

CITY OF MARCO ISLAND
PLANNING BOARD

RESOLUTION NO. 25-_____

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF MARCO ISLAND, FLORIDA, DENYING A BOAT DOCK EXTENSION TO ALLOW FOR A 7.5 FOOT ENCROACHMENT INTO THE REQUIRED 15 FOOT WEST SIDE YARD/RIPARIAN SETBACK LOCATED AT THE PROPERTY LOCATED AT 1695 LUDLOW ROAD, MARCO ISLAND; MAKING NECESSARY FINDINGS; PROVIDING FOR NON-COMPLIANCE WITH RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 54-115 of the of the Marco Island Waterways and Beaches Code, as contained within the City of Marco Island Land Development Code relates to encroachments into the riparian setback of real property within City of Marco Island; and

WHEREAS, Terra Onken (the "Owner") submitted a Boat Docking Facility Extension Petition, and are requesting the approval of a 7.5 foot encroachment into the south side yard/riparian setback in order to permit a dock at the property located at 1695 Ludlow Road, Marco Island, Florida (the "Property"); and

WHEREAS, the City of Marco Island staff has reviewed the Boat Docking Facility Extension Petition BD-25-000210; and

WHEREAS, the Planning Board finds that there are no special conditions related to the Property or adjacent waterway that justifies the increase in the encroachment; and

WHEREAS, the boat docking facility adequately provides reasonable access, with or without a variance:

WHEREAS, it is difficult to say if granting the variance will impact the surrounding property owner's view. The property owner provided a letter of no objection from the adjacent neighbor and this is at the end of canal; and

WHEREAS, it is difficult to say if the encroachment will infringe upon the use of neighboring properties since Staff are not boat captains and docks can and are rebuilt over time. The proposed dock location (area of requested encroachment) appears that personal water craft will need to use a bit of the area in front of the neighbor to maneuver into the space/lifts.

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

SECTION 1. Adoption. Based upon the testimony and evidence presented at the December 5, 2025 public hearing, the Planning Board for the City of Marco Island hereby incorporates the above WHEREAS clauses, and finds that the Owner/Developer's application for the boat dock extension is not consistent with criteria contained in Section 54-115.(f). 1-10 of the Waterways and Beaches code. Therefore, the Planning Board for the City of Marco Island denies the Owner's request for the encroachment as contained in Boat Docking Facility Extension Petition BD-25-000210.

SECTION 2. Failure to Adhere to Resolution. That failure to adhere to the denial 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.

SECTION 3. Effective Date. That this Resolution shall take effect immediately upon adoption.

ADOPTED BY THE PLANNING BOARD OF THE CITY OF MARCO ISLAND, this ____ day of _____, 2025.

CITY OF MARCO ISLAND, FLORIDA

By: _____
Jason Bailey, Chair

ATTEST:

By: _____
Joan Taylor, City Clerk

Reviewed for legal sufficiency:

By: _____
David N. Tolces, Assistant City Attorney