



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: Pelican Nursery MPUD (PL20170000768)

LOCATION: (Common Description) The subject property is located in the southeast quadrant of Immokalee Road and Collier Boulevard

SUMMARY OF WAIVER REQUEST: The proposed Pelican Nursery MPUD property is approximately 56± acres, which is currently a plant nursery. 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 26, 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.): BCHD Partners II, LLC
Mailing Address: 2600 Golden Gate Parkway, Naples FL 34105
Phone: (239) 262-2600 FAX: _____
E-Mail: DGenson@barroncollier.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: Tree Plateau Co., Inc.
Mailing Address: C/O Gene M. Pranzo, 5637 Strand Blvd., Suite 204
Phone: (239) 262-2600 FAX: _____
E-Mail: DGenson@barroncollier.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 26 Township 48S 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 56± acres

Width along roadway: 1900± feet (Immokalee Road), 1200± feet (Collier Blvd)

Depth: 1194± feet

C. Present use of property: Plant Nursery

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 a plant nursery.
2. Historical Land Use Description: Plant nursery.
3. Land, cover, formation and vegetation description: The site is cleared with vegetated areas along the western, southern and eastern boundaries.
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 ½" 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)

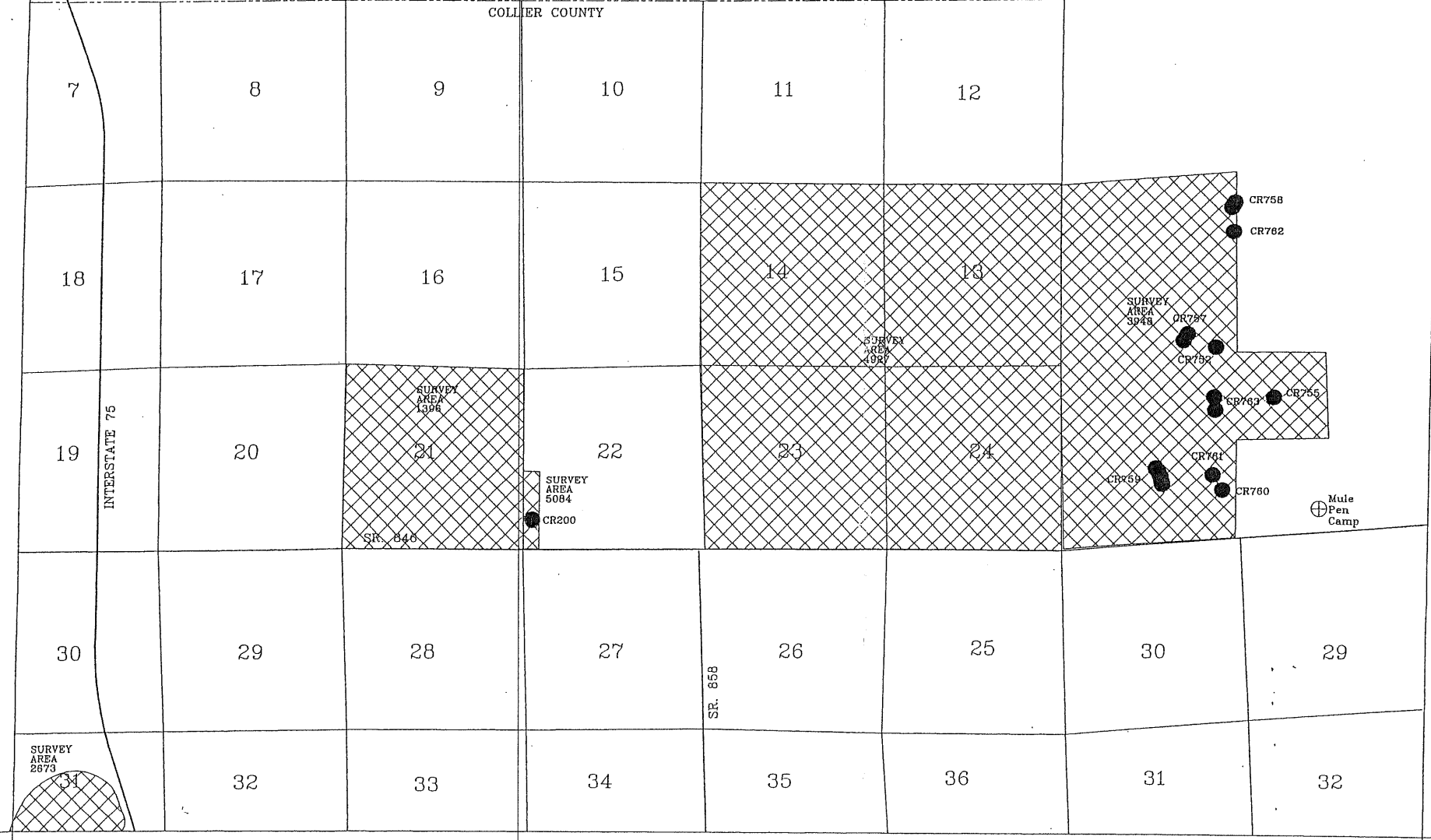
RNG 26 | RNG 27

1"=4300'

TWP 47
TWP 48

LEE COUNTY
COLLIER COUNTY

CORKSCREW SWAMP



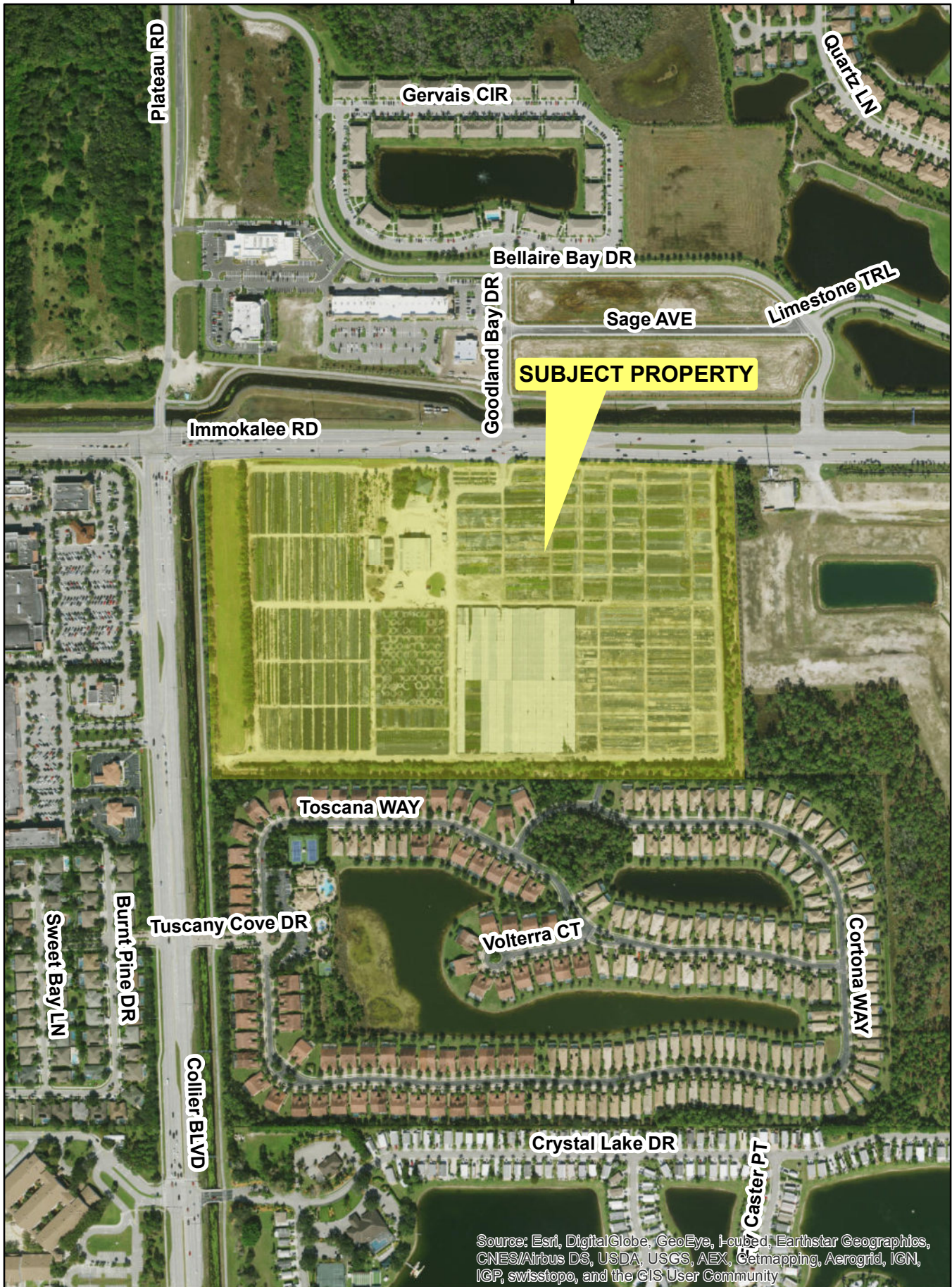
LEGEND

- PREVIOUSLY SURVEYED AREA
- INDICATES AREAS OF HISTORICAL/ARCHAEOLOGICAL PROBABILITY
- INDICATES HISTORIC STRUCTURE (NOT TO SCALE)
- INDICATES ARCHAEOLOGICAL SITE (NOT TO SCALE)
- INDICATES HISTORIC DISTRICT

CORKSCREW SW QUADRANGLE
AREAS OF HISTORICAL/ARCHAEOLOGICAL PROBABILITY

PELICAN NURSERY MPUD

Location Map



Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Pelican Nursery MPUD

Exhibit 2 Legal Description

PARCEL 1 (PARCEL NO. 00192920001):

THE NW 1/4 OF THE NW 1/4, SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LESS THE NORTH 100 FEET PREVIOUSLY CONVEYED FOR ROAD RIGHT-OF-WAY AND LESS RIGHT OF WAY DESCRIBED IN O.R. BOOK 2568, PAGE 1176 AND LESS RIGHT OF WAY DESCRIBED IN O.R. BOOK 3328, PAGE 1487, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

PARCEL 2 (PARCEL NO. 00192360001):

THE WEST 60% OF THE NE 1/4 OF THE NW 1/4, SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LESS THE NORTH 100 FEET PREVIOUSLY CONVEYED FOR ROAD RIGHT-OF-WAY AND LESS ROAD RIGHT-OF-WAY DESCRIBED IN O.R. BOOK 3328, PAGE 1487, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

THE ABOVE DESCRIBED LANDS BEING SUBJECT TO THE TERMS OF THAT BOUNDARY LINE AGREEMENT RECORDED IN OFFICIAL RECORD BOOK 2228, PAGE 1540, COLLIER COUNTY, FLORIDA, AND SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OR PARCEL OF LAND LYING IN SECTION 26, TOWNSHIP 48 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA,

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 26, THENCE S.89°58'37"E. ALONG THE NORTH LINE OF SAID SECTION 26, A DISTANCE OF 105.55 FEET; THENCE S.00°01'23"W. DEPARTING SAID NORTH LINE, A DISTANCE OF 136.96 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF IMMOKALEE ROAD AND THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING, THENCE RUN ALONG SAID SOUTH RIGHT-OF-WAY THE FOLLOWING NINE (9) COURSES:

1. N.86°54'32"E., A DISTANCE OF 220.75 FEET,
2. S.89°58'57"E., A DISTANCE OF 585.17 FEET,
3. S.00°01'25"W., A DISTANCE OF 15.00 FEET,
4. S.89°58'25"E., A DISTANCE OF 301.91 FEET,
5. S.00°01'35"W., A DISTANCE OF 3.94 FEET,
6. S.89°58'25"E., A DISTANCE OF 89.97 FEET,
7. N.00°01'25"E., A DISTANCE OF 15.00 FEET,
8. S.88°54'04"E., A DISTANCE OF 22.92 FEET,
9. S.88°54'04"E., A DISTANCE OF 793.22 FEET;

TO AN INTERSECTION WITH THE WEST BOUNDARY LINE OF THE PLAT OF BENT CREEK PRESERVE, AS RECORDED IN PLAT BOOK 55, PAGE 61, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE S.02°16'43"E. DEPARTING SAID SOUTH RIGHT-OF-WAY ALONG SAID WEST BOUNDARY LINE, A DISTANCE OF 1,194.23 FEET TO AN INTERSECTION WITH THE NORTH BOUNDARY LINE OF THE PLAT OF TUSCANY COVE, AS RECORDED IN PLAT BOOK 42, PAGE 15, OF SAID PUBLIC RECORDS; THENCE N.89°59'25"W. ALONG SAID NORTH LINE, A DISTANCE OF 2,013.46 FEET TO AN INTERSECTION WITH THE EAST LINE OF A 100 FOOT WIDE CANAL RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK 12, PAGE 348, OF SAID PUBLIC RECORDS; THENCE N.02°15'50"W., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1,201.93 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 00192920001 CONTAINS 33.82 ACRES, MORE OR LESS.

PARCEL NO. 00192360001 CONTAINS 21.84 ACRES, MORE OR LESS.

TOTAL PARCEL CONTAINS 55.66 ACRES, MORE OR LESS.

May 19, 2017



GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects

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