

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 02- 19

RELATING TO PETITION NUMBER V-02-06 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 July 12, 2002 to consider the advisability of a 5.0 foot variance from the required waterfront yard setback of 10 feet to 5 feet and a 2.4 foot variance from the required side yard setback of 8 feet to 5.6 feet for an existing swimming pool and screen enclosure 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 5.0 foot variance from the required waterfront yard setback of 10 feet to 5 feet and a 2.4 foot variance from the required side yard setback of 8 feet to 5.6 feet for an existing swimming pool and screen enclosure 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 Berry & Gruesel, representing Heath Investments, LTD, property owner, with respect to the property herein described as 201 Dan River Court, further described

as Marco Beach Unit 2, Block 56, Lot 10, Collier County, and the City of Marco Island, Florida is hereby approved.

The subject variance authorizes a 5.0 foot reduction of the required waterfront yard setback of 10 feet to 5 feet and a 2.4 foot reduction of the required side yard setback of 8 feet to 5.6 feet 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-02-06 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 12th day of August 2002.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: 
E. Glenn Tucker, Chairman

ATTEST:



A. William Moss
City Manager/City Clerk

Approved as to form and legality:

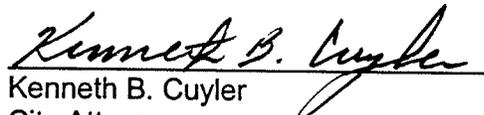
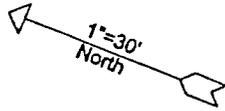
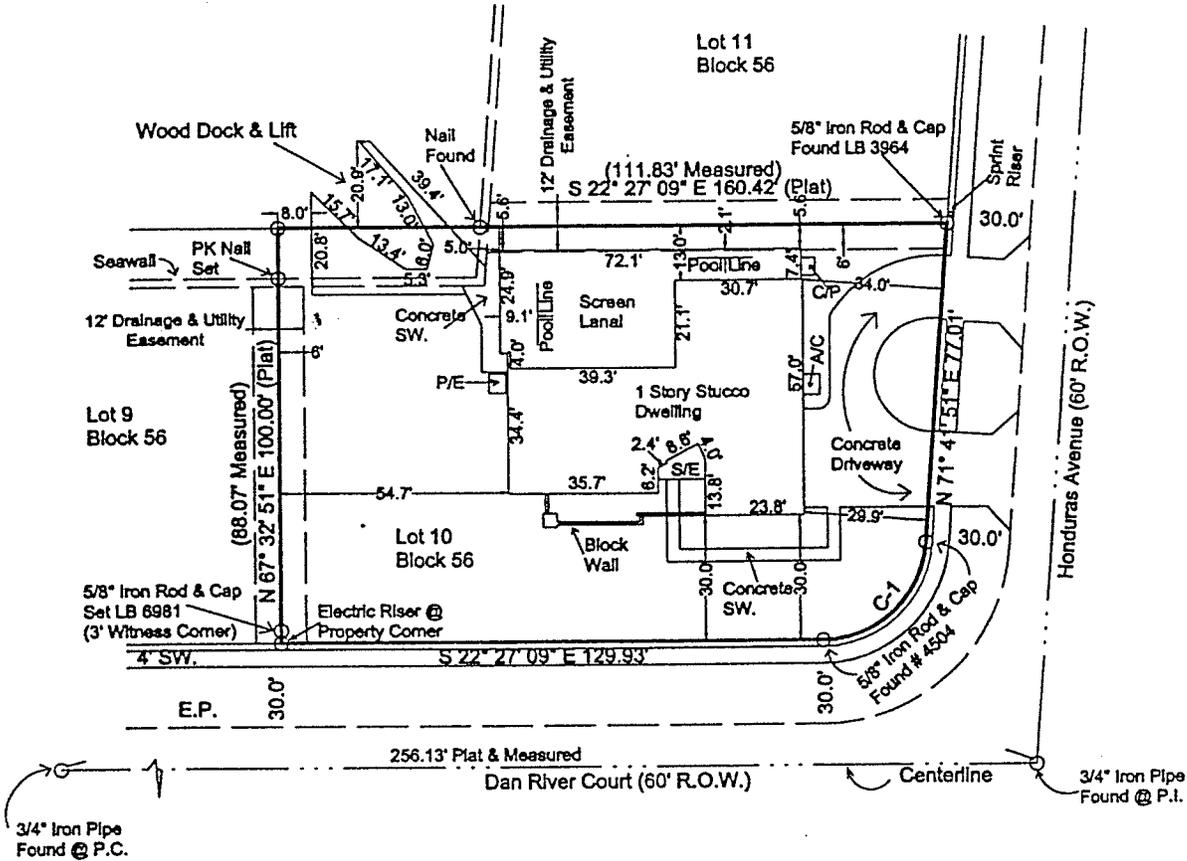

Kenneth B. Cuyler
City Attorney

Exhibit A



Calusa Waterway



C-1
 Arc=37.46'
 Radius=25.00'
 Delta=85° 51' 00"
 Chord=34.05'

Legal Description:
 Lot 10 Block 56
 Marco Beach Unit Two
 As Recorded In Plat Book 6
 Pages 25-31 Of The Public Records
 Of Collier County, Florida.

Boundary Survey

Date Of Survey:
 February 20, 2002

Not Valid Without The Signature And
 Original Raised Seal Of A Florida Licensed
 Surveyor &
 Mapper

Sudhakar Company, Inc.
 1 6981

Arthur Quinnell
 Professional Surveyor & Mapper # 2422
 1292 Bayport Avenue, Marco Island, FL.
 34145
 P.O. Box # 1835
 Marco Island, FL., 34146
 Tel (941) 393-2241
 Fax (941) 393-2241

Notes:
 Bearings Based On The Centerline Of
 Honduras Avenue Being N 71° 41' 51" E
 Per Plat
 Subject To Easements On Record Not
 Shown
 Legal Description Provided By Client
 Flood Zone= AE 10 According To
 F.E.M.A. Community Panel 120067-804-D
 Dated June 3, 1986
 Underground Utilities Were Not Located
 E.P.=Edge Of Pavement
 R.O.W.=Right Of Way
 SW.=Sidewalk
 P.C.=Point Of Curvature
 P.I.=Point Of Intersection
 P/E=Pool Equipment Pad
 A/C=Air Conditioner Pad
 C/P=Concrete Pad
 S/E=Screen Entry
 PK=Parker Kalon

Street Address:
 201 Dan River Court

Certified To:
 Heath Investments LTD.;
 First Title & Abstract, Inc.;
 Chicago Title Insurance
 Company.