

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
7 AMENDMENT 24-000200, FOR THE EXISTING
8 STRUCTURE AT 287 N. COLLIER BLVD., MARCO
9 ISLAND, FL; MAKING FINDINGS; APPROVING THE SITE
10 DEVELOPMENT PLAN AMENDMENT; PROVIDING
11 CONDITIONS OF APPROVAL; PROVIDING FOR FAILURE
12 TO OBTAIN OTHER DEVELOPMENT PERMITS;
13 PROVIDING FOR FAILURE TO COMPLY WITH
14 APPROVAL; AND PROVIDING AN EFFECTIVE DATE.
15

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

20 WHEREAS, Oliverio Investment and Consulting INC., (the “Owner/Developer”) of
21 the Subject Property submitted a Site Development Plan Amendment Application (SDP
22 24-000200) for the development of three (3), two-bedroom residential units located at 287
23 N. Collier Blvd., Marco Island, FL (the “Subject Property”); and
24

25 WHEREAS, as provided herein, and pursuant to the City’s LDC, the City of Marco
26 Island staff has reviewed the Application, reviewed the City’s LDC, and recommends
27 approval of SDP 24-000200; and
28

29 WHEREAS, the Planning Board has reviewed the documentation presented,
30 relevant evidence, and testimony, and found that SDP 24-000200 meets the requirements
31 of Section 30-673(1-8) of the LDC; and
32

33 WHEREAS, on December 6, 2024, the City’s Planning Board reviewed and
34 recommended approval of the Site Development Plan, finding the Site Development Plan
35 to be in compliance with applicable LDC regulations and to be consistent with the City’s
36 Comprehensive Plan, subject to conditions of approval; and
37

38 WHEREAS, the Planning Board does hereby approve the Site Development Plan
39 SDP 22-000200 subject to the conditions of approval set forth in this resolution.
40

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

44 **SECTION 1. Adoption.** Pursuant to compliance with the City of Marco Island Land
45 Development Code, the Owner/Developer's Site Development Plans as provided in SDP
46 22-000200, as further listed below, for the Subject Property is hereby approved. The Site
47 Development Plan is approved subject to the following conditions of approval set forth in
48 Section 2 of this Resolution.

49
50 The following documents associated with SDP 22-000104, are hereby approved:

- 51
52 • Civil Plans, Sheets 1 through 4 by Emilio J. Robau, Dated 11/14/24,
53 titled 287 N. Collier Insubstantial Change Plans

54
55 **SECTION 2. Conditions of Approval.** The Site Development Plan as provided in
56 SDP 22-000104 is approved subject to the following condition of approval:

- 57
58 1. SDP 24-000200 is conditioned on the approval of CUP 24-000202. If
59 the CUP is not approved, this application, and approval, is null and void.
- 60 2. The Off Street Parking Lease and Pedestrian Interconnect Agreement
61 be recorded with Collier County and a copy of the recorded document
62 provided to Staff.
- 63 3. The hatched asphalt area located next to parking space # 40 on 287 N.
64 Collier Blvd., is turned into a landscaped area.
- 65 4. Show landscape plant material, pursuant to the LDC, in the five-foot
66 landscape buffer between the rear of the building and the parking
67 spaces.
- 68 5. Provide detail and type of landscape plant material being installed.
- 69 6. For informational purposes, the following approvals for 297 N. Collier
70 Blvd., which are SDP-21-000156, SDPA-21-000293, VP-21-000309,
71 and SDPA-21-0000456, remain in effect and no changes have been
72 approved by this application.
- 73 7. Should the vacant space on the first floor of the building be utilized for
74 any use other than storage for the nail salon, then parking requirements
75 will be assessed based on the use.

76
77 **SECTION 3. Failure to Obtain Other Permits.** That issuance of this approval 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 on the Subject
84 Property. This condition is included pursuant to Section 166.033, Florida Statutes, as
85 amended.

87 **SECTION 4. Failure to Adhere to Resolution.** That failure to adhere to the
88 approval terms and conditions contained in this Resolution shall be considered a violation
89 of this Resolution and the City Code, and persons found violating this Resolution shall be
90 subject to the penalties prescribed by the City Code, including but not limited to the
91 revocation of any of the approval(s) granted in this Resolution and any other approvals
92 conditioned on this approval. The Owner/Developer understands and acknowledges that
93 it must comply with all other applicable requirements of the City Code before it may
94 commence construction or operation, and that the foregoing approval in this Resolution
95 may be revoked by the City at any time upon a determination that the Owner/Developer
96 is in non-compliance with the City Code.

97
98 **SECTION 5. Effective Date.** That this Resolution shall take effect immediately
99 upon adoption.

100
101 ADOPTED BY THE PLANNING BOARD OF THE CITY OF MARCO ISLAND, this ____
102 day of _____, 2024.

103
104 CITY OF MARCO ISLAND, FLORIDA

105
106 By: _____
107 Jason Bailey, Chairman

108 ATTEST:

109
110
111 By: _____
112 Joan Taylor, City Clerk

113
114 Reviewed for legal sufficiency:

115
116
117 By: _____
118 David N. Tolces, Asst. City Attorney