MARCO ISLAND CITY COUNCIL RESOLUTION NO. 04- 57

A RESOLUTION DETERMINING PETITION NUMBER OSP-04-03, AN OFF-STREET PARKING VARIANCE FROM SECTION 30-484 OF THE MARCO ISLAND LAND DEVELOPMENT CODE FOR 12 OFF-STREET PARKING SPACES AT THE STARS AND STRIPES LEARNING CENTER LOCATED AT 60 MARCO LAKE DRIVE, MORE PARTICULARY DESCRIBED HEREIN; PROVIDING FOR FILING WITH THE CITY CLERK; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 30-484 of the Marco Island Land Development Code establishes off-street parking and loading standards; and

WHEREAS, the Marco Island Planning Board conducted a public hearing on October 22, 2004 to consider the advisability of off-street parking at the Stars and Stripes Learning Center located at 60 Marco Lake Drive for a maximum of 12 off-street parking spaces for Sushi Blues and Steaks located at the Lakeside Inn, and voted 6-0 to recommend that the Marco Island City Council approve the requested off-street parking variance; and

WHEREAS, the Marco Island City Council is acting as the Board of Zoning Appeals; and

WHEREAS, City Council, as the Board of Zoning Appeals, has held a public hearing after proper notice, and has considered the advisability of off-street parking as shown on the attached plot plan, Exhibit "A" in an "C-4" zoning district 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 30-484 of the Marco Island Land Development Code; and

WHEREAS, all interested parties have been given 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 BOARD OF ZONING APPEALS of Marco Island, Florida, that:

The petition OSP-04-03, filed by Joel Moskowitz and Anthony Rainone with respect to the property herein described as 60 Marco Lake Drive "Stars and Stripes Learning Center" Lots 25 –31, Block 5, in Sections 8 and 9, Township 52 South, Range 26 East, City of Marco Island, Florida. The same is hereby approved for 12 off-street parking spaces as shown on the attached plat plan, Exhibit "A", of the "C-4" zoning district wherein said property is located, subject to the following conditions:

1. The off-street parking lot located at the Stars and Stripe Learning Center shall be for customer, valet, and employee parking.
2. Lights shall be provided along the proposed walkway from Sushi Blues and Steaks restaurant (a.k.a. Lakeside Inn) to the Stars and Stripes Learning Center.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number OSP-04-03 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 6th day of December 2004.

MARCO ISLAND CITY COUNCIL
MARCOISLAND, FLORIDA

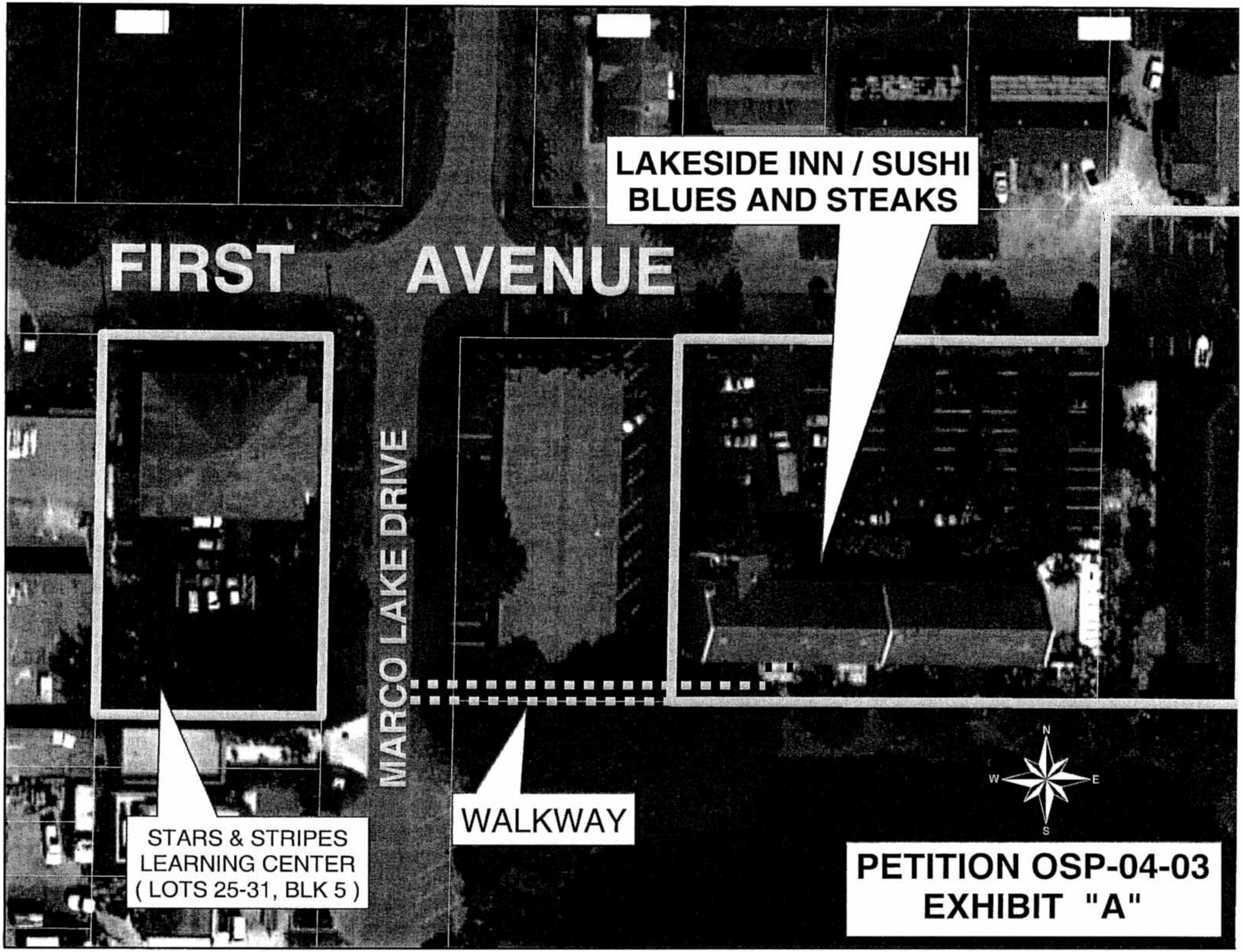
By: Terri DiSciullo
Terri DiSciullo, Chairwoman

ATTEST:

Laura Litzan
City Clerk

Approved as to form and legality:

Richard D. Yovanovich
City Attorney



PETITION OSP-04-03
EXHIBIT "A"