

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 04-_5 6

RELATING TO PETITION NUMBER V-04-14 FOR A VARIANCE ON
PROPERTY HEREINAFTER DESCRIBED 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, Petitioners Henry and Carolyn Lowe are the owners of the following property that is the subject of the petition: Old Marco Village Subdivision, Block 6, Lot 2, Collier County, Florida and the City of Marco Island; and

WHEREAS, the petitioner's agent is Collier Seawall & Dock, LLC; and

WHEREAS, the petitioner has requested 5.5-foot variances from said riparian line setback requirements in order to construct a boat dock facility with 2-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 6-0 to recommend that the Marco Island City Council approve the petition V-04-14; 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 5.5-foot variances from the required riparian line setbacks of 7.5 feet to 2 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 Collier Seawall & Dock, LLC, Henry and Carolyn Lowe, property owners, with respect to the property located at 1063 Old Ruppert Road, which is legally described as Old Marco Village, Block 6, Lot 2, Collier County, and the City of Marco Island, Florida is hereby approved.

The subject variance authorizes 5.5-foot reductions from the required riparian line setbacks of 7.5 feet to 2 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-04-14 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 6th day of December 2004.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

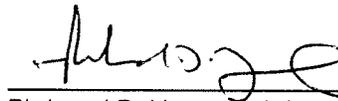
By: Terri DiSciullo
Terri DiSciullo, Chairwoman

ATTEST:



Laura Litzan
City Clerk

Approved as to form and legality:



Richard D. Yovanovich
City Attorney

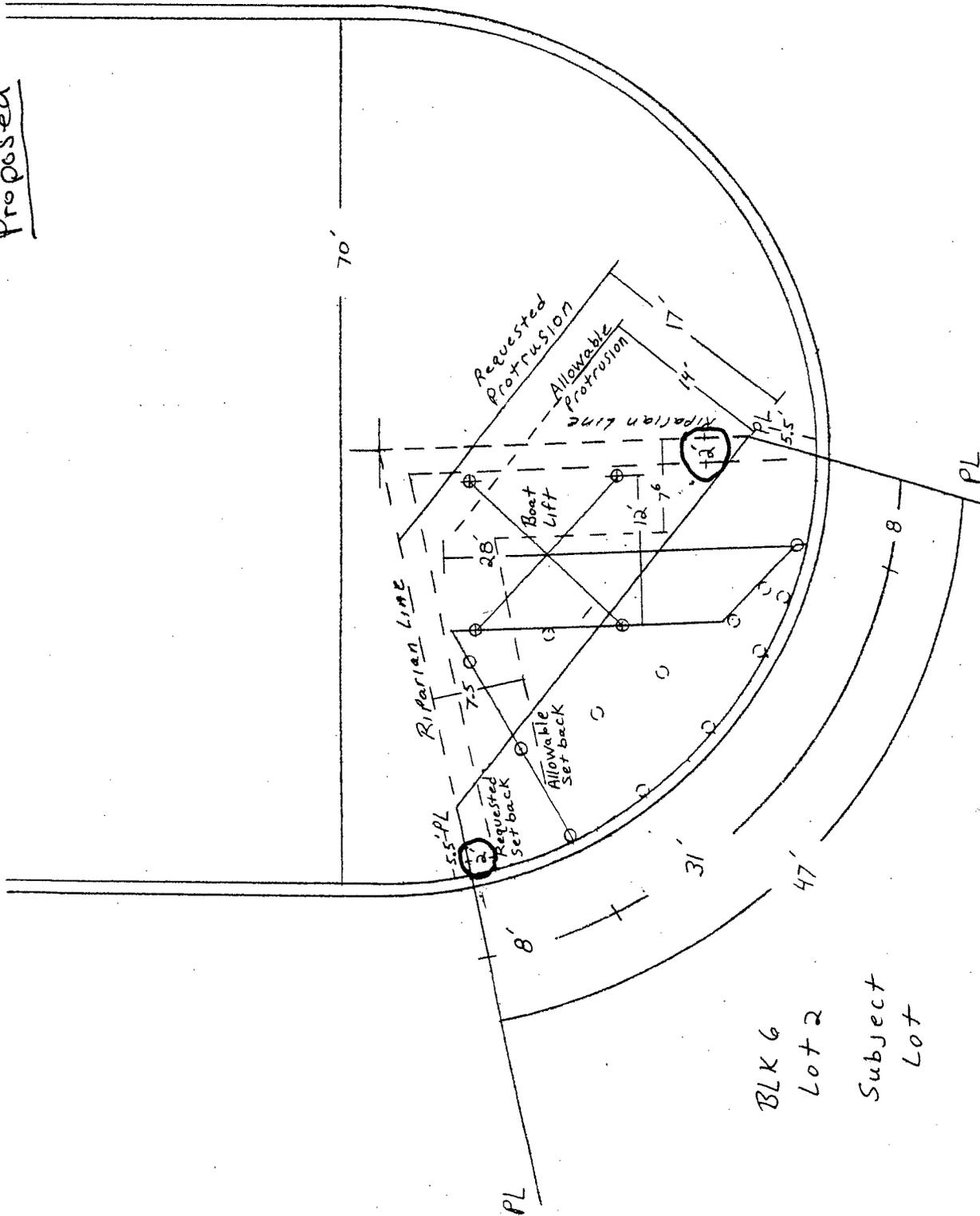
Proposed

DIMENSIONS ARE
APPROXIMATE

EXHIBIT A

Collier Seawall & Dock, LLC

LOWE	BY	DRY
1063 OLD MARCO L	Plan	"A"
9-27-04		
1/8" = 1'		



BLK 6
Lot 2
Subject
Lot