AGENDA

BOARD OF ADJUSTMENT & APPEALS REGULAR MEETING

Thursday, October 23, 2025 AT 10:00 AM

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

Website: www.highlandbeach.us

Town Hall Commission Chambers

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PLEDGE OF ALLEGIANCE**

4. **APPROVAL OF THE AGENDA**

5. **SWEARING IN OF THE PUBLIC**

6. **APPROVAL OF MINUTES**

   A. November 12, 2024

7. **UNFINISHED BUSINESS**

   None.

8. **NEW BUSINESS**

   A. Development Order Application No. PZ-25-31 / Seagate of Highland Beach Condominimums, Inc.

   Consideration of Application No. PZ-25-31 by Jason R. Borden, P.E. O&S Engineers & Architects, for a variance to allow a reduction in the front yard setback from 40 feet to eight (8) fee Seven (7) inches, and to reduce the side yard (South setback from 12 feet to seven (7) feet in order to construct a fire pump structure for the property located at 3224 South Ocean Boulevard.

B. Nomination of Chairperson, Vice Chairperson, and Secretary for terms ending October 23, 2026.

9. **ANNOUNCEMENTS**

5:00 - 8:00 P.M. Homecoming Food Truck Event at St. Lucy Catholic Church

10. **ADJOURNMENT**

NOTICE: If a person decides to appeal any decision made by the Board of Adjustment & Appeals 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. November 12, 2024

DRAFT

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

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

Date: November 12, 2024
Time: 10:00 AM

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1. CALL TO ORDER

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

2. ROLL CALL

Board Member Joel Leinson
Board Member Todd Weiss
Board Member Jeffrey Gordon
Chairperson Fred Rosen
Town Attorney Leonard Rubin
Secretary Harris Rosen (arrived late 10:01 A.M.)
Deputy Town Clerk Jaclyn DeHart

ABSENT
Board Member Michael Thorson

ADDITIONAL STAFF
Town Planner Ingrid Allen

3. PLEDGE OF ALLEGIANCE

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

4. APPROVAL OF THE AGENDA

MOTION: Chairperson Rosen/Member Weiss - Moved to approve the agenda as presented, which passed unanimously 4 - 0.

5. SWEARING IN OF THE PUBLIC

Deputy Town Clerk DeHart swore in those giving testimony.

6. APPROVAL OF MINUTES

A. July 29, 2024

MOTION: Chairperson Rosen/Member Leinson - Moved to approve the July 29, 2024 Minute as presented which passed unanimously 5 - 0.

7. UNFINISHED BUSINESS

None.

8. NEW BUSINESS

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

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

Chairperson Rosen introduced Application No. PZ-24-11 / Maria and Stephen Garchick. He asked the Board Members if they had any ex parte communications to disclose. The Members had no ex parte communications.

Chairperson Rosen opened the public hearing.

Town Planner Ingrid Allen presented the application. She provided property history from 2023-2024, noting that the board had previously considered an appeal by the applicant on July 29, 2024. She also included background information from 1997-1998.

Ms. Allen displayed aerial images of the subject property at 2474 South Ocean Boulevard, highlighting the accessory structure in question, which is located 4 feet from the property line according to the survey. She explained that this was an after-the-fact variance request, as the structure had been built without a permit. The structure was initially called a pergola in the permit application and code case.

Ms. Allen reviewed the definition of an accessory structure according to town code and explained that the purpose of a variance is to grant a reduction in dimensional requirements of the zoning code, including building setbacks. She outlined the variance criteria from section 30-40(a) of the code and noted that the applicant had provided responses to these criteria on page 14 of the packet.

Ms. Allen clarified that contrary to the applicant's statement, gazebos are allowed in rear yards under the zoning code, but they must comply with the rear building setback. She also noted that per code section 30-40(k), evidence of nonconforming use of neighboring properties is not grounds for authorization of a variance. She explained that if the board approved the variance, the applicant would have to obtain an after-the-fact permit with the building department.

Deputy Town Clerk DeHart swore in Code Compliance Adam Osowsky, and he gave comments on the property.

Also, Frank Bashoda, the Garchiks' property manager was sworn in and provided comments about the application.

Attorney Michael Marshall from Nelson Mullins, applicants legal counsel provided comments about the application.

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

MOTION: Chairperson Rosen/Secretary Rosen – Moved to approve Application PZ-24-11, which passed unanimously 5 to 0.

9. ANNOUNCEMENTS

Chairperson Rosen announced the following upcoming meetings:

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

10. ADJOURNMENT

The meeting was adjourned at 10: 18 A.M.

APPROVED on October 23, 2025, Board of Adjustment & Appeals Regular Meeting.

Signed Minutes on file in the
Town Clerk's Office

_____
Michael Thorson, Vice Chairperson

ATTEST:

Transcribed by:
Town Clerk's Office

_____ 10/09/2025
Jaclyn DeHart Date
Deputy Town Clerk

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-25-31 / Seagate of Highland Beach Condominimums, Inc.

Consideration of Application No. PZ-25-31 by Jason R. Borden, P.E. O&S Engineers & Architects, for a variance to allow a reduction in the front yard setback from 40 feet to eight (8) fee Seven (7) inches, and to reduce the side yard (South setback from 12 feet to seven (7) feet in order to construct a fire pump structure for the property located at 3224 South Ocean Boulevard.

HIGHLAND BEACH BUILDING DEPARTMENT

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

Board of Adjustment and Appeals

STAFF REPORT

MEETING OF: **October 23, 2025**

TO: **BOARD OF ADJUSTMENT AND APPEALS (BOAA)**

FROM: **INGRID ALLEN, TOWN PLANNER**

SUBJECT: **APPLICATION BY JASON R. BORDEN, P.E., O&S ENGINEERS & ARCHITECTS, FOR A VARIANCE TO ALLOW A REDUCTION IN THE FRONT YARD SETBACK FROM 40 FEET TO EIGHT (8) FEET SEVEN (7) INCHES, AND TO REDUCE THE SIDE YARD (SOUTH) SETBACK FROM 12 FEET TO SEVEN (7) FEET IN ORDER TO CONSTRUCT A FIRE PUMP STRUCTURE FOR THE PROPERTY LOCATED AT 3224 SOUTH OCEAN BOULEVARD. (PZ-25-31)**

I. GENERAL INFORMATION:

Applicant (Property Owner): Seagate of Highland Beach Condominiums, Inc.
3224 South Ocean Boulevard
Highland Beach, FL 33487

Applicant's Agent: Jason R. Borden, P.E.
6030 Hollywood Boulevard, Suite 230
Hollywood, FL 33024

Property Characteristics:

Comprehensive Plan Land Use: Multi Family High Density

Zoning District: Residential Multiple Family High Density (RMH)

Property Location: 3224 South Ocean Boulevard

Adjacent Properties:

PARCEL	ZONING DISTRICT	FUTURE LAND USE DESIGNATION
North	Residential Multiple Family High Density (RMH)	Multi Family High Density
South	Residential Multiple Family Medium Density (RMM)	Multi Family Medium Density
East	Residential Multiple Family High Density (RMH)	Multi Family High Density
West	NA (Intracoastal Waterway)	NA (Intracoastal Waterway)

Property History:

According to the Palm Beach County Property Appraiser, the Seagate Condominium was built in 1970.

Request and Analysis:

The Applicant's request is for variance to allow a reduction in the front yard setback from 40 feet to eight (8) feet seven (7) inches, and to reduce the side yard (south) setback from 12 feet to seven (7) feet in order to construct a fire pump structure for the property located at 3224 South Ocean Boulevard. The proposed fire pump structure measures 472 square feet with a height of 10 feet. According to the Applicant, the structure will house two (2) new fire pumps which will service the four (4) residential buildings of the community as well as the fire hose connections at the seawall and dock area. According to the property survey, there is currently a bulk storage area in the vicinity of where the fire pump station is proposed. The Applicant has indicated that the bulk storage area will not be relocated, and that the community will do without a bulk storage area.

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

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

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

(1) Special conditions. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

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

The Applicant has provided responses to each criteria listed above in their Variance Application (see attached). According to the Applicant, the current fire pump rooms located in each of the four (4) residential buildings are insufficient to meet the current National Fire Protection Agency code requirements. These requirements include an increased flow rate which requires larger fire pumps and clearances for repair and maintenance. The Town's Assistant Fire Chief/Fire Marshal, Matt Welhaf, has provided a letter of support (see attached).

Pursuant to Section 30-40(g) of the Town Code, the vote of at least four (4) members of the BOAA is necessary to grant a variance.

If the BOAA approves the variance request including Conceptual Plans date stamped received by the Building Department on October 1, 2025, the Applicant will be required to go before the Planning Board and the Town Commission for consideration of a Major Modification request. According to Section 30-31 of the Town Code, the Planning Board provides an advisory review/ recommendation on the Major Modification request to the Town Commission. The Town Commission is the decision-making authority for Major Modifications that apply to a multifamily residence.

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

Attachments: Application
Aerials
Photos of existing bulk storage area
Letter from Matt Welhalf, Town Assistant Fire Chief
Conceptual plans (11X17)

TOWN OF HIGHLAND BEACH
VARIANCE APPLICATION

Petition #_____ **Fees Paid/Receipt No. #**_____

Variance and/or Appeal to Board of Adjustment & Appeals and/or Town Commission are $2,500.00.

PROPERTY OWNER INFORMATION		
Name: Seagate of Highland Beach Condominiums	**Phone:** 561-276-5130	**Fax:**
Mailing Address: 3224 S Ocean Blvd, Highland Beach, FL 33487		
Email Address: manager@seagateofhighland.com		

AUTHORIZED AGENT		
Name: Jason R. Borden, P.E.	**Phone:** 954-829-4664	**Fax:**
Mailing Address: 6030 Hollywood Blvd, Suite 230, Hollywood, FL 33024		
Email Address: jborden@oandsassociates.com		

PROPERTY INFORMATION ASSOCIATED WITH THIS PETITION	
Address: 3224 S Ocean Blvd, Highland Beach, FL 33487	**Subdivision:** Seagate of Highland Condos 1 Thru 4
PCN: 24-43-46-33-08-003-xxxx	**Lot Size:** 378,195 S.F.
Zoning District: RMH-Multi-Family High-Density (24-Highland Beach)	**Present Use:** 0400-Condominium

1. Present Structures (type):
   Four (4) concrete framed, 10 story residential condominium buildings and 1 single story masonry framed community building. Two in-ground pools, each with small masonry framed structure to house pool equipment. Seawall and docs. Concrete framed, single story shade structures at parking (4 total)

2. The proposed use will be:
   a.Unchanged. Installation of new fire pump housing structure for new fire pumps for 4 residential buildings.

3. If this petition is granted, the effect will be to (brief description – i.e. to reduce side yard from 7' to2'):

   a.Reduce front yard setback from highway A1A from 40 feet to 8 feet 7 inches from property line and reduce South side yard setback from 12 feet to 7 feet from the property line.

4. As a basis for consideration of an application for variance approval, the Board of Adjustment and Appeals and/or Town Commission must determine an application is consistent with the criteria listed below. After each criteria, state fully your reasons justifying the granting of this variance.

i.The project is to install a new structure that will house 2 new fire pumps which will service the four residential buildings of the community, as well as fire hose connections at the seawall and dock area.
ii.The originally installed fire pumps are insufficient to meet the current code requirements and needs of the building. The existing fire pumps provided 250 gallons per minute flow rate. Building A & B each requires 1000 gallons per minute flow rate while buildings C & D require 750 gallons per minute flow rate.
iii.The drastically increased flow rate is provided by fire pumps that are much larger physical dimensions compared to the existing fire pumps. The existing space within the buildings that houses the existing fire pumps cannot accommodate the new fire pumps and provide the necessary clearance for repair and maintenance of the fire pumps.
iv.The original fire pump rooms in the four residential buildings are located at the ground level of each building. Current code requires that critical safety equipment such as fire pumps be installed a minimum of 1 foot above base flood elevation. The base flood elevation of Highland Beach is 7'-0" above sea level. The floor of the fire pump rooms is approximately 4'-0" above sea level. There is insufficient ceiling space within the existing fire pump rooms to install new fire pumps so that they are the required safe elevation. Additionally, it is not feasible to increase the ceiling height of the fire pump rooms as the ceiling is comprised of a structural concrete slab and integral with the second floor slab of the main building.
v.Given the size increase of the needed fire pumps, and the dimension constraints of the existing fire pump rooms, the only viable solution is to locate the fire pumps in a free-standing pump house custom built for the fire pumps.
vi.As will be discussed below in more detail, the buildings have been approved to share two fire pumps between the four buildings. A fire pump house is necessary to protect the fire pumps from the elements and must be designed for the anticipated loads, including wind pressures, of south Florida. This results in a structure that will be approximately 12 feet wide and 32 feet long. There is only this single location on the property that can accommodate a structure of this size.

(b) The special conditions and circumstances truly represent a hardship, and are not created by any actions of the applicant. Note that Section 30-40(e)(7) of the Town Code states that financial hardship is not to be considered as sufficient evidence of a hardship in granting a variance

i.The existing fire pumps were installed as part of the original construction. The property is replacing the fire pumps and providing systems that are compliant with current codes and regulations related to size, power, and location of fire pumps. The applicant is not responsible for the existing location or design of the fire pump systems. Installation of the code compliant fire pumps is truly a hardship as there is only one location on the property that can accommodate the fire pump systems, and that location has limited flexibility due to the proximity to vehicle drive lanes which serve as part of the fire access lane to two of the buildings on the property (buildings C & D)

(c) Literal interpretation of the provisions of chapter 30 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of chapter 30 and would work unnecessary and undue hardship on the applicant.

i.Literal interpretation of chapter 30 will require the single-story fire pump housing to be placed a minimum of 40 feet from the property line adjacent to State Road A1A, and 12 feet from the south side property line. Satisfying the requirements of chapter 30 would place the fire pump housing into the existing vehicle lanes and obstruct the existing vehicle pathway. This vehicle pathway forms part of the emergency vehicle path for the property, specifically for buildings C and D.
ii.Eight (8) properties have been identified in Town of Highland Beach that border Highway A1A and have permanent structures constructed within the 40-foot setback from A1A. Literal interpretation of chapter 30 would prevent Seagate of Highland Beach from enjoying rights similar to multiple other properties in the same zoning district.

(d) The grant of a variance will not confer upon the applicant any special privilege denied to any other owner of land, buildings, or structures located in the same zoning district.

i.As far as we are aware, no property along A1A in Highland Beach has been denied a variance request to accommodate the construction of necessary life-safety equipment within the code required setbacks.
ii.As noted above, at least eight (8) properties have been identified that have permanent structures constructed within the 40-foot setback from A1A.

(e) The variance granted is the minimum variance that will make possible the use of the land, building, or structure.

i.The fire marshal's office has reviewed the property and the proposed project and has approved the consolidation of the building fire pumps. The project will include two fire pumps, one of which will provide 750 gallons per minute and will service C & D buildings, and the other will provide 1000 gallons per minute and service A & B buildings. Without this agreement from the fire marshal, 4 fire pumps would need to be installed, doubling area needed to house the fire pumps.
ii.The requested variance of setback dimensions from A1A (East) property line and South property line are the minimum possible that will allow continued use of the vehicle pathway and existing parking spaces at the community.

(f) The grant of the variance will be in harmony with the general intent and purpose of this chapter.

i.There is existing landscaping in place that will visually screen the new fire pump housing from the property line. The general purpose and intent of chapter 30, providing for and protecting the health, safety and welfare of the citizens, residents, and property owners of the Town of Highland Beach. This includes orderly development of existing property, providing adequate privacy for adjacent properties and providing safety from fire, and maintaining the aesthetics of the area.

(g) The grant of the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

i.The area requested for placement of the fire pump housing currently hosts general storage for the property. The fire pump housing will not be injurious or detrimental to the overall space compared to the current conditions.

5. Has any previous application or appeal been filed within the last year in connection withthese premises? (YES) ____ (NO) __X__ If so, briefly state the nature of the application or appeal.

_____

_____

_____

JRS (Initial) The names and addresses of each property owner located within five hundred (500) feet of the affected property, excluding property owned by the applicant has been provided. *(Notification distances shall be measured on an arc from the corners of the property.)* (YES)_X_(NO) ___

JRS (Initial) I, the petitioner, acknowledge that there will be additional expenses incurred for the first class mailing of the public notices and the cost to publish the legal advertisement, which is separate from the Board of Adjustment & Appeals application fee. (YES)_X_(NO) ___

JRS (Initial) I, the petitioner, has read the Town of Highland Beach Code of Ordinances, Section 30-40: Variances & Interpretations for code requirements. (YES)_X_(NO) ___

TOWN OF HIGHLAND BEACH

Building Department 3616 South Ocean Blvd., Highland Beach, Florida 33487
Website: www.highlandbeach.us Phone: 561-278-4540 Fax: 561-278-2606

AUTHORIZED AGENT AFFIDAVIT

I, ANTHONY SANTELLA, the Property owner, hereby grant authorization to JASON BORDON, Authorized Agent, to act in my behalf with the Town of Highland Beach Building Department while conducting activities related to a development application request.

I ANTHONY SANTELLA, Property Owner, relieve the Town of Highland Beach of, and agree to hold the Town of Highland Beach Building Department harmless from, any and all responsibility, claims or other actions arising from or related to the Department's acceptance of the above agent's signature for development application-related activities. I further understand that it is my sole responsibility to grant and terminate any such authorization and to ensure that the Department receives timely notice of any such grant or termination.

Signature of Property Owner

Signature of Authorized Agent

*****PLEASE NOTE: BOTH SIGNATURES MUST BE NOTARIZED*****

Notary for Property Owner Signature:

State of Florida

County of Palm Beach

The foregoing was acknowledged before me this 29 day of July, 2025, by ANTHONY SANTELLA, who is personally known to me, or who produced _____ as identification.

Notary Public Signature

BRENDA HARPER

Print, Type, or Stamp Name of Notary

Notary for Authorized Agent's Signature:

State of _____

County of _____

The foregoing was acknowledged before me this _____ day of _____, _____, by _____, who is personally known to me, or who produced _____ as identification.

Notary Public Signature

Print, Type, or Stamp Name of Notary

BRENDA HARPER
Notary Public - State of Florida
Commission # HH 366790
My Comm. Expires Feb 27, 2027
Bonded through National Notary Assn.

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

Owner must supply authorized agent notarized letter attesting to same

Property Owner's Signature: _____ Date: 7/29/25

Authorized Agent Signature: _____ Date: 7/29/2005

Condo Assoc. Rep. Signature: Lori Hornacek Date: 7/29/2025

STATE OF Florida

COUNTY OF Palm Beach

On this 29 day of July 2025 before me personally appeared Lori Hornacek to me known to be the person who executed the foregoing instruments, and acknowledged that he executed the same as his free act and deed.

(SEAL)

BRENDA HARPER
Notary Public - State of Florida
Commission # HH 366790
My Comm. Expires Feb 27, 2027
Bonded through National Notary Assn.

Brenda Harper
Notary Public Signature

Received by the Town Clerk's Office:

Received By: _____ Date: _____

Date Public Notices Mailed: _____

Date Legal Advertisement Published: _____

VARIANCE APPROVAL APPLICATION PROCEDURES

The Board of Adjustment and Appeals and/or the Town Commission, as applicable, may approve, approve with conditions, or deny a request for a variance

PLEASE READ THOROUGHLY

This is to assist you in applying to the Town of Highland Beach for a Variance Approval. The Variance Approval process is explained more completely in the Highland Beach Code of Ordinances in Section 30. The Code of Ordinances is available on the Town website found at www.highlandbeach.us. You may wish to consult this section, as well as obtain the services of an attorney, engineer, architect, real estate professional, planner, or another professional to assist with the completion of this application. This information is intended to provide a summary only.

BUILDING DEPARTMENT APPLICATION PROCESS

Please address all issues identified on the application. Only completed applications that include the necessary supporting information will be accepted.

1) Upload the fully completed application, supporting information and the $2,500.00 application fee to the Building Department. **Please make the check payable to the Town of Highland Beach.**
2) The Town Planner will review the application for completeness. If the application is found to be incomplete, the applicant will be notified in writing of the deficiencies. Pursuant to Section 30-34 of the Town's Code of Ordinances, if an applicant fails to remedy an incomplete application within ninety (90) days following written notification, the application shall be considered null and void. The fee shall not be reimbursed.
3) Once the application is deemed complete and suitable for Board of Adjustment and Appeals and/or Town Commission review, the Town Planner will notify you to submit 12 copies of the required submittal materials. The application will then be transmitted to the Town Clerk's Office.

TOWN CLERK'S OFFICE APPLICATION PROCESS

1) The Town Clerk's Office will receive the application from the Town Planner.
2) The Clerk will calculate an estimate of the notice fees and collect the deposit from the applicant. The deposit will be comprised of the cost of the mailing, the cost of the legal advertisement, and a 10% administrative fee, if applicable.
3) Once the fees have been collected, a Public Hearing/Regular Meeting date will be determined.
4) The responsibilities of the applicant are listed below.
5) The Clerk will schedule the meeting and process the mailing.

RESPONSIBILITY OF THE APPLICANT

1) Provide a list and map of the property owners located within the required radius of 500 feet (obtained from the Palm Beach County Property Appraiser's Office)
2) Provide two (2) sets of mailing labels (obtained from the Palm Beach County Property Appraiser's Office).

3) Pay fees to the Clerk of the associated costs.
4) Once advised by Town staff, provide 12 complete packages of all documents submitted for the Board of Adjustment and Appeals.

NOTICE BY TOWN CLERK

1) The Town Clerk shall provide written notice to each property owner located within five hundred (500) feet of the affected property, excluding property owned by the applicant, at least 15 days in advance of the public hearing and sent by certified mail with return receipt requested. If a condominium with an association is to be included, written notice may be provided only to the association president and the condominium's resident or property manager.
2) Written notice shall include a description of the variance(s) requested, the location of the property affected, the body to be conducting the public hearing, and the date, time, and location of the public hearing, which shall be provided by the Town Clerk's Office.
3) The applicant shall be responsible for all expenses associated with the written notice.

GENERAL PROCEDURES OF BOARD OF ADJUSTMENT AND APPEALS AND TOWN COMMISSION

If you intend to show the Board of Adjustment and Appeals and the Town Commission drawings, photographs, copies of documents, maps, or other instruments, you will need to leave those instruments with the Clerk of the Board at the hearing. By law, those instruments become public records and will **NOT** be returned to you.

You may appear at the public hearing/regular meeting in person or be represented by an authorized agent or attorney. If you cannot attend the public hearing, you should arrange to have an authorized representative (authorization in writing and notarized) appear on your behalf as the application can be acted upon by the Board even in your absence. Prior to the meeting, you should also notify the Town Clerk's office of your absence and who will appear on your behalf.

The Board of Adjustment and Appeals and Town Commission may continue the public hearing until a future date, in its sole discretion, if it needs further information or research on your application. The Board of Adjustment and Appeals and/or Town Commission is not obligated to continue a public hearing/regular meeting.

You may bring witnesses to testify on your behalf. Your presentation and witness testimony should relate directly to the Variance and whether your application satisfies the standards set forth in the Town of Highland Beach Code of Ordinances

Members of the public in favor or in opposition to your application may appear and testify at the hearing. Although the Town Commission and/or Board of Adjustment and Appeals have the power to vary the order of presentation, generally the Board will ask the applicant and applicant's witnesses, if any, to make a presentation. After your presentation, members of the public are allowed to address the proposed Variance. After public input, Town Commission and/or the Board of Adjustment and Appeals may allow you to present argument in rebuttal to comments from the public. Staff members attending the meeting are there for the purpose of providing technical information to the Town Commission and/or Board of Adjustment and Appeals.

At the conclusion of the hearing, the Board of Adjustment and Appeals and/or Town Commission shall recommend approval, approval with conditions, or denial of the application.

If you wish to appeal any determination of the Board of Adjustment and/or Town Commission, you will need a verbatim transcript of the record and copies of all evidence presented. It will be your responsibility to make

arrangements for the preparation of that verbatim record at your expense.

REQUIRED SUPPORTING INFORMATION

In order to properly review your application, certain supporting information is necessary. A description of this supporting information follows. You may also upload any additional information that you feel would support the application.

The following shall be uploaded with all Variance applications in order for the application to be considered complete:
1) A copy of the deed showing ownership of the property that is the subject of the Variance.
2) A letter of authorization from the property owner, if the owner is not the applicant.
3) A sealed and signed survey
4) Set of plans illustrating the details of the Variance request. Plans shall include, where applicable, but not be limited to, the following specifications and information:

A) Lot and/or building site lines with dimensions and existing and proposed setbacks (including accessory structures);

B) Location of structures, decks, pools, drives, parking spaces, water and electric meter locations, air conditioning units, exterior mechanical and pool equipment, and the types of screening of those items;

C) Location of easements, watercourses, and other essential site features;

D) Location and width of existing or proposed streets or other public ways and pedestrian walks abutting the site;

E) Site Data:

1. Land area
2. Zoning
3. Height of existing and/or proposed structure
4. Building area in square feet
5. Paved area in square feet
6. Landscaped area in square feet
7. Amount of required parking spaces
8. Amount of existing parking spaces
9. Aerial Photograph within ½ mile

F) Adjacent area information:

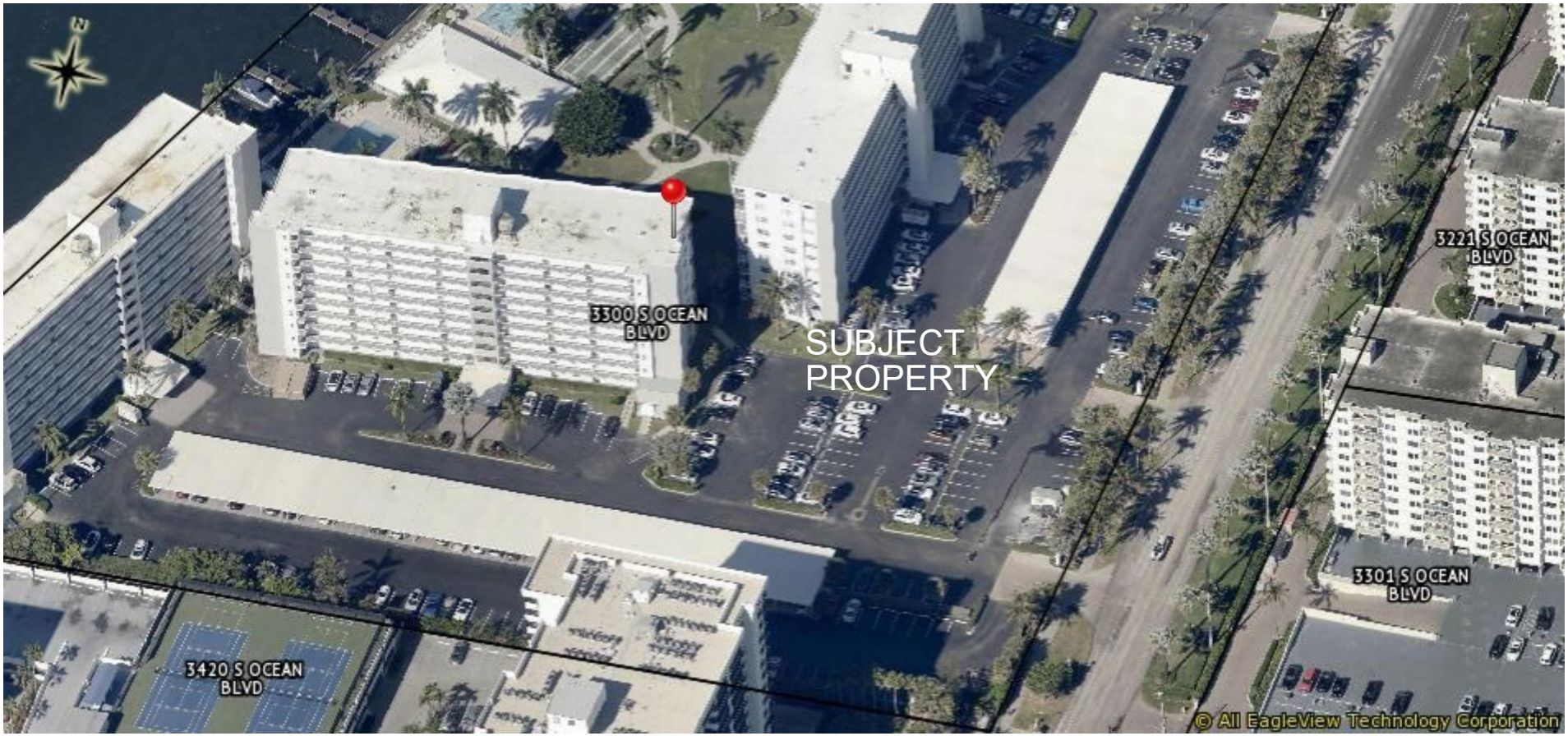
1. Current zoning
2. Sketch of approximate location of adjacent structures (with measurements)
3. A vicinity map obtained from the Palm Beach County Property Appraiser's Office.

G) Describe the existing conditions at the site of the proposed Variance Application and what you are proposing to accomplish at the site.

H) Additional backup material or exhibits or studies that you feel will support your application.

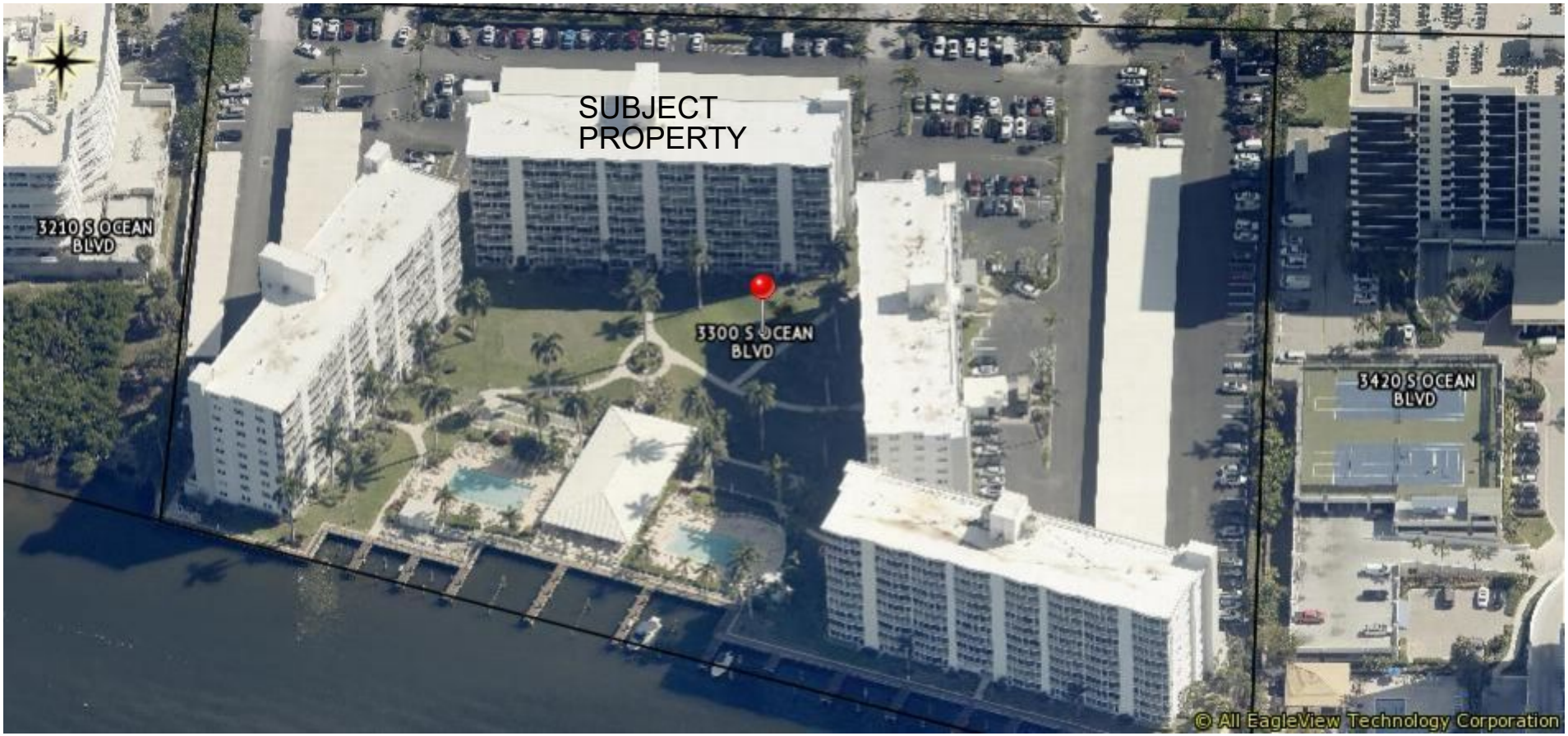
DOROTHY JACKS CFA, AAS
Palm Beach County Property Appraiser

3224 S. Ocean Blvd.



01/12/2025

3224 S. Ocean Blvd.



01/27/2025

3224 S. Ocean Blvd.

3224 S. Ocean Blvd.

01/12/2025

CURRENT BULK STORAGE AREA

CURRENT BULK STORAGE AREA

TOWN OF HIGHLAND BEACH

FIRE AND RESCUE SERVICES DEPARTMENT

3612 S. OCEAN BLVD. • HIGHLAND BEACH, FLORIDA 33404
(561) 237-5575 (561) 265-3582

September 26, 2025

Hello Ingrid,

I am providing this letter in support of the requested variance for the Seagate Fire Pump(s) Housing location and the underground water supply pipping installation. The Seagate Condominiums must replace all four of their fire pumps, as all of the exiting pumps no longer operate. Additionally, they must replace all the underground fire main pipping due to degradation and corrosion. Another issue is that the original pumps were undersized, and they were not code compliant. Unfortunately, the larger fire pumps along with the pump controllers will not fit into the rooms where the existing pumps were located.

Based on these conditions, I suggested the pumps be relocated to the southeast corner of the parking area. The installation will require two new taps and backflow preventors be installed onto the Town 14" water main along A1A. After discussion with Utility Services, the best option would be to install a single pumphouse that would accommodate both new pumps. Additionally, these pumps will run on natural gas, with connections to the gas main also running adjacent to A1A, thereby eliminating the need for an alternate power source. The closer proximity of the pumphouse to A1A will make this installation much more efficient and reduce the potential for damage to pipping required for a longer run from A1A. Finally, this location satisfies both Utility Services guidelines and NFPA 24 proximity requirements for backflow preventor and isolation valve installations.

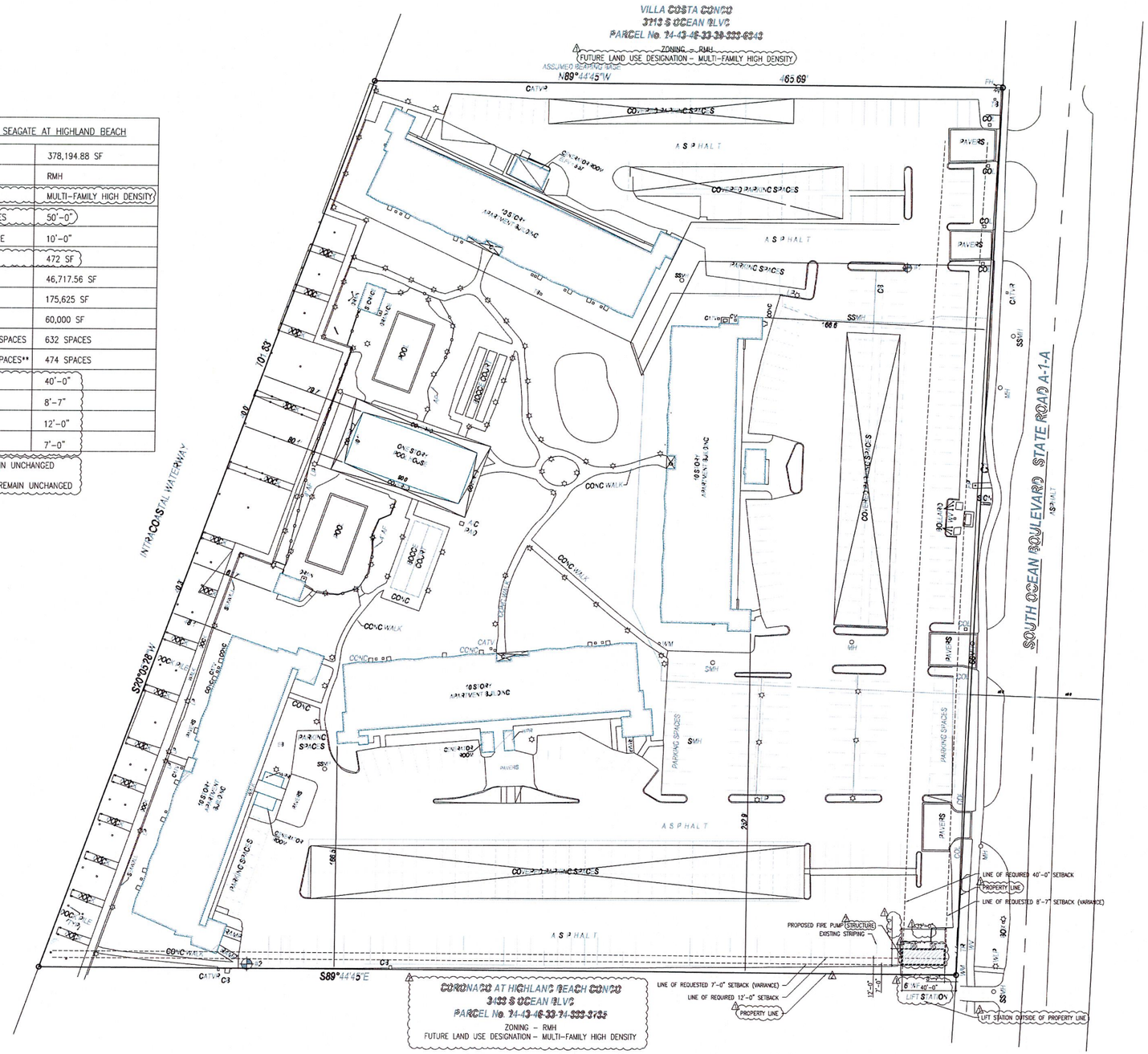
Thank you for your consideration. I plan on making myself available to the members of the Board of Adjustment and Appeals should anyone have any questions. Thx

Matt Welhaf
Assistant Chief/ Fire Marshal
Highland Beach Fire Rescue

FIRE PUMP VARIANCE AT SEAGATE AT HIGHLAND BEACH	
LAND AREA	378,194.88 SF
EXISTING ZONING	RMH
FUTURE LAND USE DESIGNATION	MULTI-FAMILY HIGH DENSITY
REQUIRED HEIGHT OF STRUCTURES	50'-0"
HEIGHT OF PROPOSED STRUCTURE	10'-0"
SF OF PROPOSED STRUCTURE	472 SF
BUILDING AREA IN SF	46,717.56 SF
PAVED AREA IN SF	175,625 SF
LANDSCAPE AREA IN SF*	60,000 SF
AMOUNT OF REQUIRED PARKING SPACES	632 SPACES
AMOUNT OF EXISTING PARKING SPACES**	474 SPACES
REQUIRED FRONT SETBACK	40'-0"
PROPOSED FRONT SETBACK	8'-7"
REQUIRED SIDE SETBACK	12'-0"
PROPOSED SIDE SETBACK	7'-0"

*EXISTING LANDSCAPING TO REMAIN UNCHANGED

**EXISTING PARKING SPACES TO REMAIN UNCHANGED



1 CONCEPTUAL SITE PLAN

A-100 SCALE: 1/32"=1'-0"

RECEIVED

OCT 01 2025

HIGHLAND BEACH BUILDING DEPARTMENT

O&S ASSOCIATES
ENGINEERS & ARCHITECTS
6030 HOLLYWOOD BLVD. STE 230
HOLLYWOOD, FL 33024
305.676.9888
NEW JERSEY • NEW YORK • PENNSYLVANIA
OHIO • D.C. • FLORIDA

SEAL: JASON BORDEN
FL PE #83583

FIRE PUMP VARIANCE
SEAGATE OF HIGHLAND BEACH CONDOMINIUMS
3224 S OCEAN BLVD, HIGHLAND BEACH, FL, 33487

NO.	DATE	REVISIONS	BY
1	7.29.25	CITY COMMENTS	O.O.
2	8.21.25	CITY COMMENTS	O.O.

DESIGN:	J.B.
DRAWN:	S.R.
CHECKED:	J.B.
SCALE:	AS SHOWN
DATE:	06-27-2025
PROJECT No.:	07-200004-02

DOB STAMP AND SIGNATURE:

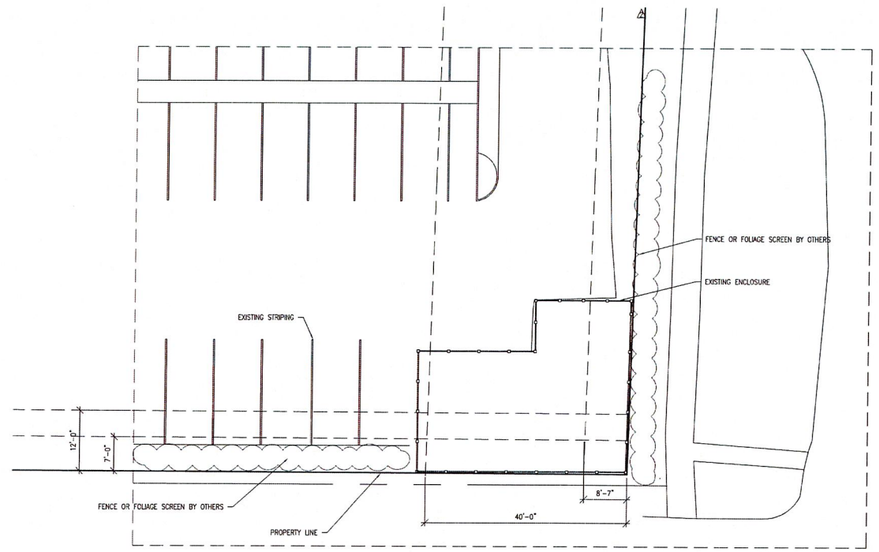
DRAWING TITLE: CONCEPTUAL SITE PLAN

DRAWING No. A-100

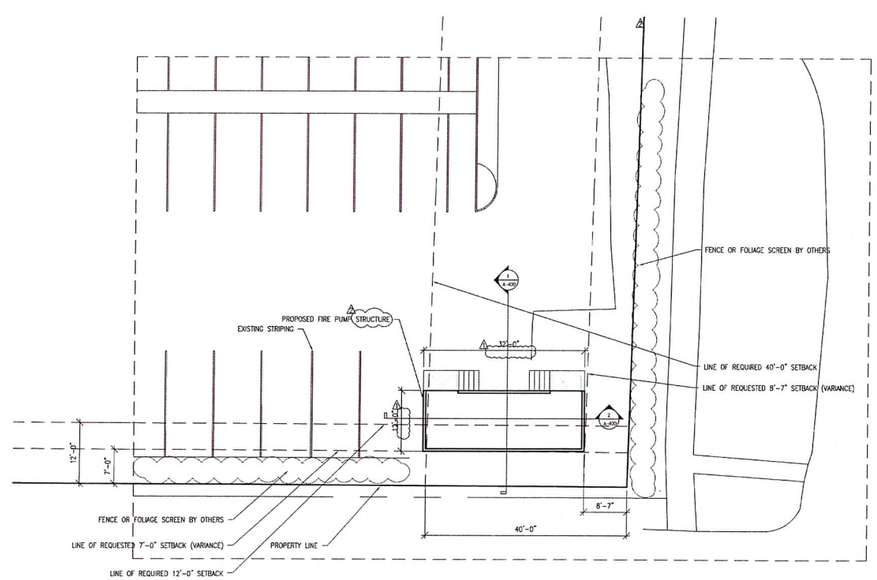
RECEIVED

OCT 01 2025

HIGHLAND BEACH
BUILDING DEPARTMENT



1 / A-101 EXISTING ENLARGED PLAN
SCALE: 3/32"=1'-0"



2 / A-101 PROPOSED ENLARGED PLAN
SCALE: 3/32"=1'-0"

O&S ASSOCIATES
ENGINEERS & ARCHITECTS
6030 HOLLYWOOD BLVD. STE 230
HOLLYWOOD, FL 33024
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OHIO • D.C. • FLORIDA
SEAL: JASON BORDEN
FL PE #83583

FIRE PUMP VARIANCE
SEAGATE OF HIGHLAND BEACH CONDOMINIUMS
3224 S OCEAN BLVD, HIGHLAND BEACH, FL, 33487

NO.	DATE	REVISIONS	BY
1	7.29.25	CITY COMMENTS	O.O.
2	8.21.25	CITY COMMENTS	O.O.

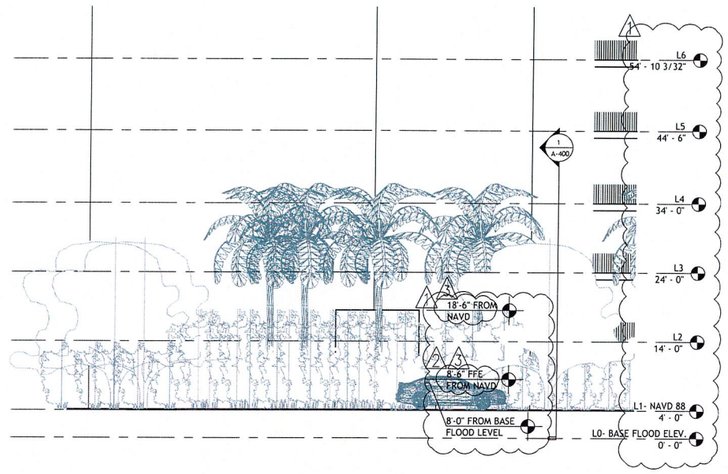
DESIGN:	J.B.
DRAWN:	S.R.
CHECKED:	J.B.
SCALE:	AS SHOWN
DATE:	06-27-2025
PROJECT No.:	07-200004-02

DOB STAMP AND SIGNATURE:

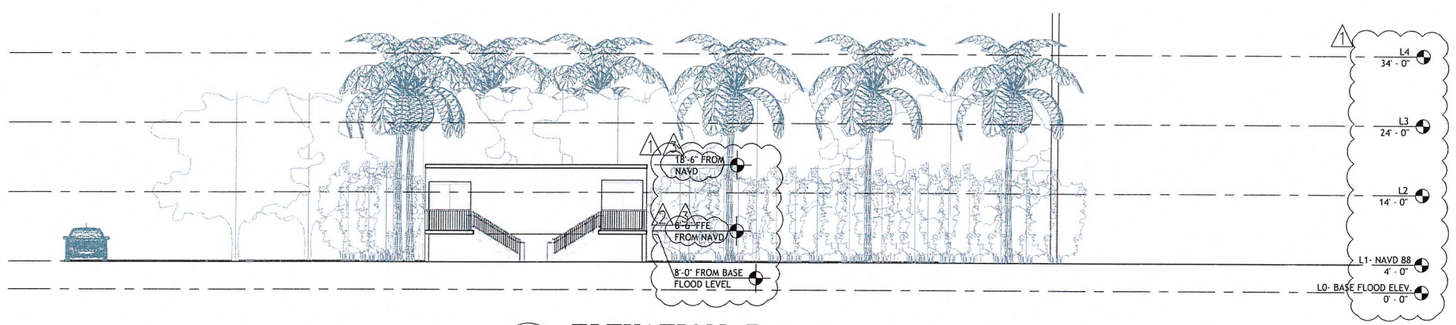
DRAWING TITLE:
EXISTING & PROPOSED (CONCEPTUAL) ENLARGED PLANS

DRAWING No.
A-101

RECEIVED
OCT 01 2025
HIGHLAND BEACH
BUILDING DEPARTMENT



1 ELEVATION A
A-300 SCALE: 1/8"=1'-0"



2 ELEVATION B
A-300 SCALE: 1/8"=1'-0"

1 ELEVATIONS REFERENCED ON SURVEY PROVIDED BY PRINCIPAL MERIDIAN SURVEYING, INC. ACCORDING TO NAVD88

O&S ASSOCIATES
ENGINEERS & ARCHITECTS
6030 HOLLYWOOD BLVD. STE 230
HOLLYWOOD, FL 33024
305.676.9888
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OHIO • D.C. • FLORIDA

SEAL: JASON BORDEN
FL PE #83583

SEAGATE OF HIGHLAND BEACH CONDOMINIUMS
FIRE PUMP VARIANCE
3224 S OCEAN BLVD, HIGHLAND BEACH, FL, 33487

NO.	DATE	REVISIONS	BY
1	7.29.25	CITY COMMENTS	O.O.
2	8.21.25	CITY COMMENTS	O.O.
3	9.8.25	CITY COMMENTS	O.O.

DESIGN:	J.B.
DRAWN:	S.R.
CHECKED:	J.B.
SCALE:	AS SHOWN
DATE:	06-27-2025
PROJECT No.:	07-200004-02

DOB STAMP AND SIGNATURE:

DRAWING TITLE:
1 CONCEPTUAL FIRE PUMP ELEVATIONS

DRAWING No.
A-200

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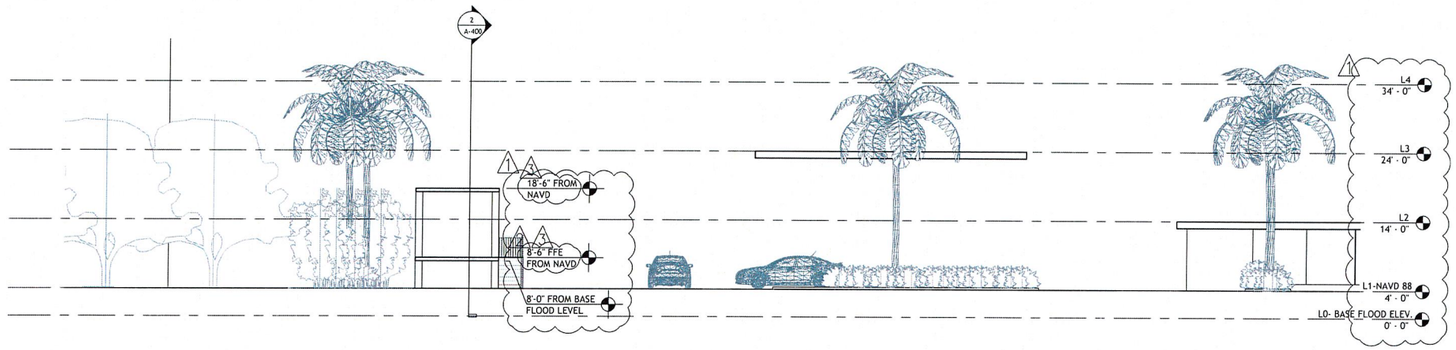
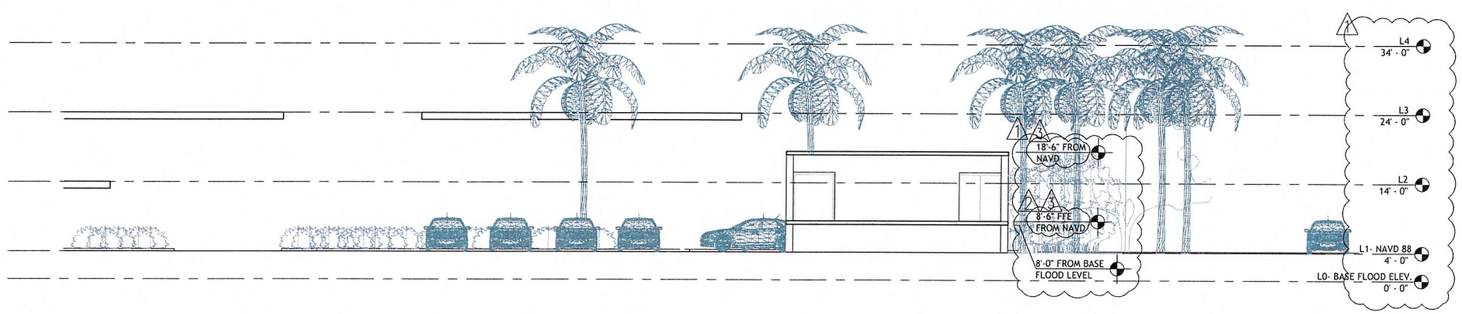
OCT 01 2025

HIGHLAND BEACH
BUILDING DEPARTMENT



1 A-400 SECTION A
SCALE: 1/8"=1'-0"



2 A-400 SECTION B
SCALE: 1/8"=1'-0"

1 ELEVATIONS REFERENCED ON SURVEY PROVIDED BY PRINCIPAL MERIDIAN SURVEYING, INC. ACCORDING TO NAVD88

O&S ASSOCIATES
ENGINEERS & ARCHITECTS
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OHIO • D.C. • FLORIDA

SEAL: JASON BORDEN
FL PE #83583

FIRE PUMP VARIANCE
SEAGATE OF HIGHLAND BEACH CONDOMINIUMS
3224 S OCEAN BLVD, HIGHLAND BEACH, FL, 33487

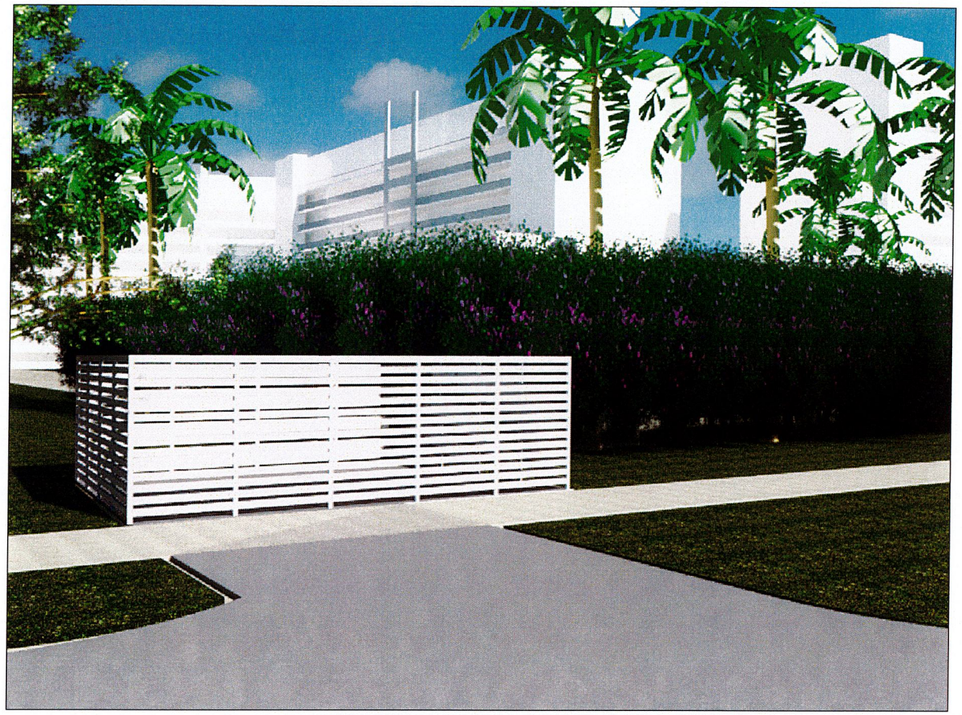
NO.	DATE	REVISIONS	BY
1	7.29.25	CITY COMMENTS	O.O.
2	8.21.25	CITY COMMENTS	O.O.
3	9.8.25	CITY COMMENTS	O.O.

DESIGN:	J.B.
DRAWN:	S.R.
CHECKED:	J.B.
SCALE:	AS SHOWN
DATE:	06-27-2025
PROJECT No.:	07-200004-02

DOB STAMP AND SIGNATURE:

DRAWING TITLE:
CONCEPTUAL FIRE PUMP SECTIONS

DRAWING No.
A-300



FROM STREET

FROM PARKING LOT

RECEIVED

OCT 01 2025

HIGHLAND BEACH
BUILDING DEPARTMENT

FROM SIDEWALK

FRONT ELEVATION

O&S ASSOCIATES
ENGINEERS & ARCHITECTS
6030 HOLLYWOOD BLVD. STE 230
HOLLYWOOD, FL 33024
305.676.9888
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OHIO • D.C. • FLORIDA

SEAL: JASON BORDEN
FL PE #83583

SEAGATE OF HIGHLAND BEACH CONDOMINIUMS
3224 S OCEAN BLVD, HIGHLAND BEACH, FL, 33487
FIRE PUMP VARIANCE

NO.	DATE	REVISIONS	BY
1	7.29.25	CITY COMMENTS	O.O.

DESIGN:	J.B.
DRAWN:	S.R.
CHECKED:	J.B.
SCALE:	AS SHOWN
DATE:	06-27-2025
PROJECT No.:	07-200004-02

DOB STAMP AND SIGNATURE:

DRAWING TITLE:
CONCEPTUAL FIRE PUMP RENDERINGS

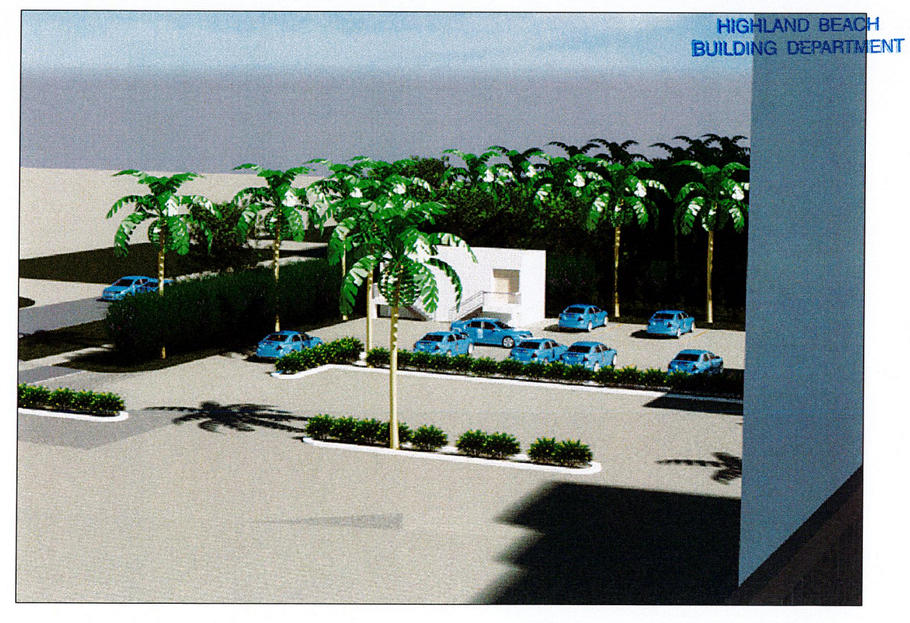
DRAWING No.
A-500

AERIAL VIEW

FROM ACROSS THE STREET

RECEIVED
OCT 01 2025
HIGHLAND BEACH
BUILDING DEPARTMENT

WALKING DOWN SIDEWALK



FROM BUILDING B BALCONY

O&S ASSOCIATES
ENGINEERS & ARCHITECTS
6030 HOLLYWOOD BLVD. STE 230
HOLLYWOOD, FL 33024
305.676.9888
NEW JERSEY • NEW YORK • PENNSYLVANIA
OHIO • D.C. • FLORIDA
SEAL: JASON BORDEN
FL PE #83583

FIRE PUMP VARIANCE
SEAGATE OF HIGHLAND BEACH CONDOMINIUMS
3224 S OCEAN BLVD, HIGHLAND BEACH, FL, 33487

NO.	DATE	REVISIONS	BY
1	7.29.25	CITY COMMENTS	O.O.

DESIGN:	J.B.
DRAWN:	S.R.
CHECKED:	J.B.
SCALE:	AS SHOWN
DATE:	06-27-2025
PROJECT No.:	07-200004-02

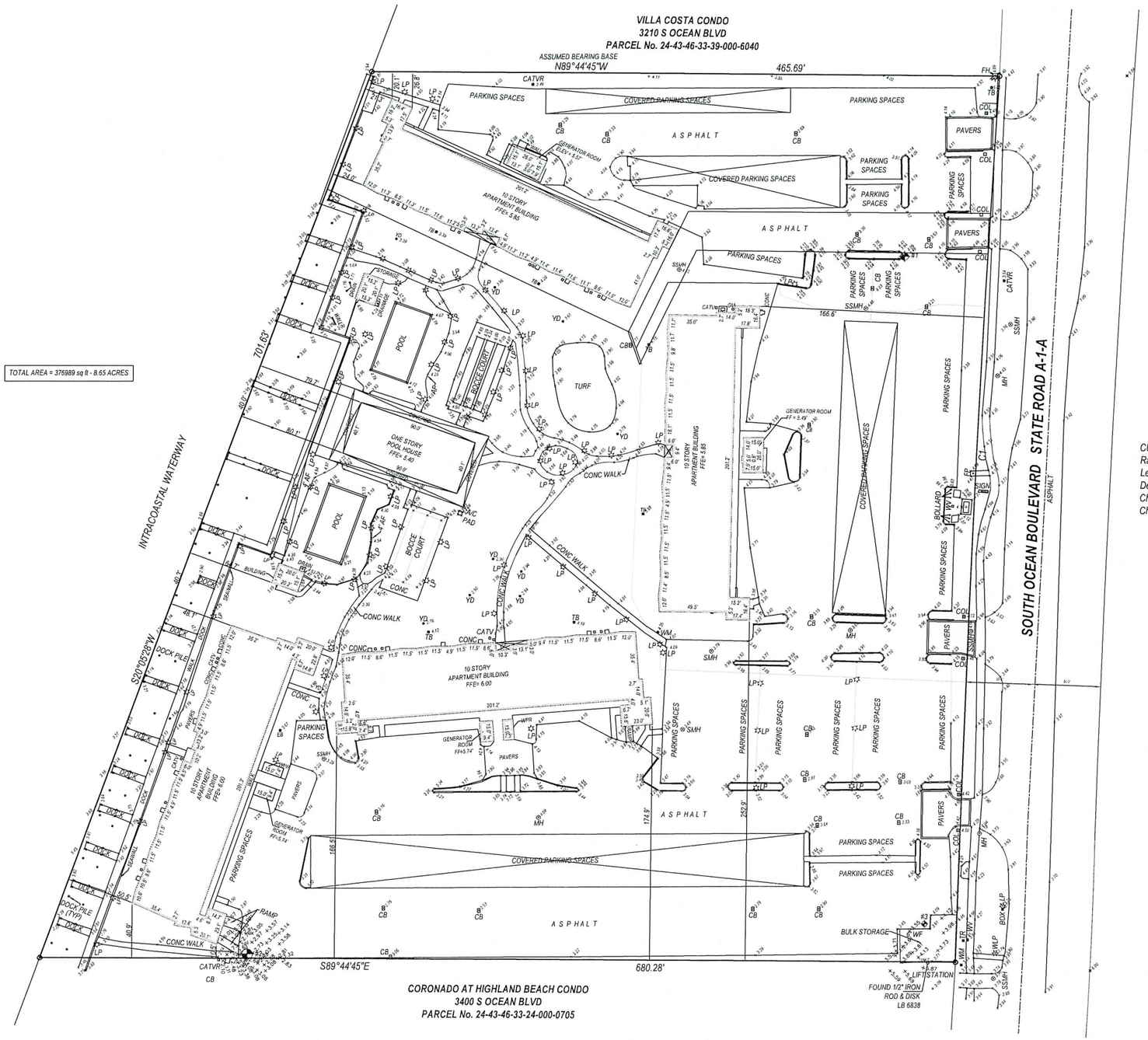
DOB STAMP AND SIGNATURE:

DRAWING TITLE:
1 CONCEPTUAL FIRE PUMP RENDERINGS

DRAWING No.
A-501

SCALE 1" = 40'

TOTAL AREA = 376989 sq ft - 8.65 ACRES



LEGEND:

TB	TELEPHONE BOX
COL	COLUMN
CB	CATCH BASIN
CATVR	CABLE TV RISER
FH	FIRE HYDRANT
SSMH	SANITARY MANHOLE
LP	LIGHT POLE
YD	YARD DRAINAGE
MH	MANHOLE
EB	ELECTRIC BOX
TYP	TIPICAL
WM	WATER METER
WV	WATER VALVE
TR	TELEPHONE RISER
FP	FLAG POLE
GM	GAS METER
WLP	WOOD LIGHT POLE
CE	COVERED ENTRY
WPR	WATER PUMP ROOM

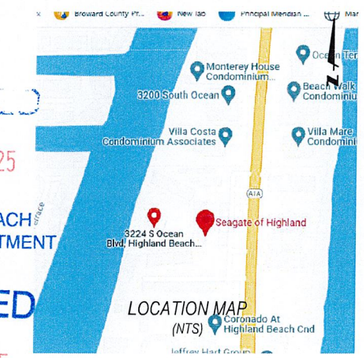
#1 =SET MAG NAIL & DISK / LB 8261 SITE BENCHMARK ELEVATION = 3.72'

2 =SET MAG NAIL & DISK / LB 8261 SITE BENCHMARK ELEVATION = 2.85'

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.



RECEIVED
OCT 01 2025
HIGHLAND BEACH BUILDING DEPARTMENT

RECEIVED
OCT 01 2025
HIGHLAND BEACH BUILDING DEPARTMENT

CURVE C1:
Radius:19148.60'
Length:561.49'
Delta:1°40'48"
Chord:561.47'
Chord Direction:S02°25'10"W

PROPERTY ADDRESS:
3224 S. OCEAN DRIVE
HIGHLAND BEACH, FL 33415

FLOOD ZONE: "AE" EL. 6'
PANEL NO: 12099C 0987F
DATE: OCTOBER 5, 2017

CERTIFIED TO:
1. SEAGATE OF HIGHLAND CONDOMINIUMS, INC.

LEGAL DESCRIPTION:
THAT PART OF THE SOUTH 50 FEET OF GOVERNMENT LOTS 1 AND 2 OF SECTION 33, TOWNSHIP 46 SOUTH RANGE 43 EAST, LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A AND EAST OF THE EAST RIGHT-OF-WAY OF THE INTRACOASTAL WATERWAY; AND ALSO THAT PART OF THE NORTH 610 FEET OF GOVERNMENT LOTS 3 AND 4 OF SECTION 33, TOWNSHIP 46 SOUTH RANGE 43 EAST, LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A AND EAST OF THE EAST RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY.
ABOVE DESCRIBED LAND SITUATE, LYING AND BEING IN THE TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY, FLORIDA.

SURVEYORS' NOTES:
1. I HEREBY CERTIFY THIS SURVEY MEETS STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17.050-.052, OF THE FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES.
2. THE SURVEY MAP AND REPORT AND THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR VERIFIED ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER..
3. UNDERGROUND OR OBSCURED IMPROVEMENTS WERE NOT LOCATED.
4. DIMENSIONS ARE RECORD AND FIELD UNLESS OTHERWISE NOTED.
5. STATED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
6. THIS FIRM'S CERTIFICATE OF AUTHORIZATION NUMBER IS LB 8261.
7. 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.
8. SURVEY SUBJECT TO RESERVATIONS, RESTRICTIONS, EASEMENTS AND RIGHTS-OF-WAY OF RECORD. (UNLESS A TITLE REVIEW, COMMITMENT REVIEW, OR OWNERSHIP AND ENCUMBRANCE REVIEW IS PRESENT ON THE FACE OF THIS DOCUMENT, THIS SURVEY HAS BEEN COMPLETED IN THE ABSENCE OF A TITLE INSURANCE POLICY).
9. LOCATION MAP IS GLEANED FROM ONLINE MAPPING SITES AND AND IS ONLY APPROXIMATE.
10. ELEVATIONS SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988. (NAVD'88)

JOB#	PURPOSE	FIELD	DRAFT	DATE
22.0601	BULK STORAGE	RAMT	JH	07-28-25
	ADD TOPO	CD	CD	06-14-25
	UPDATE	JH	JH	08-09-24
	BOUNDARY SURVEY	MS	CD	09-29-22

SIGNED
DOUG WALTON
PROFESSIONAL LAND SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. 7211

BOUNDARY AND TOPOGRAPHIC SURVEY

PRINCIPAL MERIDIAN SURVEYING, Inc.
LICENSED BUSINESS No. 8261
4546 CAMBRIDGE STREET
WEST PALM BEACH, FL 33415
OFFICE 561-478-7764

Town of Highland Beach
Town Commission Development Order
(BOAA)
Application No. PZ-25-31

Applicant: **Seagate of Highland Beach Condominiums**
Property Address: **3224 S. Ocean Blvd.**
Highland Beach, Florida 33487

CERTIFICATE OF MAILING AFFIDAVIT

I hereby certify that the Town Clerk's Office mailed a copy of the Notice of Public Hearing (Exhibit A) for Application No. PZ-25-31 for the property located at 3224 S. Ocean Blvd., Highland Beach, Florida 33487, by U.S. first-class and international mail to:

> All property owners and properties owned by a condominium association president and the association's registered agent within 500 feet of the property located at 3224 S Ocean Blvd., Highland Beach, Florida 33487.

The mailings consisted of 36 notices that were sent first class mail and 00 notices that were sent by International Mail.

This 8th day of October 2025.

Highland Beach Town Clerk's Office

Jaclyn DeHart
Deputy Town Clerk

TOWN OF HIGHLAND BEACH

NOTICE OF PUBLIC HEARING

YOU ARE HEREBY NOTIFIED that the Board of Adjustment and Appeals of the Town of Highland Beach will conduct a Public Hearing on ***Thursday, October 23, 2025, at 10:00 AM*** in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following application:

APPLICATION NO. PZ-25-31 BY JASON R. BORDEN, P.E., O&S ENGINEERS & ARCHITECTS, FOR A VARIANCE TO ALLOW A REDUCTION IN THE FRONT YARD SETBACK FROM 40 FEET TO EIGHT (8) FEET SEVEN (7) INCHES, AND TO REDUCE THE SIDE YARD (SOUTH) SETBACK FROM 12 FEET TO SEVEN (7) FEET IN ORDER TO CONSTRUCT A FIRE PUMP STRUCTURE FOR THE PROPERTY LOCATED AT 3224 SOUTH OCEAN BOULEVARD.

APPLICANT: SEAGATE OF HIGHLAND BEACH CONDOMINIUMS

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

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

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

For additional information, please contact the Town Planner at (561) 278-4540.
TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT

Highland Beach Legal Notice

10/13/2025 10:35 PM (EDT)

Submitted by Lanelda Gaskins (lgaskins@highlandbeach.us)

Legal Notice

Please choose a category	Board of Adjustment and Appeals Public Hearing Notices - Highland Beach
Title	October 23, 2025, Board of Adjustment & Appeals Board, Application No. PZ-25-31 / Seagate of Highland Beach Condominiums
Publish Date	10/13/2025
Publish Time	10:26 PM (EDT)
Description	TOWN OF HIGHLAND BEACH NOTICE OF PUBLIC HEARING YOU ARE HEREBY NOTIFIED that the Board of Adjustment and Appeals of the Town of Highland Beach will conduct a Public Hearing on Thursday, October 23, 2025, at 10:00 AM in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following application: APPLICATION NO. PZ-25-31 BY JASON R. BORDEN, P.E., O&S ENGINEERS & ARCHITECTS, FOR A VARIANCE TO ALLOW A REDUCTION IN THE FRONT YARD SETBACK FROM 40 FEET TO EIGHT (8) FEET SEVEN (7) INCHES, AND TO REDUCE THE SIDE YARD (SOUTH) SETBACK FROM 12 FEET TO SEVEN (7) FEET IN ORDER TO CONSTRUCT A FIRE PUMP STRUCTURE FOR THE PROPERTY LOCATED AT 3224 SOUTH OCEAN BOULEVARD. APPLICANT: SEAGATE OF HIGHLAND BEACH CONDOMINIUMS 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 against any decision made by the Board of Adjustment and Appeals with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is based. The Town of Highland Beach does not provide such a record. In accordance with the Americans with Disabilities Act, persons who need special accommodation to attend or participate in this meeting should contact the Town Clerk's Office at (561) 278-4548 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 or 1-800-955-8771. For additional information, please contact the Town Planner at (561) 278-4540. TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT
Attach Files (Optional)	AD_BOAA_PZ-25-31_3224 South Ocean Blvd._10.23.2025.pdf
Submitted by (Email Address)	lgaskins@highlandbeach.us
Notifications	No

Signature

Lanelda Gaskins

From: Process Automation and Digital Services <noreply@civicplus.com>
Sent: Monday, October 13, 2025 10:36 PM
To: Lanelda Gaskins
Subject: Legal Notice Submission Affidavit
Attachments: Highland Beach Legal Notice.pdf

Affidavit of Legal Notice submission and publication

Highland Beach Legal Notice

Submission Time: **10/13/2025 10:35 PM (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_BOAA_PZ-25-31_3224 South Ocean Blvd._10.23.2025.pdf
-
- signature.png
-

Signature of Affiant Lanelda Gaskins

Signature of Notary Public Jaclyn DeHart

Notary Stamp

NOTARY PUBLIC STATE OF FLORIDA

JACLYN DEHART
Commission # HH 325292
Expires October 24, 2026

Highland Beach Legal Notice Submission

File Attachments for Item:

B. Nomination of Chairperson, Vice Chairperson, and Secretary for terms ending October 23, 2026.

TOWN OF HIGHLAND BEACH
AGENDA MEMORANDUM

MEETING TYPE: Board of Adjustment of Appeals Board Regular Meeting

MEETING DATE *10/23/2025*

SUBMITTED BY: Lanelda Gaskins, Town Clerk

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

SUMMARY:

On January 31, 2024, Mr. Fred Rosen, Mr. Michael Thorson, and Mr. Harris Rosen were nominated as the Chairperson, Vice Chairperson, and Secretary of the Board of Adjustment and Appeals Board; all 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 each position for a one-year term ending October 23, 2026. Please note, Former Chairperson Fred Rosen has served two consecutive three year terms and is not eligible for reappointment nor eligible to be nominated as the Chairperson. Additionally, he resigned from the Board in September of 2025.

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, vice chairperson or secretary.

FISCAL IMPACT:

None.

ATTACHMENTS:

Resolution No. 19-029 R

RECOMMENDATION:

Staff recommend nomination of a Chairperson, a Vice Chairperson and a Secretary to serve for one year, ending October 23, 2026.

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, Mayor
Vice Mayor Babij	✓		Greg Babij, Vice Mayor
Commissioner Gossett-Seidman	✓		Peggy Gossett-Seidman, Commissioner
Commissioner Donaldson			Absent Barry Donaldson, Commissioner
Commissioner David	✓		Evalyn David, Commissioner

ATTEST:

Lanelda Gaskins, MMC
Town Clerk

REVIEWED FOR LEGAL SUFFICIENCY

Glen J. Torcivia,
Town Attorney

TOWN OF HIGHLAND BEACH
ADVISORY BOARD & COMMITTEES
APPOINTMENT PROCESS POLICY

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

1) Purpose: This policy establishes consistent procedures and standards for the appointment of individuals to all town advisory boards and committees, and applies to individuals serving on advisory boards appointed by the Highland Beach Town Commission. This policy does not apply to temporary or ad hoc committees or to appointments made by the commission to external boards, commissions or committees. This policy shall serve as a complement to the City's code of ordinances regulating boards and committees.

2) Duties of Advisory Boards and Committees: Unless otherwise provided for in the City's code of ordinances, all advisory boards and committees (sometimes referred to collectively as "advisory board" or "advisory boards") shall act in an advisory capacity to the Town Commission with the exception of the Code Enforcement Board, the Planning Board and the Board of Appeals and Adjustments, which may have the final decision making authority on quasi-judicial matters. When not acting in a quasi-judicial role, all other matters of the Code Enforcement Board, the Planning Board and the Board of Adjustment and Appeals, are to be advisory.

3) Qualifications and Restrictions:

   a) Applicants shall be a resident of the Town of Highland Beach and shall maintain residency while serving on an advisory board or committee. Residency for appointment to an advisory board or committee means the individual must be domiciled within the corporate limits and a registered voter of Highland Beach for at least one year prior to appointment.

   b) No person shall serve as a regular voting member on more than one advisory board unless specific action is taken by the Town Commission and so long as said appointment does not violate Sec. 2-99 of the code. In no case shall an individual serve on two advisory boards that function as a quasi-judicial board, i.e., (1) Code Enforcement Board, (2) Planning Board or (3) Boards of Adjustment and Appeals.

   c) Any conflict of interest between an applicant and their proposed role as a member of an advisory board shall be divulged in the application process. A failure to do so may result in removal.

   d) Persons currently holding any elective municipal, county, state or federal office shall not be eligible to serve in a regular voting position on any advisory board. If a sitting advisory board member is elected to a Commission office, that sitting member shall resign their board position pursuant to Sec. 7-4 of the Town 's code of ordinances.

   e) Town employees (part-time or full-time) are not eligible to serve on an advisory board, unless serving in an ex officio (non-voting) capacity.

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

4) Selection Process:

a) Twice annually, during the first week of January and July, a notice inviting applications for the Town of Highland Beach shall be placed in the official newspaper of record, online (website), and emailed to Town email subscribers. Potential members will have approximately three weeks to apply, said applications to be due no later than 4:30 pm on the last Friday in January and July. The Town Commission may call for applications at additional times based on need.

b) Persons interested in appointment or reappointment to an advisory board shall complete a Town approved application as provided by the Town on its website or at the Town Clerk's Office. Existing members seeking reappointment shall complete a new application to ensure that the Town has the most current information related to the advisory board member.

c) Persons interested in appointment shall also submit a completed and signed background investigation waiver form. The simple background investigation would verify employment history, affiliations and memberships, financial/credit report and any criminal convictions.

d) Applications shall be received by the Town Clerk on or before the advertised deadline. Late or incomplete applications will not be considered unless an extension is granted by action of the Town Commission. All applications will be held on file by the Town Clerk for a period of two years.

e) Town staff will screen all applications for residency and other qualification requirements. The Police Department will conduct the simple background investigation.

f) In February and August, Town staff will direct advisory board applications to the appropriate Advisory Board Chairs for screening and recommendation pursuant to Sec. 2-99 of the Town's code of ordinances. Advisory Board Chairs may ask applicants to attend an Advisory Board meeting for an interview conducted by the full board. Advisory Board Chairs may choose to not formally interview board members seeking reappointment and instead base their review upon the board member's performance and attendance. An Advisory Board Chair's written screening of a candidate may remain in effect for up one year.

g) The qualifications for service on an advisory board shall be those that in the judgment of the advisory board chair are representative of the community and are qualified by training, experience, and interest for the fulfilment of the advisory board's responsibility. If the Chair feels that a particular candidate(s) not recommended for selection would be viable alternates to serve in case of vacancy, they may note those applicants to the Town Clerk as part of their report.

h) All candidates for advisory boards along with the recommendations of the Advisory Board Chair shall be placed in a candidate pool and when a vacancy becomes available all applications shall be forwarded to Town Commission for selection and approval. The recommending Advisory Board Chair may rank candidates if more than one person applies for appointment. Any Town

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

i) The Town Commission has the ability to nominate and appoint any of the candidates within the applicant pool. The Town Commission will make every effort to ensure an advisory board does not a have 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) <u>Terms of Office:</u>

a) Residents are appointed at the pleasure of the Town of Highland Beach, and can be removed or replaced at any given time by the same.

b) As set forth in Sec. 2-99, in the Town's code, Terms for all boards shall be three (3) years and no board member may serve more than two (2) consecutive terms on the same board without first taking a one-year hiatus from the board. Appointments for partial terms shall not count toward the two-term limit.

c) Expectations: Advisory board members are expected to be prepared for meetings to ensure recommendations, approvals and advisory opinions are well formed to assist the Town Commission in making optimal decisions. Additionally, advisory board members shall act with respectful and professional demeanor at all times.

Being prepared includes, but is not limited to:

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

6) Attendance:

a) Advisory board members are required to maintain regular attendance pursuant to *Article V – Boards and Committees* of the Town of Highland Beach Code of Ordinances. Members who cannot attend a meeting should inform the Town Clerk 24 hours in advance of the scheduled meeting.

b) Pursuant to Article V – Board and Committees inadequate attendance is grounds for removal. Inadequate attendance shall mean a member's absence at three (3) or more consecutive regular meetings of a board.

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

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

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

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

a) Chapter 2: Administration, Article V
i) Division 2 – Code Enforcement Board (Sec. 2-110 – 2-134)
ii) Division 3 – Natural Resources Preservation Advisory Board (Sec. 2-135 – 2-154)
iii) Division 4 – Financial Advisory Board (Sec. 2-155 – 2-160)

b) Chapter 20: Planning and Development, Article II – Planning Board (Sec. 20-26 – 20-45) & Chapter 30: Zoning (Sec. 30-22)

c) Chapter 20: Planning and Development, Article III – Board of Appeals and Adjustments (Sec. 20-46 – 20-100) & Chapter 30: Zoning (Sec. 30-23)

TOWN OF HIGHLAND BEACH
BOARD OF ADJUSTMENT AND APPEALS BOARD MEMBERS
10/16/2025

Names	Date of Appointment	Date Term End
Joel Leinson	10/01/2024 *(Reappointed)*	10/1/2027
Todd Weiss	9/5/2023	9/4/2026
Michael R. Thorson **Vice Chairperson** **(01/31/24)**	12/5/2023	12/5/2026
Harris Rosen **Secretary** **(01/31/24)**	12/5/2023	12/5/2026
Jeffrey Gordon	10/01/2024 *(Reappointed)*	10/1/2027
Rajeev Arora	4/15/2025	4/15/2028
Barry Donaldson	10/9/2025	10/9/2028