

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 00- 08

**RELATING TO PETITION NUMBER V-99-11
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 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 1.0 foot after-the-fact variance from the required side yard setback of seven and one-half (7.5) feet to six and one-half (6.5) feet for an existing screen enclosure as shown on the attached plan Exhibit "A" in a RSF-4-MIZO zone 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-99-11, filed by Donald W. Rhodes representing Robert J. and Katie W. Eby with respect to the property herein described as 356 Lamplighter Drive, further described as Lot 9, Block 194, Marco Beach Unit 7, Section 16, Township 52 South, Range 26 East, City of Marco Island, Florida. The same is hereby approved for the subject after-the-fact variance from the required side yard setback of seven and one-half (7.5) feet to six and one-half (6.5) feet as shown on the attached plot plan, Exhibit "A", of the RSF-4-MIZO zoning district wherein said property is located.

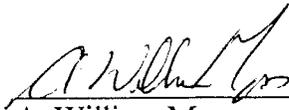
BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-99-11 be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.

Passed in open and regular session of the City Council of the City of Marco Island, this 7th day of February, 2000.

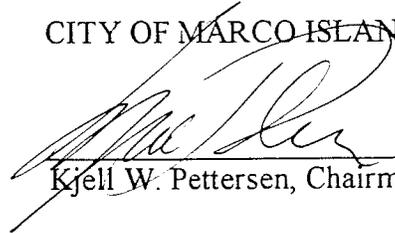
DATED: February 7, 2000

ATTEST:

CITY OF MARCO ISLAND

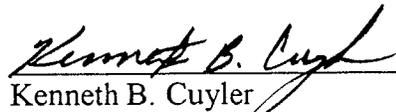


A. William Moss
City Manager/City Clerk

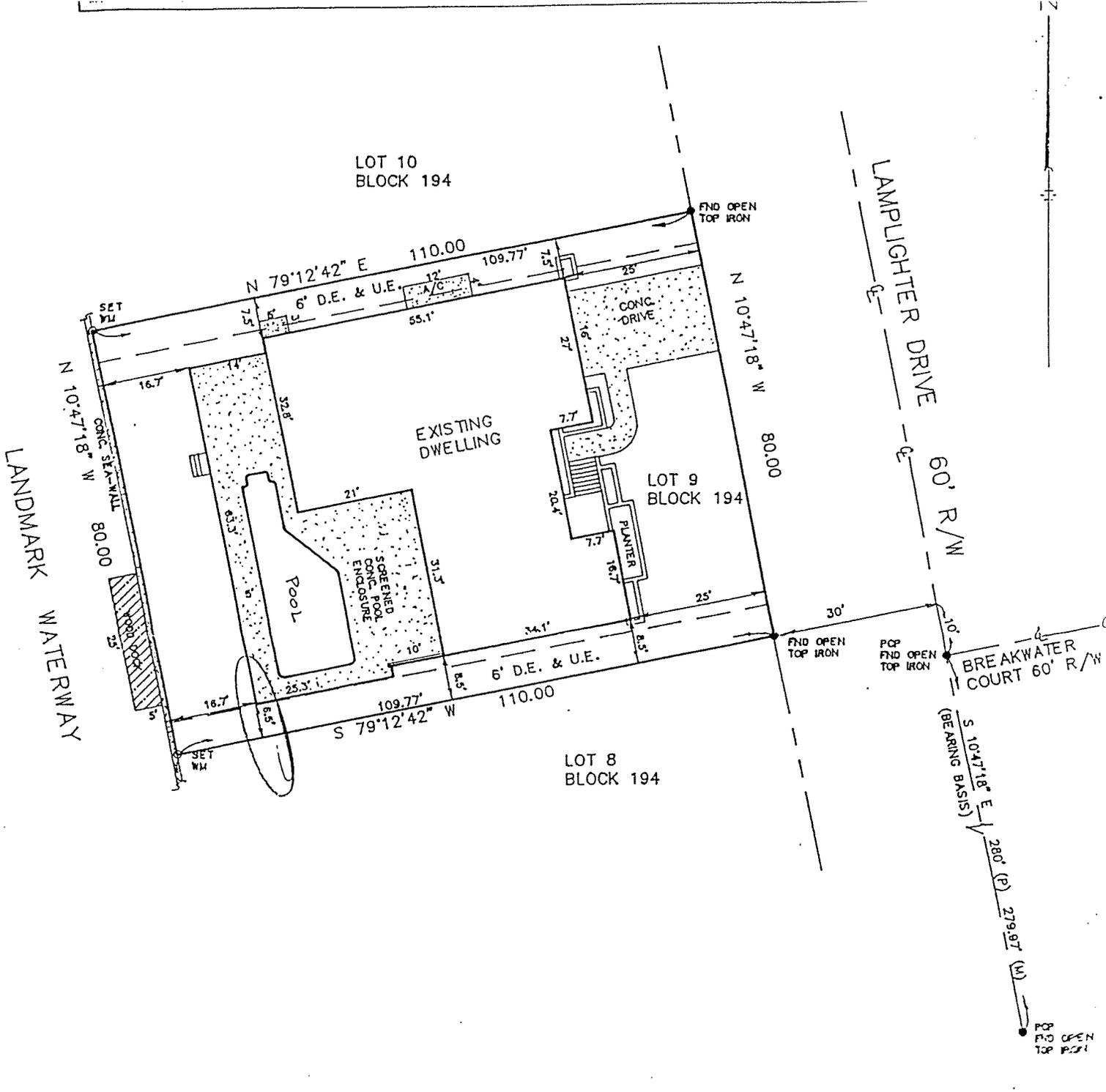


Kjell W. Pettersen, Chairman

Approved as to form and legality:



Kenneth B. Cuyler
City Attorney



STATE OF FLORIDA)
 COUNTY OF COLLIER)

I, Dennis M. Portella, Sr., a Registered Land Surveyor in the State of Florida, hereby certify to
 its successor and assigns, Rhodes & Tucker, Attorneys, Attorneys Title Insurance
 Fund, Inc. and to Robert and Katie Eby that the foregoing plat represents a survey of the following
 described premises:

LOT 9, BLOCK 194, MARCO BEACH UNIT SEVEN

as recorded in Plat Book 6 Page 55-62 Public Records, Collier County, Florida, that a survey of the above described property was made under my direction and
 meets the Minimum Technical Standards as per Chapter 61 G17-6 Florida Administrative Code. There are no encroachments other than shown, no boundary line
 disputes, easements or claims of easements of which we have knowledge. No title search has been made by the Surveyor.

Elevations are N.G.V.D. run in from BM COL - 12
 Bearings are Plat - as shown
 Street address is 356 Lamplighter Drive, Marco Island, Fl.
 Property is in flood zone "AE"
 100-year flood elevations is 10

EXHIBIT "A"

Dennis M. Portella, Sr.
 DENNIS M. PORTELLA, SR., PLS #4504
 Not valid unless signed and sealed.

BOUNDARY SURVEY PREPARED FOR
 RHODES & TUCKER, ATTORNEYS
 PORTELLA-ROWE ASSOCIATES, INC.
 2384 LINWOOD AVENUE NAPLES, FL 33962
 SCALE: 1" = 20' DATE: March 26, 199