

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 04-14

A RESOLUTION RELATING TO PETITION NUMBER V-03-19 FOR VARIANCES FROM SECTION 54-111(b) OF THE MARCO ISLAND CODE OF ORDINANCES ON PROPERTY HEREINAFTER DESCRIBED AND WITH A STREET ADDRESS OF 1063 RUPPERT ROAD IN THE CITY OF MARCO ISLAND, FLORIDA.

WHEREAS, Section 54-111(b) of the Marco Island Code of Ordinances established 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, Joseph Kozimor is the owner of the property at 1063 Ruppert Rd; and

WHEREAS, Marco Dock & Lift, LLC has been authorized by the owner to file this petition; and

WHEREAS, the petitioner has requested 6-foot variances from said riparian line setback requirements in order to construct a boat dock facility with 1.5 foot riparian line setbacks 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 7-0 to recommend that the Marco Island City Council approve the petition V-03-19; 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 the 6-foot variances from the required riparian line setbacks of 7.5 feet to 1.5 feet 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.

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 Marco Dock & Lift, LLC, Joseph Kozimor, property owner, with respect to the property located at 1063 Ruppert Road, which is legally described as Old Marco Village, Block 5, Lot 2, Collier County, and the City of Marco Island, Florida is hereby approved.

The subject variance authorizes 6-foot reductions from the required riparian line setbacks of 7.5 feet to 1.5 feet for a boat dock facility as shown on the attached site plan, Exhibit "A", of the RSF-4 zoning district wherein said property is located.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-03-19 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 15<sup>th</sup> day of March 2004.

MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

By: Terri DiSciullo  
Terri DiSciullo, Chairwoman

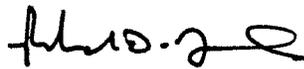
ATTEST:



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Laura Litza  
City Clerk

Approved as to form and legality:



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Rich Yovanovich  
City Attorney