RESOLUTION NO. 04-53

A RESOLUTION DETERMINING PETITION V-04-13, A VARIANCE FROM SECTION 30-225 OF THE MARCO ISLAND LAND DEVELOPMENT CODE FROM 15 FEET TO ZERO FEET IN ORDER TO CONSTRUCT AN ACCESSORY STRUCTURE (10' X 18' CANOPY) LOCATED AT 257 COLLIER BOULEVARD, MORE PARTICULARY DESCRIBED HEREIN; PROVIDING FOR FILING WITH THE CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 30-225 of the Marco Island Land Development Code establishes a side yard setback of fifteen feet for principal and accessory structures; and

WHEREAS, Joey Oliverio, the owner of Joey's Pizza, Inc., has petitioned the City for a variance from said requirement for the purpose of constructing an accessory structure (canopy); and

WHEREAS, Joey Oliverio has requested a 15 foot variance from the required fifteen foot side yard setback requirement to zero feet for the accessory structure; and

WHEREAS, the City of Marco Island has adopted Section 30-65 of the Marco Island Land Development Code which establishes variance procedures; and

WHEREAS, the Marco Island Planning Board conducted a public hearing on October 8, 2004 to consider the advisability of a 15 foot variance from the required fifteen foot side yard setback requirement to zero feet for the purpose of constructing a new 10 foot by 18 foot canopy (accessory structure) on the subject property, and voted 6 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 for in Section 30-65, and has considered the advisability of a 15 foot variance from the required 15 foot side yard setback to zero feet for an accessory structure in order to construct a 10 foot by 18 foot canopy over the existing outside patio as shown on Exhibit "A" in the "C-3" zoning district for 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 City Ordinances, including Section 30-65 of the Marco Island Land Development Code; and

WHEREAS, all interested parties have been given opportunity to be heard by this Board in a public meeting assembled, and the Board has considered all matters presented.

NOW THEREFORE, BE IT RESOLVED BY THE MARCO ISLAND CITY COUNCIL, THAT:

Section One:

Petition V-04-13, filed by Joey Oliverio of Joey's Pizza, Inc., with respect to the property described as 257 Collier Boulevard, commonly referred to as Joey's, located on Lot 6, Block 224, in Section 17, Township 52 South, Range 26 East, City of Marco Island, Florida, is hereby approved and authorizes a 15 foot reduction of the required side yard setback of 15 feet to zero feet for an accessory structure (canopy) to be constructed over the existing outside patio subject to the following:

1. Outdoor seating and waiting shall be permitted as illustrated on Exhibit "A". Tables shall be prohibited within the designated outdoor waiting areas.
2. Storm water runoff from the proposed 10' x 18' canopy shall be captured and treated on-site. The building permit for the proposed canopy shall identify storm water treatment.

Section Two:

This Resolution relating to Petition Number V-04-13 shall be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.

Section Three:

This Resolution shall take effect immediately upon adoption.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL ACTING AS THE BOARD OF ZONNING APPEALS THIS 1st DAY OF November 2004.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

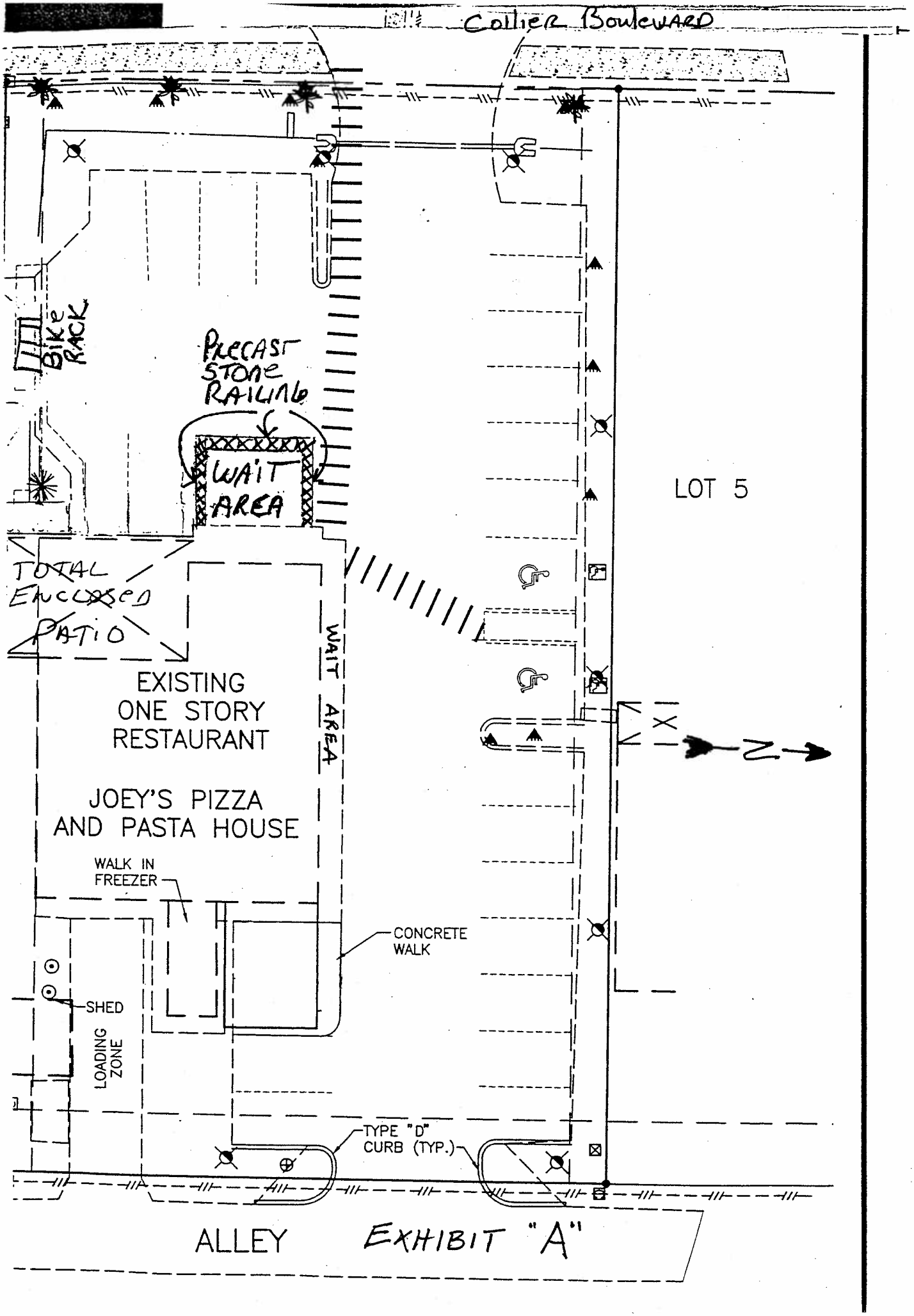
By: Terri DiSciullo
Terri DiSciullo, Chairwoman

ATTEST:

Laura Litzan
City Clerk

Approved as to form and legality:

Richard D. Yovanovich
City Attorney


Collier Boulevard
BIKE RACK
PRECAST STONE RAILING
WAIT AREA
LOT 5
TOTAL ENCLOSED PATIO
EXISTING ONE STORY RESTAURANT
JOEY'S PIZZA AND PASTA HOUSE
WAIT AREA
WALK IN FREEZER
CONCRETE WALK
SHED
LOADING ZONE
TYPE "D" CURB (TYP.)
ALLEY
EXHIBIT "A"

MEMORANDUM

TO: Marco Island Planning Board

FROM: Bryan Milk, City Planner

DATE October 5, 2004

RE: Petition Number V-04-13 "Joey's Pizza, Inc."

PETITIONER/AGENT:

PETITIONER: Joe Oliverio
Joey's Pizza, Inc.
257 N. Collier Boulevard
Marco Island, FL 34145

REQUESTED ACTION:

The petitioner is requesting a 15-foot variance from the minimum side yard setback requirement of 15-feet to 0-feet. The petitioners' request comes about primarily as a desire to construct an accessory structure (10' x 18' canopy) over the existing outside patio along the southwest corner of the building.

GEOGRAHIC LOCATION:

The subject property is located at 257 North Collier Boulevard, commonly referred to as Joey's Pizza Inc., located north of and adjacent to South Seas Plaza, south of Collier Building Condo, east of Collier Boulevard, further described as Lot 6, Block 224, in Section 17, Township 52 South, Range 26 East, City of Marco Island.

SURROUNDING LAND USE AND ZONING:

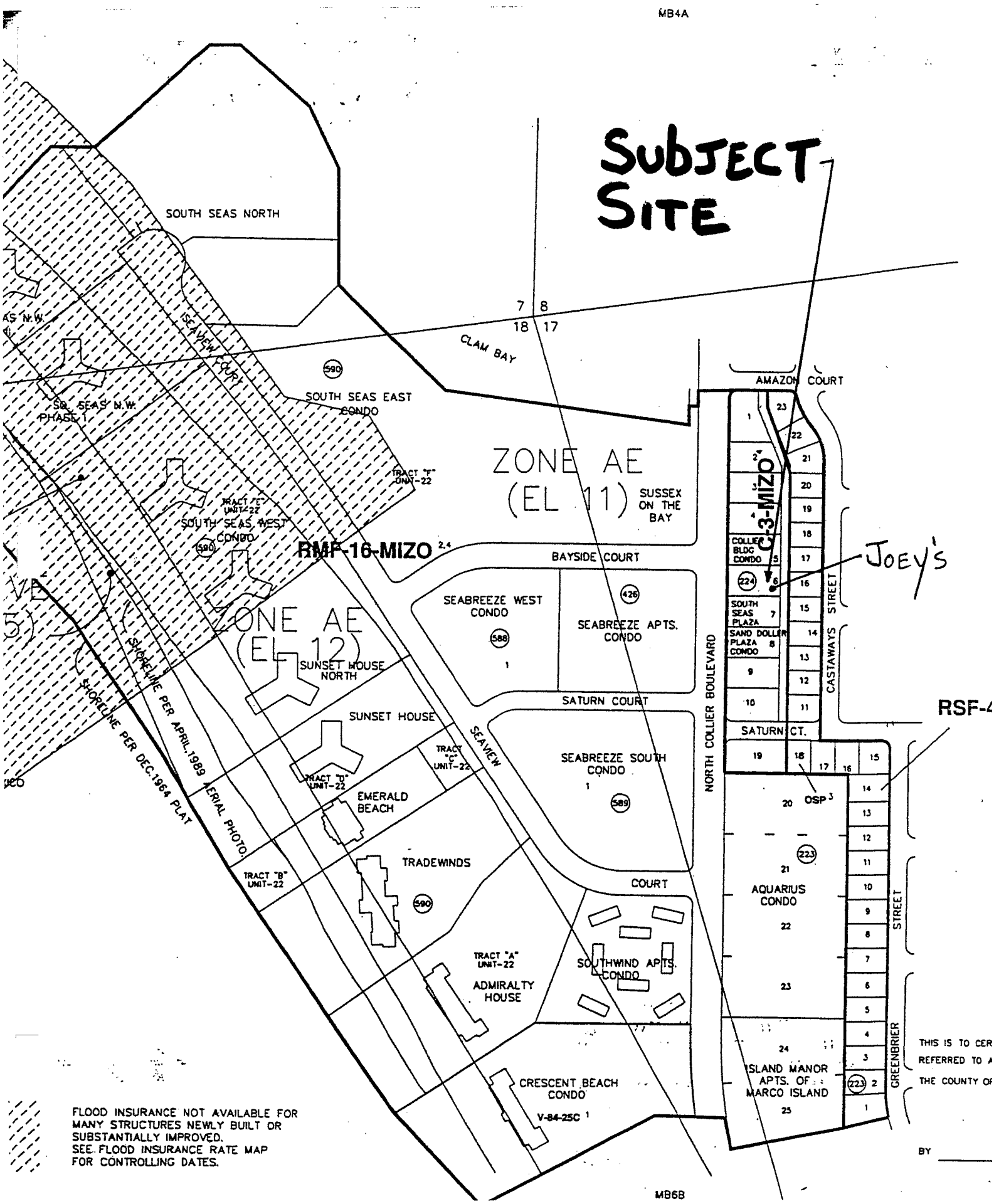
Existing conditions:
The subject property is developed with a restaurant and is zoned C-3.

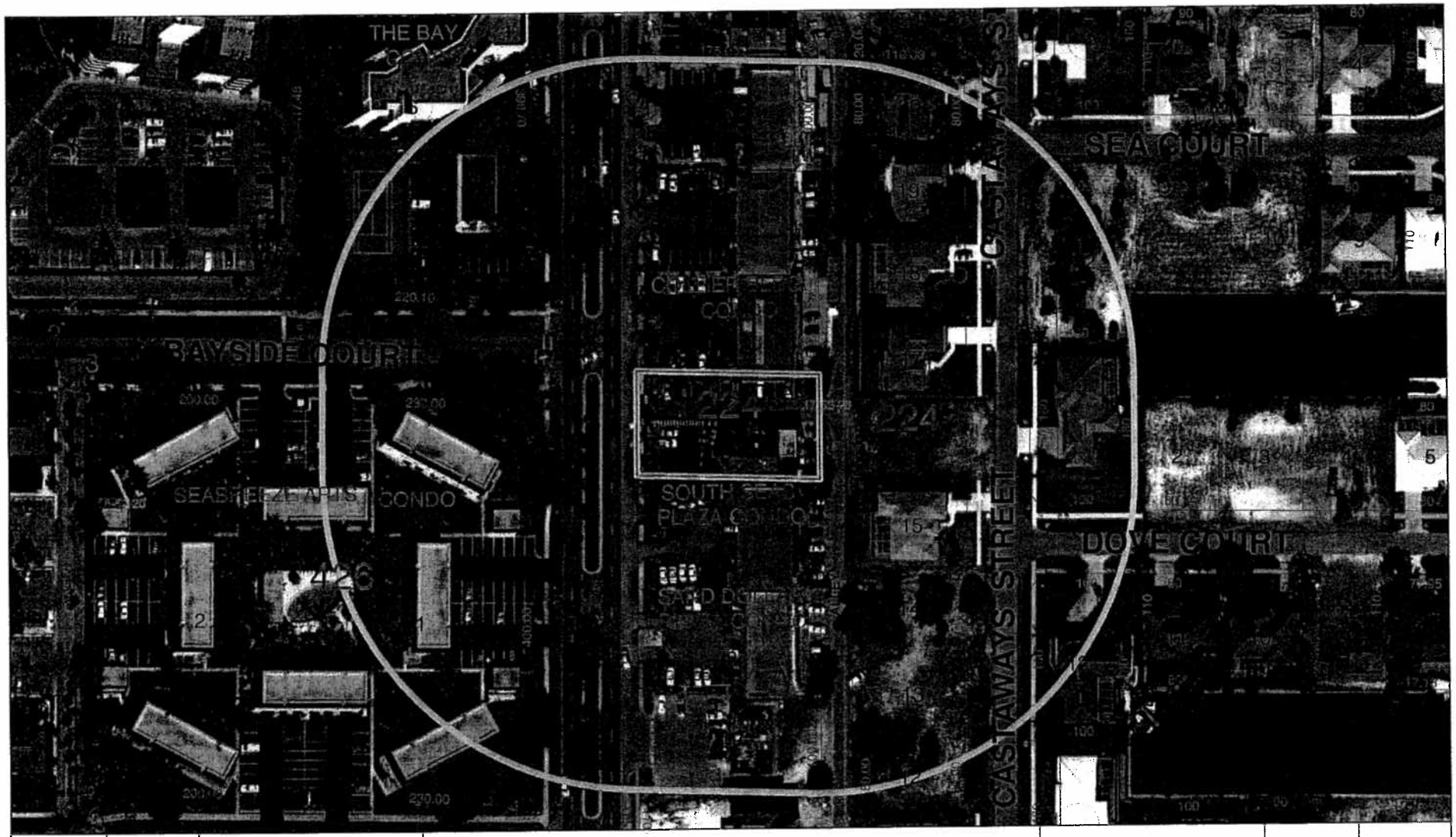
Surrounding:

North: A commercial office complex "Collier Building Condo" is located north of the subject property and zoned "C-3".

East: Property to the east across the alley is zoned "RSF-3", and is primarily developed with single-family residences. The residential lot located directly to the east is undeveloped.

South: Property to the south is zoned "C-3" and is developed with multiple commercial business referred to as "South Seas Plaza".


MB4A
SUBJECT SITE
SOUTH SEAS NORTH
7 8
18 17
CLAM BAY
SEAVIEW COURT
590
SOUTH SEAS EAST CONDO
SOUTH SEAS N.W. PHASE 1
ZONE AE (EL 11)
SUSSEX ON THE BAY
TRACT "F" UNIT-22
TRACT "E" UNIT-22
SOUTH SEAS WEST CONDO
590
RMF-16-MIZO
BAYSIDE COURT
ZONE AE (EL 12)
SEABREEZE WEST CONDO
588
426
SEABREEZE APTS. CONDO
SUNSET HOUSE NORTH
SATURN COURT
SUNSET HOUSE
SEAVIEW
TRACT "C" UNIT-22
TRACT "D" UNIT-22
EMERALD BEACH
SEABREEZE SOUTH CONDO
589
SHORELINE PER APRIL 1989 AERIAL PHOTO
SHORELINE PER DEC. 1964 PLAT
TRACT "B" UNIT-22
TRADEWINDS
590
COURT
TRACT "A" UNIT-22
ADMIRALTY HOUSE
SOUTHWIND APTS. CONDO
CRESCENT BEACH CONDO
V-84-25C
AMAZON COURT
C-3-MIZO
COLLIER BLDG CONDO
224
SOUTH SEAS PLAZA
SAND DOLLER PLAZA CONDO
JOEY'S
CASTAWAYS STREET
NORTH COLLIER BOULEVARD
SATURN CT.
RSF-4
OSP
223
AQUARIUS CONDO
ISLAND MANOR APTS. OF MARCO ISLAND
GREENBRIER STREET
THIS IS TO CER
REFERRED TO A
THE COUNTY OF
BY
FLOOD INSURANCE NOT AVAILABLE FOR MANY STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED.
SEE FLOOD INSURANCE RATE MAP FOR CONTROLLING DATES.
MB6B



Parcel Numbers and Dimensions - BLACK
Lot Numbers - GRAY
Subdivision Names - RED
Subdivision Boundary Lines - LIGHT ORANGE

1" = 42 feet

CITY OF MARCO ISLAND
GEOGRAPHIC INFORMATION SYSTEM

DISCLAIMER NOTICE

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West: North Collier Boulevard is located west of the subject property. Further west, the property is zoned "RMF-16" and is developed with residential condominiums.

BACKGROUND:

The petitioner is requesting a 15-foot variance from the side yard setback requirement of 15-feet to 0-feet, in order to construct an accessory structure (10' x 18' canopy) over the existing outside patio located along the southwest corner of the building. Presently a canopy exist over a majority of the outside patio existing along the front of the building, and the petitioners' request would extend the existing canopy further to the south, terminating at the south end of the building. The existing building was historically constructed at a 0-foot side yard setback, compliant with the side yard setback requirements of the Collier County Land Development Code. Amendments to the C-3 zoning district regulations have provided variations to side yard setback requirements which have fluctuated between 0-feet to 15-feet.

HISTORIC/ARCHAEOLOGICAL IMPACT:

Staff's analysis indicated that there is no historical and/or archaeological impact.

EVALUATION FOR IMPACTS TO TRANSPORTATION, INFRASTRUCTURE AND ENVIRONMENT:

Approval of this variance request will have no effect on infrastructure, transportation or the environment.

CORRESPONDENCE:

Staff has received inquiries concerning the subject petition.

ANALYSIS:

Section 30-65 of the Marco Island Land Development Code provides the authority to the Board of Zoning Appeals (BZA) to grant variances. The Planning Board is advisory to the BZA and utilizes the provisions of Subsection d. "findings" (1) through (8) of Section 30-65 which are general guidelines to be used to assist the City Council acting as the City's Board of Zoning Appeals in making a determination. Responses to items (1) through (8) are as follows:

1. *Are there special conditions and circumstances existing which are peculiar to the location, size and characteristics of the land, structure or building involved?*

   Yes. The subject building and outside patio were originally constructed with a 0-foot side yard setback along the southern property boundary. Currently an undulating 4-foot and 8-foot high privacy wall encompasses the entire outside patio. The wall exists along the side yard property line and along the front parking lot. In 1998, the petitioner secured a building permit (permit number "980464") to cover a majority of the outside patio with a canopy (20' by 18'), which included a portion of the area subject to the variance request. See attached building permit. Staff is unfamiliar why that portion of the canopy (10' by 18') was not constructed.

2. *Are there special conditions and circumstances which do not result from the action of the applicant such as pre-existing conditions relative to the property which is the subject of the variance request?*

   There are special conditions relating to orientation and construction of the original building. The existing building was constructed at the side yard property line (0-feet), and pursuant to the Collier County Land Development Code regulations, the required side yard setback for the C-3 zoning district was 0-feet.

3. *Will a literal interpretation of the provisions of this Land Development Code work unnecessary and undue hardship on the applicant?*

   No. However, the completion of the proposed canopy over that area of the outside patio will bring architectural uniformity to the existing overhead canopy along the front of the building, and provide a protected outside seating and waiting area for patrons.

4. *Will the variance, if granted, be the minimum variance that will make possible the reasonable use of the land, building or structure and which promote standards of health, safety and welfare?*

   Yes. The variance requested is the minimum variance possible in order to extend the existing canopy to the southern property line and privacy wall.

5. *Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings or structures in the same zoning district?*

   Yes. Granting the variance requested will confer a special privilege to the petitioner. However, historical changes to the side yard setback regulations have caused inconsistent side yard building and accessory structure setbacks. The petitioners' request will complete the canopy across the front of the building and provide additional covered patio space for restaurant patrons.

6. *Will granting the variance be in harmony with the general intent and purpose of this Land Development Code, and not be injurious to the neighborhood or otherwise detrimental to the public welfare?*

   No, the granting of this variance will not be in harmony with the general intent and purpose of the current development regulations set forth in the C-3 zoning district. However, staff is of the opinion, the proposed encroachment into the side yard will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, and welfare. The encroachment is minimal and will provide architectural uniformity at the building facade.

7. *Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf courses, etc?*

   Not applicable.

8. *Will granting the variance be consistent with the Growth Management Plan?*
   Approval of this plan will not affect or change the requirements of the Growth Management Plan or intensity of the project.

The petitioners' request comes about primarily as a desire to construct an accessory structure (10' x 18' canopy) over the existing outside patio along the southwest corner of the building. The petitioner wishes to cover the patio in order to provide seating and waiting in this area for restaurant patrons. Staff is of the opinion that while a hardship does not exist, a practical difficulty exist due to the previous side yard setback change in the C-3 district from 0-feet to 15-feet. Extension of the existing canopy to the southern property line will provide architectural harmony at the front building facade and result in a uniform appearance from Collier Boulevard.

During the September 24, 2004 Planning Board meeting, staff pointed out that Joey's provided an outside waiting area with chairs and tables located within the existing parking lot at the front of the building. Staff was concerned that a waiting area provided in this particular location presented a public safety hazard for waiting customers, and recommended relocating the chairs and tables under the proposed canopy. The Planning Board discussed these issues and recommended that Joey's provide a decorative fence or rail around the outside waiting area for safety reasons, and requested only chairs be permitted within this area or any other outside waiting area. The Board also discussed storm water runoff from the canopy, and its potential impacts on and off-site. Staff provided stipulations in the Resolution of Adoption which addresses all of the above concerns, and includes Exhibit "A" as an attachment.

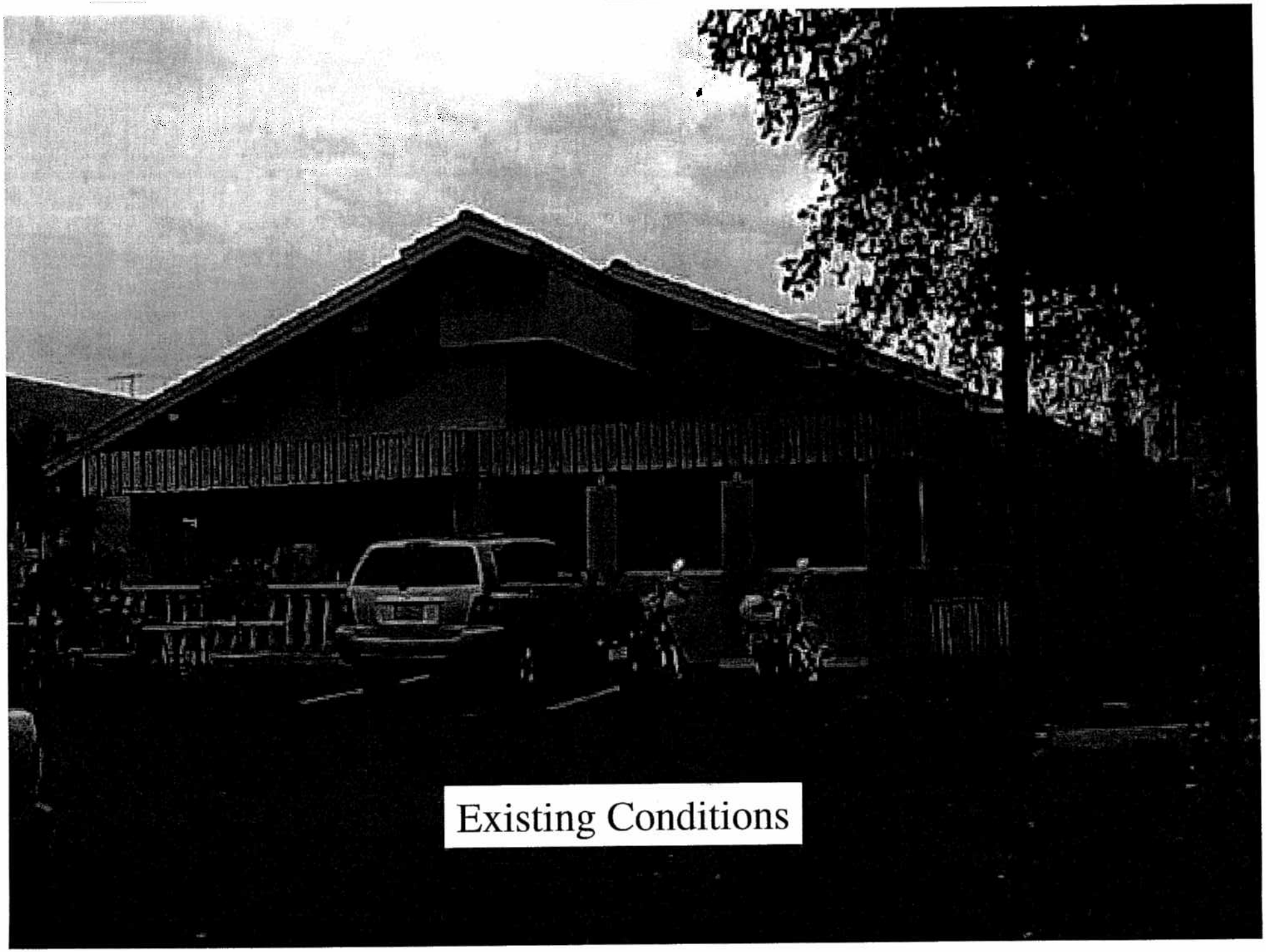
STAFF RECOMMENDATION:
Staff recommends that the Marco Island Planning Board forward Petition V-04-13 to the Board of Zoning Appeals with a recommendation of approval subject to the stipulations within the Resolution of Adoption.

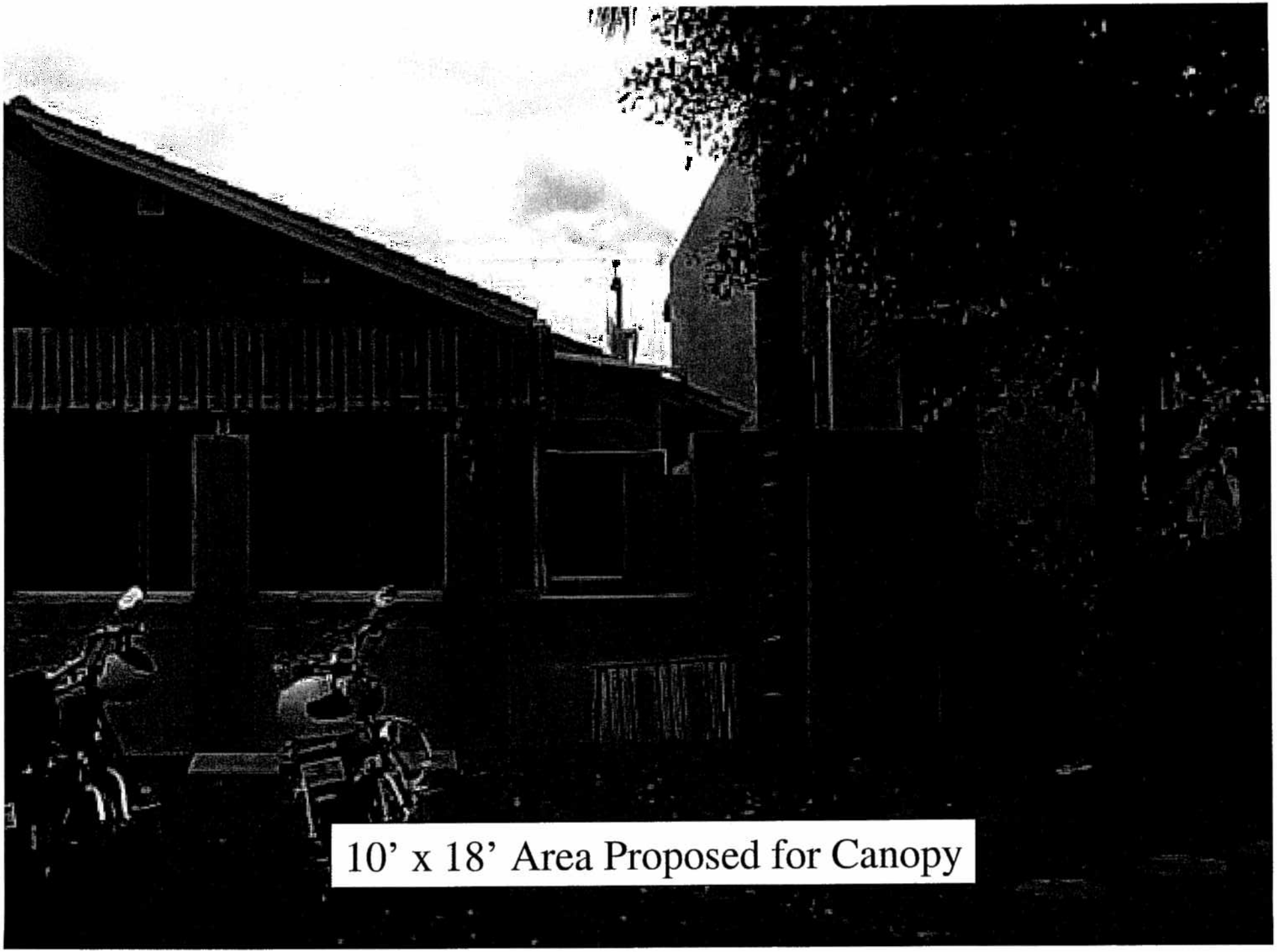
Prepared By:

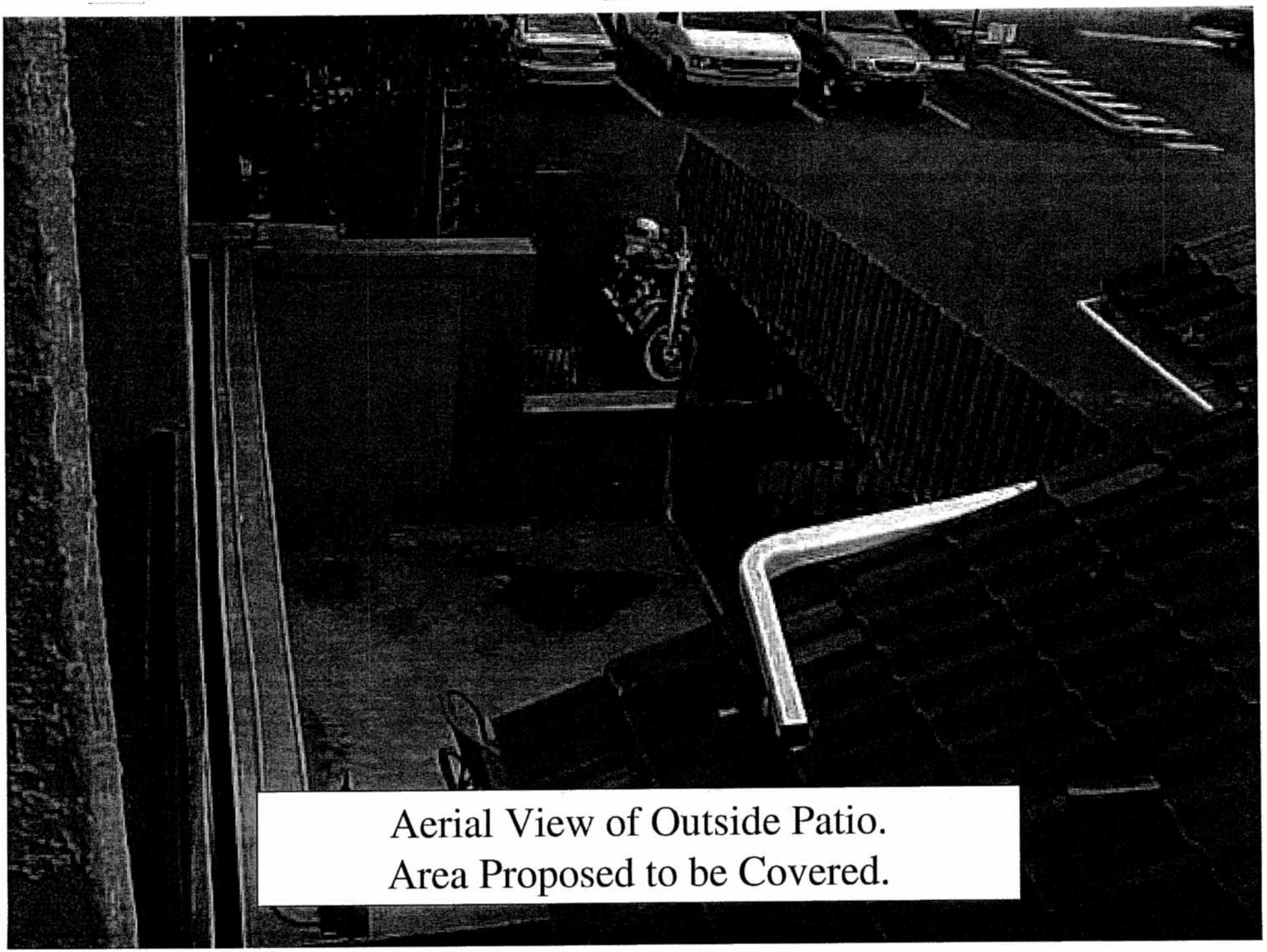
Bryan Milk 10/5/04

Bryan Milk
City Planner

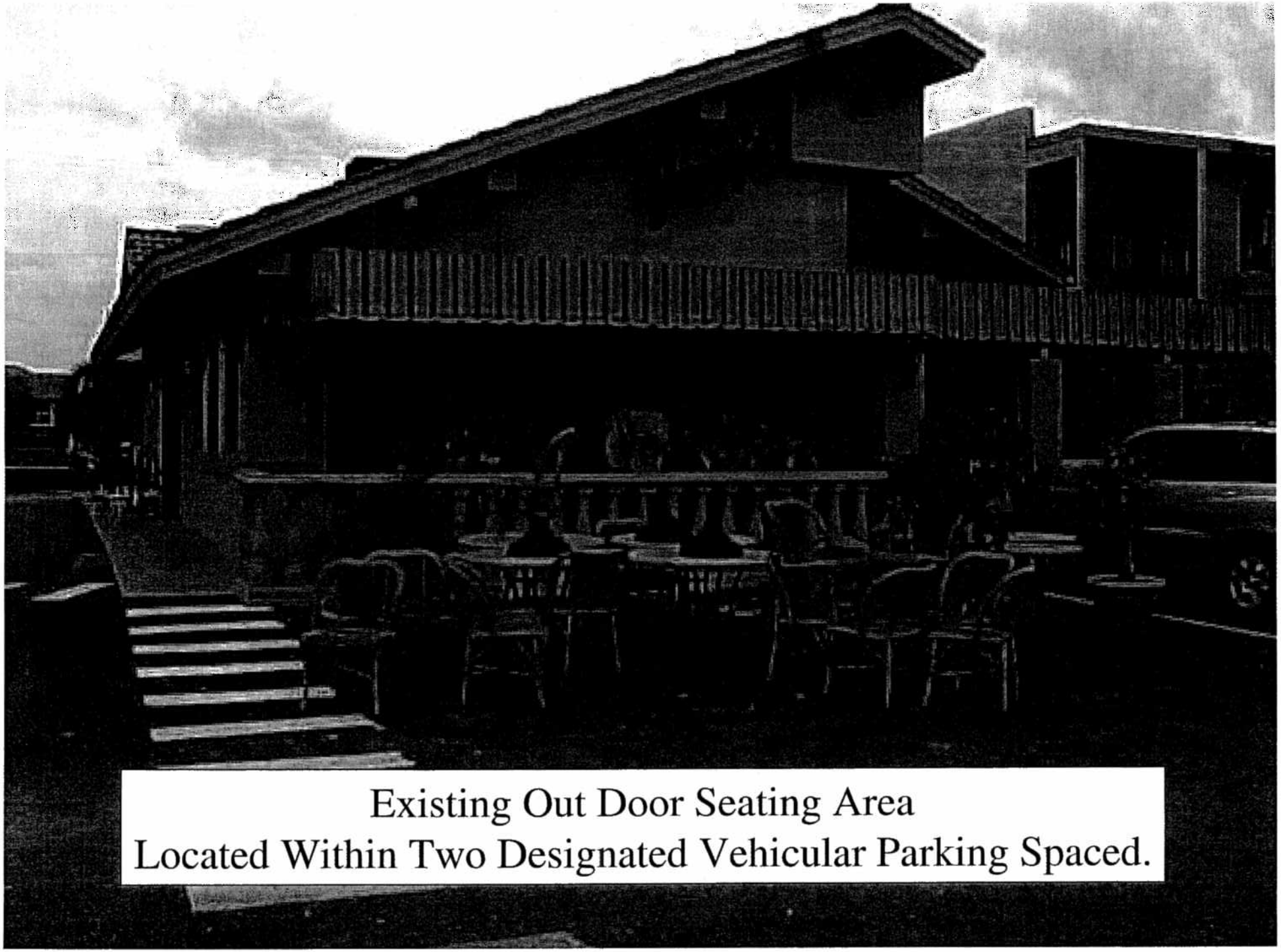
Date


Existing Conditions


10’ x 18’ Area Proposed for Canopy



Aerial View of Outside Patio.
Area Proposed to be Covered.



Existing Out Door Seating Area
Located Within Two Designated Vehicular Parking Spaced.

RESOLUTION NO. 04-

A RESOLUTION DETERMINING PETITION V-04-13, A VARIANCE FROM SECTION 30-225 OF THE MARCO ISLAND LAND DEVELOPMENT CODE FROM 15 FEET TO ZERO FEET IN ORDER TO CONSTRUCT AN ACCESSORY STRUCTURE (10' X 18' CANOPY) LOCATED AT 257 COLLIER BOULEVARD, MORE PARTICULARY DESCRIBED HEREIN; PROVIDING FOR FILING WITH THE CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 30-225 of the Marco Island Land Development Code establishes a side yard setback of fifteen feet for principal and accessory structures; and

WHEREAS, Joey Oliverio, the owner of Joey's Pizza, Inc., has petitioned the City for a variance from said requirement for the purpose of constructing an accessory structure (canopy); and

WHEREAS, Joey Oliverio has requested a 15 foot variance from the required fifteen foot side yard setback requirement to zero feet for the accessory structure; and

WHEREAS, the City of Marco Island has adopted Section 30-65 of the Marco Island Land Development Code which establishes variance procedures; and

WHEREAS, the Marco Island Planning Board conducted a public hearing on October 8, 2004 to consider the advisability of a 15 foot variance from the required fifteen foot side yard setback requirement to zero feet for the purpose of constructing a new 10 foot by 18 foot canopy (accessory structure) on the subject property, and voted 6 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 for in Section 30-65, and has considered the advisability of a 15 foot variance from the required 15 foot side yard setback to zero feet for an accessory structure in order to construct a 10 foot by 18 foot canopy over the existing outside patio as shown on Exhibit "A" in the "C-3" zoning district for 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 City Ordinances, including Section 30-65 of the Marco Island Land Development Code; and

WHEREAS, all interested parties have been given opportunity to be heard by this Board in a public meeting assembled, and the Board has considered all matters presented.

NOW THEREFORE, BE IT RESOLVED BY THE MARCO ISLAND CITY COUNCIL, THAT:

Section One:

Petition V-04-13, filed by Joey Oliverio of Joey's Pizza, Inc., with respect to the property described as 257 Collier Boulevard, commonly referred to as Joey's, located on Lot 6, Block 224, in Section 17, Township 52 South, Range 26 East, City of Marco Island, Florida, is hereby approved and authorizes a 15 foot reduction of the required side yard setback of 15 feet to zero feet for an accessory structure (canopy) to be constructed over the existing outside patio subject to the following:

1. Outdoor seating and waiting shall be permitted as illustrated on Exhibit "A". Tables shall be prohibited within the designated outdoor waiting areas.
2. Storm water runoff from the proposed 10' x 18' canopy shall be captured and treated on-site. The building permit for the proposed canopy shall identify storm water treatment.

Section Two:

This Resolution relating to Petition Number V-04-13 shall be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.

Section Three:

This Resolution shall take effect immediately upon adoption.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL ACTING AS THE BOARD OF ZONNING APPEALS THIS _____ DAY OF _____ 2004.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

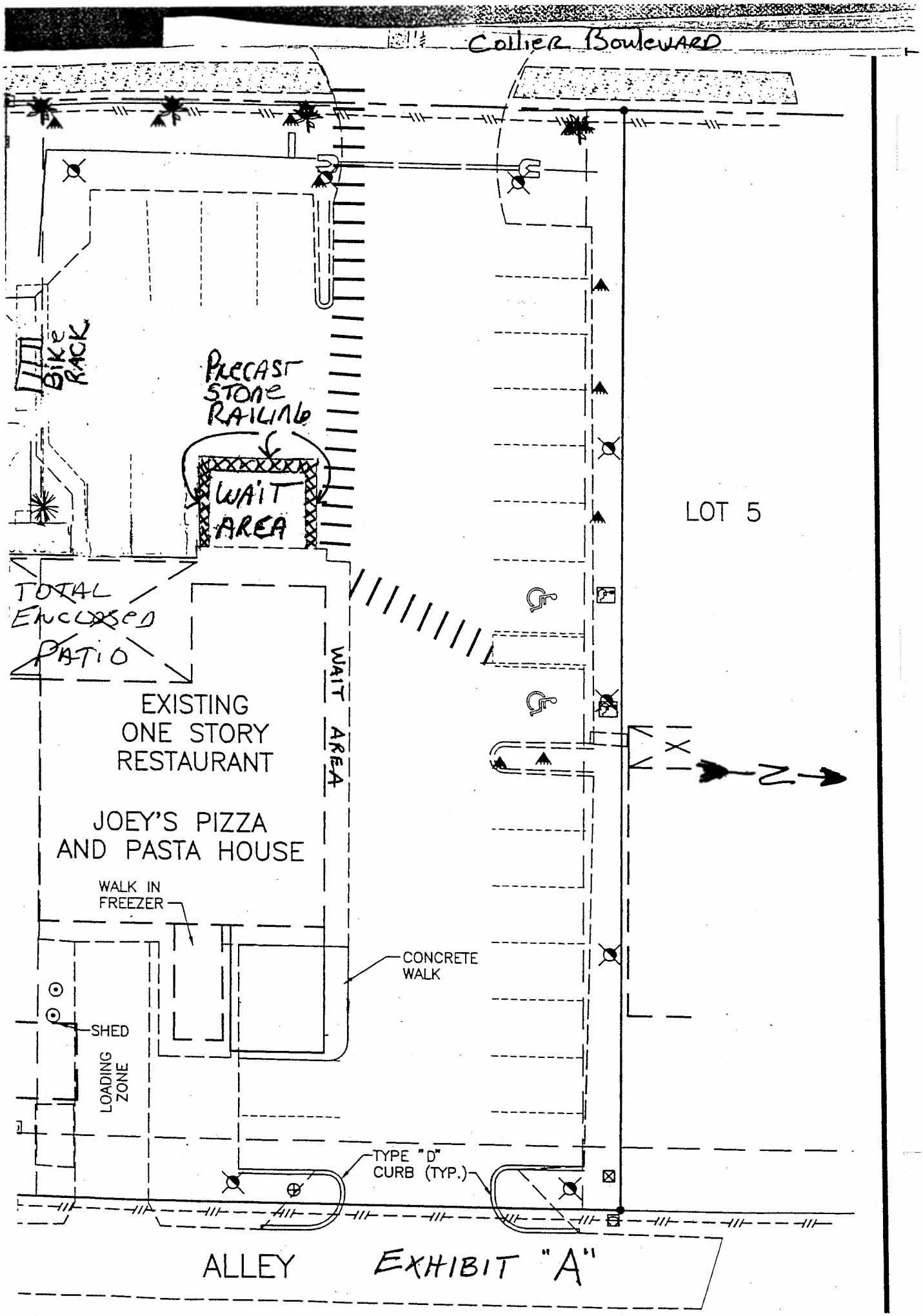
By:_____
Terri DiSciullo, Chairwoman

ATTEST:

_____
Laura Litzan
City Clerk

Approved as to form and legality:

_____
Richard D. Yovanovich
City Attorney


Collier Boulevard
BIKE RACK
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WAIT AREA
LOT 5
TOTAL ENCLOSED PATIO
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JOEY'S PIZZA AND PASTA HOUSE
WALK IN FREEZER
CONCRETE WALK
SHED
LOADING ZONE
TYPE "D" CURB (TYP.)
ALLEY
EXHIBIT "A"

VARIANCE PETITION

Received
SEP 2004
CITY OF MARCO ISLAND

Petition number: V-_____ Date Received: _____

Planner: _____

ABOVE TO BE COMPLETED BY STAFF

Property Owner(s): JOEYS PIZZA INC.

Owner's Address: 257 N COLLIER

Telephone: 239-389-2433 Fax: 239-389-9914

Agent's Name: JOE OLIVERIO

Agent's Address: 540 HAMMOCK CT

Telephone: 239-285-5192 Fax: _____

Site Information

Address: 257 N COLLIER Property ID #: _____

Subdivision: _____ Block: _____ Lot(s): _____

Is this a corner lot?: NO Is this a waterfront lot?: NO

Setbacks Required:

Front:_____ft Rear:_____ft Side:_____ft Side:_____ft

Setbacks provided:

Front:_____ft Rear:_____ft Side:_____ft Side:_____ft

Zoning and Land Use

Property	Zoning	Land Use
Subject	C-3	RESTAURANT
N		
S		
E		
W		

For variance requests for *existing structure*(s), please provide the following information:

1. **What is the requested encroachment?**
   TO FINISH CANOPY OVER OUTSIDE PATIO THAT IS ON S.D.P.

2. **When property owner purchased property**
   5-1-2001

3. **When was the existing structure built (include building permit number if possible)?**
   1986

4. **How existing encroachment created?**

For variance requests for *proposed structure*(s), please provide the following information:

1. **What is the proposed encroachment?**
   TO EXTEND EXISTING AWNING OVER ALREADY BUILT WALLS

2. **Why is the encroachment is necessary?**
   TO COMPLETE PATIO ROOM WITH COVER OVER EXISTING SEATS.

NATURE OF PETITION

Please note that staff and the Marco Island Planning Board shall be guided in their recommendation to City Council acting as the Board of Zoning Appeals, and that City Council shall be guided in its determination to approve or deny a variance petition by the below listed criteria. Please provide a *narrative* response to the listed criteria and/or questions. Attach additional pages if necessary.

1. **Are there special conditions and circumstances existing which are peculiar to the location, size and characteristics of the land, structure or building involved? –**
   EXISTING ROOM IS 0 LOT LINE AND WAS PURCHASED W. THE ROOM ON AND SHOWN ENCROSED ON S.D.P. AT PURCHASE TO OCCUPANCY

2. Are there special conditions and circumstances which do not result from the action of the applicant such as pre-existing conditions relative to the property which is the subject of the variance request?

3. Will a literal interpretation of the provisions of this zoning code work unnecessary and undue hardship or create practical difficulties on the applicant?

Yes, We will be prevented from using our seating ordinances

4. Will the variance, if granted, be the minimum variance that will make possible the reasonable use of the land, building or structure and which promote standards of health, safety or welfare?

Yes. will stop flooding of patio area from rain

5. Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district?

NO.

6. Will granting the variance be in harmony with the intent and purpose of this zoning code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?

Yes, NO ADDITIONAL SEATING IS BEING PROVIDED

7. Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf course, etc?

NO

8. Will granting the variance be consistent with the growth management plan?

Yes, WILL HELP ESTABLISH MORE YEAR ROUND, SERVICE TO the Community

AFFIDAVIT

We/I, JOE'S PIZZA INC being first duly sworn, depose and say that we/I am/are the owners of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, including the disclosure of interest information, all sketches, data, and other supplementary matter attached to and made a part of this application, are honest and true to the best of our knowledge and belief. We/I understand that the information requested on this application must be complete and accurate and that the content of this form, whether computer generated or City printed shall not be altered. Public hearings will not be advertised until this application is deemed complete, and all required information has been submitted.

As property owner we further authorize JOE'S PIZZA INC. to act as our/my representative in any matters regarding this Petition.

Signature of Property Owner	Signature of Property Owner
Printed Name of Property Owner	Printed Name of Property Owner

The foregoing instrument was acknowledged before me this 1st day of Sept ~~199~~ 2004, by Joe Oliveiro, who is personally known to me or has produced _____ as identification.

State of Florida
County of Florida

Nancy J. Paton
MY COMMISSION # DD261944 EXPIRES
January 3, 2008
BONDED THRU TROY FAIN INSURANCE, INC.

Signature, Notary Public – State of Florida

(Seal)

Nancy Paton
Printed, Typed, or Stamped Name of Notary

VARIANCE PETITION
APPLICATION SUBMITTAL CHECKLIST
This completed checklist is to be submitted with application packet

REQUIREMENTS	# OF COPIES REQUIRED
Completed Application	1
Completed Owner/Agent affidavit, signed and notarized	1
Pre-application notes/minutes	1
Site Plan illustrating all of the following: a. The lot dimensions where proposed docking facility is to be located. b. All yard setbacks c. Required setbacks for the dock facility d. The total number and configuration of the proposed facilities, etc. (include all dimensions to scale). e. The water depth where the proposed dock facility is to be located and the distance to the navigable channel. (water depth at mean low tide should be shown at approximately every five (5) feet of length for the total length of the proposed facility). f. Illustrate the land contour of the property on which the dock facility is Proposed	1 (please include 14 copies of any documentation in color or larger than 11x17 to be handed out at the Planning Board and City Council meetings)
Application fee, check shall be made payable to "The City of Marco Island" in the amount of $425.00	

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

Signature of Petitioner or Agent

9-1-04
Date

City of Marco Island

COPY

CERTIFICATE OF COMPLETION
CITY OF MARCO ISLAND
BUILDING SERVICES

CO TYPE	CO
Issue Date	12/18/98
Permit#	980464
Site Address	COLLIER BLVD N 257
Folio Number	57361440006
Legal Address	Lot: 6 Block: 224 Sub: MARCO BEACH UNIT 6
Owner	HOUTAN, SEPAHPOUR 911 MONTEGO CT MARCO ISLAND FL 34145
Contractor	BAASCH, KEITH ERIC PO BOX 1119 MARCO ISLAND, FL 34146
Description of Work	NEW AWNING FOR RED FIRE GRILL
Occupancy Type	STORES/CUSTOMER SVCS
Flood Zone	
Elevation Certificate	
Construction Type	NOT KNOWN

Approved By Roy Miele Lee Building Official

VOID UNLESS SIGNED BY THE BUILDING OFFICAL

950 North Collier Boulevard, Suite 308, Marco Island, FL 34145
(941) 389-5000 FAX (941) 389-4359

Building Permit
Marco Island Building Services
1280 San Marco Rd, Marco Island, FL 34145
Call for Permits & Inspections: 941-389-5059

PERMIT INFORMATION:

Permit#:	980464	Address:	N COLLIER BLVD 257
Permit Cd:	AWNING	Parcel Cd:	57361440006
Permit Dt:	12/08/1998	Contact:	SEPAHOUR, HOUTAN
Expires:	06/07/1998	Address:	257 N COLLIER BLVD
		City/St/Zip:	MARCO ISLAND FL 34145

LAND PARCEL INFORMATION:

Zone Cd:	COMM INTERMEDIATE	DEP Approval:		Bldg Ftprt:	
Funct Use:	STORES/CUSTOMER SVCS	Health Dept:		Gross Sq Ft:	
Subdivision:	MARCO BEACH UNIT 6	Variance:		Bldg Hgt:	
DU:	1	Public Works:		Bldg Width:	
COA:		BFE:		Bldg Dpth:	
Cont Type:	NOT KNOWN	FFE:		Floors:	
Spot Survey:		FEMA:		Roof Type:	

JOB DESCRIPTION: NEW AWNING FOR RED FIRE GRILL

CONTACTS:
CONTR CC1 BAASCH, KEITH ERIC PO BOX 1119 MARCO ISLAND, FL 34146 9413941718
OWNER SEPAHOUR, HOUTAN 257 N COLLIER BLVD MARCO ISLAND FL 34145

FEES	DUE	PAID:
ACCESSORY STRUCT-1	35.00	.00
ESTIMATED JOB COST	.00	.00
PLAN REVIEW FEE	3.50	.00

Received by: Kathy Mallan

Building Official Approval: Robert W Lord Processed by: Lee Loewer

OFFICE HOURS 8:00AM TO 5:00PM MONDAY THROUGH FRIDAY
INSPECTORS HOURS 7:30AM TO 4:00PM MONDAY THROUGH FRIDAY
CALL 389-5059 FOR INSPECTION REQUESTS PRIOR TO 8:00AM ON THE DAY OF INSPECTION

AWNING PERMIT APPLICATION

12-3-98

17

Job Information

Owner: Houtan Sepahpour

Permit #: 980464

Tenant name: Harold Rudolph Ent

Tax/Folio #: 57361440006

Job address: 257 No Collier

Owner's mailing address: 257 No Collier

Permit expiration date: _____

Est. cost: _____

Total square footage: _____

Type of awning: Shed

Number of awnings: _____

Actual Setbacks (feet): Front: 70' Rear: 110' LSide: 60' Rside: 8'

Description of work: Patio

Is this material fire retardant? (Yes) No

MBU 6 B224 L6

Contractor Information

CCI 980194

Contractor: Marco Canvas

State Cert/CC Comp Card #: CC17499

Qualifier's name: Keith E Baasch

Job rep: 394-1718

Address: _____

Phone #: _____

City: _____

State: _____ Zip: _____

Engineer: _____

License #: _____

Address: _____

Sub-Contractor information must be supplied if other work will be performed

Sub-Contractor: _____

State Cert/CC Comp Card #: _____

Address: _____

The Following must be included with the application

_____ Two rolled copies of a site plan showing the location of the awning

_____ Two copies of engineered drawings (_____ on file w/ City _____ included with app.)

Regulations and Information

1. Plan size should be 24X 36 or smaller, on standard sized paper. Plans must be to scale.
2. If engineering for the structure and materials being used is not on file, the contractor is responsible for supplying the drawings with an original signature and the raised seal of a registered Florida architect or structural engineer to City of Marco Island Building Division.
3. Any awning or canopy, which extends 4 feet or more from an attached sprinkled building, must be equipped with an automatic fire sprinkler system.
4. Awnings that meet all testing requirements of NFPA 102 & NFPA 701 will now be accepted without fire sprinklers installed under the awnings.
5. See Collier County Land Development Code for Special Overlay Districts.
6. One application must be filled out with the original signature of the qualifier pulling the permit.
7. The fee for this permit is $0.15 per square foot of the gross square footage of the structure. The minimum fee shall be $35.00. A plan check fee of ~~15%~~ of the building permit fee will be charged at 10% the time of application. This fee is not refundable nor is it credited to any other fee.

RECORDED NOTICE OF COMMENCEMENT MUST BE POSTED IF THE PROJECT VALUATION EXCEEDS $2,500.00

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Contractor's Affidavit

I certify that all the foregoing information is accurate and that all work must be done in compliance with all applicable laws regulating construction and zoning. I understand **THERE WILL BE A FINAL INSPECTION** of the work permitted herein. Compliance will be strictly enforced.

No work whatsoever will commence until the building permit has been issued.

- The permit fee will be quadrupled if work is started without an approved permit.
- The permittee further understands that only licensed contractors may be employed and that the structure shall not be used or occupied until a Certificate of Occupancy/Completion is issued.
- See Section 107.6.25 of the Marco Island Administrative Construction Code for information regarding the permit expiration date.

KEITH E BAASCH
Print Name of Qualifier

Keith E. Baasch
Signature of Qualifier

State of Florida
County of COLLIER

The foregoing instrument was acknowledged before me this 8 day of DEC, 1998 by Keith E Baasch who is personally known to me ~~or has~~ produced _____ as identification.

Lisa L Loewer
Signature, Notary Public – State of Florida

Lisa L Loewer
Printed, Typed, or Stamped Name of Notary

(Seal) STATE OF FLORIDA NOTARY PUBLIC
LISA L. LOEWER
My Comm Exp. 3/11/00
Bonded By Service Ins
No. CC538820
[ ] Personally Known [X] Other I.D.

10/98

LIMITED POWER OF ATTORNEY

33

ALLOWS AN EMPLOYEE TO OBTAIN A PERMIT AT THE QUALIFIERS REQUEST

Permit #: 980464 Contractor: Keith E Baasch

Owner's Name: Keith Baasch Job Address: 257 n Collier

Whenever the qualifier of a company wishes to designate an employee to represent him in the application of a building permit or in the issuance of a building permit, the following Power of Attorney must be properly executed.

____Power of Attorney to Apply for Building Permit X Power of Attorney to Pickup/Receive Building Permit

Qualifier's Affidavit

KNOW ALL MEN that I Keith E Baasch do hereby constitute and appoint Kathleen Gallardo my true and lawful attorney-in-fact to apply for/receive from the City of Marco Island Building Services to sign for the above described building permit.

Keith E Baasch
Signature of Qualifier

State of Florida, County of Collier

Sworn to and subscribed before me this 8 day of DEC, 1998 by Keith E Baasch

who is personally known to me ~~or has produced~~ _____ as identification.

Lisa L Loewer
Signature, Notary Public – State of Florida

Kathleen Gallardo
Printed, Typed, or Stamped Name of Notary

STATE OF FLORIDA NOTARY PUBLIC
LISA L. LOEWER
My Comm Exp. 3/11/00
Bonded By Service Ins
No. CC538820
[ ] Personally Known [X] Other I.D.
(seal)

Affidavit

I, Kathleen Gallardo am the duly authorized attorney-in-fact as set forth in the Power of Attorney as stated above.

Kathleen Gallardo
Affiant's Signature

State of Florida, County of Collier

Sworn to and subscribed before me this 8 day of DEC, 1998, by Kathleen Gallardo

who is ~~personally known to me or has~~ produced FLX G463506598430 as identification.

Lisa L Loewer
Signature, Notary Public – State of Florida

Lisa L Loewer
Printed, Typed, or Stamped Name of Notary

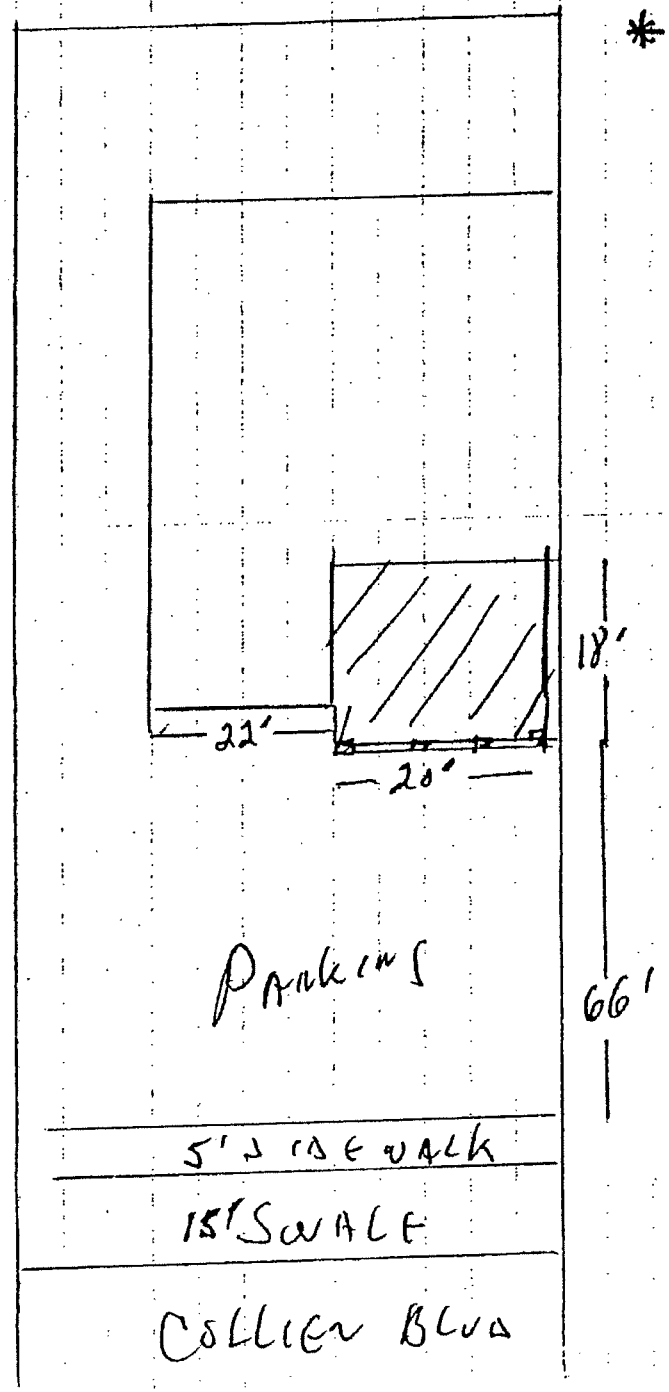
STATE OF FLORIDA NOTARY PUBLIC
LISA L. LOEWER
My Comm Exp. 3/11/00
Bonded By Service Ins
No. CC538820
[ ] Personally Known [X] Other I.D.
(seal)

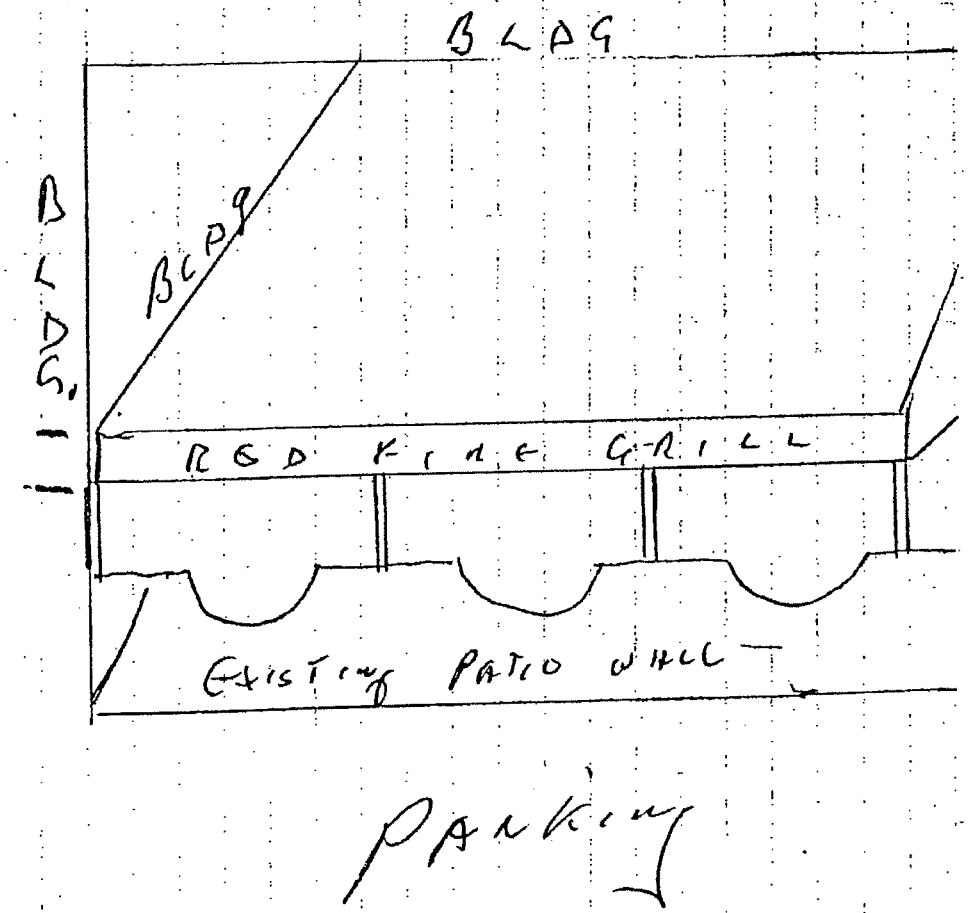
10/98

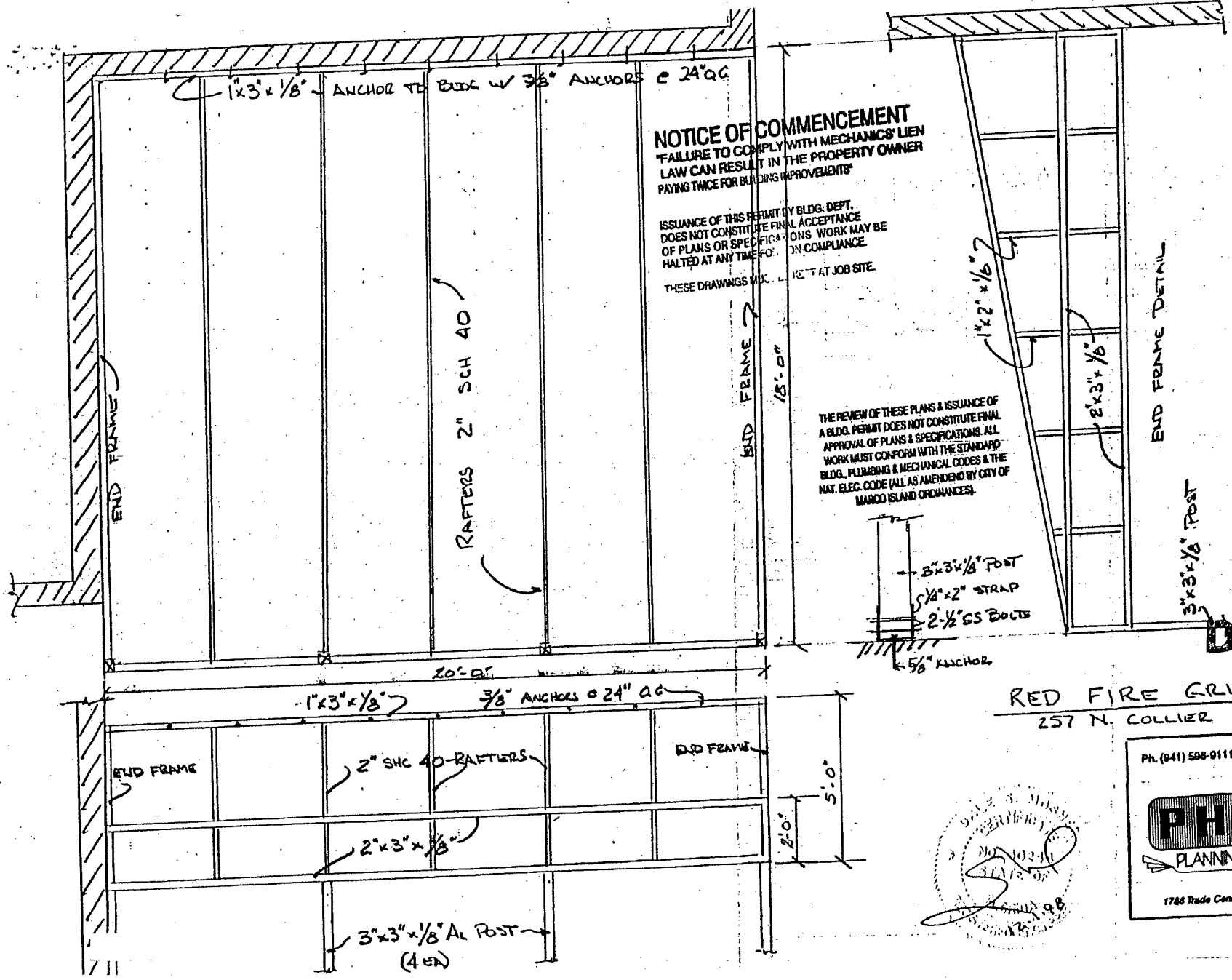
Supply & INSTALL PATIO Awning
257 NO COLLIER

SITE PLAN
- NOT TO SCALE -

* No copy on awning under this permit.







NOTICE OF COMMENCEMENT
"FAILURE TO COMPLY WITH MECHANICS' LIEN LAW CAN RESULT IN THE PROPERTY OWNER PAYING TWICE FOR BUILDING IMPROVEMENTS"

ISSUANCE OF THIS PERMIT BY BLDG. DEPT. DOES NOT CONSTITUTE FINAL ACCEPTANCE OF PLANS OR SPECIFICATIONS. WORK MAY BE HALTED AT ANY TIME FOR NON-COMPLIANCE.

THESE DRAWINGS MUST BE KEPT AT JOB SITE.

THE REVIEW OF THESE PLANS & ISSUANCE OF A BLDG. PERMIT DOES NOT CONSTITUTE FINAL APPROVAL OF PLANS & SPECIFICATIONS. ALL WORK MUST CONFORM WITH THE STANDARD BLDG., PLUMBING & MECHANICAL CODES & THE NAT. ELEC. CODE (ALL AS AMENDEND BY CITY OF MARCO ISLAND ORDINANCES).

NOTES:
1. STRUCTURE DESIGNED TO RESIST 110 MPH WIND LOAD ON ALUMINUM FRAME.
2. WIND DESIGN IN ACCORDANCE WITH SEC 1606.'97 SBCCI.
3. ALL FRAME MEMBERS TO BE EXTRUDED AL, T6061 OR SCH. 40.
4. ALL WELDS TO BE MIN 3/16" FILLET WITH 5356 FILLER.

BUILDING DEPT. COPY

RED FIRE GRILL 980464
257 N. COLLIER

Ph. (941) 598-9111 Fax (941) 598-2637
PHOENIX PLANNING & ENGINEERING, INC.
1786 Trade Center Way • Suite 2 • Naples, Florida 34109

PLANS APPROVAL			
Department	Name	Date	Req'd
Structural	MARK K	12-4-98	✓
Mech/Plbg			
Electric			
Fire/			
ADA			
Utilities			
Planning	KMJ	12/7/98	✓
FEMA			