MARCO ISLAND CITY COUNCIL RESOLUTION NO. 05-34

A RESOLUTION GRANTING CONDITIONAL USE APPROVAL FOR REPLACING AN EXISTING 62.8 FOOT SELF SUPPORTING GUYED COMMUNICATION TOWER WITH A NEW 70 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 LAND DEVELOPMENT CODE; 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 May 20, 2005 after notice, and voted 5 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" of the "C-1" zoning district to replace an existing 62.8 foot guyed communication tower at the fire station with a new 70 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 Land Development Code; and

WHEREAS, City Council, acting as the Board of Zoning Appeals, has held a public hearing after proper notice, and has considered the advisability of granting Conditional Use approval for replacing an existing 62.8 foot guyed communication tower with a new 70 foot ground mounted monopole communication tower at the fire station located at 1280 San Marco Road on commercial "C-1" zoned property pursuant to Section 46-92(b)(1) of the Marco Island Land Development Code, 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 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-05-01 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 70 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 Land Development Code, 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-05-01 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 6th day of June 2005.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: Vickie Kelber
Vickie Kelber, Chairwoman

ATTEST:

Laura Litzan
City Clerk

Approved as to Form and legality:

Richard Yovanovich
City Attorney