



## Legislation Text

File #: ID 20-1121, Version: 1

Agenda Item: 9(a)	Prepared By: Daniel J. Smith, AICP, Director
Business: Resolution	Department: Growth Management

Subject:

RESOLUTION - **Continued from the October 2, 2020 Planning Board Meeting** - A Boat Dock Extension request (BD-20-000167) to extend a dock approximately 22-feet for a property located at 1071 Old Marco Ln., Marco Island, FL 34145.

### BACKGROUND:

Dock protrusions are determined based on the width of the canal. Canals over one hundred feet (100') in width are allowed a twenty-five percent (25%) protrusion and on canals less than one hundred feet (100'), it is twenty percent (20%). This canal, Marco Cove, is sixty feet (60'), resulting in a dock protrusion not to exceed twelve feet (12'). The request is to protrude an additional five feet (5') beyond the allowed twelve feet (12') from the property line, for a total of seventeen feet (17') from the property line. Please be aware the property line extends five feet (5') into the water and the total dock protrusion from the seawall is proposed at twenty-two feet (22').

### FUNDING SOURCE / FISCAL IMPACT:

Applicant has paid \$1,500.00 in applicable fees.

### RECOMMENDATION:

Staff recommends Planning Board deny this request based on the following findings:

1. The other dimensional requirements are not met. The required setback is fifteen percent (15%) of the seawall length, which is approximately seventy-one feet (71') and that requires approximately a ten foot and 7-inch (10.6') side yard setback. The south proposed setbacks is shown as eight feet (8').
2. The applicant indicates the water depth within five feet (5') is not adequate to moor a vessel. The first five feet from the seawall is part of the property, and from the property line, the dock can extend out twelve feet (12'). This would appear to be adequate depth based on the information provided negating the need for the additional five-foot (5') extension.

3. The proposed dock protrudes greater than twenty-five percent (25%) of the channel width.
4. Currently there is no dock on the opposite side of the waterway. Fifty percent (50%) of the waterway needs to be open and navigable, which is thirty feet (30'). Should a dock be proposed, the maximum allowed (with an approved one foot (1') boat dock extension) would be thirteen feet (13').
5. It is difficult to say the proposed dock will not impact the view of the channel due to this being a narrow channel (60') and it is proposed to protrude an additional five feet (5') from the existing dock. The neighbor to the south is partially on the end of the channel and the proposed dock will be in their view corridor.
6. There are two proposed moored vessels. One being twenty-six feet (26') and one being eighteen feet, five inches (18'-5"). The slips are angled and when viewed and measured collectively exceed fifty percent (50%) of the water frontage.
7. The boat dock extension could negatively impact the property owner across the channel when and if they decide to construct a dock. If and when one is constructed, it will be limited to a maximum of thirteen feet (13'), if a one foot (1') extension is approved in order to maintain fifty percent (50%) of the waterway open for navigation.
8. The additional protrusion could impact the neighbor to the south and their ability to get out due to the additional protrusion.

**POTENTIAL MOTION:**

As deemed appropriate.