



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
PLANNING AND REGULATION

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-6358
www.colliergov.net

LAND DEVELOPMENT CODE CONFLICTS REQUEST FOR DETERMINATION

SECTION FIVE OF ORDINANCE NO. 04-41 PROVIDES FOR A RESOLUTION OF CONFLICTS BETWEEN THE PREVIOUS LDC AND THE ADOPTED RE-CODIFIED LDC BY A FIVE-MEMBER PANEL APPOINTED BY THE ADMINISTRATOR OF COMMUNITY DEVELOPMENT AND ENVIRONMENTAL SERVICES DIVISION. A DECISION WILL BE RENDERED ADMINISTRATIVELY WITHIN TEN (10) BUSINESS DAYS.

PROCEDURES

Applicant will request conflict determination by filling out an application and forwarding to the Growth Management Division/Planning and Regulation, Attn: Business Center

The application will be assigned an application request (AR) number and forwarded to William D. Lorenz Jr., P.E., Director.

The Director shall direct the Planning Manager to schedule a meeting with the LDC Conflicts Panel. The meeting must be scheduled within five (5) days of receipt in order to allow time to render the decision in accordance with Ordinance No. 04-41.

The Director will prepare a summary report on the conflict and forward to the Panel members at least two (2) days prior to the scheduled meeting.

The Panel will meet on the scheduled date to review the conflict and render a decision. A draft will be prepared by the Panel and forwarded to the Zoning staff for typing. The response will be signed by the Director and forwarded to the applicant within ten (10) days.

The applicant may choose to appeal this decision to the Collier County Planning Commission.



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**LAND DEVELOPMENT CODE CONFLICTS
REQUEST FOR DETERMINATION**

Ordinance No. 04-41, Section Five, Conflict and Severability, states the following:

In the event this Ordinance conflicts with any other ordinance of Collier County or of any other statute, code, local resolution, regulation or other applicable federal, state, or local law, the more stringent standard, limitation, or requirement shall govern or prevail to the extent of the conflict, except that in the event that any provisions of the adopted, re-codified LDC should result in the unintended consequence of an unresolved conflict with the provisions of the previously adopted LDC, as amended, the prior provisions will be considered to apply. Determinations regarding such unresolved cases will be made administratively within ten (10) business days of being presented in writing to the Zoning & Land Development Review Director by a five (5) member panel with extensive knowledge of, and significant experience working with the LDC, three (3) of whom will be County employees and two (2) of whom will not, all to be appointed by the Administrator of the Community Development & Environmental Services Division. If not thereby resolved, the case and all supporting documentation, may be immediately appealed to, and finally decided by, the Collier County Planning Commission, and if not thereby resolved, may then be judicially determined in any manner consistent with the applicable law.

In order to apply for a resolution of conflict, please fill out the attached Request for Determination

Forward to: Growth Management Division/Planning and Regulation
Business Center
2800 N. Horseshoe Dr.
Naples, Florida 34104

Fax: 239-252-6358

The application will be assigned a project number (PL) number, a meeting of the panel will take place and a decision will be rendered.



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**LAND DEVELOPMENT CODE CONFLICTS
REQUEST FOR DETERMINATION (LDCD)**

Section Five of Ordinance No. 04-41 provides for a resolution of conflicts between the previous LDC and the adopted re-codified LDC by a five-member panel appointed by the Administrator of the Growth Management Division. A decision will be rendered administratively within ten (10) business days.

PROJECT #
LDC Code Section Name
Date

To be completed by staff

APPLICANT INFORMATION

NAME: _____
FIRM: _____
ADDRESS: _____ CITY _____ STATE _____ ZIP _____
PHONE: _____ FAX _____ CELL _____
E-MAIL: _____

DETAIL OF REQUEST

PREVIOUS CODE SECTION(S) _____
CURRENT CODE SECTION(S) _____
PLEASE EXPLAIN CONFLICT *(Be as specific as possible. Attach additional sheets, if necessary)*

THE DECISION RENDERED BY THE PANEL MAY BE APPEALED TO THE COLLIER COUNTY PLANNING COMMISSION.