RESOLUTION 14-61

A RESOLUTION DETERMINING PETITION NUMBER OSP-14-003851, AN OFF-STREET PARKING PETITION REQUESTED BY THE OWNERS OF THE PHILLY GRILLE AT 1000 N. COLLIER BLVD., MARCO ISLAND, FLORIDA, PURSUANT TO THE PROVISIONS OF SECTION 30-484 OF THE MARCO ISLAND LAND DEVELOPMENT CODE FOR 8 OFF-SITE PARKING SPACES AT THE MARCO CANVAS BUILDING LOCATED AT 991 CHALMERS DRIVE; PROVIDING FOR THE RECORDING OF AN AGREEMENT WITH THE COUNTY CLERK; PROVIDING FOR FILING WITH THE CITY CLERK; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 30-484 of the Marco Island Land Development Code establishes off-street parking and loading standards; and

WHEREAS, the Planning Advisory Board conducted a public hearing on October 3, 2014 to consider the advisability of off-site parking on a non-contiguous lot allowed by administrative determination, specifically to be located at the Marco Canvas Building, 991 Chalmers Drive, a non-contiguous property located in the adjacent "C-5" zoning district. Petition was voted 7-0 to recommend that the Marco Island City Council approve the requested off-street parking petition subject to conditions; and

WHEREAS, the Marco Island City Council is acting as the Board of Zoning Appeals; and

WHEREAS, City Council, as the Board of Zoning Appeals, has held a public hearing, and has considered the advisability of off-street parking and has found as a matter of fact that satisfactory provisions and arrangements have been or will be made concerning all applicable matters required by the Land Development Code; and

WHEREAS, all interested parties have been given the opportunity to be heard by this council in public meeting assembled, and Council having considered all matters presented;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS of the City of Marco Island, Florida, that:

1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, correct and incorporated into this Resolution.

2. The Petition filed by Guy Verdi, Owner of The Philly Grille with respect to parking required for the business located at 1000 North Collier Blvd., is hereby

approved for 8 off-site parking spaces subject to the terms and conditions herein.

3. The Petitioner shall execute an agreement, approved by the City Attorney, to be recorded with the Collier County Clerk, securing shared parking for 8 parking spaces located at the Marco Canvas Building, 991 Chalmers Drive, prior to any increase in intensity of use.

4. This Resolution shall take effect immediately upon adoption.

Passed in open and regular session of the City Council of the City of Marco Island this 20th day of October, 2014,

Attest:

Laura M. Litzan, City Clerk

CITY OF MARCO ISLAND, FLORIDA

By: Kenneth E. Honecker, Chairman

Approved as to form and legal sufficiency:

Burt L. Saunders, City Attorney