

**MARCO ISLAND CITY COUNCIL RESOLUTION NO. 06-67**

A RESOLUTION GRANTING CONDITIONAL USE APPROVAL FOR A TEEN CENTER AS PROVIDED FOR IN SECTION 30-224(3) OF THE C-3 ZONING DISTRICT, LOCATED AT 1763 SAN MARCO ROAD, LEGALLY DESCRIBED AS LOTS 13 AND 14, BLOCK 83, MARCO BEACH UNIT 5, IN SECTION 9, TOWNSHIP 52 SOUTH, RANGE 26 EAST, CITY OF MARCO ISLAND, FLORIDA.

WHEREAS, the Legislature of the State of Florida established the Charter of the City of Marco Island in Chapter 97-367, Laws of Florida ("City Charter"); and

WHEREAS, the Marco Island Planning Board, being the duly appointed and constituted planning board for the area hereby affected, has held a public hearing on December 17, 2006 after notice, and voted 5 to 1 to recommend that the Marco Island City Council approve the requested Teen Center as provided for in Section 30-224(3) of the C-3 zoning district, and has found as a matter of fact (Exhibit "A") that satisfactory provision and arrangement have been made concerning all applicable matters required by the Marco Island Code of Ordinances; and

WHEREAS, City Council, acting as the Board of Zoning Appeals, has held a public hearing after proper notice, and has considered the request for a Teen Center as provided for in Section 30-224(3) of the C-3 zoning district, and has found that satisfactory provision and arrangement have been made concerning all applicable matters required by said regulations; and

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

NOW, THEREFORE BE IT RESOLVED, BY THE MARCO ISLAND CITY COUNCIL, ACTING AS THE BOARD OF ZONING APPEALS, THAT:

The Petition CU-06-03 filed by the City of Marco Island, with respect to the property described as 1763 San Marco Road, further described as Lots 13 and 14, Block 83, Marco Beach Unit 5, In Section 9, Township 52 South, Range 26 East, City of Marco Island, Florida, is hereby granted Conditional Use approval for a Teen Center, in accordance with the Marco Island Code of Ordinances, and subject to the following conditions:

1. Lighting shall be provided along the alley and activated during teen center hours;
2. Entry shall be provided at the front of the building only;

3. Specific drop-off and pick-up areas shall be designated adjacent to the entry;
4. During teen dances, an attendant shall be on duty to monitor pick-up and drop-off activities, parking, and security;
5. The petition shall be contingent upon execution of a successful lease agreement between the City and the owner(s) of the subject property.

BE IT FURTHER RESOLVED that this Resolution relating to petition Number CU-06-03 be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.

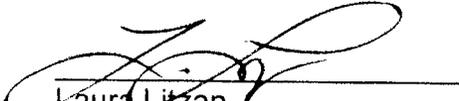
This Resolution adopted after motion, second and majority vote.

Done this 4th day of December 2006.

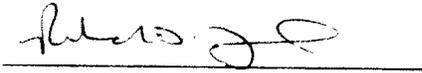
MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

By: Terri DiSciullo  
Terri DiSciullo, Chairwoman

ATTEST:

  
\_\_\_\_\_  
Laura Litzan  
City Clerk

Approved as to Form and  
legal sufficiency:

  
\_\_\_\_\_  
Richard Yovanovich  
City Attorney

**FINDING OF FACT BY  
MARCO ISLAND PLANNING BOARD  
FOR  
A CONDITIONAL USE PETITION FOR  
CU-06-03  
(Teen Center)**

The following facts are found:

1. Section 30-224(3) of City Code authorizes the conditional use.
2. Granting the conditional use will not adversely affect the public interest and will not adversely affect other property or uses in the same district or neighborhood because of:

a. Consistency with the Land Development Code & Growth Management Plan:  
Yes  No

b. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire catastrophe:  
Adequate ingress & egress  
Yes  No

c. Affects neighboring properties in relation to noise, glare, economic or odor effects:  
No affect  Affect mitigated by \_\_\_\_\_  
Affect cannot be mitigated \_\_\_\_\_

d. Compatibility with adjacent properties and other property in the district:  
Compatible use within district  
Yes  No

Based on the above findings, this conditional use should, with stipulations, (copy attached) (should not) be recommended for approval \_\_\_\_\_

Date: 11/17/06

CHAIRMAN: 

MEMBER: \_\_\_\_\_