

RESOLUTION NO. 04- 17

**RELATING TO PETITION NUMBER V-04-01
FOR A VARIANCE ON PROPERTY HEREINAFTER
DESCRIBED IN THE CITY OF MARCO ISLAND, FLORIDA**

WHEREAS, the City of Marco Island has adopted Ordinance 02-08 which established variance procedures; and

WHEREAS, the Marco Island Planning Board conducted a public hearing on March 5, 2004 to consider the advisability of a 25 foot variance from the required 25 foot rear yard setback to zero feet for the purpose of constructing two new carports over existing parking spaces at the alley, and voted 5 to 0 to recommend that the Marco Island City Council approve the requested variance; and

WHEREAS, the Marco Island City Council is acting as the Board of Zoning Appeals; and

WHEREAS, City Council, as the Board of Zoning Appeals, has held a public hearing after proper notice as provided in said Regulations was made, and has considered the advisability of a 25 foot variance from the required rear yard setback requirement of 25 feet to zero feet for construction of two new carports as shown on the attached Exhibits "A", "B", and "C" in the "C-3" zoning district 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 Five of Ordinance 02-08.

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, that:

The petition V-04-01, filed by Dale Anthony Weisl, agent for Amir H. Neyestani, with respect to the property described as Lots 21 and 22, Block 146, Marco Beach Unit 5, as recorded in Plat Book 6, Pages 39-46 of the Public Records of Collier County, Florida, is hereby approved. The subject variance authorizes a 25 foot reduction of the required rear yard setback of 25 feet to zero feet for construction of two new carports as shown on the attached Exhibits "A", "B", and "C" of the "C-3" zoning district wherein said property is located, subject to the following conditions:

- a. The proposed carports shall provide the same architectural style, clay tile roofs, and colors as the mixed use building.
- b. Gutters shall be installed on the carports, and water captured from the gutters shall be directed to the on-site water management system.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-04-01 be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.

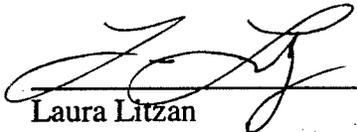
This Resolution adopted after motion, second, and majority vote.

Done this 15th day of March 2004.

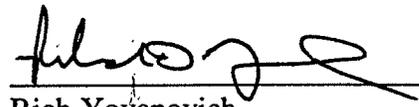
MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: Terri DiSciullo
Terri DiSciullo, Chairwoman

ATTEST:


Laura Litzan
City Clerk

Approved as to form and legality:


Rich Yovanovich
City Attorney