

HEARING EXAMINER OFFICE – GOALS/ACCOMPLISHMENTS

(August 1, 2023 through July 31, 2024)

Donna Marie Collins
Chief Hearing Examiner

GOAL 1 (Zoning)

Provide legal analysis of zoning and land use requests. Prepare recommendations to the Board of County Commissioners on rezoning requests. Recommendations and final decisions must be consistent with County regulations and governing case law.

ACTION TAKEN IN FURTHERANCE OF GOAL 1:

- Recommended conditions of approval in furtherance of County goals and objectives.
- Conducted site visits on every case.
- Attended Board zoning hearings.
- Reviewed Florida court decisions and statutes to ensure consistency with governing case law.
- Maintained proficiency in land use law with continuing legal education to support Florida Bar Board Certifications.

Note: Table of Zoning Actions for FY 2023/2024 - Exhibit A.

GOAL 2 (Code Enforcement)

Provide equitable enforcement of County regulations through the quasi-judicial hearing process.

ACTION TAKEN IN FURTHERANCE OF GOAL 2:

- Conducted hearings on the enforcement of County ordinances.
- Mitigated code liens when appropriate to return distressed properties to economic benefit.
- Consulted Florida court decisions and statutes to ensure consistency with governing case law.

Note: Table of Code Actions for FY 2023/2024 - Exhibit B

GOAL 3

Notify BOCC, County Attorney's Office and County Administration of land use issues warranting more guidance/direction from the adopted County regulations.

ACTION TAKEN IN FURTHERANCE OF GOAL 3:

- Offered suggestions on amendments to County regulations to DCD or County Attorney.
- Topics of concern highlighted in zoning case recommendations. (i.e., Regulations and policies in need of clarification or amendment).

GOAL 4

Develop and implement policies and procedures for zoning, land use and code enforcement hearings.

ACTION TAKEN IN FURTHERANCE OF GOAL 4:

Code Enforcement:

Regularly meet with Code Enforcement and County Attorney staff to discuss program improvements.

LDC and Administrative Code:

Confer with County Attorney and DCD with amendments to LDC and Administrative Codes.

GOAL 5

Serve as BOCC representative in public forums. Provide public with information on zoning and land use cases.

ACTION TAKEN IN FURTHERANCE OF GOAL 5:

- Hearing Examiner website includes PowerPoint presentations explaining Code Enforcement, Zoning, and public participation.
- Website offers opportunity for citizen groups to request presentations by Hearing Examiners on Code Enforcement, Zoning, and public participation.
- Transcripts and hearing case summaries available to staff/public in PDF format.
- Case recordings uploaded to DCD website for public access.
- Hearing Examiner zoning hearings broadcast on LeeTV.

GOAL 6

Manage and supervise the Hearing Examiner's Office. Supervise day-to-day performance of support staff, Deputy Hearing Examiner and Hearing Examiners Pro Tem. Prepare performance evaluations and salary increases for the office. Oversee personnel matters and implementation of the budget.

ACTION TAKEN IN FURTHERANCE OF GOAL 6:

Chief Hearing Examiner:

- Supervision of office operations
- Budget preparation
- Annual evaluations of Deputy Hearing Examiner and three support staff members

Exhibits:

- A Zoning Actions FY 2023/2024
- B Code Actions FY 2023/2024

**Zoning Actions
2023/2024
Exhibit A**

TOTAL	72
Planned Development	33
Conventional Zonings	19
DRI	0
Special Exceptions	12
Variances	6
Special Hearing	0
Administrative Appeals	2

PLANNED DEVELOPMENT

	Multiple Day Hearing
1. BARRETT PARK RPD	
2. DANIELS FALLS CPD	
3. WILDBLUE COMMERCIAL MPD AMENDMENT	2
4. 61 ORIOLE ALICO WEST MPD	
5. SOUTHEAST ADVANCED WATER RECLAMATION FACILITY	
6. RED JACKET COUNTRY LAKES CPD	
7. PAGE FIELD AOPD REZONING	
8. PRATT'S PRESERVE	
9. BLUE WAVE EXPRESS CAR WASH	
10. BAYSHORE VILLAGE	2
11. BLACKSTONE CORPORATE PARK MPD	
12. RIVER HALL	
13. EXTRA SPACE STORAGE CPD	
14. BAYSHORE 75	
15. FPL VERANDAH TRANSMISSION SUBSTATION	
16. SANTOYO TRUCK PARTS & SALES	
17. ARBORWOOD VILLAGE CPD AMENDMENT	
18. VERANDAH COMMERCIAL – PARCEL D	
19. LAUREL LANE CPD	
20. KELLY ROAD MPD	
21. BAYSHORE 31 RPD	
22. ALICO LAKES VILLAGE CPD AMENDMENT TRACT 1	
23. KELLY TRACTOR IPD AMENDMENT	
24. SUNNILAND TOWN CENTER CPD	
25. TOWN LAKES CPD AMENDMENT	
26. KINGSTON STREET RPD	
27. BURNT STORE MIXED-USE DEVELOPMENT	
28. COSTCO GAS FACILITY	
29. DIPLOMAT HOUSE A/K/A DIPLOMAT NORTH RPD AMEND.	
30. BAY HARBOUR MARINA VILLAGE	
31. FLOOR & DÉCOR LEE COUNTY	
32. ALVA TRADING POST CPD	
33. SPRING LAKE II RPD 60 UNITS	

CONVENTIONAL REZONINGS

1. LEHIGH ACRES FIRE STATION 107
2. SADDLE ROAD REZONE
3. INTREPID LANE REZONE
4. MI PLACITA
5. LEE CORNERS
6. SIGNATURE STORAGE SUITE (REZ & VAR)
7. NALLU'S PLACE
8. LITTLETON CENTER
9. 17220 SAN CARLOS REZONE
10. 12908 IONA ROAD
11. NORTH FT. MYERS 17 ACRES
12. STOKES MARINE REZONING
13. 208 3 RD REZONE
14. 14290 N. CLEVELAND AVENUE
15. 10488 NIKKIS LANE
16. LUXAR PROPERTIES
17. 1430 BROWN ROAD
18. REZONING – 4307 22 ND ST
19. 2911 & 2913 4 TH ST. W. CONVENTIONAL REZONE

SPECIAL EXCEPTIONS

1. BERMUDA LAKES RV RESORT RVPD
2. 4151 HANCOCK BRIDGE PARKWAY
3. OLD BRIDGE STEAKHOUSE
4. RAGGED ASS SALOON
5. LEHIGH ACRES FS103 COMMUNICATION TOWER (SEZ & VAR)
6. KW ELECTRIC INC
7. 7-ELEVEN ISLAND PARK SHOPPING CENTER
8. 1700 GOLF CLUB DRIVE – STORAGE
9. US-FL 5473 PAULA AVENUE (SEZ & VAR)
10. DONNA J. BEASLEY TECHNICAL ACADEMY ADDITION
11. AMAZING GRACE SPECIAL EXCEPTION
12. LEHIGH ACRES FIRE STATION 104 COMMUNICATION TOWER (SEZ & VAR)

VARIANCES

1. SIGNATURE STORAGE SUITE (REZ & VAR)
2. LEHIGH ACRES FS103 COMMUNICATION TOWER (VAR & SEZ)
3. US-FL 5473 PAULA AVENUE (VAR & SEZ)
4. 11630 REDISH SHORES
5. AMAZING GRACE SPECIAL EXCEPTION
6. LEHIGH ACRES FIRE STATION 104 COMMUNICATION TOWER (SEZ & VAR)

ADMINISTRATIVE APPEALS

1. 161 GILCHRIST, LLC
2. 11458 MAY ST, LLC

**Code Actions
2023 to 2024
Exhibit B**

TOTAL ACTIONS	1952
New Cases	660
Recalls	713
Lien Mitigation	209
Partial Release of Lien	20
Release of Lien	35
Satisfaction of Lien	306
Quash/Other	9

8/1/2023 to 7/31/2024