

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 98-28

RELATING TO PETITION NUMBER BD-98-25
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 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-98-25 to the Marco Island City Council; and

WHEREAS, the Marco Island City Council, being the duly elected constituted Board of 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 with 24 boat slips as shown on the attached plot plan, Exhibit "A", in an RMF-12(6)-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 Zoning Regulations of said Land Development Code for the unincorporated area of Collier County and on an interim basis for the City of Marco Island; and

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of Marco Island, Florida, that:

The petition filed by Marco Marine Construction, representing Waterway Pointe L.C., with respect to the property hereinafter described as:

Lots 2 and 3, Block 799, Marco Beach Unit 6 Re-plat, as recorded in Plat Book 12, Page 56, 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 facility with 24 boat slips as shown on the attached plot plan, Exhibit "A", of the RMF-12(6) 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-98-25 be recorded in the Minutes of this Council and filed with the Marco Island City Clerk's Office.

This Resolution adopted after motion, second and majority vote.

Done this 14th day of September, 1998.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: Harry J. Cowin
Harry J. Cowin, Chairman

ATTEST:
Laura Litzan
Laura Litzan
Deputy City Clerk

A. William Moss
A. William Moss
City Manager

Approved as to Form and legality:

Kenneth B. Cuyler
Kenneth B. Cuyler
City Attorney

f/BD-98-25 RESOLUTION

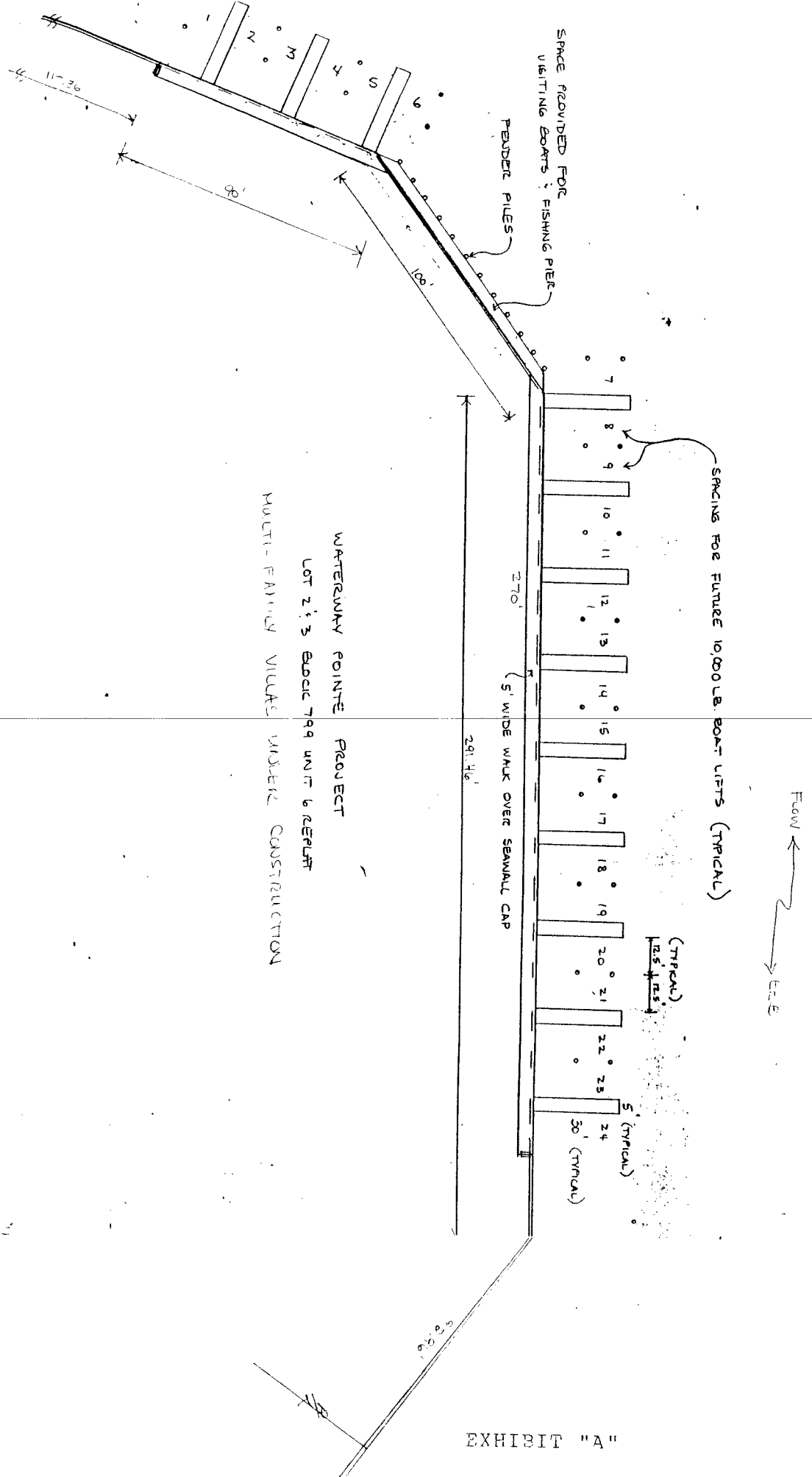


EXHIBIT "A"