

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 06-05

A RESOLUTION APPROVING PETITION NUMBER BD-06-01 FOR A 10-FOOT EXTENSION FROM THE MAXIMUM PERMITTED 20 FOOT PROTRUSION INTO THE WATERWAY WHICH WOULD ALLOW 21 INDIVIDUAL BOAT SLIPS A 30-FOOT PROTRUSION ON PROPERTY LOCATED AT 848 COLLIER COURT, FURTHER DESCRIBED AS MARCO BEACH UNIT 10, BLOCK 338, LOTS 27 & 28, 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(3)(e), Marco Island Code of Ordinances, the Marco Island City Council is responsible for reviewing and finally approving all private boat dock extensions in multi-family districts; and

WHEREAS, Petition BD-06-01 is a request for a private boat dock extension as defined in Section 54-115(3)(e), Marco Island Code of Ordinances; and

WHEREAS, Petitioners Nautilus Condominium Association is the owner of the following property that is the subject of the petition: Marco Beach Unit 10, Block 338, Lots 27 & 28, Collier County, Florida and the City of Marco Island; and

WHEREAS, the Petitioner's agent is 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 5-0 to recommend that the Marco Island City Council approve the petition BD-06-01; 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 petition for a 10-foot extension from the maximum permitted 20 foot protrusion

into the waterway which would allow 21 individual boat slips a 30-foot protrusion for a boat dock facility on property hereinafter described, 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 54-115 of the Marco Island Code of Ordinances.

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MARCO ISLAND CITY COUNCIL of the City of Marco Island, Florida that:

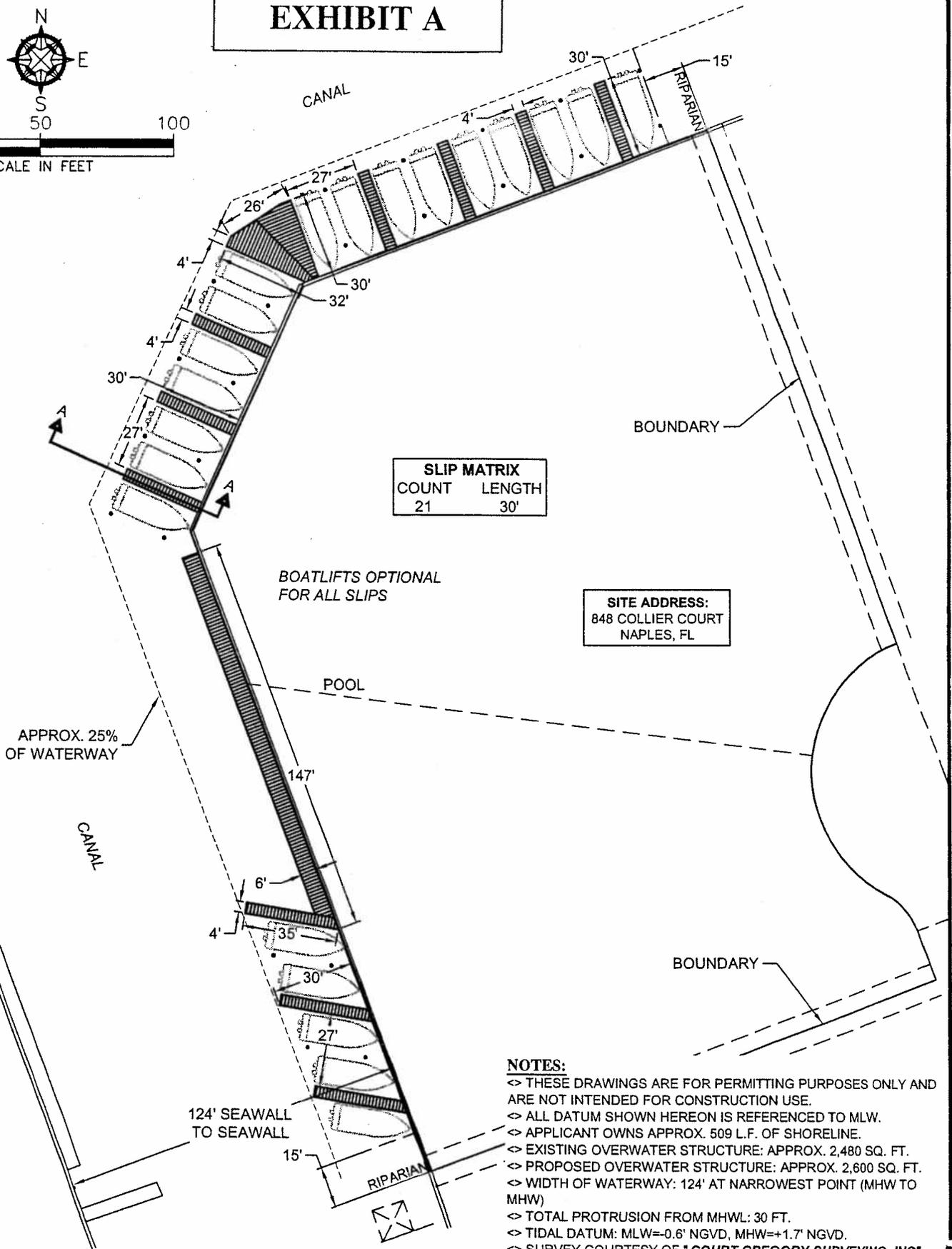
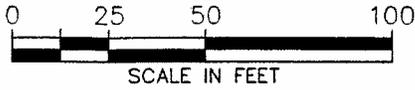
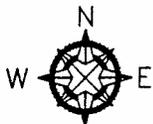
Petition BD-06-01 filed by Turrell & Associates, Inc., as agent for Nautilus Condominium Association, property owners, with respect to the following real property:

Marco Beach Unit 10, Block 338, Lots 27 & 28, Folio Number: 57865400005, Collier County, Florida

Be and the same is hereby approved for a 10-foot extension from the maximum permitted 20-foot protrusion into the waterway to allow for a 30-foot boat dock facility (as shown Exhibit "A") in the RMF-16 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 and approval by the City Council after properly noticed public hearings.
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.

EXHIBIT A



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. 509 L.F. OF SHORELINE.
- ◊ EXISTING OVERWATER STRUCTURE: APPROX. 2,480 SQ. FT.
- ◊ PROPOSED OVERWATER STRUCTURE: APPROX. 2,600 SQ. FT.
- ◊ WIDTH OF WATERWAY: 124' AT NARROWEST POINT (MHW TO MHW)
- ◊ TOTAL PROTRUSION FROM MHWL: 30 FT.
- ◊ TIDAL DATUM: MLW=-0.6' NGVD, MHW=+1.7' NGVD.
- ◊ SURVEY COURTESY OF "COURT GREGORY SURVEYING, INC"
- SURVEY DATED: 08-25-04



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NAUTILUS BOAT DOCKS PROPOSED DESIGN

DESIGNED:	T.T.T.	REVISION:		TAB NAME:	PROP
DRAWN BY:	KD	05-10-05		SHEET:	
CREATED:	09-08-04	12-08-05		SCALE:	1" = 50'
JOB NO.:	0452	N/A			
SECTION-20 TOWNSHIP- 52 S RANGE-26 E					

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number BD-06-01 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 21st day of February 2006.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: 
Vickie Kelber, Chairwoman

ATTEST:


Laura Litzan
City Clerk

Approved as to form and legal sufficiency:


Richard D. Yovanovich, Esq.
City Attorney