

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 03-33

RELATING TO PETITION NUMBER BD-02-34 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 April 25, 2003 to consider the advisability of a 20-foot extension of a boat dock from the permitted 20 feet to allow for a 40-foot boat dock facility (as shown Exhibit "A") in an RMF-16 zone for the property hereinafter described, and voted 2-4 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 20-foot extension of a boat dock from the permitted 20 feet to allow for a 40-foot boat dock facility (as shown Exhibit "A") in an RMF-16 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 02-08.

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:

The petition filed by Jerry Neal of Hole Montes, Inc., as agent for Bayfront Place, LC, property owner, with respect to the property hereinafter described as:

790 - 794 West Elkcam Circle, further known as Bayfront Place Condominium, and legally described as Marco Beach Unit 11, Block 357, Lot 31, Collier County and the City of Marco Island, Florida.

Be and the same is hereby approved for a 20-foot extension of a boat dock from the permitted 20 feet to allow for a 40-foot boat dock facility (as shown Exhibit "A") in an RMF-16 zoning district where in said property is located, subject to the following conditions:

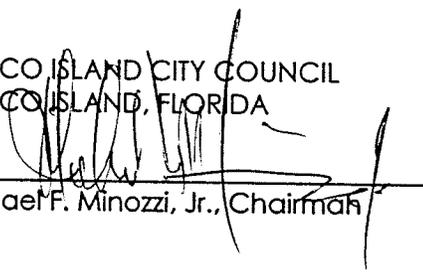
1. All docks, or mooring pilings, whichever protrudes the greater into the water, regardless of length shall have reflectors and house numbers four (4) inches minimum size installed at the outermost end on both sides.
2. Permits or letters of exemption from the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection shall be presented prior to the issuance of a building permit.
3. If applicable, any exotic vegetation as defined in Section 3.9.6.4.1 of the Land Development Code shall be removed from the site and the property shall be maintained exotic free in perpetuity.
4. Any outside lighting on the boat docking facility will comply with Ordinance 99-7.
5. 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.
6. 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-02-34 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 19th day of May 2003.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: 
Michael F. Minozzi, Jr., Chairman

ATTEST:



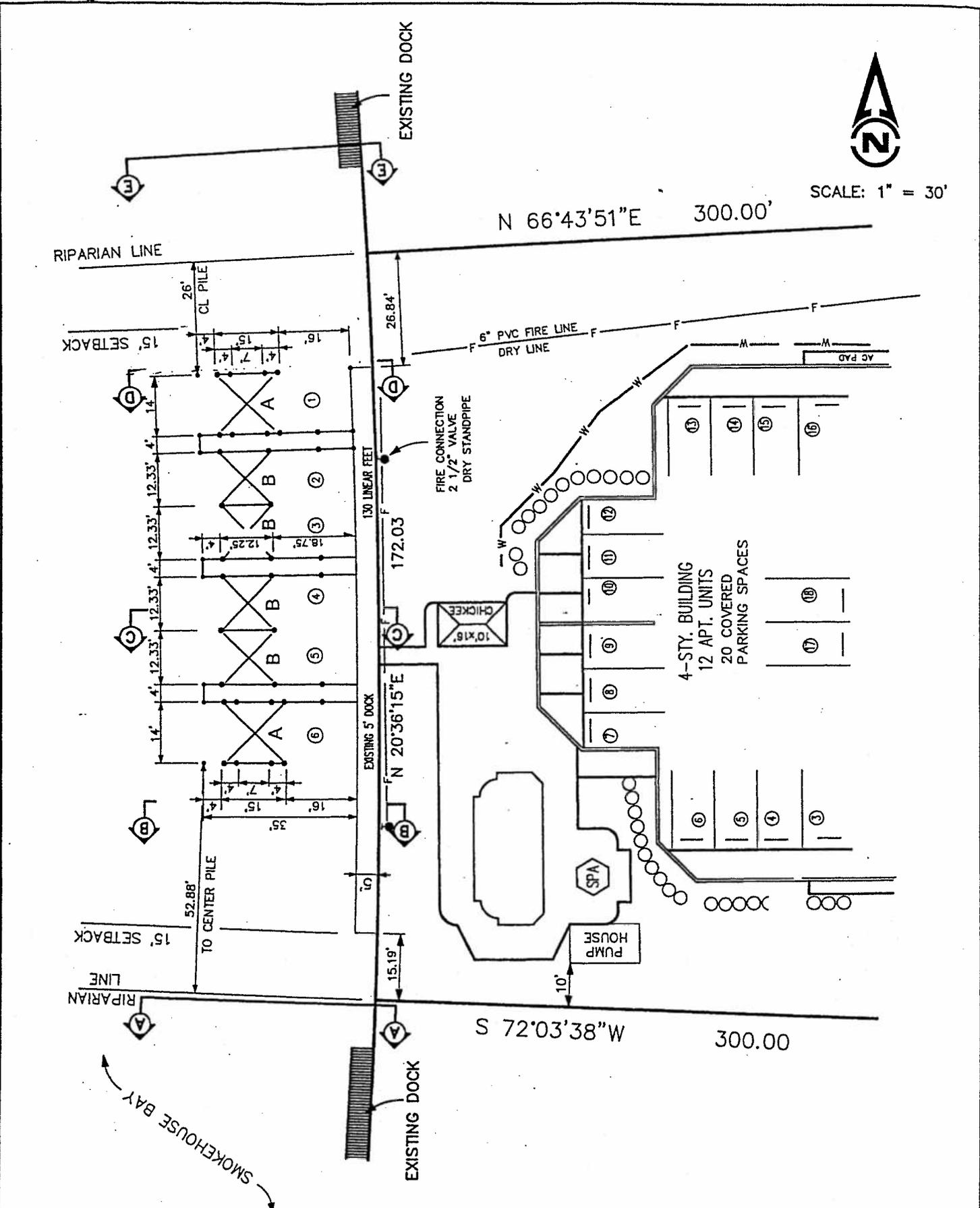
Laura Litzan
City Clerk

Approved as to form and legality:



Rich Yovanovich
City Attorney

Exhibit A



SEE EXHIBIT-ITEM 3924-5 FOR DOCK DETAIL
 SEE EXHIBIT-ITEM 3923-1 FOR AS-BUILT DOCK PLAN



950 Encore Way
 Naples, FL 34110
 Phone: (941) 254-2000

**DIMENSION PLAN
 BAYFRONT PLACE**

CHECKED BY : J.C.N.	PROJECT No. 01.049
DRAWN BY : M.W.L.	CAD FILE NAME: 01049DIM

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