

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 07-55

A RESOLUTION APPROVING PETITION NUMBER V-07-05 FOR A 15-FOOT VARIANCE FROM THE NORTHERN RIPARIAN LINE SETBACK OF 15-FEET TO ZERO FEET, AND A 15-FOOT VARIANCE FROM THE SOUTHERN RIPARIAN LINE SETBACK OF 15-FEET TO ZERO FEET, TO PROVIDE A NEW BOAT DOCKING FACILITY AND CONTINUOUS BOARDWALK ON PROPERTY COMMONLY REFERRED TO AS PALM ISLES CONDOMINIUM, DESCRIBED AS MARCO BEACH UNIT 10, BLOCK 336, LOTS 23 AND 24, COLLIER COUNTY, FLORIDA AND THE CITY OF MARCO ISLAND.

WHEREAS, Section 54-111(b) of the Marco Island Code of Ordinances established that the riparian line setback requirements for boat docking facilities shall be equivalent to 15 percent of the seawall length with a minimum setback requirement of 15-feet for seawalls greater than 100 linear feet; and

WHEREAS, Joseph K. Cunningham E.I.T., of Turrell & Associates, Inc., representing Palm Isle Condominium, has petitioned the City for a 15-foot variance from the northern riparian line setback of 15-feet to zero feet, and a 15-foot variance from the southern riparian line setback of 15-feet to zero feet, to provide a new boat docking facility and continuous boardwalk to replace the existing marginal dock on the subject property; and

WHEREAS, the City of Marco Island has adopted Section 30-65 of the Marco Island Land Development Code which establishes variance procedures; 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 30-65, "Variance Procedures" of the Marco Island Code of Ordinances, and voted 4 - 0 to recommend that the Marco Island City Council approve the petition V-07-05; and

WHEREAS, the Marco Island City Council is acting as the Board of Zoning Appeals; and

WHEREAS, the Marco Island City Council, has held an advertised public hearing and has considered the advisability of the 15-foot variance from the northern riparian line setback of 15-feet to zero feet, and a 15-foot variance from the southern riparian line setback of 15-feet to zero feet, to provide a new boat docking facility and continuous boardwalk to replace the existing marginal dock on the subject property, and has found as a matter of fact that satisfactory provision and arrangement have been made concerning all applicable matters

required by said regulations and in accordance with Section 30-65 of the Marco Island Code of Ordinances.

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

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

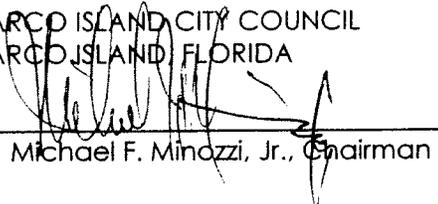
Petition V-07-05, filed by Joseph K. Cunningham E.I.T., of Turrell & Associates, Inc., as agent for Palm Isles Condominium Association, property owners, with respect to the property located at 900 Huron Court, legally described as Marco Beach Unit 10, Block 336, Lot 23 and 24, Collier County, and the City of Marco Island, Florida is hereby approved and authorizes a 15-foot variance from the northern riparian line setback of 15-feet to zero feet, and a 15-foot variance from the southern riparian line setback of 15-feet to zero feet, to provide a new boat docking facility and continuous boardwalk to replace the existing marginal dock on the subject property (as shown on the attached site plan, Exhibit "A") in the RMF-16 zoning district where in said property is located.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number V-07-05 be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.

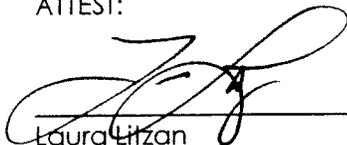
This Resolution adopted after motion, second, and majority vote.

Done this 1<sup>st</sup> day of October, 2007.

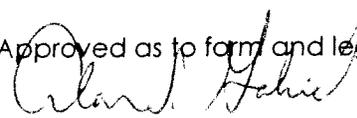
MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

By:   
Michael F. Minozzi, Jr., Chairman

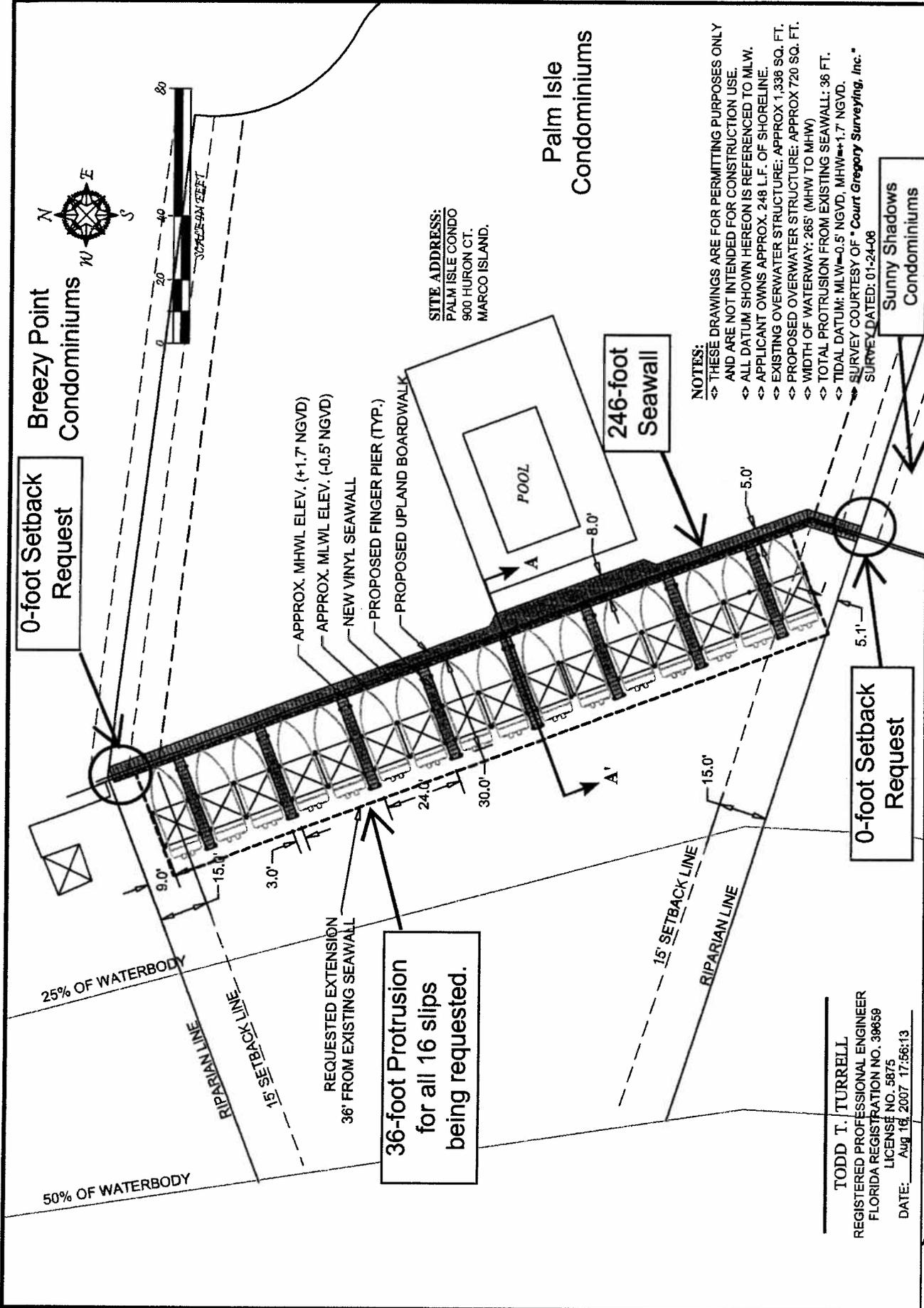
ATTEST:

  
\_\_\_\_\_  
Laura Litzan  
City Clerk

Approved as to form and legality:

  
\_\_\_\_\_  
Alan L. Gabriel, Esq.  
City Attorney

# EXHIBIT A



**SITE ADDRESS:**  
 PALM ISLE CONDO  
 900 HURON CT.  
 MARCO ISLAND.

**Palm Isle  
 Condominiums**

**NOTES:**  
 <> THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY  
 AND ARE NOT INTENDED FOR CONSTRUCTION USE.  
 <> ALL DATUM SHOWN HEREON IS REFERENCED TO MLW.  
 <> APPLICANT OWNS APPROX. 248 L.F. OF SHORELINE.  
 <> EXISTING OVERWATER STRUCTURE: APPROX 1,338 SQ. FT.  
 <> PROPOSED OVERWATER STRUCTURE: APPROX 720 SQ. FT.  
 <> WIDTH OF WATERWAY: 265' (MHW TO MHW)  
 <> TOTAL PROTRUSION FROM EXISTING SEAWALL: 36 FT.  
 <> TIDAL DATUM: MLW=-0.5' NGVD, MHW=+1.7' NGVD.  
 <> SURVEY COURTESY OF \*Court Gregory Surveying, Inc.\*  
 SURVEY DATED: 01-24-08

**Sunny Shadows  
 Condominiums**

DESIGNED: T.T.T.	REVISION:	TAB NAME:	Proposed
DRAWN BY: SS	05-24-08	SHEET:	04
CREATED: 03-02-06	06-14-07	SCALE:	1"=40'
JOB NO.: 0689	N/A		
SECTION: 2D	TOWNSHIP: 52 S	RANGE: 26 E	

## PALM ISLE CONDO PROPOSED DOCK LAYOUT & DIMENSIONS

**36-foot Protrusion  
 for all 16 slips  
 being requested.**

**TODD T. TURRELL**  
 REGISTERED PROFESSIONAL ENGINEER  
 FLORIDA REGISTRATION NO. 39659  
 LICENSE NO. 5875  
 DATE: Aug 16, 2007 17:56:13

**Turrell & Associates, Inc.**  
 Marine & Environmental Consulting  
 3584 Exchange Ave. Suite B. Naples, FL 34104-3732  
 Email: [ttaa@turrell-associates.com](mailto:ttaa@turrell-associates.com) Phone: (239) 643-0166 Fax: (239) 643-6632