

AGENDA

THE COLLIER COUNTY HEARING EXAMINER

WILL HOLD A HEARING AT 9:00 AM ON THURSDAY, **DECEMBER 13, 2018** IN CONFERENCE ROOM 610 AT THE GROWTH MANAGEMENT DEPARTMENT/PLANNING & REGULATION 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. ADVERTISED PUBLIC HEARINGS:

- A. **PETITION NO. PDI-PL20180001658** – **Maplewood Homeowners' Association, Inc.** requests an insubstantial change to Ordinance Number 93-84, as amended, the Maplewood PUD, to add a new deviation relating to maximum wall height, for the PUD property consisting of 64.48± acres, located on the north side of Radio Road, approximately one quarter mile east of Livingston Road, in Section 31, Township 49 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner]

- B. **PETITION NO. CUD-PL20180002589** – **Brentwood Land Partners, LLC** requests affirmation of a zoning verification letter issued by the Planning and Zoning Division pursuant to LDC Section 10.02.06, in which County staff determined that the proposed uses of physical fitness facilities (SIC 7991), and used merchandise stores (SIC 5932) with the exception of pawn shops, are comparable in nature to those commercial uses permitted in Section 4.3 of the Malibu Lake

MPUD, Ordinance No. 05-10, as amended. The subject property is located in the southeast quadrant of the I-75 and Immokalee Road intersection, in Section 30, Township 48 South, Range 26 East, Collier County, Florida. [Coordinator: Gilbert Martinez, Principal Planner]

- C. PETITION NO. VA-PL20160002426 – Florida Power & Light** requests a variance from LDC Section 5.05.09.G.2.a to reduce the separation distances from Planned Unit Development (PUD) zoning for a wireless communications tower including the east setback from 250 feet to 154 feet, the south setback from 250 feet to 245 feet, and the north setback from 250 feet to 105 feet, and a variance from LDC Section 4.02.01.A, Table 2.1 to reduce the eastern side yard setback for the eastern-most cell tower equipment compound area from 30 feet to 4 feet, to allow for replacement of a utility pole and collocation of wireless communications facilities on property zoned Agricultural and located at 4995 Davis Boulevard in Section 6, Township 50 South, Range 26 East, Collier County, Florida. [Coordinator: James Sabo, AICP, Principal Planner]
- D. PETITION NO. PDI-PL20160003246 – Rigby Enterprises, LLC** requests an insubstantial change to Resolution Number R-73-22-C which established the Naples Bath and Tennis Club Planned Unit Development, as amended by Ordinance Numbers 74-47, 75-48, 81-61, 10-05 and 14-13, to add six deviations relating to entrance and boundary marker signage, for the PUD property consisting of 153.7 acres, located on Airport-Pulling Road, south of Pine Ridge Road, in Section 14, Township 49 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner]

4. OTHER BUSINESS

5. PUBLIC COMMENTS

6. ADJOURN