

COLLIER COUNTY LAND DEVELOPMENT CODE STAFF CLARIFICATION

CURRENT PLANNING STAFF CLARIFICATION SC 98-004

DATE: 28 October 1998

LDC SECTION: Section 2.6.21 (Dock facilities), Division 6.3 (Definitions: "yard, waterfront)

INITIATED BY: Planning staff as the result of a request for clarification from Customer Service Agents regarding measurement of structure setbacks and dock protrusions from seawalls

BACKGROUND/CONSIDERATIONS: Section 2.6.21.1. of the LDC states that "...protrusions as well as extension of dock facilities are measured from the property line, bulkhead line, shoreline, seawall, rip-rap line, or Mean High Water Line, whichever is more restrictive." Division 6.3, definition of "yard, waterfront", states that "...open space...depth (is) measured from property line, bulkhead, shoreline, seawall, mean high water mark, access easement, whichever is the most restrictive." Seawall slabs are a minimum of .5 feet thick, and seawall caps a minimum of 1.3 feet wide, allowing for over 1 foot variation in measurement, depending on which side of the seawall or cap is used to measure the setback, for structures on land, or protrusion, for docking facilities.

DETERMINATION (CLARIFICATION): The measurement for both structures and docking facilities should be taken from the outer (water) side of either the seawall or seawall cap, as shown in the attached diagram.

AUTHOR: Ross Gochenaur (for Robert J. Mulhere, AICP, Director, Planning Services Department)

THROUGH: Ronald F. Nino, AICP, Manager, Current Planning Section)

cc: Johnnie Gebhart, Senior Customer Service Agent Supervisor