

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 07- 47

A RESOLUTION APPROVING PETITION NUMBER BD-06-06 FOR A 15-FOOT EXTENSION FROM THE MAXIMUM PERMITTED 20-FOOT PROTRUSION INTO THE WATERWAY TO ALLOW FOR A 35-FOOT BOAT DOCKING FACILITY FOR THE CITY'S FIRE RESCUE/POLICE VESSEL, AND A 44-FOOT EXTENSION FROM THE MAXIMUM PERMITTED 20-FOOT PROTRUSION INTO THE WATERWAY TO ALLOW FOR A 64-FOOT BOAT DOCKING FACILITY FOR THE COUNTY'S BOAT RAMP FACILITY, BOTH ON PROPERTY LOCATED AT 909 COLLIER COURT (CAXAMBAS PARK), FURTHER DESCRIBED AS MARCO BEACH UNIT 10, TRACT B, AS RECORDED IN PLAT BOOK 6, PAGES 74-79, COLLIER COUNTY, FLORIDA AND THE CITY OF MARCO ISLAND.

WHEREAS, Chapter 54, Article IV, Marco Island Code of Ordinances, regulates the requirements for boat docking facilities on Marco Island; and

WHEREAS, Section 54-115 provides that property owners may petition the City Council for additional length or protrusion for boat docking facilities beyond the distances set forth in Chapter 54, Article IV, Marco Island Code of Ordinances; and

WHEREAS, pursuant to Section 54-115(e) Marco Island Code of Ordinances, the Marco Island Planning Board is responsible for reviewing and recommending to the Marco Island City Council approval, approval with conditions, or denial for requests for boat dock extensions to marinas; and

WHEREAS, Petition BD-06-06 is a request for extension of a boat dock facility as defined in Section 54-115(e), Marco Island Code of Ordinances; and

WHEREAS, the Collier County Board of County Commissioners is the lessee of the property that is the subject of the petition, which is described as Marco Beach Unit 10, Tract B, as recorded in Plat Book 6, Pages 74-79, Collier County, Florida and the City of Marco Island; and

WHEREAS, Clinton L. Peryman, Project Manager, Collier County Coastal Zone Management Department is the agent for Petitioner Collier County and Deputy Chief Chris Byrne of the City of Marco Island Fire Department is a co-petitioner since Marco Island is a subleasee of the subject property pursuant to a Sublease Agreement for boat lift and dock at Caxambas Marina with Collier County ("Sublease Agreement")

WHEREAS, the Marco Island Planning Board, following an advertised public hearing, considered public input, the recommendation of the staff, and the standards and guidelines of Section 54-115, "boat dock extensions" of the Marco Island Code of Ordinances, and voted 6 to 0 to recommend that the Marco Island City Council approve the petition BD-06-06 with conditions; and

WHEREAS, the Marco Island City Council acting as the Board of Zoning Appeals held an advertised public hearing and has considered the 1) Petition BD-06-06, which requests a 15-foot extension from the maximum permitted 20-foot protrusion into the waterway to allow for a 35-foot boat docking facility for the City's Fire Rescue/Police vessel, and a 44-foot extension from the maximum permitted 20-foot protrusion into the waterway to allow for a 64-foot boat docking facility for the County's Boat Ramp facility; 2) Planning Board recommendation regarding BD-06-06 of approval with conditions; and 3) public input from all interested parties given the opportunity to be heard by the City Council in the advertised public hearing;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MARCO ISLAND CITY COUNCIL acting as the Board of Zoning Appeals of the City of Marco Island, Florida that:

1) The foregoing whereas clauses are hereby adopted and incorporated by reference. Petition BD-06-06 is hereby approved as allowing a 15-foot extension from the maximum permitted 20-foot protrusion into the waterway to allow for a 35-foot boat docking facility for the City's Fire Rescue/Police vessel, and a 44-foot extension from the maximum permitted 20-foot protrusion into the waterway to allow for a 64-foot boat docking facility for the County's Boat Ramp facility (as shown Exhibit "A") subject to the following conditions:

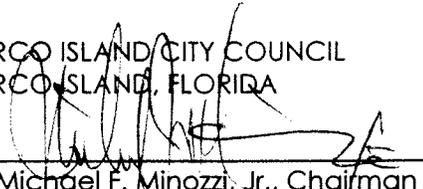
1. All docks, or mooring pilings, whichever produces the greatest protrusion into the water, regardless of length, shall have reflectors and house numbers four (4) inches in size (minimum) installed at the outermost end on both sides.
2. Any outside lighting on the boat docking facility must comply with Chapter 6, Article V, Marco Island Code of Ordinances, which regulates the requirements of outdoor lighting.
3. The site plan attached to this resolution, also referred to as Exhibit "A," shall be binding upon the property upon approval of the resolution. Any deviation from the approved site plan shall require further consideration by the Planning Board after a properly noticed public hearing.

4. Prior to the issuance of a building permit for the approved boat dock facility, the property owner shall provide the Building Official of Marco Island with a copy of the recorded resolution for approval.
5. Radio volumes on authorized vessels shall be lowered while mooring or within the lift.
6. Compliance with all applicable State and Federal regulations including but not limited to permitting, subject to legal sign-off.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number BD-06-06 be recorded in the minutes of this Board and filed with the City Clerk's Office.

This resolution adopted after motion, second and majority vote.

Done this 4th day of September 2007.

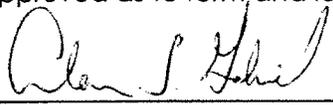
MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA
By: 
Michael F. Minozzi, Jr., Chairman

ATTEST:



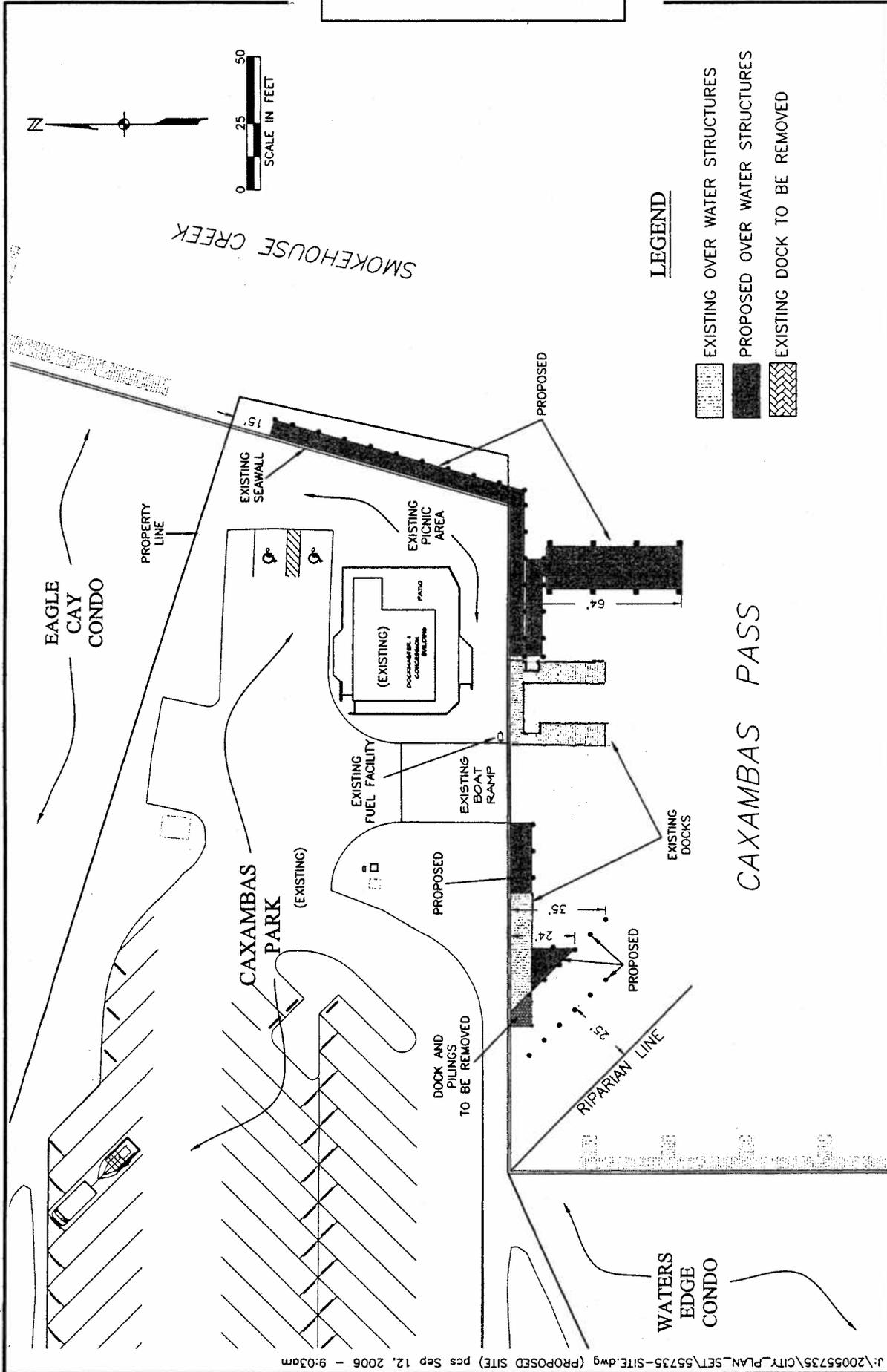
Laura Litzan
City Clerk

Approved as to form and legality:



Alan L. Gabriel, Esq.
City Attorney

EXHIBIT A



LEGEND

-  EXISTING OVER WATER STRUCTURES
-  PROPOSED OVER WATER STRUCTURES
-  EXISTING DOCK TO BE REMOVED

2350 STANFORD COURT
 NAPLES, FLORIDA 34112
 PHONE (239) 434-0333
 FAX (239) 434-9320
 E.B. #642 & L.B. #642

JOHNSON
ENGINEERING

Caxambas Dock Expansion
 Marco Island, Florida

PROPOSED SITE PLAN

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
9/06/2006	20055735	20-52-26	As Shown	4