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RESOLUTION 15-85

A RESOLUTION OF THE CITY OF MARCO ISLAND, FLORIDA, APPROVING AN APPEAL OF SECTION 30-88, CITY CODE OF ORDINANCES; APPLYING TO STRUCTURAL AND SITE DESIGN GUIDELINES TO APPROVE THE PROPOSED RESIDENCE, TO BE LOCATED AT 724 PLANTATION COURT, CITY OF MARCO ISLAND, FLORIDA 34145; PROVIDING CONDITIONS OF APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Robert Baker and Madeleine Younger ("Petitioner") and the owners ("Owners") of the property located at 724 Plantation Court, Marco Island, Florida 34145, submitted to the Marco Island Building Department for approval of their proposed residential design pursuant to Permit #15-5112; and

WHEREAS, the City of Marco Island's Zoning Department disapproved Permit #15-5112, finding that the Building Plans did not satisfy the requirements outlined in Section 30-88, 1 and 2 – Structural and Site Design Guidelines; and

WHEREAS, Section 30-623, of the City of Marco Island, Florida, Land Development Code provides standards and regulations for the appeal of all new construction, redevelopment and renovations of a commercial project and City staff has elected to apply those same rights of appeal to the denial of this proposed single family residence; and

WHEREAS, pursuant to Section 30-623, Code of Ordinances of the City of Marco Island, Florida, the Planning Board has considered the denial of Permit #15-5112 and Petitioners subsequent appeal; and

WHEREAS, the Planning Board reviewed the appeal and recommended approval of the design intent of Petitioners proposed residence on November 6, 2015; and

WHEREAS, the City Council does hereby approve the appeal and the design intent of Petitioners proposed residence, subject to the conditions of approval set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA.

SECTION 1. Recitals.

The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, correct and incorporated herein by this reference.

SECTION 2. Adoption and Approval

The Appeal is hereby approved and Permit #15-5112, with respect to the design intent and guidelines, as specified herein, is hereby approved, subject to the below described conditions and the requirements as outlined in Section 30-88, 1 and 2 – Structural and Site Design Guidelines, City of Marco Island, Florida, Land Development Code.

44 **SECTION 3. Conditions of Approval.**

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46 This Resolution finding that the Building Plans satisfy the requirements outlined in
47 Section 30-88, 1 and 2 – Structural and Site Design Guidelines and Permit #15-5112 is
48 subject to the following conditions of approval:
49

- 50 1. The proposed residence shall be located at 724 Plantation Court, City of Marco
51 Island Florida, and constructed as illustrated on drawings identified as follows:
52 Pages A-1 site plan, A-1 L landscape plan, A-2 ground floor plan, A-2L planting
53 details, A-3 second floor plan, A-4 Observation deck, A-5 Upper Roof Plan, A-6
54 exterior elevations, and A-7 exterior elevations all drawings dated 6-10-2015 and
55 prepared by Mario Coro, 1532 SW 8th Street Suite 200 Miami, Florida, 33135.
56
- 57 2. The following conditions are requirements this approval and shall be the
58 responsibility of the Petitioner and Owners of the subject property located at 724
59 Plantation Court, Marco Island Florida 34145
60
- 61 a) The Petitioner is required to re-submit construction documents consistent with
62 this resolution to the Marco Island Building Department for its review and
63 approval.
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- 65 b) The Petitioner is responsible for any private deed restriction approvals with
66 Marco Island Civic Association.
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- 68 c) The City of Marco Island reserves the right to revisit the Building Plans and the
69 Permit and request additional conditions should they be warranted.
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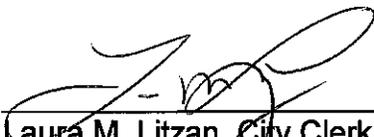
71 **SECTION 4. Effective Date.**

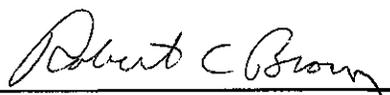
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73 This Resolution shall be effective immediately upon adoption by the City Council.
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75
76 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this 7th day of
77 December 2015.
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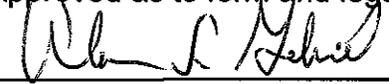
79
80 Attest:

CITY OF MARCO ISLAND, FLORIDA

81
82 
83 _____
84 Laura M. Litzan, City Clerk

By: 
Robert C. Brown, Chairman

85
86
87 Approved as to form and legal sufficiency:

88 
89 _____
90 Alan L. Gabriel, City Attorney