

RESOLUTION NO. 02- 30

**RELATING TO PETITION NUMBER V-02-04
FOR VARIANCES ON PROPERTY
HEREINAFTER DESCRIBED IN THE CITY OF MARCO ISLAND, FLORIDA**

WHEREAS, the Legislature of the State of Florida established the Charter of the City of Marco Island in Chapter 97-367, Laws of Florida ("City Charter"); and

WHEREAS, the City Charter provides that the Collier County Land Development Code in effect on August 28, 1997 ("Regulations") shall remain in effect as the City of Marco Island's transitional land development regulations; 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 in said Regulations was made, and has considered the advisability of variances in accordance with the petition seeking construction of two new carport facilities on the existing Bougainvillea Gardens Condominium parking lot. The proposed carports require a 13 foot variance from the eastern side yard setback of 15 feet to 2 feet, and a 4 foot variance from the western front yard setback of 30 feet to 26 feet as shown on the attached plan Exhibit "A" in a RMF-16 zoning district 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 2.7.5 of the Zoning Regulations of said Land Development Code for the City of Marco Island.

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 MARCO ISLAND CITY COUNCIL ACTING AS THE BOARD OF ZONING APPEALS, that:

The petition V-02-04, filed by Jamie Greusel, and Peter Hughes, agents for Bougainvillea Gardens Condominium Association, with respect to the property described as 1021 Swallow Avenue, further described as Lots 8 and 9, Block 337, Marco Beach Unit 10, Section 20, Township 52 South, Range 26 East, City of Marco Island, Florida is hereby approved. The subject variance authorizes a 13 foot variance from the required eastern side yard setback of 15 feet to 2 feet, and a 4 foot variance from the required western front yard setback of 30 feet to 26 feet, for construction of two new carports as shown on the attached plot plan, Exhibit "A", of the RMF-16 zoning district wherein said property is located, and subject to the following conditions:

- a. The proposed carport shall be constructed with tile roofing material, and when the condominium building is re-roofed, it shall be re-roofed with the same style and color tile roofing material as the carport roofing.
- b. The existing dumpster shall be brought into compliance with existing accessory structure development regulations, and shall be landscaped and buffered pursuant to ordinance 02-22.
- c. The existing covered bicycle storage area shall be re-located to the northern end of the proposed carport facility located along the eastern property boundary.
- d. Gutters shall be installed on the carport proposed along the eastern property boundary. Water captured from the gutters shall be directed to the on-site water management system.
- e. A landscape hedge shall be installed along the eastern property boundary between the existing property line and the proposed carport.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-02-04 be recorded in the City Council minutes and filed with the Marco Island City Clerk's Office.

Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 7th day of October, 2002.

DATED: October 7, 2002.

ATTEST:

CITY OF MARCO ISLAND

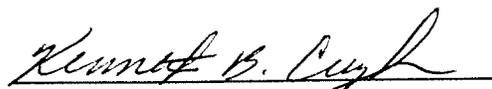


A. William Moss
City Manager/City Clerk

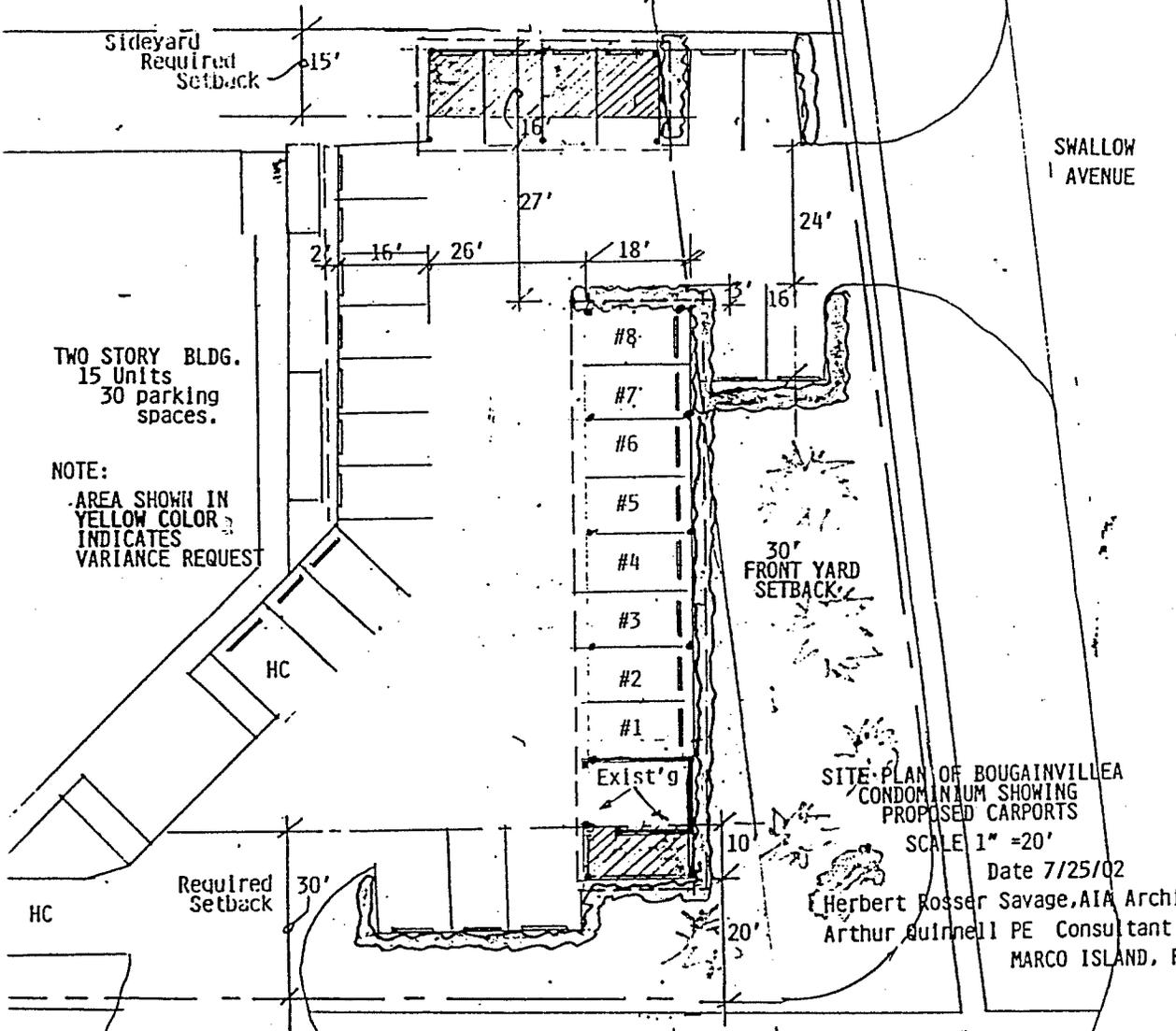
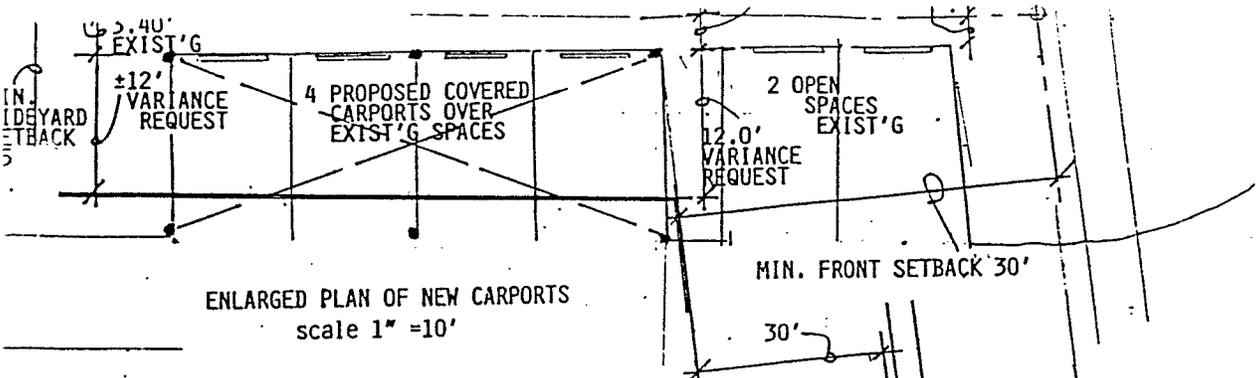


E. Glenn Tucker, Chairman

Approved as to form and legality:



Kenneth B. Cuyler
City Attorney



SITE PLAN OF BOUGAINVILLEA
CONDOMINIUM SHOWING
PROPOSED CARPORTS
SCALE 1" = 20'
Date 7/25/02
Herbert Rosser Savage, AIA Architect
Arthur Guinnell PE Consultant
MARCO ISLAND, FL

