



## City Council Staff Report

Meeting Date: October 3, 2022

**TO:** Marco Island City Council

**FROM:** Daniel J. Smith, A.I.C.P., Director of Community Affairs

**DATE:** September 25, 2022

**RE:** Change to Section 30-1002 regarding setbacks of pool and screen enclosures on waterfront lots.

### **DESCRIPTION:**

This is a Planning Staff correction, correcting an error in the setback requirements for pools and screen enclosures. In 2018, the City Council approved Ordinance 18-09, changing the rear yard setbacks for pools and screen enclosures on waterfront and golf course lots from 10 feet to 15 feet. However, in 2019, the City Council approved Ordinance 19-07, unrelated to pool and screen enclosures, but included an older setback matrix that was incorrect. This incorrect matrix had the rear setbacks reverting to 10 feet. This Ordinance corrects the error.

### **PLANNING BOARD SUMMARY AND RECOMMENDATIONS**

The Planning Board held a public hearing and considered this request at their September 2, 2022, meeting. There was discussion regarding decks and no public comment. The Planning Board voted 7-0 to forward a recommendation of approval.

The correction is as follows (red underline):

#### **Sec. 30-1002. Accessory buildings and structures.**

- (a) Accessory buildings and structures must be constructed simultaneously with or following the construction of the principal structure and shall conform to the following setbacks and building separations. In those cases where the coastal construction control line is involved, the coastal construction control line will apply.

Accessory Structure Setbacks  
(Waterfront lots and golf course lots)

	Accessory Structure	Front	Rear	Side	Structure to Structure (if detached)
1.	Parking garage or carport (single-family)	SPS	SPS	SPS	10 feet

2.	One-story parking structures and/or carports (multifamily and commercial)	SPS	SPS	SPS	10 feet
3.	Multistory parking structures (multifamily and commercial)	SPS	SPS	SPS	1/1*
4.	Swimming pool and/or screen enclosure (one-and two-family)	SPS	<del>40</del> 15 feet <sup>2</sup>	SPS	N
5.	Swimming pool (multifamily and commercial)	SPS	20 feet	15 Feet	N

**STAFF RECOMMENDATION:**

Staff recommends the City Council approved the proposed amendment outlined in the staff report based on the below findings:

1. The amendment is consistent with the Comprehensive Plan, and in particular Future Land Use Policy 2.1.1.

Daniel J. Smith, AICP  
Director of Community Affairs.