

Mud, Withlacoochee, and Little Withlacoochee rivers. No marginal dock shall exceed more than 500 square feet in area.

- (5) A residential dock shall not accommodate more than two (2) boats for permanent mooring.
- (6) Main access docks shall be limited to a maximum width of four (4) feet for single-family residences and six (6) feet for private multifamily residences and commercial use.
- (7) For a waterbody measuring sixty (60) feet or less in width, docks shall be alternated from one side of waterbody to the dock on opposite side.
- (8) Side yard setbacks shall be a minimum of five (5) feet to the nearest point of the structure
- (9) In waterbodies where property lines exceed mean low water line, the mean low water line will govern seawalls and docks. Where mean low water lines exceed property lines, the property lines shall govern seawalls and docks. Notwithstanding the foregoing, any permit to construct a seawall may require that the seawall be constructed in such a manner as to be consistent with the location of any adjacent or nearby seawall or seawalls on the same side of the affected waterbody, unless the applicant demonstrates the existence of hardship, including but not limited to water depths in the relevant portion of the waterbody, the location of property lines, or clearly excessive construction costs; provided, however, that consistency may be required where hardship approval would result in a hazard to navigation or would be likely to cause water quality degradation.
- (10) No docks or moored vessel shall significantly hinder navigation upon the waterways, or be constructed to block a neighbor's waterway access to their property.
- (11) Single pilings (mooring) shall not extend beyond the side setback or beyond the maximum distance into a waterbody allowed for a dock, or 22 feet whichever is less.
- (12) Terminal platforms, floating or fixed, shall be no more than one hundred thirty (130) square feet and the maximum dimension shall not exceed sixteen (16) feet for marine construction within one (1) mile either side of the edge of the Weeki Wachee, Mud, Withlacoochee, and Little Withlacoochee rivers.
- (13) Stakes at mean low water line may be installed to assist permitting authorities in verifying setbacks. If a precise determination of either the mean low or mean high water line becomes necessary in measuring or verifying setbacks for purposes of this article or any other provision of the code, it shall be the responsibility of the applicant to provide a current survey meeting all statutory and rule standards for such determination.
- (14) Common ownership docks may be permitted, and may be centered along a common property line without meeting the side yard setback provided appropriate reciprocal easements, restrictions and covenants are filed in the Public Records of the County.
- (15) Seawalls can only be located along non-vegetated shorelines unless permitted by all state and federal agencies with jurisdiction. Where permitted, the footer of all seawalls shall be faced with riprap as defined by FDEP.
- (16) The administrative official may vary these standards provided that a navigational hazard is not created, and a sworn affidavit of no objection is obtained from the adjacent property owners. If the required sworn affidavit of no objection from adjacent property owners is not obtained, or the administrative official chooses not to vary these standards, the applicant may request a public hearing before the board of county commissioners in

1 accordance with the procedures and public notice requirements of Article V, Section 3 of
2 Appendix A of the Hernando County Code of Ordinances.

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4 **SECTION II. APPLICABILITY.** This Ordinance shall be applicable throughout the unincorporated
5 area of Hernando County.

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

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

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

22
23 **SECTION VI. INCLUSION IN CODE.** It is the intention of the Board of County Commissioners of
24 Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall become
25 and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, any section or
26 subsection of this Ordinance may be renumbered or re-lettered to accomplish such intention, and the
27 word "ordinance" may be changed to "section," "article," or other appropriate designation.

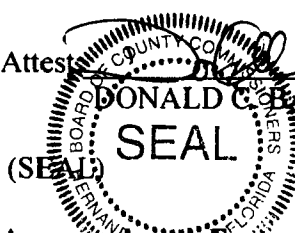
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29 **SECTION VII. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing with
30 the Department of State.

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32 **DULY PASSED AND ADOPTED IN REGULAR SESSION THIS** 24th **DAY OF**
33 JANUARY, 2017.

34
35 BOARD OF COUNTY COMMISSIONERS
36 HERNANDO COUNTY, FLORIDA

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38
39 Attest: 
40 DONALD C. BARBEE JR, CLERK

By: 
WAYNE DUKES, CHAIRMAN



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43 **Approved as to Form and**
44 **Legal Sufficiency**

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47 By: 