

## AGENDA

### THE COLLIER COUNTY HEARING EXAMINER

WILL HOLD A HEARING AT 9:00 AM ON THURSDAY, OCTOBER 23, 2014 IN CONFERENCE ROOM 610 AT THE GROWTH MANAGEMENT DIVISION BUILDING, 2800 N. HORSESHOE DRIVE, NAPLES, FLORIDA

INDIVIDUAL SPEAKERS WILL BE LIMITED TO 5 MINUTES UNLESS OTHERWISE WAIVED BY THE HEARING EXAMINER. PERSONS WISHING TO HAVE WRITTEN OR GRAPHIC MATERIALS INCLUDED IN THE HEARING REPORT PACKETS MUST HAVE THAT MATERIAL SUBMITTED TO COUNTY STAFF 10 DAYS PRIOR TO THE HEARING. ALL MATERIALS USED DURING PRESENTATION AT THE HEARING WILL BECOME A PERMANENT PART OF THE RECORD.

ANY PERSON WHO DECIDES TO APPEAL A DECISION OF THE HEARING EXAMINER WILL NEED A RECORD OF THE PROCEEDINGS PERTAINING THERETO, AND THEREFORE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. DECISIONS OF THE HEARING EXAMINER ARE FINAL UNLESS APPEALED TO THE BOARD OF COUNTY COMMISSIONERS.

HEARING PROCEDURES WILL PROVIDE FOR PRESENTATION BY THE APPLICANT, PRESENTATION BY STAFF, PUBLIC COMMENT AND APPLICANT REBUTTAL. THE HEARING EXAMINER WILL RENDER A DECISION WITHIN 30 DAYS. PERSONS WISHING TO RECEIVE A COPY OF THE DECISION BY MAIL MAY SUPPLY COUNTY STAFF WITH THEIR NAME, ADDRESS, AND A STAMPED, SELF-ADDRESSED ENVELOPE FOR THAT PURPOSE. PERSONS WISHING TO RECEIVE AN ELECTRONIC COPY OF THE DECISION MAY SUPPLY THEIR EMAIL ADDRESS.

1. PLEDGE OF ALLEGIANCE
2. REVIEW OF AGENDA
3. APPROVAL OF PRIOR MEETING MINUTES
4. ADVERTISED PUBLIC HEARINGS:
  - A. **PETITION NO. PDI-PL20140001221** – **Petitioner, Mercato Residences LLC**, requests an insubstantial change to Ordinance No. 05-58, the **Mercato Mixed Use Planned Unit Development (“MPUD”)**, to revise the development standards for zero lot line units in the “R” Residential Development Areas including a reduction in the minimum building separation to ten feet; to add Exhibit G, Residential Street Cross Section and to add deviations to reduce the 60-foot local road to a 24-foot access easement and to allow windows along portions of the principal building that is on the zero setback line. The subject property consists of 53± acres of land located at the northeast corner of Vanderbilt Beach Road and Tamiami Trail North in Section 34, Township 48 South, Range 25 East, Collier County, Florida. [Kay Deselem, AICP, Principal Planner]

- B. PETITION NO. PUD-CUD-PL20140001769 – Mathworks Tutoring LLC** requests affirmation of a zoning verification letter issued by the Planning and Zoning Department pursuant to LDC Section 10.02.06, in which County staff determined that the proposed use of Tutoring (Sic Code 8299) is comparable in nature to other permitted uses for commercial development in the Activity Center District under Section 6.3 of the **Pelican Strand Planned Unit Development**, Ordinance No. 02-57. The subject property is located at the northeast corner of Immokalee Road and Strand Boulevard in Section 19, Township 48 South, Range 26 East, Collier County, Florida. [Nancy Gundlach, AICP, PLA, Principal Planner]
- C. PETITION NO. SV-PL20140001193 – Aster at Lely Apartments, LLC** requests a variance from Section 5.06.02.B of the Land Development Code to allow up to 60 square feet of combined copy area on the shared use monument sign for property located at the southwest corner of Collier Boulevard and Lely Cultural Parkway in **the Lely Resort PUD** in Section 22, Township 50 South, Range 26 East, Collier County, Florida. [Nancy Gundlach, AICP, PLA, Principal Planner]
- D. PETITION NO. BD-PL20140000455 – James and Rhonda Kabcenell** request approval to construct a tiki hut on an existing single-family boat dock, for a total protrusion of 18.6 feet into the waterway, not to exceed the 20-foot limitation for covered dock structures in LDC Section 5.03.06, for the benefit of Lot 29, Block C, **Conner’s Vanderbilt Beach Estates**, Unit No. 1 subdivision, also described as **290 Channel Drive** in Section 29, Township 48 South, Range 25 East, Collier County, Florida. [Fred Reischl, AICP, Principal Planner]
- E. PETITION NO. DRD-PL20130002373 – 7-Eleven, Inc.** requests approval of a site plan with deviations pursuant to LDC Section 10.02.03.F and seeks relief from LDC Section 5.05.05.B.1 “Table of Site Design Requirements”, which requires a front yard of 50 feet for Automobile Service Stations, to instead allow a front yard of 25 feet. The subject property is located on the east side of Tamiami Trail North (US Highway 41) at the intersection of Granada Boulevard in Section 15, Township 49 South, Range 25 East, Collier County, Florida. [Coordinator: Fred Reischl, AICP, Principal Planner]

3. OTHER BUSINESS

4. ADJOURN