

AGENDA

THE COLLIER COUNTY HEARING EXAMINER

WILL HOLD A HEARING AT 9:00 AM ON THURSDAY, **MARCH 26, 2015** 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: February 26, 2015
4. ADVERTISED PUBLIC HEARINGS:
 - A. **PETITION NO. VA-PL20140002843 – DR Horton, Inc.** requests an after-the-fact variance from Section 3.05.07.H.3 of the Land Development Code to reduce the principle structure preserve setback line from 25 feet to 11.48 feet on the side yard of a permitted single-family dwelling unit currently under construction, located at **Turnbury Preserve Lot 1**, also described as **305 Turnbury Way**, in Section 24, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: Nancy Gundlach, AICP, PLA, Principal Planner]
 - B. **PETITION NO. PETITION NO. ZVL (CUD)–PL20150000116 – Creekside East, Inc.** 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 a retail doughnut shop (SIC 5461) without a drive-thru window is comparable in nature to other permitted principal uses in the Business District under Section 4.3.A of the **Creekside Commerce Park Commercial Planned Unit Development (CPUD)**, Ordinance No. 2006-50, as amended. The subject property is located on the southeast corner of Immokalee Road (C.R. 846) and Goodlette-Frank Road (C.R. 851) in Section 27, Township 48 South, Range 25 East, Collier County, Florida, consisting of 7.81 acres. [Coordinator: Fred Reischl, AICP, Principal Planner]

- C. PETITION NO. DRD-PL20130002395** – Petitioner, **Green Store #108**, on behalf of property owners Steve and Dorothy Lefes, 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, which requires a 50-foot front yard setback for automobile service stations, to instead allow a 30-foot front yard setback from U.S. 41, to accommodate the replacement of the old gas pump canopy with a new, larger gas pump canopy over the existing gas pumps for a gas station redevelopment project within the Commercial Convenience (C-2) zoning district, located on the northwest quadrant of the intersection of Tamiami Trail East (U.S. 41) and Joseph Lane in Section 12, Township 51 South, Range 26 East, Collier County, Florida, consisting of 6.29 acres. [Coordinator: Fred Reischl, AICP, Principal Planner]
- D. PETITION NO. DR – PL20140001595** – Petitioner, **Legal Aid Service of Broward County, Inc.**, requests approval of a site plan with deviations pursuant to LDC Section 10.02.03.F and seeks relief from LDC Section 4.02.01, Table 2.1, which requires a 15 foot side yard setback; LDC Section 4.06.02, which requires the minimum buffer width area; LDC Section 4.06.03 B, which requires a minimum terminal landscape island width of 8 feet; LDC Section 4.06.05 H.2.b, which prohibits parking lot/pole lighting in landscape islands with trees; LDC Section 5.03.02 H, which requires a wall between residential and nonresidential development; LDC Section 5.05.08 C.4.a, which requires minimum variations in massing on façades of large buildings; LDC Section 5.05.08 C.4.b, which prohibits buildings subject to projections and recesses from having a single wall plane exceeding 60% of each façade; LDC Section 5.05.08 C.8.b, which prohibits blank, opaque wall areas greater than 10 feet vertically and 20 feet horizontally; LDC Section 5.05.08 C.10.b, which requires minimum roof treatments and design standards for buildings larger than 5,000 sq. ft.; LDC Section 5.05.08 C.10.c, which requires a flat roof screened with a parapet wall on any façade to have a parapet treatment extend along the remaining façades; LDC Section 5.05.08 C.12.b, which requires the front entry of a single-tenant building to be set back a minimum of 15 feet from a parking area; and LDC Section 5.05.08 E.2.f, which requires a continuous building perimeter path interconnecting all building entrances and exits, for a legal aid services redevelopment project consisting of 1.24± acres of land, located on Lots 22-24 and 64-66 of Pineland on the Trail subdivision, also described as 4436 Tamiami Trail East, in Section 13, Township 50 South, Range 25 East, Collier County, Florida. [Coordinator: Mike Sawyer, Project Manager]
- E. PETITION NO. PDI-PL20140000859** – **RaceTrac Petroleum, Inc.** requests an insubstantial change to Ordinance No. 99-91, the **Sierra Meadows PUD**, to amend Section IV, the Commercial District, by adding deviations from LDC Section 5.05.05.C.2.c, to allow one gas station ground sign in excess of the maximum 8-foot height and 60-square foot sign area; from LDC Section 5.05.05.C.2.b, to allow one illuminated corporate logo on a gas station canopy face in excess of the maximum 12-square foot sign area, and one additional corporate logo on a canopy face that is not adjacent to a dedicated street; from LDC Section 5.06.04.F.4, to allow a nonresidential single-occupancy parcel with double frontage to have more than the maximum 2 wall signs, and to be located on more than the maximum 1 wall; from LDC Section 4.06.03.B.2, to allow parking rows to contain more than the maximum 10 consecutive parking spaces between required landscape islands; from LDC Section 5.05.08.C.6, to allow false windows as one of the required primary design standards for a building façade; from LDC Section 5.06.04.F.1.f.i.a, to allow one non-residential ground sign to be placed closer than the minimum 10 feet from a property line; and from LDC Section 5.06.04.F.4.e, to allow a non-residential, non-illuminated, non-reflective window sign to cover more than the maximum 25-percent of the window area. The subject property consists of 1.97± acres, located on the southwest corner of the Collier Boulevard (CR 951) and Rattlesnake Hammock Road intersection, in Section 22, Township 50 South, Range 26 East, Collier County, Florida. [Coordinator: Mike Sawyer, Project Manager]

5. OTHER BUSINESS
6. PUBLIC COMMENTS
7. ADJOURN