

# **SINGLE-FAMILY DOCK CONSTRUCTION**

## **and the Department of Environmental Protection**

DEP regulates construction of docks in order to protect Florida's fragile waterways. Also, the State owns the submerged lands on which many docks are built. Therefore, **prior to construction**, you generally will need to obtain a permit from DEP to build your dock as well as written authorization from DEP to use the State's submerged lands. However, some (exempt) docks have minimal environmental impacts because of their size and location and do not require written authorization. This fact sheet will explain the authorization requirements and mention ways to design your dock so the review process may be shortened.

### **Docks that do not need a permit or other written authorization from DEP:**

1. A private dock in an artificially created waterway where:
  - the construction will not violate water quality standards
  - the dock will not impede navigation
  - the dock will not affect flood control
2. Repairing or replacing existing docks or mooring piles that are:
  - not part of an aquatic preserve or manatee sanctuary
  - still functional or only recently damaged by a storm or accident
  - in same location, configuration, and dimensions as the existing structure
  - built without fill other than the pilings.
3. A single-family dock that meets the following criteria:
  - not part of an aquatic preserve or manatee sanctuary:
  - 500 square feet or less if located in "Outstanding Florida Waters"
  - 1,000 square feet or less if not located in "Outstanding Florida Waters"
  - structures built on the dock such as gazebos and boat shelters are not enclosed with walls and doors, are not used as living quarters or for the storage of materials other than recreational supplies
    - ♦ the total area calculation for the dock includes any portions of the roof that hangs over the water beyond the dock platform
  - used only for recreational, noncommercial activities
  - there is no dredging or filling except for that necessary to install pilings
  - the dock and pilings do not impede the flow of water or navigation
  - only one dock per lot and no more than one dock per single family home
  - if the length of your shoreline is 65 feet or more:
    - ♦ docks with access walkways must be set back at least 25 feet from the property lines (see Figure 1)
    - ♦ docks without access walkways must be set back at least 10 feet from the property lines (see Figure 2)
  - if the shoreline length is less than 65 feet, the dock should be centered between property lines

### **Docks that do not need a permit but require a letter of consent from DEP:**

All dock construction in an aquatic preserve or manatee sanctuary will require authorization to use State-owned submerged lands. If your proposed dock construction meets all the conditions described in sections 2 or 3 (above) except for the criterion about aquatic preserves or manatee sanctuaries, then it still will not need a permit, but it will need a letter of consent to use the State's submerged lands. In order to qualify for this letter of consent, your application to DEP must show that the dock will meet all the following requirements:

- the dock only extends far enough to reach a maximum water depth of 4 feet below mean low water, 20% of the width of the waterbody, or 500 feet, whichever is less

- if there is a bulkhead along the shoreline and the water depth at that point is already 4 feet below mean low water, the dock does not extend more than 25 feet beyond the bulkhead
- the access walkway of the dock is no more than 4 feet wide
- terminal platform is no larger than 160 square feet
- if over seagrasses, boards used to construct the surface of the dock are no more than 8 inches wide and are spaced at least 1/2 inch apart
- any part of the dock located over seagrasses is elevated 5 feet above the mean or ordinary high water line
- in areas where submerged resources (e.g., seagrass or coral) exist, there is at least 1 foot of clearance (at mean low water) between the deepest part of the proposed boat or motor and the top of any submerged resources in the areas that will be used for boat mooring, turning, or access to deep water

**Docks that need a permit and require a lease, easement, or some other form of submerged lands authorization from DEP:**

If your dock does not meet the criteria above, you must apply for a permit from the DEP. Docks greater than 1,000 square feet but less than or equal to 2,000 square feet can be permitted with a Noticed General Permit with a processing fee of \$100.00. Docks greater than 2,000 square feet require a Standard General Permit with a processing fee of \$300.00.