

**MARCO ISLAND CITY COUNCIL RESOLUTION NO. 00 – 23**

**RELATING TO PETITION NUMBER CCCLV-00-01 REQUESTING A VARIANCE TO ALLOW FOR CONSTRUCTION SEAWARD OF THE COASTAL CONSTRUCTION SETBACK LINE 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 (“Regulation”) shall remain in effect as the City of Marco Island’s transitional land development regulations; and

WHEREAS, the Land Development Code provides that the City Council is responsible for the review and final approval of variances from the established coastal construction setback line; and

WHEREAS, Petition CCCLV-00-01 is a request for a variance from the coastal construction setback line as defined in LDC Section 3.13.6; and

WHEREAS, the Marco Island City Council has held a public hearing after proper notice as provided in said Regulations was made, and has considered the advisability of a variance from the coastal construction setback line to allow for the construction of a concessions building, Kiosk and observation deck, 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 3.13.6 of the Collier County Land Development Code; and

WHEREAS, all interested parties have been given the opportunity to be heard by this Council in public meeting assembled, and the Council having considered all matters presented;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MARCO ISLAND CITY COUNCIL of the City of Marco Island, Florida that:**

The petition filed by Victor J. Latavish representing the Collier County Parks and Recreation Department hereinafter described as:

Tigertail Beach which is located at 480 Hernando Drive, City of Marco Island, Collier County, Florida.

Be and the same is hereby approved for a variance from the coastal construction setback line to allow for the construction of a concessions building, Kiosk and observation deck.

BE IT FURTHER RESOLVED that this Resolution relating to petition Number CCCLV-00-01 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 May, 2000.

MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

By: Harry Cowin  
Harry Cowin, Chairman

ATTEST:

Laura Litzan  
Laura Litzan  
Deputy City Clerk

A. William Moss  
A. William Moss  
City Manager

Approved as to Form and legality:

Kenneth B. Cuyler  
for Kenneth B. Cuyler  
City Attorney