

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 99 – 31

A RESOLUTION PROVIDING CONDITIONAL USE APPROVAL FOR ADDITIONAL TENNIS COURT FACILITIES AND ACTIVITIES BUILDING EXPANSION IN AN “CF-MIZO” ZONING DISTRICT PURSUANT TO SECTIONS 2.2.19.3.3 AND 2.2.19.3.9 OF THE COLLIER COUNTY LAND DEVELOPMENT CODE FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF SAN MARCO ROAD (C.R. 92) AND SANDHILL STREET, TRACT A, YMCA, SECTION 16, 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 City Charter provides that the Collier County Land Development Code in effect on August 28, 1997 (“Regulation”) shall remain in effect as the City of Marco Island’s transitional land development regulations; 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 after notice as in said regulations made and provided, and has considered the advisability of conditional use approval for additional tennis court facilities and activities building expansion in an “CF-MIZO” zoning district pursuant to Sections 2.2.19.3.3. and 2.2.19.3.9 of the Collier County Land Development Code on property hereinafter described, and has found as a matter of fact (Exhibit “A”) that satisfactory provision and arrangement have been made concerning all applicable matters required by said regulations and in accordance with subsection 2.7.4.4. of the Land Development Code for the Marco Island Planning Board; and

WHEREAS, all interested parties have been given an opportunity to be heard by this Board in a 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 CU-99-03 filed by Jerry Neal of Purse Associates as agent for the YMCA with respect to the property hereinafter described as:

Tract “A”, Marco Beach Unit twenty-five, Section 16, Township 52 South, Range 26 East, according to the plat thereof recorded in plat book 12, pages 2 – 5 inclusive of the Public Records of Collier County, Florida.

be and the same is hereby approved for Conditional Use “3” and “9” of Section 2.2.19.3 of the “CF-MIZO” Zoning District for additional tennis court facilities and activities building expansion in accordance with the Conceptual Master Plan (Exhibit “B”) and subject to the following conditions:

- a. The Community Development Director may approve minor changes in the location, siting, or height of buildings, structures, and improvements authorized by the conditional use. Expansion of the uses identified and approved within this conditional use application, or major changes to the site plan submitted as part of this application, shall require the submittal of a new conditional use application, and shall comply with all applicable County ordinances in effect at the time of submittal, including Division 3.3, Site Development Plan Review and Approval, of the Collier County Land Development Code (Ordinance No. 91-102).
- b. Post no parking signs within the unimproved right-of-way swale adjacent to Sandhill Street upon adoption of this Resolution.
- c. The existing parking lot on the southern one-half of the subject site shall be improved with an asphalt surface prior to receiving a certificate of occupancy for the proposed tennis court facilities.
- d. The thirty-foot wide landscape buffer adjacent to the tennis court facilities as illustrated in Exhibit “B” shall be extended to the YMCA’s southern property line. The buffer shall include an opaque six-foot high undulating fence within a landscaped buffer consisting of canopy trees and hedges prior to receiving a certificate of occupancy for the proposed tennis court facilities.
- e. Operation of the on-site tennis court facilities shall be restricted to the hours of 8:00 a.m. to 9:00 p.m. Monday through Thursday; 8:00 a.m. to 8:00 p.m. Friday; and 8:00 a.m. to 5:00 p.m. Saturday and Sunday. Lighting for the tennis court facilities shall be timed in accordance with the restricted hours of play. Additionally, lighting for tennis courts not in use shall be turned off.
- f. Outdoor lighting for the tennis court facilities shall comply with the City’s outdoor lighting ordinance.
- g. Four tennis tournaments shall be permitted per year between the hours of 8 a.m. and 10:00 p.m. Monday through Sunday. Also, up to four additional tennis tournaments per year may be permitted by approval of a special event permit from the City Zoning Administrator.
- h. The three tennis courts located adjacent to the YMCA’s eastern property line shall be labeled “future” and constructed last. The remaining five tennis courts shall be labeled “proposed” and constructed first.

BE IT FURTHER RESOLVED that this Resolution relating to petition Number CU-99-03 be recorded in the Minutes of this Board and filed with the Marco Island City Clerk’s Office.

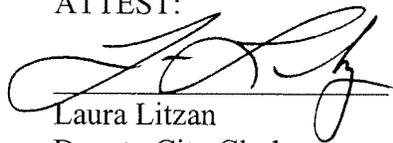
This Resolution adopted after motion, second and majority vote.

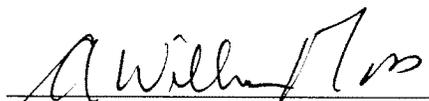
Done this 2nd day of August, 1999.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

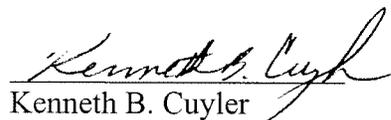
By: 
David Brandt, Chairman

ATTEST:


Laura Litzan
Deputy City Clerk


A. William Moss
City Manager

Approved as to Form and legality:


Kenneth B. Cuyler
City Attorney

**FINDING OF FACT BY
MARCO ISLAND PLANNING BOARD
FOR A CONDITIONAL USE FOR CU-99-03**

The following facts are found:

1. Section 2.2.19.3.9 and 2.2.19.3.3 of the Land Development Code authorized 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:
Compatible use within district
Yes No

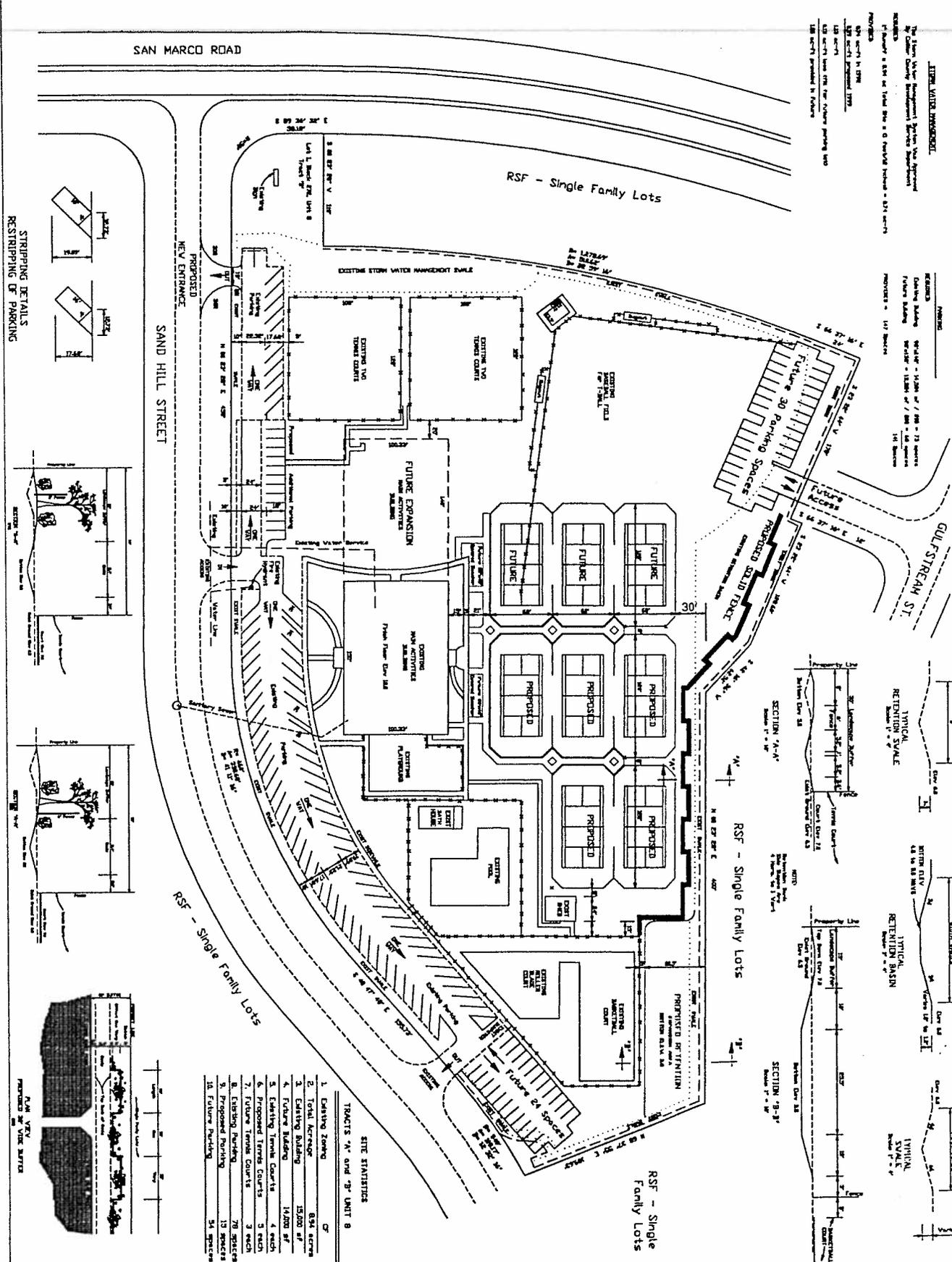
 - d. Compatibility with adjacent properties and other property in the district:
Compatible use within district
Yes No

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

Date: July 9

CHAIRMAN: [Signature]
MEMBER: _____

EXHIBIT "A"



STORM WATER MANAGEMENT
 The Storm Water Management System was approved by the City of Marco Development Services Department. The Storm Water Management System is designed to meet the requirements of the City of Marco Ordinance 10-10-10. The Storm Water Management System is designed to meet the requirements of the City of Marco Ordinance 10-10-10. The Storm Water Management System is designed to meet the requirements of the City of Marco Ordinance 10-10-10.

PARKING
 Existing Building: 1,200 sq ft / 100 - 120 spaces
 Future Building: 1,200 sq ft / 100 - 120 spaces
 Proposed: 1/2 Spaces

TYPICAL RETENTION BASIN
 SECTION 1'-1'-1'
 Scale: 1" = 10'

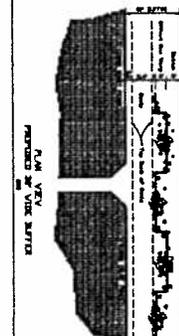
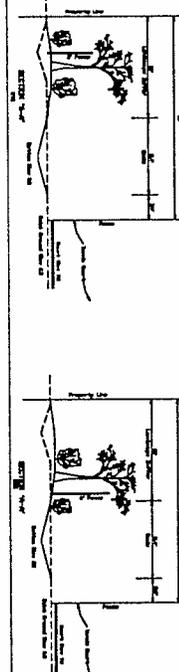
TYPICAL RETENTION BASIN
 SECTION 1'-1'-1'
 Scale: 1" = 10'

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 SECTION 1'-1'-1'
 Scale: 1" = 10'

SITE STATISTICS

TRACTS 'A' and 'B' UNIT 8	OF
1. Existing Zoning	CR
2. Total Acreage	8.94 acres
3. Existing Building	15,000 sq ft
4. Future Building	14,000 sq ft
5. Existing Tennis Courts	4 each
6. Proposed Tennis Courts	3 each
7. Future Tennis Courts	3 each
8. Existing Parking	70 SPACES
9. Proposed Parking	13 SPACES
10. Future Parking	34 SPACES

STRIPPING DETAILS
 RESURFACING OF PARKING



PURSE Associates, Inc.
 BONITA OAKS SQUARE - UNIT 8
 4450 BONITA BEACH ROAD
 BONITA SPRINGS, FLORIDA 34134
 PH. (941) 948-2100 FAX (941) 948-2102

Marco YMCA
MASTER SITE PLAN

PURSE ASSOCIATES, INC. EXPRESSLY DISCLAIMS THEIR LIABILITY FOR ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE INCURRED BY ANY PARTY AS A RESULT OF THE USE OF THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, COPIED, OR OTHERWISE TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF PURSE ASSOCIATES, INC. ANY THIRD PARTY WITHOUT WRITTEN CONSENT OF PURSE ASSOCIATES, INC.

EXHIBIT "B"

Handwritten signature and date:
 6-12-99