

CITY OF EUSTIS
DEVELOPMENT SERVICES DIVISION
GOVERNMENTAL REGULATIONS PERTAINING TO BOAT HOUSES, DOCKS,
PIERS, MOORING PILINGS, SEAWALLS, RETAINING WALLS AND BOAT RAMPS

CITY:

The City's Land Development Regulations (LDR) govern boat houses, docks and piers in Section 109-4.2, Standards for Special Accessory Uses, and states:

(c) Boat houses, docks, and piers. Boat houses, docks and piers shall be considered incidental uses to the primary structure. Boat houses or covered boat docks, subject to approval of other interested governmental authorities, will be permitted on Lake Eustis, and on waters connected with Lake Eustis. In residential areas on connected waters, the maximum height of a boat house or similar structure, above the high water level established by the St. Johns River Water Management District, shall be twelve feet. Boat houses, slips, piers, or similar structures built on streams or canals shall be built entirely within the lot lines.

In addition, the Resource Protection Standards of the LDR, Section 121-5, Exemptions, allows the following:

(3) Timber catwalks and docks providing these structures:

- a. Are no more than four feet wide and cover no more than 1,000 square feet of the conservation easement area;
- b. Are used only for noncommercial, recreational purposes;
- c. Do not hinder either natural water flow or local navigation; and
- d. Are supported solely by pilings that do not require dredge or fill activities beyond that required to install pilings.

Finally, in the LDR, Section 121-10, Clearing Limitations, water dependent structures such as docks, boat ramps and seawalls are exempt from the 50 foot buffer requirement from the ordinary or mean high water line and jurisdictional wetland line.

The City requires a site plan to be submitted and approved, as well as applicable building permits to be issued. In addition to boat houses, docks and piers, building permits are required for **seawalls and retaining walls**, which must be designed to resist lateral soil loads and hydrostatic pressures.

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT:

No Environmental Resource Permit shall be required for the following activities:

1. Installation, replacement or repair of **mooring pilings** associated with private docking facilities or piers.
2. Installation and repair of private docks, piers and recreational docking facilities that have 1000 square feet or less of surface area over wetlands or other surface waters, or 500 square feet or less of surface area over wetlands or other surface waters which are located in Outstanding Florida Waters. This exemption includes construction of structures above the dock area, such as gazebos and boat shelters, provided such structures are not enclosed with walls and doors. To qualify for this exemption, the following must be met:
 - a) Used for recreational, non-commercial activities;
 - b) Constructed or held in place by pilings, including floating docks, so as not to involve filling or dredging other than that necessary to install the pilings;
 - c) Does not substantially impede the flow of water, or create a navigational hazard; and
 - d) Is the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or lot as platted is less than 65 feet in length, in which case there may be one exempt dock per parcel or lot.

Construction of a dock under this exemption does not require a subsequent permit to construct a channel to provide navigational access to the dock.

3. Construction of private docks in artificially created waterways where construction will not violate water quality standards, impede navigation, or adversely affect flood control.
4. The replacement or repair of existing docks and mooring piles provided no fill material is used and the docks or mooring piles are in the same location.
5. Installation and maintenance of **boat ramps** on artificial bodies of water where navigational access to the proposed ramp exists, or the installation and maintenance of boat ramps open to the public in any wetlands or other surface waters where navigational access to the proposed ramp exists, and the ramp will be less than 30 feet wide and will involve the removal of less than 25 cubic yards of material.
6. Construction of **seawalls or riprap**, including only backfilling needed to level the land behind seawalls or riprap, in artificially created waterways. Artificially created waterways are bodies of water that have been totally dredged or excavated and do not overlap natural wetlands or other surface waters. This exemption includes existing residential canal systems.

The permitting exemptions listed above apply to all surface waters, wetlands and artificially created waterways, with the exception of Lake Eustis. Lake Eustis is a sovereign submerged land owned by the State, and any proposed activity requires the State's authorization.

Any structures not specifically exempted above will require permitting by the Water Management District. Their website is: www.sjrwmd.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION:

The Department of Environmental Protection's (DEP) regulations pertaining to boat houses, docks, piers, mooring pilings, seawalls, retaining walls and boat ramps mirror those of the St. Johns River Water Management District via an Operating Agreement that was effective July 1, 2007. Therefore, when permits are required, they may be obtained from either agency.

DEP's website is: www.floridaswater.com.

Date of document: June 21, 2010