

**CITY OF MARCO ISLAND
RESOLUTION 10-25**

A RESOLUTION APPROVING PETITION NUMBER V-10-03 FOR A 12.5 FOOT VARIANCE FROM THE REQUIRED 25 FOOT FRONT YARD SETBACK ALONG ELKCAM CIRCLE AND WINDWARD DRIVE FOR CONSTRUCTION OF A WATER TREATMENT PLANT PRESSURE MEMBRANE FILTER BUILDING ON PROPERTY LOCATED AT 961 WINDWARD DRIVE (NORTH WATER TREATMENT PLANT), CITY OF MARCO ISLAND, FLORIDA.

WHEREAS, Section 30-265(3)a. of the Marco Island Code of Ordinances provides that the front setback requirements for accessory and principal structures located on C-5 zoned properties shall be a minimum setback requirement of 25 feet; and

WHEREAS, the City of Marco Island, Florida is the owner of the property located at 961 Windward Dr. (North Water Treatment Plant); and

WHEREAS, the City of Marco Island is the petitioner; and

WHEREAS, the petitioner has requested a 12.5 foot variance from the required 25 foot front yard setback along Elkcam Circle and Windward Drive to allow for the construction of a new water plant operations building and water system high service pumping station; and

WHEREAS, the Marco Island Planning Board, following an advertised public hearing, considered public input, the recommendation of the staff, and the standards and guidelines of Section 30-65, "Variance Procedures" of the Marco Island Code of Ordinances, and voted 5-0 to recommend that the Marco Island City Council approve the petition V-10-03; and

WHEREAS, the Marco Island City Council is acting as the Board of Zoning Appeals; and

WHEREAS, the Marco Island City Council, has held an advertised public hearing and has considered the advisability of the 12.5 foot variance from the front yard setback along Elkcam Circle and Windward Drive for construction of a new water plant operations building and water system high service pumping station on property hereinafter described, and has found as a matter of fact that satisfactory provisions and arrangements have been made concerning all applicable matters required by said regulations and in accordance with Section 30-65 of the Marco Island Code of Ordinances; and

WHEREAS, all interested parties have been given opportunity to be heard by this Board in public meeting assembled, and the Board having considered all matters presented;

NOW, THEREFORE BE IT RESOLVED, BY THE MARCO ISLAND CITY COUNCIL, ACTING AS THE BOARD OF ZONING APPEALS, THAT:

SECTION 1. Recitals. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, correct and incorporated into this Resolution.

SECTION 2. Variance petition V-10-03 NWTP, requested by the City of Marco Island, authorizes a 12.5 foot variance from the front yard property setback of 25 feet to 12.5 feet along Elkcam Circle and Windward Drive for the construction of a Pressure Membrane Filter Building, as shown on the attached site plan, Exhibit "A, in the C-5 zoning district where in said property is located.

SECTION 3. The City Council, as the Board of Zoning Appeals, finds that the variance petition meets the criteria of Section 30-65 of the LDC.

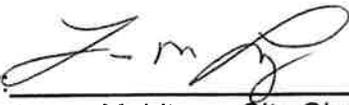
SECTION 4. Variance petition V-10-03 NWTP, with respect to the property located at 961 Windward Drive (North Water Treatment Plant) City of Marco Island, Florida, is hereby approved.

SECTION 5. Effective Date. This Resolution shall take effect immediately upon adoption.

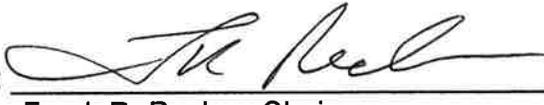
Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 21st day of June 2010.

Attest:

CITY OF MARCO ISLAND, FLORIDA

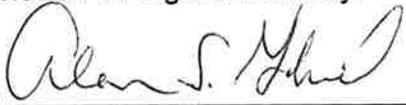
By: 

Laura M. Litzan, City Clerk

By: 

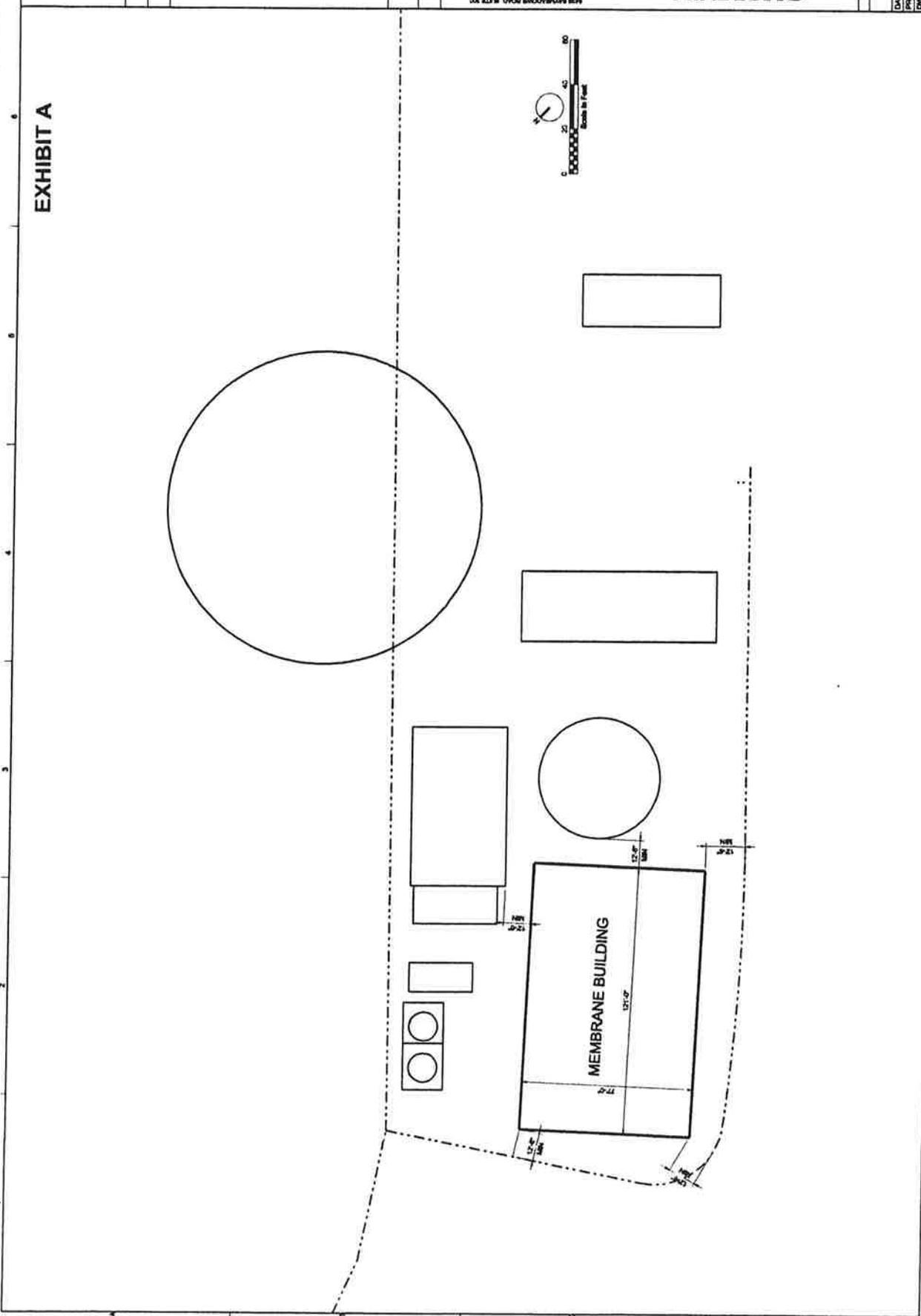
Frank R. Recker, Chairman

Reviewed for legal sufficiency:

By: 

Alan L. Gabriel, City Attorney

EXHIBIT A



CH2MHILL 80000077 40000000 40000000 40000000		FIGURE 1 SITE LOCATION PLAN		HANCO BLAND WATER APPROVEMENTS HANCO BLAND WATER TREATMENT PLANT CITY OF HANCO BLAND HANCO BLAND, FLORIDA	
NO.	DATE	DESCRIPTION	BY	APP'D.	DATE

PRELIMINARY DESIGN
 DATE: MAY 2010
 PROJ: 40000000
 DWG: FIG. 1
 SHEET

VERIFY SCALE
 DATE: 05/10/10
 BY: J. J. JONES
 PROJECT: 40000000

FILENAME: Membrane-Bldg.dwg PLOT DATE: 5/17/10 10:28 AM

SCALE OF 1" = 40' (SEE NOTE ON DRAWING FOR SCALE) THIS DRAWING IS THE PROPERTY OF CH2MHILL. ALL RIGHTS RESERVED.