

MARCO ISLAND PLANNING BOARD RESOLUTION NO. 98-2

RELATING TO PETITION NUMBER BD-97-23
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-97-23 is a request to establish a boathouse as defined in Ordinance No. 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 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-97-23 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 boathouse over an existing 19.5-foot boat dock with a cradle in a RSF-3-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 Nicholas F. & Marion E. Carsillo, with respect to the property hereinafter described as:

Lot 7, Block 377, Marco Beach Unit 12, as recorded in Plat Book 6, Pages 87-91, of the Public Records of Collier County, Florida.

be and the same is hereby approved for a boathouse over an existing 19.5-foot boat dock with a cradle in the RSF-3-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 applicant shall obtain the building permits for the boathouse and shall obtain and pass the required inspections for both the boat dock and boathouse structures.
5. All structures shall comply with the required dimensional criteria and setback requirements for boat dock and boathouse structures, without the use of a variance.

BE IT FURTHER RESOLVED that this Resolution relating to Petition Number BD-97-23 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 9th day of January, 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

Approved as to Form and legality:

Kenneth B. Cuyler
for Kenneth B. Cuyler
Interim City Attorney
BD RESOLUTION

Charles W. McCool
Charles W. McCool
Interim City Manager