

AGENDA

PLANNING BOARD REGULAR MEETING



Thursday, May 08, 2025 AT 9:30 AM

TOWN OF HIGHLAND BEACH, FLORIDA

3614 S. OCEAN BOULEVARD

HIGHLAND BEACH, FL 33487

Telephone: (561) 278-4548

Website: www.highlandbeach.us

Town Hall Commission Chambers

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF THE AGENDA**
5. **SWEARING IN OF THE PUBLIC**
6. **APPROVAL OF MINUTES**

A. April 10, 2025

7. **UNFINISHED BUSINESS**

A. None

8. **NEW BUSINESS**

A. Development Order Application No. PZ-25-21 / Johannes S. Schoonman

Application by Breezy Permits LLC requesting a special exception to install a 10,000 pound capacity boat lift for the property located at 1011 Russell Drive, Unit B.

B. Development Order Application No. PZ-25-25 / Bel Lido Manor Condominium Association, Inc.

Application by Unlimited Permit Services, Inc. requesting a special exception to install a 150 square foot dock for the property located at 1101 Bel Air Drive.

C. Nomination of Chairperson and Vice Chairperson

9. ANNOUNCEMENTS

May 13, 2025	1:00 PM	Special Magistrate Hearing
June 03, 2025	1:30 PM	Town Commission Meeting
June 10, 2025	1:00 PM	Special Magistrate Hearing
June 12, 2025	9:30 AM	Planning Board Meeting

10. ADJOURNMENT

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

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

File Attachments for Item:

A. April 10, 2025



TOWN OF HIGHLAND BEACH PLANNING BOARD REGULAR MEETING MINUTES

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

Date: April 10, 2025
Time: 9:30 AM

1. CALL TO ORDER

Chairperson Goldenberg called the meeting to order and welcomed the new Board Member, Evalyn David.

2. ROLL CALL

Board Member David Axelrod
Board Member Eve Rosen
Board Member Evalyn David
Vice Chairperson Ilyne Mendelson
Chairperson Eric Goldenberg
Town Attorney Leonard Rubin
Deputy Town Clerk Jaclyn DeHart

ADDITIONAL STAFF PRESENT

Town Planner Ingrid Allen

ABSENT

Board Member David Powell
Board Member Roger Brown

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/Axelrod - Moved to approve the agenda as presented which passed 5 to 0.

5. SWEARING IN OF THE PUBLIC

Deputy Town Clerk Jaclyn DeHart swore in those giving testimony.

6. APPROVAL OF MINUTES

A. March 13, 2025

Motion: Rosen/Mendelson - Moved to approve the minutes as presented which passed 5 to 0.

7. UNFINISHED BUSINESS

A. None

8. NEW BUSINESS

A. Development Order Application No. PZ-25-19 / AJR Grand Highland Beach LLC / David Nutter

Application by B&M Marine Construction, Inc. requesting a special exception to install a 120 square foot finger pier and one (1) mooring pile for the property located at 1006 Grand Court.

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

Town Planner Allen presented Development Order Application No. PZ-25-19 and briefly reviewed the history of the project.

She mentioned that Michael Jenkins, the Town's Marine Expert (Applied Tech Management Inc.), had reviewed the plans and was present.

David Nutter, B & M Marine Construction Inc, was present.

There were no public comments, and the hearing was closed followed by a motion.

MOTION: Mendelson/David - Moved to approve (Development Order No. PZ-25-19). Based upon roll call: Vice Chairperson Mendelson (Yes), Member David (Yes), Member Rosen (Yes), Member Axelrod (Yes), and Chairperson Goldenberg (Yes). The motion passed on a 5 to 0 vote.

9. ANNOUNCEMENTS

April 15, 2025	1:30 PM	Town Commission Meeting
May 08, 2025	9:30 AM	Planning Board Meeting

10. ADJOURNMENT

The meeting adjourned at 9:40 AM.

APPROVED on May 08, 2025 2024 Planning Board Regular Meeting.

Eric Goldenberg, Chairperson

ATTEST:

Transcribed by:
Jaclyn DeHart

Jaclyn DeHart
Deputy Town Clerk

05/08/2025
Date

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

File Attachments for Item:

A. Development Order Application No. PZ-25-21 / Johannes S. Schoonman

Application by Breezy Permits LLC requesting a special exception to install a 10,000 pound capacity boat lift for the property located at 1011 Russell Drive, Unit B.



HIGHLAND BEACH BUILDING DEPARTMENT

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

PLANNING BOARD STAFF REPORT

MEETING OF: MAY 8, 2025

TO: PLANNING BOARD

FROM: INGRID ALLEN, TOWN PLANNER

SUBJECT: APPLICATION BY BREEZY PERMITS LLC REQUESTING A SPECIAL EXCEPTION TO INSTALL A 10,000 POUND CAPACITY BOAT LIFT FOR THE PROPERTY LOCATED AT 1011 RUSSELL DRIVE UNIT B. (APPLICATION NO. PZ-25-21)

I. GENERAL INFORMATION:

Applicant (Property Owner): Johannes S. Schoonman
1011 Russell Drive, Unit #B
Highland Beach, FL 33487

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

Property Characteristics:

Comprehensive Plan Land Use: Multi Family Low Density
Zoning District: Residential Multiple Family Low Density (RML)
Parcel Control Number: 24-43-47-04-22-001-0020

Request and Analysis:

The Applicant is requesting a special exception to install a 10,000 pound capacity elevator boat lift for the property located at 1011 Russell Drive. The request is on behalf of the property owner residing at 1011 Russell Drive, Unit #B.

The Applicant has obtained Florida Department of Environmental Protection (FDEP) authorization for the above-referenced boat lift (FDEP File No. 50-291222-004-EE). According to the FDEP authorization (dated December 26, 2024), a separate authorization from the U.S. Army Corps of Engineers is not required.

According to the Applicant's boat lift detail (sheet 2 of 2), the boat lift is in compliance with the boat lift definition found in Section 30-131 of the Town Code as follows:

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.

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

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

Staff reviewed the Applicant's proposed request to include plan set, date stamped received by the Building Department on April 21, 2025 and finds that it is consistent with the special exception provisions of Section 30-36 of the Town Code, were applicable, and consistent with the Town Comprehensive Plan and Code of Ordinances.

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

Attachments: Application

Aerials

FDEP approval

HOA approval

Applicant Plans (11X17)



TOWN OF HIGHLAND BEACH DEVELOPMENT ORDER APPROVAL APPLICATION

PROPERTY INFORMATION ASSOCIATED WITH THIS APPLICATION	
Address: 1011 RUSSELL DR UNIT B HIGHLAND BEACH FL 33487	PCN: 24-43-47-04-22-001-0020
Full Legal Description of the Property [as described in the deed] or reference to an attachment: SHAMROCK I COND UNIT B	
Zoning District: RML—MULTI-FAMILY LOW-DENSITY (24-HIGHLAND BEACH)	What is the location of the installation? <input type="checkbox"/> Intracoastal Waterway (ICW) <input checked="" type="checkbox"/> Interior Canal/Basin <input type="checkbox"/> N/A

PROPERTY OWNER (APPLICANT) INFORMATION		
Name: JOHANNES S SCHOONMAN	Phone:	Fax:
Mailing Address: 1011 RUSSEL DR APT B, HIGHLAND BEACH FL, 33487		
Email Address: Hanno.schoonman@gmail.com		

APPLICANT'S AGENT INFORMATION		
Name: ILEEN GONZALEZ	Phone: 5615810141	Fax:
Company Name: BREEZY PERMITS		
Mailing Address: 128 E CENTRAL BLVD, LANTANA FL 33462		
Email Address: INFO@BREEZYPERMITS.COM		

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

10K AMF BOAT LIFT INSTALLATION WITH PILES

I give permission to the members of the Town Commission, Planning Board and staff to inspect the property for the purpose of this application. I declare that all statements made herein are true, based upon the best available information. Willful false statements may jeopardize the validity of my application or any decision issued thereon. I have fully read the information outlining the application requirements. With this application, I am submitting the necessary supporting materials listed.

Property Owner's Signature: _____

Date: _____

Property Owner's Printed Name **JOHANNES SCHOONMAN**

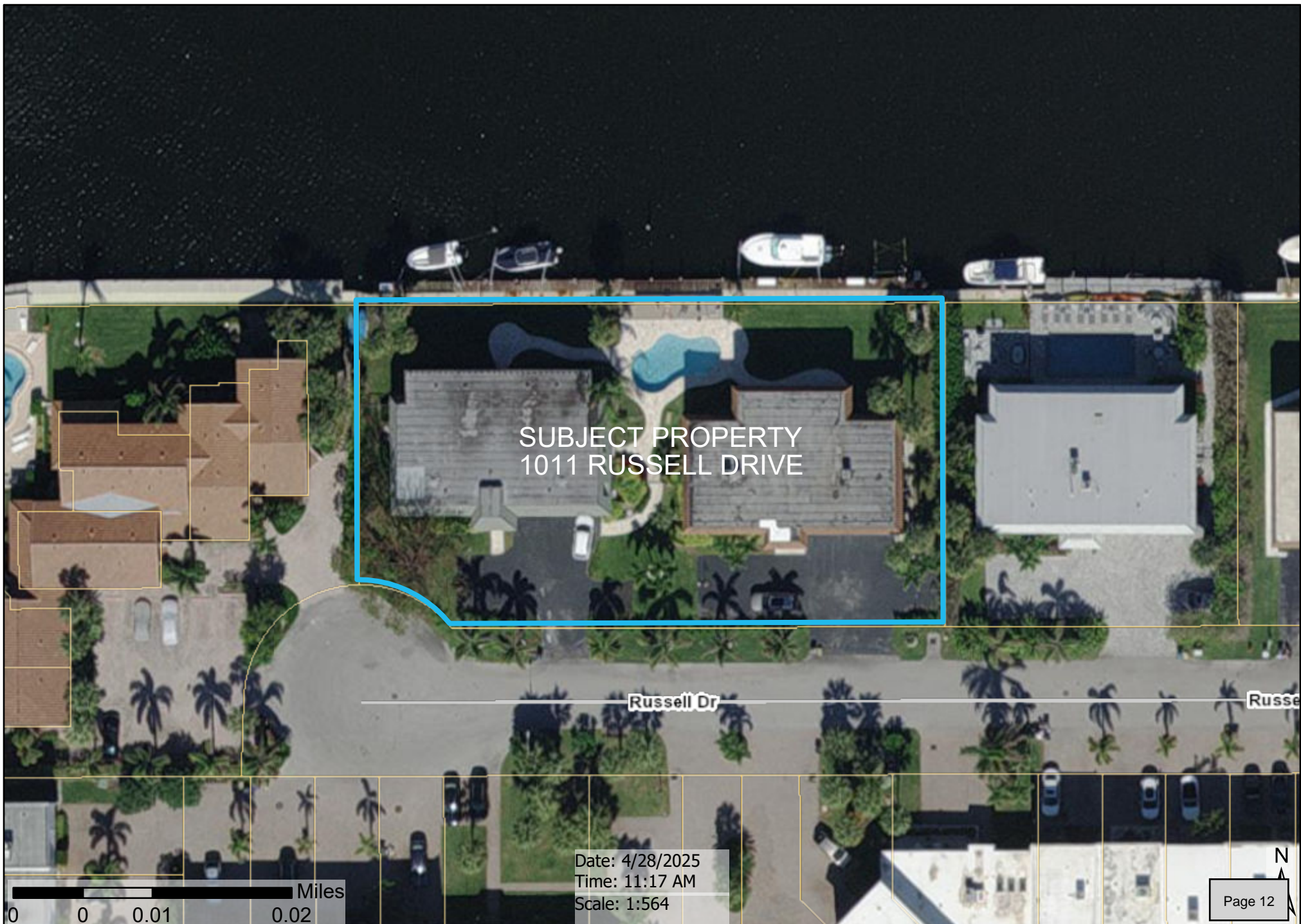
Received by the Town Clerk's Office:

Received By: _____

Date: _____

Date Public Notices Mailed: _____

Date Legal Advertisement Published: _____



SUBJECT PROPERTY
1011 RUSSELL DRIVE

Russell Dr

Russe

Date: 4/28/2025
Time: 11:17 AM
Scale: 1:564

1011 RUSSELL DRIVE



From: [Ingrid Allen](#)
To: ["brian.fedak@floridadep.gov"](mailto:brian.fedak@floridadep.gov)
Subject: FW: FDEP File No. 50-291222-004-EE
Date: Thursday, April 17, 2025 11:34:00 AM
Attachments: [image001.png](#)

Hi Brian:

I just sent Ashely Lyon the email below (given she was the contact on the FDEP letter) but was advised that she is no longer with the agency. I was given your name and contact information and was hoping you can assist with my inquiry below regarding an incorrect subject address for the file no. noted above.

Thank you.



Sincerely,
Ingrid Allen
Town Planner

Town of Highland Beach
3614 S. Ocean Boulevard
Highland Beach FL 33487
(561) 278-4540 Office (option 3)
(561) 278-2606 Fax
www.highlandbeach.us

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from the Town of Highland Beach officials and employees regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. The views expressed in this message may not necessarily reflect those of the Town of Highland Beach.

From: Ingrid Allen
Sent: Thursday, April 17, 2025 11:19 AM
To: Ashley.lyon@FloridaDEP.gov
Subject: FDEP File No. 50-291222-004-EE

Ashley:

I wanted to advise you that the FDEP letter (dated 12-26-24) with the corresponding File No., noted above, has the wrong subject address on page 1. The address of the proposed lift is 1011 Russell Drive rather than 1111 Rusell Drive. Note that the plans included in the FDEP letter do reflect the

correct address. Again, I just wanted to make you aware of this for your records.



Sincerely,
Ingrid Allen
Town Planner

Town of Highland Beach
3614 S. Ocean Boulevard
Highland Beach FL 33487
(561) 278-4540 Office (option 3)
(561) 278-2606 Fax
www.highlandbeach.us

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from the Town of Highland Beach officials and employees regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. The views expressed in this message may not necessarily reflect those of the Town of Highland Beach.



FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Alexis A. Lambert
Secretary

December 26, 2024

Johannes Schoonman
1111 Russell Drive, Apt B
Highland Beach, Florida 33487
Sent via e-mail: Hanno.schoonman@gmail.com

Re: File No.: 50-291222-004-EE
File Name: Schoonman 10k Boat Lift

Dear Johannes Schoonman:

On December 17, 2024, we received your request for verification of exemption to perform the following activities: install a boat lift. The project is located in a man-made canal, Class III Waters, adjacent to 1111 Russell Drive, Apt B, Highland Beach (Section 04, Township 47 South, Range 43 East), in Palm Beach County (Latitude N 26°23'45.2021", Longitude W 80°4'9.6271").

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

Your project qualifies for all three. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

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

If you have any questions regarding this matter, please contact Ashley Lyon at the letterhead address or at (561) 681-6641, Ashley.Lyon@FloridaDEP.gov.

1. Regulatory Review – VERIFIED

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

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

2. Proprietary Review- NOT REQUIRED

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

3. Federal Review - APPROVED

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit VI-R1, and a **SEPARATE permit** or authorization **will not be required** from the Corps. Please note that the Federal authorization expires on July 27, 2026. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition 19 of the SPGP VI-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP VI-R1 with all terms and conditions and the General Conditions may be found at <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

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

Additional Information

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

NOTICE OF RIGHTS

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

Petition for Administrative Hearing

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

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

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

Time Period for Filing a Petition

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

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you

do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

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

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

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

Judicial Review

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

EXECUTION AND CLERKING

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Luciano Guidoni
Environmental Administrator
Southeast District

Enclosures:

Attachment A- Specific Exemption Rule
Special Conditions for Federal Authorization for SPGP VI-R1
General Conditions for Federal Authorization for SPGP VI-R1
Project drawings, 2 pages

CERTIFICATE OF SERVICE

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

FDEP – FDEP – Danielle C. Sattelberger, Norva Blandin, Ashley Lyon, Luciano Guidoni
Ileen Gonzalez - info@breezypermits.com

Additional mailings:

SPGP, nmfs.ser.statewideprogrammatic@noaa.gov ; spgp@usace.army.mil
Matt Mitchell, Palm Beach County, Environmental Resources, mmitchell@pbcgov.org

FILING AND ACKNOWLEDGMENT

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

Vanessa Osborne
Clerk

12/26/2024
Date

Attachment A

Chapter 62-330.051 Exempt Activities.

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

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

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

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

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

Special Conditions for Federal Authorizations for SPGP VI-R1

1. Authorization, design and construction must adhere to the terms of the SPGP VI-R1 instrument including the General Conditions for All Projects, Special Conditions for All Projects, Applicable activity-specific special conditions, Procedure and Work Authorized sections.
2. Design and construction must adhere to the PDCs for In-Water Activities (Attachment 28, from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
3. All activities must be performed during daylight hours (Reference: JAXBO PDC AP.6.).
4. For all projects involving the installation of piles, sheet piles, concrete slab walls or boatlift I-beams (Reference Categories A, B and C of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86):
 - a. Construction methods limited to trench and fill, pilot hole (auger or drop punch), jetting, vibratory, and impact hammer (however, impact hammer limited to installing no more than 5 per day).
 - b. Material limited to wood piles with a 14-inch diameter or less, concrete piles with a 24-inch diameter/width or less, metal pipe piles with a 36-inch diameter or less, metal boatlift I-beams, concrete slab walls, vinyl sheet piles, and metal sheet piles.
 - c. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86.).
 - d. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
5. The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 29).
6. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant’s/Permittee’s behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at <http://www.cr.nps.gov/nr/research>.

- a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245- 6333 and the Corps Regulatory Archeologist at 904-232-3270 to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 C.F.R. § 325.7.
 - b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Archeologist at 904-232-3270 shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
7. The Permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.
8. Mangroves. The design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.12.):
 - a. All projects must be sited and designed to avoid or minimize impacts to mangroves.
 - b. Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:
 - (1) Removal to install up to a 4-ft-wide walkway for a dock.
 - (2) Removal of mangroves above the mean high water line (MHWL) provided that the tree does not have any prop roots that extend into the water below the MHWL.
 - (3) Mangrove trimming. Mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree.
 - (a) Projects with associated mangrove trimming waterward of the MHWL are authorized if the trimming: (a) occurs within the area where the authorized structures are placed or will be placed (i.e., removal of branches that overhang a dock or lift),
 - (b) is necessary to provide temporary construction access, and (c) is conducted in a

manner that avoids any unnecessary trimming.

- (b) Projects proposing to remove red mangrove prop roots waterward of the MHWL are not authorized, except for removal to install the dock walkways as described above.
- 9. For Projects authorized under this SPGP VI-R1 in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- 10. Notifications to the Corps. For all authorizations under this SPGP VI-R1, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:
 - a. Commencement Notification. Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" form (Attachment 8).
 - b. Corps *Self-Certification Statement of Compliance* form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (Attachment 9) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
 - c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form (Attachment 10).
 - d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.
 - (1) For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.
 - (2) For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

11. The District Engineer reserves the right to require that any request for authorization under this SPGP VI-R1 be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP VI-R1 does not automatically guarantee Federal authorization.
12. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
13. Failure to comply with all conditions of the SPGP VI-R1 constitutes a violation of the Federal authorization.
14. The SPGP VI-R1 will be valid through the expiration date unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the period ending expiration date, is not contrary to the public interest. The SPGP VI-R1 will not be extended beyond the expiration date but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP VI-R1 will be evaluated by the Corps.
15. If the SPGP VI-R1 expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP VI-R1 will remain in effect provided the activity is completed within 12 months of the date the SPGP VI-R1 expired or was revoked.

Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures.

16. Chickees must be less than 500 ft² and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).
17. The design and construction of a Project over marsh (emergent vegetation) must comply with the following:
 - a. The piling-supported structure shall be aligned so as to have the smallest over- marsh footprint as practicable.
 - b. The over-marsh portion of the piling-supported structure (decking) shall be elevated to at least 4 feet above the marsh floor.
 - c. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.
18. Mangroves. For pile-supported structures, the following additional requirements for

mangroves found in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) shall apply:

- a. The width of the piling-supported structure is limited to a maximum of 4 feet.
- b. Mangrove clearing is restricted to the width of the piling-supported structure.
- c. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.

19. Regarding SAV, the design and construction of a Project must comply with the following:

a. A pile supported structure

(1) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and

(2) that is within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia north of Ponce Inlet), but outside of the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) will be constructed to the following standards:

(a) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then SAV is presumed present and the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "*Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of SPGP, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts and minor structures in Monroe County may be installed within existing boat slips without completion of a SAV survey. Boatlift accessory structures, like catwalks, shall adhere to "*Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) if a SAV survey has not been completed.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(b) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts may be installed within existing boat slips without completion of a SAV survey.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(c) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), then no design restrictions are required and boatlifts may include a cover.

(d) A pile supported structure

(i) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and

(ii) that is within the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) but not within Johnson's seagrass critical habitat will be constructed to the following standards:

(iii) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(e) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(f) If a survey is performed in accordance with the methods described in the procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), THEN no design restrictions are required and boatlifts may include a cover.

(g) A pile supported structure located within Johnson's seagrass critical habitat will be constructed to the following standards:

(i) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(ii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent and the project is

1. A dock replacement in the same footprint, no design restrictions are required.
2. A new dock or dock expansion THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(iii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then pile-supported structure

must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

20. North Atlantic Right Whale. The attached North Atlantic Right Whale Information Form (Attachment 30) describes the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales. The FDEP or Designee will attach the North Atlantic Right Whale Information Form to their authorizations for any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of an inlet that leads to areas within the known range of North Atlantic right whale. These zones, with an 11 nm radius, are described by the North Atlantic Right Whale Educational Sign Zones, Attachment 7 (from Section 2.1.1.4 of JAXBO, pages 31 and 32, inclusive). (Reference JAXBO PDC A2.4).
21. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):
 - a. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at:
(<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>). The signs required to be posted by area are stated below:
<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>
 - (1) All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.
 - (2) Projects within the North Atlantic right whale educational sign zone shall post the Help Protect North Atlantic Right Whales sign.
 - (3) On the east coast of Florida, projects located within the St. Johns River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.
22. Monofilament Recycling Bins. For commercial, multi-family, or public facilities,

monofilament recycling bins must be provided as described below (Reference: The below replicates PDC A.2.3 within the table PDCs Specific to Activity 2 –Pile Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):

a. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:

(1) Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.

(2) Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.

23. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/> (Reference: JAXBO PDC A2.8.).
24. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).
25. Aids to Navigation (ATONs). ATONs must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).
26. Aids to Navigation (ATONs) in Acropora critical habitat. The distance from ATONs to ESA-listed corals and Acropora critical habitat (Attachment 20) shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).
27. Within Loggerhead sea turtle critical habitat (Reference: JAXBO PDC A2.15.):
- (1) ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the Northwest Atlantic Distinct Population Segment (NWA DPS) of loggerhead sea turtle critical habitat.
- (2) No other pile-supported structures are allowed in nearshore reproductive habitat.

General Conditions for All Projects:

1. The time limit for completing the work authorized ends on July 27, 2026.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form (Attachment 10) and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or Construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.

7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

Department of the Army Permit Transfer for SPGP VI-R1

PERMITEE: _____

PERMIT NUMBER: _____ DATE: _____

ADDRESS/LOCATION OF PROJECT:

(Subdivision)

(Lot)

(Block)

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

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

(Transferee Signature)

(Date)

(Name Printed)

(Street address)

(Mailing address)

(City, State, Zip Code)

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK 2011

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

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

CAUTION: MANATEE HABITAT

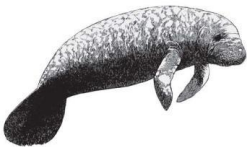
All project vessels

IDLE SPEED / NO WAKE

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

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



**UNITED STATES DEPARTMENT OF
COMMERCE**

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

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

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

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

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

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

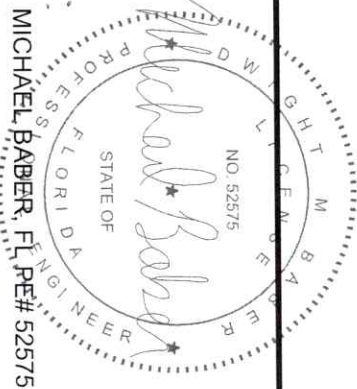
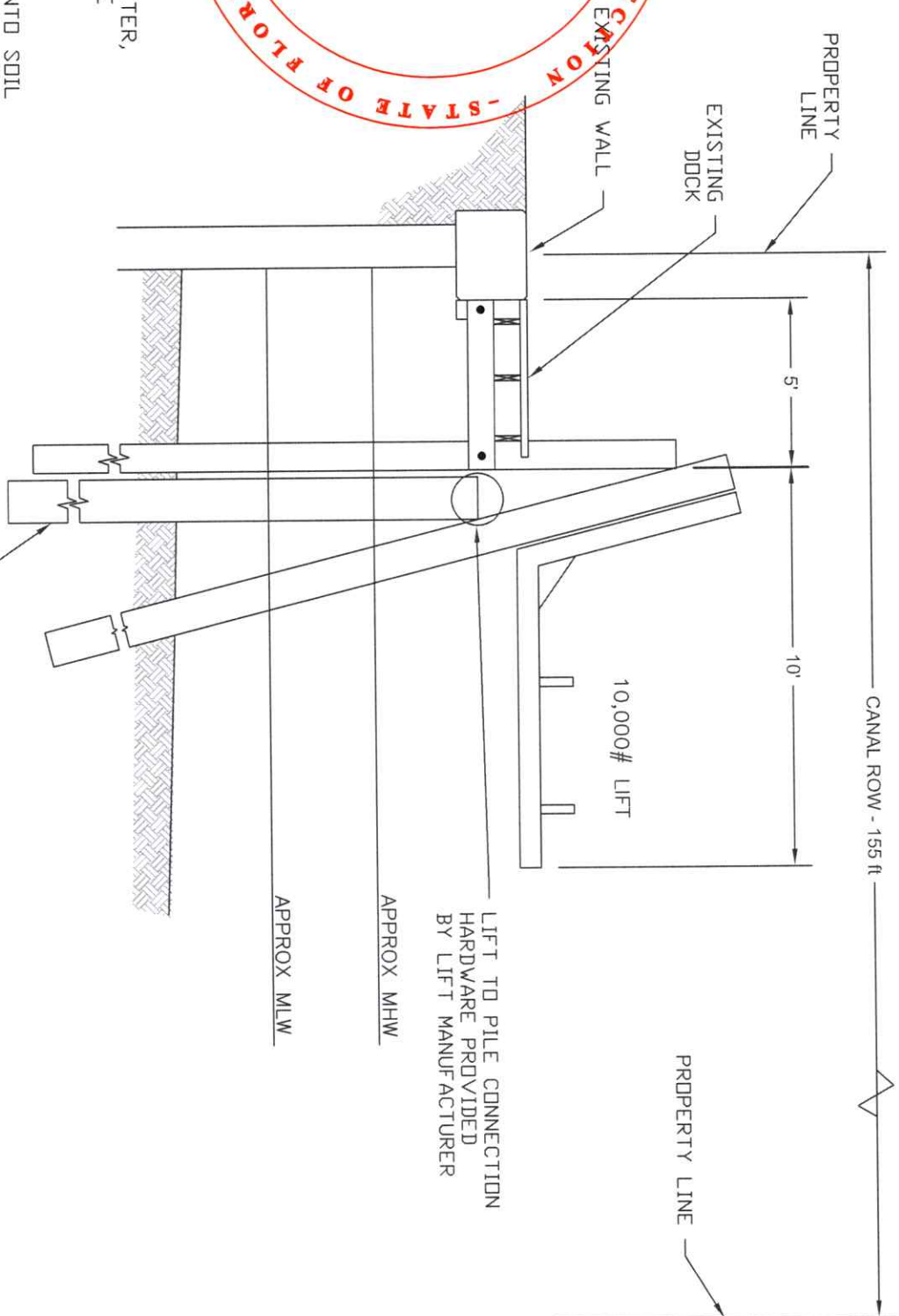




- NOTES:
1. LIFT PILES TO BE 12" DIAMETER, PRESSURE TREATED FOR MARINE ENVIRONMENT. (ACQ OR CCA) 2.5 LBS/CF (PILES)
 2. PILES MIN. 10' EMBEDMENT INTO SOIL STRATA OR DRIVEN TO REFUSAL.
 3. HARDWARE TO BE STAINLESS STEEL

SECTION VIEW

12" DIA. WOOD PILE
BOTTOM TYPE: SAND
PILE EMBEDMENT: MIN. 10'
OR DRIVEN TO REFUSAL
CAPACITY - MIN. 10K



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

<u>BOAT LIFT</u>		DATE	REVISIONS	SHEET 2 OF 2
		11/21/24	INITIAL DRAWINGS COMPLETED	
SCHOONMAN 1011 RUSSEL DRIVE UNIT B BOCA RATON, FL 33487				
MCR PROFESSIONAL ENGINEERING 3733 ATLANTIC ROAD PALM BEACH GARDENS, FL 33410 PHONE: 561-863-3393				

SHAMROCK I CONDOMINIUM ASSOCIATION



SHAMROCK I CONDOMINIUM ASSOCIATION

1011-1015 Russell Dr, Highland Beach, FL 33487

February 19, 2025

To whom it may concern:

This letter serves as approval that Unit B, owned by Hanno Schoonman, is approved for installation of a new 10K AMF boat lift with piles. Thank you.

Best regards,

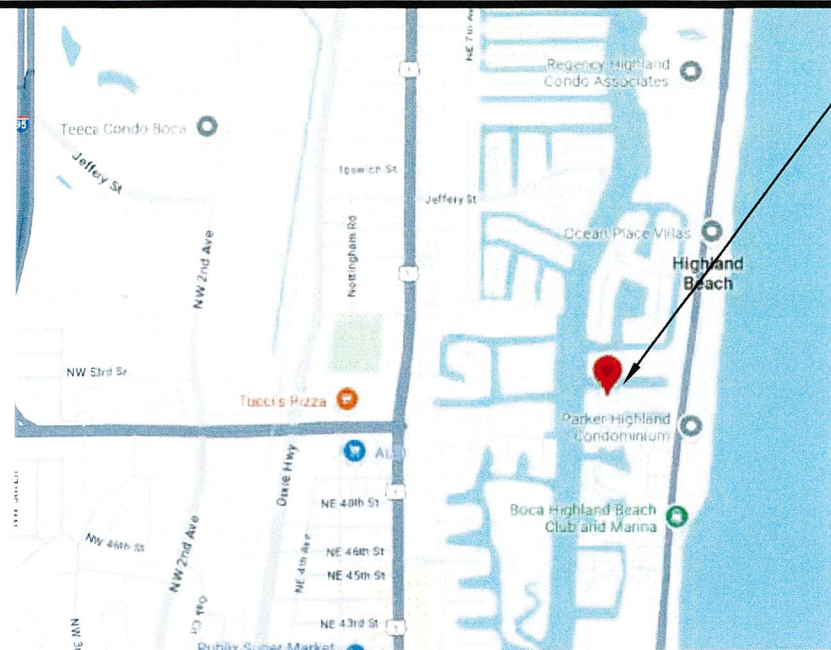
A handwritten signature in black ink, appearing to read "Josh Davison".

Josh Davison

President

Shamrock I Condominium

Shamrock I Condominium Association
1015 Russell Drive
Highland Beach, FL 33487



LOCATION MAP



AERIAL

PROJECT LOCATION

PROJECT SCOPE:
1. INSTALL BOAT LIFT

RECEIVED

APR 21 2025

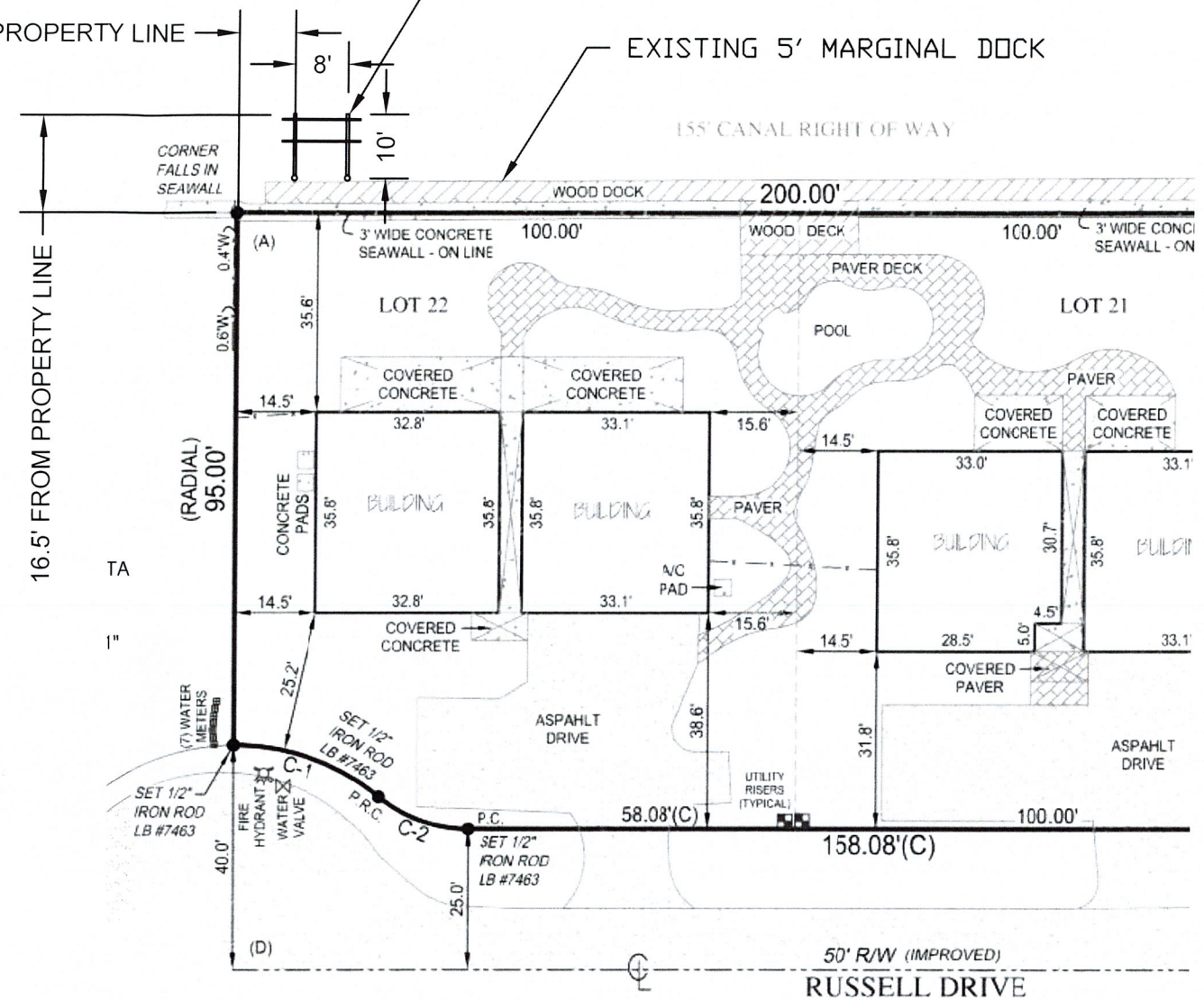
HIGHLAND BEACH
BUILDING DEPARTMENT



10' OFFSET FROM PROPERTY LINE

PROPOSED
10K LIFT

EXISTING 5' MARGINAL DOCK



SITE PLAN

1" = 40'

Scale

0 Feet 40



Dwight
M Baber

Digitally signed by
Dwight M Baber
Date: 2025.03.17
12:44:48 -04'00'

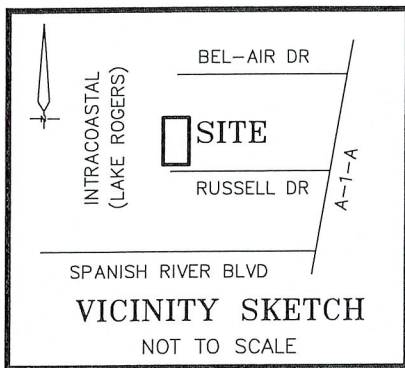
This item has been electronically signed and sealed by Dwight M Baber, PE, using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

BOAT LIFT

SCHOONMAN
1011 RUSSEL DRIVE UNIT B
BOCA RATON, FL 33487

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

DATE	REVISIONS	SHEET 1 OF 2
11/21/24	INITIAL DRAWINGS COMPLETED	



PROPERTY ADDRESS

1011 RUSSELL DRIVE, APT#B
HIGHLAND BEACH, FL 33487

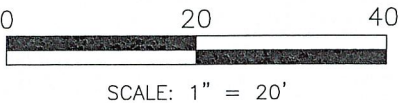
FLOOD ZONE

FLOOD ZONE: AE
ELEVATION: 6'
TOWN OF HIGHLAND BEACH: 125111
PANEL NUMBER: 12099C 0989F
EFFECTIVE DATE: 10-05-17

RECEIVED
APR 21 2025
HIGHLAND BEACH
BUILDING DEPARTMENT

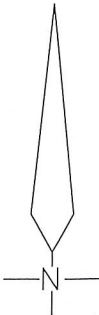
CANAL
155' RIGHT OF WAY
NAVIGABLE WATERWAY

Boundary Survey
for
NAIA GONZALEZ
BREEZY PERMITS



LEGEND:

- = IRON ROD AS NOTED
- = PRM AS NOTED
- CONC. = CONCRETE
- ASPH. = ASPHALT
- ☼ = FIRE HYDRANT
- ⋈ = GATE VALVE
- ⊞ = ELECTRIC UTILITY
- ⊞ = CABLE TV UTILITY
- 13.7 = SPOT ELEVATION



LEGAL DESCRIPTION

CONDOMINIUM PARCEL APARTMENT B, SHAMROCK I CONDOMINIUM, A CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM THEREOF, RECORDED IN OFFICIAL RECORD BOOK 3268, PAGE 600 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND ALL AMENDMENTS THERETO, TOGETHER WITH ITS UNDIVIDED SHARE IN THE COMMON ELEMENTS.

SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD AND TAXES FOR THE YEAR 2020 AND THEREAFTER.

SURVEYOR'S NOTES

EXISTING IMPROVEMENTS NOT LOCATED EXCEPT AS SHOWN.

LEGAL DESCRIPTION PROVIDED BY CLIENT.

SURVEYOR HAS NOT ABSTRACTED THIS SURVEY FOR EASEMENTS AND RIGHTS OF WAYS OF RECORD.

SURVEY IS NOT VALID WITHOUT A RAISED SEAL.

BEARINGS, IF SHOWN, ARE BASED ON THE RECORD PLAT.

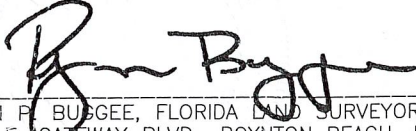
ALL MEASUREMENTS ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD, USING FEET.

ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

ELEVATIONS ARE REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION HIGH ACCURACY NETWORK, NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) 1988.

CERTIFICATION

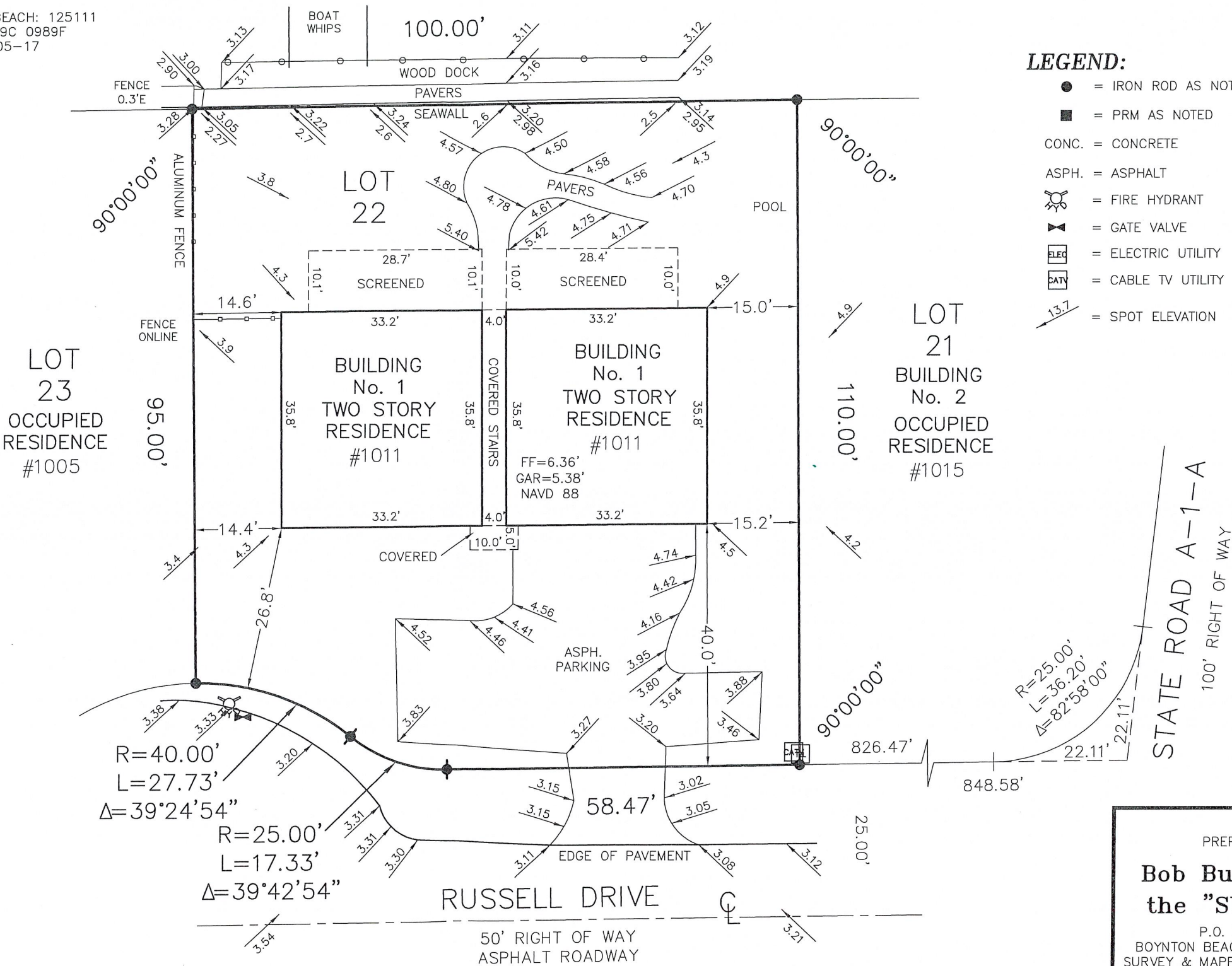
I HEREBY CERTIFY THAT I MADE THIS SURVEY AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: 

RYAN P. BUGGEE, FLORIDA LAND SURVEYOR #7454
233 E. GATEWAY BLVD., BOYNTON BEACH, FLORIDA

DATE OF FIELD SURVEY: 12/08/24

DWG # 1103324



PREPARED BY:

Bob Buggee, Inc.
the "SURVEYOR"

P.O. BOX 3887
BOYNTON BEACH, FLORIDA, 33426
SURVEY & MAPPING BUSINESS #7890
561-732-7877

**Town of Highland Beach
Town Commission Development Order (PB)
Application No. PZ-25-21**



Applicant: Johannes Schoonman / Ileen Gonzalez
Property Address: 1011 Russel Drive Unit B
Highland Beach, Florida 33487

CERTIFICATE OF MAILING AFFIDAVIT

I hereby certify that the Town Clerk's Office mailed a copy of the Notice of Public Hearing (Exhibit A) for Application No. PZ-25-21 for the property located at 1011 Russell Drive Unit B, Highland Beach, Florida 33487, by U.S. first-class and international mail to:

All property owners and properties owned by a condominium association president and the association's registered agent within 500 feet of the property located at 1011 Russel Drive Unit B, Highland Beach, Florida 33487.

The mailings consisted of 153 notices that were sent first class mail and 01 notices that were sent by International Mail.

This 22nd day of April 2025.

Highland Beach Town Clerk's Office

Jaclyn DeHart
Deputy Town Clerk



PUBLIC NOTICE APPLICATION NO. PZ-25-21

Dear Property Owner:

This is to notify you that the **PLANNING BOARD** of the Town of Highland Beach will conduct a public hearing on **Thursday, May 8, 2025 at 9:30 AM** in the Commission Chambers at Town Hall located at 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following application.

**APPLICATION BY BREEZY PERMITS LLC REQUESTING A SPECIAL
EXCEPTION TO INSTALL A 10,000 POUND CAPACITY BOAT LIFT FOR THE
PROPERTY LOCATED AT 1011 RUSSELL DRIVE UNIT B.**

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

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

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

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

TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT



Affidavit of Legal Notice submission and publication

Highland Beach Legal Notice

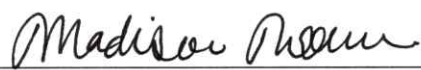
Submission Time: **04/21/2025 10:17 AM (EDT)**

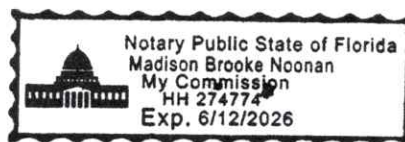
Please find a PDF of your submission details attached to this email.

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 PZ-25-21 1011 Russell Drive.pdf
- signature.png

Signature of Affiant 


Signature of Notary Public  04-23-2025



Notary Stamp _____

Highland Beach Legal Notice Submission

Legal Notice

Please choose a category	Planning Board Public Hearing Notices - Highland Beach
Title	PLANNING BOARD MEETING MAY 08, 2025 APPLICATION NO. PZ-25-21
Publish Date	04/21/2025
Publish Time	8:43 AM (EDT)
Description	<div>TOWN OF HIGHLAND BEACH</div> <div>NOTICE OF PUBLIC HEARING</div> <div>YOU ARE HEREBY NOTIFIED that the Planning Board of the Town of Highland Beach will conduct a Public Hearing on Thursday, May 08, 2025, at 9:30 AM in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following:</div> <div>APPLICATION NO. PZ-25-21 BY BREEZY PERMITS LLC REQUESTING A SPECIAL EXCEPTION TO INSTALL A 10,000 POUND CAPACITY BOAT LIFT FOR THE PROPERTY LOCATED AT 1011 RUSSELL DRIVE UNIT B.</div> <div>APPLICANT: JOHANNES S. SCHOONMAN</div> <div>The application is available for inspection in the Town Clerk's Office at Town Hall, Monday through Friday during normal business hours of 8:30 a.m. to 4:30 p.m.</div> <div>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.</div> <div>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.</div> <div>For additional information, please contact the Town Planner at (561) 278-4540.</div> <div>TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT</div>
Attach Files (Optional)	<div> AD_PB PZ-25-21 1011 Russell Drive.pdf</div>
Submitted by (Email Address)	jdehart@highlandbeach.us
Notifications	Yes
Send Out a Notification to Your Subscribers	Yes

Signature



A handwritten signature in black ink, consisting of several overlapping loops and a long, sweeping tail that extends to the right.

File Attachments for Item:

B. Development Order Application No. PZ-25-25 / Bel Lido Manor Condominium Association, Inc.

Application by Unlimited Permit Services, Inc. requesting a special exception to install a 150 square foot dock for the property located at 1101 Bel Air Drive.



HIGHLAND BEACH BUILDING DEPARTMENT

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

PLANNING BOARD STAFF REPORT

MEETING OF: May 8, 2025

TO: PLANNING BOARD

FROM: INGRID ALLEN, TOWN PLANNER

SUBJECT: APPLICATION BY UNLIMITED PERMIT SERVICES, INC.
REQUESTING A SPECIAL EXCEPTION TO INSTALL A 150
SQUARE FOOT DOCK FOR THE PROPERTY LOCATED AT 1101
BEL AIR DRIVE. (APPLICATION NO. PZ-25-25).

I. GENERAL INFORMATION:

Applicant (Property Owner): Bel Lido Manor Condominium Association Inc.
4281 NW 1st Avenue
Boca Raton, FL 33431

Applicant's Agent: William Thomas
Unlimited Permit Services, Inc.
902 NE 1 Street #2
Pompano Beach, Fl. 33060

Property Characteristics:

Comprehensive Plan Land Use: Multi Family Low Density
Zoning District: Residential Multiple Family Low Density (RML)
Site Location: 1101 Bel Air Drive

Request and Analysis:

The Applicant is requesting a special exception to install a 150 square foot wood dock. There is currently a 150 square foot wood dock that will be demolished.

The Applicant has obtained Florida Department of Environmental Protection (FDEP) authorization for the above-referenced request (FDEP File No. 50-0440365-001-EE). According to FDEP's authorization letter (dated September 29, 2023), a separate authorization from the U.S. Army Corps of Engineers is not required. Note that the plans submitted to FDEP and the plans submitted to the Town reflect discrepancies in the elevation of the proposed dock and the number of proposed dock piles depicted. Email correspondence from FDEP indicates that they do not object to such discrepancies (see attached).

Section 30-67(b) of the Town Code indicates that docks in all Residential zoning districts require special exception approval by the Planning Board. Section 30-36(a) of the Town code states that the Planning Board may approve, approve with conditions, or deny a request for special exception relating to seawalls, bulkheads, retaining walls and accessory marine facilities.

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

Staff reviewed the Applicant's proposed request including plans date stamped received by the Building Department on April 28, 2025 and finds that the project is consistent with the special exception provisions of Section 30-36 of the Town Code, were applicable, and consistent with the Town Comprehensive Plan and Town Code of Ordinances.

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

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



TOWN OF HIGHLAND BEACH DEVELOPMENT ORDER APPROVAL APPLICATION

PROPERTY INFORMATION ASSOCIATED WITH THIS APPLICATION	
Address: 1101 BEL AIR DR, HIGHLAND BEACH FL 33487	PCN: 24-43-47-04-09-000-0000
Full Legal Description of the Property [as described in the deed] or reference to an attachment: BEL LIDO MANOR COND	
Zoning District: 0400—CONDOMINIUM RML—MULTI-FAMILY LOW-DENSITY (24-HIGHLAND BEACH)	What is the location of the installation? <input type="checkbox"/> Intracoastal Waterway (ICW) <input checked="" type="checkbox"/> Interior Canal/Basin <input type="checkbox"/> N/A

PROPERTY OWNER (APPLICANT) INFORMATION		
Name: BEL LIDO MANOR CONDOMINIUM ASSOCIATION, INC.	Phone: 561-368-3566	Fax:
Mailing Address: 4281 NW 1st Avenue, Boca Raton FL 33431		
Email Address: BelLidoManorCondo@gmail.com		

APPLICANT'S AGENT INFORMATION		
Name: William Thomas	Phone: 954-532-0129	Fax:
Company Name: Unlimited Permit Services, Inc.		
Mailing Address: 902 NE 1 ST #2, Pompano Beach FL 33060		
Email Address: office@unlimitedps.net		

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

Existing 50' x 3' (150sf) wood dock and piles to be removed and replaced with new wooden dock

(in same footprint) on six new 10" wood piles

I give permission to the members of the Town Commission, Planning Board and staff to inspect the property for the purpose of this application. I declare that all statements made herein are true, based upon the best available information. Willful false statements may jeopardize the validity of my application or any decision issued thereon. I have fully read the information outlining the application requirements. With this application, I am submitting the necessary supporting materials listed.

Property Owner's Signature:  Holly Sauer Date: 12/4/24

Property Owner's Printed Name HOLLY SAUER

Received by the Town Clerk's Office:

Received By: _____ Date: _____

Date Public Notices Mailed: _____

Date Legal Advertisement Published: _____



SUBJECT SITE
1101 BEL AIR DRIVE

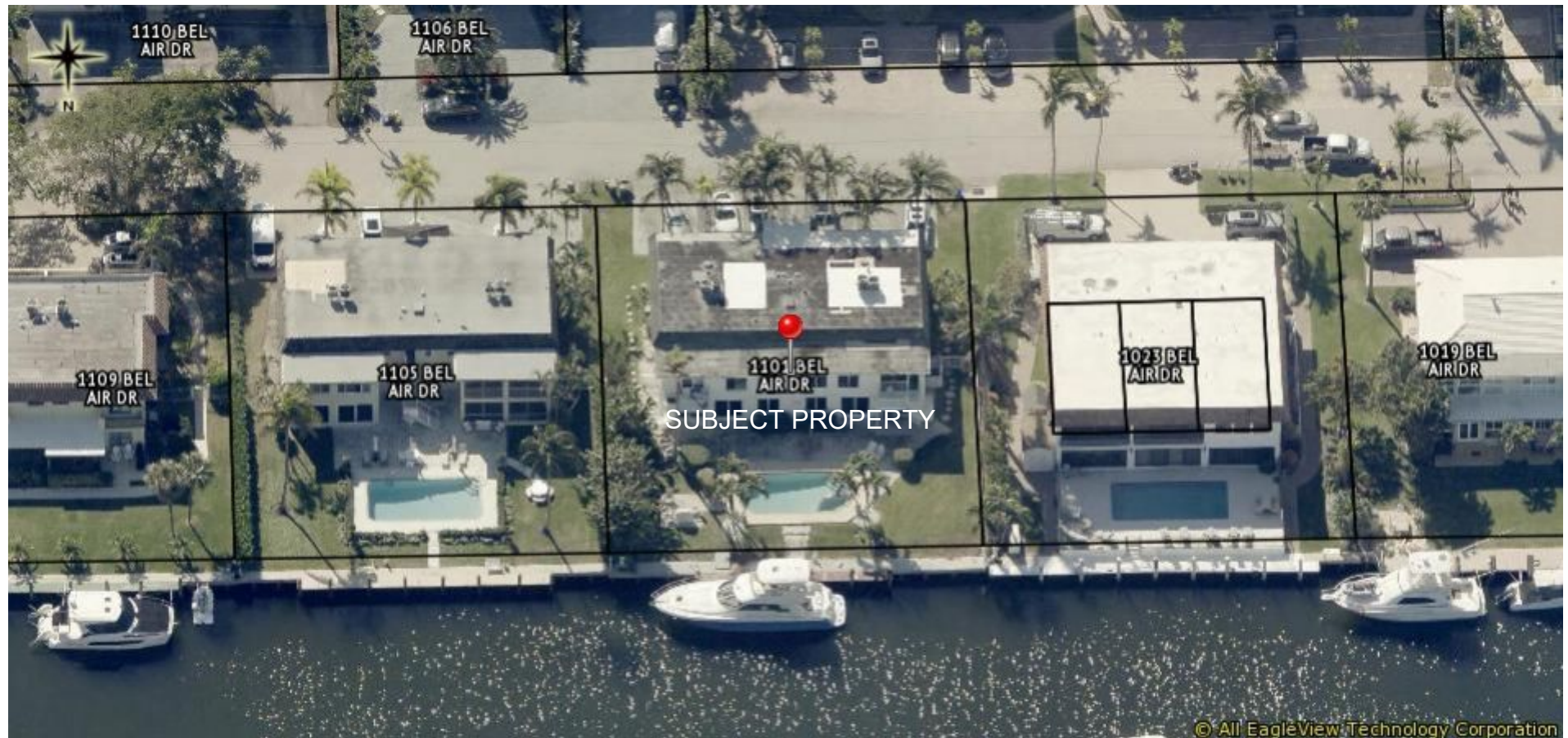
Bel Air, Dr

Bel Air, Dr

0 0 0.01 0.02 Miles

Date: 4/24/2025
Time: 4:05 PM
Scale: 1:564

1101 Bel Air Drive



Kathy Cartier

From: Rocco, Antonella <Antonella.Rocco@FloridaDEP.gov>
Sent: Thursday, March 20, 2025 2:02 PM
To: Kathy Cartier
Subject: RE: 50-0440365-001-EE Bel Lido New Dock

Hi Kathy,

The Department does not object to the differences.

Thank you,



Antonella Rocco

Engineering Specialist III

Florida Department of Environmental Protection

Southeast District - West Palm Beach

3301 Gun Club Road, MSC 7210-1

West Palm Beach, FL 33406

Antonella.Rocco@FloridaDEP.Gov

Office: 561-681-6644

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

From: Kathy Cartier <kathyc@unlimitedps.net>
Sent: Thursday, March 20, 2025 1:54 PM
To: Rocco, Antonella <Antonella.Rocco@FloridaDEP.gov>
Subject: RE: 50-0440365-001-EE Bel Lido New Dock

EXTERNAL MESSAGE

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

Hi Antonella,

Yes, there are 6 existing piles and there will be 6 new piles installed.

Thank you,



Kathy Cartier

Unlimited Permit Services, Inc
902 NE 1 Street, Suite #2
Pompano Beach, Florida 33060
Office (954) 532-0129 ext. 3
kathyc@unlimitedps.net

From: Rocco, Antonella <Antonella.Rocco@FloridaDEP.gov>
Sent: Thursday, March 20, 2025 1:43 PM

To: Kathy Cartier <kathyc@unlimitedps.net>
Subject: RE: 50-0440365-001-EE Bel Lido New Dock

Good Afternoon Kathy,

Are the proposed 6 piles the same as were existing?

Thanks,



Antonella Rocco
Engineering Specialist III
Florida Department of Environmental Protection
Southeast District – West Palm Beach
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
Antonella.Rocco@FloridaDEP.Gov
Office: 561-681-6644

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

From: Kathy Cartier <kathyc@unlimitedps.net>
Sent: Wednesday, March 19, 2025 1:23 PM
To: Rocco, Antonella <Antonella.Rocco@FloridaDEP.gov>
Subject: 50-0440365-001-EE Bel Lido New Dock

EXTERNAL MESSAGE

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

Good afternoon Antonella!

We are assisting the referenced applicant with their City permitting for the above permitted dock replacement after the environmental approval was acquired by others. In order to clarify structural details, the plans have been updated. Our permit reviewer at the Town of Highland Beach is concerned that the drawings approved in your permit do not match the plans that they have.

The discrepancies are as follows:

- The current plans call for 6 new dock piles; your approval (p 29) states 6 piles but shows only 5.
- The elevations of the seawall and dock differ.

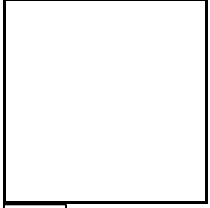
I have attached the current plans and your issued exemption verification. Could you please confirm, if appropriate, that FDEP does not object to the differences in the plans and that those differences do not affect the validity of your letter dated 9-29-2023.

Thank you for your assistance,



Kathy Cartier

Unlimited Permit Services, Inc
902 NE 1 Street, Suite #2
Pompano Beach, Florida 33060
Office (954) 532-0129 ext. 3
kathyc@unlimitedps.net



From: [Office unlimitedps.net](mailto:Office@unlimitedps.net)
To: [Ingrid Allen](#)
Subject: PZ-25-25 - 1101 Bel Aire Drive
Date: Monday, April 7, 2025 10:59:19 AM
Attachments: [Outlook-mg5wcsyv.png](#)
[50-0440365-001-EE Bel Lido New Dock.eml](#)

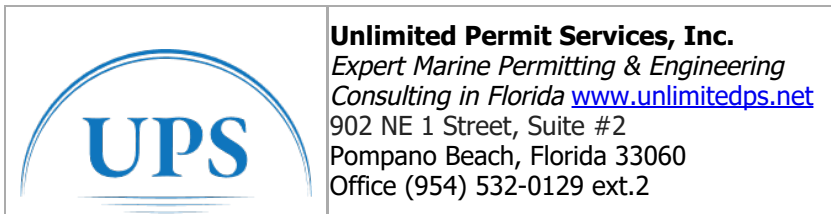
Good morning, Ingrid,

Per our phone conversation,

I've attached the email from Kathy to Antonella that contains the plans.

Please let me know if it does not load properly for you and I will send it in another format.

Thank you,



From: [Kathy Cartier](#)
To: [Rocco, Antonella](#)
Subject: 50-0440365-001-EE Bel Lido New Dock
Date: Wednesday, March 19, 2025 1:23:13 PM
Attachments: [image001.png](#)
[1101 Bel Air Drive - Dwg"s.pdf](#)
[FDEP ACOE Approval.pdf](#)

Good afternoon Antonella!

We are assisting the referenced applicant with their City permitting for the above permitted dock replacement after the environmental approval was acquired by others. In order to clarify structural details, the plans have been updated. Our permit reviewer at the Town of Highland Beach is concerned that the drawings approved in your permit do not match the plans that they have.

The discrepancies are as follows:

- The current plans call for 6 new dock piles; your approval (p 29) states 6 piles but shows only 5.
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I have attached the current plans and your issued exemption verification. Could you please confirm, if appropriate, that FDEP does not object to the differences in the plans and that those differences do not affect the validity of your letter dated 9-29-2023.

Thank you for your assistance,



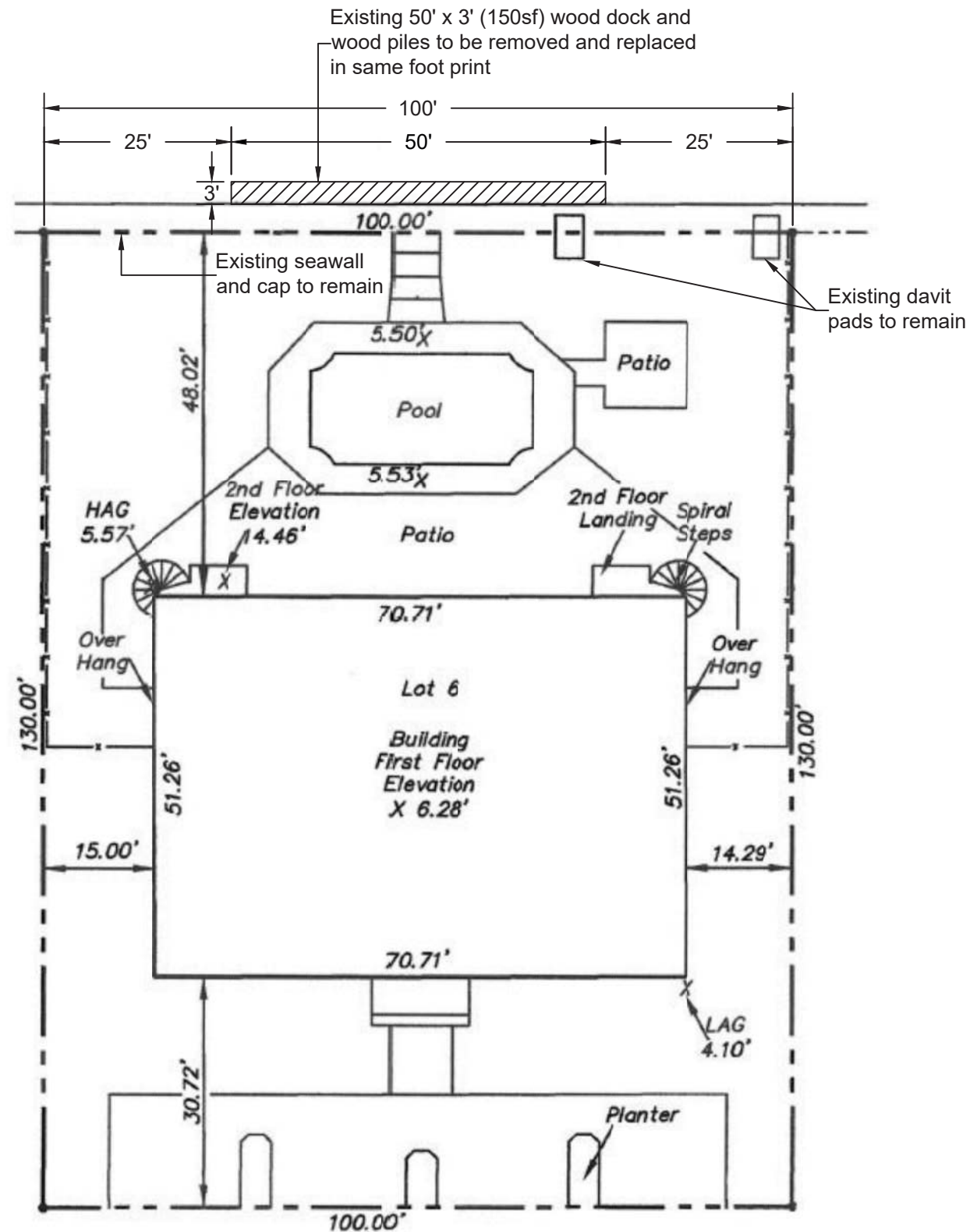
Kathy Cartier

Unlimited Permit Services, Inc
902 NE 1 Street, Suite #2
Pompano Beach, Florida 33060
Office (954) 532-0129 ext. 3
kathyc@unlimitedps.net



CANAL

(100' R/W)



Existing Site Plan

Scale: 1" = 20'

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

Consultant

UNLIMITED PERMIT SERVICES, INC
Marine Design & Consulting
902 NE 1st Street #2
Pompano Beach, FL 33060
(954) 532-0129
Office@unlimitedps.net

Project Engineer

MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, FL 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Contractor

RAY QUALMANN MARINE CONSTRUCTION, INC
2860 NE 16 Street
Pompano Beach, FL 33062
(954) 941-0132

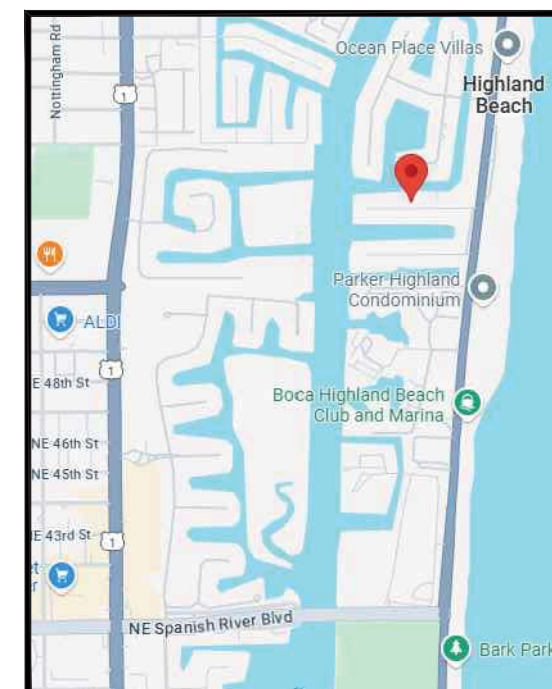
Project Information

New Dock
Bel Lido Manor Condo Association Inc
1101 Bel Air Drive
Highland Beach, FL 33487

DATE

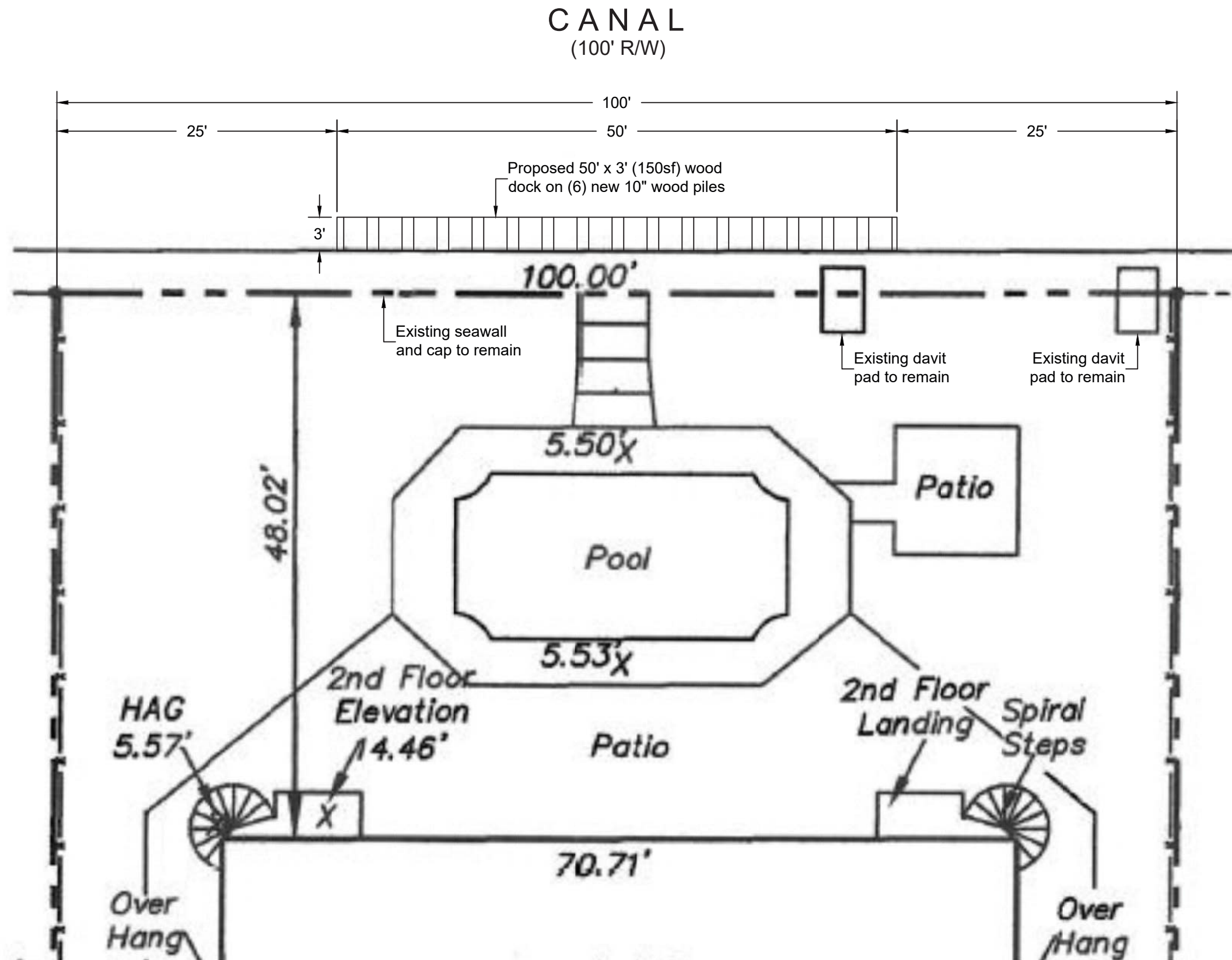
11-14-24

Location Map



MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702

MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 954-532-0129
WWW.MwEngineering.net



Proposed Site Plan

Scale: 1" = 10'

Consultant

UNLIMITED PERMIT SERVICES, INC
Marine Design & Consulting
902 NE 1st Street #2
Pompano Beach, FL 33060
(954) 532-0129
Office@unlimitedps.net

Project Engineer

MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, FL 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Contractor

RAY QUALMANN MARINE CONSTRUCTION, INC
2860 NE 16 Street
Pompano Beach, FL 33062
(954) 941-0132

Project Information

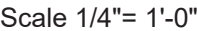
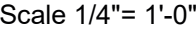
New Dock
Bel Lido Manor Condo Association Inc
1101 Bel Air Drive
Highland Beach, FL 33487

DATE

11-14-24

MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702

MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 954-532-0129
WWW.MwEngineering.net



1. 2x6 Decking with (2) #7x2 $\frac{1}{2}$ " trim head deck screws per stringer
2. 2x8 stringers @ 16" max. spacing with (2) #10 x 3" s.s. screws into substringers
3. 2x8 substringers with (2) $\frac{1}{2}$ "Ø thru bolts @ piles and drop hanger
4. 4x10 drop hanger with (2) $\frac{1}{2}$ "Ø wedge anchors into existing seawall cap, min. 4" embedment
5. New 10"Ø wood piles
6. 2x8 ledger with $\frac{1}{2}$ "Ø wedge anchor @ 24" o.c. into existing seawall cap, min. 4" embedment

Page 64

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 $\frac{1}{4}$ 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.

PILE NOTES:

1. Wood piles to be 2.5 lb. ACQ treated in accordance with the Florida Building Code.
2. Wood piles shall be a minimum diameter of 10", Miami Dade County requires minimum diameter of 12".

WOOD DOCK NOTES:

1. All materials to be pressure treated pine unless otherwise noted.
2. All frame work materials to be Southern Pine Grade #1
3. All Decking materials to be grade #1 unless otherwise noted.
4. All hardware to be Stainless Steel or Galvanized unless otherwise noted.

Consultant

UNLIMITED PERMIT SERVICES, INC
Marine Design & Consulting
902 NE 1st Street #2
Pompano Beach, FL 33060
(954) 532-0129
Office@unlimitedps.net

Project Engineer

MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, FL 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Contractor

RAY QUALMANN MARINE CONSTRUCTION, INC
2860 NE 16 Street
Pompano Beach, FL 33062
(954) 941-0132

Project Information

New Dock
Bel Lido Manor Condo
Association Inc
1101 Bel Air Drive
Highland Beach, FL 33487

DATE

11-14-24

MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702

MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 954-532-0129
WWW.MwEngineering.net



FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

September 29, 2023

Holly Sauer
1101 Bel Air Drive
Highland Beach, FL 33487
Sent via e-mail: BelLidoManorCondo@gmail.com

Re: File No.: 50-0440365-001-EE
File Name: Bel Lido New Dock

Dear Holly Sauer:

On September 22, 2023, we received your request for verification of exemption to replace an existing 150 sq. ft. dock in the same location and same configuration and dimensions as the existing dock. The project is located in a canal, Class III Waters, adjacent to 1101 Bel Air Drive, Highland Beach (Section 04, Township 47 South, Range 43 East), in Palm Beach County (Latitude N 26°23'49.1226", Longitude W 80°4'5.5731").

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

Your project qualifies for all three. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

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

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

1. Regulatory Review – VERIFIED

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

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

2. Proprietary Review- GRANTED

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

3. Federal Review - APPROVED

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit VI-R1, and a **SEPARATE permit** or authorization **will not be required** from the U.S. Army Corps of Engineers. Please note that the Federal authorization expires on July 27, 2026. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition 15 of the SPGP VI-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP VI-R1 with all terms and conditions and the General Conditions may be found online in the Jacksonville District Regulatory Division Sourcebook (<https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>).

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

Additional Information

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

NOTICE OF RIGHTS

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

Petition for Administrative Hearing

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

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

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

Time Period for Filing a Petition

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

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you

do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

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

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

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

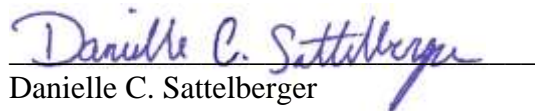
Judicial Review

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

EXECUTION AND CLERKING

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Danielle C. Sattelberger
Environmental Manager
Southeast District

Project No.: 50-0440365-001-EE

Project Name: Bel Lido New Dock

Page 5 of 5

Enclosures:

Attachment A- Specific Exemption Rule

Special Conditions for Federal Authorization for SPGP VI-R1

General Conditions for Federal Authorization for SPGP VI-R1

Project drawings, 6 pages

CERTIFICATE OF SERVICE

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

FDEP – Danielle C. Sattelberger, Antonella Rocco

Mitchell Scavone, Ray Qualmann Marine Construction Inc., permits@qualmannmarine.com

Additional mailings:

SPGP, nmfs.ser.statewideprogrammatic@noaa.gov; spgp@usace.army.mil

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

FILING AND ACKNOWLEDGMENT

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

Vanessa Osborne

09-29-2023

Clerk

Date

Attachment A

Chapter 62-330.051 Exempt Activities.

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

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

(d) Replacement or repair of existing docks and piers, including mooring piles, in accordance with Section 403.813(1)(d), F.S., provided the existing structure is still functional or has been rendered non-functional within the last year by a discrete event, such as a storm, flood, accident, or fire.

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

Conditions for Federal Authorizations for SPGP VI-R1

1. Authorization, design and construction must adhere to the terms of the SPGP VI instrument including the General Conditions for All Projects, Special Conditions for All Projects, Applicable activity-specific special conditions, Procedure and Work Authorized sections.
2. Design and construction must adhere to the PDCs for In-Water Activities (Attachment 28, from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
3. All activities must be performed during daylight hours (Reference: JAXBO PDC AP.6.).
4. For all projects involving the installation of piles, sheet piles, concrete slab walls or boatlift I-beams (Reference Categories A, B and C of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86):
 - a. Construction methods limited to trench and fill, pilot hole (auger or drop punch), jetting, vibratory, and impact hammer (however, impact hammer limited to installing no more than 5 per day).
 - b. Material limited to wood piles with a 14-inch diameter or less, concrete piles with a 24-inch diameter/width or less, metal pipe piles with a 36-inch diameter or less, metal boatlift I-beams, concrete slab walls, vinyl sheet piles, and metal sheet piles.
 - c. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86.).
 - d. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
5. The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 29).
6. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant’s/Permittee’s behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at <http://www.cr.nps.gov/nr/research>.

- a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245- 6333 and the Corps Regulatory Archeologist at 904-232-3270 to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 C.F.R. § 325.7.
 - b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Archeologist at 904-232-3270 shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
7. The Permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.
8. Mangroves. The design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.12.):
 - a. All projects must be sited and designed to avoid or minimize impacts to mangroves.
 - b. Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:
 - (1) Removal to install up to a 4-ft-wide walkway for a dock.
 - (2) Removal of mangroves above the mean high water line (MHWL) provided that the tree does not have any prop roots that extend into the water below the MHWL.
 - (3) Mangrove trimming. Mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree.
 - (a) Projects with associated mangrove trimming waterward of the MHWL are authorized if the trimming: (a) occurs within the area where the authorized structures are placed or will be placed (i.e., removal of branches that overhang a dock or lift),
 - (b) is necessary to provide temporary construction access, and (c) is conducted in a

manner that avoids any unnecessary trimming.

(b) Projects proposing to remove red mangrove prop roots waterward of the MHWL are not authorized, except for removal to install the dock walkways as described above.

9. For Projects authorized under this SPGP VI in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

10. Notifications to the Corps. For all authorizations under this SPGP VI, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:

a. Commencement Notification. Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" form (Attachment 8).

b. Corps *Self-Certification Statement of Compliance* form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (Attachment 9) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form (Attachment 10).

d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.

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

(2) For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

11. The District Engineer reserves the right to require that any request for authorization under this SPGP VI be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP VI does not automatically guarantee Federal authorization.
12. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
13. Failure to comply with all conditions of the SPGP VI constitutes a violation of the Federal authorization.
14. The SPGP VI will be valid through the expiration date unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the period ending expiration date, is not contrary to the public interest. The SPGP VI will not be extended beyond the expiration date but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP VI will be evaluated by the Corps.
15. If the SPGP VI expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP VI will remain in effect provided the activity is completed within 12 months of the date the SPGP VI expired or was revoked.

Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures.

16. Chickees must be less than 500 ft² and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).
17. The design and construction of a Project over marsh (emergent vegetation) must comply with the following:
 - a. The piling-supported structure shall be aligned so as to have the smallest over- marsh footprint as practicable.
 - b. The over-marsh portion of the piling-supported structure (decking) shall be elevated to at least 4 feet above the marsh floor.
 - c. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.
18. Mangroves. For pile-supported structures, the following additional requirements for mangroves found in the joint U.S. Army Corps of Engineers'/National Marine Fisheries

Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) shall apply:

- a. The width of the piling-supported structure is limited to a maximum of 4 feet.
- b. Mangrove clearing is restricted to the width of the piling-supported structure.
- c. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.

19. Regarding SAV, the design and construction of a Project must comply with the following:

a. A pile supported structure

(1) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and

(2) that is within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia north of Ponce Inlet), but outside of the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) will be constructed to the following standards:

(a) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then SAV is presumed present and the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "*Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of SPGP, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts and minor structures in Monroe County may be installed within existing boat slips without completion of a SAV survey. Boatlift accessory structures, like catwalks, shall adhere to "*Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) if a SAV survey has not been completed.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(b) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts may be installed within existing boat slips without completion of a SAV survey.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(c) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), then no design restrictions are required and boatlifts may include a cover.

(d) A pile supported structure

(i) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and

(ii) that is within the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) but not within Johnson's seagrass critical habitat will be constructed to the following standards:

(iii) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(e) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(f) If a survey is performed in accordance with the methods described in the procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), THEN no design restrictions are required and boatlifts may include a cover.

(g) A pile supported structure located within Johnson's seagrass critical habitat will be constructed to the following standards:

(i) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(ii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent and the project is

1. A dock replacement in the same footprint, no design restrictions are required.
2. A new dock or dock expansion THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(iii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in

the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

20. North Atlantic Right Whale. The attached North Atlantic Right Whale Information Form (Attachment 30) describes the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales. The FDEP or Designee will attach the North Atlantic Right Whale Information Form to their authorizations for any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of an inlet that leads to areas within the known range of North Atlantic right whale. These zones, with an 11 nm radius, are described by the North Atlantic Right Whale Educational Sign Zones, Attachment 7 (from Section 2.1.1.4 of JAXBO, pages 31 and 32, inclusive). (Reference JAXBO PDC A2.4).
21. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):
 - a. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at: (<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>). The signs required to be posted by area are stated below: <https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>
 - (1) All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.
 - (2) Projects within the North Atlantic right whale educational sign zone shall post the Help Protect North Atlantic Right Whales sign.
 - (3) On the east coast of Florida, projects located within the St. Johns River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.
22. Monofilament Recycling Bins. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided as described below (Reference: The

below replicates PDC A.2.3 within the table PDCs Specific to Activity 2 –Pile Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):

a. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:

(1) Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.

(2) Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.

23. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/> (Reference: JAXBO PDC A2.8.).
24. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).
25. Aids to Navigation (ATONs). ATONs must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).
26. Aids to Navigation (ATONs) in Acropora critical habitat. The distance from ATONs to ESA-listed corals and Acropora critical habitat (Attachment 20) shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).
27. Within Loggerhead sea turtle critical habitat (Reference: JAXBO PDC A2.15.):
- (1) ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the Northwest Atlantic Distinct Population Segment (NWA DPS) of loggerhead sea turtle critical habitat.
- (2) No other pile-supported structures are allowed in nearshore reproductive habitat.

General Conditions for All Projects:

1. The time limit for completing the work authorized ends on July 27, 2026.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form (Attachment 10) and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or Construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.

7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

Department of the Army Permit Transfer for SPGP VI-R1

PERMITEE: _____

PERMIT NUMBER: _____ DATE: _____

ADDRESS/LOCATION OF PROJECT:

(Subdivision)

(Lot)

(Block)

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

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

(Transferee Signature)

(Date)

(Name Printed)

(Street address)

(Mailing address)

(City, State, Zip Code)

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK 2011

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

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

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

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

SHUT DOWN

Report any collision with or injury to a manatee:

Wildlife Alert:



1-888-404-FWCC(3922)

cell *FWC or #FWC



**UNITED STATES DEPARTMENT OF
COMMERCE**

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

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

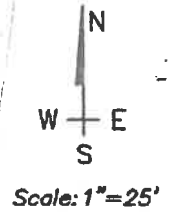
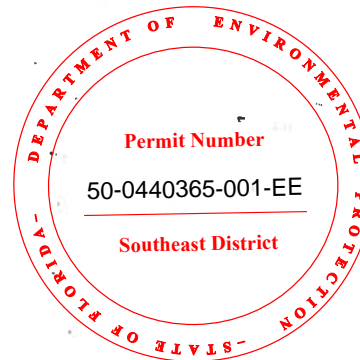
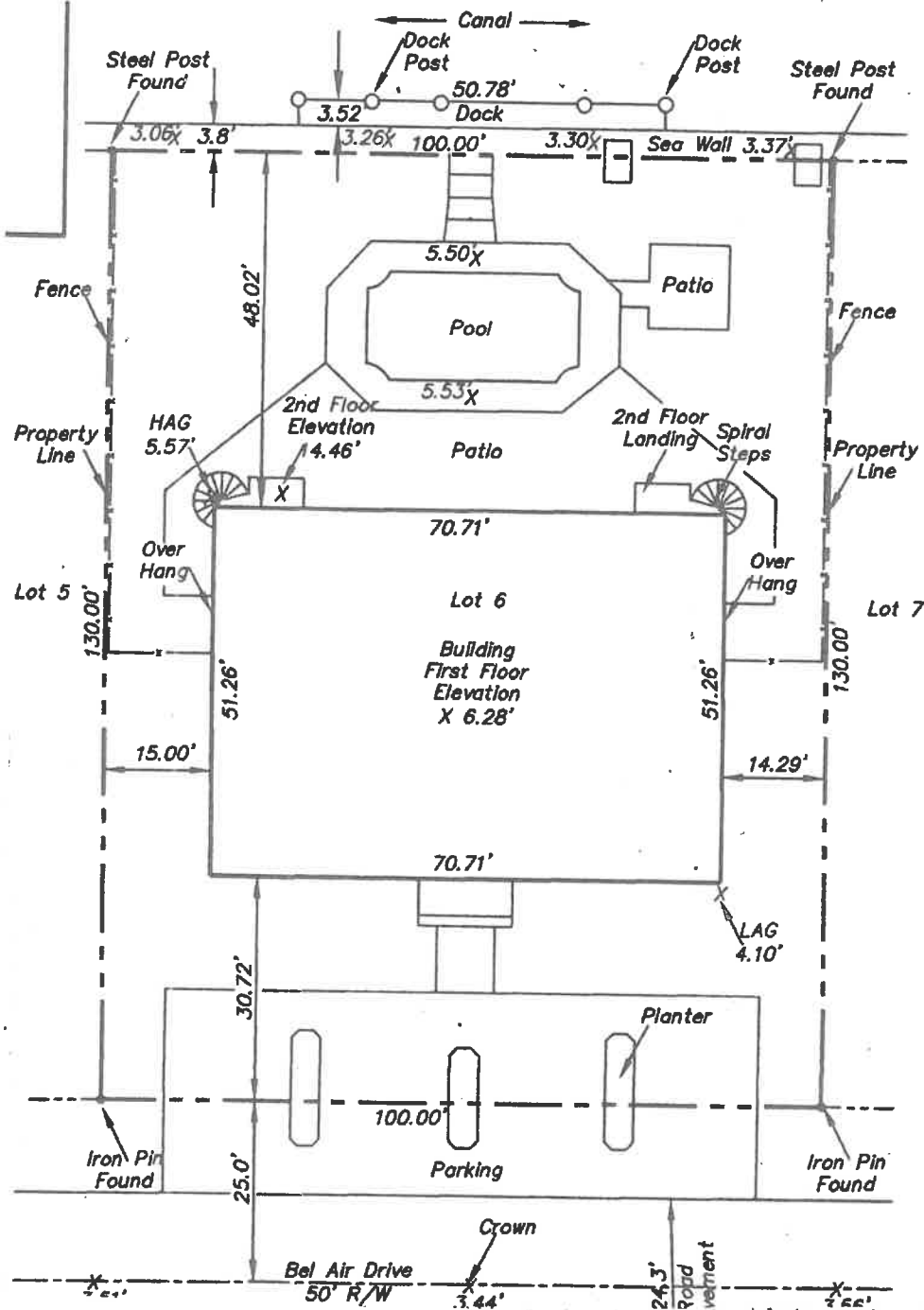
SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

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

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

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





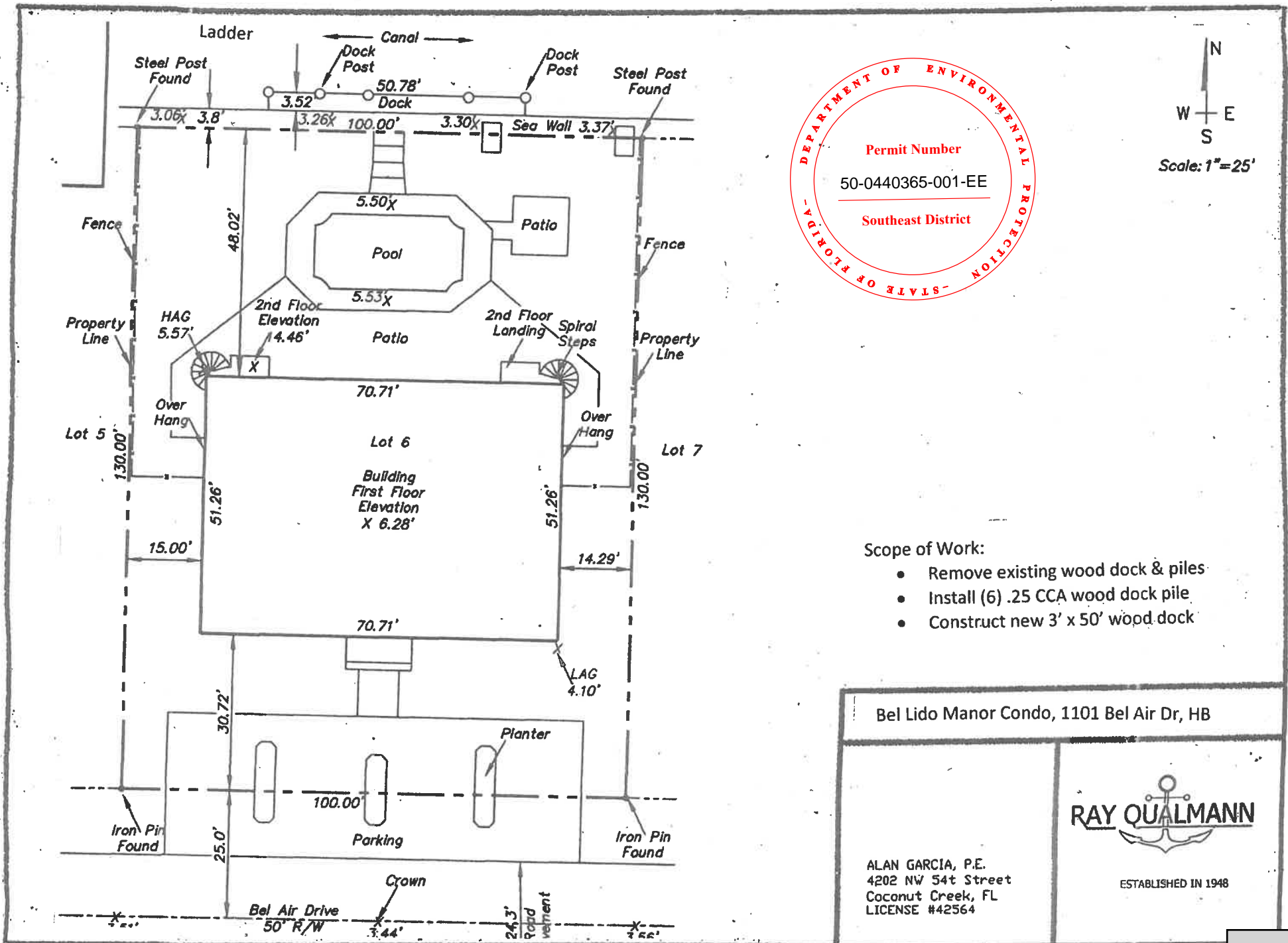
Existing:

- 3' x 50' wood dock & piles to be removed

Bel Lido Manor Condo, 1101 Bel Air Dr, HB



ALAN GARCIA, P.E.
4202 NW 54th Street
Coconut Creek, FL
LICENSE #42564



FRAMING TABLE

DOCK WIDTH	DECKING	STRINGERS	SUB-STRINGER	HANGDOWNS	LAG BOLTS	WEDGE ANCHOR
< 6' WIDE	2" X 6"	2" X 6"	2" X 8"	3" X 10"	1/2"	1/2"
6' TO 8'	2" X 6"	2" X 6"	2" X 8"	3" X 10"	1/2"	1/2"
8' TO 10'	2" X 6"	2" X 6"	2" X 10"	3" X 10"	5/8" (2)	5/8" (2)
10' TO 12'	2" X 6"	2" X 8"	2" X 12"	4" X 10"	3/4" (2)	3/4" (2)

NOTE: CONTRACTOR MAY USE GREATER MEMBER SIZE. FRAMING MEMBER MIN. SIZES SHOWN IN FRAMING TABLE.

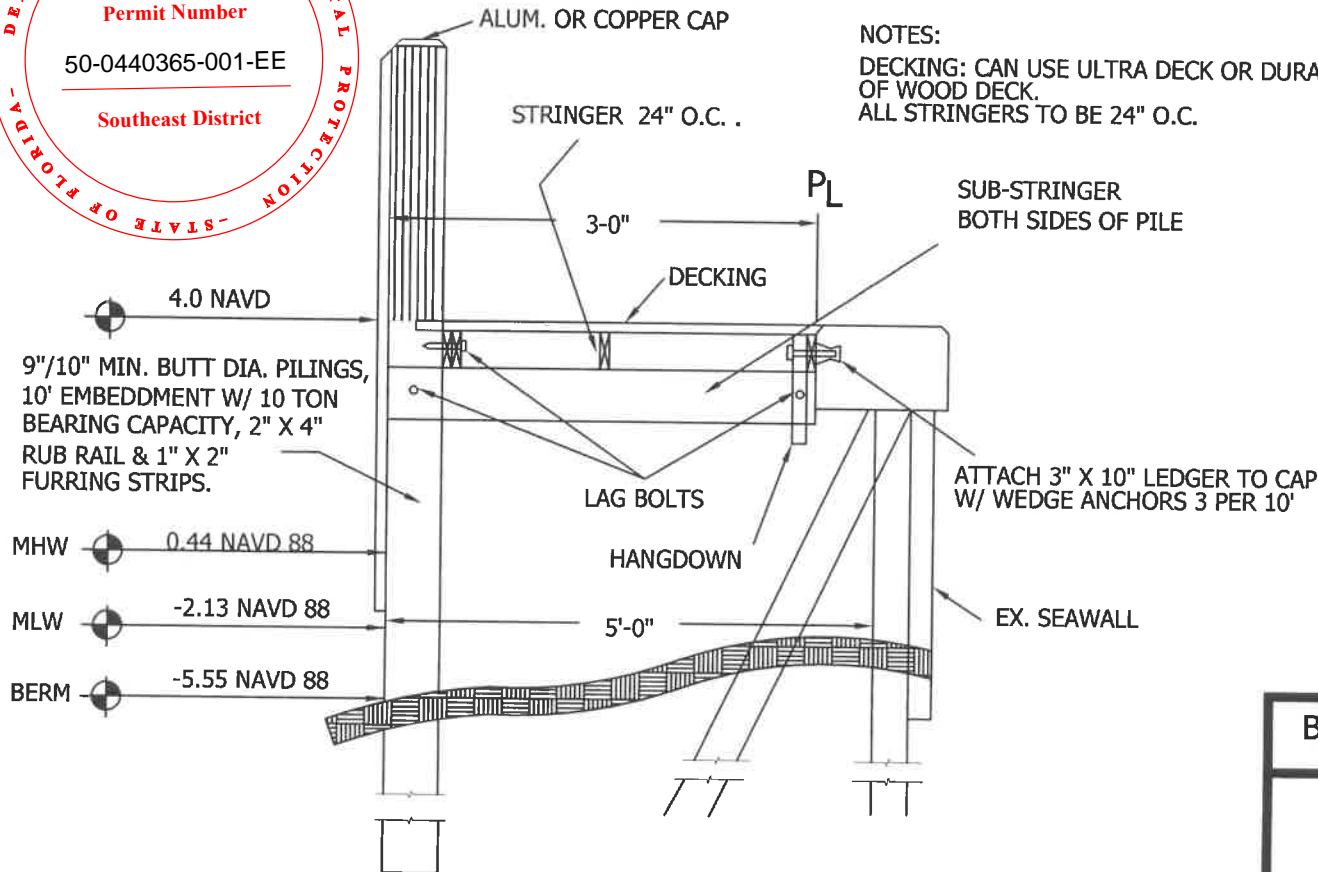


NOTES:

DECKING: CAN USE ULTRA DECK OR DURA DECK IN LIEU OF WOOD DECK.
ALL STRINGERS TO BE 24" O.C.

GENERAL NOTES:

1. ALL DIMENSION LUMBER SHALL BE SOUTHERN YELLOW PINE #1, TREATED W/ 0,40CCA WOOD PRESERV.
2. ALL HARDWARE TO BE HOT DIPPED GALVANIZED OR STAINLESS STEEL.
3. DECK BOARD NAILS TO 16d, H.D.G.
4. TIMBER PILES SHALL BE 2.50 CCA WOOD PRESERV.
5. ALL WORK TO MEET LOCAL BUILDING AND CITY CODE.
6. CONTRACTOR SHALL OBTAIN SUBAQUEOUS UTILITY CLEARANCE PRIOR TO PILE DRIVING. CALL 1-800-432-4770
7. DOCK PILE 9" FOR <-6' WIDE DOCKS, 10" FOR 6' WIDE DOCKS.
8. DESIGN PER FBC 7th EDITION 2020 WITH WIND LOADS PER ASCE 7-16, 170MPH BROWARD CTY.



EXISTING CONDITIONS

1. ALL STRINGER TO BE MAX. 24" O.C. . N.T.S.
2. CONTRACTOR SHALL USE 12" PILING WHERE REGULATORY AGENCIES REQUIRE.

Bel Lido Manor, 1101 Bel Air Dr, HB



ESTABLISHED IN 1948

**BEL LIDO
HIGHLAND BEACH
FLORIDA
Section 4,
Twp 47S, RGE 43E
Lot 6 Block 1**

Assessment:

#24-43-47-04-09-000-00400

Recorder:

Book 2222 Page 1748

Subdivision Plan:

Plat Book 25 Page 97

Datum:

Florida East, US Feet

Zone (0901)

Horizontal: NAD83

Vertical: NAVD88

Control Point:

N 26°23'48.07"

W 80°04'07.23"

Elev. 2.91'

Flood Map: 12099C0989F

Effective: 10/15/2017

Zone AE: Building Not within 1%

Annual Chance of Flooding

Certified to:

Bel Lido Manor

Property Address:

1101 Bel Air Drive

Highland Beach, Florida,

33431

Surveyor & Mapper:

David Paul Dimond

4850 NW 29th Court

Lauderdale Lakes, Florida,

33313

(724) 610-8244

dpsdimond@comcast.net

Boundary Survey:

Lot 6, Block 1, Bel Lido, Highland Beach, Palm Beach County, Florida, as recorded in Plat Book 25, Page 97, Public Records of Palm Beach County, Florida.

Certification:

I hereby certify that to the best of my knowledge and belief this is a true, accurate and complete depiction of a field survey under my direction and completed on August 11, 2023. I further certify that said drawing is in compliance with the standards of practice as set forth by the Florida Board of Professional Surveyors and Mappers, in Chapter 5J-17 Florida Administrative Code pursuant to Section 472.027, Florida Statutes.

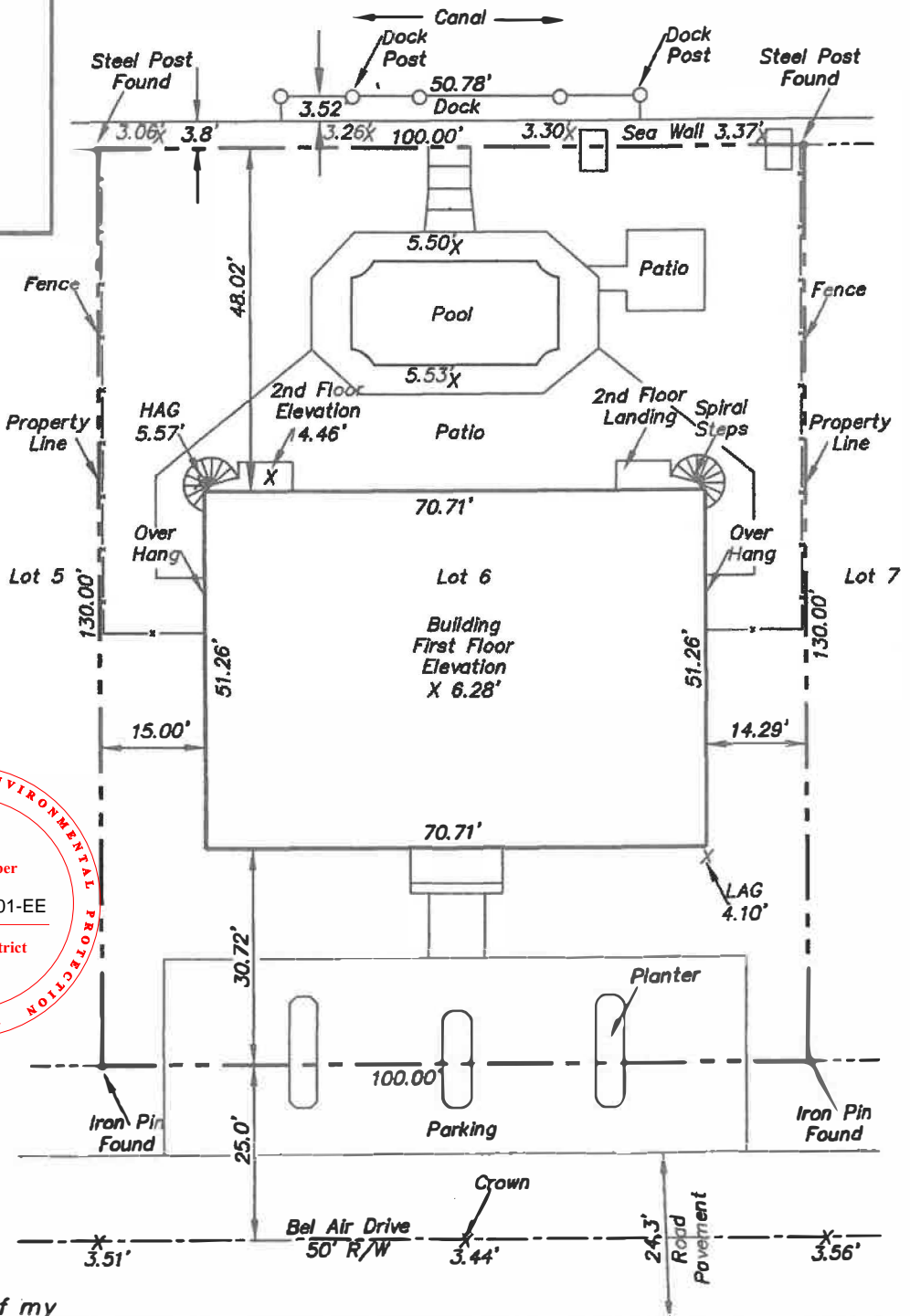
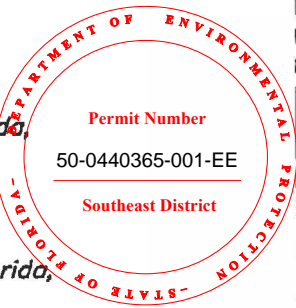
David Paul Dimond

David Paul Dimond, PE, PSM

Florida LS# 7328

Date: 8/11/23

Scale: 1"=25'



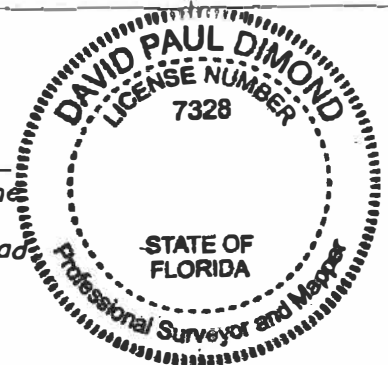
Survey:

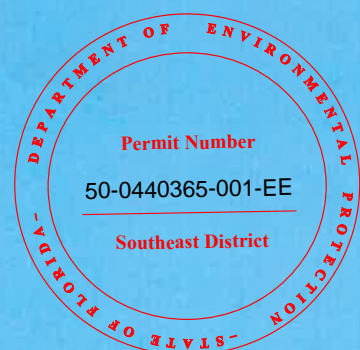
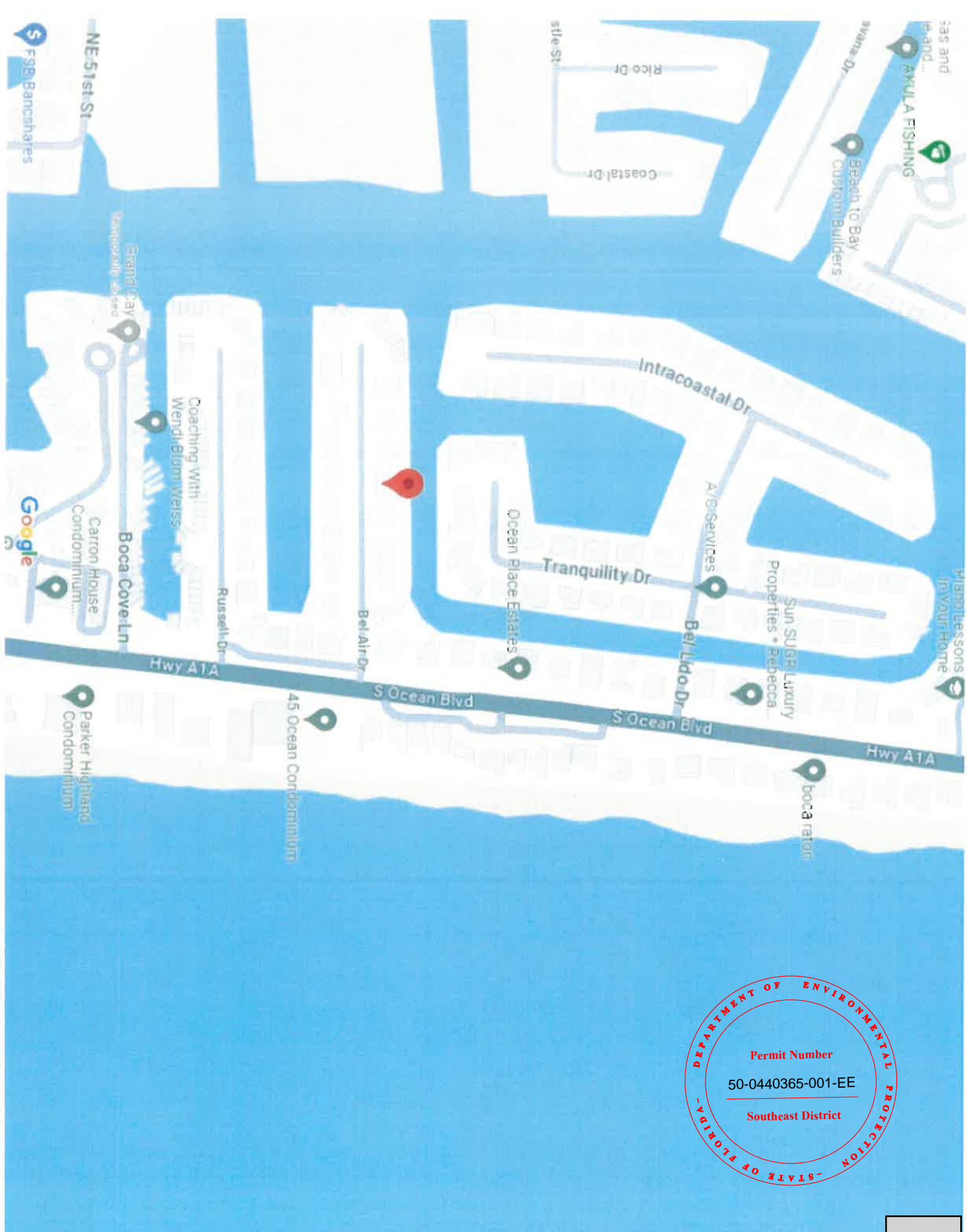
Field Date: 08/07/23

Effective Date: 8/11/23

Legend

- Property Line
- *-*-* Fence Line
- Edge of Road
- X Elevation
- Marker







Place Name
1101 Bel Air Drive, Highland Beach FL
Find

Add the country code for better results. Ex: London, UK

Latitude
26.396900

Longitude
-80.068210

f

For better accuracy please type Name Address City State Zipcode.



Lat Long

(26.396900, -80.068210)

GPS Coordinates

26° 23' 48.84" N

80° 4' 5.556" W

Bel Lido Manor Condominium Assoc Inc.

1101 Bel Air Drive

Highland Beach FL 33487

Tel 561-702-4122

Feb 5, 2025

Town of Highland Beach
3614 S. Ocean Boulevard
Highland Beach FL 33487

Dear Town Planner,

Please use this letter as reference for the permit to apply for the dock replacement for our condominium, Bel Lido Manor Condo.

Thank you.

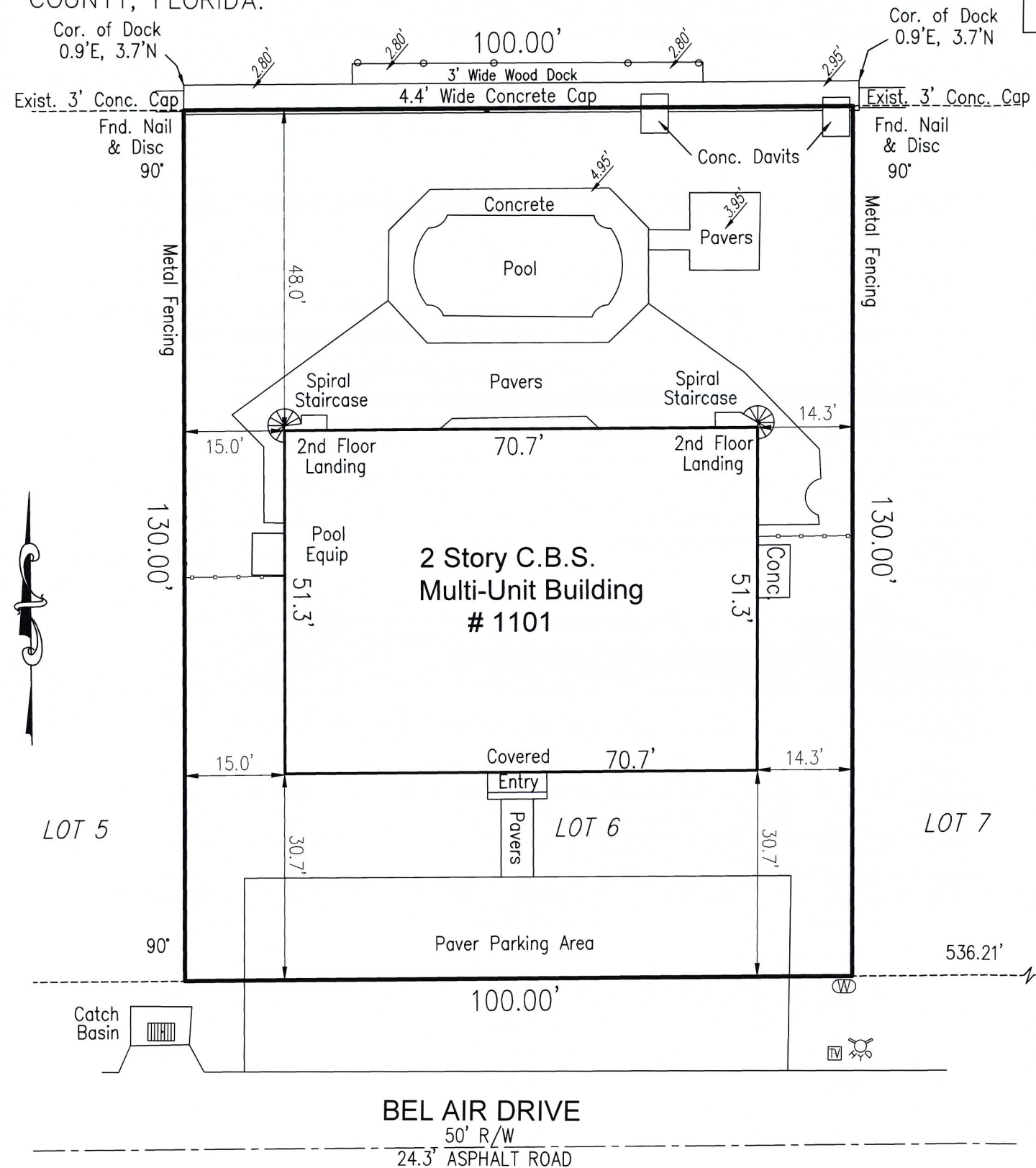
Respectfully,


Holly Sauer

President

LEGAL DESCRIPTION:

LOT 6, BLOCK 1 OF "BEL LIDO, HIGHLAND BEACH, PALM BEACH COUNTY, FLORIDA". ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 97, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.



ERNEST W. DUNCAN P.S.M. 5182

521 SE 5TH COURT
POMPAN0 BEACH, FL. 33060

BOUNDARY SURVEY

PHONE: (754) 264-2166
FAX: (954) 827-0535

JOB NO.
02-455-25

PROPERTY ADDRESS: 1101 BEL AIR DRIVE
HIGHLAND BEACH, FL

Scale: 1" = 20'

LEGEND:

F.I.R. DENOTES FOUND IRON ROD
NO ID. DENOTES NO IDENTIFICATION
CONC. DENOTES CONCRETE
R DENOTES RADIUS
D DENOTES DELTA ANGLE
L DENOTES ARC LENGTH
D.H. DENOTES DRILL HOLE
R/W DENOTES RIGHT OF WAY
CO DENOTES CLEANOUT
LS DENOTES LICENSED LAND SURVEYOR
P.S.M. DENOTES PROFESSIONAL LAND SURVEYOR
N/A DENOTES NOT APPLICABLE
A/C DENOTES AIR CONDITIONER
NAVD88 DENOTES NORTH AMERICAN VERTICAL DATUM OF 1988
NGVD29 DENOTES NATIONAL GEODETIC VERTICAL DATUM OF 1929
U.E. DENOTES UTILITY EASEMENT
P.E. DENOTES POOL EQUIPMENT
CBS DENOTES CONCRETE BLOCK STRUCTURE

SYMBOL

⊕ WATER METER
⊙ UTILITY POLE
⊞ ELECTRIC BOX
⊞ WATER VALVE
⊞ FIRE HYDRANT
⊞ CABLE BOX
— x — CHAIN LINK FENCE (C.L.F.)
— // — WOOD FENCE (W.F.)
— □ — METAL FENCE (M.F.)
0.00' EXISTING ELEVATION

SURVEYORS NOTES:

1. ANGLES SHOWN HEREON ARE REFERENCED TO THE RECORD PLAT AND ARE AS MEASURED.
2. BENCHMARK REFERENCE: PALM BEACH COUNTY BENCHMARK A1A9303 B12, ELEVATION=20.167 NAVD88
ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)
3. MINIMUM LINEAR ACCURACY OBTAINED:
1 FOOT IN 7,500 FEET AS REQUIRED FOR A SUBURBAN SURVEY
4. NO TITLE INFORMATION WAS SUPPLIED OR REVIEWED IN THE PREPARATION OF THIS SURVEY WITH THE EXCEPTION OF THE LEGAL DESCRIPTION.
5. NO ATTEMPT WAS MADE TO LOCATE ANY UNDERGROUND IMPROVEMENTS, OVERHEAD UTILITIES, (POWERLINES, ETC) FOUNDATIONS OR WETLANDS.
6. EASEMENTS SHOWN HEREON ARE PER THE PLAT.
7. SURVEYOR HAS MADE NO RESEARCH OF THE PUBLIC RECORDS. THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN HEREON THAT MAY BE FOUND IN THE PUBLIC RECORDS.

RECEIVED

APR 28 2025

HIGHLAND BEACH
BUILDING DEPARTMENT

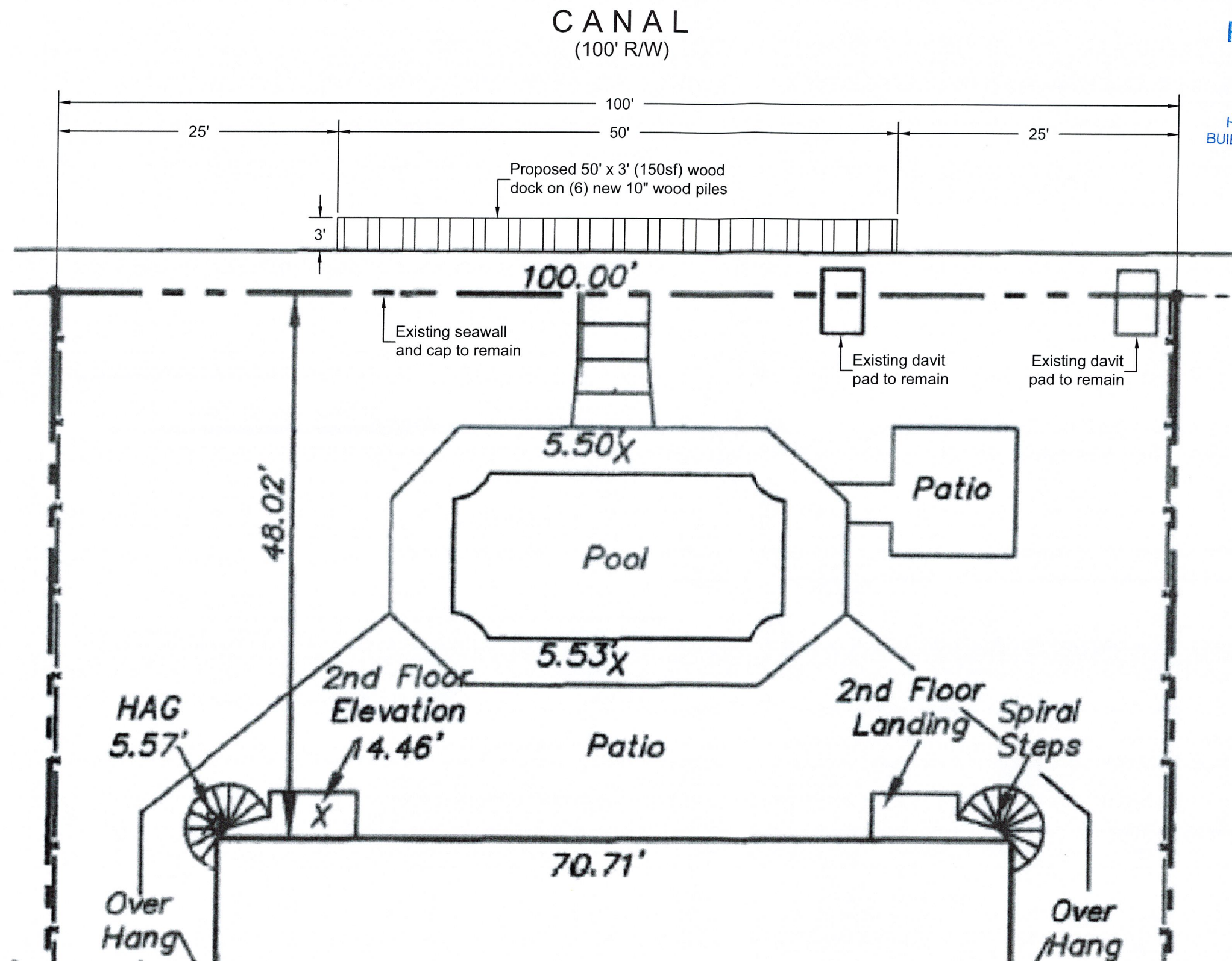
CERTIFIED TO:
BEL LIDO MANOR

Ernest W.
Duncan

Digitally signed
by Ernest W
Duncan
Date: 2025.03.05
08:18:57 -05'00'

DATE OF SURVEY 2/26/25

ERNEST W. DUNCAN, P.S.M. STATE OF FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER No. LS 5182
NOT VALID WITHOUT THE SIGNATURE AND
THE ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER.



RECEIVED

APR 28 2025

HIGHLAND BEACH
BUILDING DEPARTMENT

Consultant

**UNLIMITED PERMIT
SERVICES, INC**

Marine Design & Consulting
902 NE 1st Street #2
Pompano Beach, FL 33060
(954) 532-0129
Office@unlimitedps.net

Project Engineer

MW ENGINEERING, INC

902 NE 1 Street Suite #2
Pompano Beach, FL 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Contractor

**RAY QUALMANN MARINE
CONSTRUCTION, INC**

2860 NE 16 Street
Pompano Beach, FL 33062
(954) 941-0132

Project Information

New Dock

Bel Lido Manor Condo
Association Inc
1101 Bel Air Drive
Highland Beach, FL 33487

DATE

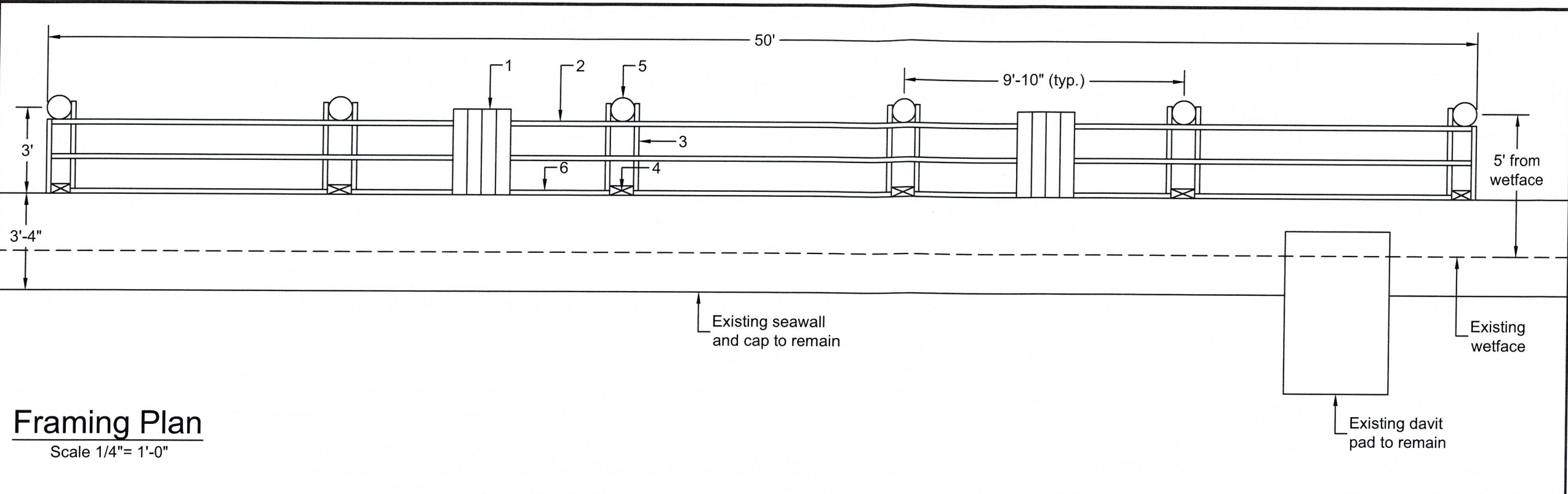
11-14-24

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Mark E Weber
Date: 2025.01.09
12:23:09 -05'00'

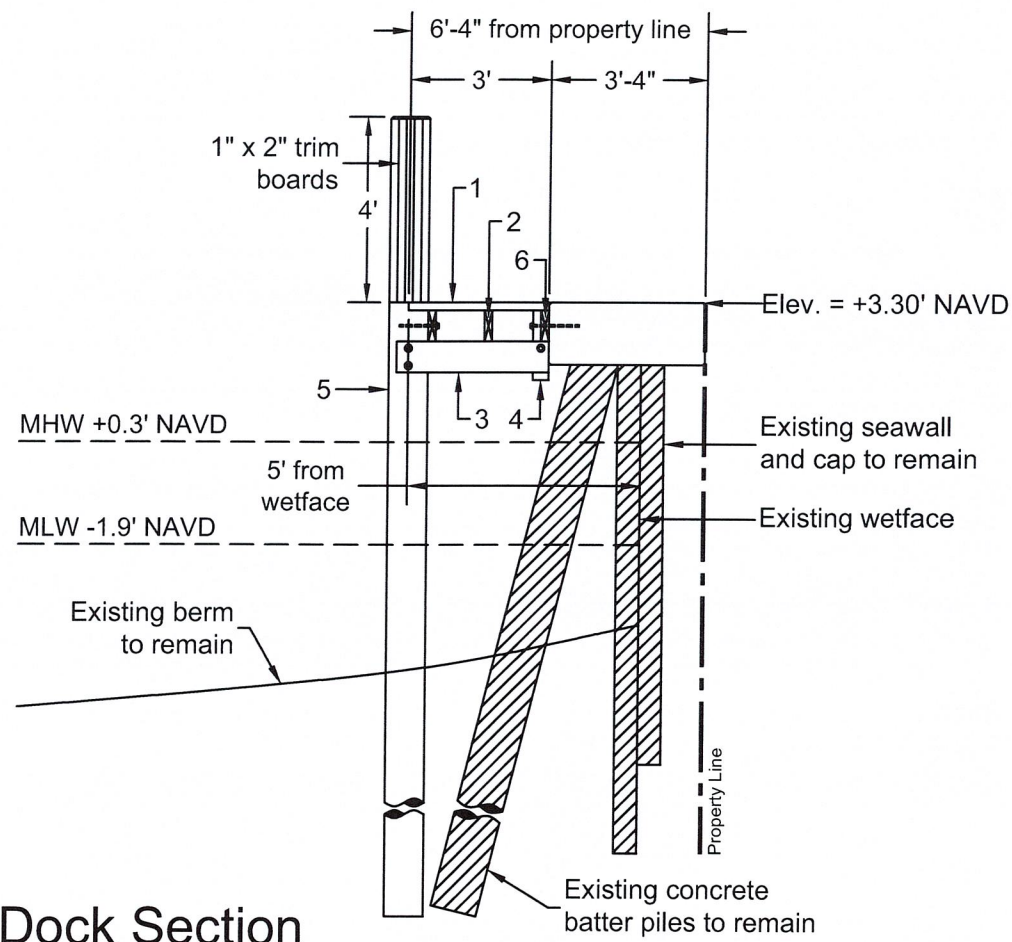
MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702

MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Sheet 2 of 4



Framing Plan
Scale 1/4" = 1'-0"



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

1. 2x6 Decking with (2) #7x2 1/2" trim head deck screws per stringer
2. 2x8 stringers @ 16" max. spacing with (2) #10 x 3" s.s. screws into substringers
3. 2x8 substringers with (2) 1/2"Ø thru bolts @ piles and drop hanger
4. 4x10 drop hanger with (2) 1/2"Ø wedge anchors into existing seawall cap, min. 4" embedment
5. New 10"Ø wood piles
6. 2x8 ledger with 1/2"Ø wedge anchor @ 24" o.c. into existing seawall cap, min. 4" embedment

RECEIVED

APR 28 2025

HIGHLAND BEACH
BUILDING DEPARTMENT

Consultant UNLIMITED PERMIT SERVICES, INC Marine Design & Consulting 902 NE 1st Street #2 Pompano Beach, FL 33060 (954) 532-0129 Office@unlimitedps.net				
Project Engineer MW ENGINEERING, INC 902 NE 1 Street Suite #2 Pompano Beach, FL 33060 Ofc: 954-532-0129 WWW.MwEngineering.net				
Contractor RAY QUALMANN MARINE CONSTRUCTION, INC 2860 NE 16 Street Pompano Beach, FL 33062 (954) 941-0132				
Project Information New Dock Bel Lido Manor Condo Association Inc 1101 Bel Air Drive Highland Beach, FL 33487				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">DATE</th> </tr> <tr> <td style="text-align: center;">11-14-24</td> </tr> <tr> <td style="height: 20px;"> </td> </tr> <tr> <td style="height: 20px;"> </td> </tr> </table>	DATE	11-14-24		
DATE				
11-14-24				
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> Digitally signed by Mark E Weber Date: 2025.01.09 12:23:29 -05'00' </div>				
<div style="text-align: center;"> MARK E. WEBER, P.E. LICENSE #53895 CA 30702 MW ENGINEERING, INC 902 NE 1 Street Suite #2 Pompano Beach, Florida 33060 Ofc: 954-532-0129 WWW.MwEngineering.net </div>				

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.

PILE NOTES:

- 1. Wood piles to be 2.5 lb. ACQ treated in accordance with the Florida Building Code.
- 2. Wood piles shall be a minimum diameter of 10", Miami Dade County requires minimum diameter of 12".

WOOD DOCK NOTES:

- 1. All materials to be pressure treated pine unless otherwise noted.
- 2. All frame work materials to be Southern Pine Grade #1
- 3. All Decking materials to be grade #1 unless otherwise noted.
- 4. All hardware to be Stainless Steel or Galvanized unless otherwise noted.

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BUILDING DEPARTMENT

Consultant
UNLIMITED PERMIT SERVICES, INC
Marine Design & Consulting
902 NE 1st Street #2
Pompano Beach, FL 33060
(954) 532-0129
Office@unlimitedps.net

Project Engineer
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Contractor
RAY QUALMANN MARINE CONSTRUCTION, INC
2860 NE 16 Street
Pompano Beach, FL 33062
(954) 941-0132

Project Information
New Dock
Bel Lido Manor Condo
Association Inc
1101 Bel Air Drive
Highland Beach, FL 33487

DATE
11-14-24



Digitally signed
by Mark E Weber
Date: 2025.01.09
12:23:49 -05'00'

MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702

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



Applicant: Bel Lido Manor Condominium Association, Inc / William Thomas
Property Address: 1101 Bel Air Drive
Highland Beach, Florida 33487

CERTIFICATE OF MAILING AFFIDAVIT

I hereby certify that the Town Clerk's Office mailed a copy of the Notice of Public Hearing (Exhibit A) for Application No. PZ-25-25 for the property located at 1101 Bel Air Drive, Highland Beach, Florida 33487, by U.S. first-class and international mail to:

All property owners and properties owned by a condominium association president and the association's registered agent within 500 feet of the property located at 1101 Bel Air Drive, Highland Beach, Florida 33487.

The mailings consisted of 134 notices that were sent first class mail and 01 notices that were sent by International Mail.

This 22nd day of April 2025.

Highland Beach Town Clerk's Office

Jaclyn DeHart
Deputy Town Clerk



PUBLIC NOTICE APPLICATION NO. PZ-25-25

Dear Property Owner:

This is to notify you that the **PLANNING BOARD** of the Town of Highland Beach will conduct a public hearing on **Thursday, May 8, 2025 at 9:30 AM** in the Commission Chambers at Town Hall located at 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following application.

**APPLICATION BY UNLIMITED PERMIT SERVICES, INC. REQUESTING A
SPECIAL EXCEPTION TO INSTALL A 150 SQUARE FOOT DOCK FOR THE
PROPERTY LOCATED AT 1101 BEL AIR DRIVE.**

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

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

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

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

TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT



Affidavit of Legal Notice submission and publication

Highland Beach Legal Notice

Submission Time: **04/21/2025 9:16 AM (EDT)**

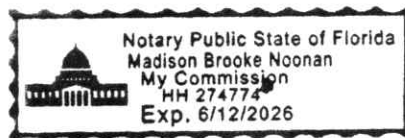
Please find a PDF of your submission details attached to this email.

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 PZ-25-25 1101 Bel Air Drive.pdf
- signature.png

Signature of Affiant 


Signature of Notary Public  04-23-2025



Notary Stamp _____

Highland Beach Legal Notice Submission

Legal Notice

Please choose a category	Planning Board Public Hearing Notices - Highland Beach
Title	PLANNING BOARD MEETING MAY 08, 2025 APPLICATION NO. PZ-25-25
Publish Date	04/21/2025
Publish Time	9:15 AM (EDT)
Description	<div>TOWN OF HIGHLAND BEACH</div> <div>NOTICE OF PUBLIC HEARING</div> <div>YOU ARE HEREBY NOTIFIED that the Planning Board of the Town of Highland Beach will conduct a Public Hearing on Thursday, May 08, 2025, at 9:30 AM in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following:</div> <div>APPLICATION NO. PZ-25-25 BY UNLIMITED PERMIT SERVICES, INC. REQUESTING A SPECIAL EXCEPTION TO INSTALL A 150 SQUARE FOOT DOCK FOR THE PROPERTY LOCATED AT 1101 BEL AIR DRIVE.</div> <div>APPLICANT: BEL LIDO MANOR CONDOMINIUM ASSOCIATION</div> <div>The application is available for inspection in the Town Clerk's Office at Town Hall, Monday through Friday during normal business hours of 8:30 a.m. to 4:30 p.m.</div> <div>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.</div> <div>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.</div> <div>For additional information, please contact the Town Planner at (561) 278-4540.</div> <div>TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT</div>
Attach Files (Optional)	<div> AD_PB PZ-25-25 1101 Bel Air Drive.pdf</div>
Submitted by (Email Address)	jdehart@highlandbeach.us
Notifications	Yes
Send Out a Notification to Your Subscribers	Yes

Signature



A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

File Attachments for Item:

C. Nomination of Chairperson and Vice Chairperson



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Planning Board Regular Meeting

MEETING DATE 05/08/25

SUBMITTED BY: Jaclyn DeHart, Deputy Town Clerk

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

SUMMARY:

In March of 2024, Mr. Eric Goldenberg and Ms. Ilyne Mendelson 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 08, 2026.

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

RECOMMENDATION:

Staff recommends nomination of a Chairperson and a Vice Chairperson to serve for one year, ending May 08, 2026.

TOWN OF HIGHLAND BEACH
Town Commissioners Advisory Board Members
Contact Information

PLANNING BOARD / Quasi-Judicial Board						
Names	Addresses	Home Numbers	Cellular Numbers	Email Addresses	Date of Appointment	Date Term End
Eric Goldenberg,						6/4/2025
Ilyne Mendelson						10/2/2026
Roger Brown						11/15/2025
David Powell						10/1/2027
Evalyn David						4/19/2028
David Axelrod						6/4/2025
Eve Rosen						4/16/2027



**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 3RD DAY OF OCTOBER, 2019.**

AYE NAY

Mayor Zelniker

☒ ☐

Rhoda Zelniker
Rhoda Zelniker, Mayor

Vice Mayor Babij

☒ ☐

Greg Babij
Greg Babij, Vice Mayor

Commissioner Gossett-Seidman

☒ ☐

Peggy Gossett-Seidman
Peggy Gossett-Seidman, Commissioner

Commissioner Donaldson

☐ ☐

Absent
Barry Donaldson, Commissioner

Commissioner David

☒ ☐

Evalyn David
Evalyn David, Commissioner

ATTEST:

Lanelda Gaskins
Lanelda Gaskins, MMC
Town Clerk

REVIEWED FOR LEGAL SUFFICIENCY

Glen J. Torcivia
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

- 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 fulfillment 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)