



City Council Staff Report

Meeting Date: November 17, 2025

TO: Marco Island City Council
FROM: Mary P. Holden, Planning Manager
DATE: October 30, 2025
RE: Appeal to City Council of an Interpretation of Vested Rights per Sec30-5, APCC-25-000171

PROJECT DESCRIPTION:

Mr. Zach Lombardo submitted a request for interpretation of vested rights, asking for verification that duplexes were allowed on properties located at 658, 666, 674, and 682 6th Avenue. Staff reviewed the request and the applicable codes and determined duplexes could be constructed on the lots if they met Section. 30-105. (7) Dimensional Standards for nonconforming lots of record: c. "Nonconforming lots of record shall be required to provide a minimum of 6,500 square feet of lot area for each dwelling unit." Based on this provision, duplexes may not be built on the lots in question due to not being able to meet the minimum lot are for each unit. We provided our response (attached to this report) to Mr. Lombardo and because of our determination, the owners, through their agent, are appealing.

OWNERS AND APPLICANTS:

Owner:

658 6th Avenue LLC
666 6th Avenue LLC
674 6th Avenue LLC
682 6th Avenue LLC
233 Indies Dr. E., #202
Naples, FL 34114

Agent:

Zachary W. Lombardo, Esq.
Woodward, Pires & Lombardo, P.A.
606 Bald Eagle Dr., Ste. 500
Marco Island, FL 34145

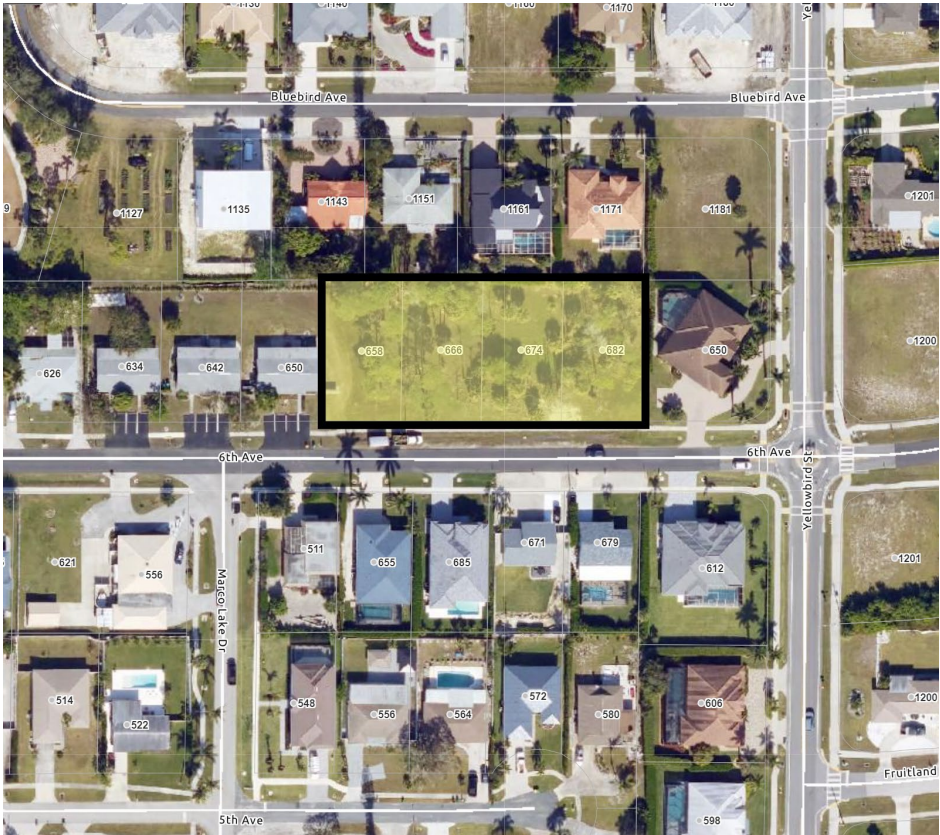
PROPERTY INFORMATION:

Street Address: 658, 666, 647, and 682 6th Avenue, Marco Island, FL 34145
Legal Description: Marco Highlands Addition, Block 3, Lots1-4
Parcel #: 658: 59130800008; 666: 59130760009; 674: 59130720007; 682: 59130680008
Zoning: RMF-6
Lot size: 658: 0.18; 666: 0.18; 674: 0.18; 682: 0.19

ZONING OF SITE



AERIAL OF THE SITE



STAFF ANALYSIS:

We have included the pertinent code section and a copy of the letter sent to Mr. Lombardo to this Staff report. Mr. Lombardo has provided a packet of information to support his client's position and is included for the City Council review and consideration. Staff's only comment is we were informed the duplex constructed in 2016 at 613 and 615 6th Ave. did not meet the lot size requirements and was constructed due to a variance granted by Collier County before the incorporation of the City. We have requested the records from Collier County will provide them if available.

STAFF RECOMMENDATION:

Staff recommends the determination be upheld since it is supported by our Land Development Code. We recommend that the applicant apply for a variance to this provision of the Land Development Code.