

**COLLIER COUNTY LAND DEVELOPMENT CODE STAFF CLARIFICATION**

**CURRENT PLANNING STAFF CLARIFICATION SC 03-01**

DATE: May 9, 2003

LDC SECTION: 2.2.10.4.3.2.

INITIATED BY: Kay Deselem, AICP

**BACKGROUND/CONSIDERATIONS:** This section of the LDC sets forth the standards for side setback requirement in the MH zoning district, establishing one requirement and two exceptions. The first exception seems to be in conflict with the definition of "Lot, frontage," as contained in Division 6.3. The first requirement states that a general side yard requirement is 7.5 feet, but provides for exceptions as quoted below:

*Side yard.* Seven and one-half feet, except when adjacent to public roads external to the boundaries of the project, 50 feet or when it is a waterfront yard, 10 feet. [underlining added for emphasis]

This requirement seems to contradict the definition of "Lot, frontage" quoted below: that indicates that all sides of a lot abutting streets are NOT considered side lot lines; these lot lines are to be treated as frontage.

*Lot frontage:* The front of an interior lot is construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets are to be considered frontage, and yards shall be as set out in this Land Development Code. [underlining added for emphasis]

Where would the 50-foot requirement be applicable?

**DETERMINATION (CLARIFICATION):**

AUTHOR: \_\_\_\_\_ for Margaret Wuerstle, AICP, Planning Services Department Director

THROUGH: Susan Murray, AICP, Manager, Current Planning Section

**APPROVED:**

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Margaret Wuerstle, AICP, Director, Planning Services Department Date

cc: Michelle Arnold, Code Enforcement Director  
Ivette Monroig, for Staff Clarification file