

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 01-33

RELATING TO PETITION NUMBER V-01-08 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 July 20, 2001 after proper notice as provided in said Regulations, and voted 7-0 to recommend approval of Petition V-01-08 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 1.2-foot after-the-fact variance from the required 25-foot front yard setback for a newly constructed 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 Dun-Rite Pools, Inc., representing Edward Ehlen, property owner, with respect to the property herein described as 1560 Twilight Way, and further described as

Marco Beach Unit 25, Block 784, Lot 1, Collier County, and the City of Marco Island, Florida, is hereby approved.

The subject variance authorizes a 1.2-foot reduction of the required front yard setback of 25 feet to 23.8 feet as shown on the attached site plan, Exhibit "A", of the RSF-4-MIZO zoning district wherein said property is located, and subject to the following conditions:

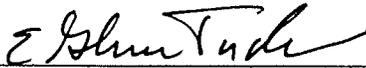
1. The planter will be brought into compliance with the setback regulations by removing all portions of the structure which are more than thirty (30) inches above the general ground level.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-01-08 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.

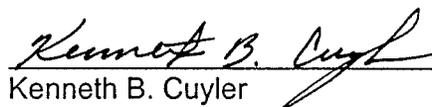
MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: 
E. Glenn Tucker, Chairman

ATTEST:


A. William Moss
City Manager/City Clerk

Approved as to form and legality:


Kenneth B. Cuyler
City Attorney

