

February 12, 2015 HEX Meeting

TRANSCRIPT OF THE MEETING OF THE  
COLLIER COUNTY HEARING EXAMINER  
Naples, Florida  
February 12, 2015

LET IT BE REMEMBERED, that the Collier County Hearing Examiner, in and for the County of Collier, having conducted business herein, met on this date at 9:00 a.m., in REGULAR SESSION at 2800 North Horseshoe Drive, Room 609/610, Naples, Florida, with the following people present:

HEARING EXAMINER MARK STRAIN

Also Present: Heidi Ashton-Cicko, Managing Assistant County Attorney  
Ray Bellows, Zoning Manager

PROCEEDINGS:

HEARING EXAMINER STRAIN: Good morning, everyone. Welcome to the Thursday, February 12th meeting of the Office of the Hearing Examiner.

If everybody will please rise for the Pledge of Allegiance.

(The Pledge of Allegiance was recited in unison.)

HEARING EXAMINER STRAIN: Thank you.

Some housekeeping matters to announce. Individual speakers will be limited to five minutes unless otherwise waived. Decisions are final unless appealed to the Board of County Commissioners, and the decision will be rendered within 30 days. Usually it's a lot less than that.

Review of the agenda. We had two items on today's agenda. The second one, which is Item 4B, was Petition No. PDI-PL20140002103. It's CDC Land Investments, and it's involving the Sabal Bay Mixed Use Planned Development.

At the request of the petitioner, that particular item has been -- he's requested a continuance to March 12th. That continuance is granted.

Is there any members of the public today here for the Sabal Bay project?

(No response.)

HEARING EXAMINER STRAIN: Okay. There were two people that came in a little while ago. I spoke to them before the meeting and explained to them what was going on. They didn't have any issues, but they'll come back on March 12th if they do.

With that, we will move on to the next agenda item. And, by the way, I provided the court reporter with the request for the continuance that came in, and she'll make it part of the record.

The prior minutes of January 8th and January 22nd, I have reviewed both of those packages, and both of the minutes are okay to record.

So we'll move into our first advertised public hearing. It's Petition No. PDI-PL20140002735, WCI Communities, LLC, for the Lands End Preserve Planned Unit Development.

All those wishing to testify on behalf of this item, please rise to be sworn in by the court reporter.

(The speakers were duly sworn and indicated in the affirmative.)

HEARING EXAMINER STRAIN: Okay. Disclosures on my part, I have spoken with the applicant, I have spoken with various members of staff, and I've reviewed all the historical files on the project, which there were plenty.

The exhibits for the application will be -- Exhibit A will be the staff report and Exhibit B will be the legal ad. And I have reviewed the entire staff report and all the attachments.

Are there any members of the public here that wish to speak on the Lands End project?

(No response.)

HEARING EXAMINER STRAIN: Okay. Wayne, since I have reviewed everything and there are no members of the public here for your project, I don't need a formal presentation unless you feel like making one, or I can ask the questions I have. It's up to you.

MR. ARNOLD: For the record, I'm Wayne Arnold with Grady Minor. And I don't have a formal presentation for you unless you wish me to make one. But clarifying our request, we were seeking an insubstantial change to the PUD to modify development standards for residential development types to allow for five-foot side yard setback and, for zero lot line product, to allow windows. And our request originally had doors for the zero lot line side. And after discussion with you and staff, we are withdrawing the request to have doors on the zero side. It would only be for windows, which has been a fairly common deviation approved for other PUDs.

HEARING EXAMINER STRAIN: And as we talked, I'm glad you did that. I had a series of witnesses that would have to testify in regards to the issue of the doors. I told them after I spoke with you they didn't need to come here today, that it was a non-issue.

My series of questions, of which I had quite a few, all centered around that. And since that's withdrawn, I don't have any further questions or comments. Your application is typical to others that have

been applied for the same issue.

So with that, if there's no one else that wants to speak on this matter?

(No response.)

HEARING EXAMINER STRAIN: Okay. We'll end the hearing on that issue. And within 30 days -- probably within a week or so, you'll have a decision rendered.

MR. ARNOLD: Thank you.

HEARING EXAMINER STRAIN: And that takes us to the end of the agenda, although I saw a member of the public walk in. And I think you missed the earlier announcement. Sir, if you're here for the Sabal Bay project.

UNIDENTIFIED SPEAKER: (Shakes head.)

HEARING EXAMINER STRAIN: Okay. I didn't know if you were or not. With that, this meeting is adjourned. Thank you.

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There being no further business for the good of the County, the meeting was adjourned by order of the Hearing Examiner at 9:05 a.m.

COLLIER COUNTY HEARING EXAMINER

  
MARK STRAIN, HEARING EXAMINER

ATTEST:

DWIGHT E. BROCK, CLERK

These minutes approved by the Hearing Examiner on 3-12-2015, as presented \_\_\_\_\_  
or as corrected .

TRANSCRIPT PREPARED ON BEHALF OF  
GREGORY COURT REPORTING SERVICE, INC.  
BY TERRI LEWIS, COURT REPORTER AND NOTARY PUBLIC.