

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 04- 01

RELATING TO PETITION NUMBER V-03-14 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 December 5, 2003 to consider the advisability of a 1-foot variance from the maximum permitted height of seven (7) feet above the seawall cap for a swimming pool and voted 7-0 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, the Marco Island City Council, being the duly constituted Board of Zoning Appeals for the area hereby affected, has held a public hearing after proper notice as provided in said Regulations was made, and has considered the advisability of a 1-foot variance from the maximum permitted height of seven (7) feet above the seawall cap for a swimming pool 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 CITY OF MARCO ISLAND CITY COUNCIL that:

The petition filed by Peter D. Clapp, property owner, with respect to the property herein described as 872 Banyan Court, described as Marco Beach Unit 10, Block 335, Lot 22, Collier County, and the City of Marco Island, Florida is hereby approved.

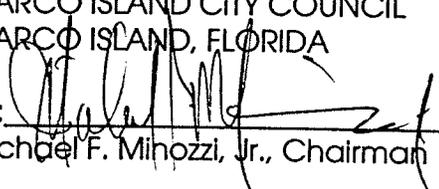
The subject variance authorizes a 1-foot variance from the maximum permitted height of seven (7) feet above the seawall cap for a swimming pool to eight (8) feet of the RSF-3 zoning district wherein said property is located.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-03-14 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 5<sup>th</sup> day of January 2004.

MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

By:   
Michael F. Minozzi, Jr., Chairman

ATTEST:

  
\_\_\_\_\_  
Laura Litzan  
City Clerk

Approved as to form and legality:

  
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Rich Yovanovich  
City Attorney