



Legislation Details (With Text)

File #: ID 21-1750 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 8/20/2021 **In control:** City Council
On agenda: 9/7/2021 **Final action:** 9/7/2021
Title: Ordinance - Second Reading - Rezone Petition (REZN-21-000112) Request to Rezone Property from C-1 to RSF-4 located at 1362 San Marco Road, Marco Island, FL 34145

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance 21-09, 2. Staff Report, 3. Application, 4. Written Response, 5. Deed

Date	Ver.	Action By	Action	Result
9/7/2021	1	City Council	Approved	Pass

Agenda Item: 11(c)	Prepared By: Daniel J. Smith, AICP, Director
Business: Ordinance - Second Reading	Department: Growth Management

Subject:

Ordinance - Second Reading - Rezone Petition (REZN-21-000112) Request to Rezone Property from C-1 to RSF-4 located at 1362 San Marco Road, Marco Island, FL 34145

BACKGROUND:

PROJECT DESCRIPTION:

The petition is to rezone 1362 San Marco Road from C-1 to RSF-4. Attached is the application, the applicant's written responses supporting their petition, and a copy of the 2009 Future Land Use map.

CITY COUNCIL SUMMARY

The proposed rezoning request was on the August 16, 2021, City Council for a first reading. There was discussion about density. After discussion, the Council voted 7-0 to pass first reading as presented. This is the same request as presented at the August 16, 2021, meeting.

PLANNING BOARD SUMMARY AND RECOMMENDATION

The Planning Board held a public hearing and considered this request at their August 6, 2021, meeting. There was minimal discussion and no public comments. The Planning Board voted 7-0 to forward a recommendation of approval to the City Council.

FUNDING SOURCE / FISCAL IMPACT:

Applicant has paid \$5,000.00 in applicable fees.

RECOMMENDATION:

STAFF RECOMMENDATION AND FINDINGS:

Staff recommends Planning Board approve this request based on the following findings:

1. The proposed rezoning to RSF-4 will bring the property into compliance with the Future Land Use map. Ord. 18-01 (online Comprehensive Plan not revised to reflect Ord. 18-01) revised the following objective and policy of the future Land Use Element that this request is consistent with:

Objective 1.1: New, revised, or redeveloped uses of land shall be consistent with the designations shown on the Future Land Use Map (FLUM) presented in Map 2A. The Future Land Use Map series, including Map 1, Map 2, and Map 2A and companion Future Land Use designations are hereby adopted as amended (2008) and revised (2017) and shall be binding on all development orders approved by the City of Marco Island. The Future Land Use Map series, including Maps 1, Map 2, and Map 2A is a visual representation of land use designations that are planned to reasonably occur within the prescribed short and long-range planning periods, between 2008 and 2013, and between 2013 and 2018, respectively, and in the case of Map 2A for the current and future periods.

Policy 1.1.1: The Marco Island Future Land Use Map (FLUM) series, including Maps 1, 2, and 2A, attached to this plan, incorporates the following Land Use designations, residential densities, and density incentive programs as allocated on Table 2.1. The current future land use designations are designated in Map 2A.

2. The FLUM designates this lot as low density residential.
3. This does not create an isolated district since the subject property abuts property currently zoned RSF-4.
4. The district boundaries are not illogically drawn in relation to existing conditions on the real property of the proposed rezone.
5. The rezone is appropriate since this property was originally zoned RSF-4.
6. The rezone will not adversely affect the neighborhood conditions since the neighborhood is primarily zoned RSF-4.
7. Changing from C-1 to RSF-4 will reduce potential traffic trips.
8. The rezone will not reduce light and air to adjacent areas since it will be single family, limited by the dimensional standards in our Land Development Code.
9. The rezone will not adversely affect the adjacent property values as it will be the same zoning as most of the adjacent properties.

10. The rezone will not be a deterrent to the development of adjacent properties.
11. The rezone will not grant a special privilege to this property.
12. The rezone is not out of scale with the needs of the neighborhood or city.
13. The rezone will not require any higher degree of site alterations then other sites to construct a single-family house.
14. The rezone will have no negative impact on the level of service.

CONDITIONS OF APPROVAL:

1. The sewer service is in the rear of this property. Utility easements will not be vacated.

POTENTIAL MOTION: Move to approve Ordinance 21-09.