

RESOLUTION 23-34

A RESOLUTION OF THE CITY OF MARCO ISLAND, FLORIDA, APPROVING A SITE DEVELOPMENT PLAN 22-000216, FOR THE DEVELOPMENT KNOWN AS "E. RESIDENCES" LOCATED AT 711-731 S. COLLIER BLVD., MARCO ISLAND, FL.; MAKING FINDINGS; APPROVING THE SITE DEVELOPMENT PLAN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING FOR FAILURE TO OBTAIN OTHER DEVELOPMENT PERMITS; 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, the Owner/Developer submitted a Site Development Plan Application for the development of the project known as "E. Residences," located at 711-731 S. Collier Blvd., Marco Island, FL (SDP 22-000216); and

WHEREAS, as provided herein, and pursuant to the City's LDC, the City of Marco Island staff has reviewed and recommends approval of SDP 22-000216; and

WHEREAS, the Planning Board has reviewed the documentation presented, relevant evidence, and testimony, and found that SDP 22-000216 meets the requirements of Section 30-673(1-8) of the LDC; and

WHEREAS, on June 2, 2023, the City's Planning Board reviewed and recommended approval of the Site Development Plan, finding the Site Development Plan to be in compliance with applicable LDC regulations and to be consistent with the City's Comprehensive Plan, subject to conditions of approval; and

WHEREAS, the Planning Board does hereby approve the Site Development Plan SDP 22-000216 subject to the conditions of approval set forth in this resolution.

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

SECTION 1. Adoption. The Owner/Developer's Site Development Plans as provided in SDP 22-000216, as further listed below, for the Subject Property is hereby approved. The Site Development Plan is approved subject to the following conditions of approval set forth in Section 2 of this Resolution.

The following documents associated with SDP 22-000216, are hereby approved:

- Ground Floor Plan, Sheet NO A-100, Project 22003, revision dated 2/7/23 done by Alan J. Horwitz, AIA, LEED AP BD C FL License AR101841, containing 1 page.
- 1st & 2nd Floor Parking Plan, Sheet NO A-101, Project 22003, revision dated 3-28-23 done by Alan J. Horwitz, AIA, LEED AP BD C FL License AR101841 containing 1 page.
- 3rd & 4th Residential Floor Plans, Sheet A-102, Project 22003, revision dated 2/7/23 done by Alan J. Horwitz, AIA, LEED AP BD C FL License AR101841 containing 1 page.
- 4th Floor Concept Restaurant Layout, Sheet A-104, Project 22003, revision dated 2/7/23 done by Alan J. Horwitz, AIA, LEED AP BD C FL License AR101841 containing 1 page.
- Title Sheet, Sheet NO. T-001, Project 22003, revision dated 3/28/23 done by Alan J. Horwitz, AIA, LEED AP BD C FL License AR101841 containing 1 page.
- South & North Elevation Section, Sheet A-201, Project 22003, revision dated 3/28/23 done by Alan J. Horwitz, AIA, LEED AP BD C FL License AR101841 containing 1 page.
- West & East Elevation Section, Sheet A-200, Project 22003, revision dated 3/28/23 done by Alan J. Horwitz, AIA, LEED AP BD C FL License AR101841 containing 1 page.
- Roof Plan, Sheet A-103, Project 22003, revision dated 12-9-22 done by Alan J. Horwitz, AIA, LEED AP BD C FL License AR101841 containing 1 page.
- Site Development Plan for A proposed Mixed Use Development, E Residences-Marco Island, 711 & 731 S. Collier Blvd, Marco Island FL dated September 2022 and Revision date of 2-1-23 Prepared by American Engineering Consultants of Marco Island, INC and containing 9 pages.
- Set of plans containing 4 pages by eMerge Design, LLC, Jeffery S. Curl ASLA CLARB, FLA LIC LA#6666769, Project NO 2228, with a revision date of 2-7-23, titled E. Residences-Marco Island Exterior Lighting, E. Residences-Marco Island-Irrigation Plan, E. Residences-Marco Island-Landscape Plan, E. Residences-Marco Island-Landscape/Irrigation Notes, Details, and Specifications with a revision date of 12/12/22.

SECTION 2. Conditions of Approval. The Site Development Plan is approved subject to the following conditions of approval:

1. The Owner shall obtain approval of Conditional Use Permit 22-000218. If the Conditional Use Permit 22-000218 is not approved, the Site Development Plan 22-000216 is null and void.
2. The applicant shall provide a "lot full" sign for the parking garage.

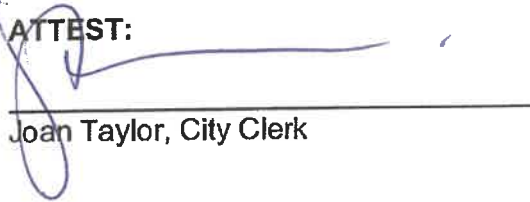
SECTION 3. Failure to Obtain Other Permits. That issuance of this approval by the City does not in any way create any right on the part of the Owner/Developer to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the approval if the 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 4. 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 5. Effective Date. That this Resolution shall take effect immediately upon adoption.

ADOPTED BY THE PLANNING BOARD OF THE CITY OF MARCO ISLAND, this 2nd day of June 2023.

ATTEST:



Joan Taylor, City Clerk

CITY OF MARCO ISLAND, FLORIDA

By: 

Jason Bailey, Chairman

Approved as to form and legal sufficiency:



David Tolces, Assistant City Attorney

