

MARCO ISLAND PLANNING BOARD RESOLUTION NO. 06-23

A RESOLUTION APPROVING PETITION NUMBER TUE-06-01 FOR A THREE (3) YEAR TEMPORARY USE EXTENSION FOR A MODEL HOME LOCATED AT 1072 BLUE HILL CREEK DR., FURTHER DESCRIBED AS HORR'S ISLAND AKA KEY MARCO, BLOCK 5, LOT 19, COLLIER COUNTY, AND THE CITY OF MARCO ISLAND, FLORIDA.

WHEREAS, Chapter 30, Article XII, Marco Island Land Development Code, regulates the requirements for Temporary Use Permits on Marco Island; and

WHEREAS, Section 30-794(6) provides that property owners, real estate brokerages and or single family housing contractors may petition the City for the extension of a temporary use permit for a model home or model sales center up to a maximum of three years beyond the allowable period of 24-months; and

WHEREAS, pursuant to Section 30-794 and Section 38-40, Marco Island Code of Ordinances, the Marco Island Planning Board is responsible for reviewing and granting approval for temporary use extensions for model homes and model sales centers located in single-family districts; and

WHEREAS, Petition TUE-06-01 is a request for a temporary use permit extension as defined in Section 30-794(6), Marco Island Code of Ordinances; and

WHEREAS, Petitioner Meridian Land is the owner of the following property that is the subject of the petition: Subdivision of Horr's Island, AKA Key Marco, Block 5, Lot 19, Collier County, Florida and the City of Marco Island; and

WHEREAS, the Petitioner's agent is Mark Battaglia, WBDC (Windfield Building & Development Company, Inc.); and

WHEREAS, the Marco Island Planning Board has held a public hearing after proper notice, has considered the request for of a three (3) year extension of a temporary use permit for a model home in a PUD for the property hereinafter described, and has found as a matter of fact that satisfactory provision and arrangement have been made concerning all applicable

matters required by said regulations and in accordance with Section 30-794(6) of the City of Marco Island Code of Ordinances; and

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MARCO ISLAND PLANNING BOARD of the City of Marco Island, Florida that:

Petition TUE-06-01 filed by Mark Battaglia, WBDC (Windfield Building & Development Company, Inc.), parent company to Meridian Land, property owner, with respect to the following real property:

1072 Blue Hill Creek Dr., further described as Horr's Island AKA Key Marco, Block 5, Lot 19 (FOLIO#:50940004501), Collier County, and the City of Marco Island, Florida.

Be and the same is hereby approved for a three (3) year extension of a temporary use permit for a model home in a PUD district where in said property is located, subject to the following conditions:

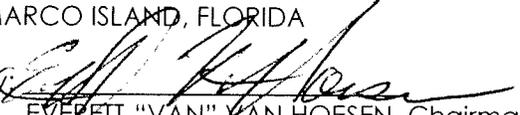
1. All landscaping must be in compliance with the conditions of the Key Marco Final Plat (Exhibit A).

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number TUE-06-01 be recorded in the minutes of this Board and filed with the City Clerk's Office.

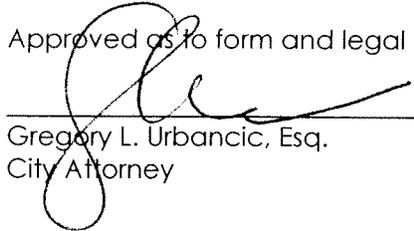
This resolution adopted after motion, second and majority vote.

Done this 16th day of June 2006.

MARCO ISLAND PLANNING BOARD
MARCO ISLAND, FLORIDA

BY 
EVERETT "VAN" VAN HOESEN, Chairman

Approved as to form and legal sufficiency:



Gregory L. Urbancic, Esq.
City Attorney

EXHIBIT A

KEY MARCO SINGLE FAMILY PATIO HOME APPROVAL AND DEVELOPMENT STANDARDS (PUD Sections 2.6, 4.3 A. (2), 4.4 H., Ordinance 84-42)

Permitted Principal Use: Single Family Patio Housing

Minimum Lot Standards

- Minimum lot area: 18,000 square feet
- Minimum lot width: 130 feet
- Minimum lot depth: 120 feet

Minimum Yard Requirements

- Front: 40 Feet
- Side: Total of 40 Feet
(A minimum of 15 on one side)
- Rear: 20 Feet

-An additional building setback of 5' is required for all principal and accessory structures from all minimum front, rear and side yard requirements listed above except for those structures which do not require clearing or filling within the minimum yard areas or excavation (e.g. decks and fences).

-If two or more lots are developed together no interior side setbacks shall be required and the exterior side setbacks shall be doubled. If an area greater than one lot is developed together, interior side setbacks are not required and exterior side setbacks and the maximum clearing of upland vegetation areas (as described below) shall be increased proportionately (example if one lot is combined with one-half of a neighboring lot, the exterior side setbacks and the maximum clearing of upland vegetation areas shall be increased 50%.)

Upland vegetation clearing restriction:

A maximum of 50% of the upland vegetation on any lot, not to exceed 15,000 SF per lot, may be cleared by the developer or owner.

Upland vegetation within minimum front, side, and rear yards shall remain predominately un-cleared and in their natural state except for exotic vegetation removal, water management uses, pedestrian access, vehicular drives, utilities and archaeological investigations.

Maximum building height: 55 feet

Measurement of building height:

Building height shall be measured from the first finished floor elevation to the highest point of the roof surface of a flat or bermuda roof, to the deck line of a mansard roof, and to the mean height level between eaves and ridge of gable, hip and gambrel roofs.

* Data taken verbatim from the Key Marco PUD Plat