

**MARCO ISLAND CITY COUNCIL RESOLUTION NO. 06-29**

A RESOLUTION GRANTING CONDITIONAL USE APPROVAL FOR INCREASING THE MAXIMUM BUILDING HEIGHT FROM 35 FEET TO 50 FEET IN ORDER TO CONSTRUCT A NEW FOUR MILLION GALLON FINISH WATER STORAGE TANK AT THE NORTH WATER TREATMENT PLANT LOCATED AT 771 ELKCAM CIRCLE, PURSUANT TO SECTION 30-264(15) OF THE C-5 ZONING DISTRICT; CITY OF MARCO ISLAND, FLORIDA.

WHEREAS, the Legislature of the State of Florida established the Charter of the City of Marco Island in Chapter 97-367, Laws of Florida ("City Charter"); and

WHEREAS, the Marco Island Planning Board, being the duly appointed and constituted planning board for the area hereby affected, has held a public hearing on July 21, 2006 after notice, and voted favorably to recommend that the Marco Island City Council approve the requested Conditional Use pursuant to Section 30-264(15) of the "C-5" zoning district to construct a four million gallon (4-MG) finish water storage tank at 771 Elkcam Circle (North Water Treatment Plant) to a maximum height of 50 feet, and has found as a matter of fact (Exhibit "A") that satisfactory provision and arrangement have been made concerning all applicable matters required by said regulations and in accordance with Section 30-264(15) of the Marco Island Code of Ordinances; and

WHEREAS, City Council, acting as the Board of Zoning Appeals, has held a public hearing after proper notice, and has considered the request for Conditional Use approval for increasing the maximum building height from 35 feet to 50 feet in order to construct a new four million gallon (4-MG) finish water storage tank at the North Water Treatment Plant (NWTP) on commercial "C-5" zoned property, and has found that satisfactory provision and arrangement have been made concerning all applicable matters required by said regulations; and

WHEREAS, all interested parties have been given opportunity to be heard by this Board of Zoning Appeals 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:

The Petition CU-06-01 filed by the City of Marco Island, with respect to the property described as 771 Elkcam Circle, further described as the Marco Island North Water Treatment Plant (NWTP), is hereby granted Conditional Use approval for increasing the maximum building height from 35 feet to 50 feet in order to construct a 4-MG finish water storage tank, in accordance with Section 30-264(15) of the Marco Island Code of Ordinances, the site plan provided as Exhibit "B", and the following condition:

1. The tank shall be painted a color to blend with the environment.

BE IT FURTHER RESOLVED that this Resolution relating to petition Number CU-06-01 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 21st day of August 2006.

MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

By: Terri DiSciullo  
Terri DiSciullo, Chairwoman

ATTEST:

  
\_\_\_\_\_  
Laura Litzan  
City Clerk

Approved as to Form and  
legal sufficiency:

  
\_\_\_\_\_  
Richard Yovanovich  
City Attorney

**FINDING OF FACT BY  
MARCO ISLAND PLANNING BOARD  
FOR  
A CONDITIONAL USE PETITION FOR  
CU-06-01**

(4 million gallon finish water storage tank)

The following facts are found:

1. Section 30-264(15) of City Code authorizes the conditional use.
2. Granting the conditional use will not adversely affect the public interest and will not adversely affect other property or uses in the same district or neighborhood because of:

a. Consistency with the Land Development Code & Growth Management Plan:  
Yes  No

b. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire catastrophe:  
Adequate ingress & egress  
Yes  No

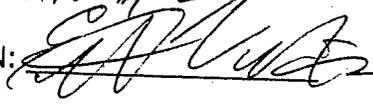
c. Affects neighboring properties in relation to noise, glare, economic or odor effects:  
No affect  Affect mitigated by \_\_\_\_\_  
Affect cannot be mitigated \_\_\_\_\_

d. Compatibility with adjacent properties and other property in the district:  
Compatible use within district  
Yes  No

Based on the above findings, this conditional use should, with stipulations, (copy attached) (should not) be recommended for approval

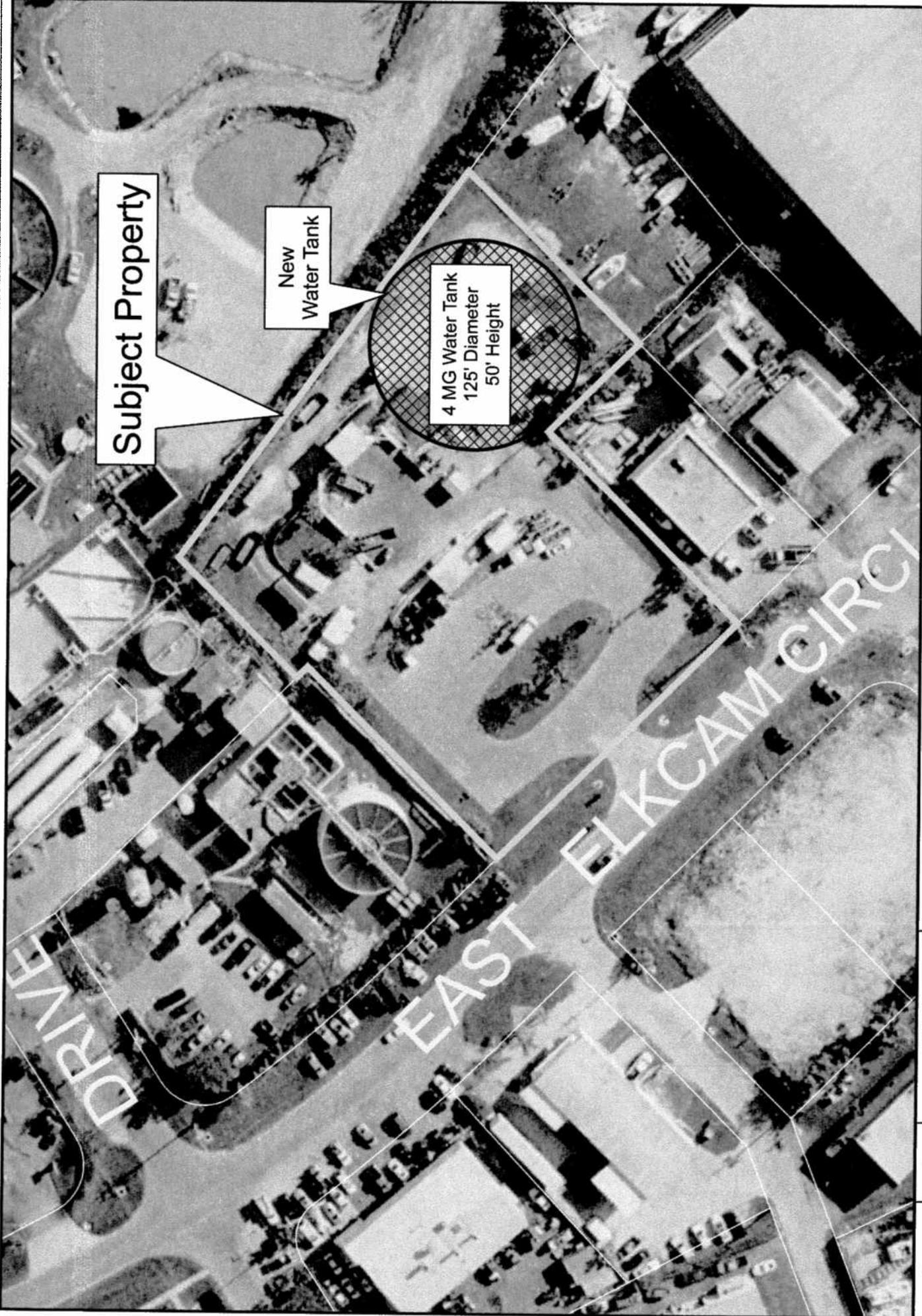
*COULD OF TAKEN TO AS AESTHETICALLY  
TIT IN W/ ENVIRONMENT*

Date: 7/21/06

CHAIRMAN: 

MEMBER: \_\_\_\_\_

EXHIBIT "A"



Subject Property

New Water Tank

4 MG Water Tank  
125' Diameter  
50' Height

DRIVE

EAST ELKCAM CIRCLE

EXHIBIT B



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771 E. ELKCAM CIRCLE - NEW 4 MG WATER TANK  
CITY OF MARCO ISLAND  
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