

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 01-32

RELATING TO PETITION NUMBER V-01-12 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 September 21, 2001 after proper notice as provided in said Regulations, and voted 6-0 to recommend approval of Petition V-01-12 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 1.9-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 Lollie Sullivan of Accurate Title representing Ronald J. and Cynthia E. Rutkowski, property owners, with respect to the property herein described as 300 Rookery

Court, and further described as Marco Beach Unit 3, Block 82, Lot 20, Collier County, and the City of Marco Island, Florida, is hereby approved.

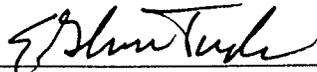
The subject variance authorizes a 1.9-foot reduction of the required side yard setback of 8 feet to 6.1 feet as shown on the attached site plan, Exhibit "A", of the RSF-3-MIZO zoning district wherein said property is located.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-01-12 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 1st day of October 2001.

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:

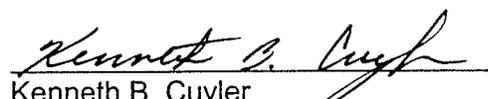
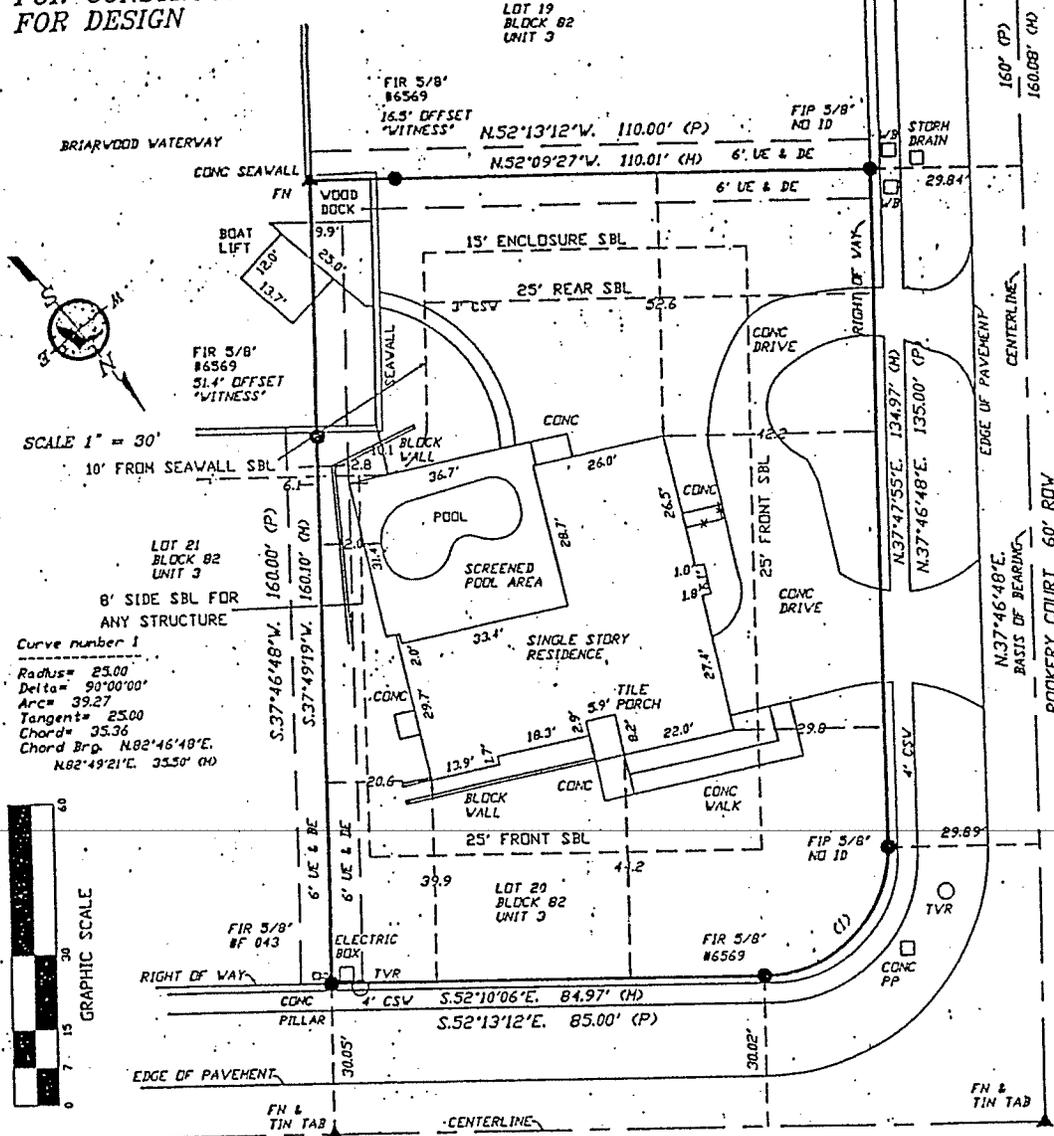

Kenneth B. Cuyler
City Attorney

EXHIBIT A

URVEY SKETCH OF BOUNDARY SURVEY
NOT FOR FENCE CONSTRUCTION
NOT FOR CONSTRUCTION
NOT FOR DESIGN

STREET ADDRESS:
 300 ROOKERY COURT
 MARCO, FLORIDA



SCALE 1" = 30'

Curve number 1
 Radius = 25.00
 Delta = 90°00'00"
 Arc = 39.27
 Tangents = 25.00
 Chords = 35.36
 Chord Brg. N.82°46'48"E.
 N.82°49'21"E. 35.50' (H)



LEGAL DESCRIPTION :

LOT 20, BLOCK 82, MARCO BEACH, UNIT 3,
 ACCORDING TO THE PLAT THEREOF, AS RECORDED
 IN PLAT BOOK 6, PAGES 17 THROUGH 24, INCLUSIVE,
 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

CERTIFIED TO :

RONALD J. RUTKOWSKI AND CYNTHIA E. RUTKOWSKI
 WELLS FARGO HOME MORTGAGE,
 LAW OFFICES OF FREDERICK C. KRAMER,
 FIDELITY NATIONAL TITLE INSURANCE COMPANY.

CERTIFICATION :

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS
 THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL
 LAND SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE
 CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BY: *[Signature]* SURVEY DATE: 6-19-91

IRELAND F. DYSARD, PLS #3659 CLINTON W. FINSTAD, PLS #2453 JEFFRY H. HILLGOSS, PLS #4488
 STEPHEN MACDONALD, PLS #4001

NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES. NOTE: IF APPLICABLE, FENCES SHOWN HEADED
 ON OR OFF LINES. (APPROX. LOCATION ONLY)
 NOT VALID WITHOUT SURVEYOR'S SIGNATURE AND EMBOSSED SEAL
 SURVEY IS VALID FOR 90 DAYS. PLEASE REFER TO REVERSE SIDE FOR GENERAL NOTES & ABBREVIATIONS.

NOTE:
 SETBACK LINES (SBL) SHOWN WERE
 PROVIDED BY CLIENT AND AUGMENTED
 THROUGH CONVERSATIONS WITH KELLY SMITH
 AT THE CITY OF MARCO. SHOWN ABOVE IS
 THE "MOST RESTRICTIVE" OF THE TWO SETS
 OF SETBACKS (DELTONA'S AND THE CITY OF
 MARCO).

FLOOD ZONE : AE 10
 COMMUNITY PANEL 120067-0804D
 DATED : 6-3-86
 (FLOOD ZONE: "B", "C", "D", & "X" ARE NOT
 IN DESIGNATED FLOOD HAZARD ZONE AREA.)

NOTE:
 IN COMPLIANCE WITH F.A.C.
 61G17-6.0031 (5) (E) IF LOCATION OF
 EASEMENTS OR RIGHT-OF-WAY OF RECORD,
 OTHER THAN THOSE ON RECORD PLAT, IS
 REQUIRED, THIS INFORMATION MUST BE
 FURNISHED TO THE SURVEYOR AND MAPPER.

F.L.A. SURVEYS CORP. PROFESSIONAL LAND SURVEYORS & MAPPERS-LB 6569		6561 TAYLOR ROAD, SUITE 1 NAPLES, FLORIDA 34109 941-643-2822 FAX 643-3593 12730 NEW BRITTANY BLVD. FT. MYERS, FLORIDA 33907 941-275-8660 FAX 275-3367	REVISIONS PROJECT NO: 01-1397
DRAWN BY:	SJ	CHECKED BY:	