

# AGENDA

## PLANNING BOARD REGULAR MEETING



**Thursday, May 14, 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](http://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. April 06, 2026 and April 09, 2026
7. **UNFINISHED BUSINESS**
  - A. None
8. **NEW BUSINESS**
  - A. Discussion of a Proposed Resolution adopting procedures for the initiation and adoption of Town ordinances (**Recommendation to Town Commission**)
  - B. Proposed Ordinance regarding an amendment to Chapter 23 (Signs and Advertising) (**Recommendation to Town Commission**)
  - C. Proposed Ordinance regarding the encroachment of a hard surface beyond the property line in order to provide access to a seawall, dock or abutting Intracoastal Waterway beach area (**Recommendation to Town Commission**)
  - D. Nomination of Chairperson and Vice Chairperson

**9. ANNOUNCEMENTS**

June 02, 2026	1:30 PM	Town Commission Meeting
June 09, 2026	1:00 PM	Special Magistrate Hearing
June 11, 2026	9:30 AM	Planning Board Meeting

**10. ADJOURNMENT**

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**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.

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**File Attachments for Item:**

A. April 06, 2026 and April 09, 2026



## TOWN OF HIGHLAND BEACH PLANNING BOARD SPECIAL MEETING MINUTES

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

Date: April 06, 2026  
Time: 9:30 AM

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### 1. CALL TO ORDER

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

### 2. ROLL CALL

Board Member Greg Babji  
Board Member Evalyn David  
Board Member David Powell  
Board Member Roger Brown  
Board Member David Axelrod  
Vice Chairperson Eve Rosen  
Chairperson Ilyne Mendelson  
Town Attorney Leonard Rubin  
Town Clerk Lanelda Gaskins

#### ADDITIONAL STAFF PRESENT

Town Planner Ingrid Allen

### 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, 7 to 0.

### 5. SWEARING IN OF THE PUBLIC

Town Clerk Gaskins swore in those giving testimony.

### 6. UNFINISHED BUSINESS

A. None

## 7. NEW BUSINESS

### A. Development Order Application No PZ-26-1 / Seagate of Highland Beach Condominiums

**Application by Jason R. Borden, P.E., O&A Associates Inc., for a major modification request to allow for the construction of a new 472 square foot fire pump structure for the property located at 3224 South Ocean Boulevard.**

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-26-1.

The Board discussed the application.

Assistant Fire Chief Matthew Welhaf provided comments on the application.

Jason Borden, agent, provided comments on the application in regard to the issue with parking.

There were no public comments. The public hearing was closed followed by a motion.

**MOTION:** David/Axelrod - Moved to approve the Development Order Application. Upon roll call: Board Member David (Yes); Member Axelrod (Yes); Member Babij (Yes); Member Zarrilli (Yes); Member Powell (Yes); Member Brown (Yes); Vice Chairperson Rosen (Yes); and Chairperson Mendelson. The motion passed 7 to 0.

## 8. ANNOUNCEMENTS

April 09, 2026

9:30 AM

Planning Board Regular Meeting

**9. ADJOURNMENT**

The meeting adjourned at 9:59 AM.

**APPROVED** on May 14, 2026, Planning Board Regular Meeting.

\_\_\_\_\_  
Ilyne Mendelson, Chairperson

**ATTEST:**

\_\_\_\_\_  
Jaclyn DeHart  
Deputy Town Clerk

\_\_\_\_\_  
05/14//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/>.



## TOWN OF HIGHLAND BEACH PLANNING BOARD REGULAR MEETING MINUTES

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

Date: April 09, 2026  
Time: 9:30 AM

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### 1. CALL TO ORDER

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

### 2. ROLL CALL

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

#### ADDITIONAL STAFF PRESENT

Town Planner Ingrid Allen

#### ABSENT

Board Member David Powell

### 3. PLEDGE OF ALLEGIANCE

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

### 4. APPROVAL OF THE AGENDA

**MOTION:** Rosen/Davod - 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. January 08, 2026

**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-25-2 / Anthony & Camille DeIPrete**

**Application by Andrea M. Keiser, esq., requesting site plan approval for a new one-story, 4,248 square foot single family residence with pool and spa for the property located at 4326 Intracoastal Drive.**

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-26-2.

The applicants were present but no questions were asked of them.

There were no public comments.

The public hearing was closed followed by a motion.

**MOTION:** David/Mendelson - Moved to approve Development Application No. PZ-26-2. Based upon roll call: Member David (Yes); Chairperson Mendelson (Yes); Member Brown (Yes); Member Babij (Yes); Member Axelrod (Yes); and Vice Chairperson Rosen (Yes). The motion passed on a 6 to 0 vote.

**B. Ordinance Revising Town's Plating Procedures (Recommendation to Town Commission)**

Chairperson Mendelson read the title of the item and referred this item to Town Attorney Rubin.

Town Attorney Rubin introduced the item, and the Board discussed it followed by a motion.

**Motion:** David/Rosen – Moved to recommend approval of the revised ordinance to the Town Commission. Based upon a roll call: Member David (Yes); Vice Chairperson Rosen (Yes); Member Brown (Yes); Member Babij (Yes);

Member Axelrod (Yes); and Chairperson Mendelson (Yes). The motion passed on a 6 to 0 vote.

**9. ANNOUNCEMENTS**

May 14, 2026                      9:30 AM                      Planning Board Regular Meeting

**10. ADJOURNMENT**

The meeting adjourned at 9:44 AM.

**APPROVED** on May 14, 2026, Planning Board Regular Meeting.

\_\_\_\_\_  
Ilyne Mendelson, Chairperson

**ATTEST:**

\_\_\_\_\_  
Jaclyn DeHart  
Deputy Town Clerk

\_\_\_\_\_  
05/14/2026  
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. Discussion of a Proposed Resolution adopting procedures for the initiation and adoption of Town ordinances (**Recommendation to Town Commission**)



# TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

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**MEETING TYPE:** Planning Board Regular Meeting  
**MEETING DATE** May 14, 2026  
**SUBMITTED BY:** Leonard G. Rubin, Town Attorney  
**SUBJECT:** Resolution adopting procedures for the initiation and adoption of Ordinances

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## **SUMMARY:**

An ordinance is an official legislative enactment of a municipality that establishes a permanent rule of conduct or law within the municipality's jurisdiction. While the legal requirements for the adoption of municipal ordinances are governed by state statute, the Town Commission seeks to adopt additional procedures for the initiation and adoption of Town ordinances. The Town Commission's intent is to ensure that members of the public are adequately notified of all pending ordinances and ensure full public participation in the ordinance adoption process. Therefore, in addition to the statutory requirements of Section 166.041, Florida Statutes, the Town Commission is proposing the following procedures:

*Initiation:* A new ordinance may be initiated by the Commission, Town Staff, one of the Town's advisory boards, resident concerns expressed through public comments, or in response to state or federal actions or requirements.

*Introduction:* All proposals for a new ordinance shall first be presented to the Commission. If approved in concept, the Commission shall direct Staff to create a draft ordinance and may assign one of its members as the ordinance sponsor.

*Advisory Board Recommendation:* The Commission may forward the draft ordinance to one or more of its advisory boards, as appropriate or as required by law (amendments to the Town's land development regulations must be considered by the Planning Board at a public hearing). The advisory board(s) shall review the ordinance, proposed modifications, and provide a final recommendation to the Commission.

*First and Second Reading:* State law requires two readings before the Town Commission prior to adoption of an ordinance. At first reading, the Commission shall hear public comments and discuss the merits of the ordinance, along with any advisory board recommendations. The Commission may either adopt the ordinance on first reading or send it back to staff and/or the advisory board(s) for modification or additional research. Once approved on first reading, the Commission shall conduct a noticed public hearing on second reading. Once the public hearing and Commission discussion is complete, the Town Commissions may vote to approve

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and adopt the ordinance. The ordinance may be modified between first and second readings so long as the modifications do not materially alter the substance of the ordinance.

*Implementation:* Once the ordinance is adopted, it shall be implemented by Town Staff.

While the Town Commission’s intent is full public participation, the Commission does reserve the right to waive the non-statutory requirements under particular circumstances. Furthermore, the Town’s failure to follow the requirements of the Resolution shall not render any ordinance invalid so long as all statutory requirements are satisfied.

While the Town Commission has discussed this Resolution at a number of meetings, it is seeking input from the Town’s advisory boards prior to final adoption.

Please note that this initiative aligns with the Town Commission’s 2024-2025 Strategic Priorities Plan, specifically Strategic Priority SP:22 – Evaluate Ordinance Development Process.

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**FISCAL IMPACT:**

There is no fiscal impact.

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**ATTACHMENTS:**

Proposed Resolution and Ordinance Process Flowchart

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**RECOMMENDATION:**

Town Staff seeks the Board’s input on the proposed ordinance adoption procedure and any proposed revisions.



**TOWN OF HIGHLAND BEACH  
PROPOSED RESOLUTION**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA ADOPTING PROCEDURES FOR THE INITIATION AND ADOPTION OF TOWN ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Highland Beach is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes, and may exercise such power and authority through the adoption of ordinances; and

**WHEREAS**, Section 166.041(1)(a), Florida Statutes, defines an “ordinance” as an official legislative action of the governing body, which action is a regulation of a general and permanent nature and enforceable as a local law; and

**WHEREAS**, the procedures set forth in Section 166.041, Florida Statutes, constitute the uniform method for the adoption and enactment of municipal ordinances; however, a municipality may specify additional requirements or procedures over and above the statutory requirements; and

**WHEREAS**, the Town Commission wishes to establish formal procedures for the initiation and adoption of Town ordinances and determines that the adoption of this Resolution is in the best interests of the Town and its residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AS FOLLOWS:**

**Section 1.** The foregoing recitals are ratified and incorporated herein.

**Section 2.** In addition to the statutory requirements set forth in Section 166.041, Florida Statutes, the Town Commission hereby adopts the following procedures for the initiation and adoption of ordinances:

A. *Ordinance Initiation.* A new ordinance may be initiated by several different sources, including, but not limited to:

1. Commissioner or staff initiative;
2. Advisory board initiative;
3. Resident concerns expressed through public comments; or
4. Response to state or federal actions or requirements.

Proposed Resolution

- B. *Introduction to the Town Commission.* Proposals for a new ordinance shall first be presented to the Town Commission for consideration. If approved in concept, the Commission shall direct the Town Manager, Town Staff, and the Town Attorney to research the subject matter and create a draft ordinance and may assign one of its members as the Ordinance sponsor.
- C. *Advisory Board Recommendation.* The Commission may forward the draft ordinance to one or more advisory boards. As required by state statute and the Town Code, all amendments to the Town's land development regulations or zoning code must first be considered by the Town's Planning Board at a public hearing. The advisory board(s) shall review the ordinance and propose any edits over the course of one or more public meetings. Once a majority of the board members agree to a final draft, the advisory board(s) shall provide a recommendation to the Town Commission along with the final draft.
- D. *First Reading by the Town Commission.* On first reading, the Town Commission shall hear public comments and discuss the merits of the ordinance, along with the recommendation of the advisory board, if applicable. The Commission may either adopt the ordinance on first reading or send it back to the board and/or staff for modification or additional research.
- E. *Second Reading.* Once the ordinance is approved on first reading, it shall be presented to the Town Commission for public hearing and final discussion on second reading. Once the public hearing and Commission discussion is complete, the Town Commission votes to approve and enact the ordinance. The Town Commission may modify the ordinance previously adopted on first reading so long as the modifications do not materially alter the substance of the ordinance. If the substance of the ordinance is materially altered, Staff shall reinitiate the adoption process and proceed back to first reading.
- F. *Adoption and Implementation.* Once an ordinance is adopted, Town Staff shall take all appropriate steps to implement the ordinance.
- G. *Intent and Waiver.* The Town Commission's intent is to ensure that the public is adequately notified of pending ordinances and ensure full public participation in the ordinance adoption process. However, the Town Commission, in the exercise

Proposed Resolution

of its discretion, reserves the right to waive the requirements of this Resolution when warranted under the particular circumstances. The Town's failure to follow the requirements of this Resolution shall not render any ordinance invalid provided that the Town followed all statutory requirements for adoption of ordinances set forth in Section 166.041, Florida Statutes.

**Section 3.** This Resolution shall be effective immediately upon adoption.

**DONE AND ADOPTED** by the Town Commission of the Town of Highland Beach, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2026.

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Natasha Moore  
Mayor

**ATTEST:**

**REVIEWED FOR LEGAL  
SUFFICIENCY:**

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Lanelda Gaskins, MMC  
Town Clerk

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Leonard G. Rubin  
Town Attorney

**VOTES:**

**YES NO**

Mayor Natasha Moore  
Vice Mayor David Stern  
Commissioner Donald Peters  
Commissioner Judith M. Goldberg  
Commissioner Jason Chudnofsky

## 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 -- 1<sup>st</sup> 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 2<sup>nd</sup> Reading/Public Hearing or may send back to advisory board and/or staff for modifications or additional research.

## TOWN COMMISSION -- 2<sup>nd</sup> 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

**File Attachments for Item:**

B. Proposed Ordinance regarding an amendment to Chapter 23 (Signs and Advertising)  
**(Recommendation to Town Commission)**



# TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

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**MEETING TYPE:** Planning Board Meeting

**MEETING DATE** May 14, 2026

**SUBMITTED BY:** Ingrid Allen, Town Planner, Building Department

**SUBJECT:** AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING CHAPTER 23, "SIGNS AND ADVERTISING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 23-5, "PERMITTED SIGNS," TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF A PERMANENT SIGN FROM 10 SQUARE FEET TO 32 SQUARE FEET, TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF AN INGRESS AND/OR EGRESS SIGN FROM THREE (3) SQUARE FEET TO 32 SQUARE FEET AND BY AMENDING SECTION 23-8, "APPEALS," TO PROVIDE AN APPEAL PROCESS FOR GRANTING AN INCREASE IN THE MAXIMUM SQUARE FOOTAGE OF A PERMANENT SIGN

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## **SUMMARY:**

At the March 3, 2026 Town Commission meeting, the Commission considered a discussion on increasing the maximum square footage requirements, etc. for permanent signs. Consensus from the Commission was to have staff draft an ordinance to increase the maximum sign area size to 32 square feet for each of the three (3) existing sign scenarios in the Town Code of Ordinances ("Town Code"), and to add a process for appeal which is first considered by the Planning Board with a final decision by the Town Commission. Additional discussion by the Commission included consensus on the following item:

- An appeal for an increase in the maximum square footage of a permanent sign shall not exceed 72 square feet.

Table 1 below, provides the Town Code's current maximum sign size for permanent and ingress/egress signs (referenced above as the "three (3) existing sign scenarios"). Also included in Table 1, are the proposed sign dimensions provided by Villa Magna (see below, Additional Item History).

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TABLE 1		
TYPE OF SIGN	CURRENT TOWN CODE MAXIMUM SIGN SIZE	VILLA MAGNA'S PROPOSED SIGN DIMENSIONS
Ingress (entrance)/egress (exit)	3 square feet	11 square feet
Permanent <sup>1</sup>	10 square feet	24 square feet (monument sign)
Permanent Intracoastal sign	10 square feet	10.67 square feet

<sup>1</sup> *Permanent sign* means a sign used to identify or name a residence, apartment or condominium building, motel or hotel (Section 23-1 Town Code).

It is worth noting that the proposed Ordinance states that the Town's Board of Adjustment and Appeals (BOAA), rather than the Planning Board, provides an advisory review for a sign appeal. Section 30-40(p) of the Town Code states that for appeals of a decision, order, requirement, determination, or interpretation of a Town Official regarding the Zoning Code (Chapter 30), such appeal shall be considered by the BOAA. In addition, the BOAA is the decision making authority for all variance requests for new and existing single-family homes and existing multi-family units. For all other types of variance requests, a recommendation from the BOAA shall be provided to the Town Commission who is the decision making authority. Although the Town's sign code is located in Chapter 23 and not Chapter 30, staff proposes that the BOAA provide an advisory review for sign appeals given the established appeal and variance provisions noted above.

Given the direction from the Town Commission (as noted above), the proposed draft ordinance provides the following sign code changes (deleting is ~~stricken through~~ and adding is underlined):

Sec. 23-5. Permitted signs.

\* \* \*

(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 32 ~~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 32 ~~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 32 ~~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.

#### Sec. 23-8. Appeals.

(a) *General*. The board of adjustment and appeals shall hear and make recommendations to the town commission on sign code appeals requesting an increase in the maximum square footage of a permanent sign (not to exceed 72 square feet). Appeals requesting an increase in the maximum square footage of an entrance (ingress) or exit (egress) sign are not authorized.

(b) *Limitations on authority to grant appeals*. As applicable, the board of adjustment and appeals and the town commission shall base their recommendations and decisions on the justifications submitted by the applicant, the considerations for issuance in subsection (c) below, and the conditions of issuance in subsection (d) below. The board of adjustment

and appeals and town commission have the right to attach such conditions as they deem necessary to further the purposes and objectives of this chapter.

(c) Considerations for issuance of appeals. In reviewing requests to grant an appeal, the board of adjustment and appeals and the town commission shall consider the following:

(1) That there is something unique about the building or site configuration that would result in the signage dimension permitted by this chapter being ineffective or inadequate;

(2) That the granting of the appeal will not detract from the safety of pedestrians or motorists on the site which it is located or on the adjacent right-of-way; and

(3) That the proposed signage is compatible with the architecture of the building and the materials are harmonious with the building design and surrounding landscape materials.

(d) Conditions for issuance of appeals. Appeals shall be issued only upon a determination:

(1) That the granting of the appeal will not deter the identification and wayfinding for the building and site nor create a negative impact on the aesthetic quality of the site and architecture; and

(2) That the granting of the appeal will be in harmony with the general intent and purpose of this chapter, and that such appeal will not be injurious, create nuisances or otherwise be detrimental to the public welfare.

(e) Decision of the town commission. A vote of at least four (4) members of the town commission shall be required to grant an appeal, and the town commission's decision on any sign appeal shall be final. The town commission's decision may only be challenged by the filing of a petition for writ of certiorari in the circuit court within thirty (30) days of the town commission's rendition of its written order.

(f) If a sign permit application is denied *Denial of a sign permit* by the building official. With the exception of appeals requesting and increase maximum square footage of a permanent sign as authorized by this section, 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.

#### **ADDITIONAL ITEM HISTORY:**

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 above). 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 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.

At the January 8, 2026 Planning Board meeting, the Board moved to recommend the following amendments to the Town's Sign Regulations to the Town Commission:

- Increasing the sign size using Boca Raton's sign code as reference.
- Allowing for a variance procedure for dimensional requirements; and
- Adding in universal rules across all condos subject to the criteria that the sign should fit in with the overall property and the building, and use similar materials.

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. 2). 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. 3).

**Applicable Sign Code Regulations:**

Section 23-5 of the Town Code provides the following size, color, illumination, aesthetic, and traffic safety regulations for permanent as well as ingress/egress signage (see Attachment No. 4 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.***

### **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.*

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**FISCAL IMPACT:**

N/A

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**ATTACHMENTS:**

Ordinance

Villa Magna proposed signage (Attachment No. 1)

Other municipality sign regulations: comparison table (Attachment No. 2)

Height and width of all current condominium signage/photos (Attachment No. 3)

Town sign code (Attachment No. 4)

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

Town Commission minutes – March 3, 2026

Business Impact Estimate (BIE)

Ordinance Process flowchart

---

**RECOMMENDATION:**

At the discretion of the Planning Board.

**TOWN OF HIGHLAND BEACH  
ORDINANCE NO**

**AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING CHAPTER 23, "SIGNS AND ADVERTISING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 23-5, "PERMITTED SIGNS," TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF A PERMANENT SIGN FROM 10 SQUARE FEET TO 32 SQUARE FEET, TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF AN INGRESS AND/OR EGRESS SIGN FROM THREE (3) SQUARE FEET TO 32 SQUARE FEET AND BY AMENDING SECTION 23-8, "APPEALS," TO PROVIDE AN APPEAL PROCESS FOR GRANTING AN INCREASE IN THE MAXIMUM SQUARE FOOTAGE OF A PERMANENT SIGN; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Highland Beach, Florida, is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, on December 2, 2025, the Town Commission agreed to have the Planning Board review the Town’s permanent sign code regulations and to consider other municipal sign codes as well as appropriate standards for maximum sign size, sign colors, sign illumination, sign look, safety of pedestrians and roadways, and an appeal or variance process for granting an increase in the dimensional requirements of permanent signage; and

**WHEREAS**, on January 8, 2026, the Planning Board provided its recommendation to the Town Commission; and

**WHEREAS**, on March 3, 2026, the Town Commission approved a motion to have staff draft an Ordinance that allows an increase in the maximum square footage of a permanent sign from 10 square feet to 32 square feet, to increase the maximum square footage of an ingress and/or egress sign from three (3) square feet to 32 square feet, and to provide an appeal process for granting an increase in the maximum square footage of a permanent sign; and

**WHEREAS**, the Planning Board conducted a duly advertised public hearing on this Ordinance and provided its recommendation on the draft Ordinance to the Town Commission; and

**WHEREAS**, the Town Commission has determined that the amendments to the Town Code of Ordinances are in the best interest of the Town of Highland Beach.

1           **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE**  
2 **TOWN OF HIGHLAND BEACH, FLORIDA, AS FOLLOWS:**

3           **Section 1.**     The foregoing facts and recitations contained in the preamble to this  
4 Ordinance are hereby adopted and incorporated by reference as if fully set forth herein.

5           **Section 2.**     Chapter 23, “Signs and Advertising,” of the Town of Highland Beach Code  
6 of Ordinances is hereby amended by amending Section 23-5, “Permitted signs,” to read as follows  
7 (deleting is ~~stricken through~~ and adding is underlined):

8           **Sec. 23-5. Permitted signs.**

9           (a)     *Generally.* Signs are permitted only along the road frontage unless  
10 otherwise indicated.

11          (b)     *All zoning districts.*

12           (1)     In all zoning districts, one entrance (ingress) and one exit (egress)  
13 sign is permitted for directing traffic flow. Each sign may be single-  
14 faced or double-faced and shall meet Department of Transportation  
15 standards, and not exceed 32 ~~three (3)~~ square feet in size. Each sign  
16 may be illuminated or non-illuminated as determined by the owner  
17 and police department. A permit is required.

18          (c)     *All zoning districts.*

19           (1)     *Temporary signs.* Shall be as set forth in section 23-9.

20           (2)     *Permanent signs:*

21           a.     One permanent single-faced or double-faced sign not to  
22 exceed 32 ~~ten (10)~~ square feet per face may be permitted.  
23 Such sign must be illuminated, but not with intermittent or  
24 colored lights or animation. The building official shall  
25 review the sign application and a permit is then required. A  
26 permit fee shall be charged and will be based upon the  
27 construction cost of the sign. The sign may be erected on a  
28 base not to exceed one foot six (6) inches in height. The base  
29 shall not exceed the dimensions of the sign by more than one  
30 foot in any direction. Any person seeking to place a sign in

1 the FDOT right-of-way must obtain written FDOT approval  
2 prior to permit issuance by the town.

3 b. A street address sign readily visible from the street is  
4 required. Installation of this street address sign is a condition  
5 for issuing the certificate of occupancy. No permit is  
6 required.

7 c. In the case of intracoastal property, one additional  
8 permanent sign identifying the development may be  
9 allowed. This additional sign may also be single-faced or  
10 double-faced, not to exceed 32 ~~ten (10)~~ square feet per face.  
11 It may be illuminated, but not with intermittent or colored  
12 lights or animation. A permit is required.

13 d. Tow away signs conforming to state statutes are allowed on  
14 private property.

15 e. Whenever a sign requires a permit and is allowed within a  
16 setback area, easement, or right-of-way, the person erecting  
17 the sign shall be required to execute an agreement with the  
18 town.

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

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

30 h. *Illumination*: Signs may be illuminated directly or indirectly  
31 unless specifically prohibited elsewhere in this chapter. In

1 residential zoning districts, all illumination shall be shielded  
2 so that the light is not directed toward adjacent residentially  
3 zoned property.

4 **Section 3.** Chapter 23, “Signs and Advertising,” of the Town of Highland Beach Code  
5 of Ordinances is hereby amended by amending Section 23-8, “Appeals” to read as follows  
6 (deleting is ~~stricken through~~ and adding is underlined):

7 **Sec. 23-8. Appeals.**

8 (a) General. The board of adjustment and appeals shall hear and make  
9 recommendations to the town commission on sign code appeals requesting an  
10 increase in the maximum square footage of a permanent sign (not to exceed  
11 72 square feet). Appeals requesting an increase in the maximum square  
12 footage of an entrance (ingress) or exit (egress) sign are not authorized.

13 (b) Limitations on authority to grant appeals. As applicable, the board of  
14 adjustment and appeals and the town commission shall base their  
15 recommendations and decisions on the justifications submitted by the  
16 applicant, the considerations for issuance in subsection (c) below, and the  
17 conditions of issuance in subsection (d) below. The board of adjustment and  
18 appeals and town commission have the right to attach such conditions as they  
19 deem necessary to further the purposes and objectives of this chapter.

20 (c) Considerations for issuance of appeals. In reviewing requests to grant an  
21 appeal, the board of adjustment and appeals and the town commission shall  
22 consider the following:

23 (1) That there is something unique about the building or site configuration  
24 that would result in the signage dimension permitted by this chapter  
25 being ineffective or inadequate;

26 (2) That the granting of the appeal will not detract from the safety of  
27 pedestrians or motorists on the site which it is located or on the  
28 adjacent right-of-way; and

29 (3) That the proposed signage is compatible with the architecture of the  
30 building and the materials are harmonious with the building design  
31 and surrounding landscape materials.

1           (d)    Conditions for issuance of appeals. Appeals shall be issued only upon a  
2                    determination:

3                   (1)    That the granting of the appeal will not deter the identification and  
4                            wayfinding for the building and site nor create a negative impact on  
5                            the aesthetic quality of the site and architecture; and

6                   (2)    That the granting of the appeal will be in harmony with the general  
7                            intent and purpose of this chapter, and that such appeal will not be  
8                            injurious, create nuisances or otherwise be detrimental to the public  
9                            welfare.

10           (e)    Decision of the town commission. A vote of at least four (4) members of the  
11                    town commission shall be required to grant an appeal, and the town  
12                    commission's decision on any sign appeal shall be final. The town  
13                    commission's decision may only be challenged by the filing of a petition for  
14                    writ of certiorari in the circuit court within thirty (30) days of the town  
15                    commission's rendition of its written order.

16           (f)    ~~If a sign permit application is denied~~ Denial of a sign permit by the building  
17                    official. With the exception of appeals requesting and increase maximum  
18                    square footage of a permanent sign as authorized by this section, the board  
19                    of adjustment and appeals shall hear and decide appeals where it is alleged  
20                    there is error in any order, interpretation, requirement, decision, or  
21                    determination made by the building official in the administration or  
22                    enforcement of this chapter. A request for appeal must be filed with the town  
23                    clerk within ten (10) business days of the date of the matter being appealed.

24           **Section 4. Severability.** The provisions of this Ordinance are declared to be severable and  
25           if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid  
26           or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences,  
27           clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent  
28           that this Ordinance shall stand notwithstanding the invalidity of any part.

29           **Section 5. Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict  
30           herewith are hereby repealed to the extent of such conflict.



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 2<sup>nd</sup> 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 4<sup>th</sup> 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.

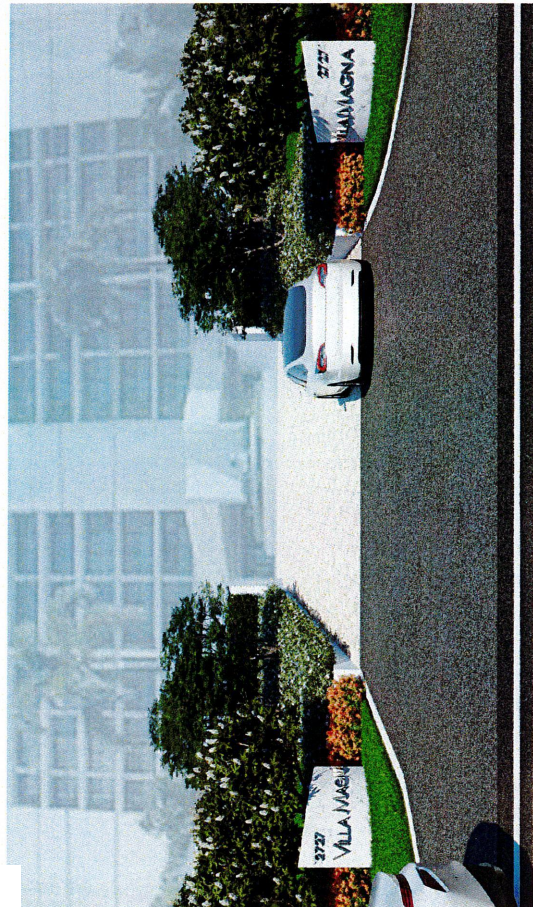
Respectfully,

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



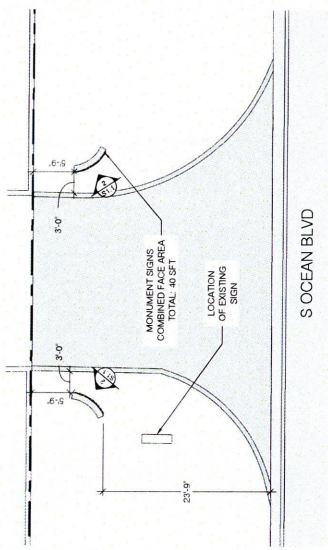
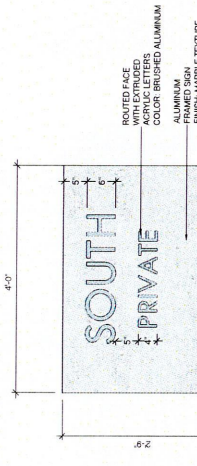
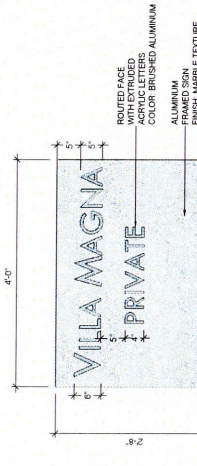
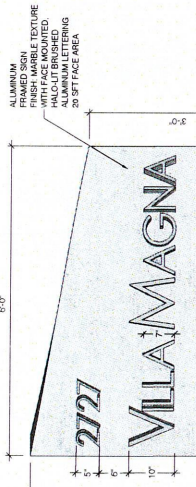
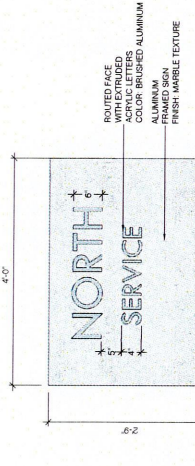
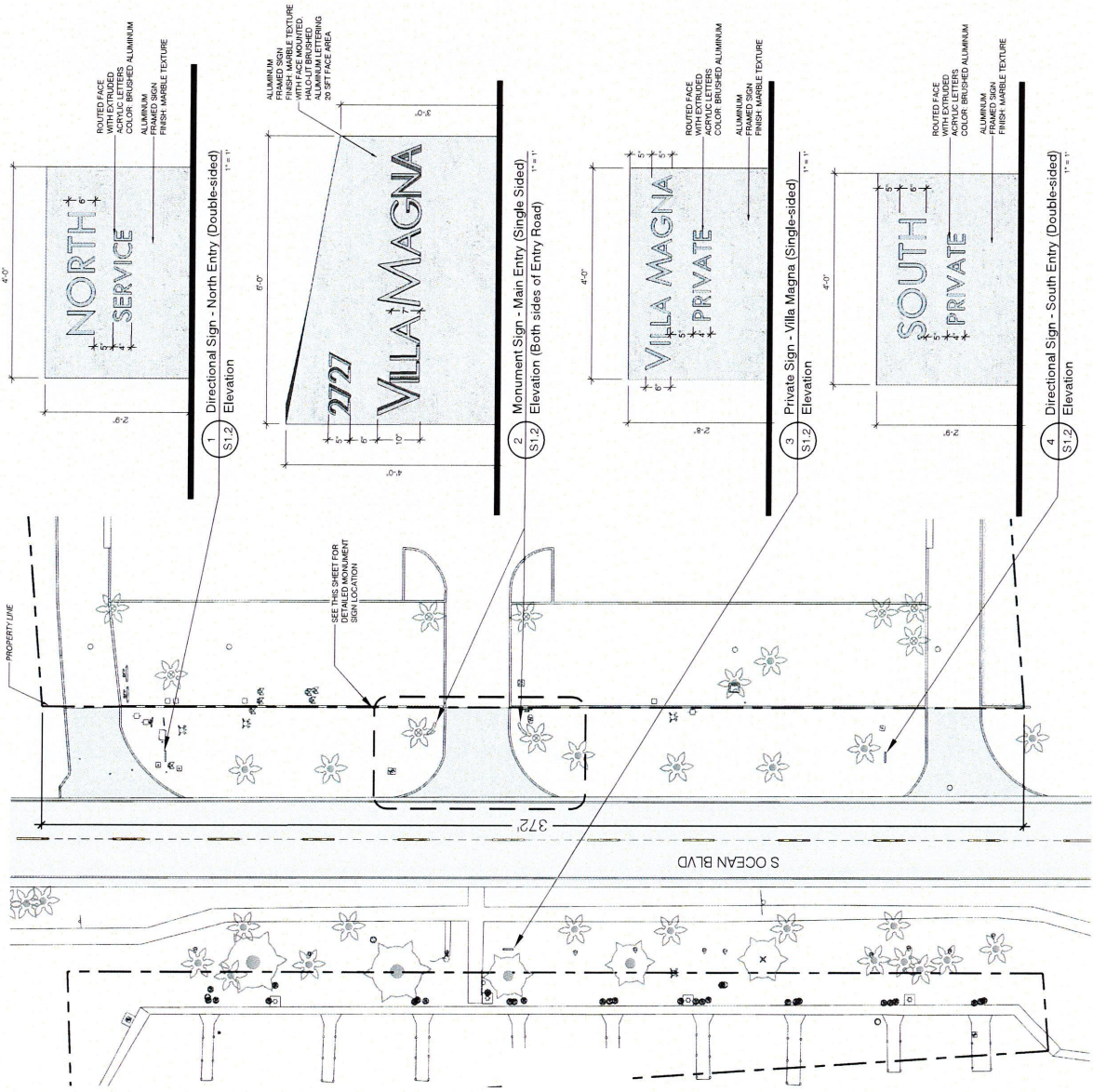
ST SIDE - PRIVATE VILLA MAGNA PRIVATE SIGN (EXISTING)



WEST SIDE - PRIVATE VILLA MAGNA PRIVATE SIGN (PROPOSED)



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



**5** SIGNAGE LOCATION 1" = 1'

Scale 1/8" = 1'

**1** SIGNAGE PLAN 1" = 20'

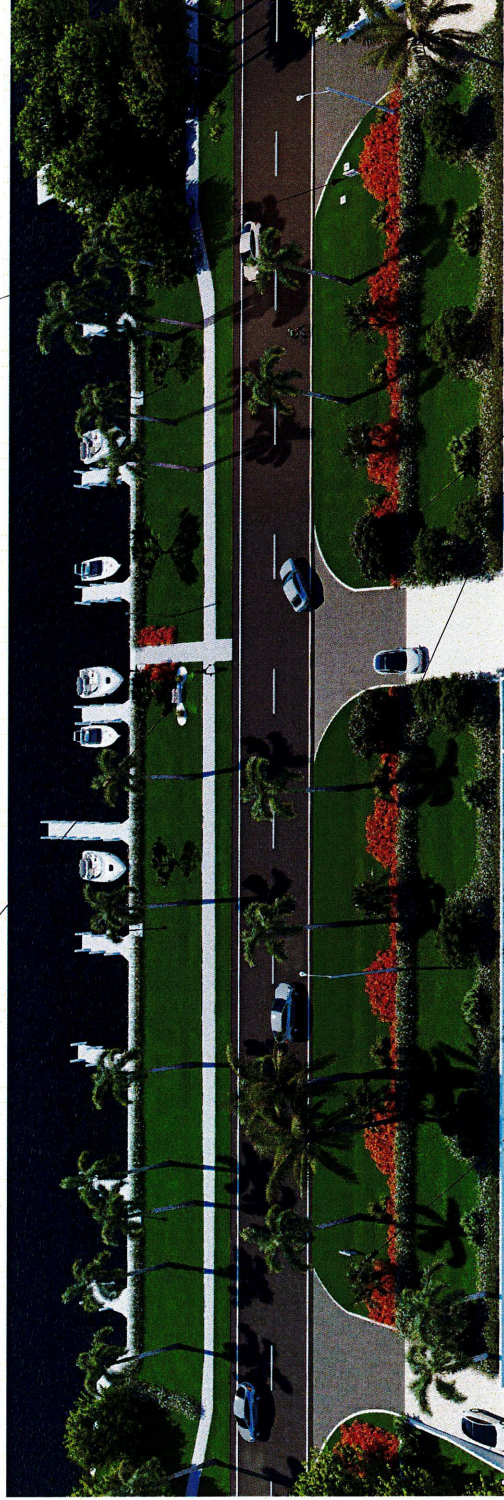
Scale 1" = 20'



**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**

**PERMANENT SIGN REGULATIONS FOR MULTIPLE-FAMILY RESIDENTIAL USE<sup>1</sup>**

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	10 ft from ROW
	1/ "wall identity" sign OR 1/ "ground identity" sign	5 or more	32 sf for either sign	7 ft	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, <b>maximum sf of sign is 32 sf.</b> When linear footage of building frontage wall is 100 ft or more, <b>maximum sq of sign is 100 sf.</b>	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	<b>80 sf</b> if sign is setback 20 ft or more from PL <sup>2</sup> . <b>Sign face<sup>3</sup> 40sf.</b>  <b>48 sf</b> if sign is setback 10 to 19 ft from PL. <b>Sign face 24 sf.</b>  <b>25 sf</b> if sign is setback 2 to 9 ft from PL. <b>Sign face 15 sf.</b>  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)  <b>96 sf (if special setback is 20-30 ft)</b>	7 ft  <b>14ft (if special setback is 20-30 ft)</b>	Minimum 10 ft from PL <b>OR</b> special setback (whichever is greater)
	1/wall sign	NA	20 sf		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

<sup>1</sup>Additional sign regulations may apply.

<sup>2</sup>PL = Property line

<sup>3</sup>**Sign face means the part of the sign that is or can be used to identify, communicate information or visual presentation which attracts the attention of the public for any purpose. Includes background material, panel, trim, color, illumination.**

ATTACHMENT NO. 3

Condo	Address			Measurements	Square footage
Ocean Cove	4000-4044 S Ocean Blvd			W-18 Ft H-8 F 5 In	151.5
Boca Cove	Boca Cove Ln			W- 6F 10 In H-3 Ft 10 In	26.19
The Enclave	1027 Boca Cove Ln			W- 3F 9 In H-3 Ft 11 In	14.69
Parker Highland	4605 S Ocean Blvd			W- 4 F H-6F 1 In	24.33
Villa Nova	3505 S Ocean Blvd	(2 signs)	Large	W- 7Ft H-1 F 6 In	10.5
			Small	W-3 F 3 In H3 F 10 In	12.46
Clarendon	3407 S Ocean Blvd			W- 5F 1 In H- 3F 7 In	18.22
The Ridge	3401 S Ocean Blvd			W- 2 F 1 In H-3F	6.25
Beach Walk East	3201 S Ocean Blv			W- 2F 8 In H- 4F 11 In	13.11
Penthouse Towers	3101 S Ocean Blvd			W- 5 F 8 In H- 3 F 7 In	20.31
Trafalagar	2917 S Ocean Blvd			W- 5 F H- 4F 9 In	23.75
Wiltshire House	2909 S Ocean Blvd			W- 5 F 1 In H- 4 F 2 In	21.18
Penthouse Highland	3100 S Ocean			W- 5 F 1 In H-4F 1 In	20.76

Prepared by Code Compliance Officer A. Osowsky 11-18-25



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



VILLA NOVA

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



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



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

A white octagonal address sign is the central focus, mounted on a white base. The sign features the name 'CLARENDON' in a large, bold, black serif font, with the number '3407' in a smaller, black sans-serif font below it. The sign is surrounded by a decorative border of grey, octagonal stone blocks. The base of the sign is filled with a mix of brown and grey gravel. The sign is situated on a green lawn. In the background, there is a paved road with a yellow construction sign, palm trees, and a modern building with a glass facade under a clear blue sky.

**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



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

## Chapter 23 SIGNS AND ADVERTISING<sup>1</sup>

### 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.

---

<sup>1</sup>Editor'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.

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- (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.

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- (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

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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.

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(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 <sup>1</sup>	4
Maximum Sign Area <sup>2</sup>	4 sf.
Sign Height Maximum for a Freestanding Sign <sup>3</sup>	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 <sup>4</sup> )	10 ft.
Aggregate Maximum of Surface Area Allocated for All Sign Messages <sup>5</sup>	32 sf.

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

<sup>2</sup> 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.

<sup>3</sup> Not applicable to signs displayed on flagpoles.

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<sup>4</sup>Not applicable to signs displayed on flagpoles.

<sup>5</sup>There 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)



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## MEMORANDUM

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**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

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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.

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

Town Planner Ingrid Allen provided extensive background on the sign ordinance discussion, which originated from a November 2025 public comment by Villa Magna condominium requesting larger replacement signs. The Planning Board reviewed various considerations including appropriate sign standards, size relationships to building scale, color and illumination requirements, safety considerations, and appeals processes.

The Planning Board recommended increasing sign sizes using Boca Raton's code as reference, allowing variance procedures for dimensional requirements, and implementing universal rules across all condominiums with criteria that signs fit the overall property aesthetic.

Mayor Moore proposed following the Planning Board's direction by adopting 32 square feet as the maximum size for all three sign categories (currently 10, 10, and 3 square feet), noting this would accommodate Villa Magna's 24 square foot request while providing consistency. She also recommended adding an appeals process.

Commissioner Stern expressed support for size increases but cautioned against simply copying Boca Raton's ordinance without careful review of all provisions. Vice Mayor Stern wished the Planning Board had provided more specific recommendations rather than general guidance to follow Boca Raton's approach.

Commissioner Goldberg raised questions about measurement standards, particularly for monument-style signs, and suggested establishing a maximum limit for appeals to prevent excessive variance requests. Town Attorney Rubin clarified the difference between variance procedures (requiring hardship standards) and appeals processes, with the Commission preferring an appeals process going first to the Planning Board, then to the Commission.

The discussion addressed concerns about existing nonconforming signs, which would be allowed to remain but must comply with new standards if destroyed or completely replaced.

**MOTION:** Moore/Chudnofsky – A motion was made and seconded for staff to draft an ordinance to increase the maximum area size to be 32 square feet for each of the three scenarios we have and to add a process for appeal where it goes to the Planning Board first and then to the Town Commission for the ultimate decision. Upon roll call: Mayor Moore (Yes); Commissioner Chudnofsky (Yes); Commissioner Goldberg (Yes); Commissioner Peters (Yes); and Vice Mayor Stern (Yes). The motion passed on a 5 to 0 vote.

# **Business Impact Estimate**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the Town's website by the time notice of the proposed ordinance is published.*

Proposed ordinance's title: AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING CHAPTER 23, "SIGNS AND ADVERTISING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 23-5, "PERMITTED SIGNS," TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF A PERMANENT SIGN FROM 10 SQUARE FEET TO 32 SQUARE FEET, TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF AN INGRESS AND/OR EGRESS SIGN FROM THREE (3) SQUARE FEET TO 32 SQUARE FEET AND BY AMENDING SECTION 23-8, "APPEALS," TO PROVIDE AN APPEAL PROCESS FOR GRANTING AN INCREASE IN THE MAXIMUM SQUARE FOOTAGE OF A PERMANENT SIGN; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the Town is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed Ordinance, but the Town is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed Ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;
  - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.
  - c. Sections 190.005 and 190.046;
  - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the Town hereby publishes the following information:

**1. Summary of the proposed ordinance including a statement of the public purpose to be served, such as serving the public health, safety, morals and welfare of the municipality.**

This Ordinance includes an amendment to the Town's sign code found in Chapter 23 which will allow an increase in the maximum square footage of a permanent sign as well as ingress/egress signs. In addition, the amendment will allow an appeals process for granting an increase in the maximum square footage of a permanent sign. The Town Commission has indicated that they wish to increase the maximum square footage of permanent signs as it applies to multi-family residences given, the current maximum size of a permanent sign is limited. The proposed appeals process requires an applicant to submit justifications as to why the Town should issue an appeal. Such appeal request would require a recommendation from the Board of Adjustment and Appeals and a final decision from the Town Commission.

**2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:**

**(a) An estimate of direct compliance costs that businesses may reasonably incur if the Ordinance is enacted;**

**(b) Identification of any new charge or fee on businesses, or for which businesses will be financially responsible; and**

**(c) An estimate of the Town's regulatory costs, including estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.**

The Ordinance will have no direct economic impact on the one (1) existing private, for-profit business in the Town.

**3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:**

The Town has one (1) existing private business (Delray Sands Resort).

**4. Additional information the governing body deems useful (if any):**

## 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 -- 1<sup>st</sup> 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 2<sup>nd</sup> Reading/Public Hearing or may send back to advisory board and/or staff for modifications or additional research.

## TOWN COMMISSION -- 2<sup>nd</sup> 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



**TOWN OF HIGHLAND BEACH**  
**NOTICE OF PUBLIC HEARING**

**YOU ARE HEREBY NOTIFIED** that the Planning Board of the Town of Highland Beach will conduct a Public Hearing on *Thursday, May 14, 2026 at 9:30 AM* in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following and provide a recommendation to the Town Commission:

**AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING CHAPTER 23, "SIGNS AND ADVERTISING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 23-5, "PERMITTED SIGNS," TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF A PERMANENT SIGN FROM 10 SQUARE FEET TO 32 SQUARE FEET, TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF AN INGRESS AND/OR EGRESS SIGN FROM THREE (3) SQUARE FEET TO 32 SQUARE FEET AND BY AMENDING SECTION 23-8, "APPEALS," TO PROVIDE AN APPEAL PROCESS FOR GRANTING AN INCREASE IN THE MAXIMUM SQUARE FOOTAGE OF A PERMANENT SIGN; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

All interested parties may appear at the public hearing and be heard with respect to the ordinance.

The proposed ordinance may be inspected by the public at the Town Clerk's Office. Information on the ordinance may also be obtained by emailing the Town Clerk's Office at [townclerk@highlandbeach.us](mailto:townclerk@highlandbeach.us). A copy of the ordinance will be available on the on the Town's webpage at <https://highlandbeach-fl.municodemeetings.com/> no later than Friday, May 7, 2026.

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

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# Highland Beach Legal Notice

05/04/2026 11:48 AM (EDT)

Submitted by Jaclyn Dehart (jdehart@highlandbeach.us)

## Legal Notice

Please choose a category

Planning Board Public Hearing Notices - Highland Beach

Title

May 14, 2026 Planning Board Meeting PROPOSED ORDINANCE AMENDING CHAPTER 23, "SIGNS AND ADVERTISING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 23-5, "PERMITTED SIGNS,"

Publish Date

05/04/2026

Publish Time

11:47 AM (EDT)

Description

TOWN OF HIGHLAND BEACH

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

---

Attach Files (Optional)

 AD\_PB 5-14-26 mtg\_SIGN.pdf

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Submitted by (Email Address)

jdehart@highlandbeach.us

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Notifications

Yes

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Signature





Affidavit of Legal Notice submission and publication

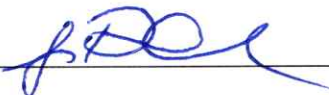
Highland Beach Legal Notice

Submission Time: **05/04/2026 11:48 AM (EDT)**

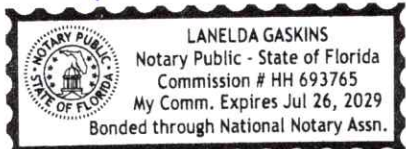
Please find a PDF of your submission details attached to this email.

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 5-14-26 mtg\_SIGN.pdf
- signature.png

Signature of Affiant 

Signature of Notary Public  5/4/26

Notary Stamp 

Highland Beach Legal Notice Submission

**File Attachments for Item:**

C. Proposed Ordinance regarding the encroachment of a hard surface beyond the property line in order to provide access to a seawall, dock or abutting Intracoastal Waterway beach area **(Recommendation to Town Commission)**



# TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

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**MEETING TYPE:** Planning Board Meeting

**MEETING DATE** May 14, 2026

**SUBMITTED BY:** Ingrid Allen, Town Planner, Building Department

**SUBJECT:** AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING ARTICLE III, "DEVELOPMENT REVIEW," OF CHAPTER 30, "ZONING CODE," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 30-66, "OTHER REQUIREMENTS" TO ALLOW A HARD SURFACE TO ENCROACH BEYOND THE PROPERTY LINE FOR PROPERTIES ABUTTING A WATERWAY, CANAL OR LAKE IN ORDER TO PROVIDE ACCESS TO A SEAWALL, DOCK, OR ABUTTING INTRACOASTAL WATERWAY BEACH AREA AND AMENDING SECTION 30-68, "SUPPLEMENTAL DISTRICT REGULATIONS," TO CLARIFY THE MEASUREMENT OF THE WIDTH OR LENGTH OF A DOCK WHEN COMBINED WITH A SEAWALL CAP;

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**SUMMARY:**

At the August 14, 2025 Planning Board ("Board") meeting, the Board made a motion to propose to the Town Commission an amendment to Section 30-66(c)(1)a. of the Town Code of Ordinances ("Town Code") to allow for hard surfaces past the property line to a dock and to put forth Greg Babij as the sponsor of the amendment (motion carried 6-0). *Note that Board Member Babij suggests in his narrative (see Attachment No. 1) to widen the scope of the Board motion to allow (for properties located on the Intracoastal Waterway) hard surfaces to a beach edge located outside the rear property line.* At this same Planning Board meeting, the Board approved a special exception request (see Attachment No. 2) to install a 105 linear foot seawall and seawall cap, a 275 square foot concrete dock, and a 33,000 pound capacity elevator boat lift for the property located at 2564 South Ocean Boulevard (Development Order No. PZ-25-28). The Board approved the request with the condition that sod or artificial turf shall be placed from the property line to the seawall cap. As a proactive effort, staff recommended the latter condition given Section 30-66(c)(1)a of the Town Code provides the following regulation:

***(c)Encroachments into setbacks in the RE, RS, RML, RMM and RMH zoning districts:***

*(1)Unless otherwise provided in the Code, the following structures are allowed in the side or rear required setbacks as set forth herein.*

---

*a. Walkways, patios **and other hard surfaces for walking, gathering, and sitting** shall be constructed of porous/pervious based materials, no closer than four (4) feet to the closest property line provided the height of the areas does not extend more than four (4) inches above the finished grade. **Notwithstanding the foregoing**, when such walkways, patios **and other hard surfaces abut a waterway, canal or lake, such hard surfaces may be constructed of nonporous/nonpervious based materials (although porous/pervious based materials are encouraged) and may encroach up to the property line or seawall abutting the water, whichever is further landward**, so long as adequate onsite drainage, as prepared by a registered design professional, is provided for such hard surfaces.*

The approved special exception, noted above, included a seawall cap located approximately two (2) feet from the rear property line . According to the Applicant's plans, existing rip rap was to be removed, and an existing retaining wall (located adjacent to an existing pool) would remain (see Attachment No. 2). During the development review process, staff comments to the Applicant included why the proposed seawall didn't commence at the rear property line given there is no existing seawall at the property, and the rip rap will be removed. The Applicant responded that the proposed seawall location is "consistent with preexisting, hurricane-damaged rock wall." It is worth noting that the Town Code requires a maximum combined seawall cap and dock width at eight (8) feet; however, the Code does not regulate the location of a seawall/seawall cap as it relates to the property line.

While there are various types of seawall designs existing in the Town, it is common to find older seawalls/seawall caps abutting their respective rear property lines while many newer seawalls installations are located within 18 inches of existing seawalls that remain (see Attachment No. 3). The Florida Department of Environmental Protection and the Army Corps of Engineers have been authorizing this 18-inch limit for new seawall installations. When the 18-inch limit is applied between remaining and new seawalls, typically a hard surface is provided at grade from the remaining seawall to the new seawall. It is reasonable to allow a hard surface for such cases where there is a minimal gap between seawalls.

The proposed amendment to Chapter 30 (Zoning Code) would allow a hard surface waterward of the property line (for properties abutting a waterway, canal or lake) in order to provide access to a seawall cap, corresponding dock or abutting Intracoastal Waterway beach area as follows (deleting is ~~stricken through~~ and adding is underlined):

*Sec. 30-66 - Other requirements*

\* \* \*

*(c)Encroachments into setbacks in the RE, RS, RML, RMM and RMH zoning districts:*

*(1)Unless otherwise provided in the Code, the following structures are allowed in the side or rear required setbacks as set forth herein.*

*a.Walkways, patios and other hard surfaces for walking, gathering, and sitting shall be constructed of porous/pervious based materials, no closer than four (4) feet to the closest property line provided the height of the areas does not extend more than four (4) inches above the finished grade. **Notwithstanding the foregoing, when such walkways, patios and***

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*other hard surfaces abut a waterway, canal or lake, such hard surfaces may be constructed of nonporous/nonpervious based materials (although porous/pervious based materials are encouraged) and may encroach up to the property line or seawall abutting the water, whichever is further landward, so long as adequate onsite drainage, as prepared by a registered design professional, is provided for such hard surfaces. Notwithstanding the foregoing, such hard surfaces may encroach waterward of the property line for properties immediately adjacent to a waterway, canal, or lake for the sole purpose of providing access to a seawall, dock, or abutting Intracoastal Waterway beach area so long as: (i) the hard surface is compliant with all applicable provisions of this Chapter; and (ii) the governmental agency that regulates the waterway, canal, or lake approves said encroachment. The property owner shall be responsible for the maintenance of all encroaching hard surfaces extending waterward of the property line.*

\* \* \*

The proposed amendment also revises Section 30-68(g)(6)c. of the Town Code as a means to clarify how the width or length of a dock is measured when access to a dock is via a hard surface located waterward of the property line. As noted above, Section 30-68(g)(6)b. of the Town Code allows a maximum combined seawall cap and dock width at eight (8) feet. Note that this provision intentionally does not provide where the eight (8) feet is measured from (Town Ordinance No. 2025-002, approved on January 21, 2025). Given the proposed amendment to Section 30-66(c)(1).a., as noted above, the following revisions to Section 30-68(g)(6)c. regarding how a dock is measured are proposed (deleting is ~~stricken through~~ and adding is underlined):

*Section 30-68(g)(6)c. Measurement of the width or length of a dock, ~~as applicable~~, shall be made from the property line or, when combined with a seawall cap, from the landward edge of the seawall cap, as applicable.*

#### **ADDITIONAL ITEM HISTORY:**

At the February 3, 2026 Town Commission meeting, an introduction to the proposed amendment (in concept), which included the above information, was considered by the Commission. The Commission made a motion to have the Planning Board take up the issue, to study and review it (motion carried 5-0).

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#### **FISCAL IMPACT:**

N/A

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#### **ATTACHMENTS:**

Ordinance

Attachment No. 1 – Narrative provided by Greg Babij

Attachment No. 2 - Planning Board approved plan set (2564 S. Ocean Blvd.) – August 14, 2026

Attachment No. 3 – Sample seawall details

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Town Commission minutes – February 3, 2026  
Business Impact Estimate (BIE)  
Ordinance Process flowchart

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**RECOMMENDATION:**

At the discretion of the Planning Board.

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**TOWN OF HIGHLAND BEACH  
ORDINANCE NO**

**AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING ARTICLE III, “DEVELOPMENT REVIEW,” OF CHAPTER 30, “ZONING CODE,” OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 30-66, “OTHER REQUIREMENTS” TO ALLOW A HARD SURFACE TO ENCROACH BEYOND THE PROPERTY LINE FOR PROPERTIES ABUTTING A WATERWAY, CANAL OR LAKE IN ORDER TO PROVIDE ACCESS TO A SEAWALL, DOCK, OR ABUTTING INTRACOASTAL WATERWAY BEACH AREA AND AMENDING SECTION 30-68, “SUPPLEMENTAL DISTRICT REGULATIONS,” TO CLARIFY THE MEASUREMENT OF THE WIDTH OR LENGTH OF A DOCK WHEN COMBINED WITH A SEAWALL CAP; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

19       **WHEREAS**, the Town of Highland Beach, Florida, is a duly constituted municipality  
20 having such power and authority conferred upon it by the Florida Constitution and Chapter 166,  
21 Florida Statutes; and

22       **WHEREAS**, on August 14, 2025, the Planning Board approved a motion to the Town  
23 Commission to consider an amendment to Section 30-66(c)(1)a. of the Town Code of Ordinances  
24 to allow for hard surfaces to extend waterward from the property line to a dock; and

25       **WHEREAS**, on February 3, 2026, the Town Commission approved a motion to refer the  
26 issue to the Planning Board and have the Board study and review it, and the Planning Board  
27 provided its recommendation to the Town Commission; and

28       **WHEREAS**, the Town Commission wishes to amend Chapter 30, “Zoning Code,” of the  
29 Town Code of Ordinances in order to allow a hard surface to encroach beyond the property line  
30 for properties abutting a waterway canal or lake for the sole purpose of accessing a seawall, dock,  
31 or Intracoastal beach area and to clarify how the length or width of docks will be measured when  
32 the seawall cap is waterward of the property line; and

33       **WHEREAS**, the Town Commission has determined that the amendments to the Town  
34 Code of Ordinances are in the best interest of the Town of Highland Beach.

35       **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE**  
36 **TOWN OF HIGHLAND BEACH, FLORIDA, AS FOLLOWS:**



- 1 b. Overhangs, pursuant to section 30-68(p).
- 2 c. Air conditioner condensers, pool heaters, pool equipment or heat
- 3 pumps, not to exceed five (5) feet in height, from the finished grade,
- 4 unless otherwise approved by the building official due to flood
- 5 elevation requirements, shall not extend any closer than seven (7)
- 6 feet to the closest property line.
- 7 d. Steps/stairways for the principal building shall not extend any closer
- 8 than seven (7) feet to the closest property line.
- 9 e. Electric meters, fuse boxes, generator control boxes and tankless hot
- 10 water heaters shall be allowed to be mounted on a wall or structure,
- 11 provided such attachments do not horizontally extend beyond the
- 12 roof overhang or two (2) feet from the exterior face of the wall,
- 13 whichever is less. Hose bibs shall be allowed to extend no further
- 14 than two (2) feet horizontally from the exterior face of the wall.
- 15 f. If the rear property line borders a body of water, screen enclosures
- 16 may extend to not less than five (5) feet from the right-of-way line
- 17 or bulkhead line, whichever is further landward.
- 18 (2) Unless otherwise provided in the Code, the following structures are allowed
- 19 in front, side or rear required setbacks as set forth herein.
- 20 a. All fences, walls, and hedges may be erected or maintained along or
- 21 adjacent to a lot line, and shall comply with the requirements of
- 22 subsection 30-68(e).
- 23 b. Permanently installed generators shall not extend any closer than
- 24 seven (7) feet to the closest property line.
- 25 c. Buried propane tanks, where the fillable portion of the tank is at or
- 26 below the adjacent natural grade shall not extend any closer than
- 27 seven (7) feet to the closest property line.
- 28 (3) Equipment allowed in setbacks that emit noise, odors or fumes shall be fully
- 29 shielded or screened via landscaping in such a way to minimize such noise,
- 30 odor or fumes as required by the building official prior to the issuance of a
- 31 permit.

- 1 (4) Repair and maintenance of existing equipment and structures within the  
2 setback areas is allowed. Replacement is also permitted so long as the  
3 equipment is being replaced in the same location and the replacement  
4 equipment does not result in any additional encroachment into the required  
5 setback.

6 \* \* \*

7 **Section 3.** The Town of Highland Beach Code of Ordinances is hereby amended by  
8 amending Section 30-68, “Supplemental district regulations,” to read as follows (deleting is  
9 ~~stricken through~~ and adding is underlined):

10 \* \* \*

- 11 (g) *Accessory marine facilities.*

12 \* \* \*

- 13 (6) *Installation.* Accessory marine facilities shall comply with the installation  
14 standards listed below:

15 a. In waterways regulated by the U.S. Army Corps of Engineers or other  
16 governmental regulatory agency, docks and mooring facilities shall  
17 not extend into the water more than twenty-five (25) feet or twenty-  
18 five percent (25%) of the waterway width, whichever is less (excludes  
19 docks and mooring facilities located along the Intracoastal Waterway),  
20 measured from the wet face of the seawall or bulkhead.

21 b. The maximum combined seawall cap and dock width shall not exceed  
22 eight (8) feet.

23 c. Measurement of the width or length of a dock, ~~as applicable~~, shall be  
24 made from the property line or, when combined with a seawall cap,  
25 from the landward edge of the seawall cap, as applicable.

26 d. Marine facilities shall comply with the side yard setbacks listed below.

- 27 1. Single-family zoning districts: Twenty-five (25) feet;  
28 provided, however, the side yard setback shall be fifteen (15)  
29 feet for any single-family lot with a lot width of fifty (50) feet  
30 or more but less than seventy (70) feet. For those lots with less  
31 than fifty (50) feet abutting the water, the planning board may

1 grant a special exception for the installation of a seawall  
2 mounted davit type lifting device (but not a dock structure)  
3 after being satisfied as to the protection of neighboring  
4 property and no infringement of standard navigation practices.  
5 2. Multifamily zoning districts: Five (5) feet, measured from the  
6 perimeter property lines. In multifamily residential zoning  
7 districts, marine facilities shall be exempt from side yard  
8 setback requirements for all interior lot lines.

9 \* \* \*

10 **Section 4. Severability.** The provisions of this Ordinance are declared to be severable and  
11 if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid  
12 or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences,  
13 clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent  
14 that this Ordinance shall stand notwithstanding the invalidity of any part.

15 **Section 5. Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict  
16 herewith are hereby repealed to the extent of such conflict.

17 **Section 6. Codification.** Section 2 of the Ordinance may be made a part of the Town  
18 Code of Ordinances and may be re-numbered or re-lettered to accomplish such, and the word  
19 “ordinance” may be changed to “section,” “division,” or any other appropriate word.

20 **Section 7. Effective Date.** This Ordinance shall be effective immediately upon adoption  
21 at second reading.

22 The foregoing Ordinance was moved by \_\_\_\_\_, seconded by  
23 \_\_\_\_\_ and upon being put to the vote, the vote was as follows:

24  
25 Mayor Natasha Moore \_\_\_\_\_  
26 Vice Mayor David Stern \_\_\_\_\_  
27 Commissioner Judith Goldberg \_\_\_\_\_  
28 Commissioner Don Peters \_\_\_\_\_  
29 Commissioner Jason Chudnofsky \_\_\_\_\_

30  
31 PASSED on first reading at the Regular Commission meeting held on this \_\_\_\_\_ day of  
32 \_\_\_\_\_, 2026.

33  
34 The foregoing Ordinance was moved by \_\_\_\_\_, seconded by  
35 \_\_\_\_\_ and upon being put to the vote, the vote was as follows:  
36

1 Mayor Natasha Moore \_\_\_\_\_  
2 Vice Mayor David Stern \_\_\_\_\_  
3 Commissioner Judith Goldberg \_\_\_\_\_  
4 Commissioner Don Peters \_\_\_\_\_  
5 Commissioner Jason Chudnofsky \_\_\_\_\_  
6  
7

8 PASSED AND ADOPTED on second and final reading at the Regular Commission meeting held  
9 on this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

10  
11 \_\_\_\_\_  
12 Natasha Moore, Mayor  
13

14 ATTEST: **REVIEWED FOR LEGAL SUFFICIENCY**  
15  
16

17  
18 \_\_\_\_\_  
19 Lanelda Gaskins, MMC Leonard G. Rubin, Town Attorney  
20 Town Clerk Town of Highland Beach

**From:** [greg4hb@yahoo.com](mailto:greg4hb@yahoo.com)  
**To:** [Marshall Labadie](#); [Ingrid Allen](#); [Jeff Remas](#); [greg4hb@yahoo.com](mailto:greg4hb@yahoo.com)  
**Subject:** Re: HB Code 30-66 (c)1(a)  
**Date:** Saturday, November 22, 2025 6:45:49 PM

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Marshall,

Ingrid and I met to discuss this further, and she suggested I email you about widening the scope a bit before I present. This issue isn't just related to "seawalls" as it would also be a potential issue for direct intracoastal properties with a west facing back yard and a beach edge opposed to a proper seawall. The same issue would apply. Specifically, if the elevated property extends past the edge of the property line, the existing code could result in an unintended restriction. I would think we would want a property owner to be able to complete a walkway to the edge of the land so they could use it to launch and retrieve kayaks, paddleboards etc opposed to having a strip of land that isn't as easily accessible.

I still believe the most simple fix is to change the language (**bolded**) as I stated below, however there could be a case like I just described, and the Building Debt team may want to brainstorm the best way for that to be adequately addressed in any revision to the code.

Happy to present to the commission and then if they agree, then create a small working group to work on revised language to be brought to the Commission and planning board at a later date via the stated ordinance change protocol.

Regards,  
 Greg

On Saturday, September 27, 2025 at 08:32:28 PM EDT, greg4hb@yahoo.com <greg4hb@yahoo.com> wrote:

Marshall,

In the last planning board meeting, property 2564 S Ocean Blvd was granted the ability to install a new seawall 3 ft beyond the existing retaining wall. The planning board was unanimous in approving this request.

There was an oddity we uncovered however. Highland Beach code 30-66 (c) 1 (a) states that the owner can install a hardscape walkway to the dock/seawall or to the property line, whichever is further landward.

This actually creates an unsafe condition for this homeowners and any others that face the same issue.

The purpose of a hardscape walkway all the way to the seawall is so carts can be used to carry heavy objects to and from a boat. This may consist of simple equipment (ice, provisions etc which may weight 50-100 lbs) or may consist of replacement parts for repairs and equipment for maintenance (100 to as much as 1000 lbs).

Having a 3 ft section in this case where the walkway ends, and then there is either grass or artificial grass between the end of the walking path at the property line and the seawall is unsafe as heavy items will have to be removed from carts and be carried. I have a hard path at my house going to the dock. We use a cart multiple times a week to take items to/from the boat. When we try to run it on the grass next to the boat it sinks in.

Let's not forget that these seawalls do "breathe" as water seeps under them and when tides are very

high, the land can erode. A hard path stays in place particularly if it is properly build in pin piles. Grass or artificial grass "looks" firm until you step on it and can sink in as much as a foot. I see it all the time.

Ingrid suggested i email you about this to see if you think this should be an item for the commission to consider -> **specifically simply removing the language "whichever is further landward."** No other changes are necessary.

I am happy to present it to the commission and if you watch the last planning board meeting the Chair was comfortable with moving this forward for commission consideration.

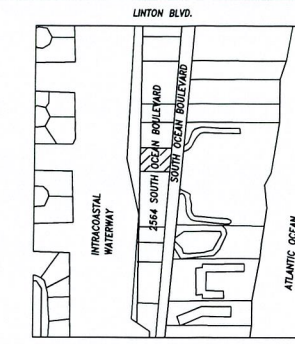
If the commission sees fit, the planning board can then do a proper than thorough review of if the language should be removed. Based on the last planning board meeting, it seemed unanimous that every member present thought it should be.

Thanks,  
Greg

RECEIVED

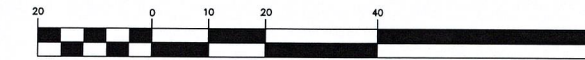
JUL 24 2025

HIGHLAND BEACH  
BUILDING DEPARTMENT



Location Map  
NOT TO SCALE

GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

DESCRIPTION:

THE SOUTH FIVE (5) FEET OF LOT 16-A AND ALL OF LOT 17-A, BYRD BEACH, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 1, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SURVEYOR'S NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE POLICY OR ABSTRACT. THERE MAY EXIST EASEMENTS AND OTHER MATTERS WHICH MAY AFFECT THE USAGE OF THE LANDS AS SHOWN HEREON.
2. THIS BOUNDARY & TOPOGRAPHIC SURVEY MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODES. THIS SURVEY DOES NOT PURPORT TO DEFINE THE MEAN HIGH WATER LINE.
3. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT ADDRESSED AS A PART OF THIS SURVEY. ONLY VISIBLE ABOVE GROUND IMPROVEMENTS HAVE BEEN SHOWN. THERE MAY EXIST UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER MATTERS WHICH HAVE NOT BEEN REFLECTED ON THIS SURVEY.
4. ADDITIONS AND/OR DELETIONS TO THIS SURVEY MAP BY OTHER THAN THE SIGNING SURVEYOR IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THIS OFFICE.
5. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS AND DISTANCES ARE NOT TO BE SCALED FOR CONSTRUCTION AND/OR DESIGN PURPOSES.
6. THIS MAP, AS DEPICTED IN ITS GRAPHIC FORM, BEARING THE SIGNATURE AND SEAL OF THE SURVEYOR, IS THE OFFICIAL DOCUMENT OF THE LANDS AS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCE BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE MAP.
7. THIS SURVEY IS PREPARED FOR THE PARTIES AS STATED HEREON AND IS NOT ASSIGNABLE TO OTHER PARTIES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.
8. THIS SURVEY DOCUMENT, AS AN INSTRUMENT OF SERVICE, IS INTENDED FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED AND CERTIFIED. REUSE AND/OR RELIANCE UPON THIS DOCUMENT FOR ANY OTHER PURPOSE WITHOUT WRITTEN AUTHORIZATION AND ADAPTION BY DEAN SURVEYING & MAPPING, INC., SHALL BE WITHOUT LIABILITY TO DEAN SURVEYING & MAPPING, INC.
9. ELEVATIONS AS SHOWN HEREON ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF AND ARE BASED UPON THE NORTH AMERICAN VERTICAL DATUM OF 1988, REFERENCE BENCHMARK IS A U.S.C.G.S BRASS DISK DESIGNATED "M-310" WHICH HAS AN ESTABLISHED ELEVATION OF 5.233.

INTRACOASTAL WATERWAY - 300' R/W  
TIDAL WATERS SUBJECT TO EBB & FLOW

MOORING

DECK REMOVED PILING LOCATED

DOCK REMOVED PILING NOT LOCATED

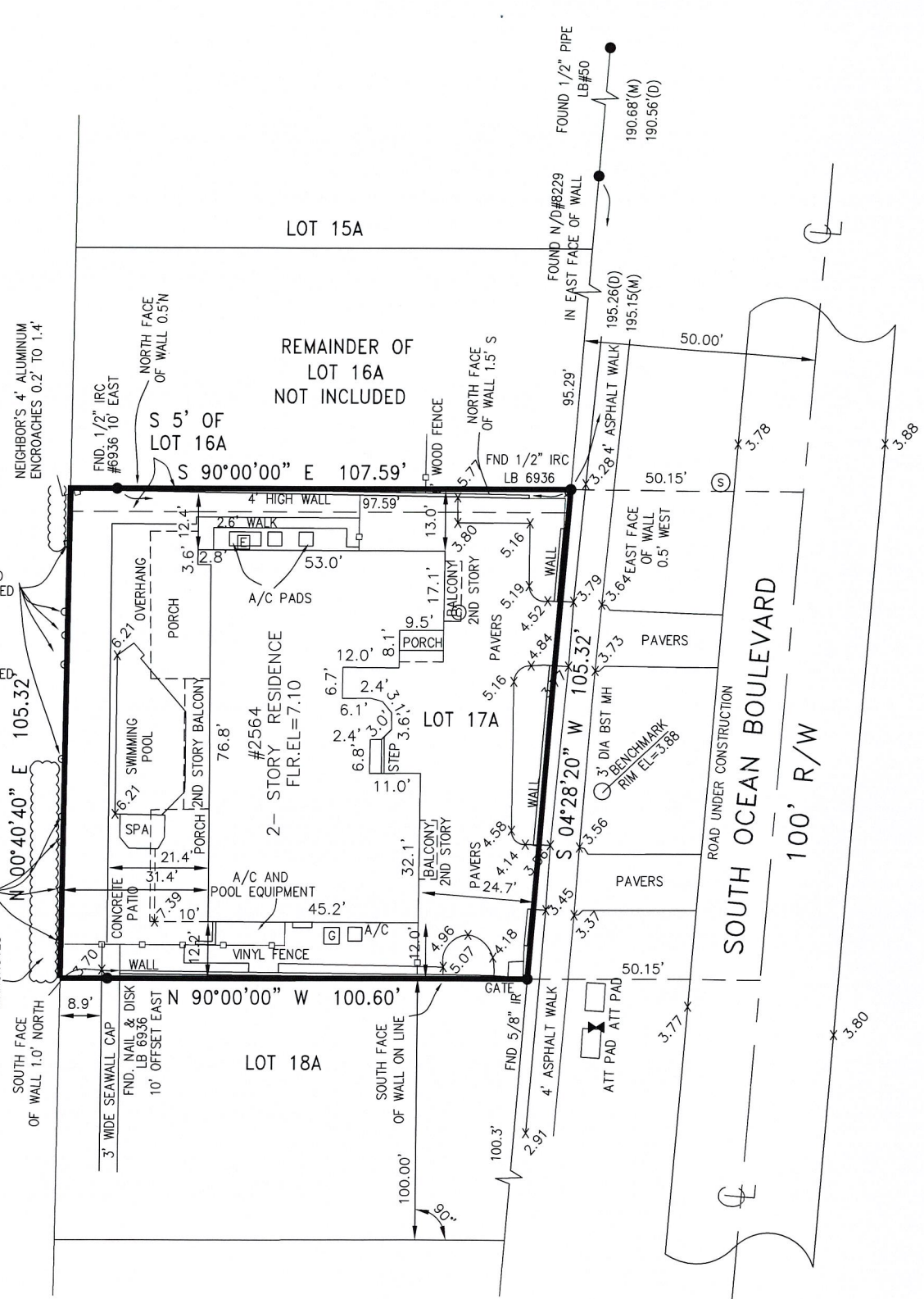
CONC. PILING

DECK REMOVED PILING LOCATED

RIPRAP & MANGROVES

Legend

- ⊕ Indicates Set 1/2" Iron Rod & Cap #LB6936
- Indicates Found Iron Rod & Cap
- Indicates Found Concrete Monument
- BST Indicates Bell South
- Indicates Water Meter
- ⊙ Indicates Sanitary Cleanout
- ⊕ Indicates Gas Meter
- ⊙ Indicates Sewer Manhole
- ⊕ Indicates Electric Meter



REVISIONS	DATE

NOTE:  
This drawing is not valid without embossed seal or digital signature of surveyor

Richard N Dean  
Digitally signed by Richard N Dean  
Date: 2025.05.05 23:44:40 -04'00'

RICHARD N. DEAN  
Professional Surveyor & Mapper  
Florida Certificate No. 4406  
L.B. 6936

BOUNDARY & TOPOGRAPHIC SURVEY Prepared For:  
ELENA & MIKHAIL VESSELOV

ADDRESS: 2564 SOUTH OCEAN BOULEVARD  
HIGHLAND BEACH, FL. 33487

PROPERTY LIES IN FLOOD ZONE AE, EL=7 AS PER NATIONAL FLOOD INSURANCE PROGRAM RATE MAP 12099C0987G

Dean Surveying and Mapping, Inc.  
"The Measuring Line Shall Go Forth" Jeremiah 31:39

4201 Westgate Ave.  
Suite A3  
West Palm Beach, Florida 33409

Tel: (561) 625-8748 Facsimile (561) 626-4558

FIELD: R.N.D./L.J.	DATE: 5-2-25
DRAWN: M.R.	SCALE: 1" = 20'
SHEET: 1 of 1	JOB No.: 025-409

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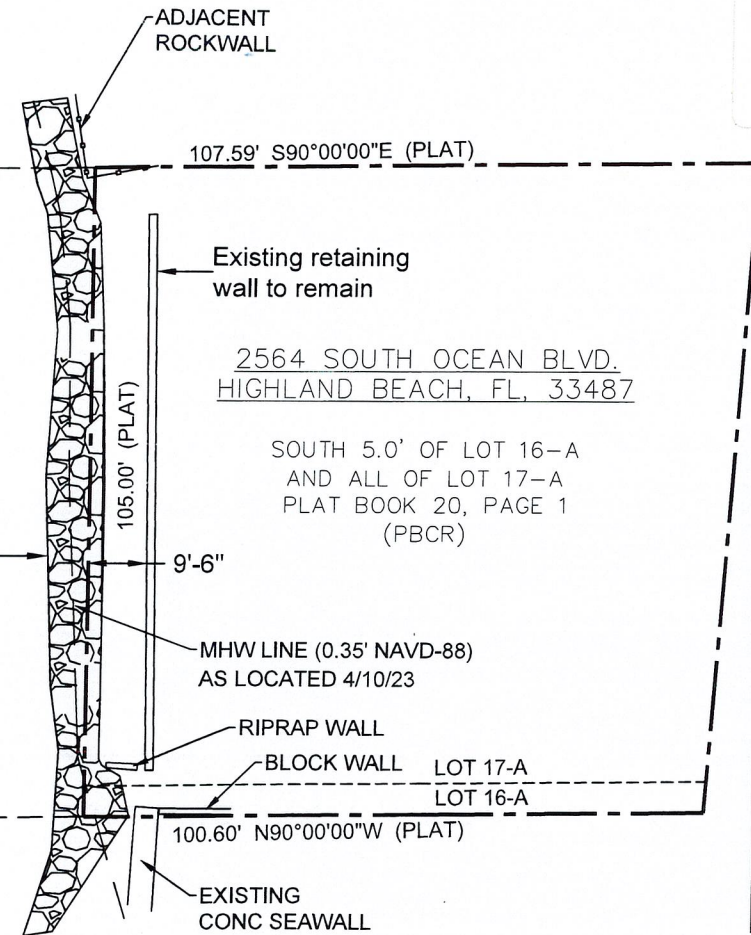
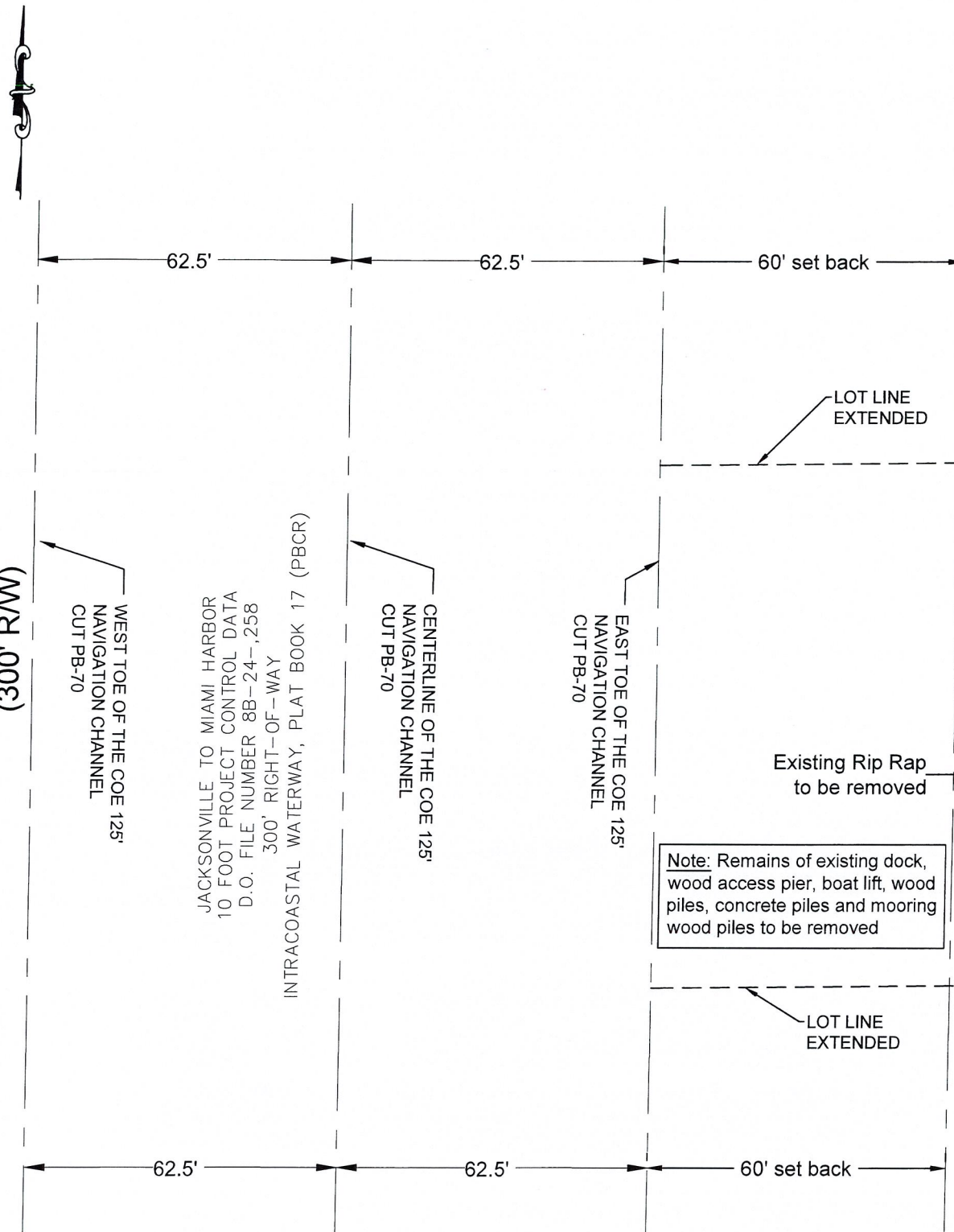
JUL 24 2025

HIGHLAND BEACH  
BUILDING DEPARTMENT

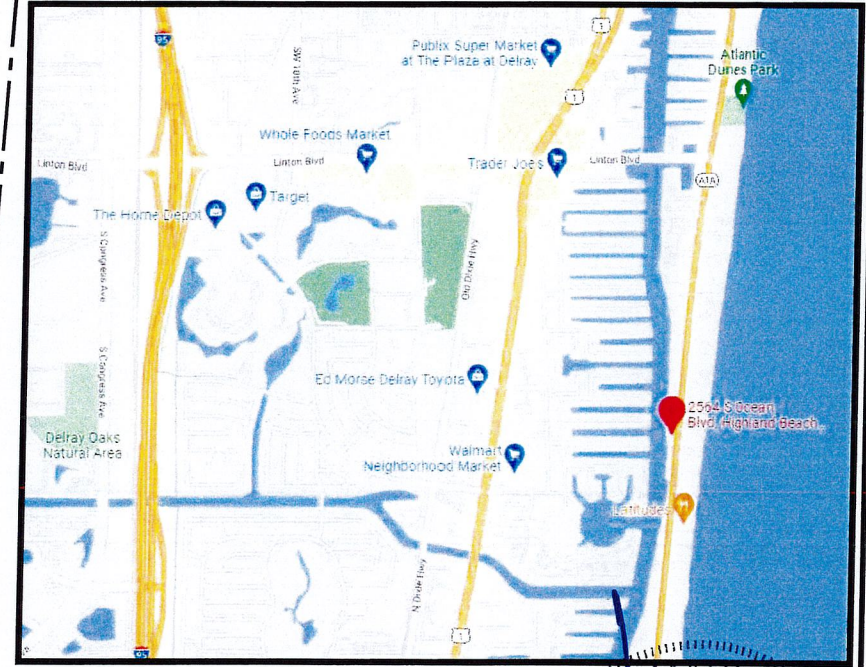
See attached survey supplied by  
owner for exact property information.  
No tree will be removed or  
replanted as part of this permit

**Location Address** 2564 S OCEAN BLVD  
**Municipality** HIGHLAND BEACH  
**Parcel Control Number** 24-43-46-28-09-000-0161  
**Subdivision** BYRD BEACH SUB IN  
**Official Records Book** 28513 **Page**220  
**Sale Date** AUG-2016  
**Legal Description** BYRD BEACH S 5 FT OF LT 16-A & LT 17-A

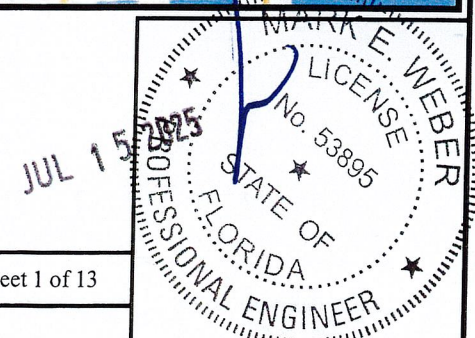
INTRACOASTAL WATERWAY  
(300' RW)



Note: Remains of existing dock, wood access pier, boat lift, wood piles, concrete piles and mooring wood piles to be removed



Location Map



Existing Site Plan

Scale: 1" = 30'

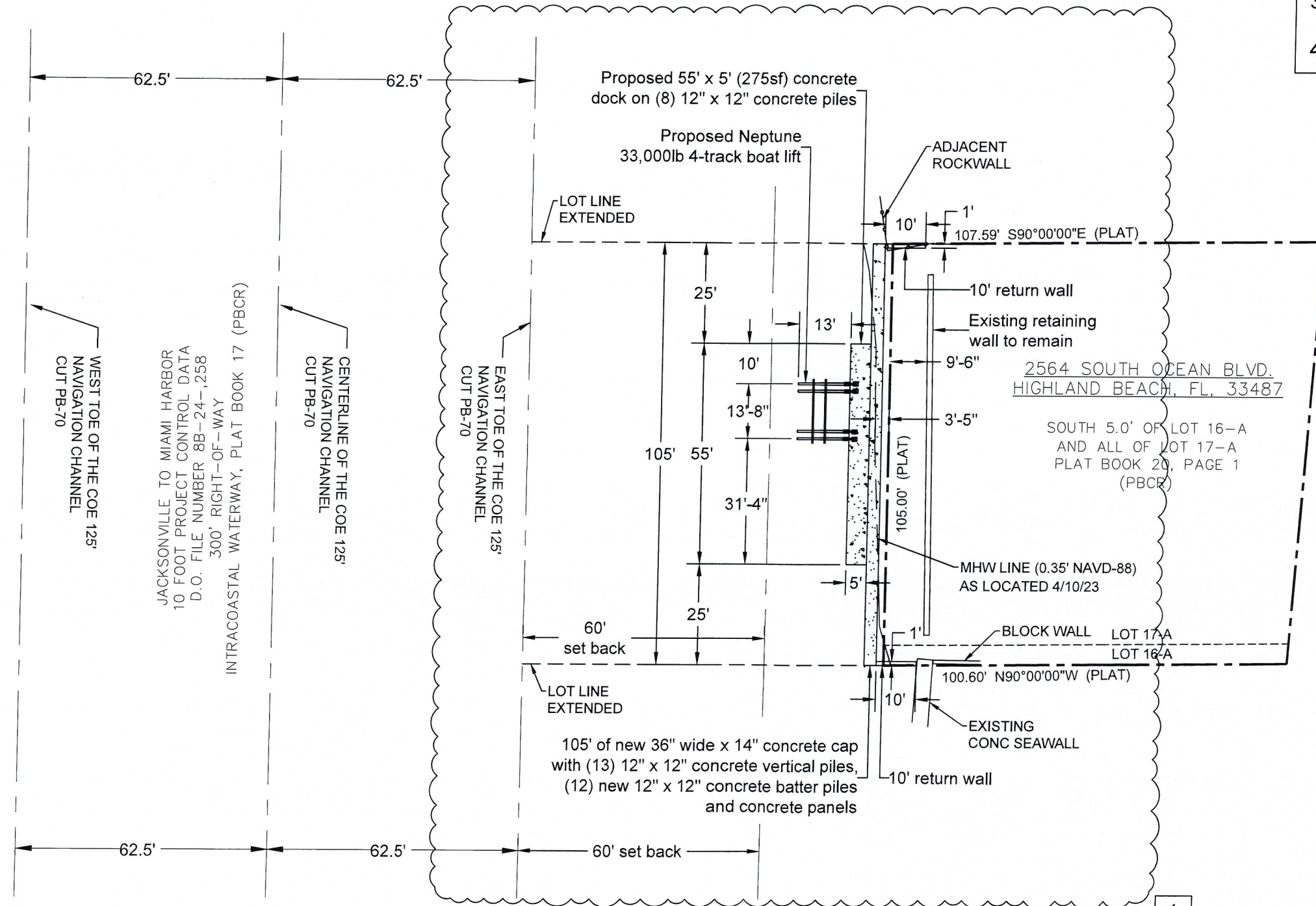
Sheet 1 of 13

PREPARED FOR:  
B&M MARINE CONSTRUCTION INC  
1211 South Military Trail, Suite 200  
Deerfield Beach, Florida 33442  
(954) 421-1700

Project:  
Proposed Dock / Seawall Repair  
Mikhail Vesselov  
2564 South Ocean Blvd.  
Highland Beach, Florida 33487

MARK E. WEBER, P.E.  
LICENSE #53895 | CA 30702  
MW ENGINEERING, INC  
902 NE 1 Street Suite #2  
Pompano Beach, Florida 33060  
Ofc: 754-333-0877  
WWW.MwEngineering.net

**INTRACOASTAL WATERWAY  
(300' R/W)**

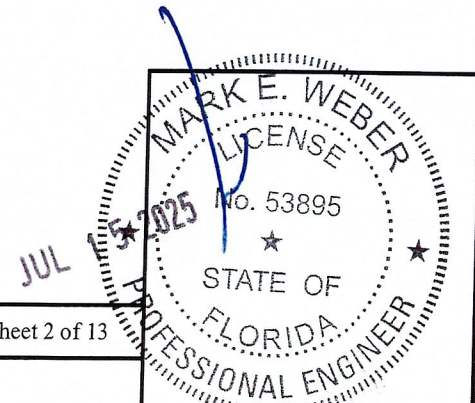


- Scope of Work:**
- Existing rip rap removed
  - Construct 105' of 36" x 14" of new seawall, cap, batter piles, vertical piles and panels
  - Install 55' x 5' (275sf) concrete dock on (8) concrete piles
  - Install 33,000lb 4-track boat lift

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Sheet 2 of 13

**Proposed Site Plan**

Scale: 1" = 30'

1	05.20.25	City Comments
△	REVISIONS	□ CORRECTIONS

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EAST TOE OF THE COE 125' NAVIGATION CHANNEL CUT PB-70

EXTENDED LOT LINE

INTRACOASTAL WATERWAY (300' R/W)

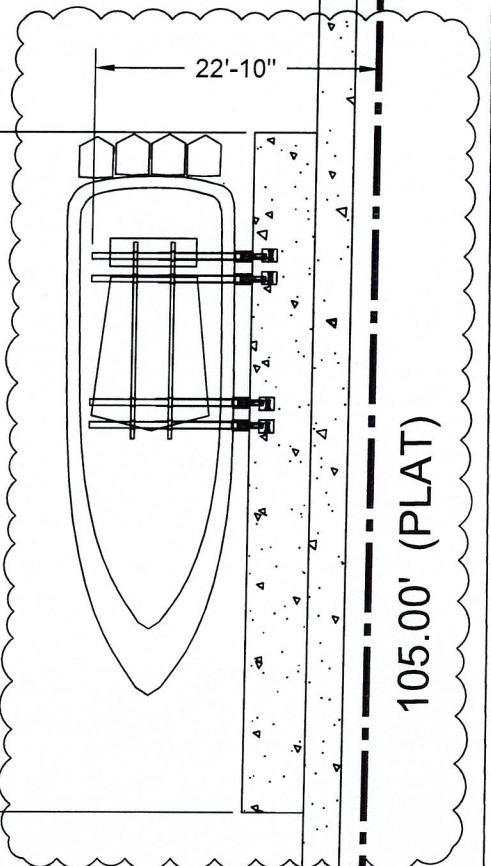
105'

25'

55'

25'

1



105.00' (PLAT)

107.59' S90°00'00"E (PLAT)



For Illustrative Purposes - Boat may Change

LOT 17-A  
LOT 16-A

100.60' N90°00'00"W (PLAT)

LOT LINE EXTENDED

### Plan View - Boat on Lift

Scale: 1" = 15'

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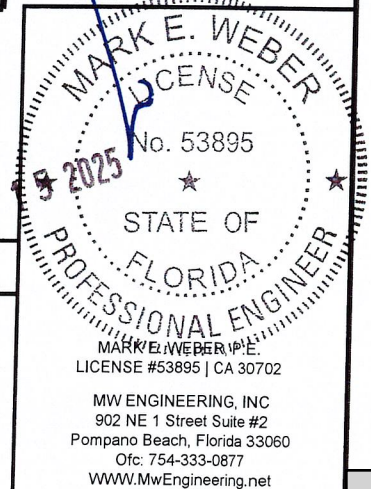
HIGHLAND BEACH BUILDING DEPARTMENT

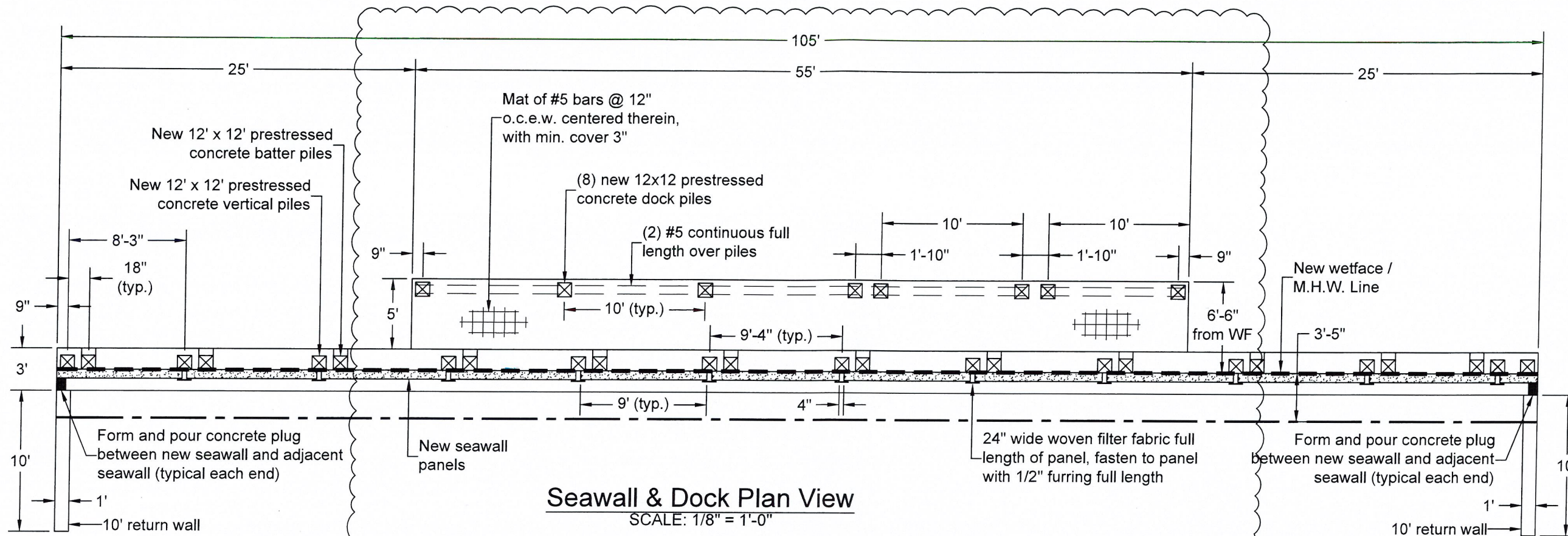
1	05.20.25	City Comments
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**Proposed Dock / Seawall Repair**  
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 2564 South Ocean Blvd.  
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Sheet 3 of 13





**Seawall & Dock Plan View**  
SCALE: 1/8" = 1'-0"

1

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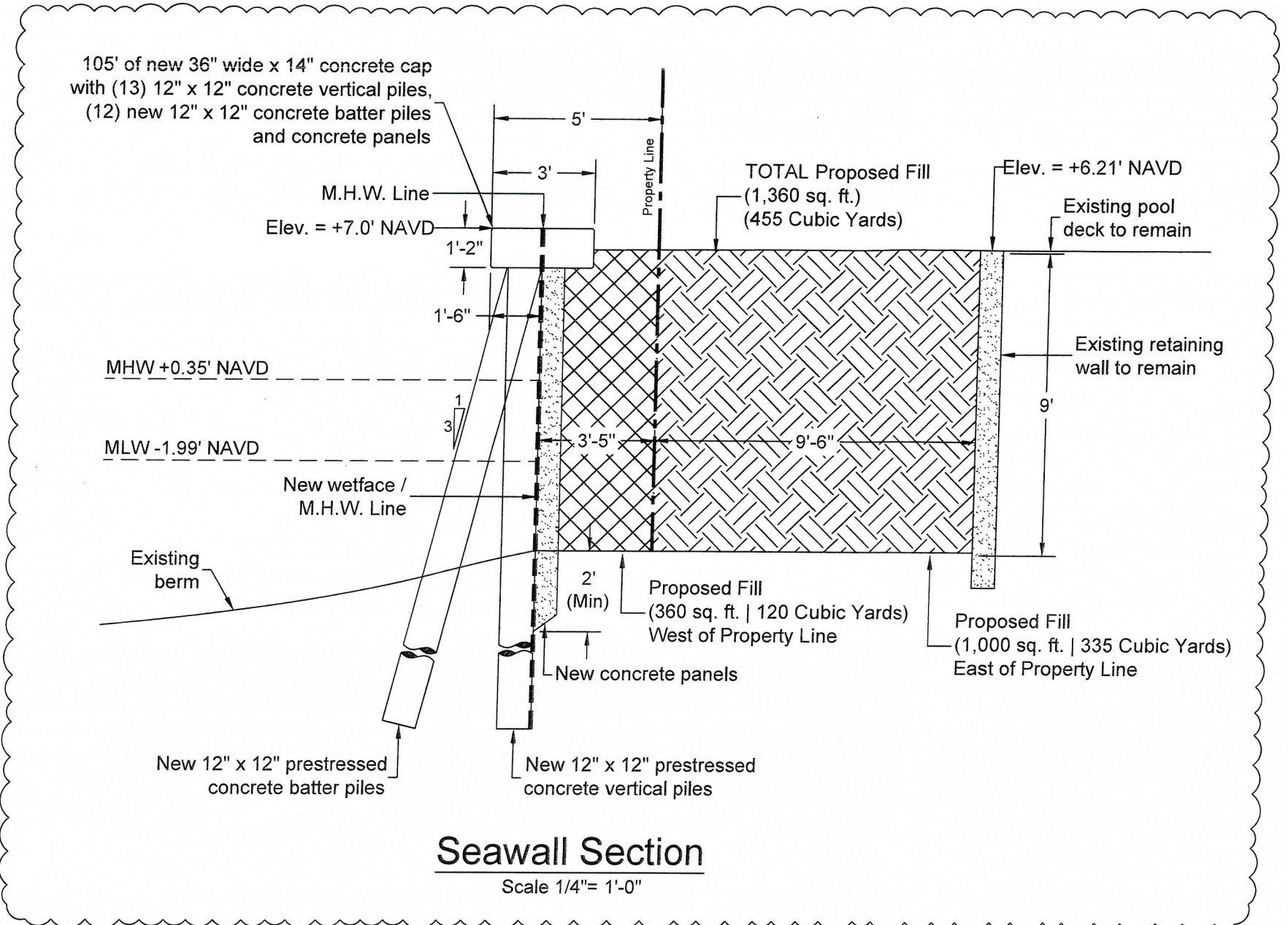
JUL 15 2025  
MARK E. WEBER  
LICENSE  
No. 53895  
STATE OF  
FLORIDA  
PROFESSIONAL ENGINEER  
MARK E. WEBER, P.E.  
LICENSE #53895 | CA 30702  
MW ENGINEERING, INC  
902 NE 1 Street Suite #2  
Pompano Beach, Florida 33060  
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Sheet 4 of 13

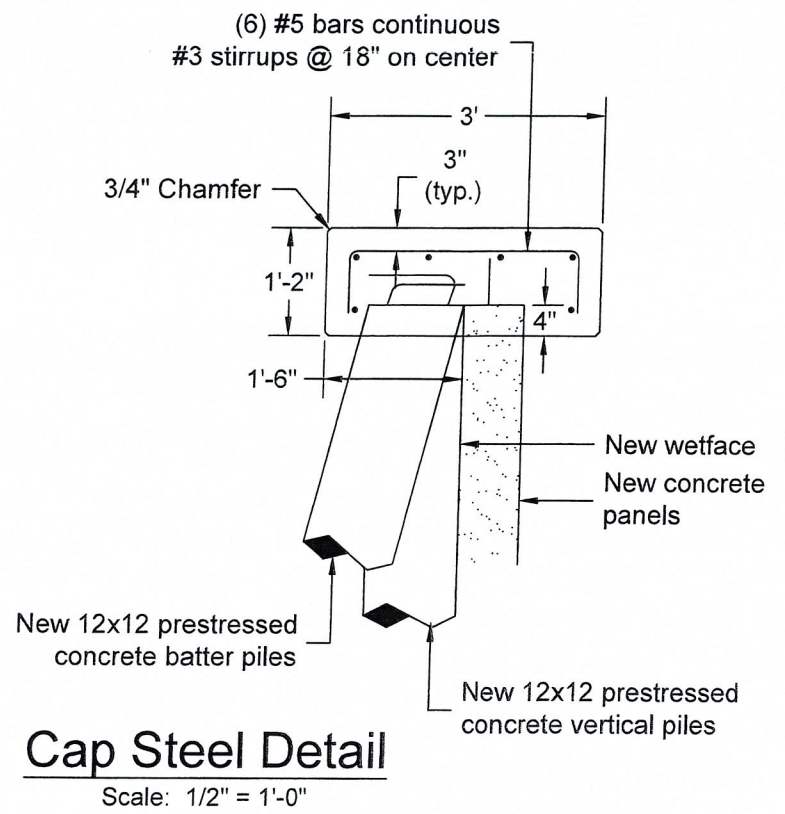
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**Seawall Section**  
Scale 1/4" = 1'-0"



**Cap Steel Detail**  
Scale: 1/2" = 1'-0"

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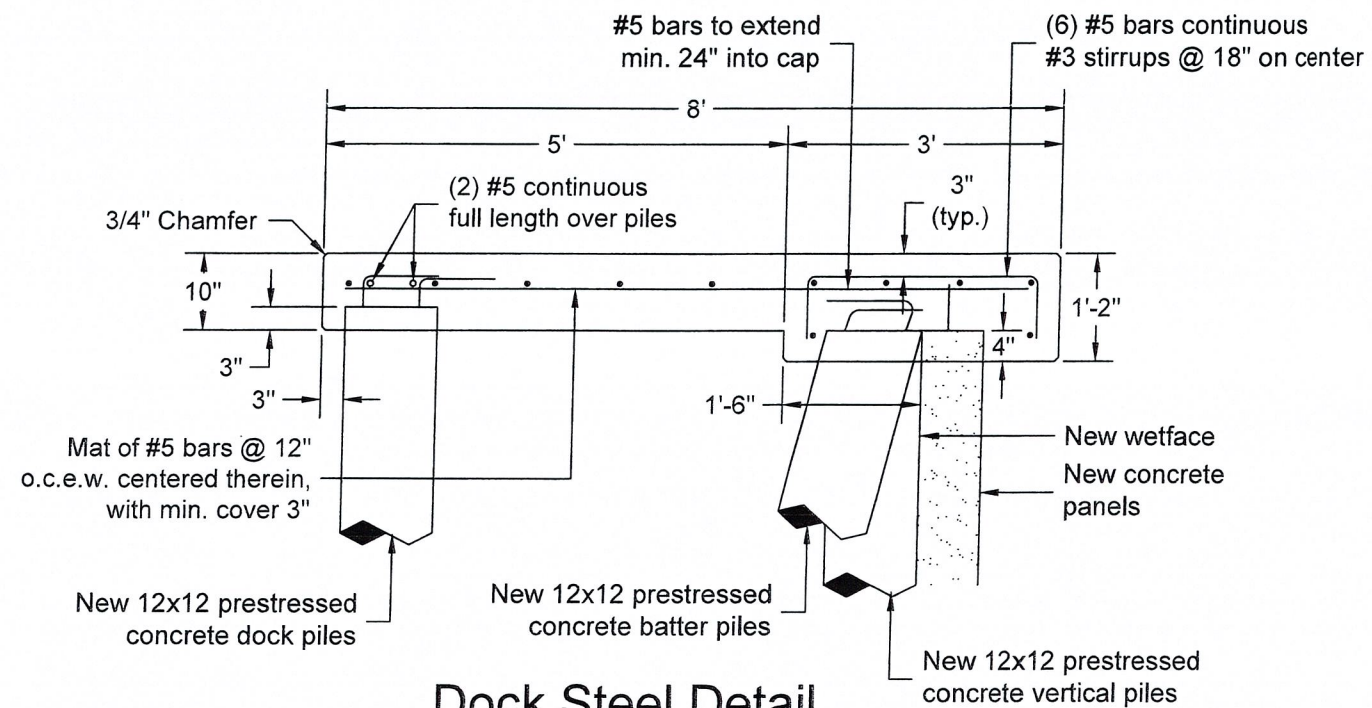
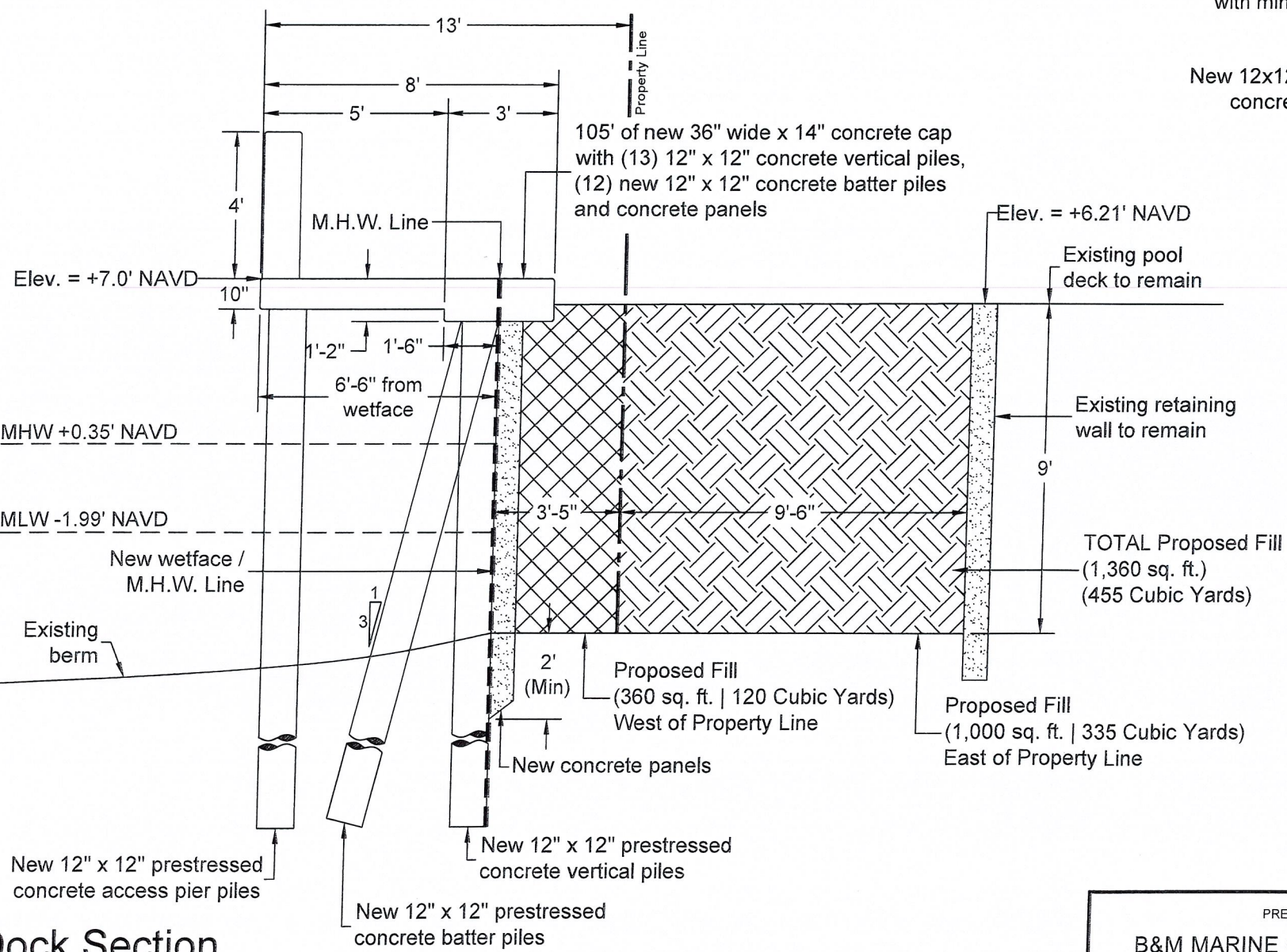
Project:  
**Proposed Dock / Seawall Repair**  
Mikhail Vesselov  
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Highland Beach, Florida 33487

Sheet 5 of 13

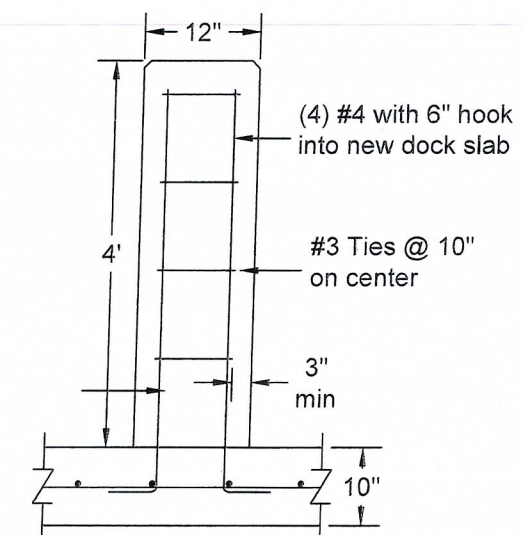
JUL 15 2025

MARK E. WEBER  
LICENSE  
No. 53895  
STATE OF  
FLORIDA  
PROFESSIONAL ENGINEER

MARK E. WEBER, P.E.  
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Pompano Beach, Florida 33060  
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**Dock Steel Detail**  
Scale: 1/2" = 1'-0"



**Column Detail**  
Scale: 1/4" = 1'-0"

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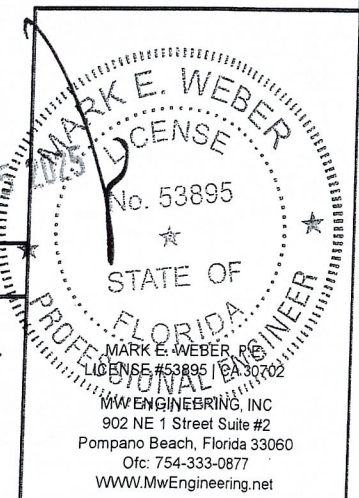
**Dock Section**  
Scale 1/4" = 1'-0"

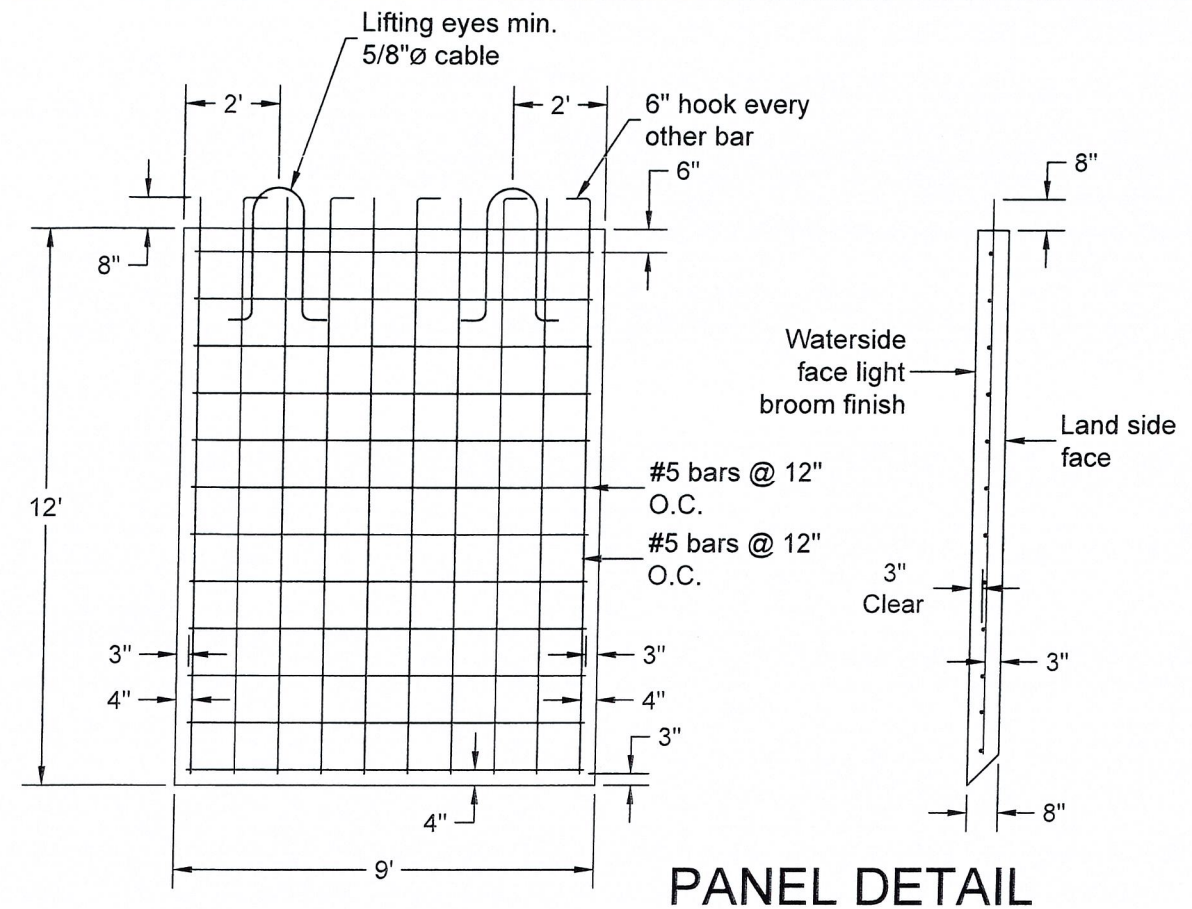
1	05.20.25	City Comments
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Sheet 6 of 13

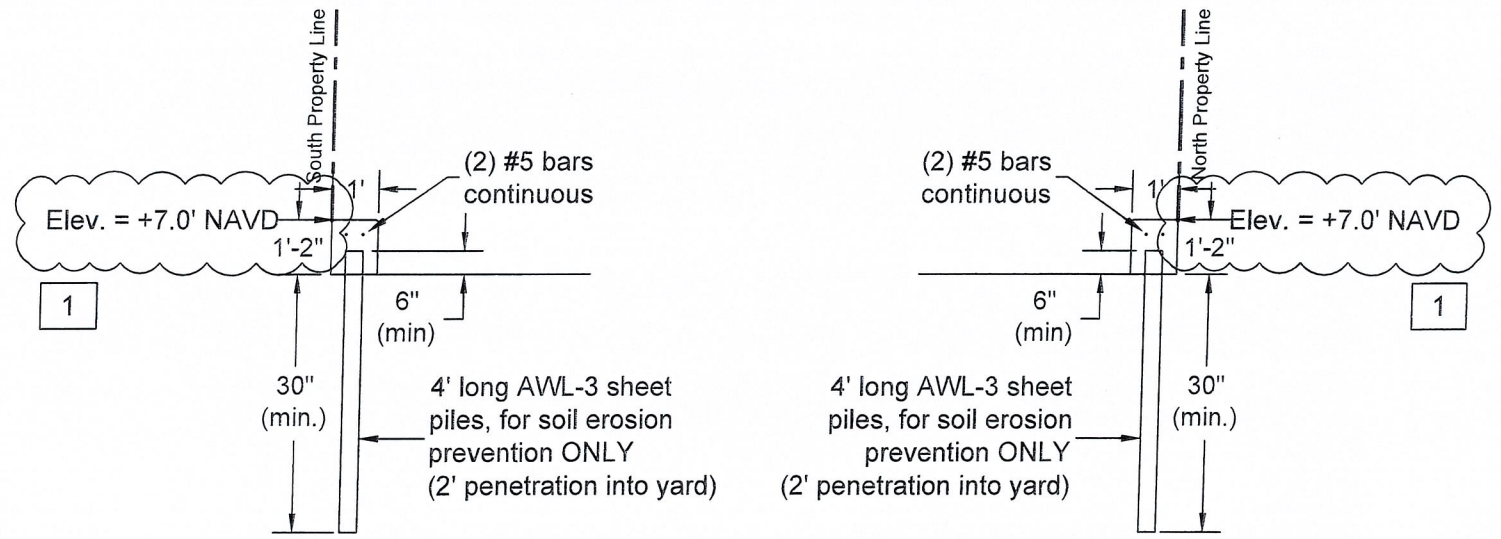




**NOTE:**  
 PANEL HEIGHT TO BE VERIFIED ON SITE BY  
 CONTRACTOR BEFORE CONSTRUCTION, TO  
 PROVIDE A MINIMUM OF 2' EMBEDMENT  
 INTO EXISTING GRADE.

**PANEL DETAIL**  
 Scale 1/4" = 1'-0"

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**Return Wall Detail**  
 Scale 1/4" = 1'-0"

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 2564 South Ocean Blvd.  
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MARK E. WEBER  
 LICENSE  
 No. 53895  
 STATE OF  
 FLORIDA  
 PROFESSIONAL ENGINEER

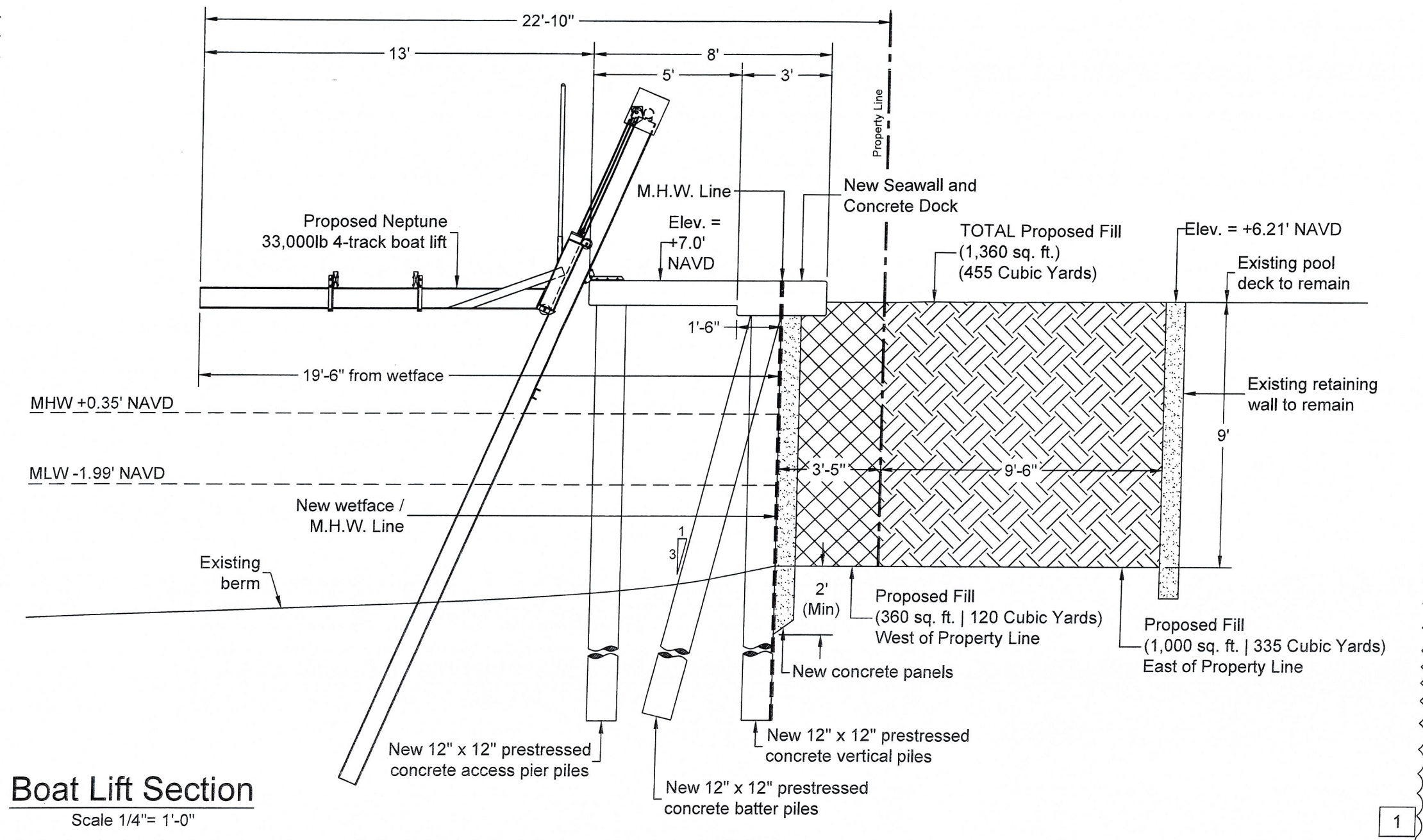
MARK E. WEBER, P.E.  
 LICENSE #53895 | CA 30702  
 MW ENGINEERING, INC  
 902 NE 1 Street Suite #2  
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### Boat Lift Section

Scale 1/4" = 1'-0"

1

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 2564 South Ocean Blvd.  
 Highland Beach, Florida 33487

JUL 24 2025  
 MARK E. WEBER  
 LICENSE #53895  
 STATE OF FLORIDA  
 PROFESSIONAL ENGINEER  
 MARK E. WEBER, P.E.  
 LICENSE #53895 | CA 30702  
 MW ENGINEERING, INC  
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 Pompano Beach, Florida 33060  
 Ofc: 754-333-0877  
 WWW.MwEngineering.net

**BOAT KEEL NOTE:**

Boat Keel to be a maximum of one foot above the minimum seawall elevation when lifted.

Boat lift means the bottom of the keel of any boat shall not be hoisted greater than one foot above the minimum seawall elevation.

In no case shall the lift be higher than the superstructure of the boat when lifted.

**NOTE:**

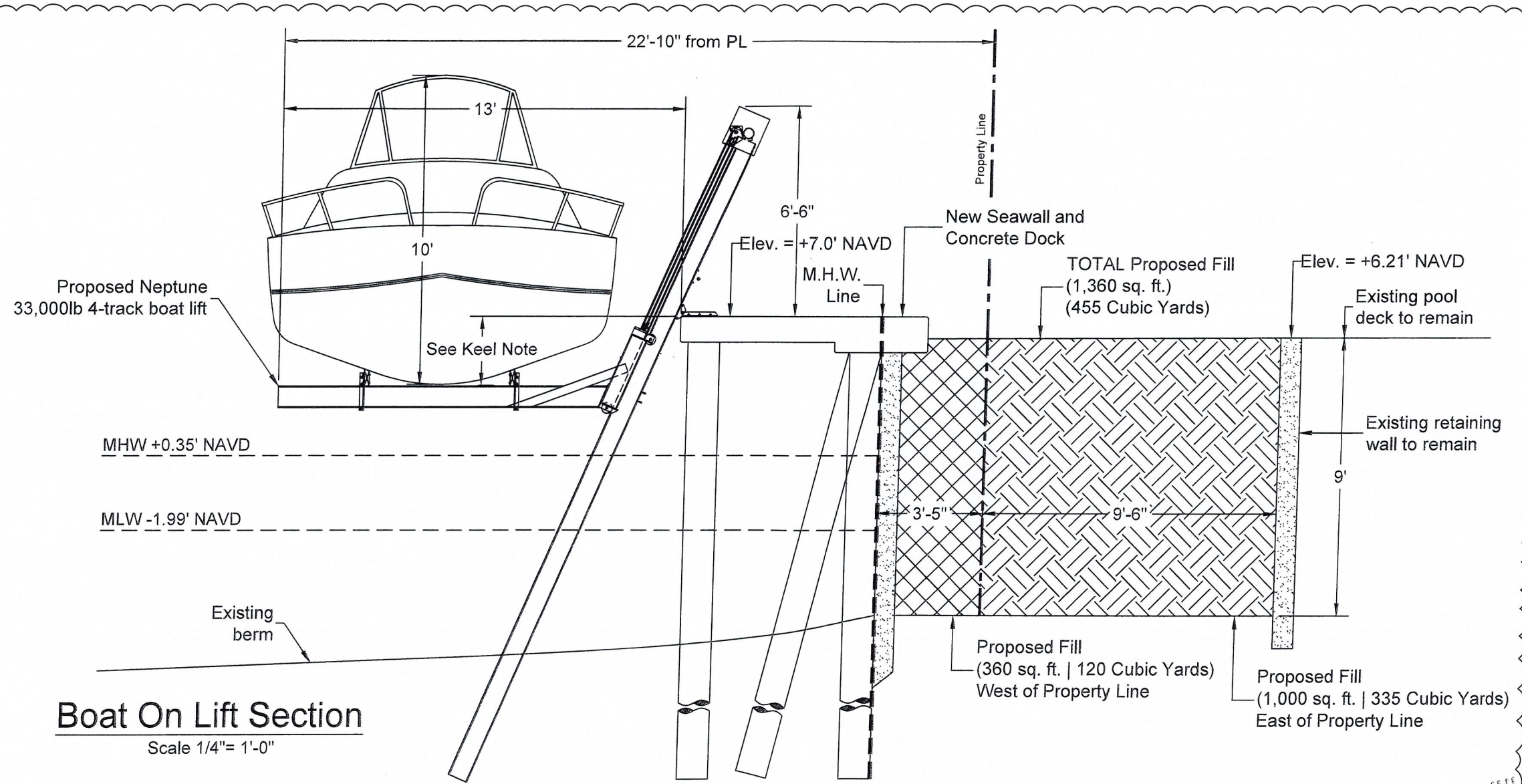
Height of superstructure of boat when lifted shall be compliant with boatlift definition is Sec. 30-131 - Definitions of terms.

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

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**Boat On Lift Section**

Scale 1/4" = 1'-0"

1

Sheet 9 of 13

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 1211 South Military Trail, Suite 200  
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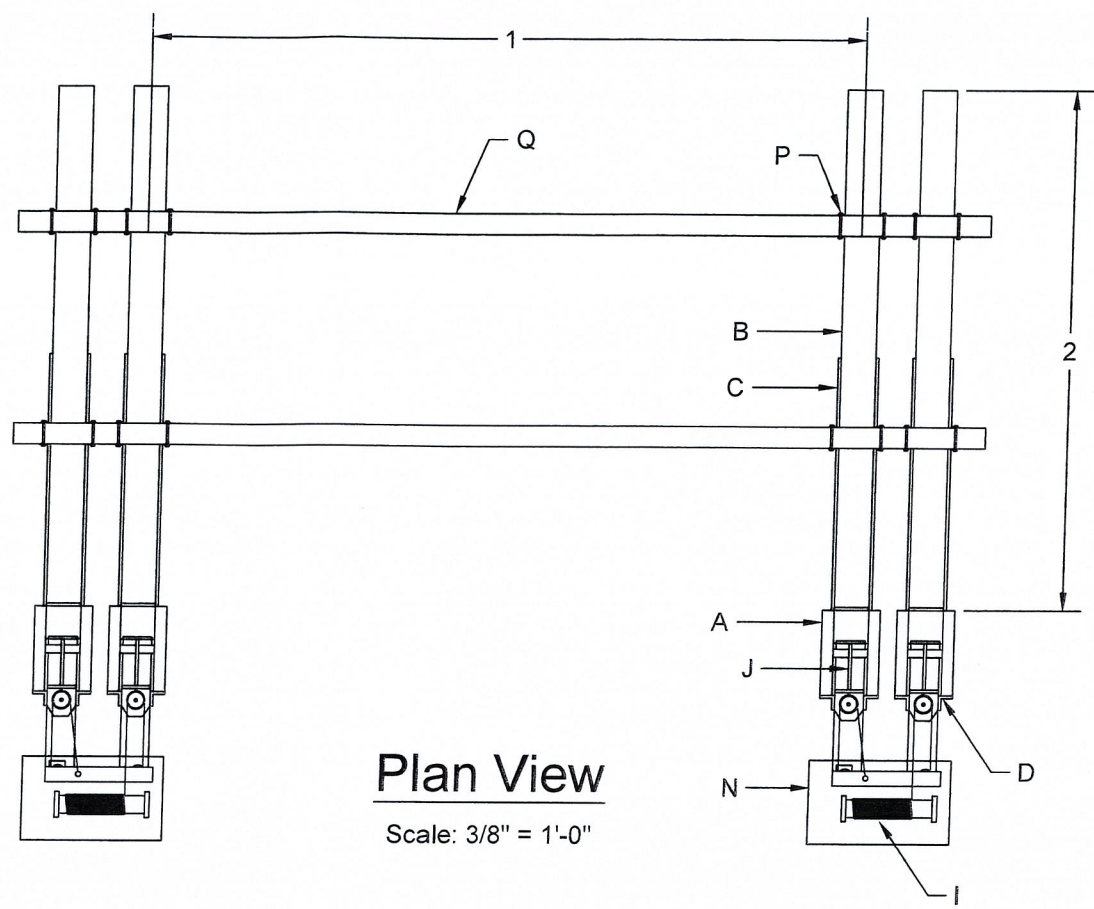
Project:  
**Proposed Dock / Seawall Repair**  
 Mikhail Vesselov  
 2564 South Ocean Blvd.  
 Highland Beach, Florida 33487

Professional Engineer Seal for Mark E. Weber, License #53895, State of Florida. The seal includes the name 'MARK E. WEBER', 'LICENSE No. 53895', 'STATE OF FLORIDA', and 'PROFESSIONAL ENGINEER'. It also contains contact information for MW ENGINEERING, INC: 902 NE 1 Street Suite #2, Pompano Beach, Florida 33060, Ofc: 754-333-0877, WWW.MwEngineering.net.

# Components

	Lift Capacity (In Pounds)	33,000
A	Carriage Boom (2 Required per Lift Arm)	AS C 12"x7.4x60"
B	Cradle Arm	AA I 12"x11.7
C	Gusset Plate (2 Required per Lift Arm)	1/2"x6" Flat Bar
D	Upper Carriage Angle (2 Required per Lift Arm)	3/8"x3"x4" Angle
E	Lower Carriage Angle (2 Required per Lift Arm)	3/8"x4"x6" Angle
F	Pulley Plate (2 Required per Lift Arm)	1/2"x8" Flat Bar
G	Upper Guide Wheel (4 Required per Lift Arm)	6" Diameter
H	Lower Guide Wheel (1 Required per Lift Arm)	6" Diameter
I	Cable Size (Stainless Steel)	7/16" Diameter 7x19 SS 304
J	Guide Track	AA I 12"x11.7
K	Guide Track To Guide Track Brace	AA CS 6"x2.8
L	Attachment Bracket	(1) 3/8"x3"x3" Angle and (1) 3/8"x3"x4" Angle Welded Together with Welded 1/2" Thick Inner Plate
M	Track Mount Connector (2 Required per Lift Arm)	1/2"x3"x6" Angle & 3/4" Bolts
N	Motor Size (Horse Power/Voltage)	Aluminum Housing
O	Guide Post Socket	3" Diameter Schedule 80 Pipe
P	Bunk Bracket Support (2 Each Side of Lift Arm)	1/4"x2"x2"
Q	Bunk Boards**	3"x12" Pressure Treated Southern Yellow Pine #1

\*\* Placement of bunk boards depends on beam of boat



Dimensions		
Lift Capacity (In Pounds)	33,000	
Dimension Mark	1	10'
	2	12.5'
	3	-
	4	6'
	5**	1'-6"
	6	-
	7	-
	8	70"
	9	38"

\*\* Placement of bunk boards depends on beam of boat

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HIGHLAND BEACH  
BUILDING DEPARTMENT

Sheet 10 of 13

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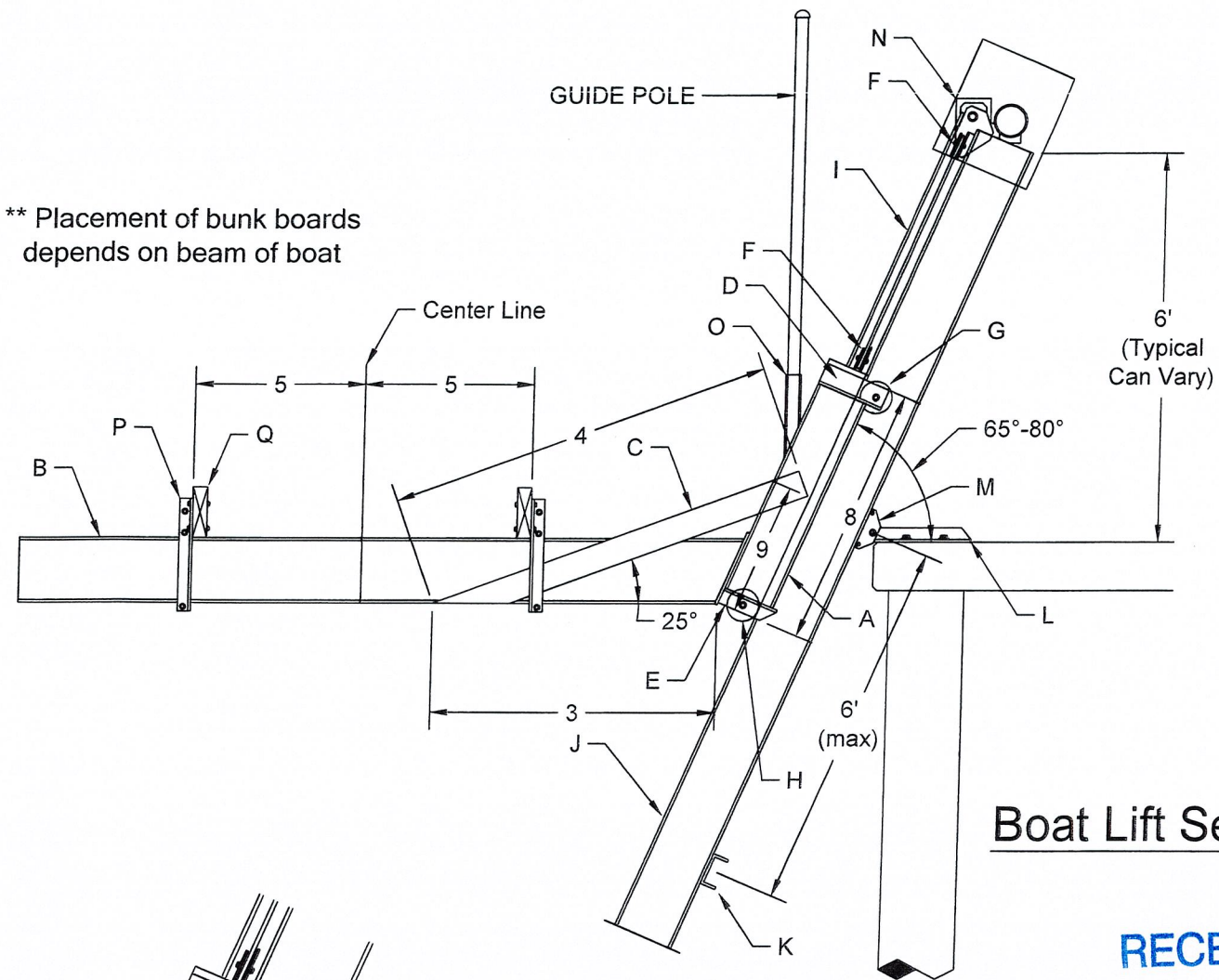
JUL 1 2025  
 MARK E. WEBER P.E.  
 LICENSE # 53895, CA 30702  
 MW ENGINEERING, INC  
 902 NE 1 Street Suite #2  
 Pompano Beach, Florida 33060  
 Ofc: 754-333-0877  
 WWW.MwEngineering.net

# Components

	Lift Capacity (In Pounds)	33,000
A	Carriage Boom (2 Required per Lift Arm)	AS C 12"x7.4x60"
B	Cradle Arm	AA I 12"x11.7
C	Gusset Plate (2 Required per Lift Arm)	1/2"x6" Flat Bar
D	Upper Carriage Angle (2 Required per Lift Arm)	3/8"x3"x4" Angle
E	Lower Carriage Angle (2 Required per Lift Arm)	3/8"x4"x6" Angle
F	Pulley Plate (2 Required per Lift Arm)	1/2"x8" Flat Bar
G	Upper Guide Wheel (4 Required per Lift Arm)	6" Diameter
H	Lower Guide Wheel (1 Required per Lift Arm)	6" Diameter
I	Cable Size (Stainless Steel)	7/16" Diameter 7x19 SS 304
J	Guide Track	AA I 12"x11.7
K	Guide Track To Guide Track Brace	AA CS 6"x2.8
L	Attachment Bracket	(1) 3/8"x3"x3" Angle and (1) 3/8"x3"x4" Angle Welded Together with Welded 1/2" Thick Inner Plate
M	Track Mount Connector (2 Required per Lift Arm)	1/2"x3"x6" Angle & 3/4" Bolts
N	Motor Size (Horse Power/Voltage)	Aluminum Housing
O	Guide Post Socket	3" Diameter Schedule 80 Pipe
P	Bunk Bracket Support (2 Each Side of Lift Arm)	1/4"x2"x2"
Q	Bunk Boards**	3"x12" Pressure Treated Southern Yellow Pine #1

\*\* Placement of bunk boards depends on beam of boat

\*\* Placement of bunk boards depends on beam of boat

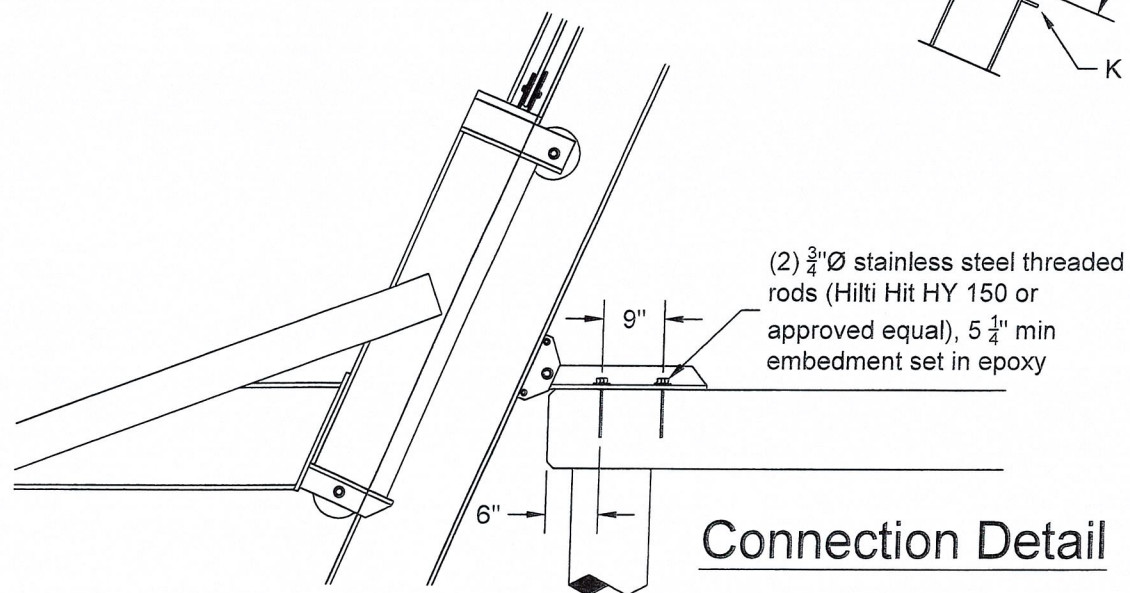


## Boat Lift Section

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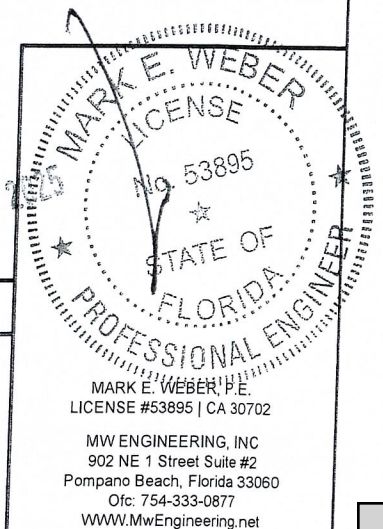


## Connection Detail

Sheet 11 of 13

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B&M MARINE CONSTRUCTION INC  
1211 South Military Trail, Suite 200  
Deerfield Beach, Florida 33442  
(954) 421-1700

Project:  
Proposed Dock / Seawall Repair  
Mikhail Vesselov  
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Highland Beach, Florida 33487



**Boat Lift Notes:**

- Design in accordance with Florida Building Code, 8th Edition (2023).
- This lifting structure has been designed to withstand wind loads associated with speeds of  $V (ult) = 180$  MPH, (3 Second Gust) Exposure 'D' without a boat on the lift per ASCE 7-22 using above ground sign/wall method. The lifting structure including boat has been designed to withstand wind speeds of  $V (sustained) = 73$  MPH, remove boat when winds approach this speed or for any named storm event. Boat shall not be stored on lift during high wind events.
- Do not scale drawings for dimensions. Licensed Contractor to verify location of existing utilities prior to commencing work. The Licensed contractor shall install and remove all shoring and bracing as required for the proper installation of the work. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
- Aluminum: Material 6061 T6 Aluminum, all welds are minimum full fillet weld using 5556 filler 1/4 full fillet weld using 5556 filler alloy, all welding must conform to AISC steel construction manual currently adopted edition as inspected and verified by others. The contractor is responsible for insulating aluminum members from dissimilar metals to prevent electrolysis. Aluminum members in contact with concrete and wood shall be protected by "Koppers Bituminous Paint" or Polyethylene Tape UHMW (ultra-high molecular weight). 11.7 mils (0.30 mm) min. total thickness in accordance with current Florida Building Code.
- All anchors to be Hilti Brand or Approved Equal. All bolts shall be hot dipped galvanized or stainless steel & meet the requirements of ASTM A304 with hardened washers and hex nuts. Washers shall be used between wood & bolt head & between wood & nut. Where generic fasteners are labeled, capacities shall be equal to or greater than Hilti Kwik Bolt II or Red Head thru bolts SAE Grade 5 or better. Embedment depths specified herein are depths into solid substrate and do not include thickness of other finishes.
- MW Engineering Inc. has no control of the manufacturing, performance, or installation of this product. These generic plans were engineered in accordance with accepted engineering practices and data provided by the manufacturer. Use of this specification by contractor and permit holder Et al. indemnifies and saves harmless the engineer for all costs and damages from material fabrication, system erection, and construction practices beyond that which is called for by codes and from deviations from this design. Intellectual property of MW Engineering, Inc. All rights reserved. No part of this publication may be reproduced without prior written authorization.
- Piles shall be driven to minimum allowable bearing capacity of 10 tons minimum 8-foot or refusal and sufficiently penetrated sand or rock strata in pre-drilled or punched holes to support lift capacity, weight and loads. Each pile to carry commensurate load (Factor of Safety of 2). Sub-surface conditions can vary greatly.
- The contractor of record shall verify pile type, installation, and driving in compliance with FBC 8th ED (2023). Wood piles shall be a minimum diameter of 8", Miami Dade County requires minimum diameter of 12", 2.5 lb. ACQ treated in accordance with Florida Building Code. Concrete piles shall be 12" x 12" square, attain 6000 psi compressive strength in 28 days and shall be reinforced with four - 7/16" diameter lo-lax strands, 270 kips, and 5 ga. spiral ties.
- Pilings described herein are considered to be part of the host structure and are not part of this certification. The pilings and existing host structure, if any, must be capable of supporting the loaded system as verified by the permit holder and contractor of record. No warranty, either express or implied is contained herein.

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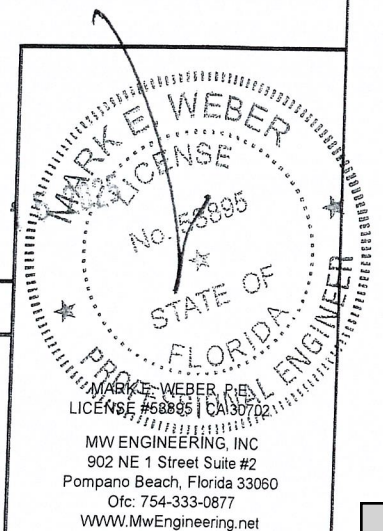
JUL 24 2025

HIGHLAND BEACH  
BUILDING DEPARTMENT

Sheet 12 of 13

PREPARED FOR:  
B&M MARINE CONSTRUCTION INC  
1211 South Military Trail, Suite 200  
Deerfield Beach, Florida 33442  
(954) 421-1700

Project:  
Proposed Dock / Seawall Repair  
Mikhail Vesselov  
2564 South Ocean Blvd.  
Highland Beach, Florida 33487



GENERAL NOTES:

1. Construction to follow the Florida Building Code 8th Edition (2023) and amendments as applicable and all Local, State and Federal Laws.
2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
9. Licensed Contractor to verify location of existing utilities prior to commencing work.
10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

1. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
2. Piles shall be driven to a minimum allowable bearing capacity of 10 tons for wood, 25 tons for concrete, and 5 tons for pin piles, a minimum of 8' into berm or refusal.
3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
4. Piles shall be driven with a variation of not more than 1/4 inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE NOTES:

1. Concrete shall conform to ACI 318-19 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
6. Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
7. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of epoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

1. Concrete piles shall attain 6000 psi compressive strength in 28 days.
2. Concrete piles shall be reinforced with four - 7/16"Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
3. Concrete piles shall be 12"x12" square, minimum length of 20'.
4. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 8"x12" hook bars 6" into pile.

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JUL 24 2025

HIGHLAND BEACH  
BUILDING DEPARTMENT

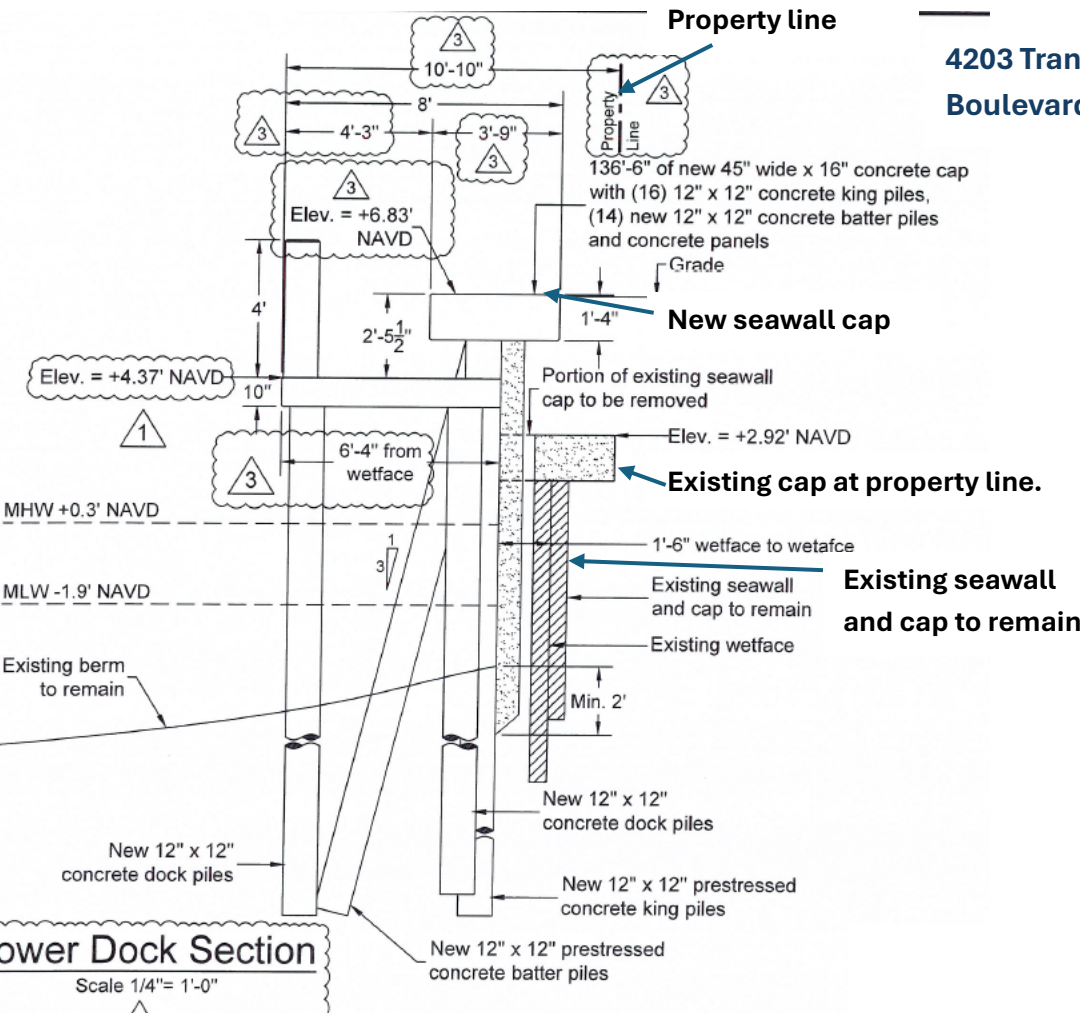
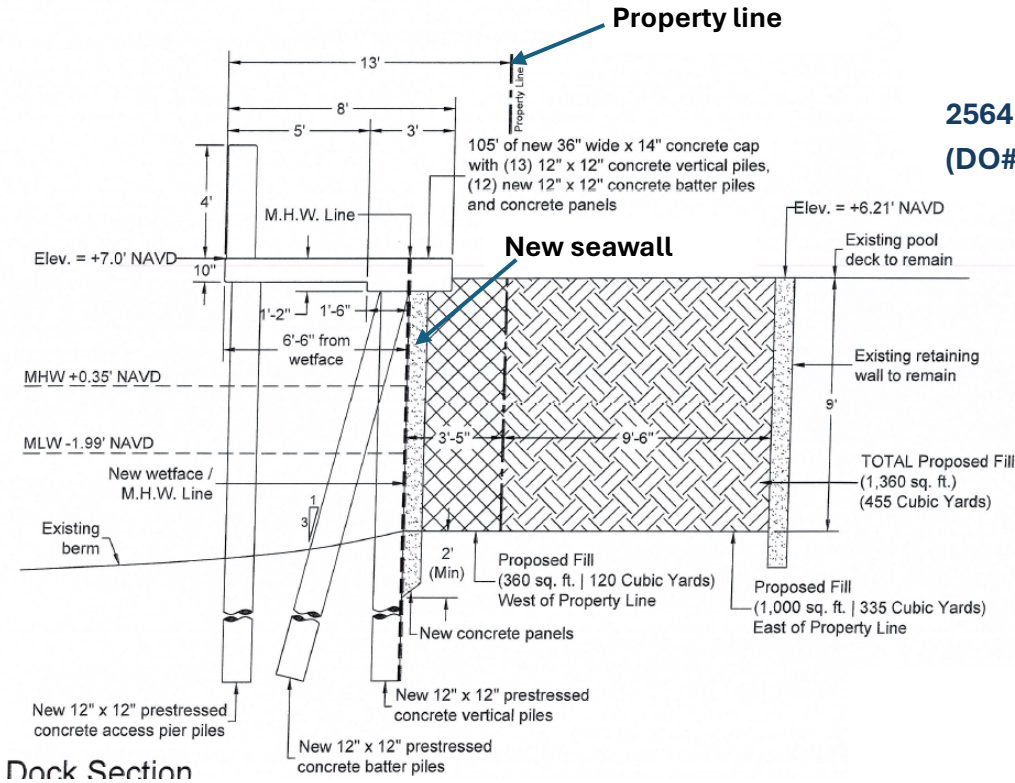
Sheet 13 of 13

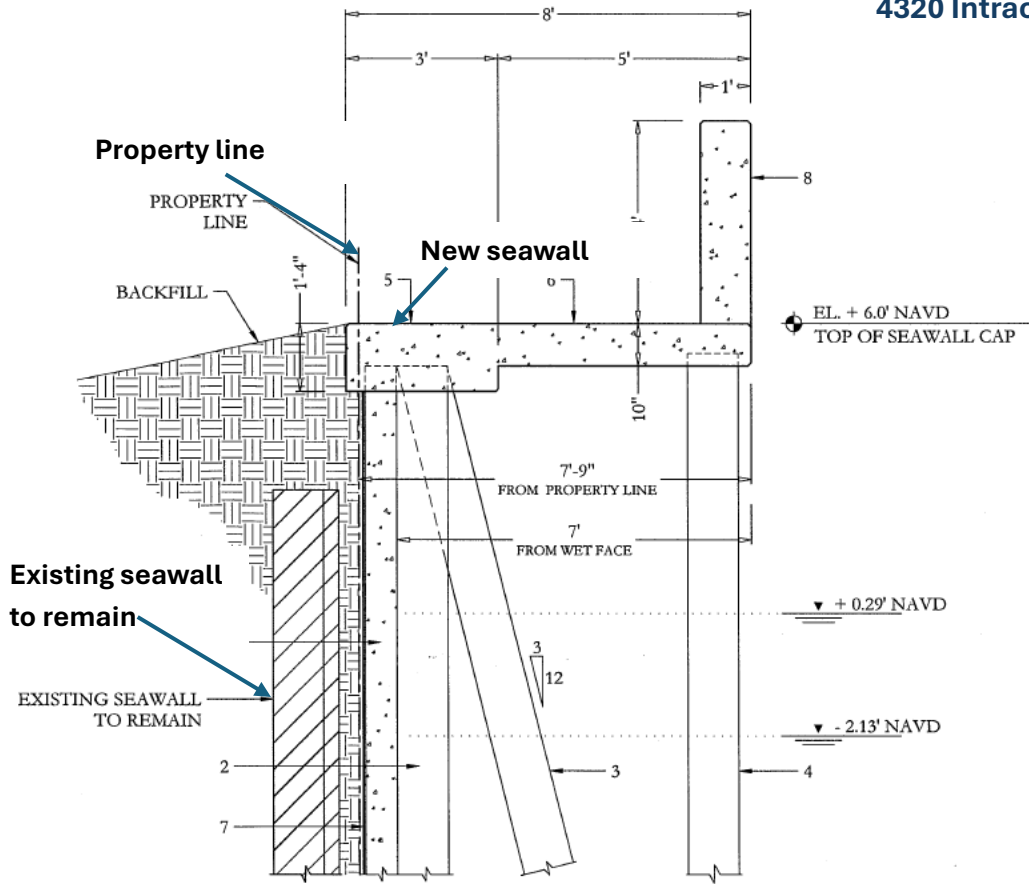
PREPARED FOR:  
**B&M MARINE CONSTRUCTION INC**  
 1211 South Military Trail, Suite 200  
 Deerfield Beach, Florida 33442  
 (954) 421-1700

Project:  
**Proposed Dock / Seawall Repair**  
**Mikhail Vesselov**  
 2564 South Ocean Blvd.  
 Highland Beach, Florida 33487

MARK E. WEBER  
 LICENSE  
 No. 53895  
 STATE OF  
 FLORIDA  
 PROFESSIONAL ENGINEER

MARK E. WEBER, P.E.  
 LICENSE #53895 | CA 30702  
 MW ENGINEERING, INC  
 902 NE 1 Street Suite #2  
 Pompano Beach, Florida 33060  
 Ofc: 754-333-0877  
 WWW.MwEngineering.net





**B** SECTION B  
SHT-4 SCALE: 3/8" = 1'-0"

RECEIVED  
DEC 22 2022

### C. Continued discussion of Fiscal Year (FY) 2025-2026 Strategic Priorities Plan

Town Manager Labadie presented the updated Strategic Priorities Plan based on the Commission's comments from the January 6 meeting. He noted that he reorganized and re-ranked priorities, added roughly five new projects based on Commission comments, and removed completed projects like the A1A project.

He explained that once the rankings are accepted, he will bring back the full strategic priorities plan for approval at the next meeting. The plan will then be used to build the five-year forecast for the budget. He confirmed that larger projects like the fire annex, police reconstruction, and marine dock would require Commission authorization for final amounts.

Regarding the Bel Lido Bridge project, Town Manager Labadie explained this project would begin the following Monday and might cause some traffic interruptions during the day, though efforts would be made to avoid rush hours and school times. He also addressed the inquiry regarding the Police Marine Docking and securing the annual FIND grant.

It was suggested to regularly include one or more items on the agenda to update the Commission on strategic priorities and CIP projects throughout the year. Town Manager Labadie agreed to implement this suggestion moving forward. He will bring back strategic priorities plan for Commission final approval at the next meeting.

Overall, the Town Commission was satisfied with the strategic priorities plan and capital improvement project list.

Mayor Moore opened public comments, and the following individuals provided comments:

Mr. Timothy Routolo  
Mr. David Newman  
Mr. Richard Greenwald

### 11. NEW BUSINESS (Public Comments will be limited to three (3) minutes per speaker per item after Town Commission initial discussion.)

#### → A. Introduction to a proposed amendment to the Town Code of Ordinances regarding hard surfaces (for walking, gathering or sitting) as they pertain to seawalls, etc.

Mayor Moore read the title of Item 11.A.

Town Planner Ingrid Allen explained that this proposed amendment stemmed from a Planning Board motion on August 14, 2025. The issue arose when reviewing a special exception for a property at 2564 South Ocean Boulevard that

included installing a 105-foot seawall and seawall cap, along with a boat lift and dock. She provided visual illustrations showing that the current code only allows hard surfaces up to the property line, but in cases where seawalls are beyond the property line, property owners need a path to access their docks and boats. The Planning Board's proposal would allow hard surfaces to extend from the property line to seawalls when necessary for access.

Mr. Greg Babij, a Planning Board member and sponsor of the proposed amendment, explained that the issue is straightforward: allowing residents to have a walking path all the way to their dock, even when the seawall extends beyond their property line. He noted this is not just for aesthetics but also for safety, as it is difficult to transport items on a cart across mixed surfaces.

The Commission discussed several aspects of the proposal, including liability questions, maintenance responsibilities, and potential limitations on pathway width. Town Attorney Rubin clarified that while property lines do not automatically extend, the municipality still has permitting authority over the area.

Mayor Moore opened public comments, and the following individual provided comments:

Mr. Richard Greenwald.

Town Manager Labadie mentioned that a related request regarding controlling outward seawall movement over time was also under consideration, but regulatory changes could not be implemented until 2027 due to state statutes.

**MOTION:** Goldberg/Peters – A motion was made and seconded refer to the Planning Board to take up this issue to study and review. The motion passed unanimously, 5 to 0.

**B. Introduction of a proposed ordinance revising Town's Platting Procedures.**

Mayor Moore read the title of Item 11.B.

Town Attorney Rubin explained that this ordinance addresses another mandate from the recent legislative session requiring plats to be administratively approved rather than through public hearings. He noted that plats are straightforward and either meet statutory requirements or do not, making them suitable for administrative approval.

The proposed changes would designate the Building Department to receive applications and the Town Manager as the administrative official with final authority. Given the age of Highland Beach's planning regulations and the unlikelihood of new subdivisions, Town Attorney Rubin recommended minimal changes to comply with the law rather than completely redrafting the plotting regulations. He suggested this matter go to the Planning Board for review.

# **Business Impact Estimate**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the Town's website by the time notice of the proposed ordinance is published.*

Proposed ordinance's title: AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING ARTICLE III, "DEVELOPMENT REVIEW," OF CHAPTER 30, "ZONING CODE," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 30-66, "OTHER REQUIREMENTS" TO ALLOW A HARD SURFACE TO ENCROACH BEYOND THE PROPERTY LINE FOR PROPERTIES ABUTTING A WATERWAY, CANAL OR LAKE IN ORDER TO PROVIDE ACCESS TO A SEAWALL, DOCK, OR ABUTTING INTRACOASTAL WATERWAY BEACH AREA AND AMENDING SECTION 30-68, "SUPPLEMENTAL DISTRICT REGULATIONS," TO CLARIFY THE MEASUREMENT OF THE WIDTH OR LENGTH OF A DOCK WHEN COMBINED WITH A SEAWALL CAP; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the Town is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed Ordinance, but the Town is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed Ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;
  - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.
  - c. Sections 190.005 and 190.046;
  - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the Town hereby publishes the following information:

**1. Summary of the proposed ordinance including a statement of the public purpose to be served, such as serving the public health, safety, morals and welfare of the municipality.** This Ordinance includes an amendment to the encroachments permitted into setbacks regulations provided in Chapter 30 (Zoning Code) of the Town Code of Ordinances to allow hard surfaces to encroach beyond the property line (for properties abutting a waterway, canal or lake) in order to provide access to a seawall, dock, or abutting Intracoastal Waterway beach area. On August 14, 2025, the Planning Board (“Board”) made a recommendation that such concept be considered by the Town Commission. On February 3, 2026, the Town Commission agreed to refer the issue to the Planning Board so that they can study/review it and provide their recommendation to the Town Commission. As part of the Town’s Ordinance Process Flowchart, once a proposal for a new Ordinance is introduced and approved (in concept) by the Town Commission, Town staff then researches and drafts an Ordinance. The Town Code currently allows hard surfaces abutting a waterway, canal, or lake to encroach up to the property line or seawall abutting the water, whichever is further landward so long as there is adequate onsite drainage. The proposed Ordinance would allow a hard surface beyond the property line in order to access a seawall, dock, or abutting intracoastal waterway beach area. Such a hard surface will allow for a more easily accessible walkway surface from the property line.

**2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:**

**(a) An estimate of direct compliance costs that businesses may reasonably incur if the Ordinance is enacted;**

**(b) Identification of any new charge or fee on businesses, or for which businesses will be financially responsible; and**

**(c) An estimate of the Town’s regulatory costs, including estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.**

The Ordinance will have no direct economic impact on the one (1) existing private, for-profit business in the Town.

**3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:**

The Town has one (1) existing private business (Delray Sands Resort).

**4. Additional information the governing body deems useful (if any):**

## 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 -- 1<sup>st</sup> 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 2<sup>nd</sup> Reading/Public Hearing or may send back to advisory board and/or staff for modifications or additional research.

## TOWN COMMISSION -- 2<sup>nd</sup> 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



**TOWN OF HIGHLAND BEACH**  
**NOTICE OF PUBLIC HEARING**

**YOU ARE HEREBY NOTIFIED** that the Planning Board of the Town of Highland Beach will conduct a Public Hearing on *Thursday, May 14, 2026 at 9:30 AM* in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following and provide a recommendation to the Town Commission:

**AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING ARTICLE III, "DEVELOPMENT REVIEW," OF CHAPTER 30, "ZONING CODE," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 30-66, "OTHER REQUIREMENTS" TO ALLOW A HARD SURFACE TO ENCROACH BEYOND THE PROPERTY LINE FOR PROPERTIES ABUTTING A WATERWAY, CANAL OR LAKE IN ORDER TO PROVIDE ACCESS TO A SEAWALL, DOCK, OR ABUTTING INTRACOASTAL WATERWAY BEACH AREA AND AMENDING SECTION 30-68, "SUPPLEMENTAL DISTRICT REGULATIONS," TO CLARIFY THE MEASUREMENT OF THE WIDTH OR LENGTH OF A DOCK WHEN COMBINED WITH A SEAWALL CAP; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

All interested parties may appear at the public hearing and be heard with respect to the ordinance.

The proposed ordinance may be inspected by the public at the Town Clerk's Office. Information on the ordinance may also be obtained by emailing the Town Clerk's Office at [townclerk@highlandbeach.us](mailto:townclerk@highlandbeach.us). A copy of the ordinance will be available on the on the Town's webpage at <https://highlandbeach-fl.municodemeetings.com/> no later than Friday, May 7, 2026.

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

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# Highland Beach Legal Notice

05/04/2026 11:43 AM (EDT)

Submitted by Jaclyn Dehart (jdehart@highlandbeach.us)

## Legal Notice

Please choose a category

Planning Board Public Hearing Notices - Highland Beach

Title

May 14, 2026 Planning Board Meeting PROPOSED ORDINANCES AMENDING ARTICLE III, "DEVELOPMENT REVIEW," OF CHAPTER 30, "ZONING CODE," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 30-66

Publish Date

05/04/2026

Publish Time

11:40 AM (EDT)

Description

TOWN OF HIGHLAND BEACH

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The proposed ordinance may be inspected by the public at the Town Clerk's Office. Information on the ordinance may also be obtained by emailing the Town Clerk's Office at townclerk@highlandbeach.us. A copy of the ordinance will be available on the on the Town's webpage at <https://highlandbeach-fl.municodemeetings.com/> no later than Friday, May 7, 2026.

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

Attach Files (Optional)

 AD\_PB 5-14-26 mtg.docx

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Submitted by (Email Address)

jdehart@highlandbeach.us

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Notifications

No

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Signature



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Affidavit of Legal Notice submission and publication

Highland Beach Legal Notice

Submission Time: **05/04/2026 11:43 AM (EDT)**

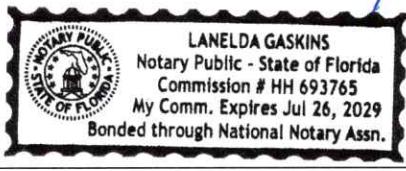
Please find a PDF of your submission details attached to this email.

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 5-14-26 mtg.docx
- signature.png

Signature of Affiant 

Signature of Notary Public  5/4/26

Notary Stamp 

Highland Beach Legal Notice Submission

**File Attachments for Item:**

D. Nomination of Chairperson and Vice Chairperson



# TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

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**MEETING TYPE:** Planning Board Regular Meeting

**MEETING DATE** 05/14/26

**SUBMITTED BY:** Jaclyn DeHart, Deputy Town Clerk

**SUBJECT:** **Nomination of Chairperson and Vice Chairperson**

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**SUMMARY:**

In May of 2025, Ms. Ilyne Mendelson and Ms. Eve Rosen were nominated as the Chairperson and Vice Chairperson of the Planning Board; both have served in the positions for the allotted one-year terms. Therefore, this matter is being brought before the Board for discussion and nomination to fill both vacant positions for one-year terms ending May 14, 2027.

According to Resolution No. 19-029 R, - Advisory Board and Committees Appointment Process Policy, Section 9, it should be common practice that no member shall serve as chair until he or she has served for one full year on the advisory board unless no existing member is willing to serve as chairperson or vice chairperson.

---

**FISCAL IMPACT:**

None.

---

**ATTACHMENTS:**

Board Members List  
Resolution No. 19-029 R

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**RECOMMENDATION:**

Staff recommends nomination of a Chairperson and a Vice Chairperson to serve for one year, ending May 14, 2027.



**TOWN OF HIGHLAND BEACH  
RESOLUTION NO. 19-029 R**

**A RESOLUTION OF THE TOWN COMMISSION OF THE  
TOWN OF HIGHLAND BEACH, FLORIDA, ADOPTING AN  
ADVISORY BOARDS AND COMMITTEES APPOINTMENT  
PROCESS POLICY; AND PROVIDING AN EFFECTIVE  
DATE.**

**WHEREAS**, the Town of Highland Beach, Florida, is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town has several boards and committees who fulfill a vital role in assisting the Town Commission with executing Town business; and

**WHEREAS**, although the Town's code of ordinances generally discusses the appointment of board and committee members, the Town Commission finds that it is beneficial to set forth the Town's process regarding the appointment of members in more detail; and

**WHEREAS**, the Policy shall supplement the appointment processes in the Town's code of ordinances.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE  
TOWN OF HIGHLAND BEACH, FLORIDA, THAT:**

**SECTION 1.** The above recitations are true and incorporated herein.

**SECTION 2.** The Advisory Boards and Committees Appointment Process Policy is approved, said Policy is attached hereto as **Exhibit A**.

**SECTION 3.** This resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF  
HIGHLAND BEACH, FLORIDA, ON THIS 3<sup>RD</sup> DAY OF OCTOBER, 2019.**

**AYE NAY**


Mayor Zelniker

  
Rhoda Zelniker, Mayor

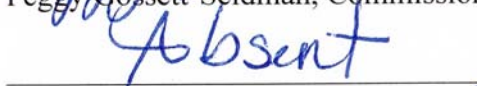
Vice Mayor Babij

  
Greg Babij, Vice Mayor

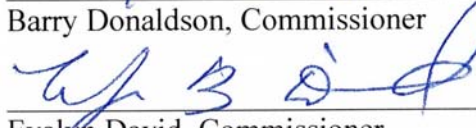
Commissioner Gossett-Seidman

  
Peggy Gossett-Seidman, Commissioner

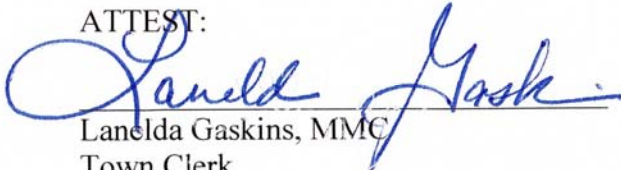
Commissioner Donaldson

  
Barry Donaldson, Commissioner

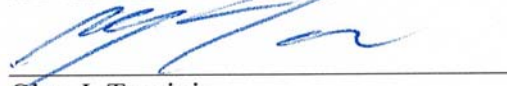
Commissioner David

  
Evalyn David, Commissioner

ATTEST:

  
Lanelda Gaskins, MMC  
Town Clerk

REVIEWED FOR LEGAL SUFFICIENCY

  
Glen J. Torcivia,  
Town Attorney



## TOWN OF HIGHLAND BEACH ADVISORY BOARD & COMMITTEES APPOINTMENT PROCESS POLICY

Approved by Resolution No. 19-029 R on October 3, 2019

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- 1) Purpose: This policy establishes consistent procedures and standards for the appointment of individuals to all town advisory boards and committees, and applies to individuals serving on advisory boards appointed by the Highland Beach Town Commission. This policy does not apply to temporary or ad hoc committees or to appointments made by the commission to external boards, commissions or committees. This policy shall serve as a complement to the City's code of ordinances regulating boards and committees.
- 2) Duties of Advisory Boards and Committees: Unless otherwise provided for in the City's code of ordinances, all advisory boards and committees (sometimes referred to collectively as "advisory board" or "advisory boards") shall act in an advisory capacity to the Town Commission with the exception of the Code Enforcement Board, the Planning Board and the Board of Appeals and Adjustments, which may have the final decision making authority on quasi-judicial matters. When not acting in a quasi-judicial role, all other matters of the Code Enforcement Board, the Planning Board and the Board of Adjustment and Appeals, are to be advisory.
- 3) Qualifications and Restrictions:
  - a) Applicants shall be a resident of the Town of Highland Beach and shall maintain residency while serving on an advisory board or committee. Residency for appointment to an advisory board or committee means the individual must be domiciled within the corporate limits and a registered voter of Highland Beach for at least one year prior to appointment.
  - b) No person shall serve as a regular voting member on more than one advisory board unless specific action is taken by the Town Commission and so long as said appointment does not violate Sec. 2-99 of the code. In no case shall an individual serve on two advisory boards that function as a quasi-judicial board, i.e., (1) Code Enforcement Board, (2) Planning Board or (3) Boards of Adjustment and Appeals.
  - c) Any conflict of interest between an applicant and their proposed role as a member of an advisory board shall be divulged in the application process. A failure to do so may result in removal.
  - d) Persons currently holding any elective municipal, county, state or federal office shall not be eligible to serve in a regular voting position on any advisory board. If a sitting advisory board member is elected to a Commission office, that sitting member shall resign their board position pursuant to Sec. 7-4 of the Town 's code of ordinances.
  - e) Town employees (part-time or full-time) are not eligible to serve on an advisory board, unless serving in an ex officio (non-voting) capacity.

- f) Applicants shall indicate which advisory board they are interested in on their application. If interested in more than one board, applicants shall indicate an order of preference numerically on the Town approved application with 1 being the highest preference and 5 being the lowest preference if all advisory boards are indicated.

4) Selection Process:

- a) Twice annually, during the first week of January and July, a notice inviting applications for the Town of Highland Beach shall be placed in the official newspaper of record, online (website), and emailed to Town email subscribers. Potential members will have approximately three weeks to apply, said applications to be due no later than 4:30 pm on the last Friday in January and July. The Town Commission may call for applications at additional times based on need.
- b) Persons interested in appointment or reappointment to an advisory board shall complete a Town approved application as provided by the Town on its website or at the Town Clerk's Office. Existing members seeking reappointment shall complete a new application to ensure that the Town has the most current information related to the advisory board member.
- c) Persons interested in appointment shall also submit a completed and signed background investigation waiver form. The simple background investigation would verify employment history, affiliations and memberships, financial/credit report and any criminal convictions.
- d) Applications shall be received by the Town Clerk on or before the advertised deadline. Late or incomplete applications will not be considered unless an extension is granted by action of the Town Commission. All applications will be held on file by the Town Clerk for a period of two years.
- e) Town staff will screen all applications for residency and other qualification requirements. The Police Department will conduct the simple background investigation.
- f) In February and August, Town staff will direct advisory board applications to the appropriate Advisory Board Chairs for screening and recommendation pursuant to Sec. 2-99 of the Town's code of ordinances. Advisory Board Chairs may ask applicants to attend an Advisory Board meeting for an interview conducted by the full board. Advisory Board Chairs may choose to not formally interview board members seeking reappointment and instead base their review upon the board member's performance and attendance. An Advisory Board Chair's written screening of a candidate may remain in effect for up one year.
- g) The qualifications for service on an advisory board shall be those that in the judgment of the advisory board chair are representative of the community and are qualified by training, experience, and interest for the fulfilment of the advisory board's responsibility. If the Chair feels that a particular candidate(s) not recommended for selection would be viable alternates to serve in case of vacancy, they may note those applicants to the Town Clerk as part of their report.
- h) All candidates for advisory boards along with the recommendations of the Advisory Board Chair shall be placed in a candidate pool and when a vacancy becomes available all applications shall be forwarded to Town Commission for selection and approval. The recommending Advisory Board Chair may rank candidates if more than one person applies for appointment. Any Town

Commissioner may then nominate an individual, or a slate of candidates for a public interview at the upcoming commission meeting. Votes via a signed ballot process will be taken by Town Commission until all vacancies are filled.

- i) The Town Commission has the ability to nominate and appoint any of the candidates within the applicant pool. The Town Commission will make every effort to ensure an advisory board does not have a majority of members from a single neighborhood, condominium association or group of condominium associations collectively referred to as a single condominium association and that advisory board members' background, proficiencies and experiences align as closely as possible to the mission of the assigned advisory board.
  - j) Appointment of a qualified candidate shall be made by an affirmative vote of not less than three members of the Town Commission.
  - k) On the day following Commission action, the Town Clerk shall notify each applicant of the Commission's appointment decision. Letters will subsequently be mailed to each individual appointed to an advisory board stating the name of the board to which they have been appointed, the name of the staff liaison for their advisory board, and any other pertinent information relevant to the position and information on ethics, conflicts of interest and open meetings requirements. All first-term appointees need to plan on completing the Palm Beach Commission on Ethics Training and Orientation session within 30 days of appointment.
  - l) The Town Clerk shall also prepare and mail letters to those not selected for service to express the Commission's appreciation for their willingness to serve the Town of Highland Beach and that application will remain on file for future appointment opportunities for a period of two years, or the remaining period of time since the date of initiation application.
  - m) Should an applicant no longer wish to be considered for appointment, notice of withdrawal of the application shall be made in writing to the Town Clerk with a copy of said written withdrawal forwarded to the Town Commission.
- 5) Terms of Office:
- a) Residents are appointed at the pleasure of the Town of Highland Beach, and can be removed or replaced at any given time by the same.
  - b) As set forth in Sec. 2-99, in the Town's code, Terms for all boards shall be three (3) years and no board member may serve more than two (2) consecutive terms on the same board without first taking a one-year hiatus from the board. Appointments for partial terms shall not count toward the two-term limit.
  - c) Expectations: Advisory board members are expected to be prepared for meetings to ensure recommendations, approvals and advisory opinions are well formed to assist the Town Commission in making optimal decisions. Additionally, advisory board members shall act with respectful and professional demeanor at all times.

Being prepared includes, but is not limited to:

- i) Reviewing background materials (staff reports);
- ii) Conducting independent research on topics as needed;
- iii) Understanding ordinances;
- iv) Staying informed on Town affairs and Town Commission actions;
- v) Appreciating due process and public comments;
- vi) Engaging all stakeholders with respect;
- vii) Being familiar with basic provisions of Robert Rules of Order; and
- viii) For quasi-judicial boards, strict adherence to criteria established for reviewing petitions and applications.

6) Attendance:

- a) Advisory board members are required to maintain regular attendance pursuant to *Article V – Boards and Committees* of the Town of Highland Beach Code of Ordinances. Members who cannot attend a meeting should inform the Town Clerk 24 hours in advance of the scheduled meeting.
- b) Pursuant to Article V – Board and Committees inadequate attendance is grounds for removal. Inadequate attendance shall mean a member’s absence at three (3) or more consecutive regular meetings of a board.

7) Compensation: Members of advisory board and committees are paid \$25 per meeting with the compensation amount adjusted periodically by action of the Town Commission.

8) Orientation: Newly appointed members will make every effort to become familiar with all aspects of their particular advisory board. The Town will provide basic information to all advisory board members about the Town, the purpose and responsibility of the advisory board, and additional information to assist members in the performance of their duties.

9) Organizational: It should be common practice that no member shall serve as chair until he or she shall have served for one full year on the advisory board unless no existing member is willing to serve as chair. Roberts Rules of Order (Newly Revised) shall govern all meetings as to procedural matters not set forth in the state statutes or town code. A record via summary minutes shall be kept of all meetings. A verbatim transcript is not required.

10) Advisory Boards and Committees Enabling Sections: Authorization of advisory boards and committees are duly constituted pursuant of the Town of Highland Beach Code of Ordinances.

- a) Chapter 2: Administration, Article V
  - i) Division 2 – Code Enforcement Board (Sec. 2-110 – 2-134)
  - ii) Division 3 – Natural Resources Preservation Advisory Board (Sec. 2-135 – 2-154)
  - iii) Division 4 – Financial Advisory Board (Sec. 2-155 – 2-160)
- b) Chapter 20: Planning and Development, Article II – Planning Board (Sec. 20-26 – 20-45) & Chapter 30: Zoning (Sec. 30-22)
- c) Chapter 20: Planning and Development, Article III – Board of Appeals and Adjustments (Sec. 20-46 – 20-100) & Chapter 30: Zoning (Sec. 30-23)

**TOWN OF HIGHLAND BEACH**  
*Town Commissioners Advisory Board Members Contact Information*

**PLANNING BOARD / Quasi-Judicial Board**  
*Regular Meetings - 2nd Thursdays - 9:30 AM (Monthly)*

<b>Names</b>	<b>Addresses</b>	<b>Home Numbers</b>	<b>Cellular Numbers</b>	<b>Email Addresses</b>	<b>Date of Appointment</b>	<b>Date Term End</b>
Ilyne Mendelson <b>Chairperson</b> (eff. 05/08/2025)					10/3/2023 <i>(Reappointed)</i>	10/2/2026
Eve Rosen <b>Vice Chairperson</b> (eff. 05/08/2025)					4/16/2024	4/16/2027
Roger Brown					11/4/2025 <i>(Reappointed)</i>	11/4/2028
David Powell					10/01/2024 <i>(Reappointed)</i>	10/1/2027
Evalyn David					03/27/2025	4/19/2028
David Axelrod					10/17/2023	6/4/2028
Greg Babij					6/14/2024	6/17/2027