

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 107-07

A RESOLUTION APPROVING PETITION NUMBER V-06-04 FOR A 1.5-FOOT VARIANCE FROM THE REQUIRED 7.5 FOOT RIPARIAN LINE SETBACK FOR A BOAT DOCK FACILITY ON PROPERTY LEGALLY DESCRIBED AS MARCO BEACH UNIT 8, BLOCK 298, LOT 21, 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, Petitioners James E. and Erin J. Olmes are the owners of the following property that is the subject of the petition: Marco Beach Unit 8, Block 298, Lot 21, Collier County, Florida and the City of Marco Island; and

WHEREAS, the petitioner has requested a 1.5-foot variance from said riparian line setback requirements in order to increase the width of an existing boat dock facility with 7.5-foot riparian line setbacks 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 4-3 to recommend that the Marco Island City Council approve the petition V-06-04; 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 1.5-foot variances from the required riparian line setbacks of 7.5 feet to six feet for a boat dock 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, James E. and Erin J. Olmes, property owners, with respect to the property located at 1414 Auburndale Avenue, Folio Number: 57750880002, which is legally described as Marco Beach Unit 8, Block 298, Lot 21, Collier County, and the City of Marco Island, Florida is hereby approved.

The subject variance authorizes 1.5-foot reductions from the required riparian line setbacks of 7.5 feet to six feet for a boat dock facility as shown on the attached site plan, Exhibit "A", of the RSF-4 zoning district wherein said property is located subject to the following conditions:

1. That the variance be limited to the two pilings only;
2. That the variance would expire in the event that the seawall and/or dock are reconstructed; and
3. That staff record the variance with Collier County.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-06-04 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 22nd day of January, 2007.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

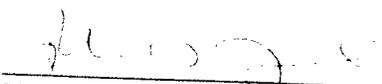
By: Terri DiSciullo
Terri DiSciullo, Chairwoman

ATTEST:



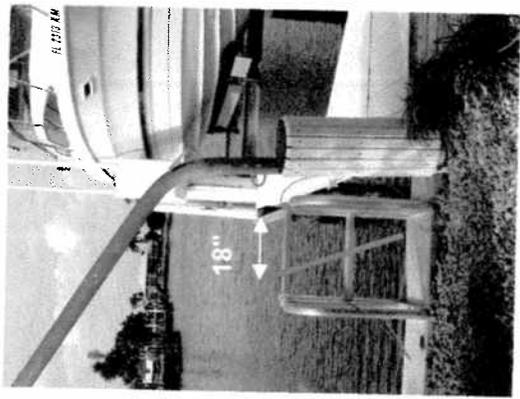
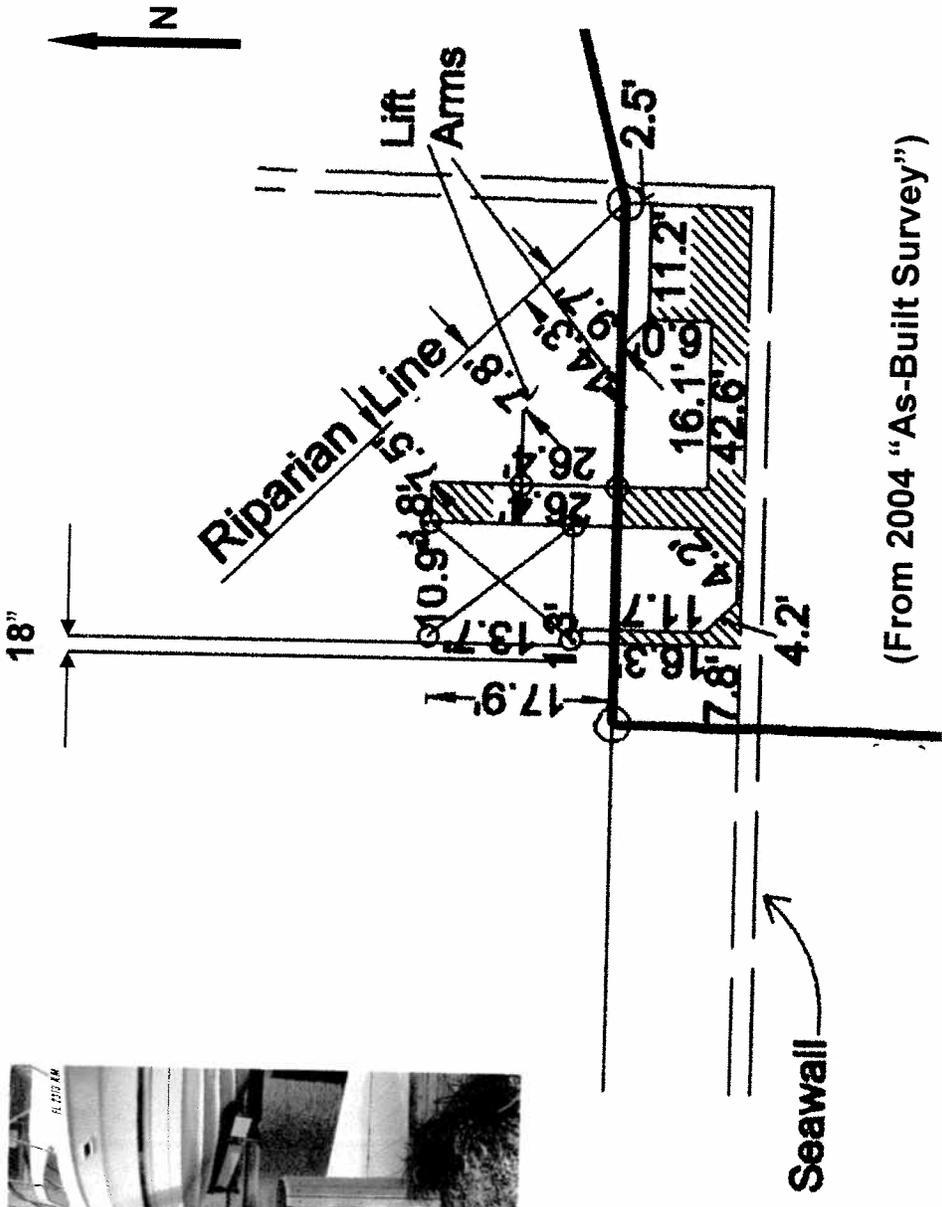
Laura Litzan
City Clerk

Approved as to form and legality:



Richard D. Yovanovich
City Attorney

EXHIBIT A



(From 2004 "As-Built Survey")

Drawn By:	Ronald Wallings-James Olmes
Date Drawn:	Sept. 20, 2004 / Oct. 24, 2006
Company:	Ronald Walling Professional Surveyor & Property Owner
Property Address:	1414 Auburndale Avenue
Scale:	1" = 20'

Collier Seawall & Dock, LLC