

RESOLUTION 98-35

A RESOLUTION PROVIDING FOR THE ESTABLISHMENT OF A CHURCH ADDITION CONDITIONAL USE "2" IN THE "RSF-4" ZONING DISTRICT PURSUANT TO SECTION 2.2.4.2 OF THE COLLIER COUNTY LAND DEVELOPMENT CODE FOR PROPERTY LOCATED IN SECTION 8, TOWNSHIP 42 SOUTH, RANGE 26 EAST, MARCO ISLAND, FLORIDA.

WHEREAS, the Legislature of the State of Florida established the Charter of the City of Marco Island in Chapter 97-367, Laws of Florida ("City Charter"); and

WHEREAS, the City pursuant thereto has adopted a Land Development Code (Ordinance No. 91-102) which includes a Comprehensive Zoning Ordinance establishing zoning regulations for the City, among which is the granting of Conditional Uses; and

WHEREAS, the Marco Island Planning Board, being the duly appointed and constituted planning board for the area hereby affected, has held a public hearing after notice as in said regulations made and provided, and has considered the advisability of Conditional Use "2" of Section 2.2.4.2 in a "RSF-4" Zone for a church addition on the property herein described, and has found as a matter of fact that satisfactory provision and arrangement have been made concerning all applicable matter required by said regulations and in accordance with Subsection 2.7.4.4 of the Land Development Code; and

WHEREAS, the Marco Island City Council acts as the City's Board of Zoning Appeals; and

WHEREAS, all interested parties have been given opportunity to be heard by this Board in a public meeting assembled and the Board having considered all matters presented.

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL ACTING AS THE BOARD OF ZONING APPEALS for Marco Island, Florida that:

The petition filed by Dan Dufault, representing Marco Church of God with respect to the property hereinafter described as:

Exhibit "B" which is attached hereto and incorporated by reference herein, be the same is hereby approved for Conditional Use "2" of Section 2.2.4.2. of the "RSF-4" Zoning District for a church addition in accordance with the Conceptual Master Plan (Exhibit "C") and subject to the following conditions:

Exhibit "D" which is attached hereto and incorporated by reference herein.

BE IT FURTHER RESOLVED that this Resolution be recorded in the minutes of this Board.

This Resolution adopted after motion, second and majority vote.  
Done this 7<sup>th</sup> day of December, 1998.

MARCO ISLAND CITY COUNCIL AS MARCO  
ISLAND BOARD OF ZONING APPEALS

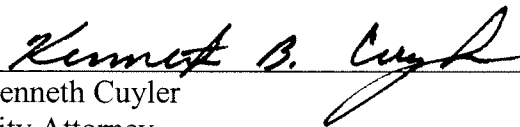
BY:   
DAVID E. BRANDT, CHAIRMAN

ATTEST:

Laura Litzan  
Deputy City Clerk

  
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Approved as to form and  
Legal Sufficiency:

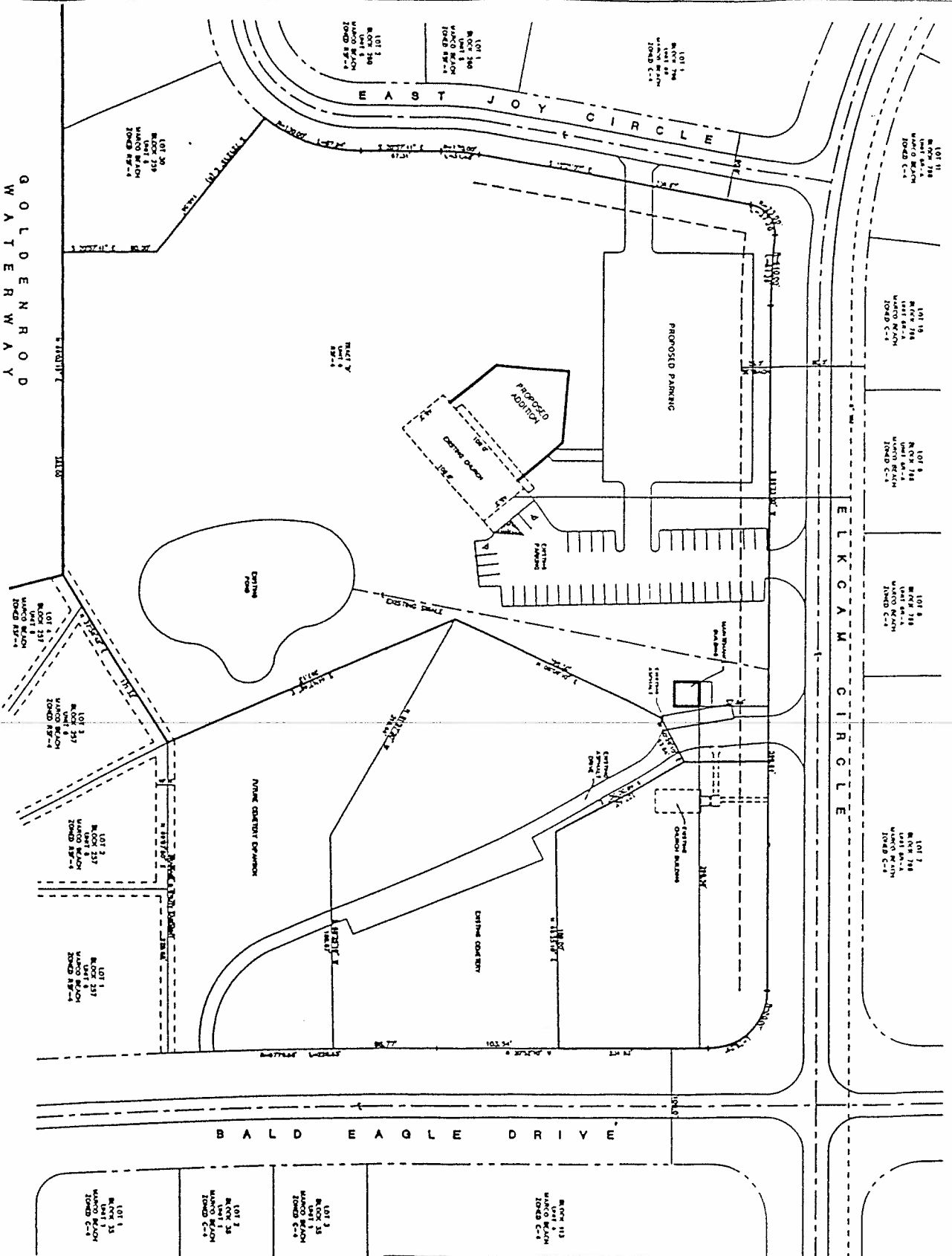
  
Kenneth Cuyler  
City Attorney

LEGAL DESCRIPTION:

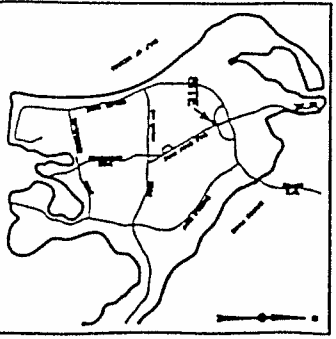
That part of Tract "D" in Marco Beach Unit Six, Situated in Section 8, Township 52 South, Range 26 East, Collier County, Florida, according to the Plat thereof Recorded in Plat Book 6, Page 48 of the Public Records of Collier County, Florida, being more particularly described as follows:

Commencing at the centerline intersection of Elkcam Circle and Bald Eagle Drive as shown on said Plat of Marco Beach Unit Six; Thence South 69 degrees 25 minutes 00 seconds West, along the centerline of Elkcam Circle, a distance of 300.08 feet; Thence leaving said centerline South 20 degrees 52 minutes 10 seconds East, a distance of 40.00 feet to the Southerly Right of Way line of Elkcam Circle and the Point of Beginning; Thence South 69 degrees 25 minutes 00 seconds West, along said Right of Way line, a distance of 398.34 feet to a point of curvature; Thence along a curve to the right having a Radius of 640.00 feet and an Arc length of 61.29 feet to a Point of curvature; Thence continuing along a curve to the left having a Radius of 25.00 feet and an Arc length of 37.20 feet to the easterly Right of Way line of East Joy Circle; Thence South 10 degrees 21 minutes 07 seconds East, along said Right of Way line, a distance of 236.87 feet to a point of curvature; Thence along a curve to the left having a Radius of 170.00 feet and an Arc length of 31.48 feet; Thence South 20 degrees 57 minutes 41 seconds East, along the easterly Right of Way line of East Joy Circle, a distance of 67.31 feet to a point of curvature; Thence Southwesterly along an arc of a curve to the right having a Radius of 130.00 feet and an Arc length of 87.94 feet to the most Northeasterly corner of Lot 30, Block 259, Marco Beach Unit Six as recorded in Plat Book 6, Page 50 of the Public Records of Collier County, Florida; Thence South 72 degrees 12 minutes 15 seconds East, a distance of 149.56 feet to the Northeast corner of Lot 30, Block 259, Marco Beach Unit Six; Thence South 20 degrees 57 minutes 41 seconds East, a distance of 80.00 feet to a point marked with a nail in an existing seawall; Thence North 69 degrees 02 minutes 19 seconds East, along said seawall, a distance of 282.00 feet to a point marked with a nail in the seawall, also known as the Northwest corner of Lot 4, Block 257, Marco Beach Unit Six as recorded in Plat Book 6, Page 50 of the Public Records of Collier County, Florida; Thence North 37 degrees 38 minutes 48 seconds East, a distance of 171.32 feet to the Northwest corner of Lot 2, Block 257, Marco Beach Unit Six, as recorded in Plat Book 6, Page 50 of the Public Records of Collier County, Florida; Thence North 44 degrees 47 minutes 46 seconds West, a distance of 267.13 feet; Thence North 05 degrees 09 minutes 10 seconds East, a distance of 196.50 feet; Thence North 40 degrees 29 minutes 10 seconds East, a distance of 43.54 feet; Thence North 20 degrees 52 minutes 10 seconds West, a distance of 69.90 feet to the Point of Beginning. Containing 6.0926 acres more or less in Collier County, Florida.

Exhibit B



AERIAL MAP



LOCATION MAP

NOTES: ALL DIMENSIONS ARE SUBJECT TO THE SURVEY RECORD OVERLAY INSTRUMENT.

# CHURCH OF GOD

GOLDER ROAD WATERWAY

AMERICAN ENGINEERING CONSULTANTS, INC.  
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 ...  
 ...

## CONCEPTUAL SITE PLAN FOR CONDITIONAL USE

## EXHIBIT D

1. Pursuant to Section 2.2.25.8.1. of the Land Development Code, if, during the course of site clearing, excavation or other construction activity an historic or archaeological artifact is found, all development within the minimum area necessary to protect the discovery shall be immediately stopped and the Collier County Code Enforcement Department contacted.
  2. An appropriate portion of native vegetation shall be retained on site as required in Section 3.9.5.5.4. of the Collier County Land Development Code.
  3. An exotic vegetation removal, monitoring, and maintenance (exotic free) plan for the site shall be submitted to Current Planning Environmental staff for review and approval prior to final site plan/construction plan approval.
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