

MARCO ISLAND PLANNING BOARD RESOLUTION NO. 06-15

A RESOLUTION APPROVING PETITION NUMBER BD-06-04 FOR A FIVE-FOOT EXTENSION FROM THE MAXIMUM PERMITTED 20 FOOT PROTRUSION INTO THE WATERWAY TO ALLOW FOR A 25-FOOT BOAT DOCKING FACILITY ON PROPERTY LEGALLY DESCRIBED AS MARCO BEACH UNIT 11, BLOCK 364, LOT 11, 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 and Section 38-40, 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-06-04 is a request for a private boat dock extension as defined in Section 54-115(d), Marco Island Code of Ordinances; and

WHEREAS, Petitioners Herman G. and Frances A. Diebler are the owners of the following property that is the subject of the petition: Marco Beach Unit 11, Block 364, Lot 11, Collier County, Florida and the City of Marco Island; and

WHEREAS, the Petitioner's agent is Duane Thomas Marine Construction, LLC; and

WHEREAS, the Marco Island Planning Board has held a public hearing after proper notice, and considered the request for a five-foot extension of a boat dock from the maximum 20-foot protrusion into the waterway to allow for a 25-foot boat dock facility in a RSF-3 zoning district where the subject property is located; and

WHEREAS, the Marco Island Planning Board, following such 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

WHEREAS, all interested parties have been given the 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 PLANNING BOARD of the City of Marco Island, Florida that:

Petition BD-06-04 filed by Duane Thomas Marine Construction, LLC, as agent for Herman G. and Frances A. Diebler, property owners, with respect to the following real property:

Marco Beach Unit 11, Block 364, Lot 11, Folio Number: 57933800003, Collier County, Florida

Be and the same is hereby approved for a five-foot extension from the maximum permitted 20-foot protrusion into the waterway to allow for a 25-foot boat dock facility (as shown Exhibit "A") in the RSF-3 zoning district where in said property is located, subject to the following conditions:

1. All docks, or mooring pilings, whichever protrudes the greater into the water, regardless of length shall have reflectors and house numbers four (4) inches minimum size installed at the outermost end on both sides.
2. Permits or letters of exemption from the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection shall be presented prior to the issuance of a building permit.
3. Any outside lighting on the boat docking facility will comply with Chapter 6, Article V, Marco Island Code of Ordinances, which regulates the requirements of outdoor lighting.
4. 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.
5. 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 of approval.
6. The two mooring piles must have some form of warning light attached to the water ward side of each pile. Warning lights shall not use the colors "Red" or "Green."

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number BD-06-04 be recorded in the minutes of this Board and filed with the City Clerk's Office.

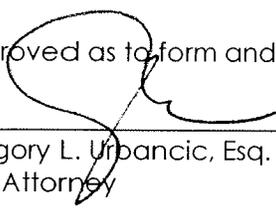
This resolution adopted after motion, second and majority vote.

Done this 24th day of March 2006.

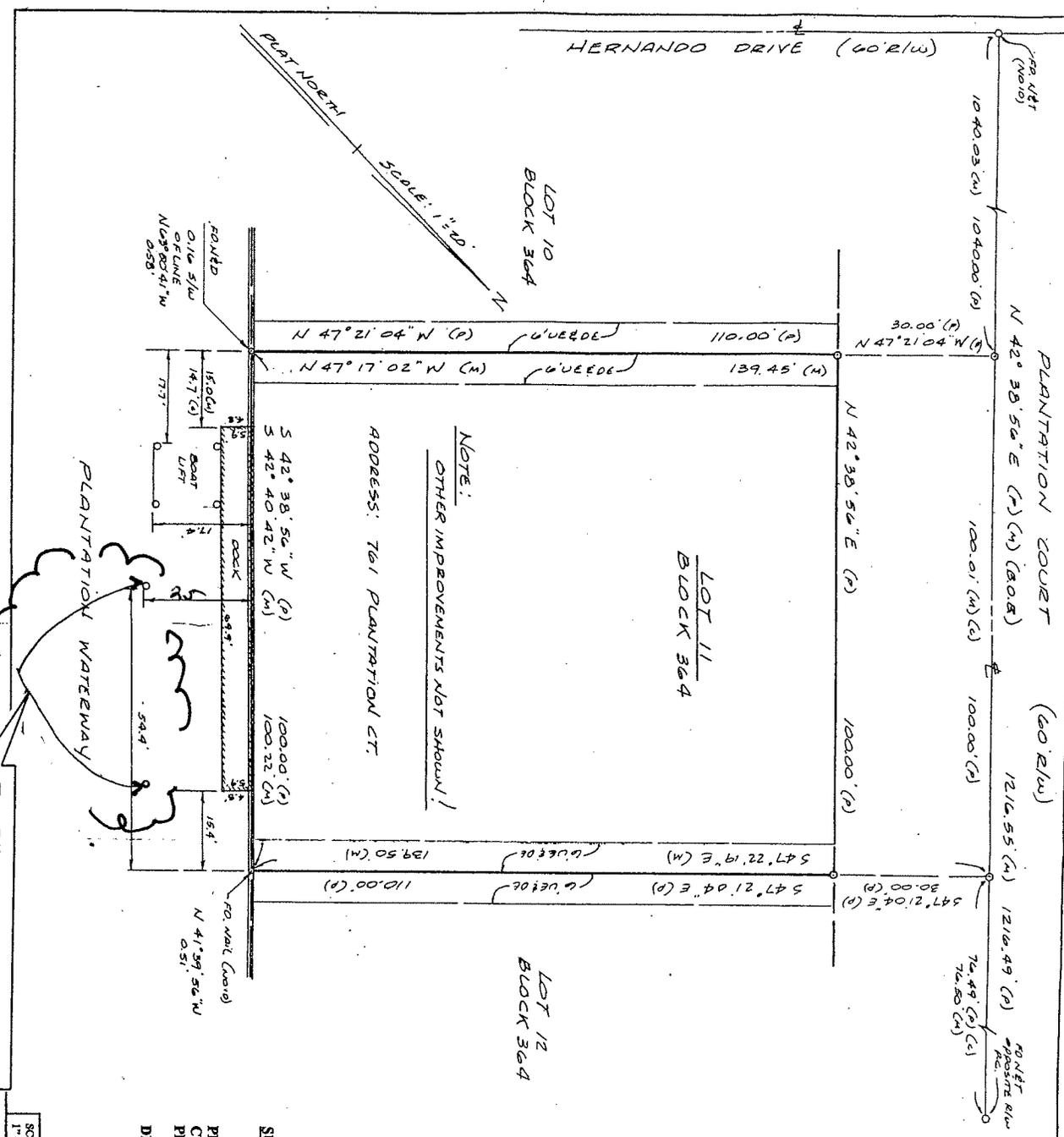
MARCO ISLAND PLANNING BOARD
MARCO ISLAND, FLORIDA

By: Monte Lazarus
Monte Lazarus, Chairman

Approved as to form and legal sufficiency:



Gregory L. Urbancic, Esq.
City Attorney



Two Piles moved 25 feet from seawall. No new decking.

* This petition request is only for two (2) new mooring piles to be placed 25 feet from the seawall. No new decking will be added and no new lift will be installed on the new piles.

EXHIBIT A

- LEGEND**
- LP - IRON PIN 3/8"
 - PI - IRON PIPE
 - OP - IRON OR NAIL & DISK SET I.D. # 6646
 - NO ID - NO IDENTIFICATION
 - FD - FOUND
 - N&T - NAIL AND TIN
 - N&D - NAIL AND DISK
 - PC - POINT OF CURVE
 - PT - POINT OF TANGENT
 - PI - POINT OF INTERSECTION
 - P - PLAT
 - MO - MEASURED
 - UC - CALCULATED
 - DE - UTILITY EASEMENT & DRAINAGE EASEMENT
- SURVEYORS NOTES:**
- 1) BASIS OF BEARINGS: CENTER LINE OF PLANTATION COURT AS BEING N 42°38'56" E (ASSUMED)
 - 2) BASIS OF ELEVATION: N/A
 - 3) ONLY ABOVE GROUND AND VISIBLE IMPROVEMENTS ARE SHOWN UNLESS OTHERWISE NOTED (SEE NOTE)
 - 4) SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
 - 5) ASBESTAC NOT REVIEWED
 - 6) SURVEYORS CERTIFICATION DOES NOT APPLY TO MATTERS OF TITLE ZONING OR FREEDOM OF ENCUMBRANCES AND IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 - 7) NO OTHER PERSONS OR ENTITIES, OTHER THAN SHOWN, MAY RELY ON THIS SURVEY.
 - 8) ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.
 - 9) DIMENSIONS ARE MEASURED FROM FACE OF SEAWALL TO DOCK DECKING NOT PILING.
 - 10) NO ERROR WAS MADE TO PROVE PLAT BOUNDARIES.
 - 11) DATE OF SURVEY: NOVEMBER 05, 1999

I HEREBY CERTIFY THAT A SURVEY OF THE HEREBY DESCRIBED PROPERTY WAS MADE UNDER MY DIRECTION AND MET THE MANDATORY TECHNICAL STANDARDS AS PER CHAPTER 61G17-6 F.A.C., PURSUANT TO SECTION 417.027, FLORIDA STATUTES.

STEPHEN A. HIGGINS III
 FLORIDA LICENSE NO. 13 5194

MARCO ISLAND LAND SURVEYING
 FLORIDA BUSINESS LICENSE NO. 13 6646

CERTIFIED TO: MARCO DOCK & LIFT, INC.

SECTION 7 TOWNSHIP 52S RANGE 26E

SURVEY TYPE: SPECIFIC PURPOSE BOUNDARY SURVEY
 "DOCK LOCATION"

PREPARED FOR: MARCO DOCK & LIFT, INC.
CUSTOMER NAME: HERMAN DIEBLER
PERMIT NUMBER: 993784

DESCRIPTION: LOT 11 IN BLOCK 364, MARCO BEACH UNIT ELEVEN RECORDED IN PLAT BOOK 6, PAGE 80-86, IN THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

MARCO ISLAND LAND SURVEYING
 28 TAHITI ROAD MARCO ISLAND FLORIDA 34143

SCALE: 1" = 20'
FIELD BOOK: 138 @ 51
DRAWN BY: SAH
DATE: 11-10-99
WO/DWG. NO.: 994645MEL1B364