

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 04-09

RELATING TO PETITION NUMBER BD-03-21 FOR AN EXTENSION OF A BOAT DOCK ON PROPERTY HEREINAFTER DESCRIBED IN CITY OF MARCO ISLAND, FLORIDA.

WHEREAS, the Legislature of the State of Florida established the Charter of the City of Marco Island in Chapter 97-367, Laws of Florida ("City Charter"); and

WHEREAS, the City of Marco Island has adopted Ordinance 00-04 which regulates the requirements for boat docking facilities on Marco Island; and

WHEREAS, the Marco Island Planning Board conducted a public hearing on January 9, 2004 to considered the advisability of a 7-foot extension of a boat dock from the permitted 20% (14-foot) protrusion to allow for a 21-foot boat dock facility (as shown Exhibit "A") in a RMF-6 zone for the property hereinafter described, and voted 7-0 to recommend that the Marco Island City Council approve the requested boat dock extension; and

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

WHEREAS, the Marco Island City Council has held a public hearing and has considered the advisability of a 7-foot extension of a boat dock from the permitted 20% (14-foot) protrusion to allow for a 21-foot boat dock facility (as shown Exhibit "A") in a RMF-6 zone for the 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 Ordinance 00-04.

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:

The petition filed by Marco Dock & Lift, Inc., representing Gulf Coast Acquisitions, Inc., property owner, with respect to the property hereinafter described as:

Old Marco Village, Block 1, Lot 39, Collier County, and the City of Marco Island, Florida

Be and the same is hereby approved for a 7-foot extension of a boat dock from the permitted 20% (14-foot) protrusion into the waterway to allow for a 21-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:

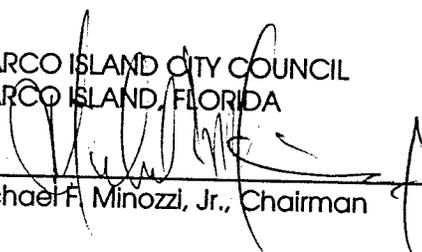
1. This resolution was approved in conjunction with V-03-08, BD-03-22, and V-03-09.
2. In the event the easement appurtenant agreement is terminated by either party to the agreement, each owner shall notify the City of Marco Island of such termination. Upon such mutual termination, the then existing dock facilities will be brought into compliance with code requirements in effect at the time of mutual termination.
3. 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.
4. 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.
5. Any outside lighting on the boat docking facility will comply with Ordinance 99-7.
6. 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.
7. 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.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number BD-03-21 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 1<sup>st</sup> day of March 2004.

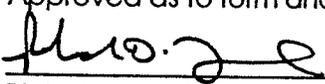
MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

By:   
Michael F. Minozzi, Jr., Chairman

ATTEST:

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

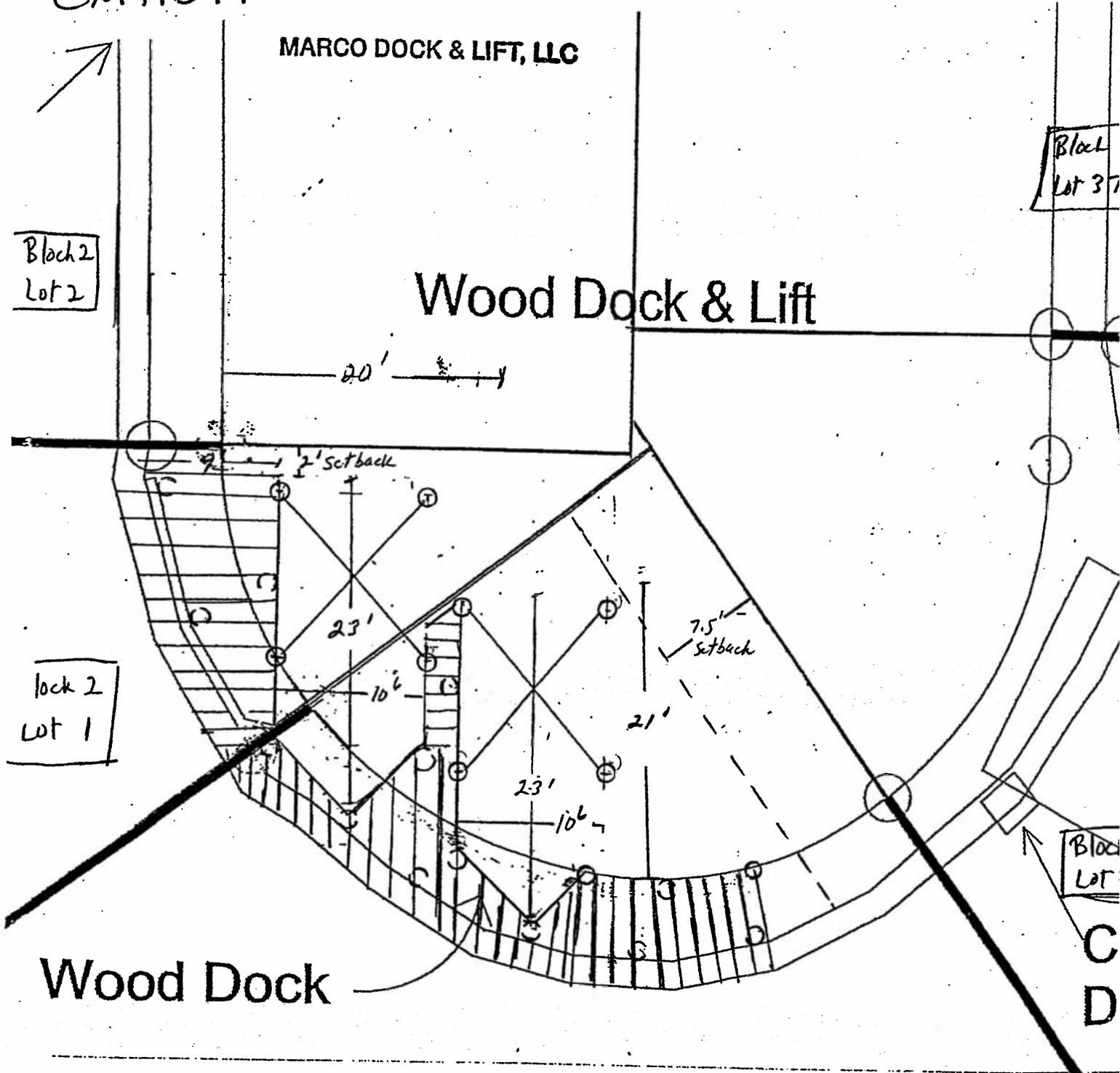
Approved as to form and legality:

  
\_\_\_\_\_  
Rich Yovanovich  
City Attorney

# EXHIBIT "A"

MARCO DOCK & LIFT, LLC

## Wood Dock & Lift



837 Palm (Blk 2/Lot 1) / 829 Palm (Blk 1/Lot 39)	
Scale: 1"=10'	Drawn By: BW
Date: 2/25/04	
MARCO DOCK & LIFT, LLC	

# Lot 39