

CITY OF MARCO ISLAND RESOLUTION NO. 12-13

A RESOLUTION GRANTING A VARIANCE (V-11-01) APPROVAL IN CONFORMANCE WITH SECTIONS 30-65 AND 30-86(P)(1) OF THE CITY'S LAND DEVELOPMENT CODE TO ERECT A 35-FOOT TALL FLAG POLE LOCATED IN THE RSF-2 "SINGLE FAMILY RESIDENTIAL" ZONING DISTRICT, FOR PROPERTY DESCRIBED AS 1572 SHORES COURT, FURTHER DESCRIBED AS TRACT D OF THE SEVEN SAILORS SUBDIVISION, SECTION 21, TOWNSHIP 52 AND RANGE 26 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 March 2, 2012 after notice, and voted **(7-0)** to recommend that the Marco Island City Council approve the requested Variance pursuant to Sections 30-65 and 30-86(P)(1) of the City's Land Development Code (LDC), for property located within the "RSF-2" zoning district, to permit the erection of a 35-foot tall flag pole, 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 held a public hearing on April 16th, 2012 after proper notice, while considering the request for the erection of a 35-foot tall flag pole as an approved variance on "Single-family residential RSF-2" zoned property and has found that satisfactory provisions and arrangements have been made concerning all applicable matters required by the Marco Island Land Development Code; 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-11-01 filed by John Baker, with respect to property located at 1572 Shores Court, City of Marco Island, hereby grants an additional 10-feet by means of variance approval for the erection of a 35-foot tall flag pole, for property further described as follows:

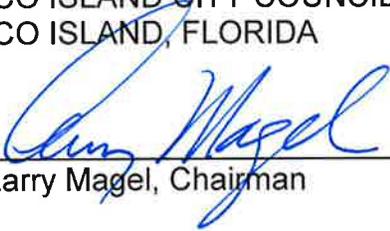
TRACT D OF THE SEVEN SAILORS SUBDIVISION, SECTION 21, TOWNSHIP 52 AND RANGE 26 OF COLLIER COUNTY AND THE CITY OF MARCO ISLAND, FLORIDA

Stipulations/Conditions: Approval of V-11-01 is subject to the following stipulations/conditions:

- 1) *The petitioner shall submit engineered construction plans as part of a Building Permit application submittal.*
- 2) *The petitioner's nautical flag pole shall be designed to minimize noise impacts by utilizing rubber insulting covers over all exterior halyard hardware.*

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