



Legislation Details (With Text)

**File #:** ID 24-3574    **Version:** 1    **Name:**  
**Type:** New Business    **Status:** Agenda Ready  
**File created:** 4/17/2024    **In control:** Planning Board  
**On agenda:** 5/3/2024    **Final action:**  
**Title:** RESOLUTION - Boat Dock Extension (BD-24-000014) request to allow for a Boat Canopy Encroachment into the rear riparian setback for property located at 904 Juniper Court, Marco Island, FL 34145 - Josh Ooyman, Planner II, Community Affairs/Growth Management

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution, 2. Staff Report, 3. Application, 4. Survey, 5. Dock Square Footage, 6. Resolution 05-25, 7. DEP Self-Certification, 8. USACE Self-Certification, 9. Applicant Email, 10. Notice of Publication

Date	Ver.	Action By	Action	Result
5/3/2024	1	Planning Board	Approved	Pass

Agenda Item: 10(a)	Prepared By: Josh Ooyman, Planner II
Business: Resolution - Boat Dock Extension	Department: Community Affairs - Growth Management

**Subject:**

RESOLUTION - Boat Dock Extension (BD-24-000014) request to allow for a Boat Canopy Encroachment into the rear riparian setback for property located at 904 Juniper Court, Marco Island, FL 34145 - Josh Ooyman, Planner II, Community Affairs/Growth Management

**BACKGROUND:**

**PROJECT DESCRIPTION**

The request is to allow for a boat lift canopy to remain as constructed on an existing boat dock located at 904 Juniper Court, Marco Island. As constructed, the canopy protrudes 38.6 feet from the seawall. Please note that a boat dock extension was granted for the existing boat dock in 2005 authorizing a 36-foot protrusion. The current request is an additional 2.6 feet of protrusion to accommodate the canopy which has already been constructed. Attached are the plans, application, narrative, copy of the plat, and a survey of the canopy as constructed.

**FUNDING SOURCE / FISCAL IMPACT:** Applicant has paid \$1,500.00 in applicable fees.

**PUBLIC NOTICE REQUIREMENTS:** 15 days prior to the Planning Board hearing.

**NOTICE APPEARANCE DATE(S):** April 16, 2024

**RECOMMENDATION:**

**STAFF RECOMMENDATION AND FINDINGS:**

Staff recommends that the City of Marco Island Planning Board approve this request with the following findings and conditions:

Findings:

1. The canopy will meet the side/riparian setbacks.
2. There is sufficient water depth at this location.
3. The current dock has been in this general location for almost 20 years. Surrounding docks are similarly situated at the waterway terminus.
4. The proposed canopy placement does protrude greater than 25 percent of the canal width, but does not appear to pose a navigational hazard.
5. The proposed canopy is of the minimum dimensions necessary to secure and access the boat for maintenance.
6. The proposed canopy is on an existing boat dock and lift, and the neighbors' views will not be impacted much greater than a vessel on a raised lift.
7. The canopy placement and moored vessel will not infringe upon the use of neighboring properties.
8. There are no seagrass beds within 200 feet.
9. This proposal is not subject to the manatee protection requirements since this is not a multi-slip dock with 10 or more slips nor is it a marina.

Condition:

1. The canopy, and moored vessel, shall not protrude more than 38.6 feet from the wet face of the seawall.

**POTENTIAL MOTION:**

Move to approve Resolution 24-XX with the listed findings and condition.