

**MARCO ISLAND CITY COUNCIL RESOLUTION NO. 06-20**

A RESOLUTION GRANTING CONDITIONAL USE APPROVAL FOR REPLACING AN EXISTING 62.8 FOOT SELF SUPPORTING GUYED COMMUNICATION TOWER WITH A NEW 100 FOOT SELF SUPPORTING MONOPOLE COMMUNICATION TOWER AT THE FIRE STATION LOCATED AT THE CITY GOVERNMENT CENTER PURSUANT TO SECTION 46-92(b)(1) OF ARTICLE III "COMMUNICATION TOWERS" OF THE MARCO ISLAND CODE OF ORDINANCES; LOCATED AT 1280 SAN MARCO ROAD; 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 April 21, 2006 after notice, and voted 6 to 0 to recommend that the Marco Island City Council approve the requested Conditional Use pursuant to Section 46-92(b)(1) of Article III "Communication Towers" and the "C-1" zoning district to replace an existing 62.8 foot guyed communication tower at the fire station with a new 100 foot ground mounted self supporting monopole communication tower, 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 46-92(b)(1) 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 replacing an existing 62.8 foot guyed communication tower with a new 100 foot ground mounted monopole communication tower at the fire station located at 1280 San Marco Road on commercial ("C-1") 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-06-02 filed by the City of Marco Island, with respect to the property described as 1280 San Marco Road, further described as the Marco Island Fire Department located at the City Government Center, is hereby granted

Conditional Use approval for replacing an existing 62.8 foot guyed communication tower with a new 100 foot ground mounted self supporting monopole communication tower, in accordance with Section 46-92(b)(1) of Article III "Communication Towers" of the Marco Island Code of Ordinances, subject to the following condition:

1. Lighting shall not be attached to the monopole communication tower, and the tower shall remain galvanized in color.

BE IT FURTHER RESOLVED that this Resolution relating to petition Number CU-06-02 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 15<sup>th</sup> day of May 2006.

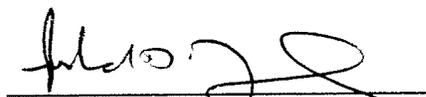
MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

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-06-02  
(100 foot communication tower)**

The following facts are found:

1. Section 46-92(b)(1) 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 Should.

Date: A-25-2006

CHAIRMAN: \_\_\_\_\_

MEMBER: William Patten

EXHIBIT "A"

