

# City of Marco Island Florida

*51 Bald Eagle Drive  
Marco Island, Florida  
cityofmarcoisland.com*



## Meeting Minutes - Final

**Friday, November 6, 2020**

**9:00 AM**

**Community Room**

## **Planning Board**

*Chair: Claire Babrowski*

*Vice-Chair: Jason Bailey*

*Board Members: Marilyn Dahl, Ed Issler,  
Joseph Rola, Tom Swartz, David Vergo*

*Staff Liaison: Daniel Smith*

*Planning Board Attorney: Paul Gogleman*

NOTE: ANY PERSON WHO DECIDES TO APPEAL A DECISION OF THIS BOARD WILL NEED A RECORD OF THE PROCEEDINGS PERTAINING THERETO, AND THEREFORE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, NEITHER THE CITY OF MARCO ISLAND NOR THE PLANNING BOARD SHALL BE RESPONSIBLE FOR PROVIDING THE RECORD.

## **(1) CALL TO ORDER**

## **(2) ROLL CALL**

**Present** 7 - Board Member Dahl, Board Member Issler, Board Member Vergo, Board Member Rola, Vice-Chair Bailey, Board Member Swartz, and Chair Babrowski

## **(3) PLEDGE OF ALLEGIANCE**

## **(4) APPROVAL OF THE AGENDA**

*Vice-Chair Bailey requested updating Board Member Dahl's names on the Agenda.*

*Member Dahl presented herself to the Planning Board.*

**MOTION by Vice-Chair Bailey, seconded by Board Member Swartz, that this Agenda be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:**

**Yes:** 7 - Board Member Dahl, Board Member Issler, Board Member Vergo, Board Member Rola, Vice-Chair Bailey, Board Member Swartz and Chair Babrowski

## **(5) COMMUNITY FORUM/PUBLIC COMMENT (TIME APPROXIMATELY 9:05 A.M.)**

*None.*

## **(6) BOARD ABSENCES**

*All Board Members who were present indicated that they would be present for the next Planning Board Meeting on December 4, 2020 except Board Member Rola*

## **(7) APPROVAL OF MINUTES**

**MOTION by Board Member Issler, seconded by Board Member Vergo, to Approve the October 2, 2020 Minutes. MOTION CARRIED BY THE FOLLOWING VOTE:**

**Yes:** 7 - Board Member Dahl, Board Member Issler, Board Member Vergo, Board Member Rola, Vice-Chair Bailey, Board Member Swartz and Chair Babrowski

[ID 20-1136](#) Approval of the Planning Board Meeting Minutes of October 2, 2020

## **(8) STAFF COMMUNICATIONS**

*Daniel Smith welcomed Member Dahl to the Planning Board. He continued by congratulating Member Rola on winning the City Council election.*

*Daniel Smith updated the Planning Board members on the December meeting agenda. Assistant living facility and the Fire station will be on the December agenda as well as the Marco Island Yacht Club, which will be coming in for a site plan approval and last will be Chase bank with some architectural changes.*

**(9) OLD BUSINESS**

- a. [ID 20-1121](#) RESOLUTION - Continued from the October 2, 2020 Planning Board Meeting - A Boat Dock Extension request (BD-20-000167) to extend a dock approximately 22-feet for a property located at 1071 Old Marco Ln., Marco Island, FL 34145.

*Mary Holden presented to the Planning Board a Boat Dock Extension request to extend the dock approximately 22-feet. Staff is recommending denial to this request. Because is a narrow area, and the protrusion does not meet the other dimensional requirements. They are required to have a setback of 10 feet, but they are showing 8 feet.*

*Member Issler asked if the request to this extension is due to low tied and water depth and believes that the property line is 5ft into the water.*

*Nancy Sciog with Collier Seawall & Dock mentioned that Mary Holden had made a statement that the setback left to right was 8 ft and 8 ft and she then stated that the measurements were corrected to 8ft and 11 ft as it was requested to meet the ordinance. She also showed the Planning Board members the water depth and stated that it is very shallow.*

**MOTION by Board Member Issler, seconded by Vice-Chair Bailey, to Approve Denial for this Boat Dock Extension request to extend approximately 22-feet for a property located at 1071 Old Marco Ln Marco Island, FL 34145. MOTION CARRIED BY THE FOLLOWING VOTE:**

**Yes:** 7 - Board Member Dahl, Board Member Issler, Board Member Vergo, Board Member Rola, Vice-Chair Bailey, Board Member Swartz and Chair Babrowski

- b. [ID 20-1138](#) DISCUSSION - Comprehensive Plan Update

*Mary Holden updated the Planning Board on the comprehensive plan and mentioned that they had the second base contract in place with the planning consultants and scheduling meetings. There is a community town hall scheduled for Saturday December 12, which will be taking place outdoors at Mackle Park.*

*Member Issler expressed his concerns on the meeting dates due to the holidays and suggested adding extra meetings to spend time on the Comprehensive Plan update*

**(10) NEW BUSINESS**

- a. [ID 20-1083](#) Approval of the 2021 Planning Board Meeting Schedule

*The Planning Board Members discussed the Approval of the 2021 Planning Board Meeting Schedule*

*Chair Babrowski suggested adding a second meeting for three months to discuss the Comprehensive Plan Business.*

**MOTION by Board Member Issler, seconded by Board Member Swartz, To Approve the 2021 Planning Board Meeting Schedule. MOTION CARRIED BY THE FOLLOWING VOTE:**

**Yes:** 7 - Board Member Dahl, Board Member Issler, Board Member Vergo, Board Member Rola, Vice-Chair Bailey, Board Member Swartz and Chair Babrowski

- b. [ID 20-1122](#) RESOLUTION - A Easement Vacation request (LV-20-000225) to vacate

a six-foot utility and drainage easements along each side of the common lot line of the property located at 481 Tarpon Ct. and 490 Tarpon Ct., Marco Island, FL 34145.

*Jason Smalley presented to the Planning Board members an Easement Vacation request to vacate a 6 foot utility and drainage easement along each side of the common lot of the property.*

*Member Rola wanted to clarify a point from the LCEC letter stating that there is an action due within 6 months for the approval and asked if the petitioner or the City is taking care of that.*

*Member Issler asked if there is any deed restriction against combining lots in the area.*

**MOTION by Vice-Chair Bailey, seconded by Board Member Swartz, to Approve this Easement Vacation request to vacate a six-foot utility and drainage easement along each side of the common lot line of the property located at 481 Tarpon Ct. and 490 Tarpon Ct Marco Island, FL 34145. MOTION CARRIED BY THE FOLLOWING VOTE:**

**Yes:** 7 - Board Member Dahl, Board Member Issler, Board Member Vergo, Board Member Rola, Vice-Chair Bailey, Board Member Swartz and Chair Babrowski

- c. [ID-20-1123](#) RESOLUTION - A Easement Vacation request (LV-20-000231) to vacate the six-foot utility and drainage easements along each side of the common lot line of a property located at 1711 Ludlow Rd., Marco Island, FL 34145.

*Jason Smalley presented to the Planning Board members an Easement Vacation request to vacate a 6 foot utility and drainage easement along each side of the common lot of the property.*

*Vice Chair Bailey had a questioned regarding the neighbors permission letters and asked if they were sent out. He also questioned if the ongoing construction was an issue.*

**MOTION by Vice-Chair Bailey, seconded by Board Member Issler, to Approve this Easement Vacation request to vacate a six-foot utility and drainage easement along each side of the common lot line of the property located at 1711 Ludlow Rd., Marco Island, FL 34145 Marco Island, FL 34145. MOTION CARRIED BY THE FOLLOWING VOTE:**

**Yes:** 7 - Board Member Dahl, Board Member Issler, Board Member Vergo, Board Member Rola, Vice-Chair Bailey, Board Member Swartz and Chair Babrowski

- d. [ID 20-1124](#) RESOLUTION - A Site Development Plan Amendment (SDP-19-001051) - Walkers Marina located at 1000 N. Barfield Dr., Marco Island, FL 34145

*Mary Holden presented to the Planning Board a Site Development Plan Amendment for Walkers Marina. They have submitted an application to reuse the Moose Lodge building. They will be making improvements to the building and will be removing asphalt in some areas, enlarging the entrance, re-striping the parking lot and updating landscape. Staff has reviewed and has recommended approval with three criterias.*

- 1) to remove the fence from the required landscape buffer adjacent to the right of way.*
- 2) removing the deviation notes from the plan because it is not really needed.*
- 3) making sure landscaping are matching each other.*

*Member Rola asked if it will be a hardship for this petitioner to conform with the updated land development code in the area of impervious and landscaping.*

*Mary Holden mentioned that it will be a hardship to the petitioner because the site is old, and it was*

*approved prior to the City being incorporated. The codes have changed.*

*Daniel Smith mentioned that this was a piece of property which had another parcel that had the landscaping and parking attached. After the site plan was approved, the owner split the parking lot area and sold it as a separate parcel. Now it is a building that has hardly any parking area. So, this has been a challenge as a redevelopment project.*

*Member Issler asked if they plan to put in swales to handle the runoff from the property.*

*Vice Chair Bailey is concerned with the storm water retention and questioned why they are not doing a little more to require the storm water.*

*Gina Green, engineer of the property, clarified that the site does not have water retention at all, and the asphalt protrudes into the right of way. It was removed and was brought into the property to make room for the landscape buffers. Along with that, they took 15 percent of the landscape buffers and gave a small swale that will intercept the runoff from the internal driveway and give it a better water quality.*

**MOTION by Vice-Chair Bailey, seconded by Board Member Issler, to Approve this Site Development Plan Amendment for Walkers Marina located at 1000 N. Barfield Dr., Marco Island, FL 34145 MOTION CARRIED BY THE FOLLOWING VOTE:**

**Yes:** 7 - Board Member Dahl, Board Member Issler, Board Member Vergo, Board Member Rola, Vice-Chair Bailey, Board Member Swartz and Chair Babrowski

**e. [ID 20-1126](#) RESOLUTION - A Site Development Plan Amendment (SDP-20-000237) Island Country Club located at 500 Nassau Rd., Marco Island, FL 34145**

*Mary Holden presented to the Planning Board a Site Development Plan Amendment for the Island Country Club. They are proposing to build a 260 SF addition to their tennis pro shop. Staff has reviewed and does not have any concerns with the proposed addition and is recommending approval with 3 conditions.*

*1) During the major remodel, the landscape plan will be reviewed for compliance with the LDC in conjunction with the forthcoming proposed major renovation of the clubhouse.*

*2) Prior to issuance of a certificate of occupancy for the improvements set forth in the Site Development Plan Amendment, the owner shall test and repair all potable water backflow devices for compliance with applicable regulations and standards.*

*3) Prior to issuance of a certificate of occupancy for the improvements set forth in the Site Development Plan Amendment, the owner shall obtain an individual permit for the subject property or provide a copy of the District minor modification/letter modification to the City's Storm Water Engineer.*

*Member Issler stated that on the 5th WHEREAS of the resolution had an incorrect address.*

*Martin Pickney, with American Engineering Consultant, mentioned that he believed that the 3rd condition was improperly worded since there is already an individual permit.*

**MOTION by Board Member Issler, seconded by Board Member Rola, to Approve this Site Development Plan Amendment for Island Country Club located at 500 Nassau Rd., Marco Island, FL 34145. MOTION CARRIED BY THE FOLLOWING VOTE:**

**Yes:** 7 - Board Member Dahl, Board Member Issler, Board Member Vergo, Board Member Rola, Vice-Chair Bailey, Board Member Swartz and Chair Babrowski

- f. [ID 20-1137](#) ORDINANCE - Land Development Code (LDC) amendment to Sec. 30-1009 (d)(5), to allow for Barbed wire, razor wire, spire tips, sharp objects or electricity charged fences for utility substations, sewage treatment plants, critical utility facility or similar use.

*Mary Holden presented to the Planning Board a code change to specifically address critical infrastructure to allow for barbed wire, razor wire, spire tips, sharp objects or electricity charged fences for utility substations, sewage treatment plants, critical utility facility or similar use.*

*Vice Chair Bailey suggested adding a definition for critical utility facility.*

*Member Issler asked if there is anything, they can do for businesspeople to be able to use fencing for their properties, so they do not have as much theft.*

*Daniel Smith mentioned that he did not find a definition for critical utility facility but putting the condition "City Manager or designee" will suffice. And as far as the fencing is concerned fencing is normally something you will see in an industrial area.*

**MOTION by Vice-Chair Bailey, seconded by Board Member Rola, to Approve Land Development Code Amendment to allow for barbed wire, razor wire, spire tips, sharp objects or electricity charged fences for utility substations, sewage treatment plants, critical utility facility or similar use. MOTION CARRIED BY THE FOLLOWING VOTE**

**Yes:** 7 - Board Member Dahl, Board Member Issler, Board Member Vergo, Board Member Rola, Vice-Chair Bailey, Board Member Swartz and Chair Babrowski

## **(11) BOARD COMMUNICATIONS**

*Member Issler congratulated Member Rola on his election to the Marco island City Council.*

*Chair Babrowski questioned Daniel Smith on the proposed changes for staff to have the ability to handle administrative and other items that must come before the planning board.*

*Daniel Smith mentioned that staff is planning on putting the proposal on the January meeting.*

## **(12) ADJOURN**

*There being no further business, the meeting adjourned at 10:55 A.M.*

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*Daisy Martinez, Administrative Technician*

NOTE: TWO OR MORE CITY COUNCILORS OR OTHER COMMITTEE MEMBERS MAY BE PRESENT