

ORDINANCE 2019-15

(Zoning Amendment – Chapter 23 Zoning, Land Use and Development)

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS; AMENDING, SECTION 23-523. DOCKS AND PIERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the City Commission of the City of Lake Wales, Polk County, Florida:

SECTION 1: Section 23-523. Docks and Piers is amended as follows

All docks and piers are subject to the dimensional requirements of this section.

~~a. Docks and piers may be erected beyond the shorelines of lakes over an acre in size, provided the structure does not extend beyond the applicant's property. Docks or piers may extend beyond the applicant's property with written permission of the owner of the property. Docks and piers that extend into public waters may be permitted by special exception use permit.~~

~~b. Docks and piers shall maintain a minimum of an eight-foot setback from the side lines of the property or the extension thereof into the water body.~~

~~c. The height of flooring of any dock or pier shall not exceed five (5) feet above average water level of a lake.~~

~~d. A superstructure, including railings exceeding thirty six (36) inches in height, on any dock or pier shall require special exception approval.~~

~~e. The maximum width of any dock or pier shall be five (5) feet and the maximum length shall not exceed whichever is the lesser of the following dimensions: Twenty (20) feet or ten (10) percent of the width of the lake measured from the foot of the dock or pier, in line with the dock or pier, to the opposite side of the lake. Depth of water at the end of the dock shall be no less than three (3) feet.~~

a. Docks and piers may be constructed beyond the shorelines of lakes provided the structure does not extend beyond the applicant's property. Docks or piers may extend beyond the applicant's property with written permission of the property owner of the effected property.

- b. All construction shall conform to the requirements of the Florida Building Code and City building regulations. Floating docks which are attached to shore are allowed and encouraged.
- c. Docks and piers that extend into public waters may be permitted by Special Exception Use Permit.

All marine structures constructed for use by a single-family residential property owner shall conform to the following regulations:

- d. The maximum distance that a dock or pier may extend from the property line abutting any lake shall be 50 (fifty) feet.
- e. In no case shall structures in canals extend from the canal bank or bulkhead beyond the twenty-five (25) percent of the canal's average width along the property fronting the canal.
- f. Docks and piers shall maintain a minimum of a five-foot setback from the side lines of the property or the extension thereof into the water body.
- g. Docks and piers constructed in residential, dead-end canals may not be closer than twenty-five (25) feet from another such structure.
- h. The main access pier from the shore to the dock or platform area shall not exceed six (6) feet in width. Handrails shall be provided on at least one (1) side of any part of a dock or pier which is three (3) feet or less in width.
- i. All docks and piers shall be constructed so as to be visible to marine traffic in times of high water by being equipped with a device or structure which is clearly visible at least six (6) feet above the water's surface at all times (e.g., orange flag, reflectors). Such device or structure shall be installed at the lakeward end of the structure and elsewhere along the structure, spaced no further than twenty-five (25) feet apart.
- j. The surface area of all docks and piers may not exceed a total of five hundred (500) square feet which includes the main access pier and platforms.
- k. The sides of any structure shall remain open except that see-through screening material shall be permitted.
- l. No more than two (2) watercraft may be moored at any such structure.
- m. Living quarters and other non-water dependent structures are prohibited

SECTION 2: Severability: If any clause, section or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance shall be in full force and effect and be valid as if such

invalid portion thereof had not been incorporated.

SECTION 3: Effective date: This ordinance shall become effective immediately upon its passage by the city commission.

CERTIFIED AS TO PASSAGE this _____ day of _____ 2019.

By: _____

Mayor/Commissioner
City of Lake Wales, Polk County,

FL

ATTEST: _____

City Clerk