



City of Marco Island  
Community Development Department  
50 Bald Eagle Drive  
Marco Island, FL 34145  
Phone: 239-389-5000 or FAX: 239-393-0266

PF-11

**BOAT DOCKING FACILITY**  
**EXTENSION PETITION**

Petition number: **BD-** Planner: \_\_\_\_\_ Date Received: \_\_\_\_\_

**ABOVE TO BE COMPLETED BY STAFF**

Property Owner(s): 1 Brad Opel - 1272 Orange Ct LLC  
Owner's Address: 881 Partridge Ct. Marco Island  
Telephone: 618-792-6608 Fax: N/A

Agent's Name: Rod Bushnell  
Agent's Address: 421 W Elcam Cir Marco Island  
Telephone: 239-595-6955 Fax: N/A

**Site Information**

Address: 1272 Orange Ct Property ID #: 56943120004  
Subdivision: Unit 4 Block: 128 Lot(s): 10  
Width of Waterway: 1500+ ft; measured from ☐ plat ☐ survey ☒ visual estimate  
Width of Nav. Channel: \_\_\_\_\_ ft; measured from ☐ plat ☐ survey ☐ visual estimate  
Total property water frontage: 100 ft Total proposed protrusion: 46 ft  
Setbacks provided: 15 ft Setbacks required: 15 ft  
Number and length of vessels to use facility: 1. 40 ft 2. less than 30 ft 3. n/a Ft

Description of project (# of slips, boatlifts, deck square footage, etc.)

2 Boat Slips with Lifts- /with adequate walkway on either side of lifts to access  
to adequately access the boats see attached .

### Zoning and Land Use

Property	Zoning	Land Use	Protrusion of Existing Dock Facility
Subject	<u>R1</u>	<u>Single family residential</u>	<u>No dock currently</u>
N	<u>          </u>	<u>                                  </u>	<u>                                  </u>
S	<u>          </u>	<u>                                  </u>	<u>                                  </u>
E	<u>          </u>	<u>                                  </u>	<u>                                  </u>
W	<u>          </u>	<u>                                  </u>	<u>                                  </u>

The following criteria, (pursuant to Ordinance 03-) shall be used as a guide by staff in determining its recommendation to The City of Marco Island Planning Board in its decision to approve or deny a particular dock extension request. Please provide a **narrative** response to the listed criteria and/or questions. Attach additional pages if necessary.

1. Does the proposed boat docking facility meet the other standards (setbacks, height, etc.) set forth in Ordinance 03-?

Yes it meets all other standards set forth

2. Is there sufficient water depth where the proposed vessel(s) is to be located (as a general guide, -4 feet mean low water is deemed to be sufficient) to allow for safe mooring of the vessel?

The current water depths along the seawalls are very low along the bay side  
of Orange Ct. approximately 1 ft. in depth. during periods of full moon it dips to  
6" or less making it impossible to get a boat of any substantial size off the lift.

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

See above answer as to special conditions. It becomes a hardship to not be so restricted in the size of vessel you wish to have due to the shallow waters.

There is precedent on the street with both the properties at 1248 Orange and 1264 Orange Ct. with the same extension of dockage. Its also prudent to note that the designated boat channel is on the opposite side of the bay additionally the proposed extension does not impede or create a hazzard for boat traffic.

4. Does the proposed boat docking facility and moored vessel protrude greater than 25% of the width of the navigable waterway and is a minimum of 50% of the waterway width between dock structures/moored vessel(s) on the opposite side of the waterway maintained in order to ensure reasonable waterway width for navigability?

NO does not protrude greater than 25%

Yes Waterway is fully navigable with extended dock.

5. Is the proposed dock of minimal 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?

Yes

6. Is the proposed structure of minimal dimensions and located (designed) to minimize the impact of view to the channel by surrounding property owners?

Yes

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7. Is the moored vessel in excess of 50% of the length of the waterfrontage such that the addition of a dock structure will increase the impact on or negatively impact the view to the waterway by surrounding property owners? (In the case of multi-family developments and public marinas, the 50 percent provision may be exceeded).

No it is not in excess of 50%

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8. Will the proposed location and design of the boat docking facility and moored vessel(s) be such that it may infringe upon the use of neighboring properties, including any existing dock structures?

No

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10. Regarding existing benthic organisms in the vicinity of the proposed extension:

- a. Are seagrasses located within 200 feet of the proposed dock?

No there are no sea grasses

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**b. Is the proposed dock subject to the manatee protection requirements in Sec 10 of Ordinance 00-04?**

No it is not

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# AFFIDAVIT

We/I, Brad Opel being first duly sworn, depose and say that we/I am/are the owners of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, including the disclosure of interest information, all sketches, data, and other supplementary matter attached to and made a part of this application, are honest and true to the best of our knowledge and belief. We/I understand that the information requested on this application must be complete and accurate and that the content of this form, whether computer generated or City printed shall not be altered. Public hearings will not be advertised until this application is deemed complete, and all required information has been submitted. We/I hereby also consent to access to the subject property (excluding entering any home or other enclosed structure) by City of Marco Island staff members, Planning Board members, and/or Board or Zoning Appeals members for the limited purpose of evaluating, observing, or understanding the subject property conditions as they relate to the petition. While the petition is pending, Staff members, Planning Board members, or Board of Zoning Appeals members will be allowed access upon the property provided they display a Marco Island City Photo ID or a Valid Driver's License.

As property owner we/I further authorize Rod Bushnell to act as our/my representative in any matters regarding this Petition.

Brad Opel  
Signature of Property Owner

\_\_\_\_\_  
Signature of Property Owner

Brad Opel  
Printed Name of Property Owner

\_\_\_\_\_  
Printed Name of Property Owner

The foregoing instrument was acknowledged before me this 26 day of Sept, 2019, by Brad Opel who is personally known to me or has produced \_\_\_\_\_ as identification.

State of Florida

County of \_\_\_\_\_

Lisa Chapman Bushnell  
Signature, Notary Public - State of Florida



\_\_\_\_\_  
Printed, Typed, or Stamped Name of Notary

### BOAT DOCK EXTENSION APPLICATION SUBMITTAL CHECKLIST

Required public hearing(s) will not be scheduled until the boat dock extension application package has been deemed by staff to be complete.

- N/A Pre-application notes/minutes (Call 389-5013 to schedule a pre-application meeting)
- / Completed application
- / Completed Owner/Agent affidavit, signed and notarized
- / Site plan, drawn to scale, illustrating all of the following:
  - / Location map
  - / Lot dimensions and land contour of subject property *Survey*
  - / Riparian line(s)
  - / Required dock setbacks
  - / Configuration and dimensions of decking, boatlifts, boat mooring areas of the (a) existing, (b) proposed, and (c) adjacent boat docking facilities.
  - / Water depth survey, completed by a professional Florida engineer, licensed marine contractor, registered surveyor, or other person deemed to be qualified by the Community Development Director or his designee, using the format attached to the application form.
- N/A Permit number and Certificate of Completion date for the original construction of existing boat docking facility, if applicable
- N/A Resolution number and date of previous boat dock extension requests, if applicable
- / Application fee (checks should be made payable to "City of Marco Island") in the amount of \$1,500.

**PUBLIC NOTICE REQUIREMENT:** In addition to the fees required herein, all costs of newspaper notices and required notices for public petitions shall be paid in full prior to a scheduled public hearing. If such payment is not received prior to a scheduled public hearing, the petition will be continued and rescheduled. Any additional cost associated with a rescheduled item shall also be paid in full prior to the public hearing. Advertising for public hearings shall be prepared by staff and submitted to the newspapers as required in the Marco Island Land Development Code (LDC). If an application is filed for which a fee is not listed herein, staff shall assess the fee based upon actual time spent reviewing the petition.

**Marco Island Code of Ordinances Section 30-8(a). Amended 10/17/2005**

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

I understand that, in addition to approval of this dock extension, a building permit is required prior to commencement of construction. I also understand that if the City of Marco Island Planning Board approves this dock extension, an affected property owner may file an appeal within 14 days of the hearing. If I proceed with construction during this time, I do so at my own risk.

*[Signature]*  
Signature of Petitioner or Agent

*6/29/20*  
Date