

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 99 –30

A RESOLUTION PROVIDING CONDITIONAL USE APPROVAL FOR THE CONTINUATION OF A MODEL HOME IN THE “RSF-4-MIZO” ZONING DISTRICT PURSUANT TO SECTION 2.6.33.4.5 OF THE COLLIER COUNTY LAND DEVELOPMENT CODE FOR PROPERTY DESCRIBED AS LOT 1, BLOCK 780, MARCO BEACH UNIT 25 REPLAT, CITY OF 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 Charter provides that the Collier County Land Development Code in effect on August 28, 1997 (“Regulation”) shall remain in effect as the City of Marco Island’s transitional land development regulations; 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 approval for the continuation of a model home in an “RSF-4-MIZO” zoning district pursuant to Section 2.6.33.4.5 of the Collier County Land Development Code on property hereinafter described, and has found as a matter of fact (Exhibit “A”) that satisfactory provision and arrangement have been made concerning all applicable matters by said regulations and in accordance with subsection 2.7.4.4 of the Land Development Code for the Marco Island Planning Board; and

WHEREAS, all interested parties have been given an 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 BOARD OF ZONING APPEALS of Marco Island, Florida that:

The Petition CU-99-02 filed by Marv Needles as owner/agent of Flagship Development of C.C. Inc., with respect to the property hereinafter described as:

Lot 1, Block 780, Marco Beach Unit 25 Replat, Section 16, Township 52 South, Range 26 East, City of Marco Island, Florida.

be and the same is hereby approved for conditional use for the continuation of a model home in an “RSF-4-MIZO” zoning district pursuant to Section 2.6.33.4.5 of the Land

Development Code, in accordance with the conceptual master plan (Exhibit "B") and subject to the following condition:


1. This conditional use approval shall expire three (3) years from its date of adoption. Should the property owner wish to continue the approved use beyond three (3) years, the property owner shall reapply for another conditional use or comply with any applicable land development regulations at the time of expiration of this conditional use which may allow the continuation of this use as originally approved.

BE IT FURTHER RESOLVED that this Resolution relating to petition Number CU-99-02 be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.


This Resolution adopted after motion, second and majority vote.

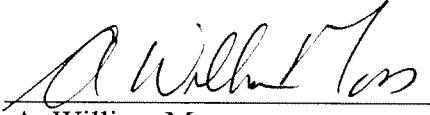
Done this 2nd day of July, 1999.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

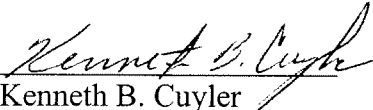
By: 
David Brandt, Chairman

ATTEST:


Laura Litzan
Deputy City Clerk


A. William Moss
City Manager

Approved as to Form and legality:


Kenneth B. Cuyler
City Attorney

**FINDING OF FACT BY
MARCO ISLAND PLANNING BOARD
FOR
A CONDITIONAL USE FOR
CU-99-02**

The following facts are found:

1. Section 2.6.33.4.5 of the Land Development Code authorized the conditional use.
2. Granting the conditional use will not adversely affect the public interest and will not adversely affect other property or uses in the same district or neighborhood because of:
 - a. Consistency with the Land Development Code & Growth Management Plan:
Yes No
 - b. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire catastrophe:
Adequate ingress & egress
Yes No
 - c. Affects neighboring properties in relation to noise, glare, economic or odor effects:
Compatible use within district
Yes No
 - d. Compatibility with adjacent properties and other property in the district:
Compatible use within district
Yes No

Based on the above findings, this conditional use should, with stipulations, (copy attached) (should not) be recommended for approval should.

Date: July 9

CHAIRMAN: [Signature]

MEMBER: _____

EXHIBIT "A"

**ROBINETTE AND EATON
LAND SURVEYING INC.**
3479 1E AVE. N.W., NAPLES, FL 34104
919-333-0088

FOR ALL AMERICAN HOMES OF SW FLORIDA
INC.

DESCRIPTION

LOT 1 BLOCK 780 REAR OF MARCO
BEACH UNIT TWENTY-FIVE AS RECORDED
IN PLAT BOOK 12 PAGES 84-89 OF THE
PUBLIC RECORDS OF COLLIER COUNTY
FLORIDA

CERTIFICATE

I HEREBY CERTIFY TO ALL PERSONS INTERESTED IN THIS
SURVEY.

THAT A SURVEY OF THE HEREON DESCRIBED
PROPERTY WAS MADE UNDER MY DIRECTION
AND TO THE BEST OF MY KNOWLEDGE AND
BELIEF MEETS THE MINIMUM TECHNICAL
STANDARDS AS PER CHAPTER 2200-18 FAC

[Signature]
P.L.S. ROBINETTE, P.E.
DATE

THIS CERTIFICATION IS ONLY FOR THE LANDS AS
DESCRIBED ABOVE.
IT IS NOT A CERTIFICATION OF TITLE, ZONING OR
FREEDOM OF ENCUMBRANCES.
THIS CERTIFICATION IS NOT VALID UNLESS SEALED
WITH THE EMBOSSED SEAL
ABSTRACT NOT REVIEWED.

- 0 - FOUND CONCRETE MONUMENT
- 0 - SET CONCRETE MONUMENT
- 0 - FOUND IRON PIN
- 0 - SET IRON PIN AT 5% OF 1/4" LAMP
- 0 - FOUND OR SET NAIL
- 0 - FOUND OR SET SMALL HOLE

REVISIONS Numbered in order of date

DATE OF SURVEY December 15, 2013

PAGE 1

SCALE 1" = 20'

DRAWN [Signature]

CHECKED [Signature]

FILE NO. 93-112

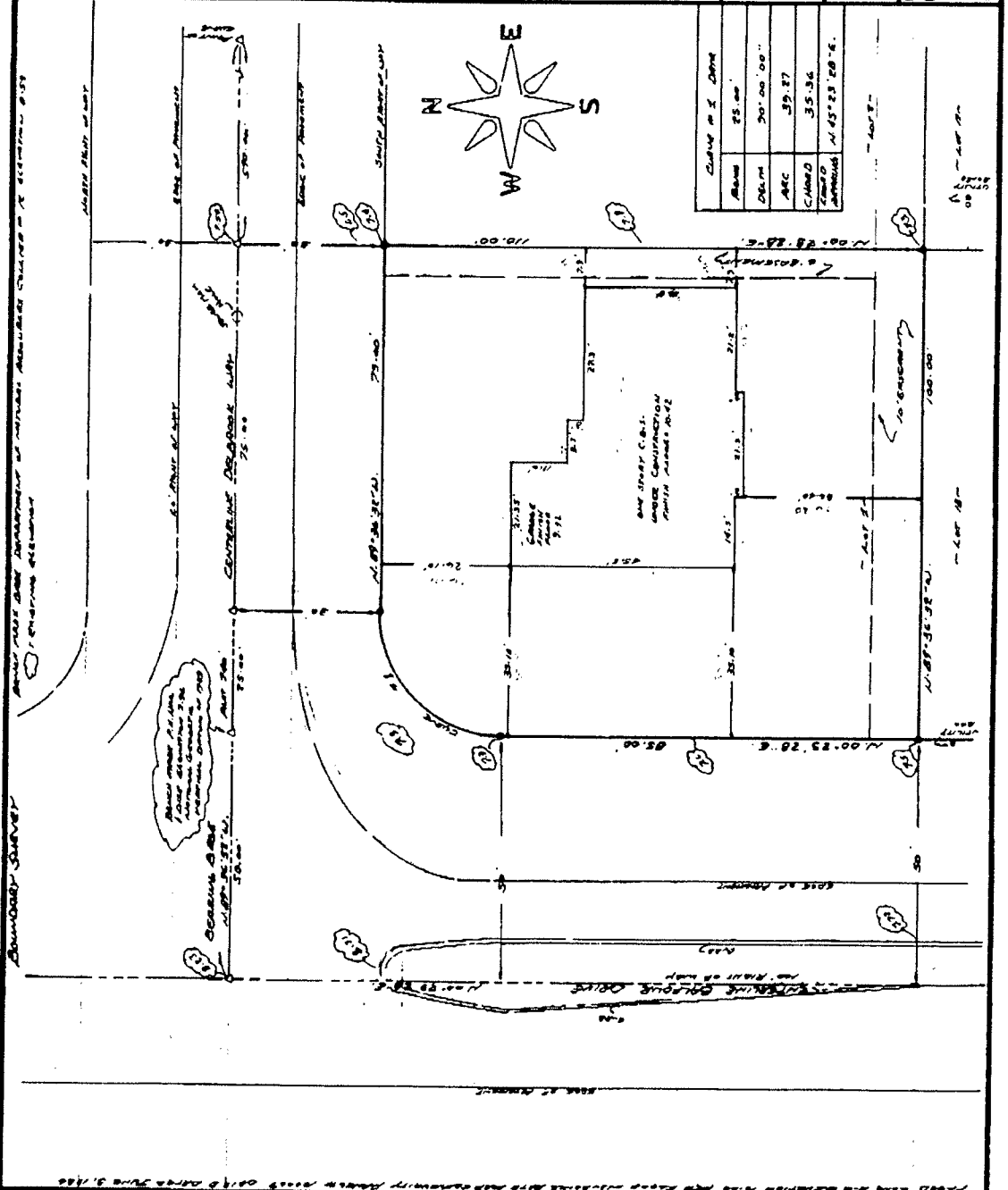


EXHIBIT "B"