

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 05-65

A RESOLUTION APPROVING PETITION NUMBER V-05-10 PERMITTING A 4.5-FOOT VARIANCE FROM THE REQUIRED 7.5-FOOT RIPARIAN LINE SETBACK TO ALLOW FOR A 35-FOOT BOAT DOCKING FACILITY ON PROPERTY LEGALLY DESCRIBED AS MARCO BEACH UNIT 11, BLOCK 357, LOT 12, COLLIER COUNTY, FLORIDA AND THE CITY OF MARCO ISLAND.

WHEREAS, Section 54-111(b) of the Marco Island Code of Ordinances establishes that the riparian line setback requirements for boat docking facilities shall be equivalent to 15 percent of the seawall length with a minimum setback requirement of 7.5 feet; and

WHEREAS, Petitioner Daniel Grant is the owner of the following property that is the subject of the petition: Marco Beach Unit 11, Block 357, Lot 12, Collier County, Florida and the City of Marco Island; and

WHEREAS, the petitioner's agent is Woodward, Pires & Lombardo PA; and

WHEREAS, the petitioner has requested a 4.5-foot variance from the 7.5-foot riparian line setback requirement in order to construct a boat dock facility with a three-foot riparian line setback on the subject property; 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 3-2 to recommend that the Marco Island City Council approve the petition V-05-10; 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 request for a 4.5-foot variance from the required riparian line setback of 7.5 feet to allow for a three-foot setback from the riparian line for a boat dock facility on 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 30-65 of the Marco Island Code of Ordinances; 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 CITY OF MARCO ISLAND CITY COUNCIL that:

The variance petition filed by Woodward, Pires & Lombardo PA, as agent for Daniel Grant, with respect to the property located at 752 Hull Ct., which is legally described as Marco Beach Unit 11, Block 357, Lot 12, Folio Number 57927680006, Collier County, and the City of Marco Island, Florida is hereby approved.

The subject variance authorizes a 4.5-foot reduction from the required riparian line setback of 7.5 feet to three feet for a boat dock facility as shown on the attached site plan, Exhibit "A," of the RSF-3 zoning district wherein said property is located.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-05-10 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 17<sup>th</sup> day of October, 2005.

MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

By: Vickie Kelber  
Vickie Kelber, Chairwoman

ATTEST:

  
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Laura Litzan  
City Clerk

Approved as to form and legal sufficiency:

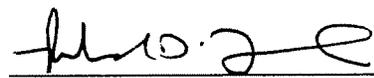
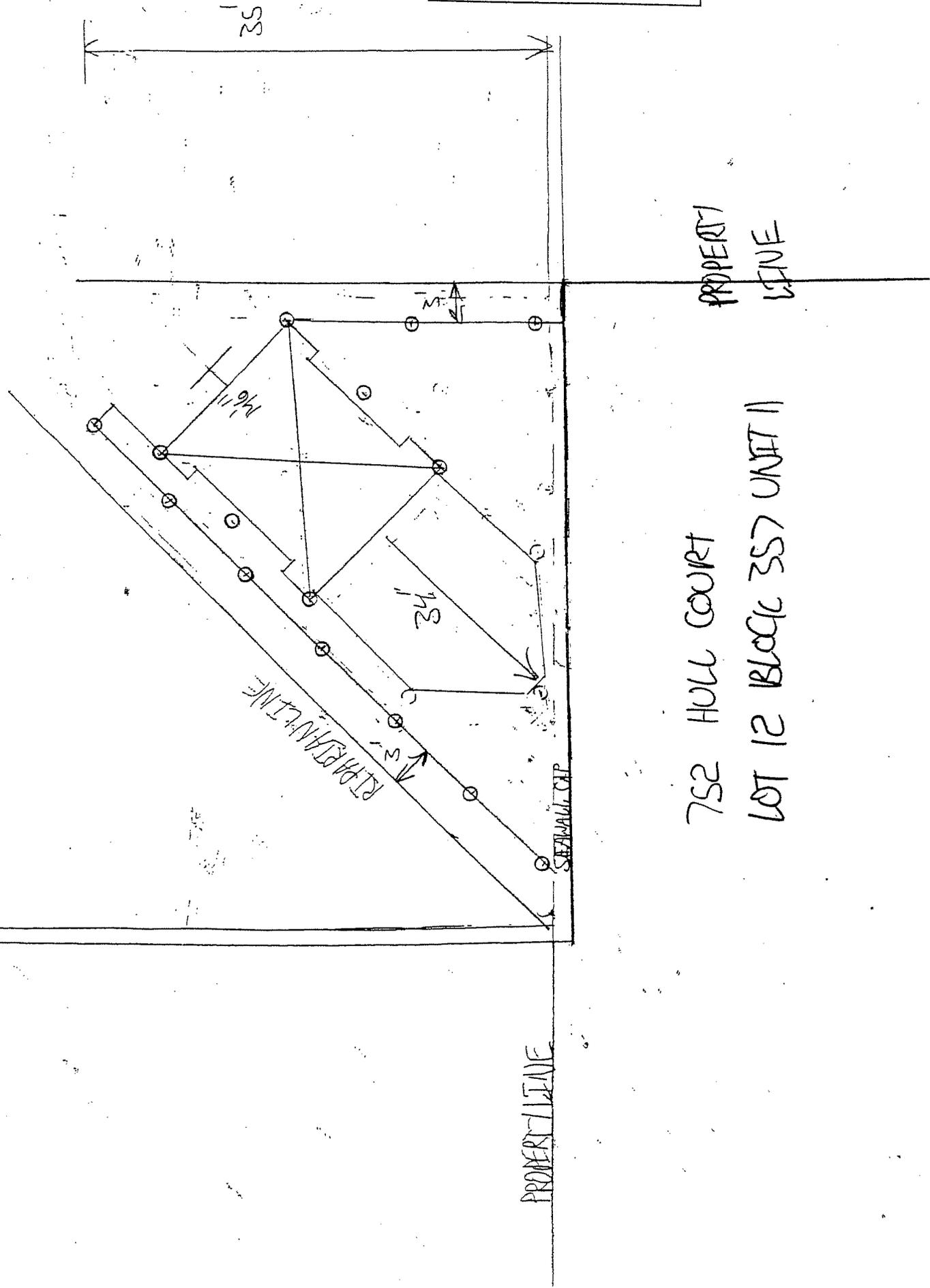
  
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Richard D. Yovanovich, Esq.  
City Attorney

EXHIBIT A



752 HULL COURT  
LOT 12 BLOCK 357 UNIT 11

