

**RESOLUTION 16-52**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, APPROVING AN EXTENSION OF TEMPORARY USE PERMIT #14-004729 FOR ROSE MARINA, LOCATED AT 900 BALD EAGLE DRIVE, MARCO ISLAND, FLORIDA, TO NOVEMBER 1, 2016; PROVIDING CONDITIONS OF APPROVAL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** Section 30-793, of the Marco Island Land Development Code provides standards and regulations for the issuance of a temporary use permit for construction staging; and

**WHEREAS,** Rose Marina ("Applicant") is requesting an 80 day extension of Temporary Use Permit #14-004729, which Permit was approved by City Council pursuant to Resolution 15-12, on August 12, 2015. Resolution 15-12 specifically permitted temporary boat storage; temporary construction staging and temporary parking at designated adjacent lots to 951 Bald Eagle Drive, Marco Island, Florida 34345. A copy of Resolution 15-12 is attached hereto as Exhibit "A"; and

**WHEREAS,** the Applicant is now requesting that Temporary Use Permit #14-004729 that permitted temporary construction staging at 900 Bald Eagle Drive be extended from August 12, 2016 to November 1, 2016; and

**WHEREAS,** the Planning Board reviewed and recommended approval of the Applicants extension to Temporary Use Permit #14-004729; and

**WHEREAS,** the City Council does hereby approve the modification to the Temporary Use Permit 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.** Rose Marina's request to extend Temporary Use Permit 14-004729, with respect to the Construction Staging lot located at 900 Bald Eagle Drive, Marco Island, Florida 34145, as specified herein, is approved, subject to the below described conditions.

**SECTION 3. Conditions of Approval.** This Resolution relating to the modification and approval of Temporary Use Permit 14-004729 is granted subject to the following conditions of approval:

1. The approval time line as specified in Resolution 15-12 shall be extended an additional 80 days; expiration of Temporary Use Permit #14-004729 is extended from August 12, 2016 to November 1, 2016.

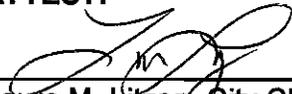
2. The subject lot, located at 900 Bald Eagle Drive, Marco Island, Florida 34145, shall be returned to its original condition in terms of grading, curbing and landscaping.

3. All of the conditions as outlined in Resolution 15-12 shall continue and remain the responsibility of the Applicant.

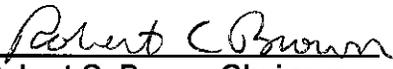
**SECTION 4. Effective Date.** This Resolution shall be effective immediately upon adoption by the City Council.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this 18<sup>th</sup> day of July 2016.

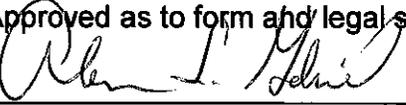
**ATTEST:**

  
\_\_\_\_\_  
Laura M. Litzan, City Clerk

**CITY OF MARCO ISLAND, FLORIDA**

By:   
\_\_\_\_\_  
Robert C. Brown, Chairman

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
Alan L. Gabriel, City Attorney

**ATTACHMENT TO RESOLUTION 16-52**

**RESOLUTION 15-12**

**A RESOLUTION APPROVING A CONSTRUCTION STAGING  
TEMPORARY USE PERMIT FOR ROSE MARINA 951 BALD  
EAGLE DRIVE MARCO ISLAND FLORIDA 34145**

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**SECTION 1. Amendment and Adoption.**

The conditions in this Resolution are hereby created and adopted as follows:

The Applicant, Rose Marina 951 Bald Eagle Drive is requesting a temporary use permit for construction staging. The approval covers three separate areas under the same application. The applicant owns all the lots described below. The applicant currently has a building permit in place for underground fuel storage tanks permit number 14-6779 and building permit number 15-0663 is currently under review for the new dry storage building.

The following is a description of each area:

**1-TEMPORARY BOAT STORAGE:**

- Lot 981 Bald Eagle Drive
- Lot 991 Bald Eagle Drive
- Lot 865 Magnolia Court

This area will be used to store the existing boats currently stored in the existing boathouse. The boats will be stored single file on the ground, accessible by a stone driveway. A 6'-0" chain link fence wrapped in green enviroscreen will surround all four sides of the lot, access into the boat storage area will be from the existing Rose Marina parking lot and the entrance will be gated and lockable.

**2-TEMPORARY CONSTRUCTION STAGING:**

- Lot 900 Bald Eagle Drive

This area will be used as a typical construction staging site. The site will consist of an office trailer, construction equipment and construction materials. A 6'-0" chain link fence wrapped in green enviroscreen will surround the area on all sides, access to this site will be from both Elkhorn Court and the adjacent paved parking lot (950 Bald Eagle Drive). The entrance will be gated and lockable. (The adjacent parking lot is owned or controlled by the applicant.)

**3-TEMPORARY PARKING:**

- Lot 880 Bald Eagle Drive

This area will be used as overflow and employee parking during the construction and access to the parking area will be from Herb Savage Way. No fence is proposed for this area.

49 The following Terms and Conditions are a requirement of applicant.

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51 1. Permit for all three staging areas expire 12 months from the time of issuance. The applicant may  
52 request by public hearing an extension if necessary.

53 2. Applicant must obtain approval from Florida Fish and Wildlife Conservation Commission for  
54 Owl relocation. Owl caging is currently located at all three areas.  
55 (Current permit approved and in place, permit number LSNR-15-00004.)

56 3. Any work is subject to the City of Marco Island hours of operation outlined in the City of Marco  
57 Island Land Development code. Article IV section 18-101 and subject to the requirements outlined in  
58 Section 30-793. Construction temporary use permit.

59 4. All three lots to be photographed prior to the start of staging and copies of the photos provided to  
60 the City. All lots must be returned to their original condition in terms of grading, curbing, culverts  
61 and landscaping.

62 5. At the conclusion of the Boathouse project in its entirety, Rose Marina agrees to pressure wash  
63 the exterior face paralleling Bald Eagle Drive of Anglers Cove building "C" unconditionally and  
if necessary building "D" (based on results of pre and post construction inspection), including the  
exterior metal caging of the lanais, and then wash any unscreened glass windows facing Bald Eagle  
Drive. Buildings will be inspected before and after construction and associated staging for purposes  
of determining any damage to painted exterior surfaces.

64 6. The temporary use permits will become available when building permit 15-0663 has been issued.

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66 **SECTION 2. Effective Date.**

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68 This Resolution shall be effective immediately upon adoption by the City Council.

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71 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this 17<sup>th</sup> day of  
72 February 2015.

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**CITY OF MARCO ISLAND FLORIDA**

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By: \_\_\_\_\_  
Larry Sacher, Chairman

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Attest:

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78 By: \_\_\_\_\_  
79 Laura M. Litzan, City Clerk

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82 Reviewed for legal sufficiency:

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84 By: \_\_\_\_\_  
85 Burt L. Saunders, City Attorney

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