

COLLIER COUNTY LAND DEVELOPMENT CODE STAFF CLARIFICATION

CURRENT PLANNING STAFF CLARIFICATION SC 2000-03

DATE: 16 May 2000

LDC SECTION: 2.6.2. Accessory Buildings & Structures

INITIATED BY: Staff

BACKGROUND/CONSIDERATIONS: Building Department customer service agents have requested clarification of setback requirements for architectural water features over 30 inches high in residentially zoned front yards. Section 2.6.4.1 states that every part of every required yard shall be open & unobstructed from 30 inches above ground level; however, Section 2.6.4.1.8 states that nothing in the LDC shall prohibit landscaping as long as the intersection visibility triangle described in Section 2.6.1 is maintained.

DETERMINATION (CLARIFICATION): Architectural features over 30 inches high, whether or not they include statuary and/or electrically operated water pumps, are not required to meet setbacks, but must comply with the provisions of Section 2.6.1, which describes the intersection visibility triangle. Since these architectural features usually have more in common with landscaping than with a typical principal or accessory structure, they should be treated as landscaping and exempt from setback requirements as long as the visibility triangle is maintained.

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

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

cc: Staff  
Building Dept.