



City of Marco Island  
 Community Development Department  
 50 Bald Eagle Drive  
 Marco Island, FL 34145  
 Phone: 239-389-5000 or FAX: 239-393-0266

PF-11

**BOAT DOCKING FACILITY**  
**EXTENSION PETITION**

Petition number: **BD-**\_\_\_\_\_ Date Received: \_\_\_\_\_

Planner: \_\_\_\_\_

**ABOVE TO BE COMPLETED BY STAFF**

Property Owner(s): 986 SUNDROP LLC

Owner's Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Agent's Name: Zachary W. Lombardo, Esq. - Woodward, Pires & Lombardo, P.A.

Agent's Address: 3200 Tamiami Trail N., Suite 200, Naples, FL 34103

Telephone: (239) 649-6555 Fax: (239) 649-7342

**Site Information**

Address: 986 Sundrop Court Property ID #: 56942480004

Subdivision: Marco Beach Unit 4 Block: 127 Lot(s): 14

Width of Waterway: 2,785 ft; measured from  plat  survey  visual estimate

Width of Nav. Channel: N/A ft; measured from  plat  survey  visual estimate

Total property water frontage: 193 ft Total proposed protrusion: 40 ft

Setbacks provided: 27 ft Setbacks required: 15 ft, maximum ft

Number and length of vessels to use facility: 1. 130 ft 2. \_\_\_\_\_ ft 3. \_\_\_\_\_ Ft

Description of project (# of slips, boatlifts, deck square footage, etc.)

See Attachment 1.

### Zoning and Land Use

Property Subject	Zoning	Land Use	Protrusion of Existing Dock Facility
	RSF-3	Single-Family Dwelling	Roughly 20-25 ft
N	N/A	Water	N/A
S	RSF-3	Single-Family Dwelling	Roughly 20-25 ft
E	RSF-3	Single-Family Dwelling	None
W	RSF-3	Single-Family Dwelling	Roughly 20-25 ft

The following criteria, (pursuant to Ordinance 03-) shall be used as a guide by staff in determining its recommendation to The City of Marco Island Planning Board in its decision to approve or deny a particular dock extension request. Please provide a **narrative** response to the listed criteria and/or questions. Attach additional pages if necessary.

**1. Does the proposed boat docking facility meet the other standards (setbacks, height, etc.) set forth in Ordinance 03-?**

See Attachment 1.

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**2. Is there sufficient water depth where the proposed vessel(s) is to be located (as a general guide, -4 feet mean low water is deemed to be sufficient) to allow for safe mooring of the vessel?**

See Attachment 1.

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- 3. Are there any special conditions related to the subject property or waterway which justify the proposed dimensions and location of the proposed boat docking facility?**

See Attachment 1.

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- 4. Does the proposed boat docking facility and moored vessel protrude greater than 25% of the width of the navigable waterway and is a minimum of 50% of the waterway width between dock structures/moored vessel(s) on the opposite side of the waterway maintained in order to ensure reasonable waterway width for navigability?**

See Attachment 1.

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- 5. Is the proposed dock of minimal dimensions necessary in order to adequately secure the moored vessel while providing reasonable access to the boat for routine maintenance without the use of excessive deck area?**

See Attachment 1.

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- 6. Is the proposed structure of minimal dimensions and located (designed) to minimize the impact of view to the channel by surrounding property owners?**

See Attachment 1.

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- 7. Is the moored vessel in excess of 50% of the length of the waterfrontage such that the addition of a dock structure will increase the impact on or negatively impact the view to the waterway by surrounding property owners? (In the case of multi-family developments and public marinas, the 50 percent provision may be exceeded).**

See Attachment 1.

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- 8. Will the proposed location and design of the boat docking facility and moored vessel(s) be such that it may infringe upon the use of neighboring properties, including any existing dock structures?**

See Attachment 1.

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- 10. Regarding existing benthic organisms in the vicinity of the proposed extension:**

- a. Are seagrasses located within 200 feet of the proposed dock?**

See Attachment 1.

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**b. Is the proposed dock subject to the manatee protection requirements in Sec 10 of Ordinance 00-04?**

See Attachment 1.

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**AFFIDAVIT OF AUTHORIZATION**

**FOR PETITION NUMBERS(S)** 986 Sundrop Court Boat dock extension

I, David B. Curtis (print name), as Manager (title, if applicable) of 986 Sundrop, LLC (company, if applicable), swear or affirm under oath, that I am the (choose one) owner  applicant  contract purchaser  and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Zachary W. Lombardo, Esq. & Woodward, Pires & Lombardo, P.A. to act as our/my representative in any matters regarding this petition including 1 through 2 above.

**\*Notes:**

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trust, then they must include the trustee's name and the words "as trustee".
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.

**Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.**

[Signature]  
Signature

April 30, 2021  
Date

**STATE OF FLORIDA  
COUNTY OF COLLIER**

The foregoing instrument was sworn to (or affirmed) and subscribed before me on April 30, 2021 (date) by David B. Curtis (name of person providing oath or affirmation), as manager who is personally known to me or who has produced (type of identification) as identification.

[Signature]  
Signature of Notary Public

**STAMP/SEAL**



**BOAT DOCK EXTENSION APPLICATION SUBMITTAL CHECKLIST**

Required public hearing(s) will not be scheduled until the boat dock extension application package has been deemed by staff to be complete.

- Pre-application notes/minutes (Call 389-5013 to schedule a pre-application meeting)
- Completed application
- Completed Owner/Agent affidavit, signed and notarized
- Site plan, drawn to scale, illustrating all of the following:
  - Location map
  - Lot dimensions and land contour of subject property
  - Riparian line(s)
  - Required dock setbacks
  - Configuration and dimensions of decking, boatlifts, boat mooring areas of the (a) existing, (b) proposed, and (c) adjacent boat docking facilities.
  - Water depth survey, completed by a professional Florida engineer, licensed marine contractor, registered surveyor, or other person deemed to be qualified by the Community Development Director or his designee, using the format attached to the application form.
- Permit number and Certificate of Completion date for the original construction of existing boat docking facility, if applicable
- Resolution number and date of previous boat dock extension requests, if applicable
- Application fee (checks should be made payable to "City of Marco Island") in the amount of \$1,500.

**PUBLIC NOTICE REQUIREMENT:** In addition to the fees required herein, all costs of newspaper notices and required notices for public petitions shall be paid in full prior to a scheduled public hearing. If such payment is not received prior to a scheduled public hearing, the petition will be continued and rescheduled. Any additional cost associated with a rescheduled item shall also be paid in full prior to the public hearing. Advertising for public hearings shall be prepared by staff and submitted to the newspapers as required in the Marco Island Land Development Code (LDC). If an application is filed for which a fee is not listed herein, staff shall assess the fee based upon actual time spent reviewing the petition.  
**Marco Island Code of Ordinances Section 30-8(a). Amended 10/17/2005**

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

I understand that, in addition to approval of this dock extension, a building permit is required prior to commencement of construction. I also understand that if the City of Marco Island Planning Board approves this dock extension, an affected property owner may file an appeal within 14 days of the hearing. If I proceed with construction during this time, I do so at my own risk.

\_\_\_\_\_  
Signature of Petitioner or Agent

7/14/21  
\_\_\_\_\_  
Date

ZACHARY W. LOMBARDI, ESQ.  
AS AGENT OF PETITIONER



EST. 1971

# WOODWARD, PIRES & LOMBARDO, P.A.

ATTORNEYS AT LAW

MARK J. WOODWARD  
Board Certified: Real Estate  
Law and in Condominium &  
Planned Development Law

ANTHONY P. PIRES, JR.  
Board Certified: City, County,  
and Local Government Law

J. CHRISTOPHER LOMBARDO

ANTHONY J. DIMORA  
Licensed in FL and OH

LENORE T. BRAKEFIELD

CRAIG R. WOODWARD  
Senior Counsel  
Board Certified: Real Estate Law

KENNETH V. MUNDY

ZACHARY W. LOMBARDO

CAMERON G. WOODWARD

ROSS E. SCHULMAN  
Licensed in FL and NY

F. SCOTT PAUZAR, III

July 14, 2021

*By Email*

City of Marco Island  
Community Development Department  
[gmhelp@cityofmarcoisland.com](mailto:gmhelp@cityofmarcoisland.com)

## Re: 986 Sundrop Court Boat Docking Facility Extension Petition

To the Community Development Department:

This firm, as indicated in the enclosed Owner/Agent affidavit, represents 986 Sundrop, LLC.

Enclosed, as the completed Boat Docking Facility Extension Petition for 986 Sundrop Court, please find:

- The completed application;
- Attachment 1 to the completed application, Site Information and Factors for Boat Docking Facility Extension Petition, with Exhibits,
  - The Exhibits contain the Site Plan, drawn to scale, and meeting the criteria specified in the Application;
- Attachment 2 to the completed application, Additional Requirements,
  - This attachment contains the permit number and the certificate of completion date for the original construction of the existing boat docking facility; and
- The completed Owner/Agent affidavit, signed and notarized.

If you have any questions, please do not hesitate to contact our office at (239) 629-6555. If further information is required or would be helpful, please let us know.

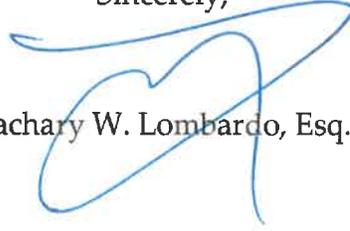
REPLY TO:

☑ 3200 TAMiami TRAIL N.  
SUITE 200  
NAPLES, FL 34103  
239-649-6555  
239-649-7342 FAX

☐ 606 BALD EAGLE DRIVE  
SUITE 500  
P.O. BOX ONE  
MARCO ISLAND, FL 34146  
239-394-5161  
239-642-6402 FAX

WWW.WPL-LEGAL.COM

Sincerely,

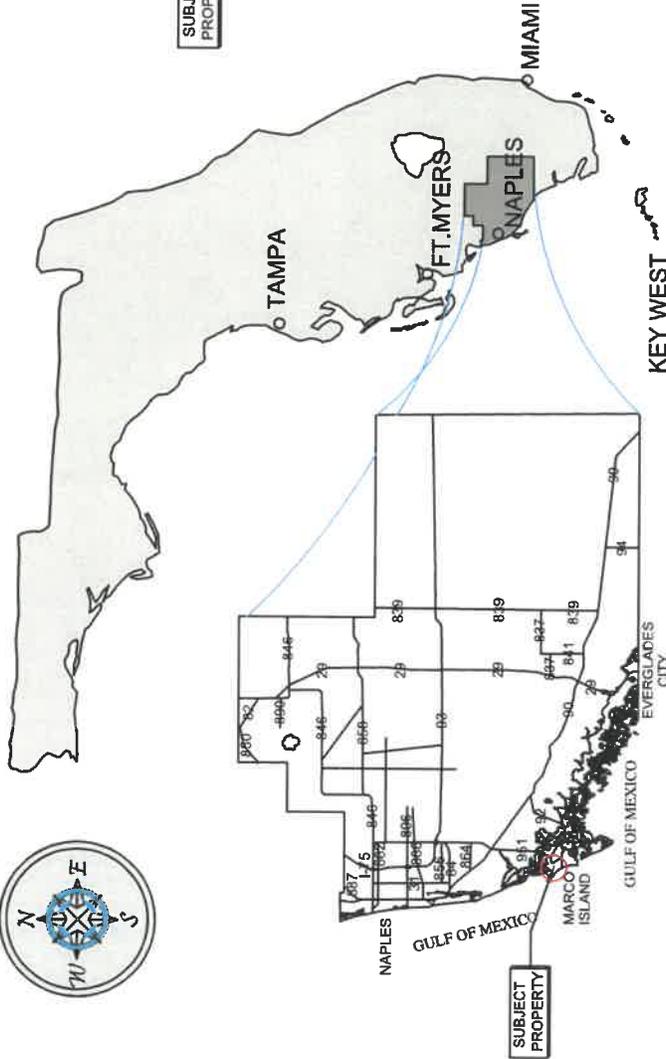
A handwritten signature in blue ink, consisting of several fluid, overlapping loops and a long horizontal stroke at the top.

Zachary W. Lombardo, Esq.

986 Sundrop, LLC  
*Woodward, Pires & Lombardo, P.A.*

Exhibit A

# STATE OF FLORIDA



## COLLIER COUNTY

### SITE ADDRESS:

↔ 986 SUNDROP CT  
 MARCO ISLAND, FL 34145

↔ LATITUDE: N 25.965590  
 ↔ LONGITUDE: W -81.719405

### 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: [tuna@thamaples.com](mailto:tuna@thamaples.com) Phone: (239) 643-0166 Fax: (239) 643-6632

# 986 SUNDROP CT

## LOCATION MAP

DESIGNED:	JR	SCALE:	DATE:	PROJECT:
DRAWN BY:	RMJ	1"	-	21038.00
CREATED:	04-06-21	2"	-	-
JOB NO.:	21038.00	3"	-	-
SHEET NO.:	01 OF 06	4"	-	-
		5"	-	-

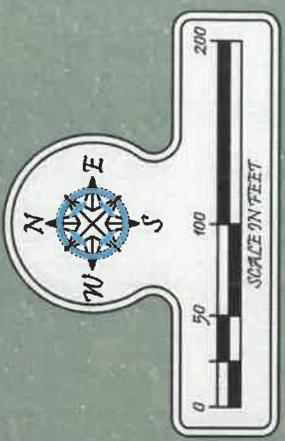
REV. NO. 3875

SECTION-16

TOWNSHIP- 52S

RANGE- 26E

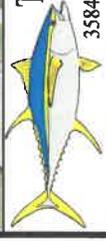




PROPOSED  
FLOATING DOCK

PROPERTY  
BOUNDARY

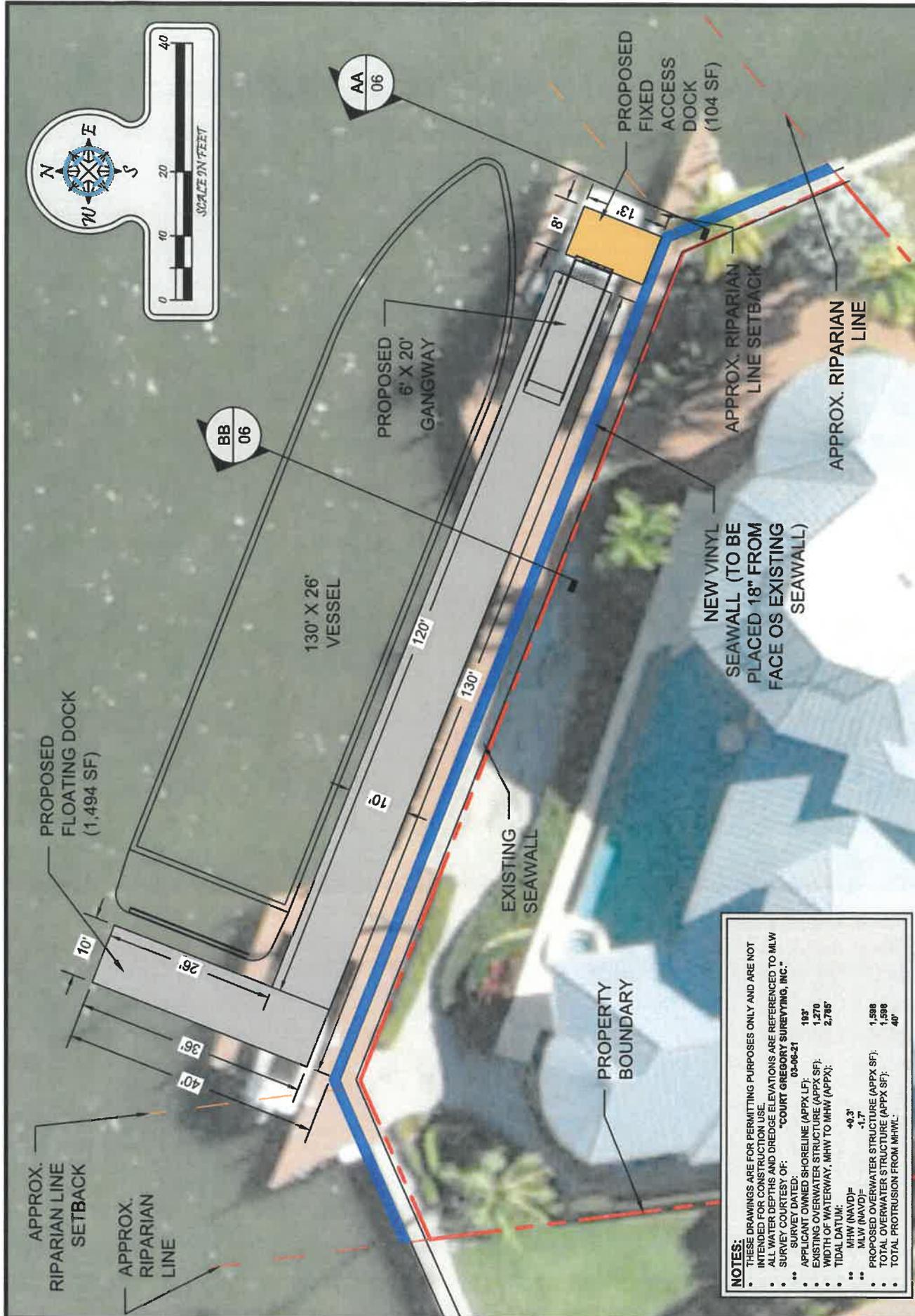
- NOTES:**
- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
  - ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
  - SURVEY CONDUCTED BY: "COURT GREGORY SURVEYING, INC." 03-06-21
  - APRILIAN COVERED SHORELINE (APPL. LF): 193'
  - EXISTING OVERWATER STRUCTURE (APPX. SF): 1,270
  - WIDTH OF WATERWAY, MHW TO MHW (APPX.): 2,785'
  - TIDAL DATUM:
  - MHW (NAVD): 40.3'
  - MLLW (NAVD): 41.7'
  - PROPOSED OVERWATER STRUCTURE (APPX. SF): 1,588
  - TOTAL OVERWATER STRUCTURE (APPX. SF): 1,588
  - TOTAL PROTRUSION FROM MHWL: 40'



**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](mailto:tuna@thnaples.com)

**986 SUNDROP CT**  
**PROPOSED DOCK**

DESIGNED BY:	JR	SHEET NO.:	03 OF 08
DRAWN BY:	RMJ	TOWNSHIP:	16
CREATED:	05-27-21	SECTION:	16
JOB NO.:	21038.00	RANGE:	26E
SHEET NO.:	03 OF 08		



DESIGNED: JR	DATE: 04/06/06
DRAWN BY: RMJ	
CREATED: 04-06-21	
JOB NO.: 21038.00	
SHEET NO.: 04 OF 06	

**986 SUNDROP CT**  
**PROPOSED DOCK WITH DIMENSIONS**

SECTION-16 TOWNSHIP- 52 S RANGE- 26 E

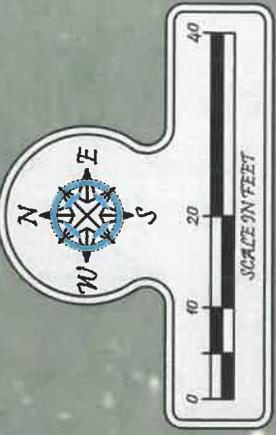
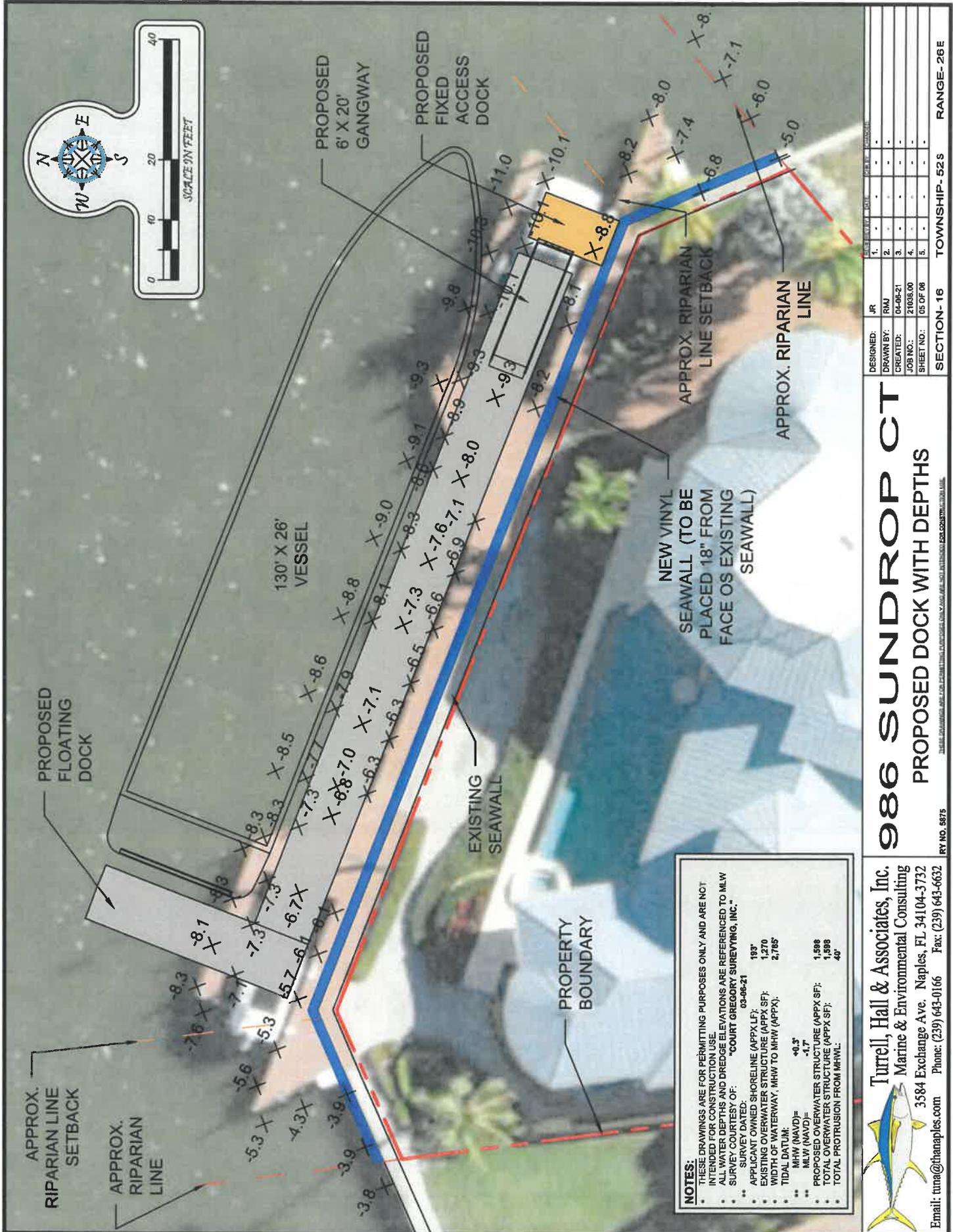
**NOTES:**

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: "COURT GREGORY SURVEYING, INC."
- SURVEY DATED: 03-06-21
- APPLICANT OWNED SHORELINE (APPX LF): 193'
- EXISTING OVERWATER STRUCTURE (APPX SF): 1,270
- WIDTH OF WATERWAY, MHW TO MHW (APPX): 2,785'
- TIDAL DATUM:
  - MHW (NAVD)= +0.3'
  - MLW (NAVD)= -1.7'
- PROPOSED OVERWATER STRUCTURE (APPX SF): 1,588
- TOTAL OVERWATER STRUCTURE (APPX SF): 1,588
- TOTAL PROTRUSION FROM MHWL: 40'

**Turrell, Hall & Associates, Inc.**  
 Marine & Environmental Consulting

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 Phone: (239) 643-0166 Fax: (239) 643-6632  
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**NOTES:**

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- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: "COURT GREGORY SURVEYING, INC."
- SURVEY DATED: 03-06-21
- APPLICANT OWNED SHORELINE (APPX LF): 193'
- EXISTING OVERWATER STRUCTURE (APPX SF): 1,270
- WIDTH OF WATERWAY, MHW TO MHW (APPX): 2,785'
- TIDAL DATUM:
  - \*\* MHW (NAVD)= -0.5'
  - \*\* MLW (NAVD)= -1.7'
- PROPOSED OVERWATER STRUCTURE (APPX SF): 1,588
- TOTAL OVERWATER STRUCTURE (APPX SF): 1,588
- TOTAL PROTRUSION FROM MHWL: 40'

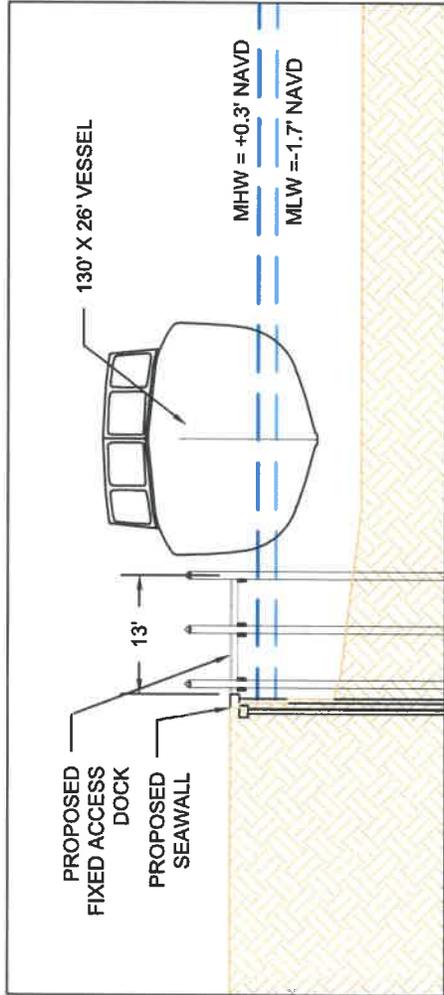
**Turrell, Hall & Associates, Inc.**  
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# 986 SUNDROP CT

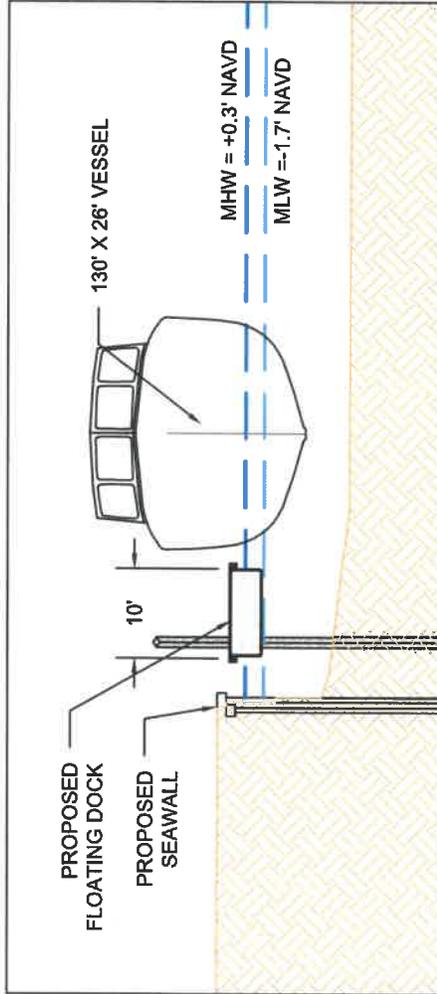
## PROPOSED DOCK WITH DEPTHS

DESIGNED BY:	JR	SHEET NO.:	1	TOWNSHIP:	52 S
DRAWN BY:	RAMJ	DATE:	04-06-21	RANGE:	26 E
CREATED:	21038.00				
JOB NO.:	05 OF 06				
SHEET NO.:					



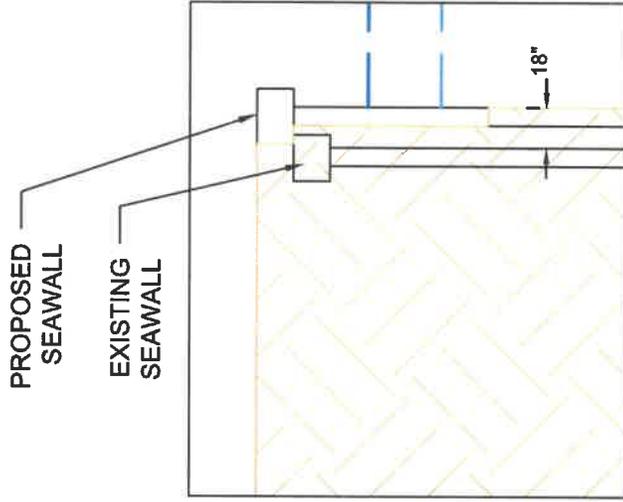
**CROSS SECTION AA**

SCALE: 1" = 20'



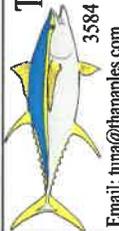
**CROSS SECTION BB**

SCALE: 1" = 20'



**TYPICAL SEAWALL CROSS SECTION**

SCALE: 1" = 5'



**Turrell, Hail & Associates, Inc.**  
Marine & Environmental Consulting  
3584 Exchange Ave. Naples, FL 34104-3732  
Email: [tuna@thanaples.com](mailto:tuna@thanaples.com) Phone: (239) 643-0166 Fax: (239) 643-6632

**986 SUNDROP CT**  
**CROSS SECTIONS**

DESIGNED: JR	INCHES	FEET	DATE	SCALE	REVISION
DRAWN BY: RMJ	1	-	-	-	-
CREATED: 04-06-21	2	-	-	-	-
JOB NO.: 21038.00	3	-	-	-	-
SHEET NO.: 06 OF 06	4	-	-	-	-
	5	-	-	-	-

SECTION-16

TOWNSHIP- 52 S

RANGE- 26 E



DRAWN BY:	RMJ	REVISION:		SCALE:	1" = 1,000'
CREATED:	05-27-21		N/A	FILE PATH:	
JOB NO.:	21038		N/A		P:\21038.00\Cuts-986 Sundrop CT
SHEET:	01 OF 01		N/A		GIS\21038-ChannelMap.mxd
SECTION-16 TOWNSHIP-52S RANGE-26E					

**986 SUNDROP CT  
CHANNEL NAVIGATION MAP**

**Turrell, Holl & Associates, Inc.**  
 Marine & Environmental Consulting  
 3484 Exchange Ave. Suite B, Naples, FL 34104-3752  
 Email: [tuna@tunas.com](mailto:tuna@tunas.com) Phone: (239) 643-0166 Fax: (239) 643-6632

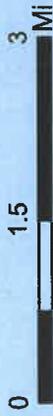
986 Sundrop, LLC  
*Woodward, Pires & Lombardo, P.A.*

Exhibit B



986 Sundrop, LLC  
*Woodward, Pires & Lombardo, P.A.*

Exhibit C

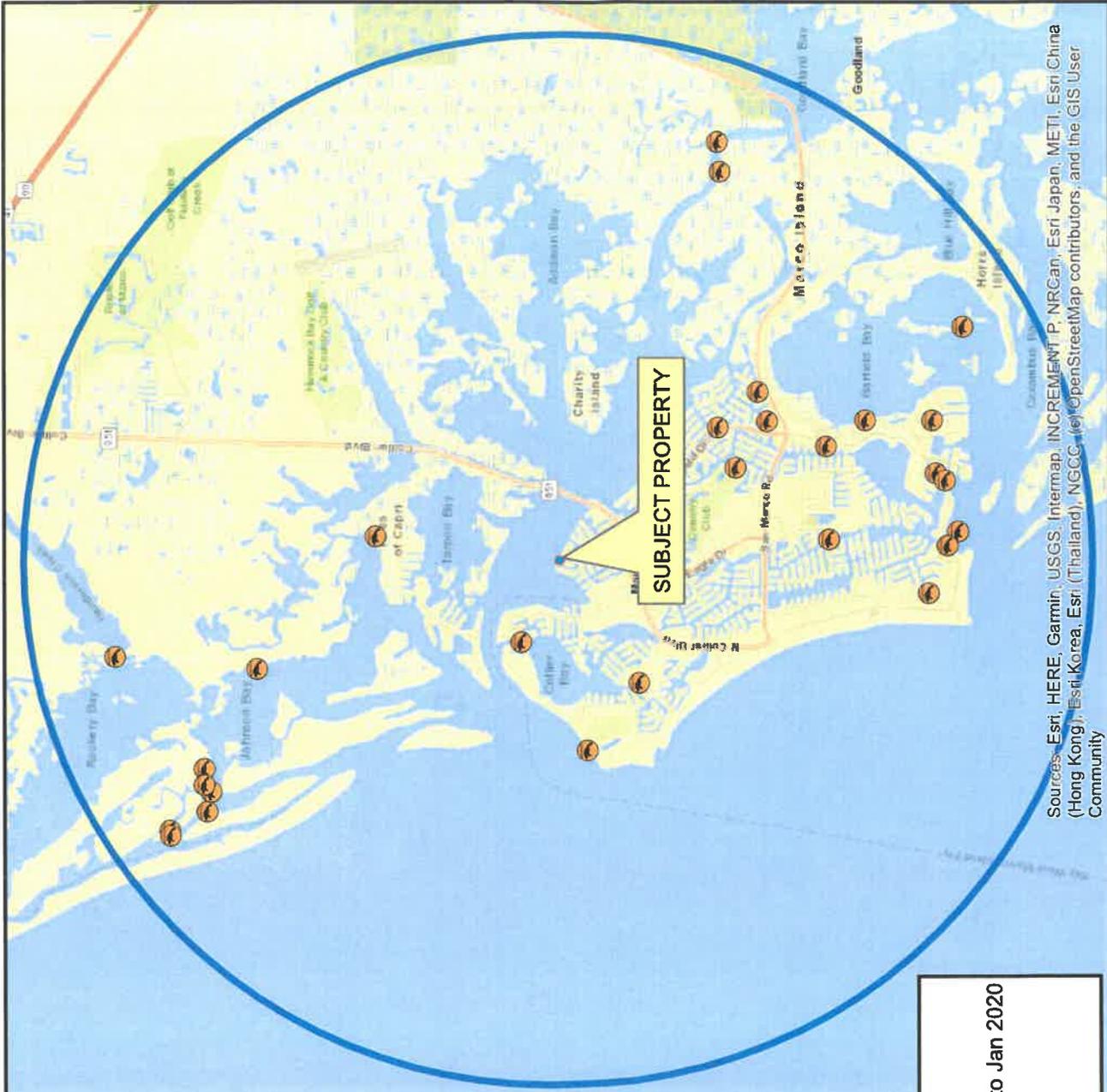


Manatee data provided by:  
Florida Fish and  
Wildlife Conservation Commission

31% (28 out of 91) of watercraft-related  
manatee mortalities in Collier County from  
Jan 2010 to Jan 2020 are within a 5 mile  
radius of the subject property.

**Legend**

-  Manatee Boat Related Deaths from Jan 2010 to Jan 2020
-  Subject Property
-  5 Mile Buffer



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



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Email: [tuna@thnaples.com](mailto:tuna@thnaples.com)

**986 SUNDROP CT  
MANATEE MORTALITY MAP**

DRAWN BY:	RMJ	REVISION:	SCALE:	1"=7,920'
CREATED:	06-01-21	N/A	FILE PATH:	
JOB NO.:	21038	N/A		P:\21038_00_Cent-986 Sundrop CT
SHEET:	01 OF 01	N/A		GIS\21038-Chance\986.mxd
<b>SECTION-16 TOWNSHIP-52S RANGE-26E</b>				

## ATTACHMENT 1

### Site Information and Factors for Boat Docking Facility Extension Petition

Below is the site information and factor analysis for the Boat Docking Facility Extension Petition for 986 Sundrop, LLC, for the property at 986 Sundrop Court. For reference, exhibits are included and are referenced as Exhibits A, B, and C.

#### Team:

- Jurisdiction: City of Marco Island
- Engineer: Turrell, Hall & Associates
- Builder: Collier Seawall and Dock
- Surveyor: Court Gregory Surveying, Inc.
- Legal Counsel: Woodward, Pires & Lombardo, P.A.

#### Site Information:

- 986 Sundrop Court, Marco Island, FL 34145
- Property ID: 56942480004
- Subdivision: Marco Beach Unit 4; Block: 127; Lot 14
- Width of Waterway: 2,785 ft (Calculated from aerial photography)
- Width of Navigable Channel: Not applicable (Proposed dock is not inside channel) *Exh. A, p. 7.*
- Total Property Water Frontage: 193 ft
- Total Proposed Protrusion: 40 ft
- Setbacks provided: 27 ft
- Setbacks required: 15 ft, maximum
- Vessel: 1 vessel that is 130 ft in length

**Zoning and Land Use:**

- The Subject Property and all surrounding properties are zoned RSF-3. There is no lot to the North, instead it is open water. There are lots to the West, East, and South. The Subject Property and the West and South lots are single-family dwellings and the lot to the East is vacant. The Subject Property and the West and South lots have a current boat docking facility protrusion of roughly 20 to 25 feet.

**1. Does the proposed boat docking facility meet the other standards (setbacks, height, etc.) set forth in Ordinance O3-?**

Yes. The height limitations and setbacks are met. *Exh. A, p. 4.* Additionally, state and federal permits have been applied for and this dock will not be constructed without the issuance thereof, which will require adherence to setbacks of 25 feet, which is significantly greater than the setbacks required by the City of Marco Island. The state Department of Environmental Permit number is 0402850-001. The federal Army Corps of Engineers Permit number is SAJ-2021-01295. Further, due to this dock's proposed location, a submerged land lease is being applied for with the State of Florida.

**2. Is there sufficient water depth where the proposed vessel(s) is to be located (as a general guide, -4 feet mean low water is deemed to be sufficient) to allow for safe mooring of the vessel?**

Yes. There is sufficient water depth. The depth on the vessel-side of the dock is -7.7 feet at the shallowest, which is 3.7 feet deeper than what is listed as the general guide of sufficiency. The depth surrounding the proposed dock, on the non-vessel side, is -5.3 feet at the shallowest, which is 1.3 feet deeper than what is listed as the general guide of sufficiency. *Exh. A, p. 5.*

**3. Are there any special conditions related to the subject property or waterway which justify the proposed dimensions and location of the proposed boat docking facility?**

Yes. There are special conditions related to the subject property and waterway.

Conditions related to the subject property:

- Unlike the vast majority of waterfront lots within the City of Marco Island, this property is not on a canal. Instead, it is on the Marco River. *Exh. A., p. 3.*
- The lot is not a side or a corner lot along a narrow waterway, instead the lot is a peninsular lot that sits on a waterway such that the lot's riparian lines extend outwards from the lot in an increasing triangle. Pursuant to section 54-111(a)(1) of the Land Development Code, the combination of a boat docking facility and a moored vessel can by right extend 30 feet out into the waterway. *Exhibit B.*

Conditions related to the subject waterway:

- Unlike the canals that make up the vast majority of waterways in the City of Marco Island, the Marco River is wider and deeper. Canals in Marco, as shown in the diagrams incorporated in the City Code are often 100 feet wide or less. The Marco River, where this lot is located, is over 2,700 feet wide.

**4. Does the proposed boat docking facility and moored vessel protrude greater than 25% of the width of the navigable waterway and is a minimum of 50% of the waterway width between dock structures/moored vessel(s) on the opposite side of the waterway maintained in order to ensure reasonable waterway width for navigability?**

The boat docking facility and moored vessel do not protrude greater than 25% of the waterway and there is more than 50% of the width of the waterway between the vessel and the other side of the waterway. The waterway is over 2,785 feet

wide, which is over 27 times the width of most canals in the City of Marco. The dock extends under 1.4% into the waterway leaving over 98.6% of the waterway available. *Exh. A, p. 3*. Because the dock is not within the navigable channel, the dock does not impact navigability.

- 5. Is the proposed dock of minimal dimensions necessary in order to adequately secure the moored vessel while providing reasonable access to the boat for routine maintenance without the use of excessive deck area?**

Yes. The proposed dock is of minimal dimensions necessary in order to adequately secure the moored vessel. *Exh. A, p. 4*. The current dock wraps around the corners of the property. This dock will not do that.

- 6. Is the proposed structure of minimal dimensions and located (designed) to minimize the impact of view to the channel by surrounding property owners.**

Yes. The proposed dock, unlike the current dock, will have no dock elements that extend around the corner of the property. This leaves the view of the surrounding properties completely unobstructed. *Exh. A, pp. 3-4*. This is an improvement from what is currently on the property and improves the current view for the surrounding properties. *Exh. A, p. 2*.

- 7. Is the moored vessel in excess of 50% of the length of the waterfrontage such that the addition of a dock structure will increase the impact on or negatively impact the view to the waterway by surrounding property owners? (in the case of multi-family developments and public marinas, the 50 percent provision may be exceeded).**

The proposed moored vessel will be greater than 50% of the length of the waterfrontage, but it will not increase the impact on or negatively impact the view to the waterway by surrounding property owners. This is because the surrounding property owners are adjacent to this property at angles, as opposed to being on the same line, and because this property is not on a canal. *Exh. A, p. 3*. In fact, as noted above, the views will be improved.

This is not a multi-family development or a public marina.

- 8. Will the proposed location and design of the boat docking facility and moored vessel(s) be such that it may infringe upon the use of neighboring properties, including any existing dock structures?**

No. The proposed location and design of the boat docking facility and moored vessel will not infringe upon the use of neighboring properties, including existing dock structures.

- 10. Regarding existing benthic organisms in the vicinity of the proposed extension:**

- a. Are seagrasses located within 200 feet of the proposed dock?**

No. There are no seagrasses located within 200 feet of the proposed dock.

- b. Is the proposed dock subject to the manatee protection requirements in Sec. 10 of Ordinance 00-04?**

Section 10 of Ordinance 00-04 is not applicable to this application. Nevertheless, a manatee mortality map is included as Exhibit C for information purposes only.

## ATTACHMENT 2

### Additional Requirements

**Permit number and certificate of completion date for the original construction of any existing *boat docking* facility, if applicable.**

The current, existing boat docking facility was built by a prior owner under permit number 003759. The certification of completion date was June 19, 2001.

**Resolution number and date of previous *boat dock* extension, protrusion or encroachment into the riparian setback if applicable.**

Not applicable.

#### **Compliance with Land Development Code**

This application is consistent with the land development code of the City of Marco Island.

#### **Compliance with Comprehensive Plan**

This application is consistent with the comprehensive plan of the City of Marco Island.

Specifically, the following applicable objectives are satisfied:

- Objectives 1.1 and 1.6 of the Future Land Use Element, as well as the entire Future Land Use Element is met because the proposed use will remain the same. The current use is consistent with the designation for the Subject Property shown on the future land use map as “low density residential”.
  - o This application does not seek to increase the density or the necessary levels of service at the Subject Property.
- The Transportation Element does not apply.
- The Housing Element does not apply.
- The Infrastructure Element does not apply.
- Objectives 1.5 and 2.2 of the Conservation and Coastal Management Element, as well as the entire Conservation and Coastal Management Element is met because an Environmental Resource Permit is being applied for with the Department of Environmental Protection.

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- The Parks and Open Space Element does not apply.
- The Intergovernmental Cooperation Element does not apply.
- The Capital Improvements Element does not apply.