MARCO ISLAND CITY COUNCIL RESOLUTION NO. 07-53

A RESOLUTION APPROVING PETITION NUMBER V-07-04 FOR A 15-FOOT VARIANCE FROM THE NORTHERN RIPARIAN LINE SETBACK OF 15-FEET TO ZERO FEET, AND A 13-FOOT VARIANCE FROM THE SOUTHERN RIPARIAN LINE SETBACK OF 15-FEET TO 2-FEET, TO PROVIDE A NEW BOAT DOCKING FACILITY AND CONTINUOUS BOADWALK ON PROPERTY COMMONLY REFFERED TO AS SUNNY SHADOWS CONDOMINIUM, LOCATED AT 910 HURON COURT, FURTHER DESCRIBED AS MARCO BEACH UNIT 10, BLOCK 336, LOTS 21 AND 22, 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 Sunny Shadows Condominium, has petitioned the City for a 15-foot variance from the northern riparian line setback of 15-feet to zero feet, and a 13-foot variance from the southern riparian line setback of 15-feet to 2-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-07-04; 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 13-foot variance from the southern riparian line setback of 15-feet to 2-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-07-04, filed by Joseph K. Cunningham E.I.T., of Turrell & Associates, Inc., as agent for Sunny Shadows Condominium Association, property owners, with respect to the property located at 910 Huron Court, legally described as Marco Beach Unit 10, Block 336, Lots 21 and 22, 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 13-foot variance from the southern riparian line setback of 15-feet to 2-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-07-04 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 1ST day of October, 2007.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

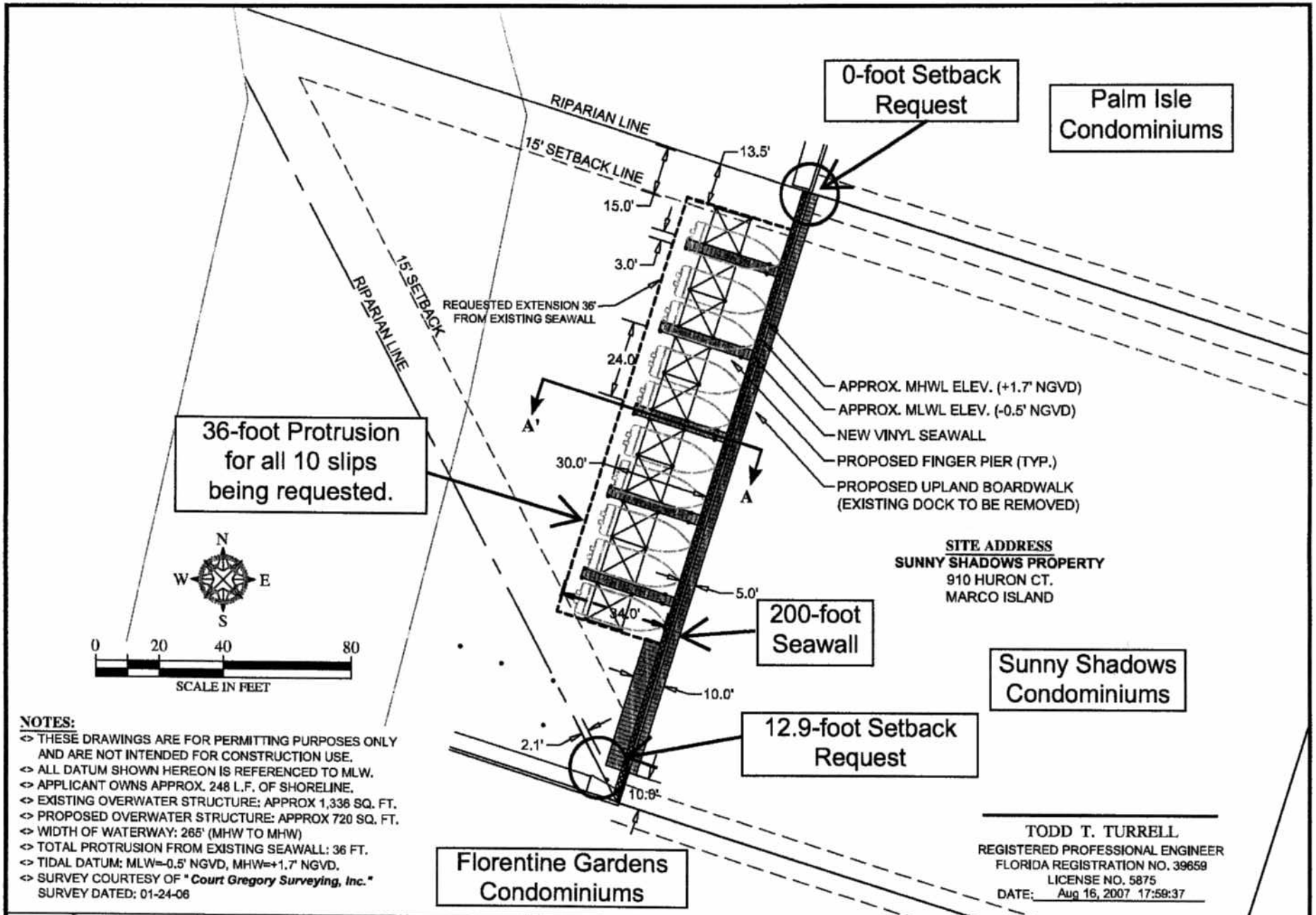
By: _____
Michael F. Minozzi, Jr., Chairman

ATTEST:

_____
Laura Litzan
City Clerk

Approved as to form and legality:

_____
Alan L. Gabriel, Esq.
City Attorney


0-foot Setback Request
Palm Isle Condominiums
RIPARIAN LINE
15' SETBACK LINE
13.5'
15.0'
3.0'
REQUESTED EXTENSION 36' FROM EXISTING SEAWALL
15' SETBACK
RIPARIAN LINE
24.0'
A'
A
30.0'
36-foot Protrusion for all 10 slips being requested.
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
N
W
E
S
0
20
40
80
SCALE IN FEET
5.0'
34.0'
200-foot Seawall
Sunny Shadows Condominiums
10.0'
2.1'
12.9-foot Setback Request
10.8'
Florentine Gardens 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 1,336 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: MLW=-0.5' NGVD, MHW=+1.7' NGVD.
<> SURVEY COURTESY OF "Court Gregory Surveying, Inc."
SURVEY DATED: 01-24-06
TODD T. TURRELL
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39659
LICENSE NO. 5875
DATE: Aug 16, 2007 17:59:37
Turrell & Associates, Inc.
Marine & Environmental Consulting
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Phone: (239) 643-0166
Fax: (239) 643-6632
SUNNY SHADOWS
PROPOSED DOCK LAYOUT & DIMENSIONS
DESIGNED: T.T.T.
REVISION:
TAB NAME: Proposed
DRAWN BY: SS
08-14-07
SHEET: 04
CREATED: 08-28-06
N/A
SCALE: 1"=40'
JOB NO.: 0632
N/A
SECTION- 20
TOWNSHIP- 52 S
RANGE- 26 E

EXHIBIT A