RESOLUTION 08-12114
Meeting of 6/18/08

A RESOLUTION DETERMINING CONDITIONAL USE PETITION 08-CU02 TO ALLOW FOR THE OPERATION OF A COMMERCIAL PHOTOGRAPHY SCHOOL LOCATED AT 4947 9TH STREET NORTH, SUITE 105, MORE FULLY DESCRIBED HEREIN; PROVIDING AN EXPIRATION DATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 58-503 of the Code of Ordinances requires that commercial schools may be permitted in the HC, Highway Commercial zoning district through the conditional use process according to Section 46-34; and

WHEREAS, Frank Berna, petitioner, has been authorized by Naples Venture I, the owner of the property, to file the petition; and

WHEREAS, the Planning Advisory Board, following an advertised public hearing, considered the public input, the recommendation of the staff, and the standards and guidelines of Subsection 46-34, Conditional Uses, and recommended by a vote of 7 to 0 that Conditional Use Petition 08-CU02 be approved, finding that the criteria had been met; and

WHEREAS, after considering the recommendation of the Planning Advisory Board and after providing the petitioner, staff and the public an opportunity to present testimony and evidence, the City Council finds that the criteria for conditional uses, set forth in Subsection 46-34 of the Comprehensive Development Code, have been met and that the petition should be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That Conditional Use Petition 08-CU02 is hereby approved to allow for the operation of a commercial photography school located at 4947 9th Street North, Suite 105, and more fully described as:

Lots 9 and 10 NORTH NAPLES ESTATES, in accordance with and subject to the plat recorded in Plat Book 1, Page 81, of the Public Records of Collier County, Florida, less and except the East 50 feet thereof for road right-of-way.

Section 2. That this approval shall expire on May 18, 2009, unless a building permit based upon and incorporating the conditional use is issued before that date, or, if a building permit is not required, the approved uses have not commenced.

Section 3. This resolution shall take effect immediately upon adoption.
Resolution 08-12114


[Signature]
Bill Barnett, Mayor

[Signature]
Robert D. Pritt, City Attorney

Date filed with City Clerk: 7-22-08