

LEGAL NOTICE

Notice is hereby given that the Naples Planning Advisory Board will hold a meeting beginning at 8:30 a.m., Wednesday, August 13, 2014 in City Council Chambers, 735 Eighth Street South, Naples, Florida, 34102.

The public hearings to be considered at that meeting are:

CONDITIONAL USE PETITION 14-CU4 (14-050)

Consider an application determining a request for Conditional Use, pursuant to Section 58-904(8), to permit a drive up window in the D-Downtown zoning district for the proposed Dunkin Donuts store on the property located at 390 9th Street North.

Petitioner: James Grifoni

Location: 390 9th Street North

Agent: D. Wayne Arnold, Q. Grady Minor & Associates, P.A.

CONDITIONAL USE PETITION 14-CU5 (14-054)

Consider an application for Conditional Use approval, pursuant to Section 58-503 of the Code of Ordinances, to allow a commercial school in the HC-Highway Commercial Zoning District in an existing office building known as Poinciana Professional Park located at 2640 Golden Gate Parkway.

Petitioner: Halstatt, LLC, a Delaware limited liability Company d/b/a Poinciana Professional Park

Location: 2640 Golden Gate Parkway

Agent: Dave Dunnavant, Peninsula Improvement Corporation

CONDITIONAL USE PETITION 14-CU6 (14-055)

Consider an application for Conditional Use approval, pursuant to Section 58-533 of the Code of Ordinances, to allow transient lodging in two existing residential units in the C1, Retail Shopping District located at Units 4 and 5 of LaGalleria Condominium, 352-370 12th Avenue South.

Petitioner: TBK Property Co. and Eurot, LLC

Location: Units 4 & 5 of LaGalleria Condominium, 352-370 12th Avenue South

Agent: Adam A. Benigni, AICP, Naples ReDevelopment, Inc.

VARIANCE PETITION 14-V5 (14-059)

A Resolution determining Variance Petition 14-V5 to allow a wheelchair lift at the rear of the existing two-story multiple family structure 6.2 feet from the rear property line where a 20 foot rear yard is required in the R3-12T Multiple Family zoning district on property located at 235 3rd Avenue South.

Petitioner: Ruth Camille

Location: 235 3rd Avenue South

Agent: Richard D. Yovanovich, Coleman, Yovanovich & Koester, P.A.

SITE PLAN WITH DEVIATIONS PETITION 14-SPD1 (14-056)

Consider a resolution determining a request for approval of a Site Plan with Deviations Petition for the property located at 848 Myrtle Terrace to allow the addition of a residential unit to an existing office use in the Highway Commercial (HC) district with deviations to: allow the expansion of the existing building along a nonconforming setback of 8'-4 1/4" from the west property line where 10' is required and 13'-10" from the south property line where 25' is required; and allow a freestanding sign in the HC zoning district on a lot with 75' of combined street frontage where a minimum of 150' of combined street frontage is required; and allow the freestanding sign 10' from the side property line where 25' is required; and allow 2 parking spaces on site where 6 parking spaces are required; and granting Conditional Use approval to permit one single family residential unit, of approximately 1,122 square feet, in the Highway Commercial (HC) zoning district.

Petitioner: Mr. Ed Westwood, Garden Bleu

Location: 848 Myrtle Terrace (south side of street) one block south of Seagate Drive, near US41

Agent: John T. Geshay, AIA; Geshay Associates, Inc., Architect

SITE PLAN WITH DEVIATIONS PETITION 14-SPD2 (14-057)

Consider a resolution determining a request for approval of a Site Plan with Deviation Petition for the property located at 912 9th Ave S, a zero lot line development, to allow an in-ground pool approximately 16'-10" from the west property line along 9th Street South where 25' is required; and to allow the pool and pool deck at a height of 46" above the crown of road and a spa at 58" above the crown of road where limited to 30" above the crown of the road.

Petitioner: Jumby Bay, LLC

Location: 912 9th Avenue South

Agent: Adam A. Benigni, AICP, Naples ReDevelopment

SITE PLAN WITH DEVIATIONS PETITION 14-SPD3 (14-058)

Consideration of a Resolution determining Site Plan with Deviations Petition 14-SPD3 for a new 189 room Hyatt House hotel on property located at 1345-1355 5th Avenue South in order to grant conditional use approval for transient lodging, a parking structure and a parking needs analysis in the C2-A, Waterfront Commercial district and to approve a deviation from Section 58-628 of the Code, which limits the building height for properties in the C2-A district that are north of U.S. 31 to a maximum of 35 feet to allow a maximum height of 42 feet with up to an additional 7 feet above the peak of the roof for equipment, screening and architectural embellishments, to approve a deviation from Section 58-632(2)a which limits parking structures in the C2-A district to one level above grade in order to allow for a three-story parking structure, and to approve a deviation from Section 50-74(b)(1) which requires a 6 foot landscaped strip between the abutting right-of-way and the off-street parking area in order to allow for a portion of the 6-foot wide strip along the southern property line to be reduced to approximately 3 feet wide.

Petitioner: Finrock Properties, Inc.

Location: 1345 5th Avenue South & 1355 5th Avenue South

Agent: John M. Passidomo, Esq., Cheffy Passidomo

TEXT AMENDMENT PETITION 14-T2 (14-051)

An Ordinance adopting Text Amendment Petition 14-T2 relating to medical marijuana; amending section 44-8, definitions to provide definitions for cannabis, cannabis farm, medical marijuana dispensary, medical use and non-medical marijuana sales; amending section 56-122, alcoholic beverages, location criteria to add medical marijuana; amending section 58-501, HC Highway Commercial District to add medical marijuana dispensary as a conditional use; providing a severability clause, a repealer provision and an effective date.

Petitioner: City of Naples

Location: Citywide

Agent: Margaret Perry, AICP, Planner II

TEXT AMENDMENT PETITION 14-T3 (14-052)

An Ordinance adopting Text Amendment Petition 14-T3 amending Chapter 58, Division 30, D Downtown District to providing for the sale of secondhand merchandise as a permitted use and allowing for the outdoor display of merchandise with limitations; providing a severability clause, a repealer provision and an effective date.

Petitioner: City of Naples

Location: Citywide

Agent: Leslee Dumler, Planner II

TEXT AMENDMENT PETITION 14-T5 (14-061)

An Ordinance adopting Text Amendment 14-T5 to amend Section 46-35 Expanding, enlarging or changing a nonconformity, and Section 54-5, Minor subdivision of single-family residential lots, to address non-conforming lots of record.

Petitioner: City of Naples

Location: Citywide

Agent: Robin D. Singer, AICP, Planning Director

A complete legal description for each petition is available in the City of Naples Planning Department, 295 Riverside Circle, Naples, Florida, (239) 213-1050.

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.

Any person who decides to appeal any decision made by this Board with respect to any matter considered at this hearing will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be heard.

Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's office at 213-1015 with requests at least two business days before the meeting date.

James Krall, Chairman

NAPLES PLANNING ADVISORY BOARD

Please publish on Monday, July 28, 2014, and furnish two copies of Proof of Publication to the City Clerk.

Account #002250

P.O. #1400423-00

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