

# **CITY OF MARCO ISLAND**

A RESOLUTION OF THE CITY OF MARCO ISLAND,  
FLORIDA APPROVING A CONDITIONAL USE TO ALLOW  
CONSTRUCTION OF AN RECREATIONAL VEHICLE  
GARAGE AT 839 INLET DRIVE, MARCO ISLAND,  
FLORIDA; MAKING FINDINGS; PROVIDING FOR  
CONDITIONS OF APPROVAL; AND PROVIDING AN  
EFFECTIVE DATE.

**WHEREAS**, pursuant to Section 30-64 of the City of Marco Island (“City”) Land Development Code (“LDC”), the City’s Growth Management staff has reviewed and recommended approval of a conditional use for 389 Inlet Drive, Marco Island, Florida (the “Subject Property”) pursuant to Section 30-84(7) of the LDC, for construction of a recreational vehicle garage; and

**WHEREAS**, the Craig and Edith Rose, the Owner/Developer, submitted a single-family home building permit SF-20-07747 for the Development of the Subject Property; and

**WHEREAS**, the proposed Conditional Use is compatible with adjacent properties and not adversely affect the public interest; and

**WHEREAS**, the proposed Conditional Use is consistent with the Comprehensive Plan; and

**WHEREAS**, the proposed Conditional Use would not negatively impact the traffic flows into, and off the site considering that the design of the driveway serving the proposed RV garage is straight and would require very little maneuvering to safely and quickly enter the home; and

**WHEREAS**, the proposed Conditional Use will meet all single-family home requirements and will not change the character of the neighborhood or community as a whole and

**WHEREAS**, City staff has reviewed and recommend approval of CUP-21-000024; and

**WHEREAS**, the City's Planning Board has reviewed and recommended approval of the Conditional Use 21-000024; and

44                   **WHEREAS**, the City Council finds that the Conditional Use petition meets the  
45 requirements of the City of Marco Island Code of Ordinances and should be approved,  
46 subject to the conditions of approval set forth in this Resolution.

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

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51                   **SECTION 1. Recitals.** That the foregoing "WHEREAS" clauses are ratified  
52 and confirmed as being true and correct and are made a specific part of this Resolution.

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54                   **SECTION 2. Adoption and Approval.** The Conditional Use Permit CUP-  
55 21-000024 for the Subject Property is hereby approved, subject to the conditions in  
56 Section 3. of this Resolution.

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58                   **SECTION 3. Conditions of Approval.** Approval of the Conditional Use Permit  
59 CUP-21-000024 for the Subject Property is granted subject to the following conditions of  
60 approval:

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62                   a. The Conditional Use approval is valid for two (2) years from the time of the  
63 effective date of this Resolution.

64                   b. Approval of the conditional use is based on the approval of SF-20-07747.

65                   c. The Owner/Developer is required to resubmit construction documents to the  
66 City of Marco Island Building Department for review and approval. Plans must  
67 address all staff review comments.

68                   d. Pursuant to Section 30-84(7) of the LDC the approved garage door height of  
69 fourteen (14) feet and a width of sixteen (16) feet is approved, any changes to  
70 those dimensions have not been approved.

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72                   **SECTION 4. Development Permit does not grant a vested right.** The issuance  
73 of this approval and Development Permit as defined in Section 163.3164, Fla.Stat., by  
74 the City does not in any way create any right on the part of the Owner/Developer to obtain  
75 a permit from a state or federal agency and does not create any liability on the part of the  
76 City for issuance of the approval if the Owner/Developer fails to obtain the requisite  
77 approvals or fulfill the obligations imposed by a state or federal agency or undertakes  
78 actions that result in the violation of state or federal law. All applicable state and federal  
79 permits must be obtained before commencement of the Development as authorized  
80 herein. This condition is included pursuant to Section 166.033, Florida Statutes, as  
81 amended.

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83                   **SECTION 5. Failure to Comply With Resolution.** That failure to adhere to the  
84 Conditional Use approval and the approval terms and conditions contained in this  
85 Resolution shall be considered a violation of this Resolution and the City Code, and  
86 persons found violating this Resolution shall be subject to the penalties prescribed by the  
87 City Code. The Owner/Developer understands and acknowledges that it must comply  
88 with all other applicable requirements of the City Code before they may commence  
89 construction or operation, and that the foregoing approval in this Resolution may be

90 revoked by the City at any time upon a determination that the Owner/Developer is in non-  
91 compliance with the City Code.

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93 **SECTION 6. Effective Date.** This Resolution shall be effective immediately upon  
94 adoption.

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96 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, this \_\_\_\_\_ day  
97 of \_\_\_\_\_, 20\_\_\_.

98 CITY OF MARCO ISLAND, FLORIDA  
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100  
101 By: \_\_\_\_\_  
102 Jared Grifoni, Chairman

103 ATTEST:

104  
105 By: \_\_\_\_\_  
106 Laura M. Litzan, City Clerk

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108 Reviewed for legal sufficiency:

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111 By: \_\_\_\_\_  
112 Alan L Gabriel, City Attorney  
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