

RESOLUTION 21-35

A RESOLUTION OF THE CITY OF MARCO ISLAND, FLORIDA APPROVING A SITE DEVELOPMENT PLAN (SDP 21-000156) FOR PROPERTY LOCATED AT 297 NORTH COLLIER BOULEVARD, LEGALLY DESCRIBED AS LOT 2, BLOCK 224 MARCO BEACH, UNIT SIX AS RECORDED IN PLAT BOOK 6, PAGE 47, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; PROVIDING DEFINITIONS; APPROVING THE SITE DEVELOPMENT PLAN; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR FAILURE TO COMPLY WITH APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article IX, Site Development and Site Development Plan Standards of the Marco Island Land Development Code (“LDC”) provides standards and regulations for the review and approval of site improvement plans; and

WHEREAS, 297 North Collier, LLC., a Florida Limited Liability Company, (“Owner/Developer”) submitted a Site Development Plan for the Development of a commercial structure at 297 North Collier Boulevard, Marco Island, Florida 34145 (the “Development”); and

WHEREAS, the City of Marco Island (“City”) staff has reviewed and recommend approval of SDP-21-000156; and

WHEREAS, the City’s Planning Board reviewed and recommended approval of the Site Development Plan on August 6, 2021; and

WHEREAS, the City Council does hereby approve the Site Development Plan SDP -21-000156, subject to the conditions of approval set forth in this Resolution.

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

SECTION 1. Recitals; Definitions.

(a) That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

(b) That as used herein, unless the context hereof, or City Code of Ordinances, requires to the contrary, the following terms will be defined as set forth below:

- (1) “Site Development Plan” includes:

- a. 8/23/2021 Sheets 1-8 of the Civil Plans by Robau & Associates.
- b. 7/29/2021 Sheets L1 & L2 & I1 & I2 of the Landscape/Irrigation Plans by Isaacson Landscape Architecture Plans Group
- c. Revised Sheets dated 8/10/2021 A1-A6 Architectural Plans by Thomas E. Killen

SECTION 2. Adoption. The Owner/Developer's Site Development Plan for the Subject Property is hereby approved. The Site Development Plan is approved subject to the following conditions of approval set forth in Section 3. of this Resolution.

SECTION 3. Conditions of Approval. The Site Development Plan is approved subject to the following conditions of approval:

1. Revise the Architectural Plans with materials that reflect Southwest Florida Vernacular style of architecture.
2. Revise exterior of the building to bring total ashlar/ rubble material to no more than 10-percent of the total façade area.

SECTION 4. Failure to Obtain Other Permits. That issuance of this approval by the City does not in any way create any right on the part of the Owner/Developer to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the approval if the Owner/Developer fails to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in the violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the Development on the Subject Property. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

SECTION 5. Failure to Adhere to Resolution. That failure to adhere to the approval terms and conditions contained in this Resolution shall be considered a violation of this Resolution and the City Code, and persons found violating this Resolution shall be subject to the penalties prescribed by the City Code, including but not limited to the revocation of any of the approval(s) granted in this Resolution and any other approvals conditioned on this approval. The Owner/Developer understands and acknowledges that it must comply with all other applicable requirements of the City Code before it may commence construction or operation, and that the foregoing approval in this Resolution may be revoked by the City at any time upon a determination that the Owner/Developer is in non-compliance with the City Code.

SECTION 6. Effective Date. That this Resolution shall take effect immediately upon adoption.


ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, this 16th day of August 2021.

ATTEST:



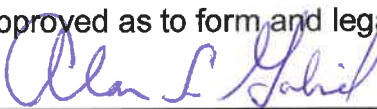
Laura Litzan, City Clerk

CITY OF MARCO ISLAND, FLORIDA

By: 

Jared Grifoni, Chairman

Approved as to form and legal sufficiency:



Alan L. Gabriel, City Attorney

