

CITY OF MARCO ISLAND  
ORDINANCE NO. 98-3

ORIGINAL

AN ORDINANCE AMENDING ORDINANCE NUMBER 91-102, THE COLLIER COUNTY LAND DEVELOPMENT CODE WHICH ESTABLISHED THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY WHICH IS THE TRANSITIONAL LAND DEVELOPMENT CODE FOR THE CITY OF MARCO ISLAND, FLORIDA, BY AMENDING THE OFFICIAL ZONING ATLAS MAP NUMBER MB5C BY CHANGING THE ZONING CLASSIFICATION OF THE HEREIN DESCRIBED PROPERTY LOCATED ON THE NORTH SIDE OF SAN MARCO ROAD (C.R. 92) EAST OF BALD EAGLE DRIVE, FURTHER DESCRIBED AS LOTS 7, 8 AND 9, BLOCK 109, MARCO BEACH UNIT 3, IN SECTION 16, TOWNSHIP 52 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, FROM RSF-4-MIZO TO C-1-MIZO FOR A MEDICAL OFFICE BUILDING; PROVIDING FOR STAFF AND MARCO ISLAND PLANNING BOARD STIPULATIONS; AND BY PROVIDING AN EFFECTIVE DATE.

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 ("Regulations") shall remain in effect as the City of Marco Island's transitional land development regulations; and

WHEREAS, the City of Marco Island and Collier County have entered into an interlocal agreement by which Collier County staff is authorized to review and present Petition R-97-5 to the Marco Island City Council to change the zoning classification of the herein described real property:

WHEREAS, Barbara H. Cawley AICP of Wilson, Miller, Barton & Peek, Inc., representing Dr. Luc Mazzini, D.D.S., petitioned the Marco Island City Council to change the zoning classification of the herein described real property;

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

SECTION ONE:

The zoning classification of the real property as more particularly described by Exhibit "A", attached hereto and incorporated by reference herein, and located in Section 16,

Township 52 South, Range 26 East, City of Marco Island, Collier County, Florida, is changed from RSF-4-MIZO to C-1-MIZO and the Official Zoning Atlas Map Number MB5C, as described in Ordinance 91-102, the Collier County Land Development Code which is the Transitional Land Development Code for the City of Marco Island is hereby amended accordingly. The herein described real property is the same for which the rezone is hereby approved subject to the following conditions:

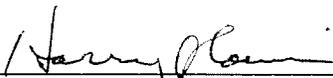
1. If during the course of site clearing, excavation or other construction activity an historic or archaeological artifact is found all development within the minimum area necessary to protect the discovery shall be immediately stopped and the Collier County Code Enforcement Department contacted.
2. An appropriate portion of native vegetation shall be retained on site as required in section 3.9.5.5.4. CCLDC.
3. An exotic vegetation removal, monitoring, and maintenance (exotic free) plan for the site, shall be submitted to Current Planning Environmental Staff for review and approval prior to final site plan/construction plan approval.

SECTION TWO:

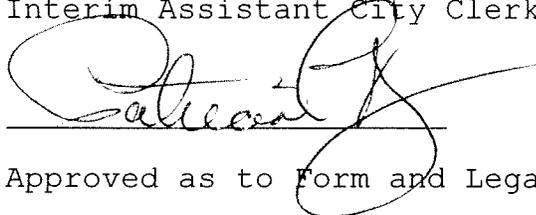
This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by the City Council of Marco Island, Florida, this 2nd day of March, 1998.

CITY COUNCIL  
MARCO ISLAND, FLORIDA

BY:   
HARRY J. COWIN, Chairman

ATTEST:  
Patricia L. Berry  
Interim Assistant City Clerk



Approved as to Form and Legal Sufficiency:

  
Kenneth B. Cuyler  
Interim City Attorney

  
Charles McCool  
Interim City Manager

**LEGAL DESCRIPTION**

**LOTS 7, 8, & 9, BLOCK 109, MARCO BEACH, UNIT THREE,  
according to the plat thereof, as recorded in Plat Book 6, Pages 17  
through 24, Public Records of Collier County, Florida.**

**EXHIBIT "A"**