

From: [County Ordinances](#)
To: [Ordinances](#); [County Ordinances](#)
Cc: [Darlene Christensen](#); [Heidi Kurppe](#)
Subject: RE: Hernando County Ordinance No. 2022-04 - Adopted on February 22, 2022
Date: Friday, February 25, 2022 10:02:12 AM
Attachments: [Hernando20220224_Ordinance2022_04_Ack.pdf](#)

Linda Bryant, Accountant I
Florida Department of State
Administrative Code and Register
500 South Bronough Street
Tallahassee, Florida 32399-0250

From: Ordinances <ord@hernandoclerk.org>
Sent: Thursday, February 24, 2022 2:45 PM
To: County Ordinances <CountyOrdinances@dos.myflorida.com>
Cc: Darlene Christensen <dchristensen@hernandoclerk.org>; Heidi Kurppe <hkurppe@hernandoclerk.org>
Subject: Hernando County Ordinance No. 2022-04 - Adopted on February 22, 2022

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Sender Full Name:	Heidi Kurppe
Sender Phone number:	352-754-4970
County Name:	Hernando
Ordinance Number:	2022-04

Thank You,

Heidi Kurppe
Administrative Services | Deputy Clerk
Office of Doug Chorvat Jr., Clerk of Circuit Court and Comptroller
Phone: (352)754-4970 | Email: ord@hernandoclerk.org
20 N Main Street, Brooksville, FL 34601

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NOTICE:

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FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

February 25, 2022

Honorable Doug Chorvat, Jr.
Hernando County Clerk's Office
20 North Main Street, Rm. 362
Brooksville, Florida 34601

Attention: Ms. Heidi Kurppe, Deputy Clerk

Dear Mr. Chorvat:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2022-04, which was filed in this office on February 24, 2022.

Sincerely,

Anya Owens
Program Administrator

AO/lb

- 1 (3) No dock structure with a boat lift shall extend more than twenty (20) percent of
2 the width of the waterway into a waterbody, or no more than seventeen (17)
3 percent for a floating or fixed dock.
- 4 (4) Marginal docks may be allowed. A marginal dock is a platform that runs parallel
5 to the shoreline and does not contain an accessway. A marginal dock shall not
6 exceed six (6) feet in width and must be less than five hundred (500) square feet
7 in area within one (1) mile of either side of the edge of the Weeki Wachee, Mud,
8 Withlacoochee, and Little Withlacoochee Rivers. ~~No marginal dock shall exceed~~
9 ~~more than five hundred (500) square feet in area.~~
- 10 (5) A residential dock shall not accommodate more than two (2) boats for permanent
11 mooring.
- 12 (6) Main access ramps shall be limited to a maximum width of six (6) feet.
- 13 (7) For a waterbody measuring sixty (60) feet or less in width, docks shall be
14 alternated from one (1) side of waterbody to the dock on opposite side.
- 15 (8) Side yard setbacks shall be a minimum of five (5) feet to the nearest point of the
16 structure.
- 17 (9) In waterbodies where property lines exceed mean low water line, the mean low
18 water line will govern seawalls and docks. Where mean low water lines exceed
19 property lines, the property lines shall govern seawalls and docks.
20 Notwithstanding the foregoing, any permit to construct a seawall may require that

1 the seawall be constructed in such a manner as to be consistent with the location
2 of any adjacent or nearby seawall or seawalls on the same side of the affected
3 waterbody, unless the applicant demonstrates the existence of hardship, including,
4 but not limited to, water depths in the relevant portion of the waterbody, the
5 location of property lines, or clearly excessive construction costs; provided,
6 however, that consistency may be required where hardship approval would result
7 in a hazard to navigation or would be likely to cause water quality degradation.

8 (10) No docks or moored vessel shall hinder navigation upon the waterways or be
9 constructed to block a neighbor's waterway access to their property.

10 (11) Single pilings (mooring) shall not extend beyond the side setback or beyond the
11 maximum distance into a waterbody twenty (20) percent, or thirty (30) feet,
12 whichever is less. Single pilings (mooring) shall be installed and maintained with
13 reflective material visible from all directions.

14 (12) Terminal platforms, floating or fixed, shall be no more than one hundred thirty
15 (130) square feet and the maximum dimension shall not exceed sixteen (16) feet
16 for marine construction within one (1) mile either side of the edge of the Weeki
17 Wachee, Mud, Withlacoochee, and Little Withlacoochee Rivers.

18 (13) Stakes at mean low water line may be installed to assist permitting authorities in
19 verifying setbacks. If a precise determination of either the mean low or mean high
20 water line becomes necessary in measuring or verifying setbacks for purposes of
21 this article or any other provision of the Code, it shall be the responsibility of the

1 applicant to provide a current survey meeting all statutory and rule standards for
2 such determination.

3 (14) Common ownership docks may be permitted, and may be centered along a
4 common property line without meeting the side yard setback provided appropriate
5 reciprocal easements, restrictions and covenants are filed in the public records of
6 the county.

7 (15) Seawalls can only be located along non-vegetated shorelines unless permitted by
8 all state and federal agencies with jurisdiction. Where permitted, the footer of all
9 seawalls shall be faced with riprap as defined by FDEP.

10 (16) The administrative official may vary these standards provided that a navigational
11 hazard is not created, and a sworn affidavit of no objection is obtained from the
12 adjacent property owners. If the required sworn affidavit of no objection from
13 adjacent property owners is not obtained, or the administrative official chooses
14 not to vary these standards, the applicant may request a public hearing before the
15 board of county commissioners in accordance with the procedures and public
16 notice requirements of article V, section 3 of appendix A of the Hernando County
17 Code of Ordinances.

18 **Section 2. Severability.** It is declared to be the intent of the Board of County Commissioners that
19 if any section, subsection, clause, sentence, phrase, or provision of this ordinance is for any reason
20 held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining
21 portions of this ordinance.

1 **Section 3. Inclusion in the Code.** It is the intention of the Board of County
2 Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this
3 Ordinance shall become and be made a part of the Code of Ordinances of Hernando County,
4 Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish
5 such intention, and that the word "ordinance" may be changed to "section," "article," or any other
6 appropriate designation.

7 **Section 4. Conflicting Provisions Repealed.** All ordinances or parts of ordinances in
8 conflict with the provisions of this ordinance are hereby repealed.

9 **Section 5. Effective Date.** This ordinance shall take effect immediately upon receipt of
10 official acknowledgment from the office of the Secretary of State of Florida that this ordinance
11 has been filed with said office.

12 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
13 **HERNANDO COUNTY** in Regular Session this 22nd day of February 2022.

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**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: Heidi Kuyper, D.C.
for DOUG CHORVAT, JR.
Clerk

By: [Signature]
STEVE CHAMPION
Chairman

Approved for Form and Legal Sufficiency
[Signature]
Assistant County Attorney

