

COLLIER COUNTY LAND DEVELOPMENT CODE STAFF CLARIFICATION

CURRENT PLANNING STAFF CLARIFICATION SC 98-02

DATE: 20 April 1998

LDC SECTION: 2.6.21. (Docking Facilities)

INITIATED BY: Current Planning staff as the result of a request for clarification from Customer Service Agents regarding setbacks for lots at end or side end of canals.

BACKGROUND/CONSIDERATIONS: Section 2.6.21.2.4. of the LDC states that "All dock facilities with water frontage of 60 feet or greater shall have a side setback requirement of 15 feet except ...as exempted below." This paragraph further states that "All dock facilities...on lots at the end or side end of a canal or waterway shall have a side setback requirement of 7 ½ feet as measured from the side lot line or riparian line, whichever is appropriate."

DETERMINATION (INTERPRETATION): Whether or not it was the intention of Section 2.6.21.2.4. to require 15-foot setbacks as appropriate, the wording of the exception clearly indicates that the 7 ½-foot setback will apply to all lot line setbacks including setbacks from the riparian line. Any deviation from this requirement could come only from an amendment to the LDC.

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