

RESOLUTION NO. 09 - 31

A RESOLUTION GRANTING THE THIRD ONE-YEAR EXTENSION OF RESOLUTION 06-28. AN APPROVED CONDITIONAL USE FOR A FOUR STORY MIXED-USE RESIDENTIAL AND COMMERCIAL BUILDING AS PROVIDED FOR IN SECTION 30-244(16) OF THE C-4 ZONING DISTRICT DESCRIBED AS 928 PARK AVENUE, FURTHER DESCRIBED AS LOT 11, BLOCK 797, MARCO BEACH UNIT SIX, AS RECORDED IN PLAT BOOK 12, PAGES 53 AND 54 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, IN SECTION 8, TOWNSHIP 52 SOUTH, RANGE 26 EAST, CITY OF MARCO ISLAND, FLORIDA.

WHEREAS, Sections 30-242 through 30-246 of the Marco Island Land Development Code provide standards and regulations for the General Commercial (C-4) Zoning District; and

WHEREAS, on August 21, 2006 the Marco Island City Council, acting as the Board of Zoning Appeals adopted Resolution 06-28 attached hereto and incorporated by reference herein as Appendix One which granted a conditional use pursuant to Section 30-244(16) of the Marco Island Land Development Code, to develop a four story mixed-use commercial and residential building in the C-4 zoning district; and

WHEREAS, Section 30-64(5) of the Marco Island Land Development Code provides that the Board of Zoning Appeals may grant a maximum of three one-year extensions of approved conditional uses which have not been commenced; and

WHEREAS, Robert Garraty, of Garraty Realty, Inc., representing Delcor Development, LLC, is requesting the third one-year extension of Resolution 06-28; and

NOW, THEREFORE BE IT RESOLVED, By the Board of Zoning Appeals of Marco Island, Florida that:

The Petition CUE-08-01 filed by Robert Garraty, representing Delcor Development, LLC, with respect to the property hereinafter described as:

Lots 11, Block 797, recorded in Plat Book 12, pages 53 and 54 of the Public Records of Collier County, Florida, in Section 8, Township 52 South, Range 26 East, City of Marco Island, Florida.

Is hereby approved pursuant to Section 30-64(5) of the Marco Island Development Code, and the expiration date for Resolution 06-28 attached hereto and incorporated as Appendix One, and all conditions applicable thereto, is hereby extended for the third one-year extension until August 21, 2010.

BE IT FURTHER RESOLVED that this Resolution relating to petition number CUE-09-01 be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.

This Resolution adopted after motion, second, and majority vote.

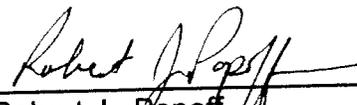
Done this 8th day of September, 2009.

Attest:



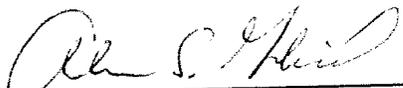
Laura M. Litzan
City Clerk

CITY OF MARCO ISLAND, FLORIDA



Robert J. Popoff
Council Chairman

Approved for Legal Sufficiency:



Alan L. Gabriel, City Attorney