

RESOLUTION 23-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, APPROVING A BOAT DOCK EXTENSION THAT EXTENDS 79-FEET FROM THE PROPERTY LINE, AND A 4.3-FOOT ENCROACHMENT INTO THE NORTHWEST SIDE YARD SETBACK FOR SHIPPS LANDING CONDOMINIUM ASSOCIATION, INC., OWNER OF THE PROPERTY LOCATED AT 1090 SOUTH COLLIER BOULEVARD MARCO ISLAND; MAKING FINDINGS; AND CONDITIONS OF APPROVAL; PROVIDING FOR FAILURE TO OBTAIN OTHER DEVELOPMENT PERMITS; PROVIDING FOR FAILURE TO COMPLY WITH APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 54-115 of the of the Marco Island Waterways and Beaches Code relates to special permits to address issues related to the maximum protrusion lengths of a docking system and encroachments into the riparian setback; and

WHEREAS, Shippo Landing Condominium Association, Inc. (the "Owner/Developer") submitted an application for a boat dock extension and riparian setback encroachment for the re-development of a boat dock for the property located at 1090 South Collier Boulevard, Marco Island, Florida (the "Subject Property"); and

WHEREAS, the City of Marco Island staff has reviewed and recommended approval of BD-22-000297, subject to a condition; and

WHEREAS, the proposed dock meets all requirements of the City's Land Development Code; and

WHEREAS, the proposed boat dock protrusion, and encroachment into the riparian setback meets the requirements of the City's Land Development Code due to the special conditions of the Subject Property; and

WHEREAS, the dock and associated vessels will not protrude more than 25% of the total width of the waterway, and will leave more than 50% of the waterway width open for safe navigation; and

WHEREAS, the fact that the existing docking facility was approved by Collier County in 1988 in the current location is a special condition related to the Subject Property; and

WHEREAS, the proposed docking facility is being reduced by 1,659 square feet from the current docking facility, and this size is the minimum dimension necessary to

adequately secure the moored vessels while providing reasonable access to the vessels for routine maintenance; and

WHEREAS, the total water frontage of the Subject Property is approximately 1,721 feet. The length of the seawall of the dock location is approximately 373 feet. The proposed length of the vessels to be docked at the location will not exceed 50% of the total length of the water frontage. The proposed docking facility will not adversely affect the view to the channel by surrounding property; and

WHEREAS, the location of the existing and proposed dock facility does not appear to infringe upon the use of neighboring properties, nor any existing boat docking facilities since the current location of the docking facility has been in place since 1988; and

WHEREAS, the agent for the Developer/Owner states that there are no seagrass beds in the immediate area of the dock; and

WHEREAS, the proposal is subject to the Manatee protection requirements. The applicant indicated since the slip numbers are not changing a review by Collier County is not necessary. Staff is requesting a letter from Collier County indicating a review is not necessary; and

WHEREAS, based on the findings contained herein the proposed docking facility meets the City's Land Development Code requirements, but for the request for the encroachment into the riparian setback.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA:

SECTION 1. Adoption. The City Council for the City of Marco Island finds that the Owner/Developer's application for a special permit for the boat dock extension and riparian encroachment as set forth on the Boat Dock Extension Plans, which are attached hereto as Exhibit "A" for the Subject Property, is consistent with the City's Land Development Code requirements, and hereby recommends approval of the application as presented, including the encroachment into the riparian setback, subject to the following condition:

1. The proposal is subject to the Manatee protection requirements. The applicant indicated since the slip numbers are not changing a review by Collier County is not necessary. Staff is requesting a letter from Collier County indicating a review is not necessary.

SECTION 2. Failure to Obtain Other Permits. That issuance of this approval by the City does not in any way create any right on the part of the Owner/Developer to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the approval if the Owner/Developer fails to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes

actions that result in the violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the Development on the Subject Property. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

SECTION 3. Failure to Adhere to Resolution. That failure to adhere to the approval terms and conditions contained in this Resolution shall be considered a violation of this Resolution and the City Code, and persons found violating this Resolution shall be subject to the penalties prescribed by the City Code, including but not limited to the revocation of any of the approval(s) granted in this Resolution and any other approvals conditioned on this approval. The Owner/Developer understands and acknowledges that it must comply with all other applicable requirements of the City Code before it may commence construction or operation, and that the foregoing approval in this Resolution may be revoked by the City at any time upon a determination that the Owner/Developer is in non-compliance with the City Code.

SECTION 4. Effective Date. That this Resolution shall take effect immediately upon adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, this 10th day of April 2023.

ATTEST:



Lina Upham, Deputy City Clerk

CITY OF MARCO ISLAND, FLORIDA
By: 

Gregory Folley, Chairman

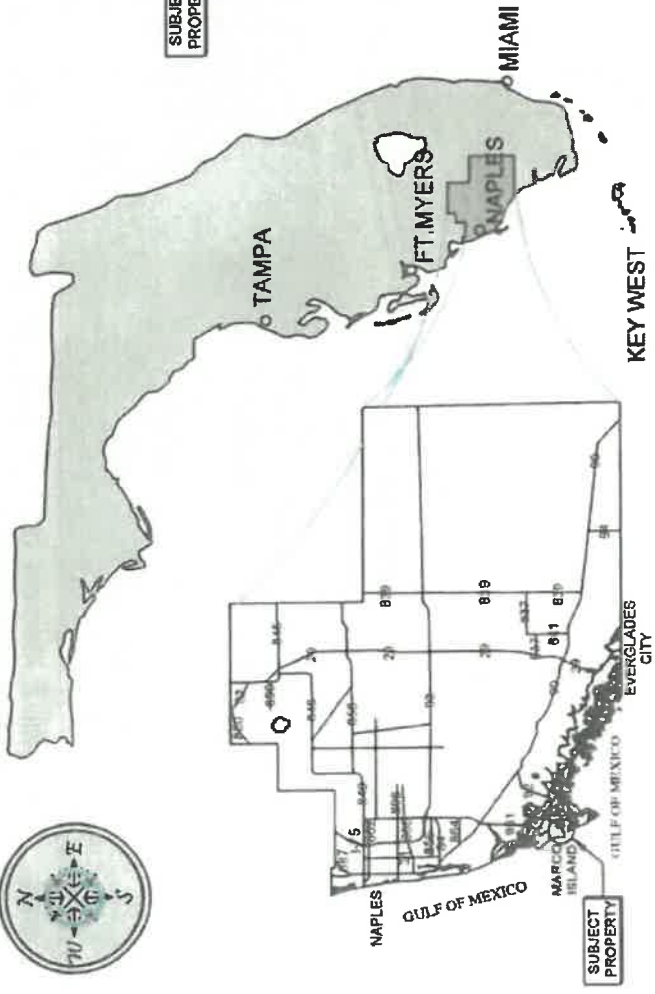
Approved as to form and legal sufficiency:



Alan L. Gabriel, City Attorney

EXHIBIT A

STATE OF FLORIDA



COLLIER COUNTY

SITE ADDRESS:
 ↔ 1090 S. COLLIER BLVD ↔ LATITUDE: N 25.909245
 MARCO ISLAND, FL 34145 ↔ LONGITUDE: W 81.717593

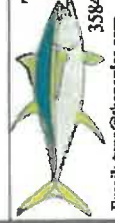
NOTES:
 ↔ THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY
 AND ARE NOT INTENDED FOR CONSTRUCTION USE.



VICINITY MAP



COUNTY AERIAL



Turrell, Hall & Associates, Inc.
 Marine & Environmental Consulting
 3584 Exchange Ave. Naples, FL 34104-3732
 Email: tural@hamnaples.com Phone: (239) 643-9166 Fax: (239) 643-6632

SHIPPS LANDING

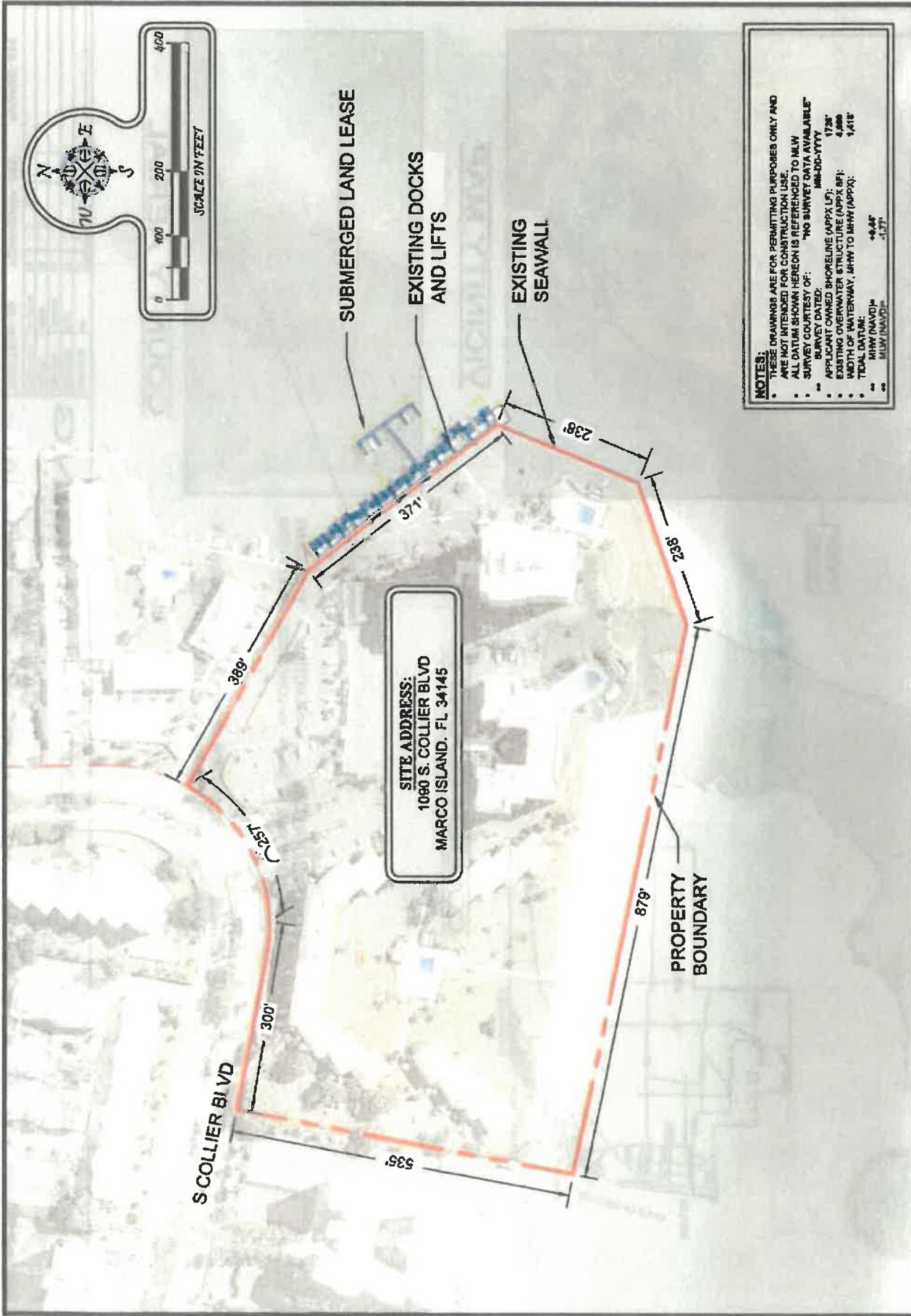
LOCATION MAP

DATE REVISED: 04/2018 DRAWN BY: RMJ JOB NO.: 10004 SHEET NO.: 01 OF 09

DESIGNED:	NP	1.	2.	3.	4.	5.
DRAWN BY:	RMJ	-	-	-	-	-
CREATED:	10-06-22	-	-	-	-	-
JOB NO.:	10004	-	-	-	-	-
SHEET NO.:	01 OF 09	-	-	-	-	-

SECTION: 20 TOWNSHIP: 52 S

RANGE: 20 E



NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL DATUM SHOWN HEREON IS REFERENCED TO MLLW
- SURVEY COURTESY OF: "NO SURVEY DATA AVAILABLE"
- SURVEY DATED: MM-DD-YYYY
- APPLICANT OWNED SHORELINE (APX): LT: 1726
- APPLICANT OWNED SHORELINE (APX): RT: 1726
- NORTH OF WATERWAY, MHW TO MHH (APX): 1.416'
- TOTAL DATUM: MHW (NAVD): +8.47'
- MLLW (NAVD): -1.17'

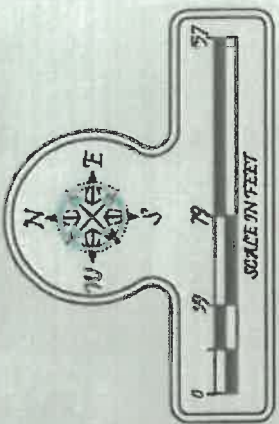
DESIGNED:	RF	1.	-	-	-
DRAWN BY:	RAJ	2.	-	-	-
CREATED:	10-06-22	3.	-	-	-
JOB NO.:	19064	4.	-	-	-
SHEET NO.:	02 OF 09	5.	-	-	-

SECTION-20 TOWNSHIP-528 RANGE-26E

SHIPPS LANDING
EXISTING CONDITIONS

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Phone: (239) 643-0166 Fax: (239) 643-6632
Email: tms@thnaples.com





SOVEREIGN SUBMERGED
LAND LEASE

EXISTING DOCKS
AND LIFTS

EXISTING
SEAWALL

PROPERTY
BOUNDARY



SITE ADDRESS:
1090 S. COLLIER BLVD
MARCO ISLAND, FL 34145

NOTES:
 * THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
 * ALL DATUM SHOWN HEREON IS REFERENCED TO MLLW
 * SURVEY COURTESY OF: "NO SURVEY DATA AVAILABLE"
 * SURVEY DATED: MM-SS-YYYY
 * APPLICANT OWNED SHORELINE (APPROX LF): 172'
 * EXISTING OVERWATER STRUCTURE (APPROX SF): 4,148
 * TOTAL OVERWATER STRUCTURE (APPROX SF): 1,418
 * MHW (NAVD) = +8.42'
 * MLLW (NAVD) = -1.27'

DESIGNED:	HP	1.			
DRAWN BY:	RMJ	2.			
CREATED:	10-06-22	3.			
JOB NO.:	10084	4.			
SHEET NO.:	03 OF 09	5.			

SECTION-20 TOWNSHIP- 52S RANGE- 26E

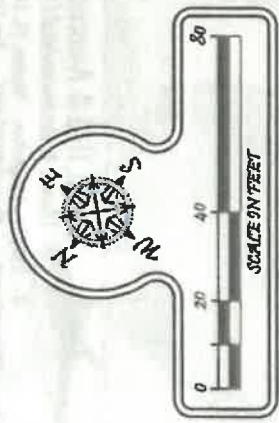
SHIPPS LANDING

EXISTING CONDITIONS



Turrell, Hall & Associates, Inc.
 Marine & Environmental Consulting
 3584 Exchange Ave. Naples, FL 34104-3732
 Email: tuma@thnaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

ENGINEERING CONSULTING
 SHIPPS LANDING



PROPOSED DOCKS ALONG
 T-DOCK 4'X20' (TYP)

PROPOSED DOCKS
 ALONG NORTH
 UPLAND WALKWAY
 3'X30' (TYP)

MAX. PROTRUSION
 OF VESSELS OR
 FINGER PIERS
 NOT TO EXCEED
 MARINA RULES
 (37.42' FROM
 SEAWALL FACE)

MAX. 32' VESSELS

MAX. 32' VESSELS

PROPOSED UPLAND WALKWAY

PROPERTY
 BOUNDARY

PROPOSED DOCKS
 ALONG SOUTH UPLAND
 WALKWAY 3'X35' (TYP)

SOVEREIGN
 SUBMERGED LAND
 LEASE

NOTES:

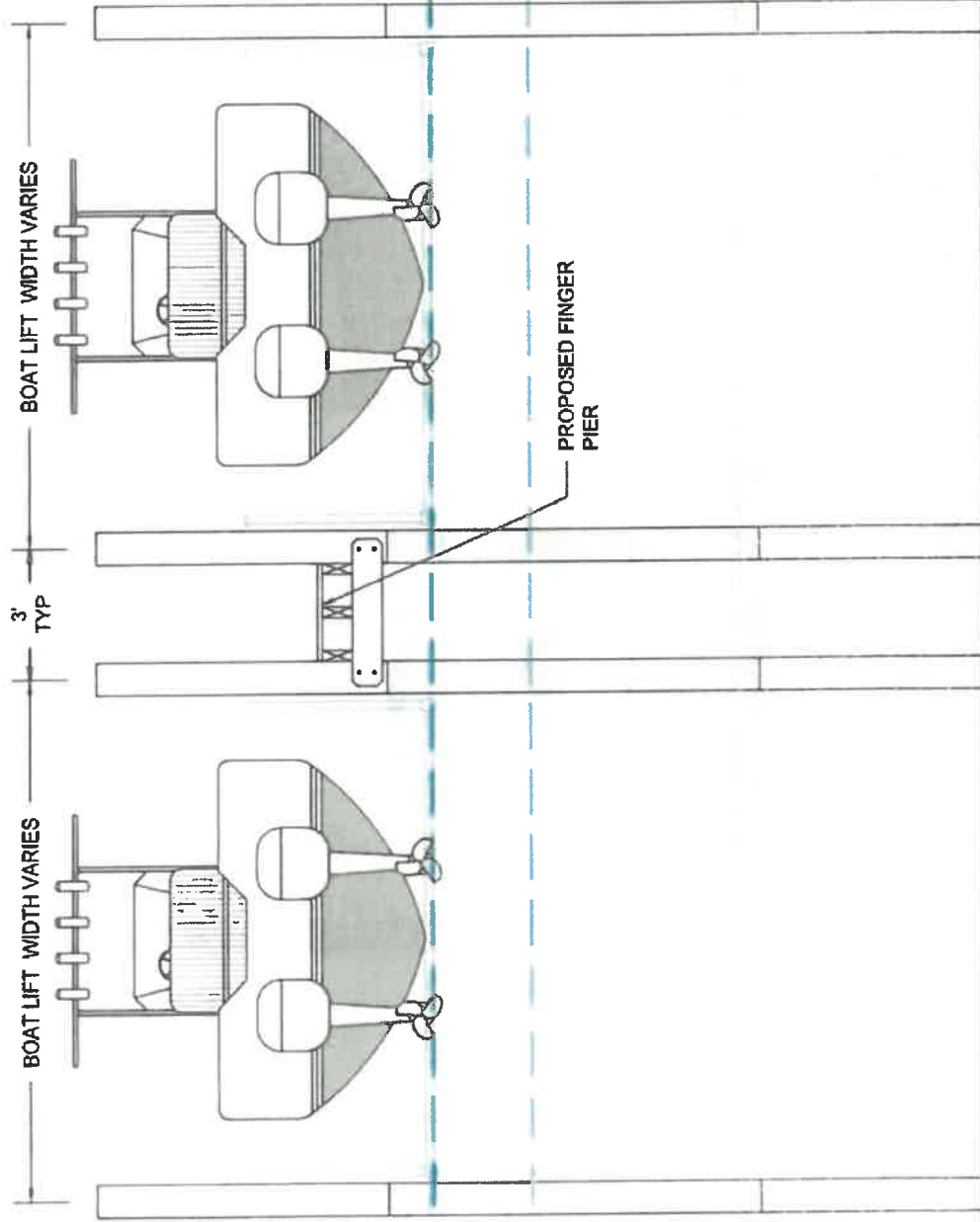
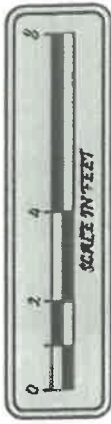
- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL DATUM SHOWN HEREON IS REFERENCED TO MHW.
- SURVEY COURTESY OF: "NO SURVEY DATA AVAILABLE"
- SURVEY DATED: MM-DD-YYYY
- APPLICANT OWNED SHORELINE (APPL LF): 1738'
- EXISTING OVERWATER STRUCTURE (APPL SF): 4,993'
- WIDTH OF WATERWAY, MHW TO MHW (APPL): 1,415'
- TIDAL DATUM:
 - MHW (NAVD): +9.44'
 - MLW (NAVD): -4.77'
- PROPOSED OVERWATER STRUCTURE (APPL SF): 2,459'
- TOTAL OVERWATER STRUCTURE (APPL SF): 2,459'
- TOTAL PROTRUSION FROM MHW: 108'

DESIGNED:	MP	1.	2.	3.	4.	5.	6.
DRAWN BY:	RCM	-	-	-	-	-	-
CREATED:	10-06-22	-	-	-	-	-	-
JOB NO.:	19064	-	-	-	-	-	-
SHEET NO.:	01 OF 09	-	-	-	-	-	-

SECTION-20 TOWNSHIP-52S RANGE-28E

SHIPPS LANDING
 PROPOSED DOCK

Turrell, Hall & Associates, Inc.
 Marine & Environmental Consulting
 3584 Exchange Ave. Naples, FL 34104-3732
 Phone: (239) 643-9166 Fax: (239) 643-6632
 Email: thaa@hanaples.com



MHW = +0.44' NAVD

MLW = -1.77' NAVD


DEPTH VARIES

PROPOSED FINGER PIER

BOAT LIFT WIDTH VARIES

3' TYP

BOAT LIFT WIDTH VARIES



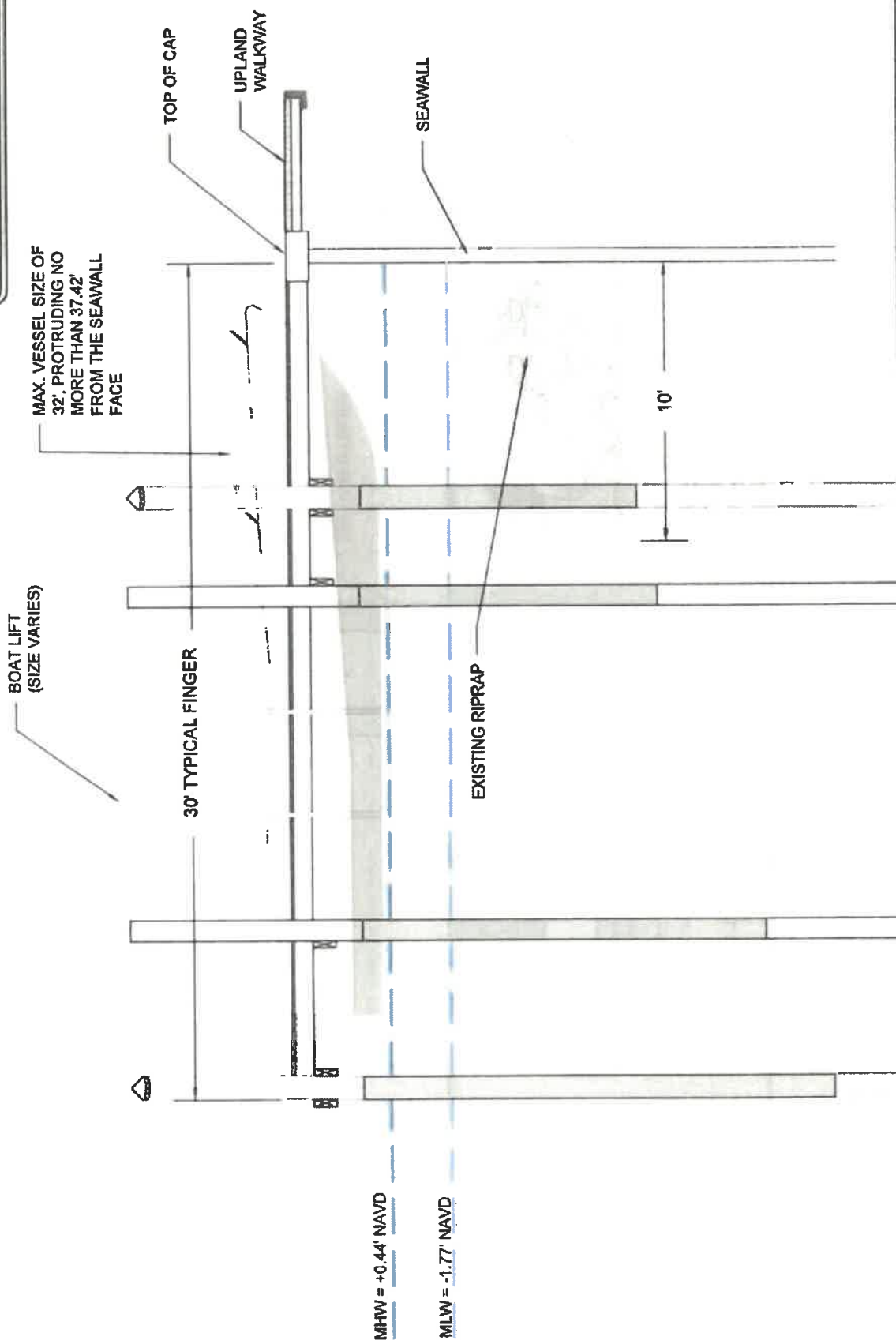
Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Phone: (239) 643-0166 Fax: (239) 643-6632
Email: tuna@thanasples.com

SHIPPS LANDING
CROSS SECTION AA

1:648 SHIPPS LANDING CROSS SECTION AA.DWG (DATE: 11/11/2023) (SCALE: 1/4\"/>

DESIGNED:	NP	1	2	3	4	5
DRAWN BY:	RMJ	-	-	-	-	-
CREATED:	18-06-23	-	-	-	-	-
JOB NO.:	10084	-	-	-	-	-
SHEET NO.:	05 OF 09	-	-	-	-	-

SECTION- 20 TOWNSHIP- 62 S RANGE- 26 E

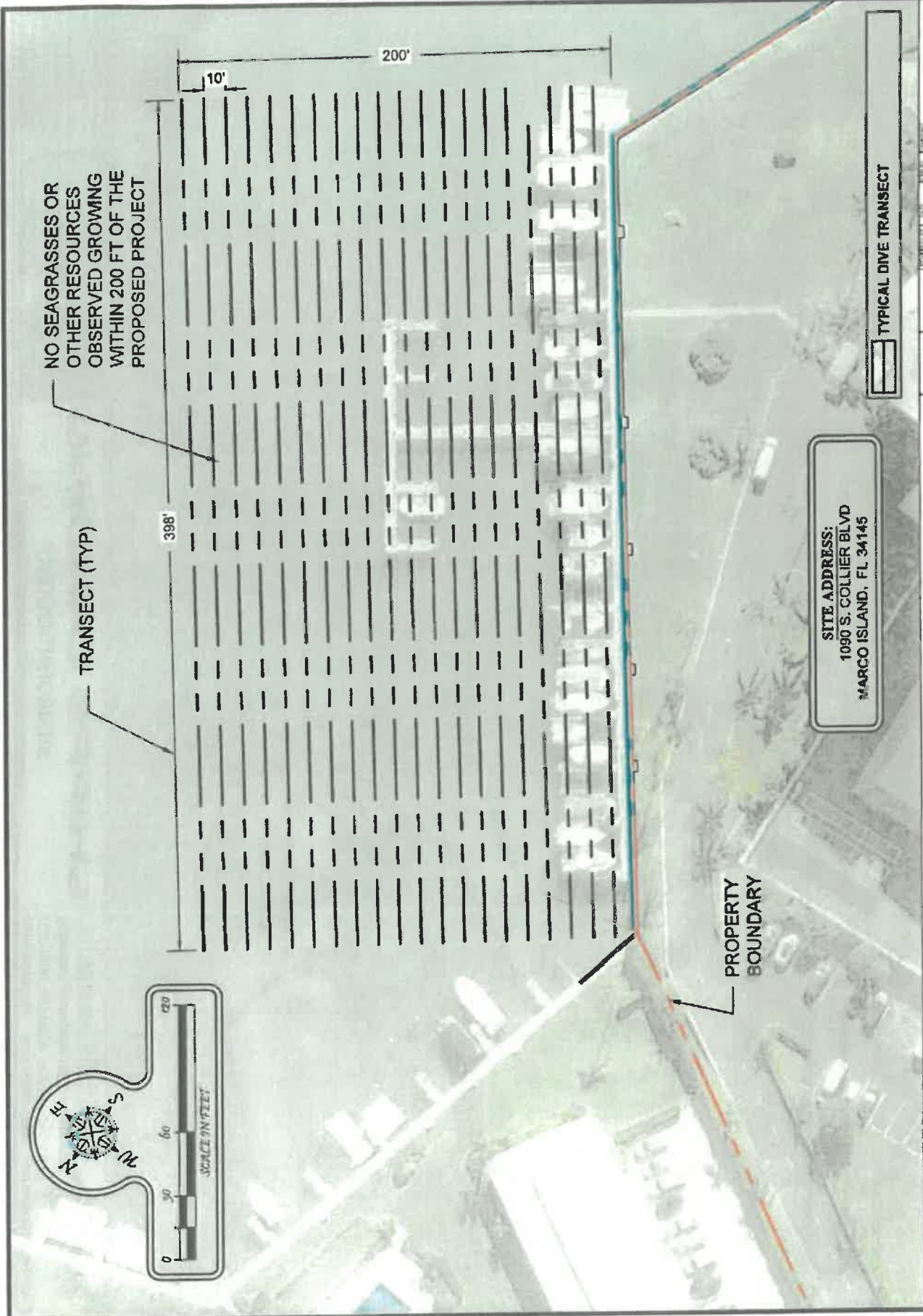


DESIGNED:	NP	1.	2.	3.	4.	5.
DRAWN BY:	RMJ					
CREATED:	10-06-22					
JOB NO.:	19064					
SHEET NO.:	06 OF 09					

SHIPPS LANDING
CROSS SECTION BB

SECTION-20 TOWNSHIP-528 RANGE-26E

Turrell, Hall & Associates, Inc.
 Marine & Environmental Consulting
 3584 Exchange Ave. Naples, FL 34104-3732
 Email: tuaa@tbanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632




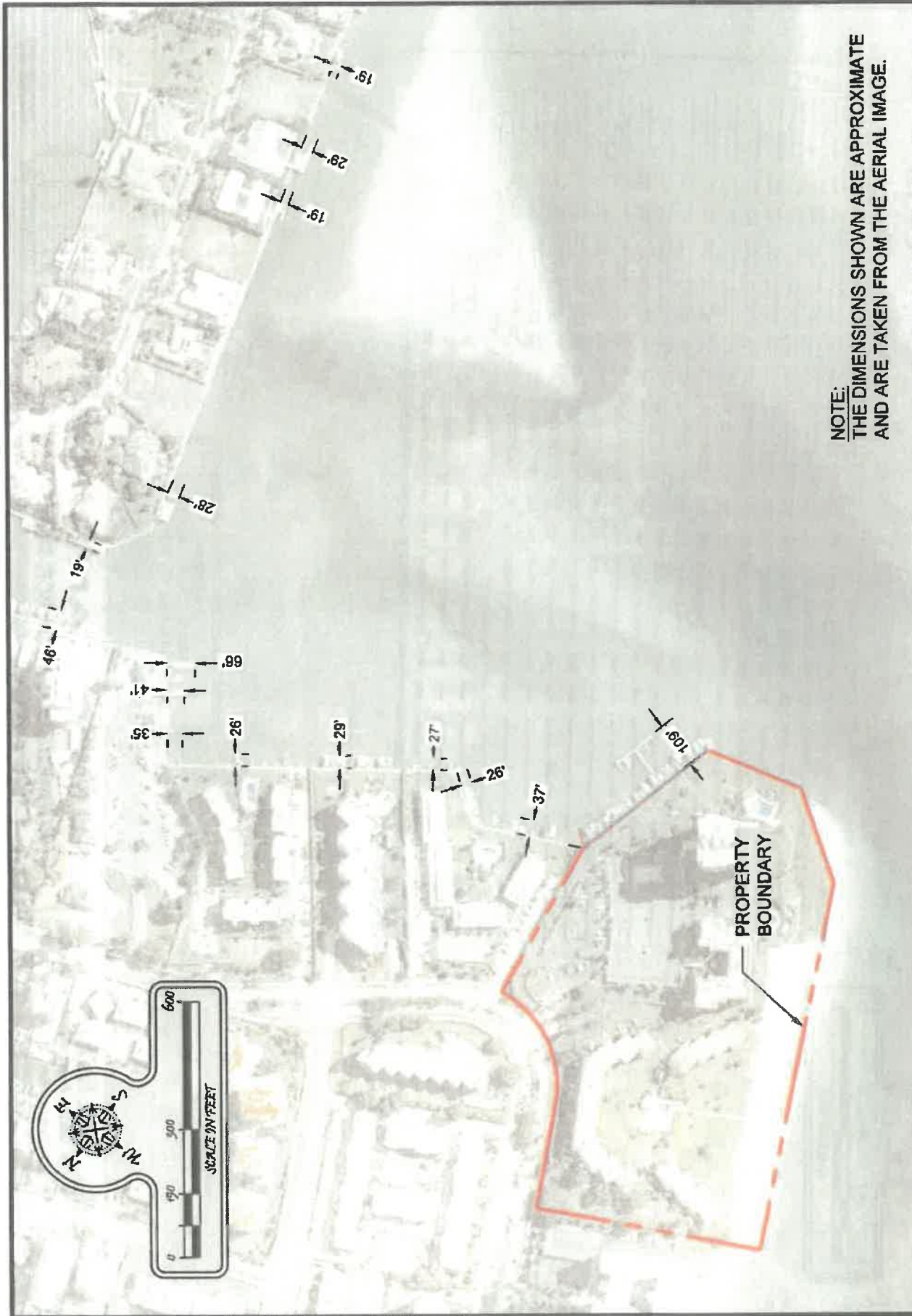
DESIGNED:	MP	DATE	BY
DRAWN BY:	RMJ		
CREATED:	10-05-22		
JOB NO.:	10884		
SHEET NO.:	07 OF 09		

SECTION-20 TOWNSHIP- 52 S RANGE- 26 E

SHIPPS LANDING
SUBMERGED RESOURCE SURVEY

Turrell, Hall & Associates, Inc.
 Marine & Environmental Consulting
 3584 Exchange Ave. Naples, FL 34104-3752
 Phone: (239) 643-0166 Fax: (239) 643-6632
 Email: tuna@thamples.com





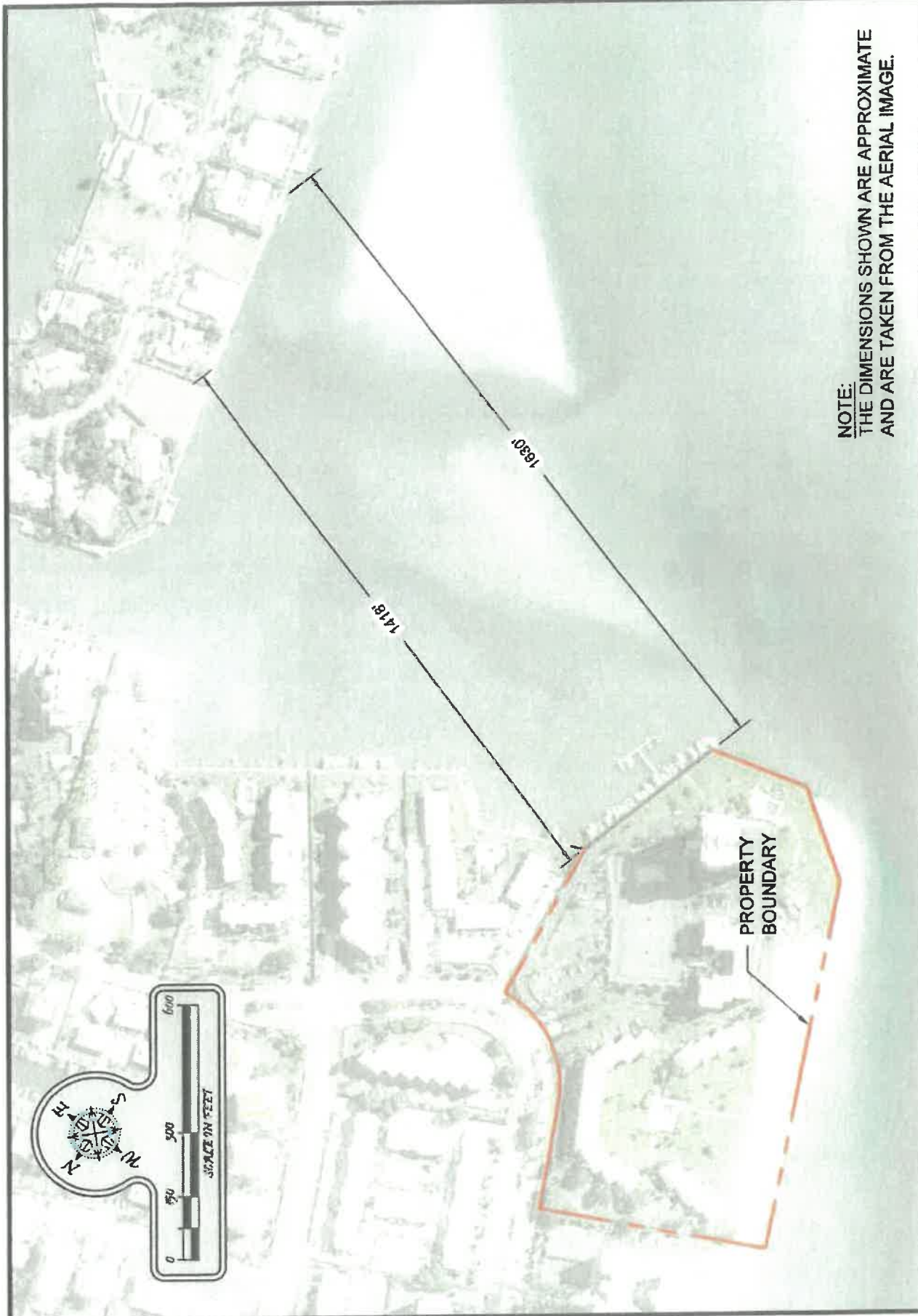
NOTE:
 THE DIMENSIONS SHOWN ARE APPROXIMATE
 AND ARE TAKEN FROM THE AERIAL IMAGE.

DESIGNED:	NP	1.	2.	3.	4.	5.
DRAWN BY:	RAM	-	-	-	-	-
CREATED:	10-06-02	-	-	-	-	-
JOB NOS:	10001	-	-	-	-	-
SHEET NOS:	05 OF 09	-	-	-	-	-

SHIPPS LANDING
ADJACENT DOCKS

Turrell, Hall & Associates, Inc.
 Marine & Environmental Consulting
 3584 Exchange Ave. Naples, FL 34104-3732
 Email: tturns@thnaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

SECTION-20 TOWNSHIP-52S RANGE-28E



NOTE:
 THE DIMENSIONS SHOWN ARE APPROXIMATE
 AND ARE TAKEN FROM THE AERIAL IMAGE.

DESIGNED:	NP	1	-	-	-	-	-	-	-
DRAWN BY:	RMJ	2	-	-	-	-	-	-	-
CREATED:	10-09-22	3	-	-	-	-	-	-	-
JOB NO.:	19064	4	-	-	-	-	-	-	-
SHEET NO.:	09 OF 09	5	-	-	-	-	-	-	-

SHIPPS LANDING

WIDTH OF WATERWAY

Turrell, Hall & Associates, Inc.
 Marine & Environmental Consulting
 3584 Exchange Ave. Naples, FL 34104-3732
 Phone: (239) 643-0166 Fax: (239) 643-6632
 Email: tuna@thnaples.com



