

CITY OF MARCO ISLAND RESOLUTION NO. 12-14

A RESOLUTION GRANTING A VARIANCE (V-12-01) APPROVAL IN CONFORMANCE WITH SECTIONS 30-65 AND 30-245(3)(B) OF THE CITY'S LAND DEVELOPMENT CODE TO PROVIDE A SIDE YARD SETBACK VARIANCE FOR THE CONSTRUCTION OF AN OVERHEAD RETRACTABLE AWNING SYSTEM AND REPLACEMENT OF A LEGAL NON-CONFORMING SHED IN THE C-3 "COMMERCIAL INTERMEDIATE" ZONING DISTRICT, FOR PROPERTY DESCRIBED AS 257 NORTH COLLIER BOULEVARD, FURTHER DESCRIBED AS MARCO BEACH UNIT 6, BLK 224, LOT 6 OF COLLIER COUNTY AND 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 Marco Island Planning Board, being the duly appointed and constituted planning board for the area hereby affected, has held a public hearing on April 6, 2012 after notice, and voted (6-1) to recommend that the Marco Island City Council approve the requested Variance pursuant to Sections 30-65 and 30-245(3)(b) of the City's Land Development Code (LDC), for property located within the "C-3" zoning district, to provide a side yard setback variance for the construction of a retractable overhead awning and support posts and replacement of an existing storage shed, and arrangements have been made concerning all applicable matters required by said regulations and in accordance with the Marco Island LDC; and

WHEREAS, City Council, acting as the Board of Zoning Appeals, will hold a public hearing after proper notice, while considering the request to provide a side yard setback variance for the construction of an overhead retractable awning system and support posts and replacement of a storage shed as an approved variance on "Intermediate Commercial C-3" zoned property and has found that satisfactory provisions and arrangements have been made concerning all applicable matters required by the Marco Island Code of Ordinances; and

WHEREAS, all interested parties will be given opportunity to be heard by the Board of Zoning Appeals in a public hearing, 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:

SECTION 1. Recitals. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, correct and incorporated into this Resolution.

SECTION 2. The Petition V-12-01 filed by Joseph Oliverio, with respect to property located at 257 North Collier Boulevard, City of Marco Island, hereby grants an additional 14-foot by means of variance approval for the construction of an overhead retractable awning

system and support posts and an additional 14-feet by means of variance approval for the replacement of an existing storage shed, for property further described as follows:

257 NORTH COLLIER BOULEVARD, FURTHER DESCRIBED AS MARCO BCH UNIT 6, BLK 224, LOT 6, OF COLLIER COUNTY AND THE CITY OF MARCO ISLAND, FLORIDA

Stipulations/Conditions: Approval of V-12-01 is subject to the following stipulations/conditions:

- 1) *The petitioner shall submit Engineered Building and Construction Plans as part of a City Building Permit application submittal.*

SECTION 3. Effective Date. This Resolution shall take effect immediately upon adoption. The foregoing Resolution was adopted this 16th day of April, 2012.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: _____

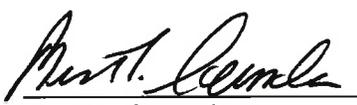

Larry Magel, Chairman

ATTEST:



Laura Litzan
City Clerk

Approved as to Form and legal sufficiency:



Burt L. Saunders
City Attorney