

THIS INSTRUMENT PREPARED BY:

STRAP NO: 64610120002

DOCK AND SHORELINE STRUCTURE SETBACK AGREEMENT

This agreement is made and executed on January 8th, 20 20, by Andrew F. Copp, Member, JAAK Holdings, LLC, whose address is 1148 Edlington Place, Marco Island, FL, as follows:

1. I am aware that James R. Schmunk, whose property address is 1152 Edlington Place, Marco Island, FL, has applied for a dock & shoreline permit.

2. I understand that the **City of Marco Island Land Development Code Section 54-111** generally requires a 12' foot setback from adjacent property.

3. I agree to waive my right to require compliance with the setback requirement and to allow the adjacent property owner to place a dock & shoreline structure closer to the property line than the required setback.

4. I hereby state that I am the owner of the adjacent upland riparian property located to the (north / south) / east / west) of the facility or activity proposed to be constructed or conducted by James R. Schmunk (the applicant), as shown in the above referenced file (and on the attached drawing). **I understand that the subject project will be located entirely within the applicant's riparian rights area, and I do not object to the proposed structure or activity being located within the area required as a setback distance from the common riparian rights line, as required by Chapter 18-21.004(3)(d), F.A.C.** This file shows the structure will be located entirely within the applicant's riparian rights area and within 0 feet of the common riparian rights line between our parcels.

Section 18-21.004(3)(d), Florida Administrative Code, provides: **Except as provided herein, all structures, including mooring pilings, breakwaters, jetties and groins, and activities must be set back a minimum of 25 feet inside the applicant's riparian rights lines. Marginal docks, however, must be set back a minimum of 10 feet. Exceptions to the setbacks are:** private residential single-family docks or piers associated with a parcel that has a shoreline frontage of less than 65 feet, where portions of such structures are located between riparian lines less than 65 feet apart, or where such structure is shared by two adjacent single-family parcels; utility lines; bulkheads, seawalls, riprap or similar shoreline protection structures located along the shoreline; structures and activities previously authorized by the Board; structures and activities built or occurring prior to any requirement for Board authorization; **when a letter of concurrence is obtained from the affected adjacent upland riparian owner;** or when the Board determines that locating any portion of the structure or activity within the setback area is necessary to avoid or minimize adverse impacts to natural resources.

This agreement is intended to run with the land and be binding on successors in title.

Witness

Andrew F. Copp
Adjacent Property Owner

Witness

Andrew F. Copp, Member
Printed Name JAAK Holdings LLC

Witness

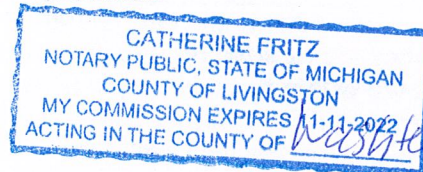
Printed Name

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing agreement was acknowledged before me this 8 day of January,
2020, by Andrew F. Copp, who is personally known to me or who has produced
Drivers License as identification.

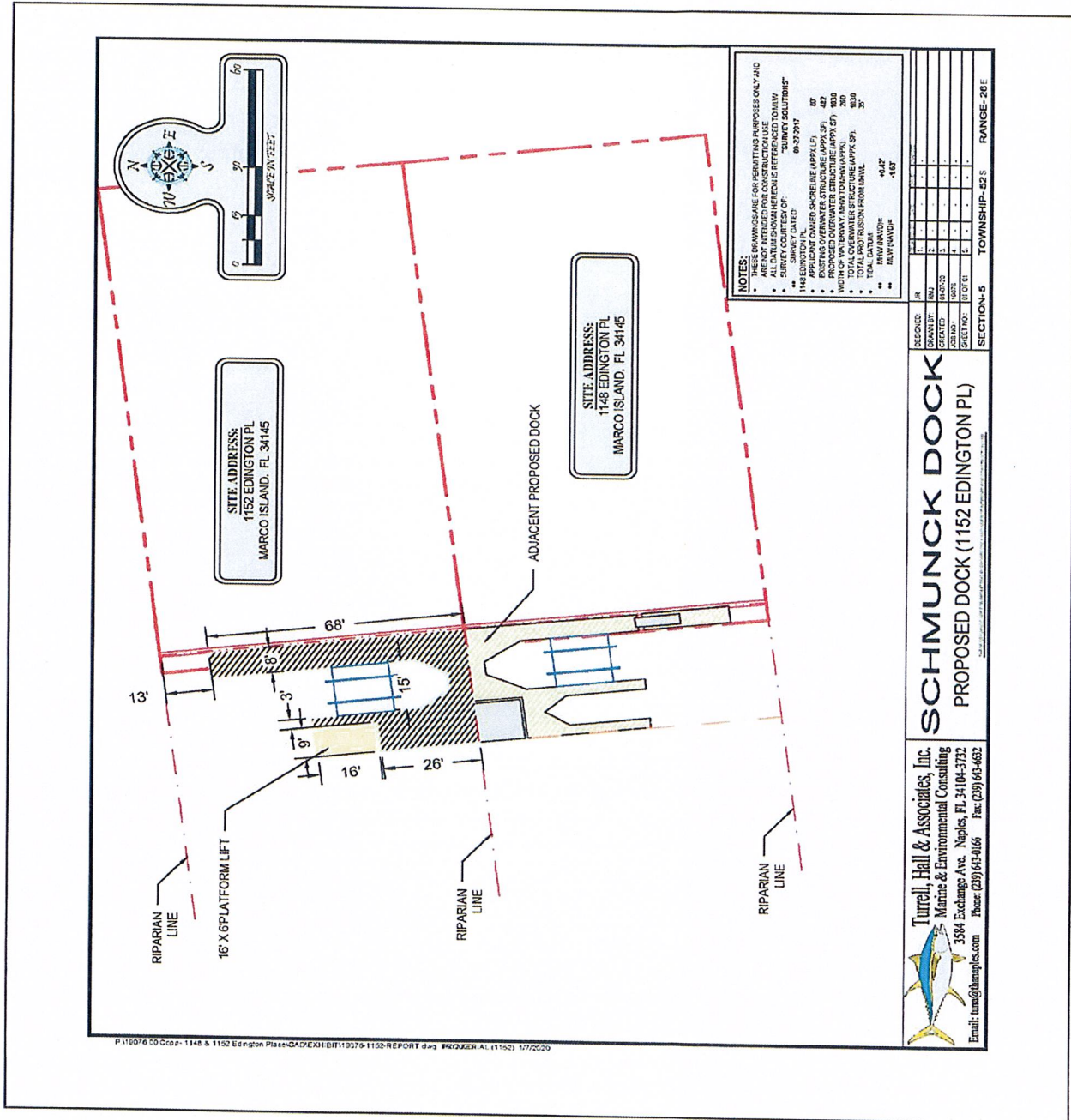
Catherine Fritz
Notary Public

Catherine Fritz
Printed Name



LETTER OF CONCURRENCE FOR SETBACK WAIVER

PAGE 2 – DRAWING, SKETCH, OR SURVEY OF PROPOSED DOCK LOCATION



sc (Initials of adjacent owner)

1/8/20 (Date)