**RESOLUTION NO. 05 - 48**

**A RESOLUTION CONFIRMING AND DESIGNATING THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA AS THE BOARD OF ZONING APPEALS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** Sections 30-68 through 30-76 of the Code of Ordinances of the City of Marco Island (the "Code") contemplate that the City of Marco Island shall have a Board of Zoning Appeals; and

**WHEREAS**, since the incorporation of the City of Marco Island and subsequent to the codification of the Land Development Code of the City of Marco Island, the City Council has acted as the Board of Zoning Appeals for the City; and

**WHEREAS**, the City Council continues to operate in the capacity of the Board of Zoning Appeals; and

**WHEREAS,** Section 30-71(1) of the Code contemplates that the City Council may designate itself as the Board of Zoning Appeals; and

**WHEREAS,** the City Council desires to confirm its status as the Board of Zoning Appeals and formally make such designation pursuant to Section 30-71(1) of the Code.

**NOW, THEREFORE,** BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, that:

Section 1. City Council shall serve as the Board of Zoning Appeals for the City of Marco Island pursuant to Section 30-71(1) of the City of Marco Island Code of Ordinances.

Section 2. This Resolution shall take effect immediately upon adoption.

**PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, THIS 1ST DAY OF AUGUST 2005.**

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: Vickie Kelber
Vickie Kelber, Chairwoman

ATTEST:

Laura Litzan
City Clerk

Approved as to form and legal sufficiency:

Richard D. Yovanovich, Esquire
City Attorney