

A RESOLUTION RELATING TO PETITION NUMBER V-05-06 FOR A VARIANCE FROM SECTION 30-145(3) OF THE MARCO ISLAND CODE OF ORDINANCES TO ALLOW FOR A 15-FOOT ENCROACHMENT INTO A SIDE YARD SETBACK TO REPLACE POOL EQUIPMENT ON PROPERTY HEREINAFTER DESCRIBED AND WITH A STREET ADDRESS OF 845 COLLIER COURT IN THE CITY OF MARCO ISLAND, FLORIDA.

WHEREAS, Section 30-145(3) of the Marco Island Code of Ordinances established that minimum required side yard setback for principal structures in the RMF-16 zoning district shall be 15 feet from the property line; and

WHEREAS, the Tropical Isles Condominium Association is the owner of the property located at 845 Collier Court; and

WHEREAS, Jamie Greusel, Esq. is filing this petition on their behalf; and

WHEREAS, the petitioner has requested a 15-foot variance from said side yard setback to allow for the replacement of pool equipment; and

WHEREAS, the Marco Island Planning Board, following an advertised public hearing, considered public input, the recommendation of the staff, and the standards and guidelines of Section 30-65, "Variance Procedures" of the Marco Island Code of Ordinances, and voted 6-0 at their May 6, 2005 Planning Board meeting to recommend that the Marco Island City Council approve petition V-05-06; and

WHEREAS, the Marco Island City Council is acting as the Board of Zoning Appeals; and

WHEREAS, the Marco Island City Council, has held an advertised public hearing and has considered the advisability of a variance from the maximum side yard setback of 15-feet to allow for the 15-foot encroachment into the side yard setback for the replacement of new pool equipment 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 30-145(3) of the Marco Island Code of Ordinances.

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 CITY OF MARCO ISLAND CITY COUNCIL that:  
The variance petition filed by Jamie Greusel, Esq., acting as agent for the Tropical Isles Condominium Association, property owner, with respect to the property hereinafter described as:

Marco Beach Unit 10, Block 388, Lots 29-30, Folio Number 57865440007, Collier County, Florida and the City of Marco Island, FL.

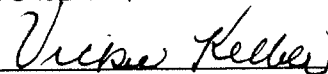
Be and the same is hereby approved for a 15-foot variance from the minimum permitted 15-foot side yard setback to allow for the replacement of pool equipment (as shown Exhibit "A") in the RMF-16 zoning district where in said property is located.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-05-06 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 6<sup>th</sup> day of June 2005.

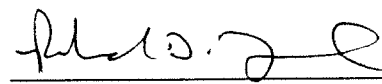
MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

By:   
Vickie Kelber, Chairwoman

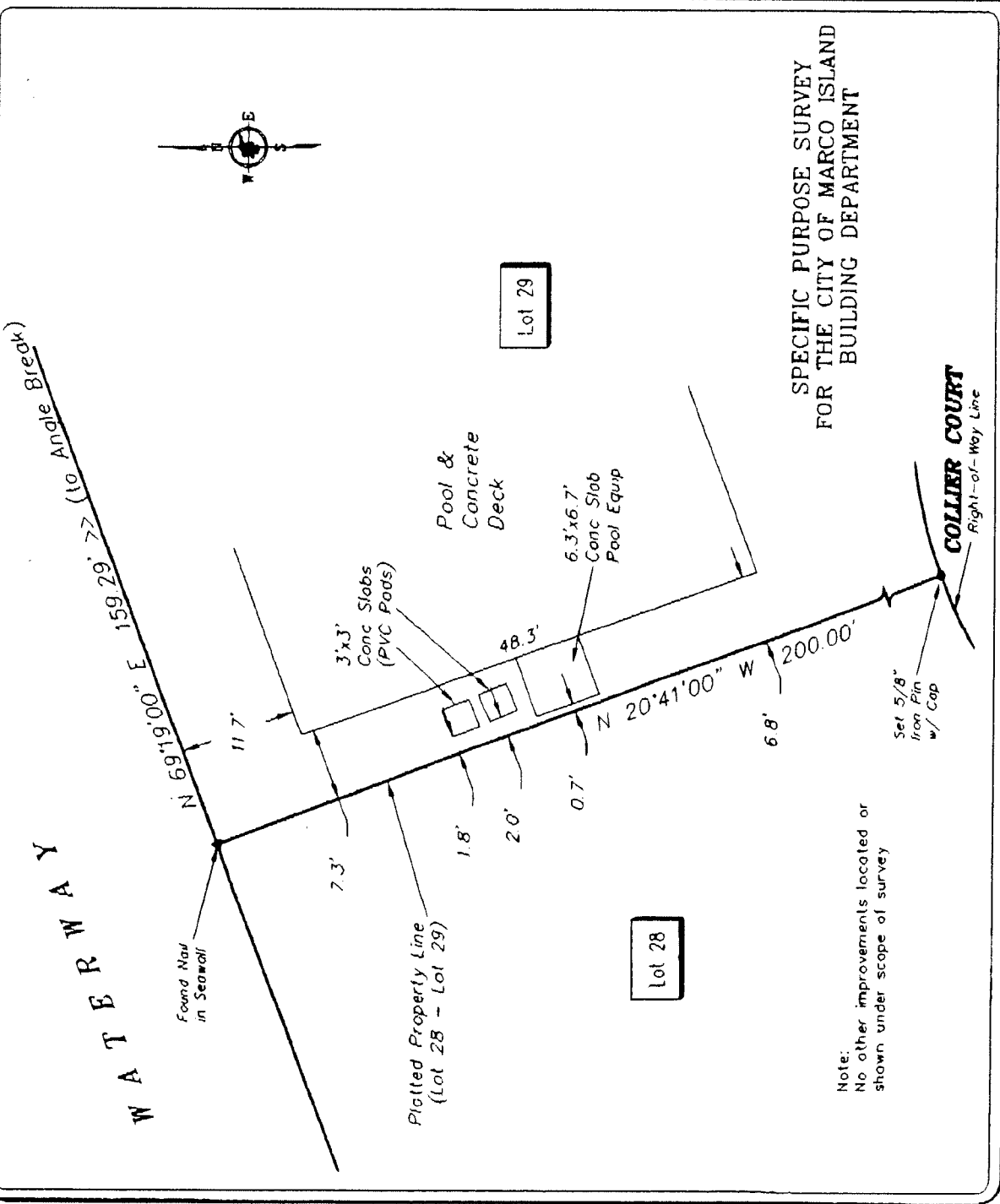
ATTEST:

  
Laura Litzan  
City Clerk

Approved as to form and legality:

  
Richard D. Yovanovich  
City Attorney

FULLER HUGHES



SPECIFIC PURPOSE SURVEY  
FOR THE CITY OF MARCO ISLAND  
BUILDING DEPARTMENT

Note:  
No other improvements located or  
shown under scope of survey

DESCRIPTION: AS FURNISHED BY CLIENT  
**Lot 29 & 30, Block 338**  
**MARCO BEACH, UNIT 10**  
AS RECORDED IN PLAT BOOK 5, PAGE 17, THRU 24  
OF THE PUBLIC RECORDS OF LIBERAL COUNTY, FLORIDA  
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT  
RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE  
PUBLIC RECORDS OF THIS COUNTY.

I HEREBY CERTIFY TO:  
**RESORT MANAGEMENT**  
**PETE ANDRES**

**EXHIBIT A**

PLS DIME \_\_\_\_\_  
A. TRIGO \_\_\_\_\_ FL P S & N No. \_\_\_\_\_  
NOT VALID WITHOUT THE SIGNATURE AND THE  
SEAL OF A FLORIDA LICENSED SURVEYOR AND  
THIS CERTIFICATION IS ONLY FOR THE LANDS  
HEREIN. THIS IS NOT A GUARANTEE OF TITLE,  
FREEDOM OF ENCUMBRANCES, OR THAT NO  
UNDERGROUND IMPROVEMENTS NOT LOCATED.

- LEGEND**
- 1 - FOUND CONCRETE MONUMENT
  - 2 - CONCRETE MONUMENT (L & P 3944)
  - 3 - IRON NAIL MONUMENT (L & P 3944)
  - 4 - SET 5/8" IRON PIN (L & P 3944)
  - 5 - FOUND NAIL
  - 6 - SET IRON NAIL
  - 7 - SET IRON NAIL
  - 8 - POINT OF CURVATURE
  - 9 - POINT OF TANGENCY
  - 10 - POINT OF BEGINNING
  - 11 - LAND SURVEYOR'S SIGNATURE
  - 12 - CONCRETE BLOCK STRUCTURE
  - 13 - LANT. MAINTENANCE DISMOUNT
  - 14 - POINT OF BEGINNING
  - 15 - POINT OF TANGENCY
  - 16 - PERMANENT REFERENCE MONUMENT
  - 17 - FOUNDMENT CONTROL POINT
  - 18 - SURVEYOR CLEAN CUT
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SURVEY DATE: 01/21/05  
FIELD BOOK 590 PAGE 46  
DRAWN BY: H.L.G. SCALE: 1" = 20'  
REVISIONS: BOOK PAGE

**A. TRIGO & ASSOCIATES, INC.**  
PROFESSIONAL LAND SURVEYORS & PLANNERS  
2450 W. PALM BEACH BLVD., SUITE 101  
PALM BEACH, FLORIDA 33410  
LAND SURVEYORS BUSINESS # 3864  
FILE NO: A 89,2829.01

