

# What Every Buyer/Seller of Waterfront and Near Waterfront Property Needs to Know

A presentation based on 30 years of war stories

**David M. Levin, Esq.**

Thursday, September 15, 2016—SOUTH OFFICE

RASM Members \$10 -- Non-Members: \$20

(Advance registration required)

Program: 1 p.m. to 3 p.m. + Q&A

Can I have a boat dock?

Can I expand on an existing dock?

Can I have a swimming pool?

Can I add on to an existing property?

*Turn page over for all the details that will be discussed  
in this session and for the instructor's bio..*

***What Every Buyer/Seller of Waterfront Property and Near Waterfront Property Needs to Know***

***RASM Members: To register for this course, go to [www.myrasm.com](http://www.myrasm.com)***

***Non-members, complete the following form and fax to 941-952-3401. Call 941-952-3404.***

Name \_\_\_\_\_ Phone \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Street Address \_\_\_\_\_

City, State, \_\_\_\_\_ Zip \_\_\_\_\_

Enclosed is a check in the amount of \$ \_\_\_\_\_ payable to RASM

Charge (circle one): Visa MasterCard AMEX No. \_\_\_\_\_

Signature \_\_\_\_\_ Exp. Date \_\_\_\_\_

Pursuant to the Americans with Disabilities Act, I require specific aids or services during my visit:

Audio Visual Mobile. If so, please identify your special needs: \_\_\_\_\_

## **WHAT EVERY BUYER (SELLER) OF WATERFRONT AND NEAR WATERFRONT PROPERTY NEEDS TO KNOW**

A presentation based on 30 years of war stories.

### **A. Can I have a boat dock or expand an existing dock?**

Discussion regarding federal, state, and local dock permitting regulations.

Who owns submerged lands upon which dock is to be built?

Are there adequate depths for a boat dock?

Will the dock be able to comply with federal, state, and local setbacks and other limitations?

What are the applicable state and local dock construction standards?

Will the dock infringe on the riparian rights of others?

What is the status of an existing dock?

### **B. Can I have a swimming pool?**

Discussion regarding State and local siting and design requirements.

What are the local setbacks affecting the location of a swimming pool?

What are the requirements mandated by FEMA regulations?

Is the pool to be located seaward of the State's Coastal Construction Control Line?

Are there local government prohibitions concerning construction of pools in the coastal zone?

### **C. Can I add on to an existing property?**

Discussion regarding FEMA Flood Elevation Requirements.

1. Discussion of FEMA High Hazard Zones, Flood Zones "V" and "A".
2. Discussion regarding FEMA Flood Insurance Rate Maps ("FIRM") including new digital maps.
3. Construction standards for new construction and substantial improvement of existing structures in FEMA "A" Zones.
4. Construction standards for new construction and substantial improvement of existing structures in FEMA "V" Zones.
5. Discussion regarding use of "freeboard" to add to FEMA established BFE to make local codes more stringent than Statewide Building Code.
6. Discussion regarding use of "freeboard" to add to FEMA established BFE to make local codes more stringent than Statewide Building Code.



David M. Levin is a senior partner of the Icard/Merrill Law Firm. Mr. Levin earned his law degree from Cumberland School of Law, Birmingham, Alabama in 1979 and to further his specialization in environmental law he attended The University of Miami School of Law, where he earned the prestigious Master of Law Degree in Ocean and Coastal Law in 1980. Prior to joining Icard/Merrill in 1987, Mr. Levin was the Assistant General Counsel of the Florida Department of Environmental Regulation, Environmental Prosecutor for the State Attorney for the Twelfth Judicial Circuit (Sarasota, Manatee & Desoto Counties), and served as Assistant Director of the Sarasota County Legal Department. He is the current City Attorney for the City of Punta Gorda.