

**CITY OF MARCO ISLAND  
ORDINANCE NO. 03-02**

AN ORDINANCE AMENDING SECTION 18.10 AND ADDING NEW SUBSECTION 18.10.5 OF ORDINANCE 02-33, SUPPLEMENTAL REGULATIONS; PROVIDING FOR THE INSERTION OF "RESERVED" FOR MAXIMUM FLOOR AREA RATIO; PROVIDING FOR AN NEW ENTRY AND STANDARDS FOR MAXIMUM DENSITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Ordinance 02-33 of the Marco Island Land Development Code provides supplemental regulations, including provisions for group housing under section 18; and

**WHEREAS**, by petition filed by Ron Nino, AICP, representing the Aviary Assisted Living Facility, amendments have been sought to provide changes to the "other care housing facilities" portion of section 18; and

**WHEREAS**, the Planning Board considered these amendments at a public hearing on January 24, 2002, and recommended denial by City Council; and

**WHEREAS**, the City desires to amend the restrictions contained in Ordinance 02-33.18.10 and 02-33.18.10.5 as described below.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, THAT:**

**SECTION ONE:** Ordinance 02-33.18.10 of the Marco Island Land Development Code is amended to read as follows:

18.10 Maximum floor area ratio. ~~The maximum floor area ratio shall not exceed a factor of 0.45 (0.45 times the area of the property equals the gross floor area).~~ Reserved.

**SECTION TWO:** Ordinance 02-33.18.10 of the Marco Island Land Development Code is amended to add new subsection 18.10.5 to read as follows

18.10.5 Maximum density. The maximum density of the development shall not exceed the underlying zoning district residential density, the applicable Future Land Use Element

residential density allocation, or 26 units per acre, whichever is most restrictive.

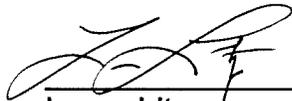
SECTION THREE: EFFECTIVE DATE

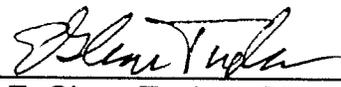
This ordinance shall become effective immediately upon adoption by the City Council of Marco Island.

**PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, THIS 18<sup>th</sup> DAY OF February, 2003.**

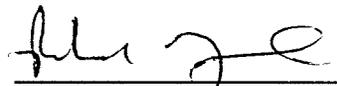
Attest:

**CITY OF MARCO ISLAND**

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

By:   
\_\_\_\_\_  
E. Glenn Tucker, Chairman

Approved as to form and legal  
Sufficiency:

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