our hours of access are 24 hours a day, seven hours [sic] a week; however, there are no overnight stays or no overnight parking outside of the units permitted in the development.

We are providing no direct access onto Floridian Avenue, and no outdoor noise amplification can be permitted.

And going back to those enhanced landscape buffers, these will be the minimum for a Type B buffer per the LDC, and this will be enhanced through the inclusion of at least five canopy trees per 100 linear feet, a minimum of 10 feet in height, and a double-staggered hedge row planted four feet off center that's maintained to form a 36-inch-high continuous visual screen within one year of planting.

Next slide, please.

So going to the standards for approval of a conditional use, the first one is how's the project consistent with the LDC and Growth Management Plan? The C-4 zoning district, at the time of the LDC's conception, was thought to be compatible with this use, so it was put in as a conditional use. And per a zoning verification letter from 2021 that we got on this site dated January 5th, 2022, the use of indoor car storage facility is classified as SIC 4225, which is the use we're going for in this.

And then the Growth Management Plan identifies this location as within the urban residential subdistrict, which does permit these commercial uses.

HEARING EXAMINER DICKMAN: Any signage that you're planning, monument signs or wall signs or anything like that?

MS. KLUTZ: We haven't gotten that far into the architectural design. If there is going to be a sign, it will be LDC compliant. We're not going to go for any sign variances.

HEARING EXAMINER DICKMAN: Okay.

MS. KLUTZ: Next slide.

The second standard for approval has to do with the ingress and egress and traffic flow and control. By having our access off of -- not having access on Floridian, Tamiami Trail, and using existing roads, we believe that this will be a very low impact to the traffic in the area, and we're not going to be providing any turn lanes and sidewalks. As provided on the concept plan, we'll be provided to connect to the existing network.

Next slide.

HEARING EXAMINER DICKMAN: Quick question. So the primary ingress and egress is going to be off Johns Street, right?

MS. KLUTZ: Correct.

HEARING EXAMINER DICKMAN: And the ingress/egress that goes about towards the convenience store, that's going to generally just be as a secondary --

MS. KLUTZ: Yeah. It's more of a secondary or emergency access.

HEARING EXAMINER DICKMAN: Emergency? Generally, it won't be used as much?

MS. KLUTZ: Utilized as much.

HEARING EXAMINER DICKMAN: Okay. Gotcha.

MS. KLUTZ: And I have a larger printout of the site plan if you'd like that.

HEARING EXAMINER DICKMAN: I can see it, yeah. My glasses magnify a lot.

MS. KLUTZ: Okay. I need to get me some of those.

HEARING EXAMINER DICKMAN: I'll give you the name of my doctor.

MS. KLUTZ: And then moving on to the third standard of approval, it's how it's going to impact neighbors in relation to noise, glare, economic impact, and odor. We believe that this proposed use, which will be very, you know, self-enclosed, it's going to have very minimal impact relating to noise, glare, economic and odor effects. There's no really noxious odors, glares, or sounds associated with self-storage uses.

And the building size will be screened by the appropriate enhanced landscape buffering. We have included some architectural renderings as well later in this presentation and in the backup package.

And we're proposing that 25-foot enhanced landscape buffer along the frontage of Floridian, Johns, and Dixie, and that's in accordance with both the LDC and also the proposed U.S. 41 Overlay District standards for landscape buffering. Those are not codified, but they are kind of recommendations, and we tried to incorporate those plan recommendations as much as we could in this site plan.

And then we're providing code-compliant buffering on the other frontages.

Next slide.

And then to go into a little bit more detail about the proposed-use compatibility of the adjacent properties, the parcel we're directly adjacent to is a commercial use, and then on all other sides we're abutting roadways, and it does not directly abut any residential uses. This development will be limited to 22 feet in height, which makes it vertically compatible with the surrounding area.

Next slide, please.

And then circling back to that East Naples Community Development Plan, the plan identifies self-storage as an undesirable use; however, it does state that warehouse space can be encouraged to redevelop as mixed use. We're proposing private automotive storage units, which can be used for more than just putting your car in. You know, patrons can come and use it as almost, like, a little bit of a social space or for cleaning their car, that sort of thing, inside the unit. And we don't think that a true mixed-use would be compatible with this, just due to the private, more higher security nature of the use, and that additional traffic would create negative impacts to the neighborhood if this did have, you know, a retail or residential component to it.

And per that community development plan, the U.S. 41 at Naples Manor study area has an aim to add 254,000 square feet of commercial space to the area. This conditional use would allow for the currently vacant land to be developed into a more activated commercial use which will have gated access so as to not encourage through traffic into the neighborhoods, and it should not create any noxious impacts that other C-4 uses that we talked about previously might produce.

Next slide, please.

And then here we have our architectural plans for each building. It will be kind of a "quiet but still meeting the architectural code" kind of articulated building with both garage doors and normal doors. And this is all going to be facing inwards. None of these garage doors are going to be facing outside.

Next slide, please.

And then here is the view from the externals. This is what you'd see off of Floridian or Tamiami Trail behind the landscape buffering. And we tried to kind of articulate and put in some architectural elements to make it more attractive and not just look like a flat box.

And thank you-all for your time. If you have any questions, I am more than happy to answer them.

HEARING EXAMINER DICKMAN: So the -- all right. I think I worked on one of these projects before. I think there's -- I saw one on the East Trail, so it is apparently a use that's

coming into vogue. So windows here, are they going to be windows that can be opened? Are they -- how are they set?

MS. KLUTZ: I don't believe they can be opened, but it is glazing.

HEARING EXAMINER DICKMAN: Yeah. So I guess I just want to make sure that, you know, if somebody -- I mean, I don't know why somebody would start their, let's say it's a motorcycle or a car, inside the bin unless things are open, because of --

MS. KLUTZ: Right.

HEARING EXAMINER DICKMAN: -- CO2, you know.

MS. KLUTZ: Ultimately, we hope the car owner would be educated on that.

HEARING EXAMINER DICKMAN: Okay. All right. So I wouldn't want -- you know, I mean, some cars are quieter than others, and if the windows are open and then the roll-up doors are open, it could still -- you never know what kind of -- like, for example, my office is very close to the Ferrari dealership, and they like to drive those cars around quite a bit, and they're not quiet.

So I would just want to make sure that, you know, you respect the neighbors, that -- you know, I think these things are -- you know, seem to be coming into fashion, you know, where people want to -- they don't want to store their expensive cars or motorcycles, or whatever it is, in a -- in, you know, some lot that's not shaded. And these are definitely -- but I also want to make sure that, you know, the conditions are strong enough that, while it looks architecturally pleasant, you know, and the buffers and everything like that, you know, that these areas don't become like a gathering spot to pull your cars out and rev them up and, you know, fire up the engines and things like that.

MS. KLUTZ: Right, absolutely. On the site plan, all those garage doors do face internally, so the building would kind of buffer it from the surroundings as well as the road.

HEARING EXAMINER DICKMAN: Okay.

MS. KLUTZ: Ultimately, we haven't proposed any kind of cap on how many people can be there at once. So I can't say for certain, you know, exactly how it's going to be used. But if you believe that it is a condition necessary that there's a limit on how many people, we can certainly discuss that.

HEARING EXAMINER DICKMAN: I'll give it some thought. I just want to -- you know, I just don't want it to become like a social atmosphere where everybody's like, you know, hey, come on over and we'll, like, pull all the cars out, you know, and have a car rally.

MS. KLUTZ: There would be no car shows --

HEARING EXAMINER DICKMAN: Car shows --

MS. KLUTZ: -- or special events.

HEARING EXAMINER DICKMAN: -- or something like that. I get the idea. I think the idea is to just have a space where someone can keep their expensive vehicle, or whatever it is, and go in there in an air-conditioned environment and, you know, work on it and do whatever. You know, it's something -- you know, it's like a garage -- yeah, like, it's a garage that's not attached to your house, you know, like your own garage.

MS. KLUTZ: Yeah. It's, essentially, just extra space.

HEARING EXAMINER DICKMAN: Yeah. Put your TV up and watch football.

MS. KLUTZ: You absolutely could.

HEARING EXAMINER DICKMAN: All right. I understand. Let's see if there's anyone from the public.

MS. PADRON: We have no registered speakers.

HEARING EXAMINER DICKMAN: No registered speakers.

Okay. I get the idea. I may -- I don't think so, but I'm going to give a little bit more thought to just making sure that -- you know, that something like that doesn't happen, and it may just be sort of some kind of reference to code enforcement and noise. So I'm not going to invent something that's going to surprise you all, but I do want to make sure that it's understood that, you

know, this is -- there are residences around here and that, you know, some high-performance cars can be rather loud, and I wouldn't want to disturb the neighbors, so...

MS. KLUTZ: Absolutely. I understand your concern.

HEARING EXAMINER DICKMAN: Anyway, very nice presentation. It's good to meet you.

MS. KLUTZ: Absolutely.

HEARING EXAMINER DICKMAN: And I guess I'll get a decision out as quickly as possible.

MS. KLUTZ: Okay. Thank you. And, again, reach out if you have any further concerns. We'll be happy to answer.

HEARING EXAMINER DICKMAN: Absolutely. All right. Have a nice day.

MS. KLUTZ: You as well.

HEARING EXAMINER DICKMAN: Anything else for the meeting? No. I'm seeing nods and nos.

All right. Then we are adjourned, and thank you, everybody, for accommodating my unusual schedule today.

There being no further business for the good of the County, the meeting was adjourned by order of the Hearing Examiner at 1:36 p.m.

COLLIER COUNTY HEARING EXAMINER

ANDREW DICKMAN, HEARING EXAMINER

These minutes approved by the Hearing Examiner on _____, as presented _____ or as corrected _____.

TRANSCRIPT PREPARED ON BEHALF OF FORT MYERS COURT REPORTING, BY TERRI L. LEWIS, REGISTERED PROFESSIONAL REPORTER, FPR-C, AND NOTARY PUBLIC.