

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 08-11

A RESOLUTION GRANTING CONDITIONAL USE APPROVAL FOR 30 NEW WET SLIPS AT THE MARCO ISLAND YACHT CLUB; ON PROPERTY LEGALLY DESCRIBED AS THE YACHT CLUB OF MARCO ISLAND, REPLAT TRACT B AND ALL PROPERTY SUBMERGED OR OTHERWISE DESCRIBED IN OR 2882 PAGE 2082, COLLIER COUNTY, FLORIDA AND THE CITY OF MARCO ISLAND.

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 Marco Island Planning Board, being the duly appointed and constituted planning board for the area hereby affected, has held a public hearing on January 18, 2008 after notice, and voted 5 to 1 to recommend that the Marco Island City Council approve the addition of 30 wet slips at the Marco Island Yacht Club as provided for in Section 30-324(6) of the CF zoning district, and has found as a matter of fact (Exhibit “A”) that satisfactory provision and arrangement have been made concerning all applicable matters required by the Marco Island Code of Ordinances; and

WHEREAS, City Council, acting as the Board of Zoning Appeals, has held a public hearing after proper notice, and has considered the request for the addition of 30 wet slips at the Marco Island Yacht Club as provided for in Section 30-324(6) of the CF zoning district, and has found that satisfactory provision and arrangement have been made concerning all applicable matters required by said regulations; and

WHEREAS, all interested parties have been given opportunity to be heard by this Board of Zoning Appeals in public meeting assembled, and the Board having considered all matters presented;

NOW, THEREFORE BE IT RESOLVED, BY THE MARCO ISLAND CITY COUNCIL, ACTING AS THE BOARD OF ZONING APPEALS, THAT:

The Petition CU-07-01 filed by Joseph K. Cunningham, E.I.T., of Turrell & Associates, with respect to the property described as 1400 North Collier Boulevard, further described as Replat Tract “B” and all property submerged or otherwise described in OR 2882 Page 2082, Collier County, Florida and the City of Marco Island, Florida, is hereby granted Conditional Use approval for 30 new wet slips as illustrated in Exhibit “B”, in accordance with the Marco Island Code of Ordinances, and the following conditions:

1. A pump out station shall be provided for public use free of charge.

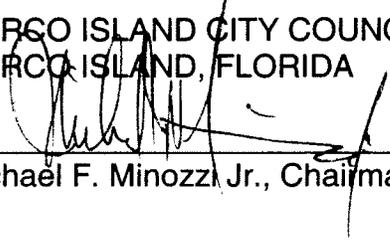
2. The Yacht Club shall be responsible for maintenance dredging along the entire length of the L-dock (319-feet) from the mouth of the Chestnut Waterway into the Marco River at a minimum width of 151-feet.
3. A slip along the seawall shall be provided for the City of Marco Island Police and Fire Rescue vessel at no cost to the City.
4. Space shall be provided for the Marco Island Youth Sailing program.
5. Prior to building permit approval, wind load specifications for each dock shall be reviewed and approved by the City Engineer.
6. Slips shall be leased only, and shall not be sold fee simple.
7. Petitioner shall submit a hurricane preparedness plan prior to building permit approval.
8. Vessel mooring is prohibited along the eastern side of the 319-foot L-dock, and shall be in accordance with Exhibit "B".

BE IT FURTHER RESOLVED that this Resolution relating to petition Number CU-07-01 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 3rd day of March 2008.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

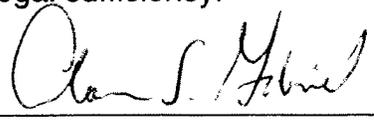
By: 
Michael F. Minozzi Jr., Chairman

ATTEST:



Laura Litzan
City Clerk

Approved as to Form and
legal sufficiency:



Alan L. Gabriel, Esq.
City Attorney

**FINDING OF FACT BY
MARCO ISLAND PLANNING BOARD
FOR
A CONDITIONAL USE PETITION FOR
CU-07-01**

(Yacht Club Marina – 30 wet slips)

The following facts are found:

1. Section 30-324(6) of City Code authorizes 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:
No affect _____ Affect mitigated by _____
Affect cannot be mitigated _____
 - 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 _____.

Date: _____

CHAIRMAN: _____

MEMBER: _____

EXHIBIT "A"

MARCO RIVER

25' ROW SETBACK
 100' ROW LINE
 SETBACK
 RIPARIAN LINE
 15'

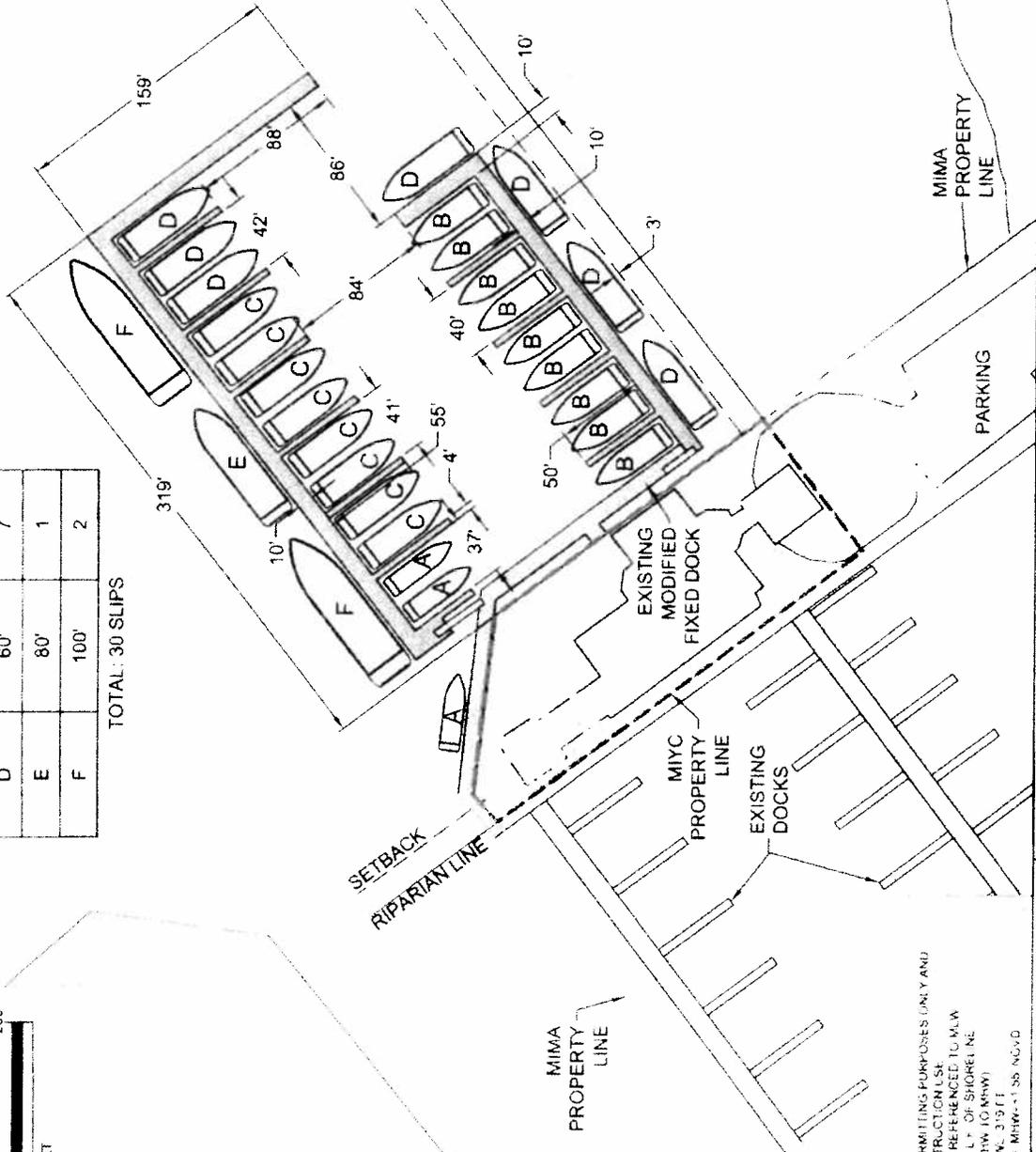
CLASS	LENGTH	SLIPS
A	45'	3
B	50'	9
C	55'	8
D	60'	7
E	80'	1
F	100'	2

TOTAL: 30 SLIPS



SCALE IN FEET

EXHIBIT "B"



NOTES:
 * THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
 * ALL DATUM SHOWN HEREON IS REFERENCED TO MLLW.
 * APPLICANT OWNS APPROX. 3/8 L.F. OF SHORELINE.
 * WIDTH OF WATERWAY: 1700' (MHW), 10' (MWW).
 * TOTAL PROJECTIONS FROM MHW: 319' FT.
 * DECA DATUM: MLLW=245 NGVD; MWW=+1.55 NGVD.

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 Marine & Environmental Consulting
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MARCO ISLAND YACHT CLUB
 PROP PLAN 10/23/07 AERIAL

DESIGNED	T.T.T.	REVISION	TAB NAME	COMPARE
DRAWN BY	JS	09-24-07	SHEET	
CREATED	09-05-07	N/A	SCALE	AS SHOWN
JOB NO.	8034	N/A		
SECTION: 4	TOWNSHIP: 4	RANGE: 52 S		RANGE: 26 E