

1 CITY OF MARCO ISLAND

2
3 RESOLUTION NO. 24-_____

4
5 A RESOLUTION OF THE CITY OF MARCO ISLAND,
6 FLORIDA, APPROVING SITE DEVELOPMENT PLAN 24-
7 000104, FOR THE DEVELOPMENT KNOWN AS “MARCO
8 LUXE CAR STORAGE” TO BE DEVELOPED ON THE
9 PROPERTIES LOCATED AT 138,148,158, AND 168 S.
10 BARFIELD BLVD., MARCO ISLAND, FL.; MAKING
11 FINDINGS; APPROVING THE SITE DEVELOPMENT
12 PLAN; PROVIDING CONDITIONS OF APPROVAL;
13 PROVIDING FOR FAILURE TO OBTAIN OTHER
14 DEVELOPMENT PERMITS; PROVIDING FOR FAILURE TO
15 COMPLY WITH APPROVAL; AND PROVIDING AN
16 EFFECTIVE DATE.
17

18 WHEREAS, Article IX, Site Development and Site Development Plan Standards
19 of the Marco Island Land Development Code (“LDC”) provides standards and regulations
20 for the review and approval of site improvement plans; and
21

22 WHEREAS, Marco Luxe, LLC and Southbound Leasing, LLC, (the
23 “Owner/Developer”) of the Subject Property submitted a Site Development Plan
24 Application (SDP 24-000104) for the development of the project known as “Marco Luxe
25 Car Storage,” to be developed on the properties located at 138,148,158, and 168 S.
26 Barfield Blvd., Marco Island, FL (the “Subject Property”); and
27

28 WHEREAS, as provided herein, and pursuant to the City’s LDC, the City of Marco
29 Island staff has reviewed and recommends approval of SDP 24-000104; and
30

31 WHEREAS, the Planning Board has reviewed the documentation presented,
32 relevant evidence, and testimony, and found that SDP 24-000104 meets the requirements
33 of Section 30-673(1-8) of the LDC; and
34

35 WHEREAS, on October 4, 2024, the City’s Planning Board reviewed and
36 recommended approval of the Site Development Plan, finding the Site Development Plan
37 to be in compliance with applicable LDC regulations and to be consistent with the City’s
38 Comprehensive Plan, subject to conditions of approval; and
39

40 WHEREAS, the Planning Board does hereby approve the Site Development Plan
41 SDP 22-000104 subject to the conditions of approval set forth in this resolution.
42

43 NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE
44 CITY OF MARCO ISLAND, FLORIDA:
45

46 **SECTION 1. Adoption.** The Owner/Developer's Site Development Plans as
47 provided in SDP 22-000104, as further listed below, for the Subject Property is hereby
48 approved. The Site Development Plan is approved subject to the following conditions of
49 approval set forth in Section 2 of this Resolution.

50
51 The following documents associated with SDP 22-000104, are hereby approved:

- 52
- 53 • Civil Plans, Sheets 1 through 8 by Blair A Foley, revision dated July 24
54 and digitally stamped on 7/9/2024.
- 55 • Landscape Plans, Sheets L-2 and L-2 by Jeffrey G. Moore, revision date
56 of June 2024 and digitally stamped on 7/1/2024.
- 57 • Floor and elevation plans, Sheets 6-9 by Sheeley Architects dated
58 6/17/24.
- 59

60 **SECTION 2. Conditions of Approval.** The Site Development Plan is approved
61 subject to the following condition of approval:

- 62
- 63 1. The Owner shall obtain approval of Conditional Use Permit 24-000055. If the
64 Conditional Use Permit 24-000055 is not approved, the Site Development Plan 24-
65 000104 shall be null and void.
- 66

67 **SECTION 3. Failure to Obtain Other Permits.** That issuance of this approval by
68 the City does not in any way create any right on the part of the Owner/Developer to obtain
69 a permit from a state or federal agency and does not create any liability on the part of the
70 City for issuance of the approval if the Owner/Developer fails to obtain the requisite
71 approvals or fulfill the obligations imposed by a state or federal agency or undertakes
72 actions that result in the violation of state or federal law. All applicable state and federal
73 permits must be obtained before commencement of the Development on the Subject
74 Property. This condition is included pursuant to Section 166.033, Florida Statutes, as
75 amended.

76
77 **SECTION 4. Failure to Adhere to Resolution.** That failure to adhere to the
78 approval terms and conditions contained in this Resolution shall be considered a violation
79 of this Resolution and the City Code, and persons found violating this Resolution shall be
80 subject to the penalties prescribed by the City Code, including but not limited to the
81 revocation of any of the approval(s) granted in this Resolution and any other approvals
82 conditioned on this approval. The Owner/Developer understands and acknowledges that
83 it must comply with all other applicable requirements of the City Code before it may
84 commence construction or operation, and that the foregoing approval in this Resolution
85 may be revoked by the City at any time upon a determination that the Owner/Developer
86 is in non-compliance with the City Code.

87
88 **SECTION 5. Effective Date.** That this Resolution shall take effect immediately
89 upon adoption.

91 ADOPTED BY THE PLANNING BOARD OF THE CITY OF MARCO ISLAND, this ____
92 day of _____, 2024.

93
94 CITY OF MARCO ISLAND, FLORIDA

95
96 By: _____
97 Jason Bailey, Chairman

98 ATTEST:

99
100
101 By: _____
102 City Clerk

103
104 Reviewed for legal sufficiency:

105
106
107 By: _____
108 David N. Tolces, Asst. City Attorney