

Planning Board Members

July 15, 2020

I have had the opportunity to watch the video of your meeting of 7/10/2020. My case was presented by Jason Smalley. Early in the process, I spoke personally on the phone with Jason about the need for me to be present. Due to the long delay in being allowed on the agenda, the July meeting was well beyond my time to return to my Chicago home. Jason assured me he would present my petition and it would not be necessary. Below is an email I received from Jason which gave me comfort in his fair presentation where he stated he had "approved" the package I submitted. Clearly my misinterpretation, but the reason I believed it would be recommended for approval by the Planning Board. I was shocked by the wording of the confusing double negative resolution presented by staff. Even Planning Board members required clarification as to how to properly vote. This staff recommendation to disapprove not only was confusing, but an unfair presentation. Staff recommendation was concluded in advance of the meeting to turn down my request. There was not an on site visit by staff to better understand the reason I was willing to spend \$2,000 for this variance petition and explain this to the committee. Even a 30' pole may not provide a proper visual presentation of our flag based on the heavy Island Club landscaping. I submitted multiple color pictures in a packet I made for each committee member. There were no reasons given by staff as to their recommendation to deny nor any effort to describe any extenuating circumstances. Regarding the rear property line setback of 7.5 feet. Mistakenly I showed only 7 feet on my site plan and clarified this with Jason ahead of the meeting. On two occasions Jason referred to an additional 5 feet to meet code, not .5 or 6". When a board member questioned the height from a downward sloping site, Jason was unaware that it was part of the reason for my request. Another board member spoke about relative to roof height. I call attention to the actual wording of the ordinance below which refers only to "finished grade". Perhaps you can understand my confusion (and many of yours) about finished grade. The site of the installation is below most of the finished grade of the rest of my property.

Below the email from Jason Smalley, I have included Marco Island code for a flag pole. My variance application was exclusively regarding point (a) regarding a 25' height limitation and not the 7.5 foot rear property line setback. Precedence was brought up in your meeting as well as in my application. In picking out the 30' flag pole I ordered in advance, I searched for the most attractive and best display of our American Flag. This beautiful display also backs to the Island Club golf course. It is located at the home of Mark and Nancy Foley on the 16th hole at 1584 Jamaica. Certainly this flag pole extends in excess of 30' from finished grade and I assumed this was acceptable for my display also. An additional reason for the 30' pole is due to

the size of the flag sent to me by my recently deceased 94 year old father who had wished I could proudly fly it behind my home after visiting and seeing the Foley display. My father, John Pelling Sr. was a World War II army veteran who survived the disaster of troop ship Leopoldville. This troop ship was torpedoed by the Germans on Christmas Eve 1944 in the English Channel on the way to the Battle of the Bulge. This beautiful roughly 6'/10' flag requires a 30' pole to be properly displayed as is shown in (e) below as width 20% of the length of the pole.

Jason has informed me that my next step for approval is on to the City Counsel. Prior this I am requesting that you consider a second hearing I could attend before your Planning Board. This would allow me to answer questions and to discuss this matter with your Board further in hopes of a more favorable resolution.

Respectively submitted,

John Pelling
John Pelling

*Please reconsider and help by saying
"YES" to a proper & beautiful display of our
American Flag.
"No" is too easy right now.*

Jason Smalley <JSmalley@cityofmarcoisland.com>

Mon 6/8/2020 1:40 PM

Reply

Reply all

More actions

Mr. Pelling,

I have approved the package you submitted—including the site plan that I had asked for--and I have already begun creating the staff report for your variance. I don't see any issues that might hold us up, I am just waiting for the finalized agenda for the next Planning Board on July 10th. We plan to have another full schedule for that meeting but unless something changes I hope to have your petition on that agenda. The young lady that does the compiling of the agenda items will be in tomorrow and I will ask her what has already been approved to go on the July meeting, I will remind her that this one is a fairly small ask in the grand scheme of things and whether we can move it forward.

FLAG POLE CODE

(1)

Residential and agricultural zoning districts:

a.

One flagpole is permitted and shall not exceed 25 feet in height above finished grade.

b.

A flagpole over 15 feet in height shall require a building permit prior to installation.

c.

Up to three noncommercial flags may be flown from an approved flagpole.

d.

Flagpoles shall be setback a minimum of 7½ feet from a property boundary, zero feet from seawalls, and five feet from a principal and/or accessory structure.

e.

The width of the flag shall not exceed 20 percent of the length of the pole to which it is attached.