

MINUTES OF THE COLLIER COUNTY  
DEVELOPMENT SERVICES ADVISORY COMMITTEE MEETING

Naples, Florida, December 4, 2019

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee in and for the County of Collier, having conducted business herein, met on this date at 3:00 P.M. in REGULAR SESSION at the Collier County Growth Management Department Building, Conference Room #609/610, 2800 N. Horseshoe Drive, Naples, Florida, with the following members present:

Chairman: William J. Varian  
Vice Chairman: Blair Foley  
David Dunnavant  
James E. Boughton  
Clay Brooker  
Chris Mitchell  
Robert Mulhere  
Mario Valle  
Norman Gentry (Excused)  
Marco Espinar  
Laura Spurgeon DeJohn  
Jeremy Sterk  
Jeff Curl  
John English  
Mark McLean

ALSO PRESENT: Jamie French, Deputy Department Head  
Eric Fey, Sr. Project Manager, Public Utilities  
Jeremy Frantz, LDC Manager  
Colleen Davidson, Code Enforcement Division  
Lorraine Lantz Transportation Planning  
Matt McLean, Director, Development Review  
Rich Long, Director, Plans Review and Inspections  
Ken Kovensky, Director, Operations and Regulatory Management

*Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Department.*

- I. **Call to Order - Chairman**  
**Chairman Varian** called the meeting to order at 3:04 p.m.
- II. **Approval of Agenda**  
*Mr. Foley moved to approve the Agenda. Second by Mr. Curl. Carried unanimously 9 - 0.*
- III. **Approval of Minutes from November 6, 2019 Meeting**  
*Mr. Foley moved to approve the minutes of the November 6, 2019 meeting as presented. Second by Mr. Curl. Carried unanimously 9 - 0.*
- IV. **Public Speakers**  
None
- V. **Staff Announcements/Updates**
  - A. **Code Enforcement Division update – [Mike Ossorio]**  
**Ms. Davidson** provided the report “*Code Enforcement Division Monthly Report October 22, – November 21, 2019 Highlights*” for informational purposes. She reported Investigator Steven Athey encountered an older man living alone without electricity or water during his patrols. The Division initiated an effort, including collecting donations to remediate the issue.  
  
*Mr. Dunnivant and Mr. Boughton arrived at 3:08 p.m.*
  - B. **Public Utilities Division update – [Tom Chmelik or designee]**  
**Mr. Fey** submitted the monthly report on response time for “*Letters of Availability, Utility Deviations and FDEP Permits*” for informational purposes. He noted staff shortages continue to be addressed and are affecting response times. The next Utility Standards Subcommittee meeting will be convened in January.
  - C. **Growth Management Department/Transportation Engineering and/or Planning – [Jay Ahmad or designee]**  
**Ms. Lantz** reported a study of Immokalee Road from Livingston Road to Logan Blvd. will be conducted to determine the measures needed to improve traffic flow in the area. This includes options such as improved signalization and timing, a Diverging Diamond, Continuous Flow Intersections, etc. The recommendations from the study are anticipated to be presented to the Board of County Commissioners (BCC) in the June of 2020 timeframe.
  - D. **County Fire Review update – [Shar Beddow and/or Shawn Hanson]**  
**Ms. Beddow** reported:
    - Turnaround times are as follows: Building Plan review – 2 days; Site Plan reviews – 2 days.
    - The Florida Fire Marshall’s held a conference last month with the focus of ensuring the code requirements are consistently applied in all areas of the State.
    - Investigation will occur to determine the feasibility of convening a “Hoarders Class” workshop for any interested party.

- The Collier and Lee County Fire Marshall Association Charity Clay/Skeet Shoot will be held this Saturday (December 7th) and there is space available for additional teams.

**E. North Naples Fire Review update – [Capt. Sean Lintz or Daniel Zunzunegui]**

**Capt. Lintz** reported turnaround times are as follows: Building Plan review 488 @ 5 days; Site Plan reviews 54 @ 3 days. A new policy has been established whereby after the 2<sup>nd</sup> rejection, a meeting is scheduled with the applicant to review the outstanding issues. An additional plan reviewer has been added to staff.

*The Committee requested Capt. Lintz to review the potential for applicants viewing the application status on the Department’s “Mobilize” system.*

*Mr. Valle arrived at 3:19 p.m.*

**F. Operations & Regulatory Mgmt. Division update [Ken Kovensky]**

**Mr. Kovensky** submitted the “*Collier County November 2019 Monthly Statistics*” which outlined the building plan and land development review activities. The following was noted during his report:

- Electronic submittals remain at 56 percent of activity.
- Staff is still in the testing phase for the credit card portal to be added to CityView.
- Staff continues to monitor response times for applications as the Committee reported some in the industry are expressing concerns. Staff noted the response time goal is 15 days from a “completed application.”

**G. Development Review Division update [Matt McLean]**

**Mr. McLean** reported:

- The County is looking into opportunities to improve device communication for inspectors in the field in some outlying areas, including installation of signal boosters.
- Review of the requirements for acceptance of utilities continues with the County Attorney providing input. Potentially, the preliminary phase of the process may be eliminated and the Subcommittee will be reconvened, when necessary, to provide input on the item.

*Mr. English arrived at 3:31 p.m.*

*Ms. Spurgeon DeJohn arrived at 3:32 p.m.*

- It appears some Engineers of Record are not inspecting sewer videos before they are submitted to the Division for review, leading to a waste of staff time. He requested those parties to view the videos, as required, prior to submission to determine if there are any issues needing to be addressed.

**VI. New Business**

**A. Minor Structures in Easements [Matt McLean]**

**Mr. McLean** provided the “*Permitting of Minor Structures in Utility, Drainage or Similar Easements*” and “*Easement Use Agreement*” for information purposes. He reported:

- The Subcommittee met on the issue of uses in drainage and maintenance easements and staff continues to work with the County Attorney on the matter.

- The use agreement would be executed by the landowner and County outlining the requirements for any use.
- Screening of mechanical equipment (wing walls, etc.) will be allowed and another concept is allowing uses in the blanket easements, except in areas where infrastructure is located (drain pipes, etc.)
- Staff hopes to present the item to the Board of County Commissioners in January and he requested feedback on the issue from the Committee.

During Committee discussion it was noted some items are still under review, such as landscaping and roof overhangs. The Committee is not scheduled to meet in January and some form of a recommendation should be crafted if the item is to be heard by the BCC before the DSAC convenes again.

***Mr. Mulhere moved to recommend the Board of County Commissioners approve the “Easement Use Agreement” subject to the Subcommittee recommendations and grant permission to the Subcommittee to meet one additional time to determine if any changes are necessary to the agreement before forwarding it to the BCC.***

**Mr. Brooker** expressed concern on Section #5 of the Agreement which holds the County harmless for certain liabilities, including personal injury or property damage during use of the easement by the County. He recommended clarification be provided on what if any ramifications the County would have if they damaged any structure, etc. allowed in the easement area while performing work; or if a County employee injures themselves or others.

***Mr. Mulhere amended the motion to authorize the Subcommittee to meet with staff to provide input on finalizing the agreement and return it to the full Committee for a recommendation. In the event the item is to be heard by the Board of County Commissioners prior to convening a meeting of the Development Services Advisory Committee, the Subcommittee recommendation shall be brought forth on behalf of the full Committee. Second by Mr. Valle. Carried unanimously 14 - 0.***

#### **B. LDC Amendments [Jeremy Frantz]**

##### **LDC Section to be Amended: 2.03.09 (Open Space Zoning Districts)**

The amendment eliminates seating limitation and expands the hours of operations for restaurants within the Golf Course and Recreational Use District (GC) when located within the Golden Gate City Economic Development Zone.

**Mr. Frantz** presented the proposed amendment noting:

- It’s been developed at the direction of the BCC and removes the 150 seating limitation and expands the hours of operation from 10:00 p.m. to 12:00 a.m. It is applicable to the Golden Gate City area only.
- There was a public information meeting held and it was relayed the use of the property should remain as a golf course and not converted to other uses.
- The Collier County Planning Commission reviewed the proposal and recommended the amendment not be adopted.

During Committee discussion the following was noted:

- The restriction that the area was to be retained as “green space” was repealed by a judicial ruling.
- Though the neighborhood may desire a golf course use, the zoning provides for other allowed and conditional uses.
- Concern the proposal may constitute spot zoning to accommodate a proposed use.

***Mr. Brooker moved for the Development Services Advisory Committee recommend to the Board of County Commissioners not adopt the proposed amendment. Second by Mr. Curl. Carried unanimously 13 – 0. Mr. McLean abstained.***

**Mr. French** noted staff was directed to prepare the proposed amendment by the BCC and a feasibility study is being developed for the property on which uses may want to be proposed for the site. These may include housing, hospital facilities, etc. which may be processed as a PUD not requiring a Land Development Code Amendment.

**VII. Old Business**

None

**VIII. Committee Member Comments**

None

**IX. Adjourn**

**Next Meeting**

**January 1, 2020 GMD Conference Room 610 – 3:00 pm - cancelled**

**February 5, 2020 GMD Conference Room 610 – 3:00 pm**

**March 4, 2020 GMD Conference Room 610 – 3:00 pm**

**April 1, 2020 GMD Conference Room 610 – 3:00 pm**

**May 6, 2020 GMD Conference Room 610 – 3:00 pm**

**There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 4:21 P.M.**

**COLLIER COUNTY DEVELOPMENT SERVICES  
ADVISORY COMMITTEE**

  
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**Chairman, William Varian**

These Minutes were approved by the Board/Chairman on 2/5/2020, as presented X, or as amended \_\_\_\_\_.