

MARCO ISLAND PLANNING BOARD RESOLUTION NO. 98-16

RELATING TO PETITION NUMBER BD-98-4 FOR
AN EXTENSION OF A BOAT DOCK ON PROPERTY
HEREINAFTER DESCRIBED IN COLLIER
COUNTY, 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 No. 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-98-4 is a request for a roof over an existing boat lift as defined in Ordinance No. 98- ; 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's transitional land development regulations; and

WHEREAS, the City of Marco Island and Collier County have entered into an interlocal agreement by which Collier County staff is authorized to review and present Petition BD-98-4 to the Marco Island Planning Board; 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 roof over an existing boat lift in an RSF-4 MIZO 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 Marco Island Planning Board of the City of Marco Island, Florida, that:

The petition filed by Sunset Builders of S.W. Florida, representing Carl Titgemeier, with respect to the property hereinafter described as:

Lot 20, Block 228, Marco Beach Unit 6, as recorded in Plat Book 6, Page 47-54, of the Public Records of Collier County, Florida.

be and the same is hereby approved for a roof over an existing boat lift in the RSF-4 MIZO zoning district wherein 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. 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.
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 issuance of a building permit.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number BD-98-4 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 3rd day of April, 1998.

MARCO ISLAND PLANNING BOARD
MARCO ISLAND, FLORIDA

By: Richard Nelson
Richard Nelson, Chairman

ATTEST:

Patricia L. Berry
Patricia L. Berry
Interim Assistant City Clerk

Charles McCool
Charles McCool
Interim City Manager

Approved as to Form and legality:

Kenneth B. Cuyler
Kenneth B. Cuyler
Interim City Attorney

BD 98-4 RESOLUTION

MEMORANDUM

TO: MARCO ISLAND PLANNING BOARD

FROM: COLLIER COUNTY COMMUNITY DEVELOPMENT & ENVIRONMENTAL SERVICES DIVISION

DATE: MARCH 4, 1998

RE: BD-98-4, CARL TITGEMEIER



AGENT/OWNER:

Agent: Sunset Builders of Southwest Florida
 PO Box 2631
 Marco Island, FL

Owner: Carl Titgemeier
 815 Caribbean Court
 Marco Island, FL 34145

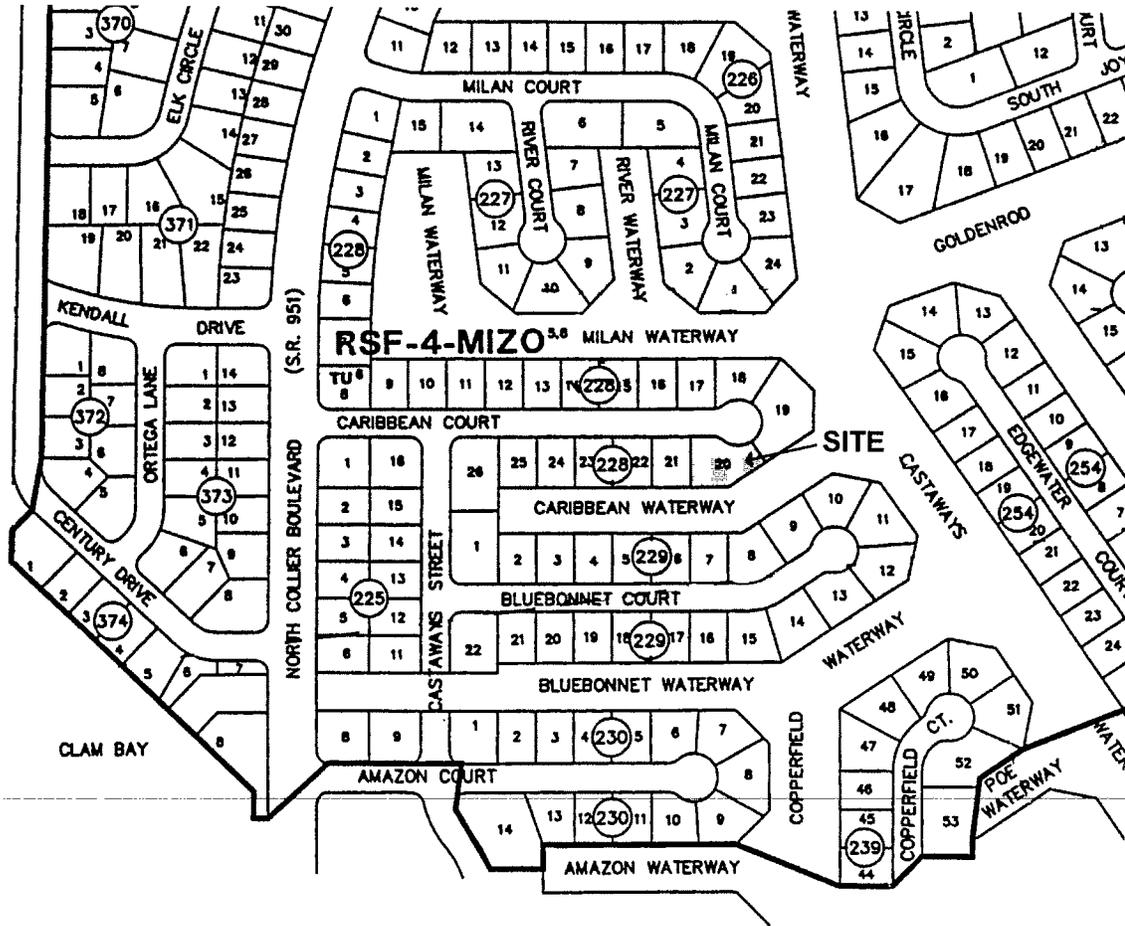
REQUESTED ACTION:

The petitioner wishes to obtain approval for a roof over an existing dock, effectively creating a boathouse. According to information supplied by the applicant, the dock protrudes 19.7 feet into a 100 foot wide canal. The site is located on Caribbean Waterway on Marco Island.

The Land Development Code (LDC) requires: Section 2.6.21.1. of the LDC requires approval by the Collier County Planning Commission (Marco Island Planning Board) prior to the establishment of a boathouse. No boathouse on canals or waterways 100 feet or greater in width shall protrude more than 20 feet into the waterway.

GEOGRAPHIC LOCATION:

The subject property is located at 815 Caribbean Court and is further described as Lot 20, Block 228, Marco Beach Unit 6, in Section 8, Township 52 South, Range 26 East (See location map following page).



BD-98-4
Location Map

PURPOSE/DESCRIPTION OF PROJECT:

The petitioner wishes to add a roof over an existing dock and lift on the subject property. The roof shall protrude approximately two feet beyond the pilings. This is not calculated as part of the protrusion (LDC Section 2.6.4 permits roof overhangs to project up to three feet).

SURROUNDING LAND USE AND ZONING:

- North - Caribbean Court ROW
- South - Caribbean Waterway
- East - Vacant; RSF-4-MIZO zoning district
- West - Single family house; RSF-4-MIZO zoning district

EVALUATION FOR ENVIRONMENTAL, TRANSPORTATION AND INFRASTRUCTURE:

The environmental staff of Planning Services has reviewed this petition and has no objection to the granting of the requested boathouse, subject to the stipulations incorporated into the attached resolution.

Staff Comments:

Staff has reviewed this petition in accordance with Section 2.6.21 of the Collier County Land Development Code and finds the following:

Whether or not the dock design and moored vessel protrude greater than 25 percent of the width of the navigable canal or greater than 20 feet for boathouses, and whether or not a minimum of 50 percent of the platted canal width between dock structures/moored vessel(s) on the opposite side of the canal be maintained in order to ensure reasonable waterway width for navigability.

The width of the waterway is 100 feet. According to information supplied by the applicant, the boathouse protrudes 19.7 feet into the waterway. This distance equates to 19.7 percent of the width of the navigable waterway. At least 50 percent of the platted waterway width between dock structures/moored vessel(s) on the opposite side of the waterway is being maintained, ensuring reasonable waterway width for navigability.

Whether or not there special conditions related to the subject property or waterway which justify the proposed dimension and location of the subject dock.

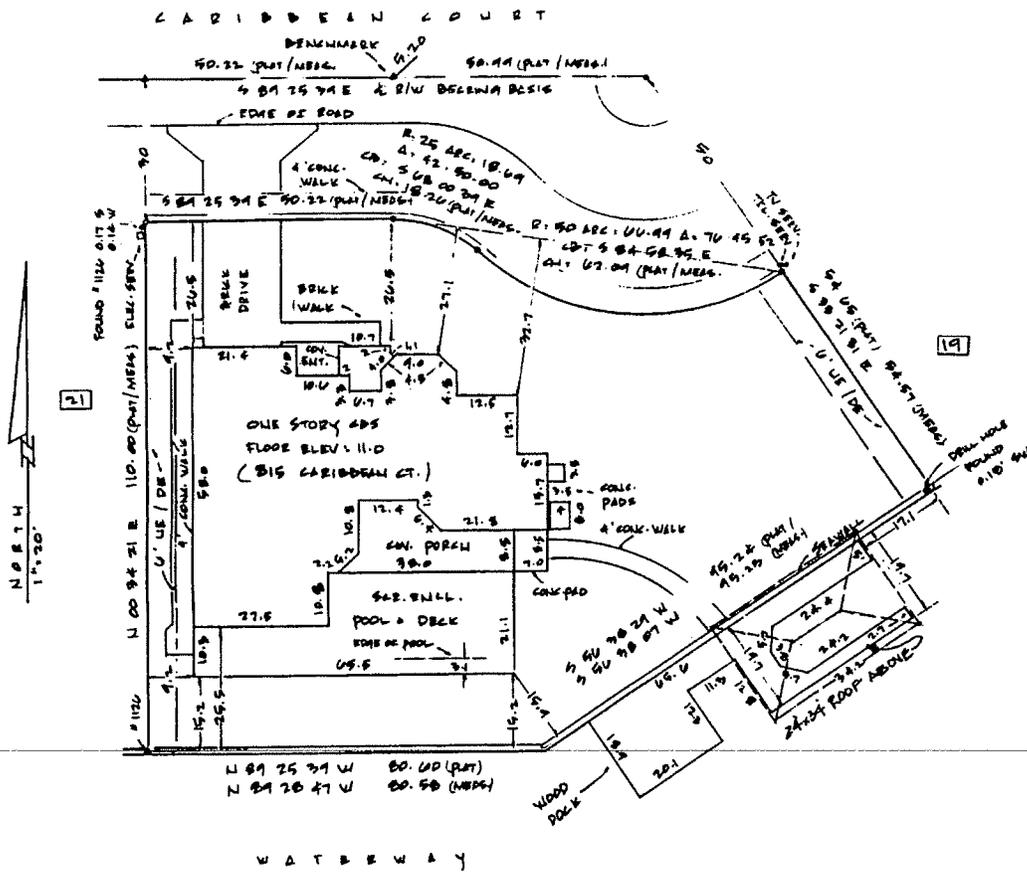
The dock and boatlift already exist. This petition is for the roof only.

Whether or not the proposed dock is of minimal dimensions necessary in order to adequately secure the moored vessel while providing reasonable access to the boat for routine maintenance, without the use of excessive deck area.

The dock structure presently exists. If the petitioner did not desire to construct a roof, the dock itself would not require approval of the MIPB, only a building permit.

Whether or not the proposed structure is of minimal dimensions to minimize the impact of the view of the waterway by surrounding property owners.

Boat mooring structures (docks, davits, boathouses, etc.) are common in neighborhoods that are located on the water as well as the neighborhoods surrounding the subject property. The property owner adjacent to the subject site to the west (Block 228, Lot 21), will be minimally affected by this request since the proposed boathouse will be on the eastern portion of the subject property. The property adjacent to the subject site to the east will be minimally affected by this request. This property has the majority of its waterfrontage oriented away from the subject property. The properties across Caribbean waterway will be somewhat more affected by the boathouse. The requirement that the roofing material be the same as the house should ameliorate this situation to some extent.



Location of the existing dock on the lot

Whether or not the moored vessel is in excess of fifty (50) percent of the length of the waterfrontage such that the addition of a dock structure will increase the impact on or negatively impact the view of the waterway by surrounding property owners.

The petitioner states that the moored vessel will not be in excess of 50 percent of the length of the waterfrontage. The dock exists, this petition is for the boathouse only.

Whether or not the proposed location and design of the dock/vessel combination is such that it may infringe upon the use of neighboring properties, including any existing dock structures.

The location and design of the boathouse will not infringe upon the use of neighboring properties. Due to the width of the waterway and the fact that the dock and lift exist, the addition of the boathouse will not impede the navigability of the waterway.

Regarding existing benthic organisms in the vicinity of the proposed extension:

- (a) Whether or not seagrasses are located within 200 feet of the proposed dock.**

Seagrass beds are not located within 200 feet of the proposed dock.

- (b) Whether or not the proposed dock is subject to the manatee protection requirements of this code (Sec. 2.6.22).**

The dock is not subject to the manatee protection requirements of the Code as described in Section 2.6.22, however, the applicant will be required to post at least one (1) "Manatee Area" sign during construction.

Additional Requirements Regarding Boathouse Dimensional Criteria

In addition to the above, the following criteria apply to Boathouses and have been met or shall be met by the petitioner.

Criteria

Standard

Minimum side setback requirement

15 feet

Maximum protrusion into waterway

25 percent of canal width or 20 feet, whichever is less.

Maximum height

15 feet as measured from top of seawall or bank, whichever is more restrictive.

Maximum number of boathouses per site

One (1)

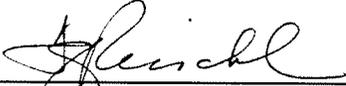
All boathouse structures shall be completely open on all four (4) sides

Roofing material and roof color shall be the same as materials and colors used on the principal structure or may be of palm frond "chickee" style

Staff Recommendation:

Based on the aforementioned findings, staff recommends that the Marco Island Planning Board approve Petition BD-98-4, subject to the stipulations in the Resolution.

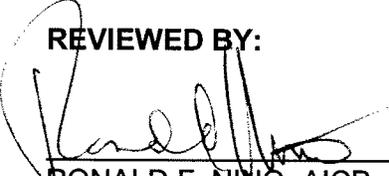
PREPARED BY:



FRED REISCHL
PLANNER II

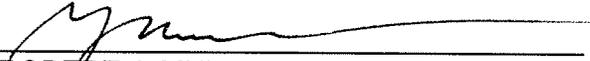
3.4.98
DATE

REVIEWED BY:



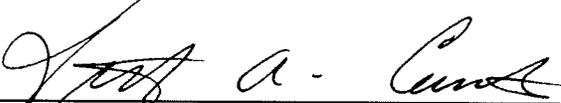
RONALD F. NINO, AICP
CURRENT PLANNING MANAGER

3.5.98
DATE



ROBERT J. MULHERE, AICP
PLANNING SERVICES DIRECTOR

3-6-98
DATE



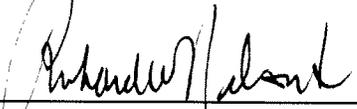
VINCENT A. CAUSERO, AICP
COMMUNITY DEVELOPMENT & ENVIRONMENTAL SERVICES ADMINISTRATOR

3-11-98
DATE

NOTE:

Tentatively Scheduled for the April 3, 1998 Marco Island Planning Board meeting

MARCO ISLAND PLANNING BOARD:



RICHARD NELSON, CHAIRMAN

BD-98-4



DOCK FACILITY EXTENSION PETITIONED

Information to be completed by staff:

FEB 03 1998

Petition number: BD- 98-4 Date received: _____

Planner: Fred Reischl

~~PLANNING SERVICES~~

Information to be completed by petitioner:

Property owner: CARL Titgemeier

Address: 815 CARIBBEAN CT

MARCO ISLAND FL 34145

Telephone: 389-3608 Fax: 389-3609

Agent: Sunset Builders of SW FL

Address: PO Box 2631

MARCO ISLAND

Telephone: 642-0167 Fax: 642-0852

Subject Property:

Address: 815 CARIBBEAN CT.

Legal Description: LOT 20 B1228 Unit 6

Section: 8 Township: 52 Range: 26

Zoning of subject property: _____

Land use on subject property: _____

Adjacent zoning & land use:

	Zoning	Land use	Length of existing dock facility
N	_____	_____	_____
E	_____	_____	_____
S	_____	_____	65.6'
W	_____	_____	_____

List any additional dock facilities in close proximity to the subject property and indicate the total protrusion into the waterway of each:

What is the width of the waterbody or waterway at the proposed dock location?

100'

Explain fully what will be constructed if this petition is approved: _____

Roof over boat lift area 34' x 24' - tile roof to
match existing dwelling

The following criteria, (pursuant to Section 2.6.21.3 of the Land Development Code) shall be used as a guide by staff in determining its recommendation to the Collier County Planning Commission, and by the Planning Commission in its decision to approve or deny a particular Dock Extension request. Please provide a narrative response to the listed criteria and/or questions. Attach additional pages if necessary.

1. What are the number of dock facilities or slips to be located on the subject property in relation to the length of waterfront property available (include required setbacks) for the location of the proposed dock facilities?

1

2. Is there sufficient water depth to allow for safe mooring of the vessel without the use of a dock facility extension request?

yes

3. Will the proposed dock facility and moored vessel(s) in combination have an adverse impact to navigation within an adjacent navigable channel.

NO

4. Does the proposed dock design and moored vessel protrude greater than 25 percent of the width of the navigable canal or greater than 20 feet for boathouses, and is a minimum of 50 percent of the platted canal width between dock structures/moored vessel(s) on the opposite side of the canal maintained in order to ensure reasonable waterway width for navigability?

NO / Yes

5. Are there special conditions related to the subject property or waterway which justify the proposed dimensions and location of the subject dock?

NO

6. Is the proposed dock is of minimal dimensions necessary in order to adequately secure the moored vessel while providing reasonable access to the boat for routine maintenance, without the use of excessive deck area?

yes

7. Is the proposed structure is of minimal dimensions to minimize the impact of the view of the waterway by surrounding property owners?

yes

8. Is the moored vessel is in excess of fifty (50) percent of the length of the waterfrontage such that the addition of a dock structure will increase the impact on or negatively impact the view of the waterway by surrounding property owners?

NO

9. Will the proposed location and design of the dock /vessel combination be such that it may infringe upon the use of neighboring properties, including any existing dock structures.

NO

10. Regarding existing benthic organisms in the vicinity of the proposed extension:

(a) Are seagrasses located within 200 feet of the proposed dock:

NO

(b) Is the proposed dock is subject to the manatee protection requirements of this code(Sec. 2.6.22).

I UNDERSTAND THAT, IN ADDITION TO THIS DOCK EXTENSION, A BUILDING PERMIT IS REQUIRED PRIOR TO COMMECEMENT OF CONSTRUCTION.

I UNDERSTAND THAT IF THIS DOCK EXTENSION PETITION IS APPROVED BY THE COLLIER COUNTY PLANNING COMMISSION, AN AFFECTED PROPERTY OWNER MAY FILE AN APPEAL WITHIN 14 DAYS OF THE HEARING. IF I PROCEED WITH CONSTRUCTION DURING THIS TIME, I DO SO AT MY OWN RISK.


Signature of Petitioner or Agent