RESOLUTION 08-12112

WHEREAS, Section 56-91(b)(2) of the Code of Ordinances of the City of Naples limits the floor area of guest houses to 40 percent of the principal dwelling’s floor area on lots 30,000 square feet or greater; and

WHEREAS, Alfred and Lynne Shotwell are the owners of the property; and

WHEREAS, John M. Passidomo, petitioner’s agent, has been authorized by the owners to file this petition; and

WHEREAS, the petitioners have requested a variance from the maximum floor area requirement for guest houses in order to construct a guest house with a floor area that is approximately 77 percent of the floor area of the principal dwelling for the property located at 2215 South Winds Drive; 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 1 that Variance Petition 08-V6 be approved, finding that the criteria have 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 08-V6 is hereby granted from Subsection 56-91(b)(2) of the Code of Ordinances of the City of Naples, which limits the floor area of guest houses to 40 percent of the principal dwelling’s floor area on lots 30,000 square feet or greater in order to construct a guest house with a floor area that is approximately 77 percent of the principal dwelling’s floor area for the property located at 2215 South Winds Drive, more fully described in Exhibit “A” attached herein:

Section 2. This resolution shall take effect immediately upon adoption.
Resolution 08-12112


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: 7-22-08
A lot or parcel of land lying in Block 5 of the plat of the Philip G. Rust Development according to said plat recorded in Plat Book 1 at Page 74 of the Public Records of Collier County, Florida, which lot or parcel is described as follows:

From the NW corner of Section 15, Township 50 South, Range 25 East, run South along the West line of said Section for 350 feet; thence run East parallel to the North line of said Section for 585 feet; thence run South perpendicular to the North line of said Section 15 for 625 feet to the point of beginning of the land hereby conveyed. From said point of beginning run West parallel to said North line for 199.29 feet to the Easterly side of a street dedicated by instrument of dedication recorded in Deed Book 19 at Page 65 of the Public Records of Collier County; thence run Southerly to Westerly along said street on an arc of radius 35 feet the center of which arc is located 34.96 feet West and 1.56 feet South of the West end of the last mentioned course for 55.98 feet; thence run Southwesterly at an angle of 111 degrees, 30 minutes East to South with a line parallel to the North line of Section 15 for 108 feet, more or less, to the waters of the "Dredged Channel" shown on said plat; thence run Easterly along said waters to an intersection with a line through the point of beginning perpendicular to the North line of Section 15; thence run North along said line to the point of beginning, together with all riparian rights appurtenant thereto and together with the right of ingress and egress from the herein described parcel over and along the "Private Driveway" shown on said plat.