MARCO ISLAND CITY COUNCIL RESOLUTION NO. 03-01

RELATING TO PETITION NUMBER FV-03-02 FOR A VARIANCE FROM THE REQUIRED BASE FLOOD ELEVATION ON PROPERTY HEREINAFTER DESCRIBED IN CITY OF MARCO ISLAND, FLORIDA.

WHEREAS, the City Council adopted Ordinance 98-18, establishing and creating the Floodplain Management Regulations; and

WHEREAS, Petition FV-03-02 is a request for a variance from the required base flood elevation as defined in Ordinance 98-18 for an existing single-family structure located at 241 N. Barfield Drive, further described as Lot 15, Block 51, Marco Beach Unit 2; and

WHEREAS, Petition FV-03-02 is a request to reduce the base flood elevation from AE-10 to AE-8.3 (NGVD) for a property upon which the existing structure was built at a time when the required BFE was AE-8.0 (NGVD); and

WHEREAS, pursuant to the Preliminary Flood Insurance Rate (FIRM) Maps prepared for FEMA and distributed on September 25, 2002, the applicable required base flood elevation for the subject property will be reduced from AE-10 to AE-8.3 NGVD upon the issuance of a Letter of Final Determination; and

WHEREAS, the Preliminary Maps of September 25, 2002 offer the "best available data" on flood vulnerability in the subject area; and

WHEREAS, the existing structure has a lowest finished floor elevation of 8.93 feet NGVD; and

WHEREAS, the Marco Island City Council, being the duly constituted Construction Board of Adjustments and Appeals for the area hereby affected, has held a public hearing after proper notice as provided in said Regulations, and has considered the advisability of granting a variance to reduce the base flood elevation for the subject property from AE-10 NGVD to AE-8.3 NGVD to allow for the completion of improvements to the principle structure; and

WHEREAS, all interested parties have been given the opportunity to be heard by this Board at a noticed public meeting, and the Board having considered all matters presented;

NOW THEREFORE, be it resolved by the City Council of the City of Marco Island, Florida, that:

The petition filed by Frederick Kramer, representing Cheryl Lee with respect to the property hereinafter described as:

> Marco Beach Unit 2, Block 51, Lot 15; Collier County, Florida, and within the City of Marco Island

Be and the same is hereby approved for a variance reducing the required base flood elevation from AE-10 to AE-8.3 (NGVD) to allow completion of desired structural improvements on the subject property.

THAT upon the issuance of a Letter of Final Determination by FEMA which establishes AE-8.3 (NGVD) as the applicable base flood elevation for the subject area this variance will no longer be necessary, and the variance authorized by this Resolution will become Null and Void;

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number FV-03-02 be recorded in the minutes of this Board and filed with the City Clerk's Office.

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

Done this 6th day of January 2003.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: _____
E. Glenn Tucker, Chairman

ATTEST:

_____
Laura Litzan
City Clerk

Approved as to form and legality:

_____
Richard Yovanovich
City Attorney