



## Legislation Details (With Text)

**File #:** ID 19-391      **Version:** 1      **Name:**  
**Type:** Quasi-Judicial Public Hearings      **Status:** Tabled  
**File created:** 7/3/2019      **In control:** City Council  
**On agenda:** 7/15/2019      **Final action:** 7/15/2019  
**Title:** Variance Petition (VP-19-000921) - Appeal of an administrative decision disallowing new seawall cut-ins without a nautical garage conditional use for the property located at 672 Crescent Street, Marco Island, FL 34145

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution 19-26, 2. Exhibit A - FDEP Permit, 3. Staff Report, 4. Application, 5. Narrative, 6. Site Plan - Submitted 06 18 19, 7. Email Request for Adjacent Docks, 8. Additional Application Documents, 9. Staff Submitted Documents, 10. 14 Letters of Objection, 11. Email Correspondence - A, 12. Email Correspondence - B

Date	Ver.	Action By	Action	Result
7/15/2019	1	City Council	Approved	Pass

Agenda Item: 10	Prepared By: Daniel J. Smith, AICP, Director
Business: Resolution	Department: Growth Management

**Subject:**

Variance Petition (VP-19-000921) - Appeal of an administrative decision disallowing new seawall cut-ins without a nautical garage conditional use for the property located at 672 Crescent Street, Marco Island, FL 34145

### BACKGROUND:

The owners are requesting a variance to construct a 27-foot by 12-foot seawall cut-in (measuring to the back of the proposed seawalls) without a nautical garage. They are citing the lot configuration as their primary justification for the request. The applicant's application, written request for the variance, support information, and plans are attached to the staff report.

### FUNDING SOURCE / FISCAL IMPACT: N / A

### JUNE 7, 2019 PLANNING BOARD SUMMARY AND RECOMMENDATION

The Planning Board considered this request at their June 7, 2019 Planning Board meeting. The application was presented to the Planning Board with questions asked and answered of both Staff and the applicant. The public was invited to speak and two people spoke on behalf of the applicant and four residents spoke against the request. After the discussion and public input, a motion was made and seconded to approve the variance request that resulted in a tie vote (3-3). A second

motion was made and seconded to approve a smaller cut in that, also, resulted in a tie vote (3-3). No other motions were made, and the Planning Board is forwarding the requested variance to the City Council with no recommendation.

**POTENTIAL MOTION:** As deemed appropriate.