



## *City Council Staff Report*

**Meeting Date: May 4, 2026**

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**TO:** Marco Island City Council

**FROM:** Mary P. Holden

**DATE:** April 8, 2026

**RE:** Variance Petition 26-000021, 287 and 297 N. Collier Blvd., Parking Credits for pedestrian connection not vehicular connection

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### **PROJECT DESCRIPTION:**

Mr. Zachary Lombardo has submitted, on behalf of the Owner, a variance to Section 30-488(4)a. of the City of Marco Island Code of Ordinances that will allow for parking credits as a result of the installation of a pedestrian connection, as opposed to a vehicular connection, between the properties located at 287 and 297 N. Collier Blvd (the "Subject Property"). Attached is the application, plans, and justification narrative to the criteria used for reviewing a variance.

### **PLANNING SUMMARY AND RECOMMENDATION:**

The City of Marco Island Planning Board (the "Board") held a public hearing and considered this request at their April 3, 2026, meeting. The Board discussed the nature of the variance, providing a credit for a pedestrian connection and not a vehicular connection between the Subject Property; and pervious calculations. The Board discussed the idea of a code change to allow for pedestrian interconnect; and additional work needed to the stairs. One citizen voiced their concerns regarding parking in the swale along Bayside Court. One citizen spoke against the request citing businesses need to follow the rules and not subsidize the businesses by granting the variance. Upon conclusion the Board voted 7-0 to forward a recommendation of approval of the variance to the City Council with the below findings and conditions.

### **Planning Board's Recommended Findings of Approval:**

- (1) The two properties are not different from other properties within the City. The special circumstances related to the Subject Property is the grade difference between the newer restaurant (higher flood elevation) which exists on 297 N. Collier Blvd., and the existing building on 287 N. Collier Blvd., to the south.
- (2) As stated above, the special circumstance is the grade difference due to higher flood elevations in place when the newer structure was constructed at 297 N. Collier Blvd.

- (3) The literal interpretation of the City's Code of Ordinances could create an undue hardship since the Owner would need to construct a vehicular connection between the two properties, which would result in the loss of parking spaces, and be non-compliant with other provisions of the City's Code of Ordinances. The properties are located in a pedestrian overlay district, and the emphasis should be on encouraging pedestrian access between the two properties.
- (4) The properties are reasonably being used as they exists; however, the variance requested will provide parking credit for a pedestrian connection instead of a vehicular connection.
- (5) Granting the variance will not confer any special privilege as other property owners are able to request the same, or similar variance.
- (6) Granting this variance will comply with the intent of the code which is to provide cross access to the other site(s) via pedestrian access.
- (7) Granting this variance will not violate the City's growth management plan (Comprehensive Plan).

**Planning Board's Recommended Conditions of Approval:**

- (1) The Applicant/Contractor shall obtain a building permit prior to commencement of any construction.
- (2) The Owner/Developer/Petitioner is responsible for any private deed restriction approvals with the Marco Island Civic Association.
- (3) That issuance of this approval by the City does not in any way create any right on the part of the Owner/Developer to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the approval if the Owner/Developer /Petitioner fails to obtain the required approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in the violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the Development. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.
- (4) There is an open Site Development Plan ("SDP") amendment reivew, minor SDP 25-000208, that shall show, on the plans, the required bench and detail of the required landscape plan material associated with the bike rack that is required to claim the parking space credits. The SDP amendment improvements shall be completed, and the permit associated with SDP 25-000208 closed out before approval of this variance takes effect.
- (5) The Owner shall provide a copy of the recorded cross parking and pedestrian interconnect agreement filed with Collier County. If, at the time of approval of the Resolution, the recorded agreement has not been provided to the City, the Owner shall record the agreement, and provide a copy to the City.

**OWNER:**

Oliverio Investment and Consulting Inc. and 297 N. Collier LLC  
297 N. Collier Blvd.  
Marco Island, FL 34145

**AGENT:**

Mr. Zachary W. Lombardo, Esq.  
606 Bald Eagle Dr., Ste 500

Marco Island, FL 34145

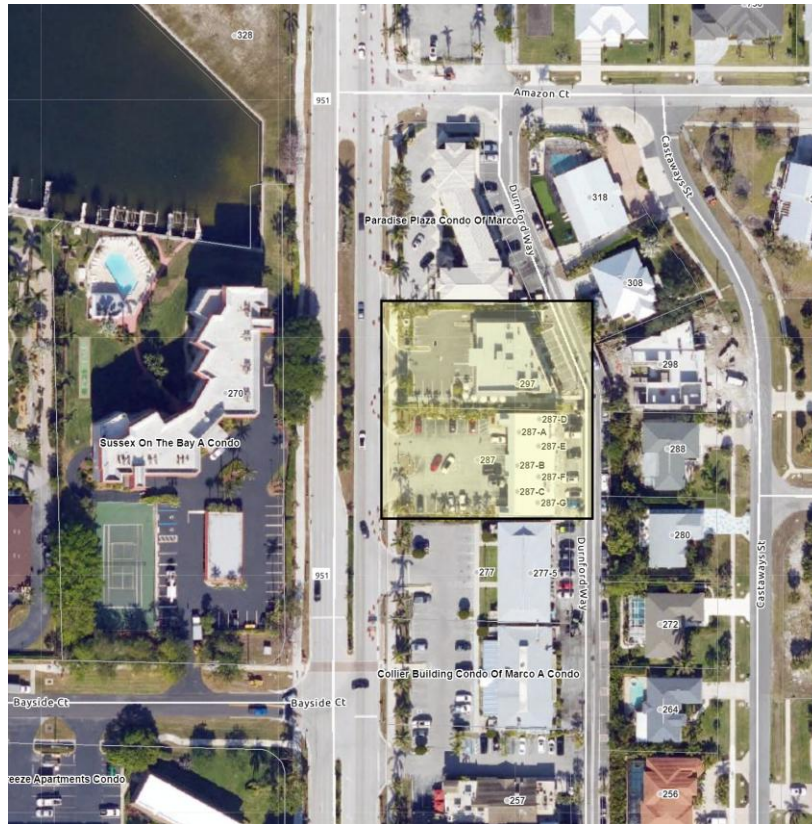
**PROJECT ADDRESS:**

Street Address: 287 and 297 N. Collier Blvd, Marco Island, FL 34145  
Zoning District: C-3, Overlay District Two-a., Pedestrian Tourist Subdistrict North  
Legal Description: MARCO BCH UNIT 6, BLK 224, LOTS 2 and 3  
Folio Number: 57361320003 and 57361280004

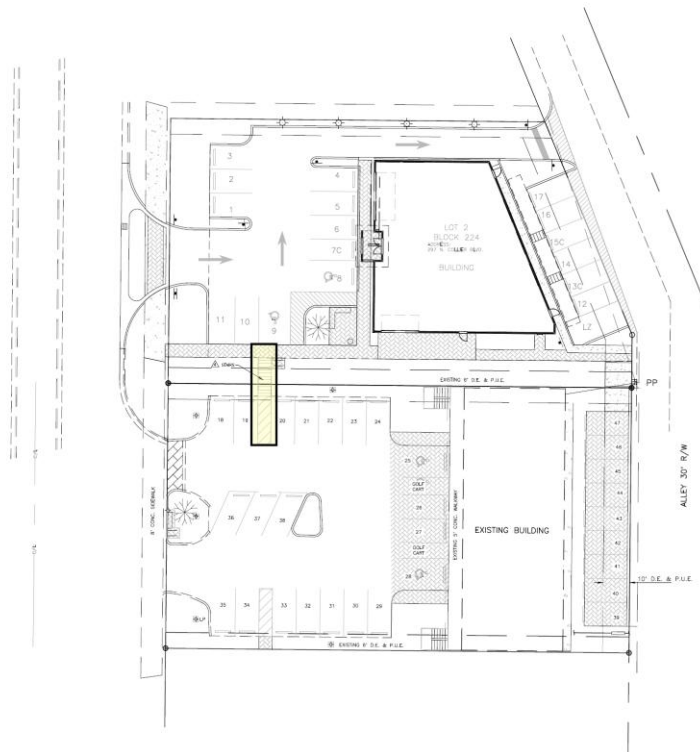
**ZONING MAP OF SUBJECT PARCEL**



**AERIAL OF SUBJECT PARCEL**



**APPLICANT PROVIDED SITE PLAN:**



287 N. Collier Building Onsite Parking			
USE AND QUANTITY	REQUIRED PARKING RATIO	SPACES REQUIRED	
Unit 1-2 First Floor La Miranda	12 Technicians	18	
Unit 2 First Floor Retail (1000 SF)	1 Parking Spot/250 SF	4	
Restaruant Offices	1 Parking Spot/4 Seats	0	
Office Space (2100 SF)	1 Parking Spot/300 SF	7	
<b>Sub-Total</b>		<b>29</b>	
297 N. Collier Building Onsite Parking			
USE AND QUANTITY	REQUIRED PARKING RATIO	SPACES REQUIRED	
Single Use Restaruant (120 Seats)	1 Parking Spot/4 Seats	30	
<b>Sub-Total</b>		<b>30</b>	
<b>Total Parking Required (before credits)</b>		<b>59</b>	
CREDITS		SPACES REQUIRED	
	Parking Credit		
Pedestrian Walkway (1)	1	-1	
Bicycle Rack 287 (1)	1	-1	
Bicycle Rack 297 (1)	1	-1	
Interconnect 15% Credit		-9	
<b>Total Credits (shall not exceed 20% of required parking)</b>		<b>-12</b>	
<b>Total Parking Required</b>		<b>47</b>	
287 N. Collier Building & 297 N. Collier Building			
PARKING COMPONENTS	COMPONENT LIMITATIONS	PARKING ALLOWED	PARKING PROVIDED
Regular Spaces	N/A	N/A	39
Compact Spaces	25% of Total (max)	13	4
Handicapped Spaces	3 Reserved for 49 Spaces	3	4
		<b>Total Parking Provided</b>	<b>47</b>
Golf Car Parking		0	2

1/29/2026:Q:\FL-NAPL-RA\P\024-00-01 Joey's La Mesa Parcel Combination\287\_297\_Connection Plans\ISC PLANS\Rev09\0210004C03\_MSP.dwg:Paul.Beatty

**STAFF ANALYSIS:**

The Owners of the two sites, in late 2024, applied for an amended site development plan to allow for a conditional use for three apartments above the commercial use located at 287 N. Collier Blvd. Both applications for the site development plan amendment and conditional use were approved in 2024. The owner, however, decided not to move forward with the apartments due to cost. During the 2024 application review, a cross parking and pedestrian interconnect between the properties was also approved. If the cross parking agreement was filed and recorded with Collier County, a copy of the recorded document needs to be provided. If the agreement was not recorded, then the applicant must record the agreement, and a copy must be provided to the City. A copy of the cross parking and pedestrian interconnect agreement, as previously approved is attached for reference.

The requested variance for parking space credits is reasonable since the proposed interconnect is in the pedestrian overlay district. Providing parking space credits for a pedestrian connection promotes pedestrian movements. If a vehicle interconnect were to be installed, existing parking spaces would need to be removed, and a substantial amount of grading and paving would be needed to create a vehicular connection.

The maximum parking credits allowed is 20% of the required parking, which amounts to 12 spaces with respect to this application.

There is also an open Site Development Plan amendment reivew, minor Site Development Pland 25-000208, that is to show on the plans the bench and detail of the required landscpae plan material associated with the bike rack that are needed in order to claim the parking credits. The review needs to be completed, and the SDP 25-000208 closed out before approval of this variance takes effect.

## **STANDARDS FOR REVIEW AND APPROVAL OF A VARIANCE:**

Section 30-65 of the City of Marco Island Code of Ordinances sets forth the standards that are used to guide the review of a variance request and are stated below. Staff's comments on each standard are below each standard. The Applicant has provided comments to each of the required findings in their narrative included in this packet.

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

**Staff Comments:** The two properties are not different from other properties within the City; however, the special circumstance related to the properties is the grade difference between the newer restaurant (higher flood elevation) which exists on 297 N. Collier Blvd., and the existing building on 287 N. Collier Blvd., to the south.

- (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?

**Staff Comments:** As stated above, the special circumstance is the grade difference due to higher flood elevations in place when the newer structure was constructed at 297 N. Collier Blvd.

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

**Staff Comments:** The literal interpretation of the City's Code of Ordinances could create an undue hardship since the Owner would need to construct a vehicular connection between the two properties, which would result in the loss of parking spaces, and be non-compliant with other provisions of the City's Code of Ordinances. In addition, the properties are located in a pedestrian overlay district and the emphasis should be on encouraging pedestrian access.

- (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?

**Staff Comments:** The properties are reasonably being used as they exist; however, the variance requested will provide parking credit for a pedestrian connection instead of a vehicular connection.

- (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?

**Staff Comments:** Granting the variance will not confer any special privilege as other property owners in the City are able to request the same, or similar variance.

- (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?

**Staff Comments:** Granting this variance will comply with the intent of the code that is to provide cross access to the other site(s) via pedestrian access.

- (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?

**Staff Comments:** This is not applicable.

- (8) Will granting the variance be consistent with the growth management plan?

**Staff Comments:** Granting this variance will not violate the City's Comprehensive Plan.