

MARCO ISLAND CITY COUNCIL RESOLUTION NO. 00-26

RELATING TO PETITION NUMBER BD-2000-11 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 Board of Zoning Appeals is responsible for reviewing and finally approving private boat dock extensions on multi-family properties; and

WHEREAS, the City Charter provides that the City Council shall serve as the Board of Zoning Appeals; and

WHEREAS, Petition BD-2000-11 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 Planning Board conducted a public hearing on April 21, 2000 to consider the advisability of a 20-foot extension of a boat dock from the permitted 20 feet to allow for a 40-foot boat docking facility in a C-5 zone and voted unanimously to recommend that the Marco Island City Council approve the requested extension; 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 20-foot extension of a boat dock from the permitted 20 feet to allow for a 40-foot boat dock facility in a C-5 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 Lisa Smith of Custom Dock & Repair, representing Port Marco Cooperative, with respect to the property hereinafter described as:

Port Marco Cooperative, located on Bald Eagle Drive, Collier County, Florida and the City of Marco Island Marco Island

Be and the same is hereby approved for a 20-foot extension of a boat dock from the permitted 20 feet to allow for a 40-foot boat docking facility in the C-5 zoning district where in said property is located, subject to the following conditions:

1. 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.
2. 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.
3. 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.
4. 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-2000-11 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 15th day of May ~~1999~~, 2000

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: Harry Cowin
Harry Cowin, Chairman

Attest:

A. William Moss
A. William Moss
City Manager/City Clerk

Approved as to Form and legality:

Kenneth B. Cuyler
Kenneth B. Cuyler
City Attorney