



## Legislation Text

File #: ID 21-1741, Version: 1

Agenda Item: 11(d)	Prepared By: Daniel J. Smith, AICP, Director
Business: Resolution	Department: Growth Management

Subject:

Resolution - Conditional Use Permit Request (CUP-21-000118) to Allow for Dance Studio Use at 683 South Collier Boulevard, Units A & B, Marco Island, FL 34145

### **BACKGROUND:**

#### **PROJECT DESCRIPTION:**

Kristin and Danilo Croscenco are requesting approval of a conditional use permit to allow for a dance studio use at 683 South Collier Blvd. The use is classified in the Land Development Code (LDC) as NAICS: 611610 and adopted as a Conditional Use within C-3 Commercial Intermediate district. Attached are the application and responses to the "Standards For Approval" stated in Sec. 30-64(c) (2) a-e.

#### **PLANNING BOARD OUTCOME:**

During the 8/16 meeting a question was proposed from Member Honig about whether class hours could be extended against the wishes of the building owner at a future date, and whether limiting the hours from 5:00 p.m. to 7:00 p.m. would be more advantageous. Staff recommended that the 5:00 p.m. to 7:00 p.m. limitations be recorded as a condition of approval from the Planning Board.

Member Rivera had questions about whether weekend hours would be allowed, staff response was that the resolution would not limit the days-only times-but the limitations were stipulated in the applicant's lease, not by the City.

Member Vergo was concerned that the City was limiting business hours within the resolution. Chair Bailey agreed that the resolution shouldn't limit times in the evenings. The Board agreed to approve the petition, striking the limitations on hours recommended by staff. The final vote was 7-0 to approve the resolution.

### **FUNDING SOURCE / FISCAL IMPACT:**

Applicant has paid \$3,000.00 in applicable fees.

### **RECOMMENDATION:**

**STAFF RECOMMENDATION AND FINDINGS:**

Staff recommends approval of the application with the following findings:

1. The proposed Conditional Use would not negatively affect the public interest or contravene the Comprehensive Plan or Future Land Use map.
2. The proposed Conditional Use will meet all commercial zoning requirements and will not change the character of the neighborhood or community as a whole.
3. Parking counts are based on a pre-existing series of agreements between this building and two neighboring buildings (lots 5-9), the documents have been provided to us and staff has no reason to believe they are not valid.

**CONDITIONS OF APPROVAL:**

1. The owner must meet all Planning and Zoning requirements to obtain a Certificate of Land Use Approval including-but not limited to-parking.

**POTENTIAL MOTION:** Move to approved Resolution 21-40 with the listed conditions.