

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 99-41

RELATING TO PETITION NUMBER BD-99010 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-99010 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-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 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 Jerry Neal, representing South Seas Club, with respect to the property hereinafter described as:

South Seas Club, located on Seaview Court, Collier County, Florida 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-16 zoning district where in said property is located, subject to the following conditions:

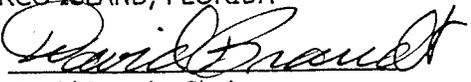
1. No vessel shall be moored on the outside of the floating dock except for loading and unloading only.
2. The protrusion of the combination of the boat docking facility and any moored vessel shall not exceed 30 feet from the seawall.
3. Permits or letters of exemption from the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection shall be presented prior to the issuance of a building permit.
4. 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.
5. 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.
6. 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-99010 be recorded in the minutes of this Board and filed with the City Clerk's Office.

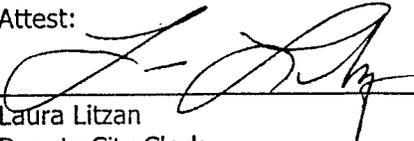
This resolution adopted after motion, second and majority vote.

Done this 1st day of November 1999.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

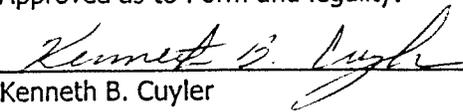
By: 
David Brandt, Chairman

Attest:



Laura Litzan
Deputy City Clerk

Approved as to Form and legality:



Kenneth B. Cuyler
City Attorney