



## Legislation Text

File #: ID 19-247, Version: 1

Agenda Item: 10(b)	Prepared By: Daniel J. Smith, AICP, Director
Business: Conditional Use Request	Department: Growth Management

Subject:

Conditional Use Request (CUP-18-006284) for Construction of a Seawall Cut in / Nautical Garage for Property Located at 1224 Orange Court

### **BACKGROUND:**

Petitioner is requesting a Conditional Use to construct a nautical garage, including a seawall cut in to be located underneath a new two-story single-family residence proposed for 1224 Orange Court.

The property in question is a residential lot approximately 96' wide x 110' deep located in zoning district RSF-3 with a lot area of approximately 11,827 square feet. The previous structure has been demolished to make way for a new dwelling unit that includes five bedrooms and is approximately 5,796-square feet under roof. The new dwelling unit will span over the seawall cut in to create a boat lift/ nautical garage. The nautical garage is an integrated element of the structure.

**FUNDING SOURCE / FISCAL IMPACT:** Applicant has paid \$3,000.00 in fees.

### **PLANNING BOARD APRIL 5, 2019 SUMMARY AND RECOMMENDATION:**

The Planning Board discussed concerns about the proximity of the cut-in to neighboring properties and structures, and possible run-off into the canal from stormwater and fertilizers, applied to lawns. The Planning Board agreed that flushing is not an issue because of Orange Court's proximity to open water.

Some members believed that the sizes of homes with nautical garages are not conducive to the "small, resort island-feel" of the community, particularly the Orange Court neighborhood. Other members of the Planning Board felt that the discussion veered into designing the home, and that concerns over the aesthetics or size of the proposed structure were not valid reasons to deny the petition for the nautical garages.

Outcome: The Planning Board voted 3-2 with two members absent to recommend denial of the Conditional Use petition for 1224 Orange Ct., based on the finding that the requested use is not compatible with the City of Marco Island Comprehensive Plan.

**POTENTIAL MOTION:** Option 1. Move to uphold the recommendation of the Planning Board and deny the CUP-18-006284.

Option 2. Move to adopt Resolution 19-XX, overturning the recommendation of the Planning Board and approving CUP-18-006284, subject to conditions as stated in the Resolution.