

Docks and Piers -LDC 2016 Excerpts

City of Bradenton Beach Land Development Code Ch 3

308.15. Docks and Piers.

308.15.1. The property owner shall first obtain a development plan approval from the City Staff for construction or expansion of any dock or pier. In addition, authorization from the U.S. District Engineer, Army Corps of Engineers, and the Florida Department of Environmental Protection shall be obtained prior to construction. Proof of authorization shall be provided to City Staff prior to issuance of a building permit. Docks or piers for use by property owners shall be limited to 500 square feet in area unless approved for a larger size as a special permit requiring public hearings with the City Commission with a recommendation by the Planning and Zoning Board. All required State and Federal permits shall be issued prior to commencement of construction.

308.15.2. The property owner shall furnish proof of ownership of that property located at the mean high water line prior to the issuance of any development permit. In the event the land abutting the shoreline is subject to public right-of-way or easement, any dock or pier must have an easement approved by the City Commission during a public hearing, which easement may be granted or denied after notification of all waterfront property owners within 300 feet of the proposed location and a public hearing held by the Planning and Zoning Board. In all instances, the owner of the dock or pier must show proof of ownership of the landward property contiguous to the right-of-way at the proposed location of the dock or pier. Further, in the event the property abutting the shoreline is owned by the public or is subject to public right-of-way or easement, such private dock or pier shall be subject to an order of removal, when necessary to protect the public health, safety and welfare, by the City Commission at any time without compensation to the owner. The City Commission shall require any documents, for recording, to show the right of the City to remove the dock or pier as the City Commission deems appropriate upon transfer of ownership.

308.15.3. Docks, piers and boat lifts shall be within the riparian rights area of the applicant, and shall be set back a minimum of ten feet from the riparian rights line as established by a license Florida surveyor. Marginal docks (a fixed or floating structure placed immediately contiguous and parallel to an established seawall or shoreline) shall be set back not less than ten feet from all property lines and extend into the waterway no more than five feet.

308.15.4. The height of the deck of any dock or pier shall not exceed six feet above mean sea level as referenced to the 1929 National Geodetic Vertical Datum or the 1988 North American Vertical Datum.

308.15.5. No dock may extend waterward of the mean high water line more than 25 percent of the width of the waterway and must meet all applicable requirements of the U.S. Army Corps of Engineers (COE) and the Florida Department of Environmental Protection (DEP).

308.15.6. No dock may extend more than 65' in projected length from the mean high water line unless a special permit has been authorized.

308.15.7. Existing docks and piers which have been previously approved or authorized by the requisite State, Federal or local permitting agencies, and for which permit documentation exists in the City's files, may be re-built, repaired or reconstructed within the same footprint as previously authorized without special permit authorization for projected length or area of the dock or pier.

308.15.8. Existing open boat shelters or roofed docks may be maintained until such time as damaged or deteriorated to the extent that they are unsafe or no longer structurally viable. If destroyed by storm or other non-manmade causes, roofed boat shelters shall not be replaced.