

TRANSCRIPT OF THE MEETING OF THE  
COLLIER COUNTY HEARING EXAMINER  
Naples, Florida  
November 12, 2020

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 ANDREW W.J. DICKMAN

ALSO PRESENT:

Raymond V. Bellows, Zoning Manager

Tim Finn, Principal Planner

John Kelly, Principal Planner

Parker Klopf, Principal Planner

Heidi Ashton-Cicko, Managing Assistant County Attorney

PROCEEDINGS

HEARING EXAMINER DICKMAN: Good morning, everyone. All right. Let's get settled down, everyone.

MR. FRANTZ: We have a live mic.

HEARING EXAMINER DICKMAN: If you would close all the doors, please. Don't lock them, just close them. All right. Jeremy, ready to go?

MR. FRANTZ: Ready to go.

HEARING EXAMINER DICKMAN: All right. Ready to go. Good morning, everyone. This is the hearing examiner public hearing for November 12th, 2020. Let's start off with the Pledge of Allegiance, if we can, please.

(The Pledge of Allegiance was recited in unison.)

HEARING EXAMINER DICKMAN: Okay. Great. If everyone would, please, turn off your cell phones, or anything else that make noises that would distract anyone, I'd appreciate that.

We are observing CDC Safety Guidelines with masks and separation. We've got hand sanitizer over there, and when you come up to the microphone you can take your mask off, if you want, but when you leave, please put it back on, and let's all try to stay safe and remain safe. My name is Andrew Dickman, and I'm the hearing examiner. I'm a practicing attorney. I was hired by the County Commission to be the hearing examiner. I've worked in -- practiced in land use and zoning and local government for over 20 years.

I am not necessarily an employee of the County, but I'm specifically here to run this hearing for specific items that have been dedicated in the code for hearing examiner evaluation.

What this -- this will be a quasi-judicial hearing. Generally speaking, I will be looking at due process, so I will be looking at the code and the law, and also looking at competent substantial evidence, i.e., facts relevant to the case.

I'm going to also ask everyone, since this is quasi-judicial, you have to be under oath if you are testifying. So what I'd like to do right now is go ahead and swear everybody in that's going to be speaking, and when you come up, if you could just state for the record whether you've been sworn -- whether you have been sworn in or not.

Okay. So, Court Reporter, if you could administer the oath.

(All parties were duly sworn and answered in the affirmative.)

HEARING EXAMINER DICKMAN: Great. Start off with changes to the agenda. I know we have one request for a continuance. Mr. Bellows, can you take care of that, please?

MR. BELLWS: Yes. It's Agenda Item 3C, it's VA-PL20190002701. It's a variance for a communication tower. The applicant has requested a continuance to the December 10th HEX meeting.

HEARING EXAMINER DICKMAN: Okay. Great. Is anyone here for the applicant, and anybody here for -- I know there's been some -- I've received some e-mails and letters. I'm inclined to grant the continuance, but I would like to have on the record anyone here regarding that?

MR. FRANTZ: We have a number of speaker slips for people registered for this item, and we may have some folks in the hallway, and one of the conference rooms, too. We may want to give people a second to move into this room.

HEARING EXAMINER DICKMAN: Right. We're not going to hear everyone. I was hoping they had a representative that would be able to listen to this, but more importantly, do we have the applicant, or this applicant's representative on the line?

MR. FRANTZ: I think we're trying to get ahold of the applicant's representative, and I think's there's representation for the opposition as well.

HEARING EXAMINER DICKMAN: Why don't we -- I'm going to go ahead and put -- have -- do we have anyone here from Mr. Wright, Attorney Wright or anybody? Why don't we bring in somebody from the neighborhood? Ask them to send one representative in here.

COUNTY STAFF: Which item, sir?

HEARING EXAMINER DICKMAN: Item 3C. And you are?

MR. LEWIS: May I approach?

HEARING EXAMINER DICKMAN: Sure. Yes. Come on up. State your name for the record.

MR. LEWIS: Morning, Hearing Examiner Dickman. My name is Doug Lewis. I represent Mr. Shirk and Mr. Smith. They are the owners that are adjacent to the west, directly from the 15-acre parcel. We're here today. It was noticed. We have an ASIP planner.

HEARING EXAMINER DICKMAN: Okay.

MR. LEWIS: We want to know why -- we are a little puzzled why the applicant noticed for today and now they're continuing, so we would like an answer, and we do need to look at the schedule, as an affected property owner, make sure that we're here and prepared.

HEARING EXAMINER DICKMAN: You are counsel here representing opposition?

MR. LEWIS: Correct.

HEARING EXAMINER DICKMAN: Okay. Great. That's who we needed in here, so great. Mr. Bellows, what was the justification they presented?

MR. BELLOWS: Yeah. For the record, Ray Bellows. The applicant's e-mail requesting a continuance indicated they wanted to provide additional information for the hearing examiner's consideration that didn't make it into the packet.

HEARING EXAMINER DICKMAN: Okay. Is that something that you would recommend a continuance? Would additional information be helpful?

MR. BELLOWS: I think it would, given the level of concern raised by the presence in the hearing.

HEARING EXAMINER DICKMAN: Okay. I think it would be in your best interest actually to have everything that is presented, so I'm inclined to grant the continuance. If you can, please, let everybody else know. I appreciate you're here, but I think it would be in everyone's best interest to have the entire packet.

I don't know if you have all the communication -- well, there has been a lot of communication I've received on this item, and I'd rather, since it is -- there are a lot of parties that are involved in this, I'd really like to have a full hearing on this, and not have anybody feel like they haven't seen everything.

MR. LEWIS: I appreciate that. I appreciate that. I understand the sentiment. My only request would be I need to make sure we can get here on the 10th, our consultants and the client. We have several parties.

My only request if we are unable as an affected property owner to accommodate, you know, the request for the petitioner, we would like to have the option to have that hearing in January, if we can do that as well.

HEARING EXAMINER DICKMAN: What was the date that the applicant is requesting?

MR. BELLOWS: December 10th, which is the only HEX meeting in December.

HEARING EXAMINER DICKMAN: December and then in January. Are you saying your experts are not available?

MR. LEWIS: We're just learning about the continuance this morning. It was noticed by the applicant. We're here. We're ready to go. I need to make sure, to your point, that we have everybody here and have the information.

HEARING EXAMINER DICKMAN: Why don't we deal with that on the hearing in December, and if for some reason communicate with staff, you know, if you are an interested party that you -- you're a lawyer; correct?

MR. LEWIS: Correct.

HEARING EXAMINER DICKMAN: In good faith let us know about that, and I'll take that into consideration. I'm going to continue this item to the December --

MR. BELLOWS: 10th.

HEARING EXAMINER DICKMAN: -- 10th, which is date, time certain, and maybe -- I don't know what the agenda is for the 10th. Is that a crowded agenda?

MR. FRANTZ: (Shook head negatively.)

HEARING EXAMINER DICKMAN: No, it's not, so that's actually to the benefit of the group. We can take our time on that. Young lady, did you have something?

MS. TENNER: Yes.

HEARING EXAMINER DICKMAN: Come on up, please. Name and address for the record.

MS. TENNER: Yes, my name is Melanie Tenner, 1235 Sugarberry Street, Naples, Florida. Was that about 3C?

HEARING EXAMINER DICKMAN: Yes. We had changes to the agenda. I'm not dealing with any substance or anything like that. I'm continuing the item to December.

MR. SMITH: No. No. No. We object to that.

HEARING EXAMINER DICKMAN: I know you do. You put your objection on the record.

MR. SMITH: For the record, please.

HEARING EXAMINER DICKMAN: One second. Just so everyone knows, I'll stay here all day long if we have to do this orderly. I don't want any screaming out from the audience.

MR. SMITH: Absolutely.

HEARING EXAMINER DICKMAN: I don't want -- everything has to be captured by the court reporter. If you say things in the audience, I'm really not going to appreciate that. Take your time. I'm going to let everybody make their comments on the record so be calm.

MR. SMITH: Okay. Got it.

HEARING EXAMINER DICKMAN: I know you have objections. So we are continuing it. We will -- you know, we will have opportunity to come up here. You'll -- it's December, the next December hearing, and that's what we're going to do.

If you want to come up to the microphone, and you've already put your objection into the record.

MS. TENNER: I'm curious the reason for the continuance.

HEARING EXAMINER DICKMAN: The reasoning has been stated that there is additional information that the applicant wants to put into the record, which I believe is to your benefit. So make sure you stay in touch with staff so you have all the information that's going to be presented at the hearing.

And what I don't want is the neighbors to be caught off guard to say I haven't seen that, haven't had an opportunity to review that. I will instruct staff to make sure once they have received that additional information that they make it available to the neighbors. I realize there is a lot of -- I've seen the letters and e-mails that have come in, so I know there is opposition.

So I think it's going to be in your best interest to wait until December to see all the information that's going to come in, so that's the justification. Do you, sir, want to put your name and address in the record?

MR. SMITH: Please, yes. My name is Dick -- Richard Smith. My address is 380 Frangipani Avenue.

HEARING EXAMINER DICKMAN: Yes, sir.

MR. SMITH: Do you need anything else?

HEARING EXAMINER DICKMAN: Do you want to object?

MR. SMITH: Oh, yes, absolutely. I want to present a video.

HEARING EXAMINER DICKMAN: Okay. So we're not going to do that today.

MR. SMITH: Oh?

HEARING EXAMINER DICKMAN: Yeah. No, I'm going to continue this item to December at the request of the applicant, and staff has also concurred they would like to see the additional information that would be presented here, and, frankly, I don't want you all to be caught off guard with new information that's going to be presented here that you haven't seen.

MR. SMITH: May I see it?

HEARING EXAMINER DICKMAN: I don't have it yet.

MR. SMITH: Sorry?

HEARING EXAMINER DICKMAN: I don't have it yet.

MR. SMITH: May I ask a question?

HEARING EXAMINER DICKMAN: Sir, can you hear me clearly?

MR. SMITH: It's very difficult to hear. I understand that, and I understand that this gentleman has just advised you because I had made a petition -- or not a petition, I had made a request that my hearing disability be taken into account. I have difficulty hearing.

HEARING EXAMINER DICKMAN: Okay.

MR. SMITH: And sometimes I shout and I don't mean to.

HEARING EXAMINER DICKMAN: That's okay.

MR. SMITH: It's just that I do not hear. I apologize.

HEARING EXAMINER DICKMAN: That's okay. I'll speak loudly into the microphone so you can hear me.

MR. SMITH: I appreciate that. I'd like to communicate with you.

HEARING EXAMINER DICKMAN: Okay. So you can send me e-mails. You can, you know, you can send me things, but what I'm going to do right now, and all that's going to be a public record, and I'm going to ask that you copy the staff, the County staff, and, in fact, send it to County staff and they'll forward it to me, that's actually the best way to do it, so that everyone has an opportunity to see what you're submitting, but today I'm not going to hear any substantive issues on this, but I wanted to give you an opportunity to object.

If you object, put it on the record, but we're not going to talk about the actual application. The applicant has requested it. I've listened to the reasoning for the request of the continuance.

I believe it's in the best interest of everybody, including myself, to make an informed decision on that application. So I'm going -- we're going to have it continued to the December hearing examiner hearing. Did you understand that?

MR. SMITH: Absolutely. Now, you have taken so much time to speak, I'd like just as much time without interrupting.

HEARING EXAMINER DICKMAN: No. No. No. All I need you to do is say --

MR. SMITH: No, sir. I need to object.

HEARING EXAMINER DICKMAN: Okay. Good. That's your --

MR. SMITH: I am a public person. I have a right to speak.

HEARING EXAMINER DICKMAN: I know, but the applicant --

MR. SMITH: I'm asking for that right. If you are finished, I'd like to speak. If not, go ahead.

HEARING EXAMINER DICKMAN: Sir, this is a public hearing that I'm presiding over.

MR. SMITH: I understand that.

HEARING EXAMINER DICKMAN: And it's unfair, I'm not going to hear this case. If you want to -- if you want to object to the continuance, you can object to the continuance.

MR. SMITH: That's what I'm doing.

HEARING EXAMINER DICKMAN: I hear you say that, but I don't want you to talk to anything that's related to the substance.

MR. SMITH: I understand that.

HEARING EXAMINER DICKMAN: So put your objection into the record, please.

MR. SMITH: Thank you so much, and, please, give me the time without interruption to do this.

HEARING EXAMINER DICKMAN: I'll give you one minute.

MR. SMITH: Well, sir, you've spoken for at least two.

HEARING EXAMINER DICKMAN: I'm allowed to speak as long as I want.

MR. SMITH: I hear you. The public record reflects I'm limited to one minute. The proceedings here are such that we have done our preparation. We are here, all of our neighbors are here. They've took extra time to come here to this meeting.

We are being told now that we can't speak, that we cannot be heard, and that is because the tower people are not ready. They haven't done their preparation, so they want a continuance in order that they

can prepare; that is totally unfair. We are prepared, and if the shoe was on the other foot, if the tower people were prepared and the people came and said we're not ready, you'd say, "Well, we're here. This is the time for the meeting. If you didn't prepare, that's your problem."

So I object strongly, vehemently, and for all the legal reasons that I happen to be a retired lawyer, retired maybe two, three months ago, I know that this is wrong legally, and I expect that you will recognize it, because you are an attorney, too, Mr. Dickman. You should know better.

If you want to hear us today and then have our hearing continued for them to have the opportunity to present something else, perfect -- I shouldn't say perfect, because they are then getting extra time to prepare, but at least it's a little bit fairer than it would be for us to be saying, "Oh, boy, we'll do this again," that's not going to happen that way without strong objection.

HEARING EXAMINER DICKMAN: Okay. Thank you for your objection. It's noted. Thank you. The item is continued to -- say again the date of the item.

MR. BELLOWS: December 10th.

HEARING EXAMINER DICKMAN: And then we'll make -- I will make sure the agenda is very light, please, so we can listen to all the neighbors, listen to the applicant. I want to make sure that the neighbors -- I know you have addresses as well, that's it. One minute is up, sir. Sorry.

Make sure that the neighbors and everyone that has notified you, County, that whatever else is submitted, please, submit to them, so they have a fair opportunity to see everything, and with that I am going to continue the item. Thank you, sir, for being here.

MR. SMITH: Thank you, Mr. Dickman, and I do apologize if I sound a little bit arrogant.

HEARING EXAMINER DICKMAN: No need to.

MR. SMITH: That is an issue that is so important.

HEARING EXAMINER DICKMAN: Trust me. I understand. I do a lot of these hearings. I don't get offended.

MR. SMITH: Thank you.

HEARING EXAMINER DICKMAN: All right, so that's been continued.

MR. BELLOWS: We have no other changes to the agenda.

HEARING EXAMINER DICKMAN: No other changes to the agenda. Great. So we're going to go to 3A. 3A, which is -- let's see here. This is a nonconforming use change at 6750 Golden Gate Parkway.

MR. BELLOWS: Correct.

HEARING EXAMINER DICKMAN: Why don't we get started with that? Hello, Mr. Arnold. How are you?

MR. ARNOLD: Good morning, Mr. Dickman. I'm Wayne Arnold, certified planner with Q Grady Minor & Associates representing the El Shaddai Congregation and the applicant for this nonconforming change.

It's a rare nonconforming use change. They're not held very frequently. It's not a very commonly used process in Collier County. It's one of the few I'm sure you'll hear in your time as a hearing examiner.

This application was filed -- the El Shaddai Congregation currently meets on the campus of Covenant Presbyterian Church. It's going to start a congregation location for them and they are under contract to purchase the property. This is currently operated as a bingo hall. It's formerly a skating rink. For those who have been around long enough, remember that.

The nonconforming use change process was utilized to establish the bingo hall. It's a 612 seat facility, and the church would like to acquire that. Their congregation would be limited to 321 people, because that's the parking that could be accommodated onsite. It's a sufficient size for their congregation.

Jeremy, if you can advance to the aerial photograph, just so you can see that. So the building itself is about 16,000 square feet, Mr. Dickman. They don't plan any physical changes to the exterior, other than to expand the front porch area to make that more of a porte-cochère, but the parking, et cetera,

will remain as is.

They are working through the fire suppression system issues with the building department currently, and we think this is a good use. Staff does, too. We have -- if you can go to the next slide there, show you on the right side of the screen, this is conceptual setup of the sanctuary and the fellowship. All that's located in the building. Very, very minor changes made to the interior or exterior of the building. Next slide, please, Jeremy.

We had offered up proposed conditions of approval, similar to the conditional use process. Staff has several that are in your staff report and we are in agreement with all, with the exception of one proposed Condition No. 7. Jeremy, if you could advance that.

That condition right now says that leasing at the church facility to outside groups or use by other groups is prohibited, and we disagree with that finding, because as I'm sure you realize, most churches do allow other groups, such as ourselves, we held -- not required to hold a neighborhood information meeting for this process, we did though. We noticed it. We had no attendees, but we met at a church nearby.

So our objection is it's overly-broad and restrictive, and we met with Mr. Bellows, and we provided this language to them in advance. I think Mr. Bellows will tell you they now agree with it. It simply goes to the fact that this is language that you just approved for Destiny Church, for instance, one conditional use on Immokalee Road, where these other accessory to the non-worship type would be community meetings, association meetings, boy scouts, Alcoholics Anonymous, things of that nature that commonly do meet at churches, and they meet within the hours of operation, as was one of the other conditions. I will say -- Jeremy, if you can go to the next slide, and one more after that.

This was part of the original resolution of approval that approved the bingo hall, and they clearly contemplated that it was going to be for approval of a rental hall for local, not-for-profit civic and community associations with the primary use as a bingo hall.

So on this site it's been commonly utilized by other groups besides the bingo hall, and for our church congregation, they still need the ability to have other groups use it, whether for other not-for-profit work, or for me as an applicant to utilize that property on a limited basis.

So we would ask that you consider and approve the revised condition. I hope staff will continue not to object to that change, and, again, staff went through the findings for the nonconforming use change. We did a traffic analysis that demonstrated substantially less traffic impact associated with the change to the church over the bingo hall, primarily due to the bingo hall operating day and evening hours, week nights and weekends, whereas, the church primarily would have weekend services and limited evening use.

HEARING EXAMINER DICKMAN: Okay. Anything else?

MR. ARNOLD: No. I'm certainly here to answer questions. We have Mr. John Hunter with the Covenant Presbyterian Church here to answer any questions you may have of him.

HEARING EXAMINER DICKMAN: All right. Just by way of procedure, just to disclose, I have not had any ex parte communication on this. I've read the staff report. I have not had a site visit or anything of that matter.

MR. FRANTZ: I'm sorry, but your mic is not picking you up.

HEARING EXAMINER DICKMAN: Is it on? All right. So I have had no ex parte communication whatsoever on any of these applications. I neglected to state that already, except for the letters that were submitted to me. You have a new mic for me?

MR. ARNOLD: Mr. Dickman, if I might, I would just add that we noticed the neighborhood information meeting, no attendees.

HEARING EXAMINER DICKMAN: I saw that.

MR. ARNOLD: We had one telephone call from a nearby resident indicating that they thought somehow our parking encroached on their property. We provided them with a copy of the boundary survey that indicated it was not, and heard nothing further.

HEARING EXAMINER DICKMAN: Yeah, I appreciate you having that voluntary

neighborhood information meeting. I saw that in the staff report. In terms of the new language reflecting No. 7, I know you wanted to revise that language on No. 7 in the staff report.

Are all of these proposed uses things that you think may be used less intense? There is nothing going to be more intense than what you're proposing under the application?

MR. ARNOLD: No, we don't think so at all. One of the things that I brought forward, under the sheriff's office, sometimes their community policing activities, they hold meetings in a church.

HEARING EXAMINER DICKMAN: Okay.

MR. ARNOLD: And I think taken literally under the staff's recommended language, that wouldn't be permitted on the site, and I think that's a little too far.

HEARING EXAMINER DICKMAN: Thank you very much. Does your client want to speak at all, or just to answer questions?

MR. ARNOLD: No, just to answer questions.

HEARING EXAMINER DICKMAN: Okay. So why don't we have -- who do we have on this?

MR. BELLOWS: I will be presenting this one.

HEARING EXAMINER DICKMAN: All right, Raymond. Go for it.

MR. BELLOWS: For the record, Ray Bellows, zoning manager for the County. Staff has reviewed this petition for consistency with the nonconforming use criteria, and are recommending approval. It is consistent with the Growth Management Plan and is deemed to be of equal or less intense than the current existing nonconforming use. I discussed Staff Condition No. 7 with the applicant and we read over the original resolution for the past nonconforming use, and this kind of condition is, as modified by the applicant, I concur that it's consistent with what was previously approved for the nonconforming use, so we are supporting the change as proposed.

HEARING EXAMINER DICKMAN: Okay. Very good. Could you address, just, I always like to have on the record, addressing the types of notice that occurred. I know the applicant did do a voluntary neighborhood information meeting, but can you put on the record the -- for due process purposes, how it was advertised?

MR. BELLOWS: Yes. This was advertised in a newspaper, a mailing, and a sign was posted on the property.

HEARING EXAMINER DICKMAN: And the radius mailing is how far?

MR. BELLOWS: 500 feet in the urban area.

HEARING EXAMINER DICKMAN: From the property line?

MR. BELLOWS: Yes. Correct.

HEARING EXAMINER DICKMAN: Not from Mr. Arnold's address.

MR. BELLOWS: No, from the subject property.

HEARING EXAMINER DICKMAN: I have so many bingo jokes. I used to love to roller skate, too. Showing my age.

MR. BELLOWS: I would also like to recommend that the Exhibit A be part of the determination when issued.

HEARING EXAMINER DICKMAN: I was going to ask about that, and you will give me the new language for seven?

MR. BELLOWS: Yes.

HEARING EXAMINER DICKMAN: Okay. So anything else?

MR. ARNOLD: No, sir, not unless we have any participants for the record.

HEARING EXAMINER DICKMAN: Yeah. Anybody in the audience, or in the virtual world, that wants to speak to this? Anybody? Jeremy?

MR. FRANTZ: We had one person registered online, but I do not see their name in the Zoom meeting.

HEARING EXAMINER DICKMAN: Okay. Going once. Going twice. Closing the public hearing. Very good. So as you know, Mr. Arnold, I don't make decisions here today. I will be making my decision as expeditiously as possible, but before you go, I do want to confirm what -- you want the



exhibits -- is going to be the site plan; is that what it was?

MR. BELLOWS: Yes.

HEARING EXAMINER DICKMAN: Okay. I have a copy of that. I see that on Page 4 of 9 in my packet. It's date revised August 12th, 2020. I guess that's the latest and greatest; right?

MR. BELLOWS: Yes.

HEARING EXAMINER DICKMAN: Okay. And then you'll give me the revised language for Condition No. 7; right?

MR. BELLOWS: Correct.

HEARING EXAMINER DICKMAN: And after that we're okay with all the other conditions?

MR. ARNOLD: We are.

HEARING EXAMINER DICKMAN: All right. Very good.

MR. ARNOLD: Thank you so much.

HEARING EXAMINER DICKMAN: Thank you, sir, for being in here. We're going to go on to 3B. 3B, this is a variance, I guess, petition at 1035 31st Street Southwest. The applicant is here, and while the applicant is coming up, I've had no ex parte communication with the applicant, or with staff on this, or anyone. I've read the staff report. I've not gone out to the site, so that's my -- that's my disclosure. How are you?

MR. GALINDO: I'm doing fine, sir. Thank you. How are you?

HEARING EXAMINER DICKMAN: I'm fine. So you want to briefly describe this, or are you just -- I have read it. I'm familiar with why this is here and...

MR. GALINDO: Yes. Well, the reason we're here is because we --

(A court reporter interruption was had. The proceedings continued as follows:)

MR. GALINDO: Yes, my name is Orlando Galindo, and the reason we're here is because we built a utility shed in our property on the south side --

HEARING EXAMINER DICKMAN: Uh-huh.

MR. GALINDO: -- and we did it without a permit.

HEARING EXAMINER DICKMAN: Okay.

MR. GALINDO: So, and the thing is that, you know, we had planned to put our water equipment, you know, for purification for the water.

HEARING EXAMINER DICKMAN: Okay.

MR. GALINDO: And, originally, we had had -- we were going to put it right next to the house. Then, you know, so we have a handicapped brother that suffers from epilepsy, so we moved it right to the well, you know, where the well is.

So then later on we were advised by our -- by the company that did the installation of the water equipment, that the equipment was so sensitive to the weather, and that the water tank was going to get moldy and stuff like that, so we should put a roof on it to protect it, so we did that, and like I said, we were not knowing -- not knowing we needed a permit for something like that, we went ahead and did it.

HEARING EXAMINER DICKMAN: All right. So this is related to a code enforcement case? I want to make sure, is the code enforcement case in abatement, pending this application, or do we know? Come on up. All right. Here we go. Stay put. John?

MR. KELLY: John Kelly, Senior Planner for Collier County Zoning. It's my understanding that the order to correct is to obtain a building permit or remove the condition.

HEARING EXAMINER DICKMAN: Got it. Okay. Very good. So I've seen this. I understand what's going on, and you have stated that you have an epileptic brother and you didn't want the water purification equipment near the house, is that what you're saying, you wanted to put it close to the well, and you were unaware that you needed to have a permit to put the structure, that the equipment, you didn't want to have it out in the open, and you wanted to have a structure. And County staff?

MR. KELLY: Staff reviewed this petition, and under the guidelines of the LDC, Section 9.04.03, we're constrained from recommending approval, and, therefore, the staff actually must recommend denial; however, there are summary findings that you should be aware of that would give you

cause to approve this, should you deem it appropriate.

HEARING EXAMINER DICKMAN: Okay.

MR. KELLY: Therefore, it's our recommendation that variance VA-PL20190001938 is denied; however, as I stated, should you be inclined to approve the subject petition to reduce the minimum southern side yard setback from 30 feet to 6.6 feet to allow for the continued existence of the utility shed with water treatment equipment or utilities, that the order that they obtain and finalize the building permit for that to close out the code case --

HEARING EXAMINER DICKMAN: Okay.

MR. KELLY: -- and the reference document for your decision would be Attachment A, the survey.

HEARING EXAMINER DICKMAN: Okay. And notification went out?

MR. KELLY: A letter was sent by the applicants on or about June 4th, 2020. They have had a hearing sign posted on their property since approximately October 26th, 2020 that was posted by the applicant, and there would have been an additional mailing by the County notifying residents of the hearing today.

HEARING EXAMINER DICKMAN: Okay.

MR. KELLY: As I noted this was the subject of the code case. There was initially one person that had made it known that they probably would be in objection; however, having contacted them again, they have withdrawn their objection. So I have no knowledge of any objections to this.

HEARING EXAMINER DICKMAN: Okay. Just really quickly, I note in the staff report that the south property -- these are two and a half acre lots, plus or minus; correct?

MR. KELLY: Correct.

HEARING EXAMINER DICKMAN: And I notice the property to the south, which is sharing the boundary of the shed in question, seems to be unimproved, single-family, so there's nothing on that?

MR. KELLY: Correct.

HEARING EXAMINER DICKMAN: Did we hear from that property owner at all?

MR. KELLY: I haven't heard from anyone except the one person that withdrew.

HEARING EXAMINER DICKMAN: Withdrew. Okay. All right. Sir, do you have anything else?

MR. GALINDO: Not really. I talked to the owner of the south lot, I talked to them and they said they don't have any objections.

HEARING EXAMINER DICKMAN: Okay.

MR. GALINDO: He even told me if there is anything, if I need any letters, they could actually do it. They are not in town. They actually live in L.A.

HEARING EXAMINER DICKMAN: In Los Angeles. Okay. And do you understand the recommendation that staff is making, and if this is approved that you would have to actually legalize it, and not just for the variance, but also have it built according to code, have permits pulled, everything of that nature. You're familiar with that? You understand that?

MR. GALINDO: Yes.

HEARING EXAMINER DICKMAN: Okay. And can you do that in a fairly quick manner?

MR. GALINDO: Yeah, definitely.

HEARING EXAMINER DICKMAN: Definitely.

MR. GALINDO: Yeah. I mean, if you guys could show pictures what I have.

HEARING EXAMINER DICKMAN: I've saw the pictures, yeah, so it looks like you're pretty close. Okay.

MR. BELLOWS: I think that would also be part of the code enforcement action, to make sure he gets after-the-fact permits.

HEARING EXAMINER DICKMAN: Very good. Mr. Kelly, anything else?

MR. KELLY: No.

HEARING EXAMINER DICKMAN: All right. Thank you very much. All right. So anyone

here in the public that would like to speak to this item? Anybody in the internet world that would like to speak to this, Jeremy?

MR. FRANTZ: There are no registered speakers on Zoom.

HEARING EXAMINER DICKMAN: I love that. Mr. Oz over there. Jeremy is the master of ceremonies over there. All right. Thank you very much. Unless you have anything else to say, I will be rendering my decision as expeditiously as possible. Hopefully we get this wrapped up as soon as possible. Thank you for being here, and that's it.

MR. GALINDO: Thank you.

MR. BELLOWS: And just to clarify, if approved we would like to see the survey, Exhibit A, attached.

HEARING EXAMINER DICKMAN: Exhibit A, survey. Thank you for being here.

MR. GALINDO: Thank you for your time.

HEARING EXAMINER DICKMAN: Put your mask back on.

MR. GALINDO: Thank you.

HEARING EXAMINER DICKMAN: All right. Moving on to Item 3D, Addies Corner. Why don't we go ahead and get started with that. The applicant is here. Name and address for the record.

MS. ROBIN: Good morning.

HEARING EXAMINER DICKMAN: Good morning.

MS. ROBIN: Good to see you again.

HEARING EXAMINER DICKMAN: Likewise.

MS. ROBIN: My name is Lindsay Robin. I'm a planner at Waldrop Engineering. I'm here on behalf of the applicant, WFG Development, for the Addies Corner insubstantial change, just waiting for the PowerPoint.

MR. FRANTZ: I don't believe I have a PowerPoint loaded. Is that something that you sent to the staff early?

MR. FINN: I put it in the HEX presentation.

MR. FRANTZ: I may be looking in the wrong folder. Give me a moment. Sorry.

MS. ROBIN: No problem.

HEARING EXAMINER DICKMAN: One second, let's get Jeremy, capitalized. Just while we're doing that I'm going to disclose I have no ex parte communications. All I have done is looked at the staff report, all of the information that's been submitted. I have not done a site -- site review, or anything of that nature. So I'm here in an impartial capacity. Let us know when you're ready, Jeremy. Take your time.

MS. ROBIN: Thank you.

HEARING EXAMINER DICKMAN: All right. Here we go.

MS. ROBIN: Go to the next slide, Jeremy. Okay. The subject property is located at the northwest corner of Immokalee Road and 951 just east of the Esplanade Eagles Golf and Country Club. Next slide.

We are here today requesting an approval of an insubstantial change to the Addies Corner mixed use planning use development for a sign deviation of the Land Development Code 5.06.04.F.4, on-premises signs, to allow for Parcel 1, two additional wall signs for a total of four wall signs, and Parcel 3, one additional wall sign for a total of three wall signs, and this deviation applies to Tract A of the MPUD only.

Just a quick overview of the property, the subject property is about four and a half acres in size. It is Tract A of the Addy's Corner SDP. Tract A is proposed for commercial uses and has an approved SDP for the Chick-Fil-A on Parcel 1, a Heartland Dental on Parcel 2 and an Aldi's grocery store on Parcel 3.

Tract B in the upper left-hand corner is the designated preserve area, and Tract C, just north of our Tract A, is the multifamily apartments. They are a development known as Addison's Place Apartments. And the site Tract A is surrounded by multiple road frontages including Addison's Place

Drive, Immokalee Road, and there will be areas, of course, internal to the site to the parking and drive aisles. Thank you.

This here is our site plan where you can see we are requesting two additional wall signs on Parcel 1, and the one additional wall sign on Parcel 3. The site, again, is surrounded on all side by roadway frontages.

The additional wall signs will enhance the visibility of the businesses, which is critical for the traveling public for their safety, as well as to the traveling public that might be traveling via foot or vehicle.

The wall signs assist the traveling public in locating and navigating these establishments, which we all know are going to be very popular. Chick-Fil-A on Immokalee Road and Aldi's on Immokalee Road will be heavily visited. The additional wall signs will enhance the visibility of these businesses. As you can see there is a significant physical separation from the parcel to the Immokalee Road travel lanes. Within that area the area ranges in size between 155 feet to about 215 feet in certain areas. That area is inclusive of an existing sidewalk and a Collier County canal right-of-way.

So, again, these additional wall signs are appropriate and critical to these businesses and the safety of the traveling public. The deviation request complies with your insubstantial change criteria as outlined in the Land Development Code Section 10.02.13.E-1 and 10.02.13.E-2.

As usual your staff has done an excellent job in outlining how this project request complies with the insubstantial change criteria. We've also outlined that in our application materials. If you'd like I can walk you through each one, or we can rely on the staff report and the application.

HEARING EXAMINER DICKMAN: I'm fine. I've read the application, staff report, and pretty much gone through that. If there's anything in that that you want to highlight for the record, that's up to you, but I'm fine with relying on staff's analysis.

MS. ROBIN: Same here. And we agree with staff's analysis and we've complied with all of the insubstantial change criteria. Thank you. We'll fast-forward to more slides here, Jeremy. Thank you.

So in conclusion your staff is recommending approval as to the insubstantial change requesting three additional wall signs. All other premise sign standards will comply with your Land Development Code, in terms of the sign design.

There will be no more than one wall sign per facade. This insubstantial change does not increase the density or the intensity of the subject property.

It will not reduce any of the required buffers or preserve areas, and the request is consistent, again, with your insubstantial change criteria and your Land Development Code.

HEARING EXAMINER DICKMAN: Okay.

MS. ROBIN: I think I might have forgot to say at the beginning, Dorinda Martineau is the developer. She is on Zoom if we have any questions for her. She is the representative of the land use development.

HEARING EXAMINER DICKMAN: Okay. So she is here just in case we have questions. Does she have anything she wants to say at this point?

MS. ROBIN: I don't believe so.

HEARING EXAMINER DICKMAN: Okay.

MS. ROBIN: I'm happy to answer any questions. That's all I have. Thank you.

HEARING EXAMINER DICKMAN: Okay. Is the applicant wanting to say anything or...

MS. ROBIN: Oh, no, she is just participating.

HEARING EXAMINER DICKMAN: Okay. You are just in different places. Who do we have from the County? Come on up. You are all sitting in the back row. Why is that? So you can get out of here faster?

MR. FINN: For the record, I'm Tim Finn, Principal Planner. The project is compliant with Growth Management Plan and the Land Development Code, therefore, staff recommends approval.

HEARING EXAMINER DICKMAN: Okay. And as far as notifications, those are all went out?

MR. FINN: Those all went out.

MS. ROBIN: And we posted four signs, per the Land Development Code.

HEARING EXAMINER DICKMAN: All right. So according to code you posted signs and mailed notices went out?

MR. FINN: Yes.

HEARING EXAMINER DICKMAN: All right. Great. You're recommending approval. All right. Let me go ahead and open it up to the public. Is anyone here from the public to speak to this item? Nobody. Jeremy?

MR. FRANTZ: There is no one else online registered for this item.

HEARING EXAMINER DICKMAN: Okay. Great. Moving right along. Okay. I'm going to close the public hearing. Heard from the applicant's representative, heard from the County. The applicant's representative highly complimented County staff, for the record, for their work on this.

MS. ROBIN: Always.

HEARING EXAMINER DICKMAN: I will make my decision as quickly as possible. Before we do that, let me go ahead and just confirm what exhibits you want attached to this. Are these the whole list on the staff report?

MR. BELLOWS: Tim?

HEARING EXAMINER DICKMAN: Tim, come on up. Sorry about that. I should have kept you around. I see, like, A through J; is that correct, Page 8 of 8, looks like you've got attachments here?

MR. FINN: I'm sorry. Can you repeat the question?

HEARING EXAMINER DICKMAN: I'm wondering, in terms of the decision that I render, I'm just trying to clarify, since we had a discussion about that on some other item, I just want to make sure I have, for my purposes, all of the attachments?

MR. FINN: Yeah, all the attachments are A to J, but are you requesting which ones should be included in the decision?

HEARING EXAMINER DICKMAN: Right. Yes, if any.

MR. FINN: Definitely Attachment A, B.

HEARING EXAMINER DICKMAN: B.

MS. ROBIN: C.

MR. FINN: As far as the exhibit for Chick-Fil-A and Aldi's should be in there.

MS. ROBIN: Exhibit C-1.

MR. FINN: Yeah, Attachment Exhibit C.

HEARING EXAMINER DICKMAN: Okay. So we got Chick-Fil-A. I don't need to know which -- any of that, findings of fact. Okay. Great. By the way are we still doing the -- I see we have a HEX hybrid meeting waiver. Are we going to continue to do that going forward, even though we have that?

MR. BELLOWS: Yeah. For the record, Ray Bellows, the waiver, the PDI, and this is the NIM waiver.

MS. ROBIN: We did --

HEARING EXAMINER DICKMAN: The HEX hybrid, so you know, I mean, we did a hybrid meeting, so usually at a quasi-judicial meeting there is nobody here from the public, but we're here just talking procedurally. I just wanted to know, we're still asking people to sign those forms, applicants anyway?

MR. BELLOWS: Yes. My understanding that's still required.

HEARING EXAMINER DICKMAN: Okay. Great.

MS. ROBIN: We did provide that.

HEARING EXAMINER DICKMAN: You did?

MS. ROBIN: Yes. Thank you.

HEARING EXAMINER DICKMAN: Great. Okay. Anything else? All right. Good job. Nobody else is here to speak. We'll move on. I'll make my decision as quickly as possible, and thank

you for being here.

MS. ROBIN: Thank you so much.

HEARING EXAMINER DICKMAN: All right. Great. All right. Set up on this one, Jeremy? Thumbs up. Okay. Court reporter doesn't read that, so, no hand gestures, remember that. You don't want to get in trouble with the court reporter. Trust me.

All right. This is Item 3E on the agenda. This is regarding Pioneer Lakes PUD Chick-Fil-A. Who do we have here for the applicant? Come on up. Thank you for your patience. Kept it in less than an hour.

MR. ANDERSON: Good morning. My name is Stewart Anderson. I'm an engineer with Interplan, 604 Courtland Street, Orlando, Florida, here on behalf of Chick-Fil-A talking about the location at Airport-Pulling Road in the Pioneer Lakes PUD.

I would just like to start, the heart of the matter of this request is the fact that Chick-Fil-A is a victim of their own success, and they have a lot of traffic congestion on the site.

So at the heart of the matter, we want to expand the kitchen to be able to service the drive-thru faster, and also to add a second menu board so that we can have more cars stacked onsite, and also to be able to service the drive-thru line faster, get cars in and out of the site quicker than they are today. So their requests are all related to that scope of development. If we can advance the slide.

So this is just an overall vicinity map. You can see that the Chick-Fil-A is located on the east side of the shopping center along Airport-Pulling. Next slide. This is a bird's-eye view. I would like to point out there is a porte-cochère over the pickup window right now that covers one car. Next slide, please.

Here is a top-down aerial view. You can see the layout of the site. It just has one menu board, that red canopy at the rear of the building, and then cars stacked around the building in a single lane.

There is a Panera to the north of us. We've got the shopping center entrance to the south of us. There is some parking spaces at the rear that I'll discuss here in a minute, and also the landscape buffer on the north side is what's really in question with this request. Next slide, please.

Okay. As I mentioned this is a single menu board with a single lane drive-thru stacking. They currently have room for about 16 cars in that single line and the site is heavily congested during customer peak times. Next slide, please.

We can see at the back there is the single menu board. I've shown the cars on here and shows the stacking around the front, get about 16 cars. You've got the single canopy over the pickup window.

There is spaces that are highlighted in yellow that are all being removed as part of the site development. The ones over in the bottom left corner are being removed so the dumpster, shown in purple, can be shifted over.

The spaces in the back, we're going to shift everything in the back, and then we're having to relocate the handicapped spaces because we're putting two drive-thru lanes on the north side of the building, and we want to move the handicapped spaces to the front of the site so they wouldn't cross the drive-thru lanes. Next side, please.

The proposed upgrades include two menu boards, construct the second lane for drive-thru stacking. We think we can get 24 cars of stacking now and install a six-car face-to-face canopy that will protect the team member while they're taking orders from the cars directly at their windows, and then we're also adding a 543 square foot building addition to the rear of the building to expand the kitchen and help fulfill orders faster. Next slide, please.

Here is the proposed site plan. As you can see the spaces at the rear were eliminated, so everything was pushed back. We've got the new building addition. We've got on the north side, a six-car canopy that will cover the team members so they can take orders on iPads directly at the car windows, that speeds things up, increases efficiency so during the peak times we don't have to use the menu boards. There will be two menu boards there for non-peak times.

The south side we also extended the canopy. It's now covering three cars; that allows team members to be out in the drive-thru lane to deliver food to cars so they can deliver to three cars at a time,

instead of just the one.

You can see the dumpster has been shifted over with the new alignment of the drive aisle at the back for access. We added one more parking space at the bottom, and we relocated the handicapped spaces over to the east side. I would also like to point out we have 18 feet on the north side from the drive-thru lane to the island, which is the minimum allowance that the fire marshal would allow, and that's what caused that row of parking spaces to be pushed all the way out to the property line.

We have staggered the stalls. We provided that sawtooth landscape island so that we can maximize the amount of landscaping we can still get in there, but we needed to push those spaces all the way to the property line to allow enough room for the fire truck to get around there, in order to accommodate the double drive-thru lane. Next slide.

June 4th, 2020 we received an administrative parking reduction of 6.52 percent, basically we were -- required 46 spaces and we got an approval of, APR, for three spaces. We're providing 43 spaces on the proposed site plan. Next slide.

Also mentioned we have been working with the fire marshal. He has issued a deviation letter due to the driveway width of 18 feet being an existing condition and the hardship associated with the landscape requirements being deemed substantial by the County and the principal planning, landscape principal planner.

Captain Sean Lintz permitted the existing driveways to remain as-is. So they're existing at 18 foot on the north side and the south side and he allowed us to keep the 18 foot width. Next slide.

The request that we're asking here today, deviation from Section 4.06.02, Table 2.4 of the Collier County Land Development Code, which allows --

(A court reporter interruption was had. The proceedings continued as follows:)

HEARING EXAMINER DICKMAN: Let's slow it down for our court reporter there, please. Go ahead. She's not going to read the screen.

MR. ANDERSON: We're basically asking for a reduction of the seven and a half foot portion of landscape buffer on the north side of the Chick-Fil-A parcel to a varying width of four inches to seven and a half feet.

HEARING EXAMINER DICKMAN: All right.

MR. ANDERSON: Next slide. Here is the PUD plan that was submitted. It's virtually a landscape plan since this is a landscape buffer variance request. The blue shaded areas are the required landscaping buffers that are going to remain. The red shaded area on the north side is the landscape buffer that's being eliminated, and the purple shaded areas are the additional landscape area that's being provided to offset the loss of the landscape area on the north side.

So the key to that is we did the sawtooth. Instead of just doing a straight curve, we've got the parking stalls that our angled spaces, we were able to pick up just a little bit of extra landscape around the entire site, but it made a huge difference when you add it all up together, and then we'll be replanting the trees that are being removed. Next slide, please.

I guess that was it. I'm here to answer any questions you may have.

HEARING EXAMINER DICKMAN: You didn't have to drive here last night, did you? It was a horrible storm.

MR. ANDERSON: I actually wasn't too bad. I think it had gotten pretty far up north before I got down here, but --

HEARING EXAMINER DICKMAN: All right.

MR. ANDERSON: -- we're anxious to get moving on this project, so I wanted to be here.

HEARING EXAMINER DICKMAN: I gotcha. Okay. Who do we have from the County on this one? Come on up. Stick around, if you would, please.

MR. KLOPF: For the record my name is Parker Klopff. I'm a senior planner here for Collier County. I wrote the staff report, and also worked on the administrative parking reduction. We reviewed this and found it consistent with the Growth Management Plan and suggest approval.

HEARING EXAMINER DICKMAN: All right. Great. Two things: One, tell me about the

notice on this.

MR. KLOPF: For neighboring properties?

HEARING EXAMINER DICKMAN: Yes.

MR. KLOPF: I apologize. I took over this petition for --

MR. BELLOWS: For the record, Ray Bellows, zoning manager. I worked with James Sabo and Parker on this. This has been duly advertised. We have -- a newspaper notice was done, a mailing to property owners within 500 feet was done, and a sign was posted on the property.

HEARING EXAMINER DICKMAN: Perfect. Thank you. So you are recommending approval. Do you have anything else you want to add to what staff has said?

MR. ANDERSON: Just one other thing. We have been going through our site plan approval concurrently with this request and I believe we were -- responded to all comments and addressed all issues. The only thing outstanding is this PUD request.

HEARING EXAMINER DICKMAN: Okay. Great. So what documents do you want to --

MR. BELLOWS: The staff report we would attach as A and B. Those should be included in the HEX determination.

HEARING EXAMINER DICKMAN: Okay. Thank you. All right. Great. Okay. So I'll render my decision as quickly as possible. Let me see if there is anyone from the public anyway. Jeremy?

MR. FRANTZ: There is one person registered on Zoom. They do have an Interplan e-mail. I don't know if they intended to speak or not?

MR. ANDERSON: That is Kendra Lewis, I don't think she needs to add anything. She's our permit manager for the project.

HEARING EXAMINER DICKMAN: Okay. So she's part of your team?

MR. ANDERSON: Yeah, she's part of my team.

HEARING EXAMINER DICKMAN: She didn't get to drive down here. All right. Anybody else? Anybody? I see no one else in the audience. I see one person shaking their head no.

MR. FRANTZ: I'm sorry. I do see one other name here, Douglas Wolf.

HEARING EXAMINER DICKMAN: Okay. Douglas Wolfe.

MR. ANDERSON: He's with Chick-Fil-A. I don't know if he wants to speak. He is the Chick-Fil-A project manager.

HEARING EXAMINER DICKMAN: Douglas Wolf, do you want to speak or just let your agent handle this?

MR. FRANTZ: Sorry. Technical difficulty here. No comments.

HEARING EXAMINER DICKMAN: No comments. This is great. I love this. All right. I guess we're done here. Thank you very much everyone. Close the public hearing.

MR. FRANTZ: We did have one other item on the agenda for the new schedule.

HEARING EXAMINER DICKMAN: I'm just closing this out.

MR. ANDERSON: Thank you for your time.

HEARING EXAMINER DICKMAN: Thank you very much. Safe drive back. So we have not closed the meeting. We are going to handle one other item. We have to set the schedule for 2021, which blows my mind every time I say that. I still remember 1999. Everybody thought the world was going to come to an end, and it hasn't.

Okay. So the issue, as I understand it, is the November, December meetings; is that correct? Whom am I dealing with, with Jeremy?

MR. FRANTZ: That's right. Yeah, the schedule is your normal second and fourth Thursdays every month, expect for November and December. In November of next year, we have both Veterans Day and Thanksgiving would fall on those Thursdays, so rather than holding no meeting in November, we're suggesting a Friday meeting on November 12th.

HEARING EXAMINER DICKMAN: All right.

MR. FRANTZ: And in December just like this year, we're suggesting holding the one meeting



in December as well.

HEARING EXAMINER DICKMAN: Which is Thursday the 9th. Okay, that sounds good. Friday is fine. Ray, let no one take that day off, especially Jeremy, since he's making this recommendation. I guess he can attend virtually anyway.

MR. BELLOWS: Waiting for Santa.

HEARING EXAMINER DICKMAN: All right. Exactly. Anything else we need to take care of? So I think we're doing well with the exhibits.

MR. BELLOWS: Yes.

HEARING EXAMINER DICKMAN: I know we had a little hiccup on this.

MR. BELLOWS: I think this is a great solution to talk about it.

HEARING EXAMINER DICKMAN: Yes, just get it here publicly, okay, and I guess going forward, just for my knowledge, we are having the applicant sign the virtual waiver that they know that people are going to attend --

MR. BELLOWS: Yes.

HEARING EXAMINER DICKMAN: -- that way, and at the next meeting, if we could, looks like the cell tower issue is going to be -- we're going to have to take our time going through that. How many items do we have on that agenda?

MR. FRANTZ: We currently have three. Adding today's item, we'll have four.

HEARING EXAMINER DICKMAN: Okay. So not sure what those items are, but if they are noncontentious, fairly simple things, then maybe we should try to front load those, get those out of here so that the crowd for the cell tower can come on into the room; is that possible, or are we looking at a mega meeting?

MR. BELLOWS: For the record, Ray Bellows. You could do it that way, usually the continued item gets placed first on the agenda.

HEARING EXAMINER DICKMAN: All right.

MR. BELLOWS: But if crowd control is an issue, you might want to get them done first.

HEARING EXAMINER DICKMAN: I would like to. I can make that change at the meeting, but maybe later on when you look at the other items, if you can just communicate with my office, you know, whether you think these are going to go fairly quickly, the other items --

MR. BELLOWS: Yeah.

HEARING EXAMINER DICKMAN: -- so that I can -- I really want to make sure the neighbors and everybody have opportunity to go through this carefully. Okay?

MR. FRANTZ: Looking at the agenda right now, the only item that we expected to go longer than half an hour was the previously continued item related to Santa Barbara Landings RFPUD.

HEARING EXAMINER DICKMAN: Okay. All right. So we will deal -- we will see who shows up and deal with that at the hearing and go from there. Maybe it would be best if I reach out to one of you ahead of time about the agenda as it gets closer to the meeting, so that we're prepared to handle that.

A lot of people don't understand the changes to the agenda, just so you know. Members of the public don't always understand how we do that. So I just want to be very clear for the record on how we handle that, because I really want the folks that are here for the cell tower to be able to come into the room and observe and be aware.

By the way, where you're putting folks, the overflow folks, are they able to watch the meeting?

MR. FRANTZ: We set up a computer in that room and there is a projector as well.

HEARING EXAMINER DICKMAN: All right. And they can hear it and everything, audio? Okay. Very good. Thank you very much. Any other -- anything else, any other business you want to take care of? All right. Madame court reporter, are you ready stop? Whenever I stop. Okay. It's according to County's time it's 10:04. We are done. Thank you very much. Thanks, everyone, for your hard work. I appreciate it.

MR. BELLOWS: Thank you.


\* \* \* \* \*

There being no further business for the good of the County, the meeting was adjourned by order of the Hearing Examiner at 10:04 a.m.

COLLIER COUNTY HEARING EXAMINER



ANDREW W.J. DICKMAN, HEARING EXAMINER

These minutes approved by the Hearing Examiner on 2/21/21, as presented  or as corrected \_\_\_\_\_.

TRANSCRIPT PREPARED ON BEHALF OF U.S. LEGAL SUPPORT, INC., BY JANICE R. MALINE, COURT REPORTER AND NOTARY PUBLIC.