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**RESOLUTION 15-88**

**A RESOLUTION OF THE CITY OF MARCO ISLAND  
FLORIDA APPROVING EIGHT BOAT DOCK  
EXTENSIONS FOR THE WATERWAY COVE  
CONDOMINIUM ASSOCIATION, LOCATED AT 1105 AND  
1115 GAYER WAY CITY OF MARCO ISLAND FLORIDA  
34145; PROVIDING CONDITIONS OF APPROVAL; AND  
PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Section 54-115 of the City of Marco Island Land Development Code provides standards and regulations for the issuance of boat dock extensions. Approval requires public hearings and review and recommendation from the City's Planning Advisory Board and review and approval by the City Council; and

**WHEREAS**, the Waterway Cove Condominium Association ("Petitioner") and the "Owner" of a five foot (5') wide wooden dock constructed along the inside face of the seawall, from property line to property (the "Boat Docks") are where eight (8) condominium unit owners currently moor their boats to the outside of the Boat Docks; and

**WHEREAS**, Petitioner has filed a request with the City of Marco Island ("Petition Number 15-000545, to replace the current the Boat Docks and construct eight (8) new boat slips with a 2 foot extension for Boat Docks #1 through #5; an eleven foot extension for Boat Dock #6; a twelve foot extension for Boat Dock #seven, and; a 4.5 foot extension for Boat Dock #8; and

**WHEREAS**, pursuant to Section 30-484, of the City of Marco Island, Florida Code of Ordinances, the Planning Board has considered Petition Number 15-000545;

**WHEREAS**, On November 6, 2015 The Planning Advisory Board reviewed and recommended approval of petition number 15-000545.

**WHEREAS**, the City Council does hereby approve the Boat Dock extension plan as specified in Petition Number 15-000545, subject to the conditions of approval set forth in this Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA,**

**SECTION 1. Recitals.**

The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, correct and incorporated herein by this reference.

37                   **SECTION 2. Adoption and Approval.**  
38

39   Petition Number 15-000545 to permit the replacement of the current the Boat Docks  
40   and construct eight (8) new boat docks with certain extensions as specified herein, is  
41   hereby approved, subject to the below described conditions.  
42

43                   **SECTION 3. Conditional of approval**  
44

45   This Resolution relating to Petition for approval of Petition Number 15-000545, is  
46   granted subject to the following conditions:  
47

48   1. The boat dock extensions illustrated on the site plan entitled "New Site Plan" dated  
49       November 6, 2015 prepared for Waterway Cove 1105 Gayer Way Marco Island,  
50       Florida.

51  
52   2. Proposed boat dock extensions are approved and shall be no greater than:

- 53  
54       a) Boat dock number #1: 2'-0" Extension  
55       b) Boat dock number #2: 2'-0" Extension  
56       c) Boat dock number #3: 2'-0" Extension  
57       d) Boat dock number #4: 2'-0" Extension  
58       e) Boat dock number #5: 2'-0" Extension  
59       f) Boat dock number #6: 11'-0" Extension  
60       g) Boat dock number #7: 12'-0" Extension  
61       h) Boat dock number #8: 4'-6" Extension  
62

63   3. The following conditions shall be requirements of the Boat Dock Extension approval  
64   and shall be the concurrent responsibility of the Unit Owner and Petitioner.  
65

66       a) The Petitioner is responsible for an affidavit from a licensed Florida marine  
67       contractor, licensed Florida Marine Engineer or licensed Florida Naval Architect  
68       verifying the proposed dock and lift configuration are navigable for the residence  
69       at Waterway Cove Condominium and the proposed configuration will not infringe  
70       upon the neighboring properties as indicated in section in Section 54-115 of  
71       Marco Island Land Development Code.  
72

73       b) Approval from the City of Marco Island is based on the Petitioner, the Waterway  
74       Cove Condominium Association, building the new eight (8) Boat Dock project as  
75       specified herein, as a whole. Unit owners shall not be permitted to individually  
76       permit and or build each dock. All docks, pilings and associated construction are  
77       to be built and installed simultaneously. Lifts can be installed by the individual  
78       unit owner providing the lift type is approved by the Waterway Cove  
79       Condominium Association.  
80

81       c) Lift Type approval from The City of Marco Island shall not constitute approval  
82       from the Waterway Cove Condominium Association.

83 d) Prior to commencement of constructions, the petitioner is required to re-submit  
84 construction documents to the Marco Island Building Department for review and  
85 approval.  
86

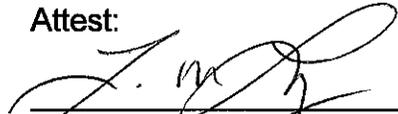
87 e) The Petitioner is responsible for any private deed restriction approvals with  
88 Marco Island Civic Association.  
89

90 **SECTION 4. Effective Date.**  
91

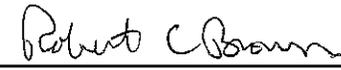
92 This Resolution shall be effective immediately upon adoption by the City Council.  
93

94 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this 7<sup>th</sup> day of  
95 December 2015  
96

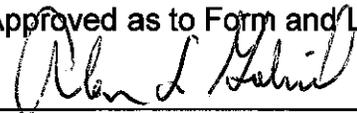
97 Attest:

98   
99 \_\_\_\_\_  
100 Laura M. Litzan, City Clerk  
101

CITY OF MARCO ISLAND, FLORIDA

By:   
102 \_\_\_\_\_  
103 Robert C. Brown, Chairman  
104

103 Approved as to Form and Legal Sufficiency:

104   
105 \_\_\_\_\_  
106 Alan L. Gabriel, City Attorney

