RESOLUTION 08-11906

A RESOLUTION DETERMINING VARIANCE PETITION 07-V12 FROM SECTION 50-35 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, WHICH LIMITS THE NUMBER AND TYPE OF SIGNS FOR MULTI-TENANT PARCELS, IN ORDER TO PERMIT A SIGN BAND AND TWO TURRET WALL SIGNS IN LIEU OF UP TO 3 POLES OR GROUND SIGNS ALONG THE U.S. 41 FRONTAGE AT NAPLES BAY MARINA, LOCATED AT 1490-1540 5TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 50-35 of the Code of Ordinances of the City of Naples allows 3 pole or ground signs at 60 square feet in area each on properties exceeding 600 linear feet of frontage; and

WHEREAS, Basil Street Partners, LLC, is requesting a variance in order to incorporate two (2) ground signs at a maximum of 30 square feet each, one (1) turret wall sign with an area of 30 square feet, one (1) turret wall sign with an area of 40.16 square feet and four (4) sign areas along U.S. 41 at a maximum of 60 square feet each; and

WHEREAS, John M. Passidomo, Esq., agent for the petitioner, has been authorized by the owner to file this petition; and

WHEREAS, the petitioner has requested a variance from the sign regulations for property located at 1490-1540 5th Avenue South; and

WHEREAS, the Planning Advisory Board, following an advertised public hearing, considered public input, the recommendation of the staff, and the standards and guidelines of Subsection 46-37, "Variances," and recommended by a vote of 6 to 0 that Variance Petition 07-V12 be approved, finding that the criteria had been met; and

WHEREAS, after considering the recommendation of the Planning Advisory Board and after providing the petitioner, staff and the public an opportunity to present testimony and evidence, the City Council finds that the criteria set forth in Section 46-37 of the Land Development Code for variances have been met and that the petition should be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That Variance Petition 07-V12 is hereby granted from Subsection 50-35 of the Land Development Code of the City of Naples, which limits the number of multi-tenant signs in order to allow two (2) ground signs at a maximum of 30 square feet each, one (1) turret wall sign with an area of 30 square feet, one (1) turret wall sign with an area of 40.16 square feet and four (4) sign areas along U.S. 41 at a maximum of 60 square feet each, in accordance with a Unified Sign Plan for Naples Bay Resort, prepared by Architectural Network, revised December 12, 2007, as shown in the attached Exhibit A for property more fully described as;
A PARCEL OR TRACT OF LAND LYING IN THE SOUTHEAST QUARTER (SE ¼) OF SECTION 3, TOWNSHIP 50 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF SAID SECTION 3 RUN SOUTH 89°39'10" WEST 234.68 FEET ALONG THE SOUTH LINE OF SAID SECTION 3 TO THE SOUTHWESTERN RIGHT-OF-WAY LINE OF THE TAMIAI TRAIL FOR A POINT OF BEGINNING. THENCE FROM THE POINT OF BEGINNING RUN NORTH 58°43'50" WEST 1,150 FEET, MORE OR LESS, ALONG SAID SOUTHWESTERN RIGHT-OF-WAY LINE TO THE WATERS OF THE GORDON RIVER; THENCE SOUTHWESTERLY ALONG SAID WATERS TO THE SAID SOUTH LINE OF SECTION 3; THENCE 89°39'10" EAST 1,340 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Section 2. This resolution shall take effect immediately upon adoption.


[Signature]
Bill Barnett, Mayor

Attest:
Tara A. Norman, City Clerk

Approved as to form and legality:
Robert D. Pritt, City Attorney

Date filed with City Clerk: 1/30/08
EXHIBIT "A"
TENANT SIGNS

1. SINGLE TENANT SIGN

2. TWO TENANT SIGN

3. THREE TENANT SIGN

EXISTING OCCUPANCY CAST CONCRETE FLOOR BAND

1.7 Min
1.8 Max

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1.7 Min
1.8 Max

EXISTING OCCUPANCY CAST CONCRETE FLOOR BAND

1.7 Min
1.8 Max

SIGN MEAS.

TENANTS NOT TO EXCEED (6) TENANTS PER PERMITTEE. MAXIMUM NUMBER OF TENANTS PER MULTIPLE SIGNS OR LOGOS.

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LIGHT

STANDARD CHANNEL ALUMINUM SIGN

1. White Aluminum Sign

2. Black Aluminum Sign

3. All signs must contain the following lettering:

A) Glazed Through Lettering
B) White Acrylic Lettering
C) Black Acrylic Lettering
D) All signs must contain the following lettering:

REFERENCE DRAWINGS

ALL SIGNS MUST CONFORM TO THE

MEASUREMENTS & DRAWINGS. THE

APPROVED FLOOR PLAN MUST COMPARE TO THE

ACTION PLAN & SITE PLAN. ALL MEASUREMENTS MUST BE PRECISE.
BONEISH GRILL

16.66'

Day

Night