



# Town of Highland Beach

## Notice of Public Meeting Protocol

The Town of Highland Beach is committed to serving the needs of the public while also working to ensure the safety and health of the town's staff, the community, and visitors alike.

That said, as an added layer of protection for the safety of all attending meetings in the Commission Chambers, the wearing of facial coverings or masks is required. Also, until further notice, Social distancing requirements and in-person meeting capacity limits remain in place. For those interested, Zoom Video Communications and telephone participation are offered.

The following information is guidance for preregistration for Zoom or telephone participation, and for viewing and providing public comments at the meeting:

### **ZOOM PARTICIPATION:**

**Online or Telephone Access** – Access to the meeting will begin on the date and time of the meeting.

- To Join Meeting: All interested persons **must preregister** to participate by contacting Town Clerk Lanelda Gaskins at [publiccomments@highlandbeach.us](mailto:publiccomments@highlandbeach.us) or by calling (561) 278-4548 no later than one (1) business day prior to the meeting date (**e.g. by 4:30 P.M. on a Monday if the meeting is scheduled for that Tuesday; and by 4:30 P.M.**).
- Meeting access information and instructions will be provided to those persons two hours prior to the meeting.
- The video camera display feature will only be enabled for Public Hearing Quasi-Judicial matters and during public comments only. The video camera display feature will be disabled for public use.

For additional information on using Zoom, please visit Zoom Support by clicking on the following link: <https://support.zoom.us/hc/en-us>.

**Viewing Only** - To view the meeting, preregistration is not required. The public can view the meeting on the following:

- Highland Beach TV Channel 99 online streaming on the Town's website and via Highland Beach YouTube at <https://www.youtube.com/channel/UCTAGr8WCa44Y3Q2Bb6UN2mw>.

### **PROVIDING PUBLIC COMMENT:**

Persons desiring to provide public comments must do so by one of the methods listed below. Public comments will be limited to five minutes (three minutes for special Commission meeting items only) per person during the designated section of the agenda. If an interested person desires to provide a written public comment, all comments must be directed to Lanelda Gaskins, Town Clerk as follows:

### **TO SEND COMMENTS IN ADVANCE VIA EMAIL:**

- To submit public comments, click on the link <https://mmportal6.teamunicode.com/> to go to the Agendas and Meeting webpage. At the top of the page click on “Public Comments” to submit your comments, or
- Submit your comments to [publiccomments@highlandbeach.us](mailto:publiccomments@highlandbeach.us).
- The Town will receive such public comments no later than two (2) hours prior to the meeting. If timely received, Town staff will read the public comment at the meeting.
- Live Zoom Video Participation - If attending via Zoom online, please follow Zoom instructions above. Once the meeting gets to the applicable public comment period, the host of the meeting will allow public participants (audio only) into the meeting from the waiting room, to provide live public comments.
- Live Zoom Telephone Participation - If attending via Zoom by telephone, please follow the instructions above. Once the meeting gets to the appropriate public comment period, the host of the meeting will allow public participants into the meeting from the waiting room, to provide live public comments.

Should you have any questions, please feel free to contact the Town Clerk’s Office at (561) 278-4548.

Published: 05.26.2021 / Updated 04.15.2022

# AGENDA

## PLANNING BOARD REGULAR MEETING



**Thursday, October 13, 2022 AT 9:30 AM**

**TOWN OF HIGHLAND BEACH, FLORIDA**

3614 S. OCEAN BOULEVARD

HIGHLAND BEACH, FL 33487

Telephone: (561) 278-4548

Website: [www.highlandbeach.us](http://www.highlandbeach.us)

### **TOWN HALL COMMISSION CHAMBERS**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF THE AGENDA**
5. **SWEARING IN OF THE PUBLIC**
6. **PUBLIC COMMENT** *(limited to five (5) minutes per speaker)*
7. **APPROVAL OF MINUTES**
8. **UNFINISHED BUSINESS**
9. **NEW BUSINESS**

A. August 11, 2022

A. Development Application No. 21-0015 / William R. Thomas

Application No 21-0015 by William R. Thomas, Unlimited Permit Services Inc., for a special exception approval to install a 500-square-foot dock for the property located at 1005 Russell Drive.

B. Development Application No. 22-0006 / David C. Joseph, Jr.

Application No 22-0006 by David C. Joseph, Jr. for a special exception approval to install a 10,000-pound capacity boat lift for a property located at 1100 Highland Beach Drive Apt. A.

**10. ANNOUNCEMENTS**

October 18, 2022 - 1:30 P.M. Town Commission Meeting

October 27, 2022 - 11:30 A.M. Financial Advisory Board Regular Meeting

November 10, 2022 - 9:30 A.M. Planning Board Regular Meeting

**11. ADJOURNMENT**

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*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 including testimony and evidence upon which the appeal is based. (State Law requires the above Notice. Any person desiring a verbatim transcript shall have the responsibility, at his/her own cost, to arrange for the transcript.) The Town neither provides nor prepares such record. There may be one or more Town Commissioners attending the meeting.*

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

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**File Attachments for Item:**

A. August 11, 2022



## TOWN OF HIGHLAND BEACH PLANNING BOARD REGULAR MEETING MINUTES

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

Date: August 11, 2022  
Time: 9:30 AM

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### 1. CALL TO ORDER

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

### 2. ROLL CALL

Member Brian DeMoss  
Member David Powell  
Member Harry Adwar  
Member Jason Chudnofsky  
Chairperson Eric Goldenberg  
Town Attorney Leonard Rubin  
Administrative Support Specialist Ganelle Thompson

### ABSENT

Member Roger Brown  
Vice Chairperson Mendelson

### ADDITIONAL STAFF PRESENT

Town Planner Ingrid Allen

### 3. PLEDGE OF ALLEGIANCE

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

### 4. APPROVAL OF THE AGENDA

**MOTION:** Demoss/Powell - Moved to approve the agenda as presented, which passed unanimously 5 to 0.

### 5. SWEARING IN OF THE PUBLIC

Ms. Thompson swore in those giving testimony.

## **6. PUBLIC COMMENT**

Mr. Timothy Routole of Coronado at Highland Beach provided comments about his appearance at an upcoming Town Commission meeting to discuss Planning Board Member Chudnofsky.

## **7. APPROVAL OF MINUTES**

A. May 12, 2022, Planning Board Meeting Minutes

**MOTION:** Adwar/Powell - Moved to approve May 12, 2022 Minutes, which passed unanimously 6 to 0.

## **8. UNFINISHED BUSINESS**

None.

## **9. NEW BUSINESS**

A. Amendment to a previously approved site plan (Application No. 39499) to add a corresponding landscape plan for the property located at 4005 South Ocean Blvd.

Chairperson Goldenberg read the title of Item 9.A. and asked the Board members if they had any ex parte communications to disclose? The Board members had no ex-parte communications. Chairperson Goldenberg opened the public hearing and called Town Planner Allen to present her recommendations regarding the application.

Town Planner Allen presented a PowerPoint Presentation of the Development Order depicting aerial photographs of the site plans, the property, the survey, and the proposed amendment to a previously approved site plan. The applicant is proposing landscaping in the Florida Department of Transportation (FDOT's) right-of-way. This triggers an amendment to the agreement between the Town of Highland Beach and the Florida Department of Transportation for Landscape Inclusive Maintenance Memorandum of Agreement for the purpose of maintaining landscape improvements on State Road A1A (South Ocean Boulevard).

Ms. Allen advised that if the request receives the Planning Board's approval, the item will go before Commission on September 6, 2022, Town Commission Meeting where a resolution to execute such an Agreement will be considered by the Town Commission. Staff recommends approval of the proposed landscape plan based on the plan set date stamped received by the Building Department on July 22, 2022.

Chairperson Goldenberg asked the Board members if they had any questions. Hearing no further comments, Chairperson Goldenberg closed the public hearing and asked for a motion.

**MOTION:** Powell/DeMoss - Moved to approve the amendment to a previously approved site plan (Application No. 39499) to add a corresponding landscape plan for the property located at 4005 South Ocean Blvd. Upon roll call, Members Powell (Yes), Demoss (yes), Adwar (Yes), Chudnofsky (Yes), and Chairperson Goldenberg (Yes). The motion passed on a 5 to 0 vote.

Town Planner Allen provided an update to the Board concerning the accessory Marine facility meetings.

## **10. ANNOUNCEMENTS**

Chairperson Goldenberg read the announcements as follows:

August 16, 2022 - 1:30 P.M. Town Commission Meeting

August 25, 2022 - 12:00 P.M. Town Commission Special Meeting

September 06, 2022 - 1:30 P.M. Town Commission Meeting

September 06, 2022 - 5:01 P.M. Town Commission Special First Public Hearing Budget Meeting

September 08, 2022 - 9:30 A.M. Planning Board Regular Meeting

September 13, 2022 - 1:00 P.M. Code Enforcement Board Regular Meeting

September 21, 2022 - 5:01 P.M. Town Commission Special Second Public Hearing Budget Meeting

**11. ADJOURNMENT**

The meeting adjourned at 9:47 A.M.

**APPROVED** at the October 13, 2022, Planning Board Regular Meeting

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Eric Goldenberg, Chairperson

**ATTEST:**

Transcribed by: Ganelle Thompson

October 13, 2022

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Ganelle Thompson  
Administrative Support Specialist

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 Application No. 21-0015 / William R. Thomas

Application No 21-0015 by William R. Thomas, Unlimited Permit Services Inc., for a special exception approval to install a 500-square-foot dock for the property located at 1005 Russell Drive.



## HIGHLAND BEACH BUILDING DEPARTMENT

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

## PLANNING BOARD STAFF REPORT

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**MEETING OF:**       **October 13, 2022**

**TO:**                   **PLANNING BOARD**

**FROM:**             **INGRID ALLEN, TOWN PLANNER**

**SUBJECT:**         **APPLICATION BY WILLIAM R. THOMAS, UNLIMITED PERMIT SERVICES INC., FOR A SPECIAL EXCEPTION APPROVAL TO INSTALL A 500 SQUARE FOOT DOCK FOR THE PROPERTY LOCATED AT 1005 RUSSELL DRIVE. (DO #21-0015).**

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### I. GENERAL INFORMATION:

**Applicant (Property Owner):**       Villa Del Alto Property Owners  
1005 Russell Drive  
Highland Beach, Fl. 33487

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

**Property Characteristics:**

**Comprehensive Plan Land Use:**   Multi Family Low Density  
**Zoning District:**                 RML, Residential Multiple Family Low Density  
**Parcel PCN#:**                   24-43-47-04-03-000-0231

**Request and Analysis:**

The Applicant is proposing to install a 500 square foot dock at the property located at 1005 Russell Drive. According to the Applicant's property survey, the proposed dock will replace an existing 430.5 square foot dock. Note that the plan set submitted by the Applicant provides for a proposed

deck located on the property. These deck details are for references purposes only given the deck's proximity to the proposed dock. While the proposed deck does require a building permit, it does not require Planning Board approval given it is not an accessory marine facility as defined in Section 30-68(g).

The Applicant has obtained both Florida Department of Environmental Protection (FDEP) and US Army Corps of Engineers (ACOE) authorization for the proposed dock. The corresponding file numbers for each agency are provided in the table below.

<b>FDEP (FILE NO.)</b>	<b>ACOE (FILE NO.)</b>
50-0294283-003,004-EE	SAJ-2021-02182(NW/GP-PRC)

Both the FDEP and ACOE authorizations include the installation of a 300 linear foot seawall cap; however, the special exception application (DO #21-0015) and corresponding plan set submitted to the Town, do not include such proposed seawall cap. Any future request for a seawall cap, will require Planning and Board approval pursuant to Section 30-67 of the Town Code. Section 30-68(h)(1)a. of the Town Code, states that the installation of a dock shall be subject to special exception approval by the Planning Board at an advertised public hearing. Note that according to Section 30-68(g)(6)d.2. of the Town Code, accessory marine facilities (which includes docks) located in the multifamily zoning districts are exempt from side yard setback requirements.

Section 30-36(a) of the Town code states that if the Planning Board is the final authority on the special exception, then it shall approve, approve with conditions, or deny the application. Staff has reviewed the Applicant's proposed request and finds that the project is consistent with the Zoning Code (Chapter 30) including the special exception criteria of Section 30-36, were applicable, and the Town Comprehensive Plan.

Following an approval by the Planning Board and prior to initiation of construction, the Applicant will be required to obtain a building permit 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.

## **II. Recommendation**

Staff recommends approval of the installation of a 500 square foot dock at the property located at 1005 Russell Drive based on the plans date stamped received by the Building Department on September 21, 2022:

### **The Applicant's proposed request:**

☒ **Meets Town of Highland Beach Zoning and other governmental agencies requirements.**



- ☐ **Meets Town of Highland Beach Zoning requirements; however, approvals are pending before the Town of Highland Beach will issue permits, with other governmental agencies as listed:**
- ☐ **Does not meet Town of Highland Beach Zoning requirements.**

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

**Attachments: Application  
Aerials  
FDEP approval  
ACOE approval  
HOA approval  
Applicant Plans**



## TOWN OF HIGHLAND BEACH DEVELOPMENT APPROVAL APPLICATION

Application # \_\_\_\_\_

I request a hearing regarding the terms of the Zoning Ordinances of the Town of Highland Beach. This request relates to the property and zoning requirements set forth in this application.

PROPERTY INFORMATION ASSOCIATED WITH THIS APPLICATION	
Address: 1005 Russell Dr.	PCN: 244347 04030000231
Full Legal Description of the Property [as described in the deed] or reference to an attachment: Highland Beach Isles Lot 23 + 24 KA COMMON PROPERTY	
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: Villa Del Alto prop owner	Phone: 561-441-4988 Fax:
Mailing Address: 1005 Russell Dr #4 Highland Bch, Fl 33487	
Email Address: wolftick@aol.com	

APPLICANT'S AGENT INFORMATION	
Name: Bill Thomas	Phone: 954-532-0129 Fax:
Company Name: Unlimited Permut Svc	
Mailing Address: 902 NE 1 St #2 Pompano Bch, Fl 33060	
Email Address: williamr@unlimitedps.net	

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

12'5" x 4' composite Dock 17' x 13' composite Deck

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 Board procedures and application requirements. With this application, I am submitting the necessary supporting materials listed.

XXXXX

Applicant's Signature: Jerry A. Wolff Date: 2/22/21

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*Received by the Town Clerk's Office:*

Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Date Public Notices Mailed: \_\_\_\_\_

Date Legal Advertisement Published: \_\_\_\_\_



# TOWN OF HIGHLAND BEACH

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

## AUTHORIZED AGENT AFFIDAVIT

I, Jerry A. Wolff, the Property owner, hereby grant authorization to William Thomas, 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 Jerry A. Wolff, 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.

Jerry A. Wolff  
Signature of Property Owner

[Signature]  
Signature of Authorized Agent

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

Notary for Property Owner Signature:

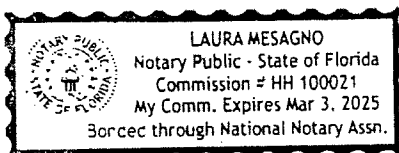
State of Florida

County of Broward

The foregoing was acknowledged before me this 12 day of Mar, 2021,  
by \_\_\_\_\_,  
who is personally known to me, or who produced DL 440-44-49-46-5  
as identification.

Laura Mesagno  
Notary Public Signature

Laura Mesagno  
Print, Type, or Stamp Name of Notary



Notary for Authorized Agent's Signature:

State of Florida

County of Broward

The foregoing was acknowledged before me this 9 day of Dec, 2021,  
by William Thomas who is personally known to me, or who produced \_\_\_\_\_  
as identification.

Christine M. Calcanes  
Notary Public Signature

Christine Calcanes  
Print, Type, or Stamp Name of Notary



CHRISTINE M. CALCANES  
Commission # GG 939048  
Expires January 9, 2024  
Bonded Thru Budget Notary Services

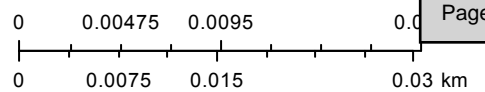
# 1005 Russell Drive



September 27, 2022

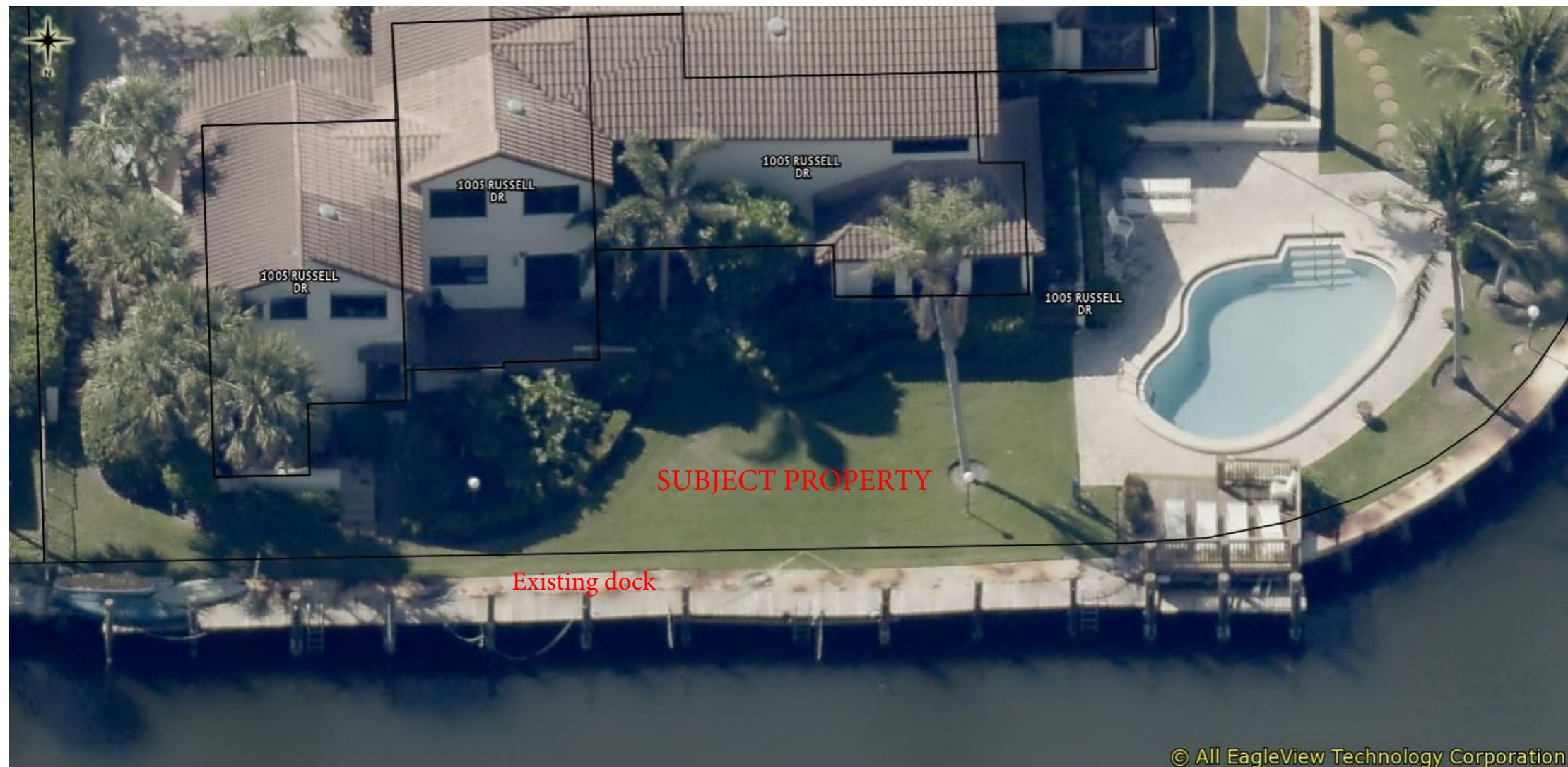
Palm Beach County  
None

1:576





# 1005 Russell Drive





# 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**  
Interim Secretary

July 22, 2021

Jerry Wolff  
1005 Russell Drive  
Highland Beach, FL 33487  
Sent via e-mail: [wolftick@aol.com](mailto:wolftick@aol.com)

Re: File No.: 50-0294283-003,004-EE  
File Name: Jerry Wolff

Dear Jerry Wolff:

On June 21, 2021, we received your request for verification of exemption to perform the following activities: 1) replace an existing 430 sq. ft dock with a new 500 sq. ft. dock, and 2) install a seawall cap. The project is located in a man-made canal, Class III Waters, adjacent to 1005 Russell Drive, Highland Beach (Section 4, Township 47 South, Range 43 East), in Palm Beach County (Latitude N 26° 23' 45.15", Longitude W 80° 4' 10.92").

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

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

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

If you have any questions regarding this matter, please contact Alexander Brockett at the letterhead address or at 561-681-6714, [Alexander.Brockett@FloridaDEP.gov](mailto:Alexander.Brockett@FloridaDEP.gov).

### **1. Regulatory Review – VERIFIED**

Based on the information submitted, the Department has verified that the activities as proposed are exempt, under Chapter 62-330.051(5)(b) and (12)(d), Florida Administrative Code, (F.A.C.), 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 appear to be located on sovereign submerged lands, and does not require further authorization under chapter 253 of the Florida Statutes, or chapters 18-20 or 18-21 of the Florida Administrative Code.

### **3. Federal Review - NOT APPROVED**

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

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

### **Additional Information**

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

### **NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing



process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

#### Petition for Administrative Hearing

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

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

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at [Agency\\_Clerk@dep.state.fl.us](mailto: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](mailto: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 Orlando, Florida.

## STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Danielle Sattelberger  
Environmental Manager  
Southeast District

### Enclosures:

Attachment A- Specific Exemption Rule  
Project drawings, 7 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 Sattelberger, Alexander Brockett  
Kathy Cartier, Unlimited Permit Services Inc., [kathyc@unlimitedps.net](mailto:kathyc@unlimitedps.net)

### Additional mailings:

Matt Mitchell, Palm Beach County, Environmental Resources, [mmitchell@pbcgov.org](mailto: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.

  
Clerk

July 22, 2021  
Date

## Attachment A

### 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., as applicable.

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

(b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers and recreational docking facilities, in accordance with section 403.813(1)(b), F.S. This includes associated structures such as boat shelters, boat lifts, and roofs, provided:

1. The cumulative square footage of the dock or pier and all associated structures located over wetlands and other surface waters does not exceed the limitations in section 403.813(1)(b), F.S.;

2. No structure is enclosed on more than three sides with walls and doors;

3. Structures are not used for residential habitation or commercial purposes, or storage of materials other than those associated with water dependent recreational use; and

4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

(12) Construction, Replacement, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –

(d) Installation of batter piles, king piles, or a seawall cap, used exclusively to stabilize and repair seawalls, provided they do not impede navigation.

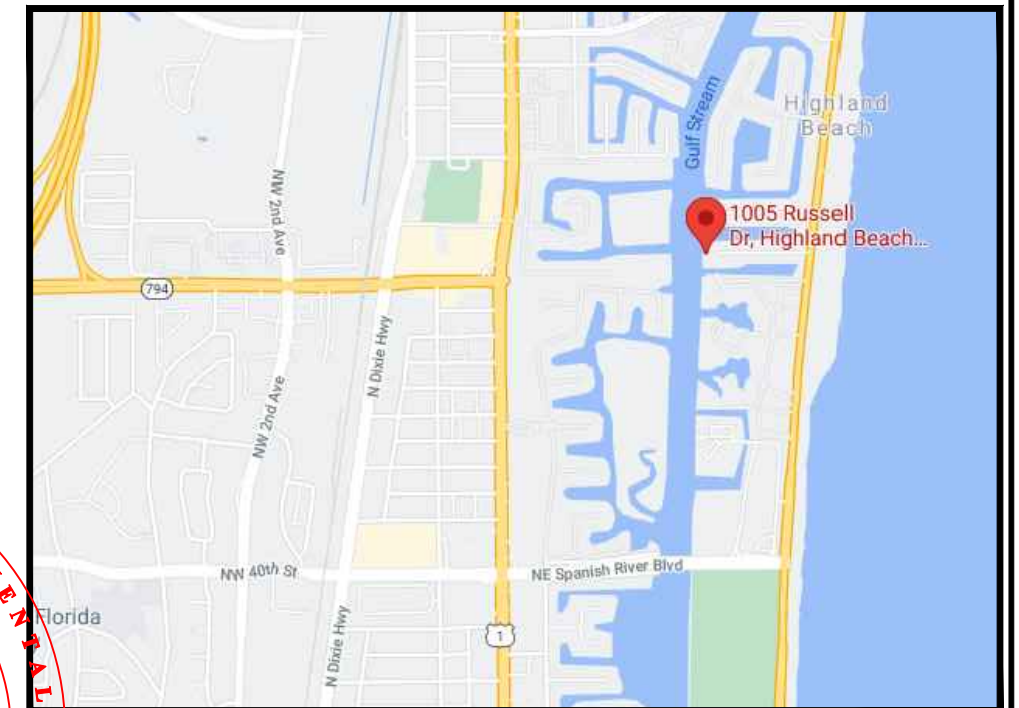
*Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History—New 10-1-13, Amended 6-1-18*

INTRACOASTAL WATERWAY

CANAL  
(150' R/W)

See attached survey supplied by  
owner for exact property information.

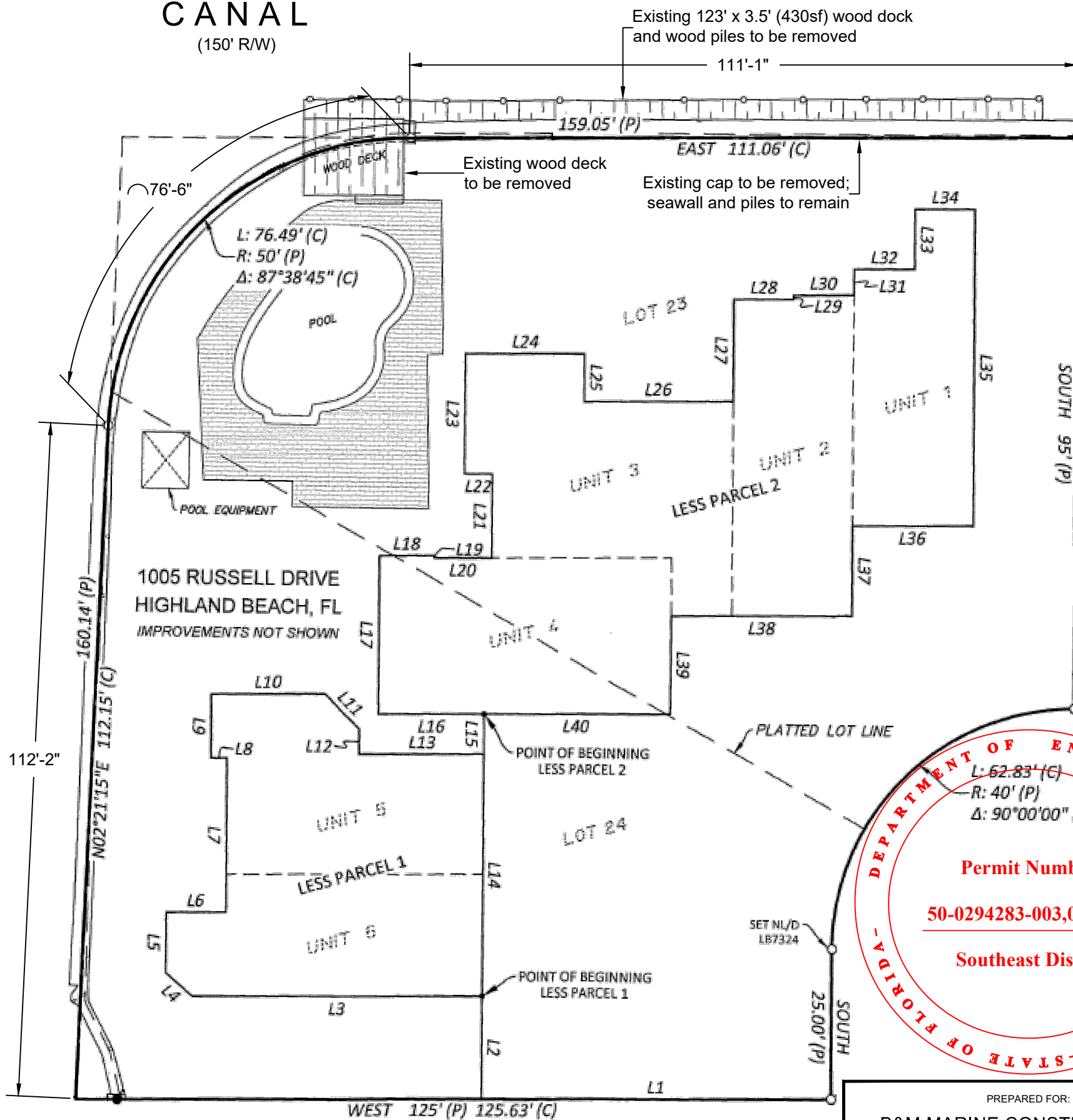
Location Address 1005 RUSSELL DR 4  
Municipality HIGHLAND BEACH  
Parcel Control Number 24-43-47-04-03-000-0235  
Subdivision HIGHLAND BEACH ISLES IN  
Official Records Book 06515 Page 0122  
Sale Date JUL-1990  
Legal Description HIGHLAND BEACH ISLES TH PT OF LTS 23 & 24 AS IN  
OR3012P612 K/A UNIT 4 OF VILLA DEL ALTO



Location Map

Existing Site Plan

Scale: 1" = 20'



DEPARTMENT OF ENVIRONMENTAL PROTECTION  
STATE OF FLORIDA  
Permit Number  
50-0294283-003,004-EE  
Southeast District

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

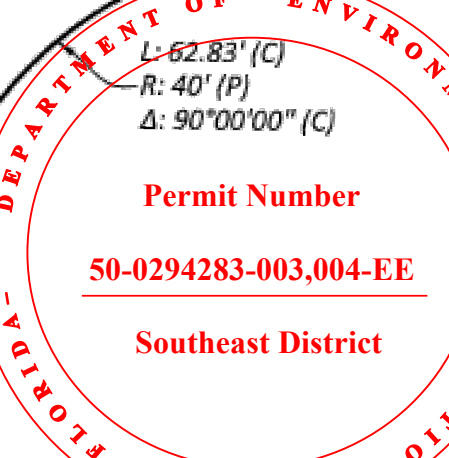
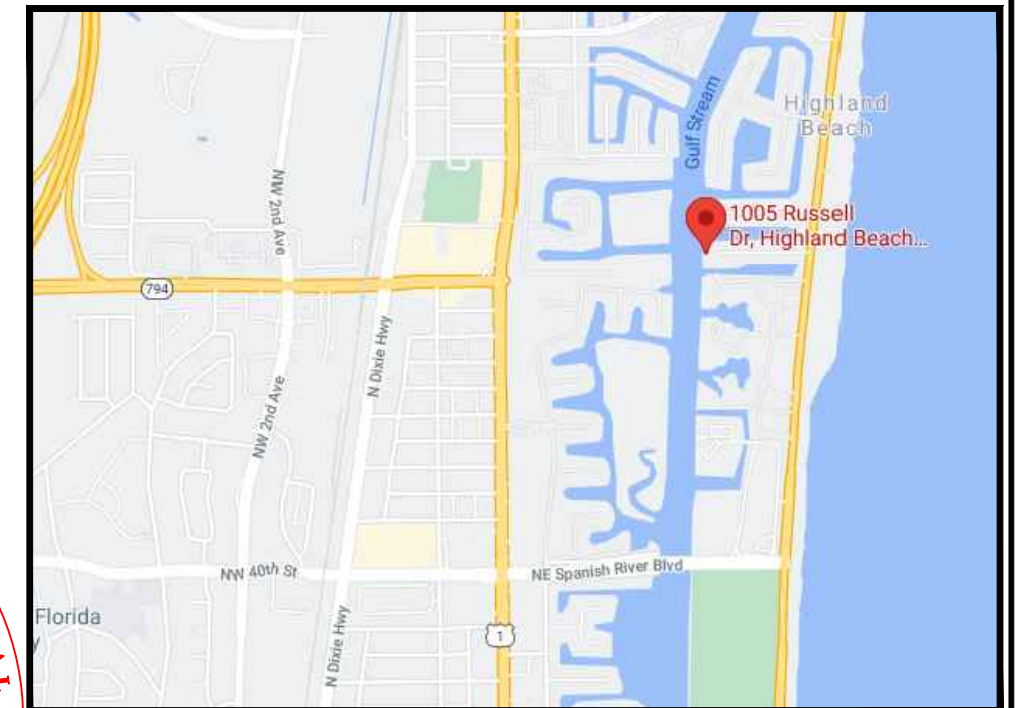
Project:  
Proposed Dock / Seawall Repair  
Jerry Wolff  
1005 Russell Drive  
Highland Beach, Florida 33487

Sheet 1 of 6

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



**Location Address** 1005 RUSSELL DR 4  
**Municipality** HIGHLAND BEACH  
**Parcel Control Number** 24-43-47-04-03-000-0235  
**Subdivision** HIGHLAND BEACH ISLES IN  
**Official Records Book** 06515 **Page**0122  
**Sale Date** JUL-1990  
**Legal Description** HIGHLAND BEACH ISLES TH PT OF LTS 23 & 24 AS IN  
OR3012P612 K/A UNIT 4 OF VILLA DEL ALTO

The seal of the Florida Department of Environmental Protection is a large red circle. The words "FLORIDA" and "DEPARTMENT OF ENVIRONMENTAL PROTECTION" are written in red capital letters around the inner edge of the circle. In the center of the seal, the text "Permit Number" is written in red. Below it, the permit number "50-0294283-003,004-EE" is written in red and underlined. Below the permit number, the text "Southeast District" is written in red. To the left of the seal, the text "LINE" is visible in black. Inside the seal, there is a small diagram of a circular arc with three points labeled L, R, and Δ. The text "L: 62.83' (C)" is next to point L, "R: 40' (P)" is next to point R, and "Δ: 90°00'00\" (C)" is next to point Δ.

Project:  
Proposed Dock / Seawall Repair  
Jerry Wolff  
1005 Rusell Drive  
Highland Beach, Florida 33487

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LICENSE #53895 | CA 30702

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Page 26

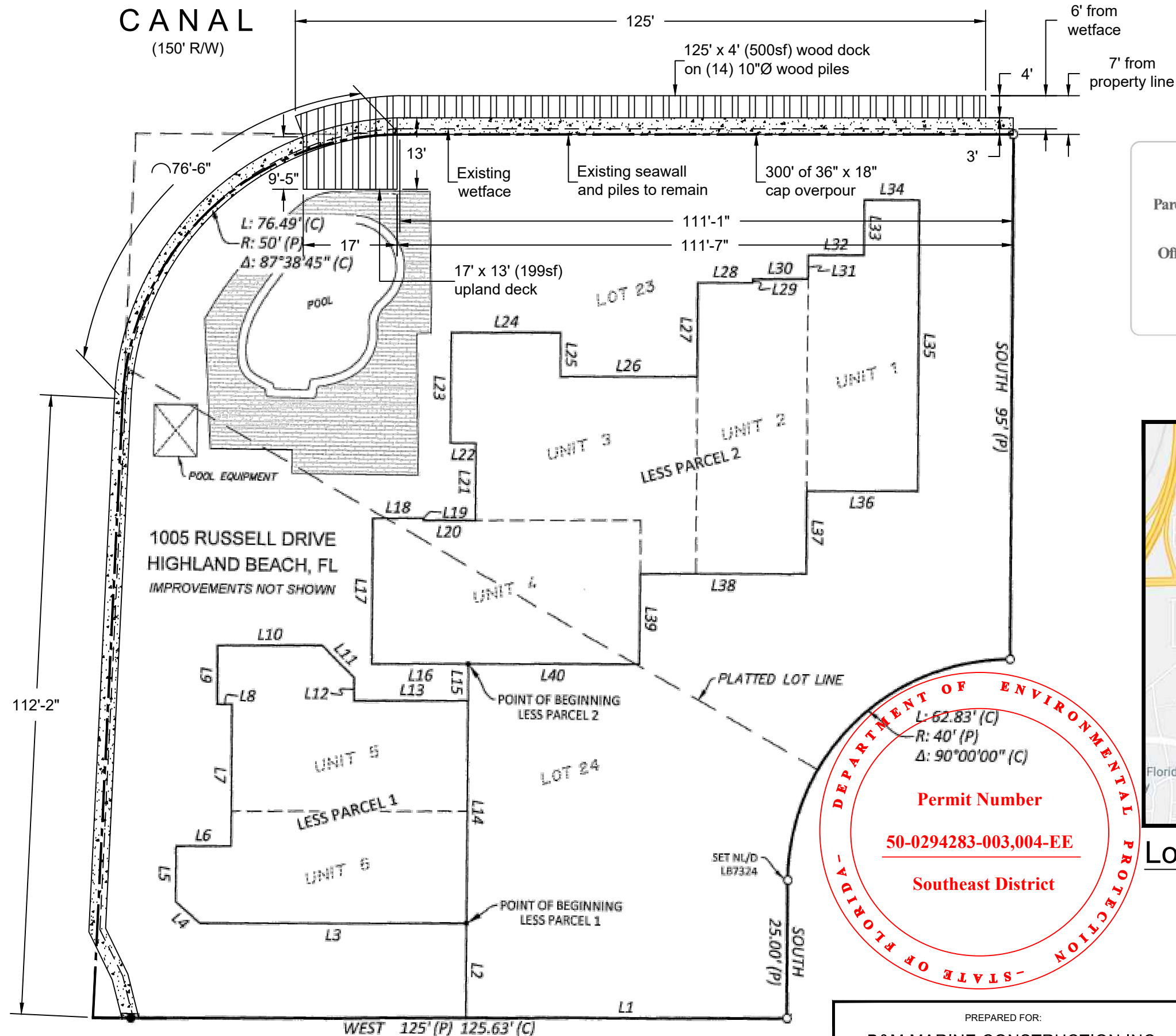
Sheet 2 of 6

(150' R/W)

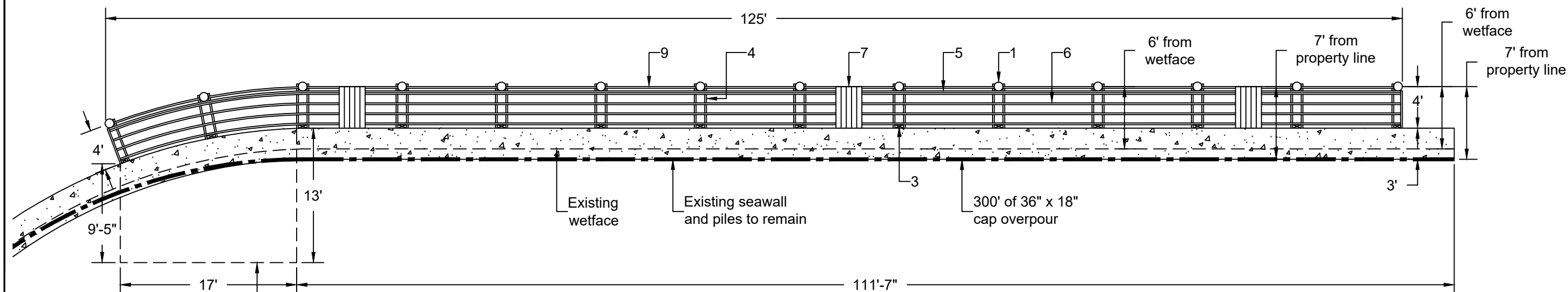
# INTRACOASTAL WATERWAY

## Proposed Site Plan

Scale: 1" = 20'



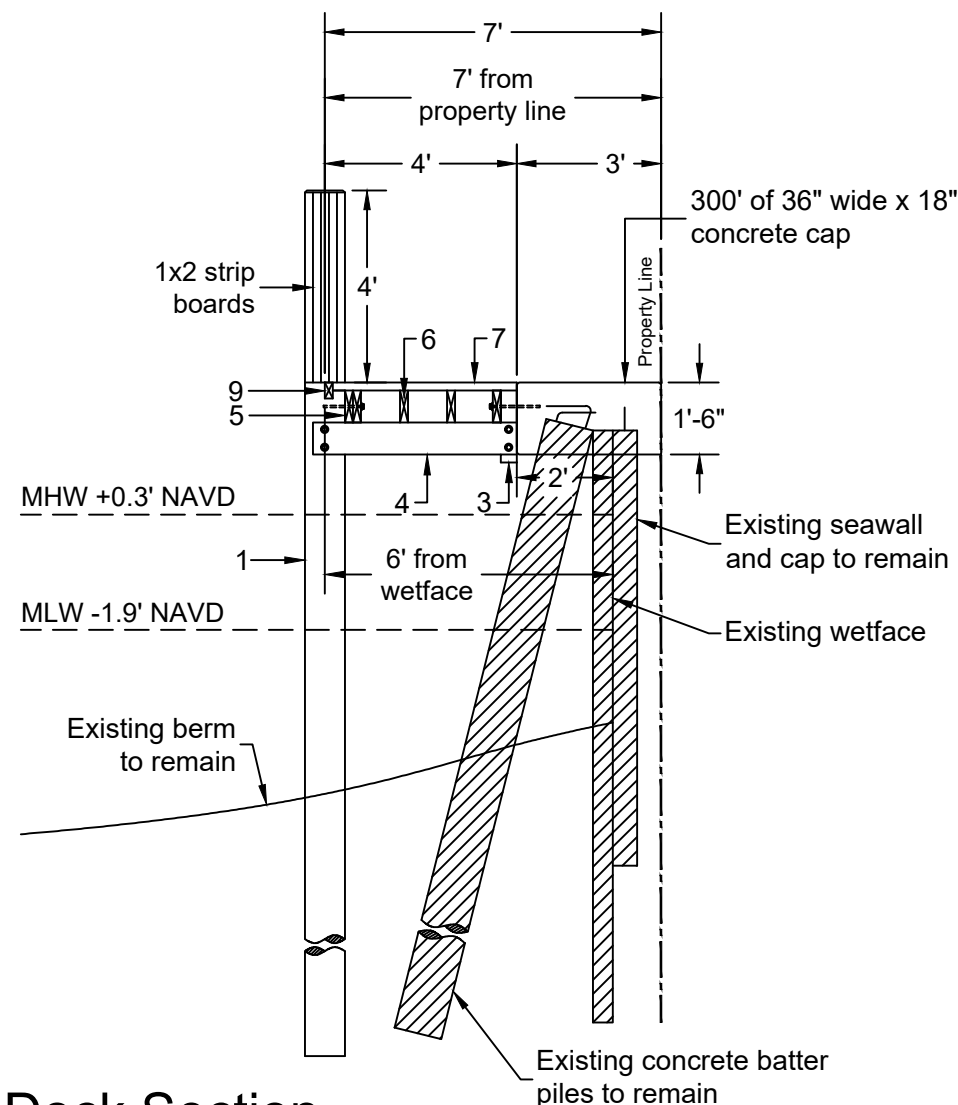




## Overall Plan View

Scale 1"= 10'-0"

See framing plan and section @ sheet "5 of 6"

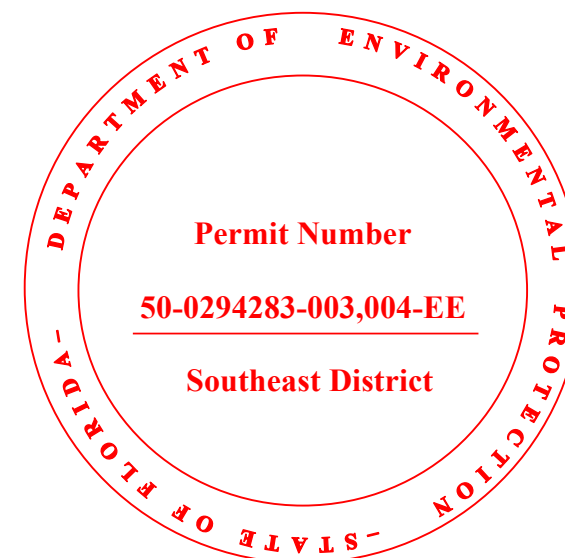


## Dock Section

Scale 1/4"= 1'-0"

### DOCK NOTE IDENTIFICATION:

1. New 10"Ø wood piles
2. Not used
3. 4" x 10" hanger to cap with (1) 5/8" wedge anchor, min. 4" embedment
4. 2" x 8" substringer with (2) 5/8" thru bolt or lag bolt @ piles and hangers
5. (2) 2" x 8" stringers @ pilings with (1) 5/8" thru bolt or lag bolt to piles
6. 2" x 8" stringers w/ (2) 16d nails to each substringer; @ 16" o.c. for azek deckboards or 24" o.c. for pressure treated wood deckboards
7. 5/4" x 6" Tan deck "HDPE" with (2) #8 x 3" deck screws per stringer
8. 2" x 8" fascia board
9. 2" x 4" wood trim
10. 2x4 continuous sleepers with 1/2"Ø wedge anchors @ 36" o.c. into new seawall cap, minimum embedment = 4"
11. 4x4 posts set in 18"Ø x 24" deep earth formed with redi mix type concrete
12. 2" x 6" joists with (1) 5/8" thru bolt or lag bolt @ 4x4 posts



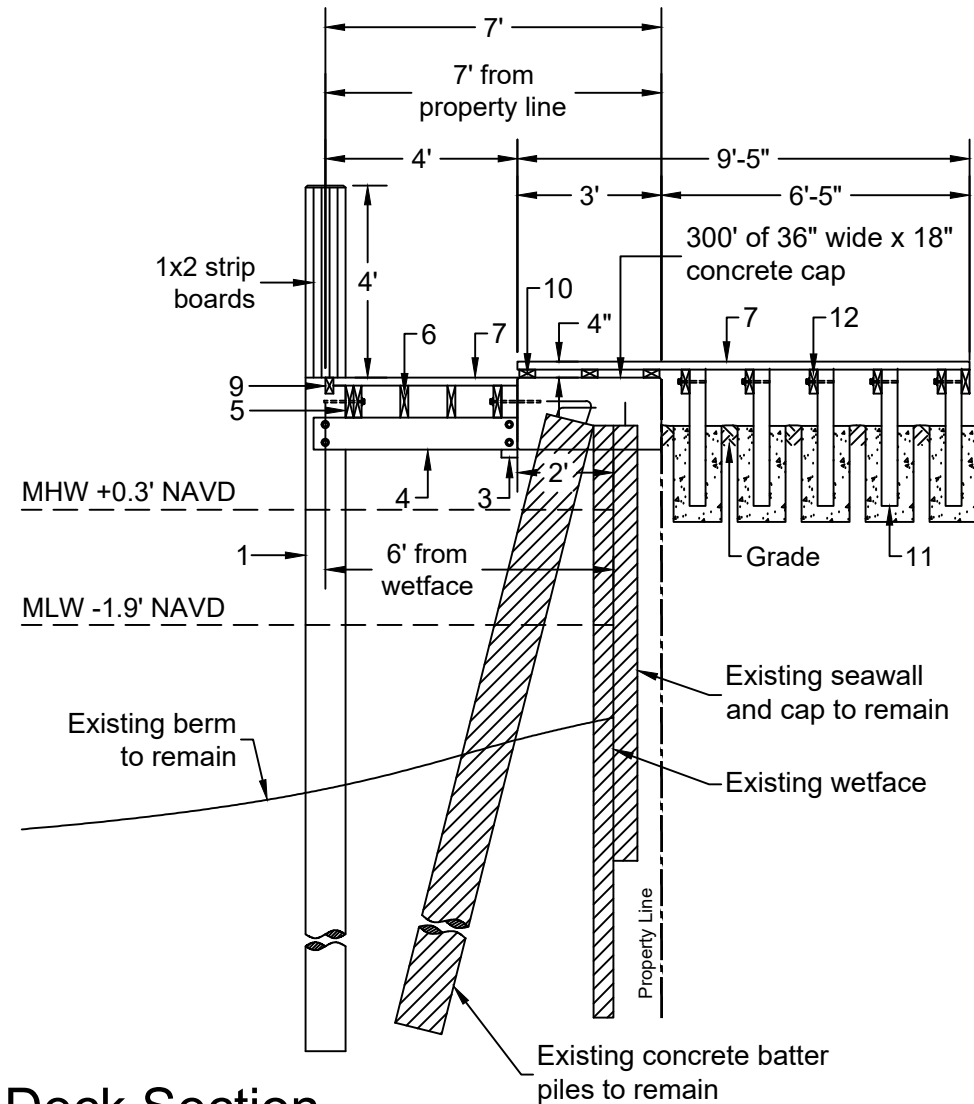
Sheet 4 of 6

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

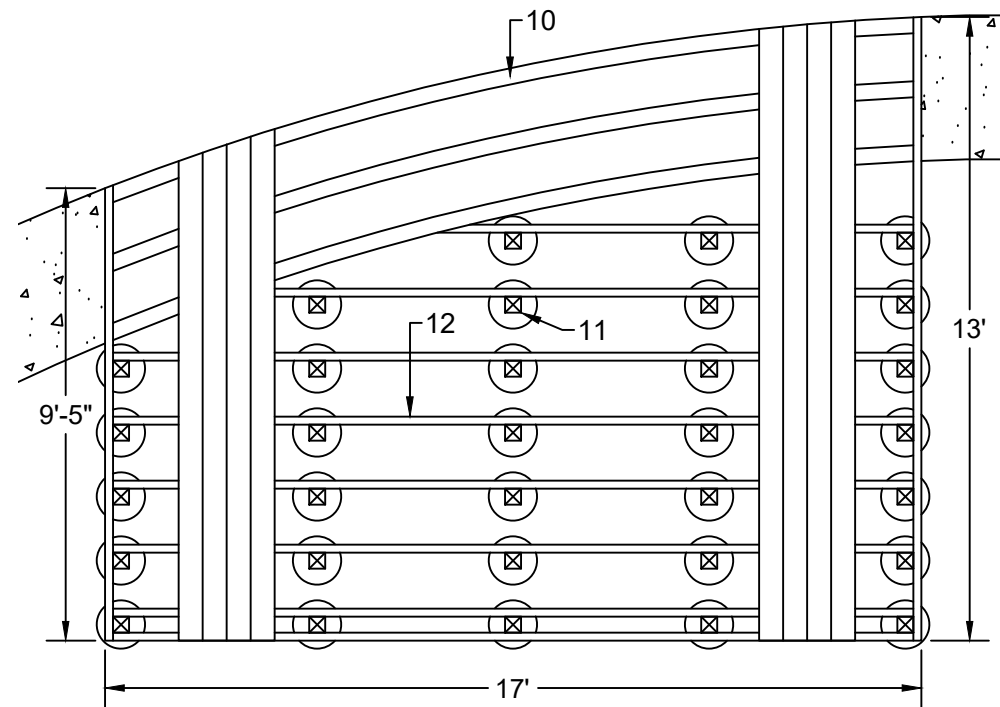
Project:  
Proposed Dock / Seawall Repair  
Jerry Wolff  
1005 Rusell Drive  
Highland Beach, Florida 33487

MARK E. WEBER, P.E.  
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MW ENGINEERING, INC  
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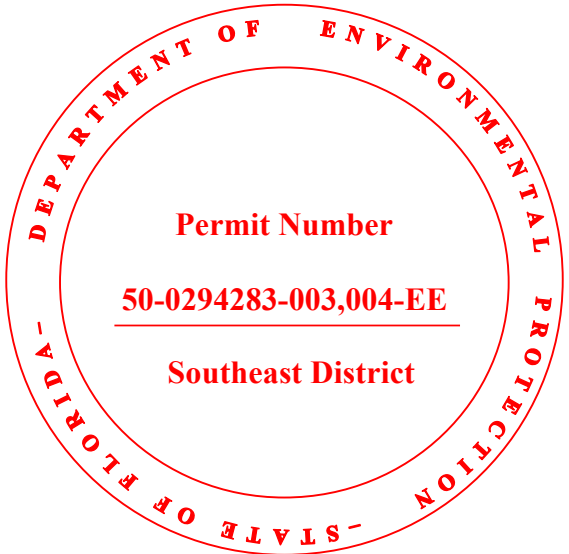


**Deck Section**  
Scale 1/4" = 1'-0"



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

- DOCK NOTE IDENTIFICATION:**
1. New 10"Ø wood piles
  2. Not used
  3. 4" x 10" hanger to cap with (1) 5/8" wedge anchor, min. 4" embedment
  4. 2" x 8" substringer with (2) 5/8" thru bolt or lag bolt @ piles and hangers
  5. (2) 2" x 8" stringers @ pilings with (1) 5/8" thru bolt or lag bolt to piles
  6. 2" x 8" stringers w/ (2) 16d nails to each substringer; @ 16"o.c. for azek deckboards or 24"o.c. for pressure treated wood deckboards
  7. 5/4" x 6" Tan deck "HDPE" with (2) #8 x 3" deck screws per stringer
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  11. 4x4 posts set in 18"Ø x 24" deep earth formed with redi mix type concrete
  12. 2" x 6" joists with (1) 5/8" thru bolt or lag bolt @ 4x4 posts

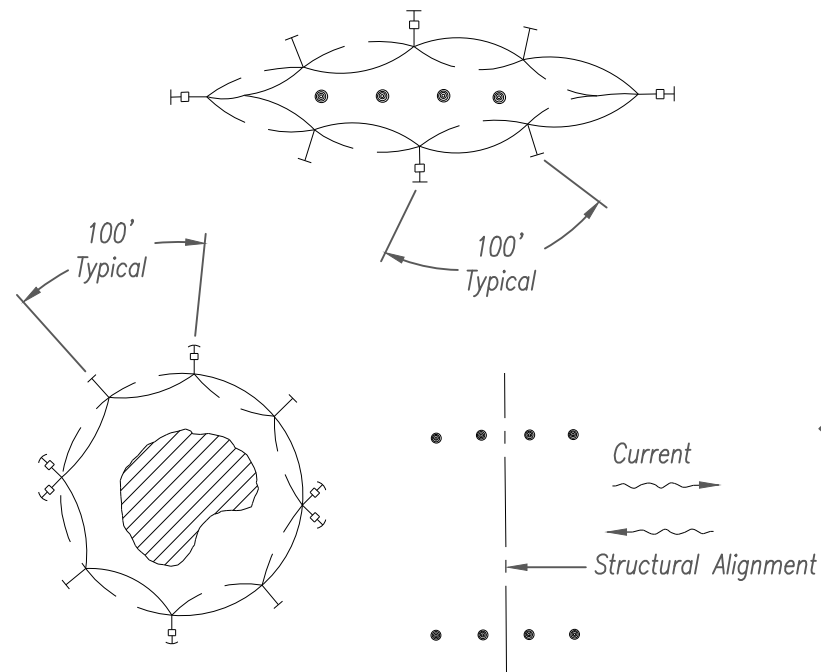
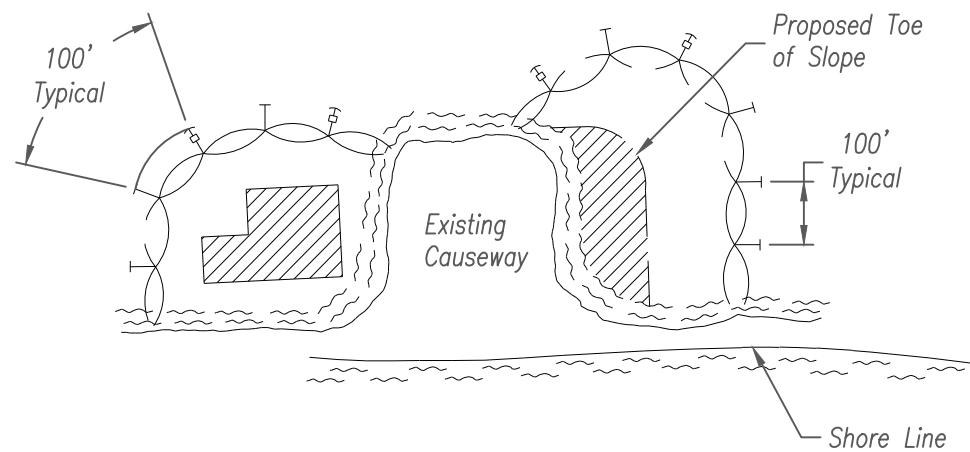


Sheet 5 of 6

<p>PREPARED FOR:</p> <p><b>B&amp;M MARINE CONSTRUCTION INC</b> 1211 South Military Trail, Suite 200 Deerfield Beach, Florida 33442 (954) 421-1700</p>	<p><b>Project:</b> Proposed Dock / Seawall Repair Jerry Wolff 1005 Rusell Drive Highland Beach, Florida 33487</p>
---	---

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

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902 NE 1 Street Suite #2  
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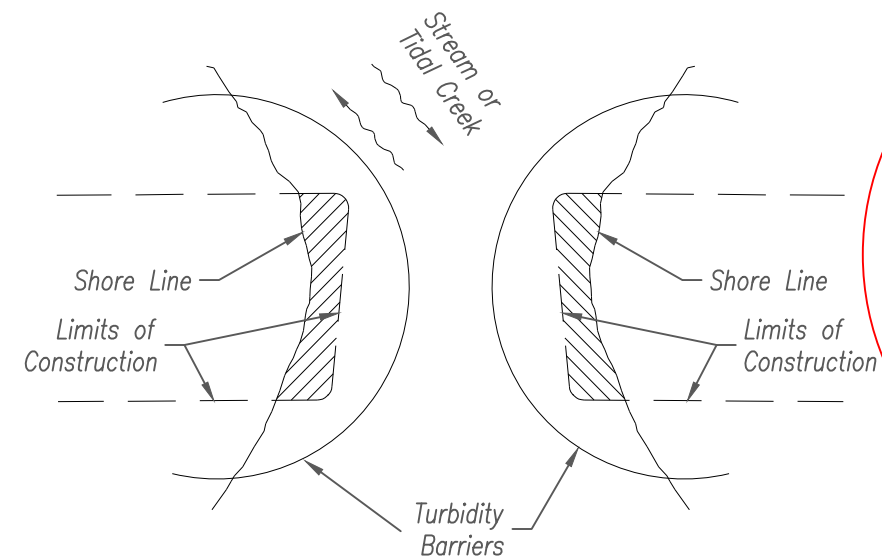


#### LEGEND

- Pile Locations
- Dredge or Fill Area
- Mooring Buoy with Anchor
- Anchor
- Barrier Movement Due To Current Action

#### NOTES:

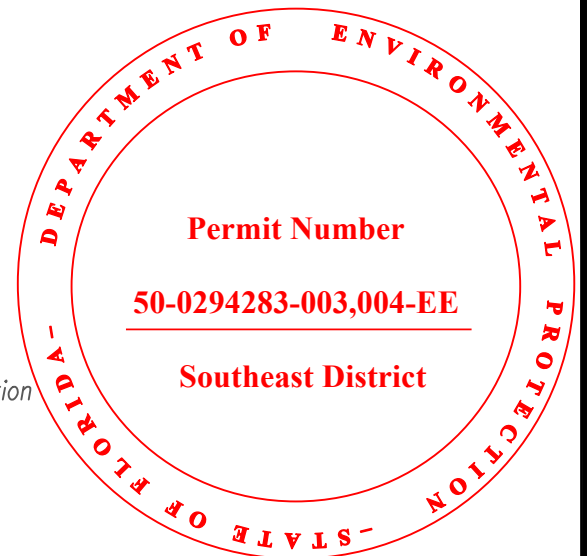
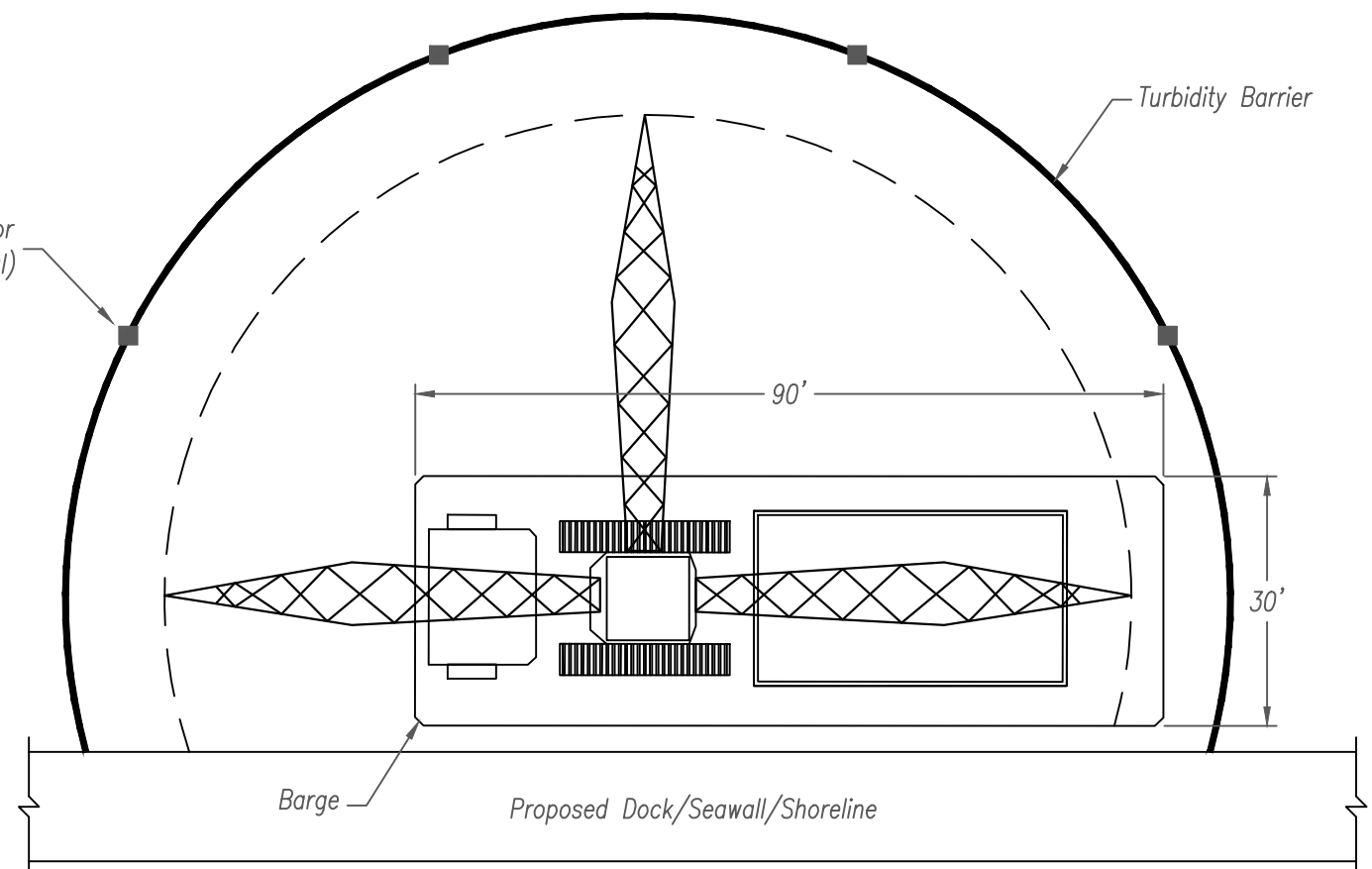
1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
2. Number and spacing of anchors dependent on current velocities.
3. Deployment of barrier around pile locations may vary to accommodate construction operations.
4. Navigation may require segmenting barrier during construction operations.
5. For additional information see Section 104 of the Standard Specifications.



#### NOTE:

Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractors option unless otherwise specified in the plans, however payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and/or Staked Turbidity Barrier. Posts in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer of Record.

Stake or Anchor every 100' (typical)



## TURBIDITY BARRIER APPLICATIONS

GENERAL NOTES:

1. Construction to follow the Florida Building Code 7th Edition (2020) 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 required capacity (min. 10 tons) 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.

CONCRETE NOTES:

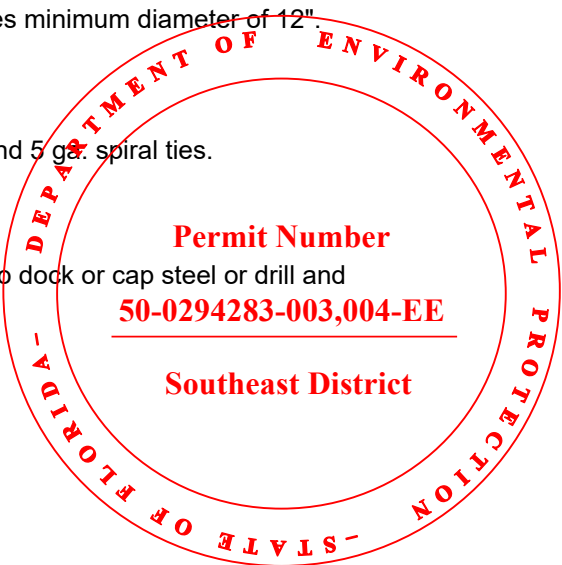
1. Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
6. Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
7. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of expoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

1. Wood piles to be 2.5 lb. CCA treated in accordance with AWWPA standard C18.
2. Wood piles shall be a minimum diameter of 10", Miami Dade County requires minimum diameter of 12".
3. Concrete piles shall attain 6000 psi compressive strength in 28 days.
4. Concrete piles shall be reinforced with four -  $\frac{7}{16}$ "Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
5. Concrete piles shall be 12"x12" square, minimum length of 20'.
6. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 8"x12" hook bars 6" into pile.

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.



Sheet 6 of 6

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

Project:  
Proposed Dock / Seawall Repair  
Jerry Wolff  
1005 Rusell Drive  
Highland Beach, Florida 33487

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

**From:** [Clune, Patricia R CIV USARMY CESAJ \(USA\)](#)  
**To:** [Ingrid Allen](#)  
**Subject:** RE: SAJ-2021-02182 (NW/GP-PRC)  
**Date:** Tuesday, September 27, 2022 2:37:27 PM  
**Attachments:** [image001.png](#)

---

That is a typo, the permit is good until March 2023 and they have a year after that to complete the work if they have the work under contract.

Patricia Clune  
Project Manager  
U.S. Army Corps of Engineers  
4400 PGA Boulevard, Suite 500  
Palm Beach Gardens, Florida 33410  
Office: 561-472-3536  
Cell: 561-768-5944  
Email: [Patricia.R.Clune@usace.army.mil](mailto:Patricia.R.Clune@usace.army.mil)

---

**From:** Ingrid Allen <[iallen@highlandbeach.us](mailto:iallen@highlandbeach.us)>  
**Sent:** Tuesday, September 27, 2022 2:30 PM  
**To:** Clune, Patricia R CIV USARMY CESAJ (USA) <[Patricia.R.Clune@usace.army.mil](mailto:Patricia.R.Clune@usace.army.mil)>  
**Subject:** [URL Verdict: Neutral][Non-DoD Source] FW: SAJ-2021-02182 (NW/GP-PRC)

Ms. Clune:

The above-referenced authorization expired on March 18, 2022. The property owner is no longer repairing a 300 linear foot seawall cap; however, they are proceeding with the construction of a 500 sq ft dock. Does the applicant need to seek a brand new authorization or can they submit to extend their expired authorization? Given they did already go through the process, will a new authorization (if required) be expedited? Kindly advise.



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](http://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.



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
4400 PGA BOULEVARD, SUITE 500  
PALM BEACH GARDENS, FLORIDA 33410

December 2, 2021

Regulatory Division  
South Branch  
Palm Beach Gardens Section  
SAJ-2021-02182 (NW/GP-PRC)

Jerry Wolff  
1005 Russell Dr  
Highland Beach, FL 33487  
Sent via email: kathyc@unlimitedps.net

Dear Mr. Wolff:

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit, which the Corps received on July 8, 2021. Your application was assigned file number SAJ-2021-02182 (NW/GP-PRC). A review of the information and drawings provided indicates that the proposed work would result in the repair of 300 linear feet of seawall cap, removal of the existing dock and construction of a 125' x 4', 2-slip, multifamily marginal wood dock. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located in a residential canal at 1005 Russell Dr, in Section 4, Township 47 South, Range 43 East, Highland Beach, Palm Beach County, Florida (26.395694, -80.069655).

The aspect of your project involving the seawall cap, as depicted on the attached drawings, is authorized by Nationwide Permit 13 (NWP-13), Shoreline Stabilization, which became effective on March 19, 2017 (82 FR 1860, January 6, 2017). This verification is valid until **March 18, 2022**. In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the Nationwide Permit General Conditions, the Jacksonville District Regional Conditions, and the General and Project-Specific Special Conditions listed below. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP. Alternatively, you can access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory Source Book web page for links to view Nationwide Permit information at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>. Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there you will need to select "Source Book"; and, then select "Nationwide Permits."

These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this NWP verification.

The aspect of your project involving the removal of an existing dock and the construction of a 125' x 4' dock, as depicted on the attached drawings, as depicted on the attached drawings, is authorized by Regional General Permit (RGP) SAJ-33 and its subsequent modifications, if applicable. This RGP authorization is valid until March 27, 2023. Please access the Corps' Jacksonville District Regulatory Division Source Book webpage to view the special and general conditions for SAJ-33, which apply specifically to this authorization. The Internet URL address is: <http://www.saj.usace.army.mil/Missions/Regulatory.aspx>. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there select "Source Book"; and, then select "General Permits." Then you will need to select the specific SAJ permit noted above.

**You must comply with ALL the NWP and RGP general, special, and/or regional Conditions, attached and/or incorporated by reference, and the Project Specific Special Conditions and General Conditions, listed below, or you may be subject to enforcement action.**

**Project Specific Special Conditions:**

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

1. **Reporting Addresses:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

a. For electronic mail (preferred): [SAJ-RD-Enforcement@usace.army.mil](mailto:SAJ-RD-Enforcement@usace.army.mil) (not to exceed 15 MB).

b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Special Projects and Enforcement Branch, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida 33410.

The Permittee shall reference this DA permit number, SAJ-2021-02182(NW/GP-PRC), on all submittals.

2. **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).



### **3. Cultural Resources/Historic Properties:**

a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures 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 and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on nonfederal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archaeologist and from the Corps.

**4. Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the

Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

**5. Consent to Easement:** A portion of the authorized work may be located within the Federal right-of-way for the Intracoastal Waterway and would require a Department of the Army Consent to Easement. By copy of this permit, the proposal is being forwarded to the Corps' Real Estate Division for action on the Consent to Easement. Failure to obtain the Consent to Easement or waiver invalidates this authorization. The Real Estate Division is responsible for issuing the Consent to Easement. Contact with Real Estate for questions or status updates can be done at Post Office Box 4970, Jacksonville, Florida 32232-0019 or by telephone at 904-570-4514.

**6. Federal Channel Setback:** The most waterward edge of the authorized project shall be constructed approximately 85.06 feet from the near edge of the federal channel.

**7. Notice of Permit:** The Permittee shall complete and record the "Notice of Department of the Army Authorization" form (Attachment) with the Clerk of the Circuit Court, Registrar of Deeds or other appropriate official charged with the responsibility of maintaining records of title to or interest in real property within the county of the authorized activity. Within 90 days from the effective date of this permit, the Permittee shall provide a copy of the recorded Notice of Permit to the Corps clearly showing a stamp from the appropriate official indicating the book and page at which the Notice of Permit is recorded and the date of recording.

**8. As-Built with X-Y Coordinates:** Within 60 days of completion of the authorized work, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment) to the Corps. The drawings shall be signed and sealed by a surveyor licensed under Florida Statute 472 and include the following:

- a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) on 8½-inch by 11-inch paper. The drawings shall include the X & Y State Plane coordination points of the most waterward point of the structure and a point at the mean high water line (MHWL) or the of the bulkhead/seawall, if present. The drawings shall include: the dimensions of the structure, depth of water (at mean low water) at the waterward end of the structure, and the distance from the waterward end of the structure to the near bottom edge of the channel.

b. Listing of any deviations between the work authorized by this permit and the work as constructed. In the event the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. Placement of the Department of the Army Permit number on all sheets submitted.

**9. Project Design Criteria (PDCs) for In-Water Activities:** The Permittee shall comply with National Marine Fisheries Service's "PDCs for In-Water Activities" dated November 20, 2017 (Attachment).

**10. Daylight Hours:** All activities must be completed during daylight hours.

**11. Construction Location:** Project construction shall take place from floating equipment (e.g., barge) or over-water structure; prop or wheel-washing is prohibited.

**12. Manatee Conditions:** The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work – 2011" (Attachment).

**General Conditions (33 CFR PART 320-330):**

1. The time limit for completing the work authorized ends on **March 18, 2022.**

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 transfer form attached to this letter and forward a copy to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

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

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

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

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

Should you have any questions related to this verification letter or have issues accessing the documents reference in this letter, please contact Patricia Clune at the letterhead address above, or via e-mail at [Patricia.R.Clune@usace.army.mil](mailto:Patricia.R.Clune@usace.army.mil).

Sincerely,

Patricia Clune  
Project Manager

Enclosures:

Commencement Notification Form  
As-Built Certification Form  
Manatee Conditions  
NMFS PDCs  
Notice of Permit

## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant:	File Number: SAJ-2021-02182	Date: 12/02/2021
Attached is:	See Section below	
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at [http://www.usace.army.mil/CECW/Pages/reg\\_materials.aspx](http://www.usace.army.mil/CECW/Pages/reg_materials.aspx) or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

**Enter PM Contact Information**

If you only have questions regarding the appeal process you may also contact:

**Phillip Shannin  
Administrative Appeals Review Officer  
USACE – South Atlantic Division  
60 Forsyth Street SW, Room 10M15  
Atlanta, Georgia 30303-8801  
Phone: (404) 562-51377**

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number:



## **DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST**

**DA PERMIT NUMBER: SAJ-2021-02182 (NW/GP-PRC)**

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

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

\_\_\_\_\_  
(TRANSFEREE-SIGNATURE)

\_\_\_\_\_  
(SUBDIVISION)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(LOT)

\_\_\_\_\_  
(BLOCK)

\_\_\_\_\_  
(NAME-PRINTED)

\_\_\_\_\_  
(STREET ADDRESS)

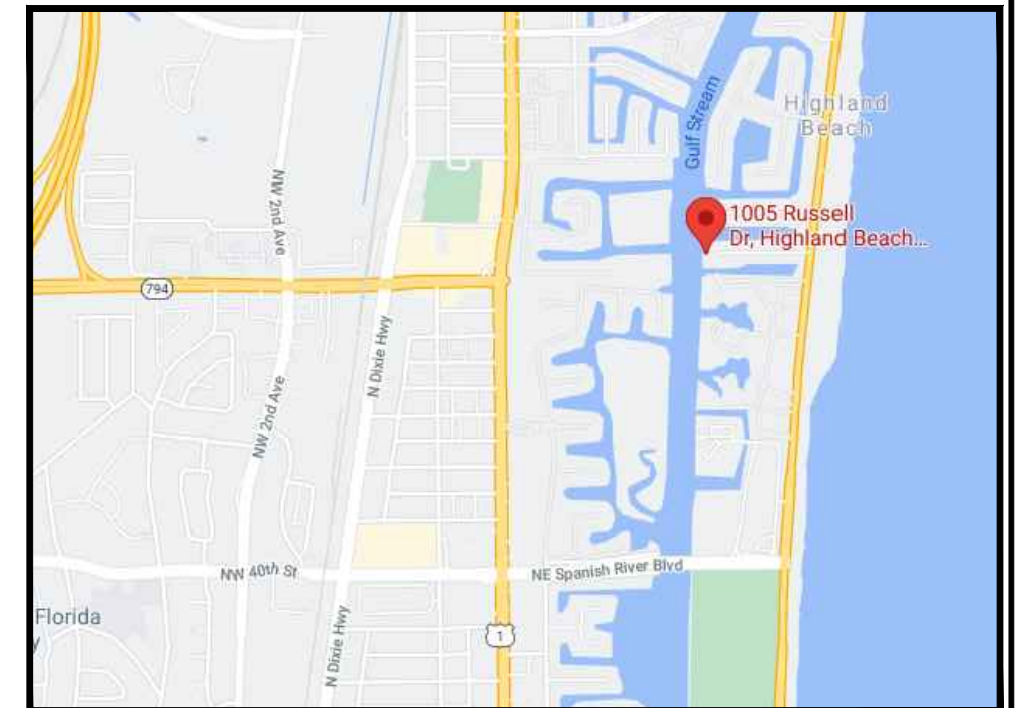
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(MAILING ADDRESS)

\_\_\_\_\_  
(CITY, STATE, ZIP CODE)

CANAL  
(150' R/W)

See attached survey supplied by  
owner for exact property information.

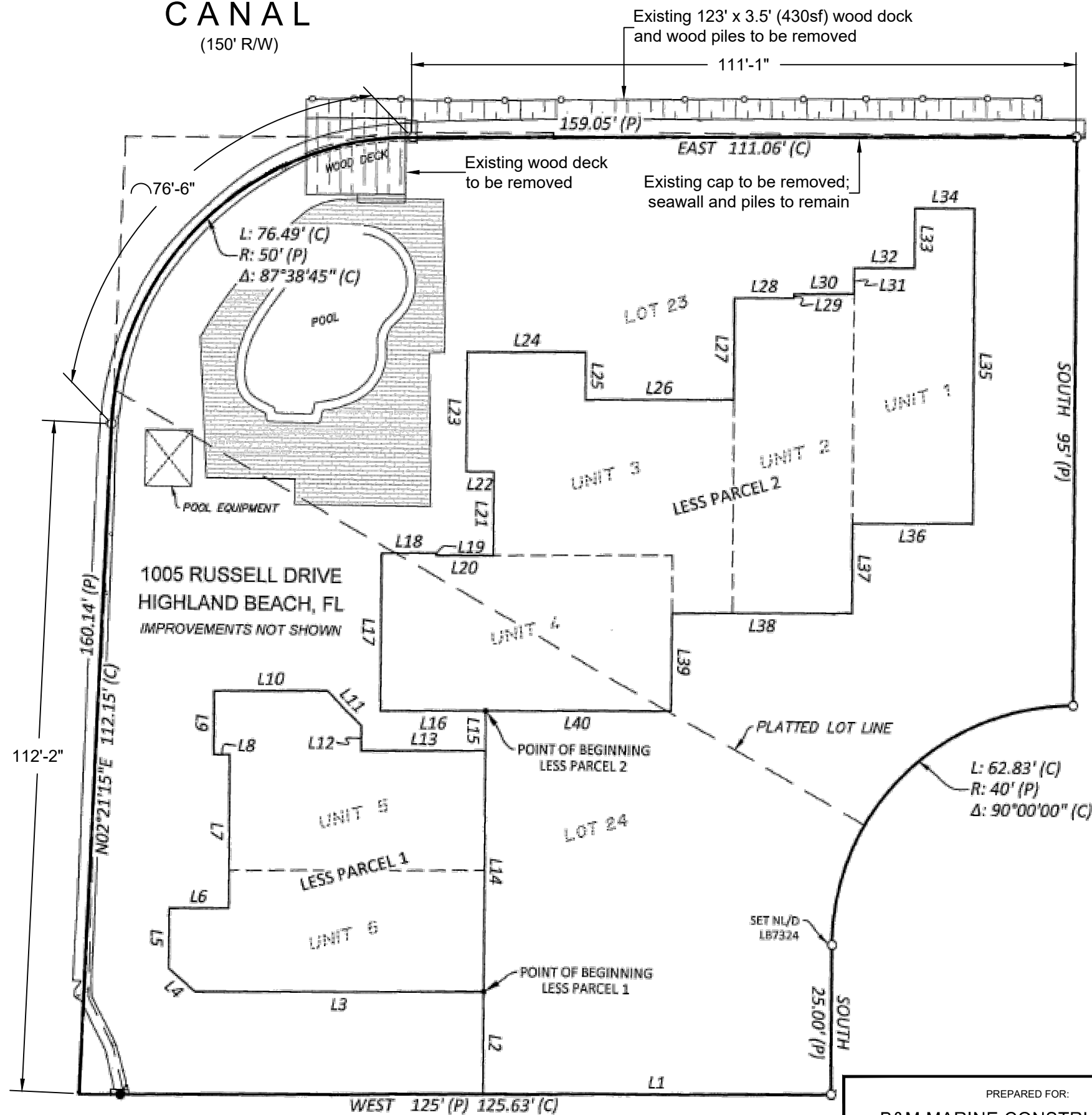
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Municipality HIGHLAND BEACH  
Parcel Control Number 24-43-47-04-03-000-0235  
Subdivision HIGHLAND BEACH ISLES IN  
Official Records Book 06515 Page 0122  
Sale Date JUL-1990  
Legal Description HIGHLAND BEACH ISLES TH PT OF LTS 23 & 24 AS IN  
OR3012P612 K/A UNIT 4 OF VILLA DEL ALTO



Location Map

Existing Site Plan

Scale: 1" = 20'

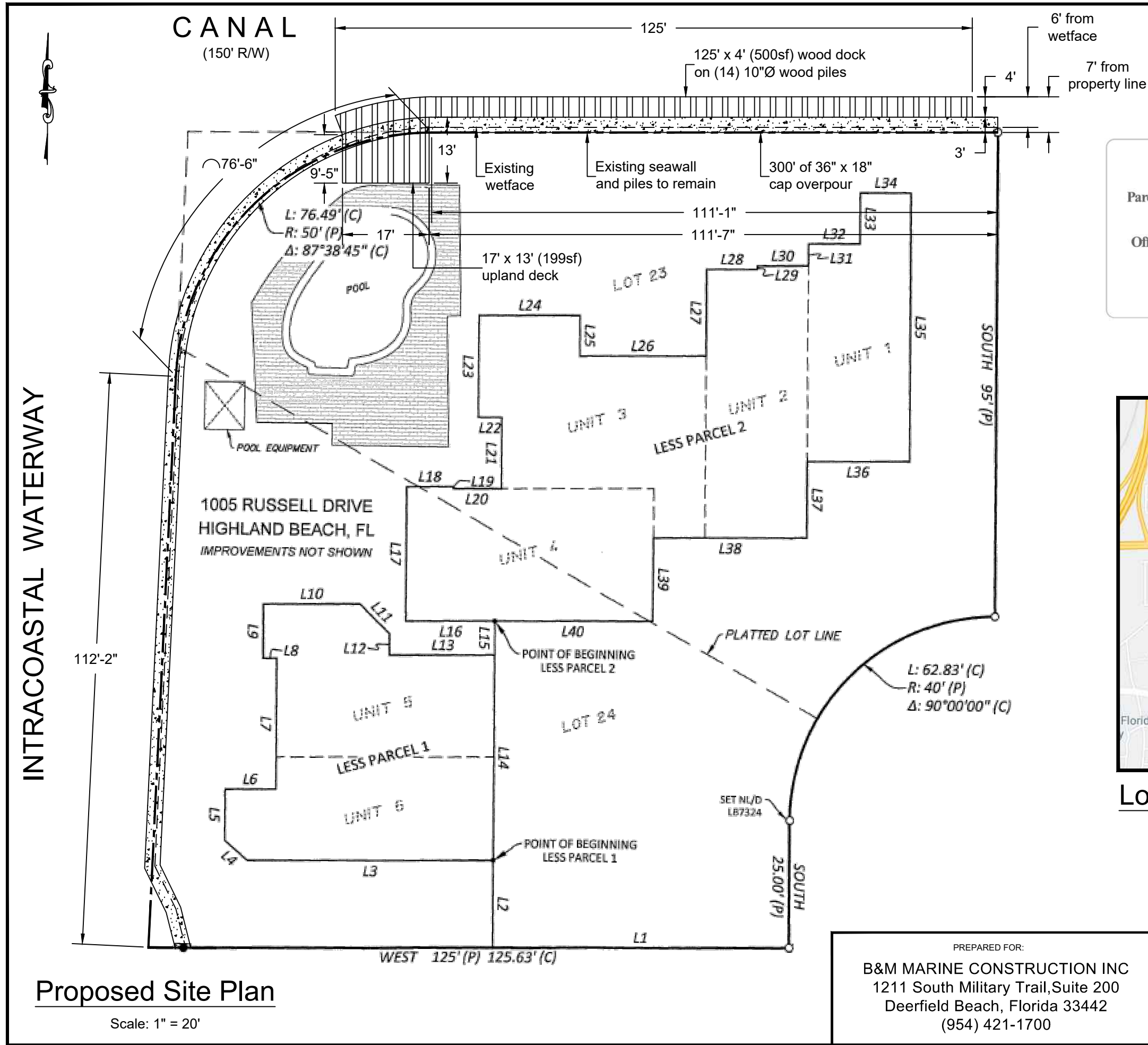


PREPARED FOR:  
B&M MARINE CONSTRUCTION INC  
1211 South Military Trail, Suite 200  
Deerfield Beach, Florida 33442  
(954) 421-1700

Project:  
Proposed Dock / Seawall Repair  
Jerry Wolff  
1005 Rusell Drive  
Highland Beach, Florida 33487

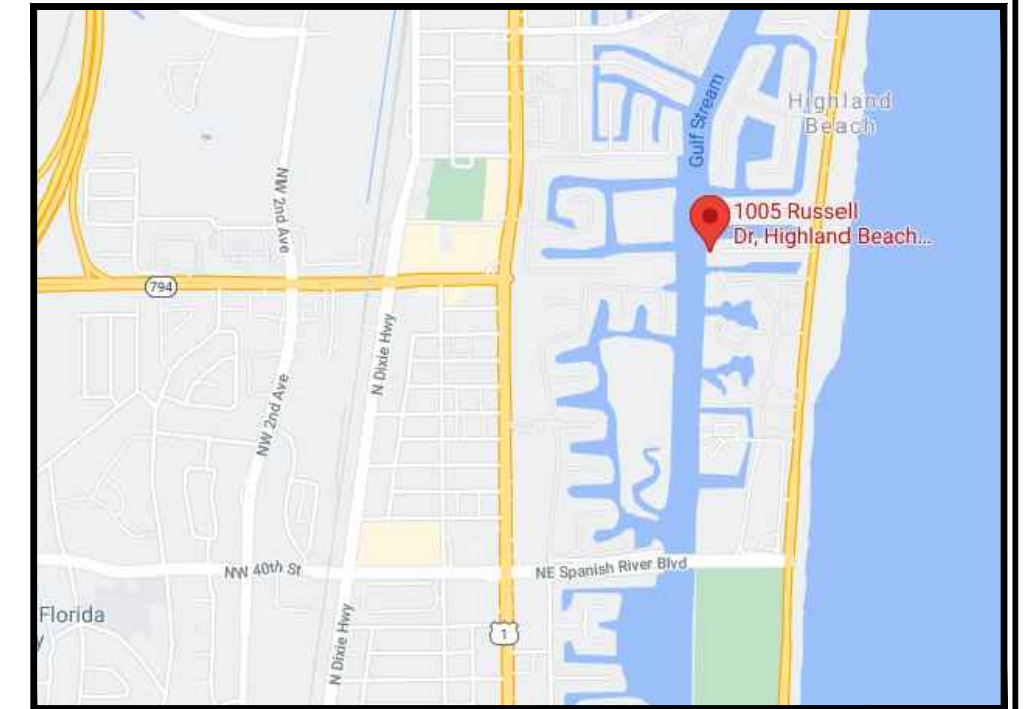
Sheet 1 of 6

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



See attached survey supplied by owner for exact property information.

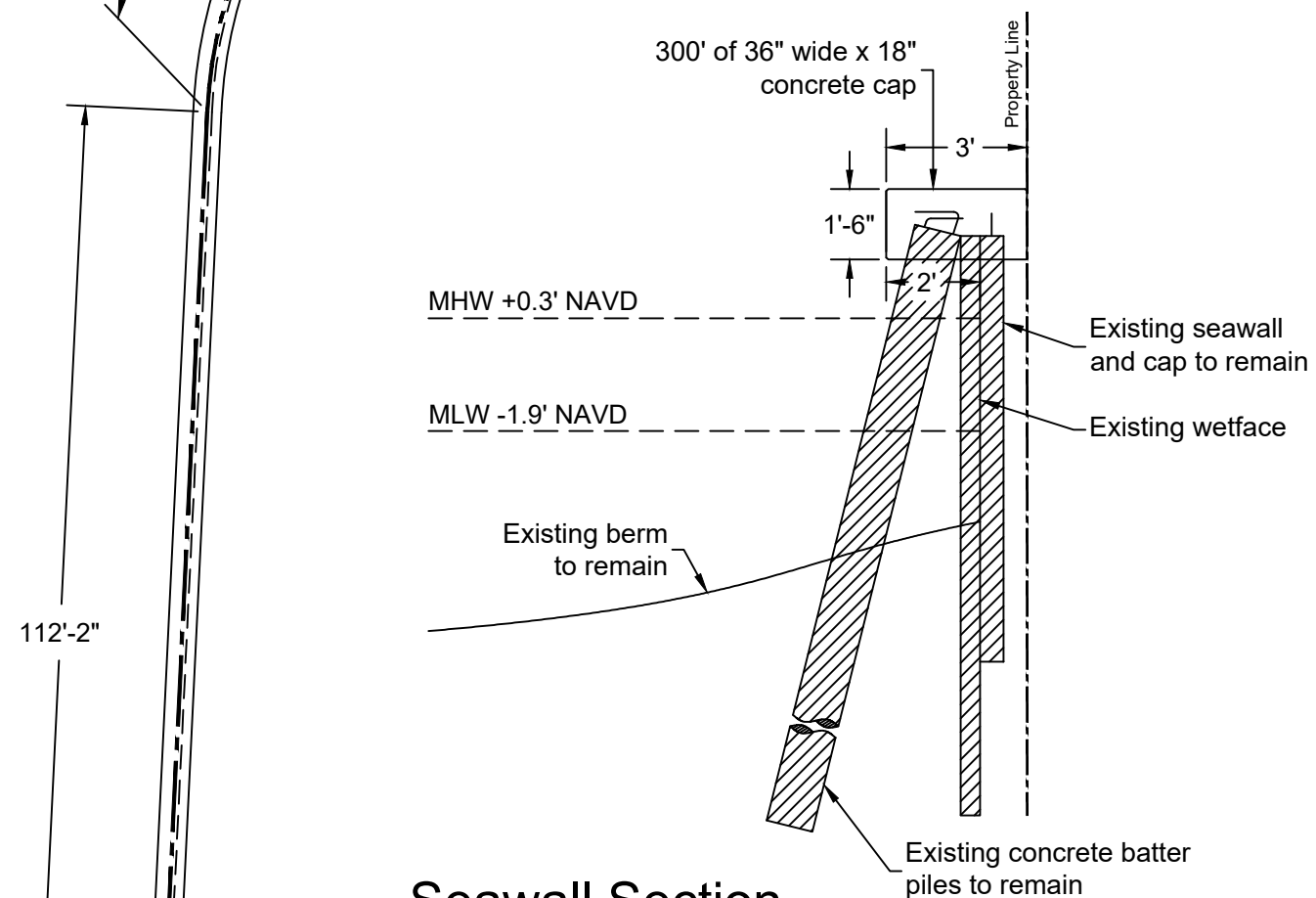
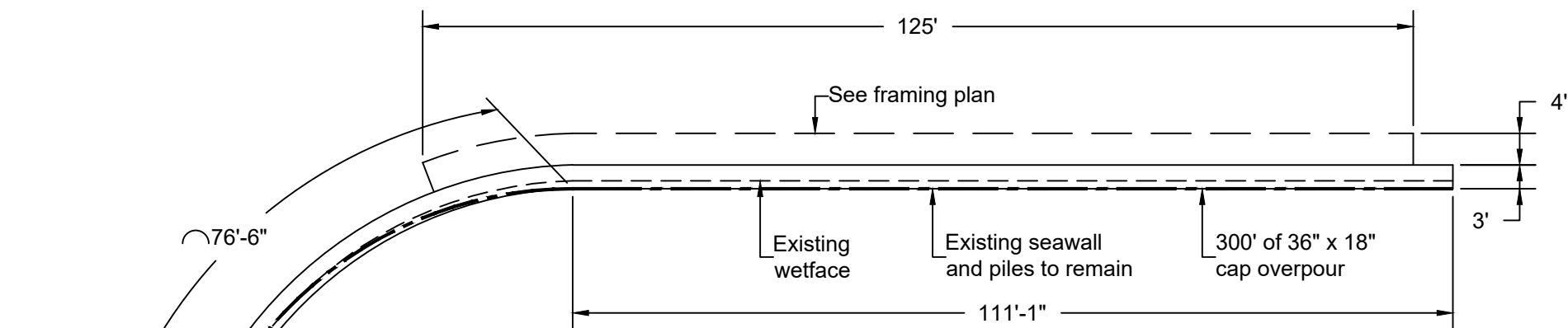
Location Address 1005 RUSSELL DR 4  
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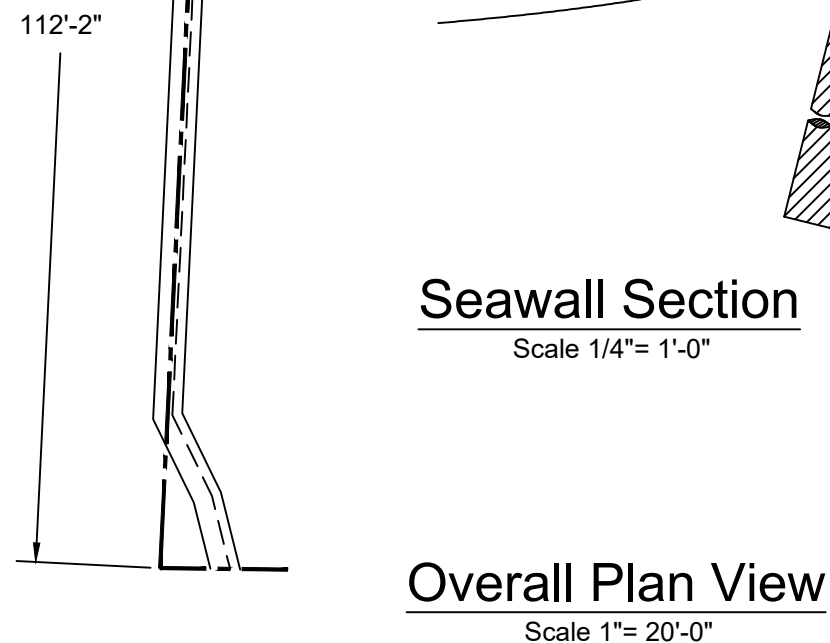
Location Map

PREPARED FOR: <b>B&amp;M MARINE CONSTRUCTION INC</b> 1211 South Military Trail, Suite 200 Deerfield Beach, Florida 33442 (954) 421-1700	Project: <b>Proposed Dock / Seawall Repair</b> Jerry Wolff 1005 Rusell Drive Highland Beach, Florida 33487
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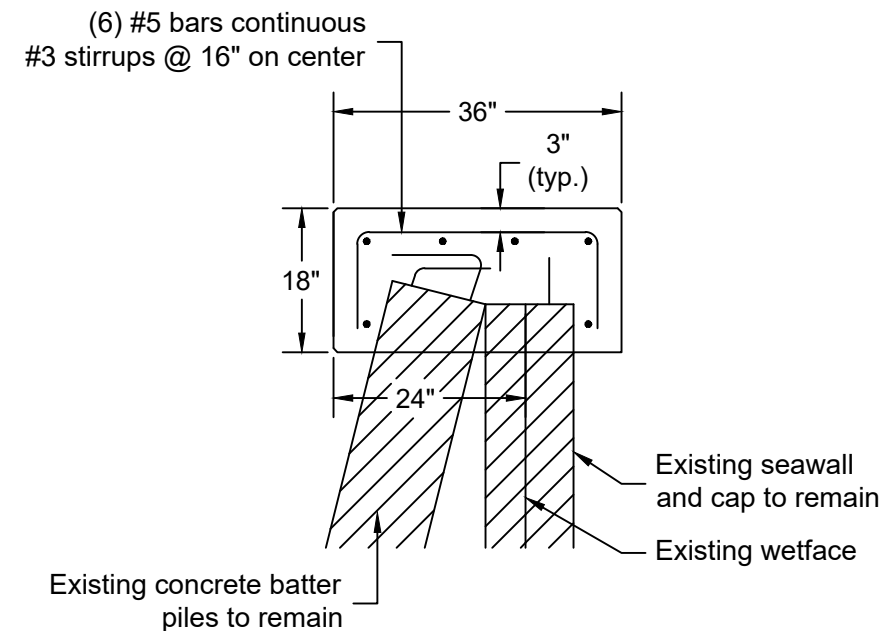
MARK E. WEBER, P.E.  
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Ofc: 754-333-0877  
WWW.MwEngineering.net



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



**Overall Plan View**  
Scale 1" = 20'-0"



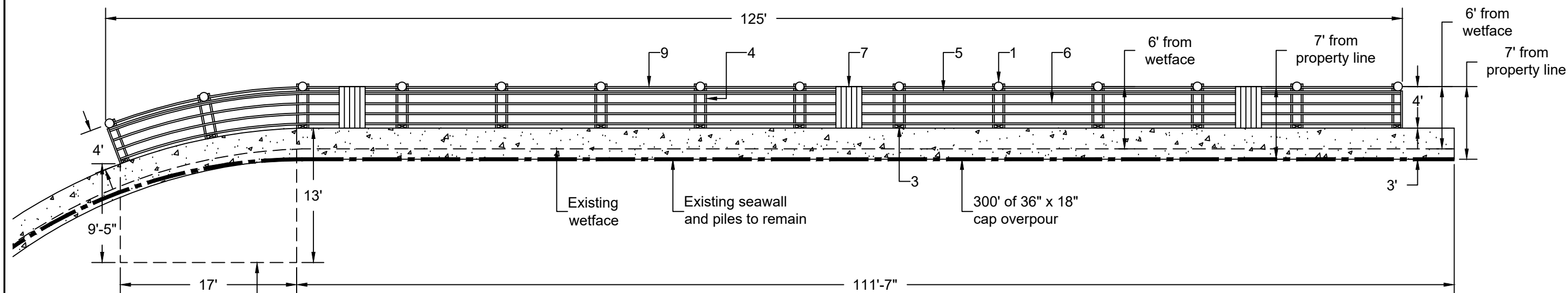
**Cap Steel Detail**  
Scale: 1/2" = 1'-0"

Sheet 3 of 6

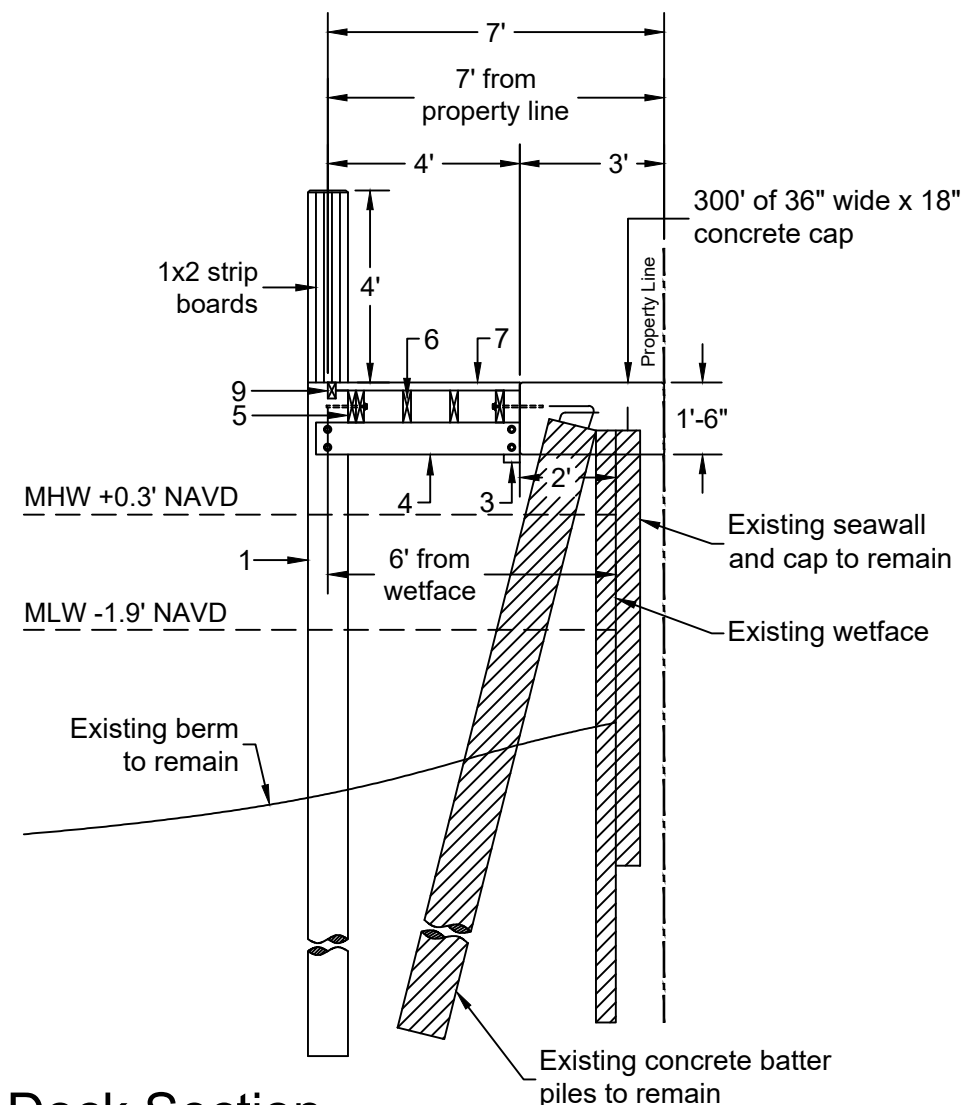
PREPARED FOR:  
B&M MARINE CONSTRUCTION INC  
1211 South Military Trail, Suite 200  
Deerfield Beach, Florida 33442  
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- DOCK NOTE IDENTIFICATION:**
1. New 10"Ø wood piles
  2. Not used
  3. 4" x 10" hanger to cap with (1) 5/8" wedge anchor, min. 4" embedment
  4. 2" x 8" substringer with (2) 5/8" thru bolt or lag bolt @ piles and hangers
  5. (2) 2" x 8" stringers @ pilings with (1) 5/8" thru bolt or lag bolt to piles
  6. 2" x 8" stringers w/ (2) 16d nails to each substringer; @ 16" o.c. for azek deckboards or 24" o.c. for pressure treated wood deckboards
  7. 5/4" x 6" Tan deck "HDPE" with (2) #8 x 3" deck screws per stringer
  8. 2" x 8" fascia board
  9. 2" x 4" wood trim
  10. 2x4 continuous sleepers with 1/2"Ø wedge anchors @ 36" o.c. into new seawall cap, minimum embedment = 4"
  11. 4x4 posts set in 18"Ø x 24" deep earth formed with redi mix type concrete
  12. 2" x 6" joists with (1) 5/8" thru bolt or lag bolt @ 4x4 posts



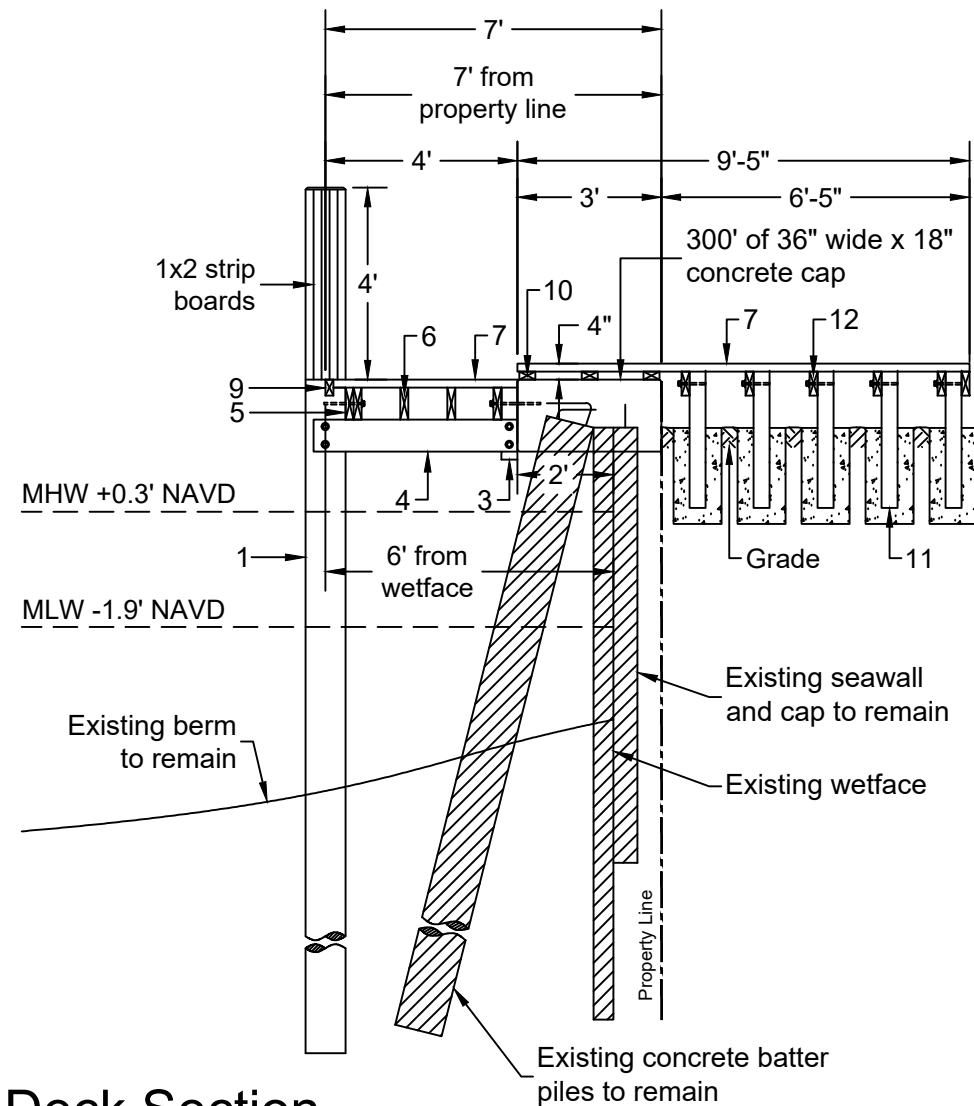
Sheet 4 of 6

PREPARED FOR:

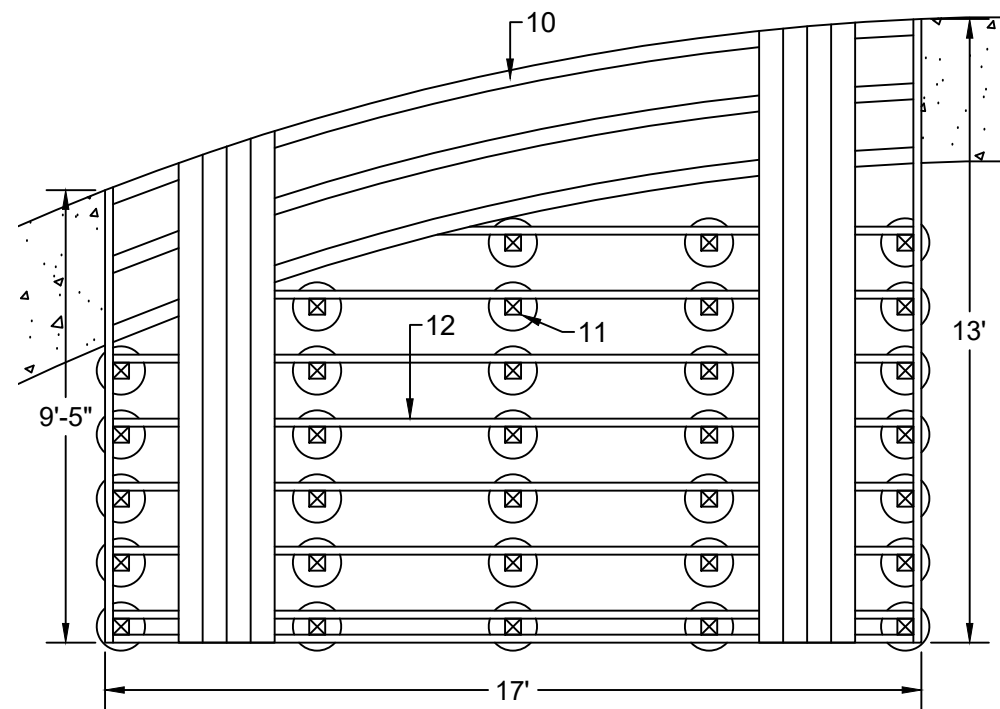
**B&M MARINE CONSTRUCTION INC**  
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 Deerfield Beach, Florida 33442  
 (954) 421-1700

**Project:**  
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**Deck Section**  
Scale 1/4" = 1'-0"



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

**DOCK NOTE IDENTIFICATION:**

1. New 10"Ø wood piles
2. Not used
3. 4" x 10" hanger to cap with (1) 5/8" wedge anchor, min. 4" embedment
4. 2" x 8" substringer with (2) 5/8" thru bolt or lag bolt @ piles and hangers
5. (2) 2" x 8" stringers @ pilings with (1) 5/8" thru bolt or lag bolt to piles
6. 2" x 8" stringers w/ (2) 16d nails to each substringer; @ 16"o.c. for azek deckboards or 24"o.c. for pressure treated wood deckboards
7. 5/4" x 6" Tan deck "HDPE" with (2) #8 x 3" deck screws per stringer
8. 2" x 8" fascia board
9. 2" x 4" wood trim
10. 2x4 continuous sleepers with 1/2"Ø wedge anchors @ 36" o.c. into new seawall cap, minimum embedment = 4"
11. 4x4 posts set in 18"Ø x 24" deep earth formed with redi mix type concrete
12. 2" x 6" joists with (1) 5/8" thru bolt or lag bolt @ 4x4 posts

Sheet 5 of 6

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GENERAL NOTES:

- 1. Construction to follow the Florida Building Code 7th Edition (2020) 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 required capacity (min. 10 tons) 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 ¼ inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
- 5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE NOTES:

- 1. Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
- 2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
- 3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
- 4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
- 5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
- 6. Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
- 7. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of expoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

- 1. Wood piles to be 2.5 lb. CCA treated in accordance with AWWPA standard C18.
- 2. Wood piles shall be a minimum diameter of 10", Miami Dade County requires minimum diameter of 12".
- 3. Concrete piles shall attain 6000 psi compressive strength in 28 days.
- 4. Concrete piles shall be reinforced with four - 7/16"Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
- 5. Concrete piles shall be 12"x12" square, minimum length of 20'.
- 6. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 8"x12" hook bars 6" into pile.

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.



**U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological  
Opinion (JaxBO) Project Design Criteria (PDCs) for In-Water Activities**

**November 20, 2017**

- 1) **(AP.7.) Education and Observation:** The permittee must ensure that all personnel associated with the project are instructed about the potential presence of species protected under the ESA and the Marine Mammal Protection Act (MMPA). All on-site project personnel are responsible for observing water-related activities for the presence of protected species. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing ESA-listed species or marine mammals. To determine which species may be found in the project area, please review the relevant Protected Species List at:  
[http://sero.nmfs.noaa.gov/protected\\_resources/section\\_7/threatened\\_endangered/index.html](http://sero.nmfs.noaa.gov/protected_resources/section_7/threatened_endangered/index.html)
- 2) **(AP.8.) Reporting** of interactions with protected species:
  - a) Any collision(s) with and/or injury to any sea turtle, sawfish, whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (1-727-824-5312) or by email to [takereport.nmfs@noaa.gov](mailto:takereport.nmfs@noaa.gov) and [SAJ-RD-Enforcement@usace.army.mil](mailto:SAJ-RD-Enforcement@usace.army.mil).
  - b) Smalltooth sawfish: Report sightings to 1-844-SAWFISH or email [Sawfish@MyFWC.com](mailto:Sawfish@MyFWC.com)
  - c) Sturgeon: Report dead sturgeon to 1-844-STURG 911 (1-844-788-7491) or email [nmfs.ser.sturgeonnetwork@noaa.gov](mailto:nmfs.ser.sturgeonnetwork@noaa.gov)
  - d) Sea turtles and marine mammals: Report stranded, injured, or dead animals to 1-877-WHALE HELP (1-877-942-5343).
  - e) North Atlantic right whale: Report injured, dead, or entangled right whales to the USCG via VHF Channel 16.
- 3) **(AP.9.) Vessel Traffic and Construction Equipment:** All vessel operators must watch for and avoid collision with species protected under the ESA and MMPA. Vessel operators must avoid potential interactions with protected species and operate in accordance with the following protective measures:
  - a) *Construction Equipment:*
    - i) All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while operating in water depths where the draft of the vessel provides less than a 4-foot (ft) clearance from the bottom, and in all depths after a protected species has been observed in and has departed the area.
    - ii) All vessels will follow marked channels and/or routes using the maximum water depth whenever possible.
    - iii) Operation of any mechanical construction equipment, including vessels, shall cease immediately if a listed species is observed within a 50-ft radius of

construction equipment and shall not resume until the species has departed the area of its own volition.

- iv) If the detection of species is not possible during certain weather conditions (e.g., fog, rain, wind), then in-water operations will cease until weather conditions improve and detection is again feasible.

b) *All Vessels:*

- i) Sea turtles: Maintain a minimum distance of 150 ft.
- ii) North Atlantic right whale: Maintain a minimum 1,500-ft distance (500 yards).
- iii) Vessels 65 ft in length or longer must comply with the Right Whale Ship Strike Reduction Rule (50 CFR 224.105) which includes reducing speeds to 10 knots or less in Seasonal Management Areas (<http://www.fisheries.noaa.gov/pr/shipstrike/>).
- iv) Mariners shall check various communication media for general information regarding avoiding ship strikes and specific information regarding right whale sightings in the area. These include NOAA weather radio, USCG NAVTEX broadcasts, and Notices to Mariners.
- v) Marine mammals (i.e., dolphins, whales [other than North Atlantic right whales], and porpoises): Maintain a minimum distance of 300 ft.
- vi) When these animals are sighted while the vessel is underway (e.g., bow-riding), attempt to remain parallel to the animal's course. Avoid excessive speed or abrupt changes in direction until they have left the area.
- vii) Reduce speed to 10 knots or less when mother/calf pairs or groups of marine mammals are observed, when safety permits.

- 4) **(AP.10.) Turbidity Control Measures during Construction:** Turbidity must be monitored and controlled. Prior to initiating any of the work covered under this Opinion, the Permittee shall install turbidity curtains as described below. In some instances, the use of turbidity curtains may be waived by the USACE project manager if the project is deemed too minimal to generate turbidity (e.g., certain ATON installation, scientific survey device placement, marine debris removal) or if the current is too strong for the curtains to stay in place. Turbidity curtains specifications:

- a) Install floating turbidity barriers with weighted skirts that extend to within 1 ft of the bottom around all work areas that are in, or adjacent to, surface waters.
- b) Use these turbidity barriers throughout construction to control erosion and siltation and ensure that turbidity levels within the project area do not exceed background conditions.
- c) Position turbidity barriers in a way that does not block species' entry to or exit from designated critical habitat.
- d) Monitor and maintain turbidity barriers in place until the authorized work has been completed and the water quality in the project area has returned to background conditions.
- e) In the range of ESA-listed corals (St. Lucie Inlet, Martin County south to the Dry Tortugas and the U.S. Caribbean) and Johnson's seagrass (Turkey Creek/Palm

Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida):

- i) Projects that include upland earth moving (e.g., grading to install a building or parking lot associated with a dock and seawall project), must install sediment control barriers to prevent any upland sediments from reaching estuarine or marine waters.
  - ii) The turbidity curtain requirement cannot be waived for any project that moves or removes sediment (e.g., dredging, auger to create a pile, trenching to install a cableline). If turbidity curtains are not feasible in an area based on site conditions such as water current, high wave action, or stormy conditions, the project must undergo individual Section 7 consultation and is not covered under this Programmatic Opinion.
- 5) **(AP.11.) Entanglement:** All turbidity curtains and other in-water equipment must be properly secured with materials that reduce the risk of entanglement of marine species (described below). Turbidity curtains likewise must be made of materials that reduce the risk of entanglement of marine species.
- a) In-water lines (rope, chain, and cable, including the lines to secure turbidity curtains) must be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, must be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line is allowed in the water.
  - b) Turbidity curtains and other in-water equipment must be placed in a manner that does not entrap species within the construction area or block access for them to navigate around the construction area.

## STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

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

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

# CAUTION: MANATEE HABITAT

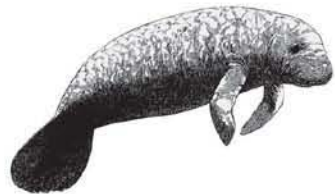
**All project vessels**

**IDLE SPEED / NO WAKE**

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

**SHUT DOWN**

Report any collision with or injury to a manatee:



**Wildlife Alert:**

**1-888-404-FWCC(3922)**

cell \*FWC or #FWC

## **AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER**

*Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019. For electronic mail saj-rd-enforcement@usace.army.mil (not to exceed 15 MB). If you have questions regarding this requirement, please contact the Enforcement Branch at 904-232-3697.*

1. Department of the Army Permit Number: SAJ-       -       (       -       )

2. Permittee Information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

3. Project Site Identification (physical location/address):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. As-Built Certification: I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled, and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

\_\_\_\_\_  
Signature of Engineer

\_\_\_\_\_  
Name (*Please type*)

\_\_\_\_\_  
(FL, PR, or VI) Reg. Number

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
ZIP

(Affix Seal)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone Number

Date Work Started:\_\_\_\_\_ Date Work Completed:\_\_\_\_\_

Identify any deviations from the approved permit drawings and/or special conditions (attach additional pages if necessary):

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## **COMMENCEMENT NOTIFICATION**

*Within 10 days of initiating the authorized work, submit this form via electronic mail to [saj-rd-enforcement@usace.army.mil](mailto:saj-rd-enforcement@usace.army.mil) (preferred, not to exceed 15 MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. **Department of the Army Permit Number:** SAJ-       -       (       -       )

2. **Permittee Information:**

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

3. **Construction Start Date:** \_\_\_\_\_

4. **Contact to Schedule Inspection:**

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Printed Name of Permittee

\_\_\_\_\_  
Date

Prepared by:

Permittee: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

### **NOTICE OF DEPARTMENT OF THE ARMY AUTHORIZATION**

**TAKE NOTICE** the United States Army Corps of Engineers (Corps) has issued a permit or verification SAJ- - to (Permittee) on , , authorizing work in navigable waters of the United States in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C 403) on a parcel of land known as Folio/Parcel ID: \_\_\_\_\_

located at address, in Section , Township south or north, Range east or west, City, county name County, Florida.

Within 30 days of any transfer of interest or control of said property, the Permittee must notify the Corps in writing of the property transfer by submitting the completed permit transfer page included with the issued permit or verification. The subject permit or verification concerns only that portion of the property determined to fall within the jurisdiction of the Corps and this notice is applicable only to those portions of the subject property in, over, under, or affecting navigable waters of the United States.

**Conditions of the Permit/Verification:** The permit or verification is subject to General Conditions and Special Conditions which may affect the use of the work authorized in name of waterbody. Accordingly, interested parties should closely examine the entire permit or verification, all associated applications, and any subsequent modifications.

To obtain a copy of the authorization in its entirety submit a written request to:

U.S. Army Corps of Engineers  
Regulatory Division - Special Projects & Enforcement Branch  
Post Office Box 4970  
Jacksonville, Florida 32232-0019

Questions regarding compliance with these conditions should be directed to:

U.S. Army Corps of Engineers  
Enforcement Section  
Post Office Box 4970  
Jacksonville, Florida 32232-0019

### **Conflict Between Notice and Permit**

This Notice of Authorization is not a complete summary of the issued permit or verification. Provisions in this Notice of Permit shall not be used in interpreting the permit or verification provisions. In the event of conflict between this Notice of Permit and the permit or verification, the permit or verification shall control.

**This Notice is Not an Encumbrance**

This Notice is for informational purposes only. It is not intended to be a lien, encumbrance, or cloud on the title of the premises.

**Release**

This Notice may not be released or removed from the public records without the prior written consent of the Corps.

This Notice of Authorization is executed on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. This document is being submitted for recordation in the Public Records of \_\_\_\_\_ County, Florida as part of the requirement imposed by the authorization SAJ- \_\_\_\_\_ - \_\_\_\_\_ issued by Corps.

Permittee:

\_\_\_\_\_

Address:

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_

Notary Public

(seal)

\_\_\_\_\_  
Print

My Commission Expires \_\_\_\_\_

**VILLA DEL ALTO PROPERTY OWNERS' ASSOCIATION, Inc.**

1005 Russell Drive Apt. 4  
Highland Beach, FL 33487

B&M Marine Construction, Inc.  
1211 South Military Trail Suite 200  
Deerfield Beach, FL 33442

June 8, 2021

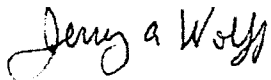
Re: All Seawall Construction being done for Villa Del Alto Property Owners' Association, Inc. and B & M Marine Construction, Inc.

To: Town of Highland Beach and to whomever it may concern

As president of Villa Del Alto Property Owners' Association Inc. I have authorized B & M Marine Construction to seek all necessary building permits as needed for construction related to our seawall, decking and any other related construction items needed for our seawall.

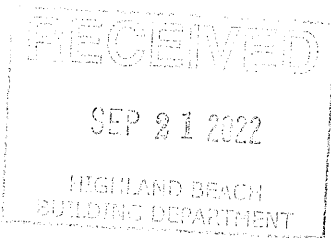
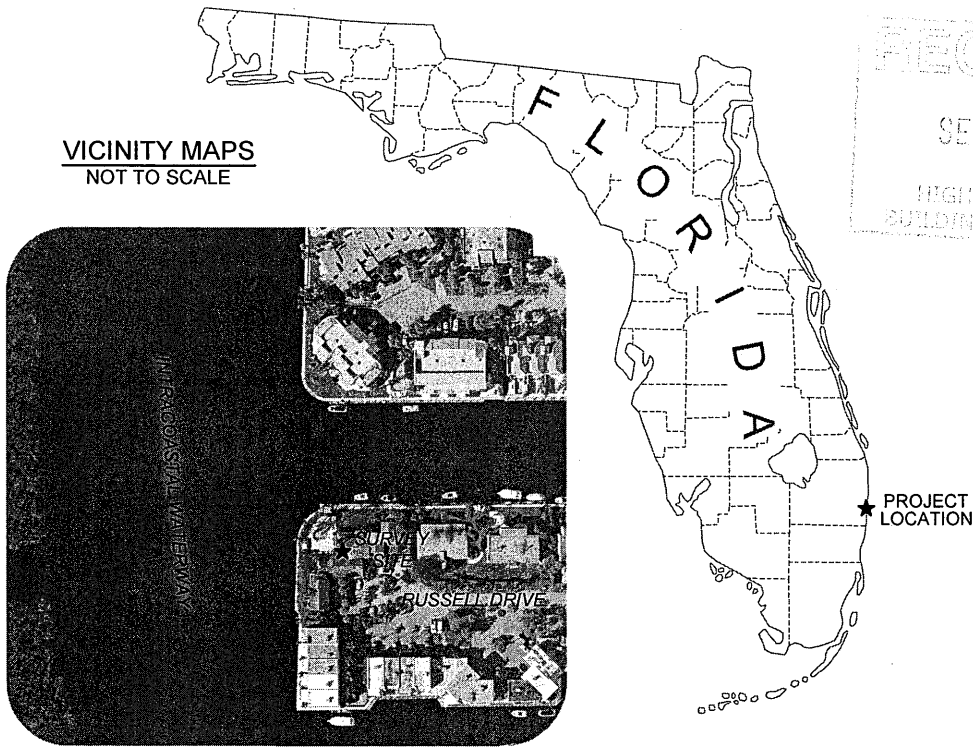
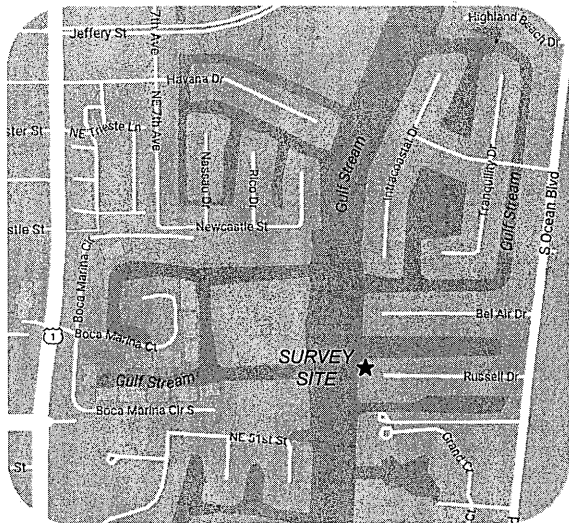
Thank you.

Sincerely,



Jerry A. Wolff

President, Villa del Alto



BOUNDARY SURVEY

LOTS 23 & 24 of "HIGHLAND BEACH ISLES"  
PLAT BOOK 25, PAGE 154  
SECTION 4, TOWNSHIP 47 SOUTH, RANGE 43 EAST,  
PALM BEACH COUNTY, FLORIDA

LINE TABLE LESS PARCEL 1		
Line	Bearing	Distance
L1	WEST	58.14'
L2	NORTH	17.10'
L3	WEST	48.17'
L4	N48°35'25"W	6.00'
L5	NORTH	10.00'
L6	EAST	10.00'
L7	NORTH	25.67'
L8	WEST	2.67'
L9	NORTH	10.67'
L10	EAST	18.92'
L11	S45°00'00"E	8.13'
L12	SOUTH	4.25'
L13	EAST	20.68'
L14	SOUTH	40.31' (C)

LINE TABLE LESS PARCEL 2		
Line	Bearing	Distance
L1	WEST	58.14'
L15	NORTH	64.10'
L16	WEST	17.55'
L17	NORTH	26.37'
L18	EAST	9.00'
L19	SOUTH	0.37'
L20	EAST	9.67'
L21	NORTH	14.00'
L22	WEST	4.67'
L23	NORTH	20.00'
L24	EAST	20.00'
L25	SOUTH	8.00'
L26	EAST	24.67'
L27	NORTH	17.00'
L28	EAST	10.00'
L29	NORTH	0.68'
L30	EAST	10.00'
L31	NORTH	4.33'
L32	EAST	10.12'
L33	NORTH	10.00'
L34	EAST	10.00'
L35	SOUTH	52.67'
L36	WEST	20.12'
L37	SOUTH	15.00'
L38	WEST	30.00'
L39	SOUTH	16.33'
L40	WEST	31.12'

SURVEY NOTES:

- THIS IS A BOUNDARY SURVEY SURVEY AS DEFINED IN THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE.
- THIS SURVEY IS CERTIFIED TO VILLA DEL ALTO PROP OWNERS AND B&M MARINE CONSTRUCTION, INC.
- THIS SURVEY IS INTENDED EXCLUSIVELY FOR THE USE BY THOSE TO WHOM IT IS CERTIFIED. IT IS NOT TO BE USED BY OTHERS FOR CONSTRUCTION, PERMITTING, DESIGN OR ANY OTHER USE WITHOUT THE WRITTEN CONSENT OF TERRAQUATIC, INC.
- THIS SURVEY, AND ANY REPRODUCTION THEREOF, IS NOT VALID WITHOUT AN ORIGINAL OR VERIFIED DIGITAL SIGNATURE AND SEAL OF A FLORIDA REGISTERED SURVEYOR. ADDITIONALLY, THIS SURVEY IS NOT VALID IF PRINTED BEARING A DIGITAL SIGNATURE AND SEAL.
- OTHER THAN THOSE SHOWN ON THE REFERENCED PLAT, NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED FOR EASEMENTS, ENCUMBRANCES OR OTHER INSTRUMENTS OF RECORD WHICH MAY AFFECT THIS PARCEL OF LAND.
- THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1" = 20' OR SMALLER.
- UNDERGROUND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY.
- GEOGRAPHIC AND PLANE COORDINATES SHOWN HERON ARE RELATIVE TO THE NORTH AMERICA DATUM OF 1983, FLORIDA STATE PLANE, ZONE 901, TRANSVERSE MERCATOR PROJECTION IN THE U.S. SURVEY FOOT UNIT OF MEASUREMENT.
- LOCATIONS OF ALL IMPROVEMENTS WERE OBTAINED USING REAL TIME KINEMATIC GPS METHODOLOGIES WITH BROADCAST CORRECTIONS FROM THE TRIMBLE VIRTUAL REFERENCE NETWORK AND ARE ACCURATE TO THIRD ORDER, CLASS II.
- THE SPECIFIC PURPOSE OF THIS SURVEY IS TO SHOW THE LOCATION OF EXISTING AND PROPOSED MARINE IMPROVEMENTS RELATIVE TO THE INTRACOASTAL WATERWAY NAVIGATION CHANNEL AND RELEVANT SETBACK LINES.
- WATER DEPTHS EXCEED -4' MLW ALONG AND ADJACENT TO THE EXISTING SEAWALL.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED BOUNDARY SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION ON 3/17/21. I FURTHER CERTIFY THAT THIS BOUNDARY SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTE 472.027.

KENNETH C. JACKSON, PSM - FLORIDA REGISTRATION NUMBER 4549

LEGEND

(C)	CALCULATED
FND	FOUND
EXST	EXISTING
IRC	IRON ROD & CAP
NL/D	NAIL & DISK
ORB	OFFICIAL RECORDS BOOK
(P)	PLAT
PB	PLAT BOOK
PG	PAGE
POC	POINT OF CURVATURE
RNG	RANGE
SEC	SECTION
TWP	TOWNSHIP
TYP	TYPICAL

LEGAL DESCRIPTION (PER O.R.B. 3012, PAGE 612)

LOTS 23 AND 24 OF HIGHLAND BEACH ISLES SUBDIVISION, A PLAT OF WHICH IS ON FILE IN PLAT BOOK 25, PAGE 154, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE FOLLOWING DESCRIBED PARCELS:

PARCEL 1:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 24; THENCE DUE WEST, AN ASSUMED BEARING, ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 24, 58.14 FEET TO A POINT; THENCE DUE NORTH 17.10 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE DUE WEST 48.17 FEET; THENCE N. 48°35'25" WEST, 6.0 FEET; THENCE DUE NORTH 10.0 FEET; THENCE DUE EAST 10.0 FEET; THENCE DUE NORTH 25.67 FEET; THENCE DUE WEST, 2.67 FEET TO A POINT; THENCE DUE NORTH 10.67 FEET; THENCE DUE EAST 18.92 FEET; THENCE SOUTH 45°00'00" EAST, 8.13 FEET; THENCE DUE SOUTH 4.25 FEET TO A POINT; THENCE DUE EAST 20.68 FEET TO A POINT; THENCE DUE SOUTH 40.0 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 24; THENCE DUE WEST AN ASSUMED BEARING ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 24, 58.14 FEET TO A POINT; THENCE DUE NORTH 64.10 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE DUE WEST 17.55 FEET; THENCE DUE NORTH 26.37 FEET; THENCE DUE EAST 9.00 FEET; THENCE DUE SOUTH 0.37 FEET; THENCE DUE EAST 9.67 FEET; THENCE DUE NORTH 14.00 FEET; THENCE DUE WEST 4.67 FEET; THENCE DUE NORTH 20.0 FEET; THENCE DUE EAST 20.0 FEET TO A POINT; THENCE DUE SOUTH 8.0 FEET; THENCE DUE EAST 24.67 FEET TO A POINT; THENCE DUE NORTH 17.0 FEET; THENCE DUE EAST 10.0 FEET; THENCE DUE NORTH 0.68 FEET; THENCE DUE EAST 10.0 FEET; THENCE DUE NORTH 4.33 FEET; THENCE DUE EAST 10.12 FEET; THENCE DUE NORTH 10.0 FEET; THENCE DUE EAST 10.0 FEET TO A POINT; THENCE DUE SOUTH 52.67 FEET; THENCE DUE WEST 20.12 FEET; THENCE DUE SOUTH 15.0 FEET; THENCE DUE WEST 30.0 FEET; THENCE DUE SOUTH 16.33 FEET; THENCE DUE WEST 31.12 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

TERRAQUATIC

SURVEYING AND MAPPING

DRAWING: 1005 RUSSELL DRIVE PERMIT.dwg	DRAWN BY: BL
SCALE: N/A	CHECKED BY: KCJ
DATE: 2/15/22	JOB No.: 21-1205
REV: 2/15/22, ADDED SEAWALL CAP ELEVATIONS	SHEET 1 OF 2

SITE OWNER / ADDRESS  
VILLA DEL ALTO PROP

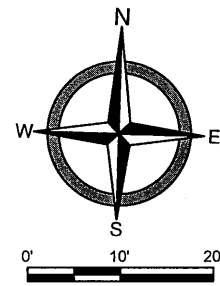
OWNERS

1005 RUSSELL DRIVE  
HIGHLAND BEACH, FL 33487

PREPARED BY:  
TERRAQUATIC, INC

1220 TANGELO TERR, UNIT A12  
DELRAY BEACH, FL 33444  
TELEPHONE: (561) 806-6085

CERTIFICATE OF AUTHORIZATION NO. 7324



HORIZONTAL SCALE: 1" = 20'

POINT A  
NW'LY COR. OF EXST SEAWALL @POC  
X: 960,614.62' Y: 750,605.93'  
N26° 23' 44.456" W80° 04' 11.872"

POINT B  
SW'LY COR. OF EXST. SEAWALL  
X: 960,612.39' Y: 750,525.52'  
N26° 23' 43.660" W80° 04' 11.903"

PB77  
X: 960,507.46  
Y: 751,923.96

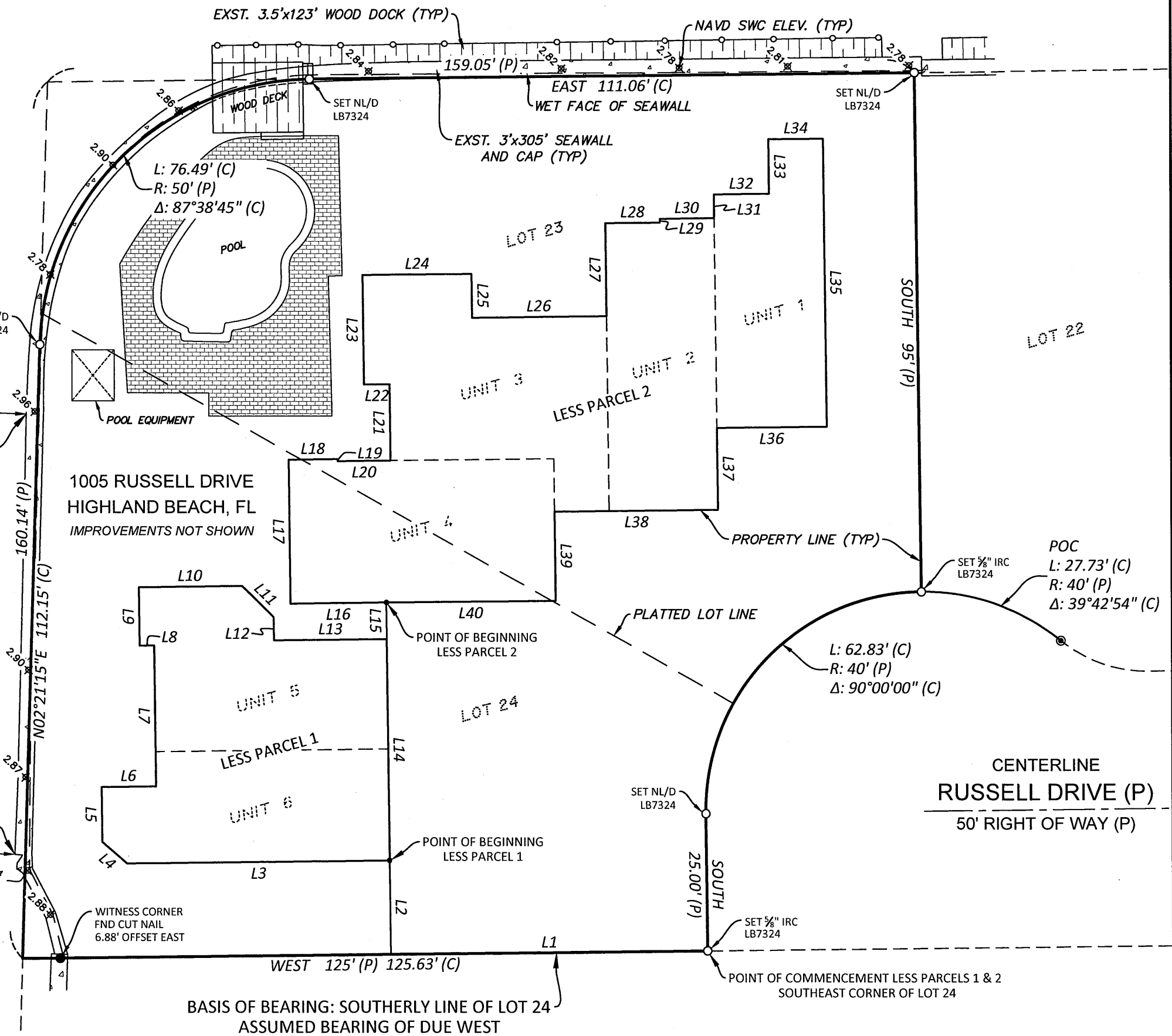
JACKSONVILLE TO MIAMI HARBOR 10 FOOT PROJECT  
CONTROL DATA D.O. FILE NUMBER 88-24--258  
300' RIGHT-OF-WAY

INTRACOASTAL WATERWAY

EAST TOE OF COE 125' NAVIGATION CHANNEL

POINT B

POINT A



BASIS OF BEARING: SOUTHERLY LINE OF LOT 24  
ASSUMED BEARING OF DUE WEST

PB78  
X: 960,454.30  
Y: 750,192.55

TERRAQUATIC  
SURVEYING AND MAPPING

DRAWING: 1005 RUSSELL DRIVE PERMIT.dwg	DRAWN BY: BL
SCALE: 1" = 20'	CHECKED BY: KCJ
DATE: 2/15/22	JOB No.: 21-1205
REV: 2/15/22, ADDED SEAWALL CAP ELEVATIONS	SHEET 2 OF 2

SITE OWNER / ADDRESS  
VILLA DEL ALTO PROP  
OWNERS

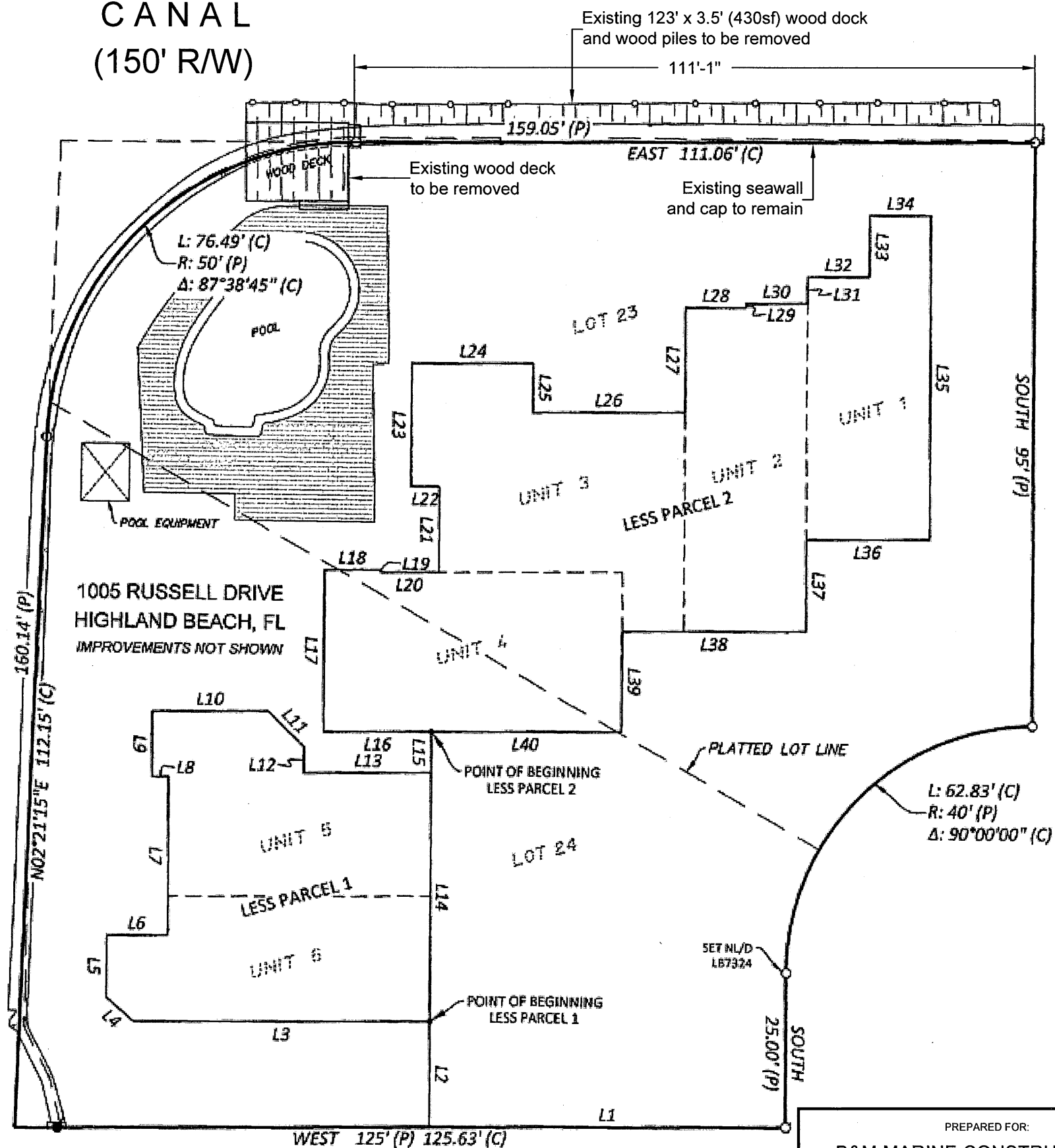
1005 RUSSELL DRIVE  
HIGHLAND BEACH, FL 33487

PREPARED BY:  
TERRAQUATIC, INC  
1220 TANGELO TERR, UNIT A12  
DELRAY BEACH, FL 33444

TELEPHONE: (561) 806-6085  
CERTIFICATE OF AUTHORIZATION NO. 7324

INTRACOASTAL WATERWAY

CANAL  
(150' R/W)

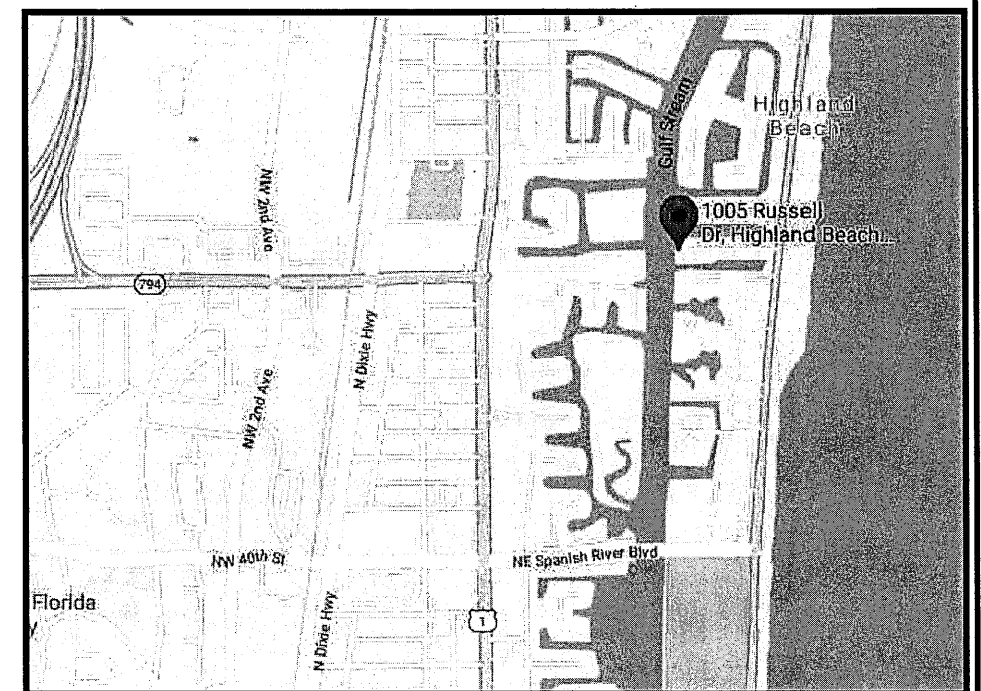


Existing Site Plan

Scale: 1" = 20'

See attached survey supplied by  
owner for exact property information.

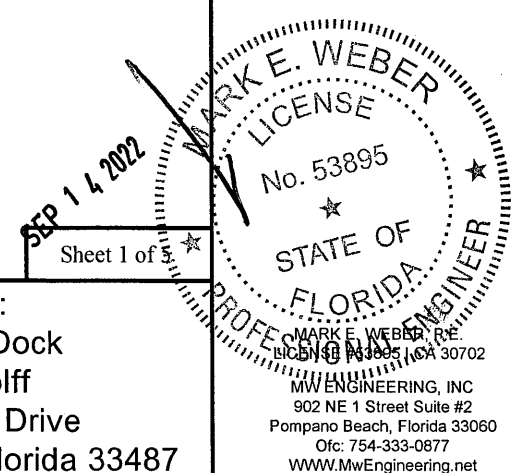
Location Address 1005 RUSSELL DR 4  
Municipality HIGHLAND BEACH  
Parcel Control Number 24-43-47-04-03-000-0235  
Subdivision HIGHLAND BEACH ISLES IN  
Official Records Book 06515 Page 0122  
Sale Date JUL-1990  
Legal Description HIGHLAND BEACH ISLES TH PT OF LTS 23 & 24 AS IN  
OR3012P612 K/A UNIT 4 OF VILLA DEL ALTO



Location Map

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

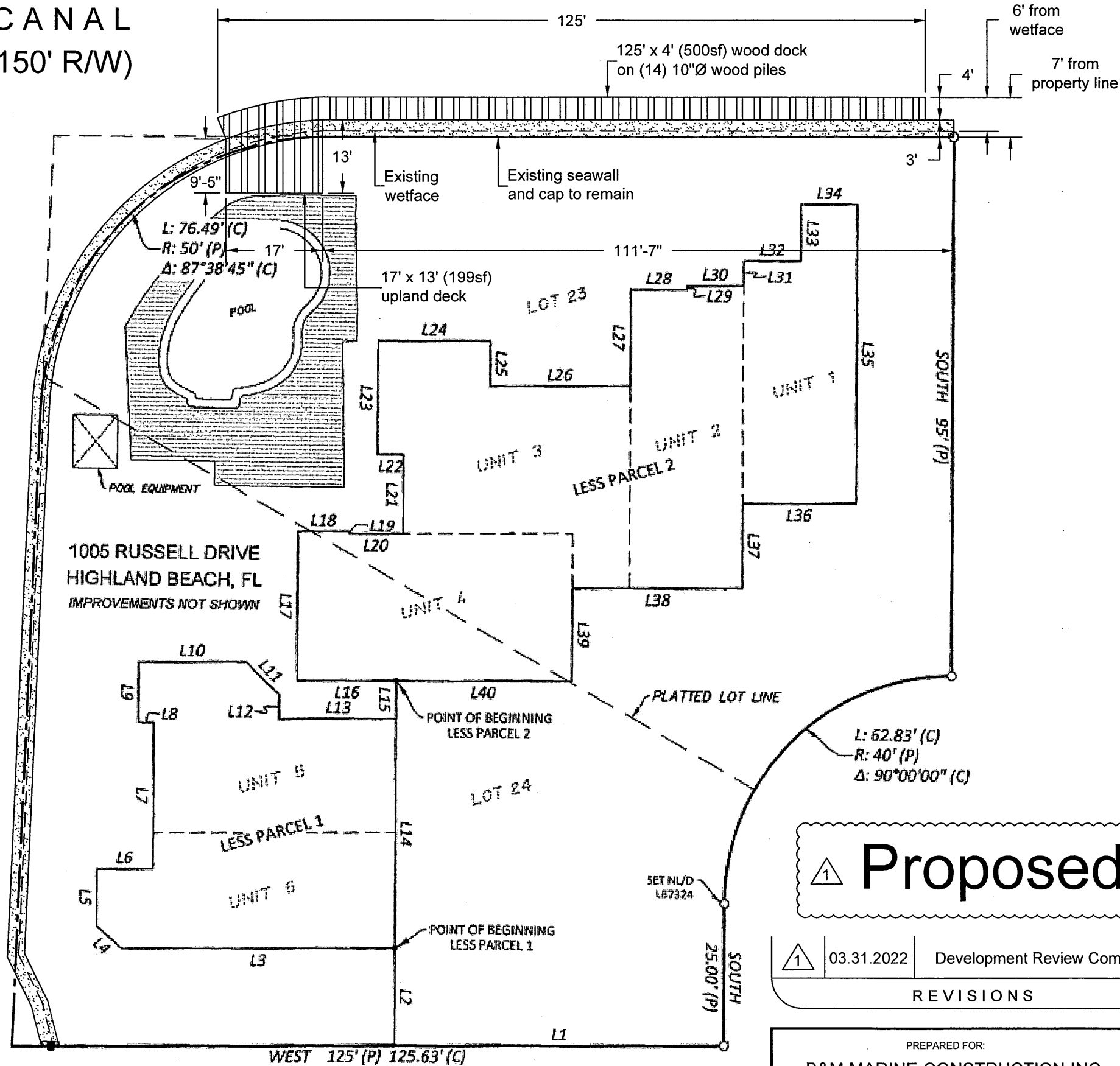
Project:  
Proposed Dock  
Jerry Wolff  
1005 Rusell Drive  
Highland Beach, Florida 33487





INTRACOASTAL WATERWAY

CANAL  
(150' R/W)



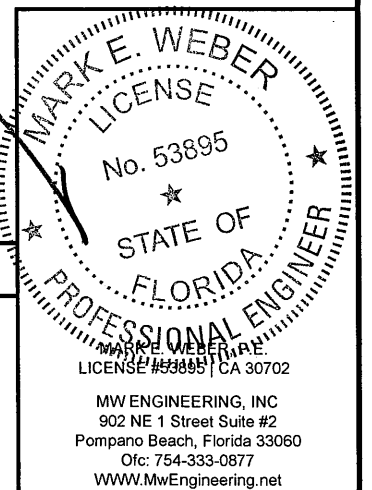
## Proposed Site Plan

Scale: 1" = 20'

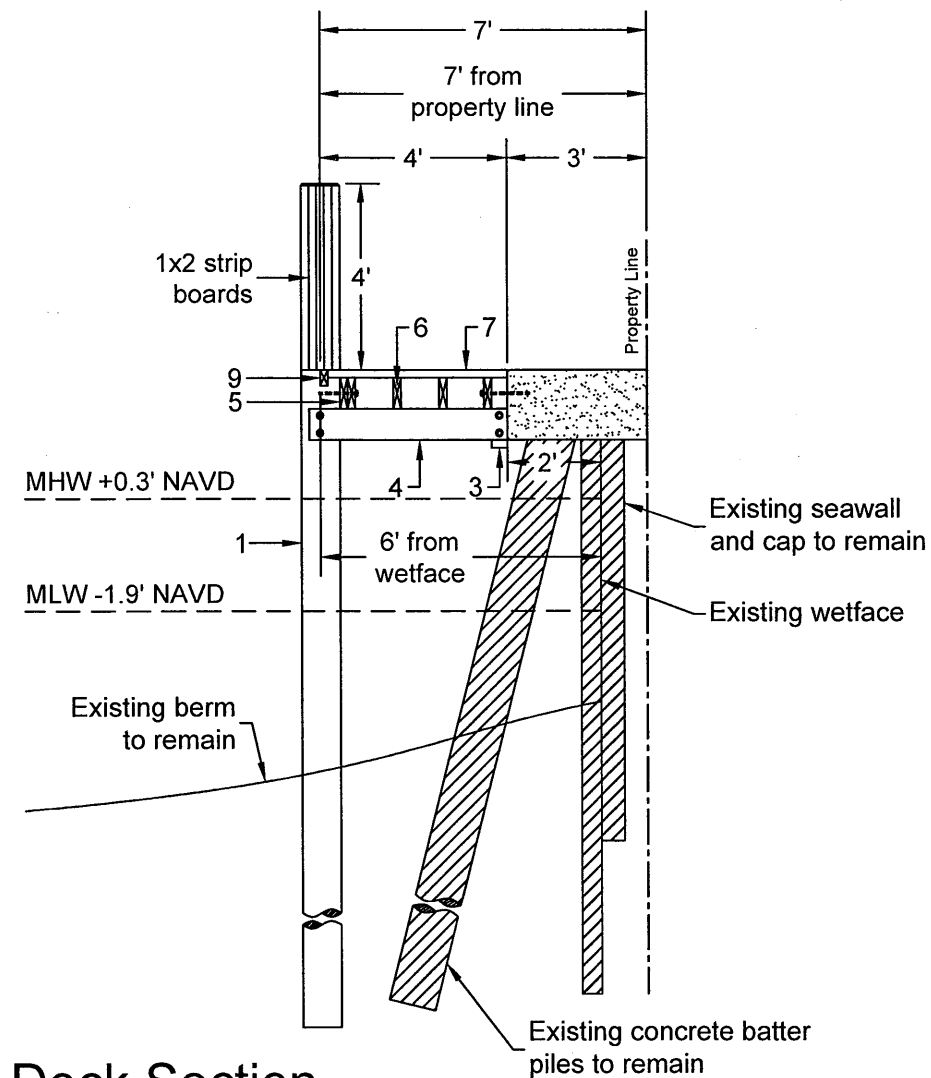
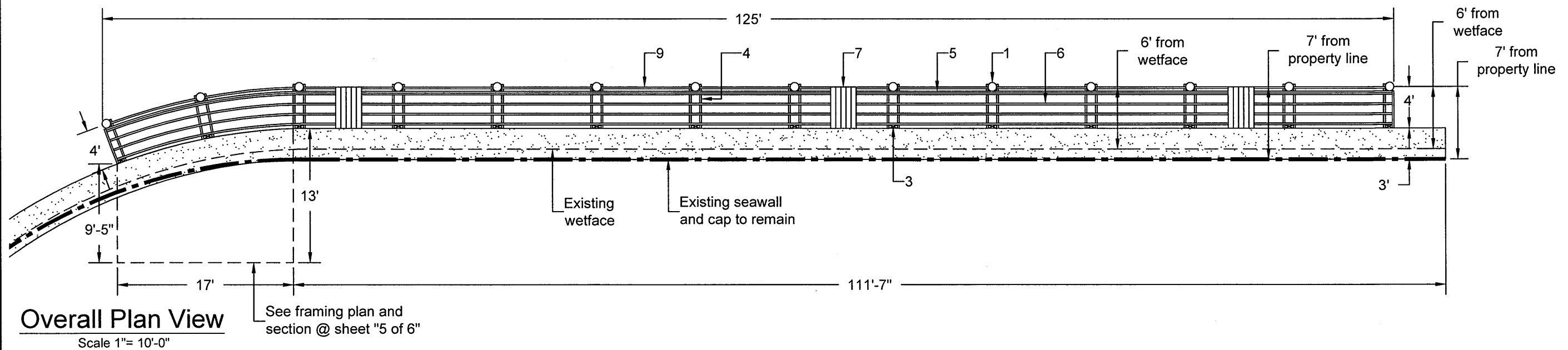
1 Proposed		
1	03.31.2022	Development Review Comments
REVISIONS		

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

Project:  
Proposed Dock  
Jerry Wolff  
1005 Rusell Drive  
Highland Beach, Florida 33487



Sheet 2 of 5



#### DOCK NOTE IDENTIFICATION:

1. New 10"Ø wood piles
2. Not used
3. 4" x 10" hanger to existing cap with (1) 5/8" wedge anchor, min. 4" embedment
4. 2" x 8" substringer with (2) 5/8" thru bolt or lag bolt @ piles and hangers
5. (2) 2" x 8" stringers @ pilings with (1) 5/8" thru bolt or lag bolt to piles
6. 2" x 8" stringers w/ (2) 16d nails to each substringer; @ 16"o.c. for azek deckboards or 24"o.c. for pressure treated wood deckboards
7. 5/4" x 6" Tan deck "HDPE" with (2) #8 x 3" deck screws per stringer
8. 2" x 8" fascia board
9. 2" x 4" wood trim
10. 2x4 continuous sleepers with 1/2"Ø wedge anchors @ 36" o.c. into existing seawall cap, min. 4" embedment
11. 4x4 posts set in 18"Ø x 24" deep earth formed with redi mix type concrete
12. 2" x 6" joists with (1) 5/8" thru bolt or lag bolt @ 4x4 posts
13. 2" x 6" substringers with (1) 1/2" thru bolt @ 4x4 posts

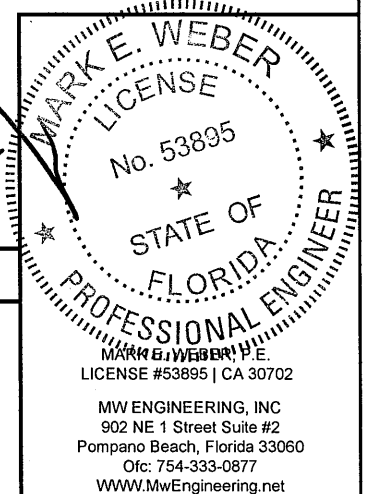
**Proposed**

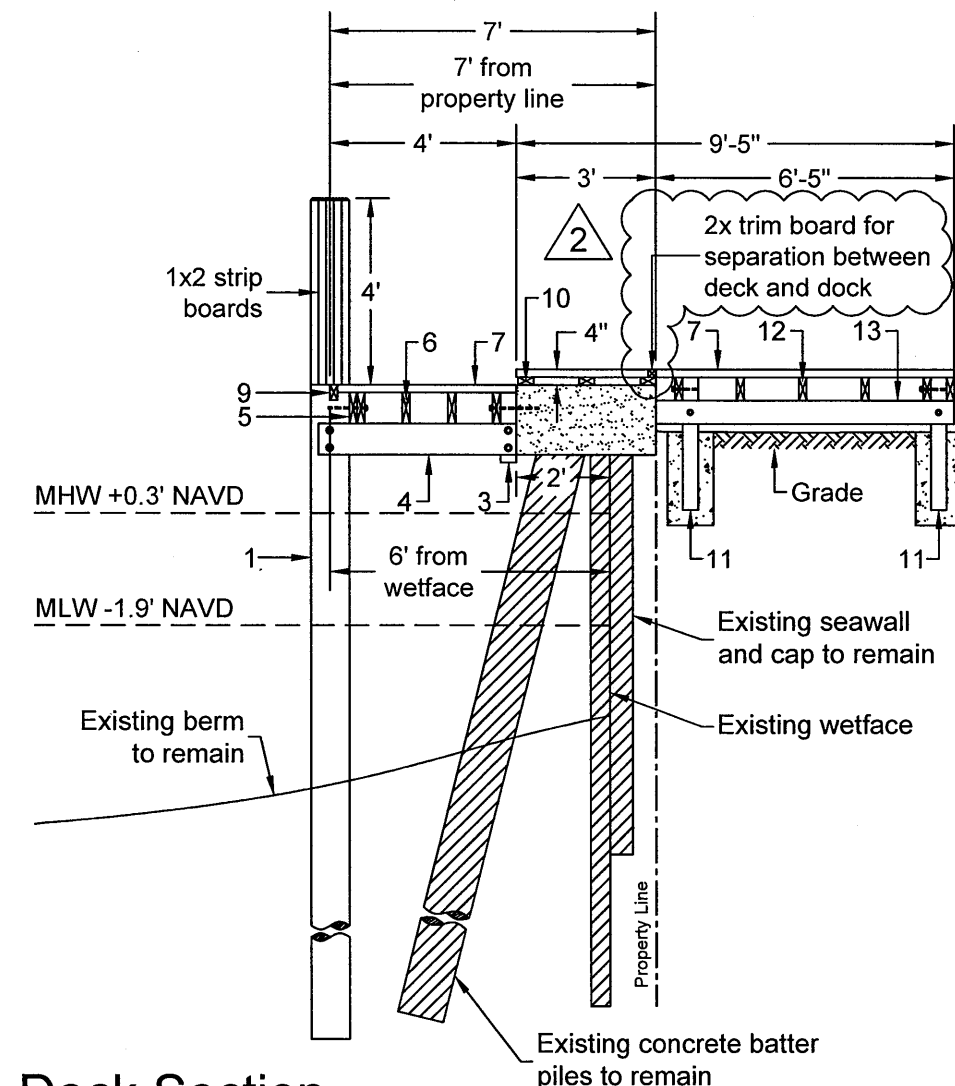
1	03.31.2022	Development Review Comments
REVISIONS		

Sheet 3 of 5

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

Project:  
Proposed Dock  
Jerry Wolff  
1005 Rusell Drive  
Highland Beach, Florida 33487





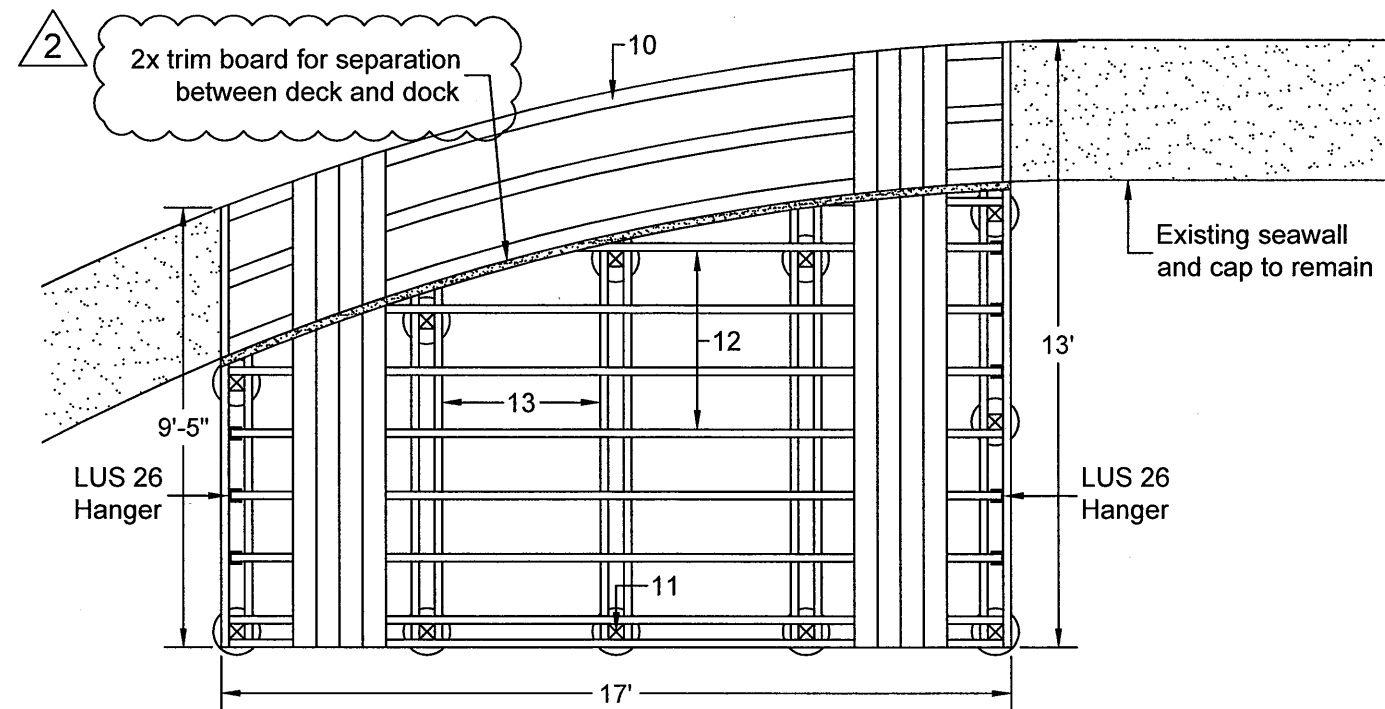
**Deck Section**

Scale 1/4"= 1'-0"

**Proposed**

2	08.26.2022	Development Review Comments
1	03.31.2022	Development Review Comments

REVISIONS



**Deck Framing Plan**

Scale 1/4"= 1'-0"

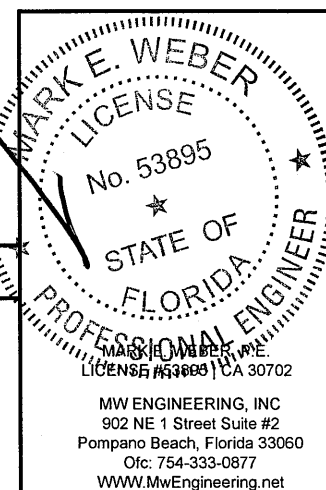
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Sheet 4 of 5

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

Project:  
Proposed Dock  
Jerry Wolff  
1005 Rusell Drive  
Highland Beach, Florida 33487



GENERAL NOTES:

- 1. Construction to follow the Florida Building Code 7th Edition (2020) 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 required capacity (min. 10 tons) a minimum of 8' into berm or refusal.
- 3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
- 4. Piles shall be driven with a variation of not more than 1/4 inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
- 5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE NOTES:

- 1. Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
- 2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
- 3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
- 4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
- 5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
- 6. Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
- 7. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of expoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

- 1. Wood piles to be 2.5 lb. CCA treated in accordance with AWWA standard C18.
- 2. Wood piles shall be a minimum diameter of 10", Miami Dade County requires minimum diameter of 12".
- 3. Concrete piles shall attain 6000 psi compressive strength in 28 days.
- 4. Concrete piles shall be reinforced with four - 7/16"Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
- 5. Concrete piles shall be 12"x12" square, minimum length of 20'.
- 6. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 8"x12" hook bars 6" into pile.

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.

<p>PREPARED FOR:</p> <p><b>B&amp;M MARINE CONSTRUCTION INC</b> 1211 South Military Trail,Suite 200 Deerfield Beach, Florida 33442 (954) 421-1700</p>	<p>Project:</p> <p><b>Proposed Dock</b> <b>Jerry Wolff</b> <b>1005 Rusell Drive</b> <b>Highland Beach, Florida 33487</b></p>	<p>SEP 14 2022</p> <p>Sheet 5 of 5</p> <p><b>MARK E. WEBER</b> LICENSE No. 53895 STATE OF FLORIDA PROFESSIONAL ENGINEER</p> <p>MARK E. WEBER, P.E. LICENSE #53895   CA 30702</p> <p>MW ENGINEERING, INC 902 NE 1 Street Suite #2 Pompano Beach, Florida 33060 Ofc: 754-333-0877 WWW.MwEngineering.net</p>
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**Town of Highland Beach  
Town Commission Development Order (PB)  
Application No. 21-0015**



**Applicant:** Villa Del Alto Property Owners/ William R Thomas  
**Property Address:** 1005 Russell Dr.  
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. 21-0015 for the property located at 1005 Russell Dr., 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 1005 Russell Dr., Highland Beach, Florida 33487.

The mailings consisted of 102 notices that were sent first class mail.

This 22<sup>nd</sup> day of September 2022.

Highland Beach Town Clerk's Office

Ganelle Thompson  
Administrative Support Specialist



## PUBLIC NOTICE APPLICATION NO. 21-0015

September 13, 2022

Dear Property Owner:

This is to notify you that the **PLANNING BOARD** of the Town of Highland Beach will conduct a public hearing on ***Wednesday, October 13, 2022 at 9:30 AM*** in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following application.

**APPLICATION BY WILLIAM R. THOMAS, UNLIMITED PERMIT SERVICES INC., FOR A SPECIAL EXCEPTION APPROVAL TO INSTALL A 500 SQUARE FOOT DOCK FOR THE PROPERTY LOCATED AT 1005 RUSSELL 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.

Public participation will be in the form of in-person, Zoom, or telephone calls. Persons desiring to participate in the meeting must preregister by contacting the Town Clerk's Office at the email address [publiccomments@highlandbeach.us](mailto:publiccomments@highlandbeach.us) or by submitting a public comment to the Town of Highland Beach's Agendas and Meetings webpage <https://mmportal6.teamunicode.com/>. At the top of the webpage, click on "Public Comments" complete the electronic form and click submit. The submitted comment will be read into the record during the corresponding portion of the meeting. All requests will be accepted up until 9:30 A.M. on Wednesday, October 12, 2022.

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

**SUN-SENTINEL**

**Sold To:**

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

**Bill To:**

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

**Published Daily**

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

**State Of Florida**

**County Of Orange**

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

The matter of 11745-Other Legal Notices ,  
Was published in said newspaper by print in the issues of, or by publication on the  
newspaper's website, if authorized on Oct 01, 2022

Affiant further says that the newspaper complies with all legal requirements for  
publication in Chapter 50, Florida Statutes.

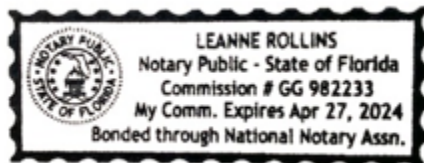


\_\_\_\_\_  
Signature of Affiant

Sworn to and subscribed before me this: October 03, 2022.



\_\_\_\_\_  
Signature of Notary Public



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

**Affidavit Delivery Method:** E-Mail

**Affidavit Email Address:** gthompson@highlandbeach.us  
7292958

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

YOU ARE HEREBY NOTIFIED that the Planning Board of the Town of Highland Beach will conduct a Public Hearing on Thursday, October 13, 2022, at 9:30 AM in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following:

APPLICATION NO 21-0015 BY WILLIAM R. THOMAS, UNLIMITED PERMIT SERVICES INC., FOR A SPECIAL EXCEPTION APPROVAL TO INSTALL A 500-SQUARE-FOOT DOCK FOR THE PROPERTY LOCATED AT 1005 RUSSELL DRIVE.

APPLICANT: WILLIAM R. THOMAS

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. Public participation will be in the form of in-person, Zoom, or telephone calls. Persons desiring to participate in the meeting must preregister by contacting the Town Clerk's Office at the email address [publiccomments@highlandbeach.us](mailto:publiccomments@highlandbeach.us) or by submitting a public comment to the Town of Highland Beach's Agendas and Meetings webpage <https://mmportal6.teamunicode.com/>. At the top of the webpage, click on "Public Comments" complete the electronic form and click submit. The submitted comment will be read into the record during the corresponding portion of the meeting. All requests will be accepted up until 9:30 A.M. on Wednesday, October 12, 2022.

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For additional information, please contact the Town Planner at (561) 278-4540.  
TOWN OF HIGHLAND BEACH, BUILDING  
DEPARTMENT  
10/3/2022 7292958



**File Attachments for Item:**

B. Development Application No. 22-0006 / David C. Joseph, Jr.

Application No 22-0006 by David C. Joseph, Jr. for a special exception approval to install a 10,000-pound capacity boat lift for a property located at 1100 Highland Beach Drive Apt. A.



## HIGHLAND BEACH BUILDING DEPARTMENT

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

## PLANNING BOARD STAFF REPORT

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**MEETING OF:**       **October 13, 2022**

**TO:**                   **PLANNING BOARD**

**FROM:**              **INGRID ALLEN, TOWN PLANNER**

**SUBJECT:**           **APPLICATION BY DAVID C. JOSEPH, JR. FOR A SPECIAL  
EXCEPTION APPROVAL TO INSTALL A 10,000 POUND  
CAPACITY BOAT LIFT FOR A PROPERTY LOCATED AT 1100  
HIGHLAND BEACH DRIVE APT. A. (DO #22-0006)**

---

### I. GENERAL INFORMATION:

**Applicant (Property Owner):**       David C. Joseph, Jr.  
1100 Highland Beach Drive, Apt. A  
Highland Beach, Fl. 33487

**Applicant's Agent:**               None

**Property Characteristics:**

**Comprehensive Plan Land Use:**   Multi Family Low Density

**Zoning District:**                 RML, Residential Multiple Family Low Density

**Parcel PCN#:**                     24-43-47-04-02-002-0152

### **Request and Analysis:**

The Applicant is proposing to install a 10,000 pound capacity elevator boat lift at the property located at 1100 Highland Beach Drive, Apt. A.

The Applicant has obtained both Florida Department of Environmental Protection (FDEP) and US Army Corps of Engineers (ACOE) authorization for the proposed boat lift. The corresponding file numbers for each agency are provided in the table below.

FDEP (FILE NO.)	ACOE (FILE NO.)
50-0192132-009-EE	SAJ-2022-02368(GP-KMM)

The proposed request is in compliance with the following definition of “boat lift” as provided in Section 30-131:

*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 30-68(h)(1)a. of the Town Code, states that the installation of a boat lift shall be subject to special exception approval by the Planning Board at an advertised public hearing. Section 30-36(a) of the Town code states that if the Planning Board is the final authority on the special exception, then it shall approve, approve with conditions, or deny the application. Note that according to Section 30-68(g)(6)d.2. of the Town Code, accessory marine facilities (which includes boat lifts) located in the multifamily zoning districts are exempt from side yard setback requirements.

Staff has reviewed the Applicant’s proposed request and finds that the project is consistent with the Zoning Code (Chapter 30) including the special exception criteria of Section 30-36, were applicable, and the Town Comprehensive Plan.

Following an approval by the Planning Board and prior to initiation of construction, the Applicant will be required to obtain a building permit 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.

## II. Recommendation

Staff recommends approval of the installation a proposed 10,000 pound capacity boat lift at the property located at 1100 Highland Beach Drive, Apt. A based on the plans date stamped received by the Building Department on September 29, 2022:

### The Applicant’s proposed request:

☒ **Meets Town of Highland Beach Zoning and other governmental agencies requirements.**

☐ **Meets Town of Highland Beach Zoning requirements; however, approvals are pending before the Town of Highland Beach will issue permits, with other governmental agencies as listed:**

☐ Does not meet Town of Highland Beach Zoning requirements.

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

Ingrid Allen  
Town Planner

Attachments:   Application  
                      Aerials  
                      FDEP approval  
                      ACOE approval  
                      Applicant Plans



## TOWN OF HIGHLAND BEACH

**Application # D022-0006**

PROPERTY INFORMATION ASSOCIATED WITH THIS APPLICATION	
Address: 1100 Highland Beach Dr Apt A Highland Beach, FL 33487	PCN: 24-43-47-04-02-002-0152
Full Legal Description of the Property [as described in the deed] or reference to an attachment: See below the deed	
Zoning District: Multi-Family Residential	What is the location of the installation? <input type="checkbox"/> X Intracoastal Waterway (ICW) <input type="checkbox"/> Interior Canal/Basin <input type="checkbox"/> N/A

PROPERTY OWNER (APPLICANT) INFORMATION		
Name: David C. Joseph, Jr.	Phone: 561-789-7726	Fax:
Mailing Address: 1100 Highland Beach Drive, Apt A, Highland Beach, Florida 33487		
Email Address: davidjoseph@keyes.com		

APPLICANT'S AGENT INFORMATION		
Name: David C. Joseph, Jr.	Phone: 561-789-7726	Fax:
Company Name: Owner is acting as their own agent		
Mailing Address: 1100 Highland Beach Drive, Apt A, Highland Beach, Florida 33487		
Email Address: davidjoseph@keyes.com		

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

**Install a new 10,000 lb Hurricane Boat Lift**

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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.

Applicant's Signature: Ed C. J. Jr. Date: 1-10-2022

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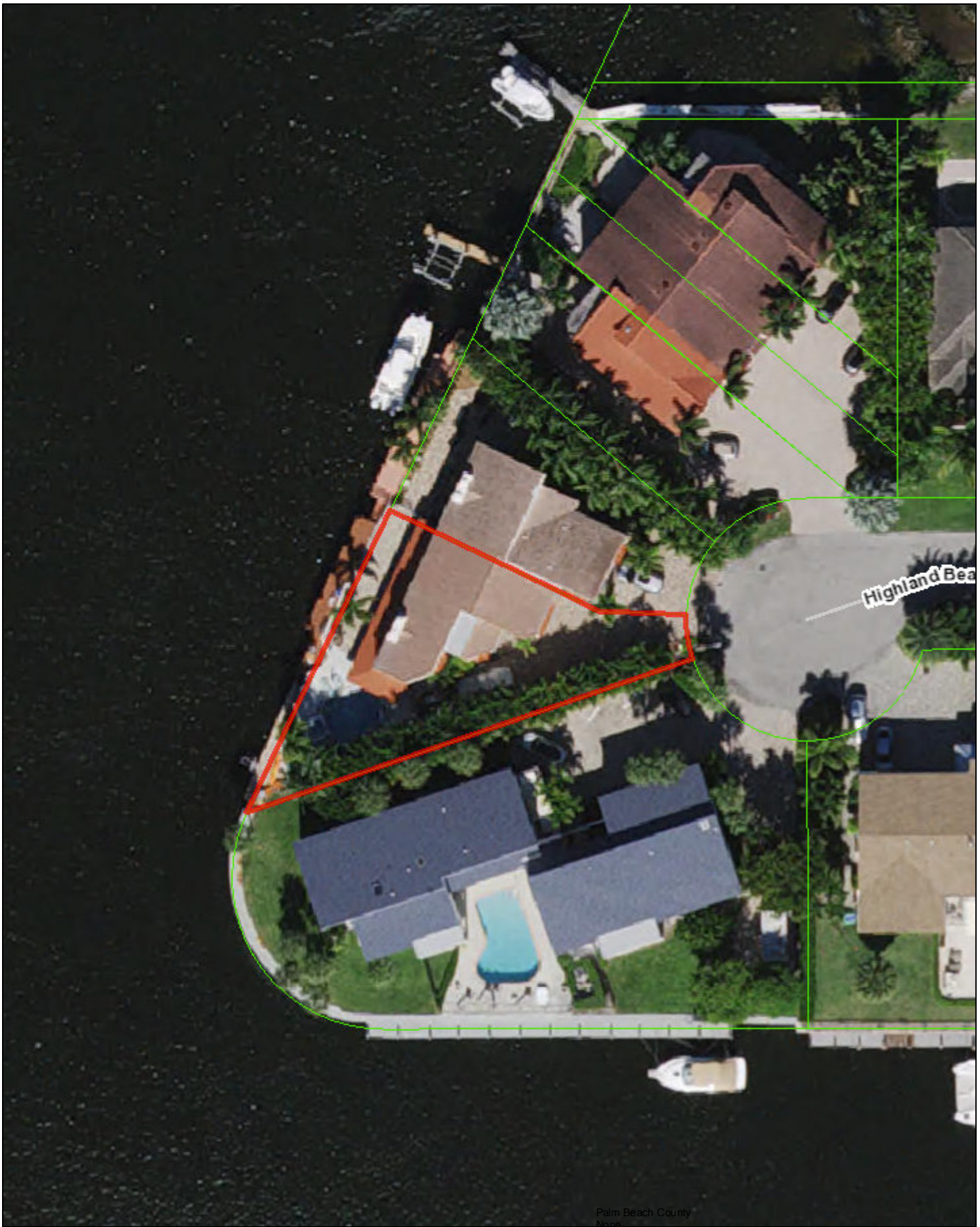
*Received by the Town Clerk's Office:*

Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Date Public Notices Mailed: \_\_\_\_\_

Date Legal Advertisement Published: \_\_\_\_\_

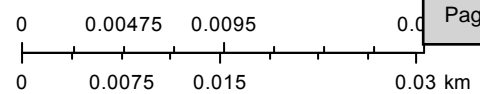
# 1100 Highland Beach Drive, Apt. A



September 30, 2022

Palm Beach County  
None

1:576





# 1100 Highland Beach Drive, Apt. A



© All EagleView Technology Corporation





# 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

August 3, 2022

David Joseph  
1100 Highland Beach Dr  
Highland Beach  
Sent via e-mail: [taylor@dockmastersplus.com](mailto:taylor@dockmastersplus.com)

Re: File No.: 50-0192132-009-EE  
File Name: Joseph Boat lift

Dear David Joseph:

On May 2, 2022, we received your request for verification of exemption to perform the following activities: install a boatlift. The project is located in the Intracoastal Waterway, a Class III Waters, adjacent to 1100 Highland Beach Dr, Highland Beach, FL 33487 (Section 04, Township 47 South, Range 43 East), in Palm Beach County (Latitude N 26° 24' 8.51", Longitude W 80° 4' 5.43").

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

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

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

If you have any questions regarding this matter, please contact Jacob Landfield at the letterhead address or at 561-681-6625, [Jacob.Landfield@FloridaDEP.gov](mailto:Jacob.Landfield@FloridaDEP.gov).

### **1. Regulatory Review – VERIFIED**

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

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

### **2. Proprietary Review- NOT REQUIRED**

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

### **3. Federal Review - NOT APPROVED**

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using the Application for Department of the Army Permit (ENG 4345) or alternative as allowed by Corps regulations. More information on Corps permitting 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 further 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](mailto: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](mailto: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



---

Jeffrey L. Meyer  
Environmental Administrator  
Southeast District

### Enclosures:

Attachment A: Specific Exemption Rule(s)  
Project drawings, 3 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 – Norva Blandin, Jeffrey L. Meyer, Jacob Landfield  
Taylor McInnis, Dock Masters Plus, [Taylor@DockMastersPlus.com](mailto:Taylor@DockMastersPlus.com)

### Additional mailings:

Matt Mitchell, Palm Beach County, Environmental Resources, [mmitchell@pbcgov.org](mailto: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.

Mandakini Patel  
Clerk

August 3, 2022  
Date

## Attachment A

### **62-330.051 Exempt Activities.**

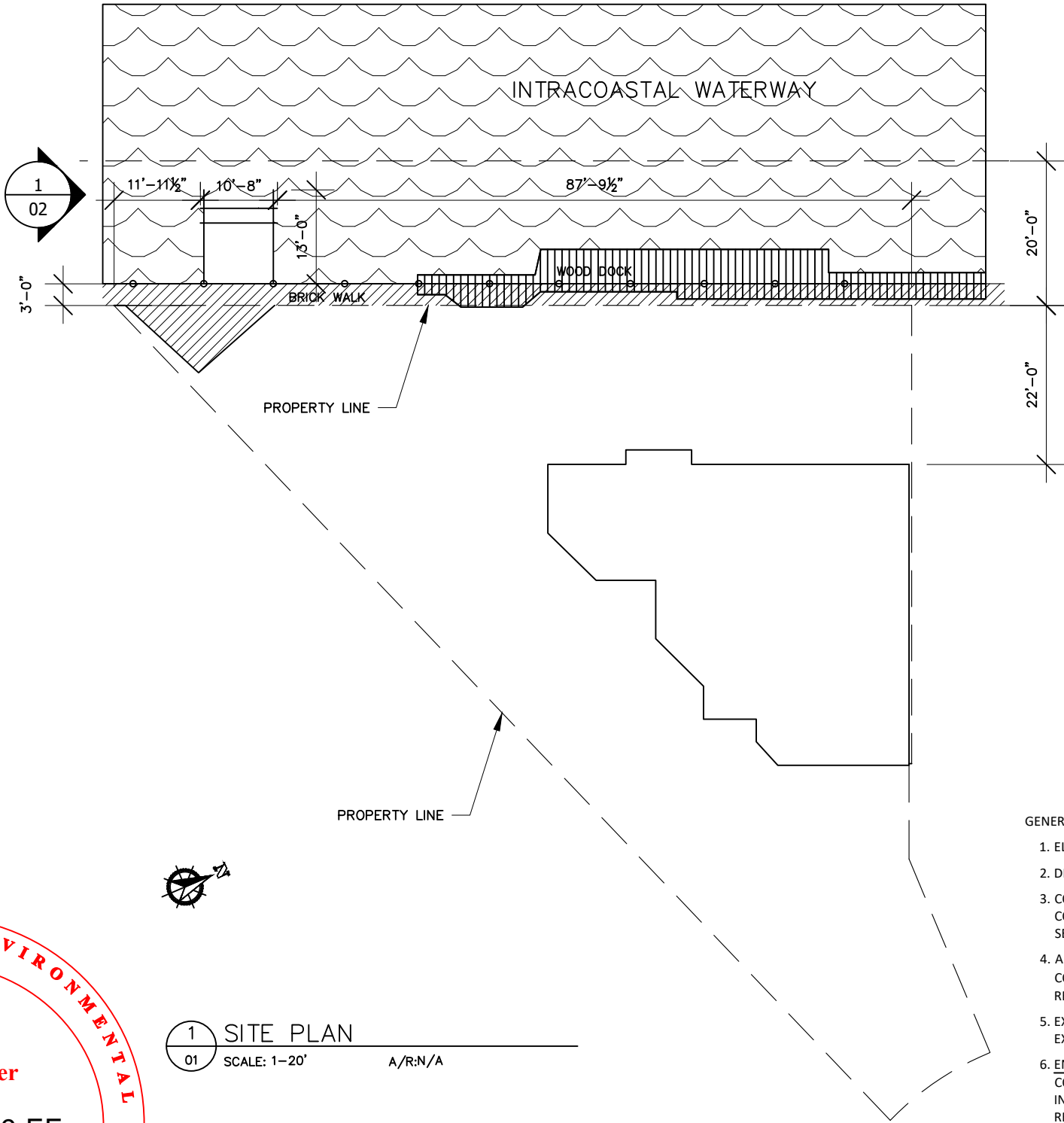
The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under chapters 253 and 258, F.S., as applicable.

#### (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*



1 SITE PLAN  
01 SCALE: 1-20' A/R:N/A

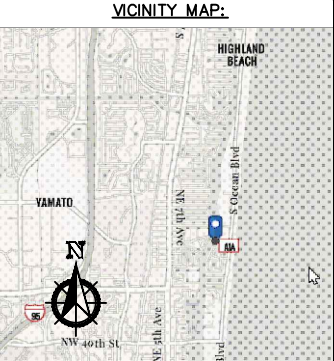
PROJECT DESIGN DATA		12/21/2021
JURISDICTION	Palm Beach County	
CODE	FBC 2020 7th Edition	
PROJECT NAME	New Boat Lift	
PROJECT ADDRESS	1100 Highland Beach Drive, Apt A, Highland Beach, FL 33487	
ENGINEER	Paul Welch Inc.	
RISK CATEGORY	II	
WIND SPEED ASCE 7-16 (3 Sec Gust)	169 MPH	
ASD	138 MPH	
EXPOSURE	D	
MEAN BUILDING HEIGHT*	<15'-0"	

THIS ELECTRONIC SIGNATURE ALONG WITH P.E. SEAL ON EACH SHEET CETIFIES ALL SHEETS IN THIS FILE.

- GENERAL NOTES
- ELEVATIONS SHOWN ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.
  - DESIGN IN ACCORDANCE WITH 2020 7TH EDITION OF THE FLORIDA BUILDING CODE.
  - CONSTRUCTION METHODS, PROCEDURES, AND SEQUENCES ARE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL TAKE THE NECESSARY MEANS TO MAINTAIN AND PROTECT THE STRUCTURAL INTEGRITY AND SERVICEABILITY OF THE CONSTRUCTION AT ALL TIMES.
  - ANY DISCREPANCIES FOUND FOR ANY CIRCUMSTANCE BETWEEN THE STRUCTURAL PLANS AND THE EXISTING CONDITIONS FOUND ON SITE AND/OR ANY CONDITIONS THAT WERE OMITTED ON THE PLANS WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO IMMEDIATELY BRING TO THE ATTENTION OF THE ENGINEER OF RECORD.
  - EXISTING CONDITIONS ARE UNKNOWN, THEREFORE, WORST CASE CONDITIONS HAVE BEEN APPROXIMATED. ALL EXISTING CONDITIONS ARE ASSUMED AND MUST BE CONFIRMED BY THE CONTRACTOR AFTER PERMITTING.
  - ENGINEERS LIMITATIONS OF RESPONSIBILITY: THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE QUALITY OR COMPOSITION OF MATERIALS, FABRICATIONS, CONSTRUCTION INSPECTION, SUPERVISION, OR REVIEW, SPECIAL INSPECTION, OR THE QUALITY AND CORRECTNESS OF CONSTRUCTION UNLESS THE APPROPRIATE SUBMISSIONS, REPORTS, APPROVALS, INSPECTIONS, SITE VISIT, CONSTRUCTION REVIEW, OR SPECIAL INSPECTIONS ARE PERFORMED BY THE ENGINEER OR HIS REPRESENTATIVE AS REQUIRED HEREIN, AND THEN ONLY SUCH RESPONSIBILITY AS IN ASSOCIATED WITH THE SPECIFIC WORK PERFORMED AS IS COMMONLY ASSIGNED A STRUCTURAL ENGINEER IN RELATION TO OTHER ENGINEERING AND CONSTRUCTION DISCIPLINES ASSOCIATED WITH THE PROJECT.
  - THE ENGINEER SHALL NOT BE RESPONSIBLE FOR SITE AND CONSTRUCTION SAFETY AND/OR THE SAFETY OF CONSTRUCTION WORKERS. SITE AND CONSTRUCTION SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF HIS EMPLOYEES AND THE SAFETY OF THE EMPLOYEE OF ALL SUBCONTRACTORS TO THE PROJECT.
  - ENGINEER'S STATEMENT OF COMPLIANCE: TO THE BEST OF THE ENGINEER'S KNOWLEDGE, THE STRUCTURE PLANE AND SPECIFICATIONS PRESENTED HEREIN COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES, STANDARDS, AND PRACTICES.



DRAFTING SERVICES  
CAD-CON DESIGN LLC  
772-408-8175  
WWW.CADCONDESIGN.COM  
411@CADCONDESIGN.COM



GENERAL NOTES:

PLOT SIZE 11X17 TABLOID



**PAUL WELCH INC.**  
FLORIDA REGISTRATION #29945  
MECHANICAL \* ELECTRICAL \* CIVIL ENGINEERING  
1984 S.W. BILTMORE ST., SUITE #114  
PORT ST. LUCIE, FL 34984  
(772) 785-9888

JOB NAME:  
1100 Highland Beach Drive,  
Apt A, Highland Beach, FL 33487

DRAWING NAME:  
Hurricane Boat Lift  
SITE PLAN

CONTRACTOR:

ENGINEER OF RECORD

REVISION	DATE
R1	2/2/2022

DRAWN BY:  
CadConDesign.com

DATE DRAWN:

DATE SUBMITTED:

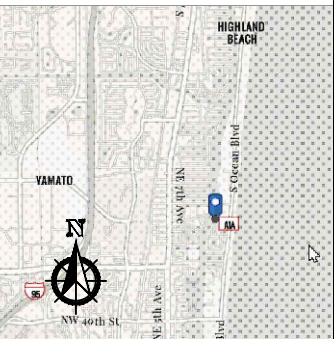
DRAWING NO.





DRAFTING SERVICES  
CAD-CON DESIGN LLC  
772-408-8175  
WWW.CADCONDESIGN.COM  
411@CADCONDESIGN.COM

VICINITY MAP:



GENERAL NOTES:

PLOT SIZE 11X17 TABLOID



**PAUL WELCH INC.**

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PORT ST. LUCIE, FL 34984  
(772) 785-9888

JOB NAME:  
1100 Highland Beach Drive,  
Apt A, Highland Beach, FL 33487

DRAWING NAME:  
Hurricane Boat Lift  
PLAN

CONTRACTOR:

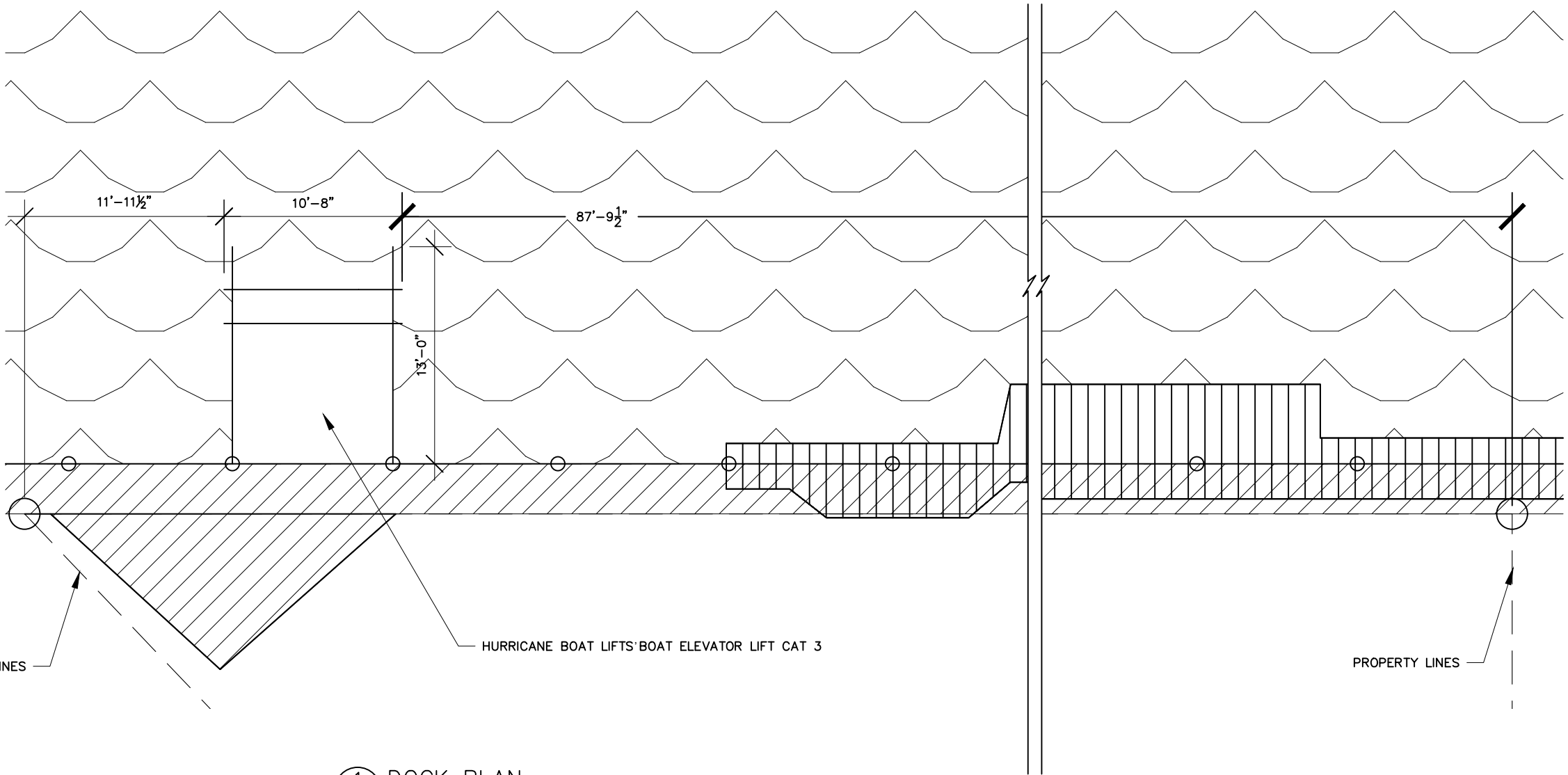
ENGINEER OF RECORD

REVISION	DATE
R1	2/2/2022

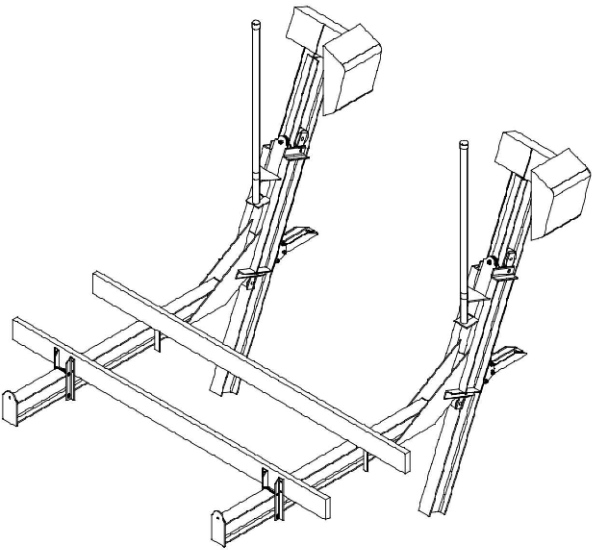
DRAWN BY:  
CadConDesign.com  
DATE DRAWN:  
DATE SUBMITTED:

DRAWING NO.

Page 87



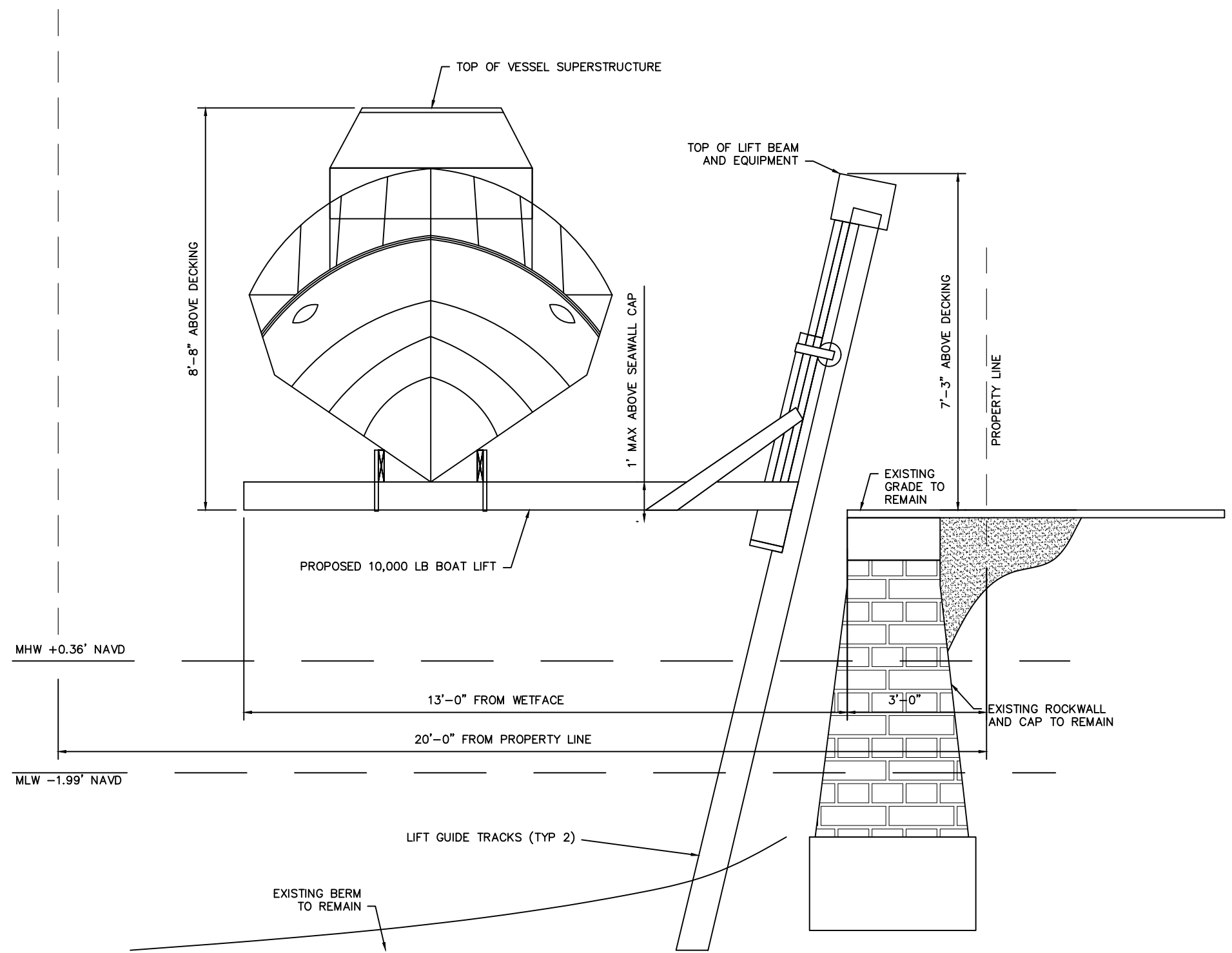
1 DOCK PLAN  
02 SCALE: 1/8"=1'-0" A/R:N/A



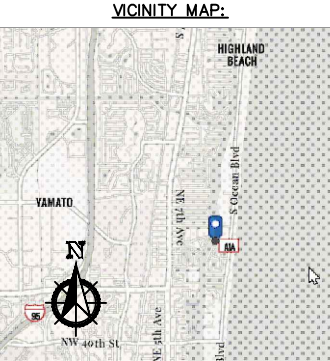
Hurricane Boat Lifts' Boat Elevator lift CAT 3



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. (PER TOWN OF HIGHLAND BEACH CODE OF ORDINANCES, SECTION 30-131, - DEFINITIONS OF TERMS)



DRAFTING SERVICES  
CAD-CON DESIGN LLC  
772-408-8175  
WWW.CADCONDESIGN.COM  
411@CADCONDESIGN.COM



GENERAL NOTES:

PLOT SIZE 11X17 TABLOID



**PAUL WELCH INC.**  
FLORIDA REGISTRATION #29945  
MECHANICAL \* ELECTRICAL \* CIVIL ENGINEERING  
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PORT ST. LUCIE, FL 34984  
(772) 785-9888

JOB NAME:  
1100 Highland Beach Drive,  
Apt A, Highland Beach, FL 33487

DRAWING NAME:  
Hurricane Boat Lift  
ELEVATION

CONTRACTOR:

ENGINEER OF RECORD

REVISION	DATE
R1	2/2/2022

DRAWN BY:  
CadConDesign.com  
DATE DRAWN:  
DATE SUBMITTED:

DRAWING NO.



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
4400 PGA BOULEVARD, SUITE 500  
PALM BEACH GARDENS, FLORIDA 33410

September 28, 2022

Regulatory Division  
South Branch  
Palm Beach Gardens Section  
SAJ-2022-02368(GP-KMM)

David Joseph  
1100 Highland Beach Drive, Apt A  
Highland Beach, FL 33487  
Sent via email: [DavidJoseph@keyes.com](mailto:DavidJoseph@keyes.com)

Dear David Joseph:

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit, which the Corps received on July 27, 2022. Your application was assigned file number SAJ-2022-02368. A review of the information and drawings provided indicates that the proposed work would improve water access of a single-family residence by the installation of a boatlift.

The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located in Intracoastal Waterway at 1100 Highland Beach Drive, in Section 04, Township 47 South, Range 43 East, Highland Beach, Palm Beach County, Florida.

This letter verifies your project, as described above and depicted on the enclosed drawings, is authorized by Regional General Permit (RGP) SAJ-20 and any subsequent modifications, if applicable. **This RGP authorization is valid until March 27, 2023.** Please access the Corps' Jacksonville District Regulatory Division Source Book webpage to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is: <http://www.saj.usace.army.mil/Missions/Regulatory.aspx>. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there select "Source Book"; and, then select "General Permits." Then you will need to select the specific SAJ permit noted above.

**You must comply with ALL the RGP general and special, attached and/or incorporated by reference, and the Project Specific Special Conditions and General Conditions, listed below, or you may be subject to enforcement action.**

**General Conditions (33 CFR PART 320-330):**

1. The time limit for completing the work authorized ends on **March 27, 2023.**
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 transfer form attached to this letter and forward a copy to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Project Specific Special Conditions:**

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

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:
  - a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).
  - b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, Florida 32232-0019.

The Permittee shall reference this permit number, SAJ-2022-02368, on all submittals.

2. **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 2).
3. **As-Built Certification with X-Y Coordinates:** Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and complete the enclosed "As-Built Certification by Professional Engineer or Surveyor" form, (Attachment 3) to the Corps. The drawings shall be signed and sealed by a registered professional engineer or a professional land surveyor confirming the actual location of all authorized work/structures with respect to the Federal channel and/or within the Federal easement and include the following:
  - a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawings shall include the X & Y State Plane coordination points of the most waterward point of the structure. The drawings shall include the dimensions of the structure, location of mean high water line (MHWL), depth of water (at mean low water) at the waterward end of the structure, and the distance from the waterward end of the structure to the near design edge of the Federal channel.
  - b. List of any deviations between the work authorized by this permit and the work as constructed. In the event the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the Corps.
  - c. The Department of the Army Permit numb
4. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

5. **Manatee Conditions:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 4). The most recent version of the Manatee Conditions must be utilized.
6. **Jacksonville District Programmatic Biological Opinion (JAXBO):** Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable PDCs contained in the JAXBO, based on the permitted activity. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take. The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at:  
<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

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

7. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained daily until the authorized work has been completed and turbidity within the construction area has returned to ambient levels. Turbidity barriers shall be removed upon stabilization of the work area.
8. **Cultural Resources/Historic Properties:**
  - a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.
  - b. If, during permitted activities, items that may have historic or archaeological origin are observed the Permittee shall immediately cease all activities adjacent to the discovery that may result in the destruction of these resources and shall prevent his/her employees from further removing, or otherwise damaging, such resources. The applicant shall notify both the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333 and the Corps, of the observations within the same business day (8 hours). Examples of submerged historical, archaeological or cultural resources include shipwrecks, shipwreck debris fields (such as steam engine parts, or wood

planks and beams), anchors, ballast rock, concreted iron objects, concentrations of coal, prehistoric watercraft (such as log "dugouts"), and other evidence of human activity. The materials may be deeply buried in sediment, resting in shallow sediments or above them, or protruding into water. The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions. Project activities shall not resume without verbal and/or written authorization from the Corps.

- c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition and, if deemed necessary by the SHPO or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.
  - d. In the unlikely event that unmarked human remains are identified on non-federal lands; they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the SHPO and from the Corps.
9. **Consent to Easement:** A portion of the authorized work may be located within the Federal right-of-way and therefore, may require a Department of the Army Consent to Easement. A copy of this authorization has been forwarded to the Corps' Real Estate Division for action on the Consent to Easement. Prior to commencement of construction, the Permittee shall provide a copy of the Corps approved Consent to Easement to the address identified in **Reporting Addresses Special Condition**.

The Real Estate Division is responsible for issuing the Consent to Easement. For questions or status updates on the Consent to Easement, please contact Real Estate Division at SAJ-RE-Consent@usace.army.mil or Post Office Box 4970, Jacksonville, Florida 32232-0019 or by telephone at 904-570-4515.



10. **Federal Channel Setback:** The most waterward edge of the authorized project shall be constructed no closer than 68.3 feet from the near design edge of the federal channel as shown in the attached drawings.

### **Jurisdictional Determination:**

A jurisdiction determination was not completed with this request. Therefore, this is not an appealable action. However, you may request an approved JD, which is an appealable action, by contacting the Corps for further instruction.

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

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

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

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

Should you have any questions related to this RGP verification or have issues accessing the documents referenced in this letter, please contact Kaitlyn Mallett at the

-7-

letterhead address above, via telephone at 561-510-6534, or via e-mail at [Kaitlyn.M.Mallett@usace.army.mil](mailto:Kaitlyn.M.Mallett@usace.army.mil).

Sincerely,

*Kaitlyn Mallett*

Kaitlyn Mallett  
Project Manager

Enclosures

Project Drawings

Commencement Notification form

Self-Certification Statement of Compliance form

Standard Manatee Conditions for In-Water Work—2011

Cc:

Taylor McInnis, Dock Masters Plus, [taylor@dockmastersplus.com](mailto:taylor@dockmastersplus.com)

## **DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST**

**DA PERMIT NUMBER: SAJ-2022-02368(GP-KMM)**

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

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

\_\_\_\_\_  
(TRANSFEREE-SIGNATURE)

\_\_\_\_\_  
(SUBDIVISION)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(LOT)

\_\_\_\_\_  
(BLOCK)

\_\_\_\_\_  
(NAME-PRINTED)

\_\_\_\_\_  
(STREET ADDRESS)

\_\_\_\_\_  
(MAILING ADDRESS)

\_\_\_\_\_  
(CITY, STATE, ZIP CODE)

# LEGEND

A/C = AIR CONDITIONER  
C.B.S. = CONCRETE BLOCK STRUCTURE  
C = CALCULATED  
CH = CHORD  
CL = CENTERLINE  
C/S = CONCRETE SLAB  
CONC. = CONCRETE  
D.E. = DRAINAGE EASEMENT  
Δ = DELTA (CENTRAL ANGLE)  
E.L. = ELEVATION  
F.F. = FINISHED FLOOR  
F.I.P. = FOUND IRON PIPE  
F.I.R. = FOUND IRON ROD  
L = ARC LENGTH  
L.B. = LICENSED SURVEY BUSINESS  
LS = LICENSED SURVEYOR  
M = MEASURED  
NO I.D. = NO IDENTIFICATION  
N/A = NOT APPLICABLE

P = PLAT  
P.B.C. = PALM BEACH COUNTY  
P.B. = PLAT BOOK  
P.C. = POINT OF CURVATURE  
P.K. = PARKER KALON COMPANY  
D = DEED  
0.00'± = SPOT ELEVATION  
P.R.C. = POINT OF REVERSE CURVATURE  
PG. = PAGE  
R = RADIUS  
R/W = RIGHT OF WAY  
U.E. = UTILITY EASEMENT  
C.L.F. = CHAINLINK FENCE  
P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER  
NAVD'88 = NORTH AMERICAN VERTICAL DATUM OF 1988  
NGVD'29 = NATIONAL GEODETIC VERTICAL DATUM OF 1929  
ISAOA = ITS SUCCESSORS AND/OR ASSIGNS  
ATIMA = AS THEIR INTEREST MAY APPEAR

**CERTIFIED TO:**  
DAVID C. JOSEPH, JR. AS TO HIS LIFE ESTATE AND  
THE DAVID C. JOSEPH, JR. REVOCABLE LIVING TRUST, DATED SEPTEMBER 2, 2021

## LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 43 EAST, CITY OF HIGHLAND BEACH, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 15, BLOCK 2, BEL LIDO, AS RECORDED IN PLAT BOOK 25, AT PAGE 97, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF LOT 15, A DISTANCE OF 110.41 FEET TO A POINT; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 63.39 FEET TO A POINT; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 0.37 FEET TO A POINT; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 13.20 FEET TO A POINT; THENCE EASTERLY WITH A DEFLECTION OF 23°19'10" TO THE LEFT, A DISTANCE OF 29.05 FEET, RADIAL TO A POINT LYING ON THE FRONT ARC OF LOT 15; THENCE SOUTHERLY ALONG SAID FRONT ARC OF LOT 15, CONCAVE TO THE EAST, HAVING A RADIUS OF 40.00 FEET, AN ARC LENGTH OF 14.76 FEET TO THE SOUTHEAST CORNER OF LOT 15; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF LOT 15, A DISTANCE OF 158.14 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.  
TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS, BEING DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF LOT 15, A DISTANCE OF 68.81 FEET TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG A LINE PARALLEL TO AND 63.30 FEET (MEASURED AT RIGHT ANGLES) FROM THE WESTERLY LINE OF LOT 15, A DISTANCE OF 47.84 FEET TO A POINT; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 13.20 FEET TO A POINT; THENCE EASTERLY WITH A DEFLECTION OF 23°19'10" TO THE LEFT, A DISTANCE OF 29.05 FEET, RADIAL TO A POINT LYING ON THE FRONT ARC OF LOT 15; THENCE SOUTHERLY ALONG SAID FRONT ARC OF LOT 15, CONCAVE TO THE EAST, HAVING A RADIUS OF 40.00 FEET, AND ARC LENGTH OF 14.76 FEET TO THE SOUTHEAST CORNER OF LOT 15; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF LOT 15, A DISTANCE OF 67.33 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.  
TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS, BEING A PORTION OF LOT 15, BLOCK 2, BEL LIDO, AS RECORDED IN PLAT BOOK 25 AT PAGE 97, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF LOT 15, A DISTANCE OF 173.26 FEET TO THE NORTHERNMOST CORNER OF LOT 15; THENCE SOUTHEASTERLY ALONG THE NORTHERLY LINE OF LOT 15, A DISTANCE OF 79.07 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE PRECEDING COURSE A DISTANCE OF 25.46 FEET TO THE NORTHEAST CORNER OF LOT 15; THENCE SOUTHEASTERLY ALONG THE FRONT ARC OF LOT 15, CONCAVE TO THE EAST, HAVING A RADIUS OF 40.00 FEET, AN ARC LENGTH OF 26.11 FEET TO A POINT; THENCE WESTERLY, RADIAL TO THE PRECEDING ARC, A DISTANCE OF 29.05 FEET TO A POINT; THENCE NORTHEASTERLY ALONG A LINE LYING PARALLEL TO AND 26.59 FEET (MEASURED AT RIGHT ANGLES) FROM THE WESTERLY LINE OF LOT 15, A DISTANCE OF 43.59 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

## SYMBOL

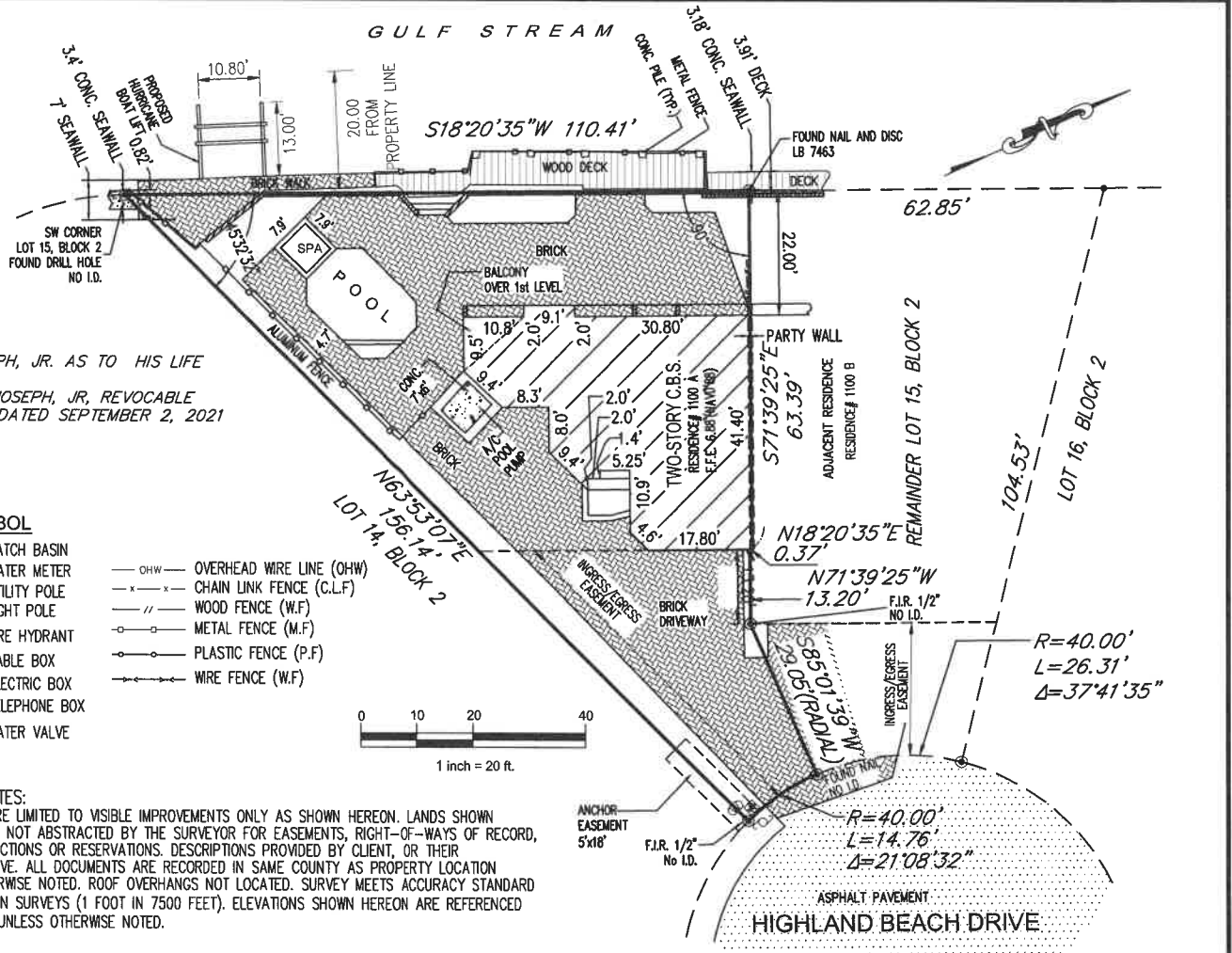
☑ CATCH BASIN  
⊕ WATER METER  
○ UTILITY POLE  
☆ LIGHT POLE  
⚡ FIRE HYDRANT  
☑ CABLE BOX  
☑ ELECTRIC BOX  
☑ TELEPHONE BOX  
⊕ WATER VALVE

— OHW — OVERHEAD WIRE LINE (OHW)  
— x — CHAIN LINK FENCE (C.L.F.)  
— // — WOOD FENCE (W.F.)  
— | — METAL FENCE (M.F.)  
— ○ — PLASTIC FENCE (P.F.)  
— — — WIRE FENCE (W.F.)

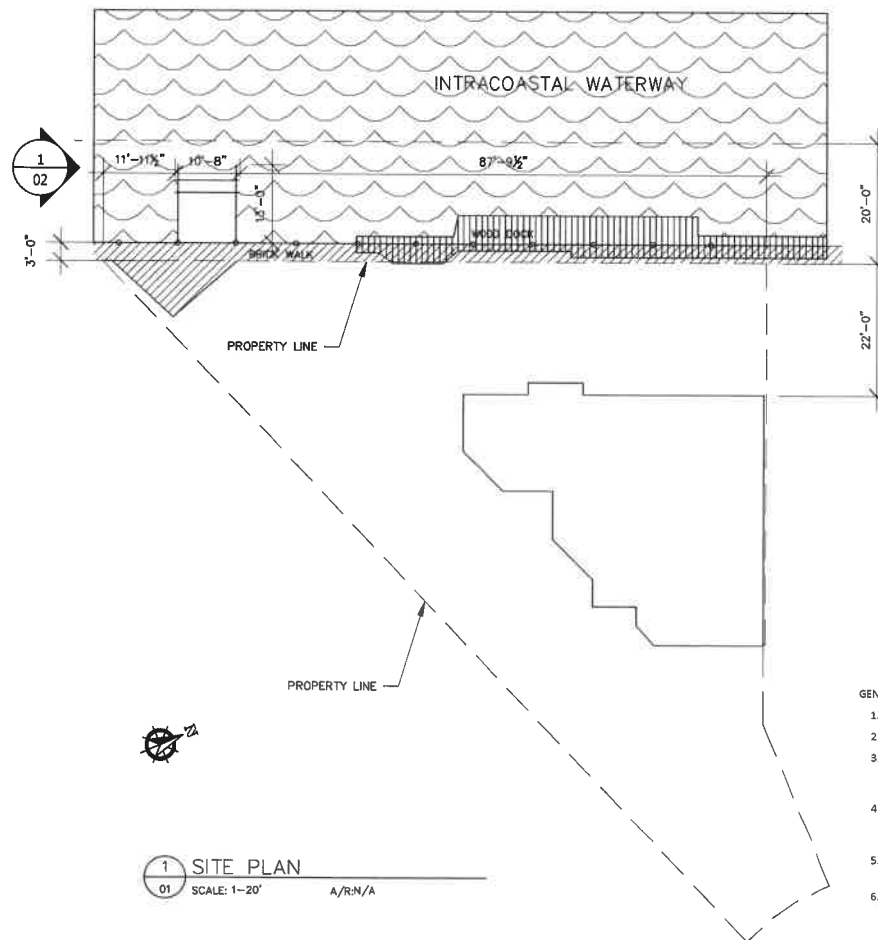
0 10 20 40  
1 inch = 20 ft.

## SURVEY NOTES:

LOCATIONS ARE LIMITED TO VISIBLE IMPROVEMENTS ONLY AS SHOWN HEREON. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THE SURVEYOR FOR EASEMENTS, RIGHT-OF-WAYS OF RECORD, OTHER RESTRICTIONS OR RESERVATIONS. DESCRIPTIONS PROVIDED BY CLIENT, OR THEIR REPRESENTATIVE. ALL DOCUMENTS ARE RECORDED IN SAME COUNTY AS PROPERTY LOCATION UNLESS OTHERWISE NOTED. ROOF OVERHANGS NOT LOCATED. SURVEY MEETS ACCURACY STANDARD FOR SUBURBAN SURVEYS (1 FOOT IN 7500 FEET). ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD'88, UNLESS OTHERWISE NOTED.



MAP OF BOUNDARY SURVEY			SCALE: 1" = 20'	<div>NOTES/REVISIONS</div> <div><div>Digitally signed by John E Kuhar:A01410D00000178414F171500006D0E DN: c=US, o=BASELINE LAND SURVEY LLC, cn=John E Kuhar:A01410D00000178414F171500006D0E Date: 2022.01.14 16:10:19 -0500</div><div>JOHN E. KUHAR, PSM, STATE OF FLORIDA PROFESSIONAL SURVEYOR AND MAPPER LS 6711 NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.</div></div> <div><div>BASELINE LAND SURVEY LLC</div><div>1400 N.W. 1st COURT BOCA RATON, FLORIDA 33432 (561) 417-0700 LB-8229</div><div>JOB NO.: 11-10-007-UPD</div></div>
COMMUNITY PANEL#	FLOOD ZONE:	BASE FLOOD EL.:	DRAWN BY: ELF.	
125111 0989 F	AE	6.0'(NAVD'88)	CHECKED BY: J.K.	
DATE OF FIRM: 10/5/2017	BASIS OF BEARING: S PROPERTY LINE LOT 15, BLOCK 2, SAID LINE HAVING AN ASSUMED BEARING OF N63°57'07"E.			
PROPERTY ADDRESS: 1100 HIGHLAND BEACH DRIVE, HIGHLAND BEACH, FLORIDA 33487				



1 SITE PLAN  
01 SCALE: 1"=20' A/R/N/A

PROJECT DESIGN DATA		12/21/2022
JURISDICTION	Palm Beach County	
CODE	FBC 2020 7th Edition	
PROJECT NAME	New Boat Lift	
PROJECT ADDRESS	1100 Highland Beach Drive, Apt A, Highland Beach, FL 33487	
ENGINEER	Paul Welch Inc.	
RISK CATEGORY	I	
WIND SPEED ASCE 7-16 (3 Sec Gust)	85 MPH	
ASD	130 MPH	
EXPOSURE	D	
MEAN BUILDING HEIGHT	<15'-0"	

THIS ELECTRONIC SIGNATURE ALONG WITH P.E. SEAL ON EACH SHEET CERTIFIES ALL SHEETS IN THIS FILE.

Paul  
Welch

Digitally signed by  
Paul Welch  
Date: 2022.03.04  
12:02:55 -05'00'

#### GENERAL NOTES

- ELEVATIONS SHOWN ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1989.
- DESIGN IN ACCORDANCE WITH 2020 7TH EDITION OF THE FLORIDA BUILDING CODE.
- CONSTRUCTION METHODS, PROCEDURES, AND SEQUENCES ARE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL TAKE THE NECESSARY MEANS TO MAINTAIN AND PROTECT THE STRUCTURAL INTEGRITY AND SERVICEABILITY OF THE CONSTRUCTION AT ALL TIMES.
- ANY DISCREPANCIES FOUND FOR ANY CIRCUMSTANCE BETWEEN THE STRUCTURAL PLANS AND THE EXISTING CONDITIONS FOUND ON SITE AND/OR ANY CONDITIONS THAT WERE OMITTED ON THE PLANS WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO IMMEDIATELY BRING TO THE ATTENTION OF THE ENGINEER OF RECORD.
- EXISTING CONDITIONS ARE UNKNOWN, THEREFORE, WORST CASE CONDITIONS HAVE BEEN APPROXIMATED. ALL EXISTING CONDITIONS ARE ASSUMED AND MUST BE CONFIRMED BY THE CONTRACTOR AFTER PERMITTING.
- ENGINEERS LIMITATIONS OF RESPONSIBILITY:** THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE QUALITY OR COMPOSITION OF MATERIALS, FABRICATIONS, CONSTRUCTION INSPECTION, SUPERVISION, OR REVIEW, SPECIAL INSPECTION, OR THE QUALITY AND CORRECTNESS OF CONSTRUCTION UNLESS THE APPROPRIATE SUBMISSIONS, REPORTS, APPROVALS, INSPECTIONS, SITE VISIT, CONSTRUCTION REVIEW, OR SPECIAL INSPECTIONS ARE PERFORMED BY THE ENGINEER OR HIS REPRESENTATIVE AS REQUIRED HEREIN, AND THEN ONLY SUCH RESPONSIBILITY AS IN ASSOCIATED WITH THE SPECIFIC WORK PERFORMED AS IS COMMONLY ASSIGNED A STRUCTURAL ENGINEER IN RELATION TO OTHER ENGINEERING AND CONSTRUCTION DISCIPLINES ASSOCIATED WITH THE PROJECT.
- THE ENGINEER SHALL NOT BE RESPONSIBLE FOR SITE AND CONSTRUCTION SAFETY AND/OR THE SAFETY OF CONSTRUCTION WORKERS. SITE AND CONSTRUCTION SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF HIS EMPLOYEES AND THE SAFETY OF THE EMPLOYEE OF ALL SUBCONTRACTORS TO THE PROJECT.
- ENGINEER'S STATEMENT OF COMPLIANCE:** TO THE BEST OF THE ENGINEER'S KNOWLEDGE, THE STRUCTURE PLANE AND SPECIFICATIONS PRESENTED HEREIN COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES, STANDARDS, AND PRACTICES.



DRAFTING SERVICES  
CAD-CON DESIGN LLC  
772-408-8175  
WWW.CADCONDESIGN.COM  
411@CADCONDESIGN.COM

#### VICINITY MAP:



#### GENERAL NOTES:

PLOT SIZE 11X17 TABLOID

PAUL WELCH INC.

FLORIDA REGISTRATION #29945  
MECHANICAL, ELECTRICAL & CIVIL ENGINEERING  
11954 PALM BLVD. SUITE 114  
PORT LUDIC, FL 34984  
(772) 785-9888

JOB NAME:  
1100 Highland Beach Drive,  
Apt A, Highland Beach, FL 33487

DRAWING NAME:  
Hurricane Boat Lift  
SITE PLAN

CONTRACTOR:

ENGINEER OF RECORD

REVISION	DATE
R1	2/2/2022

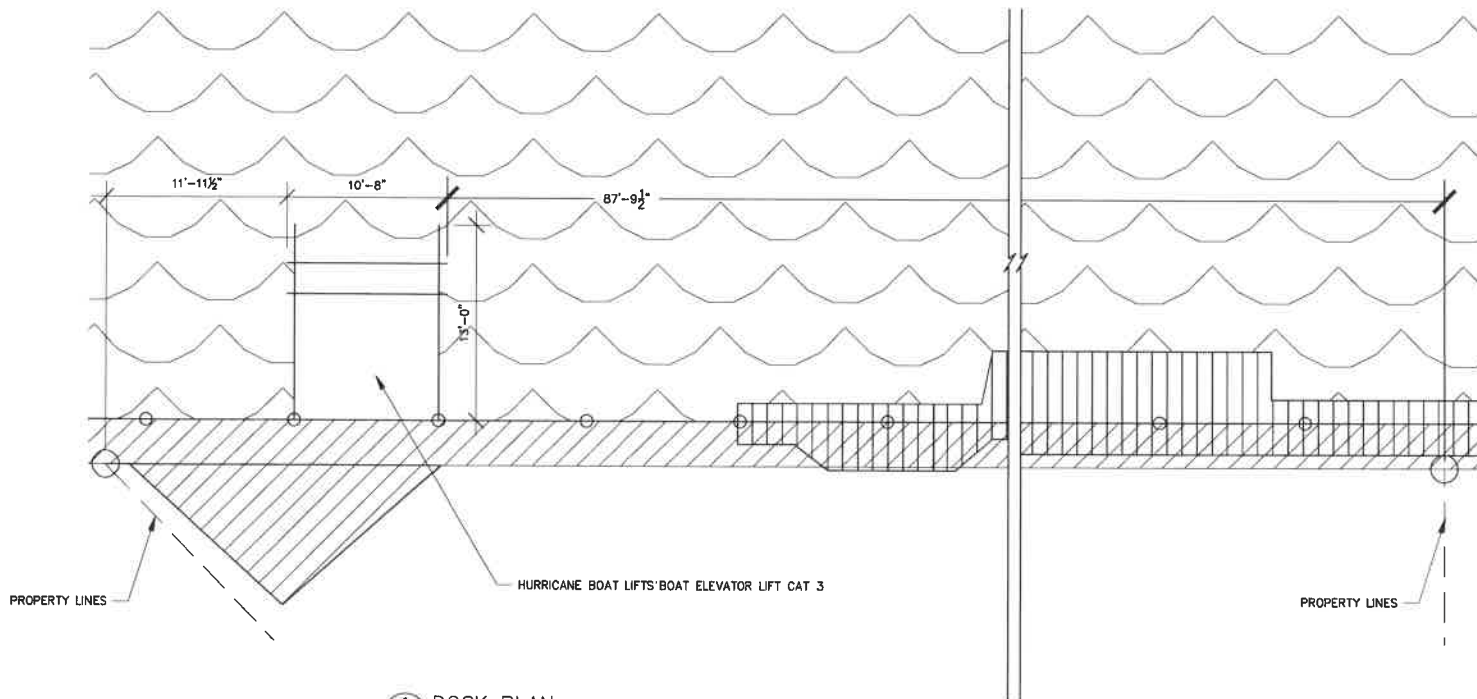
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CadConDesign.com

DATE DRAWN:

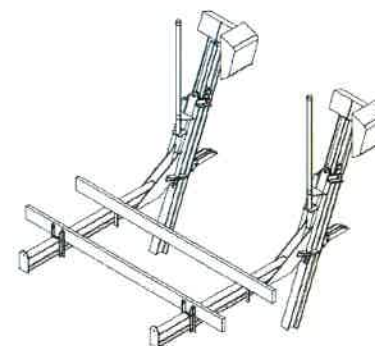
DATE SUBMITTED:

DRAWING NO.

01



1 DOCK PLAN  
02 SCALE: 1/8"=1'-0" A/RN/A

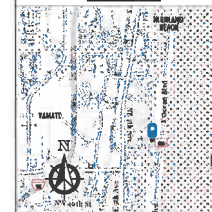


Hurricane Boat Lifts' Boat Elevator lift CAT 3



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VICINITY MAP:



GENERAL NOTES:

PLOT SIZE 11X17 TABLOID

**PAUL WELCH INC.**  
FLORIDA REGISTRATION #29945  
MECHANICAL & ELECTRICAL & CIVIL ENGINEERING  
1984 S.W. BILTMORE ST., SUITE #114  
PORTLAND, OR 97205  
(772) 785-9888

JOB NAME:  
1100 Highland Beach Drive,  
Apt A, Highland Beach, FL 33487

DRAWING NAME:  
Hurricane Boat Lift  
PLAN

CONTRACTOR:

ENGINEER OF RECORD

REVISION	DATE
R1	2/2/2022

DRAWN BY:  
CadConDesign.com

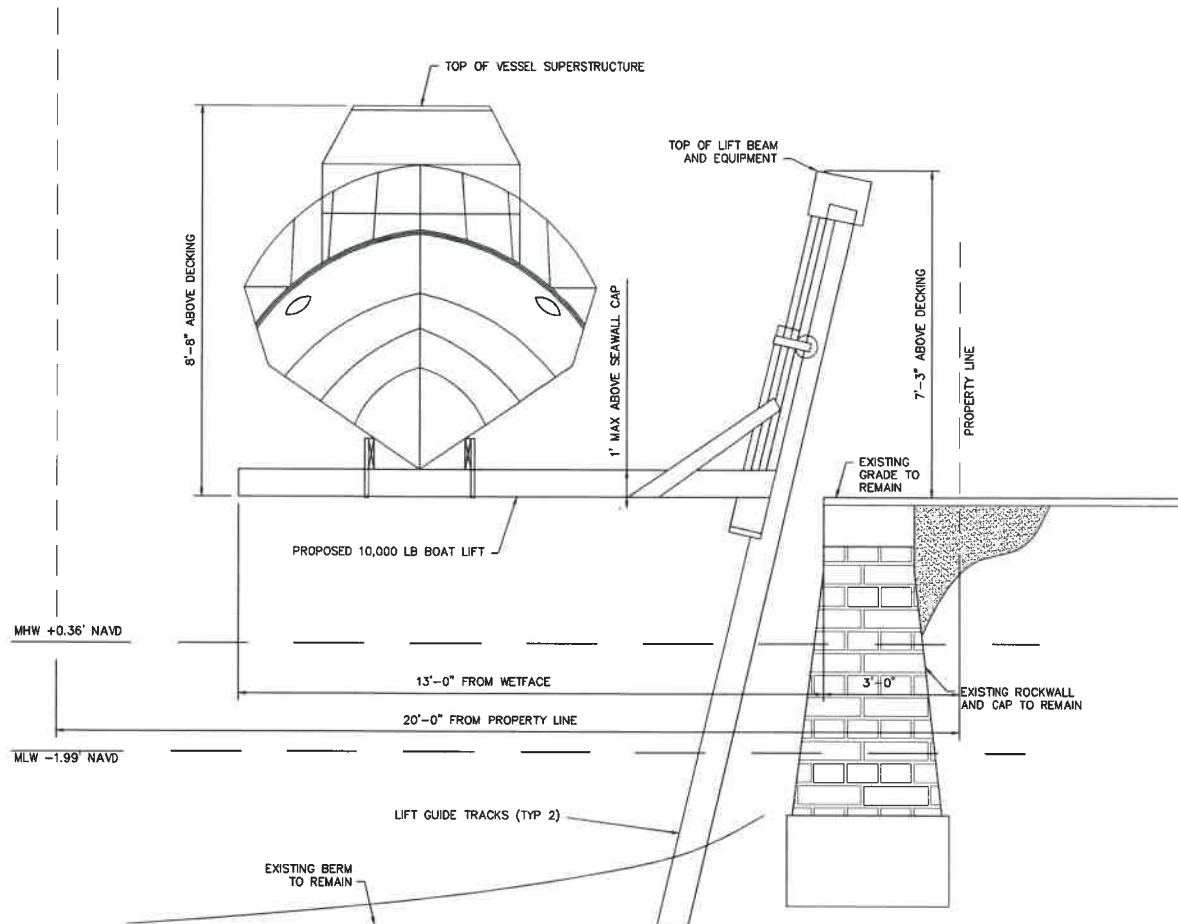
DATE DRAWN:

DATE SUBMITTED:

DRAWING NO.

02

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. (PER TOWN OF HIGHLAND BEACH CODE OF ORDINANCES, SECTION 30-131, - DEFINITIONS OF TERMS)

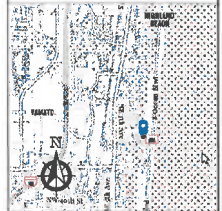


1 DOCK & LIFT SEC  
03 SCALE: 3/8" = 1'-0" A/RN/A



DRAFTING SERVICES  
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772-408-8175  
WWW.CADCONDESIGN.COM  
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VICINITY MAP:



GENERAL NOTES:

PLOT SIZE 11X17 TABLOID

**PAUL WELCH INC.**

FLORIDA REGISTRATION #29945  
MECHANICAL • ELECTRICAL • CIVIL ENGINEERING  
1984 B.W. SUITE #114  
PORT ST. LUCIE, FL 34984  
(772) 785-9888

JOB NAME:  
1100 Highland Beach Drive,  
Apt A, Highland Beach, FL 33487

DRAWING NAME:  
Hurricane Boat Lift  
ELEVATION

CONTRACTOR:

ENGINEER OF RECORD

REVISION	DATE
R1	2/2/2022

DRAWN BY:  
CadConDesign.com

DATE DRAWN:

DATE SUBMITTED:

DRAWING NO.

03



## LEGEND

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## LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 43 EAST, CITY OF HIGHLAND BEACH, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 15, BLOCK 2, BEL L100, AS RECORDED IN PLAT BOOK 25, AT PAGE 97, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF LOT 15, A DISTANCE OF 110.41 FEET TO A POINT; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 63.39 FEET TO A POINT; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 0.37 FEET TO A POINT; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 13.20 FEET TO A POINT; THENCE EASTERLY WITH A DEFLECTION OF 23°19'10" TO THE LEFT, A DISTANCE OF 29.05 FEET, RADIAL TO A POINT LYING ON THE FRONT ARC OF LOT 15; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF LOT 15, A DISTANCE OF 156.14 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS, BEING DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF LOT 15, A DISTANCE OF 88.81 FEET TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG A LINE PARALLEL TO AND 63.30 FEET (MEASURED AT RIGHT ANGLES) FROM THE WESTERLY LINE OF LOT 15, A DISTANCE OF 47.84 FEET TO A POINT; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 13.20 FEET TO A POINT; THENCE EASTERLY WITH A DEFLECTION OF 23°19'10" TO THE LEFT, A DISTANCE OF 29.05 FEET, RADIAL TO A POINT LYING ON THE FRONT ARC OF LOT 15; THENCE SOUTHERLY ALONG SAID FRONT ARC OF LOT 15, CONCAVE TO THE EAST HAVING A RADIUS OF 40.00 FEET, AND ARC LENGTH OF 14.76 FEET TO THE SOUTHEAST CORNER OF LOT 15; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTLY LINE OF LOT 15, A DISTANCE OF 67.33 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS, BEING A PORTION OF LOT 15, BLOCK 2, BEL L100, AS RECORDED IN PLAT BOOK 25, AT PAGE 97, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
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**CERTIFIED TO:**  
DAVID C. JOSEPH, JR. AS TO HIS LIFE ESTATE AND  
THE DAVID C. JOSEPH, JR. REVOCABLE LIVING TRUST, DATED SEPTEMBER 2, 2021

## SYMBOL

CATCH BASIN  
 WATER METER  
 UTILITY POLE  
 LIGHT POLE  
 FIRE HYDRANT  
 CABLE BOX  
 ELECTRIC BOX  
 TELEPHONE BOX  
 WATER VALVE

OVERHEAD WIRE LINE (OHW)  
 CHAIN LINK FENCE (C.L.F.)  
 WOOD FENCE (W.F.)  
 METAL FENCE (M.F.)  
 PLASTIC FENCE (P.F.)  
 WIRE FENCE (W.F.)

## SURVEY NOTES:

LOCATIONS ARE LIMITED TO VISIBLE IMPROVEMENTS ONLY AS SHOWN HEREON. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THE SURVEYOR FOR EASEMENTS, RIGHT-OF-WAYS OF RECORD, OTHER RESTRICTIONS OR RESERVATIONS. DESCRIPTIONS PROVIDED BY CLIENT, OR THEIR REPRESENTATIVE. ALL DOCUMENTS ARE RECORDED IN SAME COUNTY AS PROPERTY LOCATION UNLESS OTHERWISE NOTED. ROOF OVERHANGS NOT LOCATED. SURVEY MEETS ACCURACY STANDARD FOR SUBURBAN SURVEYS (1 FOOT IN 7500 FEET). ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD'88, UNLESS OTHERWISE NOTED.

## MAP OF BOUNDARY SURVEY

COMMUNITY PANEL#	FLOOD ZONE:	BASE FLOOD EL.:	SCALE: 1" = 20'
125111 0989 F	AE	6.0'(NAVD'88)	DRAWN BY: ELF.
DATE OF FIRM:	BASIS OF BEARING: S PROPERTY LINE LOT 15, BLOCK 2, SAID LINE HAVING AN ASSUMED BEARING OF N63°57'07"E.		CHECKED BY: J.K.
10/5/2017			

PROPERTY ADDRESS: 1100 HIGHLAND BEACH DRIVE, HIGHLAND BEACH, FLORIDA 33487

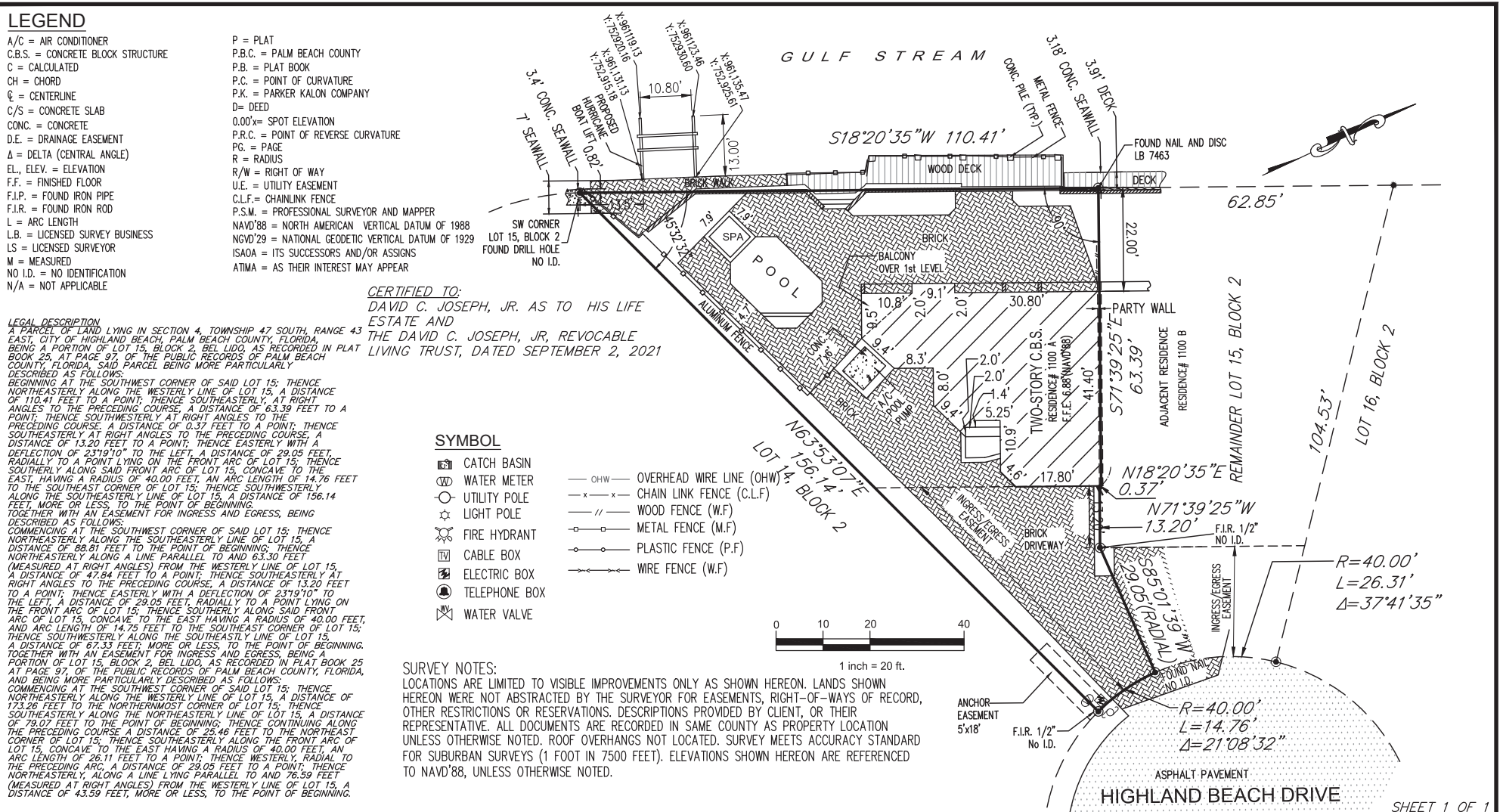
## NOTES/REVISIONS

ADDED COORD.: 08/02/22  
 BOAT LIFT: 01/14/22  
 UPDATED: 12/28/21  
 UPDATED: 01/23/20  
 PARTY CHIEF: ERNIE  
 SURVEY DATE: 10/10/11

THIS SURVEY MEETS THE STANDARD OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE. Digitally signed by John E Kuhar: A01410D00000178414F171500006D0E  
DN: c=US, o=BASELINE LAND SURVEY LLC, cn=John E Kuhar: A01410D00000178414F171500006D0E  
Date: 2022.09.19 09:29:46 -04'00'

JOHN E. KUHAR, P.S.M., STATE OF FLORIDA  
PROFESSIONAL SURVEYOR AND MAPPER LS 6711  
NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**BASELINE LAND SURVEY LLC**  
 1400 N.W. 1st COURT  
 BOCA RATON, FLORIDA 33432  
 (561) 417-0700 LB-8229  
 JOB NO.: 11-10-007-UPD



## **COMMENCEMENT NOTIFICATION**

*Within ten (10) days of initiating the authorized work, submit this form to via electronic mail to [saj-rd-enforcement@usace.army.mil](mailto:saj-rd-enforcement@usace.army.mil) (preferred, not to exceed 15 MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. **Department of the Army Permit Number:** SAJ-       -       (       -       )

2. **Permittee Information:**

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

3. **Construction Start Date:** \_\_\_\_\_

4. **Contact to Schedule Inspection:**

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Printed Name of Permittee

\_\_\_\_\_  
Date

## **AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER**

*Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019. For electronic mail saj-rd-enforcement@usace.army.mil (not to exceed 15 MB).*

1. Department of the Army Permit Number: SAJ-       -       (       -       )

2. Permittee Information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

3. Project Site Identification (physical location/address):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. As-Built Certification: I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled, and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

\_\_\_\_\_  
Signature of Engineer

\_\_\_\_\_  
Name (*Please type*)

\_\_\_\_\_  
(FL, PR, or VI) Reg. Number

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
ZIP

(Affix Seal)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone Number

Date Work Started: \_\_\_\_\_ Date Work Completed: \_\_\_\_\_

Identify any deviations from the approved permit drawings and/or special conditions (attach additional pages if necessary):

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## STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

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

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

# CAUTION: MANATEE HABITAT

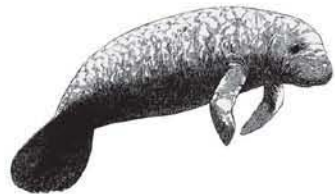
**All project vessels**

**IDLE SPEED / NO WAKE**

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

**SHUT DOWN**

Report any collision with or injury to a manatee:



**Wildlife Alert:**

**1-888-404-FWCC(3922)**

cell \*FWC or #FWC



**THIS DOCUMENT CONTAINS (4) PAGES: THE FIRST PAGE MUST BEAR AN ORIGINAL SIGNATURE & SEAL OF THE CERTIFYING PE TO BE VALID FOR USE**

(Subject to Renew November 1, 2022 or next code)

**EVALUATION SUBJECT: CATEGORY 3, ELEVATOR BOAT LIFT (3,000LB – 24,000LB CAPACITY)****TER-21-46280****REPORT HOLDER:**HURRICANE BOAT LIFTS  
3301 SE SLATER STREET  
STUART, FL 34997 USA  
(772)-781-2556 | HURRICANEBOATLIFTS.COMFlorida Building Code 7th  
Edition (2020)  
International Building Code  
(2015, & 2018)**SCOPE OF EVALUATION (compliance with the following codes):****THIS IS A STRUCTURAL (WIND & GRAVITY) PERFORMANCE EVALUATION ONLY. NO ELECTRICAL OR OTHER PERFORMANCE RATINGS OR CERTIFICATIONS ARE OFFERED OR IMPLIED HEREIN.**This Product Evaluation Report is being issued in accordance with the requirements of the **Florida Building Code Seventh Edition (2020)** and the **International building Code (2015 & 2018)**. The product noted on this report has been tested and/or evaluated as summarized herein.**IN ACCORDANCE WITH THESE CODES EACH OF THESE REPORTS MUST BEAR THE ORIGINAL SIGNATURE & RAISED SEAL OF THE EVALUATING ENGINEER.****SUBSTANTIATING DATA:****• Product Evaluation Documents**

Substantiating documentation has been submitted to provide this TER and is summarized in the sections below.

**• Structural Engineering Calculations**

Structural engineering calculations have been prepared which evaluate the product based on comparative and/or rational analysis to qualify the following design criteria:

- Maximum allowable gravity loads
- Maximum allowable wind loads

Calculation summary is included in this TER and appears below.

NOTE: No 33% increase in allowable stress has been used in the design of this product.

**INSTALLATION:**

The product(s) listed above shall be installed in strict compliance with this TER &amp; manufacturer-provided model specifications.

The product components shall be of the material specified in the manufacturer-provided product specifications. All screws must be installed in accordance with the applicable provisions &amp; anchor manufacturer's published installation instructions.

**LIMITATIONS & CONDITIONS OF USE:**

Use of this product shall be in strict accordance with this TER as noted herein. See final page for complete limitations and conditions of use.

**Note:** The unit included in this TER has been analyzed for wind and gravity loads only. This does not include any verification that involves moving or transporting the unit or the movement of the unit components. Data on relocation by crane or other lifting methods must be certified per separate engineering. Pilings described herein are considered to be part of the host structure and are not part of this certification. Attachment of lift assembly to host structure shall be certified by others.

All members in contact with dissimilar metals shall be insulated to prevent electrolysis.

**NOTE: THE GRAPHICAL DEPICTIONS IN THIS REPORT ARE FOR ILLUSTRATIVE PURPOSES ONLY AND MAY DIFFER IN APPEARANCE.****MATERIAL:**Aluminum (6061-T6 or 6005-T5 minimum unless noted otherwise)  
Wood (Southern Yellow Pine, P.T #1 unless noted otherwise)  
Stainless Steel wire rope (304 SS minimum)**OPTIONS:**

This evaluation is valid for all models that appear in the tables within this report.

**STRUCTURAL PERFORMANCE:**

Models referenced herein are subject to the following design limitations:

ASCE 7-16

V<sub>ULTIMATE</sub> wind speed=50 MPH (with boat), V<sub>ULTIMATE</sub> wind speed=180 MPH (without boat) Exposure 'D' Risk Category II, on flat terrain (K<sub>zt</sub>=1.0)

Dock/Seawall application &amp; integrity per site-specific installation instructions (not included in this report).

- Valid for use inside and outside the High-Velocity Hurricane Zone (HVHZ).
- Maximum lift capacities as noted in design tables herein.

**MAX WIND 50 MPH SUSTAINED**  
**REMOVE BOAT WHEN WINDS APPROACH THIS**  
**SPEED OR FOR ANY NAMED STORM****VISIT [ECALC.IO/46280](https://ecalculator.io/46280)**FOR ENGINEER CERTIFIED ORIGINALS  
& MORE INFORMATION ABOUT THIS DOCUMENT  
OR SCAN THIS QR CODEVISIT [ENGINEERINGEXPRESS.COM/STORE](https://engineeringexpress.com/store) FOR  
ADDITIONAL PLANS, REPORTS & RESOURCES**ORIGINAL SIGNATURE AND RAISED SEAL  
OR DIGITAL SEAL REQUIRED TO BE VALID PER CODE:**Digitally signed by Frank Bennardo  
Reason: Printed copies of this  
document are not considered signed  
and sealed; The signature must be  
verified on any electronic copies.  
Date: 2022.03.07 09:47:50 -05'00'**VALID ONLY FOR ZIP CODE: 33487****VALID ONLY FOR: David Joseph****FOR PERMIT USE WITHIN 14 DAYS OF DIGITAL SEAL**  
**PE0046549 CA-9885****DIGITAL SEAL NOTICE:** IF THIS DOCUMENT IS DIGITALLY SIGNED, THIS SHEET IS PART OF A DIGITALLY SIGNED FILE. IT SHALL REMAIN IN DIGITAL FORMAT, SHALL BE VERIFIED BY ELECTRONIC MEANS, & **PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED.** VISIT [ECALC.IO/DS](https://ecalculator.io/ds) TO LEARN MORE.**PRINTED DOCUMENT NOTICE:** IF THIS DOCUMENT IS PRINTED & **DOES NOT CONTAIN AN ENGINEER'S ORIGINAL SIGNATURE & SEAL, THIS DOCUMENT IS VOID & NOT VALID FOR USE. PHOTOCOPIES ARE NOT PERMITTED FOR USE.**

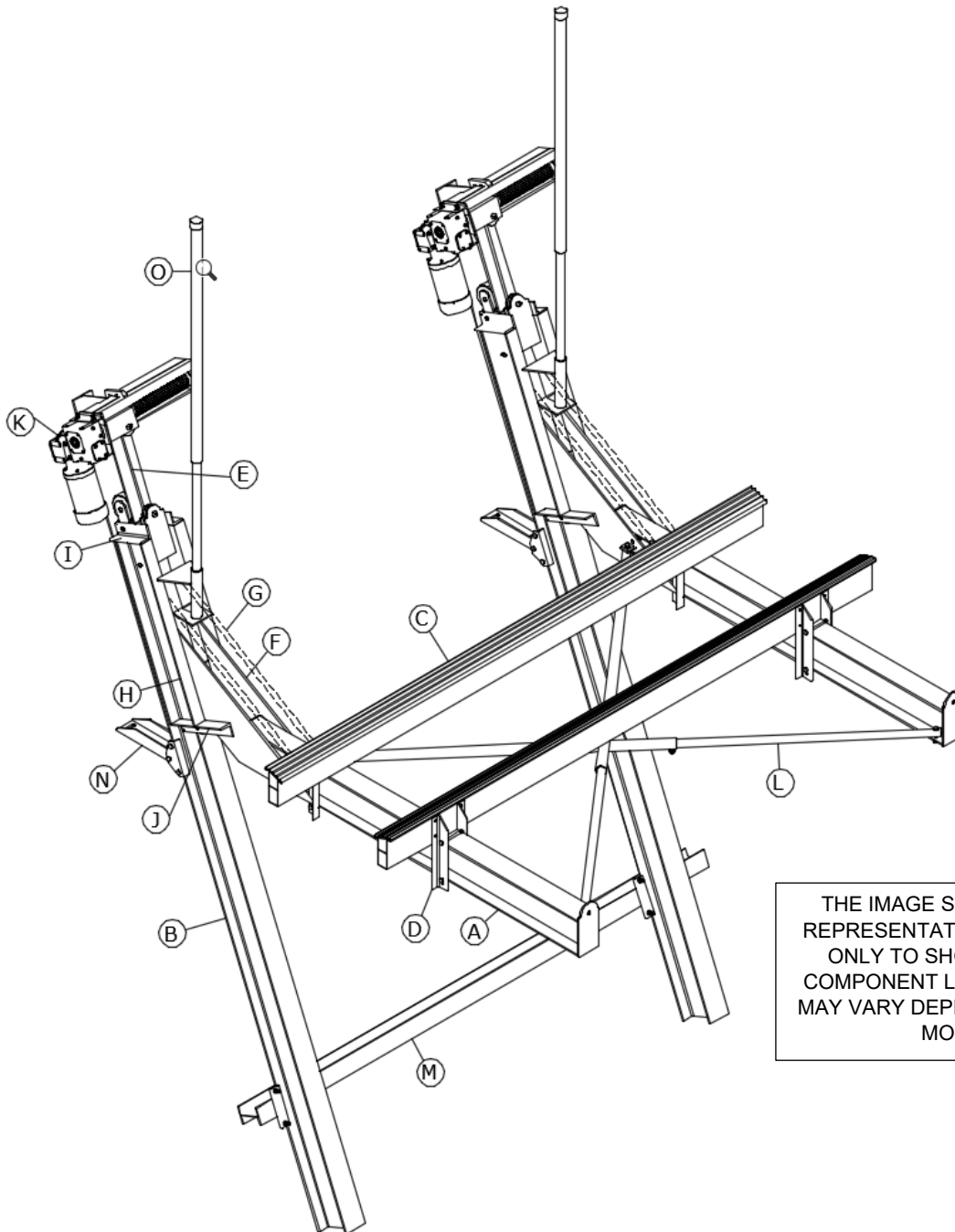
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[illegible]

POSTAL ADDRESS: 401 WEST ATLANTIC AVENUE R10 #219 DELRAY BEACH, FL 33444  
ENGINEERINGEXPRESS.COM

## SECTION 2 – CONTINUED



THE IMAGE SHOWN IS FOR  
REPRESENTATION PURPOSES  
ONLY TO SHOW CRITICAL  
COMPONENT LOCATIONS AND  
MAY VARY DEPENDING ON LIFT  
MODEL

ISOMETRIC VIEW

#### LIMITATIONS & CONDITIONS OF USE:

Use of this product shall be in strict accordance with this TER as noted herein.

The supporting host structure shall be designed to resist all superimposed loads as determined by others on a site specific basis as may be required by the Authority Having Jurisdiction. Host structure conditions which are not accounted for in this product's respective anchor schedule shall be designed on a site-specific basis by a registered professional engineer. No evaluation is offered for the host supporting structure by use of this document; Adjustment factors noted herein and the applicable codes must be considered, where applicable. All supporting components which are permanently installed shall be protected against corrosion, contamination, and other such damage at all times. Fasteners must penetrate the supporting members such that the full length of the threaded portion is embedded within the main member. All anchors, screws, straps, clips, and attachment part can be substituted for equivalent parts, as long as the capacities of the equivalent parts are equal or stronger.

This evaluation does not offer any evaluation to meet large missile impact debris requirements which typically are not required for this type of product. Yearly inspections, during equipment maintenance or after a named storm; all components shall remain undamaged and in original condition. All damaged components, loose, corroded, broken screws or anchor bolts shall be replaced to ensure structural integrity.

## SECTION 3 – PRODUCT COMPONENTS

No.	Component	Description								
		Lift Capacity: 3,000lb	Lift Capacity: 5,000lb	Lift Capacity: 7,000lb	Lift Capacity: 10,000lb	Lift Capacity: 12,000lb	Lift Capacity: 15,000lb	Lift Capacity: 17,000lb	Lift Capacity: 20,000lb	Lift Capacity: 24,000lb
A	CRADLE BEAM (ExMxS/T1)**	6.0"x4.0"x0.29"/ 0.19" (8' LONG)	8.0"x5.0"x0.35"/ 0.23" (8'-4" LONG)	8.0"x5.0"x0.41"/ 0.25" (8'-4" LONG)	9.0"x5.5"x0.44"/ 0.27" (8'-4" LONG)	10.0"x6.0"x0.41" / 0.25" (8'-4" LONG)	10.0"x6.0"x0.50"/ 0.29" (8'-4" LONG)	12.0"x7.0"x0.47"/ 0.29" (10' LONG)	12.0"x7.0"x0.62"/ 0.31" (10' LONG)	12.0"x7.0"x0.62"/ 0.31" (10' LONG)
B	LIFT BEAM (ExMxS/T1)**	6.0"x4.0"x0.29"/ 0.19" (25' LONG)	8.0"x5.0"x0.35"/ 0.23" (25' LONG)	8.0"x5.0"x0.41"/ 0.25" (25' LONG)	9.0"x5.5"x0.44"/ 0.27" (25' LONG)	10.0"x6.0"x0.41" / 0.25" (25' LONG)	10.0"x6.0"x0.50"/ 0.29" (25' LONG)	12.0"x7.0"x0.47"/ 0.29" (25' LONG)	12.0"x7.0"x0.62"/ 0.31" (25' LONG)	12.0"x7.0"x0.62"/ 0.31" (25' LONG)
C	BUNK	2"x8"x12' P.T. SYP #1 CARPETED				3"x8"x14' P.T. SYP #1 CARPETED	3"x8"x16' P.T. SYP #1 CARPETED			
D	BUNK BRACKET SUPPORT	2"x2"x1/4" ANGLE				2"x3"x1/4" ANGLE		3"x3"x3/8" ANGLE		
E	SS WIRE ROPE	(2) 5/16"x30' 7X19 SS 304 (2 PART)			(2) 3/8"x30' 7X19 SS 304 (2 PART)	(2) 3/8"x45' 7X19 SS 304 (3 PART)				(2) 3/8"x60' 7X19 SS 304 (4 PART)
F	PLATE GUSSET (2 PER BEAM)	10"x3/8" PLATE			12"x1/2" PLATE			12"x3/4" PLATE		
G	PLATE ARM (2 PER BEAM)	N/A	3"x3/8" PLATE		3"x1/2" PLATE			3"x3/4" PLATE		4"x3/4" PLATE
H	UPPER CHANNEL (2 PER BEAM) (ExMxS)*** (EXMXS/W)****	C6X1.945X0.20 C- CHANNEL***	C8X3.0X0.35/0.19 C-CHANNEL****			C10X2.6X0.240 C-CHANNEL***		C12X2.96X0.30 C-CHANNEL***		
I	UPPER ROLLER SUPPORT (2 PER SIDE)	3"x3"x3/8"x8" LONG ANGLE			3"x3"x3/8"x9" LONG ANGLE	3"x3"x3/8"x10" LONG ANGLE		3"x3"x1/4"x12" LONG ANGLE W/ STIFFENER TUBE		
J	LOWER ROLLER SUPPORT (2 PER SIDE)	3"x3"x3/8"x14" LONG ANGLE			3"x3"x3/8"x16" LONG ANGLE	3"x3"x3/8"x16" LONG ANGLE		4"x4"x1/2"x23.75" LONG ANGLE		
K	MOTOR AND GEAR BOX	(BY OTHERS)								
L	CROSS BRACE ASSEMBLY	N/A				OUTER: 2.375"ØX0.218 PIPE / INNER: 1.90"ØX0.20 PIPE				
M	LOWER STIFFENER	N/A				I-BEAM 3"x2.5"x0.26"/0.15"				
N	ATTACHMENT BRACKET	(BY OTHERS)								
O	GUIDE POST	60" HEIGHT				120" HEIGHT				
P	MAX BOAT BEAM (WIDTH)	8'	8'-6"		11'		12'		12'-6"	

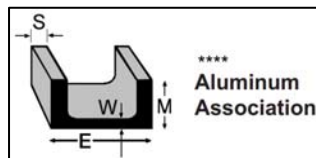
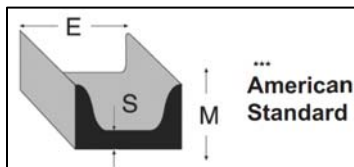
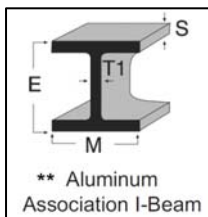
\* REPRESENTS COMPONENTS AS PROVIDED BY MANUFACTURER THAT ARE NOT PART OF THIS CERTIFICATION. THESE COMPONENTS SHALL BE CERTIFIED BY OTHERS TO RESIST ALL IMPOSED LOADS

\*\* I-BEAM CROSS SECTIONAL DIMENSIONS, SEE BELOW:

\*\*\* C-CHANNEL CROSS SECTIONAL DIMENSIONS NOTED AS FOLLOWS (AMERICAN STANDARD), SEE BELOW:

\*\*\*\* C-CHANNEL CROSS SECTIONAL DIMENSIONS NOTED AS FOLLOWS (ALUMINUM ASSOCIATION), SEE BELOW:

NOTE: THIS TABLE AND CORRESPONDING DRAWINGS HEREIN ARE INTENDED TO SUMMARIZE THE MAIN STRUCTURAL COMPONENTS OF THE LIFT SYSTEMS AND ARE NOT INTENDED TO BE FULL ASSEMBLY DRAWINGS. FOR FULL ASSEMBLY DRAWINGS, SEE INDIVIDUAL LIFT DRAWING SPECIFICATION PACKAGES WHICH CAN BE PROVIDED BY MANUFACTURER OR BY THIS OFFICE



Proj. #	Remarks	By	Checked	Date
21-46280	Initial Issue	RWN	FLB	10/29/2021

Aluminum welding shall be performed in accordance with the FBC section 2003.8.1.3 with weld filler alloys meeting ANSI/AWS a5.10 standards to achieve ultimate design strength in accordance with the Aluminum Design Manual. Use weld filler 5556 or better electrodes. All aluminum construction shall be in conformance with the tolerances, quality and methods of construction as set forth in FBC/IBC and the American Welding Society's Structural Welding Code-Aluminum. Minimum weld is 3/8" throat full perimeter fillet weld unless otherwise noted in drawing specification package.

LEGEND

A/C = AIR CONDITIONER  
C.B.S. = CONCRETE BLOCK STRUCTURE  
C = CALCULATED  
CH = CHORD  
CL = CENTERLINE  
C/S = CONCRETE SLAB  
CONC. = CONCRETE  
D.E. = DRAINAGE EASEMENT  
Δ = DELTA (CENTRAL ANGLE)  
EL., ELEV. = ELEVATION  
F.F. = FINISHED FLOOR  
F.I.P. = FOUND IRON PIPE  
F.I.R. = FOUND IRON ROD  
L = ARC LENGTH  
L.B. = LICENSED SURVEY BUSINESS  
LS = LICENSED SURVEYOR  
M = MEASURED  
NO I.D. = NO IDENTIFICATION  
N/A = NOT APPLICABLE

P = PLAT  
P.B.C. = PALM BEACH COUNTY  
P.B. = PLAT BOOK  
P.C. = POINT OF CURVATURE  
P.K. = PARKER KALON COMPANY  
D= DEED  
0.00'x= SPOT ELEVATION  
P.R.C. = POINT OF REVERSE CURVATURE  
PG. = PAGE  
R = RADIUS  
R/W = RIGHT OF WAY  
U.E. = UTILITY EASEMENT  
C.L.F.= CHAINLINK FENCE  
P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER  
NAVD'88 = NORTH AMERICAN VERTICAL DATUM OF 1988  
NGVD'29 = NATIONAL GEODETIC VERTICAL DATUM OF 1929  
ISAOA = ITS SUCCESSORS AND/OR ASSIGNS  
ATIMA = AS THEIR INTEREST MAY APPEAR

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 43 EAST, CITY OF HIGHLAND BEACH, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 15, BLOCK 2, BEL LIDO, AS RECORDED IN PLAT BOOK 25, AT PAGE 97, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF LOT 15, A DISTANCE OF 110.41 FEET TO A POINT; THENCE SOUTHEASTERLY, AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 63.39 FEET TO A POINT; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 0.37 FEET TO A POINT; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 13.20 FEET TO A POINT; THENCE EASTERLY WITH A DEFLECTION OF 23°19'10" TO THE LEFT, A DISTANCE OF 29.05 FEET RADially TO A POINT LYING ON THE FRONT ARC OF LOT 15; THENCE SOUTHERLY ALONG SAID FRONT ARC OF LOT 15, CONCAVE TO THE EAST, HAVING A RADIUS OF 40.00 FEET, AN ARC LENGTH OF 14.76 FEET TO THE SOUTHEAST CORNER OF LOT 15; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF LOT 15, A DISTANCE OF 156.14 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.  
TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS, BEING DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF LOT 15, A DISTANCE OF 88.81 FEET TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG A LINE PARALLEL TO AND 63.30 FEET (MEASURED AT RIGHT ANGLES) FROM THE WESTERLY LINE OF LOT 15, A DISTANCE OF 47.84 FEET TO A POINT; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 13.20 FEET TO A POINT; THENCE EASTERLY WITH A DEFLECTION OF 23°19'10" TO THE LEFT, A DISTANCE OF 29.05 FEET, RADially TO A POINT LYING ON THE FRONT ARC OF LOT 15; THENCE SOUTHERLY ALONG SAID FRONT ARC OF LOT 15, CONCAVE TO THE EAST HAVING A RADIUS OF 40.00 FEET, AND ARC LENGTH OF 14.75 FEET TO THE SOUTHEAST CORNER OF LOT 15; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTLY LINE OF LOT 15, A DISTANCE OF 67.33 FEET; MORE OR LESS, TO THE POINT OF BEGINNING.  
TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS, BEING A PORTION OF LOT 15, BLOCK 2, BEL LIDO, AS RECORDED IN PLAT BOOK 25 AT PAGE 97, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF LOT 15, A DISTANCE OF 173.26 FEET TO THE NORTHERNMOST CORNER OF LOT 15; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF LOT 15, A DISTANCE OF 79.07 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE PRECEDING COURSE A DISTANCE OF 25.46 FEET TO THE NORTHEAST CORNER OF LOT 15; THENCE SOUTHEASTERLY ALONG THE FRONT ARC OF LOT 15, CONCAVE TO THE EAST HAVING A RADIUS OF 40.00 FEET, AN ARC LENGTH OF 26.11 FEET TO A POINT; THENCE WESTERLY, RADIAL TO THE PRECEDING ARC, A DISTANCE OF 29.05 FEET TO A POINT; THENCE NORTHEASTERLY, ALONG A LINE LYING PARALLEL TO AND 76.59 FEET (MEASURED AT RIGHT ANGLES) FROM THE WESTERLY LINE OF LOT 15, A DISTANCE OF 43.59 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CERTIFIED TO:

DAVID C. JOSEPH, JR. AS TO HIS LIFE ESTATE AND THE DAVID C. JOSEPH, JR, REVOCABLE LIVING TRUST, DATED SEPTEMBER 2, 2021

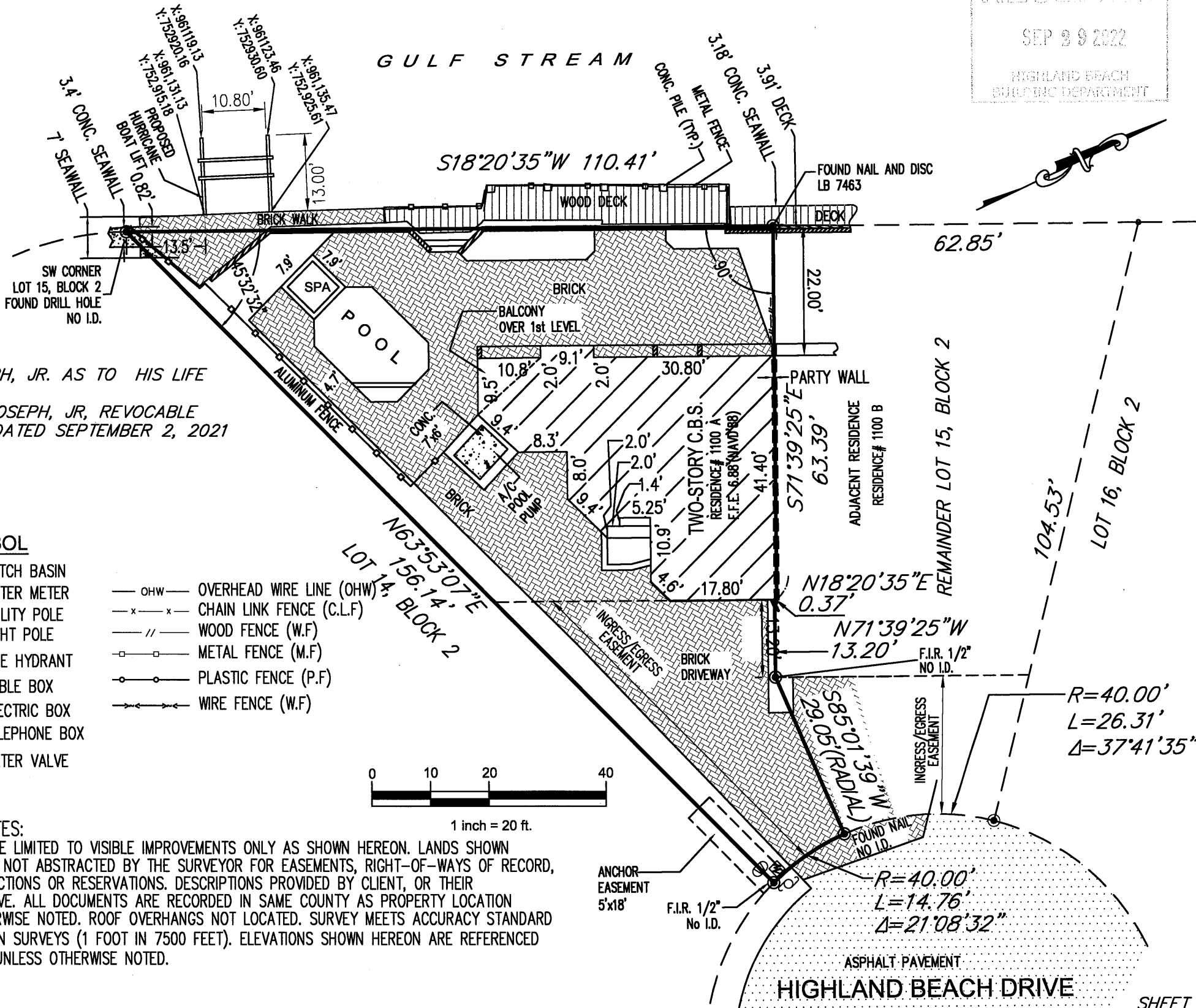
SYMBOL

- ☐ CATCH BASIN  
⊙ WATER METER  
○ UTILITY POLE  
⊙ LIGHT POLE  
⊙ FIRE HYDRANT  
⊙ CABLE BOX  
⊙ ELECTRIC BOX  
⊙ TELEPHONE BOX  
⊙ WATER VALVE

- OHW — OVERHEAD WIRE LINE (OHW)  
— x — x — CHAIN LINK FENCE (C.L.F.)  
— // — WOOD FENCE (W.F.)  
— □ — METAL FENCE (M.F.)  
— ○ — PLASTIC FENCE (P.F.)  
— <—> — WIRE FENCE (W.F.)

SURVEY NOTES:

LOCATIONS ARE LIMITED TO VISIBLE IMPROVEMENTS ONLY AS SHOWN HEREON. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THE SURVEYOR FOR EASEMENTS, RIGHT-OF-WAYS OF RECORD, OTHER RESTRICTIONS OR RESERVATIONS. DESCRIPTIONS PROVIDED BY CLIENT, OR THEIR REPRESENTATIVE. ALL DOCUMENTS ARE RECORDED IN SAME COUNTY AS PROPERTY LOCATION UNLESS OTHERWISE NOTED. ROOF OVERHANGS NOT LOCATED. SURVEY MEETS ACCURACY STANDARD FOR SUBURBAN SURVEYS (1 FOOT IN 7500 FEET). ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD'88, UNLESS OTHERWISE NOTED.



RECEIVED  
SEP 29 2022  
HIGHLAND BEACH  
BUILDING DEPARTMENT

**BASELINE LAND SURVEY LLC**  
1400 N.W. 1st COURT  
BOCA RATON, FLORIDA 33432  
(561) 417-0700 LB-8229  
JOB NO.: 11-10-007-1

MAP OF BOUNDARY SURVEY			SCALE: 1" = 20'
COMMUNITY PANEL# 125111 0989 F	FLOOD ZONE: AE	BASE FLOOD EL.: 6.0'(NAVD'88)	DRAWN BY: ELF. CHECKED BY: J.K.
DATE OF FIRM: 10/5/2017	BASIS OF BEARING: S PROPERTY LINE LOT 15, BLOCK 2, SAID LINE HAVING AN ASSUMED BEARING OF N63°57'07"E.		
PROPERTY ADDRESS: 1100 HIGHLAND BEACH DRIVE, HIGHLAND BEACH, FLORIDA 33487			

NOTES/REVISIONS
ADDED COORD.: 08/02/22
BOAT LIFT: 01/14/22
UPDATED: 12/28/21
UPDATED : 01/23/20
PARTY CHIEF: ERNIE
SURVEY DATE: 10/10/11

THIS SURVEY MEETS THE STANDARD OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.  
Digitally signed by John E Kuhar:A01410D00000178414F171500006D0E  
DN: c=US, o=BASELINE LAND SURVEY LLC, cn=John E  
Kuhar:A01410D00000178414F171500006D0E  
Date: 2022.09.19 09:29:46 -04'00'  
JOHN E. KUCHAR, PSM, STATE OF FLORIDA  
PROFESSIONAL SURVEYOR AND MAPPER LS 6711  
NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND THE ORIGINAL SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER.

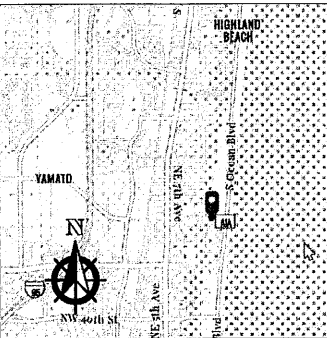
SHEET 1 OF 1





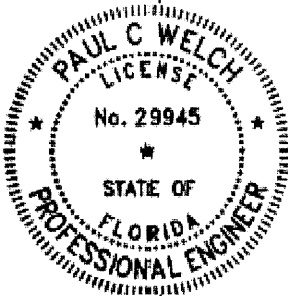
DRAFTING SERVICES  
CAD-CON DESIGN LLC  
772-408-8175  
WWW.CADCONDESIGN.COM  
411@CADCONDESIGN.COM

VICINITY MAP:



GENERAL NOTES:

PLOT SIZE 11X17 TABLOID



**PAUL WELCH INC.**  
FLORIDA REGISTRATION #29945  
MECHANICAL \* ELECTRICAL \* CIVIL ENGINEERING  
1984 S.W. BILTMORE ST., SUITE #114  
PORT ST. LUCIE, FL 34984  
(772) 785-9888

JOB NAME:  
1100 Highland Beach Drive,  
Apt A, Highland Beach, FL 33487

DRAWING NAME:  
Hurricane Boat Lift  
PLAN

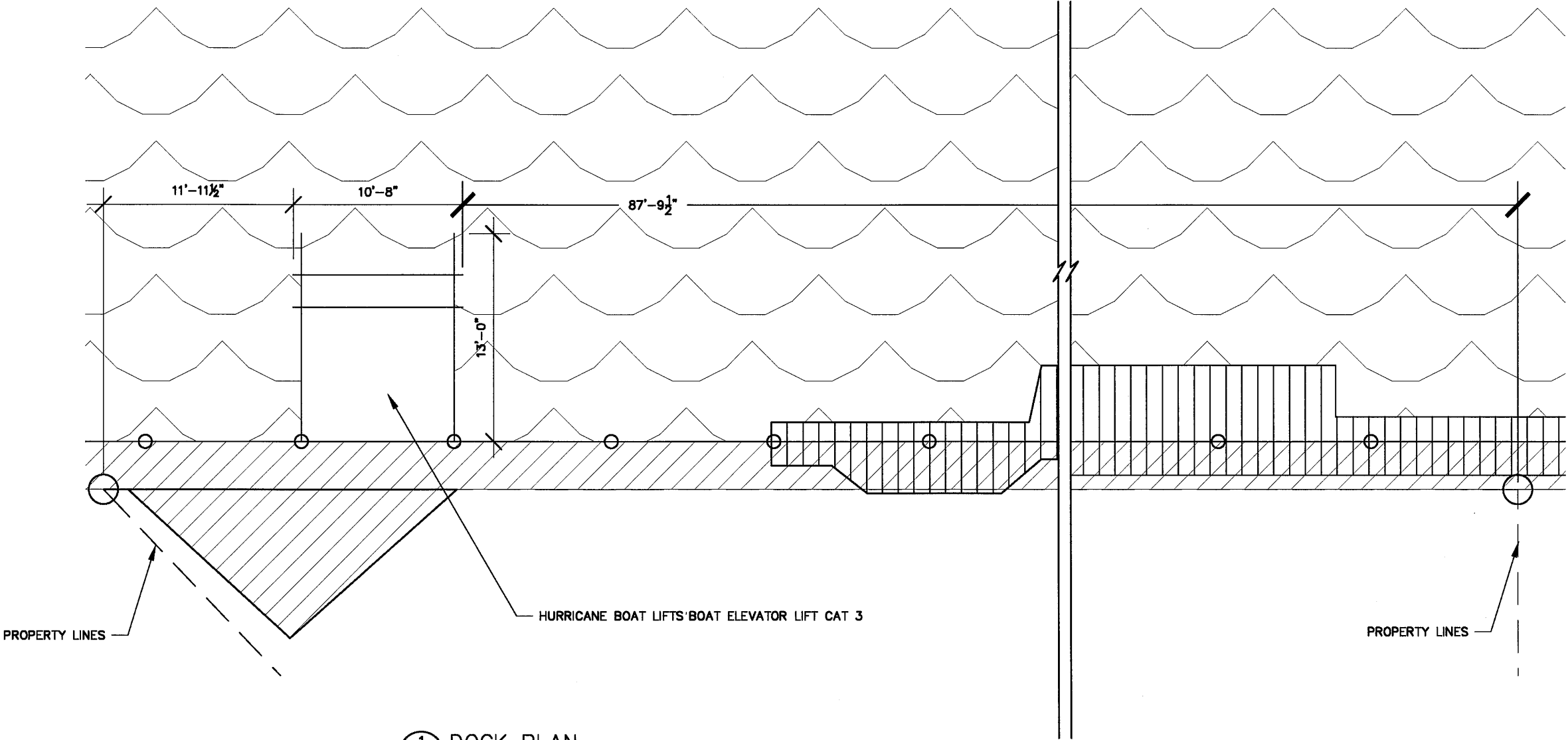
CONTRACTOR:

ENGINEER OF RECORD

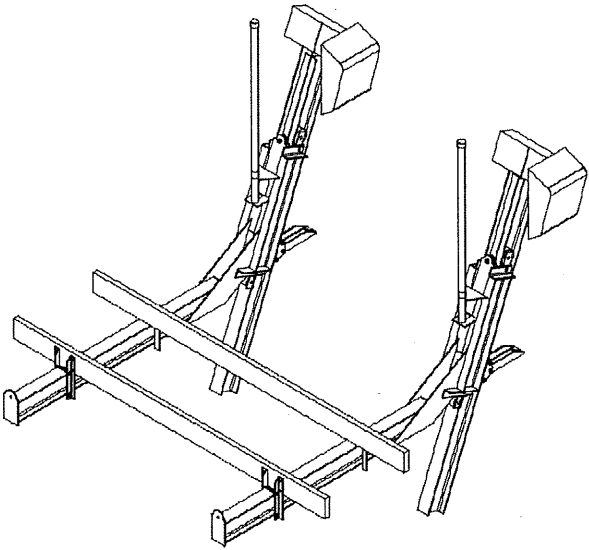
REVISION	DATE
R1	2/2/2022

DRAWN BY:  
CadConDesign.com  
DATE DRAWN:  
DATE SUBMITTED:

DRAWING NO.



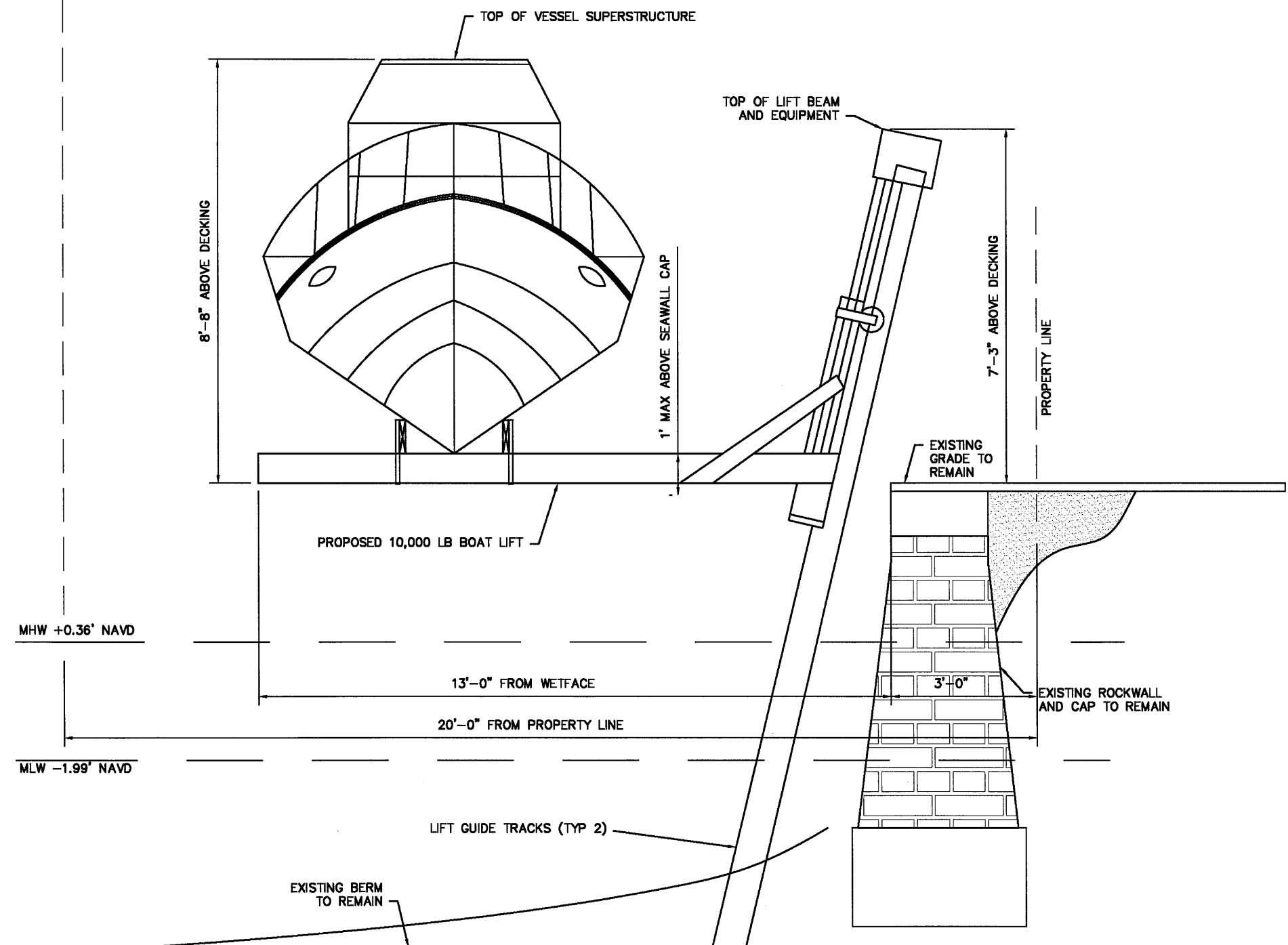
1 DOCK PLAN  
02 SCALE: 1/8"=1'-0" A/R:N/A



Hurricane Boat Lifts' Boat Elevator lift CAT 3



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. (PER TOWN OF HIGHLAND BEACH CODE OF ORDINANCES, SECTION 30-131, - DEFINITIONS OF TERMS)

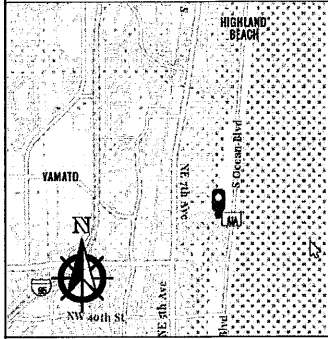


1 DOCK & LIFT SEC  
03 SCALE: 3/8" = 1'-0" A/R:N/A



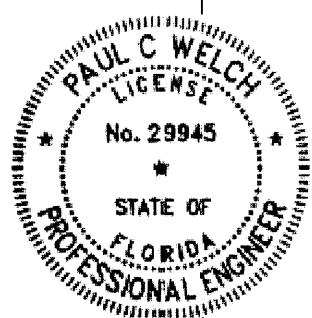
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VICINITY MAP:



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ELEVATION

CONTRACTOR:

ENGINEER OF RECORD

REVISION	DATE
R1	2/2/2022

DRAWN BY:  
CadConDesign.com  
DATE DRAWN:  
DATE SUBMITTED:

DRAWING NO.



**Town of Highland Beach  
Town Commission Development Order (PB)  
Application No. 22-0006**



**Applicant: David C Joseph Jr.  
Property Address: 1100 Highland Beach Dr. Apt. A  
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. 22-0006 for the property located at 1100 Highland Beach Dr. Apt. A, Highland Beach, Florida 33487, by U.S. first-class and international mail to:

All property owners and to properties owned by a condominium association president and the association's registered agent within 500 feet of the property located at 1100 Highland Beach Dr. Apt. A, Highland Beach, Florida 33487.

The mailings consisted of 235 notices that were sent first class mail and 19 notice that was sent by International Mail.

This 22<sup>nd</sup> day of September 2022.

Highland Beach Town Clerk's Office

Ganelle Thompson  
Administrative Support Specialist



## PUBLIC NOTICE APPLICATION NO. 22-0006

September 13, 2022

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, October 13, 2022 at 9:30 AM** in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following application.

**APPLICATION BY DAVID C. JOSEPH, JR. FOR A SPECIAL EXCEPTION APPROVAL TO INSTALL A 10,000 POUND CAPACITY BOAT LIFT FOR A PROPERTY LOCATED AT 1100 HIGHLAND BEACH DRIVE APT. A.**

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.

Public participation will be in the form of in-person, Zoom, or telephone calls. Persons desiring to participate in the meeting must preregister by contacting the Town Clerk's Office at the email address [publiccomments@highlandbeach.us](mailto:publiccomments@highlandbeach.us) or by submitting a public comment to the Town of Highland Beach's Agendas and Meetings webpage <https://mmportal6.teamunicode.com/>. At the top of the webpage, click on "Public Comments" complete the electronic form and click submit. The submitted comment will be read into the record during the corresponding portion of the meeting. All requests will be accepted up until 9:30 A.M. on Wednesday, October 12, 2022.

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

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

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

TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT

**SUN-SENTINEL**

**Sold To:**

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

**Bill To:**

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

**Published Daily**

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

**State Of Florida**  
**County Of Orange**

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

The matter of 11745-Other Legal Notices ,  
Was published in said newspaper by print in the issues of, or by publication on the  
newspaper's website, if authorized on Oct 03, 2022

Affiant further says that the newspaper complies with all legal requirements for  
publication in Chapter 50, Florida Statutes.

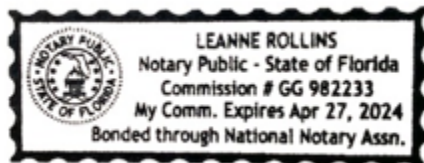


\_\_\_\_\_  
Signature of Affiant

Sworn to and subscribed before me this: October 04, 2022.



\_\_\_\_\_  
Signature of Notary Public



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

**Affidavit Delivery Method:** E-Mail

**Affidavit Email Address:** gthompson@highlandbeach.us  
7292946

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

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APPLICATION NO 22-0006 BY DAVID C. JOSEPH, JR. FOR A SPECIAL EXCEPTION APPROVAL TO INSTALL A 10,000-POUND CAPACITY BOAT LIFT FOR A PROPERTY LOCATED AT 1100 HIGHLAND BEACH DRIVE APT. A

APPLICANT: DAVID C. JOSEPH

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TOWN OF HIGHLAND BEACH, BUILDING  
DEPARTMENT  
10/3/2022 7292946