

To: City of Marco Island Planning Board
Marco Island City Council

From: Jewish Congregation of Marco Island (JCMI)

Date: April 17, 2026

Reference: Variance Petition 26-000020 – 989 Winterberry Drive
Alcoholic Beverage Sales and On-Site Consumption Within 500' of JCMI

Dear Members of the Planning Board and City Council:

As president of JCMI, I would like to provide you with the official position of the Executive Committee and Board of Directors of JCMI regarding the proposed variance for alcoholic beverages on property adjacent to our synagogue.

We have two basic concerns that we urge the City to take into account when deliberating this issue:

- (1) the precedential effects of this zoning variance on the religious and secular institutions to which this code variance pertains city-wide; and
- (2) the effects on JCMI of alcohol sales that violate the currently established limits imposed by the zoning code.

Provisions that limit the sale and consumption of alcohol near places of worship, schools, childcare, and libraries are quite common across the United States. This variance request ignores those established customs, and while we recognize that most variance requests granted by the City are discrete in nature and pertain only to the establishment requesting the variance, we are concerned that by granting this variance, the City would set a precedent that could potentially invalidate an entire provision of the City Zoning Code.

JCMI wants to ensure that this is not the case for the City of Marco Island. The Planning Board and City Council should solicit the input of other entities to which this section of the code pertains, so that these other entities may comment on how they may be impacted in the future by this variance that might become established precedent. While most houses of worship on the island are in residential areas, there are several that could be impacted by future commercial development, not to mention other entities to which §4-32 pertains. We do not want the outcome of this proceeding to be the cause of unwanted effects on other houses of worship on Marco Island.

As to our second concern, the applicant, in its Variance Petition, did not address any effects that not abiding by §4-32 of the City Code would have on JCMI. Unlike other houses of worship on Marco Island, and unlike libraries and schools, JCMI worship services are

held on Friday night. Therefore, JCMI congregants are more likely to be affected by any loud noises or rowdy behavior than other houses of worship, schools or libraries in the City.

In addition, the Staff report states that because our religious observances are conducted indoors, there will be no effect from disturbances at the proposed establishment. This is not always the case, and we were not contacted by Planning Board Staff in this regard. There are occasions when observances are held by JCMI outdoors—particularly during our community Hannukah celebration and during the Jewish holiday of Succot (typically in October) during which we construct an outdoor dwelling for observances. There are also times, such as on the most holy days in the Jewish calendar of Rosh Hashanah and Yom Kippur, when having boisterous disturbances may not be appropriate when our congregation worships all day and into the evening.

While we welcome the Marco Island community at our celebrations, we do have concerns regarding any unwanted *spillover* from café customers who may have been consuming alcohol, and regarding harassment to our congregants that may occur in our parking area. We do ask the Planning Board and the City Council to take into account these concerns that were not addressed by the applicant or by Staff. These concerns could be addressed by actions such as not allowing alcohol sale and consumption on certain High Holidays, during JCMI outside celebrations, or after seven in the evening on Friday nights, out of respect and deference to our religious observances.

Thank you very much for taking the concerns of JCMI into account.



Keith Alter,
President of JCMI