



City of Marco Island  
Community Affairs Department  
50 Bald Eagle Drive  
Marco Island, FL 34145  
Phone: 239-389-5000 or FAX: 239-393-0266

PF-22

## VARIANCE PETITION

Petition number: V-20-000129 Date Received: \_\_\_\_\_

Planner: \_\_\_\_\_

### ABOVE TO BE COMPLETED BY STAFF

Property Owner(s): JOHN PELLING

Owner's Address: 1390 JAMAICA RD MARCO ISLAND, FL 34145

Telephone: 239-784-8034 Fax: \_\_\_\_\_

Agent's Name: \_\_\_\_\_

Agent's Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

### **Site Information**

Address: 1390 JAMAICA Property ID #: 56654080006

Subdivision: MARCO BCH UNIT 1 Block: 6 Lot(s): 5

Is this a corner lot?: NO Is this a waterfront lot?: NO

### **Setbacks Required:**

Front: \_\_\_\_\_ ft Rear: \_\_\_\_\_ ft Side: \_\_\_\_\_ ft Side: \_\_\_\_\_ ft

### **Setbacks provided:**

Front: \_\_\_\_\_ ft Rear: \_\_\_\_\_ ft Side: \_\_\_\_\_ ft Side: \_\_\_\_\_ ft

### **Zoning and Land Use**

Property Subject	Zoning	Land Use
N	_____	_____
S	_____	_____
E	_____	_____
W	_____	_____

For variance requests for *existing structure(s)*, please provide the following information:

1. What is the requested encroachment?

NO ENCROACHMENT REQUESTED

2. When property owner purchased property

5/20/05

3. When was the existing structure built (include building permit number if possible)?

1969 POOL + DECK 2012

4. How existing encroachment created?

N/A

5. What is the certified cost estimate for bringing the existing structure(s) into compliance?

N/A

6. What extenuating circumstances exist related to the existing structures encroachment?

N/A

7. Are there any life/safety concerns related to the existing structure(s)?

NO

For variance requests for *proposed structure(s)*, please provide the following information:

1. What is the proposed encroachment?

REQUEST 30' FLAG POLE V.S. 25'

2. Why is the encroachment is necessary?

POLE IS ALREADY PURCHASED + ON SITE  
ADDED HEIGHT NEEDED FOR VISIBILITY  
DUE TO DOWNWARD SLOPE OF SITE  
AND HEAVY ISLAND CLUB LANDSCAPING

3. What extenuating circumstances exist related to the proposed structure encroachment?

HOME BACKS TO HEAVILY LANDSCAPED  
13<sup>th</sup> HOLE OF ISLAND COUNTRY CLUB AND  
NOT IMPACTING OR VISIBLE BY NEIGHBORS

#### **NATURE OF PETITION**

Please note that staff and the Marco Island Planning Board shall be guided in their recommendation to City Council acting as the Board of Zoning Appeals, and that City Council shall be guided in its determination to approve or deny a variance petition by the below listed criteria. Please provide a narrative response to the listed criteria and/or questions. Attach additional pages if necessary.

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

OWNER DESIRES AN ATTRACTIVE AND PATRIOTIC  
POLE + LARGER FLAG VISIBLE FROM THE COURSE

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?

ONLY PRE-EXISTING CONDITION IS MY LACK OF KNOWLEDGE  
OF 25' ORDINANCE PRIOR TO ORDERING A VERY STRONG  
30' POLE RATED 260 MPH W/O FLAG + 150 MPH  
W/FLAG. I PURCHASE + RECEIVED POLE AND WOULD

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

DELIVERED POLE WAS \$5,000. NOT SURE ABOUT COST  
OF SHIPPING AND REPLACEMENT WITH A 25' POLE OR  
STRUCTURAL INTEGRITY OF CUTTING EXISTING POLE.  
PLEADING FOR UNDERSTANDING + LENIENCY IN  
THIS CASE. POLE IS STRUCTURALLY SUPERIOR TO  
MOST 25' POLE, HIGHLY WIND RATED, AND WITH  
NO NEIGHBORS IMPACTED FRONT, SIDE OR REAR  
BACKS TO GOLF COURSE.

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?

YES

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?

NO, NOT TO MY KNOWLEDGE  
THERE EXISTS A SIMILAR POLE ALSO ON  
JAMAICA BACKING TO THE GOLF COURSE  
AT 1584 JAMAICA

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?

YES. SAFETY WILL NOT BE COMPROMISED  
WITH THE POLE. NEIGHBORS WILL NOT BE  
IMPACTED, PLAYERS AT ISLAND CLUB APPRECIATE  
BEAUTY, PATRIOTISM & WIND DIRECTION OF A TALL  
BEAUTIFUL LIGHTED FLAG+FLAG-POLE,

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?

THE ADDED HEIGHT (30' VS 25') ACCENTUATE  
THE BEAUTY AND VISIBILITY FROM THE  
GOLF COURSE RISING ABOVE LARGE CLUB  
LANDSCAPING WELL BEHIND THE HOME  
NO NEIGHBORS ARE IMPACTED.



8. Will granting the variance be consistent with the growth management plan?

MANY QUESTIONS DO NOT SEEM TO APPLY TO  
A FLAG POLE 5' VARIANCE, BUT GRANTING  
ME THIS VARIANCE WOULD BE VERY APPRECIATED  
AND BRING AESTHETIC BEAUTY + PATRIOTISM  
TO MARCO ISLAND

## VARIANCE PETITION

(For structures other than boat dock facilities)

### APPLICATION SUBMITTAL CHECKLIST

*This completed checklist is to be submitted with application packet*

REQUIREMENTS	# OF COPIES REQUIRED
Completed Application	1
Completed Owner/Agent affidavit, signed and notarized	1
Pre-application notes/minutes	1
Site Plan	1  (please include 15 copies of any documentation in color or larger than 11x17 to be handed out at the Planning Board and City Council meetings)
Application fee, check shall be made payable to "The City of Marco Island" in the amount of \$2,000.00. The after-the-fact variance fee is twice the variance petition fee.	
<b>PUBLIC NOTICE REQUIREMENT:</b> In addition to the fees required herein, all costs of newspaper notices and required notices for public petitions shall be paid in full prior to a scheduled public hearing. If such payment is not received prior to a scheduled public hearing, the petition will be continued and rescheduled. Any additional cost associated with a rescheduled item shall also be paid in full prior to the public hearing. Advertising for public hearings shall be prepared by staff and submitted to the newspapers as required in the Marco Island Land Development Code (LDC). If an application is filed for which a fee is not listed herein, staff shall assess the fee based upon actual time spent reviewing the petition. <b>Marco Island Code of Ordinances Section 30-8(a). Amended 10/17/2005</b>	

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

JOHN PELLING 3/20/20  
of Petitioner or Agent Date

 Signature

**AFFIDAVIT**

We/I, JOHN PELLING being first duly sworn, depose and say that we/I am/are the owners of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, including the disclosure of interest information, all sketches, data, and other supplementary matter attached to and made a part of this application, are honest and true to the best of our knowledge and belief. We/I understand that the information requested on this application must be complete and accurate and that the content of this form, whether computer generated or City printed shall not be altered. Public hearings will not be advertised until this application is deemed complete, and all required information has been submitted. We/I hereby also consent to access to the subject property (excluding entering any home or other enclosed structure) by City of Marco Island staff members, Planning Board members, and/or Board or Zoning Appeals members for the limited purpose of evaluating, observing, or understanding the subject property conditions as they relate to the petition. While the petition is pending, Staff members, Planning Board members, or Board of Zoning Appeals members will be allowed access upon the property provided they display a Marco Island City Photo ID or a Valid Driver's License.

As property owner we/I further authorize \_\_\_\_\_ to act as our/my representative in any matters regarding this Petition.

John B. Pelling Jr  
Signature of Property Owner

JOHN B. PELLING, JR  
Printed Name of Property Owner

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Printed Name of Property Owner

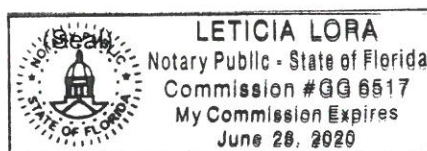
The foregoing instrument was acknowledged before me this 20th day of March, 2020, by John B. Pelling Jr, who is personally known to me or has produced DC/FL as identification.

State of Florida

County of Collier

Leticia Lora  
Signature, Notary Public – State of Florida

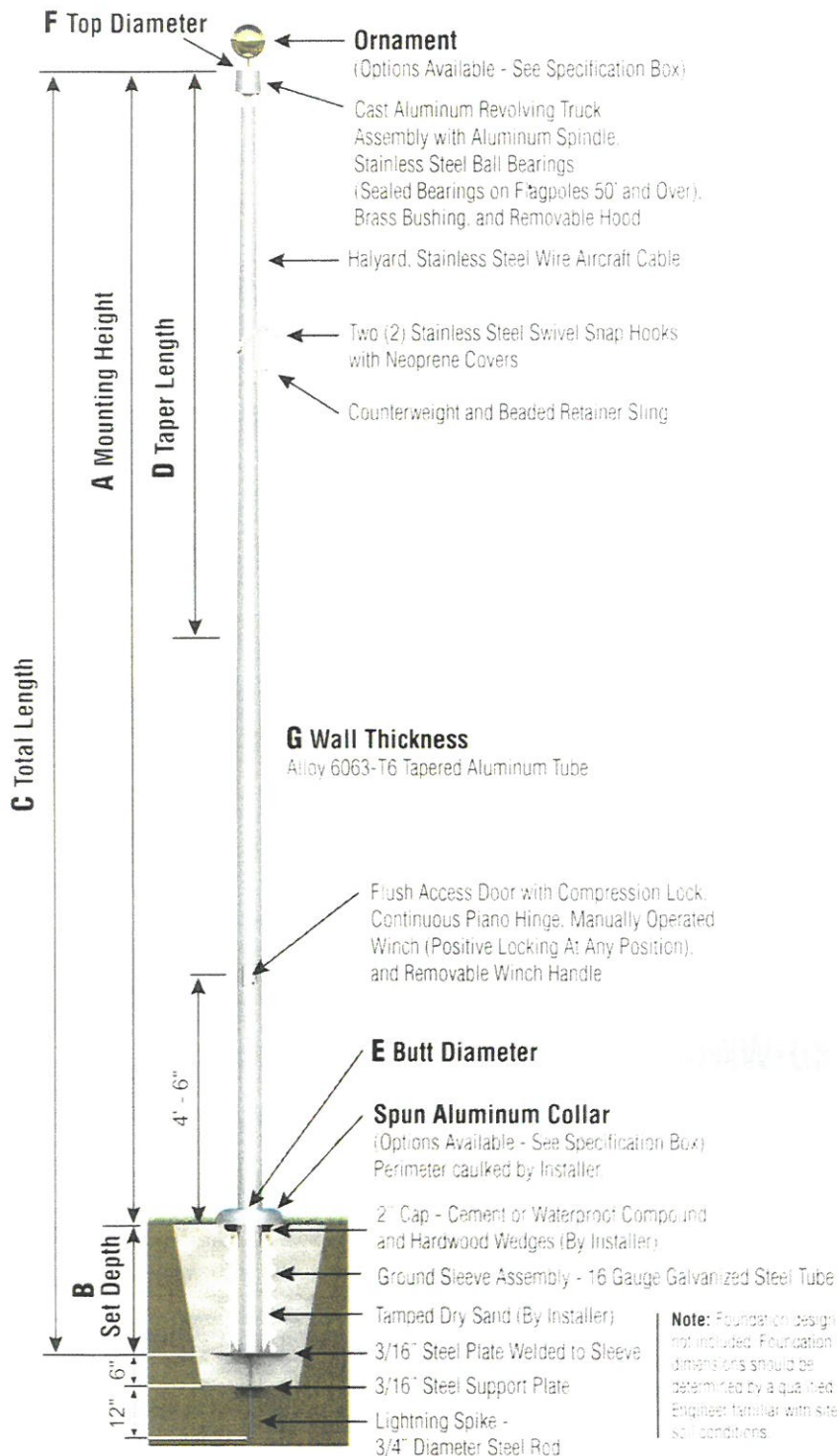
Leticia Lora  
Printed, Typed, or Stamped Name of Notary



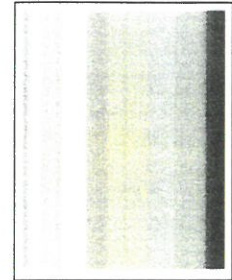
**Coastal Series - CIWW**  
Coastal Internal with Winch  
Wire Halyard  
Ground Set Installation



**CIWW30F81 - 02**



Gold Anodized



Satin Aluminum



Spun Collar

**Accessory Specifications**

Satin Aluminum (02), Standard Gold Anodized Ball (90056-005), Standard Spun Collar (94508-006)

**Specifications**

A. Mounting Height: 30'
B. Set Depth: 3'-0"
C. Total Length: 33'-0"
D. Taper Length: 22'-0"
E. Butt Diameter: 8.000"
F. Top Diameter: 4.000"
G. Wall Thickness: 0.250"
Flagpole Sections: 1
Flagpole Weight: 358 lbs.
Max Flag Size: 6' x 10'
Max Wind Speed w/ Flag: 150 mph
Max Wind Speed No Flag: 260 mph

**Notes**

Customer Name: JOHN PELLING  
Dealer:  
Project: Location: 1390 JAMAICA RD  
MARCO ISLAND, FL. 34145



POLE ON SITE AWAITING PERMITTING  
AND PROFESSIONAL INSTALLATION

HURRICANE RATED POLE  
MAX WIND 260 MPH  
WITH FLAG 150 MPH  
SAFE LOCATION REAR OF HOME






VIEW FROM ICC  
13<sup>th</sup> HOLE  
LANDSCAPE PROTECTED  
WITH ADDED HEIGHT  
NEEDED FOR  
VISIBILITY








VIEW FROM 13<sup>TH</sup> HOLE ICC  
ADDED HEIGHT (30' VS 25')  
REQUESTED FOR VISIBILITY  
260 MPH WIND RATED POLE  
SAFE DISTANCE IN ALL DIRECTION  
POLE ON SITE AWAITING PERMIT  
AND PROFESSIONAL INSTALLATION





FROM POLE SITE  
N. — NO NEIGHBOR  
IMPACTED  
SAFE DISTANCE

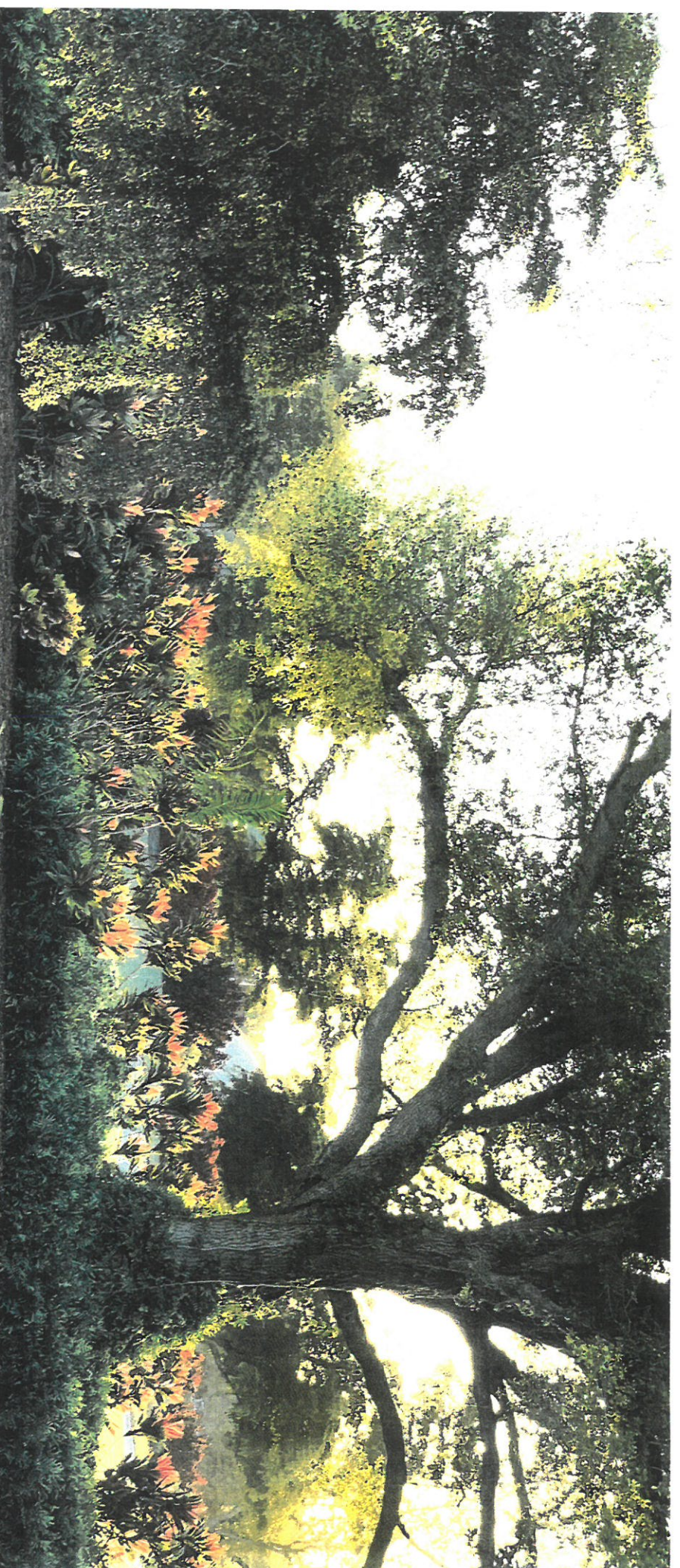




FROM SITE SOUTH  
NO NEIGHBOA VIEW  
SAFE DISTANCE







FROM POLE SITE

E. TO ICE GOLF COURSE

SAFE DISTANCE FROM COURSE





POLE SITE  
DUE TO DOWNWARD SLOPING  
YARD ALREADY ABOUT  
5' LOWER THAN GRADE





Pole Site

Downward Slope

Lowest Height