

AGENDA

PLANNING BOARD REGULAR MEETING



Thursday, January 08, 2026 AT 9:30 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. December 11, 2025

7. **UNFINISHED BUSINESS**

8. **NEW BUSINESS**

A. Development Order Application No. P-25-35 / Andrew Megibow

Application by Ileen Gonzalez, Breezy Permits, LLC, requesting a special exception to install a 30,000 pound capacity boat lift in slip #10 for the property located at 2727 South Ocean Boulevard #902.

B. Development Order Application No. P-25-36 / David Drettmann

Application by Ileen Gonzalez, Breezy Permits, LLC, requesting a special exception to install a 30,000 pound capacity boat lift in slip #9 for the property located at 2727 South Ocean Boulevard #503.

C. Discussion on increasing the maximum square footage requirements for permanent signs.

9. ANNOUNCEMENTS

February 03, 2026	1:30 PM	Town Commission Meeting
February 12, 2026	9:30 AM	Planning Board Meeting

10. ADJOURNMENT

NOTICE: *If a person decides to appeal any decision made by the Town Commission with respect to any matter considered at this meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript). There may be one or more Town Commissioners attending the meeting.*

Pursuant to the provision of the Americans with Disabilities Act, any person requesting special accommodations to participate in these meetings, because of a disability or physical impairment, should contact the Town at 561-278-4548 at least five calendar days prior to the Hearing.

File Attachments for Item:

A. December 11, 2025



TOWN OF HIGHLAND BEACH PLANNING BOARD REGULAR MEETING MINUTES

Town Hall Commission Chambers
3614 South Ocean Boulevard
Highland Beach, Florida 33487

Date: December 11, 2025
Time: 9:30 AM

1. CALL TO ORDER

Chairperson Mendelson called the meeting to order at 9:30 A.M.

2. ROLL CALL

Board Member Greg Babij
Board Member Roger Brown
Board Member David Powell
Board Member Evalyn David
Board Member David Axelrod
Chairperson Ilyne Mendelson
Town Attorney Leonard Rubin
Deputy Town Clerk Jaclyn DeHart

ADDITIONAL STAFF PRESENT

Town Planner Ingrid Allen

ABSENT

Vice Chairperson Eve Rosen

3. PLEDGE OF ALLEGIANCE

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

4. APPROVAL OF THE AGENDA

MOTION: David/Axelrod - Moved to approve the agenda as presented which passed,
6 to 0.

5. SWEARING IN OF THE PUBLIC

Deputy Town Clerk Jaclyn DeHart swore in those giving testimony.

6. APPROVAL OF MINUTES

A. November 13, 2025

Motion: David/Axelrod - Moved to approve the minutes as presented which passed 6 to 0.

7. UNFINISHED BUSINESS

A. None

8. NEW BUSINESS

A. Development Order Application No. PZ-25-37 / Michael Kaczynski

Application by William Thomas, Unlimited Permit Services, Inc. requesting a special exception to install a 20,000 pound capacity boat lift in Slip #1 for the property located at 3912 South Ocean Boulevard, 1415.

Chairperson Mendelson read the title of the item and asked the Board Members if they had any ex parte communications to disclose. The Members had no ex parte communications.

Chairperson Mendelson opened the public hearing and called Town Planner Allen to present the application.

Town Planner Allen presented Development Order Application No. PZ-25-37.

The unit owner was present.

William Thomas, agent, provided comments on the application in regard to the size of the boat.

There were no public comments

The Board discussed the application.

The public hearing was closed followed by a motion.

MOTION: Mendelson/David - Moved to approve Development Application No. PZ-25-37. Based upon roll call: Chairperson Mendelson (Yes); Member David (Yes); (Yes); Member Babij (Yes); Member Brown (Yes); Member Powell (Yes); and Member Axelrod (Yes). The motion passed on a 6 to 0 vote.

B. Proposed ordinance providing Reasonable Accommodation Procedure for Certified Recovery Residences.

Town Attorney Rubin introduced the Proposed Ordinance.

The board discussed the Proposed Ordinance.

Motion: David/Axelrod – Moved to recommend enacting the ordinance as presented. The motion passed on a 6 to 0 vote.

C. Consideration of the 2026 Proposed Planning Board Meeting Dates.

Motion: Mendelson/David - Moved to approve the 2026 Planning Board dates as presented which passed 6 to 0.

9. ANNOUNCEMENTS

January 06, 2026	1:30 PM	Town Commission Meeting
January 08, 2026	9:30 AM	Planning Board Meeting

10. ADJOURNMENT

The meeting adjourned at 10:02 AM.

APPROVED on January 08, 2026, Planning Board Regular Meeting.

Ilyne Mendelson, Chairperson

ATTEST:

Transcribed by:
Jaclyn DeHart, Deputy Town Clerk

Jaclyn DeHart
Deputy Town Clerk

01/08/2026

Date

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the event of this meeting. Verbatim audio/video recordings are permanent records and are available on the Town’s Media Archives & Minutes webpage: <https://highlandbeach-fl.municodemeetings.com/>.

File Attachments for Item:

A. Development Order Application No. P-25-35 / Andrew Megibow

Application by Ileen Gonzalez, Breezy Permits, LLC, requesting a special exception to install a 30,000 pound capacity boat lift in slip #10 for the property located at 2727 South Ocean Boulevard #902.



HIGHLAND BEACH BUILDING DEPARTMENT

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

PLANNING BOARD STAFF REPORT

MEETING OF: **JANUARY 8, 2026**

TO: **PLANNING BOARD**

FROM: **INGRID ALLEN, TOWN PLANNER**

SUBJECT: **APPLICATION BY ILEEN GONZALEZ, BREEZY PERMITS, LLC,
REQUESTING A SPECIAL EXCEPTION TO INSTALL A 30,000
POUND CAPACITY BOAT LIFT IN SLIP #10 FOR THE PROPERTY
LOCATED AT 2727 SOUTH OCEAN BOULEVARD #902.
(APPLICATION NO. PZ-25-35)**

I. GENERAL INFORMATION:

Applicant (Property Owner): Andrew Megibow
2727 South Ocean Boulevard #902
Highland Beach, FL 33487

Applicant's Agent: Ileen Gonzalez
Breezy Permits, LLC
128 E. Central Boulevard
Lantana, Fl. 33462

Property Characteristics:

Comprehensive Plan Land Use: Multi Family Low Density

Zoning District: West Side: Residential Single Family (RS)
East Side: Residential Multiple Family Medium Density (RMM)

Parcel Control Number: 24-43-46-28-51-000-0902

Request and Analysis:

The Applicant is requesting a special exception to install an eight-post 30,000 pound capacity boat lift in Slip No. 10 of the Villa Magna marina. The request is on behalf of the property owner residing

at 2727 South Ocean Boulevard #902. According to the Applicant, a previous four-post 24,000 pound capacity lift located in Slip No. 10 was removed. A Town Code violation for work without a permit was issued by the Town Code Compliance Officer (#CC-25-508).

The Applicant obtained both Florida Department of Environmental Protection (File No. 50-0051096-008-EE) and US Army Corps of Engineers (File No. SAJ-2025-02182) authorization for the above-referenced boat lift.

According to the Applicant's boat lift section view (sheet 1) the top of the lift measures approximately 6 feet from the existing top of seawall/existing dock. The Applicant has not dimensioned the superstructure of the boat on the section view (this is not a requirement of the Town Code). That said and at the request of Town staff, the Applicant has included a note on sheet 1 that references compliance with the boat lift definition found in Section 30-131 of the Town Code (see below).

Boat lifts means the bottom of the keel of any boat shall not be hoisted greater than one foot above the existing seawall elevation. In no case shall the lift be higher than the superstructure of the boat when lifted.

Note that the Villa Magna marina accommodates perpendicular docking of vessels. The following perpendicular docking regulations are found in Section 30-68(g)(7) of the Town Code:

Perpendicular docking. Unless otherwise provided herein, boats shall not be moored or docked perpendicular to the property at which they are located.

a. boat moored at the landward end of a canal constructed for boat docking purposes may be moored perpendicular to the property line, provided such mooring does not impede the navigation of adjacent property owners.

b. A boat moored in the Intracoastal Waterway may be moored perpendicular to the property line, subject to approval by the U.S. Army Corps of Engineers.

c. A request for perpendicular docking of a boat in a canal shall be considered as a special exception by the planning board. Applications for development order approval of perpendicular docking of boats shall be subject to all standards applicable to a special exception request, and the additional criteria contained herein:

1. Location of docks, docked boats, and relation to side setbacks shall be established by the waterward extension of property lines.

2. Perpendicular docking of boats shall not interfere with navigation of other boats within the affected canal, and will not be a hazard to navigation.

3. Perpendicular docking of boats shall comply with all setbacks required for accessory marine facilities.

4. Docks or accessory mooring facilities approved by the planning board for perpendicular docking of boats may exceed the maximum extension into a waterway allowed for accessory marine facilities.

5. The building official or planning board may request evidence, prepared by a recognized marine expert, demonstrating the following:

- i. Proposed perpendicular docking and related accessory marine facilities will not reasonably deny or otherwise limit the ability of abutting or adjacent property owners to construct accessory marine facilities;*
- ii. Proposed perpendicular docking and related accessory marine facilities will not reasonably deny or otherwise limit the normal ability of abutting or adjacent property owners to moor, maneuver, use or otherwise move a boat; and*
- iii. Proposed perpendicular docking and related accessory marine facilities will not deny reasonable visual access of abutting property owners to public waterways.*

Section 30-67(b) of the Town Code states that boat lifts require special exception approval by the Planning Board. Section 30-36(a) of the Town code states that the Planning Board may approve, approve with conditions, or deny a request for special exception relating to accessory marine facilities including boat lifts.

If the Planning Board approves the request, the Applicant will be required to obtain a building permit from the Town of Highland Beach Building Department following such approval and prior to initiation of construction. Pursuant to Section 30-21(g) of the Town Code, commencement of construction shall be initiated within two (2) years following the date of approval by the Planning Board.

Staff reviewed the Applicant's proposed request to include plan set, date stamped received by the Building Department on December 16, 2025, and finds that it is consistent with the special exception provisions of Section 30-36 of the Town Code, were applicable, and consistent with the Town Comprehensive Plan and Code of Ordinances.

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

Attachments: Application
Aerials
FDEP approval
ACOE approval
HOA approval
Applicant Plans (11X17)



TOWN OF HIGHLAND BEACH DEVELOPMENT ORDER APPROVAL APPLICATION

PROPERTY INFORMATION ASSOCIATED WITH THIS APPLICATION	
Address: 2727 S OCEAN BLVD #902, HIGHLAND BEACH FL, 33487	PCN: 24-43-46-28-51-000-0902
Full Legal Description of the Property [as described in the deed] or reference to an attachment: VILLA MAGNA COND UNIT 902	
Zoning District: RMM—MULTI-FAMILY MEDIUM-DENSITY (24-HIGHLAND-BEACH)	What is the location of the installation? <input checked="" type="checkbox"/> Intracoastal Waterway (ICW) <input type="checkbox"/> Interior Canal/Basin <input type="checkbox"/> N/A

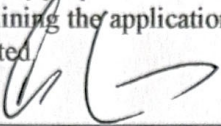
PROPERTY OWNER (APPLICANT) INFORMATION		
Name: ANDREW MEGIBOW	Phone: 917-667-0881	Fax:
Mailing Address: 2727 S OCEAN BLVD UNIT 902, HIGHLAND BEACH FL, 33483		
Email Address: ANDREW@MEGIBOW.NET		

APPLICANT'S AGENT INFORMATION		
Name: ILEEN GONZALEZ	Phone: 561-581-0141	Fax:
Company Name: BREEZY PERMITS, LLC		
Mailing Address: 128 E CENTRAL BLVD, LANTANA FL, 33462		
Email Address: INFO@BREEZYPERMITS.COM		

Provide a detailed description of the proposed project (use additional pages if necessary):

PREVIOUS 24K 4 POST DECO LIFT WITH 4 12" WOOD PILINGS WAS REMOVED
 WITH NO PERMIT DUE TO SAFETY CONCERNS AND ISSUED A VIOLATION.
 WE ARE PROPOSING TO INSTALL NEW 30K 8 POST AMF BOAT LIFT ON 8 10"
 WOOD PILINGS ON SLIP #10

I give permission to the members of the Town Commission, Planning Board 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. Willful false statements may jeopardize the validity of my application or any decision issued thereon. I have fully read the information outlining the application requirements. With this application, I am submitting the necessary supporting materials listed.

Property Owner's Signature:  Date: 6/16/2025

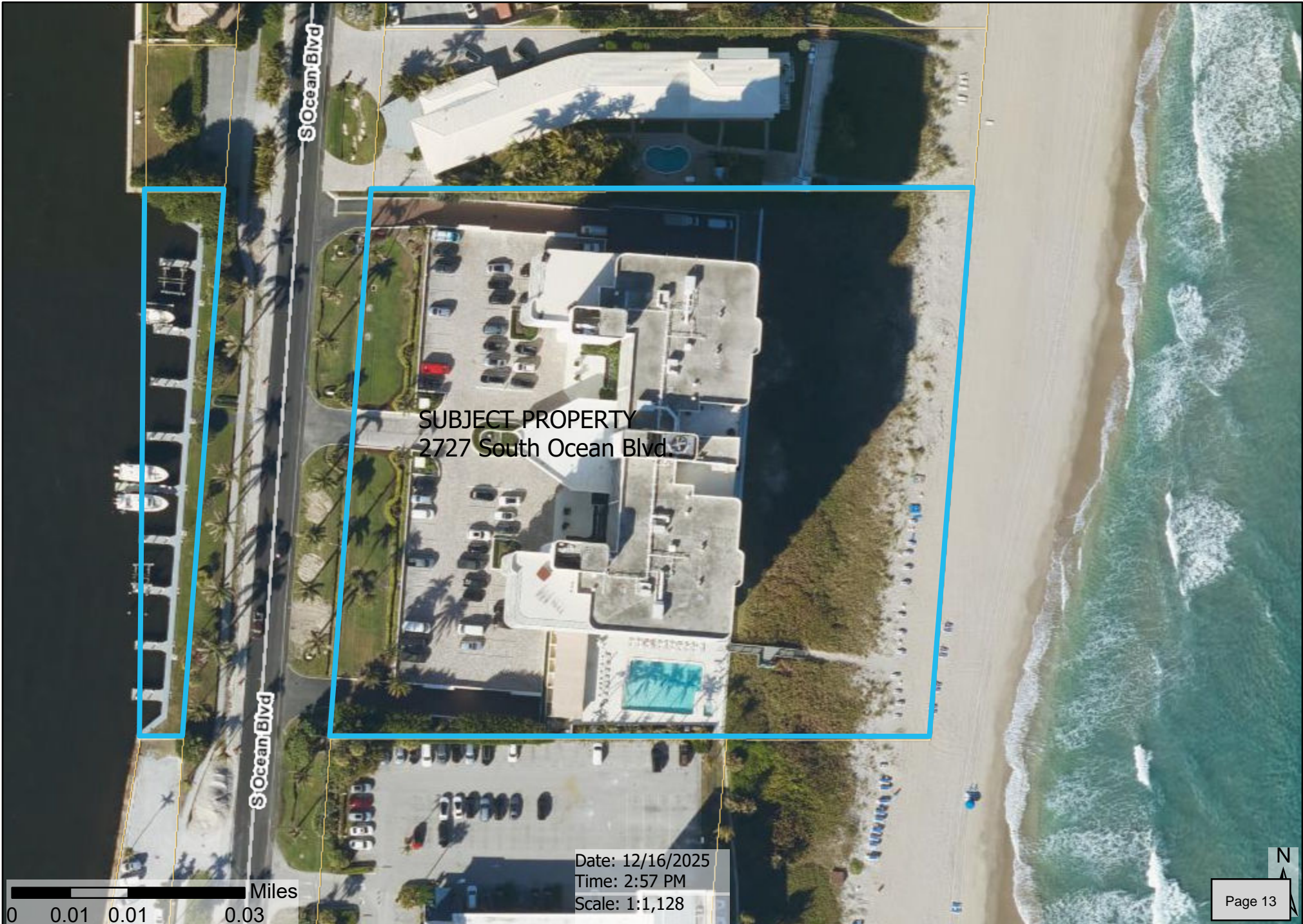
Property Owner's Printed Name ANDREW MEGIBOW

Received by the Town Clerk's Office:

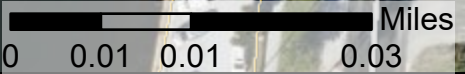
Received By: _____ Date: _____

Date Public Notices Mailed: _____

Date Legal Advertisement Published: _____

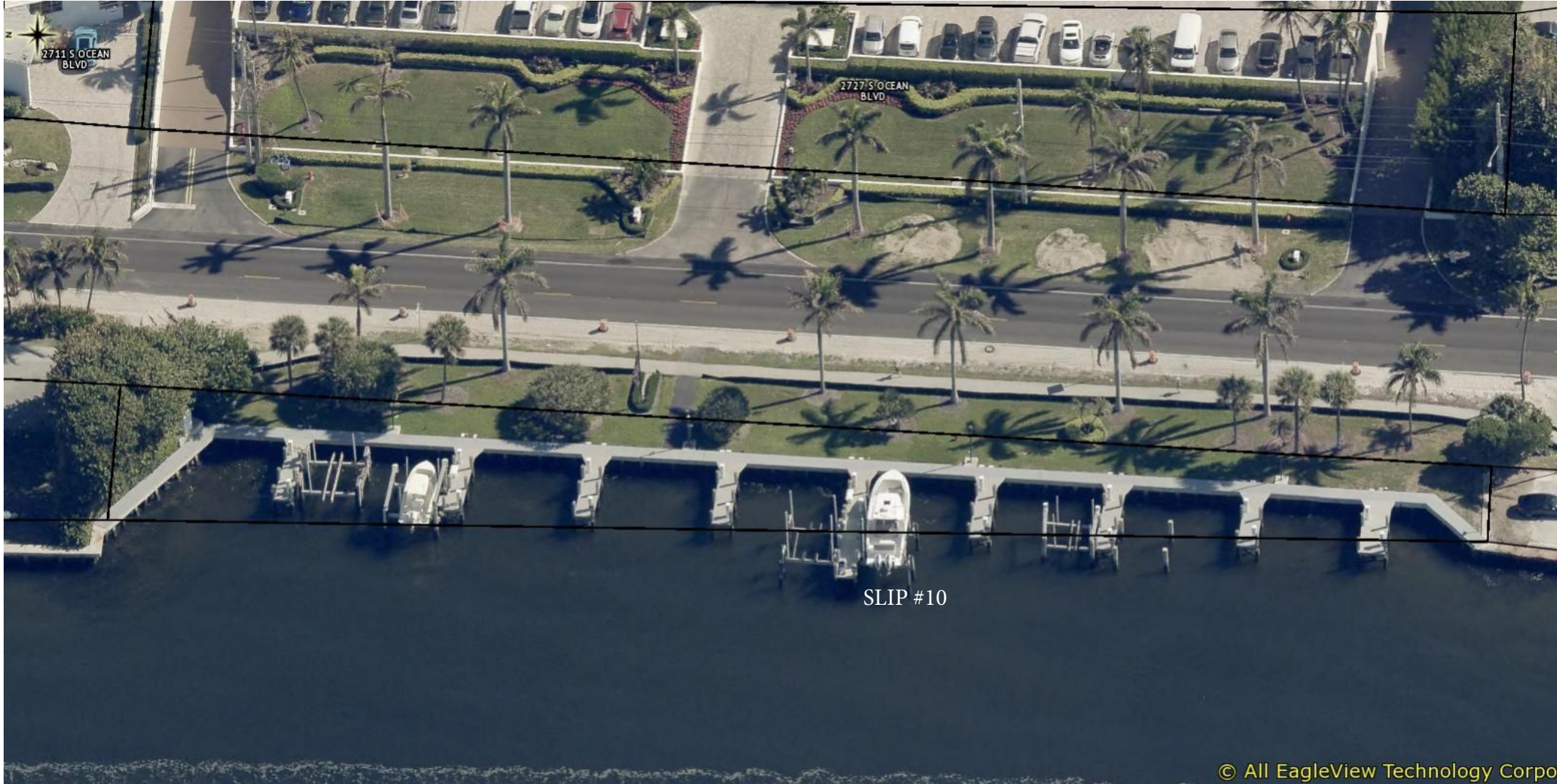


SUBJECT PROPERTY
2727 South Ocean Blvd.



Date: 12/16/2025
Time: 2:57 PM
Scale: 1:1,128

2727 South Ocean Blvd



© All EagleView Technology Corpo

Breezy Permits <info@breezypermits.com>

12/2/2025 5:29 PM

Re: MEGIBOW BOAT LIFT REPLACEMENT 50-0051096-008-EE

To Caroline Richardson <caroline.richardson@floridadep.gov>

Good afternoon,

Thank you for confirming!

On 12/02/2025 10:15 PM SAST Richardson, Caroline <caroline.richardson@floridadep.gov> wrote:

Correct, this would still be considered as exempt from needing a permit.



Caroline Richardson
Environmental Specialist II
Florida Department of Environmental Protection
Southeast District – West Palm Beach
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
Office: 561-681-6625
Caroline.Richardson@FloridaDEP.gov

From: Breezy Permits <info@breezypermits.com>
Sent: Wednesday, November 19, 2025 8:51 AM
To: Richardson, Caroline <Caroline.Richardson@FloridaDEP.gov>
Subject: Re: MEGIBOW BOAT LIFT REPLACEMENT 50-0051096-008-EE

EXTERNAL MESSAGE

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Good morning Caroline,

I've been working with the local building department to go through their Developmental Review Process and throughout this process we ended up slightly changing the plans to span the pilings 14' rather than the 18' shown on the originally approved plan set.

Can you please provide me with an email stating that this does not change anything with our approval? This town is very strict with having everything match. I attached the final plan set for your reference if needed.

Thank you for your time with this.

On 07/30/2025 2:07 PM EDT Richardson, Caroline <caroline.richardson@floridadep.gov> wrote:

Thank you!



FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis
Governor

Alexis A. Lambert
Secretary

Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

July 31, 2025

Andrew Megibow
2727 S Ocean Blvd
Highland Beach, FL 33487
Sent via e-mail: ANDREW@MEGIBOW.NET

Re: File No.: 50-0051096-008-EE
File Name: MEGIBOW BOAT LIFT REPLACEMENT

Dear Andrew Megibow:

On June 18, 2025, we received your request for verification of exemption to perform the following activities: (1) to install a pile supported boat lift at an existing slip. The project is located in the Intracoastal Waterway, Class III Waters, adjacent to 2727 S Ocean Blvd, Highland Beach (Section 28, Township 46 South, Range 43 East), in Palm Beach County (Latitude N 26°25'30.4648, Longitude W 80°3'51.3023).

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the federal authorization of this verification request. **Additional authorization must be obtained prior to commencement of the proposed activity.** This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Caroline Richardson at the letterhead address or at Caroline.Richardson@FloridaDEP.gov.

1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has verified that the activity as proposed is exempt, under Chapter 62-330.051 (5)(h), Florida Administrative Code, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review- NOT REQUIRED

The activity does not require further authorization under chapter 253 of the Florida Statutes, or chapters 18-20 or 18-21 of the Florida Administrative Code.

3. Federal Review - NOT APPROVED

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using their APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

Authority for review - an agreement with the USACOE entitled “Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit”, Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the

presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in Palm Beach County, Florida

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



John Tracey
Environmental Manager
Southeast District

Enclosures:

Attachment A- Specific Exemption Rule
Project drawings, 2 pages

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

FDEP –John Tracey, Caroline Richardson
Ileen Gonzalez, Breezy Permits, LLC, info@breezypermits.com

Additional mailings:

Matt Mitchell, Palm Beach County, Environmental Resources, mmitchell@pbcgov.org

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Marietta Burneo Mannucci
Clerk

07/31/2025
Date

Attachment A

Chapter 62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(h) The installation of a pile-supported boat lift within an existing mooring area at a docking facility that is legally in existence, provided:

1. Such installation does not conflict with a condition of a permit issued thereunder;
2. The boat lift does not include additional structures, such as platforms, cat walks, and roofs.

Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History—New 10-1-13, Amended 6-1-18.

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK
2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com/manatee). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



**UNITED STATES DEPARTMENT OF
COMMERCE**

**National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE**

Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

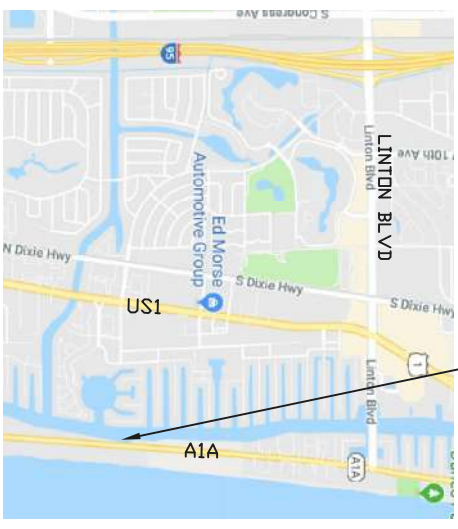
The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.

- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.
- h. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).
- i. Reports to NMFS's Protected Resources Division (PRD) may be made by email to takereport.nmfsser@noaa.gov.
- j. Sea turtle and marine stranding/rescue organizations' contact information is available by region at <http://www.nmfs.noaa.gov/pr/health/networks.htm>.
- k. Smalltooth sawfish encounters shall be reported to <http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html>.
- l. All work must occur during daylight hours.

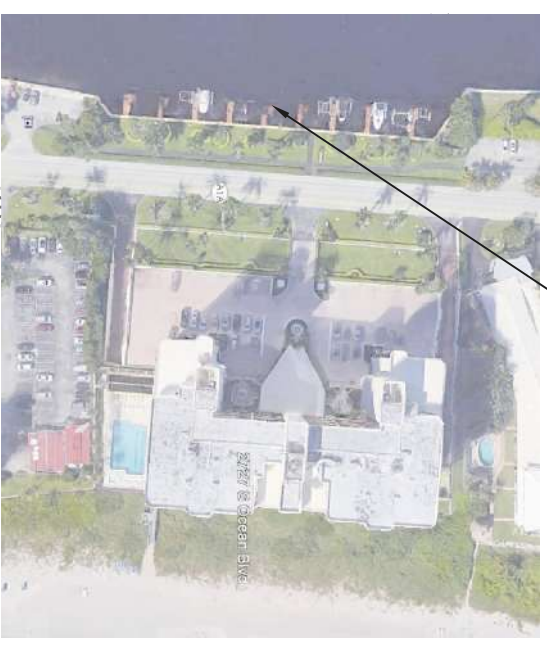


PROJECT LOCATION

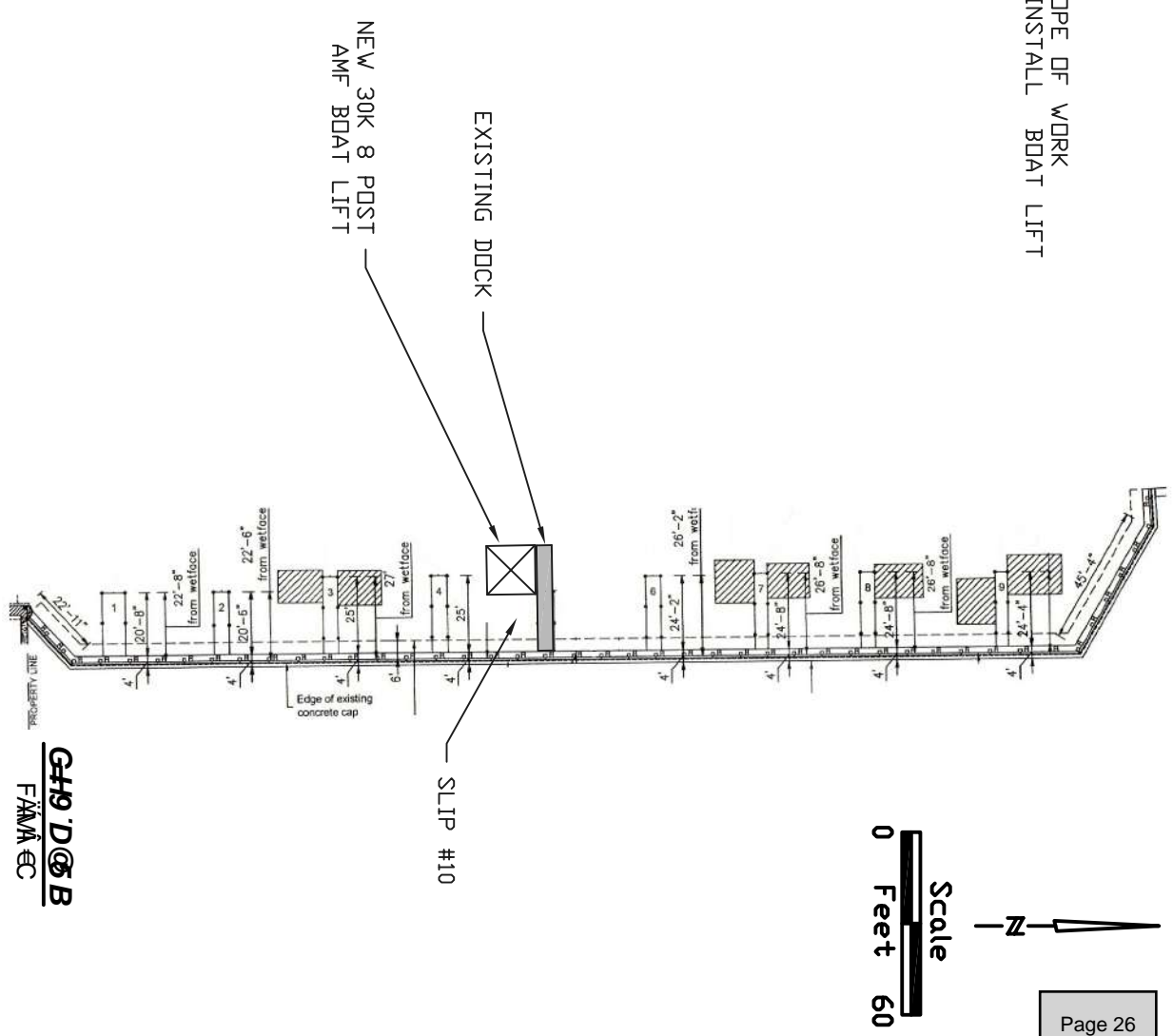


075HCB.A5D

PROJECT SITE

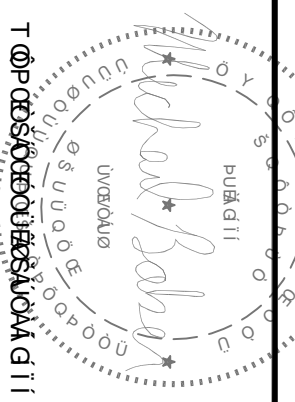


SCOPE OF WORK
1. INSTALL BOAT LIFT



GAH DDB
FANVA EC

59F5 @



HA B Jka \ Ugy wvxb YvVwcbWw mgll bvx Ubx gVUYX
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7000	U O X W P U	U P O O V K A U O K S
8000	U O X W P U	U P O O V K A U O K S
9000	U O X W P U	U P O O V K A U O K S

Pempek, Jonathan C CIV USARMY CESAJ (USA) <jonathan.c.pempek@usace.army.mil>

12/10/2025 10:02 AM

RE: [Non-DoD Source] RE: Drettmann & Megibow Boat Lifts

To Breezy Permits <info@breezypermits.com>

This is fine- please document this on the submitted self cert as a minor deviation upon project completion.

Thank you for this coordination.

V/r

Jonathan Pempek
U.S. Army Corps of Engineers
Jacksonville District
Compliance and Enforcement
(561) 685-1708

From: Breezy Permits <info@breezypermits.com>
Sent: Wednesday, December 10, 2025 9:56 AM
To: Pempek, Jonathan C CIV USARMY CESAJ (USA) <Jonathan.C.Pempek@usace.army.mil>
Subject: [Non-DoD Source] RE: Drettmann & Megibow Boat Lifts

Good morning Jonathan,

We slightly changed the pile spacing from 18' to 14' after going back and forth with the HOA and they're requesting written confirmation that the ACOE is okay with that change. Can you please provide me with this? The lifts are not projecting any further waterward.

On 09/16/2025 3:46 PM EDT Pempek, Jonathan C CIV USARMY CESAJ (USA) <jonathan.c.pempek@usace.army.mil> wrote:

Thanks for notifying me about the mistake. Verification letter is changed to include the 6 post lift plans.

V/r



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207

September 19, 2025

Regulatory Division
South Permits Branch
Compliance and Enforcement Section
SAJ-2025-02182

Andrew Megibow
2727 S Ocean Blvd, Unit #902
Highland Beach, FL 33483

Dear Mr. Megibow:

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit, which the Corps received on August 1, 2025. Your application was assigned file number SAJ-2025-02182. A review of the information and drawings provided indicates that the proposed work would result in the installation of a boat lift with associated pilings and lift hardware to serve an existing single-family residential dock. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located in the Intracoastal Waterway, at 2727 S Ocean Blvd, Unit #902, Highland Beach, Palm Beach County, Florida, within Section 28, Township 46 South, Range 43 East.

This letter verifies your project, as described above and depicted on the enclosed drawings, is authorized by Regional General Permit (RGP) SAJ-20 and any subsequent modifications, if applicable. This RGP authorization is valid until March 28, 2028. If you commence or are under contract to commence this activity before the date that SAJ-20 expires or is revoked, you will have 12 months from the date of the expiration or revocation of SAJ-20 to complete the activity under the present terms and conditions of SAJ-20.

Please access the Corps' Jacksonville District Regulatory Division Source Book web page to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>. Please be aware this Internet address is case sensitive and you will need to enter it exactly as it appears above. Once there, select "General Permits." Then you will need to select the specific SAJ permit noted above.

You must comply with all of the general and special conditions of the RGP, as well as any project-specific conditions included in this letter.

General Conditions:

1. The time limit for completing the work authorized ends on **March 28, 2028.**
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner on the attached transfer form and forward a copy to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Project Specific Special Conditions:

The following project specific special conditions are included with this verification:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:
 - a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

- b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

The Permittee shall reference this permit number on all submittals.

2. **Self-Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the ENG Form 6285, "Certification of Compliance with Department of Army Permit" (located at https://www.publications.usace.army.mil/Portals/76/Eng_Form_6285_2024%20Dec%20FINAL.pdf) and submit it to the Corps.
3. **Cultural Resources/Historic Properties:**
 - a. No structure or work shall adversely affect, impact, or disturb properties listed in the *National Register of Historic Places* (NRHP), or those eligible for inclusion in the NRHP.
 - b. If, during permitted activities, items that may have historic or archaeological origin are observed the Permittee shall immediately cease all activities adjacent to the discovery that may result in the destruction of these resources and shall prevent his/her employees from further removing, or otherwise damaging, such resources. The applicant shall notify both the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333 and the Corps, of the observations within the same business day (8 hours). Examples of submerged historical, archaeological or cultural resources include shipwrecks, shipwreck debris fields (such as steam engine parts, or wood planks and beams), anchors, ballast rock, concreted iron objects, concentrations of coal, prehistoric watercraft (such as log "dugouts"), and other evidence of human activity. The materials may be deeply buried in sediment, resting in shallow sediments or above them, or protruding into water. The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions. Project activities shall not resume without verbal and/or written authorization from the Corps.
 - c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition and, if deemed necessary by the SHPO or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in

accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

- d. In the unlikely event that unmarked human remains are identified on non-federal lands; they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the SHPO and from the Corps.
4. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
5. **Jacksonville District Programmatic Biological Opinion (JAXBO):** Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable project design criteria's (PDCs) contained in the JAXBO, based on the permitted activity. Johnson's seagrass and its critical habitat were delisted from the Endangered Species Act on May 16, 2022. Therefore, JAXBO PDCs required to minimize adverse effects to Johnson's seagrass and its critical habitat are no longer applicable to any project. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take. The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at:
<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

JAXBO may be subject to revision at any time. The most recent version of the JAXBO must be utilized during the design and construction of the permitted work.

6. **Manatee Conditions:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011”. The most recent version of the Manatee Conditions must be utilized.
7. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained daily until the authorized work has been completed and turbidity within the construction area has returned to ambient levels. Turbidity barriers shall be removed upon stabilization of the work area.

This determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the specified review area. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

This letter also contains a Preliminary Jurisdictional Determination (PJD). Enclosed you will find the PJD form, accompanying map/figure, and a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form which provides additional information on PJDs. The PJD is advisory in nature, does not expire, and is not an appealable action under the Corps’ regulations at 33 CFR Part 331.

This letter of authorization does not include conditions that would prevent the ‘take’ of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local

building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

This letter of authorization does not preclude the necessity to obtain any other Federal, State, or local permits which may be required.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Please be aware this Internet address is case sensitive and you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Should you have any questions related to this RGP verification or have issues accessing the documents referenced in this letter, please contact Jonathan Pempek by telephone at 561-685-1708, or by email at Jonathan.C.Pempek@usace.army.mil.

Sincerely,



Jonathan Pempek
Project Manager

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

DA PERMIT NUMBER: SAJ- _____ - _____ (RGP- _____)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019 or submit via electronic mail to: SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

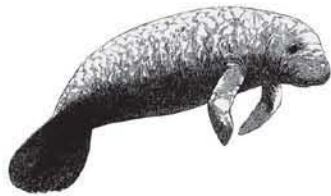
All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:

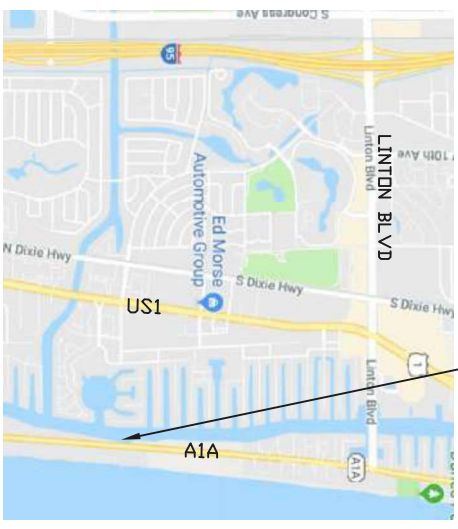


Wildlife Alert:

1-888-404-FWCC(3922)

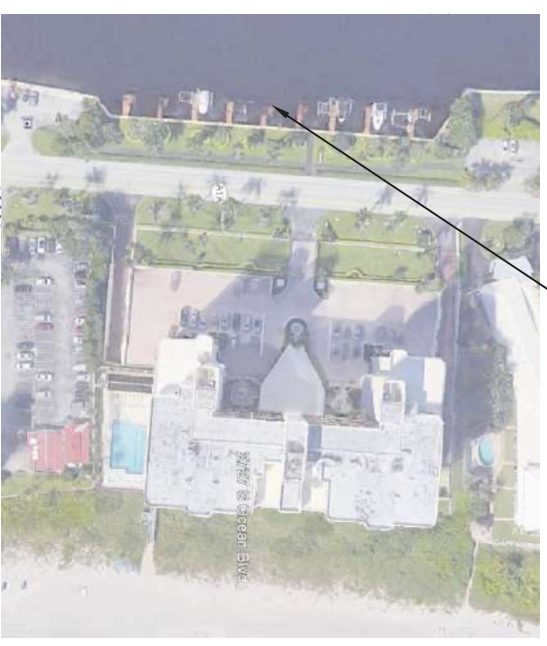
cell *FWC or #FWC

PROJECT LOCATION



LOCATION MAP

SCOPE OF WORK
1. INSTALL BOAT LIFT



PROJECT SITE

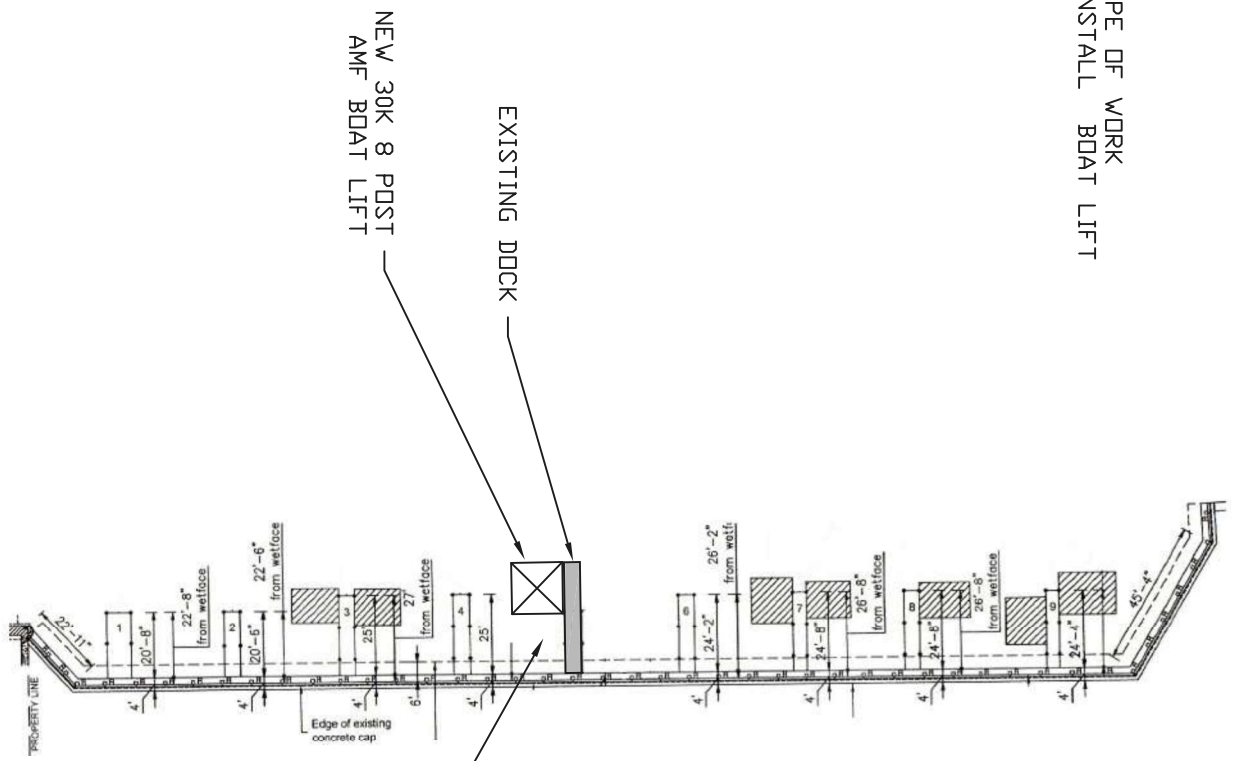
AERIAL

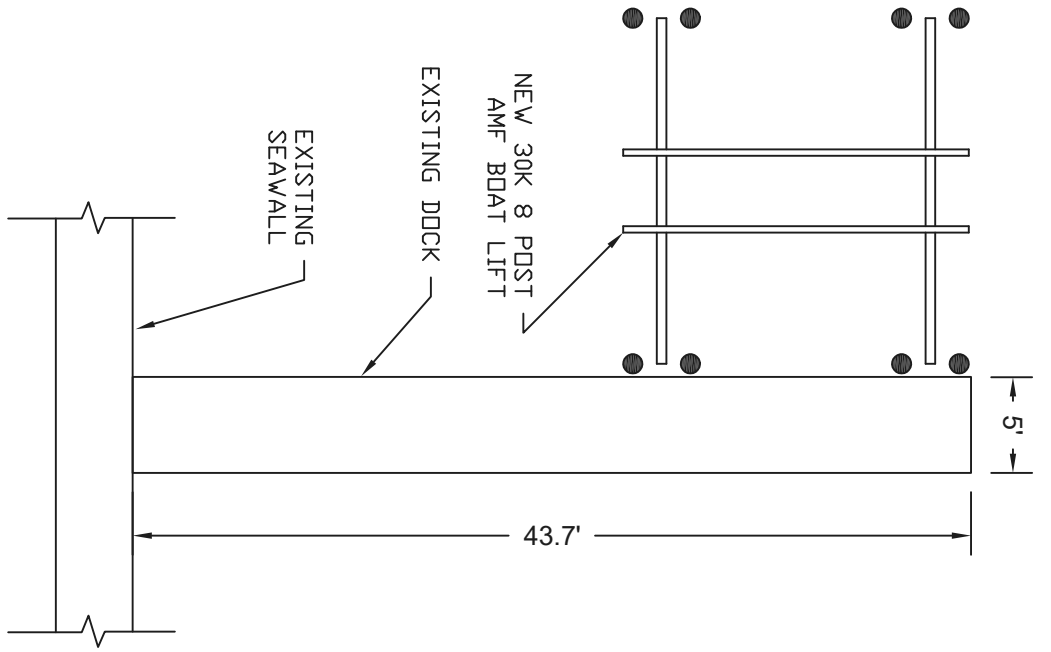
MICHAEL BABER, P.E. # 52575
 PROFESSIONAL ENGINEER
 STATE OF FLORIDA
 NO. 52575

Dwight M Baber
 Digitally signed by
 Dwight M Baber
 Date: 2025.07.08
 17:13:31 -04'00'

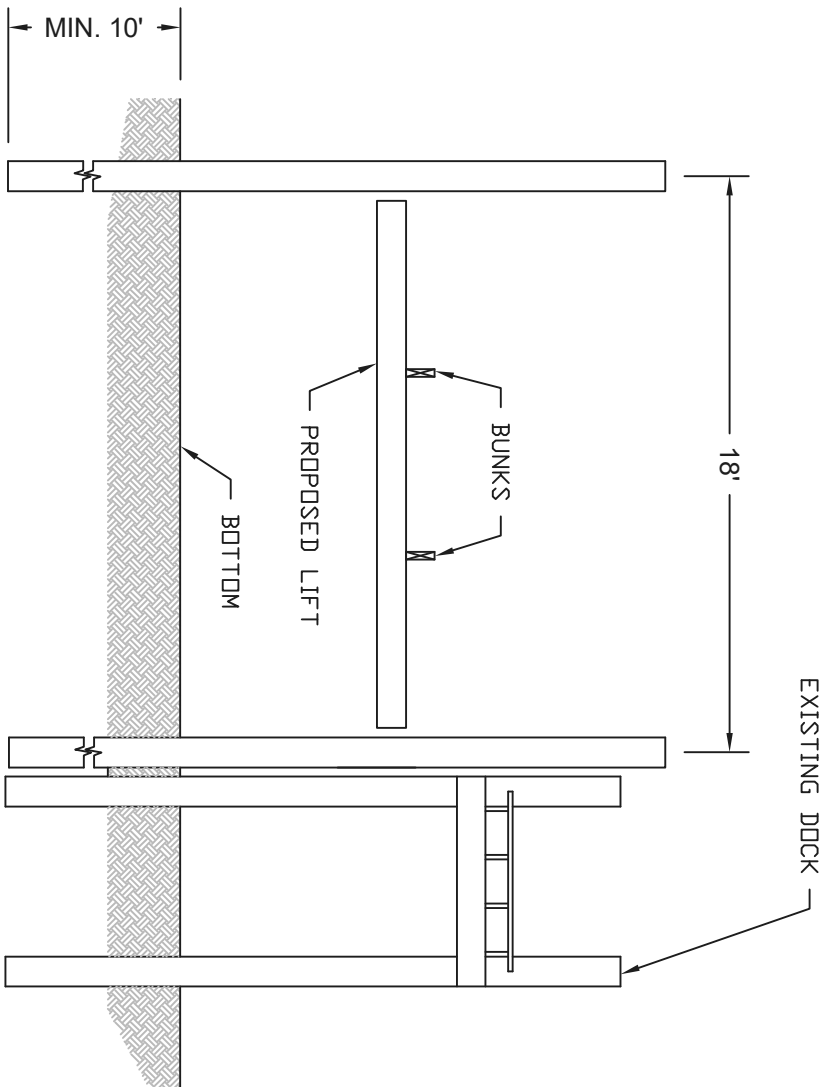
BOAT LIFT
 ANDREW MEGIBOW
 2727 SOUTH OCEAN BLVD, SLIP 10
 HIGHLAND BEACH, FL
 MCR PROFESSIONAL ENGINEERING
 3733 ATLANTIC ROAD
 PALM BEACH GARDENS, FL 33410
 PHONE: 561-863-3393

DATE	REVISIONS	SHEET 1 OF 2
7/8/25	INITIAL DRAWINGS COMPLETED	



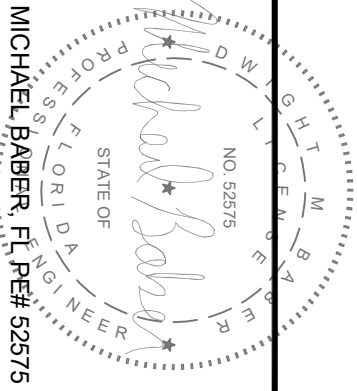


PLAN VIEW
1" = 10'



NOTE: LIFT PILE PENETRATION SHALL BE INTO SUITABLE SUBSTRATE (SAND). SOIL INFORMATION SHALL BE MADE AVAILABLE TO THE ENGINEER BEFORE INSTALLATION.

SECTION VIEW
3/16" = 1.0'



Dwight M Baber
Digitally signed by Dwight M Baber
Date: 2025.07.08 17:13:43 -0400'

BOAT LIFT

ANDREW MEGIBOW
2727 SOUTH OCEAN BLVD, SLIP 10
HIGHLAND BEACH, FL

MCR PROFESSIONAL ENGINEERING
3733 ATLANTIC ROAD
PALM BEACH GARDENS, FL 33410
PHONE: 561-863-3393

DATE	REVISIONS	SHEET 2 OF 2
7/8/25	INITIAL DRAWINGS COMPLETED	

Ellen Bonder <manager@villamagnacondominium.com>

11/20/2025 3:05 PM

UPDATED APPROVAL From Ellen Bonder at VM re Approval of Plans Slips #9 and #10

To Breezy Permits <info@breezypermits.com> • Drettmann H. David <hddretts@aol.com> • Andrew@megibow.net <andrew@megibow.net> Copy Ellen Bonder <manager@villamagnacondominium.com> • Wilson Burbano <maintenance@villamagnacondominium.com> • Gerald Benzan <office@villamagnacondominium.com>

All,

Villa Magna approves the revised plans dated 11/19/25.

Please contact me with any additional needs.

Thank you,

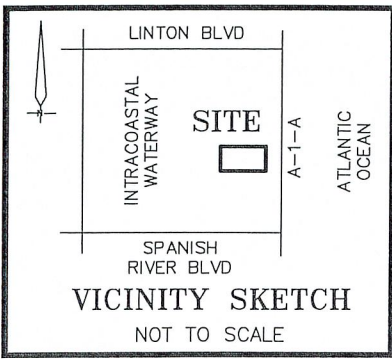
Ellen

Ellen Bonder, LCAM
General Manager
Villa Magna Condominium Association, Inc.
2727 South Ocean Boulevard
Highland Beach, FL 33487
P-561-272-1576
F-561-274-4858
manager@villamagnacondominium.com

-



From: Breezy Permits <info@breezypermits.com>
Sent: Thursday, November 20, 2025 2:48 PM
To: Ellen Bonder <manager@villamagnacondominium.com>
Subject: Fwd: Re: From Ellen Bonder at VM re Approval of Plans Slips #9 and #10

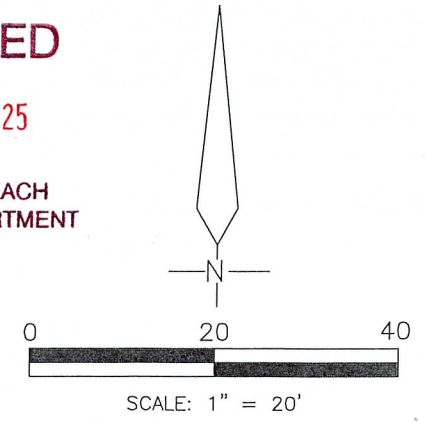


PROPERTY ADDRESS
 2727 SOUTH OCEAN BOULEVARD, UNIT #902
 SLIP 10
 HIGHLAND BEACH, FL 33483

Specific Purpose Survey

for
ANDREW MEGIBOW

RECEIVED
 DEC 16 2025
 HIGHLAND BEACH
 BUILDING DEPARTMENT



FLOOD ZONE

FLOOD ZONE: AE
 ELEVATION: 13'
 TOWN OF HIGHLAND BEACH: 12511
 PANEL NUMBER: 12099C 0987G
 EFFECTIVE DATE: 12-20-24

LEGAL DESCRIPTION


UNIT No. 902, VILLA MAGNA CONDOMINIUM, A CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM, AS RECORDED IN OFFICIAL RECORD BOOK 3764, PAGE 1862 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS APPURTENANT THERETO SET FORTH IN SAID DECLARATION.

SURVEYOR'S NOTES

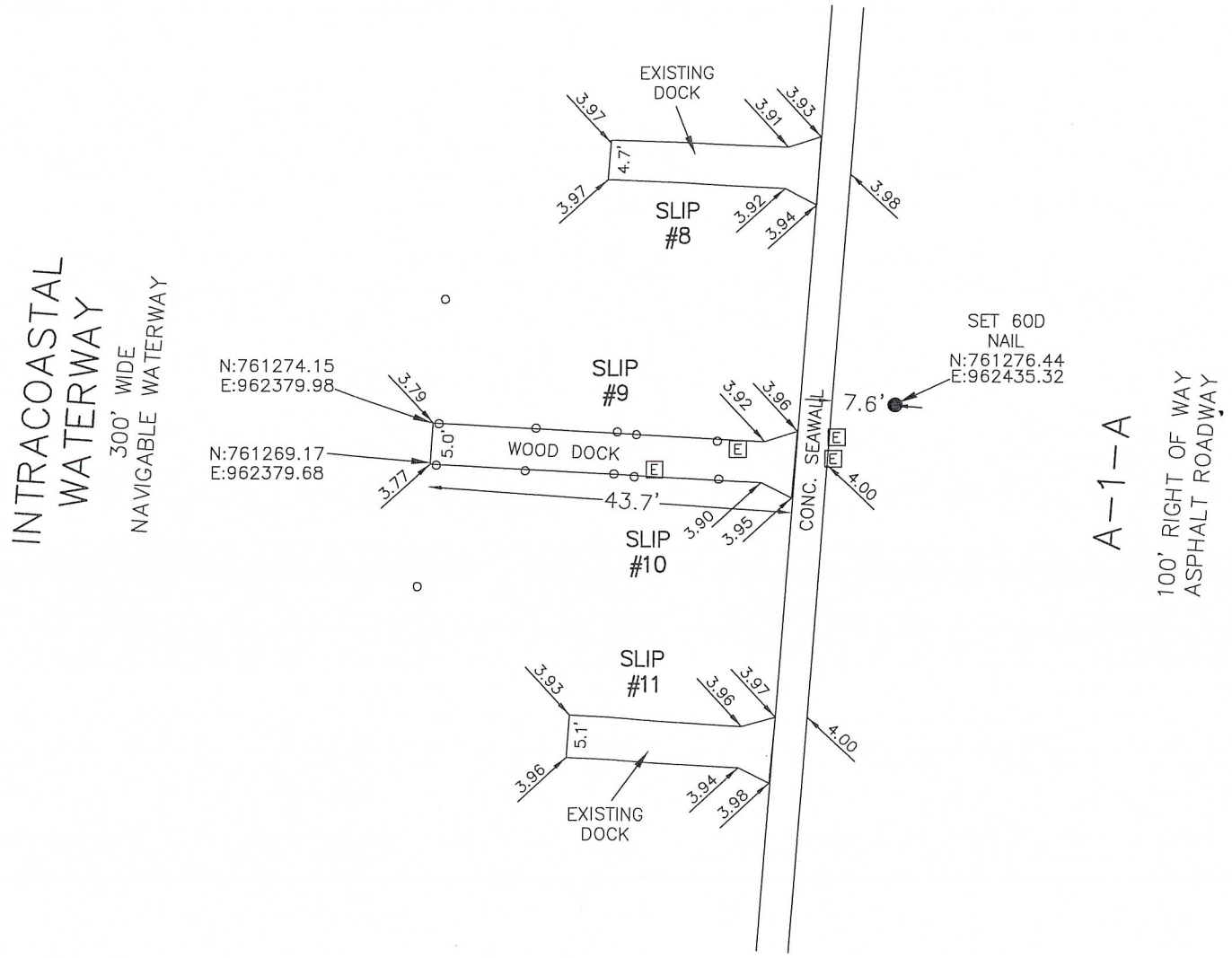
- EXISTING IMPROVEMENTS NOT LOCATED EXCEPT AS SHOWN.
- LEGAL DESCRIPTION PROVIDED BY CLIENT.
- SURVEYOR HAS NOT ABSTRACTED THIS SURVEY FOR EASEMENTS AND RIGHTS OF WAYS OF RECORD.
- SURVEY IS NOT VALID WITHOUT A RAISED SEAL.
- BEARINGS, IF SHOWN, ARE BASED ON THE RECORD PLAT.
- ALL MEASUREMENTS ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD, USING FEET.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- ELEVATIONS ARE REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION HIGH ACCURACY NETWORK, NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) 1988.

CERTIFICATION

I HEREBY CERTIFY THAT I MADE THIS SURVEY AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: 
 RYAN P. BUGGEE, FLORIDA LAND SURVEYOR #7454
 233 E. GATEWAY BLVD., BOYNTON BEACH, FLORIDA
 DATE OF FIELD SURVEY: 08/04/25

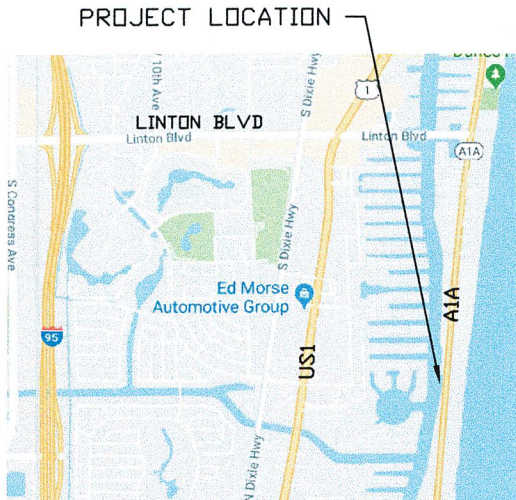
DWG # 0704525A Ryan Buggee
Digitally signed by Ryan Buggee
 Date: 2025.09.29 13:42:36 -04'00'



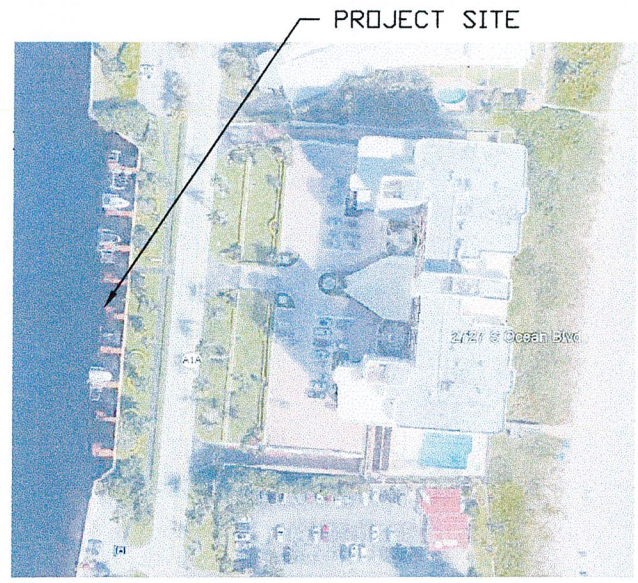
- LEGEND:**
- = IRON ROD AS NOTED
 - = PRM AS NOTED
 - CONC. = CONCRETE
 - ASPH. = ASPHALT
 - ⓔ = ELECTRIC UTILITY
 - 13.7 = SPOT ELEVATION

REMOVE LIFT - 9/29/25

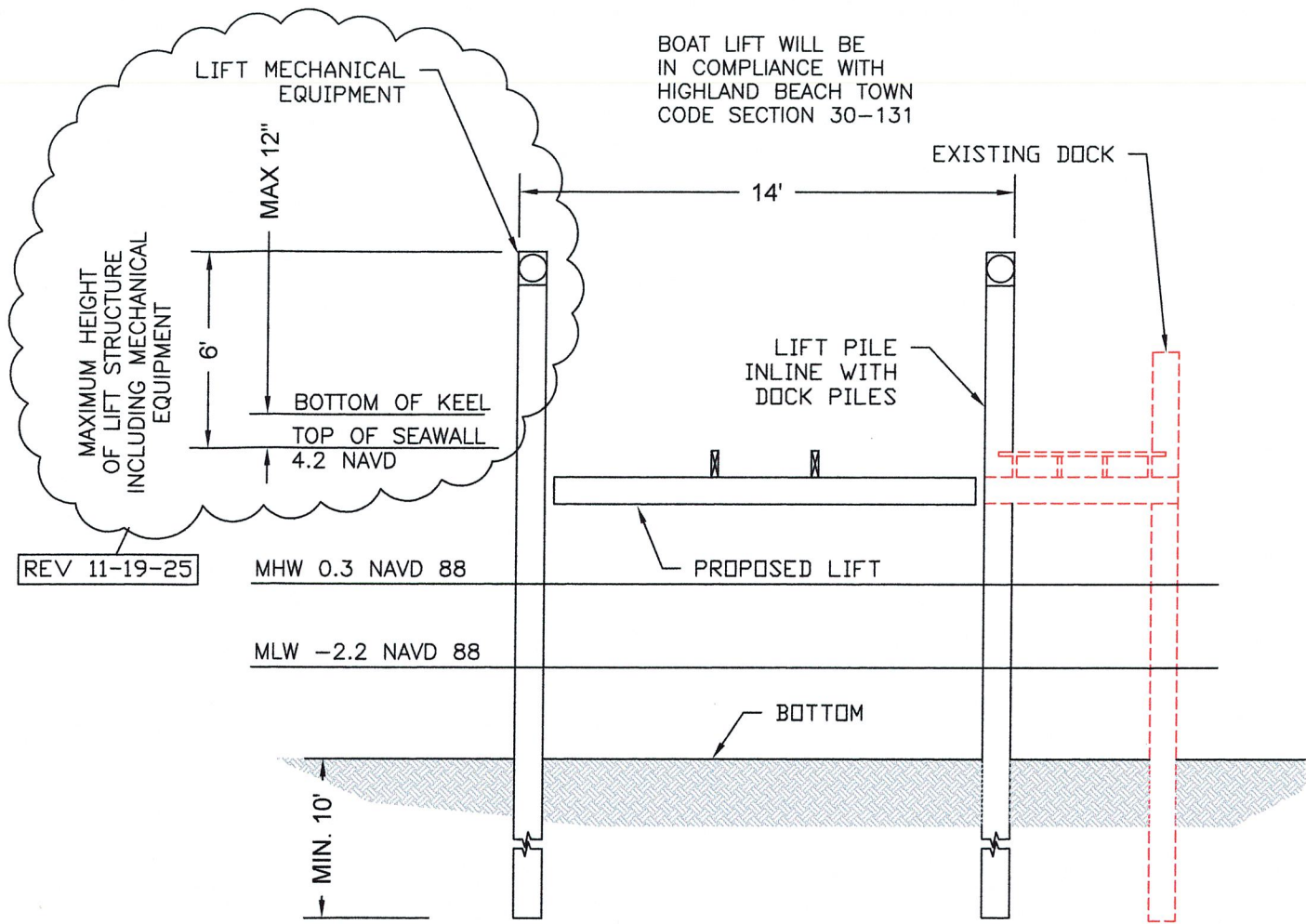
PREPARED BY:
Bob Buggee, Inc.
 the "SURVEYOR"
 P.O. BOX 3887
 BOYNTON BEACH, FLORIDA, 33426
 SURVEY & MAPPING BUSINESS #7890
 561-732-7877



LOCATION MAP



AERIAL



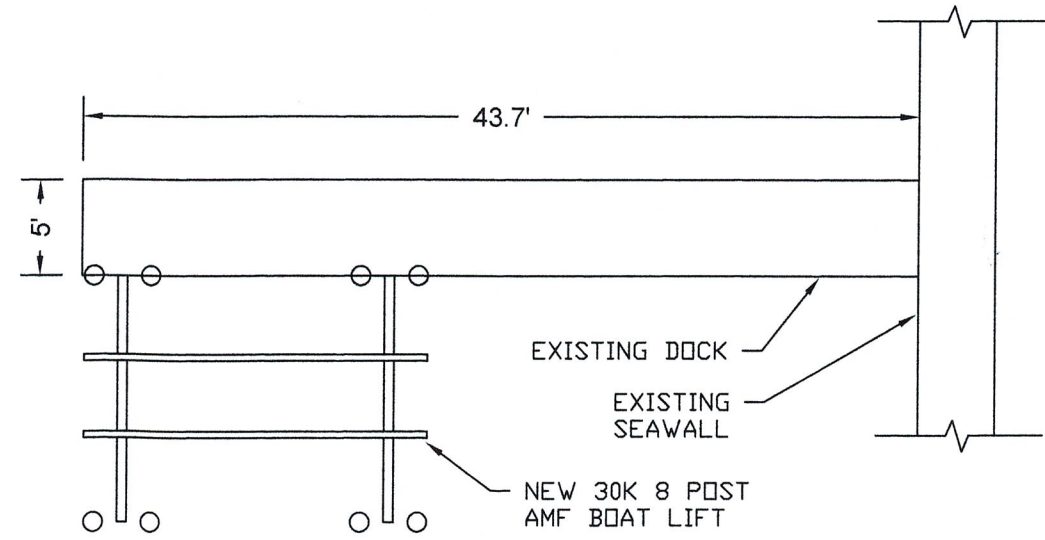
BOAT LIFT WILL BE IN COMPLIANCE WITH HIGHLAND BEACH TOWN CODE SECTION 30-131

REV 11-19-25

MHW 0.3 NAVD 88
MLW -2.2 NAVD 88

SECTION VIEW
3/16" = 1.0'

NOTE: LIFT PILE PENETRATION SHALL BE INTO SUITABLE SUBSTRATE (SAND). SOIL INFORMATION SHALL BE MADE AVAILABLE TO THE ENGINEER BEFORE INSTALLATION.



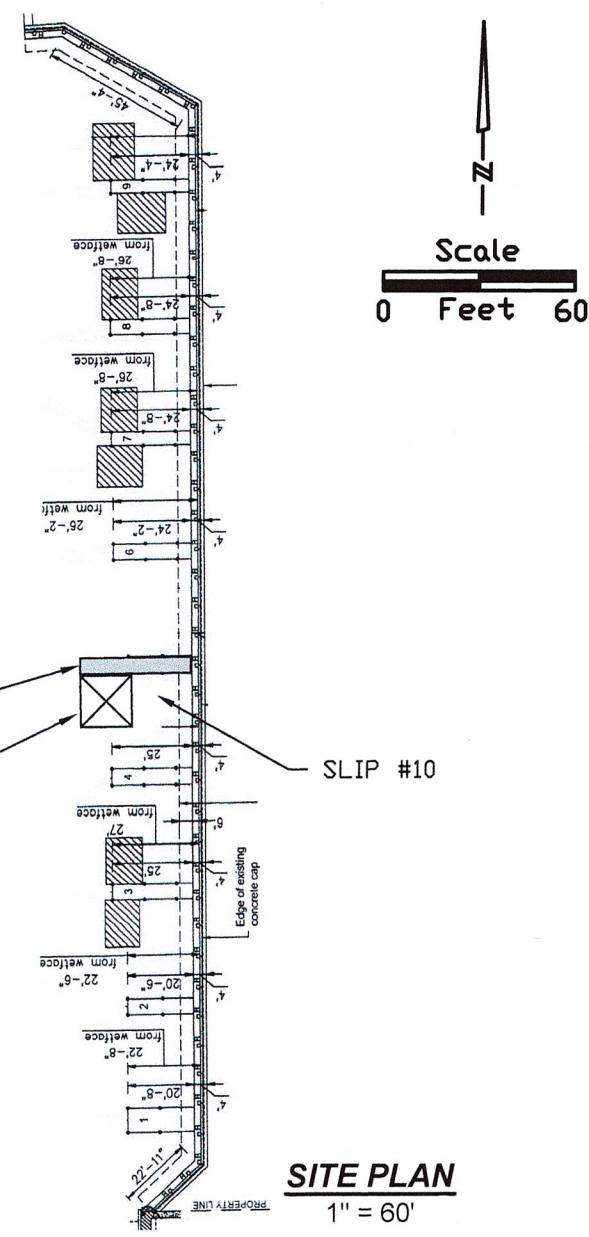
PLAN VIEW
1" = 10'

SCOPE OF WORK
1. INSTALL BOAT LIFT

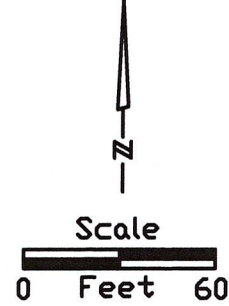
NOTE:
THE BOAT LIFT WILL BE INSTALLED WITHIN THE ALLOWED SLIP AREA.

BOAT LIFT WILL BE IN COMPLIANCE WITH HIGHLAND BEACH TOWN CODE SECTION 30-131

REV 11-19-25



SITE PLAN
1" = 60'



SHEET #: 1 OF 1	
DATE	REVISIONS
7/8/25	INITIAL DRAWINGS COMPLETED
11/19/25	PER REVIEWER COMMENTS
12-15-25	PAGE LAYOUT CHANGED TO 11X17

This item has been electronically signed and sealed by Dwight M Baber, PE, using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

ANDREW MEGIBOW
2727 SOUTH OCEAN BLVD, SLIP 10
HIGHLAND BEACH, FL

MCR PROFESSIONAL ENGINEERING
3733 ATLANTIC ROAD
PALM BEACH GARDENS, FL 33410
PHONE: 561-863-3393

RECEIVED
DEC 16 2025
HIGHLAND BEACH
BUILDING DEPARTMENT

April Baber 12/15/25

**Town of Highland Beach
Town Commission Development Order (PB)
Application No. PZ-25-35**



**Applicant: Andrew Megibow / Ileen Gonzalez
Property Address: 2727 S. Ocean Blvd 902
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-25-35 for the property located at 2727 S. Ocean Blvd. 902, 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 2727 S. Ocean Blvd. 902., Highland Beach, Florida 33487.

The mailings consisted of 45 notices that were sent first class mail and 02 notices that were sent by International Mail.

This 22nd day of December 2026.

Highland Beach Town Clerk's Office

Jaclyn DeHart
Deputy Town Clerk



TOWN OF HIGHLAND BEACH NOTICE OF PUBLIC HEARING APPLICATION NO. PZ-25-35

December 22, 2025

Dear Property Owner:

This is to notify you that the **PLANNING BOARD** of the Town of Highland Beach will conduct a public hearing on **Thursday, January 8, 2026 at 9:30 AM** in the Commission Chambers at Town Hall located at 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following application.

APPLICATION BY ILEEN GONZALEZ, BREEZY PERMITS, LLC, REQUESTING A SPECIAL EXCEPTION TO INSTALL A 30,000 POUND CAPACITY BOAT LIFT IN SLIP #10 FOR THE PROPERTY LOCATED AT 2727 SOUTH OCEAN BOULEVARD #902.

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 Planning Board 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



Affidavit of Legal Notice submission and publication

Highland Beach Legal Notice


Submission Time: **12/29/2025 8:51 AM (EST)**


Please find a PDF of your submission details attached to this email.

The attachments included in your submission are listed below. This Legal Notice along with the attachments is now published on the web portal.

- AD_PB_PZ-25-55_2727 S. Ocean Blvd 902_01.08.2026.pdf
- signature.png

Signature of Affiant 

Signature of Notary Public 

Notary Stamp 


Highland Beach Legal Notice Submission

Highland Beach Legal Notice

12/29/2025 8:51 AM (EST)

Submitted by Jaclyn Dehart (jdehart@highlandbeach.us)

Legal Notice

Please choose a category	Planning Board Public Hearing Notices - Highland Beach
Title	January 08, 2025 PLANNING BOARD MEETING APPLICATION NO.PZ-25-35
Publish Date	12/29/2025
Publish Time	8:48 AM (EST)
Description	<p>TOWN OF HIGHLAND BEACH</p> <p>NOTICE OF PUBLIC HEARING</p> <p>YOU ARE HEREBY NOTIFIED that the Planning Board of the Town of Highland Beach will conduct a Public Hearing on Thursday, January 08, 2026, at 9:30 AM in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following application:</p> <p>APPLICATION NO. PZ-25-35 BY ILEEN GONZALEZ, BREEZY PERMITS, LLC, REQUESTING A SPECIAL EXCEPTION TO INSTALL A 30,000 POUND CAPACITY BOAT LIFT IN SLIP #10 FOR THE PROPERTY LOCATED AT 2727 SOUTH OCEAN BOULEVARD #902.</p> <p>APPLICANT: ANDREW MEGIBOW</p> <p>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.</p> <p>Any person that decides to appeal any decision made by the Planning Board 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.</p> <p>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.</p> <p>For additional information, please contact the Town Planner at (561) 278-4540.</p> <p>TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT</p>
Attach Files (Optional)	 AD_PB_PZ-25-55_2727 S. Ocean Blvd 902_01.08.2026.pdf
Submitted by (Email Address)	jdehart@highlandbeach.us
Notifications	Yes
Send Out a Notification to Your Subscribers	Yes

Signature

A handwritten signature in black ink, consisting of several loops and a large, rounded terminal stroke on the right side.

File Attachments for Item:

B. Development Order Application No. P-25-36 / David Drettmann

Application by Ileen Gonzalez, Breezy Permits, LLC, requesting a special exception to install a 30,000 pound capacity boat lift in slip #9 for the property located at 2727 South Ocean Boulevard #503.



HIGHLAND BEACH BUILDING DEPARTMENT

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

PLANNING BOARD STAFF REPORT

MEETING OF: **JANUARY 8, 2026**

TO: **PLANNING BOARD**

FROM: **INGRID ALLEN, TOWN PLANNER**

SUBJECT: **APPLICATION BY ILEEN GONZALEZ, BREEZY PERMITS, LLC,
REQUESTING A SPECIAL EXCEPTION TO INSTALL A 30,000
POUND CAPACITY BOAT LIFT IN SLIP #9 FOR THE PROPERTY
LOCATED AT 2727 SOUTH OCEAN BOULEVARD #503.
(APPLICATION NO. PZ-25-36)**

I. GENERAL INFORMATION:

Applicant (Property Owner): David Drettmann
2727 South Ocean Boulevard #503
Highland Beach, FL 33487

Applicant's Agent: Ileen Gonzalez
Breezy Permits, LLC
128 E. Central Boulevard
Lantana, Fl. 33462

Property Characteristics:

Comprehensive Plan Land Use: Multi Family Low Density

Zoning District: West Side: Residential Single Family (RS)
East Side: Residential Multiple Family Medium Density (RMM)

Parcel Control Number: 24-43-46-28-51-000-0503

Request and Analysis:

The Applicant is requesting a special exception to install a six-post 30,000 pound capacity boat lift in Slip No. 9 of the Villa Magna marina. The request is on behalf of the property owner residing at

2727 South Ocean Boulevard #503. According to the Applicant, a previous four-post 24,000 pound capacity lift located in Slip No. 9 was removed. A Town Code violation for work without a permit was issued by the Town Code Compliance Officer (#CC-25-506).

The Applicant obtained both Florida Department of Environmental Protection (File No. 50-0461998-002-EE) and US Army Corps of Engineers (File No. SAJ-2025-02186) authorization for the above-referenced boat lift.

According to the Applicant's boat lift section view (sheet 1) the top of the lift measures six (6) feet from the existing top of seawall/existing dock. The Applicant has not dimensioned the superstructure of the boat on the section view (this is not a requirement of the Town Code). That said and at the request of Town staff, the Applicant has included a note on sheet 1 that references compliance with the boat lift definition found in Section 30-131 of the Town Code (see below).

Boat lifts means the bottom of the keel of any boat shall not be hoisted greater than one foot above the existing seawall elevation. In no case shall the lift be higher than the superstructure of the boat when lifted.

Note that the Villa Magna marina accommodates perpendicular docking of vessels. The following perpendicular docking regulations are found in Section 30-68(g)(7) of the Town Code:

Perpendicular docking. Unless otherwise provided herein, boats shall not be moored or docked perpendicular to the property at which they are located.

a. boat moored at the landward end of a canal constructed for boat docking purposes may be moored perpendicular to the property line, provided such mooring does not impede the navigation of adjacent property owners.

b. A boat moored in the Intracoastal Waterway may be moored perpendicular to the property line, subject to approval by the U.S. Army Corps of Engineers.

c. A request for perpendicular docking of a boat in a canal shall be considered as a special exception by the planning board. Applications for development order approval of perpendicular docking of boats shall be subject to all standards applicable to a special exception request, and the additional criteria contained herein:

1. Location of docks, docked boats, and relation to side setbacks shall be established by the waterward extension of property lines.

2. Perpendicular docking of boats shall not interfere with navigation of other boats within the affected canal, and will not be a hazard to navigation.

3. Perpendicular docking of boats shall comply with all setbacks required for accessory marine facilities.

4. Docks or accessory mooring facilities approved by the planning board for perpendicular docking of boats may exceed the maximum extension into a waterway allowed for accessory marine facilities.

5. The building official or planning board may request evidence, prepared by a recognized marine expert, demonstrating the following:

i. Proposed perpendicular docking and related accessory marine facilities will not reasonably deny or otherwise limit the ability of abutting or adjacent property owners to construct accessory marine facilities;

- ii. Proposed perpendicular docking and related accessory marine facilities will not reasonably deny or otherwise limit the normal ability of abutting or adjacent property owners to moor, maneuver, use or otherwise move a boat; and*
- iii. Proposed perpendicular docking and related accessory marine facilities will not deny reasonable visual access of abutting property owners to public waterways.*

Section 30-67(b) of the Town Code states that boat lifts require special exception approval by the Planning Board. Section 30-36(a) of the Town code states that the Planning Board may approve, approve with conditions, or deny a request for special exception relating to accessory marine facilities including boat lifts.

If the Planning Board approves the request, the Applicant will be required to obtain a building permit from the Town of Highland Beach Building Department following such approval and prior to initiation of construction. Pursuant to Section 30-21(g) of the Town Code, commencement of construction shall be initiated within two (2) years following the date of approval by the Planning Board.

Staff reviewed the Applicant's proposed request to include plan set, date stamped received by the Building Department on December 16, 2025, and finds that it is consistent with the special exception provisions of Section 30-36 of the Town Code, were applicable, and consistent with the Town Comprehensive Plan and Code of Ordinances.

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

Attachments: Application
Aerials
FDEP approval
ACOE approval
HOA approval
Applicant Plans (11X17)



TOWN OF HIGHLAND BEACH DEVELOPMENT ORDER APPROVAL APPLICATION

PROPERTY INFORMATION ASSOCIATED WITH THIS APPLICATION

Address: 2727 S OCEAN BLVD #503, HIGHLAND BEACH FL, 33487		PCN: 24-43-46-28-51-000-0503
Full Legal Description of the Property [as described in the deed] or reference to an attachment: VILLA MAGNA COND UNIT 503		
Zoning District:	What is the location of the installation? <input checked="" type="checkbox"/> Intracoastal Waterway (ICW) <input type="checkbox"/> Interior Canal/Basin <input type="checkbox"/> N/A	

PROPERTY OWNER (APPLICANT) INFORMATION

Name: DAVID DRETTMAN	Phone: 561-386-8034	Fax:
Mailing Address: 2727 S OCEAN BLVD UNIT 503, HIGHLAND BEACH FL, 33483		
Email Address: HDDRETTS@aol.com		

APPLICANT'S AGENT INFORMATION

Name: ILEEN GONZALEZ	Phone: 561-581-0141	Fax:
Company Name: BREEZY PERMITS, LLC		
Mailing Address: 128 E CENTRAL BLVD, LANTANA FL, 33462		
Email Address: INFO@BREEZYPERMITS.COM		

Provide a detailed description of the proposed project (use additional pages if necessary):

PREVIOUS 24K DECO LIFT WITH 4 12" PILINGS WAS REMOVED WITH
 NO PERMIT AND ISSUED A VIOLATION. WE ARE PROPOSING TO
 INSTALL A NEW 30K AMF BOAT LIFT WITH 12" PILES ON SLIP #9

Matthew Field <matthew.field@floridadep.gov>

11/20/2025 2:15 PM

RE: Drettman Lift Replacement 50-0461998-002,003-EE

To Breezy Permits <info@breezypermits.com>

Good afternoon,

The pile change would not change the exemption status. The boatlift would still be an exempt activity.

Thanks,



Matthew Field

Environmental Specialist III

Florida Department of Environmental Protection

Southeast District – West Palm Beach

3301 Gun Club Road, MSC 7210-1

West Palm Beach, FL 33406

Matthew.Field@floridadep.gov

Office: (561) 681-6714

Please note: Florida has a very broad public records law. This communication may be subject to public disclosure if it regards state business and is not exempt under Chapter 119, Florida Statutes.

Notice: Florida has a broad public records law. Most written communications to or from state officials regarding official business are public records and may be disclosed upon request. Your email communications may therefore be subject to public disclosure.

From: Breezy Permits <info@breezypermits.com>

Sent: Wednesday, November 19, 2025 8:49 AM

To: Field, Matthew <Matthew.Field@FloridaDEP.gov>

Subject: Re: Drettman Lift Replacement 50-0461998-002,003-EE

EXTERNAL MESSAGE

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Good morning Matthew,

I've been working with the local building department to go through their Developmental Review Process and throughout this process we ended up slightly changing the plans to span the pilings 14' rather than the 18' shown on the originally approved plan set.

Can you please provide me with an email stating that this does not change anything with our approval? This town is very strict with having everything match. I attached the final plan set for your reference if needed.

On 10/06/2025 8:55 AM EDT Field, Matthew <matthew.field@floridadep.gov> wrote:

Hi,

I noticed that this application appears to be the same as the previous exemption granted by the Department. Is this a duplicate application?

Please let me know.

Thanks,

Matthew Field

Environmental Specialist II

Florida Department of Environmental Protection

Southeast District – West Palm Beach

3301 Gun Club Road, MSC 7210-1

West Palm Beach, FL 33406

Matthew.Field@floridadep.gov

Office: (561) 681-6714

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Notice: Florida has a broad public records law. Most written communications to or from state officials regarding official business are public records and may be disclosed upon request. Your email communications may therefore be subject to public disclosure.

Sincerely,

Ileen Gonzalez | Managing Director

Breezy Permits, LLC

Office: (561) 581-0141



FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis
Governor

Jay Collins
Lt. Governor

Alexis A. Lambert
Secretary

Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

October 9, 2025

David Drettman
2727 S Ocean Blvd,
Highland Beach, FL 33487
Sent via e-mail: hddretts@gmail.com

Re: File No.: 50-0461998-002-EE
File Name: Drettman Lift Replacement

Dear David Drettman :

On 9/11/2025 we received your request for verification of exemption to perform the following activities: to repair and replace the existing boat slip in slip 9. The project is located in the Intracoastal Waterway, Class III Waters, adjacent to 2727 S Ocean Blvd, Highland Beach (Section 28, Township 46 South, Range 43 East), in Broward County (Latitude N 26°25'30.0966", Longitude W 80°3'51.5136").

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the federal authorization of this verification request. **Additional authorization must be obtained prior to commencement of the proposed activity.** This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact **Matthew Field** at the letterhead address or at Matthew.Field@FloridaDEP.gov

1. Regulatory Review - VERIFIED

Based on the information submitted, the Department has verified that the activity as proposed is exempt under Chapter 62-330.051(5)(h), Florida Administrative Code, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review – NOT REQUIRED

The activity does not require further authorization under chapter 253 of the Florida Statutes, or chapters 18-20 or 18-21 of the Florida Administrative Code.

3. Federal Review – NOT APPROVED

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using their APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

Authority for review - an agreement with the USACOE entitled “Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit”, Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department’s action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules

28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in Palm Beach County, Florida

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Matthew Field
Environmental Specialist II
Southeast District

Enclosures:

Attachment A- Specific Exemption Rule
Project drawings, 2 pages

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

FDEP –Danielle C. Sattelberger, Matthew Field
Ileen Gonzalez, Breezy Permits LLC, info@breezypermits.com

Additional mailings:

Linda Sunderland, Broward County EPD, LSunderland@broward.org

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Vanessa Osborne 10-09-2025
Clerk Date

Attachment A

Chapter 62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(h) The installation of a pile-supported boat lift within an existing mooring area at a docking facility that is legally in existence, provided:

1. Such installation does not conflict with a condition of a permit issued thereunder;
2. The boat lift does not include additional structures, such as platforms, cat walks, and roofs

Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History—New 10-1-13, Amended 6-1-18.

Pempek, Jonathan C CIV USARMY CESAJ (USA) <jonathan.c.pempek@usace.army.mil>

12/10/2025 10:02 AM

RE: [Non-DoD Source] RE: Drettmann & Megibow Boat Lifts

To Breezy Permits <info@breezypermits.com>

This is fine- please document this on the submitted self cert as a minor deviation upon project completion.

Thank you for this coordination.

V/r

Jonathan Pempek
U.S. Army Corps of Engineers
Jacksonville District
Compliance and Enforcement
(561) 685-1708

From: Breezy Permits <info@breezypermits.com>
Sent: Wednesday, December 10, 2025 9:56 AM
To: Pempek, Jonathan C CIV USARMY CESAJ (USA) <Jonathan.C.Pempek@usace.army.mil>
Subject: [Non-DoD Source] RE: Drettmann & Megibow Boat Lifts

Good morning Jonathan,

We slightly changed the pile spacing from 18' to 14' after going back and forth with the HOA and they're requesting written confirmation that the ACOE is okay with that change. Can you please provide me with this? The lifts are not projecting any further waterward.

On 09/16/2025 3:46 PM EDT Pempek, Jonathan C CIV USARMY CESAJ (USA) <jonathan.c.pempek@usace.army.mil> wrote:

Thanks for notifying me about the mistake. Verification letter is changed to include the 6 post lift plans.

V/r



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207

September 16, 2025

Regulatory Division
South Permits Branch
Compliance and Enforcement Section
SAJ-2025-02186

Henry Drettmann
2727 S Ocean Blvd, Unit #503
Highland Beach, FL 33483
Sent via email: HDDRETTTS@aol.com

Dear Mr. Drettmann:

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit, which the Corps received on August 1, 2025. Your application was assigned file number SAJ-2025-02186. A review of the information and drawings provided indicates that the proposed work would result in the installation of a boat lift with associated pilings and lift hardware to serve an existing single-family residential dock. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located in the Intracoastal Waterway, at 2727 S Ocean Blvd, Unit #503, Highland Beach, Palm Beach County, Florida, within Section 28, Township 46 South, Range 43 East.

This letter verifies your project, as described above and depicted on the enclosed drawings, is authorized by Regional General Permit (RGP) SAJ-20 and any subsequent modifications, if applicable. This RGP authorization is valid until March 28, 2028. If you commence or are under contract to commence this activity before the date that SAJ-20 expires or is revoked, you will have 12 months from the date of the expiration or revocation of SAJ-20 to complete the activity under the present terms and conditions of SAJ-20.

Please access the Corps' Jacksonville District Regulatory Division Source Book web page to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>. Please be aware this Internet address is case sensitive and you will need to enter it exactly as it appears above. Once there, select "General Permits." Then you will need to select the specific SAJ permit noted above.

You must comply with all of the general and special conditions of the RGP, as well as any project-specific conditions included in this letter.

General Conditions:

1. The time limit for completing the work authorized ends on **March 28, 2028.**
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner on the attached transfer form and forward a copy to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Project Specific Special Conditions:

The following project specific special conditions are included with this verification:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:
 - a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

- b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

The Permittee shall reference this permit number on all submittals.

- 2. **Self-Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the ENG Form 6285, "Certification of Compliance with Department of Army Permit" (located at https://www.publications.usace.army.mil/Portals/76/Eng_Form_6285_2024%20Dec%20FINAL.pdf) and submit it to the Corps.

3. Cultural Resources/Historic Properties:

- a. No structure or work shall adversely affect, impact, or disturb properties listed in the *National Register of Historic Places* (NRHP), or those eligible for inclusion in the NRHP.
- b. If, during permitted activities, items that may have historic or archaeological origin are observed the Permittee shall immediately cease all activities adjacent to the discovery that may result in the destruction of these resources and shall prevent his/her employees from further removing, or otherwise damaging, such resources. The applicant shall notify both the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333 and the Corps, of the observations within the same business day (8 hours). Examples of submerged historical, archaeological or cultural resources include shipwrecks, shipwreck debris fields (such as steam engine parts, or wood planks and beams), anchors, ballast rock, concreted iron objects, concentrations of coal, prehistoric watercraft (such as log "dugouts"), and other evidence of human activity. The materials may be deeply buried in sediment, resting in shallow sediments or above them, or protruding into water. The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions. Project activities shall not resume without verbal and/or written authorization from the Corps.
- c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition and, if deemed necessary by the SHPO or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in

accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

- d. In the unlikely event that unmarked human remains are identified on non-federal lands; they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the SHPO and from the Corps.
4. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
5. **Jacksonville District Programmatic Biological Opinion (JAXBO):** Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable project design criteria's (PDCs) contained in the JAXBO, based on the permitted activity. Johnson's seagrass and its critical habitat were delisted from the Endangered Species Act on May 16, 2022. Therefore, JAXBO PDCs required to minimize adverse effects to Johnson's seagrass and its critical habitat are no longer applicable to any project. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take. The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at:
<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

JAXBO may be subject to revision at any time. The most recent version of the JAXBO must be utilized during the design and construction of the permitted work.

6. **Manatee Conditions:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011”. The most recent version of the Manatee Conditions must be utilized.
7. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained daily until the authorized work has been completed and turbidity within the construction area has returned to ambient levels. Turbidity barriers shall be removed upon stabilization of the work area.

This determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the specified review area. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

This letter also contains a Preliminary Jurisdictional Determination (PJD). Enclosed you will find the PJD form, accompanying map/figure, and a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form which provides additional information on PJDs. The PJD is advisory in nature, does not expire, and is not an appealable action under the Corps’ regulations at 33 CFR Part 331.

This letter of authorization does not include conditions that would prevent the ‘take’ of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local

building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

This letter of authorization does not preclude the necessity to obtain any other Federal, State, or local permits which may be required.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Please be aware this Internet address is case sensitive and you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Should you have any questions related to this RGP verification or have issues accessing the documents referenced in this letter, please contact Jonathan Pempek by telephone at 561-685-1708, or by email at Jonathan.C.Pempek@usace.army.mil.

Sincerely,



Jonathan Pempek
Project Manager

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

DA PERMIT NUMBER: SAJ- _____ - _____ (RGP- _____)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019 or submit via electronic mail to: SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

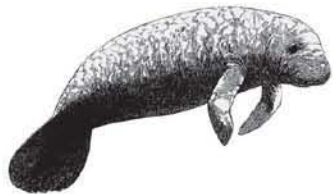
All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

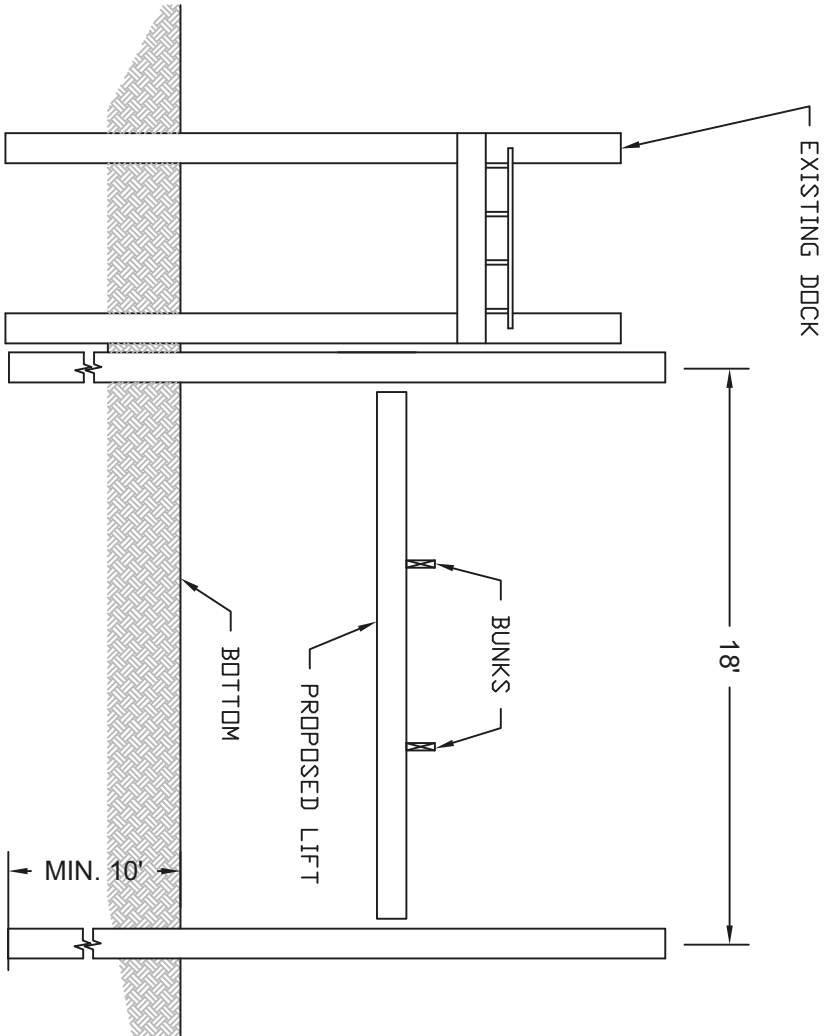
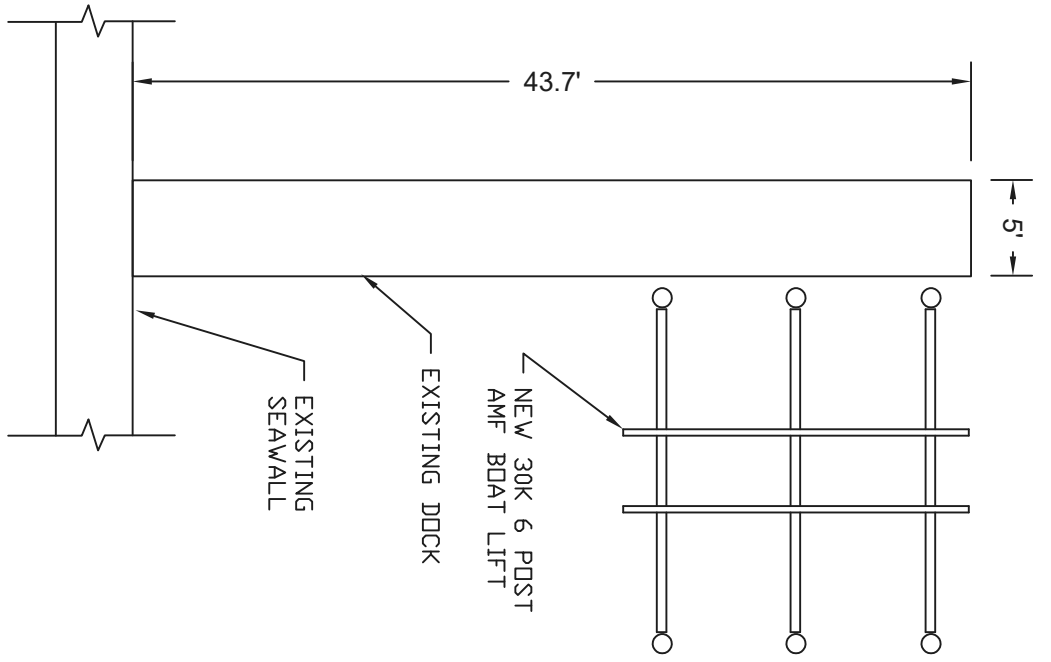
Report any collision with or injury to a manatee:



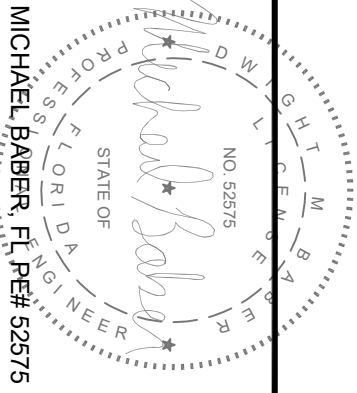
Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



NOTE: LIFT PILE
PENETRATION SHALL BE INTO
SUITABLE SUBSTRATE
(SAND). SOIL INFORMATION
SHALL BE MADE AVAILABLE
TO THE ENGINEER BEFORE
INSTALLATION.



Dwight M Baber
Digitally signed by
Dwight M Baber
Date: 2025.08.12
15:15:53 -04'00'

BOAT LIFT

DAVID DRETTMAN
2727 SOUTH OCEAN BLVD, SLIP 9
HIGHLAND BEACH, FL

MCR PROFESSIONAL ENGINEERING
3733 ATLANTIC ROAD
PALM BEACH GARDENS, FL 33410
PHONE: 561-863-3393

DATE	REVISIONS	SHEET 2 OF 2
7/8/25	INITIAL DRAWINGS COMPLETED	

Ellen Bonder <manager@villamagnacondominium.com>

11/20/2025 3:05 PM

UPDATED APPROVAL From Ellen Bonder at VM re Approval of Plans Slips #9 and #10

To Breezy Permits <info@breezypermits.com> • Drettmann H. David <hddretts@aol.com> • Andrew@megibow.net <andrew@megibow.net> Copy Ellen Bonder <manager@villamagnacondominium.com> • Wilson Burbano <maintenance@villamagnacondominium.com> • Gerald Benzan <office@villamagnacondominium.com>

All,

Villa Magna approves the revised plans dated 11/19/25.

Please contact me with any additional needs.

Thank you,

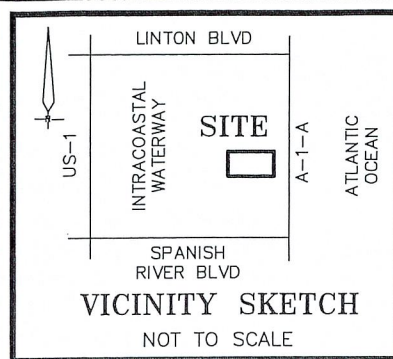
Ellen

Ellen Bonder, LCAM
General Manager
Villa Magna Condominium Association, Inc.
2727 South Ocean Boulevard
Highland Beach, FL 33487
P-561-272-1576
F-561-274-4858
manager@villamagnacondominium.com

-



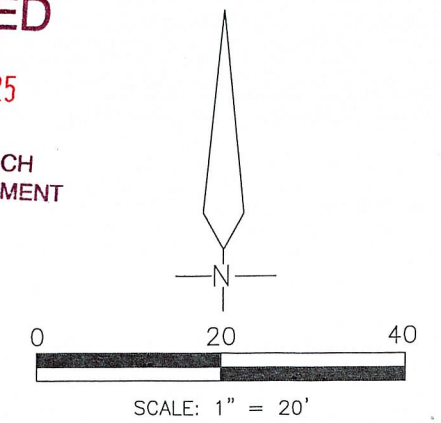
From: Breezy Permits <info@breezypermits.com>
Sent: Thursday, November 20, 2025 2:48 PM
To: Ellen Bonder <manager@villamagnacondominium.com>
Subject: Fwd: Re: From Ellen Bonder at VM re Approval of Plans Slips #9 and #10



PROPERTY ADDRESS
 2727 SOUTH OCEAN BOULEVARD, UNIT #503
 SLIP 9
 HIGHLAND BEACH, FL 33483

Specific Purpose Survey
 for
DAVID DRETTMAN

RECEIVED
DEC 16 2025
 HIGHLAND BEACH
 BUILDING DEPARTMENT



FLOOD ZONE

FLOOD ZONE: AE
 ELEVATION: 13'
 TOWN OF HIGHLAND BEACH: 12511
 PANEL NUMBER: 12099C 0987G
 EFFECTIVE DATE: 12-20-24

CENTER OF PILE COORDINATES

#	X(E)	Y(N)
1	962383.09	761293.10
2	962390.08	761292.71
3	962397.07	761292.33
4	962396.07	761274.35
5	962389.08	761274.74
6	962382.09	761275.13

STATE PLANE FLORIDA EAST ZONE U.S. FT

LEGAL DESCRIPTION

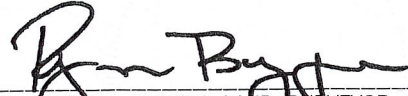
UNIT No. 503, VILLA MAGNA CONDOMINIUM, A CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM, AS RECORDED IN OFFICIAL RECORD BOOK 3764, PAGE 1862 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS APPURTENANT THERETO SET FORTH IN SAID DECLARATION.

SURVEYOR'S NOTES

- EXISTING IMPROVEMENTS NOT LOCATED EXCEPT AS SHOWN.
- LEGAL DESCRIPTION PROVIDED BY CLIENT.
- SURVEYOR HAS NOT ABSTRACTED THIS SURVEY FOR EASEMENTS AND RIGHTS OF RECORD.
- SURVEY IS NOT VALID WITHOUT A RAISED SEAL.
- BEARINGS, IF SHOWN, ARE BASED ON THE RECORD PLAT.
- ALL MEASUREMENTS ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD, USING FEET.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- ELEVATIONS ARE REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION HIGH ACCURACY NETWORK, NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) 1988.

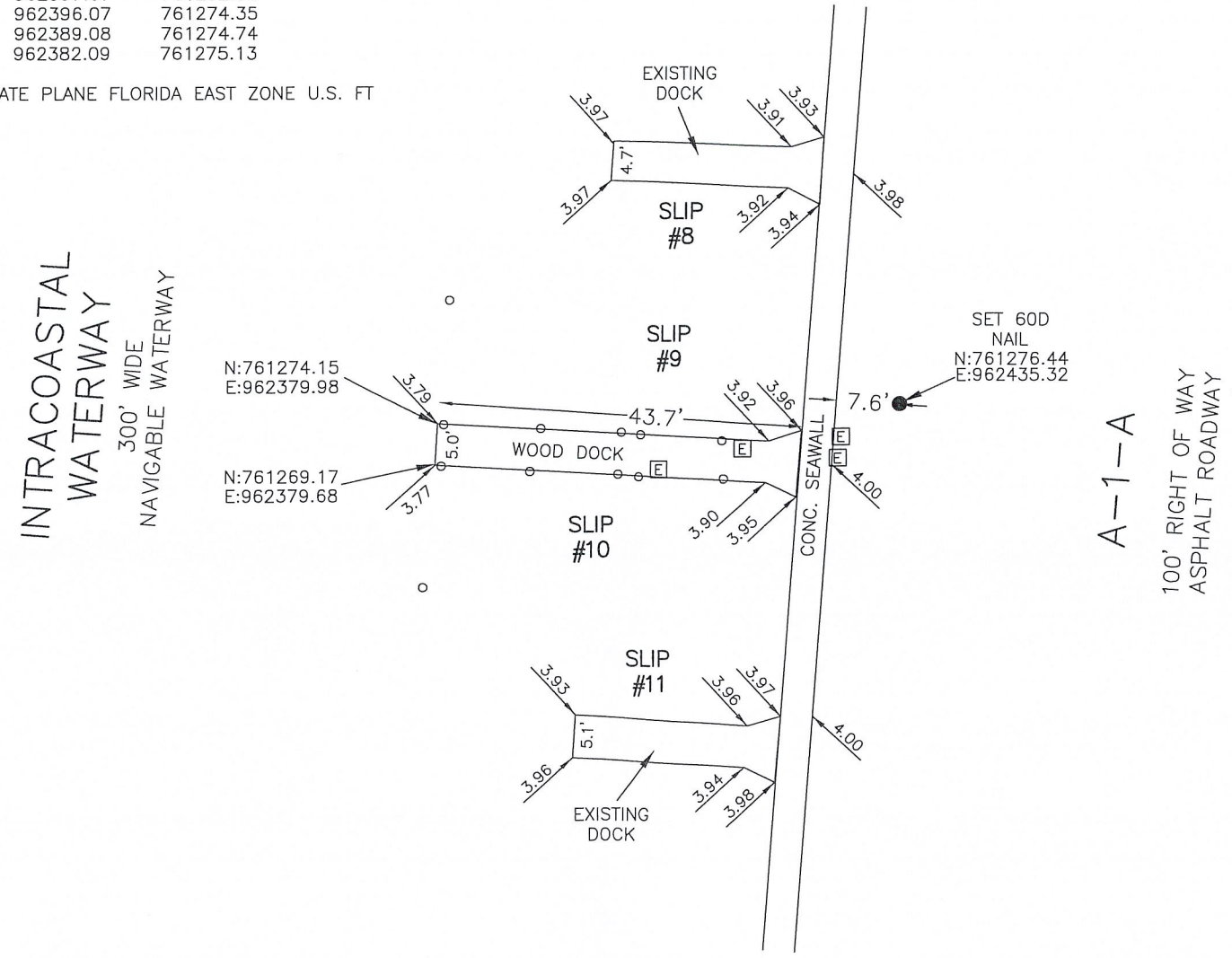
CERTIFICATION

I HEREBY CERTIFY THAT I MADE THIS SURVEY AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: 
 RYAN P. BUGGEE, FLORIDA LAND SURVEYOR #7454
 233 E. GATEWAY BLVD., BOYNTON BEACH, FLORIDA
 DATE OF FIELD SURVEY: 08/04/25

- REVISIONS:
- 1.) BOATLIFT 6 POST 09-09-25
 - 2.) REMOVE LIFT 09-29-25

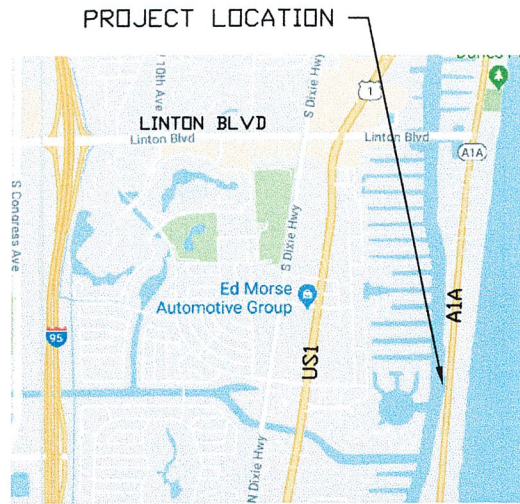
DWG # 0704625A Ryan Buggee Digitally signed by Ryan Buggee
 Date: 2025.09.29 13:38:28 -04'00'



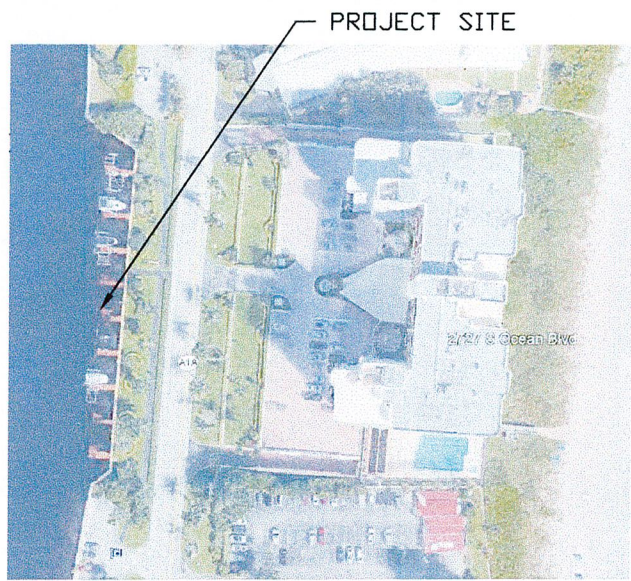
LEGEND:

- = IRON ROD AS NOTED
- = PRM AS NOTED
- CONC. = CONCRETE
- ASPH. = ASPHALT
- ☐ = ELECTRIC UTILITY
- 13.7 = SPOT ELEVATION

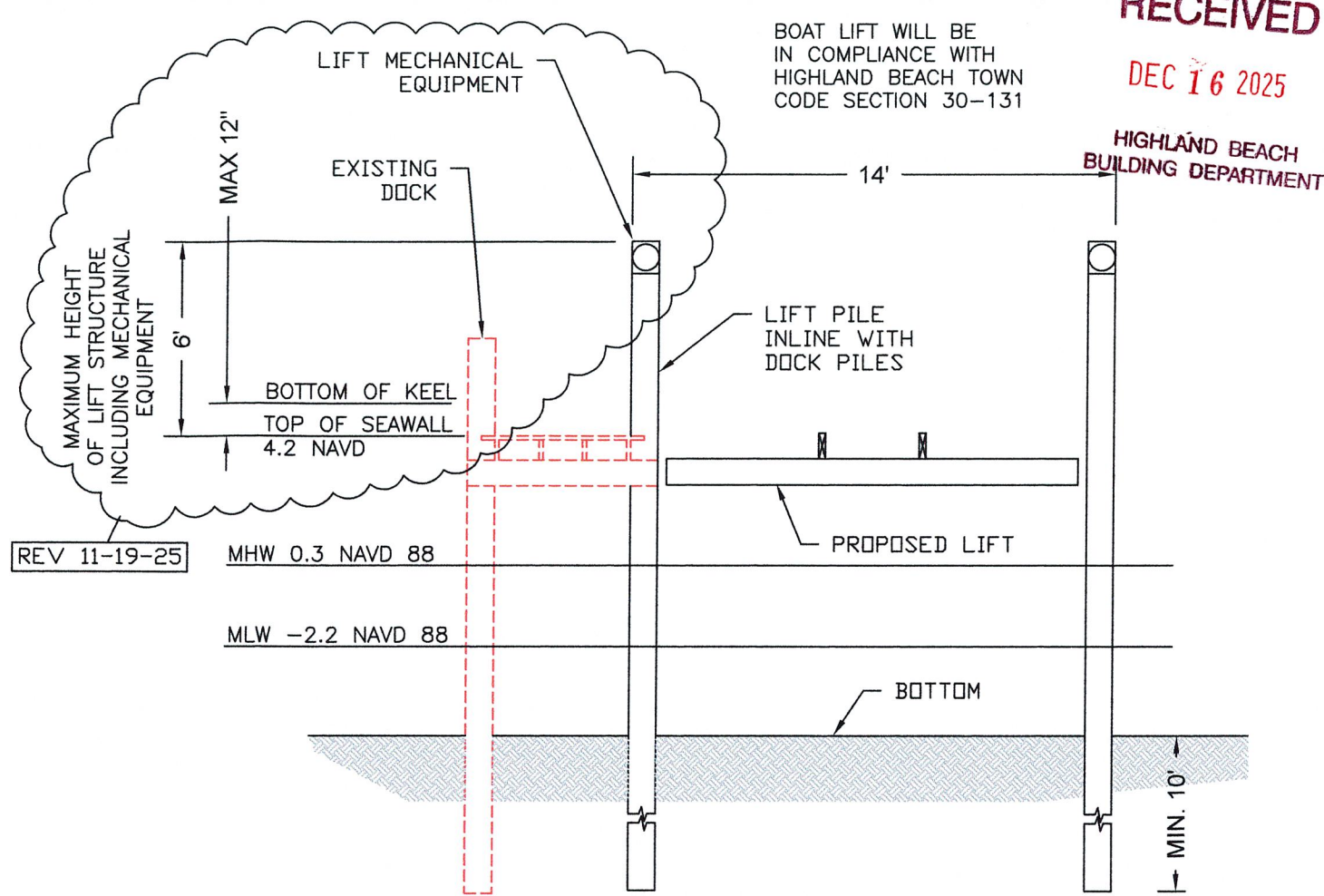
PREPARED BY:
Bob Buggee, Inc.
 the "SURVEYOR"
 P.O. BOX 3887
 BOYNTON BEACH, FLORIDA, 33426
 SURVEY & MAPPING BUSINESS #7890
 561-732-7877



LOCATION MAP



AERIAL



NOTE: LIFT PILE PENETRATION SHALL BE INTO SUITABLE SUBSTRATE (SAND). SOIL INFORMATION SHALL BE MADE AVAILABLE TO THE ENGINEER BEFORE INSTALLATION.

SCOPE OF WORK
1. INSTALL BOAT LIFT

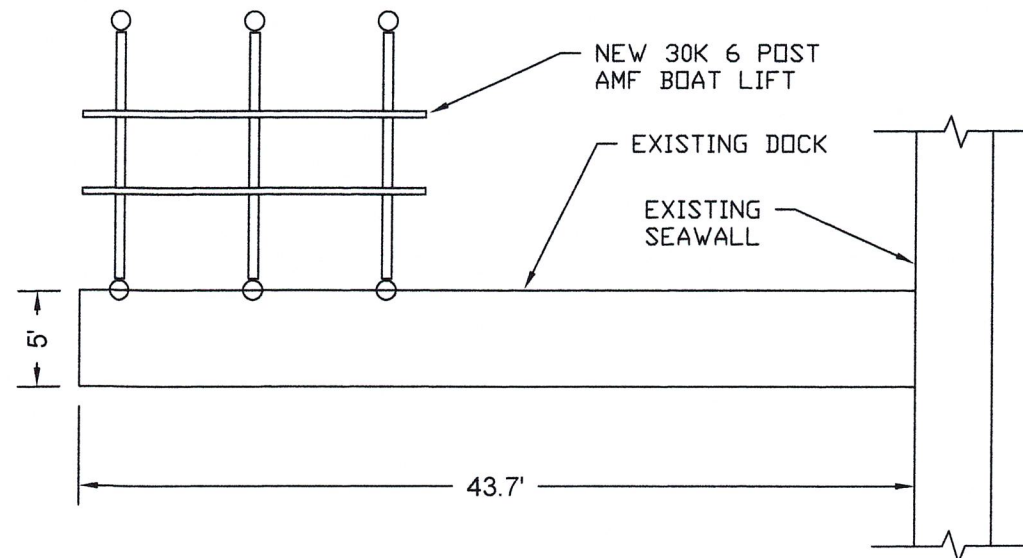
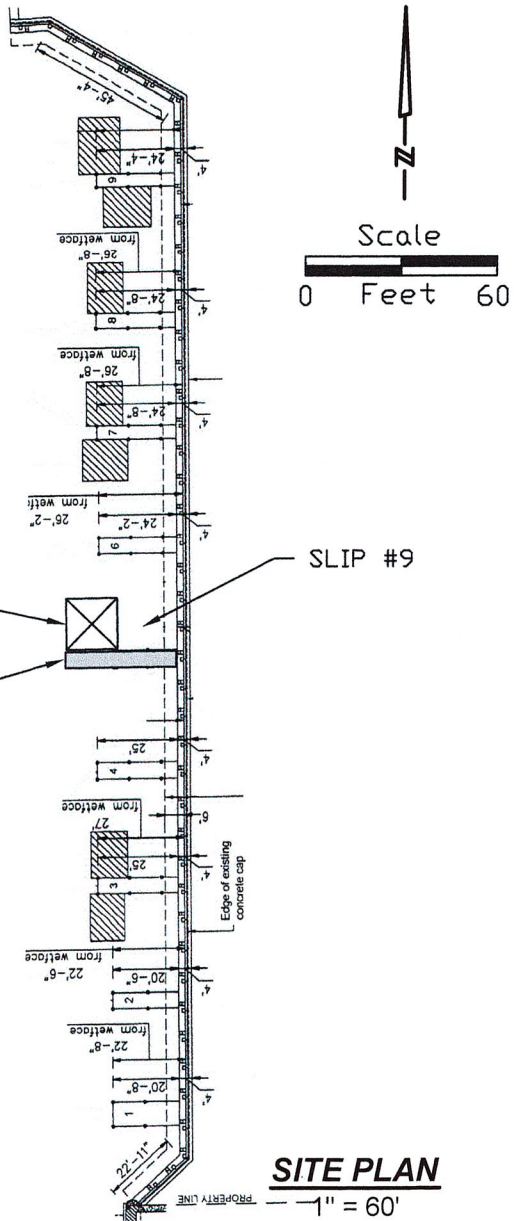
NOTE:
THE BOAT LIFT WILL BE INSTALLED WITHIN THE ALLOWED SLIP AREA.

BOAT LIFT WILL BE IN COMPLIANCE WITH HIGHLAND BEACH TOWN CODE SECTION 30-131

REV 11-19-25

NEW 30K 6 POST AMF BOAT LIFT

EXISTING DOCK



SHEET #: 1 OF 1

DATE	REVISIONS
7/8/25	INITIAL DRAWINGS COMPLETED
11/19/25	PER REVIEWER COMMENTS
12-15-25	PAGE LAYOUT CHANGED TO 11X17

DAVID DRETTMAN
2727 SOUTH OCEAN BLVD, SLIP 9
HIGHLAND BEACH, FL

MCR PROFESSIONAL ENGINEERING
3733 ATLANTIC ROAD
PALM BEACH GARDENS, FL 33410
PHONE: 561-863-3393

This item has been electronically signed and sealed by Dwight M Baber, PE, using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

Dwight M Baber
12/16/25

L. BABER, FL PE# 52575
Page 77

**Town of Highland Beach
Town Commission Development Order (PB)
Application No. PZ-25-36**



**Applicant: David Drettmann / Ileen Gonzalez
Property Address: 2727 S. Ocean Blvd 503
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-25-36 for the property located at 2727 S. Ocean Blvd. 503, 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 2727 S. Ocean Blvd. 503, Highland Beach, Florida 33487.

The mailings consisted of 45 notices that were sent first class mail and 02 notices that were sent by International Mail.

This 22nd day of December 2026.

Highland Beach Town Clerk's Office

Jaclyn DeHart
Deputy Town Clerk



TOWN OF HIGHLAND BEACH NOTICE OF PUBLIC HEARING APPLICATION NO. PZ-25-36

December 22, 2025

Dear Property Owner:

This is to notify you that the **PLANNING BOARD** of the Town of Highland Beach will conduct a public hearing on **Thursday, January 8, 2026 at 9:30 AM** in the Commission Chambers at Town Hall located at 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following application.

APPLICATION BY ILEEN GONZALEZ, BREEZY PERMITS, LLC, REQUESTING A SPECIAL EXCEPTION TO INSTALL A 30,000 POUND CAPACITY BOAT LIFT IN SLIP #9 FOR THE PROPERTY LOCATED AT 2727 SOUTH OCEAN BOULEVARD #503.

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 Planning Board 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



Affidavit of Legal Notice submission and publication

Highland Beach Legal Notice

Submission Time: **12/29/2025 8:42 AM (EST)**


Please find a PDF of your submission details attached to this email.

The attachments included in your submission are listed below. This Legal Notice along with the attachments is now published on the web portal.

- AD_PB_PZ-25-55_2727 S. Ocean Blvd 503_01.08.2026.pdf
- signature.png

Signature of Affiant 

Signature of Notary Public 

Notary Stamp 


Highland Beach Legal Notice Submission

Highland Beach Legal Notice

12/29/2025 8:42 AM (EST)

Submitted by Jaclyn Dehart (jdehart@highlandbeach.us)

Legal Notice

Please choose a category	Planning Board Public Hearing Notices - Highland Beach
Title	January 08, 2025, PLANNING BOARD MEETING APPLICATION NO. PZ-25-36
Publish Date	12/29/2025
Publish Time	8:38 AM (EST)
Description	<p>TOWN OF HIGHLAND BEACH</p> <p>NOTICE OF PUBLIC HEARING</p> <p>YOU ARE HEREBY NOTIFIED that the Planning Board of the Town of Highland Beach will conduct a Public Hearing on Thursday, January 08, 2026, at 9:30 AM in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following application:</p> <p>APPLICATION NO. PZ-25-36 BY ILEEN GONZALEZ, BREEZY PERMITS, LLC, REQUESTING A SPECIAL EXCEPTION TO INSTALL A 30,000 POUND CAPACITY BOAT LIFT IN SLIP #10 FOR THE PROPERTY LOCATED AT 2727 SOUTH OCEAN BOULEVARD #503.</p> <p>APPLICANT: DAVID DRETTMANN</p> <p>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.</p> <p>Any person that decides to appeal any decision made by the Planning Board 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.</p> <p>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.</p> <p>For additional information, please contact the Town Planner at (561) 278-4540.</p> <p>TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT</p>
Attach Files (Optional)	 AD_PB_PZ-25-55_2727 S. Ocean Blvd 503_01.08.2026.pdf
Submitted by (Email Address)	jdehart@highlandbeach.us
Notifications	Yes
Send Out a Notification to Your Subscribers	Yes

Signature

J. DeHart

File Attachments for Item:

C. Discussion on increasing the maximum square footage requirements for permanent signs.



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Planning Board Meeting

MEETING DATE January 8, 2026

SUBMITTED BY: Ingrid Allen, Town Planner, Building Department

SUBJECT: Discussion on increasing the maximum square footage requirements for permanent signs.

SUMMARY:

At the November 4, 2025 Town Commission meeting, a public comment was made by Edward Atamian, President of the Board of Trustees for Villa Magna Condominium, regarding the proposed replacement of permanent signage near the Condo's three (3) driveway entrances located along State Road A1A (see Attachment No. 1). The proposed size of this new signage exceeds the maximum square footage requirements for signage found in Chapter 23 of the Town Code Of Ordinances (see Table No.1). Consensus from the Town Commission was to add a discussion item on this topic on the December 2, 2025 Commission agenda.

At the December 2, 2025 Town Commission meeting, Commission consensus was to have the Planning Board review the Town's permanent sign code regulations keeping in mind Villa Magna's request as a real-world example. The Commission's direction to the Planning Board included consideration of the following:

- Appropriate standard for maximum sign size. How large is too large? Should larger condominiums have larger signs?
- Colors and illumination of signs.
- What is the "right" signage look and size for Highland Beach and does it fit the Town's aesthetic.
- Safety of pedestrians and roadway including visibility and site lines.
- Appeal or variance process for signage.
- Review other municipality sign codes.

Town Permanent Sign Regulations:

Section 23-5 of the Town Code provides the following size, color, illumination, aesthetic, and traffic safety regulations for permanent signage (see Attachment No. 2 for entire sign code):

*- In all zoning districts, one entrance (ingress) and one exit (egress) sign is permitted for directing traffic flow. Each sign may be single-faced or double-faced and shall meet Department of Transportation standards, and **not exceed three (3) square feet in size. Each sign may be***

illuminated or non-illuminated as determined by the owner and police department. A permit is required.

- One permanent single-faced or double-faced sign **not to exceed ten (10) square feet per face** may be permitted. Such sign **must be illuminated, but not with intermittent or colored lights or animation**. The sign may be erected on a base not to exceed one foot six (6) inches in height. The base shall not exceed the dimensions of the sign by more than one foot in any direction.

- In the case of intracoastal property, one additional permanent sign identifying the development may be allowed. This additional sign may also be single-faced or double-faced, **not to exceed ten (10) square feet per face**. It **may be illuminated, but not with intermittent or colored lights or animation**. A permit is required.

- **Garishness:** The overall effect of the lettering, configuration or color of a sign shall not be garish. "Garish" signs are those that are too bright or gaudy, showy, glaring, and/or cheaply brilliant or involving excessive ornamentation. Garish signs are not in harmony with and are not compatible with the building or adjacent surroundings.

- **Traffic safety:** No sign shall be located in such a manner that it will become a hazard to automotive or pedestrian traffic nor shall any sign or lighting of a sign be so placed as to obstruct the vision of the driver of any motor vehicle where vision is necessary for safety.

- **Illumination:** Signs may be illuminated directly or indirectly unless specifically prohibited elsewhere in this chapter. **In residential zoning districts, all illumination shall be shielded so that the light is not directed toward adjacent residentially zoned property.**

TABLE NO. 1		
Type of Sign	Villa Magna’s Proposed Sign dimensions	Town Code Permanent Sign Regulations
Monument Sign	24 square feet	10 square feet
Ingress/Egress Signs	11 square feet	3 square feet
Intracoastal Sign	10.67 square feet	10 square feet

Visibility Triangles:

The Town’s Zoning Code (Chapter 30) provides for the following restrictions that apply to signage located within any visibility triangle:

Sec. 30-68(o) Visibility triangles:

(5)Obstructions. Obstructions within visibility triangles are prohibited. The restrictions listed below shall apply to landscaping, bus shelters, benches, newspaper racks, **signs**, and other structures or appurtenances within any visibility triangle.

a.As indicated in Figure 30-4A and Figure 30-4B, **signs**, walls, or landscaping, excluding ground cover, **shall not be located within three (3) feet of either side of an access driveway located within twenty (20) feet of the edge of a pavement of the public street.**

*b. Within a visibility triangle, structures, plantings, or foliage shall not be permitted within the clear zone established between the heights of two (2) feet and eight (8) feet above ground level. The clear zone shall be measured from the crown of the abutting roadway, or in the case of an intersection, from the crown of the roadway with the lower elevation. However, clear tree trunks and **supports for street signs**, traffic control signs and traffic signals which meet state and county standards **shall be permitted**. Limbs and foliage of trees and shrubs planted outside the area of a visibility triangle shall not extend into said triangle or clear zone.*

c. Parking or vehicular use areas shall not be permitted within a visibility triangle.

Appeals:

According to Section 30-40(a) of the Town Code, a variance only applies to a reduction in dimensional requirements found in Chapter 30 (Zoning Code). As noted above, the sign code is provided in Chapter 23 of the Town Code and therefore a variance is not applicable for permanent signage. Section 23-8 of the sign code does allow for an appeal for a denied sign permit as follows:

Sec. 23-8. Appeals.

*If a sign permit application is denied by the building official. The board of adjustment and appeals shall hear and decide appeals where it is **alleged there is error in any order, interpretation, requirement, decision, or determination** made by the building official in the administration or enforcement of this chapter. A request for appeal must be filed with the town clerk within ten (10) business days of the date of the matter being appealed.*

Staff prepared a comparison table whereby permanent sign regulations, as they pertain to multiple-family residential uses, are provided for Boca Raton, Deerfield Beach and Delray Beach (see Attachment No. 3). In addition, the Town's Code Compliance Officer prepared a spreadsheet with the approximate height and width of all current condominium signage (frontage) as well as corresponding photographs of such signs (see Attachment No. 4).

FISCAL IMPACT:

N/A

ATTACHMENTS:

Villa Magna proposed signage (Attachment No. 1)

Town sign code (Attachment No. 2)

Other municipality sign regulations: comparison table (Attachment No. 3)

Height and width of all current condominium signage/photos (Attachment No. 4)

Town Attorney memorandum: Amendments to the Town's Sign Regulations (SB 180)

Ordinance Process flowchart

RECOMMENDATION:

At the discretion of the Planning Board.

RECEIVED

NOV 03 2025

Town of Highland Beach, FL
Town Clerk's Office



villa magna

November 3, 2025

Lanelda,

I've provided binders for all of the Commissioners, David Allen and Jeff Remas, and yourself.

Please distribute for us and we'll see you at 1:30 tomorrow.

Wish us luck!

Ellen



Ellen Bonder
General Manager
LCAM

CONDOMINIUM ASSOCIATION, INC.
2727 South Ocean Boulevard
Highland Beach Florida 33487

P-561-272-1576 ext. 2
manager@villamagnacondominium.com

Public Comment 11/4/2025 Town Comm. Mtg



RECEIVED

NOV 03 2025

Town of Highland Beach, FL
Town Clerk's Office

October 31, 2025

Dear Highland Beach Commissioners and Staff,

We hope this finds everyone well and looking forward to a great season! We're excited to share our proposed plans to replace our existing Monument Signage and add an additional sign on the west side of A1A. We conceived of this project when the FDOT A1A project was announced, and have worked for many months on the designs of the new signage, along with a renovation of our landscaping on our front lawn and our west side "park".

Our major concern is SAFETY, and our most important objective is to replace our current signage with new signage that is designed and located to produce greater visibility and improved sight-lines. Our current conditions are extremely dangerous. We have 370 linear feet of frontage and three driveways, and we border with the hotel on our south side, which adds tremendously to our traffic volumes. We constantly witness cars and trucks pulling into one of our driveways, only to back into traffic to turn around. The plans that we propose include only one item that we are asking for your support to resolve and approve, and that is the 2nd sign on the south side of our ramp to the parking deck.

We have had a preliminary meeting with Staff and we're including a handout for all five Commissioners, along with Jeff and Ingrid. Our plan is to attend the November 4th Town Commission meeting and speak under Public Remarks. We will be respectfully requesting your cooperation and support by approving our "code exception". We understand that this is our only path, and look forward to your comments.

Thank you very much in advance for your consideration of this matter.

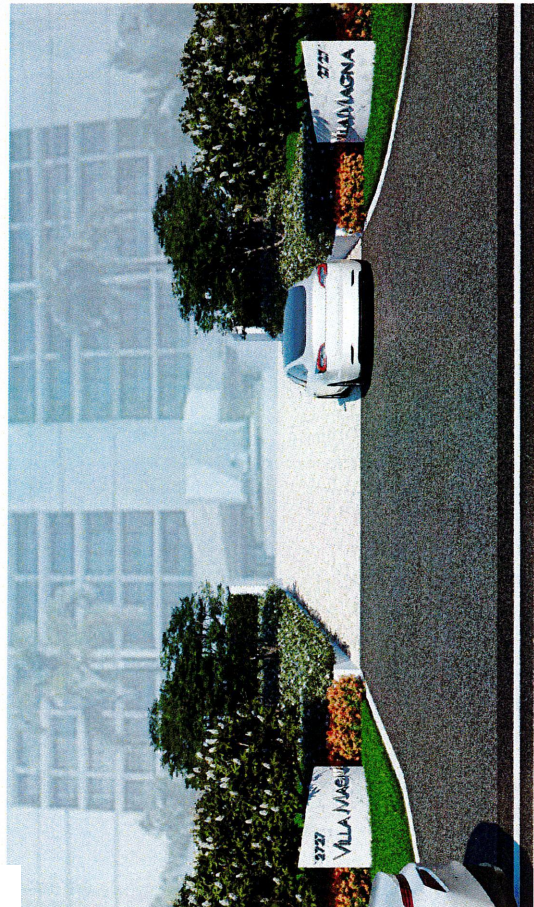
Respectfully,

THE VILLA MAGNA BOARD OF DIRECTORS

Public Comment 11/4/2025 Town Comm. Mtg.



EXISTING ENTRY SIGN



PROPOSED ENTRY SIGNS



PROPOSED ENTRY SIGNS (NIGHT RENDERING)



EXISTING ENTRY SIGN (NORTHERN SIDE)



PROPOSED ENTRY SIGN (NORTHERN SIDE)



EXISTING ENTRY SIGN (NORTHERN SIDE) - NIGHT VIEW



PROPOSED ENTRY SIGN (NORTHERN SIDE) - NIGHT RENDERING



DIRECTIONAL SIGN - NORTH SERVICE (EXISTING) - NIGHT VIEW



DIRECTIONAL SIGN - NORTH SERVICE (EXISTING)

DIRECTIONAL SIGN - NORTH SERVICE (PROPOSED)



DIRECTIONAL SIGN - NORTH SERVICE (PROPOSED) - NIGHT RENDER



DIRECTIONAL SIGN - SOUTH PRIVATE (EXISTING)



DIRECTIONAL SIGN - SOUTH PRIVATE (PROPOSED)



DIRECTIONAL SIGN - SOUTH PRIVATE (EXISTING) - NIGHT VIEW



DIRECTIONAL SIGN - SOUTH PRIVATE (PROPOSED) - NIGHT RENDER



ST SIDE - PRIVATE VILLA MAGNA PRIVATE SIGN (EXISTING)



WEST SIDE - PRIVATE VILLA MAGNA PRIVATE SIGN (PROPOSED)



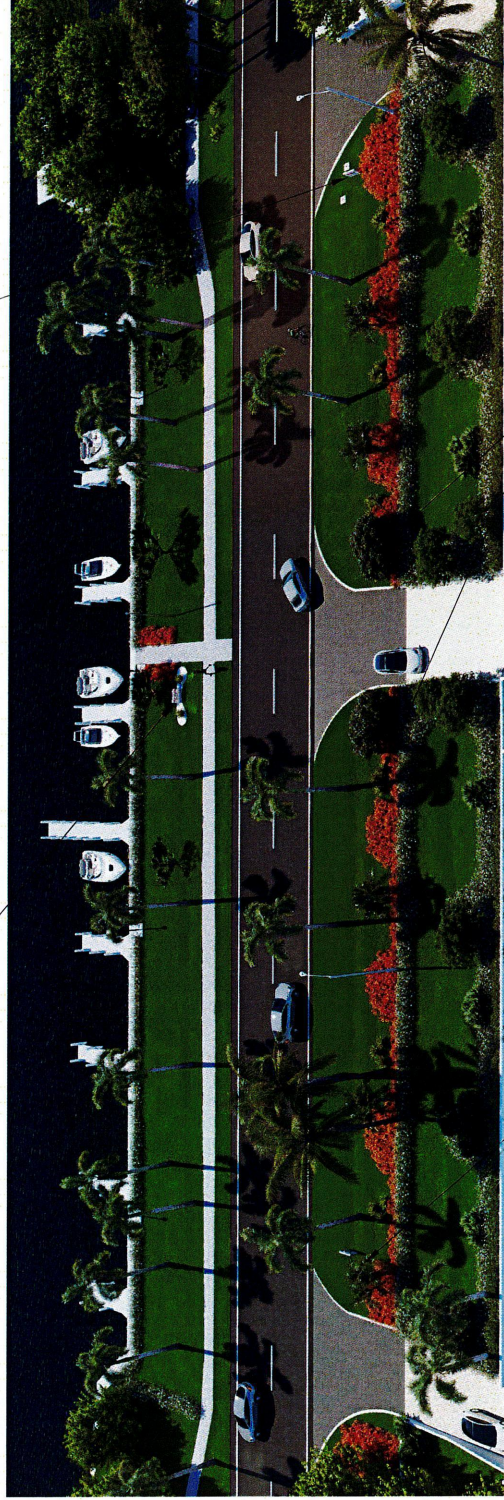
WEST SIDE - PRIVATE VILLA MAGNA PRIVATE SIGN (PROPOSED) - NIGHT RENDER



EXISTING BIRDS EYE - PROJECT VIEW

Private Sign - Villa Magna (Single-sided)

Directional Sign - North Entry (Double-sided)



Directional Sign - South Entry (Double-sided)

Monument Signs - Main Entry (Single-sided)

PROPOSED BIRDS EYE - PROJECT VIEW

Chapter 23 SIGNS AND ADVERTISING¹

Sec. 23-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Area of sign means the square foot area enclosed by the perimeter of the sign structure with each face contributing to the aggregate area.

Banner means a sign applied to cloth, paper or any animated rotating and/or fluttering devices used to attract attention (including colored or plain unadorned devices, i.e., flaps).

Double-faced sign means a sign with two (2) faces, mounted back to back, attached to a support, and/or a single sign with two (2) faces.

Electrical sign means a sign or sign structure in which electrical wiring, connections and/or fixtures are used as part of the sign proper or used in an adjacent or nearby area to illuminate a sign.

Flag means a piece of cloth usually attached at one edge to a staff/pole or cord containing distinctive colors, patterns or symbols, identifying a government or political subdivision.

Intermittent lighting, animation, moving or rotating sign means a sign shall not involve intermittent lighting, animation, motion or rotation of any part of a sign structure or display; except for governmental traffic signals, traffic devices and traffic signs as required by law.

Nonconforming sign means a sign erected prior to June 2, 1987, which does not conform to this chapter.

Obscene sign means a sign exhibiting thereon any lewd, lascivious, or obscene, character, or illustration.

Off-premises sign means a sign that advertises an establishment, merchandise, a service, or entertainment which is sold, produced, manufactured, or furnished at a place other than the premises on which the sign is located, however, non-commercial messages shall never be considered off-premises.

Permanent sign means a sign used to identify or name a residence, apartment or condominium building, motel or hotel.

Premises means the real property (as a unit) which is involved by the sign; includes the land or the land and the building(s).

Real estate sign means a sign advertising the premises for rent, for sale or for lease by an owner or his agent.

Roof sign means a sign erected on the roof, or above the roof line, or on the parapet.

¹Editor's note(s)—Ord. No. 14-006, § 2, adopted July 1, 2014, repealed the former chapter 23, §§ 23-1—23-13, and enacted a new chapter 23 as set out herein. The former chapter 23 pertained to similar subject matter. See Code Comparative Table for complete derivation.

Cross reference(s)—Alcoholic beverages, Ch. 3; buildings and structures, Ch. 6; food and food services, Ch. 10; licenses and license taxes, Ch. 15; motor vehicles and traffic, Ch. 16; planning and development, Ch. 20; streets, sidewalks and bicycle/walkway paths, Ch. 25; subdivisions, Ch. 26; zoning, Ch. 30.

State law reference(s)—Sign ordinances, F.S. §§ 163.3202(2)(f), 166.0425; outdoor advertising, F.S. ch. 479.

Searchlight means a large light used to attract attention by lighting the sky for the purpose of advertising.

Sidewalk or sandwich sign means a movable sign, not secured or attached to the ground.

Sign. The term "sign" shall mean any surface, fabric, device or display which bears lettered, pictorial or sculptured matter, including forms shaped to resemble any human, animal or product designed to convey information to the public and is visible from an abutting property, from a public street, sidewalk or right-of-way, or from a body of water. The term "sign" shall include all structural members. A sign shall be construed to form a single unit. In cases where matter is displayed in a random or unconnected manner without organized relationship of the components, each such component shall be considered a single sign. The term "sign" shall not include: artwork, holiday or seasonal decorations, cemetery markers, or machinery or equipment signs.

Temporary sign. The term "temporary sign" shall mean any sign that is not a permanent sign, and shall include a sign formerly or commonly known as a temporary election sign, a temporary political sign, a temporary free expression sign, a temporary real estate sign, a temporary directional sign, a temporary construction sign, a temporary grand opening sign, or any other temporary sign unless otherwise provided herein. The term "temporary sign" shall not include any substitution of message on an existing lawful sign or sign structure.

Traffic confusion sign means a sign or other advertising matter erected at the intersection of any streets or in any street right-of-way in a manner so as to obstruct free and clear vision; or at any location where, by reason of the position, shape, or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, a traffic signal, or traffic device; or which makes use of the words "stop", "look", "drive-in", "danger", or any other word, phrase, symbol, or character in a manner as to interfere with, mislead, or confuse vehicular traffic.

Vehicular sign means a sign placed on a vehicle or trailer that is parked on a street, public right-of-way or private property for the primary purpose of displaying the sign for advertising a commercial enterprise.

(Ord. No. 14-006, § 2, 7-1-14; Ord. No. 16-011, § 2, 11-1-16)

Sec. 23-2. Purpose.

The purpose of this chapter is to govern the number, size, location and character of all signs which may be permitted. No sign shall be erected or permitted in any location except in conformity with this chapter. This chapter is intended to prevent the random and indiscriminate erection of signs and to provide for the protection of the residential aspect of the town.

(Ord. No. 14-006, § 2, 7-1-14)

Sec. 23-3. Permit—Required; application; exemptions; waiver.

- (a) It shall be unlawful for any person to post, display, repair, change or erect a sign in the town without first obtaining a permit or registration, except as provided in subsection (b) of this section or in other provisions of this chapter or unless such permit is specifically waived in this chapter. When repair of an existing sign involves the expenditure of less than fifty (50) percent of its replacement value as determined by the building department, a permit may be waived. All application for sign or sign structure permits required in this section shall be filed by the sign or sign structure owner or his agent in the office of the building department. The application forms shall be supplied by the town. Applications will be reviewed by the building department as to conformance with this chapter.
- (b) The following types of signs are exempt from permitting requirements:
 - (1) Signs of a duly constituted governmental body, including, but not limited to, traffic or similar regulatory devices, legal notices or warnings at railroad crossings.

-
- (2) Flags, within all residential zoning districts, only one flagpole may be erected (the construction of the flagpole may require a permit) containing no more than two (2) flags. The maximum size of any flag is twenty-four (24) square feet. Flags attached to an angled pole attached to a building shall not exceed fifteen (15) square feet. No flags of any commercial nature may be displayed within any residential districts.

Within all parcels containing governmental institutions, including public or private schools, up to three (3) flagpoles may be erected per property owner containing one flag per pole only. If only one flagpole is erected, two (2) flags may be flown. The property owner can substitute the flagpole(s) and attach no more than two flags to the property owner's building. The maximum size of any one flag shall not exceed sixty (60) square feet. Flags attached to an angled pole attached to a building shall not exceed fifteen (15) square.

These restrictions shall not affect the number of American flags displayed at any location for a period of seventy-two (72) hours encompassing any legal holiday, or any other event of a patriotic, memorial or celebratory nature as determined by federal, state, county or municipal policy.

- (3) Memorial signs or tablets erected and authorized, in writing, by the town manager.
- (4) Signs required to be maintained by law, governmental rule, order or regulation.
- (5) Nonelectrical directional signs displayed for the public, including signs which identify restrooms, freight entrances, stairs, walkways, etc., with a total surface area not exceeding three (3) square feet per sign.
- (6) Home number/nameplate signs, restricted to not more than one sign for each principal building or use on a premises and not exceeding three (3) square feet in surface area, and shall show only the numerical address designation on the premises upon which such sign is maintained.
- (7) Nonelectrical instructional signs, with a total surface area not exceeding one square foot per sign, and not more than five (5) signs per commercial or multifamily residential parcel.
- (8) Temporary signs as set forth in section 23-9.

(Ord. No. 14-006, § 2, 7-1-14; Ord. No. 16-011, § 2, 11-1-16)

Sec. 23-4. Permit—Issuance.

- (a) Provided the provisions of this chapter have first been complied with, and the signs or advertising structures do not violate any of the terms conditions or provisions of this chapter, or any law or ordinance, the building department, or some other person so designated by the town manager, shall issue a permit for such sign or advertising structure, retaining a copy thereof for the records. Construction of the sign or sign structure shall be completed within ninety (90) days of issuance of the permit or the permit will expire.
- (b) Permits for signs shall be on a form as promulgated by the building department and shall only be required for permanent signs. The application form and associated submission materials shall include the following:
 - (1) The type of sign and/or sign structure as set forth in this Code.
 - (2) The street address of the premises upon which the sign and/or sign structure is to be located along with identification of where on said premises the sign will be located. If there is no street address, another suitable method of identifying the location shall be provided.
 - (3) The area per sign face and the aggregate area of the sign and/or sign structure.
 - (4) The name and address of the owner or other person in control or possession of the real property upon which the sign or sign structure is to be located.

-
- (5) Written consent of the owner, or his/her designated agent, granting permission for the construction, operation, maintenance, or displaying of the sign and/or sign structure.
 - (6) Two (2) copies of a blueprint, sketch, blue line print, or similar presentation, drawn to scale and dimensioned, showing elevations of the sign as proposed and its relationship to other existing or proposed signs or sign structures in the area. In the case of a free-standing sign, the representation shall include a sketch site plan showing the location of the sign.
 - (7) Appropriate exhibits showing the proposed location of the sign with respect to nearby structures and vegetation.
 - (8) A sign contractor shall provide a signed certificate stating that the sign and/or sign structure meets wind loading to withstand a pressure of fifty (50) pounds per square foot.

(Ord. No. 14-006, § 2, 7-1-14; Ord. No. 16-011, § 2, 11-1-16)

Sec. 23-5. Permitted signs.

- (a) *Generally.* Signs are permitted only along the road frontage unless otherwise indicated.
- (b) *All zoning districts.*
 - (1) In all zoning districts, one entrance (ingress) and one exit (egress) sign is permitted for directing traffic flow. Each sign may be single-faced or double-faced and shall meet Department of Transportation standards, and not exceed three (3) square feet in size. Each sign may be illuminated or non-illuminated as determined by the owner and police department. A permit is required.
- (c) *All zoning districts.*
 - (1) *Temporary signs.* Shall be as set forth in section 23-9.
 - (2) *Permanent signs:*
 - a. One permanent single-faced or double-faced sign not to exceed ten (10) square feet per face may be permitted. Such sign must be illuminated, but not with intermittent or colored lights or animation. The building official shall review the sign application and a permit is then required. A permit fee shall be charged and will be based upon the construction cost of the sign. The sign may be erected on a base not to exceed one foot six (6) inches in height. The base shall not exceed the dimensions of the sign by more than one foot in any direction. Any person seeking to place a sign in the FDOT right-of-way must obtain written FDOT approval prior to permit issuance by the town.
 - b. A street address sign readily visible from the street is required. Installation of this street address sign is a condition for issuing the certificate of occupancy. No permit is required.
 - c. In the case of intracoastal property, one additional permanent sign identifying the development may be allowed. This additional sign may also be single-faced or double-faced, not to exceed ten (10) square feet per face. It may be illuminated, but not with intermittent or colored lights or animation. A permit is required.
 - d. Tow away signs conforming to state statutes are allowed on private property.
 - e. Whenever a sign requires a permit and is allowed within a setback area, easement, or right-of-way, the person erecting the sign shall be required to execute an agreement with the town.
 - f. *Garishness:* The overall effect of the lettering, configuration or color of a sign shall not be garish. "Garish" signs are those that are too bright or gaudy, showy, glaring, and/or cheaply brilliant or

involving excessive ornamentation. Garish signs are not in harmony with and are not compatible with the building or adjacent surroundings.

- g. *Traffic safety*: No sign shall be located in such a manner that it will become a hazard to automotive or pedestrian traffic nor shall any sign or lighting of a sign be so placed as to obstruct the vision of the driver of any motor vehicle where vision is necessary for safety.
- h. *Illumination*: Signs may be illuminated directly or indirectly unless specifically prohibited elsewhere in this chapter. In residential zoning districts, all illumination shall be shielded so that the light is not directed toward adjacent residentially zoned property.

(Ord. No. 14-006, § 2, 7-1-14; Ord. No. 15-003, § 3, 5-5-15; Ord. No. 16-011, § 2, 11-1-16)

Sec. 23-6. Prohibited signs.

All other signs not permitted in section 23-5 are prohibited, with the exception of signs erected by a public authority for public purposes and temporary signs as permitted by section 23-9. The placement of public purpose signs by a public authority on the grounds of town hall may be approved at the discretion of the town manager. Prohibited signs include, but are not limited to the following:

- (a) Banners.
- (b) Wind signs.
- (c) Off-premise signs.
- (d) Roof signs.
- (e) Snipe signs.
- (f) Traffic confusion signs.
- (g) Vehicular signs.
- (h) Commercial signs in public rights-of-way.
- (i) Intermittent lighting, animation, moving or rotating signs.
- (j) Noise-producing signs (a sign producing noise or sounds).
- (k) Obscene signs.
- (l) Smoke or odor-producing signs (a sign producing or emitting smoke, vapor, particles, or odor).

In addition to the foregoing, any sign not provided for, or expressly permitted by this chapter is also prohibited.

(Ord. No. 14-006, § 2, 7-1-14; Ord. No. 16-011, § 2, 11-1-16)

Sec. 23-7. Enforcement and penalties.

- (a) A permanent sign erected without obtaining a building permit shall be removed within five (5) working days from the date of a written notice from the building department or other person so designated by the town manager. If the sign is not removed by the end of the fifth day, or if there are any other violations of this ordinance, enforcement proceedings will be initiated pursuant to section 2-100, enforcement procedure, or the code enforcement board, as set forth in article V of chapter 2 of the Code of Ordinances.

(b) For those signs that do not require a permit and are temporary in nature the town finds that, in view of the inexpensive nature of these signs and the administrative burden which would be imposed by elaborate procedural prerequisites prior to removal, any procedure other than summary removal of these signs when unlawfully erected and maintained would defeat the purpose of regulating such signs. The town manager is hereby authorized to remove such signs when unlawfully erected and maintained, subject to the provisions contained below:

(1) After removal of a sign pursuant to this section, a notice will be sent, either by hand-delivery or by first-class postage, prepaid, to the occupant of the property from which the sign was removed, and if the sign identifies a party other than the occupant of the property, the party so identified. The notice shall advise that the sign has been removed and shall state that the sign may be retrieved within thirty (30) days of the date of the notice, and that, if the sign is not retrieved within thirty (30) days, it will be disposed of by the town.

(2) The town shall dispose of all unclaimed signs after the expiration of the thirty-day period.

(Ord. No. 14-006, § 2, 7-1-14)

Sec. 23-8. Appeals.

If a sign permit application is denied by the building official. The board of adjustment and appeals shall hear and decide appeals where it is alleged there is error in any order, interpretation, requirement, decision, or determination made by the building official in the administration or enforcement of this chapter. A request for appeal must be filed with the town clerk within ten (10) business days of the date of the matter being appealed.

(Ord. No. 14-006, § 2, 7-1-14; Ord. No. 15-003, § 4, 5-5-15; Ord. No. 16-011, § 2, 11-1-16)

Sec. 23-9. Temporary signs.

(a) *Scope.* Notwithstanding anything to the contrary in the Town's code of ordinances, the provisions of this section shall govern the regulation of temporary signs, and take precedence over any other provisions that pertain to temporary signs unless specifically exempted or excepted herein.

(b) *Findings of fact.* The town commission finds that the location and maintenance of temporary signs affects the public health, safety, and general welfare of the people of this community, and that in order to preserve and enhance the Town as a desirable community in which to live and do business, a pleasing, visually attractive environment is of foremost importance. The town commission further finds that the regulation of temporary signs within the Town is a highly contributive means by which to achieve this desired end, and that uncontrolled and unlimited temporary signs would degrade the aesthetic attractiveness of the natural and manmade attributes of the community and thereby undermine the economic value of tourism, visitation and permanent economic growth.

(c) *Purpose and intent.* It is the purpose of this section to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory standards for temporary signs. The temporary sign regulations in this section are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the secondary effects of speech, and especially insofar as those secondary effects may adversely affect aesthetics and traffic and pedestrian safety. It is the intent of the town commission that the temporary sign regulations shall provide uniform sign criteria which regulate the size, height, number and placement of signs in a manner that is compatible to the residential, coastal and character of the Town, and which place the fewest possible restrictions on personal liberties, property rights, commerce, and the free exercise of constitutional rights while achieving the Town's goal of creating a healthy, safe and attractive environment that does not contain excessive clutter and visual distraction in rights-of-way and adjacent

properties, the surrounding natural coastal environment, historic district and residential neighborhoods. These sign regulations have been prepared with the intent of enhancing the visual environment of the Town and promoting its continued well-being, consistent with the most recent pronouncements by the United States Supreme Court regarding the regulation of temporary signage, and are further intended to:

- (1) Encourage the effective use of signs as a means of communication in the Town;
 - (2) Maintain and enhance the aesthetic environment and the town's ability to attract sources of economic development and growth;
 - (3) Improve pedestrian and traffic safety;
 - (4) Minimize the possible adverse impact of temporary signs on nearby public and private property;
 - (5) Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of temporary signs which compete for the attention of pedestrian and vehicular traffic;
 - (6) Allow temporary signs that are compatible with their surroundings, while precluding the placement of temporary signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
 - (7) Encourage and allow temporary signs that are appropriate to the zoning district in which they are located;
 - (8) Regulate temporary signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
 - (9) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all zoning districts of the town;
 - (10) Protect property values by precluding to the maximum extent possible temporary signs that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement; and
 - (11) Enable the fair and consistent enforcement of these temporary sign regulations.
- (d) *Criteria required for temporary signs.* The criteria for temporary signs are set forth in the table below. A temporary sign is unlawful if it does not meet the criteria established for the zoning district in which the sign is located.

Temporary Signs Design Standards and Limitations

ZONING DISTRICTS	RE,RS, RML,RMM,RMH
Maximum Number of Signs Per Parcel ¹	4
Maximum Sign Area ²	4 sf.
Sign Height Maximum for a Freestanding Sign ³	5 ft.
Sign Height Maximum for a Wall Sign (inclusive of a Window Sign)	15 ft.
Minimum Spacing from any Other Sign (Temporary Sign or a Permanent Sign ⁴)	10 ft.
Aggregate Maximum of Surface Area Allocated for All Sign Messages ⁵	32 sf.

¹ The number of temporary commercial signs per parcel shall be no more than two (2).

² The square footage limitation is per side for a back-to-back sign. For example, a six (6) square foot limitation means that there is a limit of six (6) square feet of surface area per side of a back-to-back sign, and an aggregate limit of twelve (12) square feet is allowed if the sign is a back-to-back temporary sign.

³ Not applicable to signs displayed on flagpoles.

⁴Not applicable to signs displayed on flagpoles.

⁵There is no limit to the number of separate messages that may appear on the allowable surface(s) of any temporary sign. The aggregate maximum of surface area allowed is subject to the other limitations or circumstances that may reduce the aggregate maximum of surface area that can be allocated.

- (e) *Prohibition of temporary signs on public property.* Other than government signs displaying government speech, temporary signs on public property and public rights of way are prohibited unless otherwise allowed within the code of ordinances.
- (f) *Duration for display of temporary sign.* If a temporary sign pertains to an event, the temporary sign shall be removed within and by no later than three (3) days after the event is concluded.
- (g) *Display of temporary sign requires permission of real property owner.* A temporary sign on any parcel shall not be maintained if the placement of the same does not have the permission of the owner of the real property.
- (h) *A temporary sign may not display any lighting and must remain static.* A temporary sign may not display any lighting or illuminations that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color.
- (i) *A temporary sign may not incorporate fluorescent color or exhibit fluorescence.* A temporary sign may not incorporate fluorescent color or exhibit fluorescence.
- (j) *A temporary sign may not obstruct a permanent sign or the vision between pedestrians and vehicles.* A temporary sign may not obstruct the view of a permanent sign as viewed from any public road, street or highway or any public sidewalk, and may not obstruct the vision between pedestrians and vehicles using the public right-of-way, including but not restricted to, those meeting intersection visibility requirements.
- (l) *A temporary sign may display multiple messages.* A temporary sign may display multiple independent messages on any portion of the sign surface of a temporary sign.
- (m) *A temporary sign is not subject to permitting.* A temporary sign does not require a permit from the town.

(Ord. No. 14-006, § 2, 7-1-14; Ord. No. 16-011, § 2, 11-1-16)

Sec. 23-10. Non-commercial message.

Notwithstanding anything contained in this chapter to the contrary, any sign erected pursuant to the provisions of this chapter may, at the option of the applicant, contain either a non-commercial message unrelated to the business located on the premises where the sign is erected or a commercial message related to the business and located on the business premises. The non-commercial message may occupy the entire sign face or portion thereof. The sign face may be changed from commercial to non-commercial messages as frequently as desired by the owner of the sign, provided that the size and design criteria conform to the applicable portions of this chapter, the sign is allowed by this chapter, the sign conforms to the requirements of the zoning designation and the appropriate permits are obtained. Noncommercial copy may be substituted for commercial copy wherever commercial copy appears. For the purposes of this chapter, non-commercial messages, by their very nature, shall never be deemed off-premises.

(Ord. No. 14-006, § 2, 7-1-14; Ord. No. 16-011, § 2, 11-1-16)

Sec. 23-11. Severability.

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the following sections of this chapter: section 23-5 and section 23-11.

(Ord. No. 14-006, § 2, 7-1-14; Ord. No. 16-011, § 2, 11-1-16)

PERMANENT SIGN REGULATIONS FOR MULTIPLE-FAMILY RESIDENTIAL USE¹

Municipality	Number permitted/Type of Signs	No. of Units	Maximum Area	Maximum Height	Setback applies
Boca Raton	1/ "ground identity" sign at each entrance	Minimum 50	72 sf	7 ft	Yes, 10 ft from ROW
	1/ "wall identity" sign OR 1/ "ground identity" sign	5 or more	32 sf for either sign	7 ft	Yes, 10 ft from ROW for ground identity sign
Deerfield Beach	1/ "building identification" sign	NA	1 sf for each linear foot of building frontage. When linear footage of building wall face is 32 sf or less, maximum sf of sign is 32 sf. When linear footage of building frontage wall is 100 ft or more, maximum sq of sign is 100 sf.	For text height, no more than 75 % of the vertical height of the sign background, and no more than 75% of the horizontal length of any sign background space.	No
	1/ "freestanding" sign (Note lot shall have 100 ft of street frontage or more, for a freestanding monument sign to be permitted)	NA	80 sf if sign is setback 20 ft or more from PL ² 48 sf if sign is setback 10 to 19 ft from PL 25 sf if sign is setback 2 to 9 ft from PL No signs permitted if 0 to 1 ft setback from PL	10 ft 8 ft 5 ft NA	Yes

Municipality	Number permitted/Type of Signs	No. of Units	Maximum Area/Size	Maximum Height	Setback applies
Delray Beach	1/freestanding sign	NA	20 sf per face (total 40 sf)	7 ft	Yes, minimum 10 ft from PL
	1/wall sign	NA	20 sf		Yes, minimum 10 ft from PL
Highland Beach	1/single or double-faced (sign may be erected on base not to exceed 1'6" in height). 1 additional sign single or double-faced identifying development permitted for intracoastal property 1 entrance and 1 exit sign single or double-faced	NA	10 sf 10 sf 3 sf each	NA	No

¹Additional sign regulations may apply.

²PL = Property line

Condo	Address	Messurment
Ocean Cove	4000-4044 S Ocean Blvd	W-18 Ft H-8 F 5 In
Boca Cove	Boca Cove Ln	W- 6F 10 In H-3 Ft 10 In
The Enclave	1027 Boca Cove Ln	W- 3F 9 In H-3 Ft 11 In
Parker Highland	4605 S Ocean Blvd	W- 4 F H-6F 1 In
Villa Nova	3505 S Ocean Blv (2 signs)	Large W- 7Ft H-1 F 6 In Small W-3 F 3 In H3 F 10 In
Clarendon	3407 S Ocean Blvd	W- 5F 1 In H- 3F 7 In
The Ridge	3401 S Ocean Blvd	W- 2 F 1 In H-3F
Beach Walk East	3201 S Ocean Blv	W- 2F 8 In H- 4F 11 In
Penthouse Towers	3101 S Ocean Blvd	W- 5 F 8 In H- 3 F 7 In
Trafalagar	2917 S Ocean Blvd	W- 5 F H- 4F 9 In
Wiltshire House	2909 S Ocean Blvd	W- 5 F 1 In H- 4 F 2 In
Penthouse Highla	3100 S Ocean	W- 5 F 1 In H-4F 1 In



Nov 17, 2025 at 3:16:29 PM
Highland Beach, FL



Nov 17, 2025 at 3:17:52 PM
Highland Beach, FL



Nov 17, 2025 at 3:23:15 PM
Highland Beach, FL



BOCA
COVE

Nov 17, 2025 at 3:23:22 PM
Highland Beach, FL

The
Enclave
1021 - 1137

Nov 17, 2025 at 3:26:37 PM
Highland Beach, FL



Nov 17, 2025 at 3:26:49 PM
Highland Beach, FL

**PARKER
HIGHLAND**

4605

Nov 17, 2025 at 3:31:10 PM
Highland Beach, FL



Nov 17, 2025 at 3:31:19 PM
Highland Beach, FL



VILLA NOVA

Nov 17, 2025 at 3:41:22 PM
Highland Beach, FL



Nov 17, 2025 at 3:41:30 PM
Highland Beach, FL



Nov 17, 2025 at 3:41:32 PM
Highland Beach, FL



3505
VILLA NOVA

Nov 17, 2025 at 3:41:41 PM
Highland Beach, FL

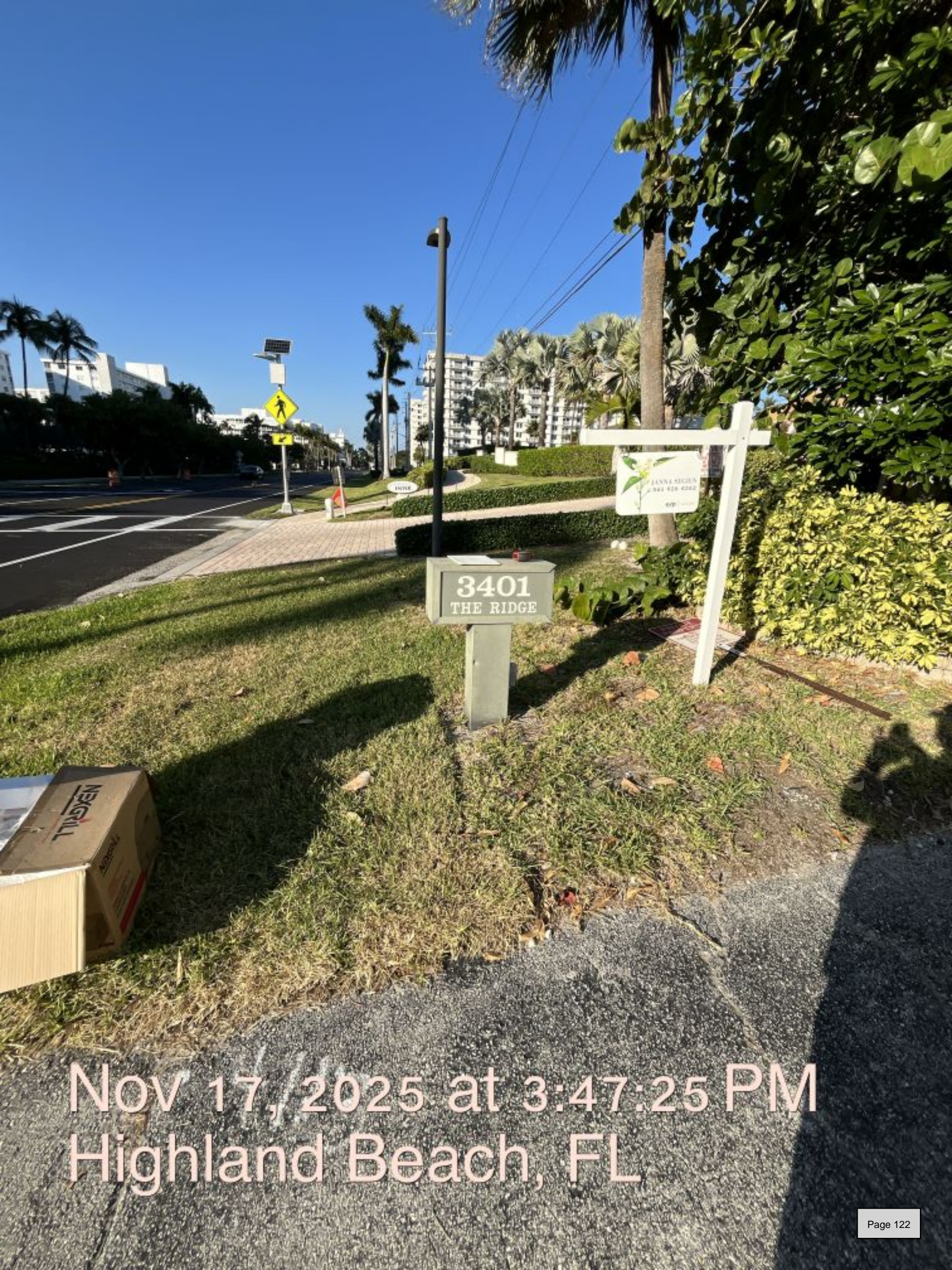


CLARENDON
3407

Nov 17, 2025 at 3:45:02 PM
Highland Beach, FL



Nov 17, 2025 at 3:45:14 PM
Highland Beach, FL



Nov 17, 2025 at 3:47:25 PM
Highland Beach, FL



Nov 17, 2025 at 3:47:33 PM
Highland Beach, FL



Nov 17, 2025 at 3:50:34 PM
Highland Beach, FL



Nov 17, 2025 at 3:50:43 PM
Highland Beach, FL

**PENTHOUSE
TOWERS 3101**



Nov 17, 2025 at 3:53:01 PM
Highland Beach, FL



Nov 17, 2025 at 3:53:28 PM
Highland Beach, FL



2917

TRAFALGAR


Nov 17, 2025 at 3:57:13 PM
Highland Beach, FL



Nov 17, 2025 at 3:57:20 PM
Highland Beach, FL



**ENTHOUSE
HIGHLANDS**

3100


Nov 17, 2025 at 4:02:23 PM
Highland Beach, FL



Nov 17, 2025 at 4:02:30 PM
Highland Beach, FL

MEMORANDUM

TO: Mayor Natasha Moore
Vice Mayor David Stern
Members of the Town Commission

FROM: Leonard G. Rubin, Town Attorney 

RE: Amendments to the Town's Sign Regulations (SB 180)

DATE: November 12, 2025

CC: Marshall Labadie, Town Manager
Lanelda Gaskins, Town Clerk

At its November 4, 2025 meeting, representatives of the Villa Magna Condominium presented proposed modifications to its existing signs to the Town Commission. As discussed at the meeting, the proposed signs are larger than what is currently permitted by Section 23-5 of the Town Code of Ordinances, which allows a permanent single-faced or double-faced identification sign not to exceed ten (10) square feet and entrance (ingress) and exit (egress) signs not to exceed three (3) square feet. Consequently, the proposed signs would require an amendment to the Town Code.

Any amendment to the Town's sign regulations would need to comply with Senate Bill 180 (Chapter 2025-190, Laws of Florida), which prohibits the Town from proposing or adopting "*more restrictive or burdensome amendments*" to its land development regulations until October 1, 2027. Because the statutory definition of the term land development regulations includes sign regulations, I previously advised the Commission that the Town could *not* move forward with a *reduction* to the allowable size of temporary signs because such an amendment would be more restrictive or burdensome. The Town Commission then requested clarification as to whether SB 180 restricted the Town's ability to *increase* the allowable sign area for permanent residential signs.

As previously discussed with the Commission, SB 180 contains no definition for the term "more restrictive or burdensome." When analyzing a statutory provision, the two basic rules of statutory interpretation are as follows: (1) the language should be interpreted in a manner that effectuates the legislature's intent; and (2) in the absence of a definition, words used in a statute should be given their plain and ordinary meaning. SB 180 was intended to address emergencies, and the quoted language was an (albeit overly broad and arguably unconstitutional) attempt to ensure that local governments do not adversely impact a property owner's ability to reconstruct damaged structures after a major storm event. Additionally, having reviewed various definitions of the terms "restrictive" and "burdensome," it is my opinion that SB 180 would only prohibit amendments to the Town's

sign regulations that are more limiting or oppressive than the current regulations and would *not* prohibit an amendment that would increase the allowable sign area.

In summary, SB 180 would not prohibit the Commission from amending the Town's sign regulations to increase the allowable sign area if the Commission determines that larger signs serve a legitimate public purpose and are rationally related to the public welfare. When determining whether such an amendment serves a legitimate public purpose, the Commission may consider visual/aesthetic impacts throughout the Town.

Should you have any questions, please do not hesitate to contact me.

ORDINANCE INITIATION

The initiation of a new ordinance may originate from several different sources:

- Commissioner/Staff initiative
- Citizen concerns expressed through public comments
- Response to state and federal actions
- Advisory Board Initiative

INTRODUCTION TOWN COMMISSION

A proposal for a new ordinance is presented to the commission for consideration. If approved in concept, the commission directs Town Manager and Town Attorney to research the subject matter and create a draft ordinance. Draft ordinance forwarded to the appropriate Advisory Board for recommendation.



ADVISORY BOARD(S)

The appropriate advisory board reviews and proposes any edits to draft ordinance. This process may involve multiple meetings for review and to solicit public comments. Once a draft is settled upon, the advisory board provides a recommendation with the final draft to the commission for consideration for a First reading.

TOWN COMMISSION -- 1st READING

Commission discusses the public merits of the ordinance along with the recommendations of the assigned advisory board(s). Public input provided. Commission may move forward to 2nd Reading/Public Hearing or may send back to advisory board and/or staff for modifications or additional research.

TOWN COMMISSION -- 2nd READING/PUBLIC HEARING

After public hearing and final discussion, the commission votes to approve and enact ordinance. The Commission may request additional modifications.

TOWN STAFF -- ADOPTION & IMPLEMENTATION