

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 01-39

RELATING TO PETITION NUMBER V-01-13 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 November 9, 2001 after proper notice as provided in said Regulations, and voted 5-0 to recommend approval of Petition V-01-13 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 2.2-foot after-the-fact variance from the required 8-foot side yard setback for an existing 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 Donald W. Rhodes representing Richard B. and Jacquelynn B. Starrak, property owners, with respect to the property herein described as 821 Magnolia Court,

and further described as Marco Beach Unit 11, Block 352, Lot 8, Collier County, and the City of Marco Island, Florida, is hereby approved.

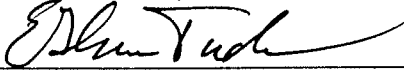
The subject variance authorizes a 2.2-foot reduction of the required side yard setback of 8 feet to 5.8 feet as shown on the attached site plan, Exhibit "A", of the RSF-4-MIZO zoning district wherein said property is located.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-01-13 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 3rd day of December 2001.

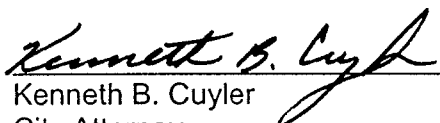
MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: 
E. Glenn Tucker, Chairman

ATTEST:


A. William Moss
City Manager/City Clerk

Approved as to form and legality:


Kenneth B. Cuyler
City Attorney

