

1 CITY OF MARCO ISLAND
2 CITY COUNCIL

3
4 RESOLUTION NO. 26-_____

5
6 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
7 MARCO ISLAND, FLORIDA, APPROVING A BOAT DOCK
8 EXTENSION REQUEST SUBMITTED BY MARCO RIVER
9 MARINA, INC. FOR A ZERO RIPARIAN SETBACK ALONG
10 THE NORTH END OF THE PROPERTY LINE, AND
11 APPROVAL OF THE CURRENT DOCK FACILITIES,
12 PURSUANT TO CITY OF MARCO ISLAND RESOLUTION
13 03-13, CONDITION #9, FOR THE PROPERTY LOCATED
14 AT 951 BALD EAGLE DRIVE, MARCO ISLAND; MAKING
15 FINDINGS OF APPROVAL; CONDITIONS OF APPROVAL;
16 PROVIDING FOR FAILURE TO OBTAIN OTHER
17 DEVELOPMENT PERMITS; PROVIDING FOR FAILURE TO
18 COMPLY WITH APPROVAL; AND PROVIDING AN
19 EFFECTIVE DATE.
20

21 **WHEREAS**, Section 54-115 of the of the City of Marco Island Code of Ordinances,
22 entitled "Boat dock extensions, protrusion or encroachment into the riparian setback,"
23 relates to special permits to address issues related to the maximum protrusion lengths of
24 a docking system and encroachments into the riparian setback; and
25

26 **WHEREAS**, Zachary W. Lombardo (the "Applicant") has submitted an application
27 for a boat dock extension on behalf of Marco River Marina Inc. D/B/A Rose Marina
28 ("Owner") for a zero riparian setback along the north end of the property line, and approval
29 of the current dock facilities pursuant to City of Marco Island Resolution 03-13, Condition
30 #9 for the property located at 951 Bald Eagle Drive, Marco Island, Florida (the "Subject
31 Property"); and
32

33 **WHEREAS**, the two northern docking facility will meet the other requirements and
34 boat facility standards in the City of Marco Island Land Development Code as provided
35 herein; and
36

37 **WHEREAS**, there is sufficient water depth at the proposed location; and
38

39 **WHEREAS**, the applicant owns the impacted properties, and the north property
40 line is in the water; and
41

42 **WHEREAS**, the dock and moored vessels do not protrude greater than 25 percent
43 of the width of the platted navigable waterway and more than 50 percent of the waterway
44 width is maintained ; and
45

46 **WHEREAS**, the proposed docking facility is of the minimum dimensions necessary
47 to adequately secure the moored vessel while providing reasonable access to the boat
48 for routine maintenance; and

49
50 **WHEREAS**, the layout, dimensions, and location will have no impact of the view
51 to the channel ; and

52
53 **WHEREAS**, the location of the existing and proposed dock facility does not appear
54 to infringe upon the use of neighboring properties, nor any existing boat docking facilities;
55 and

56
57 **WHEREAS**, the vessels that will be located at the boat docking facility may be in
58 excess of 50 percent of the length of the water frontage of the property as this is a marina;
59 and

60
61 **WHEREAS**, the Applicant indicates no seagrasses are located within the vicinity;
62 and

63
64 **WHEREAS**, the proposal is subject to and will comply with the Manatee protection
65 requirements; and

66 **WHEREAS**, on April 3, 2026, the City of Marco Island Planning Board
67 recommended approval of the boat dock extension request, BD-25-000017 as submitted,
68 subject to findings, and conditions of approval as contained herein.

69
70 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY**
71 **OF MARCO ISLAND, FLORIDA:**

72
73 **SECTION 1. Adoption.** The City Council for the City of Marco Island, as stated in
74 the foregoing WHEREAS clauses, finds that the Owner’s application for a special permit
75 for the boat dock extension as set forth on the Proposed Slip Usage Map, which is
76 attached hereto as Exhibit “A,” for the Subject Property is consistent with Section 54-115
77 of the City of Marco Island Waterways and Beaches Code, as contained within the City
78 of Marco Island Code of Ordinances, and hereby approves the application as presented.

79
80 **SECTION 2. Failure to Obtain Other Permits.** That issuance of this approval by
81 the City does not in any way create any right on the part of the Owner/Developer to obtain
82 a permit from a state or federal agency and does not create any liability on the part of the
83 City for issuance of the approval if the Owner/Developer fails to obtain the requisite
84 approvals or fulfill the obligations imposed by a state or federal agency or undertakes
85 actions that result in the violation of state or federal law. All applicable state and federal
86 permits must be obtained before commencement of the Development on the Subject
87 Property. This condition is included pursuant to Section 166.033, Florida Statutes, as
88 amended.

89

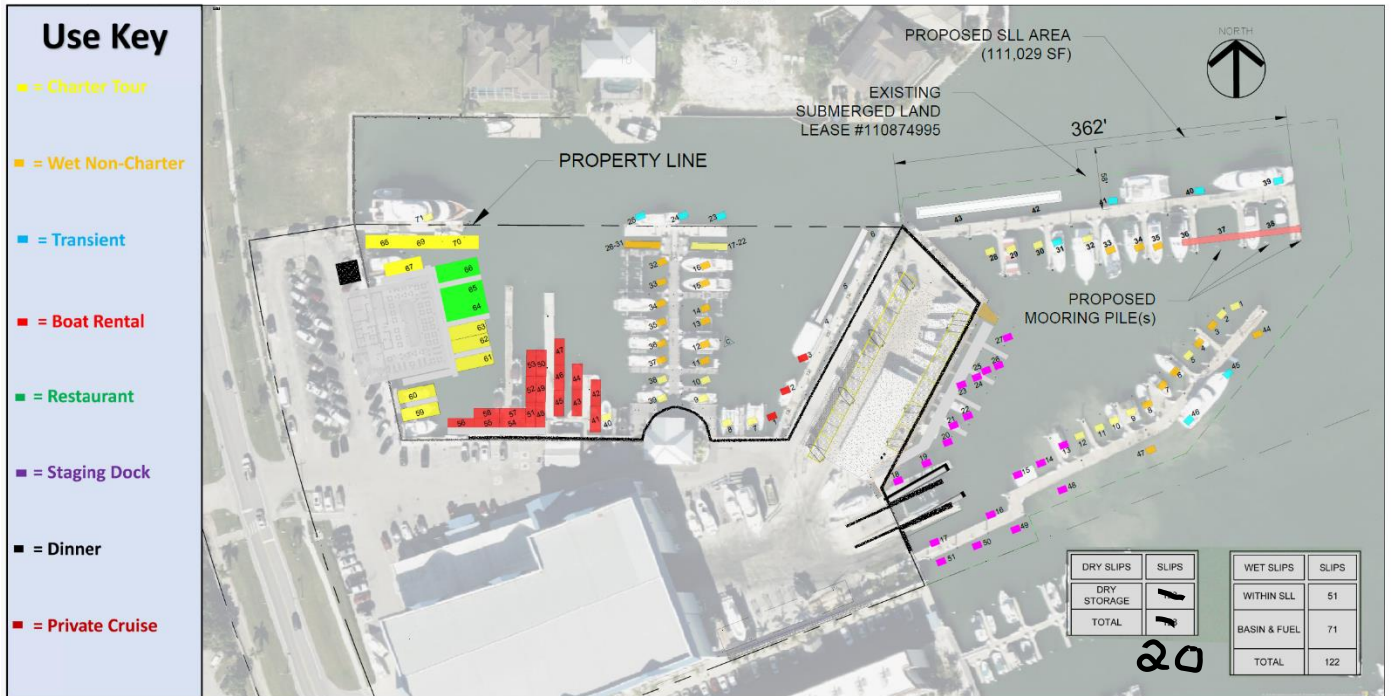
133 By: _____

134 Alan L. Gabriel, City Attorney

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Exhibit A



PROPOSED SLIP USAGE MAP (N.T.S.)