



## *Planning Board Staff Report*

**Meeting Date: May 3, 2024**

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**TO:** Marco Island Planning Board

**FROM:** Joshua G. Ooyman, Planner II

**DATE:** April 25, 2024

**RE:** Boat Dock Extension: 24-000014, 904 Juniper Court, Marco Island, FL. A request to allow for a boat lift canopy on an existing dock to extend an additional 2.6 feet, for a total of a 38.6-foot protrusion from the wet face of the seawall.

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### **PROJECT DESCRIPTION**

The request is to allow for a boat lift canopy to remain as constructed on an existing boat dock located at 904 Juniper Court, Marco Island. As constructed, the canopy protrudes 38.6 feet from the seawall. Please note that a boat dock extension was granted for the existing boat dock in 2005 authorizing a 36-foot protrusion. The current request is an additional 2.6 feet of protrusion to accommodate the canopy which has already been constructed. Attached are the plans, application, narrative, copy of the plat, and a survey of the canopy as constructed.

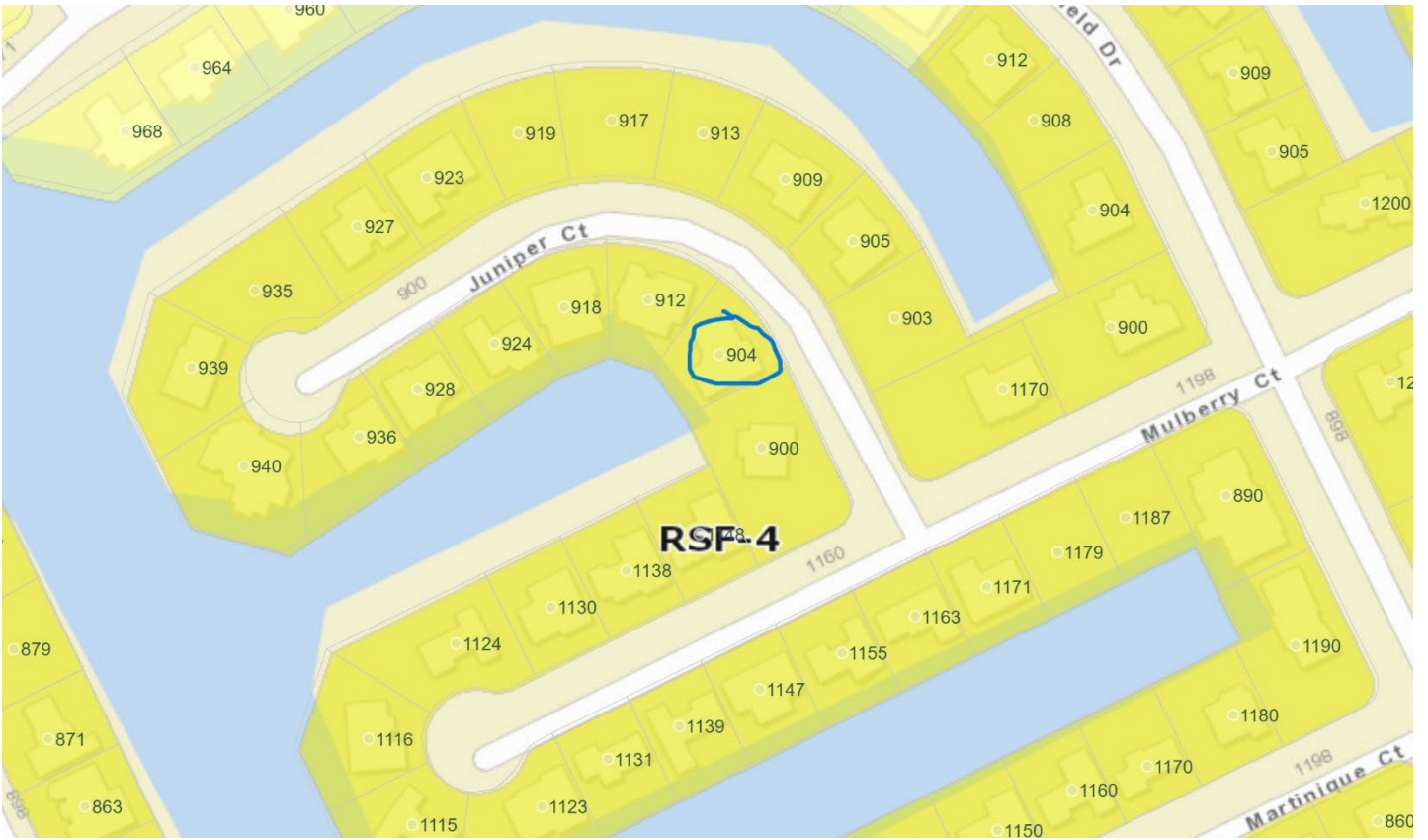
### **APPLICANT and OWNER:**

Mr. Steven Kozinski  
904 Juniper Court  
Marco Island, FL 334145

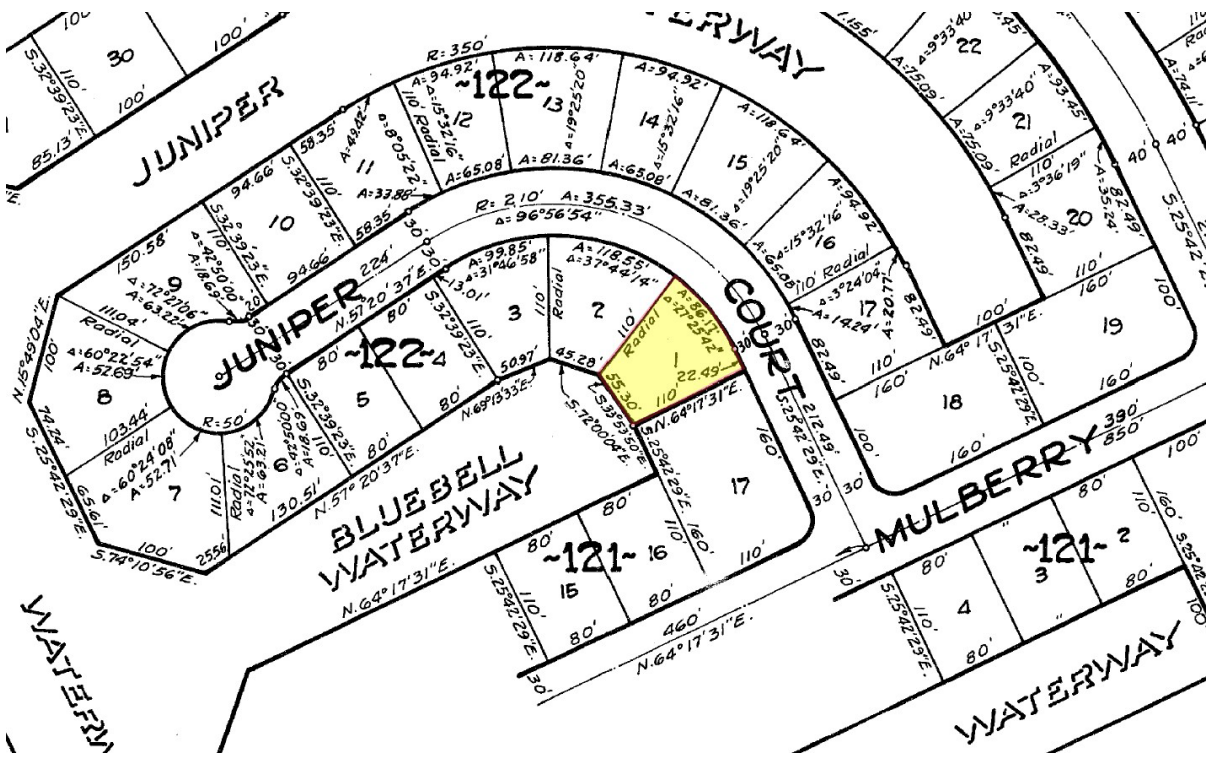
### **PROJECT ADDRESS AND LEGAL DESCRIPTION:**

904 Juniper Court  
Marco Island, FL 34145  
Legal: Marco Beach Unit 4, Block 122, Lot 1  
Property ID: 56937680000

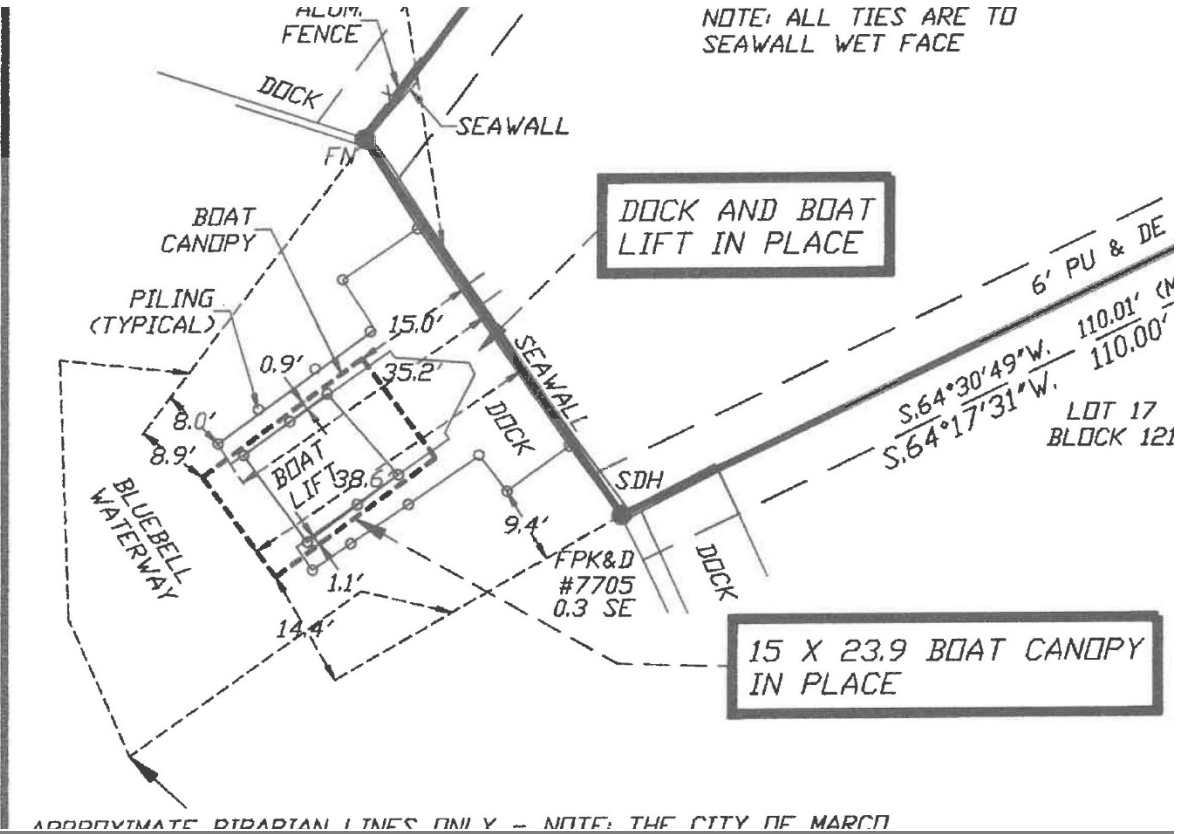
**ZONING AND AERIAL MAPS:**



**PLAT MAP**



**SURVEY**



## **STAFF ANALYSIS:**

Generally, Staff has little concern with this request. The property owner obtained the necessary permit to install the boat lift canopy and the as-built survey indicated the added protrusion beyond the dock. No additional dock area is being proposed and the canopy is within the dock footprint except for the 2.6' protrusion beyond the dock and the existing authorized 36' protrusion. The property owner has stated that his 24-foot vessel doesn't protrude any further than the canopy. Notification was sent via certified mail to property owners within 300 feet of the site and no comment or inquiries have been received by the date of this staff report.

In reviewing the City's current 2040 Comprehensive Plan, we find the proposed request is consistent with the City's Comprehensive Plan. Docks are an allowed accessory use to single-family residential use, and the City's codes provide for dock extension requests, subject to the review of specific criteria as provided in this report.

Below are the criteria, Sec. 54-115(f). 1-10, used to review for a boat dock protrusion:

**1. Whether or not the proposed docking facility meets the other standards set forth in this article?**

The canopy will meet the side/riparian setbacks.

**2. Whether or not the water depth where the proposed vessel(s) is to be located is sufficient (as a general guide, four feet mean low water is deemed to be sufficient) to allow for safe mooring of the vessel, thereby necessitating the extension requested?**

The property owner's vessel can currently be safely moored at the existing boat dock.

**3. Whether or not there are special conditions related to the subject property or waterway which justify the proposed dimensions and location of the proposed boat docking facility?**

The subdivision plat shows the seawall frontage at this location is slightly over 55 feet, necessitating the current dock and lift layout perpendicular to the seawall.

**4. Whether or not the proposed boat docking facility and moored vessel(s) protrude greater than 25 percent of the width of the navigable waterway, and whether or not a minimum of 50 percent of the waterway width between boat docking facilities and moored vessel(s) on the opposite side of the waterway is maintained in order to ensure reasonable waterway width for navigation?**

The adjacent waterway is uniquely shaped and widens to approximately 135 feet at the terminus of the canal. 25 percent of that figure is 33.75 feet, and the canopy protrudes 38.6 feet from the seawall. This configuration is necessary at the canal terminus due to the relatively small seawall frontage for each property.

**5. Whether or not the proposed boat docking facility is of the minimum 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?**

The canopy protrudes 2.6 feet beyond the existing approved dock protrusion, and it may bear consideration that terminating the canopy at the extent of the existing dock could be deemed the minimum necessary.

**6. Whether or not the proposed boat docking facility is of minimal dimensions and located to minimize the impact of view to the channel by surrounding property owners?**

The existing vessel moored/elevated on the boat lift presents a similar visual obstruction that the added canopy presents. The addition of the canopy doesn't impact channel views much more than the vessel on the boat lift.

**7. Whether or not the proposed vessel(s) is in excess of 50 percent of the length of the water frontage on the subject property such that the extension of the boat docking facility may adversely impact the view to the channel by surrounding property owners?**

The 24-foot vessel is less than 50 percent of the 55 feet of water frontage of the subject property.

**8. Whether or not the proposed location and design of the boat docking facility and moored vessel(s) in combination such that it may infringe upon the use of neighboring properties, including any existing boat docking facilities?**

The boat dock and lift are existing, so the addition of a canopy will not adversely affect navigability of nearby properties. The two adjacent properties enter their boat lifts perpendicular to the seawall, the same as the subject property.

**9. Whether or not the seagrasses are located within 200 feet of the proposed boat docking facility?**

There are no seagrass beds within 200 feet.

**10. Whether or not the proposed dock subject to the manatee protection requirements set forth in section 54-117 of the City's Boat Docking Facilities Code?**

This proposal is not subject to the manatee protection requirements since this is not a multi-slip dock with 10 or more slips nor is it a marina.

**STAFF RECOMMENDATION AND FINDINGS:**

Staff recommends that the City of Marco Island Planning Board approve this request with the following findings and conditions:

Findings:

1. The canopy will meet the side/riparian setbacks.
2. There is sufficient water depth at this location.
3. The current dock has been in this general location for almost 20 years. Surrounding docks are similarly situated at the waterway terminus.
4. The proposed canopy placement does protrude greater than 25 percent of the canal width, but does not appear to pose a navigational hazard.
5. The proposed canopy is of the minimum dimensions necessary to secure and access the boat for maintenance.
6. The proposed canopy is on an existing boat dock and lift, and the neighbors' views will not be impacted much greater than a vessel on a raised lift.
7. The canopy placement and moored vessel will not infringe upon the use of neighboring properties.
8. There are no seagrass beds within 200 feet.
9. This proposal is not subject to the manatee protection requirements since this is not a multi-slip dock with 10 or more slips nor is it a marina.

Condition:

1. The canopy, and moored vessel, shall not protrude more than 38.6 feet from the wet face of the seawall.