

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 07-26

A RESOLUTION APPROVING PETITION NUMBER V-07-01 FOR A 2.2-FOOT VARIANCE FROM THE RIPARIAN LINE SETBACK OF 15 FEET ADJACENT TO BLOCK 337, LOT 2, AND A 14.3-FOOT VARIANCE FROM THE RIPARIAN LINE SETBACK OF 15 FEET ADJACENT TO BLOCK 336, LOT 24, FOR A BOAT DOCKING FACILITY ON PROPERTY LEGALLY DESCRIBED AS MARCO BEACH UNIT 10, BLOCK 336, LOT 25 & BLOCK 337, LOT 1, COLLIER COUNTY, FLORIDA AND THE CITY OF MARCO ISLAND.

WHEREAS, Section 54-111(b) of the Marco Island Code of Ordinances established that the riparian line setback requirements for boat docking facilities shall be equivalent to 15 percent of the seawall length with a minimum setback requirement of 7.5 feet; and

WHEREAS, Petitioner Breezy Point Condominium Association is the owner of the following property that is the subject of the petition: Marco Beach Unit 10, Block 336, Lot 25 and Block 337, Lot 1, Collier County, Florida and the City of Marco Island; and

WHEREAS, the Petitioner's agent is Craig R. Woodward, Esq., Woodward, Pires & Lombardo, P.A.; and

WHEREAS, the petitioner has requested a 2.2-foot variance from the riparian line setback of 15 feet adjacent to Block 337, Lot 2, and a 14.3-foot variance from the riparian line setback of 15 feet adjacent to Block 336, Lot 24, for a boat docking facility on the subject property; 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 5-2 to recommend that the Marco Island City Council approve the petition V-07-01; 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 2.2-foot variance from the riparian line setback of 15 feet adjacent to Block 337, Lot 2, and a 14.3-foot variance from the riparian line setback of 15 feet adjacent to Block 336, Lot 24, for a boat docking facility on property hereinafter described, and has found as a matter of fact that satisfactory provision and arrangement 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.

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 CITY OF MARCO ISLAND CITY COUNCIL that:

The variance petition filed by, Petitioner's agent is Craig R. Woodward, Esq., Woodward, Pires & Lombardo, P.A., as agent for Breezy Point Condominium Association, property owners, with respect to the property located at 880 Huron Court, Folio Number: 57863960000 & 57863920008, which is legally described as Marco Beach Unit 10, Block 336, Lot 25 and Block 337, Lot 1, Collier County, and the City of Marco Island, Florida is hereby approved.

The subject variance authorizes a 2.2-foot variance from the riparian line setback of 15 feet adjacent to Block 337, Lot 2, and a 14.3-foot variance from the riparian line setback of 15 feet adjacent to Block 336, Lot 24, for a boat docking facility (as shown on the attached site plan, Exhibit "A") in the RMF-16 zoning district where in said property is located, subject to the following condition:

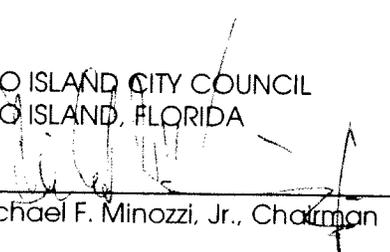
1. The variance requested shall be for the existing structure only. Any alteration to the facility with the exception of decking replacement, or the addition of dock lifts in existing slips, will require the submittal of a new variance petition application.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-07-01 be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.

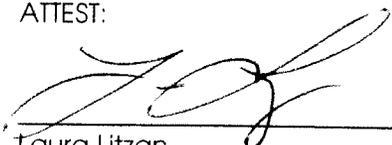
This Resolution adopted after motion, second, and majority vote.

Done this 23rd day of March, 2007.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: 
Michael F. Minozzi, Jr., Chairman

ATTEST:



Laura Litzan
City Clerk

Approved as to form and legality:



Richard D. Yovanovich
City Attorney

V-07-01

