



## *Planning Board Staff Report*

**Meeting Date: July 12, 2024**

**TO:** Marco Island Planning Board

**FROM:** Mary P. Holden, Planning Manager

**DATE:** June 26, 2024

**RE:** Boat Dock Extension 24-000115, 742 Pelican Court to allow of a 27.5-foot protrusion into the Pelican Waterway

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### **PROJECT DESCRIPTION:**

The Diane Strong Trust (“Owner”) is requesting authorization for a 27.5-foot protrusion for their catamaran that will extend 2.5 feet beyond the allowed 25-foot protrusion for a total of 27.5-foot protrusion into the 100-foot-wide Pelican Waterway. This protrusion is for the catamaran, not the dock. Their frontage along the Pelican Waterway is 80 feet, requiring 12-foot setbacks on both sides, which are met. The application, plans and additional information are attached.

### **OWNERS/APPLICANT:**

Diane Strong Trust  
742 Pelican Court  
Marco Island, FL 34145

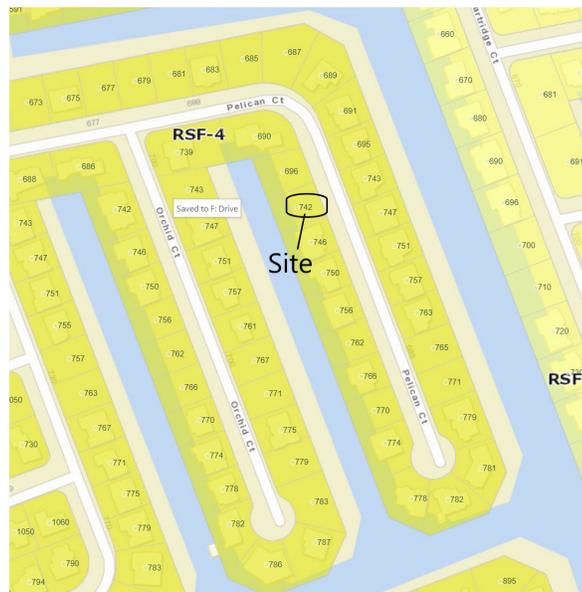
### **PROJECT ADDRESS/ LEGAL DESCRIPTION:**

742 Pelican Court  
Marco Beach, Unit 10, Block 332, Lot 31  
Parcel Id Number: 57859800006  
RSF-4 Zoning

## Aerial of the Site



## Zoning Map



### **STAFF ANALYSIS:**

Staff's primary concern with the request is if the Owner (or any future owner) across the canal would construct a dock to the maximum extent allowed by code, then the 50% minimum width would not be met. This is not considering a potential protrusion request from across the canal.

Below are the criteria contained in Section 54-115.(f). 1-10, of the City's Land Development Code that are utilized to review a boat dock protrusion:

1. **Does the proposed docking facility meet the other standards set forth in the City's Land Development Code?**

The proposed catamaran will fit within the required setbacks of 12-feet on both sides of the vessel.

- 2. Is the water depth where the proposed vessel(s) is to be located 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 applicant indicates there is sufficient water depth.

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

There are no special conditions related to the subject property or waterway.

- 4. Does 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 proposed moored vessel will protrude greater than 25% of the width of navigable waterway. Existing improvements in the area meet the minimum requirement that insures that 50% of the waterway width between docking facilities is available for navigation; 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.

- 5. Is the proposed boat docking facility 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 request is for the vessel itself to protrude an additional 2.5 feet beyond the authorized 25 feet, and is not related to the the docking facility so this criteria would not apply.

- 6. Is the proposed boat docking facility of minimal dimensions and located to minimize the impact of view to the channel by surrounding property owners?**

The request is for the vessel itself to protrude 2.5 feet beyond the authorized 25 feet, and is not the related to the docking facility so this criteria would not apply.

- 7. Are the proposed vessel(s) 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 vessel exceeds 50% of the water frontage of the property; however, it does not appear that surrounding property owners' views will be adversely impacted.

**8. Is 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 vessel will be moored parallel to the seawall, with no boat well, and does not infringe on adjacent existing boat docking facilities. As stated above, however, if the docking facility across the canal is built in compliance with the City Code requirements, then this requested protrusion would result in less than 50% of navigable waterway being available for navigation.

**9. Are there seagrasses located within 200 feet of the proposed boat docking facility?**

There are no seagrasses in the area.

**10. Is the proposed dock subject to the manatee protection requirements set forth in Section 54-117 of the City's Boat Docking Facilities Code?**

This is not subject to the manatee protection requirements.

**STAFF RECOMMENDATION AND FINDINGS:**

Staff recommends the Planning Board deny BD 24-000115 for a 2.5-foot protrusion beyond the authorized 25 feet, based on the below findings:

1. There are no special conditions related to the subject property or waterway.
2. The proposed moored vessel will protrude greater than 25% of the width of navigable waterway. Existing improvements in the area allow for a minimum of 50% of the waterway between docking facilities. However, the docking facility across the canal is not constructed to the maximum extent allowed by code. Should this happen in the future, the minimum 50% width would not be met.
3. The vessel will be moored parallel to the seawall with no boat well and does not appear to infringe on adjacent existing boat docking facilities. However, if the docking facility across the canal is built within code allowance, then this requested protrusion would result in less than 50% of navigable waterway.