

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 07- 52

A RESOLUTION APPROVING PETITION NUMBER BD-07-06 FOR A 16-FOOT EXTENSION FROM THE MAXIMUM PERMITTED 20-FOOT PROTRUSION INTO THE WATERWAY TO ALLOW FOR A 36-FOOT BOAT DOCKING FACILITY ON PROPERTY COMMONLY REFERRED TO AS SUNNY SHADOWS CONDOMINIUM, LOCATED AT 910 HURON COURT, LEGALLY DESCRIBED AS MARCO BEACH UNIT 10, BLOCK 336, LOTS 21 AND 22, 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 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 request for boat dock extensions for multi-family developments; and

WHEREAS, Petition BD-07-06 is a request for an extension as defined in Section 54-115(e), Marco Island Code of Ordinances; and

WHEREAS, Petitioner Sunny Shadows Condominium Association is the owner of the following property that is the subject of the petition: Marco Beach Unit 10, Block 336, Lots 21 and 22, Collier County, Florida and the City of Marco Island; and

WHEREAS, the Petitioner's agent is Joseph K. Cunningham E.I.T., of Turrell & Associates, Inc.; 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 4 - 0 to recommend that the Marco Island City Council approve the petition BD-07-06; 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 1) Petition BD-07-06, which requests a 16-foot extension from the maximum permitted 20-foot protrusion into the waterway which would allow for a 36-foot boat dock facility with 16 slips on property hereinafter described; 2) Planning Board recommendation regarding BD-07-06 for approval with conditions; and 3) Public input from all interested parties given the opportunity to be heard by the City Council at 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-07-06 is hereby approved as allowing a 16-foot extension from the maximum permitted 20-foot protrusion into the waterway to allow for a 36-foot boat docking facility for Sunny Shadows Condominium (as shown on Exhibits "A" - "B") 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 Exhibits "A"- "B" 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.

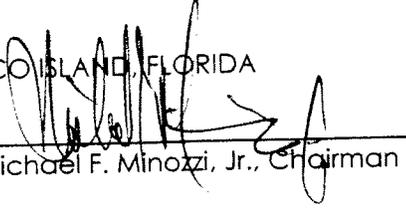
BE IT FURTHER RESOLVED that this Resolution relating to Petition Number BD-07-06 be recorded in the minutes of this Board and filed with the City Clerk's Office.

This resolution adopted after motion, second and majority vote.

Done this 1ST day of October, 2007.

MARCO ISLAND CITY COUNCIL

MARCO ISLAND, FLORIDA

By: 
Michael F. Minozi, Jr., Chairman

ATTEST:



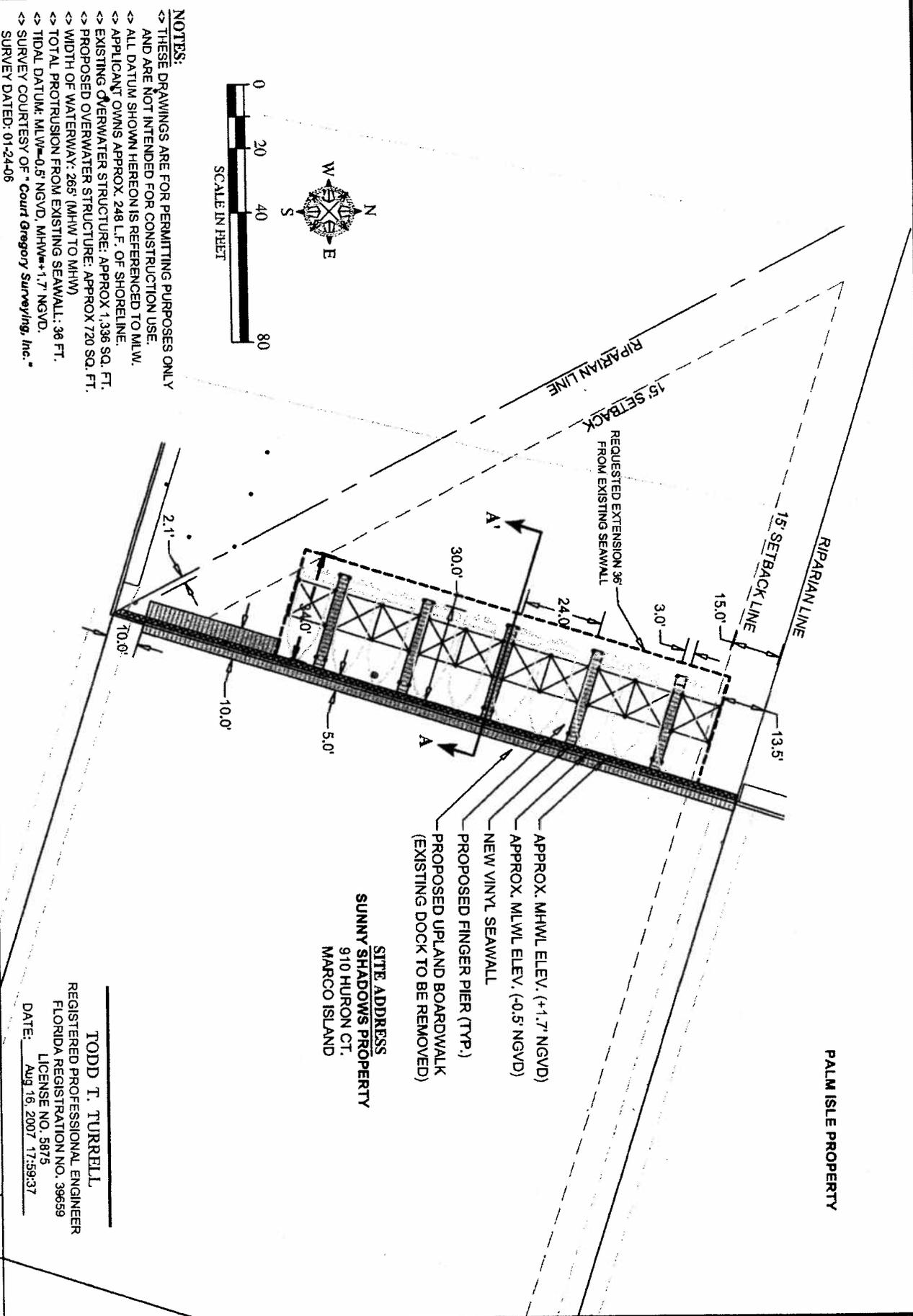
Laura Litzan
City Clerk

Approved as to form and legality:



Alan L. Gabriel, Esq.
City Attorney

EXHIBIT A



APPROX. MHWL ELEV. (+1.7' NGVD)
 APPROX. MLWL ELEV. (-0.5' NGVD)
 NEW VINYL SEAWALL
 PROPOSED FINGER PIER (TYP.)
 PROPOSED UPLAND BOARDWALK
 (EXISTING DOCK TO BE REMOVED)

SITE ADDRESS
SUNNY SHADOWS PROPERTY
 910 HURON CT.
 MARCO ISLAND

TODD T. TURRELL
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA REGISTRATION NO. 396559
 LICENSE NO. 5875
 DATE: Aug 16, 2007 17:59:37

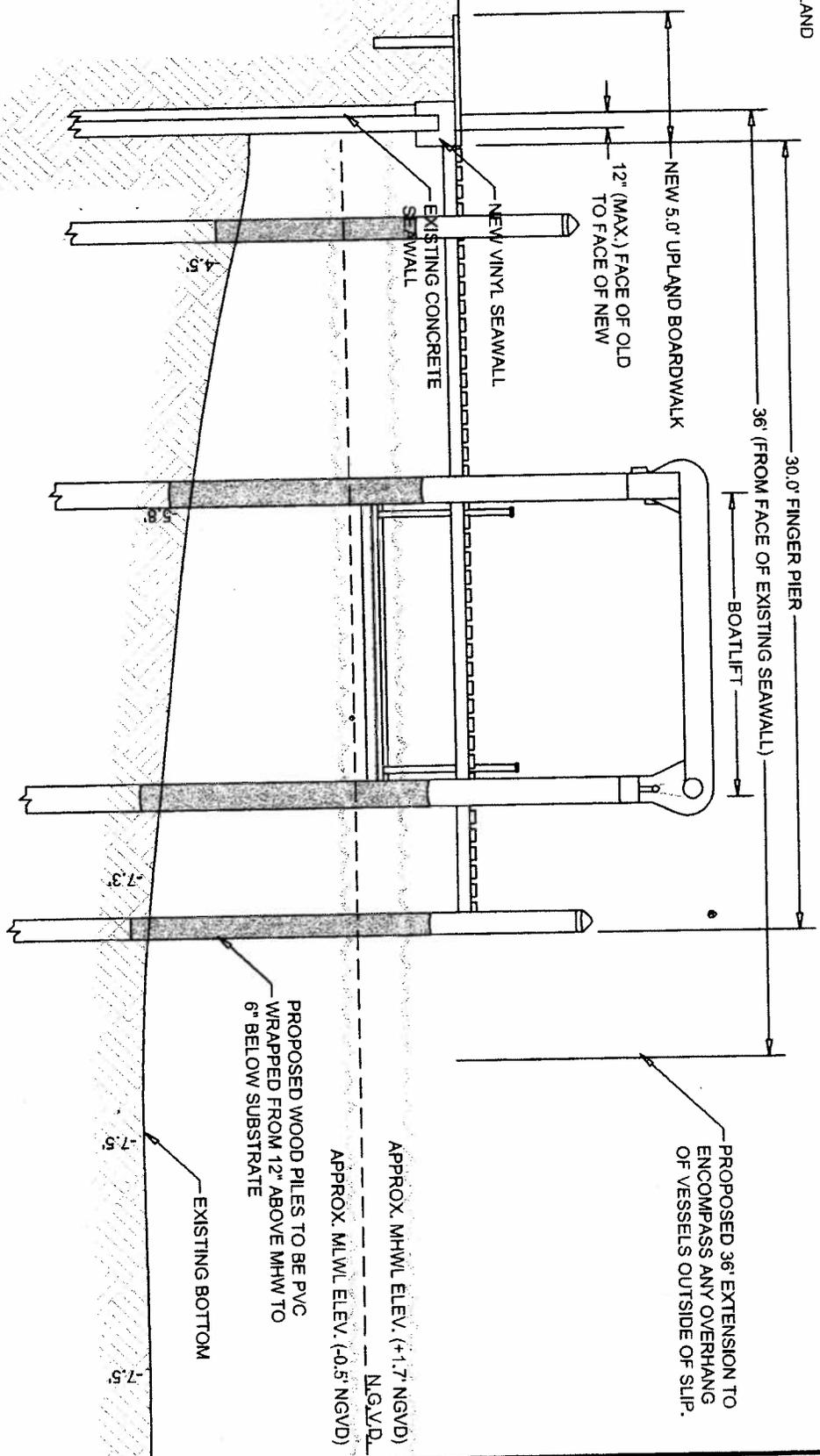
- NOTES:**
- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
 - ALL DATUM SHOWN HEREON IS REFERENCED TO M.L.W.
 - APPLICANT OWNS APPROX. 248 L.F. OF SHORELINE.
 - EXISTING OVERWATER STRUCTURE: APPROX 1,336 SQ. FT.
 - PROPOSED OVERWATER STRUCTURE: APPROX 720 SQ. FT.
 - WIDTH OF WATERWAY: 265' (MHW TO MHW)
 - TOTAL PROTRUSION FROM EXISTING SEAWALL: 36 FT.
 - TIDAL DATUM: M.L.W. = -0.5' NGVD, M.H.W. = +1.7' NGVD.
 - SURVEY COURTESY OF "Court Gregory Surveying, Inc."
 - SURVEY DATED: 01-24-06

Turrell & Associates, Inc.
 Marine & Environmental Consulting
 3384 Exchange Ave. Suite B, Naples, FL 34104-3732
 Phone: (239) 643-0166 Fax: (239) 643-6632
 Email: info@turrell-associates.com

SUNNY SHADOWS PROPOSED DOCK LAYOUT & DIMENSIONS

DESIGNED BY:	T.T.T.	REVISION:	08-14-07	TAB NAME:	Proposed
DRAWN BY:	SS			SHEET:	04
CREATED:	06-28-06		N/A	SCALE:	1"=40'
JOB NO.:	0632		N/A		
SECTION-	20	TOWNSHIP-	52 S	RANGE-	26 E

SITE ADDRESS
SUNNY SHADOWS PROPERTY
 910 HURON CT.
 MARCO ISLAND



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 SURVEY DATED: 01-24-06



TODD T. TURRELL
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA REGISTRATION NO. 39659
 LICENSE NO. 5875
 DATE: Aug 16, 2007 18:00:16



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 Marine & Environmental Consulting
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 Phone: (239) 643-0166 Fax: (239) 643-6632
 Email: land@turrell-associates.com

SUNNY SHADOWS
 CROSS SECTION A-A'

DESIGNED:	T.T.T.	REVISION:	TAB NAME:	Section
DRAWN BY:	SS	08-14-07	SHEET:	05
CREATED:	06-28-06	N/A	SCALE:	1"=6'
JOB NO.:	0692	N/A		
SECTION-20	TOWNSHIP-52 S	RANGE-26 E		

EXHIBIT "B"