

Public Hearing 6 P.M. or as soon thereafter as the agenda permits. The City Commission will conduct these public hearings in its dual capacity as Local Planning Agency and City Commission.
07/15/2025



City of Boynton Beach Agenda Item Request Form

Meeting Date: 07/15/2025

Variance request to grant an increase in the length of a dock, more than one-quarter (1/4) the width of the water way.- Tabled at the June 3, 2025 Meeting.

Requested Action: Approval of a variance request from Part III, Chapter 3, Article V, Section 3.O "Supplemental Regulations" to grant an increase in the length of eleven (11) docks, more than one-quarter (1/4) the width of the water way where no more than one-quarter (1/4) of the width is permitted; the deviation varies from 1.1 feet to 5.4 feet.

Explanation of Request:

The subject property is comprised of one (1) parcel, approximately 2.52 acres generally located east of the Federal Highway and Northeast 12th Avenue intersection, at 800 Mariners Way zoned R-3 (Multi-Family Residential District). The site is adjacent to an existing multi-family development, owned by the Mariners Way Association, Inc, and consists of approximately 31 existing docks with access to the Intracoastal Waterway. One side of the waterway is a natural shoreline while the opposite side has a man-made seawall. This causes the width of the waterway to drastically change throughout the area.

Pursuant to Part III, Chapter 3, Article V, Section 3.O, a dock shall not extend into the waterway more than one-quarter (1/4) the width of the waterway. The proposal is a variance to allow eleven (11) existing docks that are in need of repair/replacement to go further into the waterway than one-quarter (1/4) of the width of the waterway and already currently in place. The requested lengths range between 1.1 feet to 5.4 feet. As mentioned above, the natural shoreline of the north portion of the waterway is what causes the differing ranges of the variance request.

The existing docks were constructed largely to already approved permits. While staff was able to locate nearly all of the building permits allowing for the docks where they are currently located, staff was unable to determine to which starting point previous approvals were granted for shoreline, waters edge, or property line for determining the one-quarter (1/4) of the width of the waterway.

As the docks were previously approved, they would be considered to be Legal Non-Conforming. Pursuant to Part III, Chapter 3, Article V, Section 11.B.2 "Nonconforming Regulations", if a nonconforming structure that requires repair that is greater than fifty percent (50%) of the assessed value, the nonconforming structure will be required to meet current Land Development Regulations. If the repair is less than fifty percent (50%) but more than thirty-three percent (33%), the repair would still require a variance issued by the City Commission. As the eleven (11) docks in question could have costs greater than 30%, the requested variance is required in order to repair/replace the docks in question.

The applicant is seeking a variance to the eleven (11) docks within the development in order to anticipate future needs of the property owners. If approved, a property owner can seek a building permit to repair/replace decks with future building permit approvals and state approvals. Approval of this request would expedite future needs of the residents to repair/replace docks.

How will this affect city programs or services? N/A

Account Line Item and Description: N/A

Fiscal Impact: N/A

Attachments:

[Staff Report_800 Mariners Way Variance.pdf](#)

[Exhibit A: Application](#)

[Exhibit B - Justification Statement Updated.pdf](#)

[Exhibit C - Location Survey Updated.pdf](#)

[Exhibit D: Aerials](#)

[Exhibit E - Conditions of Approval.pdf](#)

[Exhibit F - Development Order.pdf](#)