MARCO ISLAND CITY COUNCIL RESOLUTION NO. 07-60

A RESOLUTION APPROVING PETITION NUMBER BD-07-11 FOR A 3-FOOT EXTENSION FROM THE MAXIMUM PERMITTED 20-FOOT PROTRUSION INTO THE WATERWAY TO ALLOW FOR A 23-FOOT BOAT DOCKING FACILITY ON PROPERTY LOCATED AT 879 ELM COURT, LEGALLY DESCRIBED AS MARCO BEACH UNIT 5, BLOCK 134, LOT 11, CITY OF MARCO ISLAND, FLORIDA.

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 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 granting approval for private boat dock extensions in single-family districts; and

WHEREAS, Petition BD-07-11 is a request for an extension as defined in Section 54-115(e), Marco Island Code of Ordinances; and

WHEREAS, Petitioner's William R. and Barbara Brockett are the owners of the following property that is the subject of this petition, Marco Beach Unit 4, Block 134, Lot 11, Collier County, Florida and the City of Marco Island; and

WHEREAS, the Petitioner's agent is Donald Ricci, Jr., Marco Marine Construction; and

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 to recommend that the Marco Island Planning Board approve petition BD-07-11; and

WHEREAS, the Marco Island Planning Board, has held an advertised public hearing and has considered the 1) Petition BD-07-11, which requests a 3-foot extension from the maximum permitted 20-foot protrusion into the waterway which would allow for a 23-foot boat dock facility with 2 slips on property hereinafter described; 2) Planning Board recommendation

regarding BD-07-11 for approval with conditions; and 3) Public input from all interested parties given the opportunity to be heard by the Planning Board at the advertised public hearing;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MARCO ISLAND PLANNING BOARD that:

1) The foregoing whereas clauses are hereby adopted and incorporated by reference. Petition BD-07-11 is hereby approved as allowing a 3-foot extension from the maximum permitted 20-foot protrusion into the waterway to allow for a 23-foot boat docking facility for William R. and Barbara Brockett (as shown on 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. The petitioner is reminded that 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 plans 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 City of Marco Island with a copy of the recorded resolution for approval.
5. Compliance with all applicable State and Federal regulations including but not limited to permitting, subject to legal sign-off.
6. Vessel mooring at the subject boat dock facility shall not occur until a Certificate of Occupancy permit is issued for the new single family residence.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number BD-07-11 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 19th day of October, 2007.

MARCO ISLAND PLANNING BOARD
MARCO ISLAND, FLORIDA

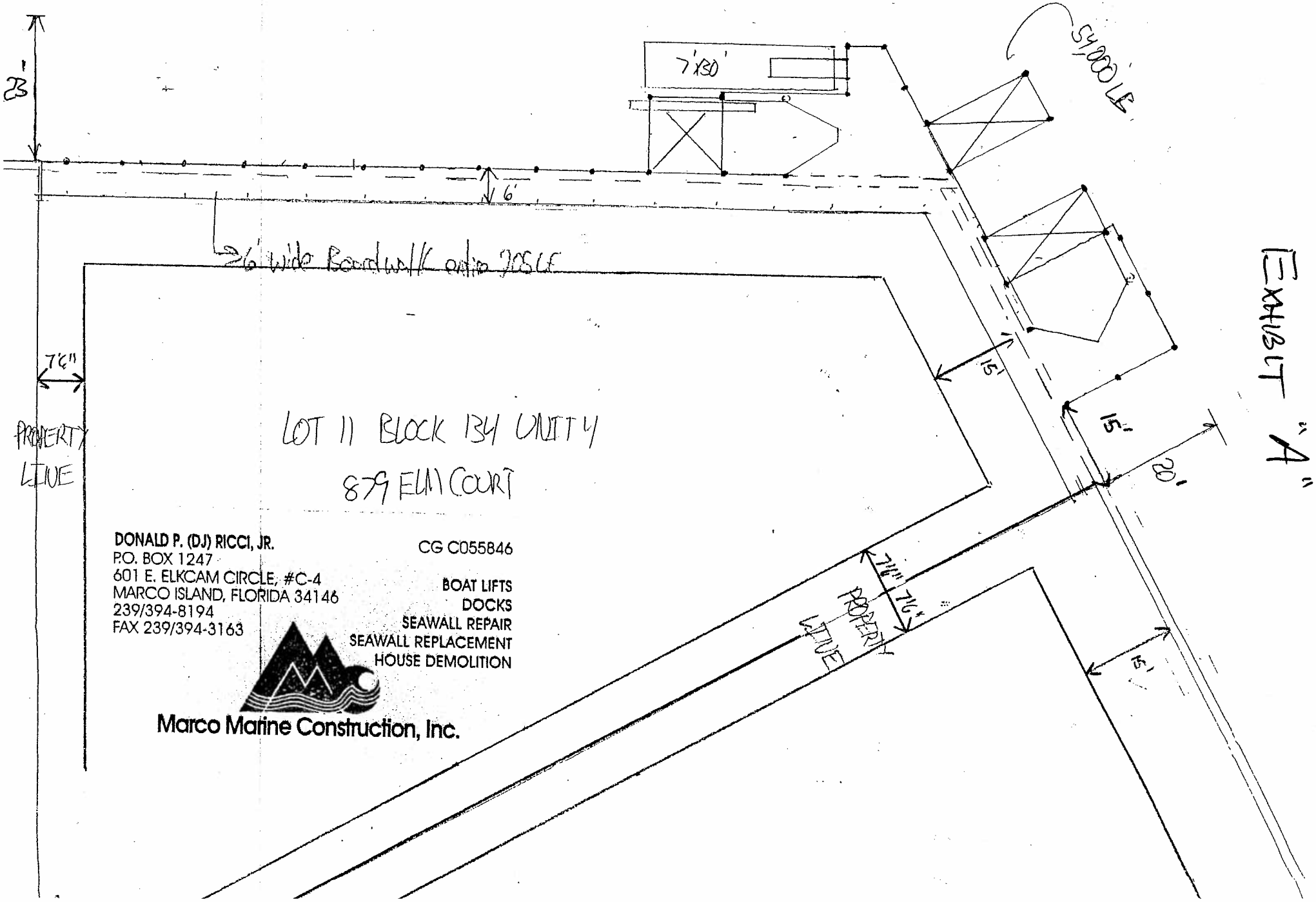
By: _____
Dr. James C. Riviere, Chairman

Approved as to form and legal sufficiency:

_____
Alan L. Gabriel, Esq.
City Attorney

SCALE 1" = 20'

EXHIBIT "A"



DONALD P. (DJ) RICCI, JR.
P.O. BOX 1247
601 E. ELKCAM CIRCLE, #C-4
MARCO ISLAND, FLORIDA 34146
239/394-8194
FAX 239/394-3163

CG C055846

BOAT LIFTS
DOCKS
SEAWALL REPAIR
SEAWALL REPLACEMENT
HOUSE DEMOLITION

Marco Marine Construction, Inc.