

December 5, 2013

TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY PLANNING COMMISSION
Naples, Florida
December 5, 2013

LET IT BE REMEMBERED, that the Collier County Planning Commission in and for the County of Collier, having conducted business herein, met on this date at 9:08 a.m. in REGULAR SESSION in Building "F" of the Government Complex, East Naples, Florida, with the following members present:

CHAIRMAN: Mark Strain
Karen Homiak
Mike Rosen
Diane K. Ebert
Brian Doyle
Stan Chrzanowski
Charlette Roman

ALSO PRESENT:

Ray Bellows, Zoning & Land Dev. Review
Nancy Gundlach, Department of Planning and Zoning
Heidi Ashton-Cicko, County Attorney's Office

CHAIRMAN STRAIN: Good morning, everyone. Welcome to the Thursday, December 5th meeting of the Collier County Planning Commission.

If everyone will please rise for Pledge of Allegiance.

(Pledge of Allegiance was recited in unison.)

CHAIRMAN STRAIN: Okay. Roll call by the secretary, please.

COMMISSIONER EBERT: Good morning.

Mr. Eastman?

MR. EASTMAN: Here.

COMMISSIONER EBERT: Mr. Chrzanowski?

COMMISSIONER CHRZANOWSKI: Here.

COMMISSIONER EBERT: Mr. Rosen?

COMMISSIONER ROSEN: Here.

COMMISSIONER EBERT: Ms. Ebert is here.

Mr. Strain?

CHAIRMAN STRAIN: Here.

COMMISSIONER EBERT: Ms. Homiak?

COMMISSIONER HOMIAK: Here.

COMMISSIONER EBERT: Mr. Doyle?

COMMISSIONER DOYLE: Here.

COMMISSIONER EBERT: And Ms. Roman?

COMMISSIONER ROMAN: Here.

CHAIRMAN STRAIN: Thank you.

Addenda to the agenda. We have one item today that needs to be continued. It's the first one up, 9.A, PUDA-PL-20130000052. It's for the Robert Estates PUD. It's in Immokalee. There was a glitch in the advertising by the applicant, so the applicant has requested the continuance.

Can I get a motion to approve a continuance for that item?

COMMISSIONER EBERT: I --

COMMISSIONER ROMAN: So moved.

CHAIRMAN STRAIN: So moved by -- who was that?

COMMISSIONER ROMAN: Me.

CHAIRMAN STRAIN: Charlette.

Okay. Seconded by Diane.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER DOYLE: Aye.

CHAIRMAN STRAIN: Aye.

MR. CHRZANOWSKI: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

MS. GUNDLACH: Mark, could you state the date it's going to be continued to?

CHAIRMAN STRAIN: Sure. It will be continued to January 2nd, which is going to be our next question. How many are going to be here January 2nd? Does anybody know if they're not going to be here, let's put it that way.

Mike won't be here.

COMMISSIONER DOYLE: I won't be here.

COMMISSIONER HOMIAK: (Indicating.)

CHAIRMAN STRAIN: I was afraid of that.

Let's do this carefully again. We have two meetings that we have scheduled, December 19th and January 2nd. That's the second item up on the -- or the fourth item up on the Planning Commission agenda.

So before we decide January 2nd is the day -- and I know they want to keep their January 28th Board date. We've got to figure this out.

So again, by -- raise your hand if you're not going to be here on January 2nd.

One, two, three, four. Well, that takes care of the quorum we need.

MR. BELLOWS: There is another item on there, too.

CHAIRMAN STRAIN: So, yeah, I know. We've got two items on January 2nd.

That does -- that does pose a dilemma. Do you want to get ahead of -- before the meeting's over can someone call the applicant for this particular issue and ask them if they can get on the 19th of December somehow? Or is it an advertising problem for the 19th?

MR. BELLOWS: There's an advertising problem. They would not have 15 days to post the sign.

COMMISSIONER DOYLE: Mr. Chairperson, if we need one more, I can change my plans. Would one more --

CHAIRMAN STRAIN: One more would give us a quorum, yes.

COMMISSIONER DOYLE: Then I'll change my plans.

CHAIRMAN STRAIN: I really appreciate that. Brian, thank you very much.

So we're good to go on the 2nd of January. I saw that date and I kind of thought it might be problematic.

So now that we know we've got the 2nd of January covered with a majority, how about the December 19th meeting; does anybody know if they're not going to be here on December 19th?

COMMISSIONER EBERT: I won't.

CHAIRMAN STRAIN: You won't?

COMMISSIONER EBERT: I will make it for the January.

THE COURT REPORTER: Can I just get you on the microphone?

COMMISSIONER EBERT: I will not be here for January 19th, but I will come for the 2nd of --

CHAIRMAN STRAIN: How about December 19th?

COMMISSIONER EBERT: Yes, December 19th I will not be here.

CHAIRMAN STRAIN: But you're going to now make it for the 2nd?

COMMISSIONER EBERT: I can make it for the 2nd.

CHAIRMAN STRAIN: Brian, if your event is -- you might get relief to get to your event or whatever you've got planned. So as long as --

COMMISSIONER DOYLE: One of us will make it.

CHAIRMAN STRAIN: One of you has to make it. You can't communicate outside this meeting on those kind of issues, but if one of you -- if you change your mind, Diane, would you --

COMMISSIONER EBERT: Call you?

CHAIRMAN STRAIN: Call Heidi up or call Ray up. Call Ray up and let Ray know and then he can coordinate with Brian and make sure we have a quorum.

So meetings are good for the 19th and the 2nd.

MR. BELLOWS: Very good.

CHAIRMAN STRAIN: Okay. So now that motion will be to -- that motion was to continue to January 2nd. And that's when the Roberts Ranch will be heard.

We have two sets of minutes for approval that have occurred previously. The first one is October 17th, 2013.

Does anybody have any changes to those minutes?

COMMISSIONER HOMIAK: Motion to approve.

CHAIRMAN STRAIN: Made by Ms. Homiak.

Seconded by --

COMMISSIONER EBERT: I'll second it.

CHAIRMAN STRAIN: Ms. Ebert.

Discussion?

(No response.)

CHAIRMAN STRAIN: All those in favor, signify by saying aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER DOYLE: Aye.

CHAIRMAN STRAIN: Aye.

MR. CHRZANOWSKI: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 7-0.

The same with the approval of the minutes for November 7th, 2013. Does anybody have any changes? If not --

COMMISSIONER HOMIAK: Motion to approve.

CHAIRMAN STRAIN: Ms. Homiak again.

Diane, do you want to the second that?

COMMISSIONER EBERT: Yes.

CHAIRMAN STRAIN: Okay. All in favor, signify by saying aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER DOYLE: Aye.

CHAIRMAN STRAIN: Aye.

MR. CHRZANOWSKI: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries.

Ray, our BCC report.

MR. BELLOWS: There were no zoning or land use petitions presented at the last Board hearing.

CHAIRMAN STRAIN: And Chairman's report. I don't have anything new to report.

Consent agenda items. We don't have any consent.

So we'll move right into the first advertised public hearing. That is now 9.B. It's PUDA-PL-2013000476. It's the Pelican Lake Planned Unit Development.

All those wishing to testify on behalf of this item -- first of all, if you didn't fill out a speaker slip and you still want to speak, that's fine. Because I'll ask anybody generally if they want to speak and you can just come up and take up to five minutes to speak. So don't worry about that.

But if you want to speak on this item, please rise to be sworn in by the court reporter.

(Speakers were duly sworn.)

CHAIRMAN STRAIN: Thank you.

Now, if any of you in the audience change your mind and do want to speak as this comes out, just when you stand up and I call, let us know you weren't sworn in so we can swear you in individually.

Disclosures on the part of the Planning Commission?

COMMISSIONER CHRZANOWSKI: Yeah. I talked to staff about this project. And I may have screwed up. I absentmindedly made a summation to Mike of the water management, but it will come up during the -- right before the meeting. It will come up during the meeting.

CHAIRMAN STRAIN: Yeah. You're not supposed to have that communication.

COMMISSIONER CHRZANOWSKI: I know. As soon as I said it, I realized it.

CHAIRMAN STRAIN: Okay. Mike, anything?

COMMISSIONER ROSEN: No.

CHAIRMAN STRAIN: Diane?

COMMISSIONER EBERT: No.

CHAIRMAN STRAIN: And I have met with the applicant's representatives numerous times. I have talked to one Mr. Potter on the telephone. I've had at least 10 or 12 letters come in that have been distributed to the entire Planning Commission. I think that's all.

Karen?

COMMISSIONER HOMIAK: No. Just the emails.

COMMISSIONER DOYLE: Just the letters you've distributed.

CHAIRMAN STRAIN: Okay. Charlette?

COMMISSIONER ROMAN: Just discussions with staff.

CHAIRMAN STRAIN: Okay. Thank you.

With that, we'll move into the presentation by the applicant.

MR. THORNTON: Good morning, Commissioners. My name is Chris Thornton. I'm an attorney with Goede, Adamczyk and DeBoest at 8950 Fontana del Sol Way, Suite 100, in Naples. And I'm here today representing the Pelican Lake Property Owners Association.

This is a -- I'll show you the project here. So this is about a 101-acre project that was developed in four phases back in the mid '90s. The PUD was originally approved in 1992. It was amended in 1997. And we're here today asking your recommendation of approval to amend Ordinance 97.70 specifically with respect to Section 3.3(b) of the PUD regarding accessory structures.

Currently the PUD -- and basically this is -- those of you who are not familiar with the project, it's essentially -- it's a high-end RV park where people come down with their motor homes and park them on a pad on the lot generally for several months at a time. Very rarely are there full-time, annual residents.

And currently their PUD allows for two potential accessory structures. One of them is a 100 square foot utility and storage shed. And every lot has one of those. It's basically a 10x10 Ted Shed. Some of those have awnings attached to them. They all have what looks like front doors on them.

The PUD also provides in Subsection 3.3(6)(b) for an enclosed screen room. And through our many conversations with staff and with Mr. Strain, we've concluded, and we agree, that the screened enclosures -- it looks like they're only permitted if they're attached to the recreational vehicle. So that doesn't appear to be an issue.

The layout, if you can see my drawing there, has a big lake in the middle with the lots along the perimeter of the lake. So there are no lots that are back to back with any other lot. They're all side by side.

And I have today with me the Board of Directors, Jerry Branenburg, the president, who will present as part of our presentation. Allen Hale is a director and the chairman of the architectural review committee. And Ewing Gurley is the secretary. Randy Newman is vice-president. And Rick Medina is the treasurer. And we also have many of the residential lot owners here in attendance.

And it might save some time, if you're from the community, if you're in favor of the project, would you please raise your hand or stand up.

Thank you. I think that might save some time.

The community back in February -- and in order for me to bring this application -- I guess, from the beginning, Ewing Gurley actually tried to do this himself as an individual back in 2012. He had a pre-application meeting. He discovered during that meeting that he alone could not bring this application to change the zoning for the whole site.

So using the provisions in their existing declaration, the board held a member meeting where the members voted by a 77 percent approval rating. And that's of those who attended. So -- and their declaration said that the rezoning can be done if you have two-thirds of those in attendance at the meeting. So they exceeded that by a pretty big majority. From my experience in condo and HOA practice, getting 77 percent is a very high vote.

So I know you have some letters of objection. I think that that vote and the people who are here today reflect that this application does represent the desire of a great majority of the residents of the community. Although, there are some concerns from those who are opposed.

And to address those concerns, I received -- I received I think nine letters of objection. And in general they all, I believe, addressed in -- by the work that staff and the County Attorney's Office has already done.

For example, as proposed there is some language that is not your standard language. The usable square footage part we don't need to have that. We'll go with the County's standard for measuring from the exterior.

We're -- we understand the concern that these might turn into guest houses or rental houses during the off season. So we're willing to do whatever is reasonable in your eyes. I think that's to prohibit sleeping in the structure altogether.

And so what we're asking for is instead of a 10x10, we would like a 350 square foot accessory structure with some limited expansion of the uses that are allowed in the structure.

Early on it wasn't clear whether that was supposed to be 100 plus 350, or if you move your 100 off and you only get 350. We're definitely willing to clarify that that is a maximum of 350 square feet.

So if you want to go -- if you want to get the new authorized accessory structure, it can only be 350 square feet. And I guess if your old 100 stays there, I don't think the architectural guidelines would allow it. But you cannot have more than 350 square feet of these structures.

So this would be a replacement. Like I said, every lot has the 10x10 Ted Sheds. And if you wanted to, you could upgrade to the 350-foot structure.

There was some language about the buffering and the vegetation. My proposal, and I'm certainly willing to listen to others, is to include language to the effect that to the maximum extent possible the existing landscaping and vegetation will be maintained.

What we discussed with Mr. Strain and staff was potentially increasing the setback. I'll show you this. This one is not to scale, but it can be helpful.

MS. GUNDLACH: I'll do that for you.

MR. THORNTON: We discussed -- right now it has a five-foot side yard setback. So you can see on the right the motor coach.

And I recognize that these motor coaches do have -- they generally have slide-outs that are anywhere from 18 inches to -- I think the biggest is maybe three foot. Mr. Branenburg can address that.

And they're not shown there. What's shown there is -- I think it's an eight and a half foot wide motor coach. Those are parked on the slab. They have a driveway leading to them.

And on the left side -- it's not square like they actually are now, but it's representing 100 square feet. And then the additional 250 is shown. So essentially -- and it's not to the scale, I know that.

But that's what they're proposing, rather than -- and actually the letters of no objection had some very useful pictures in them of the sites with the coach there and the existing Ted's Shed. And all -- basically all we're asking is to get a larger accessory structure.

We talked about increasing the setback. For a couple of reasons we would prefer not to do that and maybe increase the buffer or go with the language that I've suggested: To the maximum extent possible, you must maintain all the existing landscaping and the buffer between your accessory structure and the neighbor's coach.

As you can see, this lot owner's accessory structure is going to be close to his neighbor's coach. But if you increase the setback behind the structure, residents seem to think, and I agree with them, that it basically creates a place where that owner is going to try to utilize that space with something other than setback and buffer. So we would prefer to keep the five-foot side yard setback.

I did discuss with Mr. Strain -- and I think the County Attorney's most recent draft of the proposed ordinance was -- included a 15-foot height limit. Right now the accessory structures have a 30-foot height limit. And we're definitely willing to agree to a 15-foot maximum height for these structures.

We also discussed with Mr. Strain and with staff -- we want to avoid -- we don't want the owners -- the owner of this lot, the use of his accessory structure to infringe on his neighbors. Not too loud for the neighbors.

So we were willing to have openings not in that boundary in that side of the structure. If necessary, the openings will have to be on the inside facing your own coach.

And I think that's about it. The staff report at Page 8 says we cannot recommend approval as it was submitted, but we could recommend approval if there were three changes made. And I think I've addressed those three changes in my comments. I know Mr. Strain may have more clear comments about what I said.

One other issue, the screen enclosure. Originally I didn't submit any exhibits with this application. Ms. Gundlach asked for exhibits and I submitted some draft exhibits. And they showed the 100 square foot, plus the 350, plus an attached screen enclosure.

I certainly didn't, and the association didn't, have any intention of changing whatever the PUD allows as far as screen enclosures. We have since clarified that it's not 350 plus 100, it's a maximum of 350.

And, I mean, I'm not going to challenge Mr. Strain's interpretation of the PUD where he reads it and it says that the screen enclosure is to be attached to the recreational vehicle and it's shown. Basically it says the size of the screen enclosure shall not be greater than the recreational vehicle to which it is attached.

So that sounds like if you're going to have a screen enclosure, it needs to be attached. It doesn't make sense for these types of vehicles -- this was approved as a broad TTRV park. It could have single-wide mobile homes on it. It could have park models. It could have campers and pop-ups.

What actually was built -- it had a maximum density of 400 units. What actually was built was this high-end RV motor coach resort.

I was notified recently about maybe concerns about water management. And I hope Mr. Chrzanowski can maybe help me there.

I didn't have time to go get an engineer or to look at the South Florida Water Management District permits. What I can tell you is that as the sites exist, most of the sites already have this area paved, at least this much area.

So what we're -- the additional impervious surface that we're asking for, which would be 250 square foot, in addition to the 100 square feet that the Ted's Shed represents, I think all the lots already have at least that much paving already.

If I wanted to -- I live in a single-family neighborhood. If I wanted to put a big brick lanai patio slash thing in my backyard, I don't think the zoning code would prohibit that. And these owners have done that.

So I don't -- I think that the lake in the middle and the surface water management system -- and again, Mr. Chrzanowski is the expert on that. I think that the design -- it's already designed to accommodate this slight increase in impervious surface.

Mr. Branenburg is here with us today. He's the association president and he has some words for you as well. I'm available for questions either now or later, as you please. And I think some of the individual residents might like to speak as well.

CHAIRMAN STRAIN: Okay. Anybody want to ask any questions now?

COMMISSIONER ROMAN: I've got a couple questions.

CHAIRMAN STRAIN: Go ahead, Charlette.

COMMISSIONER ROMAN: Is the -- are the lots in this area on sewer or septic, or what's the treatment?

MR. THORNTON: They're on sewer.

COMMISSIONER ROMAN: They're on sewer, okay.

And you mentioned that there was a 77 percent approval of the homeowners based upon those in attendance. How many were in attendance?

MR. THORNTON: There were 217 who voted. The vote was 169 to 48. So if you look at the -- of those who attended and voted, it's 77 percent, which is what their declaration requires.

So that means 72 people did not vote or attend. And then if you look at the straight number of members who approved, it was 58 percent. The number who voted "yes" was 169 compared to the 289. That's 58 percent.

The declaration says that the association is allowed to do this if we reach two-thirds of those who attend and constitute a quorum. That's what gave us the authority to come and make the application.

COMMISSIONER ROMAN: Okay. One more question. You mentioned that there were very few full-time annual renters. My question is: If someone wants to live there full-time, are they able to live there full-time?

MR. THORNTON: I believe so under the zoning -- I'll leave that to --

MR. BRANENBURG: No.

COMMISSIONER ROMAN: No, okay. Thank you.

MR. THORNTON: Mr. Branenburg says no. Is that under the private documents?

MR. BRANENBURG: It's under the zoning.

MR. THORNTON: Part of your zoning. I'll look for that in the PUD.

COMMISSIONER ROMAN: Mr. Thornton?

MR. THORNTON: Yes, ma'am.

COMMISSIONER ROMAN: Mr. Branenburg said it is in your zoning?

MR. THORNTON: He said it is in our zoning.

COMMISSIONER ROMAN: Thank you.

CHAIRMAN STRAIN: Okay.

MR. THORNTON: I'll look for that while I sit down.

CHAIRMAN STRAIN: I'm going to hold my questions until I hear from the rest of the applicant's presentation.

Anybody else?

COMMISSIONER CHRZANOWSKI: I have something.

CHAIRMAN STRAIN: Go ahead.

COMMISSIONER CHRZANOWSKI: Hi, Chris. I did pull up the Water Management District permit and I zoomed in on the lots. At first I was concerned about whether or not these 350 square foot was going onto pervious area because it might affect the Water Management District permit.

But your average development the lakes amount to 15, maybe 20 percent of the area of the development. You guys have a 35-acre lake on 100 acres. So you're 35 percent. That's a very large lake.

Your permits are all up to date. I don't think that the additional impervious on the few areas where you're going to cover over the pervious area is going to have any effect at all. And that's, in effect, what I said to Mike at the start of the meeting.

So yeah, you're right. I'm not all that concerned about it.

MR. THORNTON: Thank you.

COMMISSIONER CHRZANOWSKI: Are you going to tell the Water Management District that you are going to do this?

MR. THORNTON: If our permit requires that we do, I will.

COMMISSIONER CHRZANOWSKI: Okay. Well, staff doesn't appear to be concerned either, so

--

MR. THORNTON: I was going to say.

COMMISSIONER CHRZANOWSKI: Right. I'm not.

MR. THORNTON: We did get through all of the rounds of staff reviews with approvals without any comments, other than I think Nancy's staff report has three comments.

COMMISSIONER CHRZANOWSKI: Yeah. You have a very large lake for that size of a subdivision, for that size of a project.

MR. THORNTON: And with respect to the Future Land Use Element and the future land use department, David Weeks' part of this, these are not intended to be residences. I proposed new language that's not in the submittal to prohibit sleeping in the structure and to provide that there shall be no occupancy of the structure unless the RV is on site. I think that hopefully covers it.

Mr. Branenburg would like to address you, too. Thank you.

MR. BRANENBURG: I apologize. I hope my nervousness doesn't show up too much here. This is not my normal forum.

I'd like to put just an artist's rendering up of what we're talking about, just to give some better visibility to everybody what we're looking at. Because I think this typically represents what Pelican Lake is all about. And I'd like to put that here.

CHAIRMAN STRAIN: You guys are all about upside down, huh?

MR. BRANENBURG: I'm Jerry Branenburg. And I'm the -- I was -- I've been president of the

association since February of this year. I've been on the board two years. And I'm here as a spokesman for all the owners.

I'm not misrepresenting -- I'm not a spokesman for the board, but I'm here representing everybody. So please understand that I've read all the objectors' comments. I've read all their letters.

I think based under the staff work that was done in pre-application meetings and meetings that we've hopefully -- I think we've addressed all the concerns. At no time -- at no time did we want to take away what the -- what the -- the requirements to get the owners' approval. And this application, from my perspective, as board president, represents what the majority of Pelican Lake owners want.

And you can see in the artist's rendering there we're talking about -- we've got the coach on the left. You've got that lot which faces the lake. And then we have that facility there that -- that is 350 square feet.

And you see how it lays on the tip -- that's a typical lot facing the lake. There are lakes -- there are lots that are smaller than that.

And that's where the 350 comes into play. Because part of our application here was, okay, what is an adequate or -- we didn't want to oversize the facility, but we didn't want to penalize people that have larger lots and people that have regular sized lots.

So we developed -- in addition to this application, we developed -- we have our architectural guidelines which, again, can be changed by board of director vote. But in there we represent, yes, we have a 350 square foot facility in there, but we also -- we have five other facility sizes so as to allow for a smaller building to be put on these lots that would better fit the lot, keeping the setbacks that are there.

Obviously we need to keep the setbacks. Because, yes, Pelican Lake Class "A" motor homes, yeah, we want to have outdoor living, all right. But on the same side, when we're outside, we're not -- for example, last night we had 12 people over to our house. And our coach is a 45-foot long motor coach.

We can't realistically entertain 12 people inside that coach because that's our bedroom in there and all that kind of stuff. And that's our primary residence. But we're talking about having a facility on our property that will allow us to bring guests over and sit inside and not be carried away by mosquitoes. I mean, I've got welts all over my body.

So we're talking about we want to allow the people to fully utilize their lot. And it's a beautiful area. Yes, we want to maintain the buffers. Yes, we want to maintain that hedge.

And in our architectural guidelines we mandate that the owners maintain that 45-foot long minimum, eight-foot high buffer so as we maintain the privacy.

We also in our architectural guidelines have already considered things like air conditioning where we went to -- our architectural committees, it's not just a rubber stamp. Every person that wants -- every owner that wants to build something has to come before this architectural committee. And things like the size of the air conditioning unit, the noise levels on it, how it's going to fit on the lot, what landscaping has to be removed or added to maintain the privacy.

So I think we've really thought this through. And I commend the staff because they've assisted us in rewording our application in such a way that I feel that we -- that we've satisfied -- and I don't want to say opposition, but the people that oppose the application, the majority of their concerns.

And again, I think the one that -- the concern that, you know, that that -- that I hear from reading the opposition is they're saying 350 is too much. Well, I think we've said it in our architectural guidelines that we -- like I said, we have a list of facility sizes. It doesn't necessarily mean that every lot is going to have a 350 square foot building on it.

So unless there are questions or --

CHAIRMAN STRAIN: Anybody?

Mike?

COMMISSIONER ROSEN: Yeah. One clarification question, please.

This is voluntary for each lot, correct?

MR. BRANENBURG: This is not mandatory. I mean, for example, you see the pavers that are shown on this lot. That's -- you know, we don't mandate that people have pavers.

We have I think -- we did a recent count of the pavers. Of the 289 lots, I think there's somewheres around like 189 or 190 lots have opted to put the pavers. It's an optional thing.

COMMISSIONER ROSEN: Thank you.

CHAIRMAN STRAIN: Anybody else at this time?

COMMISSIONER EBERT: Yes.

CHAIRMAN STRAIN: Go ahead, Diane.

COMMISSIONER EBERT: How deep is your lake; do you know?

MR. BRANENBURG: Deep? Oh, my goodness.

CHAIRMAN STRAIN: That was used as an excavation lake when I was around.

MR. BRANENBURG: Mr. Robelar, past president, he has a lot more expertise and history on stuff like that.

CHAIRMAN STRAIN: You can't speak from the audience. You'll have to come up, identify yourself for the record and speak through a microphone. Sorry.

MR. ROBELAR: Jim Robelar, 1590 Ludlow Road, Marco Island; 4881 Southern Breeze, Naples.

The lake is 21 feet on the -- I guess that would be the northern or western 951 side. If you recall in the PUD there's an earth mining permit. That was used as part of 951.

So the one side of the lake is quite deep at 21. On our end of the lake, which is the one that kind of goes towards Copper Cove, it's about five to six feet. And then there's about a two, maybe three-foot variation during the season with the up and down of the, you know, evaporation.

COMMISSIONER EBERT: Okay. Thank you.

CHAIRMAN STRAIN: I've got a couple questions.

What kind of unit do you have?

MR. BRANENBURG: Say again?

CHAIRMAN STRAIN: What kind of unit do you have?

45 feet long, what's the manufacturer? Just out of curiosity.

MR. BRANENBURG: It's American Eagle. Just brand new to it.

CHAIRMAN STRAIN: Yeah. I bet you like it.

MR. BRANENBURG: It's absolutely gorgeous.

CHAIRMAN STRAIN: They're nice units.

On this example that you've shown, I notice the door is facing the principal structure. And I think that's a good thing. Because if you're going to have activity going in and out of one of these, it would be -- on some of the drawings I saw made it indicate -- seemed to indicate that a door would be towards the rear, which would be actually more invasive to the property next door than yourself. And so if this is the intention, that's a better move.

The canopy or whatever you want -- porte cochere over the front, I need to ask Ray, I guess.

Ray, is that -- would that be part of the 350 square feet?

And if it wouldn't be, how big could that get then on top of the 350?

MR. BELLOWS: That's part of an accessory structure and it wouldn't count towards square footage of the unit since it's enclosed space.

CHAIRMAN STRAIN: Okay. So we need to be -- we need to consider the size of those then, in addition to the structure, if this were to go forward?

MR. BELLOWS: Correct.

CHAIRMAN STRAIN: And the one thing that this doesn't show, which means it's not intrusive on the principal use, but probably more intrusive on the neighboring use, is where is the air conditioning compressor going?

MR. BRANENBURG: And we again -- right now there are some accessory buildings that have the wall-mounted air conditioner on the back side facing the --

CHAIRMAN STRAIN: Which means it's the back side is facing your neighbor?

MR. BRANENBURG: Yeah, facing the neighbor. Again, we have lots that face the lake. We have to -- as part of their application, we have to evaluate exactly where to put that so we don't impact -- or minimize the impact on our neighbor. And we have to look at what type of units they're putting in there; the low -- high efficiency, low noise. I mean, there's some evaluation we have to make on each application.

CHAIRMAN STRAIN: And I understand that part of it. My concern is in this whole layout that I've

seen -- and I understand your need for more space; I can understand that a lot.

But in everything you're doing with this, you're separating the accessory structure that's going to generate probably the most activity or noise on the site from the principal structure that it's attached to and putting it closer to the principal structure on the neighboring site than it is to yours.

And that's been a concern, because it's almost like you're pushing the activity furthest from you and pushing it closest to your neighborhood. In most of the layouts -- in fact, all of the layouts I saw the distance from the neighboring property was just the setback on the property line, which is only 10 feet.

And noise travels, especially in this area, and you're on a lake like that. And my concern has been the noise -- what would be created by this. And I've been looking for ways to suggest that if you have a door, an access way, it be toward the principal structure.

And then the air conditioning is another issue. I mean, on the units they're on top or some of them have them down below. But on this you would have a ground-mounted unit probably or a window-mounted unit. And if you're putting it out back and that unit is the noisiest thing, it's going to be heard by your neighbor.

And I'm trying to understand how that is more compatible than putting it on a side that faces you. Even though you wouldn't like that, but your neighbor wouldn't like it either. That's something I'm trying to understand.

So through today's discussion and maybe with the input from those that want to speak we can figure out some way to get to a resolution on that.

MR. BRANENBURG: You know, I think there's units now that are available where you have your -- it's not mounted on the ground, but it's mounted on the wall. Samsung units or whatever. They're high efficiency, low noise.

I think the location of that -- if it's mandated we can't put it on the back wall, I think between the two ends or underneath the window we should be able to satisfy that without impacting the neighbor.

CHAIRMAN STRAIN: I think that would help with any noise generation.

MR. BRANENBURG: Okay. But that's the type of unit that at least I was envisioning and researched and looked at for our own house. I don't expect a three-ton air compressor -- I mean, a compressor unit sitting out on the ground.

CHAIRMAN STRAIN: A compressor will stay as quiet as it's maintained. So over a period of time they're going to get noisy. The rotors are going to get -- the bearings are going to get a little looser. So you're going to generate noise at some point. I just want to make sure that should this pass it creates the least impact.

MR. BRANENBURG: Another thing also I want to mention is that 10-foot buffer. I mean, I have an aerial photograph. We have a very dense buffer between -- and we want to maintain that.

In fact, even coming up next month we're going to have a -- we're having a landscaping meeting. Because we're at the point now where some of that buffer -- we need to redo it because it's getting old and it's a single plant type. And we need to come back in and plant multiple plants to preserve that buffer.

So by no means are we ever -- that is an area that we -- and the association accepts responsibility for that. Because we need to do that. We need to correct it, improve it.

CHAIRMAN STRAIN: Well, because of the compatibility issues that arise with this additional structure, we're going to have to add language to the PUD. So even if your association did not address it or if the majority did not address it fairly to everybody -- because right now you've got a disagreement amongst you.

So the language in the PUD will lock it in, whether you guys proceed with it or not. We'd still lock it in that way. So we'll be looking at that.

MR. BRANENBURG: And I want you to know that we -- I think you've all seen our architectural guidelines. Now granted, these are adopted by the board and they don't have to be approved by owners. But we had that in consideration, the impact of noise with respect to our neighbors, as well as buffer and those things.

CHAIRMAN STRAIN: Some of the letters that were sent mentioned something I hadn't thought of. I mean, I thought of it, but I didn't think you guys would be doing it. But I should have realized it could

happen.

They actually said there have been people sleeping in the 10x10 units. Does your association -- how do you regulate that?

MR. BRANENBURG: We do not allow that. We do not allow that. I mean, I don't go out as an association president and look for people sleeping in there. But that's not -- we don't allow that. And we're not asking for that.

CHAIRMAN STRAIN: I know. And that's one of the concerns. You weren't asking for it and technically it wasn't even allowed in the previous use, but yet it's apparently happening by the letters we saw. And that's a big concern.

MR. BRANENBURG: Yeah. In this 100 square foot accessory building that's there, if someone has a guest and they have a pull-out, we don't go around as marshals saying, "What are they doing in there?"

But if something becomes obvious or whatever, then our property management people, it's their job to make sure that we enforce. And it's not allowed.

We also -- keep in mind, in our rules and regulations the -- you can't in the off season come down here in June or July without your motor coach and go in there and use this coach house. That's not the intent.

This is not to be a short stay motel. It's for people to cook, people to get out of the bugs, have the entertainment, whatever, and then close it up. And then our main residence is our coach.

CHAIRMAN STRAIN: I spend a lot of time in the area that you're in down there. And I can tell you you've got the highest mosquito counts in Collier County in your area.

MR. BRANENBURG: I'll show you the welts from last night.

CHAIRMAN STRAIN: Yeah. It's rough. They can't spray close to the Rookery Preserve so the mosquitoes travel a quarter mile a day. So it's easy for them to get back in when they spray over these areas.

COMMISSIONER DOYLE: If I may, Mr. Chairman, if they're not being enforced for the 100 square foot units that are there now, will there be anybody to enforce that nobody is staying in these luxury suites?

MR. BRANENBURG: Don't misunderstand me when you say not being enforced. You know, I'm not a marshal. And if somebody happens to spend a night in there, it's -- it's difficult to enforce that.

COMMISSIONER DOYLE: I understand. He's attempting though.

MR. BRANENBURG: Yeah. But again, that's where we have a management company. We have rules that if somebody does that, then it will be enforced.

COMMISSIONER DOYLE: That seems to be the concern of a few of the letters I've read as well.

MR. BRANENBURG: And I don't want it to happen. And I think the people out here that are for it, I think they'll stand up and say that it's not to be used as temporary living quarters. That's not the intent.

CHAIRMAN STRAIN: Stan?

COMMISSIONER CHRZANOWSKI: What's your occupancy rate in June and July?

MR. BRANENBURG: Don't misquote -- I mean, I think we --

COMMISSIONER CHRZANOWSKI: Roughly.

MR. BRANENBURG: We had five or six units here in the June and July time frame out of the 289. We don't have a -- we don't have a lot.

COMMISSIONER CHRZANOWSKI: So this new structure is going to be unmonitored for three or four months?

MR. BRANENBURG: Unmonitored? I don't agree with that because -- unmonitored?

COMMISSIONER CHRZANOWSKI: I can't think of a better word for it.

MR. BRANENBURG: The owner may not be there, but owner's representatives and other people -- you know, we have a property management company that's there 20 -- you know, they're there year-round.

And we have gate access. So we know when people are coming and going and where they're going. So we know when people are on the lots and when they're not.

COMMISSIONER CHRZANOWSKI: I'm thinking more along the lines of your air conditioner goes out, we get a heavy rain, you get mold, something like that. Nobody looks at the thing for four months?

MR. BRANENBURG: I pay -- I pay a company. Just like anybody else that owns a house in Florida, I pay a company that goes to my lot once a week, flush the toilets, check, make sure.

So I assume that would be -- when you have that type of investment, I'm sure more owners are going to do that versus just the 100 square foot facility.

COMMISSIONER CHRZANOWSKI: Okay.

CHAIRMAN STRAIN: Anybody else at this time?

(No response.)

CHAIRMAN STRAIN: Great. Thank you, sir. Appreciate it.

Chris, is that the last of the applicant's presentation?

MR. THORNTON: Yes, sir. This is Chris Thornton again.

And I had an answer for Mrs. Roman's question. I found in 3.3(A) of the PUD, as drafted, the permitted principal uses are travel trailers, park trailers, truck campers, camping trailers, et cetera, that is designed to provide temporary or seasonal living quarters for recreational, camping or travel use.

COMMISSIONER ROMAN: Yeah, I had read that. That's why I was unclear on whether or not if someone wanted to live there year-round whether they could. It says it's designed to.

MR. THORNTON: Yeah. I think -- again, I think you're right. It says, "Designed to." And as Mr. Branenburg said, we have maybe five or six people there in the hot months.

That's all I have. Thank you.

COMMISSIONER ROSEN: Mr. Chairman?

CHAIRMAN STRAIN: Yes, sir.

COMMISSIONER ROSEN: I have a question for Mr. Branenburg. This is just kind of a heads up.

You know, if you had 90, 95 percent of your homeowners do this, you know, add the extra square footage with air conditioning and cooking facilities and laundry facilities -- what is the location?

I shouldn't say what is the location. I assume spotted around your development are Florida Power and Light transformers.

MR. BRANENBURG: Are what?

COMMISSIONER ROSEN: Florida Power and Light transformers.

MR. BRANENBURG: Oh, it's a loop. You hit my area of expertise. There's pad mat transformers on the various lots, yes.

COMMISSIONER ROSEN: Right. Yeah.

MR. BRANENBURG: Yes. And we evaluate it from the capacity standpoint. We have the -- there may be some wiring upgrades when they go from the pedestal over, but that will be handled in the design of the coach house.

COMMISSIONER ROSEN: Okay. As long as you have a heads up on that. Because you're adding a lot of load if you have 95 percent of the people do this, you know.

MR. BRANENBURG: Exactly. But from FP&L we're fine with the pad mats.

I do want to -- in the PUD -- and maybe I'm stepping out of bounds here. Obviously -- you know, it does allow for an attached screen room onto our coach.

And our previous owners have voted and whatever that we -- in our rules and -- our covenants, we do not allow that. That's not to say that we may come back at a later date with -- after we get an owners' vote again to talk about attached or detached screen rooms. But right now the reason why you don't see it on the drawing is our rules and regulations we do not allow it.

CHAIRMAN STRAIN: Great. Thank you very much.

COMMISSIONER EBERT: I have a question.

CHAIRMAN STRAIN: Diane?

COMMISSIONER EBERT: Yes, I have a question.

CHAIRMAN STRAIN: Mr. Branenburg, I'm sorry. There's one more.

MR. BRANENBURG: I'm sorry.

COMMISSIONER EBERT: Talking about an air conditioning unit, the Mitsubishi on the inside really doesn't make any noise. So those would be a good unit to look into.

MR. BRANENBURG: And again, we want to minimize the impact to the neighbors.

COMMISSIONER EBERT: Absolutely, absolutely.

The door facing the travel unit would be perfect, rather than any other place. I think Mark mentioned

that.

MR. BRANENBURG: There was one other -- here we go.

CHAIRMAN STRAIN: You have to use -- there's a remote mic there you can use, sir. You've always got to be on the mic so it's picked up.

MR. BRANENBURG: This?

CHAIRMAN STRAIN: We're there.

MR. BRANENBURG: You know, we're talking about -- this is one rendering where it shows the door -- you know, pointing right at. There's been some other renderings where on a corner the door would be like on a diagonal, which again would point right out to the center versus whatever.

So there's been kind of like two renderings, which I think both would serve to focus the entrance and exit noise into the center of the lot.

COMMISSIONER EBERT: Okay. Thank you.

CHAIRMAN STRAIN: Diane, one clarification. You said the --

MR. BRANENBURG: Can I just show what I'm talking about here real quick?

CHAIRMAN STRAIN: Sure.

MR. BRANENBURG: Versus -- I just want people to realize we're not trying to misrepresent anything. Yes, you could have -- this is kind of like the rendering you see there had the door there. And we're talking about as an option also it could be on a corner like that.

COMMISSIONER EBERT: Thank you.

MR. BRANENBURG: But again, it's still -- this would be the buffer and this would be the neighbor's property and you're showing coming in and out. And this again is focusing toward the center of the lot or lots.

COMMISSIONER EBERT: Thank you.

CHAIRMAN STRAIN: Diane, that Samsung -- I think you said there's a Samsung unit that's quiet on the --

COMMISSIONER EBERT: Mitsubishi.

CHAIRMAN STRAIN: Mitsubishi is quiet on the inside?

COMMISSIONER EBERT: Yes.

CHAIRMAN STRAIN: Just so you know, I was not concerned about how noisy it is to the people inside the unit.

COMMISSIONER EBERT: No.

CHAIRMAN STRAIN: I'm worried about the outside.

COMMISSIONER EBERT: It's quiet on the outside. It's just -- it's ductless.

CHAIRMAN STRAIN: You have to use your microphone.

Okay. I know it's ductless. I understand that. I just wanted to make sure that the noise of the motor is running, you understood my point, with the neighbor next door.

Okay. Anybody else?

COMMISSIONER CHRZANOWSKI: Mark, just one comment.

That's a rendering? I've got to get glasses. I thought it was a photo. That's impressive.

MR. BRANENBURG: Well, what this is -- one of the owners had Photoshop --

COMMISSIONER CHRZANOWSKI: I know. I'll never trust anything from the Internet again.

CHAIRMAN STRAIN: Okay. Anybody else?

(No response.)

CHAIRMAN STRAIN: Thank you, sir.

MR. BRANENBURG: Thank you.

CHAIRMAN STRAIN: Nancy, you want to provide a staff report?

MS. GUNDLACH: Yes. Good morning, Commissioners. I'm Nancy Gundlach, for the record, Principal Planner with the Department of Planning and Zoning.

And before I get into the staff recommendation, I'd like to make a clarification in the staff report. There is a statement that states that traditionally an accessory use can be no larger than 40 percent of the principal use. That should state of the building envelope.

And the staff recommendation is a recommendation of approval subject to four conditions. And they are listed on Page 14 of 15 of the staff report. If you'd like to, I can read them into the record or you can reference them on Page 14.

Okay. You'd like for me to read them.

The first recommendation is to allow either an enclosed utility storage area, not to exceed an area of 100 square feet as described in PUD Section 3.3(b)(6)(a), or a 350 square foot accessory structure as described in the proposed amendment language.

Recommendation number two is specify that the 350 square foot accessory structure shall have a height limit of 15 feet.

Recommendation number three is the 350 square foot accessory structure shall not be used when the motor coach is not parked at the site.

And recommendation number four is some amended language to the language that was proposed by the agent. And that language will state: A detached accessory structure, architecturally compatible with the clubhouse, post office and gate house. The accessory structure is limited to the following uses: Cooking, pursuit of hobbies, social gatherings, laundry, bathroom, storage, and entertaining guests.

The size of the structure is limited to a single story with a maximum square footage not to exceed 350 square feet.

The structure must be adjacent to its associated recreational vehicle and otherwise in compliance with the setbacks provided in Section 3.4 of this document. That's the PUD document.

The structure may incorporate heating and cooling systems and must be designed, permitted and constructed in accordance with federal, local and state guidelines and building codes.

CHAIRMAN STRAIN: Okay. Anybody have any questions of staff?

Mike?

COMMISSIONER ROSEN: Yeah. Nancy, I'm a little confused. I see where under -- well, "C", I guess, you just read and it says inhabitable. That was crossed out.

Shouldn't somewhere in there the word "uninhabitable" or -- I'm not sure if that's the right word. You can't sleep there. I'm not sure if that's the right word for that.

But that's my concern. I think that's other people's concerns too, that this is not being used to sleep in; is that correct?

MS. GUNDLACH: We had some discussion about inhabitable, habitable. And we thought it might be easier just to say what we mean.

And I think that's going to be one of the recommendations that's going to come out of this meeting is that somewhere along the way -- I believe somebody's going to recommend that there will be no overnight accommodations.

COMMISSIONER ROSEN: Yeah. That's my point.

MS. GUNDLACH: That might take care of that. That would be the simplest way.

COMMISSIONER ROSEN: All right. Thank you.

COMMISSIONER DOYLE: Nancy, one other thing. Unless I missed it, we keep specifying a 350 square foot accessory. Shouldn't it be any accessory should not exceed 15 feet, whether it's 250 or -- because they said we have options.

MS. GUNDLACH: We could do that. We could do that. If the Commission recommends that, we could do that.

MS. ASHTON-CICKO: Well, currently the 100 square foot accessory structure is permitted up to 30 feet.

COMMISSIONER DOYLE: Oh, it is?

MS. ASHTON-CICKO: Yes.

CHAIRMAN STRAIN: But that's not saying -- they're asking for a new accessory structure and we could modify the language to encompass that issue. So we can address that issue today.

As we get up and listen to the rest of the people that want to speak, we may have new ideas and we'll just insert them all in stipulations before we get done today.

Okay. Anybody else have any questions of staff?

Go ahead.

COMMISSIONER HOMIAK: I'm just not understanding how -- this is sounding like it's becoming a residential area when this is commercial. And it's supposed to be just for something that's a living vehicle or something that's moveable on wheels. Now there's a permanent structure with cooking and bathrooms, which is the opposite of what the TTRV commercial district is.

It's supposed to be a cabin somebody can stay in two weeks and 10 percent of them -- it should be 10 percent of the units. So that should be 29 are allowed with no facilities, no cooking. And it's supposed to be close to those amenities where they can take a shower and go to the bathroom.

So this is like totally -- so this is like way, way out of line to me. I don't even get it.

CHAIRMAN STRAIN: Well, that's what we're here to figure out. So we'll get through the day.

COMMISSIONER HOMIAK: Like the total opposite of what is allowed.

CHAIRMAN STRAIN: Well, originally the --

COMMISSIONER HOMIAK: In my opinion.

CHAIRMAN STRAIN: The code limited the accessory uses on sites like this to be 60 square feet. When the PUD came in, it asked for 100 square foot and that was granted. And I think they're just looking at another deviation to increase that square footage to a greater -- and a use.

Now, I'd seen -- and you all have in your document a zoning verification letter that already addressed some of the questions you just raised. That zoning didn't limit the types of accessory uses that could be applied for.

Ray, you wrote the letter. Could you try to explain that relationship to us?

MR. BELLOWS: Yes. The County has a process where we respond to specific questions about what is allowable in specific zoning districts. In this case a question was asked about accessory uses within the Pelican Lake PUD.

And you're correct, this PUD is not a residential PUD. It's a commercial PUD. TTRVC campgrounds are basically commercial zoning districts. And that's specified in Section 2.02.02 of the Land Development Code. It clearly calls these commercial districts.

The question is: What can be done as an accessory use on these lots? The Land Development Code has specific regulations and they're minimal in size about accessory storage facilities. And as part of these campground sites you certainly can have barbecue facilities. And then in the higher end, can you have a wet bar?

Those kinds of things started being asked of this particular project because it is more of a high-end campground. And the -- we tried to look at it from the staff standpoint of what typically is allowed in the TTRVC district, but -- because this is a PUD that may have language that supersedes the Land Development Code. So we looked to see what is allowed in the PUD.

And I think the response in that letter is basically for a lot of these accessory uses as specified. A lot of things aren't specified and it isn't regulated, such as how big a roofed unenclosed structure can be, such as a gazebo or something like that. There is no regulations on that.

COMMISSIONER HOMIAK: But the cabin size is supposed to be -- isn't it 220 feet?

MR. BELLOWS: The Land Development Code does have some language that describes principal use and accessory use. And clearly as intended the principal use would have to be TTRVC unit and camping ground. An accessory use has to be subordinate to that principal use.

So certainly you could have a storage building, a freestanding, stick built or screen enclosure freestanding, but it can't be the predominate use of the site. It has to be subservient to the principal use.

CHAIRMAN STRAIN: I appreciate the explanation, Ray. Thank you.

COMMISSIONER HOMIAK: Thank you.

COMMISSIONER EBERT: I do --

CHAIRMAN STRAIN: Diane?

COMMISSIONER EBERT: Ray, in looking at this, it looks like these are not tiny lots. It says they're 55 by 97 or 80 by 90.

MR. BELLOWS: Yeah. Higher than --

COMMISSIONER EBERT: These are as large as home -- as homes. I mean --

MR. BELLOWS: I agree. These are --

COMMISSIONER EBERT: These are not tiny lots.

MR. BELLOWS: Very unusual development in that regard.

COMMISSIONER EBERT: Okay. Thank you.

CHAIRMAN STRAIN: Ray or Nancy, now that we've seen this example and we've seen the porte cocheres -- I'll term it that. It's a canopy over an outside entryway. And you previously mentioned that's not part of the 350 square foot measurement. How do we control that?

So my -- and the reason I'm asking is: What square footage or what size of these would be allowed?

Because you're -- you couldn't -- under the theory that there's no regulation on it because it's attached to the accessory use, I mean, where's the limit?

MR. BELLOWS: Typically in all zoning districts those kinds of structures are regulated by the setbacks. But if it's a concern about how big a roofed overhang or porte cochere could be, you can add a square footage requirement not to exceed.

CHAIRMAN STRAIN: Okay. Because I'll ask the applicant then some kind of square footage of what those exterior overhangs would be.

The reason I'm concerned is when these original applications came in, I was under the impression, as some of the people were, that this was a -- not in addition to the 100, but it was part of the 100.

And I didn't realize the intention was it was usable square footage, not how we typically measure. And I didn't realize that they were intending to add screen enclosures in the first renditions I saw.

In seeing all that, I want to make sure today's meeting is crystal clear in how the outcome is and what can and can't be done, if it gets that far.

MR. BELLOWS: I agree. We really need to be clear what they intend to have. Is it screen enclosure versus an open porte cochere type of --

CHAIRMAN STRAIN: Right. Well, they can't have a screen enclosure on that unit without coming back through for another modification. But if these roofs that are shown on this are not something that you would -- that fall within the 350, then theoretically they can put those all around this unit.

MR. BELLOWS: Theoretically.

CHAIRMAN STRAIN: You know, 20 feet out, instead of five feet out. I don't know if there's any limit at that point. So I'm real concerned.

Now that I know -- seen the previous example, I want to make sure we don't get carried away with this one.

Anybody else?

(No response.)

CHAIRMAN STRAIN: With that, we will have speakers. Now, we'll be calling your name for those that registered first one by one. And use either speaker.

We ask not to be redundant, if you can help it. If you agree with the speaker before you, sometimes it's simply said just, "I agree with the previous speaker." And if you need more time, we usually are flexible on that.

For those who do not fill out speaker slips after those speakers that did, I'll ask anybody that wants to speak from the audience to come up and address the panel.

Ray, would you call the first speaker.

MR. BELLOWS: Ewing Gurley.

MR. GURLEY: Thank you, Mr. Chairman, members of the Commission. My name is Ewing Gurley. I'm a resident of Pelican Lake Motor Coach Park and I'm also on the board and board secretary.

And the thing I'd like to do just briefly is to share with you what some of the Class "A" motor coach development has been across the country that we have looked at and has probably been the impetus for much of what we've done in this application.

First of all, I'd like to overlay this by saying that most of the developments that have wanted -- that have seen accessory units being built have been for people who come to an area and stay there for a season versus someone who is traveling through and may stay a week or two weeks or even a month. But these -- this seems to be what's happening.

I'll take you first to Orange Beach, Alabama, Buena Vista Motor Coach Resort. They have lots that are approximately 4,500 square feet. Our lots at Pelican Lake start at 3,850 square feet. We have one lot on the -- in the park that is 15,000 square feet.

Most of our lots -- the majority are over 4,500 square feet. But at Buena Vista they have -- they offer these options for someone who wants to buy a lot there and develop it. 1,100 square foot coach house with added stand-alone screen porch is one option. An option of a 1,050 square foot coach house with attached screen porch, a 675 foot coach house with a stand-alone gazebo added, and a 450 square foot coach house with an added screen porch.

These units do provide sleeping in them, but they do also require that a motor coach has to be on the site before it can be utilized.

CHAIRMAN STRAIN: Mr. Gurley, I'm sorry. When you -- that's in Alabama?

MR. GURLEY: That -- it's in Orange Beach, Alabama.

CHAIRMAN STRAIN: Okay. And is that right on the coast?

MR. GURLEY: It is.

CHAIRMAN STRAIN: It would be helpful if we knew the relationship to the coast. Because we are -- in Collier County your project is in a coastal high-hazard area and it does change things a bit.

MR. GURLEY: Right, right.

CHAIRMAN STRAIN: Thank you.

MR. GURLEY: Another coastal is Heritage Motor Coach Resort, Orange Beach, Alabama again. And this resort has small units -- lots. They have 2,800 square feet lots, which in our base zoning here in Collier County -- if you were going to build and use base zoning TTRV resort, you'd be looking at a 2,800 square foot size lot.

And on their lots at Heritage they have plan one, which is a 260 square foot coach house with 166 square foot porch. Plan two has a 254 square foot coach house. Plan three is said to be a 275 square foot coach house with an optional outdoor kitchen.

So on the smaller lots -- and we don't have -- our lots are at least over 1,000 square feet. Our smallest lot is over 1,000 square feet larger than all the lots at Heritage.

Okay. We're going really inland here to Desert Shores Motor Coach Resort in Indio, California. Their lots are 60 by 120. Each lot has an identical 1,250 square foot coach house on it with attached covered patio. Most of them have swimming pools, hot tubs and fire pits on the lot.

It's like they took the zoning verification letter that Mr. Bellows talked about and just put everything on them that you could possibly imagine.

And they're all the same. There are 141 lots out there. And I have followed this resort on the Internet looking at their sales and looking at the pictures of units that are for sale. A couple years ago they had 30 some lots for sale. Right now they have 11.

And they're very high end. I mean, they look 450 to \$500,000 purchase prices.

Then we have Bay Lake Motor Coach Resort, which is up in the I-4 corridor. So this is another inland development. Bay Lake advertises lots that are 45 feet by 90 feet. And they offer floor plans that range from 486 square feet coach houses up to 850 square feet. And I understand that there are some that are even larger that have actually been built by owners.

And then we have the closest to us of these developments is at River Landings Motor Coach Resort up in Labelle. And they advertise 6,000 square foot lots. And they offer a design build series of options that would allow a building of up to 1,560 square feet. And they have a model up there that you can go in and look at. And then you can use various components of this model.

So I just wanted to -- in my part to say that the -- most of Pelican Lake is not people that come in for short stays. The owners are there for the season. And the same kind of interests that these seasonal -- all season long owners have I think are reflected in some of these developments around the country. And we just want to be -- see a little part of that happen to us so that we can have some expanded accessory uses. Thank you.

CHAIRMAN STRAIN: Thank you, sir.

Next speaker, please.

MR. BELLOWS: Jerry Nelson.

MR. NELSON: Thank you, Mr. Chairman and Commissioners. My name is Jerry Nelson, 4825 Southern Breeze Drive, Pelican Lake in Naples.

I'm a Florida resident and I spend as much as eight months in my motor coach, six months of which are at Pelican Lake.

As been said earlier, Pelican Lake is a very special place. There's heavy vegetation. It's special. It's unique. And, frankly, it's really a Southwest Florida treasure.

Large size residences like is being discussed right now will change that forever. We definitely need new coach houses. They were 14 years old. They need updating and they can be slightly larger than they currently are. However, you're kidding yourselves if you think that this is not going to be a residence.

This is a motor coach resort. This is not a housing development. To use an example of one on the east coast where a housing development actually happened, Outdoor Resorts of America on Hutchison Island.

If you look at an overhead shot, which is in their brochure, this was an RV park that today has almost 90 percent single-wide residences and a very small percentage are now used for RVs. Now, that's the extreme. I'm not saying it's going to happen here, but this is how it begins.

Frankly, we can use coach houses that are about 200 square feet. And we don't need any more than that. The coach houses we currently have are 100. That's been that way for 14 years and somehow we've managed with those.

In Petoskey, Michigan, and Ewing didn't mention one, is one of the most fabulous motor coach resorts in the country. They have lots considerably larger than ours and their coach houses are 12 by 16, less than 200 square feet. And they're beautiful.

To have something that's larger and up to 350 square feet is unbelievable. And you're kidding yourself if you don't think those are going to become residences.

The amount of trees and vegetation which will have to be removed to accommodate these houses will also be significant. And that's one of the treasures of Pelican Lake. No other motor coach resort in the country has the vegetation that we have.

And, frankly, I didn't come here to look at buildings. I came here to enjoy a fabulous resort virtually as it is. So, yes, we do use or need some updates on the motor coach houses that we currently have, the coach houses, but we don't need one of the size that you're talking about. Thank you.

CHAIRMAN STRAIN: Thank you, sir.

Ray, before you call the next speaker, something that was just said made me think. The current utility storage area is described in the PUD as exactly that, at 100 square feet. But we've had testimony today that some are air conditioned, some have facilities in them, like cooking and they actually use them, the 10x10, for more than utility storage, which means they had to have permits to hook all this stuff up, including the air conditioner and all the rest because there's electrical in there.

And I'm not saying that's right or wrong, but does the utility storage reference in the PUD open it up to all those kinds of uses within the facility?

And the only reason that's important is because we're going to, you know, a length here to come up with language that is added to the description of this unit when in fact it may not be. And the worrisome part I have there is if we start elaborating on the language that this unit could be used for, it almost is condoning activities that will lead to a residence.

Whereas, what we say now, utility storage, that could never really develop into a residence because it's not really stated that way. Although it's been allowed.

So how did we get from the definition of -- I'm not sure there's a definition for utility storage, but we got from the intent of a utility storage to a, like, all-around 10x10 use.

MR. BELLOWS: That's a good question. And that was a concern that staff had. Nancy and I talked about things like this when it first came in and went through the review process. But it's not the first time those questions were asked.

We've had our other projects earlier on where we're -- we're approached as staff to put air conditioning in, say, a storage building. Now, there's nothing in the zoning ordinance that would prohibit that,

but it still boils down to: What are you using the structure for and is it serving the intended purpose?

And the intended purpose in most cases for storage or utility buildings is to be accessory to either a permitted residential use or permitted TTRVC use in this case. And I believe that's one reason why the TTRV district was limited in the size of those accessory uses so they wouldn't be converted more into full-time residences.

Because there is a great demand on services if they become a full-time residence, such as the impact fees are intended to cover that. You know, from schools, water management, water/sewer service. So I think that's one reason the TTRVC district has those really strict controls on utility-type structures.

When you have a PUD, certainly they can ask for deviations, but how big is too big and are you opening the door -- a legitimate concern is -- to basically becoming full-time residential units. That was the concern we had and that's one of the reasons we came up with the three conditions to try to limit the impact of that.

But there's nothing in the code that says you can't utilize a washroom, so to speak, into your utility room. A mud room, so to speak.

I remember -- it wasn't a staff clarification, but we did do a zoning letter. I don't know if it was for this one or some other one where we basically clarified or made that distinction of what is a mud room, a washroom, a utility washroom, a sink, those kind of things, an outdoor barbecue area with wet bar, those kind of things.

There's a whole gamut that could be accessory to these activities. But how big does it get and does it open the door for full-time residency when it wasn't intended?

CHAIRMAN STRAIN: Well, we're going from the terminology of a 100 square foot utility storage facility to terminology that could be up to 350 square foot that would include utility, storage, cooking, pursuit of hobbies, whatever that is, social gatherings, whatever that may be, laundry, bathroom, storage, and entertaining guests.

MR. BELLOWS: Yeah.

CHAIRMAN STRAIN: Now, some of those fit into what you would normally consider utility storage. And it sounds like all those are still being utilized for the current 10x10 utility storage or 100 square foot utility storage on-site.

And the concern I have is when we open the PUD to this new language by adding cooking, pursuit of hobbies, social gatherings, entertaining guests, it almost becomes an invitation to create a residential structure.

I mean, if you look at some of the old staff clarifications to what was considered a guest house, it took a cooking unit. That basically was all -- I think Ross did an old clarification on that.

MR. BELLOWS: Yes. That's a great point. That's one of the big problem areas over the years in trying to interpret the code is how do you deal with guest houses. And when does that -- how does that use translate into another dwelling unit or not.

And that's been a big -- I've been assisting the Code Enforcement for the last eight years. And that's one of the number one issues that I've had to deal with is utilizing guest houses as either bed and breakfast or those types of things, rental units. Something like that could be a possibility here if you open the door too big to allow for an accessory structure that basically has kitchen/sleeping facilities.

CHAIRMAN STRAIN: Well, because if they're rolling along with the language that's in the code right now and doing what they need to do with them, what is the advantage to this board or the Board of County Commissioners actually to opening it up to these stated other uses.

If they're implied by the utility storage to a point where they've been accepted and allowed and permitted, why would we want to go this far?

And I'm wondering if that is the -- if we do that, how hard would it be then to undo it in case they become guest houses.

Because, I mean, you would almost argue that that meets the definition of our guest house just because it has a cooking unit by that previous staff clarification.

MR. BELLOWS: Well, one of the things that I think can be done is, since this is not a residential zoning district or a residential PUD, it's basically a form of a commercial PUD, that all accessory structures

cannot be used for permanent residential living facilities or something to that effect.

CHAIRMAN STRAIN: Right. I just -- okay.

COMMISSIONER HOMIAK: You can't now.

MR. BELLOWS: That would be the same issue we have with Code Enforcement having to deal with guest houses. You can only say it's not intended for this use, but that's not going to say that people aren't using it for the unintended use of a permanent residence or a guesthouse.

CHAIRMAN STRAIN: Well, I'm a little more concerned with the perception of the intent by adding this new language.

MR. BELLOWS: No, I agree. There could be an implicit intent of allowing it by not addressing it clearly. And I think it would be very helpful if the Planning Commission made it clear in their motion to restrict this to -- as a nonresidential accessory use to the TTRV only.

CHAIRMAN STRAIN: Okay. Well, we'll see further after we talk to the rest of the -- next speaker then.

We're going to take a break here at 10:30 for 15 minutes for the court reporter, who is typing away as fast as she can. And then we'll be back after that.

MR. BELLOWS: Greg Delmonte.

MR. DELMONTE: Good morning. My name is Greg Delmonte, a long-time -- I've been a resident of Pelican Lake Motor Coach for 13 years now, 4794 Southern Breeze Drive.

My opposition is strictly on the size, the size limit. I understand we need new coach houses. We -- you know, the structures are old, they're getting worn and they're not a -- they're a shed.

But the size limits that we're looking at are going to create a residential looking park. We all -- every single one of us here rolled into Pelican Lake and fell in love with the place as it is because it is beautiful. It's gorgeous. It's an RV motor coach resort, probably one of the nicest in the country.

We're going to take this park and we're going to flip it upside down and turn it into a housing development. 350 square feet is just too big. We have lots -- the renderings are -- they're not quite accurate, in my opinion, because you're not showing your slide-outs, you're not showing your awnings, you're not showing your kitchens that people have put out there, their bars. There's a lot of other stuff on those lots that aren't in those renderings.

I have a larger lot. My lot would probably take a 350 square foot with no problem. But that's not -- that's not the look of Pelican Lake.

We came there for a reason, for the vegetation, for the upscale look of Pelican Lake. And I think we're going to take that -- we're going to ruin that if we go with these large coach houses. You know, 200, 250 square foot coach house is not going to be a big impact.

You go to 350 with the additional porches, which everybody knows, you give an inch, they take a mile. That's the problem with the people at Pelican Lake. And, I mean, you know, they want more. Everybody wants more. More, more, more.

When is more enough? I think we need to readdress the size issue. You're fooling yourself if you think people aren't sleeping in these things. They are.

I mean, it's been going on for 14 years. There's no way to monitor that. There's no way to have a sheriff in town to come around and say, "Okay, your grandkids can't stay in this."

What I keep hearing from everybody who wants one of these monstrosities, in my opinion is, "Oh, I can't wait to have something bigger for my grandkids to come down and stay or my brother to come down," or whatever.

And it's -- you know, I know what they're saying. It's not in the rules, but there's a lot of rules in the park that are being broken and not followed today.

So we're not going to have a sheriff in town saying, "Oh, your grandkids have got to go." It's not going to happen. These are going to turn into residences, whether we like it or not.

We've got 289 lots right now. You bring in grandkids, the brother-in-laws of the family, you're going to have more cars. You're going to have more traffic. You're going to have more people in the park. You're going to have people parking on the street. Right now we only have parking on our lots.

It's not going to be -- it's not going to be what we're there for, which is a Class A luxury RV motor

coach resort. Thank you.

CHAIRMAN STRAIN: Thank you, sir.

Next speaker, Ray.

MR. BELLOWS: Randy Newman.

MR. NEWMAN: I have nothing further.

MR. BELLOWS: Howard Potter?

CHAIRMAN STRAIN: After Mr. Potter we'll take our break for 15 minutes.

MR. POTTER: Does that mean I have a full 10 minutes?

CHAIRMAN STRAIN: Sir, like I said, we're flexible.

MR. POTTER: Good morning, Mr. Strain, and good morning to the rest of you, Commissioners.

Thank you very much for this opportunity to speak.

You know, I'm going to read you the first sentence in the letter that I sent to the Commissioners.

"We oppose the amendment as written to the Pelican Lake Motor Coach Resort PUD under consideration for the following reasons." And there are four reasons. And staff has taken care of three of those reasons.

What I want to emphasize, "As written." I would have raised my hand when you asked how many people are for or against this because I am not against this amendment. Our position currently is only we oppose the size.

350 square foot is simply too large for the majority of lots at Pelican Lake. It is not too large for some of them. Some of them could adequately take 350 square feet and it would look just fine. It would fit just fine.

But on most of them the 4,500 square foot lots it is just too large when you consider the push-outs on each of the RVs, the awnings on the RVs, the awnings which will go on the new coach house.

And, oh, by the way, coach house is a Pelican Lake term. They're sheds. But, you see, when you spend hundreds of thousands of dollars on a motor home, one must put one's nose up and call what's a shed, it must be called a coach house. Therefore, when you hear coach house, that's our terminology.

And let me speak to something else. Those of us who have been at Pelican Lake for a long time, as I have, since the beginning, all of our sheds are permitted. And they have been permitted by the County to have toilets, to have showers, to have sinks, to have all of those amenities that we stick in these sheds and then use them.

I mean, good Lord, if you could see some of them. The amount of money that has been spent on the sheds; they have made them into coach houses. Ours is still a shed. It does have a toilet, does have a washer and dryer, does have a sink, does have a desk, so forth, so on. But that is the only thing that we are thus far objecting to is the size.

Now, I have what I think would be a very good compromise. One of two ways to do it; either limit the size of the new accessory structure or coach house to five percent of the lot size or allow two sizes of sheds, 250 square feet up to 6,000 square feet of area and 350 square feet over 6,000. I frankly think that would meet with great approval by the majority of people at Pelican Lake.

Now, speaking of approval of the majority of Pelican Lake, there is no question that the vote taken showed exactly what was shown, that this was approved.

But I will state this: That I would be willing to bet a lot of money that 98 percent of the people at Pelican Lake could not envision what 350 square feet looks like.

An example of that, when some of our members went up to look at the proposed vendor for the prefabricated new coach house, many of them came back and -- because I've been one of these vocal people that stands up all the time says, "Gee whiz, why don't we wait? Why don't we slow down? Why don't we do due diligence, et cetera?"

They came back and said, "They're too big. What can we do?"

My answer back to them was, "You voted for it. Go to the County and state your case that it's just plain too big."

That's all I have to say. Thank you, ladies and gentlemen, very much for the opportunity to speak. Questions?

CHAIRMAN STRAIN: Thank you.

Anybody have any questions?

Stan?

COMMISSIONER CHRZANOWSKI: Yeah. I'm just a little curious about the lifestyle here.

Do most of you people come down like in pairs or is it like a family? You've got kids in school?

MR. POTTER: Usually -- most of us are retired. There are a lot of people that have businesses.

Let me back up a minute.

COMMISSIONER CHRZANOWSKI: Do you bring down a car? Do you park a car?

MR. POTTER: Yes. Most people have one or two cars. Motorcycles are a very big part of the lifestyle at Pelican Lake. It's an outdoor lifestyle. It's an outdoor park.

It's interesting. Mr. Gurley mentioned some of the other parks with very large structures. And they are gorgeous. I've been to some of the same ones that he described. But they're not Pelican Lake.

Those are RV parks that really aren't RV parks. They're parks that have a house that you happen to park your RV next to. And your living quarters is either the house or the RV.

COMMISSIONER CHRZANOWSKI: I'm curious about -- in Golden Gate I can see somebody having somebody come into a guesthouse and stay there and maybe nobody knows.

Where I live in Lakeside that couldn't happen because everybody kind of is close together and knows everybody. You know, when kids come down, people know that the kids are there. They're visiting. You see them at the pool, whatever, and you know that they're sleeping in the house.

It seems like you guys could police yourself fairly easily. To me.

MR. POTTER: Listen, my -- this is just an opinion. My opinion on this is that -- in my working days, if I spent the night in my office, which obviously is a commercial structure, did that all of a sudden make that office a residence? Of course not.

Now, to say that nobody has ever spent the night in one of these sheds, coach houses, whatever you'd like to call it, is absurd. Because a grandchild has rolled up on the floor and spent the night does that make it a residence? No, it doesn't.

Nor do I think we should go around, nor have we, nor in the 14 years that I've been there has there ever been a complaint made to management, to the board, to my knowledge, or to the County that these are being used improperly.

I will state this: That early on in this whole process there were some people that were claiming that our sheds were illegal and that the County was going to come down on us and, quote, shut us down. Nothing could be further from the truth. Because all of the sheds at Pelican Lake, to my knowledge, were permitted for the use that they are being used for.

COMMISSIONER CHRZANOWSKI: When your grandkids come down, it's during holidays?

MR. POTTER: I don't have grandkids, so no.

COMMISSIONER CHRZANOWSKI: When somebody's -- they go to school?

MR. POTTER: Yes, yes.

COMMISSIONER CHRZANOWSKI: Granted, if your brother-in-law comes down --

MR. POTTER: There are grandchildren during the time of spring break and so forth and so on. We always have kids around. And they're welcomed.

COMMISSIONER CHRZANOWSKI: I would expect they'd sleep out in an air-conditioned shed because I've had them sleep on my lanai, which is not air-conditioned, but at certain times of the year --

MR. POTTER: But I will say this: I will echo what Jerry said, we are not going to, quote, put on a badge and walk around and police each other. That's not what we're all about.

This is a community. This is a community where we may disagree. I mean, as you can see, we've got the groom's side on one side and the -- what's the other one? The bride, thank you, on the other side.

But we all still talk to each other. We all agree that it is a terrific community. I don't want to see it -- you know, change is inevitable.

Now, am I against this just because I don't want change? No. I just think 350 square feet on most of the lots is simply too damn large.

COMMISSIONER CHRZANOWSKI: I appreciate the insight.

MR. POTTER: Thank you.

CHAIRMAN STRAIN: Thank you, sir.

Okay. With that, we'll take a break 'til 10:45 and resume at that time.

MR. POTTER: And I took all 10 minutes.

(Recess.)

CHAIRMAN STRAIN: Okay, everybody, if you'll please resume your seats so we can go on with our meeting.

And Ray, would you call the next speaker, please.

MR. BELLOWS: The last speaker to register is Jim Robelard.

MR. ROBELARD: Jim Robelard, 1590 Ludlow, Marco Island and 4881 Southern Breeze Drive.

I wrote a letter to the Commission, I presume you've read that. I don't want to read that. But I do have two points that I'd really like to emphasize.

We've talked about the size. And, you know, the size is important. And you would sit there and you'd say, you know, well, you voted for 350. And that's true, we did. But I would tell you that, you know, most people in the park are not architects, and dealing with a three-dimensional structure as opposed to a two-dimensional, you know, pacing out of 350 square feet, you know, on a ballroom floor. You know, now when we actually see what it is, you know, that becomes problematic.

There -- and we have not talked about really the distribution of lot sizes in the park.

You know, last night I sat there and looked at the map. Charitably let's say 10 percent of the lots are big lots. So that's 28, 29, 30 lots. My lot is, you know, one of that other 90 percent. Mine wouldn't support a 350. Mr. Gurley's, Mr. Newman's, Mr. Branenburg's, they all have big lots. They would easily support the 350.

So, you know, the challenge here is we're opposed but not opposed to the structure. What we're opposed to is is there some middle ground that we can accommodate, you know, the size between the two.

You spoke about the lifestyle. You know, the lifestyle is that you have a 40, 45-foot coach, you tow behind a vehicle of some sort, and then typically you might have a second vehicle. You know, there's a large percentage of people, more than half probably that have motorcycles. And there's even a larger percentage that has golf carts. And so at the end of the day you have two cars, a motor home, a golf cart and a motorcycle.

And, you know, when you talk about size, my other complaint had been in the letter is, you know, this issue of what is the difference between habitable and inhabitable.

And to your point, Ms. Homiak, you know, the LDC seems to say in TTRV that, you know, you have the camping cabins. And we seem to be moving away from that.

And so, you know, I just think that it's too large. There are problems with how you define that guesthouse in the LDC 5.03.03. That is a guesthouse. If you read that definition, it looks like what we're doing here.

And yet what do we really need in the park? We need storage. In every one of the drawings I see, I see a living area, I don't see storage.

There was a park that since has gone bankrupt, Golden Palms up in Lee County, it was on 82, I believe. And they had an interesting structure, it was probably 10x25, but about five or six feet of that was storage with a roll-up door so that for instance in season you could put the motorcycle in there and then when you left for the season you would put the golf cart in there.

And so, you know, I think the challenge, you know, that we're looking for is how can we get a size that works and maintains all the things that people have spoken about?

But the other challenge is, having been the former president, is how do you enforce all that? You know, I was president for four years and I can tell you that when you put the enforcement back on us, that's a problem. You know, it's our neighbors. We're amateurs. You know, we're -- we don't have staff. You know, we're not doing this every day. The board changes, sometimes there's lack of transparency. The management company, we've had, you know, four managers in the last four or five years. And so all of a sudden you're asking us to be the enforcers of that.

And so what I would ask you to do is to really make sure that we have clarity in this language. Put the different things in there that we've all spoken about.

And, you know, I know that becomes problematic perhaps from a legal standpoint sometimes, but those definitions are -- really would help us as enforcing that. You know, it's still incumbent upon us to, you know, report it or have Code Enforcement come out and do it. But when you have things that are kind of, you know, whether it's the inhabitable or uninhabitable, you know, what does that mean? If you just say it's uninhabitable, does that mean the cooking facility or not? You know. And the uses of the hobbies, all those different things.

Otherwise, it puts it in the hands of an architectural review committee or a board that's elected. It does not come back to the owners. You know, it's now suddenly in four votes on a board or, even worse, an appointed, you know, architectural review committee. As good as we can write those architectural guidelines, you know, that's -- that's only as good as how we enforce them, and so that becomes problematic.

And so I would just encourage you to think about how best can we get these to be very, very specific for the intended use.

That's it. Thank you.

CHAIRMAN STRAIN: Thank you, sir.

Next -- anymore registered speakers?

MR. BELLOWS: No more speakers have registered.

CHAIRMAN STRAIN: Even though you didn't register, those people that wish to speak, if you'll just raise your hands and come up forward. Gentleman in the blue shirt, why don't you come up first since you're standing up already.

MR. QUINN: I didn't swear in, so --

CHAIRMAN STRAIN: Is there anybody else that's going to speak now that was not sworn in?

(No response.)

CHAIRMAN STRAIN: So you'll be the only one.

(Speaker was duly sworn.)

MR. QUINN: My name's Brian Quinn. I'm the owner of Suncrest Manufacturing. I'm a DPBR manufacturer, formerly DCA manufacturer from the State of Florida.

The park is working with us, we're working with them. To answer your question, the picture's so good because the building is real, it's actually a prototype that was photo-shopped. So we have that model at our factory that's built. We also have a 1420 that's built as well. So we have a couple sizes available.

One interesting point: What I did, because when we get in this process approved, which I have great faith that we will, there's going to be a mad rush because everybody's -- most -- I have a great deal of reservations. I can't take deposits but we have reservations to find out the order in which people would like to go.

We have over 50 -- north of 50 people already signed up ready to go, ready to get on board the process.

I want to answer one question for you. The air conditioning and the noise. We're -- the park's pretty much mandating a mini split unit. The mini split works on a -- it's as Mitsubishi and it works on a 12-volt compressor outside. The compressor's very, very quiet because it's 12-volt. So really the compressor happens inside the unit and the exterior portion is just cooling the fins. So therefore it's extremely quiet, even in a lack of maintenance situation I think it will quit working. So I've never seen one noisy. I do a lot of work outside the country, so we've been using them for many number of years with great results and efficiency. They use them because the power is so expensive. So I've never heard one too loud. Because, like I said, it's a 24-volt unit (sic). And the BTU size for this unit is going for 12,000 to 15,000 BTU's so it's a small unit at that. It's about the size of a suitcase. So to answer that.

And the park has indicated to us so far that they would like to have these on the back wall. The back wall's been left blank, as you saw on the plans. So not to disturb the neighbor; basically to create a greater sense of privacy. Because now you have the existing unit.

The new unit must encompass, by the park's rules, that area; in other words, there's a 10x10 now. The 350 square foot or let's -- whatever size you want to call it must incorporate 100 of the existing.

All the lots I've measured, and I've been to north of 60 units, so I've measured small lots, big lots, intermediate lots. I've measured almost all of them. The good news is most of them that are there, a lot of

them are a 10x10 unit and they have the awning that's been put on them. They're about five feet out east, west, north and south side. And they're using that to put their barbecue grill, whatever, so on, so forth.

What does that make? It makes 400 square foot. Because it's actually 20x20.

So the impact, to my surprise, actually, when I go to measure the lot and check and I'll flag it for the owners to look and see what's going to best suit them size-wise and so forth, is that there's minimal or no tree or no barrier impact. Because it's already bigger. It's 400 -- it's taking up 400 square feet now. So we're dropping down to 350 so we end up measuring and find out it's actually inside the current footprint as you were that -- when the people come to the factory, I have a large mini acres in parking lot so you see this one unit sitting out in the field. Yes, it's imposing looking, however, her maximum square foot height is only 12 feet so -- because that's for transportation issues.

So the building we're proposing there at the park has some limitations that you can rest somewhat assured of because we have to transport them down the road to get them there. Because due to the DPBR it has to be manufactured in-plant, in-facility and transported to the site. So there's going to be some natural restrictions apply to that. So that building will have to be built within reasons for transportability and so on, so forth.

Moving forward, we have multiple sizes available. Everybody is asking as a max the 350 square feet. We have reservations for smaller units because that's what the people decided. We have many reservations for the larger units. So it's up to the lot owner. And what we do is go out, we'll measure the size.

Here's the thing: Pelican Lake is a bunch of very, very intelligent people. I mean, they're a nice group of people. I've enjoyed meeting every one of them. They didn't get to where they are by being funny, you know, silly. You know, they have a good bit of wisdom, I guess I want to say. And so when we go to the lot, the people can fit the larger units, that's what they like to have. And I've been to the lots where they take the smaller units, because that's what's right for their lot.

And I know we have to write a law that fixes that. But I will say there's a great deal of common sense. In my experience, everybody I went to has shown a good bit of discretion, because they want to better the park. And if the unit doesn't fit, we won't -- you know, the customer's not asking for that unit. Because if it affect their tree or whatever, they're like no. So the park has said hey, if you have to move a tree, we pick it up, we move it. We don't tear it out so there's no vegetation removal at the end of the day. There might be some relocation, some fixing, some -- but it needs updating.

So the other interesting part for the noise factor is yes, the designs all point towards the coach that we've proposed. The park's rules are so much more stringent than anything you and I had can put on paper from the county's point of view. So there's a lot of -- you can rest very assured that what the park's making us do is so much more involved than anything we could possibly write into a zoning or a code or anything of that nature.

And the people are already outside making noise. They're outside, they're on their porch, their patio, whatever and so forth. So the coach home really and truly is going to provide a greater buffer. It will actually help keep the noise on the lot because it will be coordinated in a little different way.

So I see a lot of benefit to the coach, you know, growing in size in that respect.

And the other thing is, to go back to the habitation, I know it's a tough call. I'm in the business, I've been doing this now for 15 years, and yes, it's an issue. People try to take what we build as a shed and live in it. It happens all the time. But that's a Code Enforcement issue because that's not what we manufacture. However, as a DPBR manufacturer, I can manufacture a building approvable for large storage or modular. We can go -- we can manufacture anything that needs to be manufactured, as long as it conforms with your rules.

The point of the habitat to me and a point I think interesting from a code point of view is I view habitat and the state views habitat as a place of refuge in a hurricane.

These people aren't here in the hurricane season. They're not going to go to that unit for refuge. So they're going to take their bus to get out of town. If I had a multi million dollar bus, I would not stay here in a hurricane, I would drive it away. So I fly a plane, if a hurricane comes, I leave so my plane doesn't get ruined.

So anyhow, that's kind of the points I was trying to get to, and to say that at the end of the day that

the unit size I think is going to be the -- we need to put a law. The maximum of 350 square foot I think is good. Everybody's agreed to it. But I think to address the concerns, that if it doesn't fit, the people are -- I haven't seen anybody trying to stick something on that doesn't fit. Because the setbacks, the bus, we need 10 foot off the bus, we need five foot off the sides. It's there. And it fits well on the lot. And if the customer wants to choose a smaller unit, they've done so. So I feel confident that the end result will be a very beautiful park and a beautiful job.

THE WITNESS: Anybody got any questions?

COMMISSIONER ROSEN: Mr. Chair?

CHAIRMAN STRAIN: Yes, sir.

COMMISSIONER ROSEN: I'm confused by this last speaker's marketing presentation. Is the application talking about premanufactured coach homes or are we just talking about building sizes here?

CHAIRMAN STRAIN: Doesn't matter.

MS. GUNDLACH: We're just talking about building sizes.

COMMISSIONER ROSEN: Yeah, that's what I thought. Okay, thank you.

CHAIRMAN STRAIN: Yeah. Well, I know from the pre-app or from the NIM, you were at the NIM with the examples that you had already --

MR. QUINN: Yes, sir.

CHAIRMAN STRAIN: -- devised and written up.

Which brings me to a question. If this was yours, what's the size of that porte cochere?

MR. QUINN: That's an eight by -- I have it right here. They vary in size.

CHAIRMAN STRAIN: What's the biggest one?

MR. QUINN: So far it would be six feet, 6x8, 48 square feet.

CHAIRMAN STRAIN: The biggest one is less than 50 square feet.

MR. QUINN: Yes, sir. Today. Or on that existing unit. But it's open for modification.

CHAIRMAN STRAIN: And you said that they've got a bunch on reservation. What's the average size that you have on reservation? The most common size.

MR. QUINN: The common size is probably going to be the larger unit, the 16x22 or the 16 -- the max square footage. So there are quite a few -- it's probably about a 60/40 split at this point.

CHAIRMAN STRAIN: And you said that the air conditioning unit that you're building in or designing is for the back side. But from a perspective that I would look at this, the back side's facing the lake. Are you thinking the back side --

MR. QUINN: I'm sorry, sir. Yeah, it would be on the --

CHAIRMAN STRAIN: Property line.

MR. QUINN: Yes, sir. Yeah, yeah.

And due to the fact that it's only no larger than a suitcase itself, it fits under the overhang of the unit very well.

CHAIRMAN STRAIN: And there's a reason you could or could not put it on what I would consider the back side, the side facing the lake or the side facing the road?

MR. QUINN: From --

CHAIRMAN STRAIN: From the side facing the unit.

MR. QUINN: Yeah, from a manufacturer's point of view we can put it wherever. But just for esthetics we were trying to do our best. So I guess if we had to pick a choice -- if we had to pick the least of the evils, I would say probably not the road or the front side but it would be towards the lake side, which in a way is -- I wouldn't want to put it there if it was mine, but if that's what has to be done, that would be the least of the evils.

CHAIRMAN STRAIN: And you said that Collier County, we couldn't make the rules as stringent as their documents. Have you ever worked in Collier County before?

MR. QUINN: Yeah. But I'll tell you -- yes, I have. But there's -- they're very regulated in themselves. So yes, no, I agree -- maybe I retract that statement.

CHAIRMAN STRAIN: Thank you, sir, I appreciate it.

MR. QUINN: Thank you. Anything further?

CHAIRMAN STRAIN: Anybody else? Stan?

COMMISSIONER CHRZANOWSKI: 16x22 is 352 square feet. So I assume that's a nominal size that gets it --

MR. QUINN: Correct.

COMMISSIONER CHRZANOWSKI: Under the 350.

MR. QUINN: Yes, sir.

Well, the point is that there was -- the size that was discussed were was it usable space or outside the outside. So if it's outside the outside and has 2x6 framing, it's way beyond the norm. It's actually 342, I believe, so it goes below the norm.

CHAIRMAN STRAIN: Well, the measurement that Collier County uses and that they've agreed to is going to be exterior to exterior, so --

MR. QUINN: As the manufacturer, we'll modify it to what the result is, no problem.

COMMISSIONER EBERT: I have a question for you.

Has anyone put in reservations for a smaller unit?

MR. QUINN: Yes, ma'am, absolutely.

COMMISSIONER EBERT: And what size is that, approximately?

MR. QUINN: We have some reservations for a 14x28's, and we have some reservations for 14x20's. So yeah, we have reservations across the board, absolutely. So they're down in the 280 mark.

COMMISSIONER EBERT: Okay. So you do have some that --

MR. QUINN: Yes, ma'am, absolutely.

COMMISSIONER EBERT: Okay, thank you.

MR. BRANENBURG: Not to the steal -- could I just -- we have our architecture guidelines which stipulate the sizes of the buildings. Could I just throw that up there?

CHAIRMAN STRAIN: Sure, absolutely. Put them on top of the overhead, that will be fine.

That's the list you showed me during break, if I'm not mistaken.

MR. QUINN: As you can see there, we have the 12x16, which is 192 square feet. The 14x20 at 280. The 14x22 at 308. The 16x20 at 320. And then the 16x24 at 352.

MR. BRANENBURG: Well, it's a 16x22 --

CHAIRMAN STRAIN: You'll have to use the speaker.

MR. BRANENBURG: I'm sorry.

We, in adopting the -- these architecture guidelines, and again we used -- we, quote, used a usable square foot and that's how we came up with the 2-F of being 16x24. If you do the math on that, that's obviously more than 350 square feet. And based under whatever -- hopefully whatever is passed here, that item F would be -- we would have to revise our architectural guidelines to take that off of there. So we understand that.

But as you can see, we've -- in trying to allow for transportable facilities, whatever, we had some sizes that we've -- in our architectural guidelines that we said we would allow for in reviews.

CHAIRMAN STRAIN: And I would assume by transportable you're cutting these bigger ones in half to get them down here.

MR. QUINN: No, sir, I can go up to 16 feet.

CHAIRMAN STRAIN: You can?

MR. QUINN: Yes, sir.

CHAIRMAN STRAIN: Is that nighttime driving or --

MR. QUINN: Yes, sir.

CHAIRMAN STRAIN: That's what I thought. Okay.

MR. QUINN: So, I mean, yeah, whatever it takes. So nighttime driving, police escort, but we'll get them down here. And the good news, we won't affect traffic.

CHAIRMAN STRAIN: Stan?

COMMISSIONER CHRZANOWSKI: I'm just curious. When he pulls a 352 square foot unit in here, is somebody going to say it's two-foot over the limit?

CHAIRMAN STRAIN: Well, he's got to get a building permit and it would be turned down.

MR. QUINN: Yeah, absolutely.

CHAIRMAN STRAIN: It wouldn't be -- I'm assuming.

MR. QUINN: Correct.

MR. BELLOWS: Correct.

CHAIRMAN STRAIN: Okay. Anybody else have any questions?

(No response.)

CHAIRMAN STRAIN: Thank you, sir.

MR. QUINN: Thank you very much for your time.

CHAIRMAN STRAIN: Are there any more people wishing to speak?

Okay, yes, sir. We'll have to -- were you sworn in?

MR. EPPLE: Yes.

CHAIRMAN STRAIN: Okay, come on up.

MR. EPPLE: Thank you. Brad Epple, 4529 Southern Breeze, Naples.

A brand new resident. I'm day three --

CHAIRMAN STRAIN: Sir, just a second.

THE COURT REPORTER: Could you spell your last name for me?

MR. EPPLE: E-P-P-L-E.

THE COURT REPORTER: Thank you.

MR. EPPLE: Brand new resident at Pelican Lake. Purchased the lot in June of this year. Day three of residency. Spent \$30,000 yesterday on outdoor furniture just to get ready for it.

Most of us have got half million dollar plus coaches here to two and a half million dollar coaches.

Yes, it's a beautiful place. It rented here for four years prior to purchasing. I purchased specifically because the opportunity is coming up to improve the lot and improve the facilities. Otherwise I would be like a lot of the other residents or owners that are there today that have moved across the state to a lot on the other side, the other coast, that allows these kind of structures and these things. A number of our owners, now I think there's 90 lots for sale of those 200 and some, because people are moving to those other facilities that offer better things.

Pelican Lake is 14 years old. It was the number one spot 14 years ago. Today it's not. Today it is going downhill. And unless we make these changes and improve the facilities and what's going on here, property values go down, we end up with 90 plus lots for sale, and Pelican Lake will not be what it is today. It is, as the four years I've gone through here, I've seen the properties go down in those four years that I have rented, and then chose to purchase.

And yes, I chose to purchase one of the most rundown lots in the facility with the pure intent of improving it. And that means going in and doing the greenescapes the way they need to be done today and improving them to today's standards. And I think that's what you're going to find with most of the residents here that have spent the kind of money we have is that this is an opportunity for us to improve the facilities, to -- whether that's greenscape or whether that's structures or whatever it is. But to bring the facilities back to the 21st Century standards. And that's what we're looking to do. Thank you.

CHAIRMAN STRAIN: Thank you.

Is there anybody else now?

Yes, sir, come on up. I'm assuming you were sworn in?

MR. HALE: Yes.

CHAIRMAN STRAIN: Okay.

MR. HALE: Well, a lot of -- has already been covered so it's made my notes a lot shorter.

THE COURT REPORTER: Please state your name, please.

MR. HALE: Oh, I'm sorry. Allen Hale. And I was sworn in.

THE COURT REPORTER: Thank you. H-A-L-E?

MR. HALE: H-A-L-E.

I was the chairperson on the committee for the coach house, so I wanted to wait 'til later to speak so we could get all the other coverage.

One of the issues appear to be the size. And what I can relate back to you would be the surveys. We

sent out numbers of surveys to owners getting input. We just didn't jump on this and decide that we were going to make one size or two sizes.

We sent out surveys. Here's one that we sent out August the 20th of 2012. Potential survey, owners survey, 289. Surveys sent out, 289. Surveys received, 205. Actually, it ended up being 207. So we received 71.6 percent of the owners surveys back. So we felt that we got a good input of what people were looking for.

Out of some of the answers or questions that we asked, one was do you want one size of coach house for all lots? 126 owners said no, they wanted some different sizes. So as you can see, we've accommodated that.

We also have an architectural review committee that's made up of I believe it's eight owners that other owners can come to and talk and give their input. And they bring it to the board and then we go from there. So we've done everything we know to do to try to get a good consensus of what people are looking for.

Here's some of the top five square feet that came back from our survey. 300 square feet, 76 responders wanted 300 square feet.

400 square feet, 69 responders come back with 400 square feet.

500 square feet, we had 44.

100 square feet, so now we're down to where we were at, we had 14 that come back that wanted to pretty much leave it the same.

And then we had 200 square feet, we had nine.

Obviously these figures are kind of -- I don't know if that totals exactly up to the 207, but it's pretty close.

42 I believe -- well, we also used some percents of lot size. 15 percent of the lot size, 11 owners come back with that. 30 percent of the lot size, two come back.

So you can see, yes, as Greg pointed out, you given some of them an inch, they will take a mile. So, you know, that's headed into the housing community there when you get up to 30 percent.

Do you want one exterior design on all coach houses? Pretty much 107 owners said yeah, we want them all to look the same. So yes, we decided that the way to go about this would be to make it look like the clubhouse, the post office, the guard house. So there's how we got our Mediterranean look.

This architectural review committee will review all of the architectural drawings that the owners submit to make sure that it conforms to what we've asked for there.

Do you want one exterior design for all coach houses? Yeah, that's what I just said, 107.

If you selected no for one design, how many designs would you propose? 23 owners responded with two; 46 owners responded with three; 27, four. So we got into the range of we're not looking for 10 or 12 different designs. Again, we went through one --

CHAIRMAN STRAIN: You need to stay close to the mic, sir. I'm sorry.

MR. HALE: We went through one, two, three, four, five six that we're pretty much started with. Now we don't want the 16x24 because of the usable versing the exterior walls.

When we talk about the 350 -- so what I guess I'm trying to point out there is we pretty much compromised to get to the 350. We just didn't start there. We -- some of the folks that wanted 500 and 400 are probably not as happy as some of them that only wanted 250.

So to get the vote, which again we had a vote, 217 folks, 169 voted for the 350 square feet. So we thought we met a good compromise there. That was a good figure. We'd like to remain with that figure, if you would grant that to us.

When we talk about sizes on the lot, and I will kind of reiterate what Brian said, when you've got at 10x10 and you're putting a five-foot awning around the front and the sides, now you've really got a 20x15 footprint. So we're not really talking about much different than that right now. In fact, some of these are going to be smaller.

I do have the concern that you had, Mr. Strain, about the porch. We never really thought about limiting that. And I went back through some of my drawings and it looked like that the porches were roughly six foot, eight inches by seven foot, eight inches. I think it was wide enough where when you opened the double doors you could push a golf cart in or get your furniture in. So that would be whatever you folks

agree to or would let us have. And you're correct, if you don't limit it, it could be all the way around the building.

Some folks were talking about the awning sticking out. Well, all of these motor homes have retractable awnings. There's nothing that says you have to put the awning out if you get the bigger coach house or the bigger shed or whatever we want to call this.

Language. We like the language that the staff come up with, because it actually told us what we could do. Because if you don't tell us what direction you want us to go, we could venture into something that's not in agreement. So we like the language with the cooking and the hobbies and so forth, because it -- and it took out the sleeping, so it eliminated that.

And I'll go back to the rules. I mean, you know, the speed limit out here is 35 miles an hour. I can't police whether everybody's doing 35. Our rules are no sleeping in these structures. There's nothing I guess other than hiring somebody to go around and check them every night to make sure.

I don't think we have an abuse problem there. Yes, like the gentleman that had the grand kids sleep in the lanai, yeah, I'm sure that it's happened. I don't think it's an issue that we're seeing being abused. That's not the intent. The intent is to live in these motor homes, go outside, have a place to go if the rains or the mosquitoes are bad, you've got a place to go and sit and eat.

I will agree with Brian, it kind of really would maybe hold down some of the noise because now we are all outside, and if the mosquitoes are bad, then we're going to bring us inside, so it kind of keeps the noise contained into the 350 square foot building.

Talk about the cars on the streets and so forth. Our rules state two cars per lot. If we -- we can't even have a car park in our area down at the clubhouse for over 24 hours before somebody is having it prepared to be towed. So we're not looking for more people to come. Our rules actually say, I believe it's six people for 48 hours. So that's always been there. So we're not trying to change that.

I think that's about all I have. Is that -- do you have any questions?

CHAIRMAN STRAIN: Anybody have any questions? Diane?

COMMISSIONER EBERT: Excuse me, you mentioned something about double doors. It didn't show on there, but a lot of this is double doors so you can get your motorcycle, your golf cart. Are there a lot of golf carts there just for traveling around the community?

MR. HALE: Yes.

COMMISSIONER EBERT: Okay. It's a good way to get around the community.

MR. HALE: Well, it keeps the cars off the road.

COMMISSIONER EBERT: It does. It does.

But A lot of these will have the double doors then so that when you leave for the summer these other things will be going in there?

MR. HALE: That's correct.

COMMISSIONER EBERT: Okay, thank you.

MR. HALE: What we're trying to get -- and I like again the staff's guiding us. I think I've met with them four times through some of the different meetings. I like the guidance they're giving us on the direction to take on these things.

I don't know if that shows a double door.

UNIDENTIFIED MEMBERS FROM AUDIENCE: It does. One door is open and one is closed.

MR. HALE: From this --

CHAIRMAN STRAIN: You've got to use -- sir, you've got to stay near the mic so we get everything recorded.

MR. HALE: Seven foot, eight. And that gives you enough room to get the golf carts or your furniture inside.

And I did again, being the chairman of that committee, when the vote came down, I was asked, along with Brian and some of the other architectural committee, to go out. And we measured it. We had folks that wanted to put -- we put blue tape down on their lots. And I only had one that was up into the 350 range. Most of what I measured when people said well, 280 square feet is the size that best fits me. Obviously there's some that wanted more.

But I think again that most of these folks are pretty intelligent and I don't think they're going to ruin a 100,000, \$150,000 lot and overbear it with a structure.

CHAIRMAN STRAIN: Are there any other questions?

Diane?

COMMISSIONER EBERT: Yes, I have one other question.

I heard people mention the fact that to put these in you're going to be taking out landscaping?

MR. HALE: Actually, that should not be the case, because our guidelines say that the 350 or whatever size structure you put has to meet -- go over the footprint of the 100 square feet. So that's what I was pointing out by the awnings that come out.

Really right now we've got -- most lots have a 20-foot, by the time you add the 10 foot and the two five-foot awnings on the side, so there's 20 feet. And then you come the other way with a 10-foot and add the five-foot awning on the front. So now we've got a 20x15. And most of these are -- that we're talking about are really going to end up in the 16x20 range or maybe the 16x22, somewhere in that area. So I can visualize that much vegetation.

COMMISSIONER EBERT: So you won't be removing -- because someone mentioned you'll be removing landscaping and stuff. Okay.

UNIDENTIFIED MEMBERS FROM AUDIENCE: Ma'am, I have to renew --

CHAIRMAN STRAIN: No, sir, you're not allowed to speak from --

MR. HALE: Yeah, there's some folks that's redoing their entire lot. Well, this is kind of -- this progress we're trying to make is helping bring Pelican Lake back up a little bit. And I'll agree, it's the number one RV resort, and we kind of like to be high class in it.

But what we're seeing is people are spending a lot of money on landscaping and they are trying to work around where it has a good buffer and it's really a nice-looking --

COMMISSIONER EBERT: And someone did discuss that you will probably be doing relandscaping to replace a lot of the older landscaping --

MR. HALE: That's correct.

COMMISSIONER EBERT: -- now anyway? Okay.

MR. HALE: We've hired a landscaping service that's going to -- we're trying to go on maybe what'd I say, a five foot, three or four, five-foot year. We're projecting out over the next three or four, five years what our landscaping is going to have to look like, because of the 17-year-old landscaping. Some's dying out and we're having to make arrangements.

So yeah, this is the opportune time for us to do this, get the structure and then we can do extra landscaping around it.

COMMISSIONER EBERT: Okay, thank you.

MR. HALE: Okay, thank you.

CHAIRMAN STRAIN: Before -- no, no, don't leave, sir. I haven't even started my questions yet.

MR. HALE: Oh, come on.

CHAIRMAN STRAIN: I'm trying to make sure everybody else has got theirs done.

MR. HALE: Be easy on me.

CHAIRMAN STRAIN: Well, you said you were chairman of the group that reviewed all this.

MR. HALE: I shouldn't have said that, should I?

CHAIRMAN STRAIN: Because the information I would get from you would probably be better than what I could get from Chris or anybody else who was not a member of -- or chairman of that group.

So let's start with the uses that you're asking for.

I understand right now you have cooking units in some cases. They're outside or they're in the utility storage facilities that you currently have permitted. Is that a true statement?

MR. HALE: That's probably -- I would say there's very few inside right now. Most of the owners cook in their motor home or there's a lot of outdoor kitchens.

CHAIRMAN STRAIN: I under -- but what I want to acknowledge is that there may be some.

And Ray --

MR. HALE: That's correct.

CHAIRMAN STRAIN: -- from the perspective of permitting, if they have them in these units then there probably isn't anything against, from the permit perspective, against having the cooking units in the existing utility storage areas; is that true?

MR. BELLOWS: Correct.

CHAIRMAN STRAIN: Okay. Let's go to the next one, pursuit of hobbies. What pursuit of hobbies don't you do in the utility storage area that you would think you want to do in this proposed accessory structure?

MR. HALE: Well, quilting, how about that?

CHAIRMAN STRAIN: You can't do quilting in the utility --

MR. HALE: Well, it's only a 10x10. I'm just giving an example. I --

CHAIRMAN STRAIN: No, no, this is important.

MR. HALE: But what I'm saying is there's --

CHAIRMAN STRAIN: You may do quilting, but the next fellow may want to tan hides in there. And we have got to protect everybody. So even though your use may be benign, there's others that could get in there that may not be. And that may -- and I know that maybe nobody in this room might intend that, but somebody may move in your facility that does, or that thinks they can get away with it. And that's the language we have to tighten up in this particular issue, so --

MR. HALE: I don't know as far as hobbies, you know.

CHAIRMAN STRAIN: But is there any hobby that you can -- say you got approval for the size structure you're asking for. Whether it was called a utility storage shed or not, do you feel you couldn't pursue your hobbies in that facility?

MR. HALE: No, I think --

CHAIRMAN STRAIN: Ray, do you know of any reason why a utility storage shed would have a prohibition from a permitting perspective from pursuit of hobbies? I mean, obviously if the hobby is a use that involves commercial or industrial activities, they can't do it.

MR. BELLOWS: If I understand the question correctly, a utility building, whether it's in a TTRV park or in a residential zoning district, the property owner has the right to utilize it for various functions either related to hobbies, gardening, model airplanes, whatever, art.

CHAIRMAN STRAIN: And see, we don't have --

MR. BELLOWS: Where the concern is some of the hobbies may require equipment which could be a noise generator, which could be problematic or might trigger the noise ordinance, so to speak, if they're operating --

CHAIRMAN STRAIN: Okay, but there's nothing in the reference to a pursuit to hobbies that we know of that can't be operated in the way you've got it today.

MR. BELLOWS: Right.

MR. HALE: I misunderstood the question. I thought you were asking as far as the size of it, could we do something --

CHAIRMAN STRAIN: No, the size --

MR. HALE: Yeah, I understand what you're saying now.

CHAIRMAN STRAIN: There's two issues here: Size is one, but the intended use now is something that based on the testimony I heard today raises a level of concern that I hadn't approached before and I'm trying to get clarification on it.

Social gatherings: I don't know what definition we have in the code for social gatherings, so with leaving it just the word social gathering here, I'd like to know what that means. And whatever it means, it sounds like you're doing it in the 10x10s to some extent to those that want to use them for that. Now there doesn't seem to be a prohibition on it. So how is that any different than what you have in the utility storage facility you have today, other than the size of the unit.

MR. HALE: Other than the size, none.

CHAIRMAN STRAIN: What about -- well, I know laundry, because I've already heard testimony, you guys use them for laundry. And I heard that there's bathrooms and even showers in the current, so that's -- and then we know it's storage. So what's this entertaining a guest? I mean, we're going to have disc

jockeys or parties or --

MR. HALE: I think other than size again where if you're out grilling out in the -- it rains or mosquitoes or whatever, you can bring it inside. I think that's what they're trying to -- we're trying to reach.

CHAIRMAN STRAIN: Okay, what I'm leading up to is we can get your existing language -- I'm trying to -- try to pull it up here.

Your existing language is a -- says an enclosed utility/storage area not to exceed an area of 100 square feet. Any utility storage area may be located adjacent to its associated recreational vehicle in compliance with the setbacks provided in Section 3.4(C) of this document.

Then it says -- references the screened-in porch as far as if it's attached to the unit.

The whole paragraph that's been devised and written up doesn't need to be added to your PUD, with the exception of a revision to the square footage. And what I'm worried about is if we get into this new ambiguous language that we can't define that's not defined in our code, it could open a door for people to try to do things that you never intended and that our codes would never have allowed except that that language that's undefined.

So, I mean, I'm making this point so when Chris and I talk about any stipulations or concerns as we wrap this up, he's aware of where I'm coming from on this. So, I mean, that's where I was leading with my questions, sir, and that's the point I wanted to make.

MR. HALE: Well, what I was pointing out is when they -- when you told us the direction you wanted us to go, it kind of finalized it with us as the board to make sure that that was the direction that we took versus leaving it just as the 100 square foot. It kind of didn't tell you what you could do and couldn't do and it kind of left it where people could go in a different direction.

By naming the cooking and the hobbies and so forth, it led you down the path of this is what we expect it to be used for. And obviously sleeping wasn't in it, so it kind of leads you down the path that we do not want you to sleep in these units.

CHAIRMAN STRAIN: I don't know where that -- I thought the language came from you guys, but whenever it came from, I think if we look at now putting it -- referencing the original paragraph, it might be cleaner and doesn't get us into definitions that we don't -- that don't exist for us to deal with.

That's the last of my questions of you. Anybody else have any? Go ahead.

COMMISSIONER ROMAN: I have a question.

One of the suggestions made by one of the speakers was to maybe adopt a measure for the size of the structure of being five percent of the lot size. Did your committee consider that? And how did you go about coming up then with the 350 foot determination?

MR. HALE: Yes, we did consider it. We actually had it written or tried to go in the direction of a percent of lot size. And there was such an uproar in the -- with the homeowners. They wanted the size to be nailed down as a max.

One of the things that we heard, or I heard, is whatever you do for one, do for the next. Don't split us up by giving us where this lot can have 250 feet and if it's a little big bigger it can have 300 and so everyone -- not everyone, I can't say that, but I would say I received a lot of stops on the street saying whatever you do for one, do for everyone. That way we're not showing any favoritism. And that's why we kept going. We eliminated the percent of lot size based on that. And that's when we started doing surveys. I think we even sent out a survey based on lot size percents. That's when we started narrowing it down to 100 to up to whatever size was desirable. And by compromising, that's where we decided to write it at 350 to get a vote, and I thought we were pretty successful with 77 percent of the homeowners wanting that.

So yeah, we did consider the percent, and it just didn't go over well at all.

COMMISSIONER ROMAN: Thank you.

CHAIRMAN STRAIN: Thank you, sir.

COMMISSIONER ROSEN: Mr. Chairman?

CHAIRMAN STRAIN: Okay, Mike?

COMMISSIONER ROSEN: A fast question for staff. I just want to clarify in my mind too that the existing ordinance as it exists today allows kitchens and bathrooms in these storage areas?

MR. BELLOWS: For the record, Ray Bellows.

As accessory structures you can have, as part of a utility area, a wet room, cleanup room, mud room, those types of things, which could include sinks, faucets, bathrooms. Outdoor barbecues are certainly allowed. And then if somebody were to have an indoor ovenette (sic), so to speak, that would be permitted also.

COMMISSIONER ROSEN: Thank you.

CHAIRMAN STRAIN: And I'm assuming that's as a result of the question I asked, because if we can keep with the original language in anything we do, it makes it a lot simpler for interpretation. So that's why I had asked those questions.

COMMISSIONER ROSEN: Yeah, I mean, I asked the question because my concern is that I wouldn't want to see my vote or the board's vote approve something that isn't already approved other than the size, and I don't want to by virtue of approving this allow us to actually allow the petition to actually build a guesthouse or actually what it would wind up being is possibly a guest house or a main house, you know, for the residents of that trailer park. So that's my concern.

CHAIRMAN STRAIN: And I agree, Mike.

So thank you, sir.

MR. HALE: Thank you.

CHAIRMAN STRAIN: Appreciate your time.

Ray, is there any other -- there are no other registered speakers, and I think that wraps up our speakers. Is there anybody else that -- okay.

Chris, do you want to -- any rebuttal time?

MR. THORNTON: I think Mr. Hale covered it pretty well.

I mean, on the size issue, this community went through a very long process of coming to a size that was agreeable to the majority of the residents. And this is the size they arrived at that they voted on and approved. So we would ask that you please give us the 350 square feet measured from outside to outside.

As far as the -- whether or not to include these additional uses that lead you down the road of being a house, I do covenants every day. I mean, if this association found someone sleeping in this unit, it's a simple matter of the management company sending a letter. If they don't comply then, then I send them a letter. If they don't comply then, then I send them a pre-suit demand for mediation. If they don't get it resolved at mediation, also we can fine up to \$1,000, \$100 a day; we can suspend their common area use rights and we can litigate. And associations have to enforce these things. They have to litigate and fine or else they lose the right to enforce them.

So this association, like all associations, has to enforce their covenants or else they'll have selective enforcement problems or whatever problems later.

So I think enforcement is something that, like you say, nobody is going to go look in the windows every night, but if they find one, the association can enforce it.

The other uses, it was my understanding and impression from the owners that indoor cooking had been not allowed. And so -- and just like Mr. Hale said, the point here is to confirm what you can do. You can have a bathroom, because it doesn't say that now. You can have a shower, because it doesn't say that now. You can have washers and dryers, because it doesn't say that now.

And I agree -- and hobbies is I guess too loose a term. But indoor cooking I would like to keep, if we can. And the laundry, bathrooms and showers I would like to keep, if we can. They're not in there.

Right now if you read that, it sounds like a place where you keep your rake and your charcoal grill and maybe your golf cart, if it fits. So this is more intended to be a place where you might have a television and play bridge with your neighbors.

So that's really my only rebuttal. And if you have -- I'm sure you've got a list of stipulations, and I'm ready for them.

CHAIRMAN STRAIN: Yeah, I mean, there's -- we need to have some discussion about the various issues.

I am concerned about your -- you might as well stand up there for a minute, it's you I'm going to be addressing.

Your concern over the language, we have a staff clarification that is concerning, and it basically

defines a guesthouse or cottage detached: Any habitable structure detached from the principal residence will be considered a guesthouse under the LDC zoning or property development regulations if it contains, one, a separate electrical meter for the structure or if there's no separate electrical meter an area designated on the plan submitted with the building permit application as a kitchen or food preparation area, or if there's no separately designated kitchen or food preparation area, there is an apparent food preparation, regardless of the designation, having a range or a sink, a countertop which is not identified for use other than food preparation, and which area is not within the bathroom or washroom. Or if there's no apparent food preparation, and this is an unexplained 220-volt electrical outlet in the structure that could be used for a major kitchen appliance such as a range.

Now, we went to an extreme, it sounds like, to try to make sure no one turns something into a guesthouse. And my concern with the language is that almost is saying that we're acknowledging now that these things that we claim could be a guesthouse are being allowed in a facility that's never supposed to be a guesthouse.

And we've had plenty of attorneys come before this board, not yourself but others, who have argued things like that to their -- trying to their favor that certain definitions mean something different than we may have always intended it to mean. That's where I'm coming from, Chris, and that's what I'm concerned about, by leaving in some of those more distinct things that are done now, apparently in the facilities you have titled utility storage.

If we bless it by saying all these things we at one point were connotations of a guesthouse can now be done here but it's not a guesthouse, I'm concerned about the argument down the road.

And Nancy or Ray, if you guys want to jump in, please do. It's to the benefit of staff that's going to have to review this. I'm trying to understand how it should apply. And if you guys have a level of comfort that I'm (sic) don't need to address, then tell me, you know.

MR. BELLOWS: For the record, Ray Bellows again.

When Nancy and I reviewed this project, our concern was that it not be used as a dwelling unit. And certain accessory uses have been conducted in these types of parks, not just this one, where you might have these washrooms and ability to do hobbies, so to speak, in these utility rooms.

Now, there's no way to prohibit someone throwing in one of those tiny fridges or those types of accessory cooking facilities. It's just not regulated by the county.

The concern is, though, what is it being used for. Is it being used for sleeping quarters or not? Is it a residence or not? And it's the use, not so much the structure, is the concern.

So if we put in some language in there to make sure that it's not intended to be -- it can't be a guesthouse because it's not a residential district, and it can't serve as accessory residence or sleeping quarters for the principal use. It's not a residential district.

So we just have to make it clear that this is not intended to be used as a residence or dwelling.

CHAIRMAN STRAIN: Okay. But back to the language that I pointed out a concern over. So you're suggesting that language is okay to leave in as long as we said it's not intended to be a residential dwelling of any kind?

MR. BELLOWS: Well, if you're concerned about having accessory type of --

CHAIRMAN STRAIN: It's not as much my concern is it is my concern over them being able to get the permits for what they need, versus some argument in the future being a guesthouse. And that's something that staff would have to deal with, not so much -- well, who knows, I might end up dealing with it in another manner.

But I'd rather not put us in a position where we're forced to --

MR. BELLOWS: Well, I agree. And certainly that's not where staff was intending to go with this petition either. We want to make sure that it's clear that we're dealing with basically a coach house type of situation where you will have more than a utility room. This is more than a utility room. It will allow for these other activities. And there's nothing prohibiting it, as far as I could tell, in the Growth Management Plan. So this particular zoning district is requesting for things above the normal in regard to what are deemed accessory to the travel trailer facility.

CHAIRMAN STRAIN: If this was considered, whatever square footage, to be a utility storage area,

do you think it could ever be construed to be a guesthouse at that point in the future? I mean, would our argument be stronger that it was always supposed to be a utility storage area and not a residential guesthouse structure?

MR. BELLOWS: Well, it can never be a guesthouse because, like I said, you don't have a dwelling unit to be a guesthouse to. That it's -- so will it be used as a sleeping quarters, a temporary sleeping quarters, as a room to have like a pullout bed or cot? Certainly that's possible. That's not -- typically would not be allowed in a TTRV zoned park because their sizes are restricted, you really wouldn't be able to do that.

But when you get something large enough, then those uses could occur in there. But it's certainly not intended to be a primary type of dwelling. And that's where the issue about whether you call it habitable space -- you can have habitable, it just means it's for human occupancy. It doesn't mean we don't want it to be used for sleeping quarters. So that's the real issue, is this going to be used for sleeping quarters or not, basically serving as a guesthouse.

CHAIRMAN STRAIN: Okay.

MR. THORNTON: I think what --

CHAIRMAN STRAIN: Thank you.

MR. THORNTON: -- is important that Ray said was this is more than a utility room. The proposal that we're making is, is this is something more than a place to store your rake and your grill. And we've -- I've heard just then four separate restrictions that we're certainly willing to agree to: This structure shall not be used as a guesthouse; there shall be no sleeping in this structure; you shall not use the structure if the RV is not on the site; and the structure shall not be a primary dwelling.

I think even with the uses that we've asked for, that clarifies that what you can do in the unit. Those clarify that it cannot be used in any manner as a -- for occupancy as a dwelling unit.

CHAIRMAN STRAIN: Well, let's muddle through it and see if we can come out with something reasonable in the back end.

So I understand now from Ray's perspective on the -- at least I heard what he had to say, so I'll move on to the other issues first.

AC compressors, do you have any problems for whatever is approved that the AC compressors are relegated to either the two -- to the side that is not adjacent to the property line?

MR. BRANENBURG: Well, my understanding is --

CHAIRMAN STRAIN: You'll have to come up to the speaker, sir. And just identify yourself again.

MR. BRANENBURG: Jerry Branenburg, president of the board.

My understanding of these high efficiency units, they can fit above the window. So it's almost like they could be put totally -- I mean, they could be almost placed anywheres around the facility.

And we've already had testimony about it's -- the outside portion of it's low voltage, very low noise. I don't see the need to -- I don't see the need for us not having the flexibility to put it anywheres on the building.

CHAIRMAN STRAIN: And if you were to regulate that particular model and the sound decibel level when it's bought new, and then guarantee it's going to be maintained, I wouldn't have a problem. But someone could come in with any kind of unit they want and mount it anywhere in that unit or replace one that they buy or they don't need to use the manufacturer you're talking to who seems conscientious. Again, that's where my concerns are. It's not for what you're trying to do and say today, it's what could happen with somebody who wasn't as concerned as you are.

MR. BRANENBURG: I know there's some concerns. For example, you take a look at this lot and if you're saying put it on the back wall, that's the wall facing the lake. People would like to have a window on that so they can look out that, or a sliding door so they can look out there.

So from that perspective, dictating that we have to put, you know, an air conditioning unit would eliminate that for people on the lake.

CHAIRMAN STRAIN: But didn't you just say it could go above the window?

MR. BRANENBURG: Well, that's my understanding. I've seen them mounted above the windows, yes, between the dormer and the window. But, you know -- yes, I've seen that.

CHAIRMAN STRAIN: Okay. And you also could put it on the side facing the street.

MR. BRANENBURG: That -- we could do it that side, yes.

CHAIRMAN STRAIN: And if you really didn't want to bother anybody, just yourself, you could put it facing your unit.

MR. BRANENBURG: Exactly.

CHAIRMAN STRAIN: But I know why you don't want to, and I don't blame you.

MR. BRANENBURG: No, it could be, yes. But I also feel that the flex -- you know, I feel we should have the flexibility there based under the buffer and -- I mean, these units -- really, these new units are less noise -- produce less noise than the current window air conditioners that are on a -- I won't say a majority, I don't want to misstate -- but on a lot of the coach houses that are already there without any complaints or major issues raised by the adjacent property owner. The buffer is very plush and very thick and it's -- you know, I don't think we have a problem there.

CHAIRMAN STRAIN: And I don't disagree with you.

MR. BRANENBURG: Okay.

CHAIRMAN STRAIN: It's not today, it's not tomorrow, it's not maybe even a year from now. It's for that time when someone decides to change it out and put a Home Depot model that just has a compressor like everybody else and it just blows and it's not maintained and the noise is just -- in the community that I worked at before I came here, those complaints were common. And it has -- in fact, some communities have come in and actually asked to have their units moved to a different location because the neighbors were complaining about the air conditioning unit so they wanted them in easement areas where they couldn't be normally. And it was --

MR. BRANENBURG: And I want you to know that in development of our architectural guidelines we have specific wording dealing with the air conditioning units. And again, we talk about noise level and things like that will be evaluated by that architectural committee.

I mean, we feel that we addressed it.

COMMISSIONER HOMIAK: But your document -- that's your own document that can be changed by any board at any time.

MR. BRANENBURG: You're absolutely right. That is a document that is prepared by the elected board. And it can be changed by -- as Mr. Robellard pointed out, by four people. You're right.

CHAIRMAN STRAIN: Thank you.

By the way, Nancy, did you complete your staff report? Did I interrupt you before you got done?

MS. GUNDLACH: Yes, Commissioner, I completed my staff report.

CHAIRMAN STRAIN: Okay, just wanted to make sure.

Along the lines then of the air conditioning and the buffering, Nancy, I had asked that prior to this meeting if you could figure out some way we could be assured that the landscape buffers that are there wouldn't be greatly disrupted by the change to any square footage that might be approved for this accessory use.

Did you come up with anything?

MS. GUNDLACH: Yes, Commissioner, you had asked that I ask Chris Thornton. And we can ask if he came up with something. If he didn't, I have some ideas that could share with you.

CHAIRMAN STRAIN: Chris I think asked somebody else and that person probably asked somebody else. We'll get to it.

Did you have any idea, Chris?

MR. THORNTON: Actually, I used it in my opening remarks. I said -- my proposal was that to the maximum extent possible all existing landscaping and buffering shall remain in place and shall not be disturbed by the new structure.

CHAIRMAN STRAIN: That's a good legal statement. Because the maximum extent possible means anything to anyone. So it's 100 percent annihilation if you want it to be because that's the maximum extent you need it to be done. So let's not use that kind of ambiguous language. I need something more definitive.

And I was thinking either a photo survey or a site survey for that area between the two units that would be in question; so many feet distance past the outer ends of the structures. And that way we know what

vegetation was in place before the structure went in and then how much is being destroyed. If none, then that is even better.

Is that something that can be done by a photo survey so it's less expensive to be done, Nancy?

MS. GUNDLACH: That could be done.

CHAIRMAN STRAIN: Okay. So Chris, do you have any problem with if a structure comes in to be increased in size from what it is today that you'd provide a photo survey of the vegetation to show where the new structure's going to go and what vegetation would be disturbed by that new structure?

MR. THORNTON: I don't think so. I think the issue is if there is a tree that's going to get impacted, what does it mean and how much of the vegetation am I required to maintain.

CHAIRMAN STRAIN: Well, that's different than what's there now. You're required right now to have no buffer between those units. That's the problem. Not by -- I know, your standards are different, but your standards can be changed by a majority of some percentage of the board. And as we've seen today, that isn't always 100 percent.

But the county doesn't require a buffer between those kinds of units.

MR. THORNTON: I think we should -- we could impose a buffer. That would be a good fix.

CHAIRMAN STRAIN: Mr. Gurley, as a member of the board you're addressing us then? Because --

MR. GURLEY: Yes.

CHAIRMAN STRAIN: -- the public is stopped.

MR. GURLEY: I'd like to mention that the buffer which you speak about behind this coach house that's depicted up here is actually the responsibility of the lot owner adjacent to this coach house. So if any buffer is disturbed at all, it will be because somebody's built a house -- this coach house on the other guy's property.

The person who has -- owns a lot is required to maintain a landscape buffer on the coach side of the lot. And that buffer is to be at least 40 feet long and eight feet high. So the coach house construction wouldn't in any event never (sic) disturb that buffer.

CHAIRMAN STRAIN: Great. Well, then --

MR. GURLEY: Because it's then occurring across the lot on the other side within the setback before you get to the lot line where the adjacent lot owner is to plant the buffer.

CHAIRMAN STRAIN: Then you would have no objection then to providing a photo showing the landscaping that's in place before the unit that's being proposed on the particular lot that it's going on to show that we're not disturbing any landscaping.

MR. GURLEY: That is correct. But that would be qualifying photo to say I am sending you a picture, not of me, the lot owner who's doing the development, but of my neighbor's lot who has the landscape buffer.

CHAIRMAN STRAIN: Well, there'd be no qualification. You're going to take a picture of the footprint of where the structure is proposed to go, and what landscaping --

MR. GURLEY: Correct.

CHAIRMAN STRAIN: -- if there. And if there's none there because it's all off the property, then the picture doesn't need to be qualified, you're not disturbing anything.

If it's on your property, well that's a whole different argument then. That's either you put it there or your neighbor intruded on your property, so --

MR. GURLEY: Okay, are you still talking about the landscape buffer, or any landscaping?

CHAIRMAN STRAIN: I'm talking about the landscaping on the property line that's common to where this particular --

MR. GURLEY: Okay.

CHAIRMAN STRAIN: -- unit's going to go and the unit next door.

MR. GURLEY: Okay.

COMMISSIONER EBERT: I have a quick question.

CHAIRMAN STRAIN: Go ahead, Diane.

COMMISSIONER EBERT: How -- Nancy, or someone, how wide are these buffers? Five feet? Ten feet? How wide are they? I hear the 40 feet but --

MR. GURLEY: We have allowed on the coach side of the lot where this -- where the owner of the lot is to maintain this buffer, we mandate that that be at least five feet in width. Some are larger than that, but none are smaller than five feet. So there's a five-foot planting area for the buffer.

COMMISSIONER EBERT: Thank you.

CHAIRMAN STRAIN: Okay, I think we're okay. I mean, everything you said, I don't see how it would be a problem.

So the next things I don't believe you're objecting to, Chris: Prohibition of sleeping in the structure; it's not to be used as a guesthouse; it's not to be used as a primary dwelling unit; and it's not to be occupied other than when the principal use is there.

MR. THORNTON: Correct.

CHAIRMAN STRAIN: The fourth thing is access ways into the accessory structure shall be between the structure and the principal use at no greater than a 45-degree angle for corner-mounted doorways.

MR. THORNTON: Correct.

CHAIRMAN STRAIN: Five: Any attached roof covering added to the accessory use will be limited to 60 square feet or less. Testimony was that you need 50 or 52 feet and so 60 should give you plenty of room to get it in there.

MR. THORNTON: Sixty is acceptable, yes, sir.

CHAIRMAN STRAIN: The height of the accessory use is limited to 15 feet.

MR. THORNTON: The height, yes, sir.

CHAIRMAN STRAIN: The new accessory use is to include the footprint of the existing utility storage use and not encroach into the side setbacks any further than the existing structure does.

MR. THORNTON: Yes, sir.

CHAIRMAN STRAIN: Okay, then the last one which I need this board to discuss is if we're going to approve an increase -- well, if we're going to approve any of this, it has to be with an increase, otherwise it doesn't apply. And if so, what does that increase -- where does the board sit with that increase?

And we've presented a series of units that were contemplated being ordered. There were sizes from 252 or something like that up to 352. There was a survey reported to us verbally, and one of the numbers I wrote down as being the most common, 76 people were satisfied at 300 square feet. And then there was different percentages above that. If I'm not mistaken, that's what the number was.

But with all that information and what we heard today, does this board have any preference on the square footage?

Go ahead, Karen.

COMMISSIONER HOMIAK: Can I just ask how they came up with these? Is this the way they're manufactured, the sizes of the manufacturing?

CHAIRMAN STRAIN: Yes.

COMMISSIONER HOMIAK: So it's got nothing to do -- because the first one just happens to be five percent of the smallest lot. So I don't know if it really was figured that way or --

CHAIRMAN STRAIN: Well, your manufacturer, this is his -- these are the sizes that your manufacturer can manufac -- is readily available to manufacture; is that right? Standards?

MR. BRANENBURG: And transport legally to the facility.

CHAIRMAN STRAIN: Okay. You have to get close to the mic, if you could.

MR. BRANENBURG: And transport.

There is no restriction for people to build them on site other than we've written into architectural guidelines. We limit construction time frames to minimize impact on our neighbor and whatever.

These sizes were there because these are -- can be premanufactured and transported; that's the reason we went with those sizes.

CHAIRMAN STRAIN: Okay. Something else I wanted to ask as part of this: Does this board want to amend the paragraph that's already in the PUD with any square footage that we come up with, or were you looking to add another paragraph that defines the additional uses as we discussed with Ray and a couple of the applicants? Is there any preference there from this board?

COMMISSIONER HOMIAK: I would be more comfortable in wording A, with the storage.

CHAIRMAN STRAIN: You mean just modify the existing.

COMMISSIONER HOMIAK: Modify the existing one.

CHAIRMAN STRAIN: And I'm fine with that. Is anybody else?

(No response.)

CHAIRMAN STRAIN: Does anybody have any objections to doing that?

COMMISSIONER ROSEN: Mr. Chairman, is that suggesting to just modify the square footage of the existing ordinance and not mess around with all the language we've just talked about?

CHAIRMAN STRAIN: Yes. Is that something that you agree or disagree with?

COMMISSIONER ROSEN: Personally I'd rather go that direction, you know, with the existing ordinance and modify the square footage in the existing ordinance.

Because as I mentioned before, I truly believe that with everything that we've been shown, that the size that's been shown, these will become guest or primary structures. And in deference to what their attorney had told us regarding compliance, HOA compliance is extremely difficult. I've been involved in that for many years. And in order to prevail in a court situation you've got to have witnesses which is your next door neighbors, and that's not going to happen.

So compliance via their HOA or POA, whatever it is, probably won't happen. And our county code compliance won't be able to go out there and, you know, patrol that area as well. So if we're going to move forward with this, I'd just as soon move forward with the existing ordinance and modify the square footage.

CHAIRMAN STRAIN: Okay. And I -- go ahead, Charlette.

COMMISSIONER ROMAN: Yes, one of the concerns that I've been mulling over in light of the comments is the fact that some of the residents don't want the appearance of this beautiful community to be impacted by more structures that become more visible.

In listening to some of the comments, I understood that the 10x10 utility structure with the awnings becomes a 20x15. And I think that some consideration should be given to the 350-foot square structure -- square foot structure that's outside the outside, and then adding a 60-foot overhang off the front of it. You know, you're adding more structure to this community.

And I don't know how to evaluate it, but I think that that's part of it. Because as we saw, the 100-foot structure become a 300-foot with the awnings, or at least encroached onto the lot.

CHAIRMAN STRAIN: Okay. And did you have -- based on -- well, the fact that they have that exterior porte cochere and it could go up to 60 feet, whether it's 50 or 60 feet, I mean, when I was approached with this project, my understanding was they wanted to increase the 100 to 350. And I didn't realize what that meant until I got this draft of a concept plan showing the 100 plus the 350 plus another 350 or 400 screen enclosure. And then the unit, which since I'm familiar with these units I know they all have pop-outs or slide-outs and awnings, by the time you get done, it's a pretty intense site.

And granted, not all the sites are small -- I shouldn't say small -- not all the sites are the smallest, they're all different sizes. But I did review every one of these sites through the aerial photos, and the majority of them are standardized. The ones on the end of the cul-de-sacs are bigger and wider and there's some on the east end that seem to be bigger and wider.

But for the majority of the residents I think there's going to be a lot of them that are going to be on sites that aren't the biggest sites. The majority are going to be the smaller sites. And I think those are the people that need to be considered most in how we set the size.

With the fact that these porte cacheres can be added and they've got a standard size is -- what is this now?

MR. THORNTON: This is a breakdown of all the lots and what percentage of the lots are the small versus the medium and the large.

CHAIRMAN STRAIN: Could you roll to the summary? We've only got -- there you go.

COMMISSIONER ROMAN: Yeah, zoom out more.

CHAIRMAN STRAIN: So 35 percent and 15, so almost half of them are 4,400 or less. And the other half are bigger than that.

MR. THORNTON: It says basically that they're --

CHAIRMAN STRAIN: Yeah, it's 50/50. Okay.

MR. THORNTON: The breakoff at 50/50 is not 6,000, really. It's -- looks like it's around 5,000 feet. The 15 percent are the small.

CHAIRMAN STRAIN: Well, it says down at the bottom, 145 are up to 44, which is 50 percent, and then 144, which is 50 percent is the balance.

MR. THORNTON: Right.

CHAIRMAN STRAIN: Right? Okay. So anyway, with the porte cochere, which I would imagine they're all going to use, and the sizes that were presented to us by the board, if we were to use the 308 as the allowable square footage, and that would then be added to that up to 60 -- it would be up to 60 additional for the porte cochere, we'd be back into the 350, but it would be in a smaller structure with a porte cochere in the front. And it would include the 100-foot structure and the footprint of that that's already there. But the porte cochere would fall in between the principal structure and the accessory use, which would probably be -- would be much less impactful on the surrounding neighbor, so --

COMMISSIONER EBERT: I have a question. Do you have to have the overhang?

MR. BRANENBURG: No, we do not. No, we do not.

COMMISSIONER EBERT: You do not have to have the overhang.

MR. BRANENBURG: We do not.

Again, I emphasize what our owners -- and that's what we're here represent, what the majority of our owners voted for -- was not to exceed a 350-foot structure. We don't have to have the porte cochere, but we'd like to stay at the 350-foot structure.

COMMISSIONER ROSEN: What is the height of one of the coaches?

MR. BRANENBURG: My coach is roughly 13 feet.

CHAIRMAN STRAIN: Well, anybody else have a --

COMMISSIONER EBERT: Well, on one of them, Mark, and I think Mr. Chrzanowski mentioned what are you going to do when one of those outside dimensions is 352? That's two feet over.

CHAIRMAN STRAIN: Doesn't get allowed.

MR. BRANENBURG: We need to make sure it's not to exceed 350 feet.

COMMISSIONER EBERT: Just so everyone knows.

MR. BRANENBURG: Just getting a definition of, you know, out to out or whatever, we'll make sure that we adhere to that.

COMMISSIONER EBERT: Okay.

COMMISSIONER ROMAN: I have a question for probably the board president.

Excuse me, sir, I'd like to ask you a question regarding what you see is the most important thing from the owners in your community. Is it the size of the building, you know, wall-to-wall, or is it the appearance and the functionality of having just a little bit more space?

MR. BRANENBURG: I think everybody agrees that we need some increased space so as we can conduct some activities on the inside, okay. I think we've reached the 3 -- we're saying not to exceed 350 because there's variations out there, lot size and whatever, and the lot could handle that. But we also have established a committee that's going to go out there and talk to people.

And as we've had testimony, people being reasonable, whatever, there's going to be a lot of people that are not going to go. We just want that flexibility to -- and we'd like to control our destiny on this, internal controls, but not to exceed the 350.

I hope I answered your question.

COMMISSIONER ROMAN: No, I was just trying to say -- you know, to ask you what you think the priority is. I mean, I know you have to update for the 21st century, but do you update all in one fell swoop or do you, you know, take steps to maintain what I understand is a gorgeous community there at Pelican Lakes? So is it more important to get the wall-to-wall space of 350 square feet, or is it more important to include the look of the buildings, the structures in terms of your architectural review, and include that also that it looks better?

MR. BRANENBURG: Pelican Lake number one priority is maintaining the landscaping and the beauty of the park. Number one. We spend a lot of money on that. And we are going to continue that.

We're not going to let buffers be take -- you know, we're going to maintain them. So that's number one.

And number two, yes, the second thing is we want to have a beautiful architecturally pleasant, compatible structure, uniform throughout the park, so as we maintain the landscaping and the architectural pleasing structure.

Number three, the size. Okay, yes, we're saying 350 square feet. But again, we have owners out there that have some rights and we just want them to be able to have the ability to make a structure up to but not exceeding 350 square feet, and hopefully the decisions are made through this architecture committee and them so it is not overbuilt for a specific lot.

COMMISSIONER ROMAN: Thank you.

CHAIRMAN STRAIN: And now the Land Development Code and the TTRVC, Ray, I think limits it to 60 square feet for an accessory structure; is that right?

MR. BELLOWS: That's my recollection.

CHAIRMAN STRAIN: Okay. They came in with a deviation to the PUD asking for 100, which is one and a half or almost twice the 60; one and a half times the 60. And now we're looking at 350, which is almost six times the maximum that's allowed by code.

And I have to agree with the lot owners, some of them, that that might be too big in a lot of cases. And for that reason, we have to look at compatibility issues, which is all the questions I brought up today. The stipulations that are suggested like the height measurement and all that are all things to make it more compatible to whatever size it grows to.

And I don't know where this board -- I mean, you guys are going to have to suggest a motion, and I really need to get this wrapped up with a size. Where is this board's feeling then on the size?

COMMISSIONER HOMIAK: I'm concerned about the -- and even if it were a cabin, it would only -- and our codes only allows 220 square feet.

CHAIRMAN STRAIN: Right.

COMMISSIONER HOMIAK: So I just can't get to the 350.

CHAIRMAN STRAIN: Well, I'm not comfortable with 350 either. But we've now got to consider the fact that these porte caches are either going to be -- if they're not added into the -- included in the 350, which it's not described that way, then there's another potential 50 to 60 feet that could be added to these.

So now 350 becomes a 410. And I know that's not what the board intended, but that's the way the example they showed us could actually end up being.

So we need to understand totally what is it we're looking to recommend here. Does anybody have a suggestion? Is it 300 inclusive of the porte cochere, exclusive of the porte cochere? Is it 250? I know Karen, you mentioned 220. That's certainly limiting some of the sizes they could put there. We've heard testimony even from the opposition that 250 is a reasonable size. I don't think they knew then that the porte cochere was another 50 or 60 on top of that.

But therein lies a way to compromise to get this to somewhere where we can at least send a recommendation to the Board that might be palatable.

And by the way, ladies and gentlemen, this meeting today is a recommendation to the Board of County Commissioners. The final decision is theirs. And you can all appear there and discuss with them your concerns for whatever matters come out of today's meeting. We're trying our best to give them a recommendation that they feel is representative of a compromise with the community, so --

COMMISSIONER ROSEN: Mr. Chairman, what was the dimension you had mentioned previously, or Karen, the 220? Where did that come from?

CHAIRMAN STRAIN: Karen found --

COMMISSIONER HOMIAK: That's in our code as if it were a cabin, they could put a cabin in some of these parks with no cooking or facilities. They would be using the community facilities. They have to be a certain distance from --

COMMISSIONER ROSEN: That's already part of our code?

COMMISSIONER HOMIAK: Yeah.

COMMISSIONER ROSEN: Okay. Well, Mr. Chairman, just to move the ball forward in discussion, I would recommend the 220 feet, which is inclusive of the overhang.

CHAIRMAN STRAIN: Okay. How does the rest of the Board feel about that?

COMMISSIONER EBERT: No.

CHAIRMAN STRAIN: And Diane, what are you thinking?

COMMISSIONER EBERT: I think maybe you had one there that is below the 350, what is it, 308

or --

MR. BRANENBURG: We had a --

COMMISSIONER EBERT: 320?

COMMISSIONER ROMAN: No, there was --

CHAIRMAN STRAIN: No, it's 308.

COMMISSIONER ROSEN: -- smaller one.

MR. BRANENBURG: We had a 192 foot.

COMMISSIONER ROMAN: There was a 308.

COMMISSIONER EBERT: Okay, 308 and 320.

MR. BRANENBURG: And we had a 308 structure there and a 320.

COMMISSIONER EBERT: I would take the 320. I would take the 320.

CHAIRMAN STRAIN: Would that be inclusive of the porte cochere or not?

COMMISSIONER EBERT: You don't need a porte cochere. Maybe -- I don't know, this is their architectural. If they're all going to be the same, yeah, you'd have to include the porte cochere into that.

CHAIRMAN STRAIN: Okay, but here's the -- they don't all have to be the same. This is one manufacturer's representation or the board's. But the board can change their own documents. So from a perspective of the county, we can't regulate the size unless we stipulate it in the PUD by square footage, or if you even wanted to get in dimensions, which I hope you don't want to do.

But we have to look at the square footage in some manner that they'll come up with whatever configurations they want to use. So a 16x20 could be a 10x15 if they wanted it, or something like that. It could change to anything.

That is outside our control unless we stipulate it. That's why I'm trying to focus on square footage. Whatever configuration is up to them. And that's why it's important to know if your suggestion of 320 includes the porte cochere or not.

COMMISSIONER EBERT: Yes.

CHAIRMAN STRAIN: Okay, we have two discussions. Anybody have any other feelings on this?

COMMISSIONER DOYLE: I'm seeing the structure with a lip on it and I'm envisioning a garage to come. I can't see pulling my golf cart into my brand new living area that I've built using that as a -- I'm envisioning more structures after this. So I'm leaning towards smaller as well so I don't have this structure where I'm not -- I don't see a ramp coming up the front; there's a lip there I guess for rain purposes.

Correct me if I'm wrong, but it looks like this wouldn't be a garage of any sort. It would be an area that I wanted to keep clean, kept well maintained and then what do I do with my golf cart? Maybe the porte cochere, is that the place for it? It needs to be indoors?

MR. BRANENBURG: No, the golf cart doesn't need to be indoors, it doesn't need to be covered. But when people do leave, you know, with the double door, you know, they could roll their golf cart in there for protection purposes. But I don't see the day-to-day use, you know, what you're implying, you know, the golf cart.

This is again, we're talking about a structure that people -- picture yourself. Twelve people last night invaded with bugs, being able to walk inside there and sit around a table, you know, where you can't do that in your motor home. That's the type of thing we're talk -- we're talking about giving us a facility such that our people can receive full benefit from their property. That's what we're asking for. We're not asking to abuse. We're not looking down the road of more structures on this.

I will be upfront with you and say yes, we're going to put to the owners' vote to talk about some screened facilities or whatever, freestanding, whatever. But that's down the road and we'd have to come back through administrative channels to address that. But that's -- we don't even have an owners vote on that yet. What we're talking about here is a 350 square foot structure.

With respect to a cabin, I mean my goodness, that's their primary use for that property. This is an

accessory structure. And that's all we're looking for, so people can take full benefit of their investment and the property they own and be able to enjoy it in comfort. That's all we're looking for.

COMMISSIONER DOYLE: Has a clubhouse on the property ever come up?

MR. BRANENBURG: There is a -- we have a clubhouse. And through the PUD we're limited in square foot and stuff like that. But we have a very nice clubhouse. We have a pool where we have major parties, stuff like that.

But this is -- we're talking about you have to go down to the clubhouse, you go in there, you play cards or whatever. We're talking about when people have people, friends, family on their lot to be able to use -- take benefit of their property. We're all individual lot owners.

CHAIRMAN STRAIN: I would like Jack McKenna who's our county engineer to answer one question, since he's sat here all morning, dying to get up here to speak and we haven't utilized his talent, and you don't have an engineer with you.

One thing that struck a chord when Brian asked about the use of the golf cart, in getting in and out of that facility, Jack, if I'm not mistaken, they've got an issue with NGVD minimum FEMA elevation required on that site. Do you have any idea where that is in comparison to the ground elevation out there now?

MR. McKENNA: No, I don't.

CHAIRMAN STRAIN: Do you know what NGVD in that area would be? You do?

MR. BRANENBURG: I do.

CHAIRMAN STRAIN: Okay.

MR. BRANENBURG: We -- part of our requirement is that obviously this is going to have to meet the floodplain elevation, these structures, permanent structures.

CHAIRMAN STRAIN: Right.

MR. BRANENBURG: I'm not exactly sure the zone, but we just had our property surveyed and I wanted to establish, and we were somewhere like 7.6 or 7.8. So I'm not sure, I think we would only have to go up maybe six inches or so to step into this accessory building. And I think that's pretty much the --

CHAIRMAN STRAIN: Well, you saved Jack.

So Jack, thank you.

MR. McKENNA: Glad to help.

CHAIRMAN STRAIN: Yeah, you were a great help. I figured if anybody would know that answer, you would, but I was wrong, so --

COMMISSIONER EBERT: Can I ask one other question? Are these put on a cement base?

MR. BRANENBURG: No. Right now, our current sheds, accessory buildings, they're skid mounted, wood floor, and they need to be replaced.

What we're talking about now is when we build these new structures, it's going to be in a foundation; the utilities that are brought to it are brought up to code. And as Brian said, he would have to -- if he's the contractor, he would have to come to the county where we'd get a foundation design approved and permitted and then we'd put this structure anchored to that to meet hurricane and wind loads.

CHAIRMAN STRAIN: Okay, Commissioners, I think we've come to --

MR. BRANENBURG: Can I make one point? This artist rendering that we had there, really, you know, that porte cochere, we -- you know, we want to stay within that 350 -- everything we want is within the 350 square feet, including the porte cochere, whatever.

CHAIRMAN STRAIN: Understand, yeah.

So okay, I'm not sure if we're ready to make a motion on this yet. Everybody, we kind of got two different opinions, and we'll just go for the best.

So that will close the public hearing. And is there any more discussion this board wants to have?

(No response.)

CHAIRMAN STRAIN: If somebody is ready for a motion, we certainly are ready to entertain one.

COMMISSIONER EBERT: Okay, I'll make a motion that we approve PUDA-PL201300000476, with the stipulations that were with what the planning department came up with.

CHAIRMAN STRAIN: Well, I'll reread the --

COMMISSIONER EBERT: All the stipulations -- okay.

CHAIRMAN STRAIN: -- discussion we had and then ask you to confirm that, assuming you get a second. But you didn't discuss square footage.

COMMISSIONER EBERT: The 350.

CHAIRMAN STRAIN: Oh, you're at the 350?

COMMISSIONER EBERT: I'll do -- if it includes the porte cochere, 350.

CHAIRMAN STRAIN: Okay. Well, okay, is there a second to the motion?

COMMISSIONER CHRZANOWSKI: I'll second the motion.

CHAIRMAN STRAIN: Okay, discussion.

The only thing I want to caution you on is that the way the motion is structured, if it includes the porte cochere at 350, that means it doesn't have to have the porte cochere, so you could have 350 feet of new activity with that structure. So -- and they wouldn't get the porte cochere but they'd have a 350 square foot structure with the uses that not only are they asking for but the ones that customarily have already been provided under the utility storage paragraph.

So with that in mind, I'll walk through the stipulations. Were you considering those stipulations to both you of you in your first and second? Just to make sure they're on the record. Then we can have a vote. And if that doesn't fly or if it does, then we're done. If it doesn't, we'll ask for another vote.

Location of the AC compressors, did you want to specify that they can't be on the side adjacent to the property line? Do you feel that is something we need?

COMMISSIONER EBERT: I don't think it should be on that side. I think towards the road --

CHAIRMAN STRAIN: Or anywhere but the property line.

COMMISSIONER EBERT: Anywhere but the property line.

CHAIRMAN STRAIN: Okay. Photo survey of the site vegetation in the area of the proposed improvement, if it's to be utilized; is that okay?

COMMISSIONER EBERT: Yes.

CHAIRMAN STRAIN: Okay. Obviously I think you agree prohibition of sleeping in the structure, not to be used as a guest house, not a primary dwelling unit, it's not to be occupied when --

COMMISSIONER EBERT: That's correct.

CHAIRMAN STRAIN: -- the principal use is not there.

COMMISSIONER EBERT: That's correct. Did not Ray say this is a commercially zoned area anyway so you cannot have that?

MR. BELLOWS: Correct.

COMMISSIONER EBERT: Okay.

CHAIRMAN STRAIN: Access ways into the accessory structure shall be openings between the structure and the principal use at no greater than a 45-degree angle for corner-mounted doorways.

COMMISSIONER EBERT: Uh-huh.

CHAIRMAN STRAIN: Any attached roof covering added to the accessory structure will be included in the -- you're saying included in the 350 square feet.

COMMISSIONER EBERT: Correct.

CHAIRMAN STRAIN: The height of an accessory use is limited to 15 feet.

COMMISSIONER EBERT: Fifteen feet.

CHAIRMAN STRAIN: We're not going to use the new paragraph, we're going to use the existing paragraph, but change the square footage to the 350, inclusive of all roof overhangs. Is that consistent?

COMMISSIONER EBERT: Yes.

CHAIRMAN STRAIN: And then the new accessory use is to include the footprint of the existing utility storage use and not encroach into the side setback of the existing -- past the existing structure.

COMMISSIONER EBERT: Correct.

CHAIRMAN STRAIN: Okay, do you accept all those too?

COMMISSIONER CHRZANOWSKI: Yeah.

CHAIRMAN STRAIN: Okay. Now, is there any discussion further from the board?

COMMISSIONER CHRZANOWSKI: Yeah, I have a question. Could I see that artist rendering again, the photo shop?

MS. ASHTON-CICKO: Mr. Chair?

CHAIRMAN STRAIN: Yes.

MS. ASHTON-CICKO: On your condition that the structure shall not be a primary dwelling unit, could we just say it's not -- the structure shall not be a dwelling unit? Because the definition of dwelling unit, you know, includes sleeping --

CHAIRMAN STRAIN: Excellent.

MS. ASHTON-CICKO: -- and that would be a conflict.

CHAIRMAN STRAIN: No, that's great. Thank you, Heidi. Yeah, so we'll change that. Is that okay with the first and second?

COMMISSIONER EBERT: Yes.

COMMISSIONER CHRZANOWSKI: Yeah.

CHAIRMAN STRAIN: Okay.

COMMISSIONER CHRZANOWSKI: Not including the porte cochere, looking back at the roof, how much do you think the roof overhangs the structure?

MR. BRANENBURG: Sixteen inches.

COMMISSIONER CHRZANOWSKI: So 16 inches. And you've got -- if it's a 320 it's 16x20, which is what, 36, 72 feet around?

MR. BRANENBURG: Okay.

COMMISSIONER CHRZANOWSKI: Times 16 inches is going to be roughly 100 square feet.

Do we include that -- since we don't want to include the porte cochere, is the roof overhang included in that?

CHAIRMAN STRAIN: That's the motion maker.

From your measurements it's --

MR. BRANENBURG: Our measurements are exactly the footprint as it sits on the foundation.

COMMISSIONER CHRZANOWSKI: I know.

MR. BRANENBURG: Does not -- our dimensions do not include an 18-inch eave around there, so

--

COMMISSIONER CHRZANOWSKI: I know, but I heard something about roof overhang mentioned. And, you know, check my math, but 20x16, 36 times two is --

MR. BRANENBURG: We're only representing we would have the 16-inch eaves outside the --

COMMISSIONER CHRZANOWSKI: The question is not geared toward you as much as toward my fellow commissioners.

MR. THORNTON: I think what we would hope to get does not include the eaves but do include the porte cochere. I think that's --

CHAIRMAN STRAIN: The eaves add another what, how many square feet?

COMMISSIONER CHRZANOWSKI: Well, 16 is --

CHAIRMAN STRAIN: 1.5 times --

COMMISSIONER CHRZANOWSKI: -- .25 times 72, which is going to be about 90 or so.

CHAIRMAN STRAIN: Yeah, I was going to say, about 100 square foot more just by the eaves. So those aren't included in our footprint measurement.

MR. BRANENBURG: That's correct.

COMMISSIONER CHRZANOWSKI: And the porte cochere is measured from the edge of the eave out --

MR. BRANENBURG: That's correct.

COMMISSIONER CHRZANOWSKI: -- not from this structure.

MR. BRANENBURG: That's how we interpret it.

COMMISSIONER CHRZANOWSKI: Okay, good.

CHAIRMAN STRAIN: Okay, is there any discussion --

COMMISSIONER HOMIAK: So then what's the total?

CHAIRMAN STRAIN: Well, the total would be, based on Diane's recommendation, it would be 350 square feet, including any porte cochere but not including the roof overhang.

COMMISSIONER EBERT: No, every roof has an overhang.

CHAIRMAN STRAIN: Okay. That's just a point of clarification Stan was trying to make.

COMMISSIONER EBERT: Yeah, you're right.

CHAIRMAN STRAIN: Stan, you're on the same page?

COMMISSIONER CHRZANOWSKI: Yes.

COMMISSIONER EBERT: Every roof has an overhang, correct?

COMMISSIONER CHRZANOWSKI: I heard the term overhang mentioned and I kind of got confused between that and the porte cochere, and I wanted to make sure that it wasn't the roof overhang.

CHAIRMAN STRAIN: Okay, with that I guess we'll call for the -- any further discussion?

(No response.)

CHAIRMAN STRAIN: Well, from my part, I had expected to approve this today in some manner or form, but I didn't -- I cannot approve it at the full 350 square feet. That's almost -- with the roof overhang, now that we mentioned that, it's over six times the size normally allowed by the code.

I agree that they should have some increases. I was looking for a compromise. And this is -- I mean, we're doing things that help assure the compatibility. We would have done those anyway.

So with that in mind, I will not be able to support this motion because it's under the PUD findings item three, conforming to proposed planned unit developments with the goals, objectives and the policies of the GMC. I feel it's inconsistent because of compatibility based on its size for the internal compatibility of the units.

Number four: The internal and external compatibility proposed uses which conditions may include restrictions on location of improvements, restrictions on design and buffering on screening requirements. At 350 square feet I believe that it's still too large to be compatible, even with the buffering requirements, especially if they're on the other property.

Whether proposed change will adversely influence living conditions in the neighborhood. I believe that size structure would negatively impact it because of the potential uses that size structure could dictate.

And whether the change suggested is out of scale with the needs of the neighborhood or the county. It's six to seven times bigger than the maximum allowed by code. And I think that is definitely out of scale with our code at this point.

And that's my reasons for voting denial.

I don't know if anybody else had any comments. If not, I'll call for the motion.

All those in favor of the motion, please signify by raising your hand and saying aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

CHAIRMAN STRAIN: Two in favor.

All those against, same sign.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER DOYLE: Aye.

CHAIRMAN STRAIN: Motion fails 5-2.

Is there an alternative motion?

COMMISSIONER EBERT: What do you want to bring it down to, 308, 320? I mean, you have to

--

CHAIRMAN STRAIN: With everything, the porte cacheres, roof overhangs, that is something that every roof has and so I don't want to take that into consideration, but it's a good point to make. But if we were to include whether the porte cacheres are not at the 300 and -- 300 square footage, that's a little bit of a compromise. We've put enough buffers in to make it more compatible. And I -- with the stipulations, I'd be willing to go along at 300 square feet. Because that would include --

COMMISSIONER HOMIAK: So all-inclusive?

CHAIRMAN STRAIN: -- the roof overhangs. All-inclusive everything.

COMMISSIONER HOMIAK: Three hundred feet all-inclusive.

CHAIRMAN STRAIN: Right.

COMMISSIONER ROMAN: Now, there was a building both at I think 308 and 280. Does that make a difference when they were doing those dimensions and what the contractor had proposed? There was one at 280 and one at 308, as I recall. That's not up on the screen, but did I have that right?

MR. BRANENBURG: You're correct. And the difference between -- it was a 14-foot wide structure, but one was 22 and one was --

CHAIRMAN STRAIN: Eight feet is --

MR. BRANENBURG: One was 20 and one was --

CHAIRMAN STRAIN: 308 would be fine. I think that we could -- I think 308 would work.

COMMISSIONER HOMIAK: That's all-inclusive.

CHAIRMAN STRAIN: All-inclusive of the porte cochere but not -- the roof overhangs don't count.

COMMISSIONER HOMIAK: So it's going to be like 250 or less than that size.

CHAIRMAN STRAIN: Well, if you put the porte cochere on, you'll be reducing it down from 308 down to 250 or 260, somewhere around there.

And that's I think a compromise that might survive. So I'm offering that as a motion with the stipulations previously announced.

COMMISSIONER EBERT: Okay, the 308, we can compromise on that. Most people probably won't put the porte cochere on now, but --

CHAIRMAN STRAIN: Okay, so is that a second to the motion?

COMMISSIONER EBERT: I'll second your motion, Mark.

CHAIRMAN STRAIN: Okay, motion made for 308, seconded by Diane. Motion maker and the second agree to the previously read stipulations?

COMMISSIONER EBERT: Um-hum.

CHAIRMAN STRAIN: Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER DOYLE: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed --

COMMISSIONER CHRZANOWSKI: One thing in the discussion. I know this is going to turn out to be a unanimous vote, but I would have gone with the 320. Is there a way to note that, that it's kind of unanimous -- I'll go with the 308, not a problem, but I would have gone to the 320.

MR. BELLOWS: For the record, we can include in the executive summary that two commissioners were in favor of a larger structure.

COMMISSIONER CHRZANOWSKI: Good.

CHAIRMAN STRAIN: That's fine. So we're at 308. I'll call the motion again to be clear.

Everybody in favor, signify by saying aye.

COMMISSIONER DOYLE: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

COMMISSIONER ROSEN: Eye.

CHAIRMAN STRAIN: Motion carries 6-1.

Thank you all, I appreciate your time today. That is the end of our hearing. And this will go forward to the Board of County Commissioners with a recommendation of approval.

Thank you.

There's no old or new business, so is there is a motion to adjourn?

COMMISSIONER EBERT: I make a --

COMMISSIONER ROMAN: So moved.

CHAIRMAN STRAIN: Made by Charlette, seconded by Diane. All in favor, signify by saying aye.

COMMISSIONER DOYLE: Aye.

COMMISSIONER EBERT: Aye.

COMMISSIONER ROSEN: Aye.

COMMISSIONER CHRZANOWSKI: Aye.

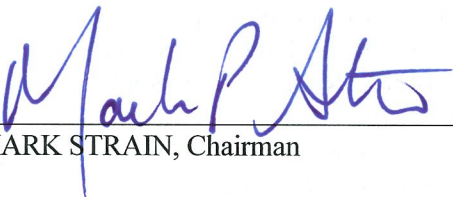
CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 12:25 p.m.

COLLIER COUNTY PLANNING COMMISSION



MARK STRAIN, Chairman

These minutes approved by the board on 1-2-14 as presented or as corrected _____.

Transcript prepared on behalf of Gregory Reporting Service, Inc.,
by Cherie' R. Nottingham.