AGENDA

BOARD OF ADJUSTMENT & APPEALS REGULAR MEETING



Tuesday, November 12, 2024 AT 10:00 AM

TOWN OF HIGHLAND BEACH, FLORIDA

3614 S. OCEAN BOULEVARD HIGHLAND BEACH, FL 33487 Telephone: (561) 278-4548

Website: www.highlandbeach.us

Town Hall Commission Chambers

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. PLEDGE OF ALLEGIANCE
- 4. APPROVAL OF THE AGENDA
- 5. SWEARING IN OF THE PUBLIC
- 6. APPROVAL OF MINUTES
 - A. July 29, 2024
- 7. UNFINISHED BUSINESS

None.

8. **NEW BUSINESS**

A. Variance Application No.PZ-24-11/Stephen and Maria Garchik

Consideration of Application No. PZ-24-11 by Michael Marshall, Esq., for a variance to allow reduction of the rear setback, as provided in Section 30-64 of the Town code of ordinances, from the required 20 feet to 4 feet in order to accommodate an open-walled roofed accessory structure for the property located at 2474 South Ocean Boulevard.

9. ANNOUNCEMENTS

November 12, 2024	6:00 PM	Beachfront Property Evaluation Presentation at the Town Library
November 19, 2024	1:30 PM	Town Commission Meeting
December 03, 2024	1:30 PM	Town Commission Meeting
December 12, 2024	9:30 AM	Planning Board Regular Meeting

10. ADJOURNMENT

Any person that decides to appeal any decision made by the Board of Adjustment & Appeals with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record including testimony and evidence upon which the appeal is based. (State Law requires the above Notice. Any person desiring a verbatim transcript shall have the responsibility, at his/her own cost, to arrange for the transcript.) The Town neither provides nor prepares such record. There may be one or more Town Commissioners attending the meeting.

In accordance with the Americans with Disabilities Act (ADA), persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at (561) 278-4548 within a reasonable time prior to this meeting in order to request such assistance.

File Attachments for Item:

A. July 29, 2024

DRAFT



TOWN OF HIGHLAND BEACH TOWN BOARD OF ADJUSTMENT & APPEALS REGULAR MEETING MINUTES

Town Hall Commission Chambers 3614 South Ocean Boulevard Highland Beach, Florida 33487 Date: July 29, 2024 Time: 10:00 AM

1. CALL TO ORDER

Chairperson Rosen called the meeting to order at 10:00 A.M.

2. ROLL CALL

Board Member Jeffrey Gordon Secretary Harris Rosen Board Member Todd Weiss Vice Chairperson Michael Thorson Chairperson Fred Rosen Town Attorney Leonard Rubin Town Clerk Lanelda Gaskins

ABSENT

Board Member Joel Leinson

ADDITIONAL STAFF

Town Planner Ingrid Allen

3. PLEDGE OF ALLEGIANCE

The Board led the Pledge of Allegiance to the United States of America.

4. APPROVAL OF THE AGENDA

MOTION: Chairperson Rosen - Moved to approve the agenda as presented,

which passed unanimously 5 - 0.

5. SWEARING IN OF THE PUBLIC

Town Clerk Gaskins swore in those witnesses giving testimony.

Page 2 of 3 Date: July 29, 2024

6. APPROVAL OF MINUTES

A. January 21, 2024

MOTION: Chairperson Rosen/Secretary Rosen - Moved to approve the January 21, 2024 Minute as presented, which passed unanimously 5 - 0.

7. NEW BUSINESS

A. Application No. PZ-24-2 / Maria and Stephen Garchick

Consideration of Application No. PZ-24-2 by Michael Marshall, Esq., for an Appeal of a Town interpretation regarding customary yard accessories for the property located at 2474 South Ocean Boulevard.

Chairperson Rosen introduced Application No. PZ-24-2 / Maria and Stephen Garchick. He asked the Board Members if they had any ex parte communications to disclose. The Members had no ex parte communications.

Chairperson Rosen opened the public hearing.

Michael Marshall, Attorney for the applicants presented and discussed his appeal of the Town's interpretation regarding customary yard accessories for the abovereferenced property.

Town Planner Allen provided an overview of Application No. PZ-24-2 regarding an appeal of a town interpretation related to customary yard accessories. At the July 09, 2024, Code Enforcement Board meeting, the applicant received an extension until October 4, 2024, to address a code violation for constructing a pergola without a permit.

Following the presentations, discussion ensued among the Board Members, Attorney Michael Marshall, and Town Planner Allen regarding the application.

Also, the following individuals provided comments:

Stephen Garchick, property owner.

Building Official Jeff Remas explained that the structure is a sun controlled structure which is an accessory structure.

Maria Garchick, property owner.

There being no further comments or questions, Chairperson Rosen closed the public hearing. He called for a motion.

Board of Adjustment & Appeals Regular Meeting Minutes Date: July 29, 2024

DRAFT

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MOTION:

Rosen/Thorson – Moved to uphold staff's interpretation and denied the appeal. Upon roll call: Chairperson F. Rosen (Yes), Secretary Thornson (Yes) Member Gordon (No), Secretary Rosen (Yes); and Member Weiss (Yes). The motion passed on a 4 to 10 vote with Member Gordon dissenting.

8. UNFINISHED BUSINESS

None.

9. ANNOUNCEMENTS

August 06, 2024 1:30 P.M. Town Commission Meeting

August 08, 2024 9:30 A.M. Planning Board Regular Meeting

August 13, 2024 1:00 P.M. Code Enforcement Board Regular Meeting

10. ADJOURNMENT

The meeting was adjourned at 11:04 A.M.

APPROVED: November 12, 2024, Board of Adjustment & Appeals Regular Meeting

ATTEST:	Fred Rosen, Chairperson		
	Transcribed by: Lanelda Gaskins		
Lanelda Gaskins, MMC Town Clerk	Date		

File Attachments for Item:

A. Variance Application No.PZ-24-11/Stephen and Maria Garchik

Consideration of Application No. PZ-24-11 by Michael Marshall, Esq., for a variance to allow reduction of the rear setback, as provided in Section 30-64 of the Town code of ordinances, from the required 20 feet to 4 feet in order to accommodate an open-walled roofed accessory structure for the property located at 2474 South Ocean Boulevard.

HIGHLAND BEACH BUILDING DEPARTMENT



3614 S. Ocean Boulevard Highland Beach, FL 33487 Ph: (561) 278-4540

Board of Adjustment and Appeals STAFF REPORT

MEETING OF: November 12, 2024

TO: BOARD OF ADJUSTMENT AND APPEALS (BOAA)

FROM: INGRID ALLEN, TOWN PLANNER

SUBJECT: APPLICATION BY MICHAEL MARSHALL, ESQ., FOR A

VARIANCE TO ALLOW A REDUCTION OF THE REAR SETBACK, AS PROVIDED IN SECTION 30-64 OF THE TOWN CODE OF ORDINANCES, FROM THE REQUIRED 20 FEET TO 4 FEET IN ORDER TO ACCOMMODATE AN OPEN-WALLED ROOFED ACCESSORY STRUCTURE FOR THE PROPERTY LOCATED AT

2474 SOUTH OCEAN BOULEVARD. (PZ-24-11)

I. GENERAL INFORMATION:

Applicant (Property Owner): Marla and Stephen Garchik

2474 South Ocean Boulevard Highland Beach, FL 33487

Applicant's Agent: Michael Marshall, Esquire

100 S. E. 3rd Avenue, Suite 2700 Fort Lauderdale, FL 33394

Property Characteristics:

Comprehensive Plan Land Use: Single Family

Zoning District: Residential Single Family (RS)

Property Location: 2474 South Ocean Boulevard

Parcel PCN#: 24-43-46-28-09-000-0131

Adjacent Properties:

PARCEL	ZONING DISTRICT	FUTURE LAND USE DESIGNATION
North	Residential Single Family (RS)	Single Family
South	Residential Single Family (RS)	Single Family
East	Residential Single Family Estates Lots (RE)	Single Family
West	NA (Intracoastal Waterway)	NA (Intracoastal Waterway)

Property History:

2023-2024:

On September 13, 2023, a building permit request was submitted to the Building Department for an "exterior pergola structure" (Permit No. APP23-2129).

On December 27, 2023, a Town Code violation (No. CC2023-12-017) was issued for the construction of a pergola without a permit.

On January 19, 2024, the permit application was cancelled by the Town's Building Official, Jeff Remas, citing that the pergola was built without a permit.

On March 12, 2024, the Code Enforcement Board assessed a daily fine of \$250.00 per day commencing on May 12, 2024 and continuing to accrue until the property is brought into compliance.

On July 9, 2024, the Code Enforcement Board granted an extension on the date of compliance to October 10, 2024.

On July 29, 2024, the BOAA denied an appeal of Town staff's interpretation regarding customary yard accessories as they pertain to an open-walled roofed accessory structure (PZ-24-2).

1997-1998:

On January 8, 1997, the Planning Board gave preliminary approval for construction of a new single family residence with notation that the minutes reflect discussion showing the Board's awareness of the non-conformance on the property regarding the boat basin.

On January 14, 1997, the Board of Adjustment held a workshop regarding a request that the preexisting boathouse and garage located on the north property line be allowed to remain as an accessory structure to a new residence. On February 11, 1997, the Board of Adjustment granted a variance that the pre-existing boathouse and garage located on the north property line be allowed to remain as an accessory structure to a new residence.

On February 12, 1997, the Planning Board gave final approval for construction of a new single family residence.

On September 25, 1997, the Community Appearance Board grants final approval for additional building structure (gazebo) with the understanding that the four sides would not be enclosed and only transparent rollups be used for enclosure at times of inclement weather.

On November 20, 1997, the Community Appearance Board accepted a letter from R.M. Rankin, Inc. withdrawing the application for a gazebo previously approved by the Board on September 25, 1997.

On May 28, 1998, the Community Appearance Board gives final approval for issuance of certificate of occupancy.

Request and Analysis:

The Applicant's request is for an after-the-fact variance to allow a reduction of the rear setback, as provided in Section 30-64 of the Town Code of Ordinances ("Town Code"), from the required twenty (20) feet to four (4) feet in order to accommodate an open-walled roofed accessory structure. As noted above, on December 27, 2023, a Town Code violation (No. CC2023-12-017) was issued for the construction of a pergola without a permit. Note that the above-referenced code violation as well as the Applicant's initial permit application (APP23-2129) references the structure in question as a "pergola." This structure measures 231.575 square feet with a height of 10 feet.

Section 30-131 of the Town Code defines accessory structure as follows:

Structure, accessory means a detached building or other improvement which is clearly incidental to the principal structure, and is subordinate in area, extent, size, or purpose and serves only the principal structure.

Pursuant to Section 30-40(a) of the Town Code, the purpose of a variance is to grant a reduction in the dimensional requirements of the Zoning Code (Chapter 30), including, but not limited to, lot width, lot depth, lot size, size or percentage of open space, building coverage, building height, **building setbacks**, or required number of parking spaces. Section 30-40(b)(1) of the Town Code, states that the Board of Adjustment and Appeals (BOAA) shall consider all variance requests for new and existing single-family homes. As a basis for consideration of an application for variance approval, the BOAA must determine that an application is consistent with the criteria listed below:

- (1) Special conditions. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
- (2) Hardship. The special conditions and circumstances truly represent a hardship and are not created by any actions of the applicant.

- (3) Literal interpretation. Literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
- (4) Special privileges. The grant of a variance will not confer upon the applicant any special privilege denied to any other owner of land, buildings, or structures located in the same zoning district.
- (5) Minimum variance. The variance granted is the minimum variance that will make possible the use of the land, building, or structure.
- (6) Purpose and intent. The grant of the variance will be in harmony with the general intent and purpose of this chapter.
- (7) Financial hardship. Financial hardship is not to be considered as sufficient evidence of a hardship in granting a variance.
- (8) Public welfare. The grant of the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The Applicant has provided responses to each criteria listed above in their Variance Application (see attached). The following analysis is provided by staff:

- The Applicant indicates in their response to criteria (a) that gazebos "...are not permitted in the applicant's yard." In addition, in response to criteria (b), the Applicant states that gazebos are prohibited "...in the rear yard without a variance." Note that the Town's Zoning Code does permit accessory structures to include gazebos in the rear yard of a property; however, such structures shall comply with the rear building setback given the Town Code does not permit such structures to encroach the setback.
- In the Applicant's response to criteria (c), it is noted that "...other homes have covered outdoor areas." Pursuant to Section 30-40(k) of the Town Code, evidence of nonconforming use of neighboring lands, structures, or buildings in the same zoning district or the permitted use of lands, structures, or buildings in other zoning districts shall not be considered grounds for the authorization of a variance.

Pursuant to Section 30-40(g) of the Town Code, the vote of at least four (4) members of the BOAA is necessary to grant a variance. In addition, the BOAA shall make the following findings as provided in Section 30-40(m):

That the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

That the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

If the BOAA should decide to approve the Applicant's variance request (including survey date stamped received by the Building Department on August 28, 2024), the Applicant will be required to obtain, in this case, an after-the-fact building permit from the Town of Highland Beach Building Department.

Should you have any questions, please feel free to contact me at (561) 637-2012 or iallen@highlandbeach.us

Attachments: Application

Application backup materials

Aerials

Photo of accessory structure

Survey

Public Comment submitted by Applicant



structure from 20 feet to 4 feet

TOWN OF HIGHLAND BEACH VARIANCE APPLICATION

Petition #	Fees Paid/Red	eipt No.#_		
Variance and/or Appeal to Board of Adjustment & A	ppeals and/or Town Co	mmission are	e \$2,500.00.	
PROPERTY OWNER INFORMATION				
Name: Stephen Garchik and Marla Garchik	Phone: 703-467-93	90	Fax:	
Mailing Address: 2474 S. Ocean Blvd., Highland Bea	uch, FL 33487			
Email Address: sgarchik@sjmpartners.com				
AUTHORIZED AGENT				
Name: J. Michael Marshall, Esq.	Phone: 954-745-52	248	Fax:	
Mailing Address: 100 S.E. 3rd Avenue, Suite 2700, F	Fort Lauderdale, FL 33394			
Email Address: michael.marshall@nelsonmullins.com	า			
PROPERTY INFORMATION ASSOCIATED WIT Address: 2474 S. Ocean Blvd., Highland Beach, FL 334	487		on: BYRD BEACH SUB IN	
PCN: 24-43-46-28-09-000-0131		Lot Size: 0.5520 acres		
Zoning District: RS	Present Use:	Residential Si	ngle Family	
Present Structures (type): Outdoor gazebo-style accessory structure				
2. The proposed use will be:				
Provide cover for outdoor dining area				
3. If this petition is granted, the effect will be to	(brief description – i.e.	to reduce sid	de yard from 7' to2'):	
Permit the accessory structure to extend into th	e rear yard, reducing th	<u>ne rear se</u> tba	ck for the accessory	

and crite	a basis for consideration of an application for variance approval, the Board of Adjustment Appeals and/or Town Commission must determine an application is consistent with the eria listed below. After each criteria, state fully your reasons justifying the granting of this ance.
(a)	Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
	The applicant acquired the home with an outdoor dining area in the rear yard along the Intracoastal Waterway. The outdoor dining area has no weather or sun protection, a condition that exists because open-walled roofed structures such as gazebos, unlike other common yard accessory structures, are not permitted in the applicant's yard. In that regard, the conditions and circumstances are peculiar to both the applicant's property and proposed structure.
(b)	The special conditions and circumstances truly represent a hardship, and are not created by any actions of the applicant. Note that Section 30-40(e)(7) of the Town Code states that financial hardship is not to be considered as sufficient evidence of a hardship in granting a variance
	The applicant is unable to utilize the rear yard dining area without a gazebo or other open walled roof structure.
	The applicant acquired the property in its current condition and applicant is not responsible for the more recent
	code interpretation that prohibits gazebos in the rear yard without a variance.
(c)	Literal interpretation of the provisions of chapter 30 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of chapter 30 and would work unnecessary and undue hardship on the applicant. Literal interpretation of the code would not allow protection for applicant's outdoor dining area while other
	homes have covered outdoor areas.
(d)	The grant of a variance will not confer upon the applicant any special privilege denied to any other owner of land, buildings, or structures located in the same zoning district. The variance will not confer a special benefit or privilege, but simply allow the applicant to have a covered
	outdoor area like other properties.
(e)	The variance granted is the minimum variance that will make possible the use of the land, building, or structure.
	The applicant has requested the minimum variance necessary for the gazebo structure to comply with the
	recent interpretation of the Town's zoning regulations as they pertain to the placement of gazebos.
(f)	The grant of the variance will be in harmony with the general intent and purpose of this chapter. The grant of this variance is in accordance with the purpose laid out in Section 30-40(a) of the Town Code.

4.

	(g) The grant of the variance will not be injurious to the area involved or otherwise detrimental to the public welfare. No injury will be caused by the grant of this variance.
5.	Has any previous application or appeal been filed within the last year in connection with these premises? (YES) X (NO) If so, briefly state the nature of the application or appeal.
	Owner's Agent appeared before the Town's Appeals Board on July 29, 2024 regarding the interpretation of the
	Town Code, and specifically its classification of the structure as a "pergola" rather than a gazebo or a customary
	yard accessory.
	_ (Initial) The names and addresses of each property owner located within five hundred (500) feet of the disproperty, excluding property owned by the applicant has been provided. (Notification distances shall sured on an arc from the corners of the property.) (YES)X_(NO)
	_ (Initial) I, the petitioner, acknowledge that there will be additional expenses incurred for the first nailing of the public notices and the cost to publish the legal advertisement, which is separate from the of Adjustment & Appeals application fee. (YES)_X(NO)
MM Variance	_ (Initial) I, the petitioner, has read the Town of Highland Beach Code of Ordinances, Section 30-40: ces & Interpretations for code requirements. (YES) X (NO)

I give permission to the members of the Town Commission and the Board of Adjustment & Appeals and staff to inspect the property for the purpose of this application. I declare that all statements made herein are true, based upon the best available information, and I understand that willful false statements and the like are misdemeanors of the second degree under Section 837.06, Florida Statutes. Such willful false statements may jeopardize the validity of my application or any decision issued thereon. I have fully read the information outlining the Board procedures and application requirements. With this application, I am submitting the necessary supporting materials listed.

Owner must supply authorized agent notarized letter attesting to same Property Owner's Signature:_____ Authorized Agent Signature: This wall Date: 8-20-24Condo Assoc. Rep. Signature: Date: FLURIDA STATE OF BROWARD COUNTY OF On this day of d (SEAL) Received by the Town Clerk's Office: Received By:____ Date: _____ Date Public Notices Mailed:

Date Legal Advertisement Published:



This PDF offers all the Camargue technical drawings.

Click your way through the document

On the next page you will find an overview of all available drawings.

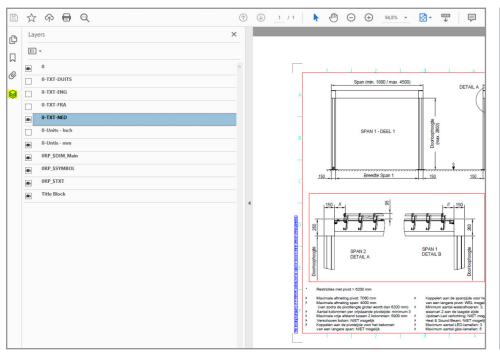
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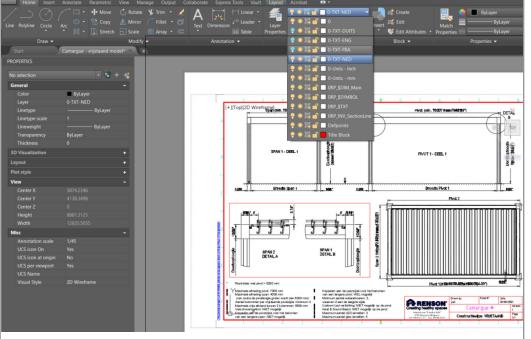
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By clicking on the provided space you can easily download the PFD or DWG file.

INSTRUCTION

How to turn on/off lauguages and dimension layers in PDF viewer and Autocad





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Construction

Freestanding

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2 parts coupled at span and pivot side

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Casted mounting base

Visible mounting base

Visible mounting base reinforced - corner

Invisible mounting base reinforced

Water drainage

reinforced

Adjustable wall profile

Accessories Camargue

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Integrated Fixscreen - stand alone pivot

Integrated Fixscreen - facade mounting span

Integrated Fixscreen - facade mounting pivot

Loggia modular sliding panels stand alone with 2 rails

Loggia modular sliding panels façade mounting with 3 rails

Glass sliding panels - facade mounting with 3 tracks opening left & right

Glass sliding panels - stand alone with 4 tracks opening from the middle

Linius wall - double sided

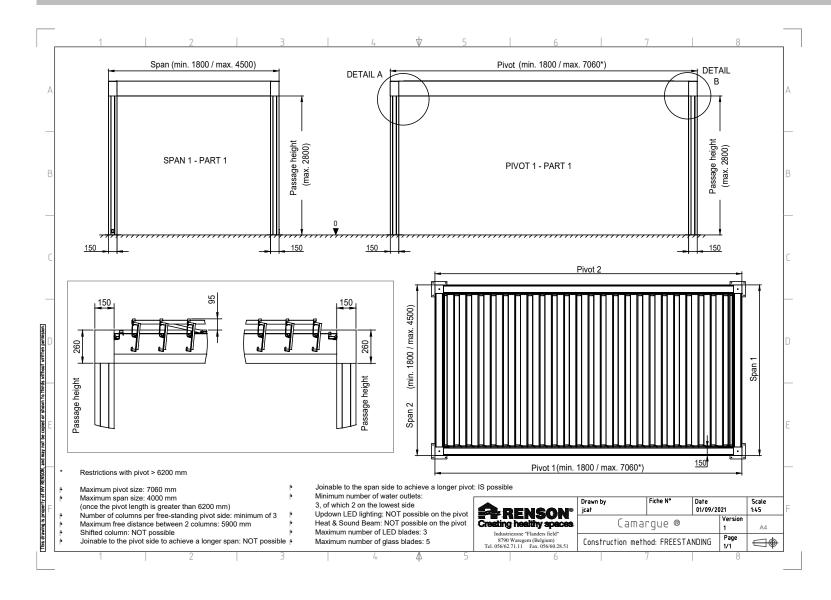
Linius wall - single sided

Linius wall - double sided as railing

Linarte wall - Linarte/Canvas

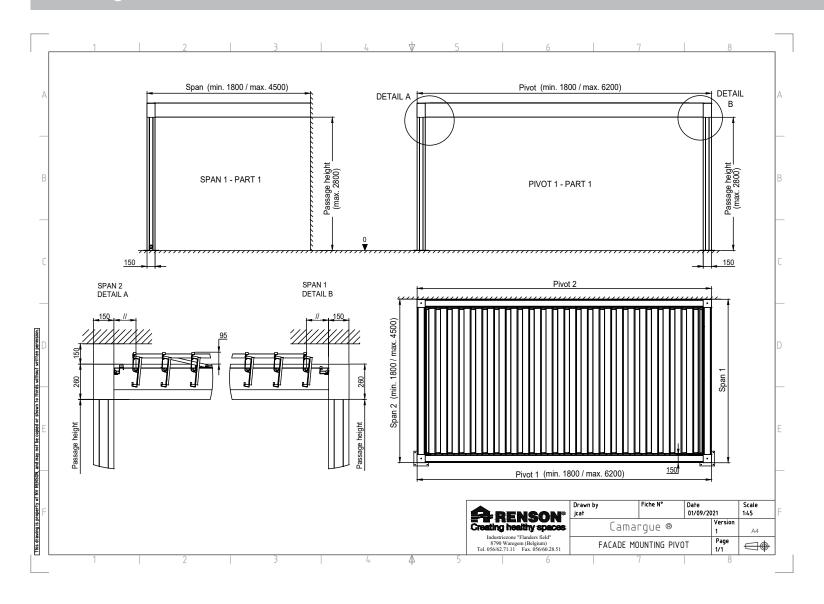
Linarte wall -Linarte/without finish

Camargue - FREESTANDING



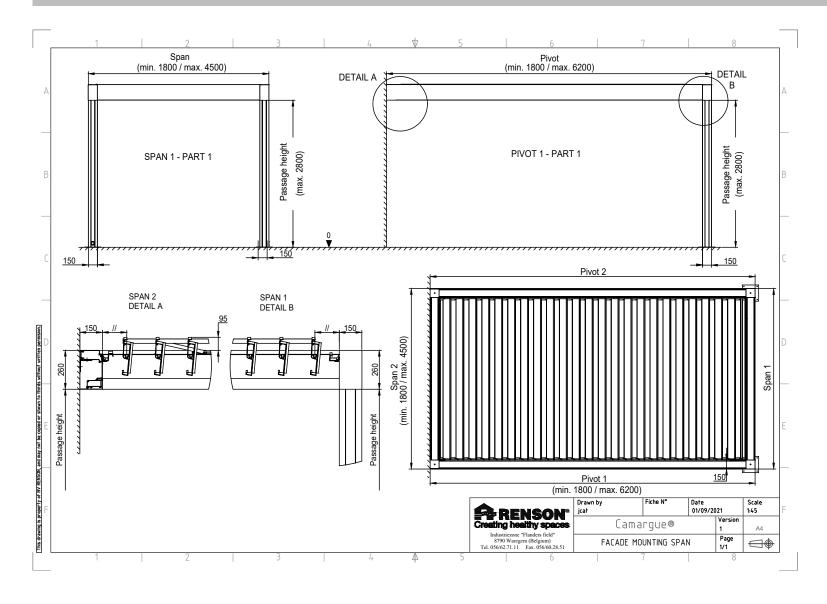


Camargue - FAÇADE MOUNTING PIVOT



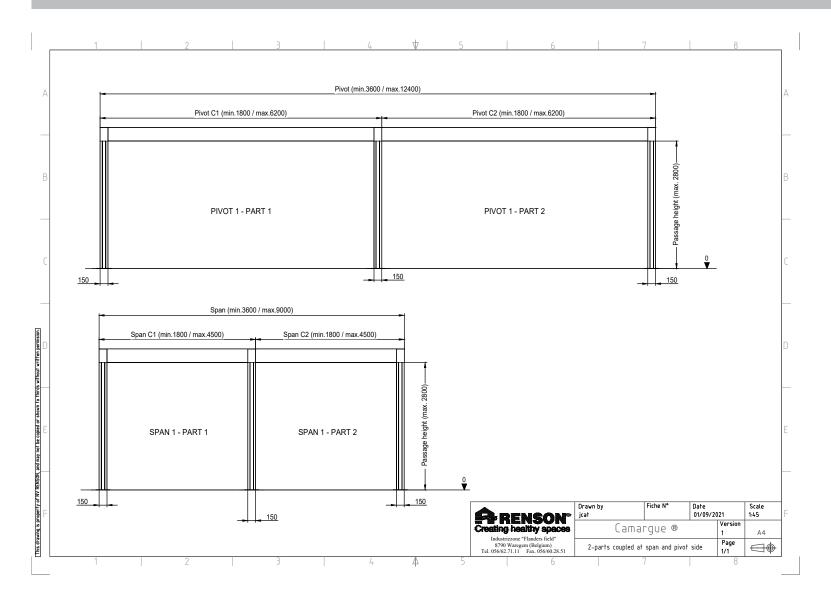


Camargue - FAÇADE MOUNTING SPAN



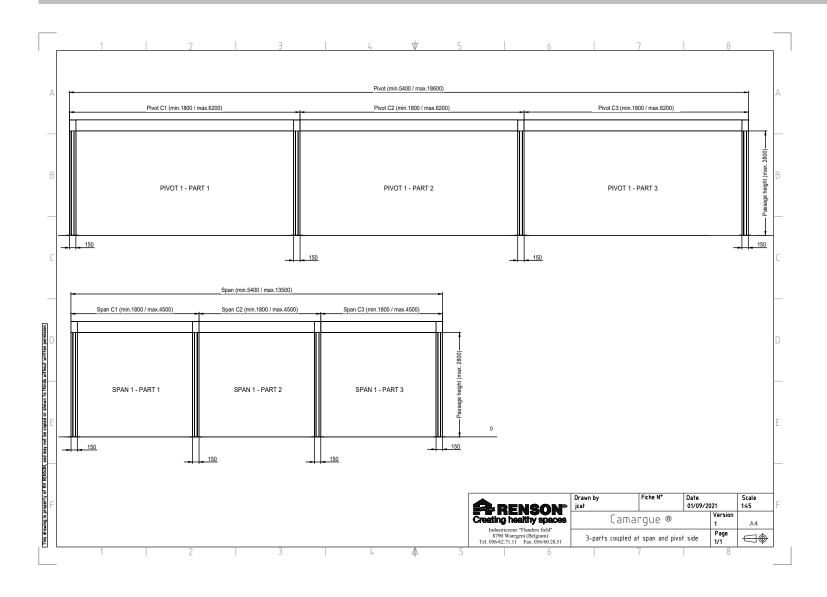
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Camargue - 2 PARTS COUPLED AT SPAN AND PIVOT SIDE



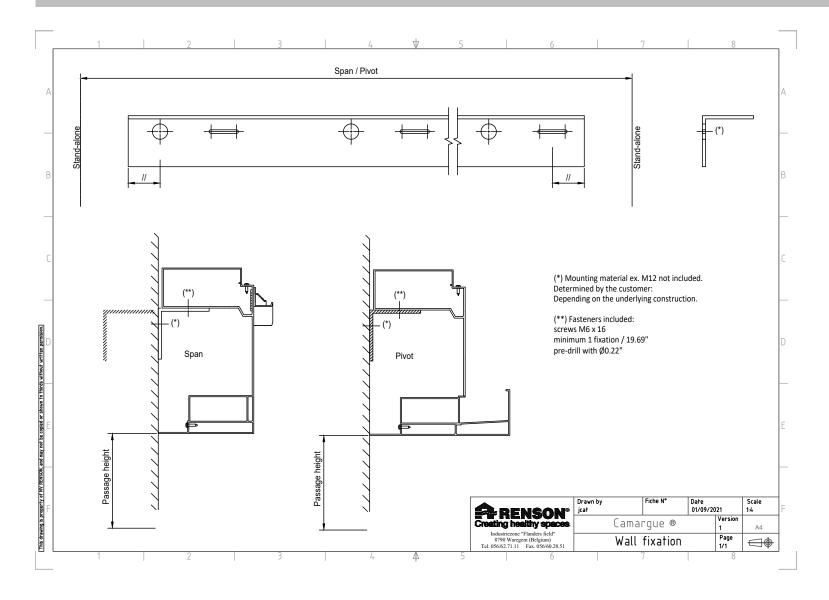


Camargue - 3 PARTS COUPLED AT SPAN AND PIVOT SIDE



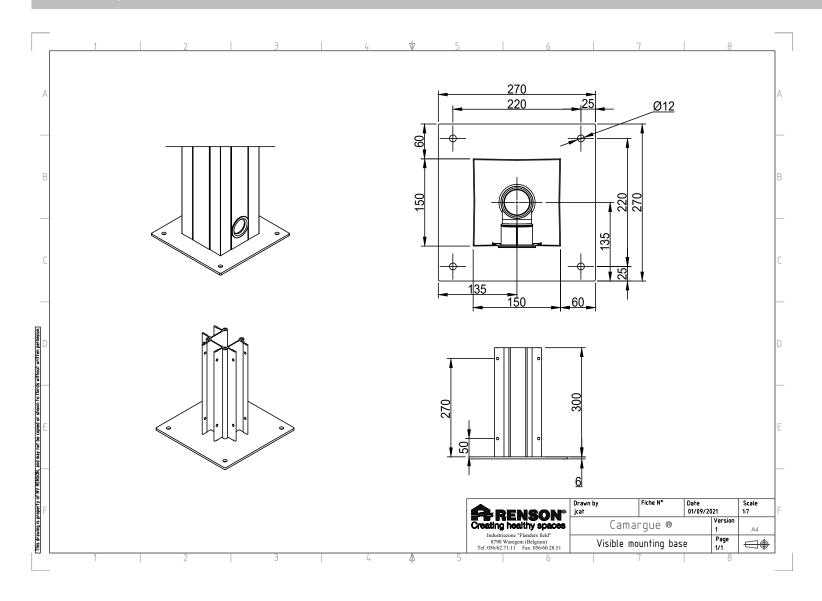


Camargue - WALL FIXATION



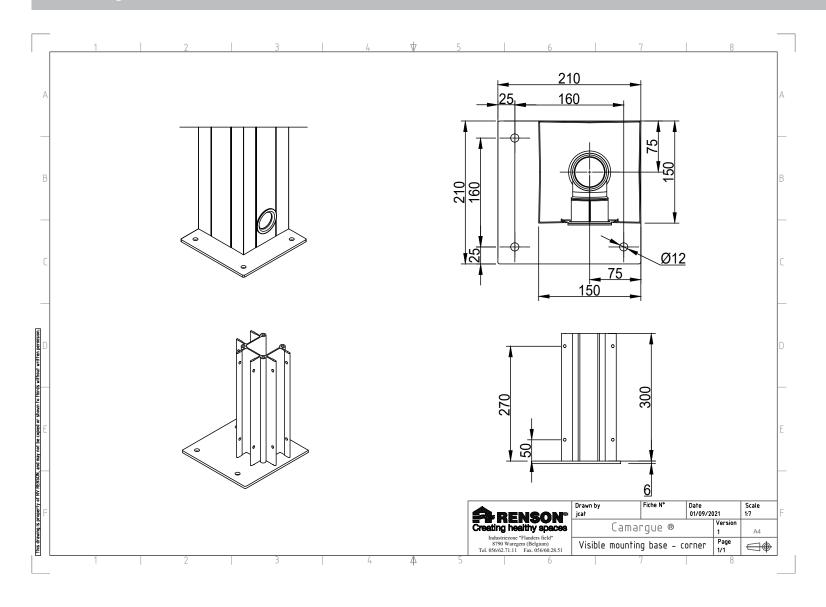
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Camargue - VISIBLE MOUNTING BASE



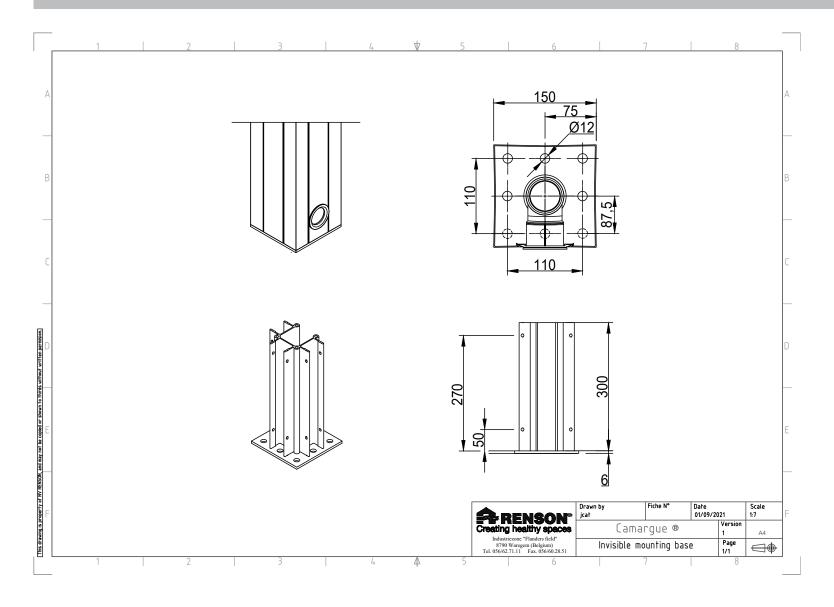
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Camargue - VISIBLE MOUNTING BASE CORNER



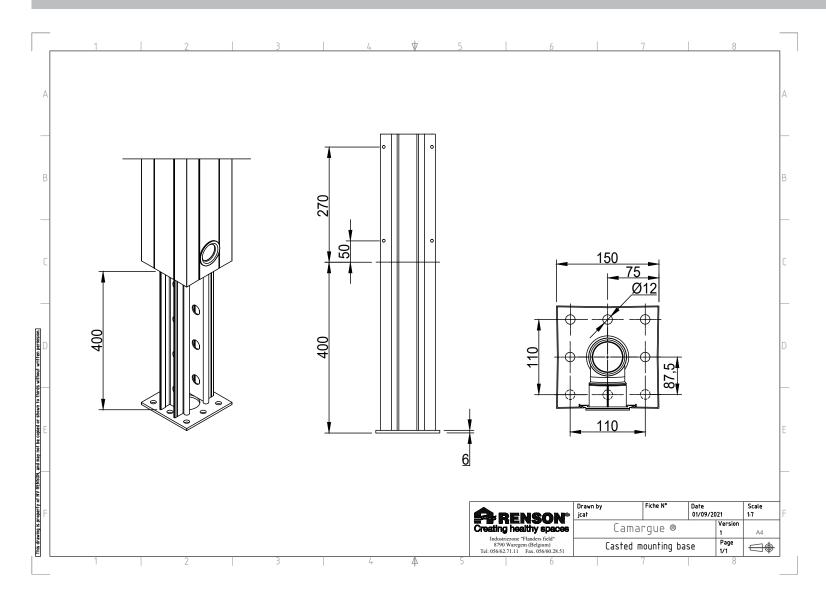
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Camargue - INVISIBLE MOUNTING BASE



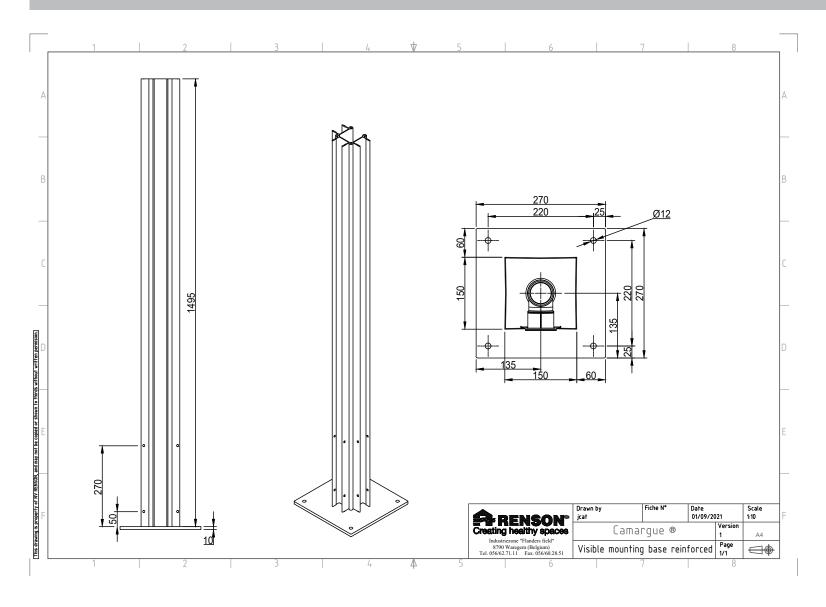
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Camargue - CASTED MOUNTING BASE



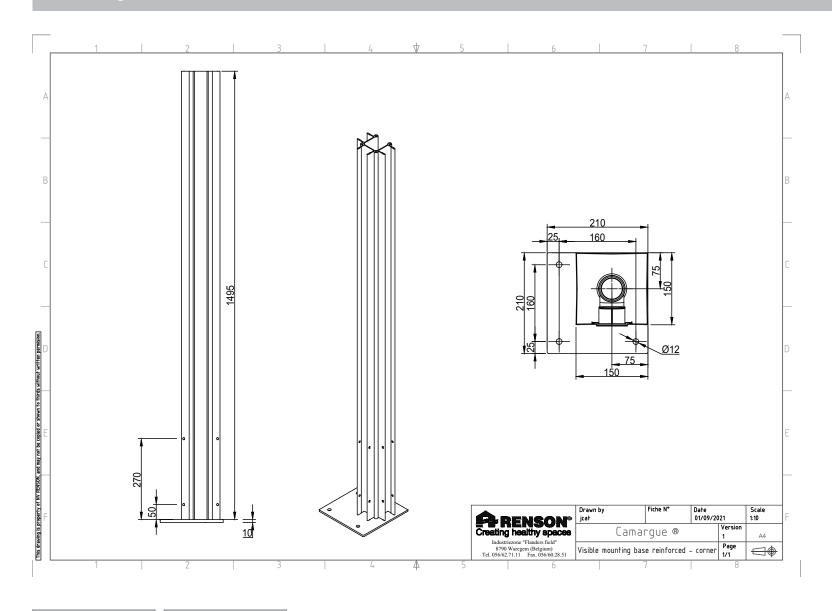
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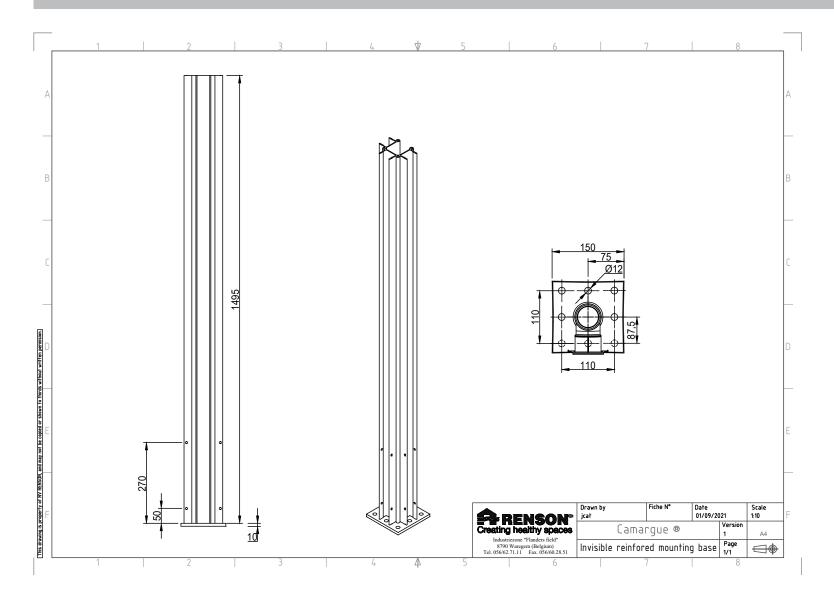
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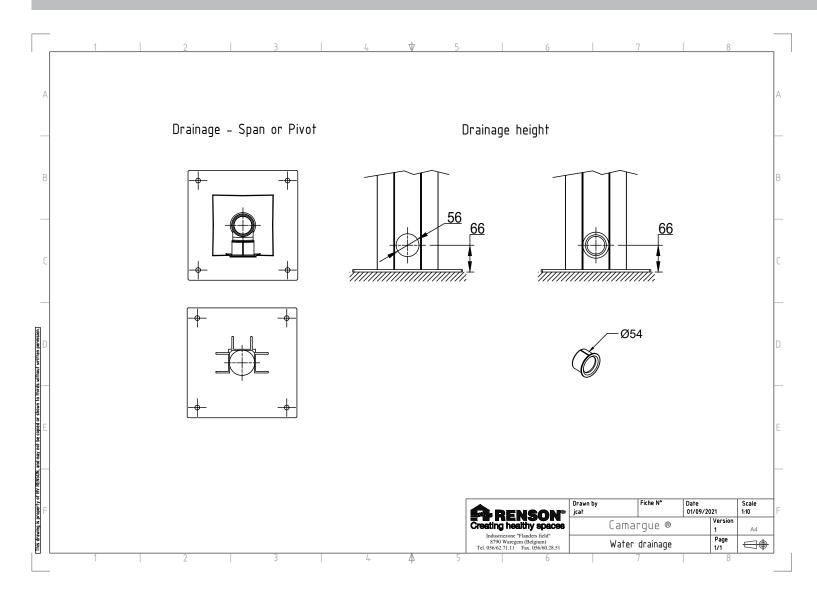
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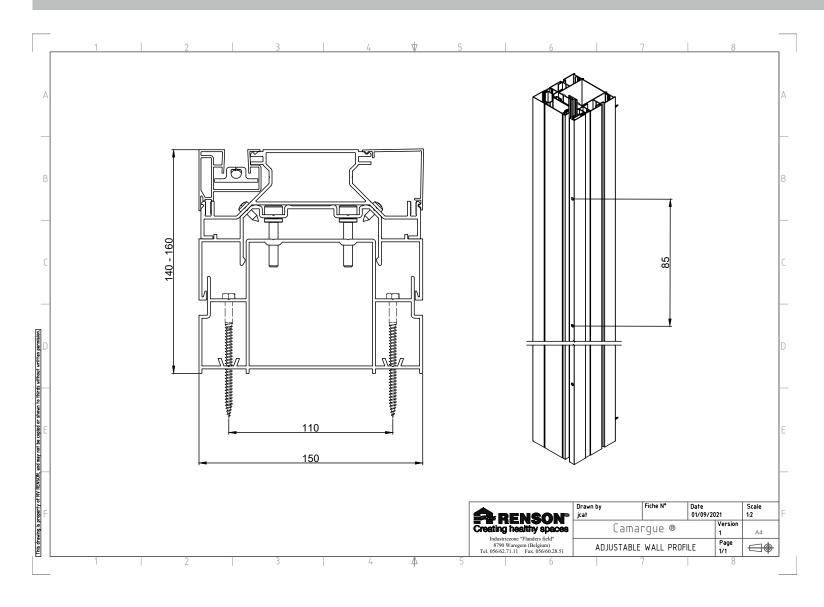
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Camargue - WATER DRAINAGE



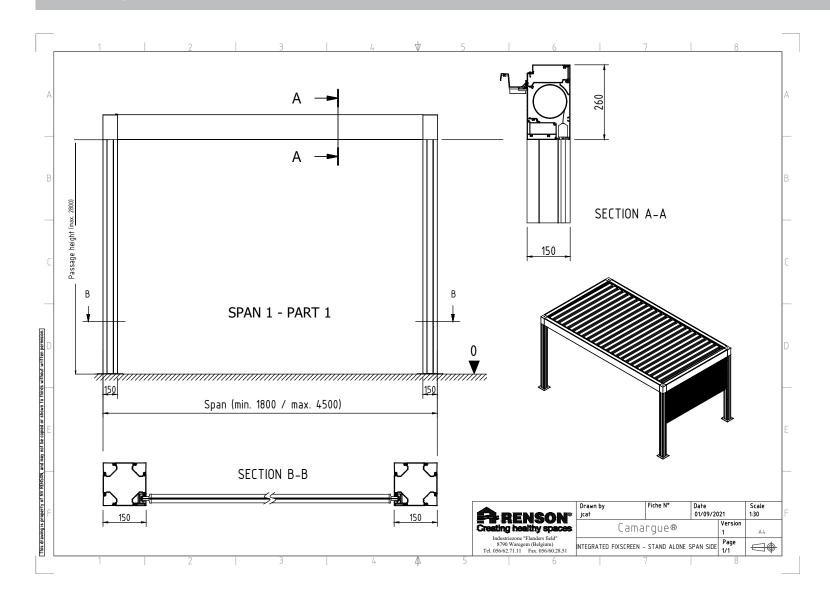
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Camargue - ADJUSTABLE WALL PROFILE



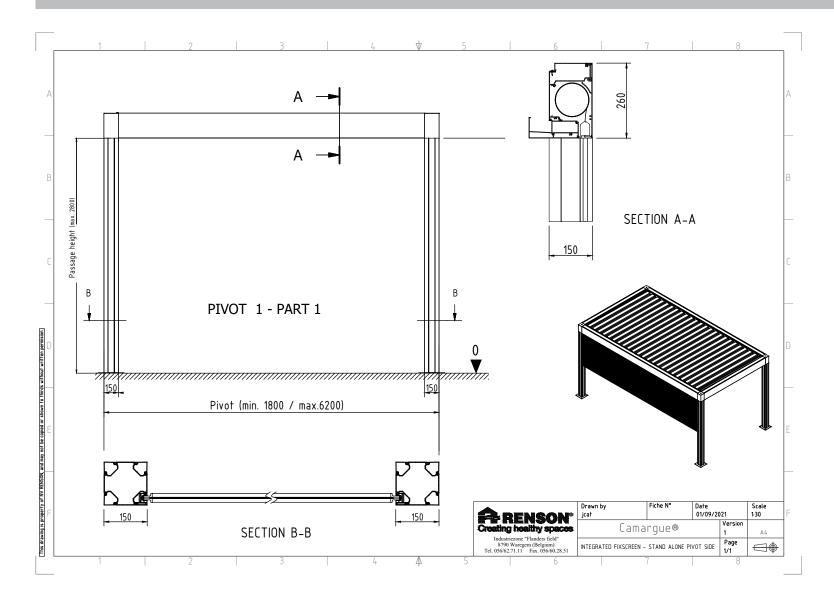
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Camargue - INTEGRATED FIXSCREEN - STAND ALONE SPAN SIDE



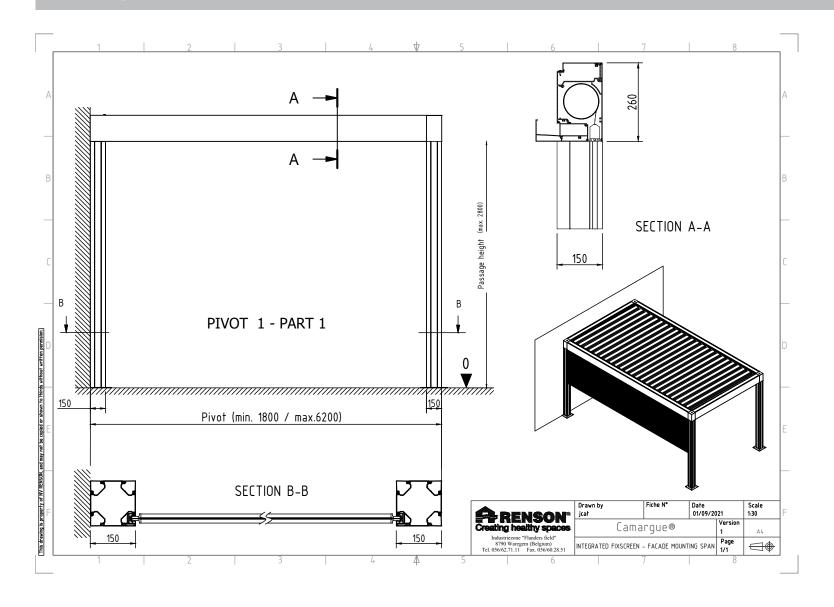
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Camargue - INTEGRATED FIXSCREEN - STAND ALONE PIVOT SIDE



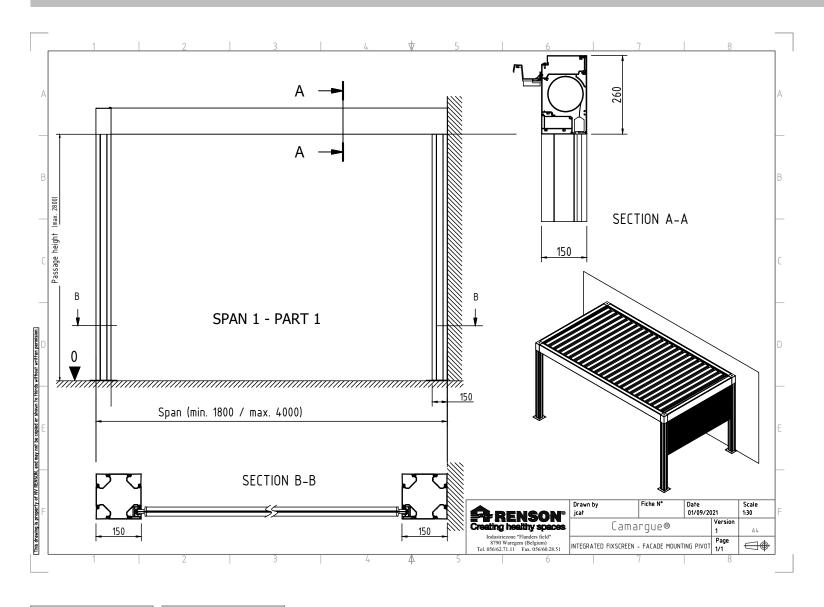
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Camargue - INTEGRATED FIXSCREEN - FACADE MOUNTING SPAN



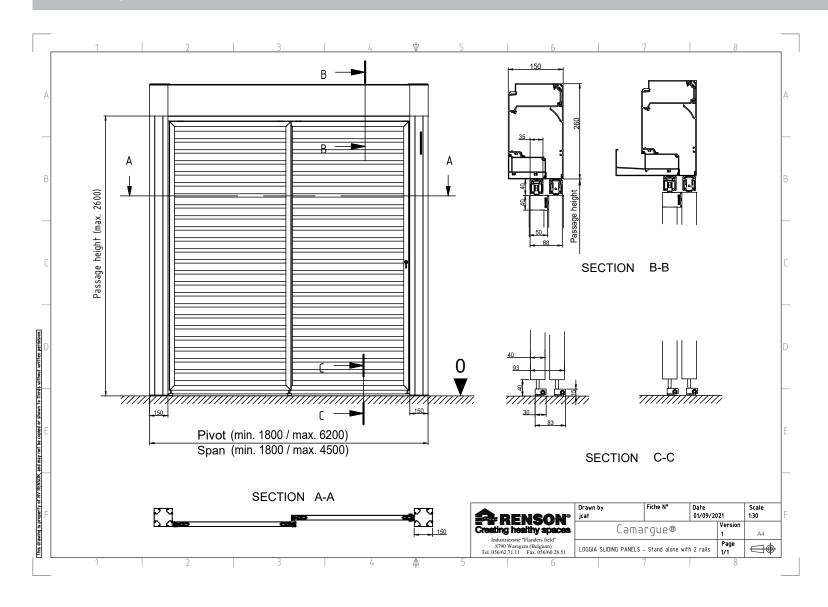
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Camargue - INTEGRATED FIXSCREEN - FACADE MOUNTING PIVOT



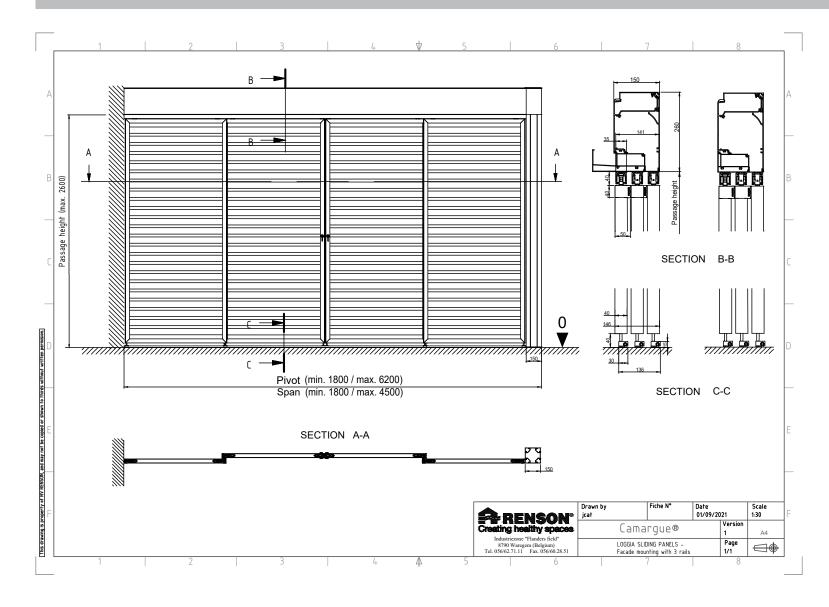


Camargue - LOGGIA MODULAR SLIDING PANELS - STAND ALONE WITH 2 RAILS



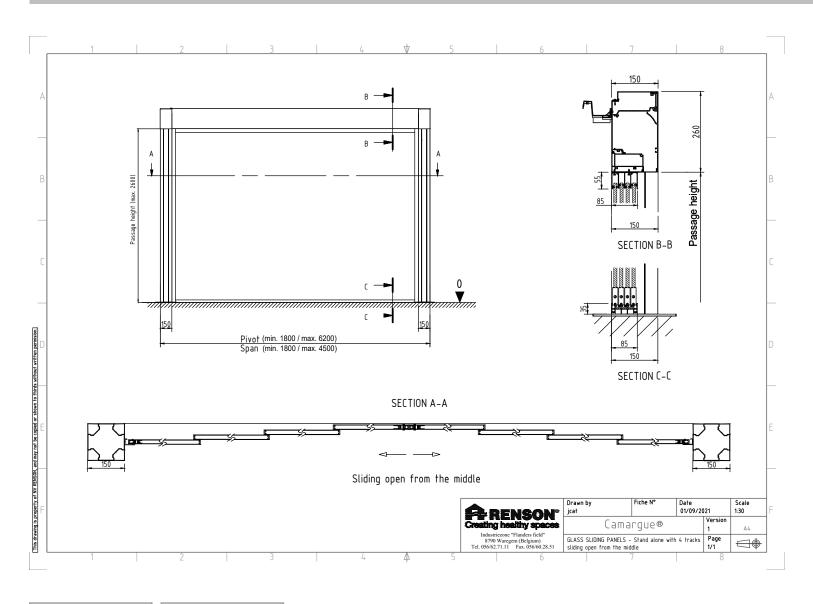
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Camargue - LOGGIA MODULAR SLIDING PANELS - FACADE MOUNTING WITH 3 RAILS



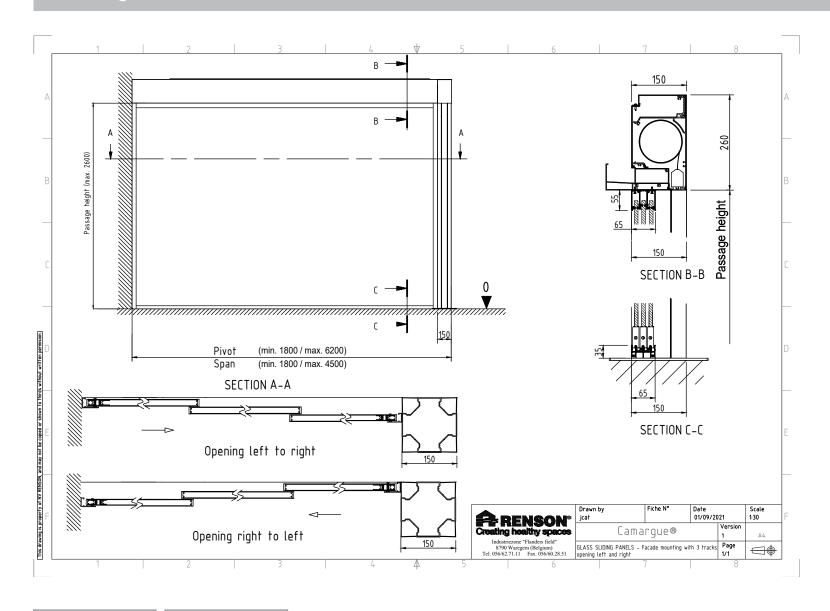
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Camargue - STAND ALONE WITH 4 TRACKS - OPENING FROM THE MIDDLE



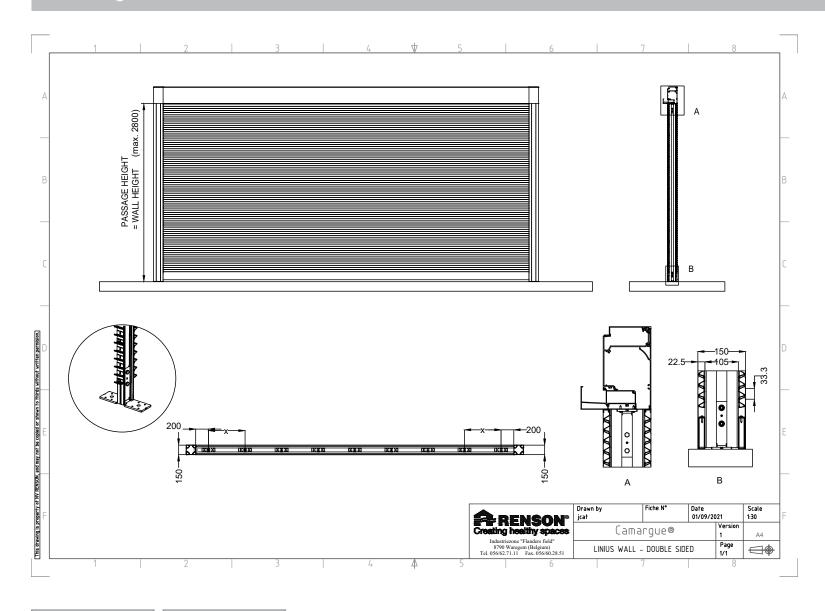


Camargue - FACADE MOUNTING WITH 3 TRACKS - OPENING LEFT & RIGHT



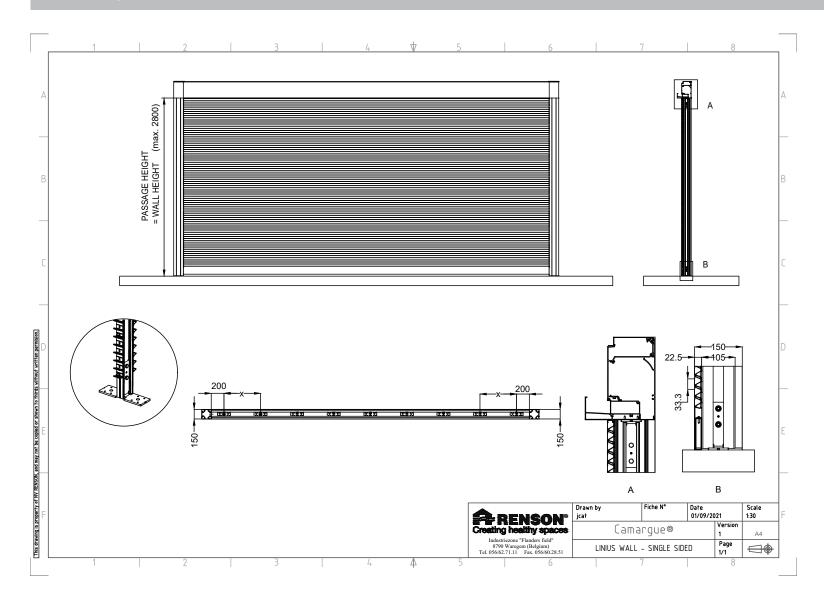
Download this drawing **DWG**

Camargue - LINIUS WALL - DOUBLE SIDED



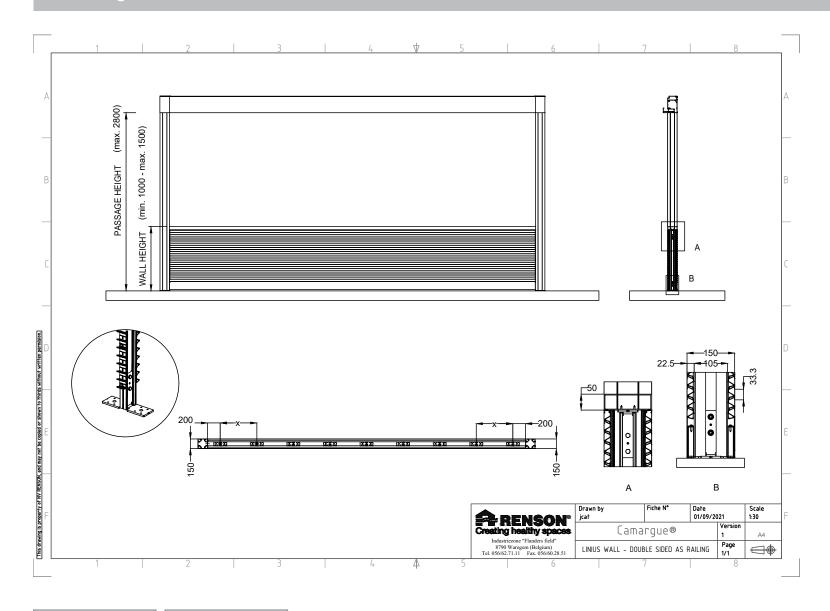


Camargue - LINIUS WALL - SINGLE SIDED



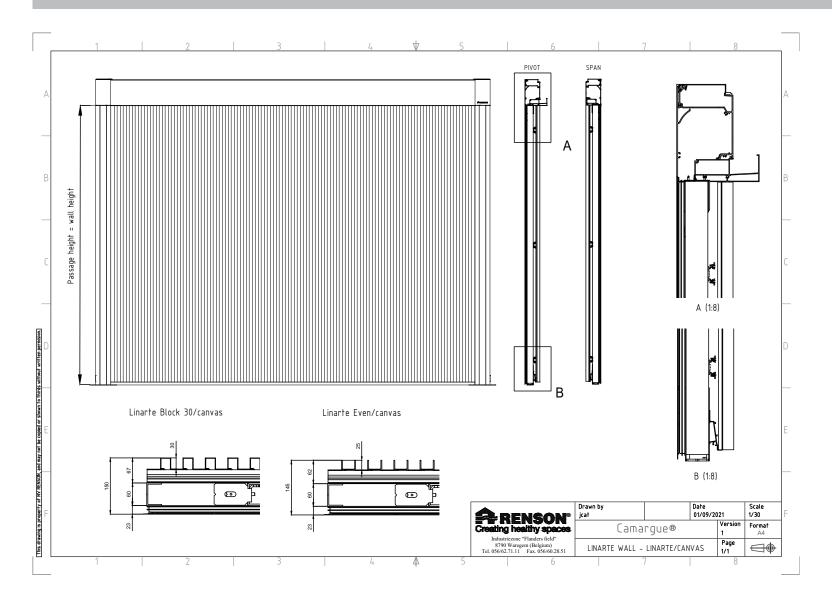
Download this drawing DWG

Camargue - LINIUS WALL - DOUBLE SIDED AS RAILING



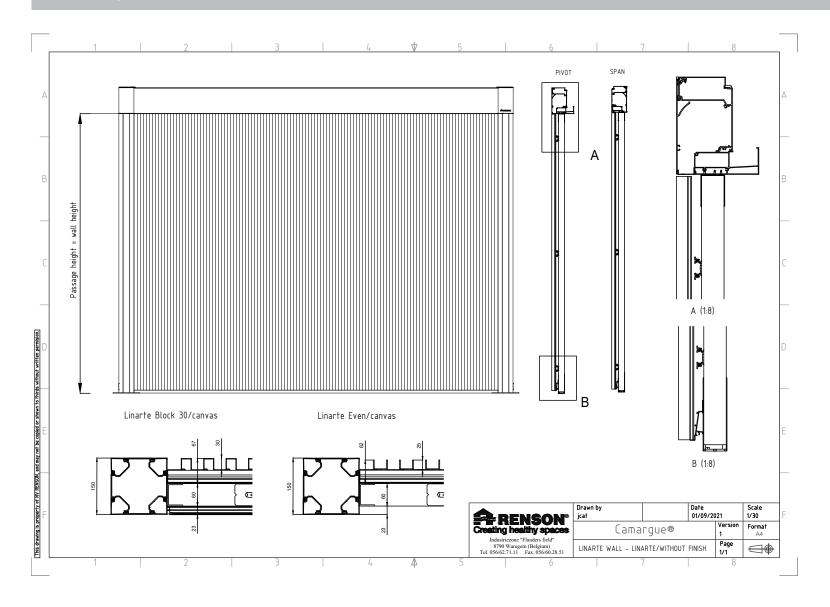


Camargue - LINARTE WALL - LINARTE/CANVAS



Download this drawing DWG

Camargue - LINARTE WALL - LINARTE/WITHOUT FINISH



Download this drawing DWG



July 13, 2023

RE: Garchik Residence-Renson Installation

2474 S. Ocean Blvd.

Highland Beach, FL 33487

To Whom It May Concern:

Cronin Engineering has been retained to review a Renson installation at 2474 S. Ocean Blvd. Highland Beach, FL 33487 being performed by *GWT Outdoors*. Supplied drawings, by *GWT Outdoors*, are attached and are marked up per this letter's anchorage requirements. The column connection to a foundation by others, a 6" concrete slab is expected, is required to be (4) 3/8" Ø by 5" Power wedge-Bolt + per column, at each available column.

Wind load calculations per ASCE 7-16 Chapter 27

Open Structure

Site Address: 2474 S. Ocean Blvd. Highland Beach, FL 33487

• Risk Cat: 2

• Exposure: D

Wind Speed: 169 MPH

• Ultimate wind pressure;

o Roof: 46.2 PSF

o Wall: 43.5 PSF



Digitally signed by Derek Cronin

Date: 2023.07.13 16:40:10

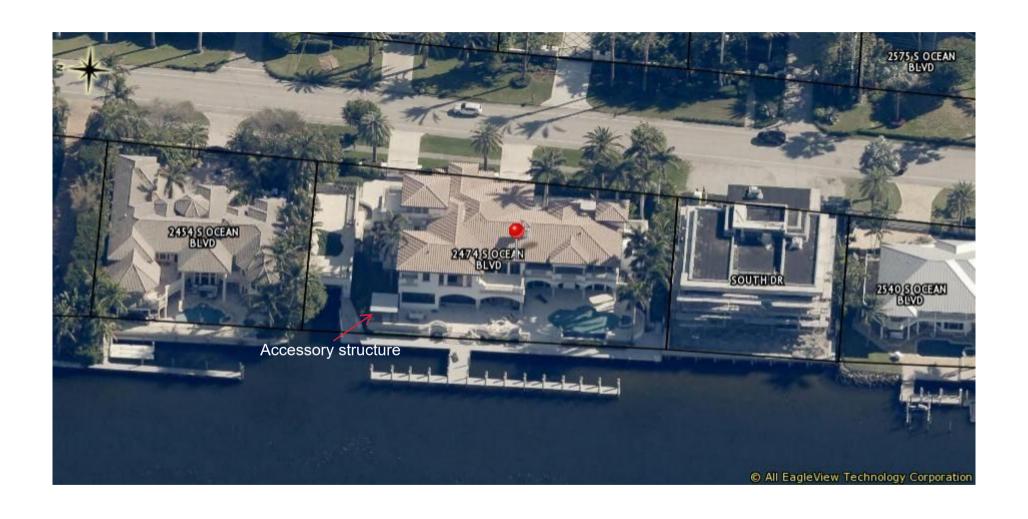
-04'00'

Derek P. Cronin, PE Principal

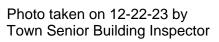
0025943001000.162903_Camargue 2 Configurator

13dd-c0ef-40d7-8170-20f785c918af

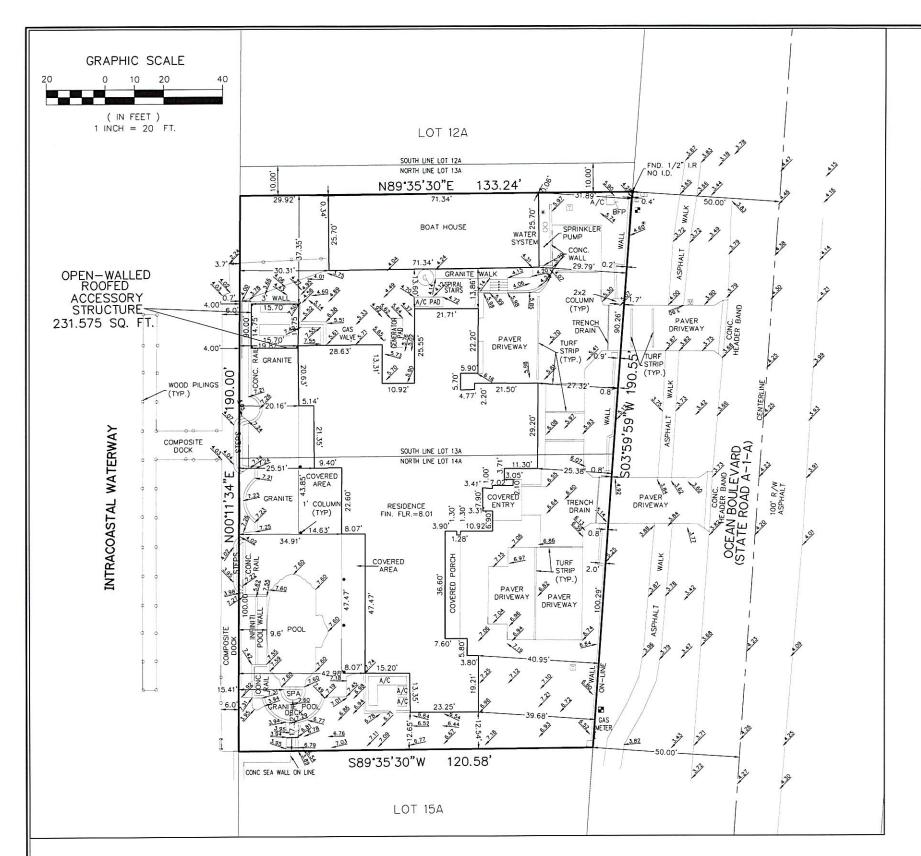
2474 South Ocean Boulevard











LEGEND

A/C - AIR CONDITIONER
L - ARC LENGTH
ALUM. - ALUMINUM
B.E. - BUFFER EASEMENT
- CLEANOUT
CLF - CHAIN LINK FENCE
CONC. - CONCRETE
COV. COVERED
- DE DE DE LONGE FASSMENT

COVERED

- DRAINAGE EASEMENT

- ELECTRIC

- ELEVATION

'. — EQUIPMENT

- EASEMENT

- EXISTING

EXIST. — EXISTING
F.P.L.—FLORIDA POWER & LIGHT
FIN. — FINISHED
FLR. — FLOOR
FND. — FOUND I.R./CAP - IRON ROD & CAF

I.K., CAP - IKON ROD & CAP
INV. - INVERT
IRR. - IRRIGATION
NO I.D. - NO IDENTIFICATION
O.R.B. - OFFICIAL RECORD BOOK
PLS - PROFESSIONAL LAND SURVEYOR
P.B. - PLAT BOOK
P.B. C.R. - PALM BEACH COUNTY RECORD
P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT
P.OS - PAGE/S

PGS - PAGE(S) - PROMINENCE MONUMENT PROP - PROPOSED R - RADIUS R/W - RIGHT-OF-WAY

- DELTA (CENTRAL ANGLE)

SQ. FT. — SQUARE FEET TWP. — TOWNSHIP TYP. — TYPICAL - TOWNSHIP
- TYPICAL
- UTILITY EASEMENT
- WATER METER - WATER EASEMENT - SANITARY EASEMENT - LIGHT POLE

💢 - FIRE HYDRANT

Ⅲ - CATCH BASIN - WATER VALVE O - SET 5/8" IR/CAP LB 3591 S - SANITARY MANHOLE

D - DRAINAGE MANHOLE - WOOD POWER POLE (UNLESS NOTED) RECEIVED

AUG 28 2024

IIGHLAND BEACH

BUILDING DEPARTMENT

C - CENTER LINE

- EXISTING ELEVATION

- TRAFFIC SIGN OHW - - ELECTRICAL WIRES OVERHEAD ← - ANCHOR

■ - WATER METER - REDUCED PRSSEURE ZONE ▼ - GROUND LIGHT E - ELECTRIC HAND HOLE

 - IRRIGATION CONTROL VALVE O - GREASE TRAP M.H.

Y - YARD DRAIN

NOTES

SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.

LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.

ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NATIONAL NORTH AMERICAN DATUM OF

BEARINGS SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT), AS DETERMINED BY RTK MEASUREMENTS.

THE 'DESCRIPTION" SHOWN HEREON IS IN ACCORD WITH THE DESCRIPTION PROVIDED BY THE

UNDERGROUND FOUNDATIONS WERE NOT LOCATED.
ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

FLOOD ZONE: "VE" (EL. 10'); COMMUNITY NO. 125111 PANEL NO. 12099C0987F;

ADDRESS: 2474 S. OCEAN BLVD, HIGHLAND BEACH, FLORIDA 33487.

BENCHMARK ORIGIN: PALM BEACH COUNTY BENCHMARK M-310. ELEVATION=5.233 (NAVD 1988)

DESCRIPTION

LOT 13A, LESS THE NORTH 10 FEET THEREOF, AND LOT 14A, BYRD BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 10F THE PUBLIC RECORDS OF PALM BEACH,

SAID LANDS SITUATE IN THE TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 24,111.66 SQ. FT. / 0.553 ACRES.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SPECIFIC PURPOSE SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION ON AUGUST 26, 2022. I FURTHER CERTIFY THAT THIS SPECIFIC PURPOSE SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES Digitally signed by

Jeffrey R. Wagner Date: 2024.05.09 07:48:19 -04'00' Adobe Acrobat version 2024.002.20736

JEFFREY R. WAGNER, PLS REG. LAND SURVEYOR #5302 STATE OF FLORIDA - LB #3591



BYRD BEACH A PORTION OF LOT 13A & 14A BOUNDARY SURVEY

ADDED DIEMSNIONS PER COMMENTS	5/08/2024	ACE
FINAL SURVEY	5/11/2023	RFJ
UPDATE SURVEY	1/14/2023	RFJ
ADDED TOPO ELEVATIONS	9/3/2022	RFJ
REVISIONS	DATE	BY

DATE	8/26/2022	SCALE	1"=20'
FLD.BK.	ELEC.	CHECKED BY	JRW
PAGE	ELEC.		

	10156-1				
	SHT.N	10.	1		
w	OF	1	SHEETS		

Page 53

April 2 2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

RE: Proposed Gazebo at 2474 South Ocean

Dear Ms. Allen:

My name is Bevery DeRos and I own the property located at 2454 5.0 ccan in Highland Beach, which is my primary residence. Stephen and Marla Garchik, who own the home located at 2474 South Ocean Boulevard, have informed me of a gazebo that has been placed in their backyard. I have seen pictures of the gazebo and the Garchiks explained to me that the Town's staff has said that the gazebo must be removed because gazebos are not allowed in the yard. We find it hard to believe that the Town's zoning code does not allow gazebos in yards. Please know that we have no objection to the gazebo and the location where is has been placed.

Bevery S. De Roser

4/1_2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

RE: Proposed Gazebo at 2474 South Ocean

My name is Warles Frou Michael I own the property located at 2444 S. Olean Bhel in Highland Beach, which is my primary residence. Stephen and Marla Garchik, who own the home located at 2474 South Ocean Boulevard, have informed me of a gazebo that has been placed in their backyard. I have seen pictures of the gazebo and the Garchiks explained to me that the Town's staff has said that the gazebo must be removed because gazebos are not allowed in the yard. We find it hard to believe that the Town's zoning code does not allow gazebos in yards. Please know that we have no objection to the gazebo and the location where is has been placed.

Thankyou, Charles + Tracy Warden Charles + Tracy Warden May Warden April 3, , 2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

RE: Proposed Gazebo at 2474 South Ocean

Dear Ms. Allen:

My name is <u>Adrian Stitts</u> and I own the property located at <u>2500 S. Ocean</u> Blvd in Highland Beach, which is my primary residence. Stephen and Marla Garchik, who own the home located at 2474 South Ocean Boulevard, have informed me of a gazebo that has been placed in their backyard. I have seen pictures of the gazebo and the Garchiks explained to me that the Town's staff has said that the gazebo must be removed because gazebos are not allowed in the yard. We find it hard to believe that the Town's zoning code does not allow gazebos in yards. Please know that we have no objection to the gazebo and the location where is has been placed.

4-3, 2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

RE: Proposed Gazebo at 2474 South Ocean

Dear Ms. Allen:

My name is <u>Coope</u> <u>Back</u> Jand I own the property located at <u>2434</u> <u>South</u> or in Highland Beach, which is my primary residence. Stephen and Marla Garchik, who own the home located at 2474 South Ocean Boulevard, have informed me of a gazebo that has been placed in their backyard. I have seen pictures of the gazebo and the Garchiks explained to me that the Town's staff has said that the gazebo must be removed because gazebos are not allowed in the yard. We find it hard to believe that the Town's zoning code does not allow gazebos in yards. Please know that we have no objection to the gazebo and the location where is has been placed.

April 2 2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

RE: Proposed Gazebo at 2474 South Ocean

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My name is Bevery DeRos and I own the property located at 2454 5.0 Geom in Highland Beach, which is my primary residence. Stephen and Marla Garchik, who own the home located at 2474 South Ocean Boulevard, have informed me of a gazebo that has been placed in their backyard. I have seen pictures of the gazebo and the Garchiks explained to me that the Town's staff has said that the gazebo must be removed because gazebos are not allowed in the yard. We find it hard to believe that the Town's zoning code does not allow gazebos in yards. Please know that we have no objection to the gazebo and the location where is has been placed.

Bevery S. De Roser

4/1_2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

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Thankyou, Charles + Tracy Warden Charles + Tracy Warden May Warden 4-1 2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

Dear Ms. Allen:

RE: Proposed Gazebo at 2474 South Ocean

My name is An A FINE and I own the property located at A South Sound in Highland Beach, which is my primary residence. Stephen and Marla Garchik, who own the home located at 2474 South Ocean Boulevard, have informed me of a gazebo that has been placed in their backyard. I have seen pictures of the gazebo and the Garchiks explained to me that the Town's staff has said that the gazebo must be removed because gazebos are not allowed in the yard. We find it hard to believe that the Town's zoning code does not allow gazebos in yards. Please know that we have no objection to the gazebo and the location where is has been placed.

4-1,2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

RE: Proposed Gazebo at 2474 South Ocean

April 4, 2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

RE: Proposed Gazebo at 2474 South Ocean

Dear Ms. Allen:

My name is Karen Zuckerman and I own the property located at 2575 S Ocean Blvd, 103s in Highland Beach, which is my primary residence. Stephen and Marla Garchik, who own the home located at 2474 South Ocean Boulevard, have informed me of a gazebo that has been placed in their backyard. I have seen pictures of the gazebo and the Garchiks explained to me that the Town's staff has said that the gazebo must be removed because gazebos are not allowed in the yard. We find it hard to believe that the Town's zoning code does not allow gazebos in yards. Please know that we have no objection to the gazebo and the location where is has been placed.

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

Proposed Gazebo at 2474 South Ocean

Dear Ms. Allen: My name is Rosalyn Vellin and I own the property located at 2640 Socean Blvd. in Highland Beach, which is my primary residence. Stephen and Marla Garchik, who own the Highland Beach, who own the Beach home located at 2474 South Ocean Boulevard, have informed me of a gazebo that has been placed in their backyard. I have seen pictures of the gazebo and the Garchiks explained to me that the Town's staff has said that the gazebo must be removed because gazebos are not allowed in the yard. We find it hard to believe that the Town's zoning code does not allow gazebos in yards. Please know that we have no objection to the gazebo and the location where is has been placed.

Resalem Gellien

April, 5, 2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

RE: Proposed Gazebo at 2474 South Ocean

Dear Ms. Allen:

My name is Deborah Muller and I own the property located at 2375 S. Ocean Bluk, in Highland Beach, which is my primary residence. Stephen and Marla Garchik, who own the home located at 2474 South Ocean Boulevard, have informed me of a gazebo that has been placed in their backyard. I have seen pictures of the gazebo and the Garchiks explained to me that the Town's staff has said that the gazebo must be removed because gazebos are not allowed in the yard. We find it hard to believe that the Town's zoning code does not allow gazebos in yards. Please know that we have no objection to the gazebo and the location where is has been placed.

4/3 , 2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

RE: Proposed Gazebo at 2474 South Ocean

My name is Nosalyn Vellin and I own the property located at 2640 Socean Blvd in Highland Beach, which is my primary residence. Stephen and Marla Garchik, who own the home located at 2474 South Ocean Boulevard, have informed me of a gazebo that has been placed in their backyard. I have seen pictures of the gazebo and the Garchiks explained to me that the Town's staff has said that the gazebo must be removed because gazebos are not allowed in the yard. We find it hard to believe that the Town's zoning code does not allow gazebos in yards. Please know that we have no objection to the gazebo and the location where is has been placed.

Resalem Gellien

D--- 05

April, 5, 2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

RE: Proposed Gazebo at 2474 South Ocean

Dear Ms. Allen:

My name is Deborah Muller and I own the property located at 2375 S. Ocean Bluk, in Highland Beach, which is my primary residence. Stephen and Marla Garchik, who own the home located at 2474 South Ocean Boulevard, have informed me of a gazebo that has been placed in their backyard. I have seen pictures of the gazebo and the Garchiks explained to me that the Town's staff has said that the gazebo must be removed because gazebos are not allowed in the yard. We find it hard to believe that the Town's zoning code does not allow gazebos in yards. Please know that we have no objection to the gazebo and the location where is has been placed.

April 8, 2024

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487

RE: Proposed Gazebo at 2474 South Ocean

Dear Ms. Allen:

My name is Victoria 6. Sounds and I own the property located at 2445 6 Down Blod in Highland Beach, which is my primary residence. Stephen and Marla Garchik, who own the home located at 2474 South Ocean Boulevard, have informed me of a gazebo that has been placed in their backyard. I have seen pictures of the gazebo and the Garchiks explained to me that the Town's staff has said that the gazebo must be removed because gazebos are not allowed in the yard. We find it hard to believe that the Town's zoning code does not allow gazebos in yards. Please know that we have no objection to the gazebo and the location where is has been placed.

Victoria B. Duurders

Town of Highland Beach Town Commission Development Order (BOAA) Application No. PZ-24-11



Applicant: Stephen & Marla Garchik / Michael Marshall

Property Address: 2474 S. Ocean Blvd

Highland Beach, Florida 33487

CERTIFICATE OF MAILING AFFIDAVIT

I hereby certify that the Town Clerk's Office mailed a copy of the Notice of Public Hearing (Exhibit A) for Application No.PZ-24-11 for the property located at 2474 S. Ocean Blvd., Highland Beach, Florida 33487, by U.S. first-class and international mail to:

All property owners and properties owned by a condominium association president and the association's registered agent within 500 feet of the property located at 2474 S. Ocean Blvd, Highland Beach, Florida 33487.

The mailings consisted of $\underline{24}$ notices that were sent first class mail and $\underline{00}$ notices that were sent by International Mail.

This <u>28th</u> day of <u>October</u> 2024.

Highland Beach Town Clerk's Office

Jaclyn DeHart Deputy Town Clerk



TOWN OF HIGHLAND BEACH NOTICE OF PUBLIC HEARING APPLICATION NO. PZ-24-11

Dear Property Owner:

This is to notify you that the **BOARD OF ADJUSTMENT AND APPEALS** of the Town of Highland Beach will conduct a public hearing on *Tuesday, November 12, 2024 at 10:00 AM* in the Commission Chambers at Town Hall located at 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following application:

APPLICATION BY MICHAEL MARSHALL, ESQ., FOR A VARIANCE TO ALLOW A REDUCTION IN THE REAR SETBACK, AS PROVIDED IN SECTION 30-64 OF THE TOWN CODE OF ORDINANCES, FROM THE REQUIRED TWENTY (20) FEET TO FOUR (4) FEET IN ORDER TO ACCOMMODATE AN OPEN-WALLED ROOFED ACCESSORY STRUCTURE FOR THE PROPERTY LOCATED AT 2474 SOUTH OCEAN BOULEVARD.

The application is available for inspection in the Town Clerk's Office at Town Hall, Monday through Friday during normal business hours of 8:30 a.m. to 4:30 p.m.

Any person that decides to appeal any decision made by the Board of Adjustment and Appeals with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is based. The Town of Highland Beach does not provide such a record.

In accordance with the Americans with Disabilities Act, persons who need special accommodation to attend or participate in this meeting should contact the Town Clerk's Office at (561) 278-4548 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 or 1-800-955-8771.

For additional information, please contact the Town Planner at (561) 278-4540.

TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT

SUN-SENTINEL

Sold To:

Town of Highland Beach - CU00398185 3614 So. Ocean Blvd. Highland Beach,FL 33487

Bill To:

Town of Highland Beach - CU00398185 3614 So. Ocean Blvd. Highland Beach,FL 33487

Published Daily Fort Lauderdale, Broward County, Florida Boca Raton, Palm Beach County, Florida Miami, Miami-Dade County, Florida

State Of Florida County Of Orange

Before the undersigned authority personally appeared

Rose Williams, who on oath says that he or she is a duly authorized representative of the SUN-SENTINEL, a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of 11720-Notice of Public Meeting , Was published in said newspaper by print in the issues of, and by publication on the newspaper's website, if authorized on Nov 02, 2024 SSC_Notice of Public Meeting Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50, Florida Statutes.

Signature of Affiant

Sworn to and subscribed before me this: November 04, 2024.

Signature of Notary Public

Notary Public State of Florida Leanne Rollins My Commission HH 500022 Expires 4/27/2028

Kelline Rollins

Name of Notary, Typed, Printed, or Stamped Personally Known (X) or Produced Identification ()

Affidavit Delivery Method: E-Mail
Affidavit Email Address: jdehart@highlandbeach.us
7715213

TOWN OF HIGHLAND BEACH NOTICE OF PUBLIC HEARING

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TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT 11/02/2024 7715213

Order # - 7715213

SUN-SENTINEL