

COLLIER COUNTY LAND DEVELOPMENT CODE STAFF CLARIFICATION

CURRENT PLANNING STAFF CLARIFICATION SC 2002-02

DATE: 31 October 2002

LDC SECTION: 6.3 (Definitions, Yard, front)

INITIATED BY: Planning Staff

BACKGROUND/CONSIDERATIONS: The Director has been asked to make a determination regarding the language describing how front setbacks are applied to corner lots of record which are nonconforming due to insufficient lot width or area. The definition indicates that only one full front yard setback is required, and states that this full setback shall be along the shorter lot line in the Estates district. Due to ambiguity in the language, staff has consistently applied the full front yard requirement along the shorter lot line in all other zoning districts as well as the Estates.

DETERMINATION (CLARIFICATION): It is the Planning Director's determination that the requirement for a full front yard setback along the shorter lot line was intended to apply to all zoning districts and not exclusively to the Estates. The staff of the Building and Planning Departments have historically applied the Code in this manner, and to do otherwise would result in unnecessary confusion and probable inconsistency in the issuance of building permits. It is the Director's intention to amend the LDC during the next cycle to clarify the definition of Yard, front, to confirm this determination.

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