

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 98-10

RELATING TO PETITION NUMBER BD-97-20  
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 making recommendations to the City Council with respect to private boat dock extensions for multi-family developments, which are regulated by the provisions of Section 2.6.21 of the Collier County Land Development Code; and

WHEREAS, Petition BD-97-20 is a request for a private boat dock extension accessory to a multi-family development; 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-97-20 to the Marco Island Planning Board and the City Council; and

WHEREAS, the Marco Island Planning Board, being the duly constituted Planning Board for the area hereby affected, and the City Council being the duly elected Council for the area hereby affected, have held a public hearing after proper notice as provided in said Regulations was made, and have 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-MIZO zone for the property hereinafter described, and have 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 subject to all stipulations contained herein; and

WHEREAS, all interested parties have been given the opportunity to be heard by the Planning Commission and City Council in public meetings assembled, and the Council having considered all matters presented;

NOW THEREFORE, BE IT RESOLVED BY the Marco Island City Council of the City of Marco Island, Florida, that:

The petition filed by Miles L. Scofield, representing Tiki House Condominium, Inc., with respect to the property hereinafter described as:

Marco Beach Unit 10, Block 337, Lot 17, as recorded in Plat Book 6, Pages 74-79 of the Public Records of Collier County, Florida.

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

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facility in the RMF-16-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.
4. The facility shall be constructed in accordance with drawing attached as Exhibit A.

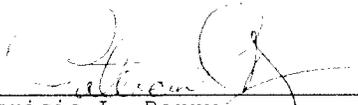
BE IT FURTHER RESOLVED that this Resolution relating to Petition Number BD-97-20 be recorded in the minutes of this Council and filed with the City Clerk's Office.

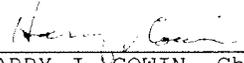
This Resolution adopted after motion, second and majority vote.

Done this 2nd day of March, 1998.

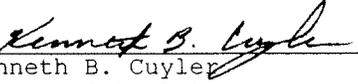
ATTEST:

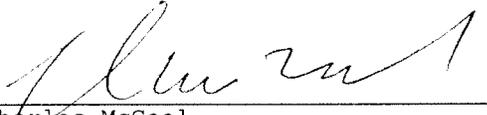
MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

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

By:   
\_\_\_\_\_  
HARRY J. COWIN, Chairman

Approved as to Form and legality:

  
\_\_\_\_\_  
Kenneth B. Cuyler  
Interim City Attorney

  
\_\_\_\_\_  
Charles McCool  
Interim City Manager

BD-97-20 RESOLUTION

ORIGINAL

EXECUTIVE SUMMARY

PETITION BD-97-20, MILES L. SCOFIELD, REQUESTING A 10-FOOT EXTENSION FROM THE MAXIMUM PERMITTED 20 FEET FOR WATERWAYS OVER 100 FEET IN WIDTH TO ALLOW FOR A MULTI-FAMILY BOAT DOCKING FACILITY PROTRUDING A TOTAL OF 30 FEET INTO THE WATERWAY ON PROPERTY LOCATED AT 904 PANAMA COURT, MARCO ISLAND, FLORIDA, FURTHER DESCRIBED AS MARCO BEACH UNIT 10, BLOCK 337, LOT 17 , IN SECTION 20, TOWNSHIP 52 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA.

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OBJECTIVE:

The petitioner requests a 10-foot extension from the maximum permitted 20 feet for waterways over 100 feet in width, which would allow for a boat docking facility protruding a total of 30 feet into the waterway.

CONSIDERATIONS:

The subject property is located at 904 Panama Court on Marco Island, legally described as Marco Beach Unit 10, Block 337, Lot 17, Section 20, Township 52 South, Range 26 East.

The petitioner wishes to construct a boat docking facility which would protrude a total of 30 feet into the waterway and consist of the addition of two finger docks and four cradle lifts to an existing 5-foot dock. A more comprehensive description of the project and an evaluation of the proposal in relation to the Collier County Land Development Code criteria for boat dock extensions is provided in the attached staff report. Plans showing details of construction were provided by the petitioner and are included in the attached application submitted by the petitioner.

The Marco Island City Council voted to require that approval of the City Council be obtained for boat dock extensions (and boathouses) for multi-family projects. On 9 January 1998 the Marco Island Planning Board reviewed this petition and by a vote of six (6) to one (1) recommended approval subject to the conditions contained in the attached resolution. Multi-family boat docking facilities require the approval of the Marco Island City Council.

FISCAL IMPACT:

Approval of this petition would have no fiscal impact on the City.

GROWTH MANAGEMENT IMPACT:

The proposed variance is consistent with applicable provisions of the Growth Management Plan.

**HISTORIC/ARCHAEOLOGICAL IMPACT:**

Staff's analysis indicates that the petitioner's property is located within an area of historical and archaeological probability as referenced on the official Collier County Probability Map; however, for a boat dock extension, no Historical/Archaeological Survey & Assessment or waiver is required.

**PLANNING COMMISSION RECOMMENDATION:**

The Marco Island Planning Board forwarded Petition BD-97-20 to the Marco Island City Council with a recommendation of approval.

**PREPARED BY:**

  
\_\_\_\_\_  
ROSS GOCHENAUR, PLANNER I  
CURRENT PLANNING SECTION

23 Jan 98  
DATE

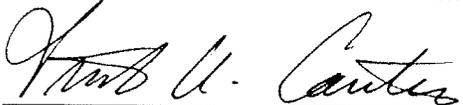
**REVIEWED BY:**

  
\_\_\_\_\_  
ROBERT J. MULHERE, AICP, MANAGER  
CURRENT PLANNING SECTION

1/26/98  
DATE

  
\_\_\_\_\_  
DONALD W. ARNOLD, AICP, DIRECTOR  
PLANNING SERVICES DEPARTMENT

1/28/98  
DATE

  
\_\_\_\_\_  
VINCENT A. CAUNTERO, AICP, ADMINISTRATOR  
COMMUNITY DEVELOPMENT & ENVIRONMENTAL SERVICES DIVISION

1-28-98  
DATE

