

1 CITY OF MARCO ISLAND

2
3 RESOLUTION NO. 24-____

4
5 A RESOLUTION OF THE CITY OF MARCO ISLAND,
6 FLORIDA APPROVING CONDITIONAL USE PERMIT CUP
7 23-000444 FOR THE CONSTRUCTION OF A
8 RECREATIONAL VEHICLE GARAGE AT 951 SCOTT
9 DRIVE, MARCO ISLAND, FLORIDA; MAKING FINDINGS;
10 PROVIDING FOR CONDITIONS OF APPROVAL; AND
11 PROVIDING AN EFFECTIVE DATE.
12

13 WHEREAS, pursuant to Section 30-64 of the City of Marco Island (“City”) Land
14 Development Code (“LDC”), the City’s Growth Management staff has reviewed and
15 recommended approval of a conditional use for 951 Scott Drive, Marco Island, Florida
16 (the “Subject Property”) pursuant to Section 30-84(7) of the LDC, for the construction of
17 a recreational vehicle garage at the Subject Property (the “Conditional Use”); and
18

19 WHEREAS, Eran Wajswol and Debra Van Sickle-Wajswol, the Owners, submitted
20 a Conditional Use Permit Application for an RV Garage at 951 Scott Drive, Marco Island,
21 Florida, (the “Subject Property”); and
22

23 WHEREAS, the proposed addition will meet the requirements of the City’s LDC,
24 will not adversely affect the public interest, and the property owners have submitted the
25 required documentation to proceed with their application; and
26

27 WHEREAS, the Goals section of the Comprehensive Plan’s *Future Land Use*
28 *Element* calls for “Enhance[ment]...” of Marco Island’s “...tropical small town and resort
29 character...” which can be considered to be served by providing the homeowner the
30 ability to store a large vehicle, outside of the view of the neighbors, while retaining the
31 existing aesthetics of the area. The Comprehensive Plan and LDC seeks to reduce visual
32 clutter from having large vehicles parked in the driveway, or within view of the wider
33 community and the City Council has allowed for a process to request these larger doors
34 to accommodate citizens’ RVs; and
35

36 WHEREAS, the design provides for an extended into the proposed RV garage;
37 and
38

39 WHEREAS, the RV garage has been designed to integrate with the structure
40 under construction and other homes in the neighborhood; and
41

42 WHEREAS, the proposed RV garage is designed and oriented appropriately for
43 the single-family district; and
44

45
46 **WHEREAS**, City staff has reviewed and recommends approval of Conditional Use
47 Permit CUP-23-000444; and
48

49 **WHEREAS**, the City’s Planning Board has reviewed the application, and on April
50 5, 2024, recommended approval of Conditional Use Permit CUP-23-000444; and
51

52 **WHEREAS**, the City Council finds that the Conditional Use petition meets the
53 requirements of the City of Marco Island Code of Ordinances and should be approved,
54 subject to the conditions of approval set forth in this Resolution.
55

56 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY**
57 **OF MARCO ISLAND, FLORIDA:**
58

59 **SECTION 1. Recitals.** That the foregoing “WHEREAS” clauses are ratified
60 and confirmed as being true and correct and are made a specific part of this Resolution.
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62 **SECTION 2. Adoption and Approval.** That the Conditional Use Permit CUP-
63 23-000444 for the Subject Property is hereby approved, subject to the conditions in
64 Section 3 of this Resolution.
65

66 **SECTION 3. Conditions of Approval.** That the approval of the Conditional
67 Use Permit CUP-23-000444 for the Subject Property is granted subject to the following
68 conditions of approval:
69

- 70 a. The proposed recreational vehicle garage must comply with
71 the dimensional standards for the RSF-3 district.
- 72 b. The parking, storage and use of the recreational vehicle shall
73 conform to Land Development Code regulations pertaining to
74 recreational vehicles [Sec. 30-1007(b)].
75

76 **SECTION 4. Development Permit does not grant a vested right.** The issuance
77 of this approval and Development Permit as defined in Section 163.3164, Fla. Stat., by
78 the City does not in any way create any right on the part of the Owner/Developer to obtain
79 a permit from a state or federal agency and does not create any liability on the part of the
80 City for issuance of the approval if the Owner/Developer fails to obtain the requisite
81 approvals or fulfill the obligations imposed by a state or federal agency or undertakes
82 actions that result in the violation of state or federal law. All applicable state and federal
83 permits must be obtained before commencement of the Development as authorized
84 herein. This condition is included pursuant to Section 166.033, Florida Statutes, as
85 amended.
86

87 **SECTION 5. Failure to Comply With Resolution.** That failure to adhere to the
88 Conditional Use approval and the approval terms and conditions contained in this
89 Resolution shall be considered a violation of this Resolution and the City Code, and
90 persons found violating this Resolution shall be subject to the penalties prescribed by the

91 City Code. The Owner/Developer understands and acknowledges that it must comply
92 with all other applicable requirements of the City Code before they may commence
93 construction or operation, and that the foregoing approval in this Resolution may be
94 revoked by the City at any time upon a determination that the Owner/Developer is in non-
95 compliance with the City Code.

96
97 **SECTION 6. Effective Date.** This Resolution shall be effective immediately upon
98 adoption.

99
100 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, THIS ____ day
101 of _____, 2024.

102 CITY OF MARCO ISLAND, FLORIDA

103
104
105 By: _____
106 Jared Grifoni, Chair

107 ATTEST:

108
109 By: _____
110 Joan Taylor, City Clerk

111 Reviewed for legal sufficiency:

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113
114
115 By: _____
116 Alan L Gabriel, City Attorney