

MINUTES OF THE MEETING OF THE COLLIER COUNTY  
DEVELOPMENT SERVICES ADVISORY COMMITTEE

Naples, Florida, January 6, 2010

LET IT BE REMEMBERED that the Collier County Development Services Advisory Committee, in and for the County of Collier, having conducted business herein, met on this date at 3:00 PM in REGULAR SESSION in Conference Room #610, Collier County Community Development and Environmental Services Center, 2800 N. Horseshoe Drive, Naples, Florida, with the following Members present:

CHAIRMAN: William Varian  
Ray Allain  
James Boughton  
Clay Brooker  
Laura Spurgeon DeJohn  
Dalas Disney  
David Dunnavant  
Marco Espinar  
Blair Foley  
Regan Henry  
George Hermanson (Excused)  
David Hurst  
Reed Jarvi  
Robert Mulhere  
Mario Valle

ALSO PRESENT: Nick Casalanguida, Interim Administrator, CDES  
Judy Puig, Operations Analyst, CDES – Staff Liaison  
James French, Deputy Director/Operations Manager, CDES  
Bob Dunn, Director, Building Review & Permitting  
Phil Gramatges, Interim Director, Public Utilities  
Michael Greene, Manager, Transportation/Planning  
Stan Chrzanowski, Sr. Engineer, Engineering & Environmental Services  
Ray Bellows, Zoning Manager  
John Kelly, Planner – LDC Section

**I. Call to Order**

The meeting was called to order at 3:05 PM by Chairman William Varian who read the procedures to be followed during the Meeting.

**II. New Committee Members**

Chairman Varian welcomed Ray Allain, Regan Henry, and David Hurst to DSAC.

**III. Approval of Agenda**

*Marco Espinar moved to approve the Agenda as submitted. Second by Robert Mulhere. Carried unanimously, 12-0.*

**IV. Approval of Minutes – December 2, 2009 Meeting**

*Dalas Disney moved to approve the Minutes of the December 2, 2009 Meeting as submitted. Second by Reed Jarvi. Motion carried, 9-“Yes”/3-“Abstentions.” Ray Allain, Regan Henry and David Hurst did not vote since they did not attend December 2<sup>nd</sup> meeting.*

**V. Public Speakers**

*(Will be heard as the Item is discussed.)*

**VI. Staff Announcements/Updates**

**A. Public Utilities Division Update – Phil Gramatges, Interim Director**

A question was asked concerning the water surcharge for commercial buildings.

Mr. Gramatges stated the size of the water meter determines the scale and a surcharge is assessed if usage runs over the allotted limit. Information is available on the County's website.

**B. Fire Review Update – Ed Riley, Fire Code Official (absent)**

- The monthly report was distributed to the Committee in their information packet
- Ken Abler, Deputy Fire Code Official, is retiring and a reception will be held on January 25<sup>th</sup>

*(Laura Spurgeon DeJohn arrived at 3:11 PM)*

**C. Transportation/Planning Update – Michael Greene, Transportation Planning Manager**

- Vanderbilt Beach Bridge - FDOT *revised* the completion date to April, 2010
- Santa Barbara Extension - projected completion date is June, 2010
- Obtained an \$800,000 Grant for the I75/951-Davis Interchange

There was a discussion concerning status of the Department, revisions and personnel within the Department.

**D. CDES Update – Nick Casalanguida, Interim Administrator**

- 13 individuals were laid off within CDES
- James French is the Deputy Director/Operations Manager for CDES

**Mr. Casalanguida** outlined the restructuring plan. Transportation Planning, Comprehensive Planning, Zoning & Land Development, and Engineering will be brought together under the umbrella of CDES. There will be a greater emphasis on the quality of customer service, efficient daily operation, improving the intake process, and he noted the following:

- Carolina Valera is the Architectural Review Supervisor
- Everildo Ybaceta and Mike Levy will track petitions and provide project updates
- The CDES flow chart is being revised

Challenges:

- Electronic submittal – goal is to be running within six months
- CityView was to “go live” in February but was postponed. A delivery team has been assembled to pinpoint problems within the system
- Submittals – developing a “concierge” approach for client services to reduce redundancy and waste
- Time/costs will be tracked for Board of County Commissioners’ projects

It was suggested to add a DSAC member to the CityView team to represent the business committee. A schedule of topics to be reviewed and analyzed will be distributed to the Committee.

## VII. Old Business

- A. LDC Amendments – Patrick White, Esq. (Vanderbilt Beach Residents’ Assn.)**  
**Ray Bellows**, Zoning Manager, noted copies of the revised Amendment, prepared by Mr. White, and the Table of Minimum Yard Requirements, prepared by John Kelly, were distributed to the members.

### **Section 2.03.07 – Overlay Zoning Districts**

**Purpose:** To modify land development Regulations to clarify existing provisions to achieve intent of the Vanderbilt Beach Residential Tourist Overlay (VBRTO).

**Reason:** To address impacts from recent, unanticipated development within the overlay district and adjacent waters.

**Mr. White** reviewed the changes made to “Item 6, Dimensional standards” under Paragraphs “c. – Minimum yard requirements” (on Page 4), and “f. – Distance between structures” (on Page 5), and to “Item 13 – Vested rights” (on Page 6). There were no objections to the changes.

It was mentioned that during the October meeting, a suggestion was made to the Vanderbilt Beach Residents’ Association to speak with the various property owners who would be affected by the changes in the Code.

**Mr. White** stated discussions were held with the individuals who were most likely to be affected and their concerns were addressed.

*(Mario Valle arrived at 3:45 PM)*

Discussion continued concerning the current build-back policy, "Bert Harris" concerns, and full disclosure to the community. Also discussed were the differences on Page 3 between "Item 5. – Development criteria," in Paragraph b. iii and Paragraph c. iii, as well as who determines the sufficiency of Notice and the synopsis.

**Suggested changes:**

- (1) In "Item 5, Development Criteria" under Paragraph "d. Site improvement plans and site development plans," on Page 4, the language was changed as follows:  
"In addition to the requirements of Section 10.02.03.B, upon any  
**Site Improvement *Plan* or Site Development *Plan*** application ...."  
(Capitalized initial letters for site improvement/development and added the word, "Plan")

A lengthy discussion ensued concerning the notification requirements contained in the Amendment, triggers, thresholds, FEMA's Substantial Improvement Rule, and "zoned" height versus "actual" height.

A question was asked concerning the membership of the Vanderbilt Beach Residents' Association.

**Public Speaker:**

**William B. Eline, President, Vanderbilt Beach Residents' Association**, stated owners of businesses can apply to be members of the Association.

A question was asked concerning Staff's position regarding the Amendment.

**Mr. White** stated staff made him aware of any opposition to the revisions.

**Ray Bellows, Zoning Manager**, stated he had not been part of previous discussions concerning the revisions, but Staff's position will be determined when a report is presented to the Planning Commission and the Board of County Commissioners.

*Mario Valle moved to recommend approving the Amendment as revised above and to forward it to the Board of County Commissioners for review. Second by Robert Mulhere. Motion carried, 11- "Yes"/3- "No."*

*Dalas Disney, Reed Jarvi and Marco Espinar opposed.*

**B. Update: Building Fee Post-Implementation Commitments – Bob Dunn, Director, Building Review & Permitting**

- 20 pages of review comments were submitted by developers/contractors and will be sent to CBIA for comment
- Re: list of items frequently cited by Inspectors as reasons for failure has been sent to CBIA
- Types of permits and routing information will be sent to the Committee for their review
- 5-day/15-day turnaround report: will be submitted on a monthly basis to the Committee as well as to CBIA (A sample report was submitted to the Committee as an example of future reports.)
- New Permit Fees are posted on the website

- A “Building Block” concerning Fire Plan review has been posted on the website
- Multiple inspections are being tracked

**VIII. New Business**

**A. Utility Acceptance Bond – Phil Gramatges (re: email from Doug Lewis/Dalas Disney)**

A copy of the email from Doug Lewis to Dalas Disney was distributed to the members concerning Mr. Lewis’ comments regarding the 10% Utility Conveyance Bond (10% of the cost of the project) which is required for all projects. His concern is that an additional \$4,000 cash bond, which is also required, is punitive for developers. **Mr. Disney** questioned whether both bonds should be required. **Mr. Gramatges** stated the bonds were a form of “insurance” in case the utilities installed by the developer require repair by the County and is a protection for taxpayers against additional assessments. He will not support eliminating the bonds, stating when the utilities are transferred to the County, the Ordinance does provide for a reduction to developers.

**Stan Chrzanowski, Senior Engineer**, stated the cash bond would be used if the 10% bond was not sufficient because it would facilitate quick repairs, and was also an incentive to complete the legal paperwork concerning the one-year inspections. It was pointed out that paper bonds are easily cancelled and a suggestion was made to modify the Ordinance by inserting a sliding scale for cash bonds.

A request was made to provide the Committee with exact figures regarding the number of developers who did not comply with the requirement for inspections.

**B. Election of Chairman and Vice Chairman for 2010**

*Clay Brooker nominated William Varian to serve as DSAC Chairman for the 2010 term. Second by Robert Mulhere. Motion carried, “13-Yes,” with one abstention. Mr. Varian abstained.*

*Robert Mulhere nominated David Dunnivant to serve as DSAC Vice Chairman for the 2010 term. Second by Clay Brooker. Motion carried, “13-Yes,” with one abstention. Mr. Dunnivant abstained.*

**IX. Committee Member Comments**

(None)

**Next Meeting Dates:**

**February 3, 2010 - 3:00 PM**

**March 3, 2010 - 3:00 PM**

**April 7, 2010 - 3:00 PM**

**May 5, 2010 - 3:00 PM**

**There being no further business for the good of the County, the meeting was adjourned by order of the Chairman at 5:00 PM.**

January 6, 2010

**DEVELOPMENT SERVICES  
ADVISORY COMMITTEE**



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**William Varian, Chairman**

The Minutes were approved by the Board/Committee on 2/3/2010,  
as presented ✓, or as amended \_\_\_\_\_.