

Application for Public Hearing for Conditional Use

LDC subsection 10

Chapter 3 of the Administrative Code

☐ A CONDITIONAL USE TO BE HEARD BY THE PLANNING COMMISSION AND BOARD OF ZONING APPEALS

☐ A MINOR CONDITIONAL USE TO BE HEARD BY THE OFFICE OF THE HEARING EXAMINER

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): _____

Name of Applicant if different than owner: _____

Address: _____ City: _____ State: _____ ZIP: _____

Telephone: _____ Cell: _____ Fax: _____

E-Mail Address: _____

Name of Agent(s): _____

Firm: _____

Address: _____ City: _____ State: _____ ZIP: _____

Telephone: _____ Cell: _____ Fax: _____

E-Mail Address: _____

BE AWARE THAT COLLIER COUNTY HAS LOBBYIST REGULATIONS. GUIDE YOURSELF ACCORDINGLY AND ENSURE THAT YOU ARE IN COMPLIANCE WITH THESE REGULATIONS.

ASSOCIATIONS

Required: List all registered Home Owner Association(s) that could be affected by this petition. Provide additional sheets if necessary. Information can be found on the Board of County Commissioner's website at <http://www.colliergov.net/Index.aspx?page=774>.

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

PROPERTY INFORMATION

On separate page, provide a detailed legal description of the property covered by the application:

- If the request involves changes to more than one zoning district, the applicant shall include separate legal description for property involved in each district;
- The applicant shall submit 4 copies of a recent survey (completed within the last six months, maximum 1" to 400' scale), if required to do so at the pre-application meeting; and
- The applicant is responsible for supplying the correct legal description. If questions arise concerning the legal description, an engineer's certification or sealed survey may be required.

Property I.D. Number: _____ Plat Book: _____ Page #: _____

Section/Township/Range: _____/_____/_____

Subdivision: _____ Lot: _____ Block: _____

Metes & Bounds Description: _____

Size of Property: _____ ft. X _____ ft. = _____ Total Sq. Ft. Acres: _____

Address/ General Location of Subject Property:

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N		
S		
E		
W		

If the owner of the subject property owns contiguous property please provide a detailed legal description of the entire contiguous property: (If space is inadequate, attach on a separate page)

Section/Township/Range: ____/____/____

Lot: ____ Block: ____ Subdivision: _____

Plat Book: ____ Page #: ____ Property I.D. Number: _____

Metes & Bounds Description: _____

CONDITIONAL USE REQUEST DETAIL

Type of Conditional Use:

This application is requesting a conditional use as allowed, pursuant to LDC section 2.03.00, of the

_____ zoning district for _____ (type of use).

Present Use of the Property: _____

EVALUATION CRITERIA

Pursuant to LDC section 10.08.00 and Chapter 3 C.1 of the Administrative Code, staff's recommendation to the reviewing body shall be based upon a finding that the granting of the conditional use will not adversely affect the public interest and that the specific requirements governing the individual conditional use, if any, have been met. Further, satisfactory provision and arrangement have been made concerning the following matters, where applicable.

On a separate page, provide a narrative statement describing a request for a conditional use and a detailed response to the criteria listed below. Specify how and why the request is consistent with each of the criteria.

- a. Describe how the project is consistent with the Collier County Land Development Code and Growth Management Plan. Include information on how the request is consistent with the applicable section or portions of the Future Land Use Element.
- b. Describe the existing or planned means of ingress and egress to the property and proposed structure thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- c. Describe the effect the conditional use will have on neighboring properties in relation to noise, glare, economic impact, and odor.
- d. Describe the site's and the proposed use's compatibility with adjacent properties and other properties in the district.
- e. Please provide any additional information which you may feel is relevant to this request.

Deed Restrictions: The County is legally precluded from enforcing deed restrictions; however, many communities have adopted such restrictions. You may wish to contact the civic or property owners association in the area for which this use is being requested in order to ascertain whether or not the request is affected by existing deed restrictions.

Previous land use petitions on the subject property: To your knowledge, has a public hearing been held on this property within the last year? If so, what was the nature of that hearing?

Official Interpretations or Zoning Verifications: To your knowledge, has there been an official interpretation or zoning verification rendered on this property within the last year?

☐ No ☐ Yes (If yes please provide copies.)

STATEMENT OF UTILITY PROVISIONS FOR CONDITIONAL USE REQUEST

APPLICANT INFORMATION

Name of Applicant(s): _____

Address: _____ City: _____ State: _____ ZIP: _____

Telephone: _____ Cell: _____ Fax: _____

E-Mail Address: _____

Address of Subject Property (If available): _____

City: _____ State: _____ ZIP: _____

LEGAL DESCRIPTION

Section/Township/Range: ____/____/____

Lot: ____ Block: ____ Subdivision: _____

Plat Book: ____ Page #: ____ Property I.D. Number: _____

Metes & Bounds Description: _____

TYPE OF SEWAGE DISPOSAL TO BE PROVIDED

Check applicable system:

- a. County Utility System ☐
- b. City Utility System ☐
- c. Franchised Utility System ☐
- d. Package Treatment Plant ☐
- e. Septic System ☐

Provide Name: _____

(GPD Capacity): _____

TYPE OF WATER SERVICE TO BE PROVIDED

- a. County Utility System ☐
- b. City Utility System ☐
- c. Franchised Utility System ☐
- d. Private System (Well) ☐

PROVIDE NAME _____

Total Population to be served: _____

Peak and Average Daily Demands:

A. Water-Peak: _____ Average Daily: _____

B. Sewer-Peak: _____ Average Daily: _____

If proposing to be connected to Collier County Regional Water System, please provide the date service is expected to be required: _____

Narrative statement: Provide a brief and concise narrative statement and schematic drawing of sewage treatment process to be used as well as a specific statement regarding the method of affluent and sludge disposal. If percolation ponds are to be used, then percolation data and soil involved shall be provided from tests prepared and certified by a professional engineer.

County Utility Dedication Statement: If the project is located within the service boundaries of Collier County's utility service system, a notarized statement shall be provided agreeing to dedicate the water distribution and sewage collection facilities within the project area to the Collier County Utilities. This shall occur upon completion of the construction of these facilities in accordance with all applicable County ordinances in effect at that time. This statement shall also include an agreement that the applicable system development charges and connection fees will be paid to the County Utilities Division prior to the issuance of building permits by the County. If applicable, the statement shall contain an agreement to dedicate the appropriate utility easements for serving the water and sewer systems.

Statement of Availability Capacity from other Providers: *Unless waived or otherwise provided for at the pre-application meeting, if the project is to receive sewer or potable water services from any provider other than the County, a statement from that provider indicating adequate capacity to serve the project shall be provided.*

RECORDING OF DEVELOPER COMMITMENTS

Within 30 days of adoption of the Ordinance, the owner or developer at their expense shall record in the Public Records of Collier County a Memorandum of Understanding of Developer Commitments or Notice of Developer Commitments that contains the legal description of the property that is the subject of the land use petition and contains each and every commitment of the owner or developer specified in the Ordinance. The Memorandum or Notice shall be in form acceptable to the County and shall comply with the recording requirements of F.S. §695. A recorded copy of the Memorandum or Notice shall be provided to the assigned Principal Planner, Zoning Services Department, within 15 days of recording of said Memorandum or Notice.

Chapter 8 of the Administrative Code requires that the applicant must remove their public hearing advertising sign(s) after final action is taken by the Board of County Commissioners. Based on the Board's final action on this item, please remove all public hearing advertising sign(s) immediately.

Pre-Application Meeting and Final Submittal Requirement Checklist for:

- ☐ A Conditional Use to be heard by the Planning Commission and Board of Zoning Appeals
☐ A Minor Conditional Use to be heard by the Office of the Hearing Examiner

[Chapter 3 of the Administrative Code](#)

The following Submittal Requirement Checklist is to be utilized during the Pre-Application Meeting, and at time of application submittal. At time of submittal, the checklist is to be completed and submitted with the application packet. Please provide the submittal items in the exact order listed below, with cover sheets attached to each section. **Incomplete submittals will not be accepted.**

Requirements for Review	Required	Not Required
Completed Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cover letter briefly explaining the project	<input type="checkbox"/>	<input type="checkbox"/>
Pre-Application Notes	<input type="checkbox"/>	<input type="checkbox"/>
Affidavit of Authorization , signed and notarized	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Completed Addressing Checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Property Ownership Disclosure Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Warranty Deed(s)	<input type="checkbox"/>	<input type="checkbox"/>
Boundary Survey	<input type="checkbox"/>	<input type="checkbox"/>
Conceptual Site Plan 24" X 36" plus (one 8 ½ X 11 copy)	<input type="checkbox"/>	<input type="checkbox"/>
Plans showing proposed location for utilities, if required	<input type="checkbox"/>	<input type="checkbox"/>
Plans for screening and buffering the use with reference as to type, dimensions, and character, if required	<input type="checkbox"/>	<input type="checkbox"/>
Plans showing the proposed landscaping and provisions for trees protected by County regulations, if required	<input type="checkbox"/>	<input type="checkbox"/>
Plans showing the proposed signs and lighting, including type, dimensions, and character, if required	<input type="checkbox"/>	<input type="checkbox"/>
Architectural Rendering of Proposed Structure(s), if applicable	<input type="checkbox"/>	<input type="checkbox"/>
Current aerial photographs (available from Property Appraiser) with project boundary and, if vegetated, FLUCFCS Codes with legend included on aerial.	<input type="checkbox"/>	<input type="checkbox"/>
Statement of utility provisions (with all required attachments & sketches)	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Data Requirements, pursuant to LDC section 3.08.00	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Data Requirements collated into a single Environmental Impact Statement (EIS) at time of public hearings. Coordinate with project planner at time of public hearing.	<input type="checkbox"/>	<input type="checkbox"/>
Listed Species Survey; less than 12 months old. Include copies of previous surveys.	<input type="checkbox"/>	<input type="checkbox"/>
Traffic Impact Study (TIS) or waiver	<input type="checkbox"/>	<input type="checkbox"/>
Historical and Archeological Survey, or waiver	<input type="checkbox"/>	<input type="checkbox"/>
Electronic copy of all documents and plans	<input type="checkbox"/>	<input type="checkbox"/>

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

- Following the completion of the review process by County review staff, the applicant shall submit all materials electronically to the designated project manager.
- Please contact the project manager to confirm the number of additional copies required.

Planners: Indicate if the petition needs to be routed to the following additional reviewers:

<input type="checkbox"/>	Bayshore/Gateway Triangle Redevelopment: Executive Director	<input type="checkbox"/>	Emergency Management or EMS:
<input type="checkbox"/>	Conservancy of SWFL:	<input type="checkbox"/>	GMD Graphics
<input type="checkbox"/>	City of Naples:	<input type="checkbox"/>	Utilities Engineering: y
<input type="checkbox"/>	Parks and Recreation:	<input type="checkbox"/>	Immokalee Water/Sewer District:
<input type="checkbox"/>	Other:	<input type="checkbox"/>	School District (Residential Components):

Communication Towers:

<input type="checkbox"/>	Mosquito Control	<input type="checkbox"/>	Collier County Airport Authority
<input type="checkbox"/>	Naples Airport Authority		

Commercial Mining:

<input type="checkbox"/>	Impact Fees
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FEE REQUIREMENTS

- ☐ **Pre-Application Meeting:** \$500.00 (to be credited towards the application fee if the application is filed within 9 months of pre-application meeting)
- ☐ **Fire Pre-Application Meeting:** \$150.00 (Applied as credit towards fire review fee upon submittal of application if within 9 months of the pre-app meeting date)
- ☐ **Conditional Use Application Fee:** \$4,000.00
 - When filed with Rezone Petition: \$1,500.00
 - Additional fee for 5th and subsequent reviews: 20% of original fee
- ☐ **Comprehensive Planning Consistency Review:** \$300.00
- ☐ **Environmental Data Requirements-EIS Packet (submittal determined at pre-application meeting):** \$2,500.00
- ☐ **Listed or Protected Species survey review fee (when an EIS is not required):** \$1,000.00
- ☐ **Transportation Fee, if required:**
 - Methodology Review Fee: \$500.00
 - Minor Study Review Fee: \$750.00
 - Major Study Review Fee: \$1,500.00
- ☐ **Estimated Legal Advertising Fee for the Hearing Examiner or CCPC:** \$1,125.00
- ☐ **Estimated Legal Advertising Fee for the BZA, if required:** \$500.00
- ☐ **Fire Planning Review Fee:** \$150.00

Fire Code Plans Review Fees are collected at the time of application submission and those fees are set forth by the Authority having jurisdiction. The Land Development Code requires Neighborhood Notification mailers for Applications headed to hearing, and this fee is collected prior to hearing.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

Agent/Owner Signature

Date

Agent/Owner Name (please print)

Public Participation Requirements

LDC Section 10.03.06 B. or C.

Chapter 8 of the [Administrative Code](#)

Notice for Minor Conditional Use Petitions

Neighborhood Information Meeting (NIM) Requirements: Applicant must conduct a NIM at least 15 days prior to the Hearing Examiner's receipt of the staff report and application materials in accordance with the applicable sections of the Administrative Code. The NIM shall be advertised and a mailed written notice shall be given to the property owners in the notification area at least 15 days prior to the NIM meeting.

Mailed Notice: Written notice shall be sent to property owners in the notification area at least 15 days before the advertised Hearing Examiner hearing.

Newspaper Advertisements: The legal advertisement shall be published at least 15 days before the advertised Hearing Examiner hearing in a newspaper of general circulation. The advertisement shall include at a minimum:

- Date, time, and location of the hearing;
- Description of the proposed land uses; and
- 2 in. x 3 in. map of the project location.

Sign: A sign shall be posted at least 15 days before the advertised Hearing Examiner hearing date.

Public Hearing for Minor Conditional Use Petitions

Hearing Examiner: The Hearing Examiner shall hold at least 1 advertised public hearing. See Chapter 9 of the Administrative Code for the Office of the Hearing Examiner procedures.

Notice for Conditional Use Petitions

Neighborhood Information Meeting (NIM) Requirements: Applicant must conduct a NIM at least 15 days prior to the advertised public hearing. The NIM shall be advertised and a mailed written notice shall be given to the property owners in the notification area at least 15 days prior to the NIM meeting.

Mailed Notice: Written notice shall be sent to property owners in the notification area at least 15 days before the advertised public hearing.

Newspaper Advertisements: The legal advertisement shall be published at least 15 days before the advertised public hearing in a newspaper of general circulation. The advertisement shall include at a minimum:

- Date, time, and location of the hearing;
- Description of the proposed land uses; and
- 2 in. x 3 in. map of the project location.

Sign: A sign shall be posted at least 15 days before the advertised public hearing

date. **Public Hearing for Conditional Use Petitions**

Environmental Advisory Committee (EAC): The EAC shall hold at least 1 advertised public hearing, if required.

Collier County Planning Commission (CCPC): The CCPC shall hold at least 1 public hearing.

Board of Zoning Appeals (BZA): The BZA shall hold at least 1 advertised public hearing.