



City of Marco Island  
Growth Management Department  
50 Bald Eagle Drive  
Marco Island, FL 34145  
Phone: 239-389-5000

**REZONE PETITION**

Applicable Sections of the Marco Island Land Development Code Sec. 30-62 Amendment Procedures

Petition number: **R-**\_\_\_\_\_ Date Received: \_\_\_\_\_

**ABOVE TO BE COMPLETED BY STAFF**

1. **General Information:**

Name of Applicant(s): HIDEAWAY BEACH ASSOCIATION, INC.

Applicant's Mailing Address: c/o Agent

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Applicant's E-Mail Address: c/o Agent

Applicant's Telephone: c/o Agent Fax: c/o Agent

Name of Agent: Woodward, Pires & Lombardo, P.A. Firm: \_\_\_\_\_

Agent's Mailing Address: 606 Bald Eagle Drive, Suite 500

City: Marco Island State: FL Zip: 34145

Agent's Telephone: (239) 394-5161 Fax: 239-642-6402

Agent's E-Mail Address: zlombardo@wpl-legal.com

2. **Owner Information:**

a. If the property is owned fee simply by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest. (Use additional sheets if necessary).

| Name and Address | Percentage of Ownership |
|------------------|-------------------------|
| _____            | _____                   |
| _____            | _____                   |
| _____            | _____                   |

- b. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

| Name and Address, and Office     | Percentage of Stock      |
|----------------------------------|--------------------------|
| HIDEAWAY BEACH ASSOCIATION, INC. | See attached "Exhibit A" |
| _____                            | _____                    |
| 250 SOUTH BEACH DRIVE            | _____                    |
| _____                            | _____                    |
| MARCO ISLAND, FL 34145           | _____                    |
| _____                            | _____                    |

- c. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest.

| Name and Address | Percentage of Interest |
|------------------|------------------------|
| _____            | _____                  |
| _____            | _____                  |
| _____            | _____                  |
| _____            | _____                  |
| _____            | _____                  |
| _____            | _____                  |

- d. If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners.

| Name and Address | Percentage of Ownership |
|------------------|-------------------------|
| _____            | _____                   |
| _____            | _____                   |
| _____            | _____                   |
| _____            | _____                   |
| _____            | _____                   |
| _____            | _____                   |

- e. If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

| Name and Address | Percentage of Ownership |
|------------------|-------------------------|
| _____            | _____                   |
| _____            | _____                   |
| _____            | _____                   |
| _____            | _____                   |
| _____            | _____                   |
| _____            | _____                   |
| _____            | _____                   |
| _____            | _____                   |
| _____            | _____                   |

Date of Contract: \_\_\_\_\_

- f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address

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- g. Date subject property, acquired  leased  \_\_\_\_\_ Term of lease \_\_\_\_\_ yrs./mos.

If, Petitioner has option to buy, indicate date of option: \_\_\_\_\_ and date option terminates: \_\_\_\_\_, or anticipated closing date \_\_\_\_\_.

- h. Should any changes of ownership or changes in contracts for purchase occur subsequent to the date of application, but prior to the date of the final public hearing, it is the responsibility of the applicant, or agent on his behalf, to submit a supplemental disclosure of interest form.

3. **Detailed legal description of the property covered by the application:** (If space is inadequate, attach on separate page.) If request involves change to more than one zoning district, include separate legal description for property involved in each district. Applicant shall submit one (1) digital copy of a recent survey completed within the last six months.

**NOTE:** The applicant is responsible for supplying the correct legal description. If questions arise concerning the legal description, an engineer's certification or sealed survey may be required.

Section: 7 Township: 52 Range: 26

Lot: 1 & 2 and Block: 18 Subdivision: Hideaway Beach  
Tracts A + B

Plat Book 12 Page #: 80-85 Property I.D.#: 50037760004, 50037720002, and 49980040002

Metes & Bounds Description: N/A

4. **Size of property:** N/A ft. X N/A ft. = Total Sq. Ft. 1,308,978\* Acres 30.05\*  
(\*per Collier County Property Appraiser records)

5. **Address and/or Parcel ID of subject property:**

225 HIDEAWAY CIR. N. , 231 HIDEAWAY CIR. N., and 333 HIDEAWAY CIR. N.

6. **Adjacent zoning and land use:**

Zoning                  Land use

|        |            |                                |
|--------|------------|--------------------------------|
| N      | <u>PUD</u> | <u>ROW then RSF/Beach Club</u> |
| S      | <u>PUD</u> | <u>ROW then RSF</u>            |
| E      | <u>PUD</u> | <u>ROW then RSF</u>            |
| W      | <u>PUD</u> | <u>ROW then RSF</u>            |
| MIDDLE | <u>PUD</u> | <u>RMF</u>                     |

This proposed application is a PUD language amendment under section 30-63(i)(1)c., LDC to the Hideaway Beach PUD, Collier County Ordinance 92-11, as amended. Please see proposed language amendment attached as **Exhibit B.**

7. **Rezoning Request:** This application is requesting a rezoning from the N/A zoning district (s) to the N/A zoning district(s).

Present Use and Zoning of the Property: PUD, Vacant and Recreational Facility Uses

Proposed Use and Zoning (or range of uses) of the property: PUD, with RSF and recreational facility uses

8. **Evaluation Criteria:** Pursuant to Section 30-62 of the Marco Island Land Development Code, staff's analysis and recommendation to the Planning Board, and the Planning Board recommendation to the City Council shall be based upon consideration of the applicable criteria noted below. Provide a narrative statement describing the rezoning request with specific reference to the criteria noted below. Include any backup materials and documentation in support of the request.

Please see **Exhibit C**

Standard Rezoning Considerations (LDC Section 30-62(c)(3) b.1-18).

1. Whether the proposed change will be consistent with the goals, objectives, and policies and future land use map and the elements of the growth management plan.
2. The existing land use pattern.
3. The possible creation of an isolated district unrelated to adjacent and nearby districts.
4. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property for the proposed change.
5. Whether changed or changing conditions make the passage of the proposed amendment necessary.
6. Whether the proposed change will adversely influence living conditions in the neighborhood.
7. Whether the proposed change will create or excessively increase traffic congestion or create types of traffic deemed incompatible with surrounding land uses, because of peak volumes or

*projected types of vehicular traffic, including activity during construction phases of the development, or otherwise affect public safety.*

8. *Whether the proposed change will create a drainage problem.*
  9. *Whether the proposed change will seriously reduce light and air to adjacent areas.*
  10. *Whether the proposed change will seriously affect property values in the adjacent area.*
  11. *Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.*
  12. *Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.*
  13. *Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.*
  14. *Whether the change suggested is out of scale with the needs of the neighborhood or the county.*
  15. *Whether it is impossible to find other adequate sites in the county for the proposed use in districts already permitting such use.*
  16. *The physical characteristics of the property and the degree of site alteration which would be required to make the property usable for any of the range of potential uses under the proposed zoning classification.*
  17. *Such other factors, standards, or criteria that the board of county commissioners shall deem important in the protection of the public health, safety, and welfare.*
9. **Deed Restrictions:** The City is legally precluded from enforcing deed restrictions, however, many communities have adopted such restrictions. You may wish to contact the civic or property owners association in the area for which this use is being requested in order to ascertain whether or not the request is affected by existing deed restrictions.
10. **Previous land use petitions on the subject property:** To your knowledge, has a public hearing been held on this property within the last year? If so, what was the nature of that hearing?
- No.

**STATEMENT OF UTILITY PROVISIONS FOR STANDARD REZONE REQUEST**

1. NAME OF APPLICANT: \_\_\_\_\_

2. MAILING ADDRESS: \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

3. ADDRESS OF SUBJECT PROPERTY: \_\_\_\_\_

\_\_\_\_\_

4. LEGAL DESCRIPTION:

Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Plat Book \_\_\_\_\_ Page #: \_\_\_\_\_ Property I.D.#: \_\_\_\_\_

Metes & Bounds Description: \_\_\_\_\_

\_\_\_\_\_

5. TYPE OF SEWAGE DISPOSAL TO BE PROVIDED (Check applicable system):

a. COUNTY UTILITY SYSTEM

b. CITY UTILITY SYSTEM

c. FRANCHISED UTILITY SYSTEM

PROVIDE NAME \_\_\_\_\_

(GPD capacity) \_\_\_\_\_

6. TYPE OF WATER SERVICE TO BE PROVIDED:

a. COUNTY UTILITY SYSTEM

b. CITY UTILITY SYSTEM

c. FRANCHISED UTILITY SYSTEM

PROVIDE NAME \_\_\_\_\_

7. TOTAL POPULATION TO BE SERVED: \_\_\_\_\_

8. PEAK AND AVERAGE DAILY DEMANDS:

A. WATER-PEAK \_\_\_\_\_ AVERAGE DAILY \_\_\_\_\_

B. SEWER-PEAK \_\_\_\_\_ AVERAGE DAILY \_\_\_\_\_

9. **IF PROPOSING TO BE CONNECTED TO CITY OF MARCO ISLAND WATER SYSTEM, PLEASE PROVIDE THE DATE SERVICE IS EXPECTED TO BE REQUIRED:** \_\_\_\_\_.

10. **STATEMENT OF AVAILABILITY CAPACITY FROM OTHER PROVIDERS:** Unless waived or otherwise provided for at the pre-application meeting, if the project is to receive sewer or potable water services from any provider other than the County, a statement from that provider indicating that there is adequate capacity to serve the project shall be provided.

**AFFIDAVIT**

We/I, Hideaway Beach Association, Inc. being first duly sworn, depose and say that we/I am/are the owners of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, including the disclosure of interest information, all sketches, data, and other supplementary matter attached to and made a part of this application, are honest and true to the best of our knowledge and belief. We/I understand that the information requested on this application must be complete and accurate and that the content of this form, whether computer generated, or City printed shall not be altered. We/I hereby also consent to access to the subject property (excluding entering any home or other enclosed structure) by City of Marco Island staff members for the limited purpose of evaluating, observing, or understanding the subject property conditions as they relate to the Site Development Plan. While the Site Development Plan is pending, staff members will be allowed access upon the property provided they display a Marco Island City Photo ID or a Valid Driver's License.

Zachary W. Lombardo and the law firm of Woodward, Pires & Lombardo, P.A.

As property owner we/I further authorize \_\_\_\_\_ to act as our/my representative in any matters regarding this Petition.

Jeanne Hickey  
Signature of Property Owner

Mrs. Hickey  
← signature

Jeanne Hickey  
Printed Name of Property Owner

President  
Title

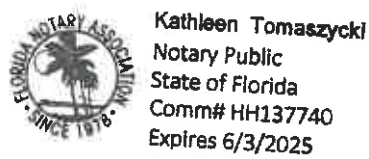
The foregoing instrument was acknowledged before me this 3RD day of JANUARY, 2024 by Jeanne Hickey, who is personally known to me or has produced \_\_\_\_\_ as identification.

State of Florida  
County of Collier

KMN  
Signature, Notary Public – State of Florida

(Seal)

Kathleen TOMASZYCKI  
Printed, Typed, or Stamped Name of Notary



## STANDARD REZONE APPLICATION

### SUBMITTAL CHECKLIST

**THIS COMPLETED CHECKLIST IS TO BE SUBMITTED WITH APPLICATION PACKET.**

| REQUIREMENTS   | # OF COPIES | REQUIRED | NOT REQUIRED |
|--|-------------|----------|--------------|
| 1. Completed Application   | 1           | ✓        |              |
| 2. Copy of Deed(s) and list identifying Owner(s) and all Partners if a Corporation   | 1           | ✓        |              |
| 3. Completed Owner/Agent Affidavit, Notarized  | 1           | ✓        |              |
| 4. Pre-application notes/minutes   | 1           | ✓        |              |
| 5. Conceptual Site Plans   | 1           |          | X            |
| 6. Environmental Impact Statement - (EIS)  | 1           |          | X            |
| 7. Aerial Photograph - (with habitat areas identified)   | 1           |          | X            |
| 8. Completed Utility Provisions Statement (with required attachments and sketches)   | 1           |          | X            |
| 9. Traffic Impact Statement - (TIS)  | 1           |          | X            |
| 10. Historical & Archaeological Survey or Waiver Application   | 1           |          | X            |
| 11. Copies of State and/or Federal Permits   | 1           |          | X            |
| 12. NEIGHBORHOOD INFORMATION MEETING (NIM):<br>APPLICATION SUBMITTAL:<br>-Copy of Affidavit attesting that all property owners, civic associations & property owner associations were notified.<br>-Copy of audio/video recording of public meeting<br>-Written account of meeting |             | REQUIRED |              |
| 13. Application fee, check shall be made payable to "The City of Marco Island" in the amount of \$5,000.00. (\$10,000.00 if to PUD.)   |             | REQUIRED |              |
| 14. Digital Copy of all Documents Submitted  |             | ✓        |              |

**PUBLIC NOTICE REQUIREMENT: PER SECTION 30-62**

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

  
Agent/Applicant Signature

1-3-2024  
Date



**EXHIBIT A – Officers of Hideaway Beach Association, Inc.**

| <b>OFFICER</b>        | <b>ADDRESS</b>  | <b>TITLE</b> |
|-----------------------|---|--------------|
| SIEGEL, GENE          | 380 GUMBO LIMBO<br>LANE<br>MARCO ISLAND,<br>FL 34145            | DIRECTOR     |
| RANA, LOUIS           | 341 HIDEAWAY<br>CIRCLE S.<br>MARCO ISLAND,<br>FL 34145          | SECRETARY    |
| HICKEY, JEANNE        | 6000 ROYAL<br>MARCO WAY<br>#749<br>MARCO ISLAND,<br>FL 34145    | PRESIDENT    |
| BEAN, BRETT           | 865 SEA DUNE<br>LANE<br>MARCO ISLAND,<br>FL 34145               | TREASURER    |
| DEMPSEY, BILL         | 640 WATERSIDE<br>DRIVE<br>MARCO ISLAND,<br>FL 34145             | DIRECTOR     |
| COX, DAVID            | 5000 ROYAL<br>MARCO WAY<br>834<br>MARCO ISLAND,<br>FL 34145     | DIRECTOR     |
| DEMLER, JOHN          | 828 HIDEAWAY<br>CIRCLE EAST<br>417<br>MARCO ISLAND,<br>FL 34145 | VP           |
| PORTU, CARLOS,<br>DR. | 394 GUMBO LIMBO<br>LANE<br>MARCO ISLAND,<br>FL 34145            | DIRECTOR     |
| NORMAN, DEBRA         | 296 SEABREEZE<br>DRIVE<br>MARCO ISLAND,<br>FL 34145             | DIRECTOR     |

# **Exhibit “B”**

**Proposed PUD language:**

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**4.03 Permitted Uses and Structures**

No building or structure, or part thereof, shall be erected, altered, or used, or land or water used, in whole or in part, for other than the following:

**A. Permitted Principal Uses and Structures**

1. Single Family detached dwellings.
2. Solely as to lots 1 and 2, Block 18, Hideaway Beach:
  - i. Bocce Courts.
  - ii. Golf Course.
  - iii. Playgrounds and playfields.

**B. Permitted Accessory Uses and Structures**

1. Customary accessory uses and structures, including private garages and private docking facilities as specified in Section 4.04.10.
2. Solely as to lots 1 and 2, Block 18, Hideaway Beach-
  - i. Recreational facilities, including but not limited to Bocce Courts, Golf courses, playgrounds, and playfields, that serve as an integral part of a residential development and have been designated, reviewed and approved on a site development plan or preliminary subdivision plat for that development.
  - ii. Signs as permitted in the Land Development Code.
  - iii. Golfcart parking.

\*\*\*

**4.04.09 Off-Street Parking Requirements:**

A. One parking space shall be required for each dwelling unit and such space shall be located within the building setback line.

**B. Bocce Courts - 1 space per court.**

**C. Golf Course - 2 spaces per golf hole.**

\*\*\*

## 6.02 Permitted Uses and Structures

No building or structure, or part thereof, shall be erected, altered or used, or land used, in whole or in part, for other than the following:

### A. Permitted Uses

1. Golf course
2. Golf and Tennis Pro Shop and Club House
3. Tennis, and Pickle Ball, Racquetball, Bocce Courts and Courts any other general recreational use which is comparable in nature with the foregoing uses.
4. Health Club
5. Convenience Commercial Facilities
  - a) Barber & Beauty Shops
  - b) Delicatessens
  - c) Dry Cleaning Shops
  - d) Food Markets
  - e) Gourmet Shops
  - f) Sundry Stores
  - g) Professional Offices
  - h) Any other commercial use or professional service which is comparable in nature with the foregoing uses and which the Director determines to be compatible in the district.

### 6. Playgrounds and playfields.

#### B. Permitted Accessory Uses

1. Maintenance shops and equipment storage.
2. Living quarters for maintenance personnel.
- 3 Signs as permitted in the Land Development Code.

\*\*\*

## 6.03 Plan Approval Requirements

Plans for all principal and all accessory uses shall be submitted to the Director who will review these plans and approve their construction. All construction shall be in accordance with the approved plans and specifications.

A. General Requirements

1. Overall design shall be harmonious in terms of landscaping, location of parking areas, recreation facilities, and building masses.
2. Buildings shall be setback a minimum of 50 feet from abutting private street pavement edges and residential structures (except for maintenance personnel living quarters).
3. ~~Tennis and racquetball courts~~ Tennis, Pickle Ball, and Bocce courts shall be set back a minimum of 45 feet from abutting ~~private street pavement edges and~~ residential structures (except maintenance personnel living quarters).
4. A minimum of 6 tennis courts ~~and 2 racquetball courts~~ shall be provided.
5. Lighting facilities shall be arranged in a manner to protect roadways and neighboring properties from direct glare.
6. The required setbacks for buildings and courts shall be heavily landscaped to act as buffers.
7. All outdoor storage area and maintenance yards shall be screened from view.

\*\*\*

6.07 Minimum Off-Street Parking

Golf course (incl. Golf and Tennis Pro Shop and Health Clubhouse and Golf Clubhouse), ~~Tennis and Racquetball Courts~~ Tennis, Pickle Ball, and Bocce Courts-2 spaces per golf hole and 1 space per court. Up to 40% of the parking spaces may be golf cart-type vehicle parking spaces in paved or unpaved areas.

Convenience Commercial – 1 space per 250 sq. ft. of gross floor area. The director may permit a lesser number of parking spaces to be paved when circumstances indicate infrequent use. However, these unpaved parking spaces shall be grassed and reserved for future paving. Notwithstanding the foregoing, up to 40% of the parking spaces may be golf cart-type vehicle parking spaces in paved or unpaved areas.

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# **Exhibit “C”**

## Exhibit C - Evaluation Criteria

### **1. Whether the proposed change will be consistent with the goals, objectives, and policies and future land use map and the elements of the growth management plan.**

Yes. The Future Land Use designation for the areas impacted by this Amendment is Planned Unit Development. This PUD pre-exists Marco Island and this amendment does not change density or cause there to be intensities outside of the permitted range of land uses already existing in the PUD, consistent with Future Land Use Element Policy 3.2.7.

#### Policy 3.2.7

The Planned Unit Development future land use category is intended for existing Planned Unit Development (PUD) zoning districts only, that were adopted by Collier County prior to the incorporation of Marco Island and adoption of the City's Comprehensive Plan. Densities, intensities and the permitted range of land uses in this category are regulated by the site-specific PUD zoning ordinance(s). Any increase to the adopted density or intensity will require a finding of consistency with all applicable provisions of this Plan.

### **2. The existing land use pattern.**

The existing land use pattern in the area impacted by this amendment is residential and residential, recreational amenities.

### **3. The possible creation of an isolated district unrelated to adjacent and nearby districts.**

This amendment does not create a new district or change district boundaries.

This amendment extends residential, recreational amenity uses adjacent to existing residential, recreational amenity uses and updates uses and other standards. Thus, this amendment will not create an isolated district unrelated to adjacent and nearby districts.

### **4. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property for the proposed change.**

The existing neighborhood boundaries are illogically drawn in relation to the existing conditions on the property in that the existing area in which recreational amenities may be constructed is smaller than what was originally planned and otherwise limited such that multiple variances have been granted that found sufficient buffering between existing recreational facilities and the nearby single-family homes (Collier County Resolutions 95-589 and 90-530).

### **5. Whether changed or changing conditions make the passage of the proposed amendment necessary.**

Changed conditions make the passage of the proposed amendment necessary. The hurricane, the growth of Hideaway, and the changing recreational amenities market make it necessary for the proposed amendment.

**6. Whether the proposed change will adversely influence living conditions in the neighborhood.**

The proposed amendment will positively impact the living conditions in the neighborhood because it will allow for an updating of recreational amenities.

**7. Whether the proposed change will create or excessively increase traffic congestion or create types of traffic deemed incompatible with surrounding land uses, because of peak hour volumes or projected types of vehicular traffic, including activity during construction phases of the development, or otherwise affect public safety.**

The proposed change will allow modifications to existing recreational amenities and, because Hideaway is a gated community and all roads in the vicinity are private roads, and the facilities serve existing residents, the traffic impacts should be negligible.

**8. Whether the proposed change will create a drainage problem.**

All modifications will be subject to site planning for review of drainage matters.

**9. Whether the proposed change will seriously reduce light and air to adjacent areas.**

No more than what is currently possible.

**10. Whether the proposed change will adversely affect property values in the adjacent area.**

No.

**11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.**

No. The vast majority of adjacent property is already adjacent to recreational amenities, and variances have been granted to allow locations consistent with all amendments for existing courts.



**12. Whether the proposed change will constitute a grant of a special privilege to an individual real property owner as contrasted with the public welfare.**

No. Additionally, the property owner is an association composed of all Hideaway owner and in that way represents the interests of the entire neighborhood.

**13. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.**

Yes. There is a need for additional recreational amenities and there are not other viable sites given current property ownership and build out in the Hideaway neighborhood.

**14. Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

No. The existing area in which recreational amenities may be constructed is smaller than what was originally planned.

**15. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.**

Yes.

**16. The physical characteristics of the property and the degree of site alteration which would be required to make the property usable for any of the range of potential uses under the proposed zoning classification.**

The proposed allowable uses are minimal in impact compared to the impact of what could otherwise be constructed.

**17. The impact of development on the availability of adequate public facilities and services consistent with the levels of service adopted in the city comprehensive plan and as defined and implemented through the city's adequate public facilities ordinance, as amended.**

The proposed allowable uses are minimal in impact compared to the impact of what could otherwise be constructed.

**18. Such other factors, standards, or criteria that the city council shall deem important in the protection of the public health, safety, aesthetics, and welfare.**

The applicant is an elected board of the members of the neighborhood that this impacts and the board, and by extension the neighborhood believes this to be in the best interest of the neighborhood.

This Document Prepared By:  
Law Office of Ronald S. Webster  
800 N. Collier Blvd. Suite 203  
Marco Island, FL 34145

Parcel ID Number: 50037760004  
Actual consideration paid is \$450,000.00

# Warranty Deed

This Indenture, Made this 30th day of December 2019 A D., Between  
John S. Mega and Joy A. Mega, Husband and Wife  
of the County of Suffolk, State of New York, grantors, and  
Hideaway Beach Association, Inc., a Florida not for profit corporation  
whose address is: 250 South Beach Drive, Marco Island, FL 34145  
of the County of Collier, State of Florida, grantee.

Witnesseth that the GRANTORS, for and in consideration of the sum of  
TEN DOLLARS (\$10)

and other good and valuable consideration to GRANTORS in and paid by GRANTEE, the receipt whereof is hereby  
acknowledged, have granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns  
forever, the following described land, situate, lying and being in the County of Collier  
State of Florida to wit:

Lot 2, Block 18, Hideaway Beach, according to plat thereof as recorded in Plat Book 12, Pages 80  
through 85, inclusive, of the Public Records of Collier County, Florida

Subject to restrictions, reservations and easements common to the subdivision, and taxes for the year 2020 and  
subsequent years.

Subject to (a) ad valorem and non ad valorem real property taxes for the year of closing and subsequent years; (b)  
zoning, building code and other use restrictions imposed by governmental authority; (c) outstanding oil, gas and  
mineral interests of record, if any; and (d) restrictions, reservations and easements common to the subdivision

AND the Grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple;  
that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully  
warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

RECEIVED  
CLERK OF CIRCUIT COURT  
19-39220

# Warranty Deed - Page 2

Parcel ID Number: 50037760004

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Amy B. [Signature]  
Printed Name: Amy B. [Signature]  
Witness as to Both

[Signature] (Seal)  
**John S. Mega**  
P.O. Address PO Box 1649, Sag Harbor, NY 11963

[Signature]  
Printed Name: Didier Irabizi  
Witness as to Both

[Signature] (Seal)  
**Joy A. Mega**  
P.O. Address PO Box 1649, Sag Harbor, NY 11963

State of New York  
County of Suffolk

The foregoing instrument was acknowledged before me this 23rd day of **December**, 2019, by **John S. Mega and Joy A. Mega, Husband and Wife** who are personally known to me or who have produced their Didier's License as identification

**DIDIER IRABIZI**  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 011R6374844  
Qualified in Suffolk County  
Term expires May 7, 2022

Printed Name: Didier Irabizi  
Notary Public  
My Commission Expires: May 7th 2022  
New York United States

ORIGINAL COPY

RECORDED in OFFICIAL RECORDS of COLLIER COUNTY, FL  
09/29/1999 at 09:04AM DWIGHT B. BROCK, CLERK

CONS 130000.00  
RRC FEE 10.50  
DOC-.70 910.00

Retn:  
ROUYER & ANDRESS  
850 PARK SHORE DR 3RD FLOOR  
NAPLES FL 34103

Grantee S.S. No.:  
Grantee S.S. No.:

Property Appraiser's Parcel  
Identification No.: 50037720002

**WARRANTY DEED**

**THIS INDENTURE**, made this 7 day of ~~August~~ <sup>September</sup>, 1999, between **CLAIRE LARDNER**, whose address is 6971 SW 64<sup>th</sup> Court, South Miami, Florida 33143, grantor, to **HIDEAWAY BEACH ASSOCIATION, INC.**, whose address is 250 South Beach Dr., Marco Island, Florida 34145, grantee.

**WITNESSETH**, that grantor for and in consideration of the sum of ten dollars, to him in hand paid by grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to grantee, his heirs and assigns forever, the following described land, situated, and being in Collier County, Florida, to wit:

Lot 1, Block 18, Hideaway Beach, according to the Plat thereof, recorded in Plat Book 12, Pages 80 through 85 in the Public Records of Collier County, Florida.

Subject to restrictions, reservations, and easements of record and the taxes for the year 1999.

Grantor affirms that the land/property is an unimproved vacant lot and is not his homestead property. Grantor's place of residence is 6971 SW 64<sup>th</sup> Ct., South Miami, FL. 33143.

And grantor does hereby fully warrant the title to the land and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, grantor has hereunto set his hand and seal the date first above written.

Signed, sealed and delivered  
in the presence of:

*Claire Lardner*

Witness  
Print name: Olivia Vargas

Witness  
Print name: CHRISTINE SWEENEY

*Christine Sweeney*

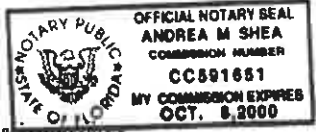
Claire Lardner

RECORDED COPY

STATE OF FLORIDA  
COUNTY OF DADE

The foregoing instrument was acknowledged before me this 7 day of ~~August~~ <sup>September</sup>, 1999,  
by Claire Lardner, who is personally known to me or who has produced  
as identification.

(Seal)



My commission expires.

Andrea M Shea  
Notary Public  
Print name: Andrea M Shea  
State of Florida

THIS INSTRUMENT PREPARED BY:

FREDERICK C. KRAMER, ESQ.  
950 North Collier Boulevard, Suite 201  
Marco Island, Florida 34145  
(941) 394-8192

NOT A CERTIFIED COPY

17.00  
45

QUIT CLAIM DEED

THIS QUIT CLAIM DEED made this 2<sup>nd</sup> day of JULY A.D., 1984 between HIDEAWAY BEACH, INC., a corporation existing under the laws of the State of Florida, having its principal place of business in the County of Collier and the State of Florida, and lawfully authorized to transact business in the State of Florida, party of the first part, and

HIDEAWAY BEACH ASSOCIATION, INC., a Florida non-profit corporation, party of the second part whose address is 403 Gatehouse Court, Marco Island, Florida, 33937

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and transferred unto the said party of the second part, their heirs and assigns forever, the following described land situate, lying and being in the County of Collier and State of Florida, to-wit:

All of those portions and parts of HIDEAWAY BEACH, according to the Plat thereof, recorded in Plat Book 12, Pages 80 through 85, in the Public Records of Collier County, Florida, as enumerated and described on Exhibit "A" attached hereto.

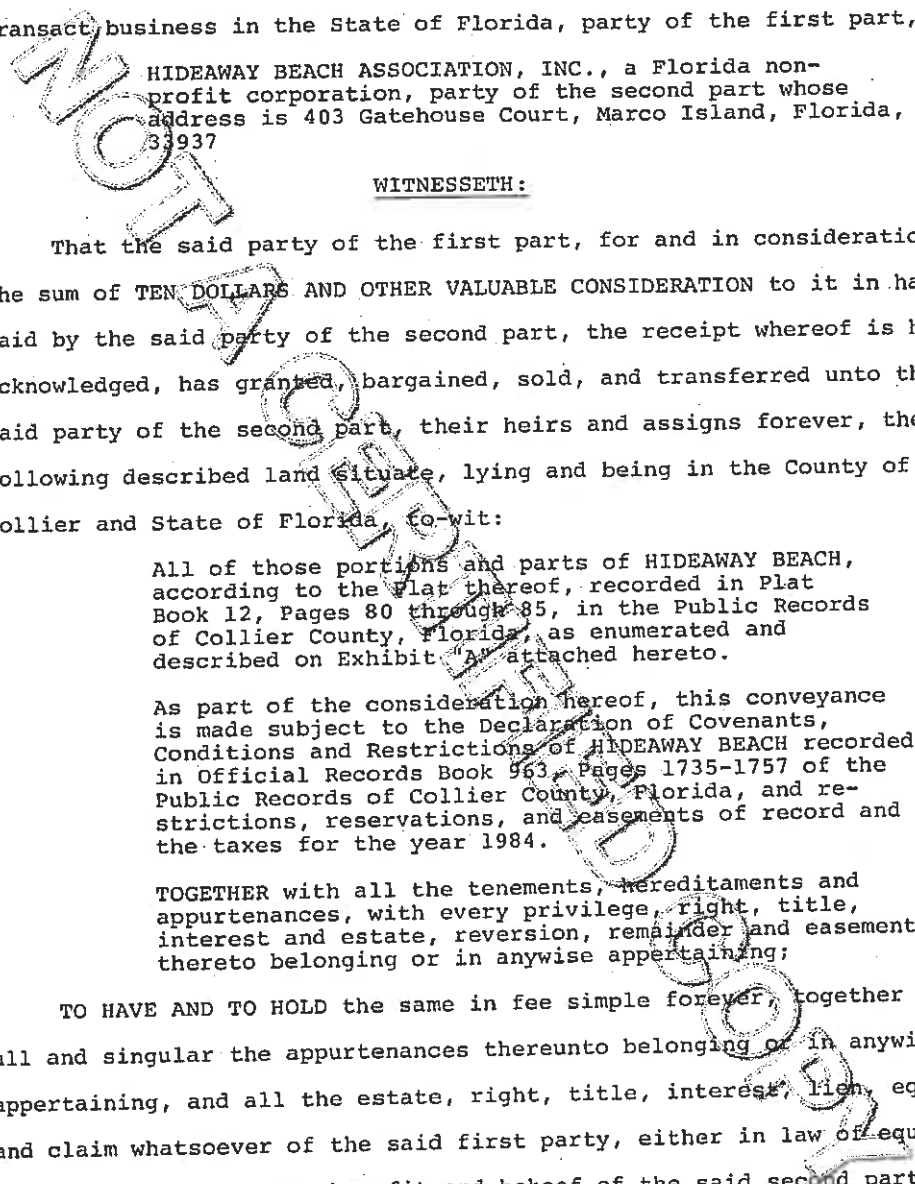
As part of the consideration hereof, this conveyance is made subject to the Declaration of Covenants, Conditions and Restrictions of HIDEAWAY BEACH recorded in Official Records Book 963, Pages 1735-1757 of the Public Records of Collier County, Florida, and restrictions, reservations, and easements of record and the taxes for the year 1984.

TOGETHER with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, reversion, remainder and easement thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the same in fee simple forever, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

Received \$ 45  
Documentary Stamp Tax  
Collier County, Florida  
William J. Reagan, Clerk  
by Debbie Atkins D.C.

Return to Walter A. Jackson Esq.  
PO Box 1504 Marco Is. Fla 33957



IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed in its name by its proper officers, and its corporate seal to be affixed, attested by its secretary, the day and year first above written.

Signed, sealed and delivered in the presence of

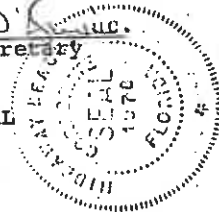
[Signature]  
Karen J. Leathers

HIDEAWAY BEACH, INC.

By [Signature]  
President

Attest: [Signature]  
Assistant Secretary

CORPORATE SEAL



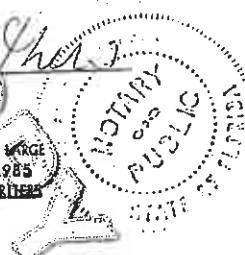
STATE OF FLORIDA  
COUNTY OF COLLIER

I HEREBY CERTIFY that on this day before me personally appeared PETER F. FAGAN, President and Kathryn R. O'Brien, Assistant Secretary, of HIDEAWAY BEACH, INC., a corporation under the laws of the State of Florida, to me known to be the persons who signed the foregoing instrument as such officers and acknowledged the execution thereof to be their free act and deed as such officers for the uses and purposes therein mentioned and that they affixed thereto the official seal of said corporation, and that the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at Marco Island, Collier County, Florida this 2<sup>nd</sup> day of July A.D. 1984.

[Signature]  
NOTARY PUBLIC  
My Commission expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES APRIL 16 1985  
BONDED THRU GENERAL INS. UNDERWRITERS



This instrument prepared by:

Walter W. Jackson, Esquire  
Attorney at Law  
985 North Collier Boulevard  
Marco Island, Florida 33937



EXHIBIT "A"

All of the following described parts, portions and parcels of HIDEAWAY BEACH, a subdivision, as shown, contained and described in Plat thereof recorded in Plat Book 12, Pages 81 through 85, all lying and being in Government Lot 5 of Section 6 and Government Lots 3, 4 and 5 of Section 7, Township 52 South, Range 26 East, Collier County, Florida, to wit:

1. All streets and rights-of-way as shown and platted thereon.
2. All open areas shown and platted thereon not subdivided into undivided residential lots and blocks. All individual platted residential lots shown thereon are expressly excluded herefrom.
3. All of Tract "A" as shown and platted thereon.
4. All of Tract "B" as platted thereon, expressly excluding therefrom that portion thereof designated as residential Lots 1 and 2, Block 23, as shown and described on a portion of Tract "B", a copy of which portion is attached hereto and marked Exhibit "B".
5. All structures, buildings and improvements of any nature whatsoever situate and located on the above described parcels.
6. It is the intention of the parties that this legal description shall include all areas designated and intended as "common areas" on said Plat of HIDEAWAY BEACH, recorded as aforesaid.



**AFFIDAVIT**

We/I, Hideaway Beach Association, Inc. being first duly sworn, depose and say that we/I am/are the owners of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, including the disclosure of interest information, all sketches, data, and other supplementary matter attached to and made a part of this application, are honest and true to the best of our knowledge and belief. We/I understand that the information requested on this application must be complete and accurate and that the content of this form, whether computer generated, or City printed shall not be altered. We/I hereby also consent to access to the subject property (excluding entering any home or other enclosed structure) by City of Marco Island staff members for the limited purpose of evaluating, observing, or understanding the subject property conditions as they relate to the Site Development Plan. While the Site Development Plan is pending, staff members will be allowed access upon the property provided they display a Marco Island City Photo ID or a Valid Driver's License.

Zachary W. Lombardo and the law firm of Woodward, Pires & Lombardo, P.A.

As property owner we/I further authorize \_\_\_\_\_ to act as our/my representative in any matters regarding this Petition.

Jeanne Hickey  
Signature of Property Owner

Mrs. Hickey  
← signature

Jeanne Hickey  
Printed Name of Property Owner

President  
Title

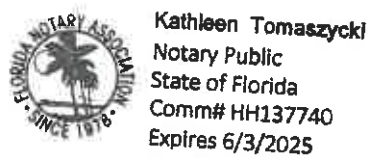
The foregoing instrument was acknowledged before me this 3RD day of JANUARY, 2024 by Jeanne Hickey, who is personally known to me or has produced \_\_\_\_\_ as identification.

State of Florida  
County of Collier

KMN  
Signature, Notary Public – State of Florida

(Seal)

Kathleen TOMASZYCKI  
Printed, Typed, or Stamped Name of Notary



**From:** Zach Lombardo

**Sent:** Wednesday, November 29, 2023 8:39 AM

**To:** Mary Holden <mholden@cityofmarcoisland.com>; Eamon Murphy <emurphy@hideawaybeachclub.org>; Tom Ryon <tryon@hideawaybeachclub.org>

**Cc:** Justin Martin <JMartin@cityofmarcoisland.com>; Daniel Smith <dsmith@cityofmarcoisland.com>; Anthony Pires <APires@wpl-legal.com>

**Subject:** RE: TIS not required

Thank you.

Here are my proposed pre-app notes. Does this accurately represent our meeting? If not, what edits do you have?

Pre-App Notes:

1. This proposed application is a PUD language amendment under section 30-63(i)(1)c., LDC to the Hideaway Beach PUD, Collier County Ordinance 92-11, as amended.
2. Section 30-63(i)(1)c., LDC, states: "Language changes to a previously approved PUD document shall require the same procedure as for amending the official zoning atlas."
3. This proposed application amends sections IV, solely as to lots 1 and 2, Block 18, of the Hideaway Beach plat, and VI of the Hideaway Beach PUD.
4. The procedure for amending the zoning atlas is established in section 30-62, LDC.
5. The Standard Rezone Petition (PF-20) is the correct application form to be used for this application.
6. Section 30-62, LDC, does not require and the following submittals on page 7 of the Petition are **not** required under the LDC and are unnecessary for the review of this specific PUD language change:
  - a. Conceptual Site Plans
  - b. Environmental Impact Statement
  - c. The identification of habitat areas on aerial photography
  - d. Completed Utility Provisions Statement
  - e. Traffic Impact Statement (confirmed by Justin Martin as the roads are private, internal to the development and the change is negligible)
  - f. Historical & Archaeological Survey or Waiver Application
  - g. Copies of State and/or Federal Permits
7. The rest of the submittals on page 7 of the Petition are required, including a neighborhood information meeting
8. Staff's opinion is the fee for this language change amendment is \$6,000.00, which is the fee for a PUD Substantial Amendment, this however, does not change the fact that the approval process is as established in section 30-62, LDC, as this is a PUD language amendment under section 30-63(i)(1)c., LDC.
9. Playgrounds/Play fields do not have a minimum parking requirement.

– Zachary W. Lombardo, Esq.