CITY OF MARCO ISLAND
PLANNING BOARD

RESOLUTION NO. 24-_____

A RESOLUTION OF THE PLANNING BOARD OF THE CITY
OF MARCO ISLAND, FLORIDA, DENYING REQUEST BD-
24-000115 FOR   A TWO ANDONE-HALF FOOT BOAT
DOCK PROTRUSION BEYOND THE AUTHORIZED 25
FOOT BOAT DOCK PROTRUSION INTO THE PELICAN
WATERWAY FOR THE PROPERTY LOCATED AT 742
PELICAN COURT, MARCO ISLAND; MAKING FINDINGS;
PROVIDING FOR FAILURE TO COMPLY WITH DENIAL;
AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 54-115 of the of the Marco Island Waterways and Beaches Code relates to encroachments and protrusions into the riparian setback; and

WHEREAS, the Diane Strong Trust (the "Owner/Developer") submitted a boat dock protrusion request (BD-24-000115) for a two and one-half foot (2.5') protrusion beyond the authorized 25 foot boat dock protrusion into the Pelican Waterway for the property located at 742 Pelican Court, Marco Island, Florida (the "Property"); and

WHEREAS, the City of Marco Island staff has reviewed BD-24-000115; and

WHEREAS, there are no special conditions related to the Property or waterway; and

WHEREAS, the proposed moored vessel will protrude greater than 25% of the width of navigable waterway. Existing improvements in the area meet the minimum requirement of 50% of the waterway width between docking facilities; however, the docking facility across the canal is not constructed to the maximum extent allowed by code. Should the property across the waterway construct a docking facility, in the future, the minimum 50% width requirement would not be met; and

WHEREAS, the vessel will be moored parallel to the seawall, with no boat well, and does infringe on adjacent existing boat docking facilities; however, if the docking facility across the canal is built in compliance with City Code requirements, then this requested protrusion would result in less than 50% of navigable waterway being available for navigation.

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

46   **SECTION 1. Adoption**. The Planning Board for the City of Marco Island hereby
47 incorporates the above WHEREAS clauses, and finds that the Owner/Developer's
48 application for the boat dock protrusion as set forth on the Boat Dock Protrusion
49 Application is inconsistent with the City's Land Development Code requirements as
50 provided in Section 54-115(f) 1 through 10 of the City of Marco Island Code of
51 Ordinances.
52
53   **SECTION 2. Effective Date.** That this Resolution shall take effect immediately
54 upon adoption.
55
56 ADOPTED BY THE PLANNING BOARD OF THE CITY OF MARCO ISLAND, this ___
57 day of _____, 2024.
58
59   CITY OF MARCO ISLAND, FLORIDA
60
61   By: _____
62   Jason Bailey, Chair
63
64 ATTEST:
65
66 By:_____
67   Joan Taylor, City Clerk
68
69 Reviewed for legal sufficiency:
70
71
72 By: _____
73   David N. Tolces, Assistant City Attorney