

## Darlene Christensen

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**From:** Bryant, Linda C. <Linda.Bryant@DOS.MyFlorida.com>  
**Sent:** Wednesday, June 28, 2017 1:41 PM  
**To:** Darlene Christensen  
**Cc:** County Ordinances  
**Subject:** Emailing - Hernando20170628\_Ordinance2017\_27\_Ack.pdf  
**Attachments:** Hernando20170628\_Ordinance2017\_27\_Ack.pdf

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## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

June 28, 2017

Honorable Don Barbee Jr.  
Hernando County Clerk's Office  
20 North Main Street, Rm. 3621  
Brooksville, Florida 34601

Attention: Darlene Christensen, Administrative Services

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2017-27, which was filed in this office on June 28, 2017.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

ORDINANCE NO. 2017 - 27

1  
2  
3 AN ORDINANCE AMENDING CHAPTER 8 (BUILDING AND BUILDING  
4 REGULATIONS), ARTICLE V (MARINE CONSTRUCTION CODE), BY ADOPTING  
5 SECTION 8-250 (LOTS DESIGNATED AS BOAT SLIPS) OF THE HERNANDO  
6 COUNTY CODE OF ORDINANCES PROVIDING FOR REVISIONS TO THE  
7 CONSTRUCTION STANDARDS FOR DOCKS DESIGNATED AS BOAT SLIPS;  
8 PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY;  
9 PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR FILING WITH  
10 THE DEPARTMENT OF STATE; PROVIDING FOR INCLUSION IN THE CODE AND  
11 PROVIDING FOR AN EFFECTIVE DATE.

12  
13 WHEREAS, the Board of County Commissioners (County) has adopted the Hernando County  
14 Comprehensive Plan within which are included goals, objectives, and policies related to the process for  
15 review and approval of certain development applications; and

16  
17 WHEREAS, Chapter 163, Part II, Florida Statutes, requires the implementation of these goals,  
18 objectives, and policies through the adoption of consistent land development regulations; and

19  
20 WHEREAS, the County desires to update and modernize its dock standards; and

21  
22 WHEREAS, this proposed substantive amendment to the Hernando County Code of Ordinances  
23 CHAPTER 8 (BUILDING AND BUILDING REGULATIONS), ARTICLE V (MARINE  
24 CONSTRUCTION CODE), has received public hearings before the Planning and Zoning Commission,  
25 Local Planning Agency, and the Board of County Commissioners as required by state and local law; and

26  
27 WHEREAS, the Board of County Commissioners, for itself and acting as the Local Planning Agency,  
28 finds and determines that the proposed amendment is consistent with the goals, objectives, and policies  
29 of the Comprehensive Plan.

30  
31 NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS  
32 OF HERNANDO COUNTY, FLORIDA:

33  
34 SECTION I. Hernando County Code of Ordinances, CHAPTER 8 (BUILDING AND BUILDING  
35 REGULATIONS), ARTICLE V (MARINE CONSTRUCTION CODE), Section 8-250 is hereby  
36 adopted to provide for revisions as more precisely delineated with underlined text below:

37  
38 **Sec. 8-250. Lots designated as boat slips.**

39  
40 The following standards shall be applicable to lots designated by plat as boat slip lots:

- 41 (1) Vessels shall be contained within the deeded area of each boat slip lot. Side yard setbacks  
42 shall not be applicable to docks, piers, boatlifts, or pilings located within the boat slip lot.  
43 No dock, pier, boatlift, or piling shall be constructed to restrict navigable ingress/egress  
44 of the adjoining boat slip property owner.  
45 (2) Boundary pilings may be placed centered on the boundary of adjacent slips with a sworn  
46 affidavit of agreement of the adjacent property owner.  
47 (3) Common ownership docks may be permitted, and may be centered along a common  
48 property line provided appropriate reciprocal easements, restrictions and covenants are  
49 filed in the Public Records of the County.

- 1 (4) Any encroachment on the adjoining road right-of-way shall not present a hazard to
- 2 vehicular traffic and will require a permit from the Department of Public Works.
- 3 (5) Seawalls shall only be located along non-vegetated shorelines unless permitted by all
- 4 State and Federal agencies with jurisdiction. Where permitted, the footer of all
- 5 seawalls shall be faced with riprap as defined by FDEP.

6  
7 **SECTION II. APPLICABILITY.** This Ordinance shall be applicable throughout the unincorporated  
8 area of Hernando County.

9  
10 **SECTION III. SEVERABILITY.** It is declared to be the intent of the Board of County Commissioners  
11 that if any section, subsection, clause, sentence, phrase, or provision of this ordinance is for any reason  
12 held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining  
13 portions of this ordinance.

14  
15 **SECTION IV. CONFLICTING PROVISIONS.** Special acts of the Florida Legislature applicable  
16 only to unincorporated areas of Hernando County, Hernando County ordinances, County resolutions, or  
17 parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of  
18 such conflict except for ordinances concerning either adoption or amendment of the Comprehensive  
19 Plan, pursuant to Chapter 163, part II, Florida Statutes.

20  
21 **SECTION V. FILING WITH THE DEPARTMENT OF STATE.** The clerk shall be and is hereby  
22 directed forthwith to send a certified copy of this ordinance or electronically transmit the ordinance by  
23 email to the Bureau of Administrative Code, Department of State, R.A. Gray Bldg., Room 101, 500 S.  
24 Bronough Street, Tallahassee, FL 32399-0250.

25  
26 **SECTION VI. INCLUSION IN CODE.** It is the intention of the Board of County Commissioners of  
27 Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall become  
28 and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, any section or  
29 subsection of this Ordinance may be renumbered or re-lettered to accomplish such intention, and the  
30 word "ordinance" may be changed to "section," "article," or other appropriate designation.

31  
32 **SECTION VII. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing with  
33 the Department of State.

34  
35 **DULY PASSED AND ADOPTED IN REGULAR SESSION THIS 27<sup>th</sup> DAY OF**  
36 **JUNE, 2017.**

37  
38 BOARD OF COUNTY COMMISSIONERS  
39 HERNANDO COUNTY, FLORIDA

40  
41 Attest: Darlene M. Christensen, Deputy Clerk  
42 DONALD C. BARBEE JR, CLERK

43  
44 By: Wayne Dukes  
45 WAYNE DUKES, CHAIRMAN

46 (SEAL)

47 **Approved as to Form and**  
48 **Legal Sufficiency**

49 By: [Signature]

