

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 01-10

RELATING TO PETITION NUMBER V-01-04 FOR A VARIANCE 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 Planning Board held a public hearing on February 23, 2001 after proper notice as provided in said Regulations, and voted 6-0 to recommend approval of Petition V-01-04 to the City Council with the stipulations contained in this resolution; 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 a 6-foot after-the-fact variance from the required 8-foot side yard setback for an existing pool and screen enclosure as shown on the attached site plan, Exhibit "A", 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 that:

The petition filed by Donald W. Rhodes representing Thomas Auston Ingram, property owner, with respect to the property herein described as 353 Rockhill Court, and further

described as Marco Beach Unit 2, Block 45, Lot 10, Collier County, and the City of Marco Island, Florida, is hereby approved.

The subject variance authorizes a 6-foot reduction of the required side yard setback of 8 feet to 2 feet as shown on the attached site plan, Exhibit "A", of the RSF-3-MIZO zoning district wherein said property is located.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-01-04 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 2<sup>nd</sup> day of April 2001.

MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

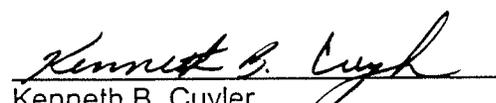
By:   
E. Glenn Tucker, Chairman

ATTEST:

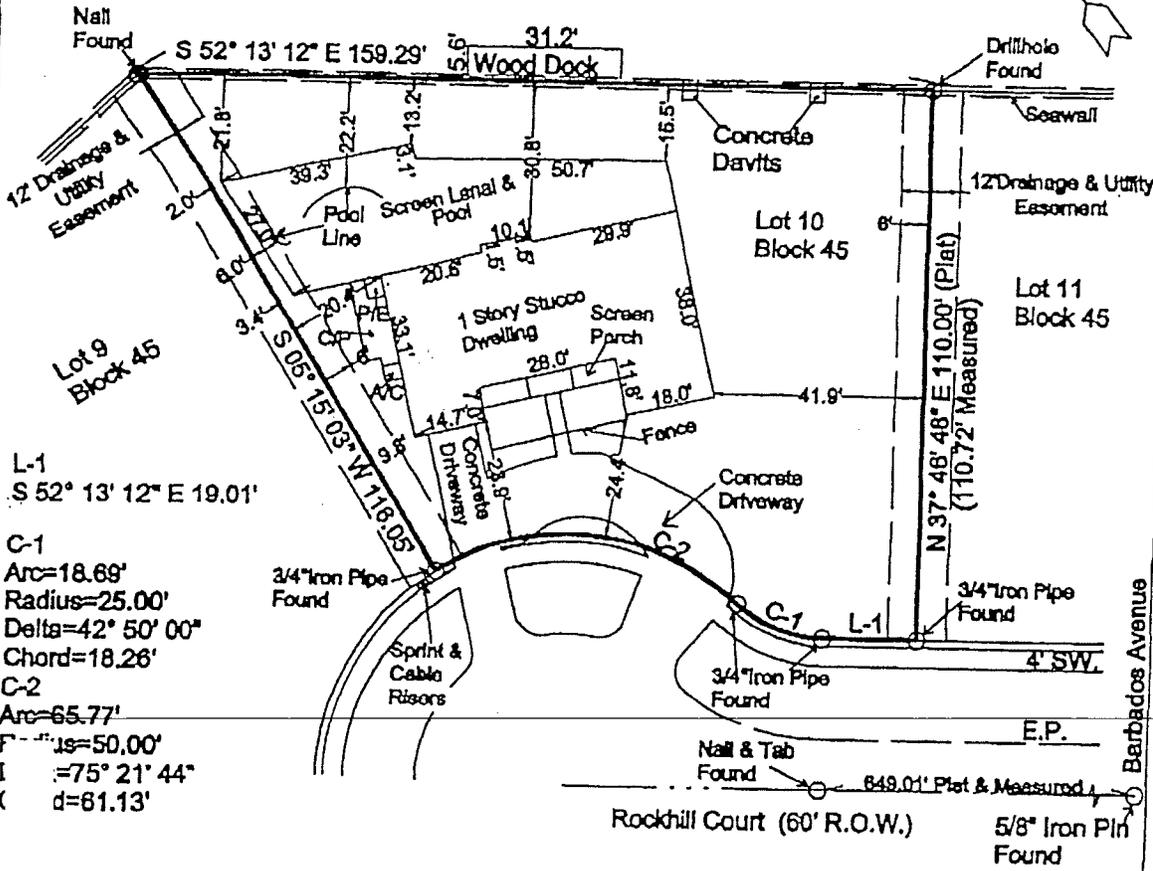
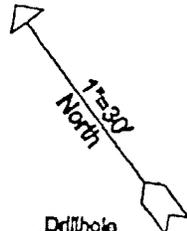
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A. William Moss  
City Manager/City Clerk

Approved as to form and legality:

  
Kenneth B. Cuyler  
City Attorney

# Meadow Lark Waterway



L-1  
S 52° 13' 12" E 19.01'

C-1  
Arc=18.69'  
Radius=25.00'  
Delta=42° 50' 00"  
Chord=18.26'

C-2  
Arc=65.77'  
Radius=50.00'  
Delta=75° 21' 44"  
Chord=81.13'

**Legal Description:**  
 Lot 10 Block 45  
 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:**  
 December 22, 2000

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

Dunnhakkar Company, Inc.  
 B 6981

Steven C. Dunn  
 Professional Surveyor & Mapper # 2422  
 2922 Airport Avenue, Marco Island, FL  
 34145  
 P.O. Box # 1835  
 Marco Island, FL., 34146  
 Phone (941) 393-2241  
 Fax (941) 389-9321

**Notes:**  
 Bearings Based On The Centerline Of  
 Rockhill Court Being S 52° 13' 12" 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, 1988  
 Underground Utilities Were Not Located  
 E.P.=Edge Of Pavement  
 R.O.W.=Right Of Way  
 A/C=Air Conditioner Pad  
 P/E=Pool Equipment Pad  
 SW.=Sidewalk  
 C/P=Concrete Pad

**Street Address:**  
 353 Rockhill Court

**Certified To:**  
 Steven C. & Mary Ann Badgett;  
 Dunn Title Company;  
 American Pioneer Title  
 Insurance Company.