



Alachua County Development Review Committee Staff Report

Project Number: DR23-000038

Final Development Plan and Floodplain Development Permit for Bickmeyer Dock and Boathouse

DESCRIPTION: Construction of an 884 square foot dock and boathouse

AGENT/APPLICANT: Justin Bickmeyer

PROPERTY OWNER: Justin and Kristan Bickmeyer

PROPERTY DESCRIPTION:

Location	20936 NE 132 nd Ave
Parcel Numbers	18399-011-000
Land Use	Rural/Agriculture
Zoning	Agriculture
Acreage	<u>± 2.89 Acres</u>

CHRONOLOGY:

Application Submittal	07/03/2023
Sufficiency Determination	07/19/2023
Final Development Plan Hearing	09/07/2023

STAFF RECOMMENDATION: Recommend **approval with conditions** of the Final Development Plan and Floodplain Development Permit for name of project.

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DESCRIPTION OF PROPOSED PLAN:

This application proposes a new dock with a boathouse on Lake Santa Fe. The boathouse will be 28 x 28 feet and the open deck will be 10 x 10 feet. The walkway will be 4 x 270 ft. The walkway crosses a large area of swamp and will be located in such a way that impacts to wetland vegetation are minimized. The completed footprint will be 884 square feet total.

According to Section 404.108(d) *Development Review Committee (DRC) approval is required for docks that do not meet the standards in Section 404.108(c) provided the following conditions are satisfied (see table below). The DRC may also approve reconfigurations of existing docks that do not meet one or more of the standards in Section 404.108(c) and or/ this Section provided those standards are not made further non-compliant.*

Standard	Pre-Application Screening approval limit	Development Review Committee approval limit
Maximum platform size	600 square feet	900 square feet
Maximum width	25 feet for properties > 80 feet wide 20 feet for properties ≤ 80 feet wide	The lesser of 40 feet or 40% of the property width at the shoreline
Maximum covered width	25 feet for properties > 80 feet wide 20 feet for properties ≤ 80 feet wide	30 feet
Maximum height	14 feet	14 feet
Setbacks	10 feet for properties <65 feet wide 25 feet for properties ≥ 65 feet wide	Less only if it is necessary to avoid or minimize adverse impacts to natural resources or riparian rights
Santa Fe River docks	Limited to a single uncovered platform ≤ 160 square feet	Limited to a single covered platform ≤160 square feet and total footprint ≤300 square feet

Table 404.108.1

Section 404.108(f), requires DRC approval for docks greater than 600 square feet of surface area with a limit of 900 square feet. The dock as proposed will be a total of 884 square feet. In addition, the width of the dock exceeds the maximum width of 20-25 feet allowed for PAS approval. The proposal exceeds size limits outlined in Sec. 404.108(c)(1)(b) therefore DRC approval is required.

CONSISTENCY ANALYSIS:

Following is an analysis of the consistency of the proposed plan with the applicable policies of the Comprehensive Plan and Land Development Regulations.

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UNIFIED LAND DEVELOPMENT CODE:

Sec 404.108(b) Docks are allowed as limited uses in the unincorporated area, provided the conditions of this section are satisfied. According to 404.108(d), “*The DRC may also approve reconfigurations of existing docks that do not meet one or more of the standards in 404.108(c) and/or this section provided those standards are not made further non-compliant.*”

404.108(d)(1) *Maximum size. The total footprint as calculated in 404.108(c)(1)a shall not exceed 900 square feet.*

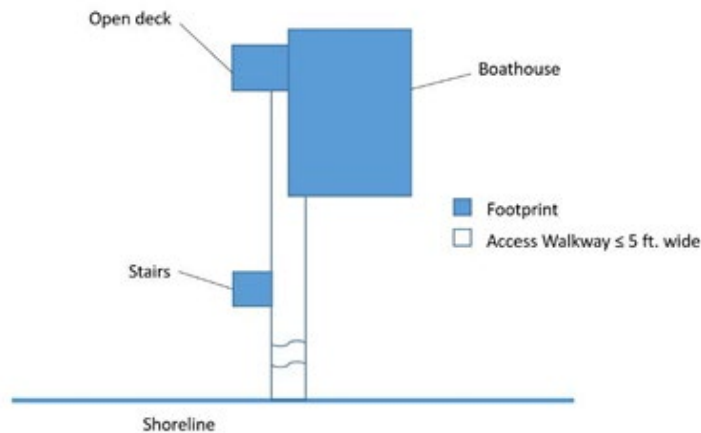


Figure 404.108.1

The completed footprint of the proposed dock and boathouse is 884 square feet and complies with Section 404.108(d)(1).

404.108(d)(2) Maximum width. The maximum width of a dock shall not exceed 40 feet or 40% of the property width at the lateral shoreline, whichever is less. For purposes of this section, the property width at the lateral shoreline is measured as a straight perpendicular line from one property line to the other at the lake edge. The DRC may authorize a dock serving multiple residences or public access docks to exceed the maximum size and width standards upon determination that such joint use would result in greater environmental protection.

The width of the property at lateral shoreline is approximately 275 feet. 40% of 275 feet is 110 feet, therefore the dock is limited to a width of 40 feet. The total width of the proposed dock is 38 feet and under the maximum width outlined in Section 404.108(d)(2).

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404.108(d)(3) Maximum covered width. The maximum covered width of a dock shall not exceed 30 feet.

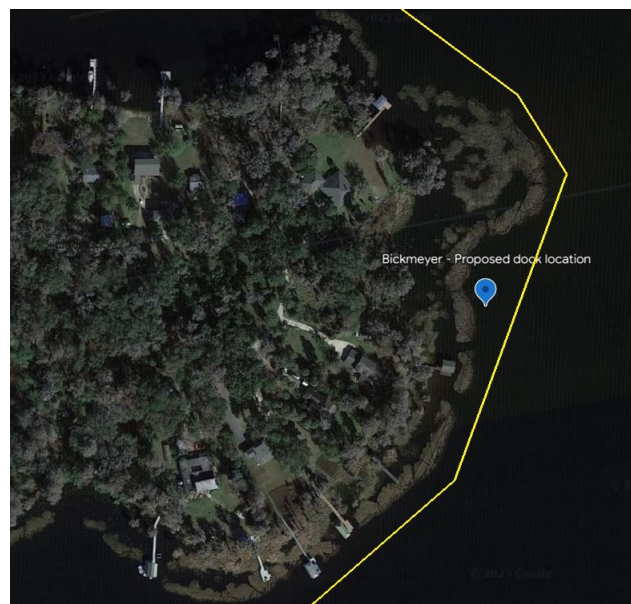
The covered width of the proposed dock is 28 feet and complies with Section 404.108(d)(3).

404.108(c)(1)(c) Maximum height. The maximum height shall not exceed 14 feet as measured from the floor elevation to the highest point of the dock.

The proposed height of the covered area is 13.5 feet measured from the floor of the elevation and complies with Section 404.108(c)(1)(c).

404.108(c)(3) Hazards to navigation. A dock may not create a hazardous condition to the navigation of waterways and to other pursuits of water sports. Hazard to navigation means a watercraft or structure erected, under construction or moored that obstructs the navigation of watercraft proceeding along a navigable water or obstructs reasonable riparian access to adjacent properties.

The subject property is at the tip of a peninsula. Once constructed, the dock will extend slightly further than neighboring docks because of this shoreline configuration and associated sandbar. However, it will not extend further than nearby aquatic vegetation which is typically avoided by boat traffic. In Staff's opinion, the proposed location of the dock will not create a hazard to navigation as demonstrated in the image below. As a result, the dock will not be within the path of motorized vessels. However, solar lights are recommended for the furthest extent of the boathouse to improve visibility of the dock for boats navigating at night.



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404.108(c)(4) Impact on natural systems. A dock may not be detrimental to the continued function of natural systems, including aquatic vegetation. All structures shall be constructed to cause the least possible impact to wetland and aquatic vegetation.

The proposed location and dimensions of the new dock do not cause significant adverse impacts to natural systems including aquatic vegetation.

404.108(c)(5) Setbacks. If the property width of the lateral shoreline is 65 feet or greater, the dock must be set back at least 25 feet from the side property lines (see figure below). If the property width at the lateral shoreline is less than 65 feet, the dock must be set back at least ten feet from the property line.

The proposed dock will be set back from the nearest side property line approximately 70 feet, in compliance with Section 404.108(c)(5), ULDC which requires a minimum setback of 25 feet for this property width.

404.108(c)(2) Other permits required. Issuance of a building permit from the Alachua County Building Official for a dock, does not take place of applicable local, federal, state and water management district permits that may be required before beginning construction. If modifications to the design of a County permitted dock are necessary to meet federal, state, or water management district permits, the applicant shall resubmit revised plans to the appropriate County reviewing body.

Staff has included conditions of the approval which states:

- a. The proposed dock shall be adjusted in the field to avoid removing any regulated trees. The proposed access walkway location shall be flagged and inspected by the county prior to construction.
- b. Any required FDEP permit or letter of consent shall be obtained and a copy provided to ACEPD prior to commencement of dock construction [§406.05, ULDC; §404.108(b), ULDC].
- c. Aquatic vegetation removal is prohibited without prior authorization by the Alachua County Environmental Protection Department [Article VI, Chapter 406, ULDC].

STATE AND FEDERAL PERMIT

The issuance of a state or federal permit shall not obligate the County to grant approval of any local permit and shall not be deemed to satisfy the requirements of the ULDC. As well, the issuance of this permit does not indicate that Alachua County believes that the applicant has all federal and state permits necessary prior to commencing construction.

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§125.022(4), F.S. limits local governments' ability to coordinate their permitting activities with state and federal permitting agencies. Therefore, the applicant is advised that conflict with a subsequently issued state or federal permit may require an amendment to this development plan approval.

Upon approval of a development plan, the applicant shall obtain all required state and federal permits prior to commencement of the development. Upon issuance of a required state or federal permit, the applicant shall furnish a copy of such permit to the applicable County department. EPD staff received comments from an adjacent landowner expressing concerns about the potential of Native American dugout canoes that may be buried within proximity of the proposed walkway, boathouse or open deck area. EPD staff coordinated with Florida Department of Environmental Protection (FDEP) and Division of Historical Resources (DHR) who are also reviewing the dock application. As part of the process for approval, FDEP requests and receives comments and requirements from the Division of Historical Resources. DHR has reviewed the available information and relayed back to FDEP and EPD that they do not have specific concerns regarding the potential of historical artifacts including canoes in the vicinity of the proposed structure.

The following standard comment from DHR applies and will be included in the FDEP dock permit: *If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discover. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at (850) 245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.*

DEVELOPMENT PLAN EXPIRATION:

According to Section 402.47(b), an approved Final Development Plan shall expire unless a complete application for a construction, building or other required permit has been accepted by the appropriate reviewing department within 12 months of the date of final approval and that such development is continuing in good faith. Applications for extension of time limit may be processed pursuant to Article 6 or Article 10 of Chapter 402 of the ULDC.

STAFF RECOMMENDATION

Staff has found the proposed Final Development Plan and Floodplain Development Permit to be consistent with the Comprehensive Plan and requirements of the Unified

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Land Development Code.

Staff recommends **approval with conditions** of the Final Development Plan and Floodplain Development Permit for **Bickmeyer Dock and Boathouse**.

CONDITIONS

1. The proposed dock shall be adjusted in the field to avoid removing any regulated trees. The proposed access walkway location shall be flagged and inspected by the county prior to construction.
2. Any required FDEP permit or letter of consent shall be obtained and a copy provided to ACEPD prior to commencement of dock construction [§406.05, ULDC; §404.108(b), ULDC].
3. Aquatic vegetation removal is prohibited without prior authorization by the Alachua County Environmental Protection Department [Article VI, Chapter 406, ULDC].