



Planning Board Staff Report

Meeting Date: October 1, 2021

TO: Marco Island Planning Board
FROM: Daniel J. Smith, AICP – Director of Community Affairs
DATE: September 22, 2021
RE: Coastal Construction Control Line (CCCL) Setback Variance 21-000194, 594 Spinnaker

APPLICANT:

Matthew Goddard, P.E.
Humiston and Moore Engineers
5679 Strand Court
Naples, FL 34110

OWNERS:

Stephen Izzo and Alina Izzo, Trustees of the Izzo Florida Trust
5679 Summit Dr.
Glenview, IL 60025

GEOGRAPHIC LOCATION:

Physical Address: 594 Spinnaker Dr.
Marco Island Florida 34145

Legal Description: Lot 2, Block 389, Marco Beach, Unit 12 as Recorded in Plat Book 6, Pages 87-91 of the Public Records of Collier County, Florida

Zoning District: RSF-3

Lot Area: Approximately .33 acres

Parcel Id Number: 58049320007

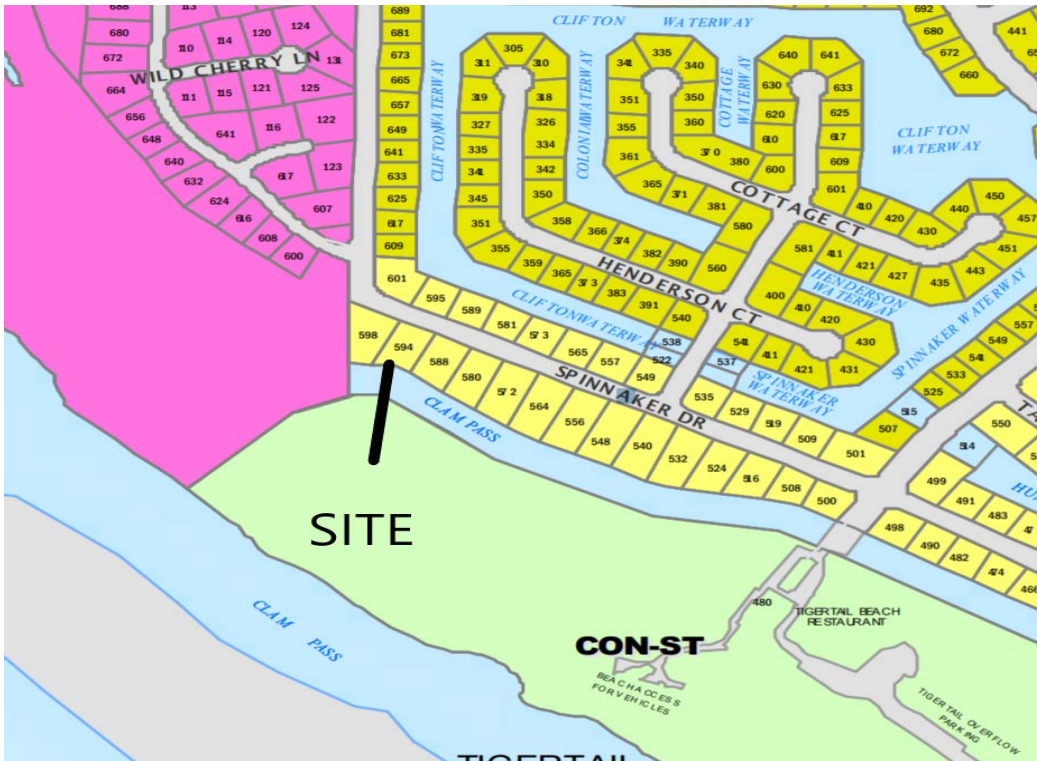
PROJECT DESCRIPTION:

Matthew Goddard, P.E., on behalf of the Izzo Florida Trust, has submitted for approval of a CCCL variance to construct a residence with accessory uses at 594 Spinnaker Dr. Please see the attached plans for the proposed encroachment and improvements.

1. Site Aerial



2. Zoning Map



STAFF ANALYSIS

Staff has no issues with this request. A similar request was approved for this lot in 2020. However, the owners at the time did not proceed forward and sold the lot. This request is in keeping with the existing development patterns as seen on the aerial provided above in the Staff report. Our only comments relate to the owners obligation to obtain required permits from other agencies before construction can start on the site, protrusion into the CCCL is limited to the area as shown on the second page of the plan provided, and no other deviations or variance are approved.

APPLICANT'S RESPONSE

CRITERIA USED TO REVIEW VARIANCE REQUEST.

PROVIDE WRITTEN JUSTIFICATION USING THE BELOW CRITERIA:

(1) If in the immediate contiguous or adjacent area a "number of existing structures" have established a reasonably continuous and uniform construction line closer to the line of mean high water than the line as herein established, and if said existing structures have not been unduly affected by erosion, a proposed structure may be permitted along such line if such proposed structure is also approved by the board of zoning appeals.

(2) Certain activities that may temporarily alter ground elevations such as artificial beach nourishment projects, excavation or maintenance dredging of inlet channels may be permitted seaward of the coastal construction setback line if said activity is in compliance with the city comprehensive plan, conservation and coastal management element, and also approved by the board of zoning appeals.

(3) Rendering a decision, the petitioner shall provide the board with a current, written opinion from the state department of environmental protection as to the advisability of granting the relief sought.

STAFF RESPONSES TO CRITERIA:

Below is the applicable section from the City's Code of Ordinances that governs the standards for granting a variance to the CCCL setback.

Sec. 30-755.-Variances.

Variances may be granted upon the finding of one of the following:

- (1) If in the immediate contiguous or adjacent area a "number of existing structures" have established a reasonably continuous and uniform construction line closer to the line of mean high water than the line as herein established, and if said existing structures have not been unduly affected by erosion, a proposed structure may be permitted along such line if such proposed structure is also approved by the board of zoning appeals.

In reviewing the surrounding development pattern, it is evident the placement of this structure is consistent in keeping with the surrounding properties that are also impacted by the 1974 CCCL setback.

STAFF RECOMMENDATION AND FINDINGS:

Staff recommends the Planning Board approve the Coastal Construction Control Line (CCCL) Setback Variance 21-000194 for 594 Spinnaker Dr. based on the following findings and condition:

Findings:

- (1) The request complies with Policy 2.1.4 of the Conservation Element of the Comprehensive Plan, which must meet all State and local permitting requirements.
- (2) The request complies with Sec. 30-755. (1) of the Land Development Code.

Conditions:

- (1) The CCCL variance is approved subject for the plans submitted by Outside Productions international, Job No. 054-21, page LS0.1.
- (2) The approval of the CCCL variance does not constitute approval of any other deviations or constitute the issuance of any required building permits or other agency approvals.

Daniel J. Smith, AICP
Director of Community Affairs