



TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING AGENDA

Tuesday, September 05, 2023 AT 1:30 PM

**LIBRARY COMMUNITY ROOM, 3618 S. OCEAN BLVD.,
HIGHLAND BEACH, FL**

Town Commission

**Natasha Moore
David Stern
Evalyn David
Donald Peters
Judith M. Goldberg**

**Mayor
Vice Mayor
Commissioner
Commissioner
Commissioner**

**Marshall Labadie
Lanelda Gaskins
Glen J. Torcivia**

**Town Manager
Town Clerk
Town Attorney**

-
- 1. CALL TO ORDER**
 - 2. ROLL CALL**
 - 3. PLEDGE OF ALLEGIANCE**
 - 4. APPROVAL OF THE AGENDA**
 - 5. PRESENTATIONS / PROCLAMATIONS**

[A.](#) Resolution No. 2023-019

A Resolution of the Town Commission of the Town of Highland Beach, Florida, ratifying the selection, appointments, and term of office of members of the Board of Adjustments and Appeals; and providing for an effective date.

6. PUBLIC COMMENTS

Public Comments will be limited to five (5) minutes per speaker.

7. ANNOUNCEMENTS**Board Vacancies**

Board of Adjustment and Appeals

Two (2) vacancies, all for three-year terms and

One (1) vacancy for an unexpired term ending September 21, 2024

Meetings and Events

September 05, 2023	5:01 P.M.	Town Commission Special First Public Hearing Budget Meeting
September 19, 2023	1:30 P.M.	Town Commission Meeting
September 21, 2023	9:30 A.M.	Planning Board Regular Meeting
September 21, 2023	5:01 P.M.	Town Commission Special Second Public Hearing Budget Meeting

Board Action Report

None.

8. ORDINANCES (Public Comments will be limited to three (3) minutes per speaker per item after Commission initial discussion.)

A. None.

9. CONSENT AGENDA (These are items that the Commission typically does not need to discuss individually, and which are voted on as a group.) Public Comments will be limited to three (3) minutes per speaker per item after Commission initial discussion.

A. Approval of Meeting Minutes

August 24, 2023 Town Commission Special Meeting Minutes

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

A. Fire Rescue Implementation Update

1. Hurricane Preparation Manual Presentation

B. Florida Department of Transportation (FDOT) RRR Project Update

C. Building Department Recertification Program Update

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

A. Development Application No. 23-0003 / Le Sanctuaire Condominium Association, Inc.

Consideration of an application for a major modification to an existing building, as provided in section 30-39 of the Town code of ordinances, including but not limited to changes to the exterior façade and balconies for the property located at 3425 South Ocean Boulevard by Mark Rothenberg of Ellemar Enterprises, LLC.

B. Consideration of a request for a Town of Highland Beach Right-of-Way (ROW) permit for the property located at 4005 S Ocean Boulevard.

C. Resolution No. 2023-024

A Resolution of the Town Commission of the Town of Highland Beach Florida, adopting Fiscal Year 2023-2024 Schedule of Fees which establishes reasonable fees for town services and other charges; providing for conflicts; and providing an effective date.

D. Discussion on past charter amendments and upcoming referendum questions.

1. Town Attorney Memorandum regarding Canvassing Board

12. TOWN COMMISSION COMMENTS

Commissioner Judith M. Goldberg

Commissioner Donald Peters

Commissioner Evalyn David

Vice Mayor David Stern

Mayor Natasha Moore

13. TOWN ATTORNEY'S REPORT

14. TOWN MANAGER'S REPORT

15. ADJOURNMENT

NOTE: Any person, firm or corporation 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 including testimony and evidence upon which the appeal is to be 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.

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

File Attachments for Item:

A. Resolution No. 2023-019

A Resolution of the Town Commission of the Town of Highland Beach, Florida, ratifying the selection, appointments, and term of office of members of the Board of Adjustments and Appeals; and providing for an effective date.



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Commission Meeting
MEETING DATE September 05, 2023
SUBMITTED BY: Jaclyn DeHart, Deputy Town Clerk
THROUGH Lanelda Gaskins, Town Clerk
SUBJECT: Resolution No. 2023-019

A Resolution of the Town Commission of the Town of Highland Beach, Florida, ratifying the selection, appointments, and term of office of members of the Board of Adjustments and Appeals; and providing for an effective date.

SUMMARY:

Consideration of Resolution No. 2023-019 ratifying the selection, appointments, and term of office of a member of the Board of Adjustments and Appeals (BOAA); and providing for an effective date.

The Town Clerk's Office received two (2) board applications for Town Commission consideration. Currently, there is one applicant eligible for reappointment and three (3) open vacancies for new applicants to serve as members on the Board. The applicant names are as follows:

Reappointment

Eve Rosen

Appointment

Todd Weiss

As set forth in Sec. 2-99, in the Town's code, terms for all boards shall be three (3) years and no board member may serve more than two (2) consecutive terms on the same board without first taking a one-year hiatus from the board. Appointments for partial terms shall not count toward the two-term limit. Additionally, in accordance with Resolution 19-029, the Highland Beach Police Department (HBPD) reported a preliminary background check on each applicant to the Town Clerk's Office. The background check result disclosed there were no objectionable findings. Additionally, there is no history found for any code violations.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Todd Weiss Application
Todd Weiss Vetting Form
Eve Rosen Application

RECOMMENDATION:

With the Commission's consideration, Staff recommends the adoption of Resolution No. 2023-019 for the applicants to serve a term as outlined in the resolution.



RESOLUTION NO. 2023-019

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, RATIFYING THE SELECTION, APPOINTMENTS AND TERM OF OFFICE OF MEMBERS OF THE NATURAL RESOURCES PRESERVATION ADVISORY BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 20, Article III, Sec. 20-46 of the Town's Code of Ordinances establishes the Board of Adjustment and Appeals Board and governs the membership, qualification, function, and rules of the Board of Adjustment and Appeal Board; and

WHEREAS, these provisions of the Code establish the selection, appointment, and terms of office of members of the Board of Adjustment and Appeals Board; and

WHEREAS, June 15, 2021, Board Member Eve Rosen was appointed by Town Commission to fill a full-time three-year term ending May 30, 2023, and is eligible for reappointment for a three-year term; and

WHEREAS, on November 30, 2022, one (1) member's term ended, thereby opening one (1) vacancy on the Board; and

WHEREAS, the Town Clerk's Office received two (2) applications for consideration; and

WHEREAS, pursuant to Sec. 2-99(1)(a) of the Town's Code of Ordinances, the chairperson of each board shall interview applicants for the board and provide a recommendation to the Town Commission; and

WHEREAS, the chairperson of the Board of Adjustment and Appeals Board interviewed the applicants and recommends that the Town Commission reappoint one (1) applicant and appoint one (1) new applicant to the Board; and

WHEREAS, Town residents interested in serving on or continuing to serve on the Board of Adjustment and Appeal Board have submitted a board application for the Town Commission's consideration.

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

Section 1. The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the Town Commission.

Section 2. Consistent with the Town's Code of Ordinances, one (1) member has been selected by the Town Commission to serve on the Board of Adjustment and Appeal Board as follows:

Board Member Todd Weiss – term expires September 05, 2026

Board Member Eve Rosen – term expires September 05, 2026

Section 3. This Resolution shall become effective upon adoption.

DONE AND ADOPTED by the Town Commission of the Town of Highland Beach, Florida, this
5th day of **September** 2023.

ATTEST:

Natasha Moore, Mayor

**REVIEWED FOR LEGAL
SUFFICIENCY**

Lanelda Gaskins, MMC
Town Clerk

Glen Torcivia, Town Attorney
Town of Highland Beach

VOTES:

YES NO

Mayor Natasha Moore
Vice Mayor David Stern
Commissioner Evalyn David
Commissioner Donald Peters
Commissioner Judith Goldberg



MEMORANDUM

TO: Lanelda Gaskins, MMC, Town Clerk

FROM: Bonnie Pikkel

DATE: 8

SUBJECT: Initial Vetting of Applicant:

On 7/15/2023 (date), I met with Todd Weiss (applicant's name) to discuss his/her community involvement, education, professional experiences and the positive impact he/she could bring to this Board for the betterment of the Highland Beach community.

Detail Explanation:

I met with Todd Weiss and I feel that he would be a great addition to our Board. He has experience in the building and construction business that could be very helpful in making sound decisions. Most of all, he has love for our community and is anxious to make it better for all of us.

Based upon my review of the Resume', the Board Application and the Interview today, my recommendation is as follows:

☒ For the Appointment of this Applicant

☐ Against the Appointment of this Applicant

Bonnie Pikkel

Signature of Board Chairperson



RECEIVED

JUL 11 2023

Town of Highland Beach, FL
Town Clerk's Office

Town of Highland Beach
Town Clerk's Office
3614 S. Ocean Boulevard
Highland Beach, Florida 33487
Phone: (561) 278-4548 Fax: (561) 265-3582

BOARDS AND COMMITTEES APPLICATION

This information is for consideration of appointment to a Town Board. Please complete and return this form to the Town Clerk, along with your *resume and proof of residency such as a government issued identification or voter registration card.*

PLEASE NOTE: Florida Public Records Law is very broad. Documents relevant to town business is public records and is subject to public disclosure upon request. Your information provided within this application may therefore be subject to public disclosure.

NAME: Todd Weiss PHONE: 561 302 1441

HOME ADDRESS: 1112 Russell Dr APT. NO. _____

SUBDIVISION: Boca Cove EMAIL ADDRESS: tmw14@bellsouth.net

PLEASE SELECT THE BOARD(S) / COMMITTEE(S) ON WHICH YOU ARE INTERESTED IN SERVING IN NUMERICAL ORDER FROM 1 THROUGH 7, WITH 1 BEING YOUR FIRST CHOICE AND 7 THE LEAST CHOICE. (A description of the responsibilities of each Board is on the back of this application.)

1 Board of Adjustment & Appeals

5 Code Enforcement Board

4 Financial Advisory Board

2 Natural Resources Preservation Board

6 Planning Board

3 Town Commission ***** (If vacancy)**

7 Other Board /Committee

PLEASE MARK YES OR NO FOR EACH OF THE FOLLOWING QUESTIONS:

Are you a resident of Highland Beach? Yes ☒ No ☐

Are you a registered voter in Highland Beach/Palm Beach County, FL? Yes ☒ No ☐

Are you currently serving on a Town Board? Yes ☐ No ☒

Have you ever served on a Town Board/Committee? Yes ☒ No ☐

If Yes, please indicate the Board(s)/Committee(s) and dates of service:

Palma Vista HOA

Are you willing to attend monthly board meetings? In (Person / Teleconference) Yes ☒ No ☐

Per Town Code of Ordinance, I understand any member absence from three (3) consecutive meetings will be considered as resignation from the board/committee. Yes ☒ No ☐

Please list any special talent, qualification, education, or professional experience that would contribute to your service on the Board/Committee you have selected?

I was a business owner with 250 employees. I have exceptional problem solving skills. I currently manage complex projects with deadlines while driving strategic decision making.

Please summarize your volunteer experience(s):

I was on the HOA of my previous home. During this time I was focused on community development and fiscal responsibility.

Florida Law requires appointed members on the Planning and Board of Adjustment and Appeals Boards to file a Form 1 - Statement of Financial Interests Disclosure form on an annual basis.

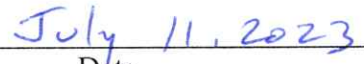
Vetting by the Board Chairperson. The Chairperson of each Board shall interview the applicant and submit a memorandum of recommendation to the Town Clerk's Office 14 days prior to the Town Commission Workshop Meeting for final appointment.

Palm Beach County Commission on Ethics requires appointed members to take the Code of Ethics Training every two (2) years.

I hereby certify that the statements and answers provided are true and accurate to the best of my knowledge.



Signature of Applicant



Date

☒ Resume Attached

Todd Weiss
1112 Russell Drive
Highland Beach, Fl 33487
561-302-1441

EXECUTIVE PROFILE

*Business Development / Business Management / Performance Optimization /
P & L Budget & Analysis / Productivity & Efficiency Improvement / Cost Reduction
/ Leadership Training & Development / Customer Service & Satisfaction*

A results-oriented business professional with proven abilities in strategic planning, managing operations, improving efficiency of operations, and team building. Able to identify areas of strength and weakness and implement company policies, standards, changes in operation, and systems that optimize productivity and bottom-line. Demonstrated ability to motivate staff to maximize productivity and control costs through the most effective uses of manpower and available resources.

Summary of Qualifications

- Able to instill vision to achieve company goals and surpass profit expectations while maintaining quality, safety, and customer service integrity through total quality management.
- Successful in creating and implementing strategic plans, setting and administering budgets, and developing improved processes to meet short and long term objectives.
- Oversee operations to ensure company requirements are met within established budget, design plans for improvements to meet production goals and provide superior customer service.
- Interview all potential management staff, evaluate performance and make recommendations for promotions. Able to establish a team-spirited environment through a positive and proactive leadership style.
- Train management in their daily jobs, including how to read profit and loss statements, cost analysis, human resource reports, enforcement of company policies and procedures, and how to ensure licensing guidelines. Empower managers to make decisions in order to better service the customer.
- Certified Operational Manager Trainer (OMT).

Areas of Proficiency

Purchasing & Vendor Relations	Employee Benefits Package
Recruitment, Training & Leadership	P&L and Budget Management
Staffing and Operations Management	Customer Service & Satisfaction
Inventory Control & Product Management	Sales & Expense Forecasting & Analysis

Work History

Real Estate Agent William Raveis

2018-Present

City of Pompano Beach

June 2015-June 2018

Pompano Beach Pier Snack Bar

- Required to serve the public food and beverage for city of Pompano Beach
- Required to meet all contractual obligations for city of Pompano Beach

Palm Beach County

October 2010-2019

Osprey Point Golf Course Food and Beverage

- Required to serve the public food and beverage for Palm Beach County
- Required to meet all contractual obligations for Palm Beach County .

City of Boca Raton

June 2009-2019

Spanish River Library Café

Boca Raton Municipal Golf Course

Boca Raton Food and Beverage Mobile Food Carts

March 2010-2019

- Required to serve the public food and beverage for the city of Boca Raton.
- Required to meet all contractual obligations for the city of Boca Raton.

Draft House Restaurants, Boca Raton, FL

1997 to 2010

President

- Owner of four restaurants with sales of more than \$4.0 million annually. Monitor day-to-day operations to ensure compliance with established standards of product quality, service and clientele.
- Set weekly business objectives, review management schedules prior to posting.
- Evaluate individual restaurant operations and provide recommendations for improvements in procedures, products or equipment.
- Plan and conduct weekly meetings with Management Teams. Ensure management is versed on company policies and procedures. Complete quarterly evaluation and developmental action plans for all Management Teams.
- Review daily and weekly inventories to ensure accuracy.
- Review monthly P&L with Store Management. Assist location management team to assess and rectify cost control problems.
- Train, direct and motivate a staff of 150. Oversee all training and development in each unit. Recruit and develop all management personnel.

Selected Accomplishments

- Oversaw all aspects of business operations including budgeting, cost control, payroll, accounting functions, and set/managed sales projections and growth objectives.
- Owned and participated in the opening of 4 new locations.

Education

East Stroudsburg University, Stroudsburg , PA, 1991

Bachelor of Science / Restaurant Management



Town of Highland Beach
Town Clerk's Office
3614 S. Ocean Boulevard
Highland Beach, Florida 33487
Phone: (561)278-4548 Fax: (561)265-3582

RECEIVED

OCT 7 2019

Town of Highland Beach, FL

APPLICATION FOR TOWN BOARDS OR COMMITTEES

This information is for consideration of appointment to a Town Board. Please complete and return this form to the Town Clerk, along with your *resume and proof of residency such as a government issued identification or voter registration card.*

PLEASE NOTE: Florida Public Records Law is very broad. Documents relevant to town business is public records and is subject to public disclosure upon request. Your information provided within this application may therefore be subject to public disclosure.

Last Name: ROSEN First Name: EVE
Home Address: 4740 S Ocean Blvd Apt 908 Highland Beach
Home No.: _____ Cell No.: 513 604 8442 E-mail: erosenlaw@gmail.com

PLEASE CHECK THE FOLLOWING BOARD(S)/COMMITTEES ON WHICH YOU ARE INTERESTED IN SERVING (A description of the responsibilities of each Board is on the back of this application.)

☒ Board of Adjustment & Appeals

☐ Code Enforcement Board

☐ Financial Advisory Board

☐ Natural Resources Preservation Advisory Board

☐ Planning Board

PLEASE MARK YES OR NO FOR EACH OF THE FOLLOWING QUESTIONS:

Are you a resident of Highland Beach? Yes ☒ No ☐

Are you a registered voter in Highland Beach/Palm Beach County, FL? Yes ☒ No ☐

Are you currently serving on a Town Board? Yes ☐ No ☒

Have you ever served on a Town Board/Committee? Yes ☐ No ☒

If so, please indicate the Board(s)/Committee(s)? _____ Date of Service: _____

Are you willing to meet monthly for a board meeting? In Person / Telecom Yes ☒ No ☐

Per Town Code of Ordinance, I understand any member absence from three (3) consecutive meetings will be considered as resignation from the board/committee. Yes ☒ No ☐

Yes ☒ No ☐

Please list any special talent, qualification, education or professional experience that would contribute to your service on the Board/Committee you have selected?

Board Chair and Board Member of Privately held companies, Experience with Board Governance, Served as General Counsel for highly regulated companies

Please summarize your volunteer experience(s):

Religious high school Board
Various Voter encouragement Committees

Florida Law requires appointed members on the Planning and Board of Adjustment and Appeals Boards to file a Form 1 - Statement of Financial Interests Disclosure form on an annual basis.

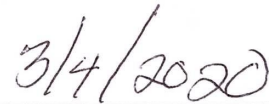
Vetting by the Board Chairperson. The Chairperson of each Board shall interview the applicant and submit a memorandum of recommendation to the Town Clerk's Office 14 days prior to the Town Commission Workshop Meeting for final appointment.

Palm Beach County Commission on Ethics requires appointed members to take the Code of Ethics Training every two (2) years.

I hereby certify that the statements and answers provided are true and accurate to the best of my knowledge.



Signature of Applicant



Date

☒ Resume Attached.

Eve Cutler Rosen

513.604.8442 (cell)
erosenlaw@gmail.com

Experience	Great American Insurance Company - Cincinnati, OH <i>(Property & Casualty Group)</i>	1987- May 2017
	Senior Vice President, Executive Counsel, Corporate Secretary (2015-2017) Senior Vice President, General Counsel and Corporate Secretary (1999-2015) Vice President, Assistant General Counsel & Assistant Secretary Assistant Vice President & Assistant General Counsel Senior Corporate Counsel	
	<ul style="list-style-type: none">▪ Chief Legal Officer for the property and casualty group of companies which are 100 percent owned subsidiaries of American Financial Group, a publicly traded Fortune 500 Company (AFG).▪ Responsible for corporate governance, domestic and international insurance regulatory compliance, major contract review, reinsurance dispute management and non-claims litigation management (primarily corporate, bad faith and reinsurance disputes).▪ Board member and corporate officer for most companies within the group.▪ Board Chair of Irish domiciled insurer affiliate.▪ Responsible for corporate secretarial function for all companies within the property and casualty group, including maintenance of corporate minutes, preparation of required resolutions and required related state filings.▪ Oversight and budget responsibility for: (i) team of 16 attorneys, paralegals and administrative staff, (ii) 100 person product development and compliance group responsible for managing policy wording, some reinsurance placement, and all policy, rate, data and form filings required under various state regulations, (iii) corporate risk management and (iv) records administration.	
	Hamilton Rabinovitz and Altschuler – Cincinnati, OH Senior Consultant & Counsel	1986 – 1987
	<ul style="list-style-type: none">▪ Provided assistance with insurance and reinsurance coverage issues and analysis of state tort law.	
	Aetna Life and Casualty - Hartford CT Claims Counsel, Assistant Claims Counsel, & Associate Claims Counsel	1981 – 1986
	<ul style="list-style-type: none">▪ Responsible for management of insurance coverage disputes involving latent injury and property damage matters primarily related to asbestos, environmental, pharmaceutical and chemical exposures. Coordinated discovery and legal positions throughout the United States in order to minimize inconsistent positions in litigation. Supervised outside counsel in litigated matters.	
	Private Practice - Philadelphia PA	1978 - 1980
	<ul style="list-style-type: none">▪ Civil litigation attorney in two small firms focused on both plaintiff and defense. Both firms are no longer in existence.	
	Administrative Office of Pennsylvania Courts	1975 - 1978
	<ul style="list-style-type: none">▪ Assisted with representation of state judiciary in litigation.▪ Reviewed regulations and provided legal advice to members of the state judiciary.▪ Began as a law clerk during law school and completed a one year clerkship after law school graduation.	
Education	J.D. Villanova University School of Law A.B. Bryn Mawr College Attended New York University, University College of Arts and Sciences	

File Attachments for Item:

A. Approval of Meeting Minutes

August 24, 2023 Town Commission Special Meeting Minutes



TOWN OF HIGHLAND BEACH TOWN COMMISSION SPECIAL MEETING MINUTES

LIBRARY COMMUNITY ROOM
3618 S. OCEAN BLVD.,
HIGHLAND BEACH, FL

Date: August 24, 2023
Time: 1:30 PM

1. CALL TO ORDER

Mayor Moore called the meeting to order at 1:30 P.M.

2. ROLL CALL

Commissioner Judith Goldberg
Commissioner Donald Peters
Commissioner Evalyn David
Vice Mayor David Stern
Mayor Natasha Moore
Town Manager Marshall Labadie
Town Clerk Lanelda Gaskins

3. PLEDGE OF ALLEGIANCE

The Town Commission led the Pledge of Allegiance to the United States of America.

4. APPROVAL OF THE AGENDA

MOTION: David/Stern - Moved to approve the agenda as presented, which passed unanimously 5 - 0.

5. PRESENTATIONS / PROCLAMATIONS

A. None.

6. PUBLIC COMMENTS

There were no public comments.

7. ANNOUNCEMENTS

Mayor Moore read the announcements as follows:

Board Vacancies:

Board of Adjustment and Appeals
terms and

Two (2) vacancies, all for three-year

One (1) vacancy for an unexpired term
ending September 21, 2024

Meetings and Events

August 30, 2023 11:00 A.M.

Natural Resources Preservation
Advisory Board Regular Meeting

September 04, 2023

Town Hall closed in observance of
Labor Day

September 05, 2023 1:30 P.M.

Town Commission Meeting

September 05, 2023 5:01 P.M.

Town Commission First Public Hearing
Budget Meeting

Board Action Report

None

8. ORDINANCES

A. Ordinance No. 2023-002 (Second Reading/Public Hearing)

An ordinance of the Town of Commission of the Town of Highland Beach, Florida, adopting the current edition of the Florida Fire Prevention Code and providing for local amendments; providing for the repeal of all ordinances in conflict; providing for severability and codification; and providing for an effective date (First Reading was August 1, 2023).

Mayor Moore read the title of Ordinance No. 2023-002.

MOTION: David/Goldberg - Moved to adopt Ordinance No. 2023-002 on the second/final reading. Based upon roll call: Commissioner David (Yes); Commissioner Goldberg (Yes); Commissioner Peters (Yes); Vice Mayor Stern (Yes); and Mayor Moore (Yes). The motion passed unanimously on a 5 to 0 vote.

Mayor Moore opened the item for public hearing. There were no public comments; Mayor Moore closed the public hearing.

9. CONSENT AGENDA (These are items that the Commission typically does not need to discuss individually, and which are voted on as a group.)

A. None.

10. UNFINISHED BUSINESS

A. Fire Rescue Implementation Update

Mayor Moore read the title of Item 10.A.

Town Manager Labadie provided an update on Fire Rescue Implementation as follows:

Recruiting process: First round of fire captain interview had great candidates and the team has narrowed down candidates for a second round. Next phase is driver/engineer firefighter.

The Fire Rescue building is going up. Over the next six weeks the structure will be enclosed, and interior work will begin. They are on schedule and budget.

B. FY 2023/2024 Budget Update

Mayor Moore read the title of Item 10.B.

Finance Director David DiLena, provided a PowerPoint presentation highlighting the Proposed Fiscal Year 2024 Operating Budget such as the 2024 Strategic Project/Initiatives

Following the presentation, the Town Commission and staff discussed the three (3) budget surplus alternatives. Alternative 1: Replenish the reserve sinking fund and keep the millage rate at 3.5875. Alternative 2: Replenish the reserve sinking fund with \$150K and reduce the millage rate from 3.5875 to 3.5581. Alternative 3: Reduce the millage rate from 3.5875 to 3.5140.

Vice Mayor Stern and Commissioner Goldberg were favorable to Alternative 2. Commissioners, David, Peters, and Mayor Moore were favorable to Alternative 1.

MOTION: David/Peters - Moved to vote on the proposed 2023-2024 budget with Option No. 1 (Alternative 1). Based on roll call: Commissioner David (Yes); Commissioner Peters (Yes); Commissioner Goldberg (No); Vice Mayor Stern (No); and Mayor Moore (Yes). The motion passed on a 3 to 2 vote with Commissioner Goldberg and Vice Mayor Stern dissenting.

C. Discussion of Remaining Budget Schedule

There was discussion about moving the September 20, 2023 Town Commission Second Public Hearing Budget Meeting to September 21.

It was the consensus of the Town Commission to schedule the Second Public Hearing Budget Meeting on September 21.

11. NEW BUSINESS

A. Consideration to approve the Health Insurance and Other Insurance Programs for Town personnel for Fiscal Year 2024.

Mayor Moore read the title of Item 11. A.

Human Resources/Risk Manager Director Eric Marmer presented this item.

MOTION: David/Goldberg - Moved to approve the Health Insurance Program as presented by Mr. Marmer. Based upon roll call: Commissioner David (Yes); Commissioner Goldberg (Yes); Commissioner Peters (Yes); Vice Mayor Stern (Yes); and Mayor Moore (Yes). The motion passed on a 5 to 0 vote.

B. Ratification of Collective Bargaining Agreement (CBA) between the Town of Highland Beach and the Florida State Lodge Fraternal Order of Police, Inc. (FOP) Town Staff Agreement October 1, 2023 through September 30, 2026.

Mayor Moore read the title of Item 11.B.

Town Manager Labadie presented this item discussing the changes to the FOP agreement such as the five percent (5%) merit increase and the Juneteenth Federal Holiday. Also, Eric Marmer, Human Resources and Risk Manager commented on the bereavement leave time.

MOTION: David/Stern - Moved to ratify the FOP (Florida State Lodge Fraternal Order of Police, Inc.) Agreement with the Town effective October 1, 2023 through September 30, 2026. Based upon roll call: Commissioner David (Yes); Vice Mayor Stern (Yes); Commissioner Goldberg (Yes); Commissioner Peters (Yes); and Mayor Moore (Yes). The motion passed unanimously on a 5 to 0 vote.

C. Resolution No. 2023-020

A Resolution of the Town Commission of the Town of Highland Beach, Florida, adopting a merit increase policy for non-union employees and amending the Town of Highland Beach salary table; and providing an effective date.

Mayor Moore read the title of Item 11.C.

Town Manager Labadie presented this item and reviewed the resolution.

MOTION: David/Goldberg - Moved to approve Resolution No. 2023-020 as presented. Based upon roll call: Commissioner David (Yes); Commissioner Goldberg (Yes); Commissioner Peters (Yes); Vice

Mayor Stern (Yes); and Mayor Moore (Yes). The motion passed on a 5 to 0 vote.

D. Town Manager Review

Mayor Moore read the title of Item 11.D.

The Town Commission spoke highly of Town Manager Labadie's performance and accomplishments and suggested Mr. Labadie be awarded the highest merit increase of ten percent (10%) based on his contract.

MOTION: David/Stern - Moved to give Town Manager Labadie the highest merit increase. Based upon roll call: Commissioner David (Yes); Vice Mayor Stern (Yes); Commissioner Goldberg (Yes); Commissioner Peters (Yes); and Mayor Moore (Yes). The motion passed unanimously on a 5 to 0 vote.

12. TOWN COMMISSION COMMENTS

Commissioner Judith M. Goldberg will be participating in the Florida League of Cities Legislative Committee Finance and Taxation meeting on September 8.

Commissioner Donald Peters thanked Finance DiLena for the Budget Presentation and Town Manager Labadie for being the Town Manager.

Commissioner Evalyn David commented on budget season, and thanked Town staff.

Vice Mayor David Stern disclosed that he spoke with Deputy Vice Mayor Rob Long of the City of Delray Beach as it relates to the Fire Department. He had a very positive conversation. Deputy Vice Mayor Long is looking forward to a quick solution and cooperative agreement with the Town. He congratulated Town Manager Labadie on his increase in salary.

Mayor Natasha Moore mentioned she also spoke with the Deputy Vice Mayor Rob Moore of the City of Delray Beach. Deputy Vice Mayor Long expressed his desire for the Delray Beach Fire Rescue Department and the Highland Beach Fire Rescue Department to engage in discussions regarding mutual aid.

Town Manager Labadie will speak with Delray City Manager Moore. He will bring back some options to the Town Commission at a later date.

Mayor Moore attended a Mayor's Roundtable hosted by Congressman Jarred Moskowitz yesterday. During the roundtable, Congressman Moskowitz recommended that municipalities have a contract in place for a "technical assistance vendor" in the event of a catastrophe, such as a hurricane. The benefit of the technical assistance vendor is to help with all the paperwork required by FEMA (Federal Emergency Management Agency). And, they have the established relationships with

FEMA to make sure reimbursements are received as soon as possible. The costs incurred for the technical assistance vendor are reimbursable by FEMA.

13. TOWN ATTORNEY'S REPORT

The Town Attorney was not present.

14. TOWN MANAGER'S REPORT

Town Manager Labadie thanked the Town Commission for their support.

15. ADJOURNMENT

The meeting adjourned at 3:19 P.M.

APPROVED: September 05, 2023, Town Commission Meeting.

ATTEST:

Natasha Moore, Mayor

Transcribed by
Jaclyn DeHart and Lanelda Gaskins

Lanelda Gaskins, MMC
Town Clerk

09/05/2023
Date

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the events 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. 23-0003 / Le Sanctuaire Condominium Association, Inc.

Consideration of an application for a major modification to an existing building, as provided in section 30-39 of the Town code of ordinances, including but not limited to changes to the exterior façade and balconies for the property located at 3425 South Ocean Boulevard by Mark Rothenberg of Ellemar Enterprises, LLC.



HIGHLAND BEACH BUILDING DEPARTMENT

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

TOWN COMMISSION STAFF REPORT

MEETING OF: **SEPTEMBER 5, 2023**

TO: **TOWN COMMISSION**

FROM: **INGRID ALLEN, TOWN PLANNER**

SUBJECT: **APPLICATION BY MARK ROTHENBERG, ELLEMAR ENTERPRISES LLC, FOR A MAJOR MODIFICATION TO AN EXISTING BUILDING, AS PROVIDED IN SECTION 30-39 OF THE TOWN CODE OF ORDINANCES, INCLUDING BUT NOT LIMITED TO CHANGES TO THE EXTERIOR FAÇADE AND BALCONIES FOR THE PROPERTY LOCATED AT 3425 SOUTH OCEAN BOULEVARD (DO#23-0003).**

I. GENERAL INFORMATION:

Applicant (Property Owner): Le Sanctuaire Condominium Association, Inc.
3425 South Ocean Boulevard
Highland Beach, FL 33487

Applicant's Agent: Mark Rothenberg
Ellemar Enterprises LLC
6810 North State Road 7
Coconut Creek, FL 33073

Property Characteristics:

Comprehensive Plan Land Use: Multi Family Medium Density

Zoning District: Residential Multiple Family Medium Density (RMM)

Parcel PCN#: 24-43-46-33-41-000-0010, 24-43-46-33-41-000-0020,
24-43-46-33-41-000-0030, 24-43-46-33-41-000-0040.

Site Location: 3425 South Ocean Boulevard

Property Background:

On April 7, 1992, the Board of Adjustment held a Workshop Meeting whereby the Board considered a request for relief from side setbacks from 20 feet to 16 feet 6 inches, and height requirements from 40 feet to 50 feet 10 inches for a proposed four (4) unit condominium at 3425 South Ocean Boulevard. The Chairman of the Board announced the Public Meeting for the item to be held on April 21, 1992.

On April 21, 1992, the Board of Adjustment approved a variance allowing side setbacks for the parking garage to be reduced from 20 feet to 16 feet 6 inches and denying a variance request to increase the building height from 40 feet to 50 feet 10 inches (motion carried 7-0).

On June 10, 1992, the Planning Board considered a preliminary review for a four (4)-unit condominium at 3425 South Ocean Boulevard. The Planning Board gave final approval (motion carried 5-0).

On June 30, 1992, the Town Commission held a Workshop Meeting whereby the Commission reviewed “the proposal” for the property located at 3425 South Ocean Boulevard. The Town Commission moved the matter to the July 7, 1992 Town Commission Regular Meeting consent agenda for consideration.

On July 7, 1992, the Town Commission approved a proposal for 3425 South Ocean Boulevard (motion carried 5-0).

Request and Analysis:

The Applicant is proposing a major modification to an existing four (4) unit condominium (Le Sanctuaire) located at 3425 South Ocean Boulevard. Pursuant to Section 30-39 of the Town Code, major modifications to existing buildings are described as follows:

“...that alter existing principal or accessory structures, including but not limited to the building footprint, number of square feet, building height, number of dwelling units, parking requirements, change in exterior facade, change of use, change of roof line, change of elevation, all exterior walls, balconies, foundations, accessory structures, and similar substantial improvements as determined by the building official.

The proposed major modification consists of the following:

- Replacement of existing balcony railings with glass.
- Exterior façade changes that include modification to architectural style consisting of the addition of pilasters to the front of the building, decorative fins to the front and side of the building, as well as the addition of wall/eyebrow architectural features.
- Replace existing Spanish roof tiles with a metal roof.

The Applicant is also proposing new landscaping on the property (there are no proposed changes to the landscaping in FDOT’s right-of-way along State Road A1A), changes to the configuration of the existing pool, changes to windows and doors, the addition of a waterfall feature at the front

of the building as well as additional hardscape changes including the replacement of pavers along the driveway, pool and north terrace all of which are attained via the building permit process. It is worth noting that while part of the existing structure as well as some of the proposed major modifications are located east of the Coastal Construction Control Line (CCCL), the Florida Department of Environmental Protection (FDEP) has determined that such proposed changes are exempt activities and therefore do not require a FDEP permit.

According to Section 30-39(b) and Section 30-31 of the Town Code, major modifications are to be approved in the same manner as the original structure/application. As noted above, the Town Commission approved a proposal for the property on July 7, 1992, and therefore the proposed major modification requires the approval of the Town Commission. On August 10, 2023, the Planning Board recommended approval of the major modification request (motion carried 6-0).

Following an approval by the Town Commission 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 of the approved major modification shall be initiated within two (2) years following the date of approval by the Town Commission.

Staff has reviewed the Applicant's proposed request including plans date stamped received by the Building Department on July 25, 2023 and finds that the project is consistent with the Code of Ordinances.

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

**Ingrid Allen
Town Planner**

Attachments: Application

Aerials

FDEP correspondence (dated February 1, 2023)

Town Commission Workshop Meeting minutes (June 30, 1992).

Town Commission Regular Meeting minutes (July 7, 1992).

Applicant proposed Plans (11X17)



TOWN OF HIGHLAND BEACH

Application # DO 23-0003

PROPERTY INFORMATION ASSOCIATED WITH THIS APPLICATION	
Address: <u>3425 S Ocean Blvd</u>	PCN: <u>24-43-46-22-41-000-0010, 0020, 0030, 0040</u>
Full Legal Description of the Property [as described in the deed] or reference to an attachment: <u>Le Sanctuaire Condo</u>	
Zoning District: <u>Density (24-Highland Beach)</u>	What is the location of the installation? <input type="checkbox"/> Intracoastal Waterway (ICW) <input type="checkbox"/> Interior Canal/Basin <input checked="" type="checkbox"/> N/A

PROPERTY OWNER (APPLICANT) INFORMATION		
Name: <u>Le Sanctuaire Condominium Association</u>	Phone: <u>954-603-0500</u>	Fax: <u>954-603-0501</u>
Mailing Address: <u>6810 N. State Road 7</u>	<u>Coconut Creek, FL 33073</u>	
Email Address: <u>Joan@ellemar.com</u>		

APPLICANT'S AGENT INFORMATION		
Name: <u>Mark Rotherberg</u>	Phone: <u>954-554-7777</u>	Fax: <u>954-603-0501</u>
Company Name: <u>ElleMar Enterprises LLC</u>		
Mailing Address: <u>6810 N. State Road 7</u>	<u>Coconut Creek, FL 33073</u>	
Email Address: <u>Joan@ellemar.com</u>	<u>MARK@ELLEMAR.COM</u>	

Provide a detailed description of the proposed project (use additional pages if necessary):
The scope of work is cosmetic in nature. Replacing existing balcony railings. Adding some decorative material to front elevation of Building.
Adding a water feature to west face of Building.
Replacing Spanish roof tiles with metal.

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:  Date: 5-5-23

Received by the Town Clerk's Office:

Received By: _____ Date: _____

Date Public Notices Mailed: _____

Date Legal Advertisement Published: _____



3425 South Ocean Boulevard

3425 South Ocean Boulevard (front)



© All EagleView Technology Corporation

3425 South Ocean Boulevard (rear)



From: Mark Powell <mpowell@coastal-engineers.com>

Date: February 1, 2023 at 3:43:11 PM EST

To: Mark <mark@ellemar.com>

Cc: Carlos Linares <Carlos@stofft.com>

Subject: FW: 3425 South Ocean Boulevard, Highland Beach - Request for Confirmation of Exemption

Mark,

Please see email below from DEP. I believe this will satisfy the Town but let me know if you need anything else.

Thank you,
Mark A. Powell, P.E.



Isiminger & Stubbs Engineering, Inc.

Registry Number: 8114

649 US Highway 1, Suite 9

North Palm Beach, FL 33408

561-881-0003

e-mail: mpowell@coastal-engineers.com

www.coastal-engineers.com

Attention:

This email and any files transmitted with it from Isiminger & Stubbs Engineering, Inc., are preliminary unless signed and sealed and are confidential and intended solely for use by the individual or entity to whom they are addressed. If you have received this email in error, please immediately notify the sender.

From: Kieckbusch, David <David.Kieckbusch@FloridaDEP.gov>

Sent: Wednesday, February 1, 2023 3:37 PM

To: Mark Powell <mpowell@coastal-engineers.com>

Subject: 3425 South Ocean Boulevard, Highland Beach - Request for Confirmation of Exemption

Mark,

No permit is necessary for the repair/replacement of the seaward portion of the dune walkover since it will occur in the original footprint and the installation/improvement of the façade as it does not include any foundation work. These are exempt activities according to 62B-33.004 F.A.C.

The proposed fountains do not require a CCCL permit because they are considered non-jurisdictional since they are landward of the 1997 CCCL.

This is for residence at 3425 S. Ocean Blvd., Highland Beach.

Let me know if you have any questions.

Thank you,

David



David Kieckbusch

Environmental Specialist II

Florida Department of Environmental Protection

Southeast District – West Palm Beach

3301 Gun Club Road, MSC 7210-1

West Palm Beach, FL 33406

David.Kieckbusch@floridadep.gov

Office: 561.681.6646

Cell: 561.313.9007

Town Boards and Committees are urged to complete Talent Bank Applications, submit same to Town Hall, and attend Board Meetings in order to help in determining what Board/Committee they may be interested in.

Mayor Boulay acknowledged receipt of a memo from Charter Review Board Chairman Ray Murphy transmitting the proposed Charter amendments to the Town Commission. It was the consensus to schedule a Special Workshop Meeting of the Town Commission for the purpose of reviewing the proposed Charter amendments.

92.3 PROPOSED ORDINANCES AND RESOLUTIONS

1. A RESOLUTION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, REPEALING RESOLUTIONS NO. 483 AND 516 IN THEIR ENTIRETY AND ADOPTING A NEW RESOLUTION SETTING POLICE FINES AND OTHER ADMINISTRATIVE FEES.

Following discussion of the proposed resolution, it was the consensus to move this matter to the July 07, 1992 Regular Meeting Agenda for consideration.

2. A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, SUPPORTING A COOPERATIVE EFFORT OF GOVERNMENT ENTITIES TO AMEND FLORIDA'S SUNSHINE LAW TO PERMIT CONFIDENTIAL AND PRIVATE MEETINGS BETWEEN ELECTED OFFICIALS AND THEIR LEGAL ADVISORS; DIRECTING THE TOWN CLERK TO FORWARD THE RESOLUTION TO APPROPRIATE GOVERNMENTAL OFFICIALS; AND, PROVIDING FOR AN EFFECTIVE DATE.

A discussion of the proposed resolution resulted in Section 2 being amended. It was the consensus to include this matter on the July 07, 1992 Regular Meeting Agenda for further discussion and possible approval.

* 92.9 Discussion re proposal for Lot 90E (3425 S. Ocean Blvd.)
submitted by Mark Rothenberg of Highland Park Assocs.

The Town Commission reviewed the proposal for Lot 90E (3425 S. Ocean Blvd.), submitted by Mark Rothenberg of Highland Park Associate. The Commission moved this matter to the July 07, 1992 Regular Meeting Consent Agenda for consideration.

MISCELLANEOUS - ITEMS LEFT OVER

Status of Building Development in Town

The Town Commission Members received and reviewed a copy of the Status of Building Development in Town submitted by the Building Department.

Minutes for approval at July 1992 Regular Meeting

Following review of two sets of Town Commission Meeting Minutes, it was the consensus to move same to the July 07, 1992 Regular Meeting for consideration.

REPORTS - TOWN COMMISSION

Vice Mayor Bill Paul

Vice Mayor Bill Paul, under his report, extended congratulations to Town Manager Mary Ann Mariano on her election as Chairman of the Palm Beach County Fire/Rescue Advisory Board. The Vice Mayor noted this is a very important Committee for our Town.

Commissioner Arlin Voress

Commissioner Arlin Voresss, noting he commented during Public Comments and Requests, stated his activity has been to provide developing information with regard to the Coastal Construction Control Line issue.

Commissioner Arthur Eypel

Commissioner Arthur Eypel, under his report, congratulated the Town Manager on her Palm Beach County Fire/Rescue Advisory Board appointment as well as Town Attorney Thomas E. Sliney who was appointed Chairman of the Palm Beach County Republican Party.

Commissioner Eypel, alluding to newspaper articles regarding the Supreme Court's decision in the Lucas (South Carolina) land-use lawsuit, noted he was reminded why it is a privilege and honor to be a citizen of the U.S.A.

Commissioner John F. Rand

Commissioner John F. Rand was absent - no report.

Chief of Bureau of Coastal Data Acquisition, Tallahassee responded on June 25, 1992 noting extensions will only be granted for objections which are technical in nature and which pertain to the methodology or material facts used by the Division of Beaches and Shores in establishing the line or in cases where a qualified professional was retained by the objector for the purpose of evaluating the Division's methodology or facts, and only for the minimum time reasonable for such professional to perform the evaluation; however, no extension shall be granted beyond September 15, 1992.

Mr. Echeverria noted Chairman Walker of the Palm Beach Countywide Beaches and Shores Council drafted a letter on July 7, 1992 for submittal to Mr. Hal Bean in Tallahassee, subject to the Town Commission's approval, again requesting a time extension as well as specific and complete computer input data, historical records that were used, and a copy of the computer model so that a qualified coastal engineer may evaluate it. Mr. Echeverria stated they are working with technical people at Beaches and Shores Council who want to help in the CCCL issue.

When Commissioner Voress, noting the Town requested and was provided with data by Tallahassee, questioned Mr. Echeverria as to whom would be doing the technical data, the response was that several communities along the coast are hiring an engineer. Mr. Echeverria said the Council will be meeting on Monday, July 13, at 1:30 P.M. at the County Engineering Department Building, 5th floor Conference Room, 160 Australian Avenue, West Palm Beach and all are invited to attend.

Commissioner Eypel, noting he was pleased to see that the Beaches and Shores Council is taking steps in this matter, stated 'we need to coordinate our efforts unless Beaches and Shores has retained an engineer to do the study'. Mr. Echeverria, noting the Council has not retained an engineer, advised there will be a coordinated effort and it would behoove all our Commissioners to attend the July 13, Beaches and Shores Meeting to give their comments.

CONSENT AGENDA

Items Left Over - None

Consent Agenda

- * 1. Approval of proposal for Lot 90E (3425 S. Ocean Blvd.) submitted by Mark Rothenberg of Highland Park Associates

2. Approval of rollback of smoke alarm electric fee to
\$1.00 per smoke alarm unit

Noting both items on the Consent Agenda were discussed at the last Workshop Meeting, Mayor Boulay entertained a MOTION at this time. VICE MAYOR PAUL/COMMISSIONER VORESS MOVED to adopt the Consent Agenda. The MOVE received unanimous approval.

REPORTS - TOWN COMMISSON

Vice Mayor Bill Paul

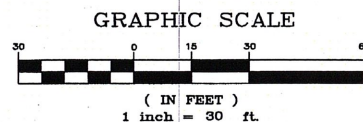
No report.

Commissioner Arlin Voress

Commissioner Voress, as requested at the Workshop Meeting, re-searched what would be involved regarding cost, timing, and obtaining an extension of the CCCL hearing comment period to allow an engineering firm to review and understand the information used by the DNR in their study relating to their proposal to reestablish the CCCL. The Commissioner spoke with Erik Olsen of Olsen Associates (the engineering firm engaged by Duval County) who advised it would take his firm 2/3 months at a cost of \$5,000 to \$10,000 to do a study for Highland Beach and he sees no problem with getting an extension to September 15, if we engage a professional engineer. Mr. Olsen indicated that, essentially, the report his firm would prepare for Highland Beach would be similar to that submitted for Duval County (because the model is out of date) which in summary states:

"In conclusion, we agree that the establishment of the CCCL, based upon the 100 year dune impact, is sensible and it is in the state's best interest to establish a line conservatively. Our concern, however, is that there is an inordinate number of implied conservative allowances in the state's dune erosion methodologies (that's the erosion model) and that, when superimposed, potentially result in a "grossly over conservative prediction of dune erosion". We feel that Atlantic and Neptune Beach is a case when this over simplification (over conservatism) is applied and is particularly evident. The roots of this layered conservatism include:

prepared by:
McLAUGHLIN ENGINEERING COMPANY (LB#285)
 1700 N.W. 64th STREET, SUITE 400
 FORT LAUDERDALE, FLORIDA 33309
 WEB: www.MECO400.com, EMAIL: INFO@MECO400.COM
 PHONE: (954) 763-7611

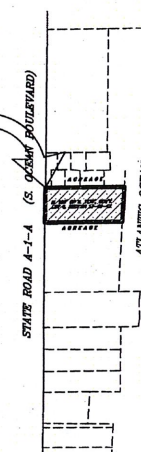


REDUCED
COPY NOT TO
SCALE

RECORD LAND SURVEY
THE N. 100' OF THE S. 1,170' OF
GOVERNMENT LOT 4,
SECTION 33-46-43
PALM BEACH COUNTY, FLORIDA

93 89 A21
N: 757103.7580
E: 962589.5740 /

THIS SURVEY

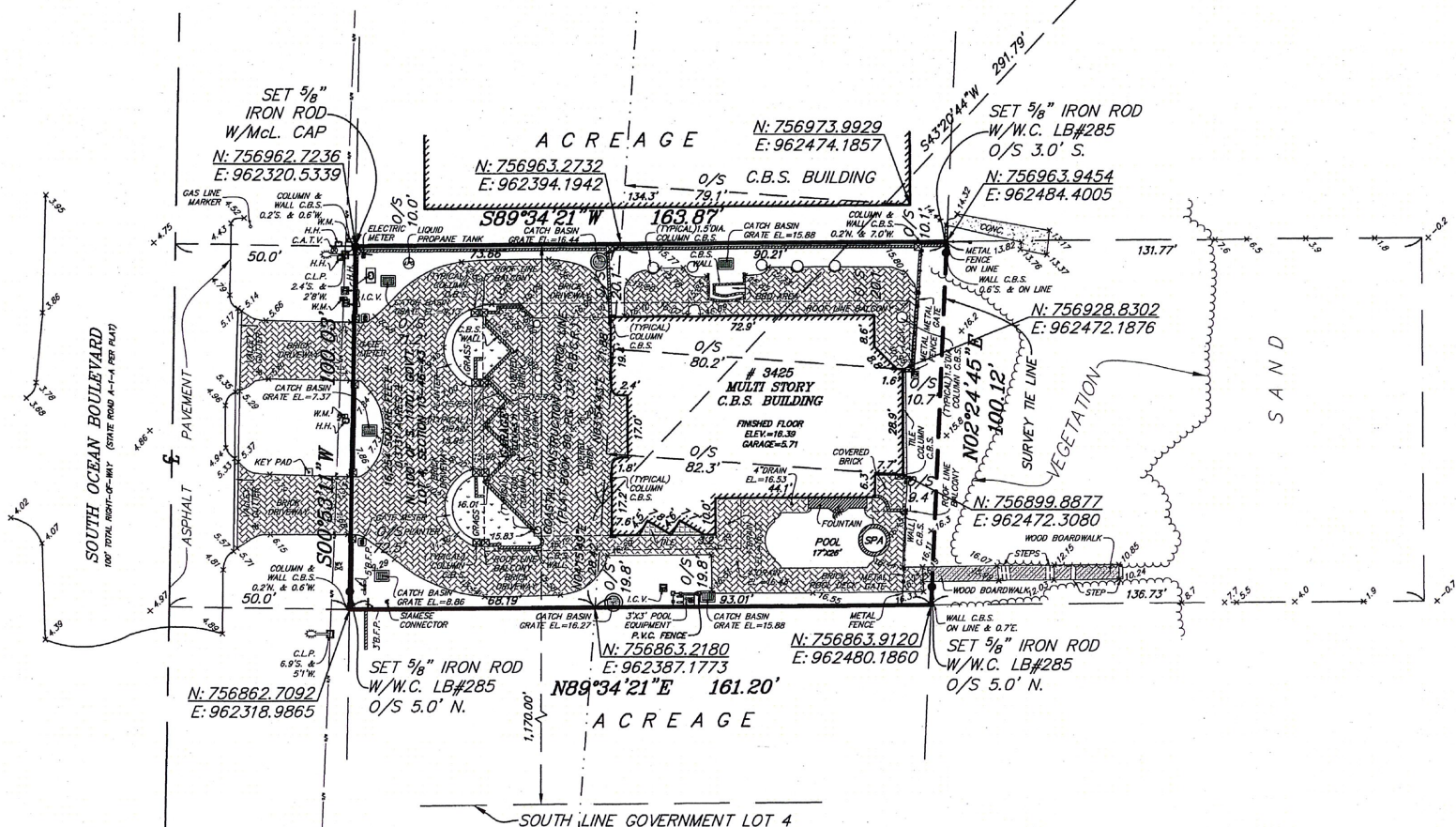


Location Sketch
Not To Scale

Legal Description

*The North 100 feet of the South 1,170 feet of Government Lot 4,
a portion of Section 33, Township 46 South, Range 43 East,
Palm Beach County, Florida.*

Said land situate, lying and being in the Town of Highland Beach, Palm Beach County, Florida and containing 16,254 square feet or 0.3731 acres, more or less.



LEGEND

A = CENTRAL ANGLE (DELTA)
A/C = AIR CONDITIONING
A.K.A. = ALSO KNOWN AS
A.L.P. = ALUMINUM LIGHT POLE
A.L.T.A. = AMERICAN LAND TITLE ASSOCIATION
A OR L.R. = ARC LENGTH
B.C.R. = BROWARD COUNTY RECORDS
B.F.P. = BAY FLOW PREVENTOR
B.H. = BULKHEAD
B.E. = BASE LINE
B.O.S. = BOTTOM OF STRUCTURE
C.A.T.V. = CABLE TV TERMINAL OR BOX
CAL.C. = CALCULATED
C.B.S. = CONCRETE, BLOCK AND STUCCO
C.E. = CENTERLINE OF RIGHT-OF-WAY
CH. = CHORD
CH.BRG. = CHORD BEARING
C.C.G.L. = COASTAL CONSTRUCTION CONTROL LINE
C.L.F. = CHAIN LINK FENCE
C.L.R. = CONCRETE LIGHT POLE
C.P.L.P. = CONCRETE POWER LIGHT POLE
C.P.P. = CONCRETE POWER POLE
CQ. = COMPANY
CONC. = CONCRETE
C/O = CLEAN OUT
D.B. = DEER BOOK
DESC. = DESCRIPTION FROM FORMER DESCRIPTION
DIA. = DIAMETER
D.B.H. = DIAMETER AT BREAST HEIGHT
ELEC. = ELECTRIC
EV. OR ELEV. = ELEVATION
F. = FEET
F.H. = FIRE HYDRANT
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
F.N.D. = FLORIDA INLAND NAVIGATION DISTRICT
F/K/A. = FORMERLY KNOWN AS
F.P.L. = FLORIDA POWER AND LIGHT CO.
G. = GAS VALVE
G.T.M. = GREASE TRAP MANHOLE
H.H. = HAND HOLE
I.C.V. = IRRIGATION CONTROL VALVE
I.N. = INVERT
L.P.G. = LIQUID PROPANE GAS
L.B. = LICENSED BUSINESS
MAG. = MAGNETIC
M.D.C.R. = MIAMI DADE COUNTY RECORDS
MEAS. = FIELD MEASURE
[8] = PARKING SPACES
M.H.W. = MEAN HIGH WATER
MISC. = MISCELLANEOUS
M.L.P.(ϕ) = METAL LIGHT POLE
M.R. = MORE OR LESS
M.W. = MOUNTING WALL
N.S.G. = NATIONAL GEODEIC SURVEY
NPS = NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS
N.T.S. = NATIONAL GEODEIC VERTICAL DATUM (1988)
NAD83 = NORTH AMERICA VERTICAL DATUM (1983)
N.S.I.D. = NORTH SPRINGS IMPROVEMENT DISTRICT
NO. = NUMBER
O.R.B. = OFFICIAL RECORDS BOOK
O/S = OFFSET
O/W = OVERHEAD UTILITY LINES
PAD. = PAD
P.B. = PLAT BOOK
P.B.C.R. = PALM BEACH COUNTY RECORDS
P.C. = POINT OF CURVE
P.C.D. = POLLUTION CONTROL DEVICE
P.I. = POINT OF INTERSECTION
P.I.V. = POST INDICATOR VALVE
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.R.C. = POINT OF REVERSE CURVE
R = RADIIUS
R.C.M. = REINFORCED CONCRETE PIPE
R/W = RIGHT-OF-WAY
S.B.T. = SOUTHERN BELL TELEPHONE
S.S. = SEWER VALVE
S.H.W. = SEASONAL HIGH WATER LINE
S.P. = STATE PLANE
S.Q.T. = SQUARE FEET
S.T. = SURVEY THE LINE
TAN.BRG. = TANGENT BEARING
T.O.B. = TOP OF BAFFLE
T.W. = WATER METER
W.V. = WATER VALVE
W.B.H. = WET FACE OF BULKHEAD
W.F. = WET FACE OF WAP
W.L.P. = WOOD STREET LIGHT POLE
W.P.L.P. = WOOD POWER STREET LIGHT POLE
W.P.P. = WOOD POWER POLE
W.W.E.C. = WATKINS ENGINEERING CO. CAP
W.W.K.C. = WITH WITNESS CAP @ 2BS
[8] = HANDICAPPED PARKING SPACE
[8] = NON-VEHICULAR ACCESS LINE

NOTES:

- 1) This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Underground improvements if any not located.
- 3) This drawing is not valid unless sealed with an authorized surveyors seal.
- 4) Boundary survey information does not infer Title or Ownership.
- 5) All iron rods 5/8", unless otherwise noted.
- 6) Reference Bench Mark: Palm Beach County Engineering Department, Bench Mark # A-1-A 9303 B12 Elevation= 20.167 (NAVD88).
- 6) Elevations shown refer to North American Vertical Datum (1988), and are indicated thus: 9.8', Elev. = 9.87
- 8) This property lies in Flood Zones "VE", Elev.=10.0 and 13.0 Per Flood Insurance Rate Map No. 12099C0989 F, Community Panel No. 125111. Dated: September 11, 2009.
- 9) Underground Utility locations shown hereon, if any, are based upon paint marks on the ground provided by others. McLaughlin Engineering Company did not confirm the accuracy of this data. The exact location of all utilities should be confirmed prior to design or construction.
- 10) Bearings shown hereon refer to an assumed datum and assume the East R/W line of S. Ocean Boulevard (State Road A-1A) as South 00°53'11" West.
- 10) Elevations per North American Vertical Datum (1988) derived from National Geodetic Vertical Datum (1929) data and converted using U.S. Army Corps of Engineers software (Corpscan 6.0.1) obtained from <http://www.tech.army.mil/>

CERTIFICATION

We hereby certify that this survey meets the "Standards of Practice" as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17.05 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 7th day of November, 2022.

McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
Registered Land Surveyor No. 5269
State of Florida

FIELD BOOK NO. EFB, Print, GPS

JOB ORDER NO. V-7331

\\server2021\D\\Drive-Sync\\V7000s\\V7331\\V7331.dwg, I, 12/12/2022 1:09:43 PM
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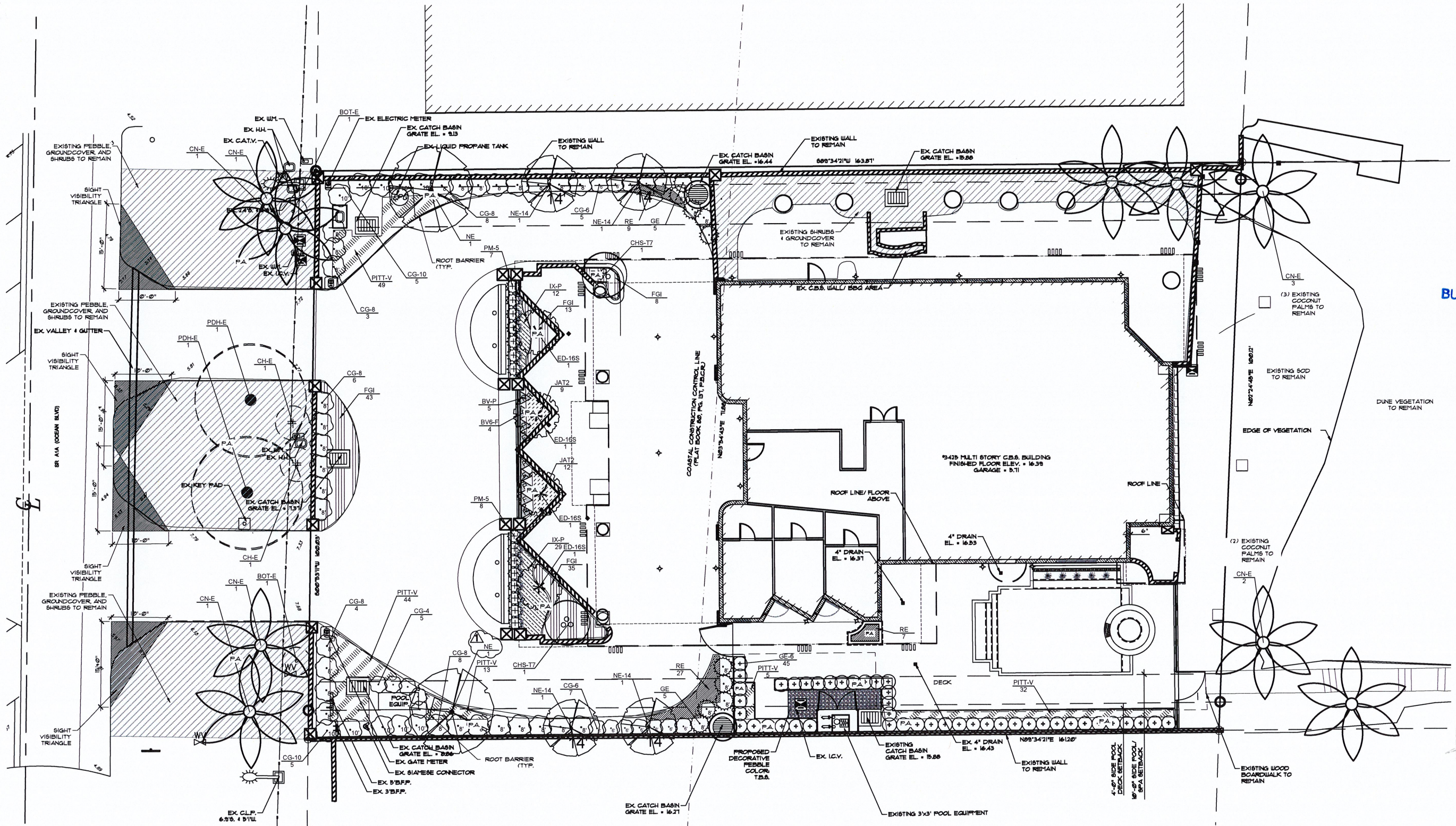
DRAWN BY: KT

RECEIVED

JUL 25 2023

HIGHLAND BEACH
BUILDING DEPARTMENT

Le Sanctuaire
3425 South Ocean Boulevard
Highland Beach, Florida



EXISTING PAVING		PROPOSED PAVING	
DRIVEWAY	3,022 S.F.	DRIVEWAY	3,022 S.F.
PORTE COCHERE/PARKING	2,092 S.F.	PORTE COCHERE/PARKING	2,080 S.F.
POL DECK	1,585 S.F.	POL DECK	1,114 S.F.
NORTH TERRACE	1,038 S.F.	NORTH TERRACE	1,038 S.F.
TOTAL PAVING AREA	7,737 S.F.	TOTAL PAVING AREA	7,234 S.F.

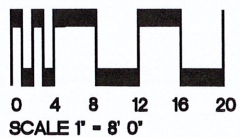
PROPERTY INFO:	
SITE AREA	18,254 S.F.
LAND USE	MULTI-FAMILY MED. DENSITY
ZONING CLASSIFIC.	RMM

PROPOSED LANDSCAPE	
EXISTING PRESERVATION AREA	5,041 S.F.
EXISTING L/S TO REMAIN	2,827 S.F.
PROPOSED LANDSCAPE	1,749 S.F.
TOTAL LANDSCAPE AREA	8,886 S.F.
EXISTING SOD	2,012 S.F.
PERIMETER TREES REQUIRED	6
PERIMETER TREES PROVIDED	6
OTHER TREES PROVIDED	3
TOTAL TREES =	9
EXISTING PALMS TO REMAIN	15
PALMS PROVIDED	2
TOTAL PALMS =	17

01/13/2023 Rev. Per Comments
06/14/2023 REVISED
05/02/2023 Rev. Per Comments
02/28/2023 FOR SUBMITTAL
02/17/2023 PROGRESS REVIEW
ISSUE HISTORY
COMM NO. 22031A
PROJ MGR: KDW
DRAWN BY: AMH, EL
CHECKED BY: KW

DRAWING TITLE:
**PROPOSED
LANDSCAPE
PLAN**

Sheet
L-1



CAUTION: PLEASE NOTE

Contractor shall secure all permits required for the work from any state or local departments, utility companies or jurisdiction affected by the work. The Contractor shall have permits "in hand" prior to starting work. The Landscape Architect and/or Owner shall bear no responsibility for work performed without permitted drawings. The Contractor shall be responsible for all changes to Work, at no additional cost to Owner, as a result of unauthorized work prior to receipt of permit.

This drawing is an instrument of service copyright ©1984-2023 by Krent Wieland Design, Inc. d/b/a KWD Landscape Architecture. All rights reserved - Not to be reproduced in part or in whole without express written permission. Florida Registration LA 1039.

NOTE: ALL TREES SHALL BE FLORIDA #1

PROPOSED LANDSCAPE SCHEDULE (EXCEPT WHERE INDICATED "EXISTING TO REMAIN")

PLANT SCHEDULE PLANT SCHEDULE							
DT	TREES ED-16S	BOTANICAL / COMMON NAME Elaeocarpus decipiens / Japanese Blueberry-Standard Full Dense Heads, PROVIDE PHOTOS TO LANDSCAPE ARCHITECT FOR APPROVAL	CONT B & B	CAL. IN. 3"	SIZE 14'	SPREAD 5'-6'	QTY 4
DT	NE	Noronhia emarginata / Madagascar Olive Full Dense Heads, Straight Unscarred Trunks, MATCHING, PROVIDE PHOTOS TO LANDSCAPE ARCHITECT FOR APPROVAL	B & B	4"	16'-20' O.A.	10'-12'	2
DT	NE-14	Noronhia emarginata / Madagascar Olive Full Head, Intact Fronds, Undamaged, Clean Trunk	Containerized	3"	14' OA	6'	4
DT	EXISTING TO REMAIN CH-E	BOTANICAL / COMMON NAME Chamaerops humilis / Mediterranean Fan Palm EXISTING TO REMAIN	CONT EXISTING TO REMAIN	CAL. IN.	SIZE	SPREAD	QTY 2
DT	CN-E	Cocos nucifera / Coconut Palm EXISTING TO REMAIN	EXISTING TO REMAIN				9
DT	BOT-E	Hyophorbe lagenicaulis / Bottle Palm EXISTING TO REMAIN	EXISTING TO REMAIN				2
	PDH-E	Phoenix dactylifera 'Medjool' / Medjool Date Palm EXISTING TO REMAIN	EXISTING TO REMAIN				2
DT	PALMS CHS-T7	BOTANICAL / COMMON NAME Chamaerops humilis cerifera / Silver Mediterranean Fan Palm - Triple Full, Dense Foliage, Silver, Staggered Heights, Triple	CONT B & B	CAL. IN.	SIZE 3' HT.	SPREAD 8'	QTY 2
DT, N	SHRUBS CG-10	BOTANICAL / COMMON NAME Clusia guttifera / Small Leaf Clusia Dense foliage, full to base	CONT Containerized	HEIGHT 10' OA	SPREAD 4'-5'	NATIVE	QTY 10
DT, N	CG-4	Clusia guttifera / Small Leaf Clusia Dense Foliage, Full To Base	Containerized	4'	3'		5
DT, N	CG-6	Clusia guttifera / Small Leaf Clusia Full, Dense Foliage To Base	Containerized	6'	36"		12
DT, N	CG-8	Clusia guttifera / Small Leaf Clusia Dense foliage, full to base	Containerized	7'-8' OA	4'-5'		29
DT	GE	Garcinia spicata / Mangosteen Full, Dense Foliage To Base	45 Gal.	8'	3'-4'		10
DT	GE-6	Garcinia spicata / Mangosteen Full, Dense Foliage To Base, Multi	Containerized	5'-6' OA	2'-3'		45
DT	PM-5	Podocarpus macrophyllus maki / Shrubby Yew Full dense foliage to base, shear to 4' OA	Containerized	6'	2'-3'		15
DT	VINES BV-P	BOTANICAL / COMMON NAME Bougainvillea 'Purple' / 'Purple' Bougainvillea Vine Vine on Trellis, Min 4 Runners, Remove from Trellis and Drape over Railing	CONT Containerized	HEIGHT 5'-6'	SPREAD 24"	NATIVE	QTY 5
DT	BV6-F	Bougainvillea 'Fuschia' / 'Fuschia' Bougainvillea Vine Full dense foliage to base, min. 5 runners, Remove from Trellis and Drape over Railing	Containerized	5'-6' OA	24"		4
DT	SHRUB AREAS FGI	BOTANICAL / COMMON NAME Ficus microcarpa 'Green Island' / Green Island Ficus Full, Dense Foliage To Base	CONT Containerized	HEIGHT 18"	SPREAD 18"	NATIVE	SPACING 18" o.c.
	IX-P	Ixora taiwanensis 'Dwarf Pink' / Dwarf Pink Ixora Full dense foliage to base, in bloom, available from Black Olive East	3 Gal.	24"	24"		18" o.c.
DT	JAT2	Liriope muscari / Lily turf Full, Dense Foliage To Base	Containerized	18"	18"		18" o.c.
DT	PITT-V	Pittosporum tobira 'Variegata' / Variegated Pittosporum Full, Dense Foliage	3 gal	14"	16"		18" o.c.
	RE	Russelia equisetiformis 'Coral' / Coral Firecracker Plant Full, Dense Pots	3 gal	12"-14"	16-18"		16" o.c.

MULCH - 'B' GRADE CYPRESS MULCH - verify c.y. in field
ROOT BARRIER - 36" deep Bio Barrier or equal - as shown on plans
N = NATIVE
DT = DROUGHT TOLERANT

CAUTION: PLEASE NOTE

Contractor shall secure all permits required for the work from any state or local departments, utility companies or jurisdiction affected by the work. The Contractor shall have permits "in hand" prior to starting work. The Landscape Architect and/or Owner shall bear no responsibility for work performed without permitted drawings. The Contractor shall be responsible for all changes to Work, at no additional cost to Owner, as a result of unauthorized work prior to receipt of permit.

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RECEIVED

JUL 25 2023

HIGHLAND BEACH
BUILDING DEPARTMENT

Le Sanctuaire
3425 South Ocean Boulevard
Highland Beach, Florida

07/13/2023 Rev. Per Comments
06/14/2023 REVISED
05/01/2023 Rev. Per Comments
02/28/2023 FOR SUBMITTAL
02/17/2023 PROGRESS REVIEW
ISSUE HISTORY
COMM NO. 22031A
PROJ MGR: KDW
DRAWN BY: AMH, EL
CHECKED BY: KW

DRAWING TITLE:
PROPOSED
LANDSCAPE
SCHEDULE

Sheet

L-2

Specifications for Plant Installation

LANDSCAPE SPECIFICATIONS
Specifications for:
Job Location:
Revision: May 15, 2009

1.0 GENERAL:

1.1 DESCRIPTION OF WORK:

A. Extent of landscape development work is shown on the Drawings and in the Schedules.

B. The work consists of furnishing all plants, materials, equipment, necessary specialties and labor required for the installation of plant, and other materials as shown on the Drawings and/or in the Specifications.

C. Excavation, filling and grading required to establish elevations shown on the Drawings are not specified in this Section. Refer to earthwork Section.

1.2 REFERENCE PUBLICATIONS:

A. Florida Department of Agriculture "Grades and Standards for Nursery Plants", most recent edition.

B. American Joint Committee on Horticultural Nomenclature "Standardized Plant Names Dictionary"

C. "The Manual of Cultivated Plants" (L.H. Bailey 1949 edition).

D. The American Standard for Nursery Stock (1913 edition).

1.3 INSTALLER QUALIFICATIONS:

A. The Contractor shall be regularly engaged in the installation of living plant material. Labor crews shall be controlled and directed by a Landscape Foreman well versed in landscape installation plant material, reading blueprints and coordination between the job and nursery and shall be able to communicate with the Owner and the Landscape Architect.

B. The Contractor shall be licensed and shall carry any necessary insurance and shall protect the Landscape Architect and Owner against all liabilities, claims or demands for injuries or damage to any person or property growing out of the performance of the work under this contract. All workers shall be covered by Worker's Compensation Insurance.

1.4 SUBMITTALS:

A. Provide Certificate of Inspection of plant material as required by governing authorities. Comply with regulations applicable to landscape materials.

B. Before starting work, provide itemized price schedule of the work to be performed, availability issues and certificates of insurance to the Landscape Architect for transmittal to the Owner.

C. Label at least one tree and one shrub of each variety with a securely attached waterproof tag bearing legible identification of the botanical and common name.

D. Maintenance Instructions: Prior to end of the maintenance period, furnish three copies of written maintenance instructions to the Landscape Architect for transmittal to the Owner for maintenance and care of installed plants through their full growing season.

1.5 COORDINATION:

A. Coordinate and cooperate with other trades and contractors to enable the work to proceed as rapidly and efficiently as possible.

B. Irrigation work shall normally precede plant installation. Install trees, large B&B material, shrubs and ground cover plants before lawn is installed.

C. Commencement of Work: Landscape Contractor shall notify Landscape Architect at least 15 days in advance of scheduled commencement of work. Landscape Contractor shall review plans and/or field layouts with Landscape Architect at least 2 days prior to installation or on the site as needed.

1.6 INSPECTION OF SITE:

A. Prior to the start of the contract, the Contractor shall acquaint himself with all site conditions, should utilities or other improvements not shown on the Drawings be found during excavations. Contractor shall promptly notify the Landscape Architect or Owner for instructions as to further action. Failure to do so will make Contractor liable for any and all damage arising from his operations subsequent to discovery of such utilities not shown on Drawings.

1.7 PROTECTION OF EXISTING PLANTS AND SITE CONDITIONS:

A. The Contractor shall provide, install and maintain the necessary precautions to protect all persons and property, including the general public from harm or injury due to the work.

B. The Contractor shall take precautions to protect existing site conditions. Should damage be incurred, the Contractor shall repair the damage to its original condition at no additional charge.

1.8 CHANGES IN THE WORK:

A. The Owner reserves the right to substitute, add or delete any material or work as the work progresses. Adjustment to the Contract Sum shall be negotiated prior to execution, then unit prices have been established, they shall prevail.

1.9 OWNERS OBSERVATION:

A. The Landscape Architect or Owner assumes no responsibility in the supervision or inspection of the work involved in the execution of this contract beyond observation to insure, to the Owner's satisfaction, that the Drawings and Specifications are being properly interpreted. This observation and checking will not relieve the Contractor of any responsibility for the performance of his work in accordance with the Drawings and the Specifications (including planting depth and other deficiencies).

B. The Landscape Architect and Owner reserve the right to reject any portion of the work, material or workmanship which does not conform to the Contract Documents. Rejected work shall be removed and/or corrected at the earliest possible time and prior to final payment.

1.10 JOB CONDITIONS:

A. Obstructions: The Contractor shall exercise care in digging and other work so as not to damage existing work, including underground pipes, sprinklers, control cables and features of existing utilities. Should such overhead or underground obstruction be encountered which interferes with planting, the Landscape Architect shall be consulted and will adjust the location of plants to clear such obstructions. The Contractor shall be responsible for the immediate repair of any damage caused by his work.

B. After notice to proceed the contractor shall complete landscape work as rapidly as portions of site become available. Perform actual planting only when weather and soil conditions are suitable in accordance with locally accepted practice.

C. Coordinate landscape and planting work with the irrigation (sprinkler) system and soil installers landscape installer shall insure that no plantings will interfere with the proper functioning of the sprinkler system. Where circumstances seem to justify his doing so, the landscape installer shall point out to the irrigation installer situations where minor adjustment or relocation or addition of sprinkler heads may be most beneficial for the planting as a whole.

D. Irrigation: The landscape contractor shall verify the installation of an automatic sprinkler system to cover 100% of the specified landscape areas including all planting island, isolated beds and sodded areas.

E. Sight Triangles: Check an adhere to local codes as a minimum all plant material located within a triangle (8'x23'2" minimum) or (2 sides) formed by traffic intersection points shall be trimmed and maintained to provide a visual opening between 3' (3'4") and 6' (6'2").

1.11 ACCEPTANCE:

A. Early acceptance of the work may be obtained for approved phases or when the time between commencement of the work and substantial completion exceeds 90 days (at no fault of the contractor). Early acceptance of work requiring an inspection of the completed landscape work by the Landscape Architect and/or the Owner. Maintenance and guarantee periods for the plants or area shall commence with such early acceptance.

B. Substantial Completion of the work is the point in construction is sufficiently complete, in accordance with the Contract Documents and the Landscape Architect's certification that the Owner can utilize the work as intended.

C. Final Completion is the completion of all work included in the Contract Documents except the Contractor's responsibility to correct the work to the satisfaction of the Owner and the Landscape Architect.

1.12 CORRECTION OF THE WORK:

A. For a period of twelve months from the date of acceptance, all new plant material except grass shall be alive and healthy, upright and in satisfactory growth for each specific kind of plant. There shall be no signs of nutrient deficiency, disease or insect infestation.

B. Plants which are rejected shall be replaced or corrected within two weeks of rejection. Replacement material shall be the same quantity, size and quality as called for in the Contract. A new correction of the work period of twelve months shall begin upon replacement and acceptance by the Landscape Architect, or all replacement plants, this includes plants which are discovered at any time to have been planted at an improper depth.

C. The installer shall repair damage to other plants or lawn during plant replacement at no cost to the Owner.

D. Plants which have been approved and subsequently die or are damaged by weathor, wind storm, traffic, vandalism, or demonstrable failure of the Owner to maintain after Substantial Completion of the work is not covered in this correction of the work provision.

2.0 PRODUCTS:

2.1 MATERIALS LIST:

A. Plant species and size shall conform with the Plant List and information noted on the Drawings.

B. The quantities given in the Plant List are intended for the convenience and as a guide for the bidder and does not relieve the bidder of his responsibility to do a comprehensive plant take off from the Drawings. Information on the drawings control.

2.2 PLANT MATERIALS:

A. All plant material shall be nursery grown unless otherwise noted. Plants shall be graded Florida No. 1 or better and shall be sized as outlined under Grades & Standards for Nursery Plants, State Plant Board of Florida. Plants shall be grown from certified seed.

B. Collected material when specified or approved shall be in good health, free from disease, insects or weed infestation. Tasting may be required as the discretion of the Landscape Architect and/or the Owner and shall be provided at no additional cost.

C. Plant materials must equal or exceed the measurements specified in the plant list, which are the minimum acceptable sizes. Those plants specified as specimens are to be approved by the Landscape Architect before being brought to the site unless otherwise noted on the Drawings, these plants shall be Florida Fancy.

D. Height of plant materials shall be measured from the top of the ball to the top of the plant with branches (or fronds) in normal position. Their width shall be measured across the normal spread of the branches (or fronds). In cluster type palms the main trunk shall meet the height requirement and all other trunks shall be 3/4" or more of the required height unless otherwise noted on the drawings.

E. Plants that meet the height requirements, specified but do not have the normal balance of height and spread apply for the respective plant, shall not be accepted.

F. Abbreviations on the Drawings are as follows:

B&B - indicates field grown plants "balled and burlapped".

Cal - indicates the caliper or diameter measured 6" (B2.4 mm) above the soil line until 4" (102.4 mm) diameter then at 12" above the soil line.

CT - indicates clear trunk measurement from top of ball to first branching.

DBH - indicates the caliper or diameter measured 4 feet (122 meters) above the soil line.

GU - Gray Wood, in palms, nature trunk from the ground to the base of the crown sheath.

OA - indicates overall height from top of ball to the top of current season's growth or the last open frond in normal position in palms.

Sp. - indicates spread or the average distance across the average diameter of the plant branching.

G. Plant material in containers shall have a well established root system and shall not be root bound. All plant materials not in containers shall be balled and burlapped and dug with a firm natural ball of earth. Balls shall be firmly wrapped in eight burlap strips and shall be secured and bound with wire, cord or wire mesh. The minimum ball sizes will be in accordance with "Grades & Standards for Nursery Plants" for the respective plant. If the root ball has been crushed or broken, The balls of balled and burlapped plants which cannot be replaced immediately on delivery shall be protected from drying winds and sun. Where symmetry is required, match plants used as nearly as possible to the satisfaction of the Landscape Architect.

F. Substitution: Plant substitution requests by the Contractor will be considered by the Landscape Architect only upon submission of proof that the plant is not obtainable in the type and size specified, should the specified plant indeed not be available, the Landscape Architect shall determine the nearest equivalent replacement in an equivalent size and variety. The unit price of the substitute item shall not exceed the bid item replaced, without approval of the Owner.

2.3 PLANTING SOIL:

A. Planting soil for trees and shrubs shall be sandy loam and shall contain a 25% minimum amount of decomposed organic matter. Planting soil shall be free of clay, stones, plants, roots, and other plant material which might be a hindrance to planting operations or be detrimental to good plant growth. It shall have a pH between 6.0 and 7.0. Soil shall be delivered in a loose friable condition and applied in accordance with the planting specifications.

B. Palm planting soil shall consist of clean sand and back fill.

2.4 PEAT:

A. Peat shall be horticultural peat composed of not less than 60% decomposed organic matter by weight, on an oven dried basis. Peat shall be delivered to the site in a workable condition free from lumps.

2.5 WATER:

A. Water for planting will be available at the site and shall be provided by the Owner.

2.6 COMMERCIAL FERTILIZER:

A. Commercial fertilizer shall be an organic (8-4-12) fertilizer containing nitrogen, phosphoric acid and potash. Nitrogen shall be not less than 50% water insoluble. Inorganic chemical nitrogen shall not be derived from the acid form of nitrate. Iron shall be in the chelated form, not be less than 2% and magnesium shall not be less than 4%. Fertilizers shall be delivered to the site unopened in original containers, each bearing the manufacturer's guaranteed analysis. Submit a copy of the manufacturer's guaranteed analysis and proof of delivery. Any fertilizer that becomes caked or otherwise damaged is unacceptable.

2.7 MISCELLANEOUS LANDSCAPE MATERIALS:

A. Mulch: Except as otherwise specified, mulch shall be shredded cypress bark mulch "grade 1A". It shall not contain sticks larger than 1 inch (25.4 mm) in diameter or other foreign material that will prevent its eventual decay. This shall be applied to all planted areas where indicated so that, after installation, the mulch thickness will not be less than 3" (76.2 mm).

B. Gravel: Mulch Use only where specifically indicated on the plans of the size and type shown. Unless otherwise specified, it shall be white, worn, hard durable gravel, washed free of loam, sand, clay and other foreign substances. It shall be a minimum of 2" (44.2 mm) deep and shall be required to provide a drainage path for water. It shall be a minimum of 1-1/2" (38.1 mm) and of a readily available natural gravel color range.

C. Braces, Stakes and Guy: Provide braces, stakes and deadman of sound red hardwood or treated softwood, free of knot holes and other defects. Provide wire ties and guys of two-strand, twisted, plastic galvanized hot wire not lighter than 12 gauge. Provide wire hose cut to required lengths to protect trees from damage by wire. Wires shall be not less than 1/2" (12.7 mm) dia. Razor stakes shall not be used.

D. Microbial Additives: An approved inoculate blend containing a minimum of eight strains of ardo and ardo mycorrhizae with a minimum of 100,000,000 and 10 million spores per pound respectively such as "Myco-Tek" by Organic Laboratories, Inc. and an approved inoculate blend containing 4-8 beneficial soil bacteria including Trichopem and Glomalin with a minimum concentration of 100 million per pound. The inoculate shall be applied to the site and during appropriate maintenance rates. Material shall be delivered to the site unopened in original containers, each bearing the manufacturer's guaranteed analysis. Submit a copy of the manufacturer's guaranteed analysis and proof of delivery. Any inoculants that becomes caked or otherwise damaged is unacceptable and shall not be used.

3.0 EXECUTION:

3.1 SITE PREPARATION:

A. Erosion Control: All erosion control measures are to be constructed to meet field conditions at the time of construction and prior to any grading or disturbance of existing surface material on site. All sediment will be prevented from entering any storm drainage system through the use of silt fences, straw bales, geotext, boards or other applicable methods. The Contractor shall be responsible for mitigating all sediment leaving the site and taking appropriate corrective measures. Sediment control measures shall be in working order after each day.

B. Rough Grading & Drainage: The Contractor shall verify all existing grades in the field and report any discrepancies immediately to the Landscape Architect. The Contractor shall be responsible for providing positive site drainage back from all structures including but not limited to planters, courtyard planting areas, landscape surfaces and architectural elements. It shall be the General Contractor's responsibility to provide drainage, proper sealing, downspouts and all water retention areas as required by applicable codes. Once grading operations are completed, all disturbed areas within or outside the limits of work shall be stabilized by fine grading and seeding or mulching as directed by the Landscape Architect.

C. Final Grading & Drainage: It shall be the responsibility of the Contractor to finish grade (min. 6" below adjacent F.F.E.). Finish grades in planting areas shall be one inch lower than adjacent paving and are to include two inches of mulching and four inches of planting soil. New earthwork shall blend smoothly into existing earthwork, and grades shall pitch evenly between spot grades. All planted areas must pitch to drain at a minimum slope of 1/4" per foot. Any discrepancies not allowing this to occur shall be reported to the Landscape Architect prior to continuing work.

D. Barring: Barring shall not be placed within 10' of any existing tree nor will it be allowed to encroach upon any utility, drainage or maintenance easement. Barring shall not impede or obstruct any necessary access needed to drain other work for the property.

E. Removal of Rubbish: Should any objectionable materials such as stones or construction debris be encountered during planting operations, they shall be promptly removed from the site by the Landscape Installer.

3.2 PROTECTION OF PLANTS:

A. Root Protection: Balled and burlapped plants/plants designated "B&B" (balled and burlapped) shall be dug with firm natural balls of earth of sufficient diameter and depth to encompass the fibrous and feeding root system necessary for full recovery of plants. Balls shall be firmly wrapped with burlap or similar materials and bound with wire, cord, or wire mesh. All collected plants other than Cabbage Palms (Sabal palmetto) shall be balled and burlapped.

B. Container Grown Plants: Plants grown in containers will be accepted as "B&B", providing that all other specified requirements are met. Container grown plants shall be sized as specified on the plant list and on the Drawings, and shall not be governed by container sizes. Minimum root balls of container grown material shall be no more than 25% less proportionately than that stated in "Grades & Standards" for nursery plants. These plants shall be balled and burlapped in the container for a maximum of two years prior to installation and shall exhibit a fully developed root system throughout when removed from the container. There shall be no circling roots.

C. Protection During Transporting: All plant material shall be protected from possible bark injury or breakage of branches. All plants transported by open trucks shall be adequately covered to prevent windburn, drying or damage to plants.

D. Protection After Delivery: Plants which cannot be planted immediately on delivery to the site shall be covered with moist soil, mulch or other protection from the drying of wind and sun. All plants shall be watered as necessary until planted. Spruce spruce shall not exceed 120°.

E. Protection of Palms (If Applicable): Any a minimum of fronds shall be removed from the crown of the palm trees to facilitate moving and handling. Cabbage Palms shall be "Hurricane Cut". Clear trunk shall be as specified after the minimum of fronds have been removed. Cabbage Palms shall be taken from moist, "black" growing areas. All palm trunks shall be wrapped in a protective material to be removed, however excessive grinding will not be accepted.

F. Protection During Planting: Trees moved by crane or crane shall be thoroughly protected from chain marks, girdling or bark slippage by means of burlap, wood battens or other approved means.

G. Plants that show girdling or bark slippage or other damage are unacceptable.

3.3 PLANTING OPERATIONS:

A. Layout: Location for plants and outlines of areas to be planted are indicated on the Drawings. All plant locations shall be staked in the field by the Contractor, to the satisfaction of the Landscape Architect. Notify Landscape Architect and Owner for directions if installation requires the addition of soil over root balls or existing roots, or where construction or utilities below ground or overhead are encountered, or where changes have been made in the construction. - DO NOT PROCEED - Necessary adjustments will be directed by the Landscape Architect.

B. All planting holes shall have straight, vertical sides and flat horizontal bottoms. The diameter of a hole shall not be less than twice the diameter of the root ball or 24 inches (609.6 mm) greater than the root ball whichever is larger. The depth of a hole shall not be deeper than the root ball. The space around the root ball within the hole shall be filled with the specified planting soil. Air pockets shall be eliminated and the soil compacted by watering. Insure that planting soil is thoroughly mixed with native soil.

C. All plants shall be installed in accordance with the best horticultural practice. Trees and shrubs, except as otherwise specified, shall be set in the proper amount of planting soil in the proper size of planting pit, as specified above so that the top surface of the root ball will be flush with the final ground surface allowing for 2" (44.2 mm) of mulch. Insure adequate pre-boring of plants straight or plant 4 faced, in locations shown on the Drawings. Do not distribute excess soil in the planting beds after bed plants have been installed.

D. Balled and burlapped plants are set with the bottom 1/3 of the planting pit backfilled with existing soil. Remove burlap, rope wires and top of the ball, but do not remove burlap underneath. All material shall be biodegradable and no material shall enclose the trunk. Complete backfilling with planting soil, then thoroughly mix with native soil and water to remove voids. After planting has been completed, form a well around each plant, extending to the limits of the pit.

E. Container Grown Plants: Container grown plants shall, when delivered, have sufficient growth to hold earth intact when removed from container and shall not be root bound. Plant pits for container materials shall be formed flat on the bottom to avoid air pockets at the bottom of root balls and containers shall be removed carefully to prevent damage to plant or root system.

F. Backfilling: When the plant pit has been excavated as specified above and the plant has been set, the pit shall be backfilled with soil mix to which mycorrhizae and soil bacteria have been added at the manufacturer's recommended rates (see 2.1d). The following minimum rates of soil mix apply: one-half cubic yard per tree and one cubic yard per fifty shrubs or 100 sq. ft. of planting bed area.

G. Setting Trees and Shrubs: Unless otherwise specified, all trees and shrubs shall be planted in pits, covered to such depth that the finished grade level of the plant after settlement shall be the same as that at which the plant was grown. They shall be planted upright and faced to give the best display. For nursery trees, the trunk shall be straight and a soil wedge shall be formed so that the root ball is level. No burlap shall be pulled out from under the balls. Platform wire and surplus binding from top and sides of the balls, shall be removed. All broken and frayed roots shall be cut off nearly as possible to the satisfaction of the Landscape Architect. All roots shall be set with watering. No filling around trunks or on top of root balls will be permitted. After the ground settles, additional soil shall be filled in to the level of the finished grade allowing for 2" (44.2 mm) over. Form a shallow saucer around each plant by placing a ridge of soil along the edge of the plant pit. This ridge shall be 12" (30.5 mm) high for each 1" (25.4 mm) caliper of trunk to a maximum of 4" (102 mm). The plants and Pits shall be equipped with temporary (supplemental) irrigation facilities as required.

H. Setting Palms: All palms shall be planted in sand thoroughly washed in draining operations and with a shallow saucer depression left at the soil line for future watering. Sauer areas shall be top dressed 2" (44.2 mm) deep with topsoil mixed and left in a neat clean manner.

I. Pruning: Remove dead and broken branches from all plant material. Prune to retain typical growth habit of individual species with as much height and spread as is practicable. Make all pruning cuts with a sharp instrument next to branch collar in such a manner as to ensure elimination of stubs, "headsacks" or "halo back" cuts, right angle to line of growth will not be permitted and trees will not be poled or topped.

J. Guying and Staking: Guy and stake all trees, including palms, immediately after planting. Trees less than 1/2" (38.1 mm) caliper shall be staked. Stakes shall be clearly marked. Guy all trees 1/2" (38.1 mm) caliper and greater, but less than 12" OA in a direction with double strands of No. 12 galvanized wire attached to approved anchors driven below grade. Trees over 12" OA shall be braced with new lumber staked without crown. When securing wires to trees, cover all wires which may come in contact with any part of tree with new rubber hose. Place guys and braces not less than 1/3 of the height of trees above finished grade and above substantial limbs 1 inch (25.4 mm) in diameter or more, if possible. All hooks shall be placed in white PVC pipe. Guy wires shall be placed in white PVC pipe. Guy wires shall be 2/3 of their length. Place anchors so that guys are equally spaced and at 45 degree angles to horizontal. Keep guys tight until Substantial Completion. Guying, bracing, staking shall not interfere with use of paved areas.

K. In staking palms and broadleaf trees, no nails or other fasteners shall directly penetrate the trunk. Wood battens 12 inches (304.8 mm) long, separated from trunk by burlap - attached to the trunk of the trees with metal banding. Stakes and braces shall be clearly marked and can only be relied to the woodworker's guaranteed analysis and proof of delivery. Any fastener that becomes caked or otherwise damaged is unacceptable.

L. Mulching: All trees and shrub beds shall be mulched immediately after planting, to a 3 inch (76.2 mm) depth, with a mulch approved by the Landscape Architect. Prevent wind displacement of mulch by thoroughly setting down.

M. Planters: Place filtration/separation fabric over 4" drain gravel and fill with a minimum of 6" deep planting soil mixture consisting of 5 parts coarse sand, 2 parts peat humus, and 3 parts pine bark with micro organisms, see 2.1D. Place soil in lightly compacted layers to an elevation 1/2 inches (38.1 mm) below top of planters allowing for natural settlement.

N. Annual or seasonal color beds: Remove 6" to 10" (25.4 mm) of soil and replace with planting soil mixture consisting of 2 parts top soil, 1 part pine bark mulch (1/2" (12.7 mm) pieces), 1 part coarse sand and 5 pounds (1.8662 kg) composted cow manure per cubic yard (7.1455 cubic meters).

O. Excess Excavated Soil: Excess excavated soil generated by planting operations shall be removed from the site by the Contractor and off of the owner's property at no additional expense to the Owner. Spread excavated soil on adjacent property.

P. Relocation of Existing Material: Landscape contractor shall root prune trees which are to be relocated in accordance with approved horticultural practices. The relocated plant shall have foliage reduced and be provided with supplemental irrigation to the remaining leaf surface. Coordinate and get Project Architects approval of exact new location.

Q. Sod (When Applicable)

A. Unless otherwise specified on the Drawings, sod shall be St. Augustine grass - Floridan. The sod area shall be all areas not previously identified and shall include the property line to the edge of pavement and/or the edge of water.

C. Fine Grading & Drainage: It shall be the responsibility of the Contractor to finish final grade all landscape areas, eliminating all bumps, depressions, sticks, stones or other debris to the satisfaction of the Landscape Architect, prior to the application of sod.

D. Contractor shall be responsible for providing and maintaining positive drainage flows away from all building and pavements to the appropriate discharge or collection points. If supplemental topsoil is to be spread, no sod shall be laid until the depth of this soil has been approved. Grade shall be adjusted to create a smooth transition between new and existing areas.

E. Quantities: Any quantities shown on the Drawings or given in the Plant List are intended for the convenience and as a guide for the bidder and does not relieve the bidder of his responsibility to do a comprehensive plant take off (measurement) from the Drawings or in the field. Contractor shall be responsible for providing positive site drainage back from all structures including but not limited to planters, courtyard planting areas, landscape surfaces and architectural elements. It shall be the General Contractor's responsibility to provide drainage, proper sealing, downspouts and all water retention areas as required by applicable codes. Once grading operations are completed, all disturbed areas within or outside the limits of work shall be stabilized by fine grading and seeding or mulching as directed by the Landscape Architect.

F. Quantity: Sod shall be graded "A" or better. Sod shall be loam or muck grown with a firm, full texture and good root development. Sod shall be tight, healthy and free from defects and debris including but not limited to chinch, insects, fungi, disease and contamination by weeds, other grass varieties or objectionable plant material.

G. Sod pieces shall be 16" x 24" minimum size in unbroken, cohesive sections.

H. Before being out and lifted, the sod shall have been sown at least three times with a lean mower, with the final mowing not more than 7 days before the sod is laid.

I. Solid sod shall be laid with closely abutting joints with a tamped or rolled, even surface. It shall be the responsibility of the Contractor to bring the sod edge in a neat, clean manner to the edge of all paving and other areas. If, in the opinion of the Landscape Architect, the sod edge is not satisfactory, the rolling sand shall be evenly applied over the entire surface and thoroughly watered in without additional charge.

J. Sod along slopes shall be pegged to hold sod in place along slopes or banks a wood peg acceptable to the Landscape Architect shall be used at no additional cost to the Owner.

K. Sweep and wash paved surfaces.

L. Remove planting debris from project site. Insure all plant material is free of damaged branches, tagging tape and other temporary materials.

M. Lawn areas damaged by planting operations shall be repaired at once by proper seed bed preparation, fertilizing and seeding or sodding in accordance with these specifications.

N. Walks, drainage pipes or other structures damaged by this Contractor shall be repaired with comparable materials and workmanship as the original.

3.6 MAINTENANCE:

A. Begin maintenance immediately after each item is planted and continue until final inspection and acceptance of the work. Areas completed under "Early Acceptance" of phases of the work shall be maintained for an additional 90 days or until final acceptance of the work which ever occurs first.

B. Maintain a healthy growing condition by watering, pruning, spraying, weeding, mowing, insect treatment, and other maintenance operations as necessary until plants are established.

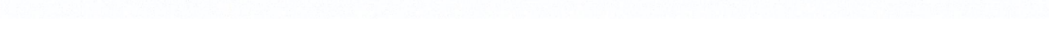
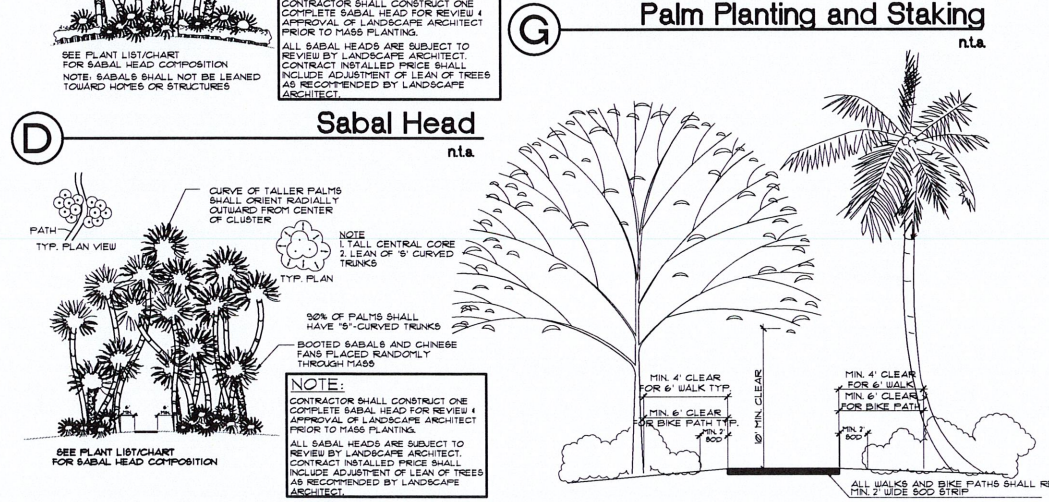
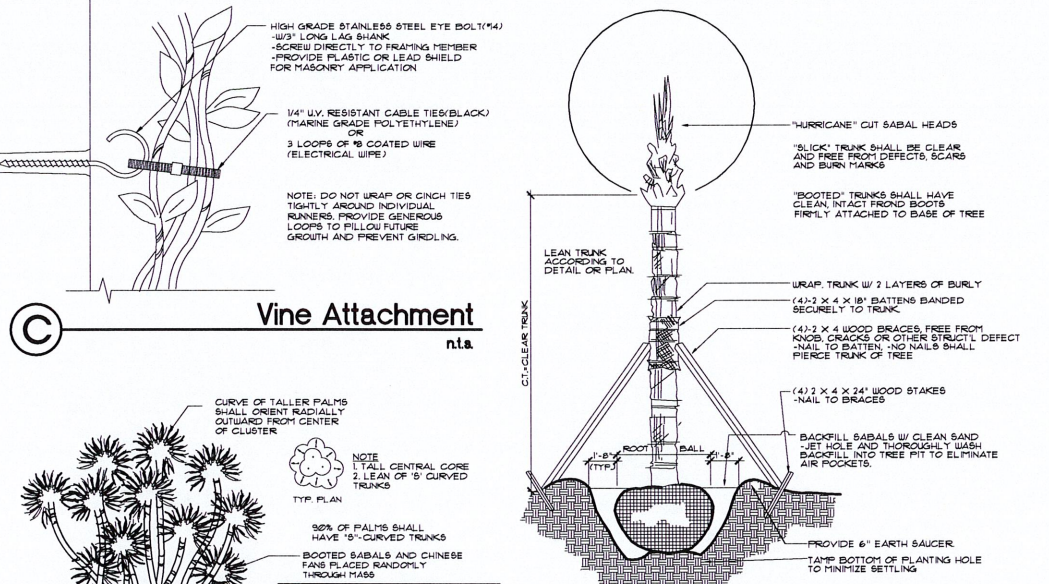
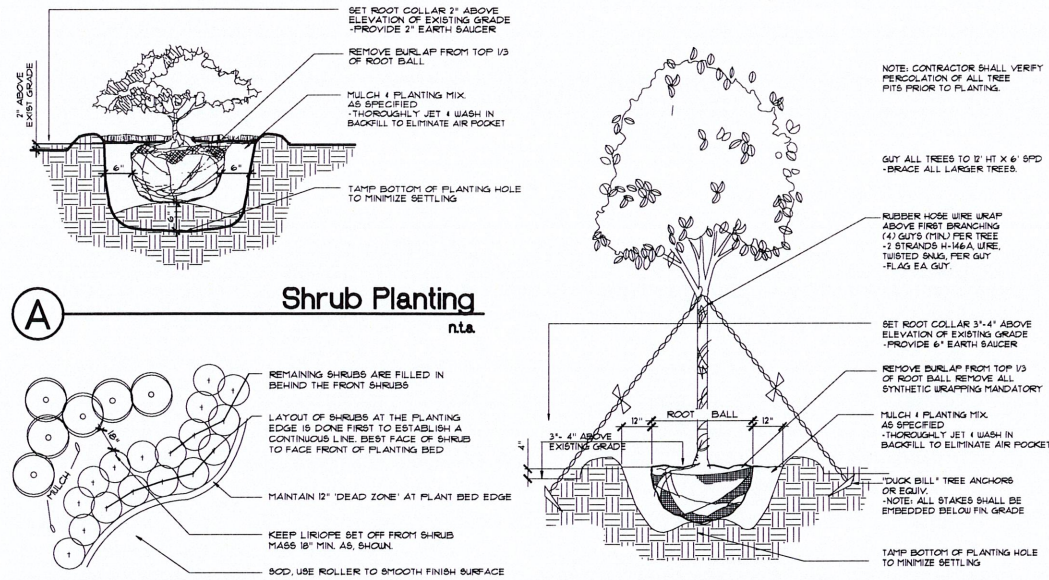
C. All trees shall be deep-watered for a period of ninety days after installation.

D. Replace impaired or dead plants promptly. Do not wait until near the end of the correction of the work period to make replacements of plants which have become unacceptable.

E. Inspect plants at least once a week and perform maintenance promptly with no additional cost to the Owner.

F. Keep planting staking and beds free of weeds, grass, and other undesirable vegetation growth.

G. Remove soil ridges from around watering basins prior to end of maintenance period, as directed by the Owner.



CAUTION: PLEASE NOTE

Contractor shall secure all permits required for the work from any state or local departments, utility companies or jurisdiction affected by the work. The Contractor shall have permits "in hand" prior to starting work. The Landscape Architect and/or Owner shall bear no responsibility for work performed without permitted drawings. The Contractor shall be responsible for all changes to Work, at no additional cost to Owner, as a result of unauthorized work prior to receipt of permit.



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Cert. of Authorization LC268000275

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BUILDING DEPARTMENT

NOTE:
PER SEC. 30-33, ALL HARDSCAPE
CHANGES SHOWN ON THESE PLANS
ARE NOT PART OF THE MAJOR
MODIFICATION SITE PLAN
APPROVAL.

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REFER TO VENDORS FOR ALL INSTALLATION
MATERIALS AND PROCEDURES/FOLLOW ALL
MANUFACTURERS INSTALLATION INSTRUCTIONS

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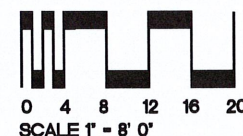
THIS DRAWING HAS NOT BEEN REVIEWED
BY A STRUCTURAL ENGINEER
VERIFY WITH STRUCTURAL ENGINEER
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Le Sanctuaire

3425 South Ocean Boulevard
Deerway Beach, Florida

Page 45



DRAWING TITLE:
**PROPOSED
HARDSCAPE
LAYOUT**

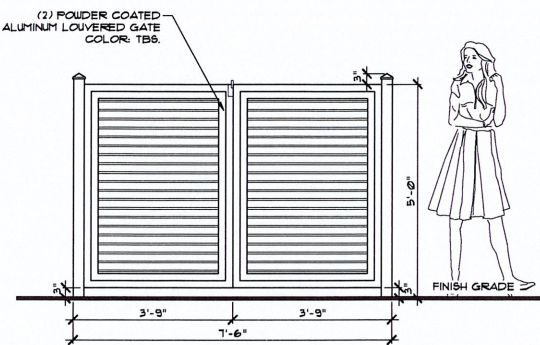
Sheet
H-1

06/09/2023 Rev. Per Comments
05/02/2023 Rev. Per Comments
02/18/2023 For Submittal
02/11/2023 FOR REVIEW
ISSUE HISTORY
COMM NO. 22031A
PROJ MGR: KDW
DRAWN BY: AMH, EL
CHECKED BY: KDW

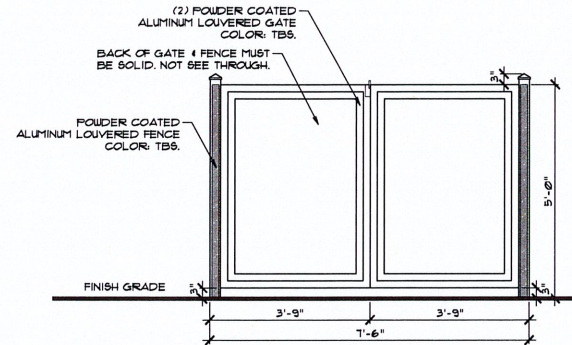
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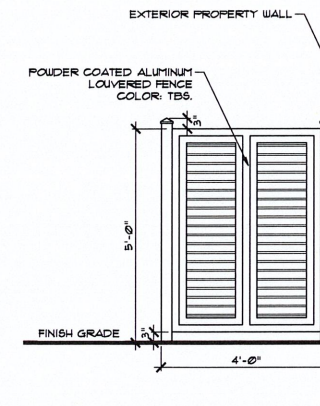
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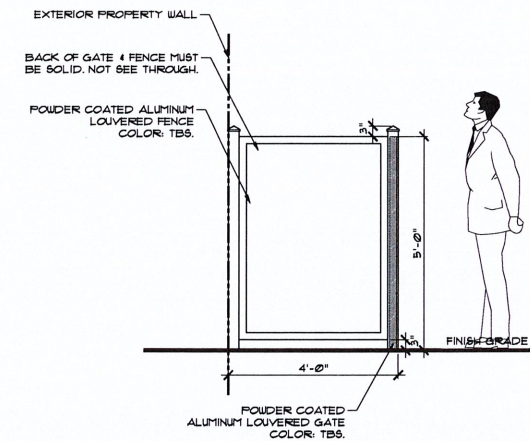
① Decorative Gate Elevation
1/2"=1'



② Decorative Gate Elevation
1/2"=1'

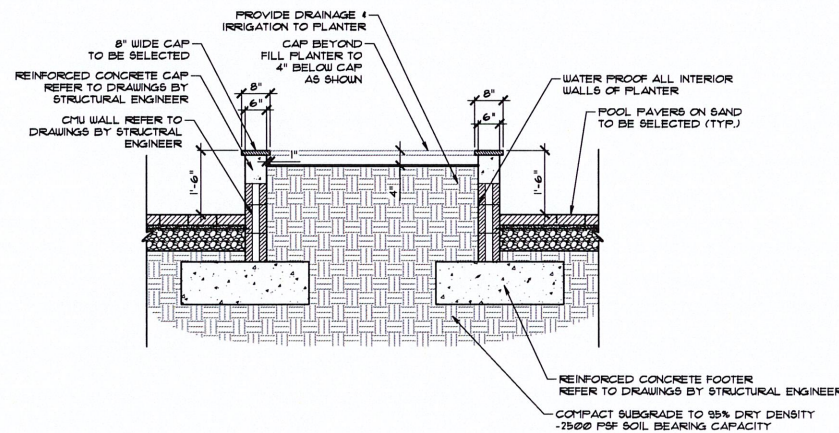


③ Decorative Fence Elevation
1/2"=1'

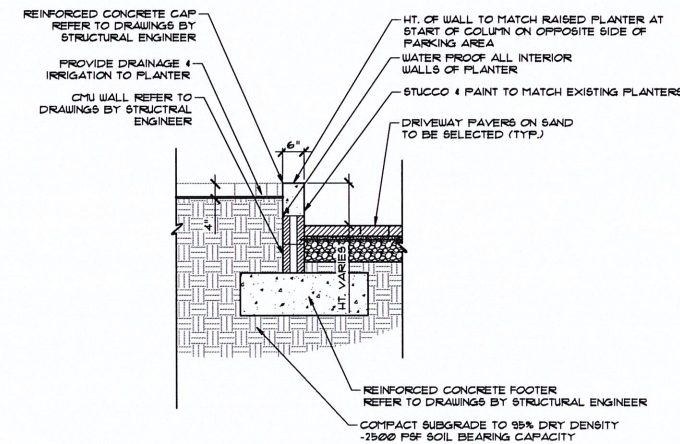


④ Decorative Fence Elevation
1/2"=1'

NOTE:
SECTIONS AND ELEVATIONS
SHOWN ARE FOR ILLUSTRATIVE
PURPOSES ONLY.



⑤ Pool Deck Raised Planter
1/2"=1'



⑥ Parking Area Raised Planter
1/2"=1'

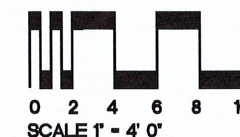
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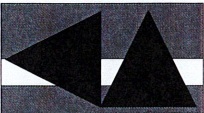
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Cert. of Authorization LC26000275

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JUL 25 2023

**HIGHLAND BEACH
BUILDING DEPARTMENT**

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3425 South Ocean Boulevard
Highland Beach, Florida

[Handwritten signature]

06/29/2023 Rev. Per Comments
05/02/2023 Rev. Per Comments
02/28/2023 For Submittal
02/12/2023 FOR REVIEW

ISSUE HISTORY

COMM NO. 22031A

PROJ MGR: KDW

DRAWN BY:

CHECKED BY: KDW

DRAWING TITLE:

**HARDSCAPE
SPECIFICATIONS**

Sheet

H-3

1000 - GENERAL NOTES

- The Contractor shall visit the site prior to bidding. All bids shall include any notification required to accommodate the site conditions. The Contractor shall notify the Landscape Architect of any additional work not outlined or allowed for in the Construction Documents prior to submission of bids. No change orders will be issued for existing conditions or the failure of the Contractor to observe them.
- Commencement of Work: All Contractors shall notify the Landscape Architect at least seven (7) days in advance of the intended Commencement of Work.
- Contractor shall review plans and/or field layouts with Landscape Architect at least 1 (two) days prior to installation or on site as needed.
- Contractor shall coordinate with Landscape Architect, Owner, and other job contractors to smoothly implement the project. The Landscape Architect, as directed by the Owner, may facilitate coordination efforts on behalf of the Owner to minimize implementation conflicts.
- The Landscape Architect reserves the right to visit the job site to review and observe all work and job progress at any time.
- The Landscape Architect/Owner shall be notified of any additional work or change in implementation methods not allowed for in the Construction Documents, prior to implementation of such work. The Contractor shall submit Change Orders for all work deemed as additional to Contract. Owner shall approve all changes to Scope of Work and adjustments to Contract Price prior to implementation of any changes to Scope of Work. At Owner's request, the Landscape Architect may review any invoices or applications for payment. FINAL APPROVAL OF PAYMENT AND PAYMENT AMOUNT IS THE SOLE RESPONSIBILITY OF OWNER.
- Contractor shall secure all permits required for the work from any state or local departments, utility companies or jurisdiction affected by the work. The Contractor shall have permits "in hand" prior to starting work. The Landscape Architect, and/or Owner shall bear no responsibility for work performed without permits. The Contractor shall be responsible for all changes to work, at no additional cost to Owner, as a result of unauthorized work prior to receipt of permit.
- Contractor shall verify location of existing utilities and services and provide protection during construction. Any utilities damaged during site work operation shall be repaired at Contractor's expense.
- The Contractor shall submit samples of materials and finishes to the Landscape Architect for approval prior to ordering and installation.
- The term "Contractor" shall expressly apply to any "Sub-Contractor" directly involved with the work. Sub-Contractors shall bear responsibility to the General Contractor for compliance with the requirements and conditions as specified in the Construction Documents.
- These documents are intended to convey overall form and finish of the design intent only. Contractors and Sub-Contractors are responsible for installing all products and performing all work in accordance with manufacturers' instructions and following all applicable sections of the CSI, ASTM, and/or other AIA/ASA recognized trade agency. The Landscape Architect shall bear no responsibility for Contractor's or Sub-Contractors' methods of work.

1050 - GENERAL DESIGN DATA

- This project has been designed based on the 7th Edition Florida Building Code 2019
- Concrete reinforcing steel: ASTM A615 Grade 60, Fy = 60 KSI.
- Concrete Materials and Placement: ACI 308-1 Edition.
- Structural steel: ~ ASTM A36 unless otherwise indicated.
- Structural steel for tubes: ~ ASTM A500, 46KSI.
- Bolts: ~ ASTM A325, threaded rod: ~ A307
- Stainless Steel Bolts: ~ 304 or 316 Alloy, ASTM F-959-02.
- Stainless Steel Wire for Concrete Reinforcement: ~ 304 or 316 Alloy, ASTM A307-01.
- Structural wood and timber: ~ S-P F = 1200 PSI min.
- Soil bearing pressures: Foundations are designed on the assumption of a minimum soil bearing value of 2500 PSF. It shall be the Owner's responsibility to ensure that the actual soil bearing value equals or exceeds this minimum. If the soil bearing value is less than 2500 PSF, the Owner shall be responsible to notify the project Engineer, and to provide suitable foundation soils, compacted to bearing values as prescribed.

Design Load Requirements: Must be in accordance with 7th Edition Florida Building Code 2019 and ASCE 7-16.

2000 - GENERAL SITE UTILITIES AND SLEEVING

- Contractor shall verify location of existing utilities and services and provide protection measures during construction. Any utilities damaged during the work operation shall be repaired at Contractor's expense.
- Contractor shall verify location of proposed utilities and services with respect to proposed or existing landscaping. Proposed plant material locations shall take precedence when determining underground utilities. Avoid all areas expected to encounter encounter tree roots of large plant materials and provide the clearances necessary to install all proposed materials.
- Contractor, at his Own expense, shall relocate or adjust any utilities, piping, etc. that interferes with the installation of plant materials in their designated location.
- All sleeving shall be a 2" x 4" dia. SCH 40 PVC pipe as needed. Where possible sleeving should be stacked or ganged to minimize space requirements.
- Contractor shall be responsible to provide at least three (3) sleeves for irrigation electrical service and drainage to each planting area and/or related plant surrounded or isolated by paving.
- Contractor shall be responsible to provide at least two (2) sleeves 1-1/2" dia irrigation and drainage to each pedestal or base to receive a planter pot.
- Sleeves shall have a minimum depth of 36" unless otherwise determined by electrician or irrigation Contractor. The end of the sleeve shall extend at least 2" beyond the pavement, footing or base rock.
- Locate sleeves in accessible corners or along edges of pavements. Avoid directing sleeves toward or through the center of planting areas where large root balls are intended.
- Irrigation pipe/control line sleeves shall not be shared with electrical or utility service sleeves. Verify irrigation sleeve location with Irrigation Designer/Contractor.
- All sleeving under roadways shall be reviewed and approved by Owner's Civil Engineer.

2310 - GRADING NOTES

- Contractor shall verify all existing grades in the field and report any discrepancies immediately to the Landscape Architect for decision.
- All fill for berming and planting brought to the site shall be clean, friable sandy loam of slightly acid to neutral pH. All fill shall be free from sticks, rocks, nails, sod and other debris. Sod below all areas to be bermed shall be removed or killed with an approved herbicide prior to installation of fill.
- Remove all road base, shell rock, nail, coral rock, and rubble 30" minimum below finish grade for all new planting areas and tree pits. Backfill with suitable soil as approved by Landscape Architect. Maintain existing grade at the drip line of existing trees to remain.
- Grade surfaces to assure positive drainage from all structures and to prevent ponding of surface drainage. All ponding shall be corrected prior to landscaping.
- New earthwork shall blend smoothly into existing grades.
- Pitch evenly between spot grades. All paved areas must pitch to drain at minimum of 1/8" per foot (1%). Any discrepancies not allowing this to occur shall be reported to the Landscape Architect prior to continuing work.
- Rough grade of site fill shall be provided in-place by Owner to +/- 6" of finish grades.
- Finish Grade +/- +/- one inch (0.25")
- Fill shortfalls shall be reported to Owner immediately. Owner shall provide fill within 7 days of written notice by Contractor.
- Excess fill shall be reported to Owner. Contractor shall stock-pile excess fill in areas to be determined by Owner. Owner shall have stock piles removed.
- Contractor shall be responsible to maintain finish grades and correct all erosion until area is accepted by Owner. Contractor shall remove all soil run-off from adjacent lakes, pavements, walks, etc. as established by others.
- No equipment shall be used within the canopy 'drip-line' of existing trees. Maintain existing grade at drip-line of existing trees.

CAUTION: PLEASE NOTE

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2630 - DRAINAGE AND PIPING NOTES

- MATERIALS**
 - Drainage pipe specified as CPT N-12 shall be corrugated high density polyethylene tubing with smooth wall interior. Corrugated polyethylene tubing shall conform to ASTM F-405, ASTM F-661 and Manufacturer's recommendations. Pipe shall be by Advanced Drainage Systems (ADS) Inc. or approved equal.
 - Drainage pipe specified as PVC shall be Schedule 40, Schedule 80 or C-300 polyvinyl chloride pipe as indicated on the drawings.
 - Deck Drains: ND-5 polyethylene grate
 - Planter Drains: ND-5, Aylure Grate
 - In-line Drains: PVC body with cast iron grate manufactured by Advanced Drainage Systems (ADS) Inc. or approved equal.
 - Catch Basins: PVC body with cast iron grate manufactured by Advanced Drainage Systems (ADS) Inc. or approved equal.
 - Sub-surface strip drainages: "AdvancedEDGE" corrugated high density polyethylene strip channel manufactured by Advanced Drainage Systems (ADS) Inc. or approved equal, wrapped with geotextile.
 - Sub-surface French drainage: silt perforated N-12 corrugated high density polyethylene pipe manufactured by Advanced Drainage Systems (ADS) Inc. or approved equal, wrapped with geotextile.
 - All thermo-plastic pipe shall be installed in accordance with ASTM D-1331, Standard Practice for Underground Installation of Thermoplastic Pipe for Sewers and other Gravity Flow Applications.
 - All pipe shall be placed in a dry trench. Contractor shall provide adequate equipment for the removal of stone, surface or subsurface water which may accumulate in the trenches or excavated area so that it will be dry for work required.
 - All bedding shall consist of clean granular material. Unavailable material such as rock, rocks, and debris shall be removed and replaced with suitable material and compacted.
 - The pipe shall be supported for its entire length with appropriate compacted granular material under the haunches.
 - The backfill shall consist of clean granular material. Unavailable material such as rock, rocks, and debris shall not be placed in the trench.
 - All backfilling of storm drainage pipe shall be compacted in 12" lifts of clean granular material to a density of not less than 95% of the maximum density as determined by ASTM D-155.
 - Location of drainage structures shall govern pipe runs. Pipe lengths may have to be adjusted to accomplish construction as shown.
 - All angular/directional invert orientations are approximate. Contractor shall determine and verify all pipe, invert, and structure alignments in accordance with the Layout plan and Manufacturer's specifications.
 - All elevations shall refer to NGVD. Contractor shall verify all existing elevations and report any discrepancies to the Landscape Architect prior to installation of work.
- Contractor shall verify all rim and invert elevations to provide positive drainage flow to the pipes outlet. All drain pipe shall have a 0.25 min fall unless otherwise noted.
- All pipe connections shall be made with manufacturer approved couplings, couplings, or fittings. All connections shall be gasketed and/or glued to be watertight, impervious by roots, and resistant to sediment infiltration. All corrugated pipe connections shall be gasketed and wrapped with three (3) layers of approved joint tape installed in accordance with manufacturer's recommendations.
- All in-line connections to main line shall be made with T-fittings installed to facilitate downstream flow.
- Contractor shall be responsible for sizing roof drain downspouts and connecting to overflow structure/placed 6" min below floor of Building Provide 2" min overflow air-gap at downspout / drainage connection.
- All connections to common utility structures shall be made in accordance to methods as approved by the Project Civil Engineer.
- All piping routes shall be installed so as not to interfere with placement of structures, utilities, and trees with large root balls. Any deviation from the layout plan shall require written approval from the Landscape Architect before installation.

2830 - SEGMENTAL MASONRY RETAINING WALLS

- General:** The Work covered in this section includes furnishing of labor, materials, equipment, and incidentals for the construction and installation of segmental masonry retaining walls (SRW) as shown on the Construction Drawings and described by the Contract Specifications. The Work included in this section consists of, but is not limited, to the following:
 - Excavation and foundation preparation for the retaining wall.
 - Placement of the footing (leveling pad) for the wall facing units.
 - Placement of the modular block facing units.
 - Placement of drainage materials.
 - Placement and completion of fill and retained soils.
 - Finish grading within 5' feet above and below wall.
 - Clean-up and removal of debris from Job site.
- Related Work**
 - Section - Drainage
 - Section - Grid Reinforcement
- Reference Standards**
 - ASTM C149 - Sampling and Testing Concrete Masonry Units
 - ASTM C149 - Solid Load Bearing Concrete Masonry Units
 - ASTM C1312-91 - Standard Specification for Segmental Retaining Wall Units
 - National Concrete Masonry Association (NCMA) Test 2-4 - Specification for Segmental Retaining Wall Units
 - Manufacturer's Installation Guide - (most recent issue) and all technical references included therein.
- Submittals**
 - Submit the following in accordance with General Conditions:
 - Manufacturer's Literature, including installation manual.
 - Shop Drawings showing soil report data, retaining wall design, wall heights, geosynthetic reinforcement layout and drainage provisions. Shop drawings shall be signed and sealed by a registered Engineer licensed in the state of the wall installation.
 - Samples - Finish (3) Units in the color and face pattern as specified.
 - Furnish a 12" x 12" sample of geosynthetic reinforcement as specified.
 - Test Reports from an independent laboratory stating moisture absorption and compressive strength properties of the concrete wall units when tested in accordance with ASTM C149.
- Foundation soil shall be excavated or filled and compacted to grades and dimensions as shown on the Construction Drawings or as directed by Landscape Architect. If elevations shown finished exposed surfaces only, Contractor shall provide excavation of adequate dimension accommodate all subgrade, foundation and leveling pad requirements to construct the finished grade as shown in the Construction Documents.
- The leveling pad material shall be placed and compacted crushed stone along the grades and dimensions as shown on the Construction Docs. The leveling pad shall be 6" min. thickness.
- The bottom row of retaining wall modules shall be placed on the prepared leveling pad. Care shall be taken to ensure that the wall modules are properly aligned, level and in continuous contact with the base materials.
- Wall modules above the bottom course shall be placed such that all bearing surfaces cleanly mate and provide the design batter of the wall face. Contractor shall check the level of wall modules with each lift to ensure that no gaps are formed between successive lifts that affect the alignment of the wall and the pull-out of grid reinforcements. Check vertical face of installed units to verify design batter is maintained.
- Drainage: Install drain tiles at lowest elevation possible to maintain gravity flow of water to outside of retained zone. Drainage pipe shall daylight to an approved outfall area or structure.
- Drainage aggregate shall consist of clean 3/4" angular rock. Fill all voids between, within and behind wall units with drainage aggregate. A minimum of 12" of drainage aggregate shall be placed behind wall units.
- Drainage aggregate shall be separated from adjacent soils with an approved geo-fabric.
- Install reinforcement grids in accordance with Engineer's drawings and Geosynthetic's Manufacturer's recommendations. Infill soils for reinforcement grids shall be as specified by Engineer. Infill soils shall be placed in 6" lifts and compacted to 95% Standard Proctor. Compact with hand operated equipment. No heavy equipment shall be allowed within 4' of wall or 1/2' of wall height, whichever is greater.
- Retained soils shall be placed behind Infill soils in 6"-8" maximum lifts. Retained soils shall be compacted to a density of 95% min. of Std. Proctor.
- Top two courses (including Capstones) shall be secured with an exterior rived concrete construction adhesive as recommended by manufacturer.
- Five grade all slopes away from wall faces at not more than 1:10 (10%) slope for a distance equal to height of wall unless design indicates otherwise.

3100 - CONCRETE NOTES

- MATERIALS** - Normal weight concrete (45 PCF)
 - 28-day compressive strength:

Sidewalks	2500 PSI
Foundations and Paving Slabs	3000 PSI
Columns, beams, and slabs	4000 PSI
All patio slabs shall have fiber reinforcement.	
 - Concrete slump (in inches) shall be as follows:

Massive sections, pavements, and slabs	Minimum 1-1/2"	Maximum 6"
Heavy slabs, beams, walls <td>3"<td>6"</td></td>	3" <td>6"</td>	6"
Thin walls, columns <td>3-1/2"<td>6"</td></td>	3-1/2" <td>6"</td>	6"
 - Minimum concrete cover shall be:

Slab: 3/4"	Beams and columns: 1-1/2"	Exposed unprotected concrete: 1-1/2"
		Formed concrete below grade: 3"
		Unformed concrete below grade: 3"
 - Placing drawings and bar lists shall conform to ACI's "Manual of Standard Practice" for Detailing Reinforced Concrete Structures." (ACI 318-88)
 - Details of concrete reinforcement shall be in accordance with "The Manual of Standard Practice for Reinforced Concrete Construction" as published by the Concrete Reinforcing Steel Institute unless otherwise indicated.
 - Reinforcement shall be carefully placed, rigidly supported and well tied with bar supports and spacers.
 - Adequate vertical and horizontal shoring shall be provided to safely support all construction loads.
 - All openings in concrete slabs or walls over 12" square shall have one (1) 5" x 5'-0" diagonal bar in each corner in the center of the slab or wall.
 - Reinforcing steel in footings or pile caps shall be assembled as mats with bars equally spaced and wired together at each intersection before concrete is placed.
 - Dowel column and wall reinforcing to footing or pile cap with same size and number of dowels as vertical bars above.
 - Dowels shall be hooked "L" at bottom and shall be lapped 48 bar diameters with the column or wall reinforcing above.
 - Concrete columns shall be tied columns unless otherwise indicated.
 - Provide 660 L & 484 UWF in slabs on grade unless otherwise indicated.
 - Reinforcing in concrete walls shall be continuous-lap bars 48 diameters. Horizontal bar laps shall be staggered.
 - Slab Expansion Joints: Form isolation joints of pre-formed joint filler strips abutting concrete curbs, catch basins, manholes, inlets, structures, walls and all other fixed objects and where indicated wall expansion joints. Refer to engineering drawings.
 - Control Joints: Form weakened plane contraction joints, sectioning concrete into areas as indicated. Construct contraction joints for a depth equal to at least one-fourth of the concrete thickness as follows:
 - Grooved Joints: Form contraction joints after initial floating by grooving and finishing each edge with a groover tool to a radius of 3/8" and as indicated on the drawings. Reinforce grooving of contraction joints after applying surface finish. Eliminate all groover marks in the concrete surface.
 - Saw cut joints: not allowed
 - Joints Spacing: as follows and as indicated on the drawings.

4" thick slabs	6" o.c. max
6" thick slabs <th>8" o.c. max</th>	8" o.c. max
 - Add two feet (2') to spacing if fiber mix is used.
 - Edging: Tool edges of pavements, gutters, curbs and joints in concrete after initial floating with an edger tool to a radius of 1/2" min. or as indicated on the drawings. Repeat edge tooling after applying surface finish. Eliminate edger marks in the concrete surface.
 - Slab Surface Finish: verify finish with drawings. All slabs and walkways shall receive a non-skid light broom finish unless otherwise specified. Finish shall be uniform and consistent over entire surface. Finish surface shall be free of blemishes, tool marks and defects.
 - Fiber Reinforcement: Synthetic fibers shall be fibrillated or nonfibrillated polypropylene fibers engineered and designed for use in concrete pavements complying with ASTM C1116, Type III, 1/2 to 1 inch (19-25mm) long. Admin at not less than 1 lb per cu yd and as recommended by Engineer or manufacturer.

4220 - CONCRETE UNIT MASONRY

- MATERIALS**
 - Concrete masonry: 28-day compressive strength of individual units (test area) 5000 PSI. Concrete units shall conform to ASTM C90.
 - "F" or type H or S ASTM C90. Mortar test shall be taken twice weekly or more often as required by the architect-engineer.
 - Masonry grout shall conform to ASTM C416.
- Reinforced concrete masonry construction shall conform to the "Building Code Requirements for Concrete Masonry Structures" (ACI 530)
- Vertical cells to be grouted shall have vertical alignment sufficient to maintain a clear, unobstructed continuous cell.
- Clean out openings shall be provided at the bottom of grouted cells at each lift. Cleanouts shall be sealed after cleaning and inspection, and before grouting.
- Reinforcing steel shall be lapped 48 bar diameter minimum where spliced and shall be either separated by one bar diameter or wired together.
- Masonry walls shall cure at least twenty-four (24) hours before grouting.
- When grouting is stopped for one (1) hour or longer, the grout shall be stopped 1-1/2" below the top of the uppermost unit.
- Grout shall be placed in lifts not to exceed 8"-8" maximum.
- Vertical wall reinforcing shall be dowelled to footing below and to beam above.
- Provide two (2) #4 Ga. reinforcing wires every second course in exterior walls.
- Beams and lintels, unless otherwise shown, shall have 8" min. bearing at each end.
- Masonry shall be anchored to supporting beams and columns unless otherwise noted. Masonry units laid to concrete shall be supported by dovetail anchors spaced at 16" or with an equivalent system.
- Masonry walls shall be braced to resist lateral loads until adequate bracing is provided by the other components of the structure.
- Masonry grout shall be mixed with sufficient water to give a fluid consistency without segregation of materials.

2100 - EROSION CONTROL

- Once grading operations are completed, all disturbed areas within or outside of the limits of work shall be stabilized by fine grading and seeding or mulching.
- All erosion control measures are to be installed prior to any site disturbance or construction activities.
- All sediment will be prevented from entering any storm drainage system through the use of silt fences, straw bales, geotextiles, guard, boards or other applicable methods.
- The Contractor shall be responsible for mitigating all sediment leaving the site and taking appropriate corrective measures. Sediment control measures shall be in working order after each day.

4720- CAST STONE

- General:** This section includes all labor, equipment and materials to provide and install the Cast Stone shown on the Architectural drawings and as described in this specification.
 - Architectural Cast stone - White Portland cement based (Type I or III) concrete. Texture and color shall be as specified by Architect. Refer to Finish schedule.
 - Contractor shall furnish shop drawings, colors and material samples of all profiles or alternates to Landscape Architect for approval prior to ordering stone.
 - Related Sections - Refer to sections as applicable:
 - Section - Floor and Grot
 - Section - Utility Masonry Assemblies
 - Section - Reinforcing Unit Masonry Assemblies
 - Section - Joint Sealers
 - References - Standards shall comply with the requirements and recommendations of the Cast Stone Institute (CSI) Technical Manual (Current Edition), ASTM C1364 Standard Specification for Cast Stone
- Cast stone fabricator and installer shall use clean, uncontaminated sources of cement, aggregate, mixing equipment and water for all products, grouts, and installation practices. All cast stone shall be white Portland cement based and achieve a minimum compressive strength of 3000 psi upon delivery to job-site.
- Cast stone shall have integral color pigments with additional soda color as specified.
- Architectural cast stone members shall be suitably reinforced with synthetic fibers (ASTM C116, Type 3), welded wire fabric (ASTM A82) where applicable wet-cast units) Ferroc Drips (ASTM A615/A616) or deformed stainless steel (type 302 or 304). Ferrous reinforcements shall not be used in wet or submerged conditions or within 3 miles of the ocean (salt atmosphere) climatic conditions. Epoxy coated steel shall be required when cover is less than 1-1/2". Welded wire fabric shall not be used in dry cast products.
- Ferrous reinforcements, where permitted, shall be oil and rust free and embedded with a minimum of 3" of concrete cover unless specified otherwise by engineer.
- All coping, trim, mounds, wall caps, brackets, cladding, etc. (excluding horizontal flatwork) shall be anchored in place with corrosion-resistant building stone fasteners. All vertical cladding and columns shall be anchored in compliance with local building codes. Refer to unadorned and seismic standards in CSI Manual section C1/C25/C21C35 and C41 and the ACI 318 and ACI 308.
- All metal structural elements to be clad shall be primed with at least two coats of zinc-rich primer and sealed or protected from rain after water infiltration.
- Cast stone products, grous and trim-nets used in wet, submerged or salt conditions shall be latex or polymer modified to reduce porosity and moisture absorption.
- Set all stones prior to setting in full mortar bed unless otherwise detailed.
- Set stones 1/8" or less within plane of adjacent units.
- All finish pointing grout shall match the cast stone color unless otherwise specified.
- Grout joints shall be consistent and uniform: 1/4" min or 3/4" maximum width. Joints shall be tooled flush or slightly concave as specified. Raised joints shall be pointed and tooled as specified.

- All borders, trim, and molding spurs shall consist of equal, uniformly sized pieces. Silvers or unadorned joint spacing is unacceptable. All corner stones shall be solid castings. Flare joints shall be permitted only where specified. All coping / trim shall terminate or return with appropriately cast pieces. Exposed cut, or broken ends are unacceptable.
- Finished surface shall be clean and free of defects, such as cuts, tool marks, chips, cracks, blemishes or stains. All grout stains shall be removed within 24 hours of application. Acids shall not be used to clean finished surface unless specified.
- All horizontal walking surfaces shall have a skid resistant finish wet or dry. Fill all pores and cavities of natural stone as specified.
- Send-set stones shall be a minimum of 2" thick and tightly butted. Jointed gaps not to exceed 1/16" - Refer to Section 7100 - Laid paving for send-set applications.
- All stone cutting shall be done in designated staging areas. Protect all adjacent plant materials, soils and finish surfaces from dust, debris, and construction activity. Dispose of any waste materials in suitable containers away from planting areas. Contractor shall be responsible to remove all cement contaminated soil from the site and replace with clean, approved fill.

- Stone shall be patched, cleaned and free of chips, blemishes and defects. All cleaners shall be used in accordance with manufacturers specification. Protect all adjacent plant materials, soils and finish surfaces from runoff from spray of all cleaners.
- All cast stone shall be finished with a clear, penetrating no-build sealer unless otherwise specified. Submit sealer manufacturer's literature to Architect for approval. No sealer shall be applied until repair, cleaning, inspection and acceptance are completed.

2700 - GENERAL PAVING NOTES

- Verify all paving materials, patterns and finishes with Owner and Landscape Architect.
- Concrete Unit Pavers: Contractor shall provide a minimum 5' x 5' sample of the specified color blend for each paver pattern specified prior to ordering materials for the job. The paver sample shall be reviewed by the Landscape Architect and Owner for final approval and possible reworking of the color mix.
- Cast Stone - Contractor shall verify all colors and finishes in writing prior to ordering materials. Contractor shall furnish samples of the specified material, profiles and finishes whenever specific manufacturer's are NOT specified. Substitutions will not be allowed unless approved prior to ordering by the Owner and Landscape Architect.
- Concrete - All concrete products (including cast stone) shall have a minimum compressive strength of 3000 psi or greater as specified. All cast in place concrete shall have
- Subgrade - All pavement or foundation subgrade shall be compacted to meet the density requirements as determined by drawings in accordance with the AASHTO T-99 Specification. Subgrade shall extend 12 inches beyond the proposed edge of pavements. All stumps, rocks and other deleterious water encountered in the preparation of the subgrade shall be removed to a depth of 3 feet below the finish pavement grade and from within 8 feet of edge of pavement. If the subgrade is required to be stabilized, the Contractor shall refer to plans prepared by a registered Civil Engineer.
- Base - All pavement bases to receive vehicular traffic shall be designed by a Civil Engineer retained by Owner and/or Contractor. All approved linerrock base material shall be compacted to not less than 98% per AASHTO T-99 specifications.

9500 - PAINT AND FINISHES

- All paint finishes shall receive 100% coverage with Primer / water base coat suitable for the substrate material and application. All Paint finishes shall extend a minimum of 2" below grade where applicable.
- All surfaces or substrates shall be etched, scarified, pH neutralized and cleaned. Remove all loose or flaking material. Fill or repair all surface defects to match adjacent surface finish or specified texture. Prepare surface according to paint manufacturer's recommendation.
- Masonry and concrete walls shall receive a coat of masonry primer paint. Brucco / masonry shall cure for at least 28 days prior to painting.
- Finish paint shall consist of high-grade latex 100% acrylic paint unless otherwise specified (ie. Sherwin Williams or eq.) Finish paint application shall consist of a minimum of one coat of finish paint. Follow application instructions as recommended by the Manufacturer unless otherwise noted.
- Each paint coat shall cure for at least one (1) full dry day prior to the application of the subsequent coat.
- All paint shall have the maximum allowable recommended alkalidecide additive.
- Contractor shall provide 4" x 4" paint sample panels on site for review and approval by the Owner and / or Landscape Architect.
- All metal shall receive a two coats of corrosion resistant primer appropriate for the material: Unpainted Steel, Iron / ferrous metals - red oxide oil-based primer or approved eq.
- Final finish shall be subject to visual or other inspections. Entire surface shall be repainted if undercut, or primer is visible.

6050 - OUTDOOR CARPENTRY

- Materials**
 - Pressure-treated (PT) lumber:

Filing	southern yellow pine (SYP)	250 CCA (min. retention)
Pressure and preservative <td>- 5 SYP, 54S, 080 CCA</td> <td></td>	- 5 SYP, 54S, 080 CCA	
Decking, posts and railings <td>- 5 SYP, 54S, 080 CCA</td> <td></td>	- 5 SYP, 54S, 080 CCA	
 - Untreated red cedar (SRC) - rough sawn lumber and dimensional boards
 - Exotic wood cladding - Plantation grown Teak, "Rau-lope" - other species to be determined.
 - Recycled Plastic Board (RPB) - UV resistant, high density polyethylene (HDPE) dimensional boards. Manufactured by Cyclic-Plastics, Inc. OR EQ. P.O. Box 46, Westbury, N. 46381 Ph: 371-384-4336
 - Metal fasteners - hot-dipped galvanized steel, stainless steel, or eq.
 - Connection plates: 304 stainless steel plates, galvanized steel "Simpon" ties
- Dimensional and structural products shall be uniform and free of cracks, splits, checks, loose knots or other defects degrading the weatherability, strength and appearance of the product.
- Contractor shall verify all colors and finishes with Landscape Architect. Submit samples of each specified RPB for approval prior to ordering.
- All structures shall be anchored into walls and square to base. Structures shall be designed in accordance with windloads and local codes.
- Wood products shall not be embedded or restrained on masonry structures or enclosures without adequate clearances and drainage.
- Pressure-treated (PT) wood sub-structures shall be thru-bolt connected with hot-dipped galvanized bolts or eq. Stainless steel bolts and fasteners shall be used as noted. All framing walls, connector plates, ties, etc. shall be hot dipped galvanized steel unless otherwise specified. Refer to engineer's fastener schedule for size and spacing.
- All bolted overhead connections shall be countersunk, sealed and plugged with similar wood plugs or approved finish material.
- In overhead or exposed conditions, all wood shall be liberally bedded in silicone sealant or eq. bedding material to isolate wood contact from metal plates, anchor bolts, fasteners or masonry members. Externally caulked joints are not an acceptable substitute for proper bedding.
- All decking, railings or finish surfaces shall be free of splits, checks, splinters, loose knots, pitch pockets, pin holes or other defects. All joints and connections shall be tight and clean. Round-over or ease all edges unless otherwise specified.
- All fasteners on decking, railings and finish surfaces shall be counter-sunk flush or 1/16" below finish surface.
- All decorative wood assemblies shall receive at least one coat of primer, stain or seal prior to assembly. Finish coat or touch-up all final assemblies or structures according to finish schedule.
- All wood steps shall have 3 min. 3/8" wide traction grooves routed into the outer 1/3 of the tread surface.

1300 - FOUNTAIN AND POOL NOTES

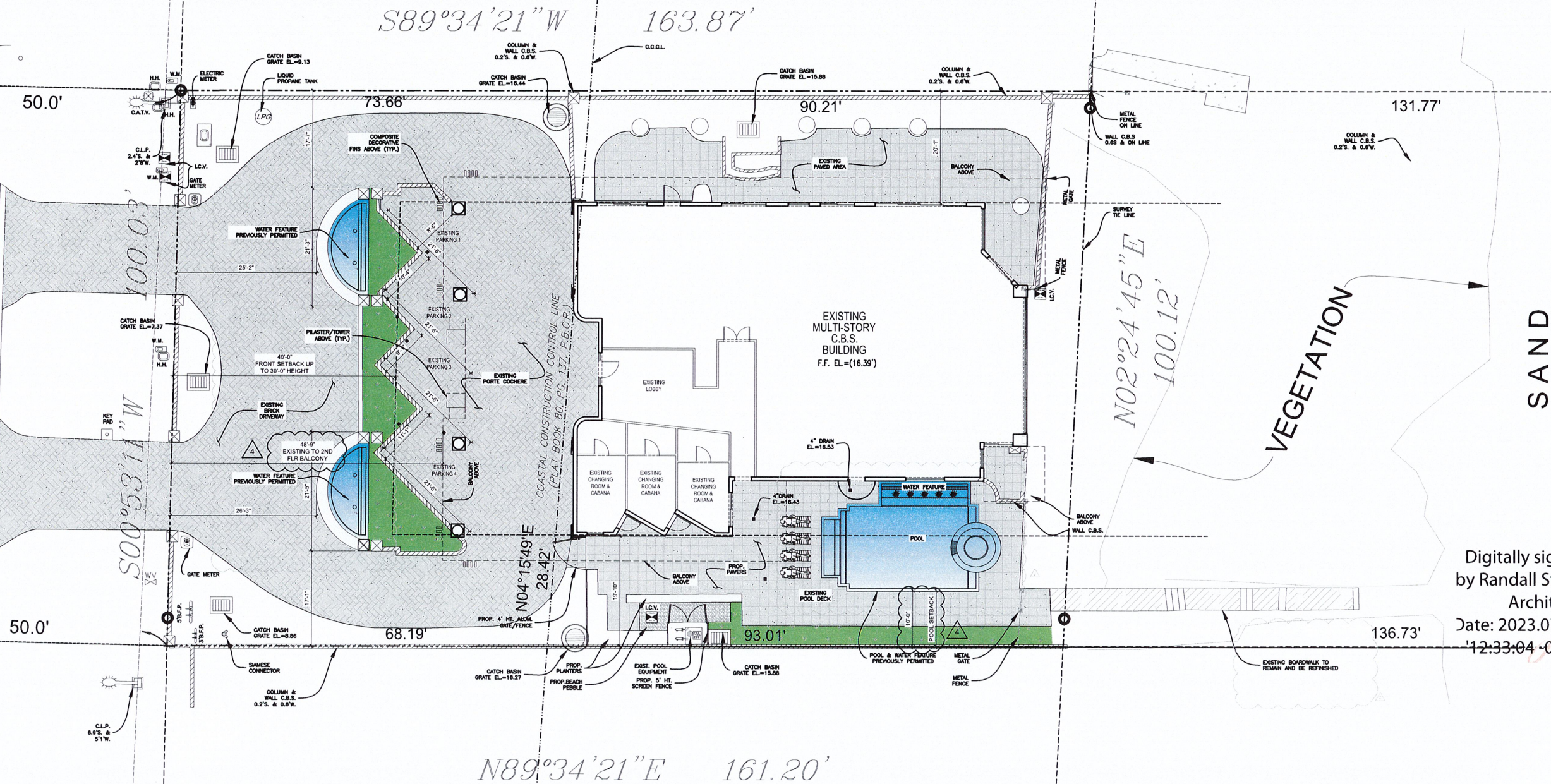
- Foundation mechanical, electrical and hydraulic systems shall consist of commercial grade pool / fountain equipment as specified by an approved fountain consultant. (listed below) to provide a complete feature fountain system that operates to the performance standard as specified on the Plans. Fountain Consultant:
 - The Equipment List shall include, but not necessarily limited to the following items: pumps, piping and fittings, auto-fill, overflow, filters, skimmers, manifolds, valves, controls and control boxes, light fixtures, etc. Fountain Pool equipment shall be specified on fountain consultant's drawings. Substituted equipment shall be approved only with written authorization by Owner and/or Landscape Architect prior to installation.
 - All pool / fountain shells, structures, basins, bowls, etc. shall be engineered and constructed in accordance with all applicable codes and standards by the installer, manufacturer or supplier. The installer's engineer shall furnish a Wind Load Certification Letter as required by the building official and copy the Owner and Landscape Architect when applicable.
 - All work shall be performed in a workman-like manner and shall conform to all applicable national, state and local regulations.
- The Contractor shall submit shop / engineering drawings for all shells, structures and operating systems to the Landscape Architect for review and approval prior to construction. Contractor shall notify Landscape Architect to review all molds and casting patterns at a 75% completion level prior to receiving final approval.
- All pool shells and water vessels shall be receive a water-proofing membrane, plaster finish or equivalent. The Contractor shall be responsible for inspecting and accepting all tiles, boulders, stones and other decorative items. Waterproof both sides of all walls subject to negative hydrostatic pressure. Waterproofing material shall be compatible with bonding qualities of substrate and applied decorative finishes.
- All fastenings, pipe, plumbing and reinforcing shall be of non-corrosive materials suitable for a chlorine environment.
- Contractor shall verify that all fixtures, tiles, finishes and grouts are suitable for a pool and/or chlorine environment. All water proof grouts shall be certified with a non-releasable acrylic based elastomeric sealant. All materials and equipment shall be compatible with the intended use. Adhes shall be Acrybond manufactured by the Lambert Corp. or eq. and used in accordance with manufacturer's directions.
- Stone fabricator shall coordinate with Fountain Consultants and contractors to determine necessary clearances and allowances for fountain equipment and structural elements.
- Contractor shall provide all structures, plumbing equipment, hook-ups, services, and adjustments necessary to provide a complete and fully operational fountain system.
- Fountain mechanical / equipment installer shall include a minimum 1 year warranty for all equipment, including any necessary field service and/or adjustments.
- All spas shall have a "Bather accessible" spa cutoff timer within 10' of Spa.
- All electrical work shall conform to the most recent National Electric Code.
- All reinforcing steel and metal within 5' of pool shall be grounded with a 10 insulated solid copper wire per code. Bonding shall be in accord with NEC 680-22.
- Water supply and sewer (if required) shall be furnished by Owner.

16500 - LANDSCAPE LIGHTING NOTES

- All wiring, fixtures and installations shall conform to all applicable national, state and local codes and standards for electrical applications.
- Contractor shall verify all panel sources, switching locations, and controls with the Project Architect/Engineer. Contractor shall provide shop drawings for electrical circuits in conjunction with the Owner's Electrical Engineer as needed.
- Typical outdoor electrical service shall consist of ground fault interrupted (GFI) circuits or outlets mounted in approved weather-proof bell boxes. Outlet heights shall be 12" above finish grades and at least 24" from the edge pavement in planted areas. All conduit / direct burial wire shall be at least 18" below finish grade or deeper as required by code.
- Where applicable, the Contractor shall allow for recessed or surface mounted applications with the approval of the Project Architect.
- Contractor shall meet with landscape architect in field to review electrical and utility coordination issues. Electrical conduit and wire shall avoid stumps and tree features and grass and trees having large root masses. The Contractor shall be responsible for reviewing and understanding the Planting Plan and avoiding utility conflicts wherever possible.
- Electrical service connection and meter (as needed) shall be provided by Owner.
- All fixtures in road -rights-of-way shall have shields to conceal the light source from on-coming traffic. All lighting shall be aimed away from on-coming traffic.
- All up-light fixtures shall be set-back a minimum of four (4') feet from the edge of all walks and pavements.
- Contractor shall stake all fixture locations for review by Landscape Architect prior to setting conduit, J-boxes and/or penna-pots.
- Contractor shall take into consideration the fixtures location with respect to existing plant material. If existing plant material will block the light path, the Landscape Architect shall be called for an alternate location.
- Contractor shall make final adjustments to fixture location, lamping and aiming subject to review by Landscape Architect in night-time light test.
- All fixtures within 10' feet of water shall connect to GFCI circuits in accordance with the electric code. Fixtures other than line voltage (120V) shall not be located within 10' feet of water. No electrical or lighting fixtures shall be within 5' feet of the water's edge.

SOUTH OCEAN BOULEVARD
100' TOTAL RIGHT-OF-WAY (STATE ROAD A-1-A PER PLAT)

ASPHALT PAVEMENT



LEGAL DESCRIPTION:
THE NORTH 100 FEET OF THE SOUTH 1,170 FEET OF
GOVERNMENT LOT 4, A PORTION OF SECTION 53,
TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM
BEACH COUNTY, FLORIDA.
SAID LAND SITUATE, LYING AND BEING IN THE
TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY,
FLORIDA AND CONTAINING 16,254 SQUARE FEET
OR 0.3731 ACRES, MORE OR LESS.

PROJECT DATA
ZONING: RMF
FUTURE LAND USE DESIGNATION: MULTIPLE-FAMILY
MEDIUM DENSITY MFM
LOT SIZE: 16,254 SF (0.3731 ACRES)

PROJECT DATA			
ZONING:	RMF		
FUTURE LAND USE:	MULTIPLE-FAMILY MEDIUM DENSITY (MFM)		
SITE AREA		16,254 S.F.	100%
BUILDING FOOTPRINT AREA		4,070 S.F.	25%
HARDSCAPE			
- EXIST. DRIVEWAY	3,022 S.F.		
- EXIST. PORTE-COCHERE			
- PARKING	2,092 S.F.		
- EXIST. POOL DECK	1,585 S.F.		
- EXIST. NORTH TERR.	1,038 S.F.		
- PROP. FOUNTAINS	180 S.F.	7,917 S.F.	49%
USABLE OPEN SPACE	3,950 S.F.		26%
EXIST. HEIGHT	41'-5"		
NO. OF DWELLING UNITS	4 UNITS		
SETBACKS			
	REQUIRED	EXISTING	
FRONT	40' UP TO 30'H + 1' EA. 2'H INCREASE	40'-3"	
LEFT-SIDE	20' UP TO 30'H + 1' EA. 2'H INCREASE	19'-10"	
RIGHT-SIDE	20' UP TO 30'H + 1' EA. 2'H INCREASE	20'-1"	
REAR (OCEAN)	DETERMINED BY DDEP		

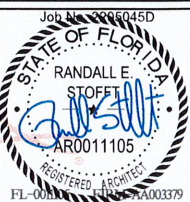
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3425 S. OCEAN EXTERIOR
3425 S OCEAN BLVD UNIT
HIGHLAND BEACH, FL 33487

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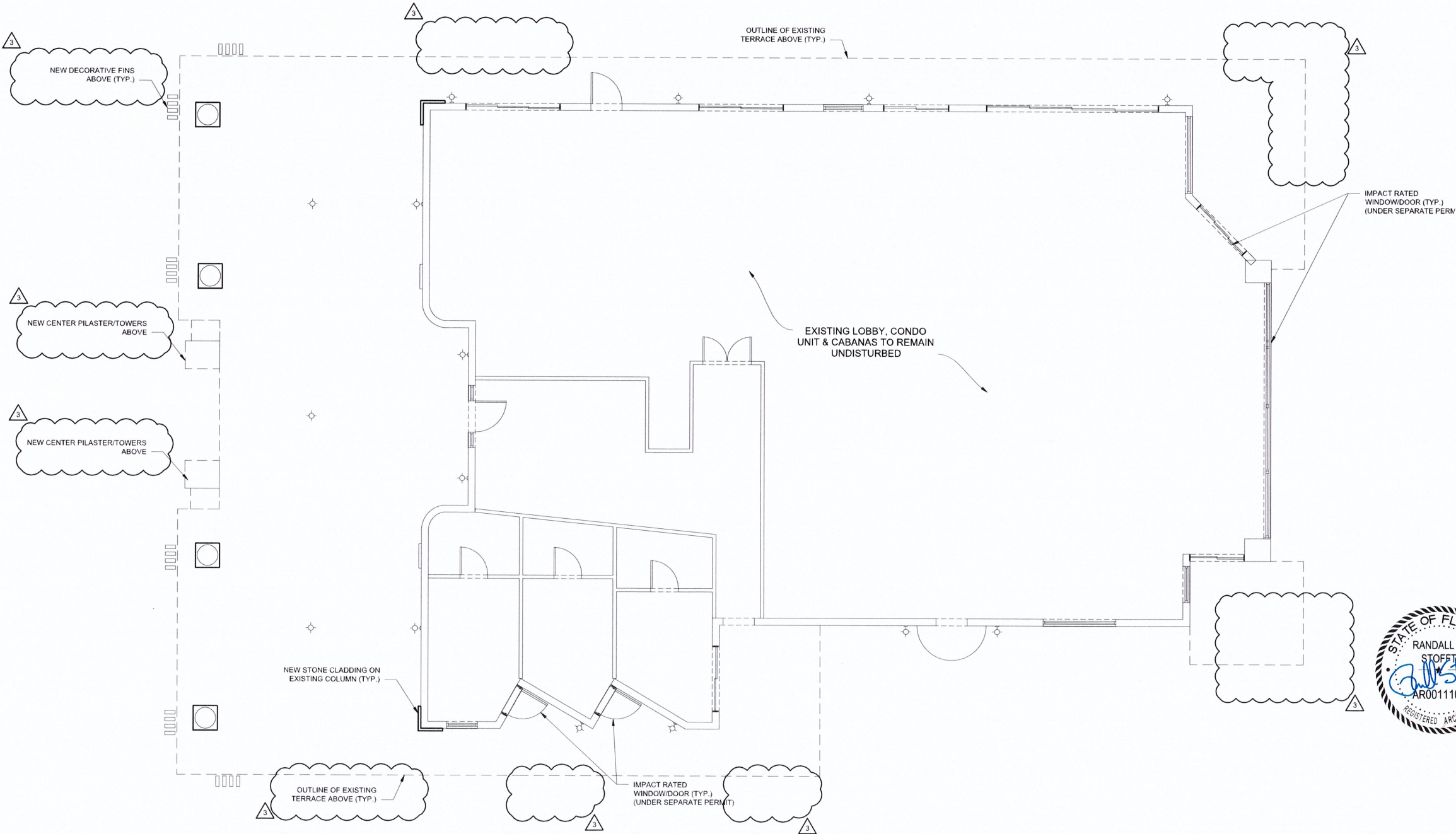
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△ SITE PLAN	KPRCL	01.17.23
△ SITE PLAN REV. COMMIT	KPRCL	05.05.23
△ SITE PLAN REV. COMMIT	KPRCL	06.13.23

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HIGHLAND BEACH, FL 33487

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PROPOSED FIRST FLOOR PLAN

3/16"=1'-0"

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3425 S OCEAN BLVD UNIT
HIGHLAND BEACH, FL 33487

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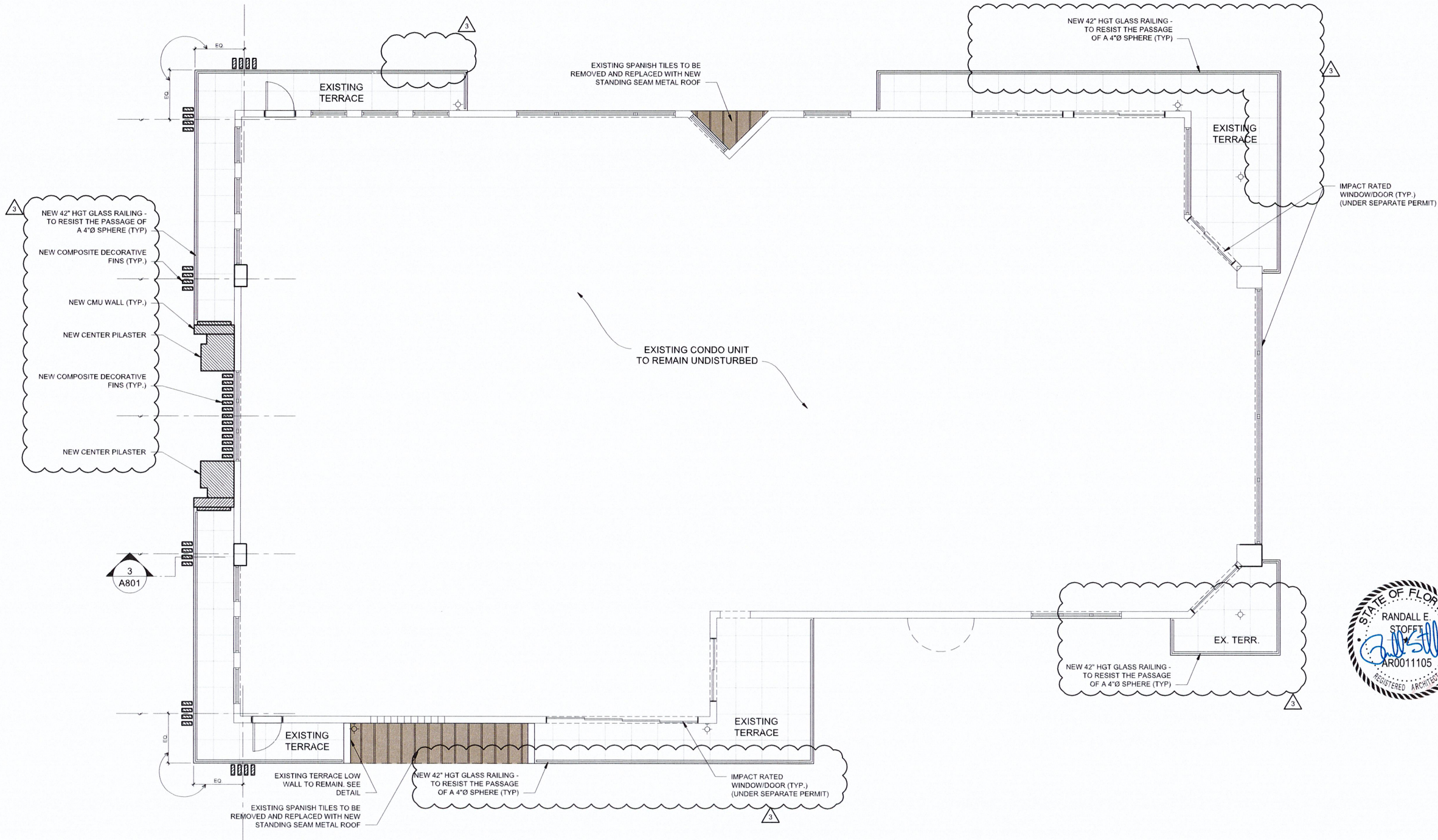
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PROPOSED THIRD FLOOR PLAN

3/16"=1'-0"

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BUILDING DEPARTMENT

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△ SITE PLAN	KPRCL	01.17.23
△ SITE PLAN REV. COMMIT	KPRCL	05.05.23
△ SITE PLAN REV. COMMIT	KPRCL	06.13.23

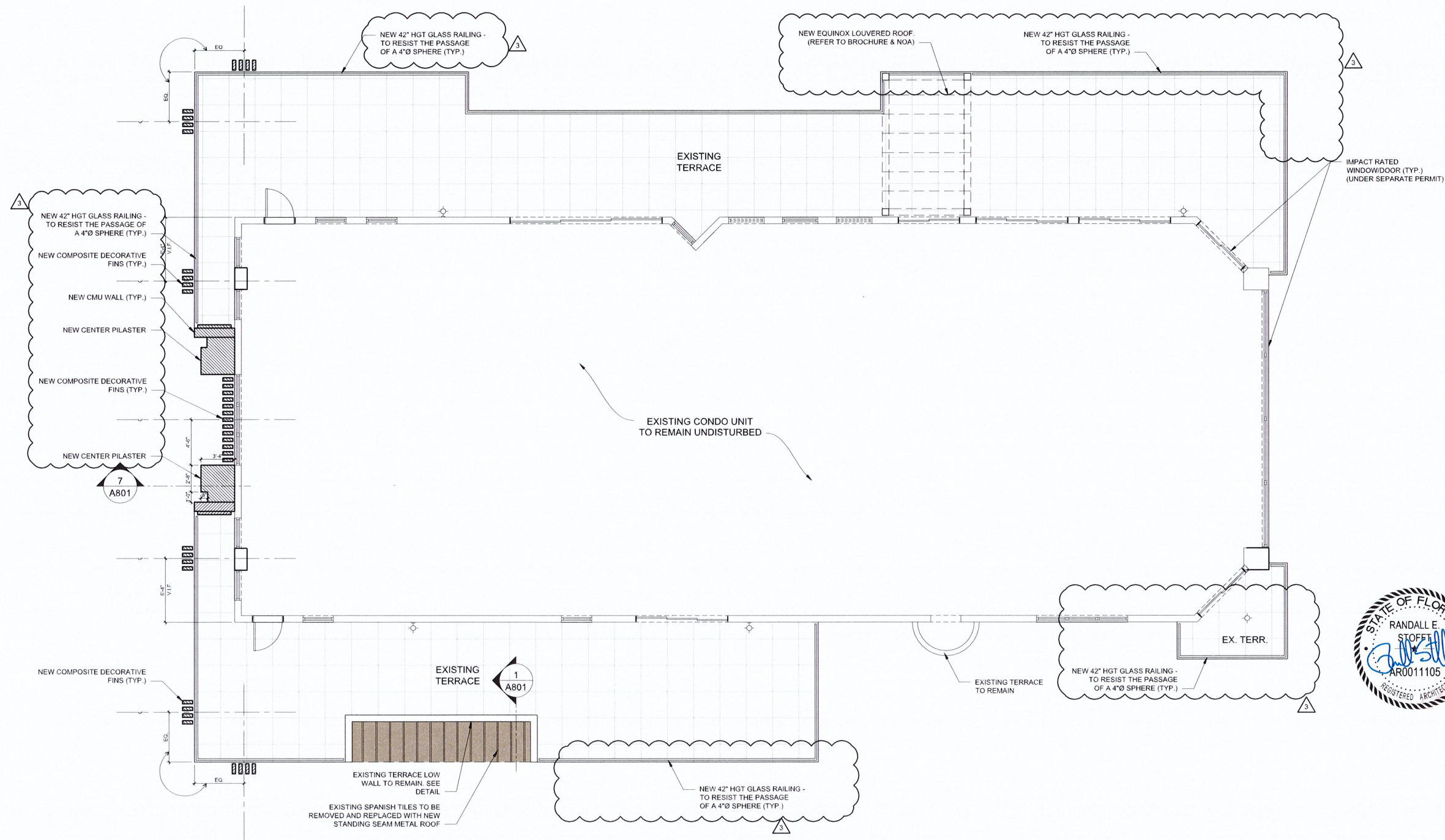
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1

MATERIALS & PROFILES	
010	CMU PARAPET
011	BUILT-UP ROOF CRICKET
012	COMPOSITE DECORATIVE FINS
013	CENTER PILASTER/TOWERS FINISHED W/ CALACATTA MARBLE
014	NEW STANDING SEAM METAL ROOFING
015	IMPACT RATED WINDOW/DOOR (UNDER SEPARATE PERMIT)
016	ARCHITECTURAL FEATURE WALL/EYEBROW
017	EQUINOX LOUVERED ROOF SYSTEM
018	42" HOT GLASS HANDRAIL- TO RESIST THE PASSAGE OF A 4"Ø SPHERE
019	CENTER PIERS FINISHED W/ CHISELED LIME STONE
020	MODERN OUTDOOR LINEAR WALL LAMP/SCONCE
021	WATER FEATURE/WATERFALL
022	VERTICAL LIVE WALL
023	CUSTOM MODERN ENTRANCE DOOR W/ SIDELITES
024	METAL GARAGE LIFT GATE
025	SQUARED OFF PORTE COCHERE OPENING
026	METAL GARAGE LIFT GATE
027	GLASS BLOCKS WINDOWS TO REMAIN
028	EXISTING BALCONY LOW WALL TO REMAIN SEE DETAIL



1 PROPOSED FRONT ELEVATION (WEST)
3/16"=1'-0"

RECEIVED

JUL 25 2023

HIGHLAND BEACH
BUILDING DEPARTMENT

SITE PLAN SUBMISSION 11-29-22

REVISIONS	BY	DATE
△ PERMIT SET	KPRCL	11.29.22
△ SITE PLAN	KPRCL	01.17.23
△ SITE PLAN REV. COMMENT	KPRCL	05.05.23
△ SITE PLAN REV. COMMENT	KPRCL	06.13.23

3425 S. OCEAN EXTERIOR
3425 S OCEAN BLVD UNIT
HIGHLAND BEACH, FL 33487

RANDALL STOFFT
ARCHITECTS
distinctive. inspirational. architecture.

Job No. 2205045D

Digitally signed
by Randall Stofft
Architects

Date: 2023.06.19

13:32:17 -04'00'
FL-001105 FIRM-AA003379



ALL IDEAS, DESIGN ARRANGEMENTS & PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY A. THE PROPERTY OF THIS OFFICE & HERE CREATED. BY USE & DEVELOPMENT FOR USE OR ANY CONNECTION WITH THE SPECIFIED PROJECT, NAME OF SUCH IDEAS, DESIGN ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF RANDALL E. STOFFT, ARCHITECTS, P.A. WRITTEN OR OTHERWISE ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY & BE RESPONSIBLE FOR ALL DIMENSIONS & CONDITIONS ON THE JOB. A. THE OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS INDICATED BY THESE DRAWINGS AND DETAILS OF ADEQUATE SCALE MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION. ON THESE SO NOTED. © 2021 ALL RIGHTS RESERVED RANDALL STOFFT ARCHITECTS P.A.

A301

RECEIVED
JUL 25 2023
HIGHLAND BEACH
BUILDING DEPARTMENT

SITE PLAN SUBMISSION 11-29-22

REVISIONS	BY	DATE
△ PERMIT SET	KPRCL	11.29.22
△ SITE PLAN	KPRCL	01.17.23
△ SITE PLAN REV. COMMIT	KPRCL	05.05.23
△ SITE PLAN REV. COMMIT	KPRCL	06.13.23
△ SITE PLAN REV. COMMIT	KPRCL	07.13.23

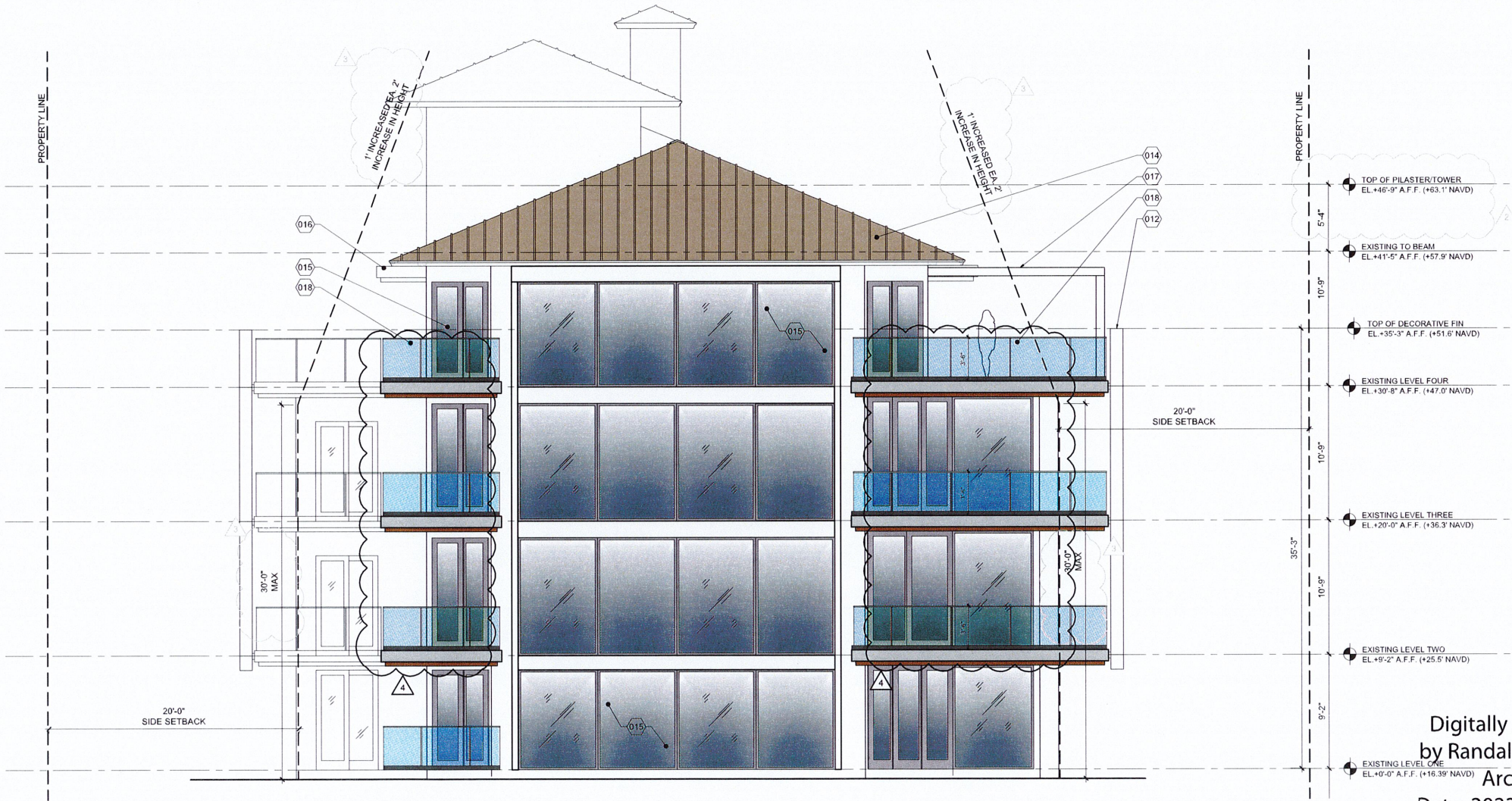
3425 S. OCEAN EXTERIOR
3425 S OCEAN BLVD UNIT
HIGHLAND BEACH, FL 33487

RANDALL STOFFT
ARCHITECTS
distinctive. inspirational. architecture.



Digitally signed
by Randall Stofft
Architects
Date: 2023.07.17
'12:33:30 -04'00

MATERIALS & PROFILES	
010	CMU PARAPET
011	BUILT-UP ROOF CRICKET
012	COMPOSITE DECORATIVE FINS
013	CENTER PILASTER/TOWERS FINISHED W/ CALACATTA MARBLE
014	NEW STANDING SEAM METAL ROOFING
015	IMPACT RATED WINDOW/DOOR (UNDER SEPARATE PERMIT)
016	ARCHITECTURAL FEATURE WALL/EYEBROW
017	EQUINOX LOUVERED ROOF SYSTEM
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026	METAL GARAGE LIFT GATE
027	GLASS BLOCKS WINDOWS TO REMAIN SEE DETAIL
028	EXISTING BALCONY LOW WALL TO REMAIN SEE DETAIL



2 PROPOSED REAR ELEVATION (EAST)
3/16"=1'-0"

3425 S. OCEAN EXTERIOR
3425 S OCEAN BLVD UNIT
HIGHLAND BEACH, FL 33487

Job No. _____ FASB

STATE OF FLORIDA

RANDALL E. STOFFEY

Randall E. Stoffey

AR0011105

REGISTERED ARCHITECT

FL-001105 License No. AR003379

ALL IDEAS, DESIGNING, ARRANGEMENTS, & PLANS INCORPORATED OR REFERENCED TO THESE DRAWINGS ARE OWNED BY THE PROPERTY OF THIS OFFICE AND HAVE BEEN CREATED, DEVELOPED, & SIGNED FOR USE ONLY ON A CONNECTION. ANY REUSE OF THESE DRAWINGS OR ANY OTHER DESIGN, ARRANGEMENTS OR PLANS SHALL BE USED BY ANY OTHER PERSON OR FIRM WITHOUT THE PERMISSION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF RANDALL E. STOFFEY ARCHITECTS, P.A. ANY WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER ANY DIMENSIONS CONTAINED HEREON. SHALL VERIFY & BE RESPONSIBLE FOR ALL DIMENSIONS & COORDINATION OF THESE DRAWINGS. ANY NOTICES OF ANY VARIATIONS FROM THE DIMENSIONS AND COORDINATION OF THESE DRAWINGS SHALL BE IN THE DETAILS OF APPLICABLE SCALE SHALL BE SUBMITTED TO THIS OFFICE FOR APPROVAL. BEING PROVIDED WITH 45 DAYS PRIOR TO RANDALL STOFFEY ARCHITECTS P.A.

A303

SITE PLAN SUBMISSION 11-29-22

Architectural elevation drawing of a multi-story building facade. The drawing shows a cross-section of the building with various levels, windows, and balconies. Key features include a gabled roof, multiple balconies with glass railings, and a central entrance area. The drawing is annotated with numerous callouts (e.g., 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025) and dimensions (e.g., 14'-9", 10'-9", 35'-3", 40'-0" FRONT SETBACK, 30'-0" MAX). A vertical property line is indicated on the right side. The drawing is signed "Digitally signed by R Stofft Arch" and dated "2023 12:33:48".

Page 56

RECEIVED

JUL 25 2023

HIGHLAND BEACH
BUILDING DEPARTMENT

MATERIALS & PROFILES	
010	CMU PARAPET
011	BUILT-UP ROOF CRICKET
012	COMPOSITE DECORATIVE FINIS
013	CENTER PILASTER/TOWERS FINISHED W/ CALACATTA MARBLE
014	NEW STANDING SEAM METAL ROOFING
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SITE PLAN SUBMISSION 11-29-22

3425 S. OCEAN EXTERIOR
3425 S OCEAN BLVD UNIT
HIGHLAND BEACH, FL 33487

RANDALL STOFFT
ARCHITECTS
distinctive. inspirational. architecture.

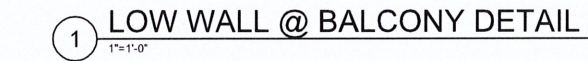
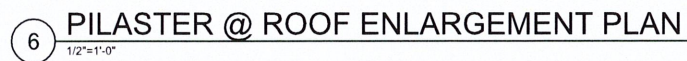
Job No. 2206045D
Digitally signed
by Randall Stofft
Architects
Date: 2023.07.17
12:34:07 -04'00'

STATE OF FLORIDA
RANDALL E. STOFFT
AR0011105
REGISTERED ARCHITECT
FL-0011105-2003379

A304



1 PROPOSED RIGHT-SIDE ELEVATION (SOUTH)
3/16"=1'



3425 S. OCEAN EXTERIOR
3425 S OCEAN BLVD UNIT
HIGHLAND BEACH, FL 33487



RANDALL STOFF
ARCHITECTS
distinctive. inspirational. architecture.



A801

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 11720-Notice of Public Meeting .
Was published in said newspaper by print in the issues of, or by publication on the
newspaper's website, if authorized on Jul 31, 2023

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: July 31, 2023.



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: jdehart@highlandbeach.us
7468198

**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, August 10, 2023 at 9:30 AM and the TOWN COMMISSION will conduct a public hearing on Tuesday, September 5, 2023 at 1:30 PM in the Community Room of the Town Library located at 3618 South Ocean Boulevard, Highland Beach, Florida to consider the following application.

APPLICATION NO. 23-0003 BY MARK ROTHENBERG, ELLEMAR ENTERPRISES LLC, FOR A MAJOR MODIFICATION TO AN EXISTING BUILDING, AS PROVIDED IN SECTION 30-39 OF THE TOWN CODE OF ORDINANCES, INCLUDING BUT NOT LIMITED TO CHANGES TO THE EXTERIOR FAÇADE AND BALCONIES FOR THE PROPERTY LOCATED AT 3425 SOUTH OCEAN BOULEVARD.

APPLICANT: MARK ROTHENBERG

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

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

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

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

TOWN OF HIGHLAND BEACH, BUILDING
DEPARTMENT
07/31/2023 7468198

Order # - 7468198

**Town of Highland Beach
Town Commission Development Order (PB)
Application No. 23-0003**



Applicant: Mark Rothenberg
Property Address: 3425 S. Ocean Blvd
Highland Beach, Florida 33487

CERTIFICATE OF MAILING AFFIDAVIT

I hereby certify that the Town Clerk's Office mailed a copy of the Notice of Public Hearing (Exhibit A) for Application No. 23-0003 for the property located at 3425 S. Ocean Blvd., Highland Beach, Florida 33487, by U.S. first-class and international mail to:

All property owners and properties owned by a condominium association president and the association's registered agent within 500 feet of the property located at 3425 S. Ocean Blvd, Highland Beach, Florida 33487.

The mailings consisted of 31 notices that were sent first class mail and 01 notices that were sent by International Mail.

This 25th day of July 2023.

Highland Beach Town Clerk's Office

Jaclyn DeHart
Deputy Town Clerk



TOWN OF HIGHLAND BEACH NOTICE OF PUBLIC HEARING APPLICATION NO. 23-0003

July 24, 2023

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, August 10, 2023 at 9:30 AM* and the **TOWN COMMISSION** will conduct a public hearing on *Tuesday, September 5, 2023 at 1:30 PM* in the Community Room of the Town Library located at 3618 South Ocean Boulevard, Highland Beach, Florida to consider the following application.

APPLICATION BY MARK ROTHENBERG, ELLEMAR ENTERPRISES LLC, FOR A MAJOR MODIFICATION TO AN EXISTING BUILDING, AS PROVIDED IN SECTION 30-39 OF THE TOWN CODE OF ORDINANCES, INCLUDING BUT NOT LIMITED TO CHANGES TO THE EXTERIOR FAÇADE AND BALCONIES FOR THE PROPERTY LOCATED AT 3425 SOUTH OCEAN BOULEVARD.

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

TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT

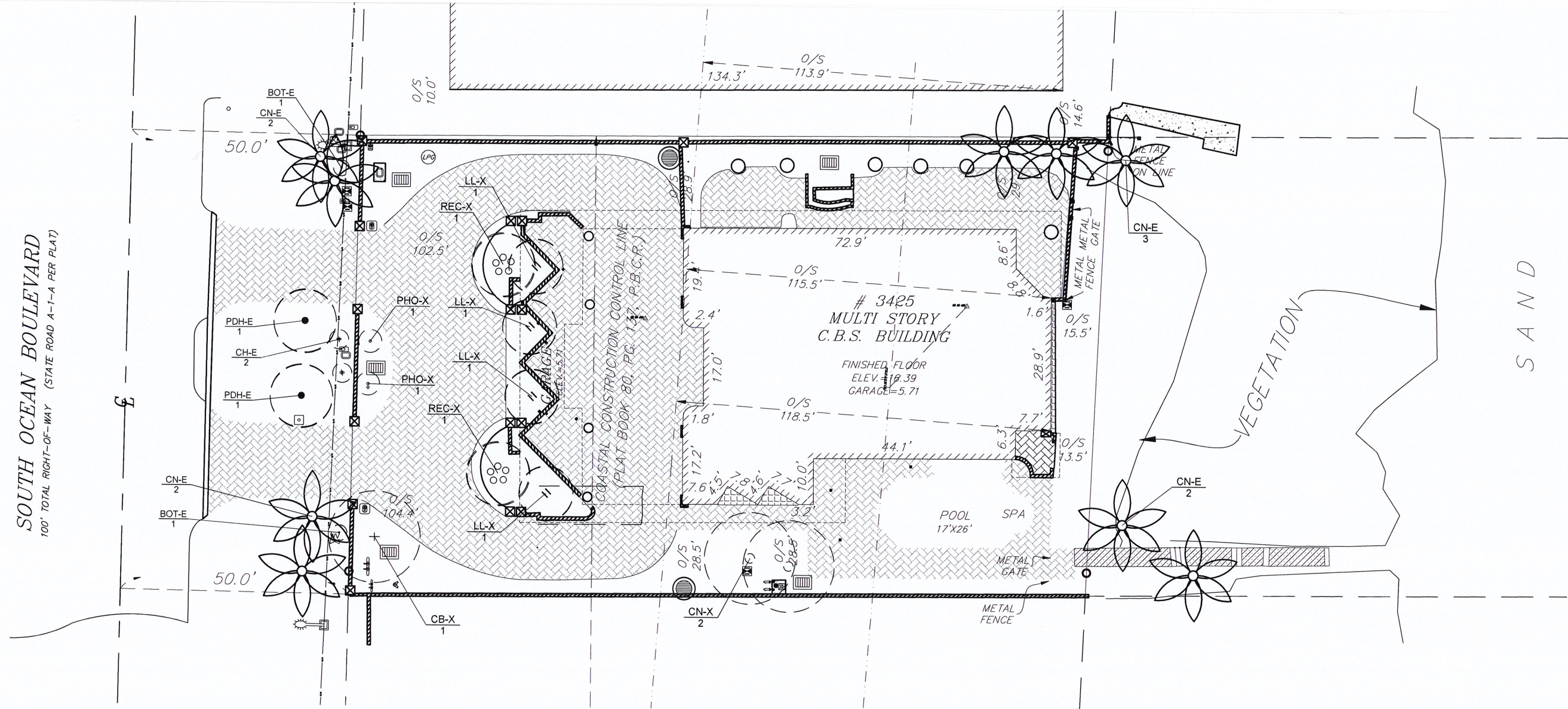
ADDITIONAL INFORMATION FOR ITEM 11.A. – 09.05.2023 TC MEETING



KWD
LANDSCAPE ARCHITECTURE

101 SE 2nd Avenue, Second Floor
Delray Beach, Florida 33444
studio@kwdesignteam.com
Telephone: 561-243-1873

Krent L. Wieland, FL Reg LA 1039
Cert. of Authorization LC26000275



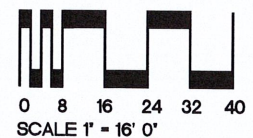
Le Sanctuaire
3425 South Ocean Boulevard
Highland Beach, Florida

PLANT SCHEDULE			
EXISTING TO BE REMOVED	BOTANICAL / COMMON NAME	CONT	QTY
CB-X	Calophyllum brasiliense / Brazilian Beautyleaf EXISTING TO BE REMOVED	EXISTING TO BE REMOVED	1
CN-X	Cocos nucifera / Green Malayan Coconut EXISTING TO BE REMOVED	EXISTING TO BE REMOVED	2
LL-X	Ligustrum lucidum / Glossy Privet EXISTING TO BE REMOVED	EXISTING TO BE REMOVED	4
REC-X	Phoenix reclinata / Senegal Date Palm EXISTING TO BE REMOVED	EXISTING TO BE REMOVED	2
PHO-X	Phoenix roebelenii / Pygmy Date Palm EXISTING TO BE REMOVED	EXISTING TO BE REMOVED	2
EXISTING TO REMAIN	BOTANICAL / COMMON NAME	CONT	QTY
CH-E	Chamaerops humilis / Mediterranean Fan Palm EXISTING TO REMAIN	EXISTING TO REMAIN	2
CN-E	Cocos nucifera / Coconut Palm EXISTING TO REMAIN	EXISTING TO REMAIN	9
BOT-E	Hyophorbe lagenicaulis / Bottle Palm EXISTING TO REMAIN	EXISTING TO REMAIN	2
PDH-E	Phoenix dactylifera 'Medjool' / Medjool Date Palm EXISTING TO REMAIN	EXISTING TO REMAIN	2

CAUTION: PLEASE NOTE

Contractor shall secure all permits required for the work from any state or local departments, utility companies or jurisdiction affected by the work. The Contractor shall have permits "in hand" prior to starting work. The Landscape Architect and/or Owner shall bear no responsibility for work performed without permitted drawings. The Contractor shall be responsible for all changes to work, at no additional cost to Owner, as a result of unauthorized work prior to receipt of permit.

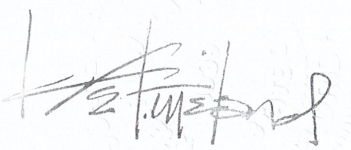
This drawing is an instrument of service, copyright © 1984-2023 by Krent Wieland Design, Inc., d/b/a KWD Landscape Architecture. All rights reserved - Not to be reproduced in part or in whole without express written permission. Florida Registration LA 1039.



DRAWING TITLE:
**DISPOSITION
LANDSCAPE
PLAN**

SHEET:
D-1

20230614 Rev. Per Comments
20230419 Revised Per Comments
20230228-For Submittal
ISSUE HISTORY
PROJ NO:
PROJ MGR:
DRAWN BY:
CHECKED BY:



File Attachments for Item:

B. Consideration of a request for a Town of Highland Beach Right-of-Way (ROW) permit for the property located at 4005 S Ocean Boulevard.



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting
MEETING DATE 09/05/2023
SUBMITTED BY: Jeff Remas, Building Department
SUBJECT: Right of Way (ROW) Permit 4005 S Ocean Blvd

SUMMARY:

4005 S Ocean Blvd recently completed construction and was issued a certificate of occupancy. The prospective new owner prefers a different driveway covering. FDOT has approved the work in the ROW. The change is to the covering of the driveway only and does not add any impervious surface. The change does not affect stormwater runoff.

FISCAL IMPACT:

N/A

ATTACHMENTS:

4005 Driveway Drawing

RECOMMENDATION:

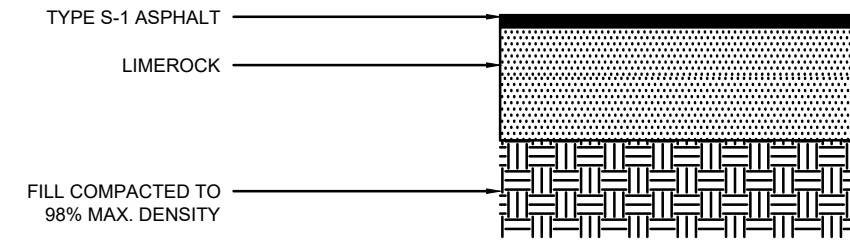
Staff recommends approval

CONSTRUCTION NOTES – FDOT R/W

Conditions of Construction

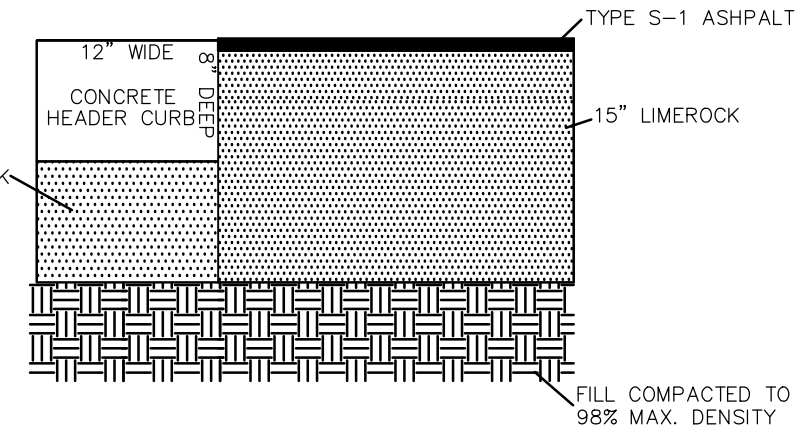
Within F.D.O.T. Right-of-Way

- The Contractor shall provide a security instrument in the form of a performance bond in the estimated dollar amount of the improvements/work to be done on the road and/or bridge. The bond shall be provided by a surety established by an amount equal to 110% of the contractors bid proposal. This amount will be used on the appropriate Florida Department of Transportation Form FD-200, 04/93 by the engineer. This security instrument may be waived by the FDOT, but is assumed to be required until otherwise indicated, and shall be included in the contractor's proposal.
2. The Contractor shall deliver to the engineer of record and to the FDOT, proof of liability insurance covering the items as insured, and the FDOT as an additional name insured. The policy shall contain a broad form contractual endorsement specifically covering the liabilities arising from the indemnity obligations of the contractor.
- Public liability insurance, including property damage, in the amount of \$500,000.00 combined single limit/ occurrence.
 - A provision requiring the insurance company to notify the FDOT, 30 days prior to the effective date of cancellation or material change in policy.
3. The contractor shall notify all users of the right-of-way (Utility Co's, etc.) of the pending work and will have all existing utilities located in the field and all conflicts resolved. Documentation of this notification shall be submitted to the engineer of record.
4. The engineer of record and the FDOT must be notified 72 hours prior to the commencement of construction. A pre-construction meeting at the job site must be held by the contractor, at which representatives of the engineer of record and FDOT must attend.
- 5. All conditions of the FDOT permit must be strictly adhered to.
6. All construction shall be performed in accordance with the "FDOT Standard Specifications for Road and Bridge Construction," latest edition and shall reference the "FDOT Standard Specifications for Road and Bridge Construction," latest revision.
7. Construction specifications listed on this sheet shall be adhered to.
8. Traffic shall be maintained at all times, per the following:
Driveway Construction: FDOT Index 602
9. All materials and construction within the FDOT right-of-way shall conform to the FDOT Roadway and Traffic Design Standards (Latest Edition). Standard Specifications (latest Edition) and all supplements thereto.
10. Applicant is responsible for submitting name of certified Maintenance of Traffic Provider to FDOT for approval prior to construction.
11. At the end of each work period, any drop-off in the area adjacent to the travel way of the State Road shall be backfilled in accordance with Standard Index 602 and shall be otherwise protected with temporary barrier wall at the contractor's expense.
12. If the permitted work is on a roadway that has been selected as a hurricane or disaster evacuation route, the applicant, at the time construction commences, shall present, as part of the work plan, an emergency functional restoration plan to address eventualities such as hurricanes.
13. The contractor must call the appropriate county traffic engineering division, having jurisdiction over the project at least 48 hours, before any excavation within the FDOT right-of-way to determine the location of the existing traffic signal interconnect cable.
14. The location of existing utilities shown are approximate only. The exact location shall be determined by the contractor during construction. Relocation of utilities shall be coordinated with utility companies after the completion of relocation of the utilities. Contractor will notify engineer in advance before any relocation.
15. The applicant at the earliest convenient time shall notify in writing all right-of-way users affected by the construction of this project.
16. All MOT lane closure signs shall be covered when lanes are not closed. No lanes are to be closed before 9:00 am and all lanes are to be opened by 4:00 pm.



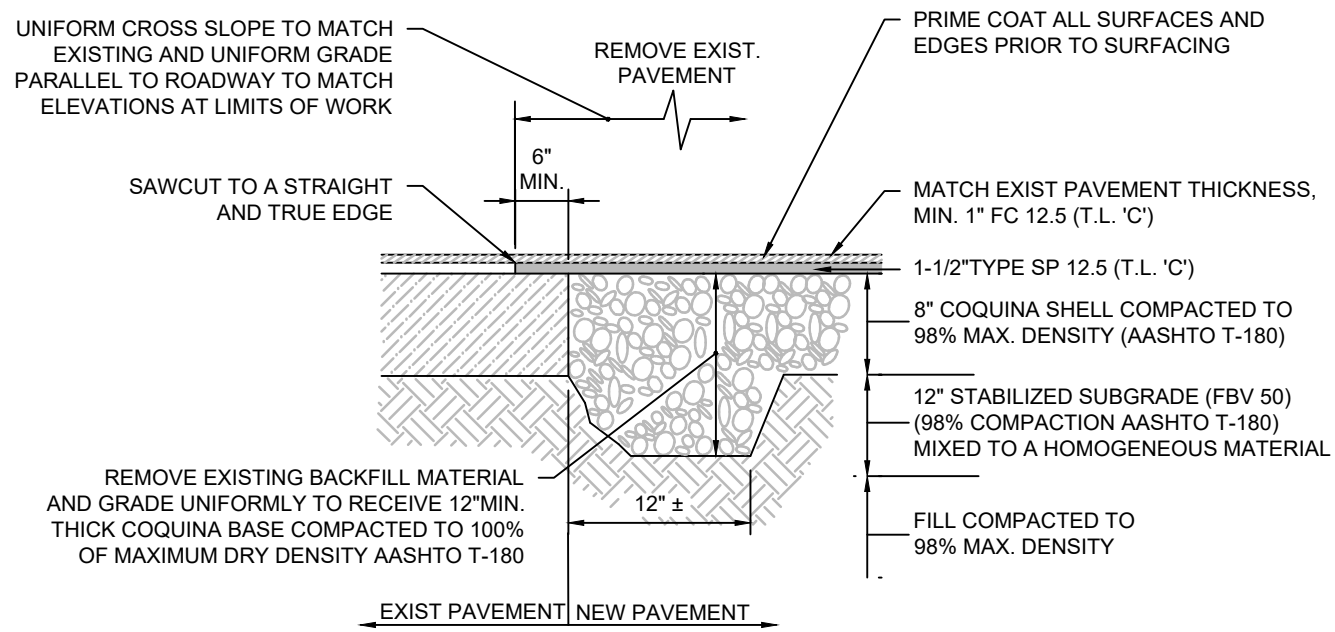
* DEPTH OF MATERIAL PER SCHEDULE BELOW

SEE WRITTEN SPECIFICATIONS FOR ADDITIONAL PAVEMENT AND TESTING REQUIREMENTS



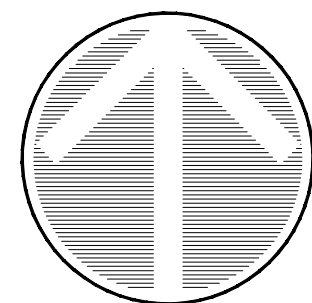
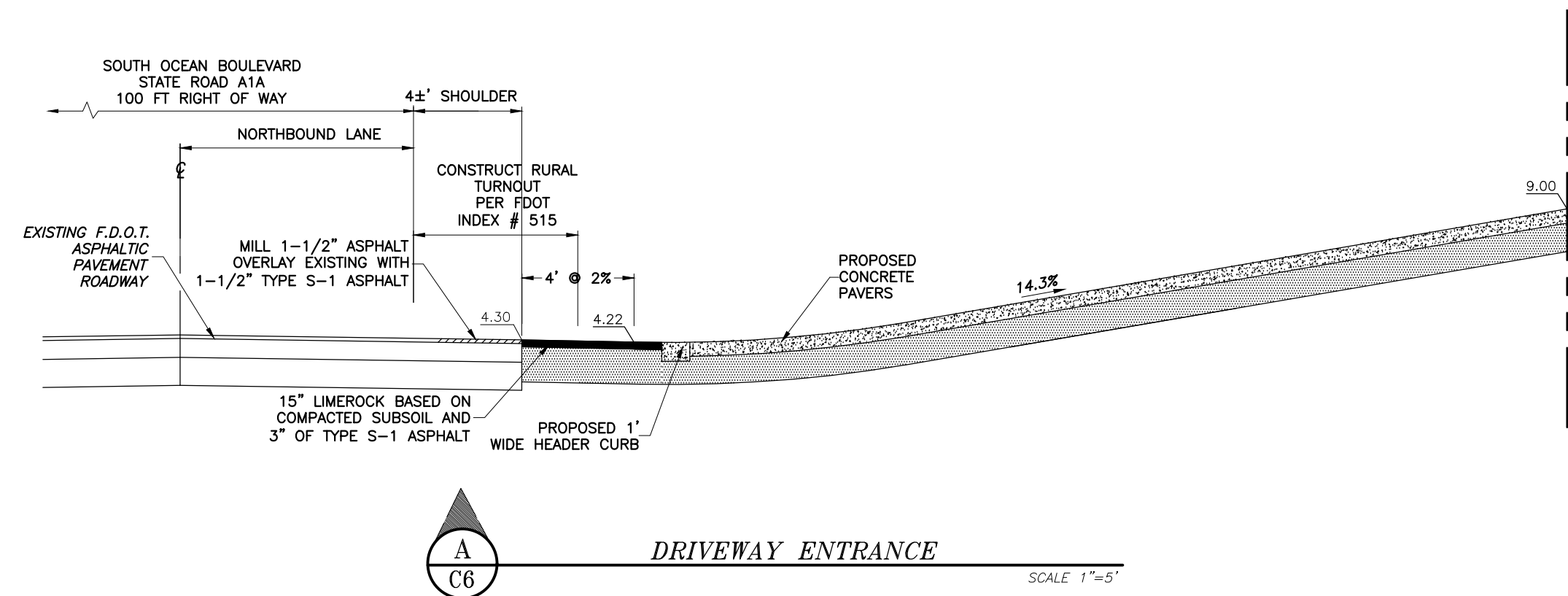
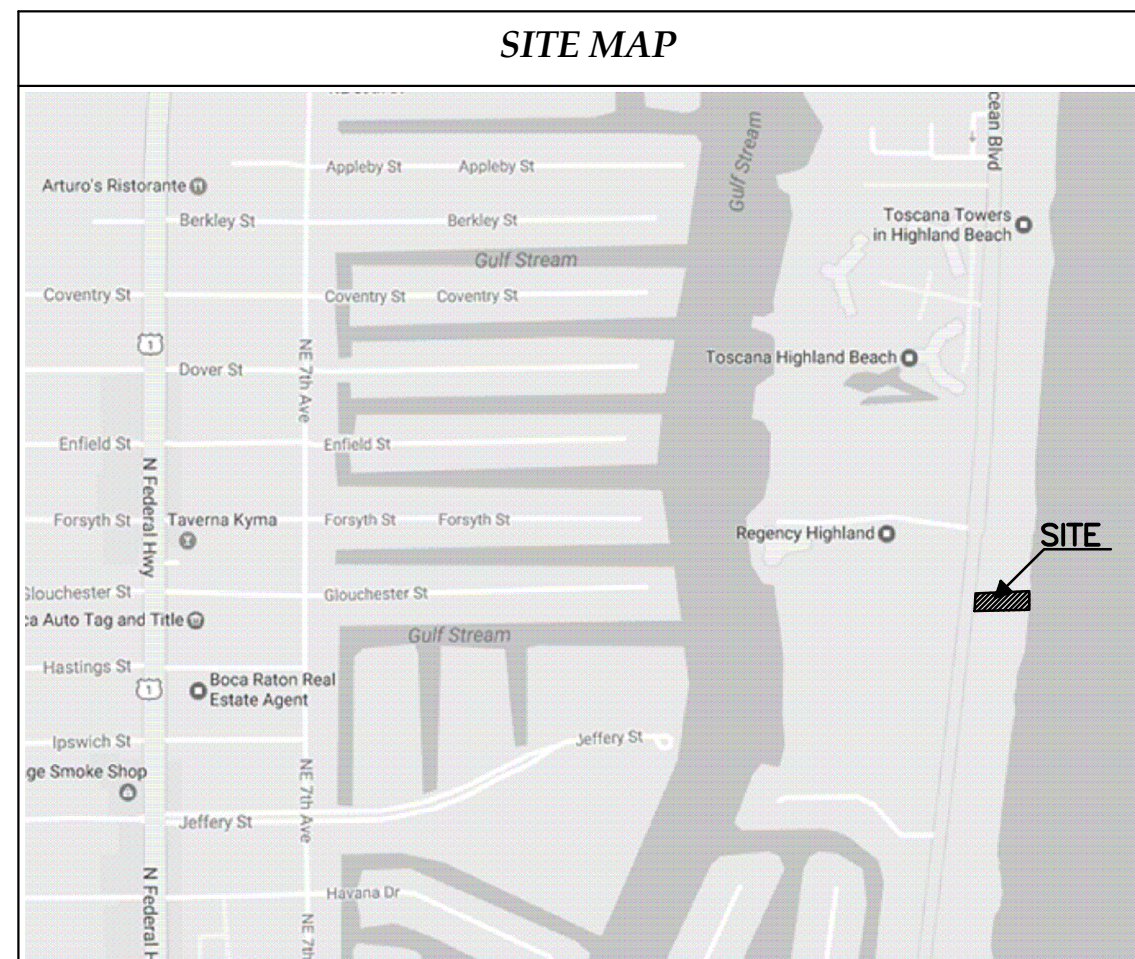
*TYPICAL ASPHALTIC CONCRETE PAVING SECTION
WITHIN FDOT RIGHT-OF-WAY ONLY*

NTS

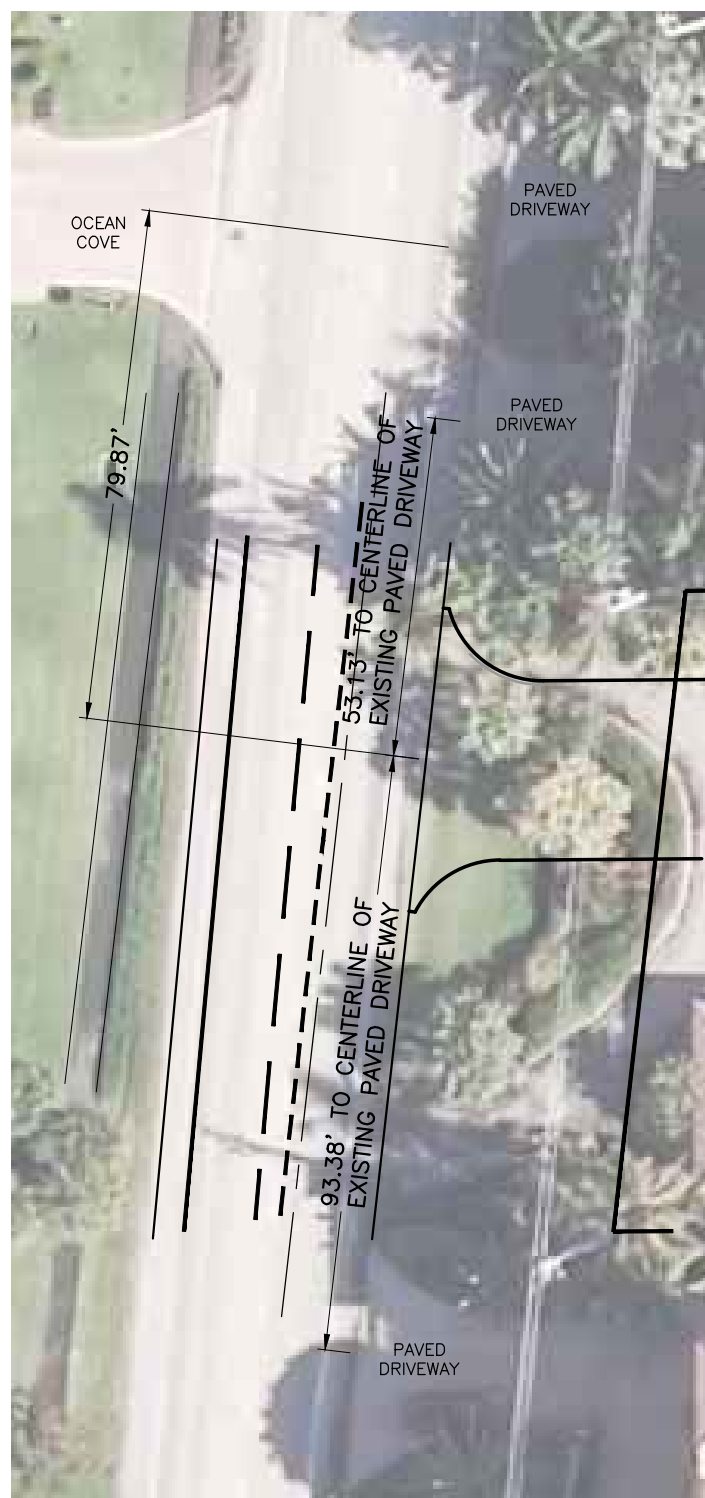


PAVEMENT BUTT JOINT

N.T.S.

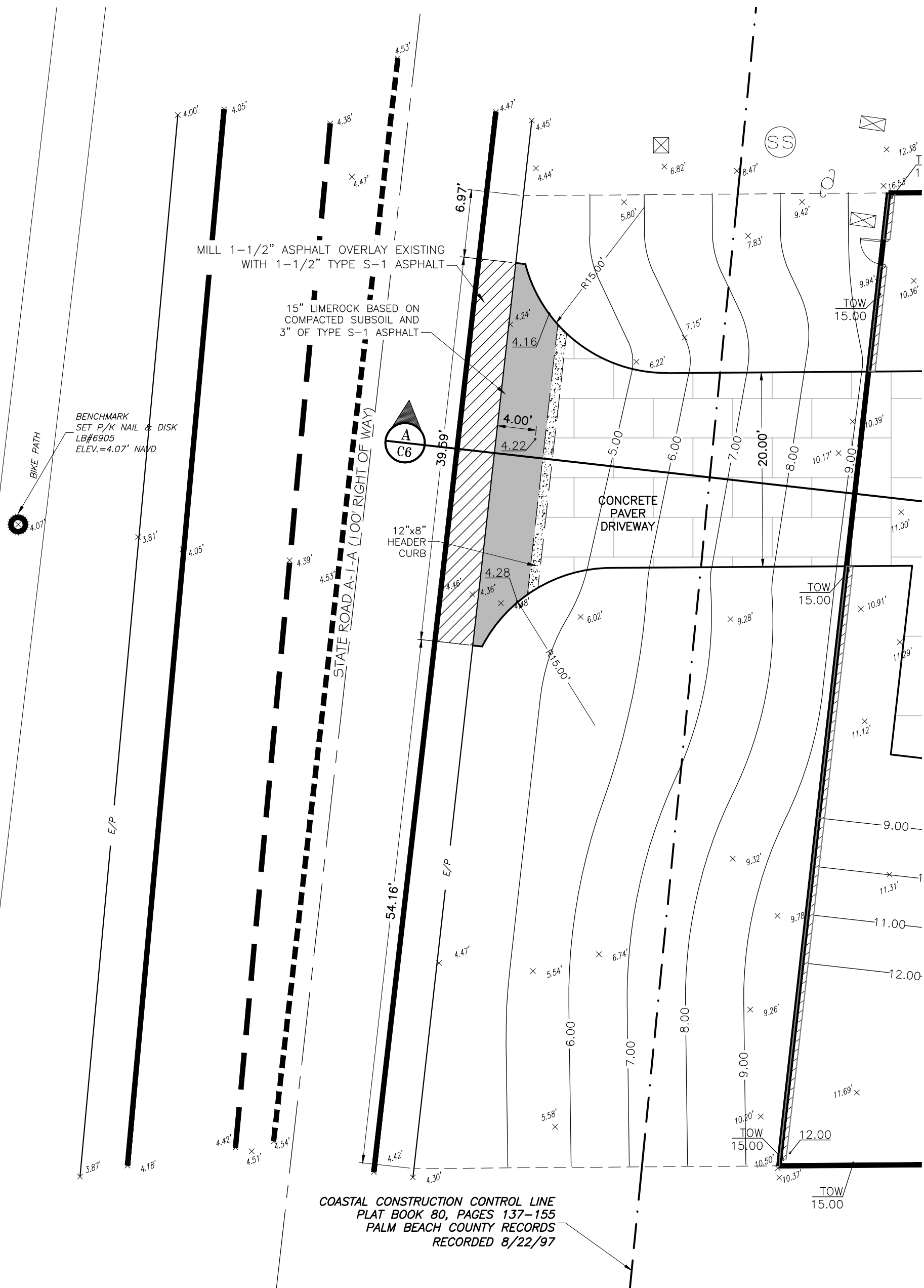


North



ADJACENT DRIVEWAYS

SCALE 1"=30'







DRIVEWAY PLAN

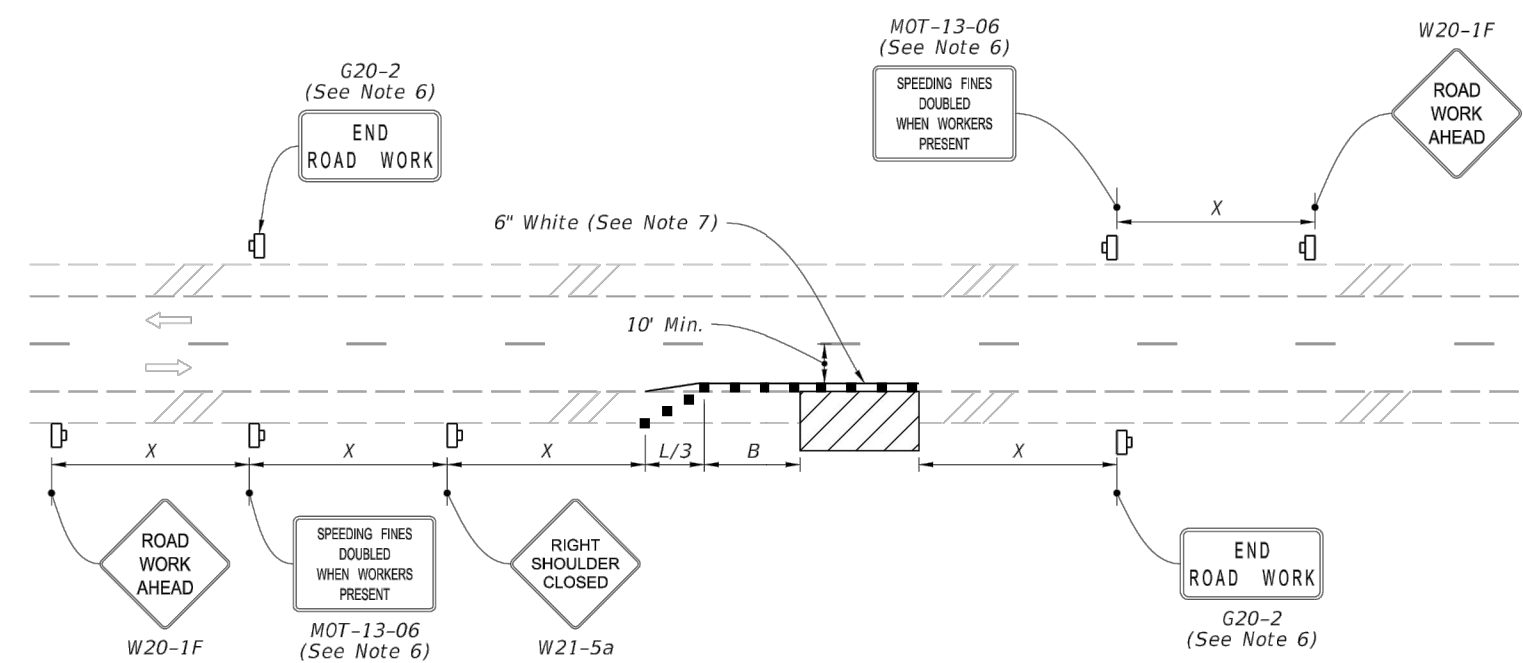
SCALE 1"=10

NOTE:

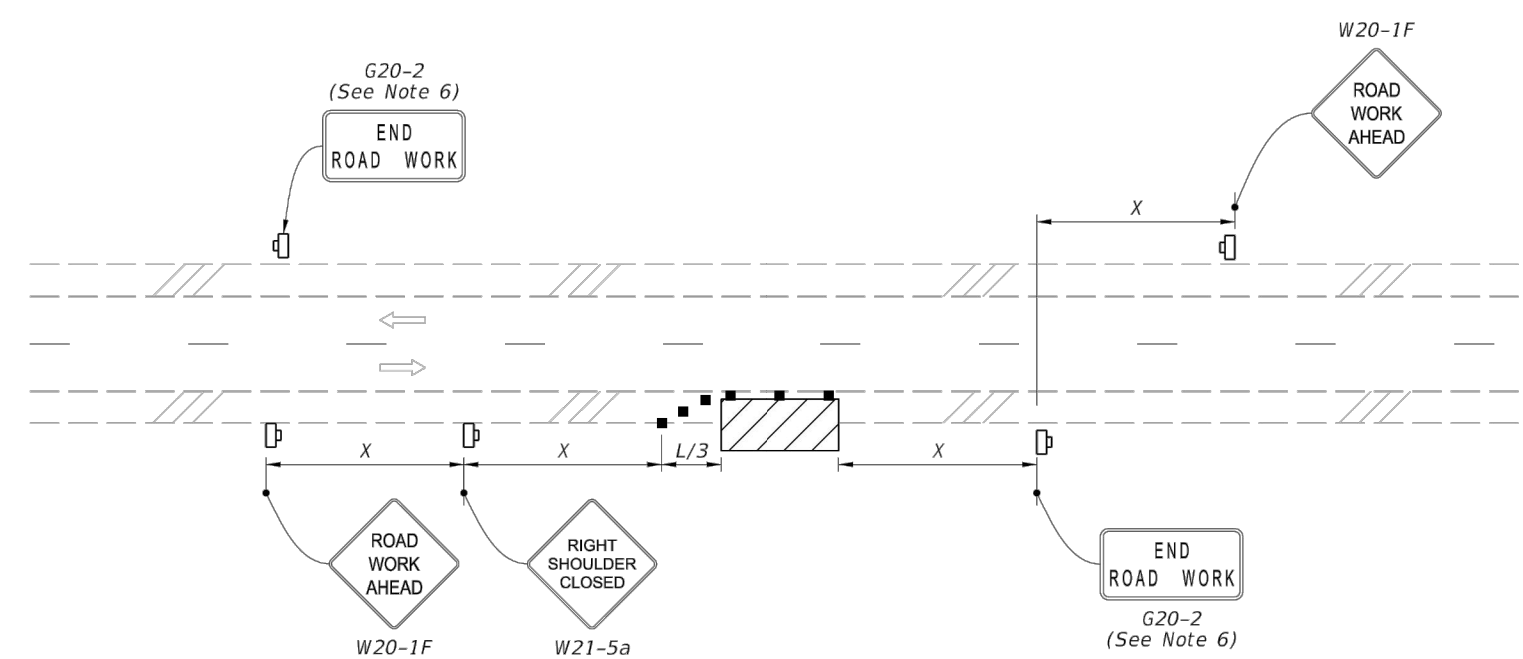
1. This index applies to Two-Lane, Two-Way and Multilane Roadways, including Medians of divided roadways, with work on the shoulder.
2. L = Tap Length
 W = Work Zone Sign Spacing
 B = Buffer Length
Set W to 102-600 for "L", "X", "B", and channelizing device spacing values.
3. Where work activities are between 2' and 15' from the edge of traveled way, the Engineer may omit signs and channelizing devices for work operations 60 minutes or less.
4. When four or more work vehicles enter the through traffic lanes in a one hour period (excluding establishing and terminating the work area), use a flagger or lane closure to accommodate work vehicle ingress and egress.
5. For work less than 2' from the traveled way and work zone speed is greater than 45 MPH use a lane closure.
6. The "Speeding Signs Doubled When Workers Present" signs (M07-13-6) and "End Road Work" Signs (G20-2) along with the associated work zone sign spacing distances may be omitted when the work zone is in place for 24 hours or less.
7. Temporary pavement markings may be omitted when the work operation is in place for 3 days or less.
8. Omit "Shoulder Closed" signs (W21-5a) along with associated work zone sign spacing distances for work on the median.
9. When there is no paved shoulder, the "Work" sign (W21-1) may be used instead of the "Shoulder Closed" sign (W21-5a).

SYMBOLS:

-  *Work Area*
-  *Channelizing Device (See Index 102-600)*
-  *Work Zone Sign*
-  *Lane Identification and Direction of Traffic*

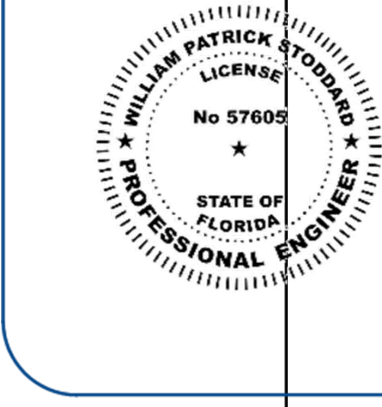



===== TWO-LANE ROADWAY =====
SHOULDER WORK LESS THAN 2' FROM THE TRAVELED WAY
WITH WORK ZONE SPEED OF 45 MPH OR LESS



===== TWO-LANE ROADWAY =====
SHOULDER WORK BETWEEN 2' AND 15' FROM THE TRAVELED WAY

- DS



LAST REVISION 11/01/21	DESCRIPTION:	 FY 2023-24 STANDARD PLANS	TWO-LANE AND MULTILANE, WORK ON SHOULDER INDEX 102-602	SHEET 1 of 2
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DATE	REVISION	MARK	DRAWING 16171/FD01
6/9/2023	1	DRIVEWAY MATERIAL	DESIGNED W.P.S.
			DRAWN K.W.B.
			CHECKED W.P.S.
			SCALE AS NOTED
			DATE 6/14/2023

SCHULKE, BITTLE & STODDARD, L.L.C.
CIVIL & STRUCTURAL ENGINEERING • LAND PLANNING • ENVIRONMENTAL PERMITTING
CERTIFICATION OF AUTHORIZATION NO.: 00080668
1717 INDIAN RIVER BLVD., SUITE 201 VERO BEACH, FLORIDA 32960
TEL 772 770-9622 FAX 772 770-9496 EMAIL info@sbsengineers.com

F.D.O.T. TYPE A
DRIVEWAY PLAN

PROPOSED OCEANFRONT RESIDENCE FOR:
4005 OCEAN BLVD, LLC
4005 SOUTH OCEAN BOULEVARD
HIGHLAND BEACH, FL

ENGINEER CERTIFICATION
☐ JOSEPH W. SCHULKE
 FL. REG. NO. 47048
☐ JODAH B. BITTLE
 FL. REG. NO. 57396
☒ WILLIAM P. STODDARD
 FL. REG. NO. 57605

DATE: 7/19/2016
 SHEET: 16
 PROJECT NO.: 16-17

DocuSigned by:
 William Stoddard

File Attachments for Item:

C. Resolution No. 2023-024

A Resolution of the Town Commission of the Town of Highland Beach Florida, adopting Fiscal Year 2023-2024 Schedule of Fees which establishes reasonable fees for town services and other charges; providing for conflicts; and providing an effective date.



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE September 5, 2023

SUBMITTED BY: Town Manager's Office

SUBJECT: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, ADOPTING THE FISCAL YEAR 2023-2024 SCHEDULE OF FEES WHICH ESTABLISHES REASONABLE FEES FOR TOWN SERVICES AND OTHER CHARGES; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

SUMMARY:

Prior to October 1st, the Town Commission must review and approve the fee schedule for the upcoming fiscal year.

Attached is the proposed resolution and fee schedule submitted by Town staff. There are no significant changes from the current fees.

Please note, the solid waste fees are based upon the new agreement with Waste Management and the exhibit reflects the rate change scheduled for June 1, 2024.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution No. 2023-024

Exhibit A (General Fees), Exhibit B (Building Department Fees), Exhibit C (Solid Waste Fees), Exhibit D (Fire and EMS Fees)

RECOMMENDATION:

Approve the Resolution No. 2023-24 adopting the fee schedule for fiscal year 2023-2024.



RESOLUTION NO. 2023-024

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, ADOPTING THE FISCAL YEAR 2023-2024 SCHEDULE OF FEES WHICH ESTABLISHES REASONABLE FEES FOR TOWN SERVICES AND OTHER CHARGES; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Highland Beach (“Town”) maintains and desires to promote the safety, health and welfare of its residents by providing for enforcement of its Code of Ordinances as well as setting forth fees for providing certain utilities and administrative services; and

WHEREAS, the Town Commission finds that adopting the 2023-24 schedule of fees serves a valid public purpose.

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

Section 1. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The “Town of Highland Beach Schedule of Fees,” which are attached as **Exhibits “A”, “B”, “C”, “D”** and incorporated herein, is hereby adopted.

Section 3. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

Section 4. If any provision of this Resolution or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application and to this end the provisions of this Resolution are declared severable.

Section 5. This Resolution shall become effective upon approval by Town Commission.

DONE AND ADOPTED by the Town Commission of the Town of Highland Beach, Florida, this
____ day of _____, 2023.

ATTEST:

Natasha Moore, Mayor

**REVIEWED FOR LEGAL
SUFFICIENCY**

Lanelda Gaskins, MMC
Town Clerk

Glen Torcivia, Town Attorney
Town of Highland Beach

VOTES:

YES NO

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

EXHIBIT “A”

TOWN OF HIGHLAND BEACH
SCHEDULE OF FEES

EFFECTIVE 10/01/2023– 09/30/2024

I. TOWN CLERK

- a. Public Records Request
 - i. Photocopies (8 ½ x 14 or less):
 - a. Single Sided: Black and White Copies \$0.15 per page
 - b. Double Sided: Black and White Copies \$0.20 per page
 - c. Single Sided: Color Copies \$0.25 per page
 - d. Double Sided: Color Copies \$0.30 per page
 - e. Photocopies total cost under \$5.00 No charge
 - ii. USB Flash Drive Based on actual cost
 - iii. Other materials Based on actual cost
- b. Labor Costs for Research and Reproduction,
Special Service Charges relevant to Public Records Based on actual cost
- c. Postage/Mailing Cost Based on actual cost
 - *Additional Cost May Apply Based on Florida Statute, Chapter 119*
- d. Municipal Lien Search Requests \$150.00 per Parcel Control Number
- e. Notary Service:
 - Highland Beach Residents (after first five (5) signatures) \$5.00 per signature
- f. Non-Residents \$5.00 per signature
- g. Administration of Oaths and Affirmations \$10.00 per person
- h. Acknowledgements \$10.00 per person
- i. Certified Copies \$1.00 per document
- j. Zoning Maps Based on actual cost
- k. Development Order Applications \$200.00 per application
 - *Administrative cost for preparation and mailings of public notices*

II. LIBRARY

- a. Library Cards
 - i. Highland Beach Property Owners and Residents with six (6) months lease agreement or longer No charge
 - ii. Seasonal renters (3-6 months) \$25.00 per year
 - iii. Non-residents \$75.00 per year
 - iv. Replacement cards \$5.00 per card
- b. Overdue Materials
 - i. Books and magazines \$0.25 per day per item
 - ii. DVDs and CDs \$1.00 per day per item
 - iii. E-readers \$3.00 per day per item
- c. Printing/Copying using Library Computers
 - i. First 5 pages of Black & White Copies No charge
 - ii. More than Five (5) Pages \$0.25 per page
- d. Room usage fees for Independent Contractors
 - i. Background Check for Independent Contractor \$19.95
 - ii. Tom Reid Room \$10.00 per month
 - iii. Community Room \$20.00 per month

III. CODE COMPLIANCE & POLICE FINES/FEES

- a. Illegal parking in designated disabled parking spots \$250.00
 - b. Class I Infraction (First and repeat violations) \$50.00
 - c. Class II Infraction (First offense) \$50.00
 - d. Class II Infraction (Repeat violation) \$100.00
 - e. Class III Infraction (First and repeat violations) \$200.00
 - f. Cost of Prosecution \$250.00
- *Class I, II and III Infractions based per Section 2-174 of Town Code of Ordinances

IV. ADMINISTRATIVE COSTS

Pursuant to Section 2-117 (c) of the Code of Ordinances, administrative costs incurred by the town in the successful prosecution of a code enforcement case shall be assessed against the violator pursuant to F.S. § 162.07(2).

EXHIBIT “B”

TOWN OF HIGHLAND BEACH
BUILDING AND LAND DEVELOPMENT
SCHEDULE OF FEES

EFFECTIVE 10/01/2023 – 09/30/2024

I. BUILDING DEPARTMENT

- a. All building permit fees shall be based upon the value of the work to be performed. The "value of work" shall be determined in accordance with Section 109 of the Town's Administrative Amendments to the Florida Building Code.
- b. The minimum building permit fee shall be \$100.
- c. Building permit fees shall be calculated per each \$1,000 of valuation or portion thereof, for each trade (building, plumbing, mechanical or electrical) or for each specialty (pools, fire suppression, alarm, or security systems, etc.). Those fees are as follows:
 - i. \$25.00 per \$1,000 or portion thereof of value up to \$500,000.
 - ii. \$20.00 per \$1,000 or portion thereof of value above \$500,000.
- d. Sales Trailer Permit Fee: The fee for sales trailers shall be \$500 per trailer, shall include all sub-trade inspections, and shall expire after six (6) months. The permit may be renewed for additional six (6) month increments upon payment of an additional fee.
- e. Construction Trailer Permit Fee: The fee for construction trailers shall be \$250 and shall include all sub-trade inspections.
- f. Contractor Registration: All contractors must be registered with the Building Department of the Town of Highland Beach. Registration includes basic information about the contractor, and proof of licenses and insurance. Licenses and insurance are typically demonstrated through a State of Florida registration or certification, or a Palm Beach County Business Tax Receipt. There will be no charge for registering with the Town of Highland Beach.
- g. Reinspection Fees:
 - i. \$75.00 for second inspection (same item).
 - ii. \$150.00 for third inspection* (same item).
 - iii. \$250.00 for fourth inspection* (same item).
 - iv. \$300.00 for fifth inspection* (same item).

* (requires license holder or qualifier to be at the site)
- h. Additional Fees:
 - i. \$100.00 for fire sprinkler permits, except electrical component of permit. (Delray Fire Fee Schedule)

- ii. \$50.00 per page for plans requiring additional review after the initial review.
- iii. \$50.00 for change in contractor
- iv. \$100.00 floor and/or balcony tile fee (not shower tile or pan replacement).
- v. \$100.00 for water heater change-out
- vi. \$100.00 installation of residential alarm or security system.
- vii. Portable Storage Unit: \$50.00 for site permit fee
- viii. \$100.00 for failure to call for a final inspection prior to permit expiring.
- ix. \$50.00 per page for plans requiring additional review after the initial review.
- i. Penalty Fees:
 - i. Two and half times (2.5X) the original permit fee, but not to exceed \$10,000, for work commenced without a permit.
Approved by the Town Commission on October 7, 2020
- j. Planning & Zoning Fees:
 - i. Site plan: \$1,500.00
 - ii. Special Exception: \$1,500.00
 - iii. Comprehensive Plan Amendment: \$1,500.00
 - iv. Revision to Code of Ordinances: \$1,500.00
 - v. Variance: \$1,500.00
\$500.00 each additional variance
 - vi. Appeal of Building Code or Zoning Determination: \$1,500.00
 - vii. Zoning Verification Letter: \$150.00
 - viii. Hourly attorney consultation fee. Must be paid with all land development applications. \$500.00 deposit plus any costs that exceed the \$500.00
 - ix. License Agreement or Unity of Title: \$1,000.00
 - x. Appeal to Town Commission: \$1,500.00

- xi. Engineering Review Fee: \$500.00 plus any additional cost
- xii. Short-Term Rentals registration fee. \$250.00
- xiii. Short-Term Rentals inspection fee. \$150.00
- xiv. Short-Term Rentals re-inspection fee (failure to pass initial inspection) \$50.00
- xv. Short-Term Rentals annual renewal fee. \$100.00
- xvi. Short-Term Rentals change of agent fee. \$50.00
- xvii. Short-Term Rentals penalties:
 - a. \$250.00 fine, daily, per violation for first offence;
 - b. Up to \$500.00 fine, daily, per violation for repeat offences;
 - c. \$150.00 administrative fee.

Refund Policy

- *No refunds for issued permits, permits under \$200, penalty fees, surcharges, etc.*
- *No refunds on permit applications greater than 30 days old*
- *Refunds shall be 60% of the fee paid in excess of \$200.*

Cost Recovery Provision. Applicant is responsible for the cost of recovering administrative, engineering, legal review, and/or any other professional service required in conjunction with any application, including any public notice costs in excess of minimum advertising fee, including notice costs, such as postage, etc.

EXHIBIT “C”

TOWN OF HIGHLAND BEACH
SCHEDULE OF FEES

EFFECTIVE 10/01/2023 – 05/31/2024

VIII. SOLID WASTE AND RECYCLING SERVICES

a. Single-family curbside	\$ 29.15 per month*
b. Multi-family curbside (4 units or less)	\$ 29.15 per month*
c. Multi-family curbside (more than 4 units)	\$ 17.46 per month*
d. Special medical	Per Contract
e. Container rentals	Per Contract
f. Commercial services	Per Contract

*Cost includes 5% administrative charge

EFFECTIVE 06/01/2024 – 09/30/2024

a. Single-family curbside	\$ 31.19 per month*
b. Multi-family curbside (4 units or less)	\$ 31.19 per month*
c. Multi-family curbside (more than 4 units)	\$ 18.68 per month*
d. Special medical	Per Contract
e. Container rentals	Per Contract
f. Commercial services	Per Contract

*Cost includes 5% administrative charge

EXHIBIT “D”

TOWN OF HIGHLAND BEACH
SCHEDULE OF FEES

EFFECTIVE 05/01/2024 – 09/30/2024

May go into effect earlier if Fire Rescue Department goes live prior to May, 1 2024.

I. EMERGENCY MEDICAL SERVICES TRANSPORT FEES

a. Basic Life Support	\$650.00
b. Advanced Life Support 1	\$685.00
c. Advanced Life Support 2	\$770.00
d. Mileage	\$12.00/mile

II. SCHEDULE OF FIRE INSPECTIONS

There are no fees for Required Florida Fire Prevention Code Annual Fire inspections.

a. Ambulatory Health Care	Annual
b. Apartments/Condominiums (3-6 units with common area) No fire protection equipment systems	Annual
c. Apartments/Condominiums (3-6 units without common area) No fire protection equipment systems	Annual
d. Apartments/Condominiums (7 units or more)	Annual
e. Apartments/Condominiums with Fire Protection Equipment Systems	Annual
f. Assembly/Restaurants	Annual
g. Business – Shell	Annual
h. Fire Pump Inspection	Annual
i. Gate Inspections per access point	Annual
j. Hotel Dormitories	Annual
k. Lodging or Rooming Houses	Annual
l. Storage/Parking	Annual

III. CUSTOMER REQUESTED PERMIT FEES

a. Temporary Structures (Tents)	\$150.00
b. Flow Test	\$350.00
c. Bonfire Permit (Beach)	\$300.00
d. Pyrotechnics/Fireworks	\$250.00
e. Fire Watch	\$125.00 per hour (min 4 hours min fee \$500)
f. Special Event	\$150 per hour (2-hour min) \$50.00 per hour over 2 hours (fees are per staff member)

IV. NEW AND EXISTING CONSTRUCTION FEES

a. Plans and Inspections	\$100 on Cost of Construction up to \$20,000
b. Plans and Inspections	0.5% on Total Construction Cost Above \$20,000

- c. Penalty for Work commencing prior to plan review/approval 2.5 times permit fees
- d. Customer Requested After Hours Inspections \$125.00 per visit per hour
(min. 2 hours)

V. FIRE ALARMS FEES

- a. False Alarm for Non-Registered System All false alarms fiscal year \$200R-\$1,000C
- b. False Alarms for Registered System
 - No Charge for false alarms 1-3 fiscal year
 - 4th false alarm fiscal year \$75
 - 5th false alarm fiscal year \$100
 - 6th false alarm fiscal year \$150
 - 7th or more false alarm fiscal year \$200/call
- c. Alarm Registration \$35.00
- d. Renewals/Updates \$10.00

File Attachments for Item:

D. Discussion on past charter amendments and upcoming referendum questions.

1. Town Attorney Memorandum regarding Canvassing Board



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE September 5, 2023

SUBMITTED BY: Town Manager's Office

SUBJECT: Discussion on past charter amendments and upcoming referendum questions.

SUMMARY:

Vice Mayor Stern has requested a Commission discussion of past charter amendment and any potential future referendum questions.

History:

In 2022, the Town's Charter Review Board conducted a thorough review of the Town's Charter, resulting in a recommendation to the Commission to ask the electorate to vote on charter amendments by way of referendum questions. On the March 2022 ballot, five (5) referendum questions were proposed to the voters. Of the five questions, four (4) were ultimately voted against by the electorate.

The five charter questions were:

1. SHALL THE TOWN OF HIGHLAND BEACH AMEND ITS CHARTER TO ADOPT SECTION 2.01(31) TO PROVIDE THAT THE TOWN MAY NOT TRANSFER CONTROL, ABOLISH, MERGE WITH, OR SELL THE SERVICES OF FIRE RESCUE, POLICE OR WATER UNLESS APPROVED BY A REFERENDUM VOTE OF THE ELECTORATE?
 2. TO RECOGNIZE THE GROWTH OF COSTS AND SUPPORT THE DELIVERY OF TOWN SERVICES, INCLUDING ITEMS LIKE THE WATER TREATMENT PLANT, LIBRARY, POLICE, AND FIRE RESCUE, SHALL THE TOWN OF HIGHLAND BEACH AMEND ITS CHARTER AT SECTION 2.01(30) TO PROVIDE THAT THE FUNDING LIMITS BE INCREASED FROM THE CURRENT LIMIT OF \$350,000, WHICH WAS ESTABLISHED IN 1991, TO FIVE PERCENT (5%) OF THE TOWN'S TOTAL ANNUAL BUDGET?
 3. SHALL THE TOWN OF HIGHLAND BEACH AMEND ITS CHARTER SECTION 3.02(1) TO AUTHORIZE THE MANAGER AND FINANCE DIRECTOR SIGN CHECKS AND PAY LAWFUL DEBTS; AUTHORIZE A MEMBER OF THE COMMISSION TO SIGN IN THE ABSENCE OF THE MANAGER OR FINANCE DIRECTOR OR TWO
-

COMMISSIONERS TO SIGN IN THE ABSENCE OF BOTH THE TOWN MANAGER AND FINANCE DIRECTOR?

4. SHALL THE TOWN OF HIGHLAND BEACH AMEND ITS CHARTER AT SECTION 1.06(3) TO PROVIDE THAT NO PERSON MAY SERVE MORE THAN THREE CONSECUTIVE FULL TERMS IN ANY ONE OFFICE; NOR SERVE MORE THAN TWELVE CONSECUTIVE YEARS AS A TOWN ELECTED OFFICIAL?
5. SHALL THE TOWN OF HIGHLAND BEACH AMEND ITS CHARTER AT SECTION 3.05 TO PROVIDE THAT THE SALARIES OF THE TOWN COMMISSIONERS AND MAYOR MAY BE DETERMINED BY ORDINANCE BUT SHALL NOT BE INCREASED BY MORE THAN FIVE (5%) IN ANY GIVEN YEAR?

Besides redressing the past charter questions, the Town Manager's Office suggests that the Commission should also consider charter questions related for capital projects such as the rehabilitation of the old fire station, Town wide sewer lining project, and the rehabilitation of lift stations as well as other charter amendments such as the canvassing board change.

It is important to keep in mind if the Commission decides to include referendum questions on the March election ballot, there must be two reads of an ordinance approving the final language. This language must be submitted to the Supervisor of Election's (SOE) office no later than Friday, December 15, 2023. Please note, this date is subject to change per the SOE.

FISCAL IMPACT:

N/A

ATTACHMENTS:

N/A

RECOMMENDATION:

Commission discussion.

MEMORANDUM

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

FROM: Leonard G. Rubin, Town Attorney

RE: Transfer of Canvassing Duties to Palm Beach County

DATE: August 31, 2023

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

Background:

At its August 15, 2023 meeting, the Town Commission discussed eliminating the Town's Canvassing Board and transferring such duties to the Palm Beach County Canvassing Board. Section 1.06(7) of the Town Charter currently requires that the Town Clerk (or designee), the Supervisor of Elections, and one Commissioner appointed by the Town Commission (whose seat is not scheduled to be voted upon) serve as the Town's Canvassing Board. As discussed by the Town Clerk, the Supervisor of Elections has expressed reluctance to serve as a member of a municipal canvassing board. Additionally, most municipalities have abandoned their individual canvassing boards and utilize the County Canvassing Board, which consists of the Supervisor of Elections, a member of the County Commission, and a County Court judge, who serves as chair. The Commission questioned the method by which the Town could eliminate its own Canvassing Board and assign such duties to the County Canvassing Board.

Discussion and Recommendation:

Prior to 2014, Section 1.06(7) of the Town Charter provided that "[w]ithin seven (7) days after any election or referendum, the Commission shall meet publicly and canvass the returns and certify the results." In 2014, the Town Commission adopted an Ordinance revising Section 1.06(7) of the Town Charter to create the Town's Canvassing Board and submitted the proposed revision to referendum vote. Florida law is well settled that when a Charter provision is adopted by referendum vote, it may only be amended by referendum vote. See Attorney General Opinion 97-53 (city commission may not delegate its canvassing board duties, as prescribed by the city charter, to a consolidated countywide municipal canvassing board, absent an amendment to the city's existing charter by referendum approval of the city's electorate).

Section 163.031, Florida Statutes, requires referendum approval for revisions to municipal charters, subject to certain exceptions that do not apply here. While Section 101.75(3), Florida Statutes, allows a municipality to change the date of its municipal election to a date concurrent with any statewide or countywide election notwithstanding any charter provision to the contrary, there is no statutory provision that would allow the Town Commission to amend the Town Charter to eliminate the Town Canvassing Board in favor of the County Canvassing Board by ordinance. In order to effectuate this change, the Town Commission would be required to follow the procedures outlined in Section 163.031, Florida Statutes, namely the adoption of an ordinance effectuating the change, subject to referendum vote of the Town's electors. This is the same process the Town followed in 2014.

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