

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 00-06

RELATING TO PETITION NUMBER BD-99015 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 Charter provides that the City Council shall serve as the Board of Zoning Appeals; and

WHEREAS, the City Council is responsible for reviewing and finally approving private boat dock extensions on multi-family properties; and

WHEREAS, Petition BD-99015 is a request for a private boat dock extension on a multi-family property as defined in Ordinance 98-1; and

WHEREAS, the City Charter provides that the Collier County Land Development Code in effect on August 28, 1997 ("Regulations") shall remain in effect as the City of Marco Island's transitional land development regulations; and

WHEREAS, the Marco Island City Council, being the duly constituted Board of Zoning Appeals for the area hereby affected, has held a public hearing after proper notice as provided in said Regulations was made, and has considered the advisability of a 10-foot extension of a boat dock from the permitted 20 feet to allow for a 30-foot boat dock facility in a RMF-12(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 Section 2.6.21 of the Collier County Land Development Code; and

WHEREAS, all interested parties have been given the opportunity to be heard by this Commission in public meeting assembled, and the Commission 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:

The petition filed by Miles L. Scofield of Turrell & Associates, representing Nicky, J. V., property owner, with respect to the property hereinafter described as:

Villas at Waterside, Marco Beach Unit 6, Block 799, Lots 4 – 7, Collier County, and the City of Marco Island Marco Island

Be and the same is hereby approved for a 10-foot extension of a boat dock from the permitted 20 feet to allow for a 30-foot boat docking facility in the RMF-12(6) zoning district where in said property is located, subject to the following conditions:

1. The protrusion of the combination of the boat docking facility and any moored vessel shall not exceed 30 feet from the seawall.
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. Construction of this facility shall be consistent with Florida Department of Environmental Protection, ERP No. 110147735-001.
3. In order to address the protection of manatees, one (1) "Manatee Alert" sign shall be permanently affixed to a piling at this facility and shall be visible from the waterway.
4. All exotic vegetation as defined in Section 3.9.6.4.1 of the LDC, shall be removed from the site and the property shall be maintained exotic free in perpetuity.
5. Any outside lighting on the boat docking facility will comply with Ordinance 99-7

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number BD-99015 be recorded in the minutes of this Board and filed with the City Clerk's Office.

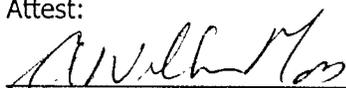
This resolution adopted after motion, second and majority vote.

Done this 7th day of February 2000.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

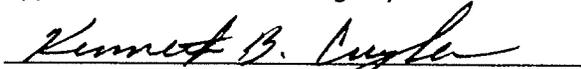
By: 
Kjell Pettersen, Chairman

Attest:



A. William Moss
City Manager/City Clerk

Approved as to Form and legality:



Kenneth B. Cuyler
City Attorney

Naples Daily News
Naples, FL 34102

Affidavit of Publication
Naples Daily News

CITY OF MARCO ISLAND
ATT: DEE PHILLIPS
950 N COLLIER BLVD #308
MARCO ISLAND FL 34145

REFERENCE: 054361
57996807 BD-99015 NOTICE OF P

State of Florida
County of Collier

Before the undersigned authority, personally appeared B. Lamb, who on oath says that she serves as the Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida: that the attached copy of advertising was published in said newspaper on dates listed.

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLISHED ON: 01/21

AD SPACE: 62.000 INCH
FILED ON: 01/21/00

Signature of Affiant *B. Lamb*
Sworn to and Subscribed before me this 24 day of Jan 2000
Personally known by me *[Signature]*



Susan D Flora
My Commission CC581717
Expires Dec. 10, 2000

BD-99015
NOTICE OF
PUBLIC HEARING
Notice is hereby given that a public hearing will be held by the Marco Island City Council at 6:00 P.M., Monday, February 7, 2000, at Mackle Park, 1361 Andalusia Terrace, Marco Island, Florida to consider:
Petition No. BD-99015, Miles L. Scofield of Turrell & Associates, as agent for Nicky, J. V., property owner, requesting a 10-foot extension to allow for the construction of a 30-foot boat docking facility which can accommodate up to 42 vessels for property located at 149 Waterway Drive, further described as Villas at Waterside, Collier County, Florida and the City of Marco Island.
All interested parties are invited to appear and be heard. Written comments filed with the City of Marco Island Community Development Department prior to February 7, 2000 will be considered at the public hearing.
If a person decides to appeal any decision made by the Marco Island City Council with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
MARCO ISLAND
CITY COUNCIL
COLLIER COUNTY,
FLORIDA
BY: KJELL PETERSEN,
CHAIRMAN
Jan. 21 No. 1546678