

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 05- 07

A RESOLUTION RELATING TO PETITION NUMBER V-04-16 FOR A VARIANCE FROM SECTION 30-85(a) OF THE MARCO ISLAND CODE OF ORDINANCES TO ALLOW FOR A 2.1-FOOT ENCROACHMENT INTO A FRONT YARD SETBACK FOR A NEWLY CONSTRUCTED GARAGE ON PROPERTY HEREINAFTER DESCRIBED AND WITH A STREET ADDRESS OF 550 ALAMEDA COURT IN THE CITY OF MARCO ISLAND, FLORIDA.

WHEREAS, Section 30-85(a) of the Marco Island Code of Ordinances established that minimum required front yard setback for principal structures in the RSF zoning district shall be 25 feet from the property line; and

WHEREAS, Section 30-10, Definitions: yard, front, of the Marco Island Code of Ordinances establishes, "that In the case of irregularly shaped lots, including cul-de-sacs, the 25-foot depth may be measured at right angles to a straight line joining the foremost points of the side lot line, provided the depth at any point along the property line is never less than 18 feet"; and

WHEREAS, Mario Liuzzo and Joanne Liuzzo are the owners of the property located at 550 Alameda Court; and

WHEREAS, Mario Liuzzo and Joanne Liuzzo are filing this petition on their own behalf; and

WHEREAS, the petitioners have requested a 2.1-foot variance from said front yard setback to allow for a newly constructed garage; 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 5-2 to recommend that the Marco Island City Council approve petition V-04-16; 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 a variance from the maximum front yard setback of 18-feet to allow for the 2.1-foot encroachment into the front yard setback for a newly constructed garage for the 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 30-85(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 Mario Liuzzo and Joanne Liuzzo, property owners, representing themselves, with respect to the property hereinafter described as:

Marco Beach Unit 9, Block 309, Lot 5, Collier County, Florida and the City of Marco Island, FL.

Be and the same is hereby approved for a 2.1-foot variance from the minimum permitted 18-foot front yard setback to allow a newly constructed garage (as shown Exhibit "A") in the RSF-3 zoning district where in said property is located.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-04-16 be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.

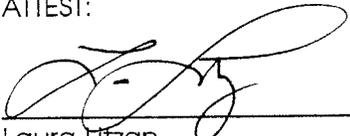
This Resolution adopted after motion, second, and majority vote.

Done this 7th day of February 2005.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

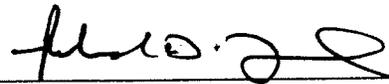
By: Terri DiSciullo
Terri DiSciullo, Chairwoman

ATTEST:



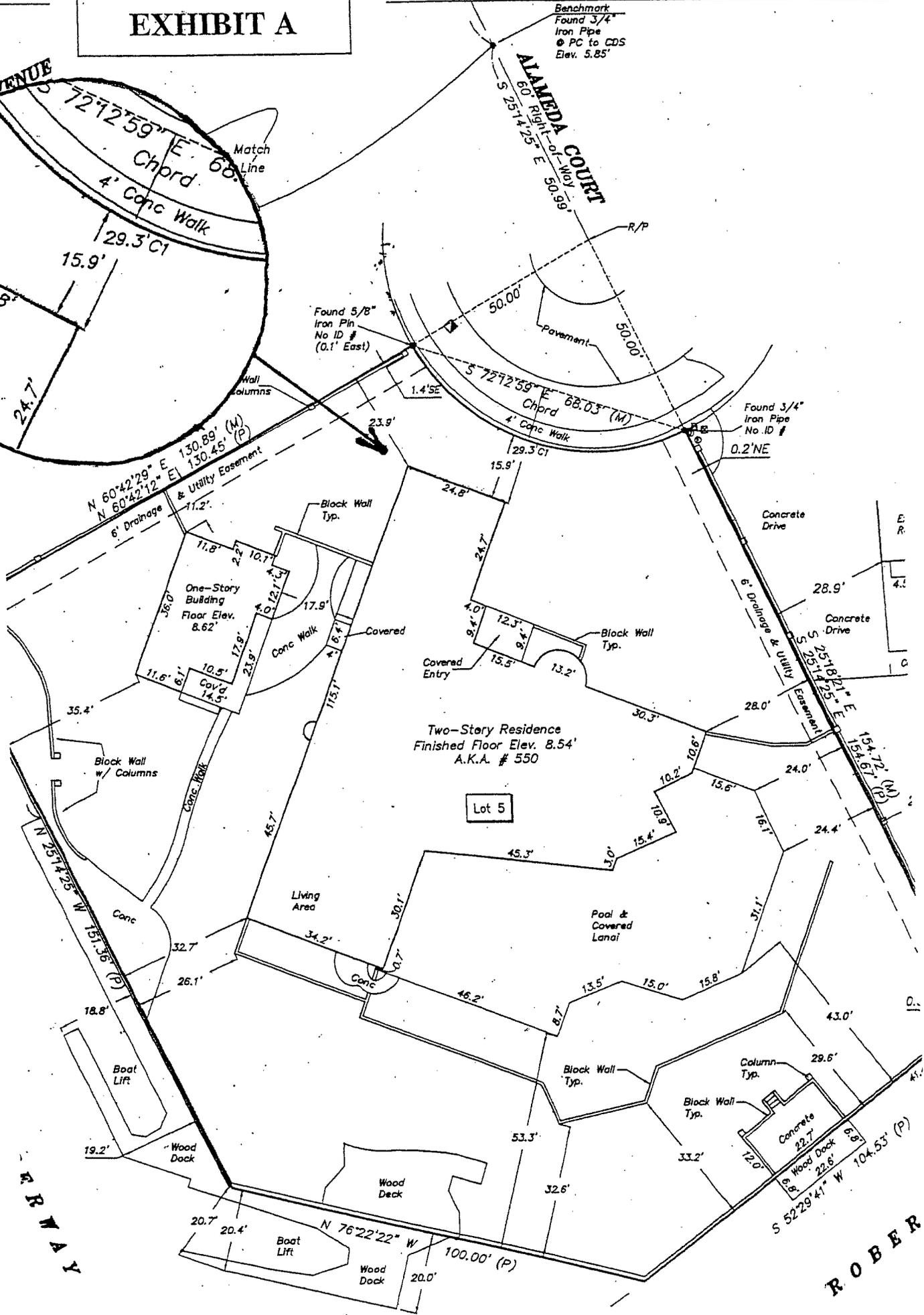
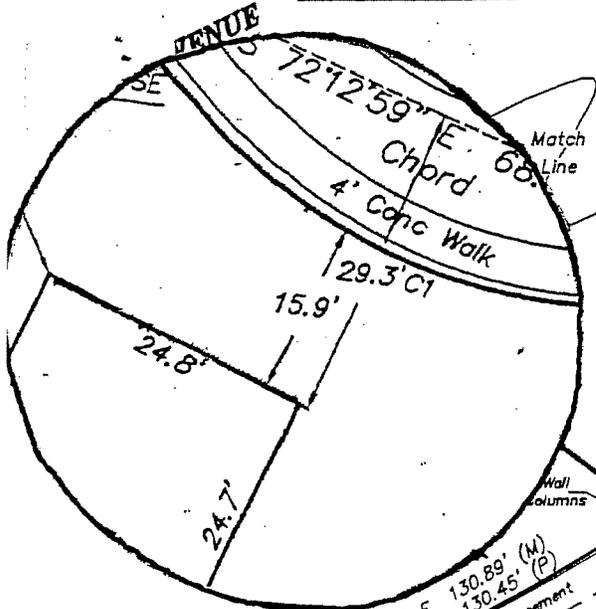
Laura Litzan
City Clerk

Approved as to form and legality:



Richard D. Yovanovich
City Attorney

EXHIBIT A



ROBER

