

MINUTES OF THE COLLIER COUNTY DEVELOPMENT SERVICES  
ADVISORY COMMITTEE STRUCTURES IN EASEMENTS  
SUBCOMMITTEE

Naples, Florida, December 17, 2019

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee Structures in Easements Subcommittee in and for the County of Collier, having conducted business herein, met on this date at 10:00 AM in a REGULAR SESSION at the Growth Management Department Building, Room 609/610 2800 N. Horseshoe Drive, Naples, FL with the following persons present:

Chairman: Blair Foley  
John English  
Chris Mitchell  
Jeff Curl  
Mark McLean

ALSO PRESENT: Matt McLean, Director, Development Review  
Sally Ashkar, Assistant County Attorney

*Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Division – Planning and Regulation Building – Contact Mr. Evy Ybaceta at 239-252-2400.*

**1. Call to order**

Mr. Foley called the meeting to order at 10:00 a.m.

**2. Approve agenda**

*Mr. Curl moved to approve the Agenda. Second by Mr. English. Carried unanimously 5 – 0.*

**3. Approval of Minutes – November 22, 2019**

*Mr. Curl moved to approve the minutes of the November 22, 2019 meeting as presented. Second by Mr. English. Carried unanimously 5 – 0.*

**4. Old Business**

**a. Structures in Easements - Policy and Procedure easement.**

**Matt McLean, Director, Development Review** provided the Executive Summary “*Recommendation to establish policy and a standard template for an Easement Use Agreement associated with minor encroachments in utility, drainage or similar easements on behalf of the Board of County Commissioners*” and “*Easement Use Agreement*” for consideration. He noted:

- The Subcommittee previously reviewed the proposed policy on November 22nd and staff subsequently met to review possible changes based on the input from this meeting and the December Development Services Advisory Committee meeting.
- The Executive Summary provides clarification on the proposed policy, which addresses single-family residences on fee simple owned property.
- Multi-family and commercial uses will be addressed independent of the policy through the Site Development Plan application process and the requirements will not apply to common area tracts of land.
- Roof overhangs and landscaping will be exempted from the policy and are allowed in the areas in question with associated letters of no objection.
- The list of allowed uses includes fences, A/C pads, pool equipment, generators, sidewalks and other minor structures as determined by Collier County Growth Management Staff.
- The allowed uses do not include masonry concrete walls for screening mechanical equipment (or other uses).
- The item is scheduled to be heard by the Board of County Commissioners on January 14, 2020 on the Consent Agenda.

During Subcommittee discussion, the following was noted:

- Concern on excluding concrete masonry walls from the allowed uses given their sound attenuation and non-combustible properties – *Matt McLean reported the equipment may be placed outside of an easement area and staff does not support use of concrete walls in these areas.*
- The policy is not part of the Land Development Code, but will be implemented at the direction of the County Manager/Board of County Commissioners.