

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 24-000089 FOR THE CONSTRUCTION OF A  
8 RECREATIONAL VEHICLE GARAGE AT 1960 SAN  
9 MARCO ROAD, MARCO ISLAND, FLORIDA; MAKING  
10 FINDINGS; PROVIDING FOR CONDITIONS OF  
11 APPROVAL; AND 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 1960 San Marco Road, Marco Island,  
16 Florida (the “Subject Property”) pursuant to Section 30-84(7) of the LDC, for the  
17 construction of a recreational vehicle garage at the Subject Property (the “Conditional  
18 Use”); and  
19

20 WHEREAS, 1960 SMR, LLC, the Owners, submitted a Conditional Use Permit  
21 Application for an RV Garage at 1960 San Marco Road, Marco Island, Florida, (the  
22 “Subject Property”); and  
23

24 WHEREAS, the proposed RV garage will meet the requirements of the City’s LDC,  
25 will not adversely affect the public interest, and the property owners have submitted the  
26 required documentation to proceed with their application; and  
27

28 WHEREAS, the Goals section of the Comprehensive Plan’s *Future Land Use*  
29 *Element* calls for “Enhance[ment]...” of Marco Island’s “...tropical small town and resort  
30 character...” which can be considered to be served by providing the homeowner the  
31 ability to store a large vehicle, outside of the view of the neighbors, while retaining the  
32 existing aesthetics of the area. The Comprehensive Plan and LDC seeks to reduce visual  
33 clutter from having large vehicles parked in the driveway, or within view of the wider  
34 community and the City Council has allowed for a process to request these larger doors  
35 to accommodate citizens’ RVs; and  
36

37 WHEREAS, the site plan design provides access off Sunset Street and not the  
38 well-traveled San Marco Road; and  
39

40 WHEREAS, the RV garage has been designed to integrate with the principal  
41 structure and other homes in the neighborhood; and  
42

43 WHEREAS, the proposed RV garage is designed and oriented appropriately for  
44 the single-family district; and  
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46  
47           **WHEREAS**, City staff has reviewed and recommends approval of Conditional Use  
48 Permit CUP-24-000089; and  
49

50           **WHEREAS**, the City’s Planning Board has reviewed the application, and on July  
51 12, 2024, recommended approval of Conditional Use Permit CUP-24-000089, with  
52 conditions; and  
53

54           **WHEREAS**, the City Council finds that the Conditional Use petition meets the  
55 requirements of the City of Marco Island Code of Ordinances and should be approved,  
56 subject to the conditions of approval set forth in this Resolution.  
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58           **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY**  
59 **OF MARCO ISLAND, FLORIDA:**  
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61           **SECTION 1. Recitals.** That the foregoing “WHEREAS” clauses are ratified  
62 and confirmed as being true and correct and are made a specific part of this Resolution.  
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64           **SECTION 2. Adoption and Approval.** That the Conditional Use Permit CUP-  
65 24-000089 for the Subject Property is hereby approved, subject to the conditions in  
66 Section 3 of this Resolution.  
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68           **SECTION 3. Conditions of Approval.** That the approval of the Conditional  
69 Use Permit CUP-24-000089 for the Subject Property is granted subject to the following  
70 conditions of approval:  
71

- 72           a.     The proposed recreational vehicle garage must comply with  
73                 the dimensional standards for the RSF-3 district.
- 74           b.     The parking, storage and use of the recreational vehicle shall  
75                 conform to Land Development Code regulations pertaining to  
76                 recreational vehicles [Sec. 30-1007(b)].  
77

78           **SECTION 4. Development Permit does not grant a vested right.** The issuance  
79 of this approval and Development Permit as defined in Section 163.3164, Fla. Stat., by  
80 the City does not in any way create any right on the part of the Owner/Developer to obtain  
81 a permit from a state or federal agency and does not create any liability on the part of the  
82 City for issuance of the approval if the Owner/Developer fails to obtain the requisite  
83 approvals or fulfill the obligations imposed by a state or federal agency or undertakes  
84 actions that result in the violation of state or federal law. All applicable state and federal  
85 permits must be obtained before commencement of the Development as authorized  
86 herein. This condition is included pursuant to Section 166.033, Florida Statutes, as  
87 amended.  
88

89           **SECTION 5. Failure to Comply With Resolution.** That failure to adhere to the  
90 Conditional Use approval and the approval terms and conditions contained in this  
91 Resolution shall be considered a violation of this Resolution and the City Code, and

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

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99 **SECTION 6. Effective Date.** This Resolution shall be effective immediately upon  
100 adoption.

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102 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, THIS \_\_\_\_day  
103 of \_\_\_\_\_, 2024.

104 CITY OF MARCO ISLAND, FLORIDA

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107 By: \_\_\_\_\_  
108 Jared Grifoni, Chair

109 ATTEST:

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111 By: \_\_\_\_\_  
112 Joan Taylor, City Clerk

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114 Reviewed for legal sufficiency:

115  
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117 By: \_\_\_\_\_  
118 Alan L Gabriel, City Attorney