

ITEM V

MEMORANDUM MF NO. 14-03

DATE: January 23, 2014

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: February 6, 2014 MAB Meeting – Application for Dock Permit – Stephen C. Moss – 350 Riviera Drive

Attached for your review is an application from Mr. Stephen C. Moss, 350 Riviera Drive (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is seeking approval for use, maintenance and repair of an existing 20' long x 5' wide finger pier on public property abutting the waterway adjacent to 350 Riviera Drive (see **Exhibit 1**). City Code Section 8-144 authorizes the construction and use of docks on public property, and allows for the permit to be issued for a fixed period provided the permit holder agrees to maintain the improvements and seawall. Authorization for the installation of a dolphin piling approximately 5 feet from the finger pier is also sought with the permit.

PROPERTY LOCATION AND ZONING

The property is located within the Riviera Isles RS-8 Residential Low Density Zoning District. The existing dock is directly adjacent to Sunset Lake with direct access to the Intracoastal Waterway.

ENGINEERING REVIEW REQUIREMENT

As a requirement of City Code Section 8-144, approval of the application is contingent upon all existing improvements to the property being maintained in accord with City Engineering standards and in full compliance with building and zoning regulations including construction permits required for any future electrical and water feeds to the property. City Staff has inspected this dock and it appears to be structurally sound.

A Marine Advisory Board recommendation of approval to the City Commission should include at least the following conditions:

1. As a special condition in accord with City Code section 8-144(1), the initial period of the permit for use of the Dock and Mooring Piles will be for a minimum of 5 years in exchange for such improvements required to maintain the seawall and dock in accord with the recommendation of the City Engineer. The Permit can be revoked by the City Commission with ninety (90) days advance notice.
2. As a special condition, the City reserves the right to remove the existing Dock and existing Mooring Piles for replacement of the seawall in the event that this might be required during the term of the permit as determined by the City Engineer. The sole cost of removal and replacement of the Dock and Mooring Piles shall be the responsibility of the permit holder should any portion not be salvageable.

3. As a special condition of the Permit, the Permit Holder is prohibited from erecting any signs, landscaping or fencing to restrict public access to the Dock Area, except where permitted by Code. The "Dock Area" is that area formed by the westerly extension of the north and south boundary lines of the property, less the paved portion of Riviera Drive. The Dock Area includes the finger pier, piling (s) and adjoining seawall.
4. All existing improvements to the Dock Area must be in accord with City Engineering design standards and in compliance with applicable building and zoning permit requirements. Copies of all construction permits must be submitted to the Supervisor of Marine Facilities upon completion and authorization by the City's Building Services Department.
5. As a special condition, vessels berthed within the Dock Area are prohibited from extending beyond the maximum distance of 30% of the width of the waterway.
6. As a special condition, vessels berthed within the Dock Area must not encroach into the 5' setback required for the RS-8 zoning district for the Property.
7. As a special condition of the permit, in the event Permit Holder is found by the City Commission to have violated any of the above conditions or is found by the Code Enforcement Board, Special Magistrate or County Court Judge to have violated any Code sections relative to the use of the Dock Area, Dock and Mooring Piles, then the Permit granted herein may be repealed or rescinded by the City Commission upon thirty days' advance notice to the Permit Holder.
8. Use of the dock is limited to the long term dockage of vessels owned by the Permit Holder with a copy of the documentation showing the vessel's name and registration number provided by the applicant to the Supervisor of Marine Facilities.
9. The Permit Holder is prohibited from mooring any watercraft or vessel in such a manner that it is "rafted out" from any additional vessel owned or operated by the applicant.

AC

Attachment

cc: Carl Williams, Deputy Director of Parks and Recreation
Jonathan Luscomb, Supervisor of Marine Facilities