

MARCO ISLAND PLANNING BOARD RESOLUTION NO. 99- 23

RELATING TO PETITION NUMBER BD-99006 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 there shall be a planning commission advisory to the City Council; and

WHEREAS, the City Council adopted Ordinance 98-1, establishing and creating the Marco Island Planning Board; and

WHEREAS, pursuant to Ordinance No. 98-1, the Marco Island Planning Board is responsible for reviewing and finally approving private boat dock extensions; and

WHEREAS, Petition BD-99006 is a request for a private boat dock extension 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 Planning Board, being the duly constituted Planning Board 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 12-foot extension of a boat dock from the permitted 20 feet to allow for a 32-foot boat dock facility in a RSF-3 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 PLANNING BOARD of the City of Marco Island, Florida that:

The petition filed by Jerry Neal, representing Frank Beltran, with respect to the property hereinafter described as:

Marco Beach Unit 13, Block 403, Lot 17; Collier County, Florida, and within the City of Marco Island

Be and the same is hereby approved for a 12-foot extension of a boat dock from the permitted 20 feet to allow for a 32-foot boat docking facility in the RSF-3 zoning district where in said property is located, subject to the following conditions:

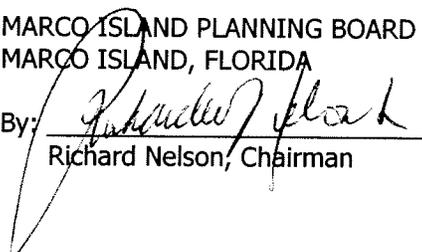
1. The entire facility shall either be moved 15' to the north so that the facility is setback at least 30' from the south property line, or the orientation of the facility shall be reversed so that the vessel enters and exits the facility from the north.
2. The protrusion of the decking on the facility shall be limited to 20' from the seawall into the water.
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. In order to address the protection of manatees, one (1) "Manatee Alert" sign shall be permanently affixed to the pilings and shall be visible from the waterway.
6. All 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.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number BD-99006 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.

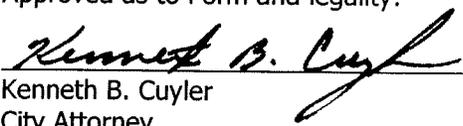
Done this 21st day of May, 1999.

MARCO ISLAND PLANNING BOARD
MARCO ISLAND, FLORIDA

By: 

Richard Nelson, Chairman

Approved as to Form and legality:


Kenneth B. Cuyler
City Attorney