



COLLIER COUNTY

**WAIVER APPLICATION FROM THE REQUIRED HISTORICAL AND
ARCHAEOLOGICAL SURVEY AND ASSESSMENT**

DATE SUBMITTED: _____ PLANNER: _____

PETITION NUMBER ASSOCIATED WITH THE WAIVER: _____

(To Be Completed By Zoning and Land Development Review Staff)

PROJECT NAME: Cleary RPUD (PL201600019850)

LOCATION: (Common Description) The subject property is located on the south side of
Immokalee Road west of Saturnia Lakes Boulevard

SUMMARY OF WAIVER REQUEST: The proposed Cleary RPUD property is
approximately 9± acres, which is undeveloped. The Archaeological Probability Map #4,
shows the project is not located in an area that indicates areas of Historical/Archaeological
probability. The project is located in Section 28, Township 48 S, Range 26 E.

(Properties located within an area of Historical and Archaeological Probability but with a low potential for historical/archaeological sites may petition the Community Development & Environmental Services Administrator County Manager or designee to waive the requirement for a Historical/Archaeological Survey and Assessment. Once the waiver application has been submitted, it shall be reviewed and acted upon within five (5) working days. The waiver request shall adequately demonstrate that the area has low potential for historical/archaeological sites.)

SECTION ONE: APPLICANT AND PROPERTY OWNERSHIP DATA

- A. Name of applicant (s) (if other than property owner, state relationship such as option holder, contract purchaser, lessee, trustee, etc.): Raymond J. Cleary Jr.
Mailing Address: 3120 60th Street SW
Phone: (407) 803-4670 FAX: _____
E-Mail: royalpalmlawn@aol.com
- B. Name of agent(s) for applicant, if any: D. Wayne Arnold, AICP
Mailing Address: Q. Grady Minor and Associates, P.A., 3800 Via Del Rey, Bonita Springs, Florida 34134
Phone: 239.947.1144 FAX: 239.947.0375
E-Mail: warnold@gradyminor.com
- C. Name of owner(s) of property: Raymond J. Cleary Jr. and Thomas J. Cleary, TR
Mailing Address: 3120 60th Street SW
Phone: (407) 803-4670 FAX: _____
E-Mail: royalpalmlawn@aol.com

Note: If names in answers to A and/or B are different than name in C, notarized letter(s) of authorization from property owner (C) must be attached.

SECTION TWO: SUBJECT PROPERTY DATA (Attach copy of the plat book page (obtainable from Clerk's Office at the original scale) with subject property clearly marked.)

- A. Legal description of subject property. Answer only 1 or 2, as applicable.
1. Within platted subdivision, recorded in official Plat Books of Collier County.
Subdivision Name: _____
Plat Book _____ Page _____ Unit _____ Tract _____ Lot _____
Section 18 Township 49S Range 26 E
 2. If not in platted subdivision, a complete legal description must be attached which is sufficiently detailed so as to locate said property on County maps or aerial photographs. The legal description must include the Section, Township

and Range. If the applicant includes multiple contiguous parcels, the legal description may describe the perimeter boundary of the total area, and need not describe each individual parcel, except where different zoning requests are made on individual parcels. A boundary sketch is also required. Collier County has the right to reject any legal description, which is not sufficiently detailed so as to locate said property, and may require a certified survey or boundary sketch to be submitted.

B. Property dimensions:

Area: _____ square feet, or 9± acres

Width along roadway: 330± feet (Immokalee Road)

Depth: 1186± feet

C. Present use of property: Undeveloped

D. Present zoning classification: A, Agricultural

SECTION THREE: WAIVER CRITERIA

Note: This provision is to cover instances in which it is obvious that any archaeological or historic resource that may have existed has been destroyed. Examples would be evidence that a major building has been constructed on the site or that an area has been excavated.

A. Waiver Request Justification.

1. Interpretation of Aerial Photograph Photo shows property is undeveloped.
2. Historical Land Use Description: undeveloped.
3. Land, cover, formation and vegetation description: The site contains vegetation.
4. Other: _____.

B. The County Manager or designee may deny a waiver, grant the waiver, or grant the waiver with conditions. He shall be authorized to require examination of the site by an accredited archaeologist where deemed appropriate. The applicant shall bear the cost of such evaluation by an independent accredited archaeologist. The decision of the County Manager or designee regarding the waiver request shall be provided to the applicant in writing. In the event of a denial of the waiver request, written notice shall be provided stating the reasons for such denial. Any party aggrieved by a decision of the County Manager or designee regarding a waiver request may appeal

to the Preservation Board. Any party aggrieved by a decision of the Preservation Board regarding a waiver request may appeal that decision to the Board of County Commissioners.

SECTION FOUR: CERTIFICATION

- A. The applicant shall be responsible for the accuracy and completeness of this application. Any time delays or additional expenses necessitated due to the submittal of inaccurate or incomplete information shall be the responsibility of the applicant.
- B. All information submitted with the application becomes a part of the public record and shall be a permanent part of the file.
- C. All attachments and exhibits submitted shall be of a size that will fit or conveniently fold to fit into a legal size (8 1/2" x 14") folder.



Signature of Applicant or Agent

D. Wayne Arnold, AICP
Printed Name of Applicant or Agent

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-TO BE COMPLETED BY THE COMMUNITY DEVELOPMENT SERVICES DIVISION-

SECTION FIVE: NOTICE OF DECISION

The County Manager or designee has made the following determination:

- ☐ Approved on: _____ By: _____
- ☐ Approved with Conditions on: _____ By: _____
(see attached)
- ☐ Denied on: _____ By: _____
(see attached)

Cleary PUD

Exhibit 1 Legal Description

PARCEL 1

(OR 2651, PG 2615)

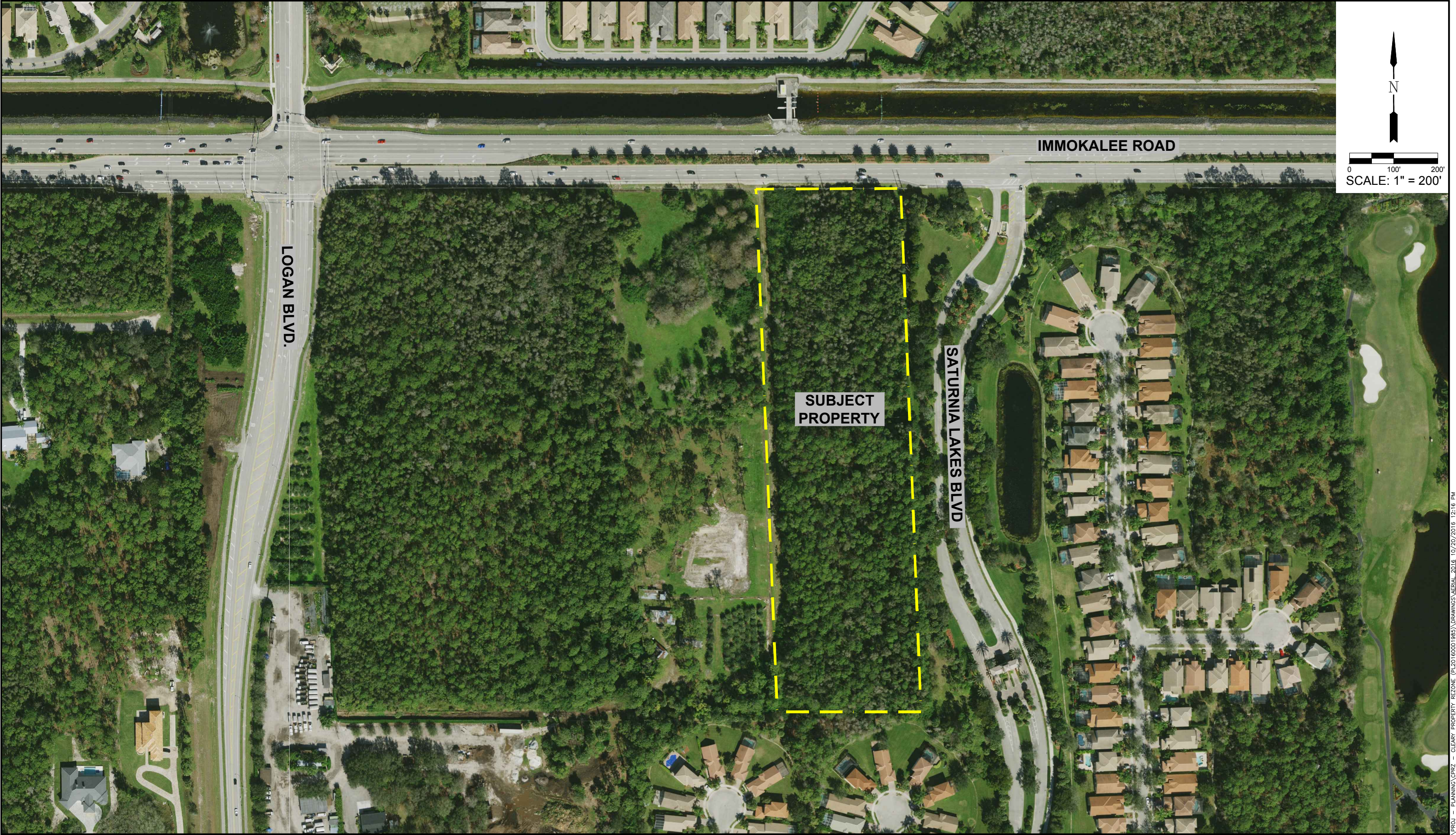
THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 28, TOWNSHIP 48 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA

PARCEL 2

(OR 2216, PG 252)

THE WEST 1/2 OF THE SW 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SECTION 28, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LYING AND BEING IN THE COUNTY OF COLLIER AND STATE OF FLORIDA

PARCELS 1 & 2 CONTAINING 8.99 ACRES MORE OR LESS COMBINED



<u>LEGEND</u>				<div>DESIGNED BY: S.U.</div> <div>DRAWN BY: S.U.</div> <div>APPROVED: D.W.A.</div> <div>JOB CODE: CPRZ</div> <div>SCALE: 1" = 200'</div> <div>Revision Date Description By</div>				<div> GradyMinor Q. Grady Minor and Associates, P.A. 3800 Via Del Rey Bonita Springs, Florida 34134 Civil Engineers • Land Surveyors • Planners • Landscape Architects Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266 Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380</div>				<div>CLEARY RPUD AERIAL PHOTOGRAPH DATE AERIAL FLOWN: JAN 2016 SOURCE: COLLIER COUNTY PROPERTY APPRAISER</div>				<div>MUNICIPALITY: COLLIER COUNTY SEC/TWN/RGE: 28/48S/26E DATE: OCTOBER 2016 SUBMITTAL TYPE: PUD REZONE SHEET 1 OF 1</div>			
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