



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

REQUEST FOR OFFICIAL INTERPRETATION

LDC subsection 1.06.01 D

Chapter 4 G. of the Administrative Code

Initiation

Pursuant to LDC subsection 1.06.01 D.1.

An interpretation applies to any affected person, resident, developer, land owner, government agency or department, or any person having a contractual interest in land in Collier County.

Procedures

Submission of Request for Interpretation- Pursuant to LDC subsection 1.06.01 D.2 - D.3 and Ch. 4 G. of the Administrative Code

Each request must identify the specific Land Development Code or Florida Building Code citation to be interpreted. Each request for interpretation must be accompanied by the appropriate fee as set forth in the fee resolution adopted by the Board of County Commissioners. Under no circumstances may the request for interpretation contain more than three issues or questions. It must not contain a single question with more than three sub-issues or questions. If it is determined by the County Manager or designee that the request for interpretation contains more than 3 issues, the applicant will be required to submit a separate request accompanied by the applicable fees.

Determination of Completeness- Pursuant to Ch. 4 G. of the Administrative Code

After receipt of a request for interpretation, the County Manager or designee must determine whether the request is complete. If the appropriate official determines that the request is not complete, he must serve a written notice on the applicant specifying the deficiencies. The appropriate official will take no further action on the request for interpretation until the deficiencies are remedied.

Notification of Affected Property Owner- Pursuant to Ch. 4 G. of the Administrative Code

Where a site specific interpretation has been requested by a party other than the affected property owner, Collier County shall notify the property owner that an interpretation has been requested concerning their property.

Rendering of Interpretation- Pursuant to Ch. 4 G. of the Administrative Code

After the request for interpretation has been determined complete, the County Manager or designee shall review and evaluate the request in light of the Growth Management Plan, the Future Land Use Map, the LDC and/or the official zoning atlas, and Florida Building Code related matters, whichever is applicable, and render an interpretation. The County Manager or designee may consult with the County Attorney and other County departments before rendering an



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interpretation. Prior to the release to the applicant of any interpretation, the interpretation shall be reviewed by the County Attorney for legal form and sufficiency.

Notice- Pursuant to LDC subsection 1.06.01 D.4

The interpretation shall be in writing and shall be sent to the applicant by certified mail return receipt requested. Public notice procedures are identified in LDC subsection 10.03.06 P.

FORM

Official Record- Pursuant to Ch. 4 G. of the Administrative Code

The County Manager or designee shall maintain an official record of all interpretations rendered. The official interpretations shall be available for public inspection during normal business hours.

Notice of Interpretation- Pursuant to LDC subsection 10.03.06 P. and Ch. 4 G. of the Administrative Code

The County Manager or designee shall provide public notification upon the issuance of an interpretation. For general interpretations of the Florida Building Code, Growth Management Plan or Land Development Code, notice of the interpretation and appeal time-frame shall be advertised in a newspaper of general circulation in the County. For interpretations affecting a specific parcel of land, notice of the interpretation and appeal time-frame shall be advertised in a newspaper of general circulation, and a mailed notice of the interpretation shall be sent to all property owners within 300 feet of the property lines of the land for which the interpretation is effective.

Effective Time Limits of an Interpretation- Pursuant to LDC subsection 1.06.01 D.5

An interpretation rendered by the County Manager or designee shall remain in effect until the appropriate LDC section is amended to clarify the applicable provision or provisions which warranted the interpretation, or until such time as the interpretation is adopted, modified, or rejected as a result of an appeal to the Board of Zoning Appeals and/or the Building Board of Adjustments and Appeals, by the applicant or other individual or entity identified in LDC section 1.06.01 D.1. From the time the interpretation is rendered and the time the appropriate LDC section is amended, or in the case of an appeal, until such time as the Board of Zoning Appeals and/or Building Board of Adjustments and Appeals has rendered its finding, no further request for interpretation regarding the same issue shall be permitted.

APPEALS

See Chapter 4 G. of the Administrative Code for information regarding an appeal of an official interpretation.



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SUBMITTAL REQUIREMENTS

See Chapter 4 G. of the Administrative Code for submittal requirements. The application must include the following:

- Applicant contact information
- Request details, pursuant to LDC section 1.06.01:
 - Each request must identify the specific LDC citation to be interpreted; and
 - A request for interpretation may contain no more than 3 issues of questions. The request must not contain a single questions with more than three sub-issues or questions. If it is determined by the appropriate official that the request for interpretation contains more than three issues, the applicant will be required to submit a separate request accompanied by the applicable fees.
- The interpretation shall include justification for the request, providing for the applicant's interpretation of the LDC or Florida Building Code provision the request is centered upon.
- Electronic copies of all documents and forms.

Fee Requirements:

- Official Interpretation Request of Land Development Code (LDC), Growth Management Plan (GMP), or Building Construction Administrative Code, based on staff hours:
 - Less than 20 hours: \$1,500.00
 - 20 to 40 hours: \$3,000.00
 - More than 40 hours: \$5,000.00
- Estimated legal advertising fee: \$1,500.00

Requests for Official Interpretation should be addressed to:

Michael Bosi, Planning and Zoning Director
Growth Management Division/Planning and Regulation
2800 North Horseshoe Drive
Naples, FL 34104