

CITY OF MARCO ISLAND

RESOLUTION NO. 25-_____

A RESOLUTION OF THE CITY OF MARCO ISLAND PLANNING BOARD, APPROVING A SITE DEVELOPMENT PLAN AMENDMENT (SDP 24-000246) SUBMITTED BY RDA CONSULTING ENGINEERS, FOR THE PROPERTY OWNED BY THE UNITED CHURCH OF MARCO ISLAND, INC., LOCATED AT 750 AND 760 BALD EAGLE DRIVE, MARCO ISLAND, FLORIDA; MAKING FINDINGS; APPROVING THE SITE DEVELOPMENT PLAN AMENDMENT; PROVIDING CONDITIONS OF APPROVAL; PROVIDING FOR FAILURE TO COMPLY WITH APPROVAL; PROVIDING FOR FAILURE TO OBTAIN OTHER PERMITS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article IX, Site Development Plan, Site Development Plan Amendment, and Site Improvement Plan submittal requirements of the Marco Island Land Development Code provides standards and regulations for the review and approval of site development plan amendments; and

WHEREAS, RDA Consulting Engineers (the “Developer”), on behalf of the United Church of Marco Island (the “Owner”), submitted a Site Development Plan Amendment for the development of the property located at 750 and 760 Bald Eagle Drive, Marco Island, Florida (the “Subject Property”); and

WHEREAS, the City of Marco Island staff has reviewed the Site Development Plan Amendment, and recommends approval of SDP-24-000246; and

WHEREAS, the City’s Planning Board reviewed the Site Development Plan Amendment 24-000194246 at its public meeting held on July 11, 2025, finds that it meets the City’s Land Development Code requirements, and therefore approves the Site Development Plan Amendment, subject to conditions as provided herein.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD 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) “City” means the City of Marco Island, a Florida Municipal Corporation.

- (2) "Development" is defined as set forth in Section 163.3164, Florida Statutes.
- (3) "Development Permit" is defined as set forth in Section 163.3164, Florida Statutes.
- (4) "Land Development Code" or "LDC" means the Land Development Code which consists of Chapter 30, Code of Ordinances of the City of Marco Island.
- (5) "Owner" United Church of Marco Island, Inc., and their respective successors and assigns, as owners of the Subject Property.
- (6) "Developer" RDA Consulting Engineers, as developers of the Subject Property.
- (6) "Site Development Plan" means: the following:

The seven (7) page document titled "Bargain Basket Marco Island", prepared by Grady Minor, dated 11-4-2024 with a project number of VLABB-SDP-COV.DWG

The eight (8) page document titled "Bargain Basket Marco Island" prepared by RDA Consulting Engineer's, dated 4-16-2025, with a project number of RDA250152 with the Marco Island Fire Rescue stamp (These plans are for Fire Code purposes only).

The twenty-four (24) page document titled Addition and Alterations to the Bargain Basket, prepared by Victor J. Latavish, AIA, dated 6-16-2025, with a project number of 24-680.

The four (4) page document titled Landscape Plans, prepared by Richard P. Chalupa, RLA, dated September 2024, and digitally signed November 4, 2024.

- (7). "Subject Property" means the following described parcels of land, lying, situate and being in the State of Florida, County of Collier, City of Marco Island, to-wit:

750 Bald Eagle Drive
Marco Island, FL 34145
Marco Beach, Unit 11, Replat Block 782, Lots 22 and 23
Property ID #: 57991200001

(Said Legal Description has neither been reviewed nor examined by the City, Weiss Serota Helfman Cole & Bierman, P.L., Alan Gabriel, Esq., or David N. Tolces, Esq.)

SECTION 2. Adoption. The City of Marco Island Planning Board finds that the Owner/Developer's Site Development Plan Amendment (SDP-24-000246) for the Subject Property meets the requirements of the City's LDC, and is hereby approved subject to the conditions set forth herein:

1. Prior to site work on the vacant lot, a listed species survey is required. If any listed species are present, a DEP permit will need to be obtained for removal, if the listed species is required to be removed. In that instance, a site inspection will be required.
2. Add traffic control signs and pavement markings to show traffic flow.
3. A separate right-of-way permit is required for any work with the right-of-way.
4. Project must meet all applicable codes at time of submission for a building permit.
5. Signs are not part of this approval.
6. If there are utility easements, they must be vacated prior to a building permit is issued.
7. Record a unity of title, if not done so already, and provide a copy to the City.
8. The companion variance petition must be approved in conjunction with approval of this SDP. Otherwise, the SDP approval is null and void.

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. 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 ____ day of _____, 2025.

CITY OF MARCO ISLAND, FLORIDA

By: _____
Jason Bailey, Chairman

ATTEST:

By: _____
Joan Taylor, City Clerk

Reviewed for legal sufficiency:

By: _____
David N. Tolces, Assistant City Attorney