

ATTACHMENT A -

Variance Narrative Responses

Collier County Public Utilities, Goodland Pump Station Improvements

March 19th, 2026

Contained herein are responses to questions provided on the Marco Island Variance Petition:

FOR VARIANCE REQUESTS FOR EXISTING STRUCTURES

1. What is the requested encroachment?

The requested encroachment applies to two existing structures on the site: the 500,000-gallon ground storage tank (potable water storage tank) and the existing pump station building. These structures currently do not meet the setback requirements established under the City of Marco Island’s current Land Development Code (LDC). Both structures were originally constructed in the early 1990s and predate the current zoning regulations governing setbacks for properties within the City.

Existing Structure	Setback Location	Setback Requirement	Setback Provided
500,000 Gallon Water Storage Tank	Front Yard	50’	19.30’
	Side Yard (South)	30’	20.67’
Pump Station Building	Rear Yard	50’	26.80’

2. When property owner purchased property?

The property was originally acquired on August 15, 1980.

3. When was the existing structure built, including building permit number if possible?

The pump station building was constructed in 1995 as part of the continued development and expansion of the potable water infrastructure serving the Goodland community.

4. How was existing encroachment created?

The existing encroachments were created because the pump station building and ground storage tank were constructed prior to the incorporation of the City of Marco Island and prior to the adoption of the current Land Development Code. At the time these structures were constructed, setback regulations and zoning requirements were substantially different from those currently in place. As a result, the existing infrastructure no longer conforms to the current setback requirements despite being legally constructed at the time of installation.

5. What is the certified cost estimate for bringing the existing structure into compliance?

It is not feasible to bring the existing structures into compliance with the current setback requirements due to the physical constraints of the parcel, its irregular shape, and the large footprint of the existing ground storage tank and associated utility infrastructure. The only potential means of achieving full compliance would be to completely demolish the existing facility and reconstruct the pump station at a different location on a new parcel. This would require replacement of the pump station, reconstruction of associated potable water infrastructure, relocation of water mains, and reconnection to the regional water distribution system. Based on preliminary cost considerations, the total cost for demolition, land acquisition, and reconstruction of the facility and associated infrastructure would likely exceed \$15,000,000.

6. What extenuating circumstances exist related to the existing structures encroachment?

The existing structures do not comply with current setback requirements because they were constructed prior to the adoption of the City's current Land Development Code. The setback requirements in effect at the time of construction in the early 1990s were significantly different from those currently required. As a result, infrastructure that was lawfully constructed at the time is now considered nonconforming under present-day zoning regulations.

7. Are there any life/safety concerns related to the existing structure?

There are no life or safety concerns associated with the existing structures. The pump station and associated infrastructure continue to operate as part of the potable water system serving the Goodland community and are maintained in accordance with applicable regulatory and operational standards.

FOR VARIANCE REQUESTS FOR PROPOSED STRUCTURES

1. What is the proposed encroachment?

The proposed encroachments relate to three elements associated with improvements to the pump station facility:

- A reduction in the required landscaping buffer along the northern property line.
- Parking setback encroachments associated with new required parking spaces.
- A structure setback encroachment associated with the installation of a new on-site emergency generator.

Proposed Structure	Setback Location	Setback Requirement	Setback Provided
Landscape Buffer	Side Yard (North)	15' Buffer	Fence Buffer
Parking/Fire Lane	Side Yard (North)	Affecting Landscape Buffer Requirement	
On-Site Emergency Generator	Side Yard (North)	30'	17.72'

2. Why is the encroachment necessary?

The primary purpose of this Site Development Plan (SDP) is the installation of a new permanent emergency backup generator, which will be located outdoors on an elevated aluminum and concrete platform. This generator is necessary to ensure the continuous and uninterrupted supply of potable water to the Goodland community during extended power outages. Without a permanent backup generator, a prolonged power outage could result in a loss of water pressure within the distribution system, which could lead to interruptions in potable water service and reduced availability of water for fire protection. The proposed generator is therefore a critical component of the facility's operational reliability and public safety function. Due to the limited size and configuration of the existing parcel, the only feasible location for installation of the generator does not fully comply with the current zoning setback requirements. In addition, the City of Marco Island has required the installation of new on-site parking spaces and a fire access lane as part of the improvements to the facility. The fire access lane and parking spaces must be located adjacent to the northern property line in order to maintain operational access to the existing infrastructure on site. Because these improvements abut the northern property boundary, the six (6) existing trees will need to be removed, and the installation of the full 15-foot-wide landscape buffer is not feasible. The requested variances are therefore necessary to allow the project to proceed and to ensure the continued provision of reliable potable water service to the Goodland community while meeting operational and emergency access requirements.

3. What extenuating circumstances exist related to the proposed structure encroachment?

The primary extenuating circumstances are related to the limited size and irregular configuration of the parcel combined with the substantial amount of existing potable water infrastructure already occupying the site. The facility currently includes a 500,000-gallon ground storage tank, pump station building, access driveways, underground water mains, valves, electrical equipment, and other utility appurtenances, which significantly restrict the available developable area on the site. Because of these physical constraints, there is insufficient space on the parcel to fully comply with current zoning requirements while simultaneously accommodating the necessary improvements, including the new emergency generator, required parking spaces, and fire access lane.

NATURE OF PETITION

1. Are there special conditions and circumstances existing which are peculiar to the location, size, and characteristics of the land, structure, or building involved?

Yes. The parcel was acquired by Collier County and originally developed prior to the adoption of the City of Marco Island Land Development Code. The parcel has an irregular shape and limited overall area, totaling approximately 0.60 acres. Under the current zoning designation of P-ST (Public Use), the parcel is required to comply with 50-foot front and rear setbacks and 30-foot side setbacks. These setback requirements significantly restrict the usable portion of the property. When these setbacks are applied, the effective developable area of the parcel is reduced to approximately 5,500 square feet, or roughly 20% of the total site area. The pump station facility requires numerous essential infrastructure components, including;

- A ground storage tank
- An access drive
- Above-ground and underground potable water mains
- Valves and utility appurtenances
- An emergency generator
- On-site parking
- A pump station structure housing four high-service pumps, electrical equipment, and chemical feed systems

Due to the space requirements of this infrastructure, it is not feasible for the facility to operate entirely within the current setback requirements.

2. Are there special conditions and circumstances which do not result from the action of the applicant such as pre-existing conditions relative to the property which is the subject of the variance request?

Yes. The property was originally developed under different setback regulations prior to the adoption of the Marco Island Land Development Code. After the infrastructure was constructed, the property was subsequently rezoned to P-ST (Public Use), which imposed more restrictive setback requirements than those in place at the time of original development. These circumstances were not created by the current applicant.

3. Will a literal interpretation of the provisions of this zoning code work unnecessary and undue hardship or create practical difficulties on the applicant?

Yes. A literal interpretation of the zoning code would prevent the applicant from making necessary improvements to the facility, including the installation of a permanent emergency backup generator, as well as the addition of required parking spaces and a fire access lane. These improvements are essential to maintaining the operational reliability and safety of the potable water system serving the Goodland community.

4. Will the variance, if granted, be the minimum variance that will make possible the reasonable use of the land, building, or structure and which promote standards of health, safety, or welfare?

Yes. The requested variances represent the minimum necessary relief required to accommodate the improvements within the limited space available on the site. The parcel’s irregular shape and existing infrastructure significantly restrict available buildable space.

The proposed improvements—including installation of a permanent emergency generator, additional parking, and a fire access lane—are intended to enhance the reliability, safety, and operational functionality of the potable water facility, thereby promoting the health, safety, and welfare of the residents and customers served by the system.

5. Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district?

No. Granting the requested variance will not confer any special privilege to the petitioner. The request is based on the unique physical characteristics of the parcel, including its irregular shape, limited size, and the presence of substantial existing potable water infrastructure that was constructed prior to the adoption of the Marco Island Land Development Code. The requested variances are necessary to allow the continued operation and improvement of an existing public utility facility. Other properties within the same zoning district would be subject to the same review and consideration should similar site constraints and pre-existing infrastructure conditions exist.

6. Will granting the variance be in harmony with the intent and purpose of this zoning code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?

Yes. Granting the variance will be consistent with the intent and purpose of the zoning code and will not be injurious to the surrounding neighborhood or detrimental to the public welfare. The requested variances will allow for the installation of a permanent emergency backup generator, additional parking, and a fire access lane, all of which enhance the reliability and safety of the potable water system serving the Goodland community. The improvements are intended to ensure uninterrupted potable water service during power outages and provide adequate emergency access to the facility. These improvements support public health, safety, and welfare and will not negatively impact surrounding properties.

7. Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf course, etc?

Yes. The site contains significant existing public utility infrastructure, including a 500,000-gallon ground storage tank, pump station building, underground water mains, valves, and related appurtenances. These physical conditions substantially limit the remaining developable area of the parcel. In addition, the parcel's irregular configuration and relatively small size further restrict the placement of new improvements while maintaining compliance with current setback and buffer requirements. These existing conditions necessitate the requested variances in order to accommodate critical utility infrastructure upgrades while maintaining the operational functionality of the facility.

8. Will granting the variance be consistent with the growth management plan?

Yes. Granting the variance will be consistent with the City of Marco Island's Growth Management Plan. The requested variances support the continued operation and improvement of essential public utility infrastructure that provides potable water service to the Goodland community. The installation of a permanent emergency backup generator will enhance system reliability and resilience during emergency conditions, supporting the goals of maintaining adequate public facilities and protecting public health and safety. As such, the requested variances further the objectives of the Growth Management Plan by ensuring reliable infrastructure necessary to serve the community.