

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 06- 04

A RESOLUTION APPROVING PETITION V-05-08 FOR A 17-FOOT VARIANCE FROM THE REAR YARD SETBACK OF 25 FEET TO ALLOW FOR A NEWLY CONSTRUCTED HOME ON PROPERTY LEGALLY DESCRIBED AS MARCO BEACH UNIT 23, BLOCK 593, LOT 1, COLLIER COUNTY, FLORIDA AND THE CITY OF MARCO ISLAND.

WHEREAS, Section 30-85(a) of the Marco Island Code of Ordinances established that the minimum required rear yard building setback for Residential Single Family Dwellings shall be 25 feet; and

WHEREAS, Petitioners John and Wieslawa Sroka are the owners of the following property that is the subject of the petition: Marco Beach Unit 23, Block 593, Lot 1, Collier County, Florida and the City of Marco Island; and

WHEREAS, the petitioner's agent is Craig R. Woodward, Esq.; and

WHEREAS, the petitioner has requested a 17-foot variance from said rear yard building setback to allow for a newly constructed home; 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 6-1 to recommend that the Marco Island City Council approve the petition V-05-08; 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 a variance request from the maximum rear yard building setback of 25-feet to allow for the 17-foot encroachment into the rear yard building setback for a newly constructed home for the property hereinafter described, and has found as a matter of fact that satisfactory provision and arrangement has been made concerning all applicable matters required by said regulations and in accordance with Section 30-85(a) 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 Craig R. Woodward, Esq., as agent for John and Wieslawa Sroka,
property owners, with respect to the property hereinafter described as:

Marco Beach Unit 23, Block 593, Lot 1 (Folio #: 58773120007), Collier County,
Florida and the City of Marco Island, Florida,

is hereby approved for a 17-foot variance from the minimum permitted 25-foot rear yard
building setback to allow for a newly constructed home (as shown Exhibit "A") in the RSF-3
zoning district where in said property is located, subject to the following conditions:

1. The site plan attached to this resolution, also referred to as Exhibit "A," shall be binding upon the property upon approval of the resolution. Any deviation from the approved site plan shall require further consideration by the Planning Board and City Council after a properly noticed public hearing.
2. Prior to the issuance of a building permit for the construction of a single family home, the property owner shall provide the City of Marco Island with a copy of the recorded resolution of approval.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-05-08 be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.

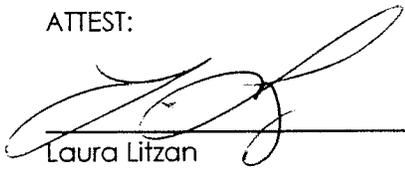
This Resolution adopted after motion, second, and majority vote.

Done this 6th day of February 2006.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: Vickie Kelber
Vickie Kelber, Chairwoman

ATTEST:



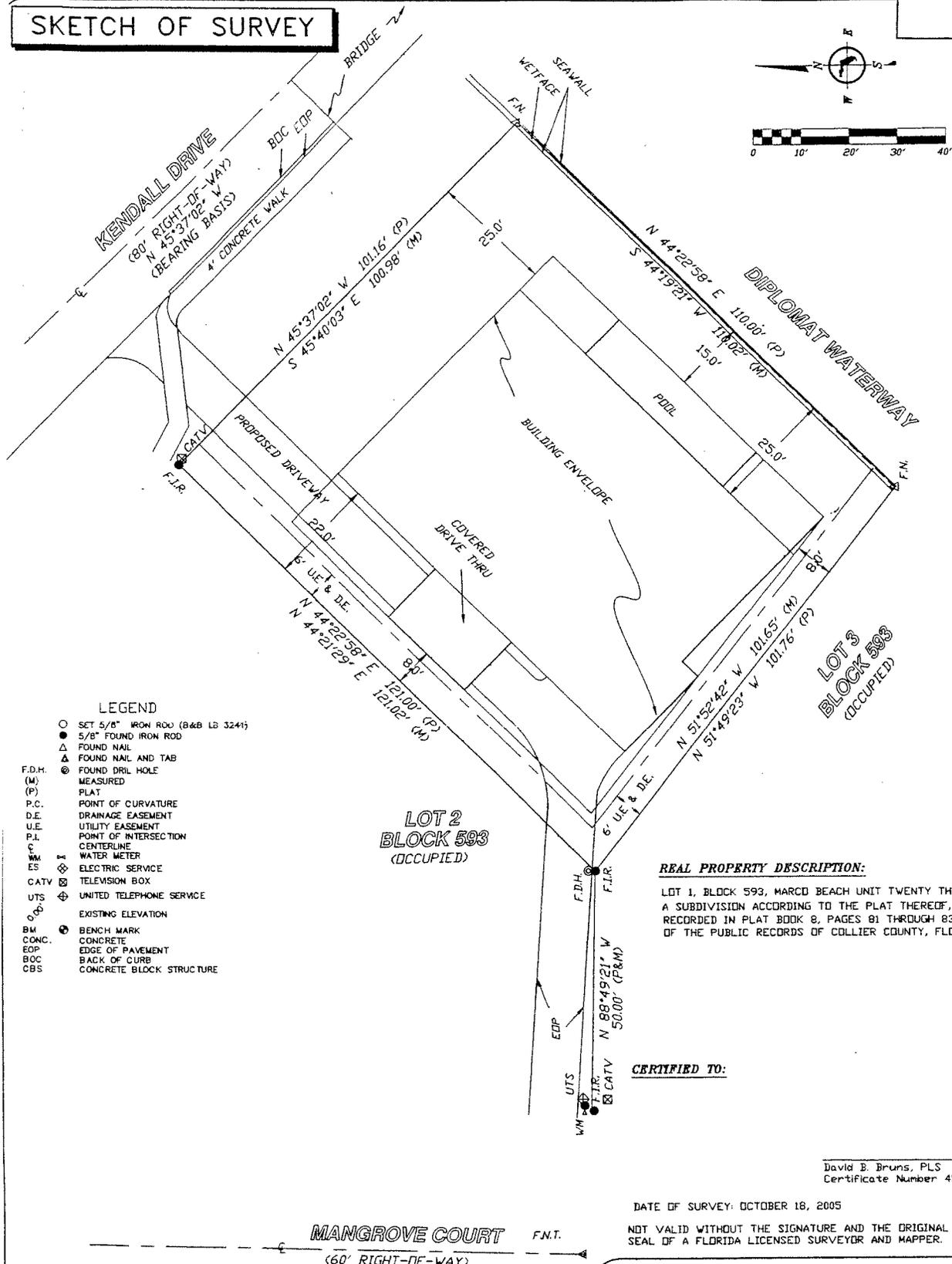
Laura Litzan
City Clerk

Approved as to form and legal sufficiency:



Richard D. Yovanovich, Esq.
City Attorney

SKETCH OF SURVEY



LEGEND

- SET 5/8" IRON ROD (B&B LB 3241)
- 5/8" FOUND IRON ROD
- △ FOUND NAIL
- ▲ FOUND NAIL AND TAB
- ⊙ FOUND DRILL HOLE
- ⊕ MEASURED
- (P) PLAT
- P.C. POINT OF CURVATURE
- D.E. DRAINAGE EASEMENT
- U.E. UTILITY EASEMENT
- P.I. POINT OF INTERSECTION
- C CENTERLINE
- WM WATER METER
- ES ELECTRIC SERVICE
- CATV TELEVISION BOX
- UTS UNITED TELEPHONE SERVICE
- EXISTING ELEVATION
- BM BENCH MARK
- CONC. CONCRETE
- EDP EDGE OF PAVEMENT
- BOC BACK OF CURB
- CBS CONCRETE BLOCK STRUCTURE

LOT 2
BLOCK 593
(OCCUPIED)

LOT 3
BLOCK 593
(OCCUPIED)

REAL PROPERTY DESCRIPTION:

LOT 1, BLOCK 593, MARCO BEACH UNIT TWENTY THREE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGES 81 THROUGH 83 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

CERTIFIED TO:

David B. Bruns, PLS
Certificate Number 4520

DATE OF SURVEY: OCTOBER 18, 2005

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

NOTES:

1. BEARINGS SHOWN HEREON REFER TO THE CENTERLINE OF KENDALL DRIVE BEING N.45°37'02"W.
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
3. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
4. THIS PROPERTY IS LOCATED IN FLOOD ZONE AE II.
5. IMPROVEMENTS OTHER THAN THOSE SHOWN HAVE NOT BEEN LOCATED.
6. LEGAL DESCRIPTION SUPPLIED BY CLIENT.
7. ELEVATIONS SHOWN ARE NATIONAL GEODETIC VERTICAL DATUM OF 1929.

FOR: MARCO BAY HOMES, LLC

BOUNDARY SURVEY

SCALE: 1" = 20'	DATE: 02/20/2004	DRAWN: JLB	CHECKED: D.B.B.	BOOK: 163
				PAGE: 20
Bruns & Bruns, Inc. Surveying & Land Planning 1072 6th Avenue North Naples, Florida 34102 (239) 261-5965 Florida Corporation # 228 8251				FILE NO. ACAD FILE: MBUS3BLK593LT1 REVISIONS:

