

AGENDA

PLANNING BOARD REGULAR MEETING



Thursday, January 11, 2024 AT 9:30 AM

TOWN OF HIGHLAND BEACH, FLORIDA

3618 S. OCEAN BOULEVARD

HIGHLAND BEACH, FL 33487

Telephone: (561) 278-4548

Website: www.highlandbeach.us

LIBRARY COMMUNITY ROOM

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

A. December 14, 2023

8. **UNFINISHED BUSINESS**

A. Development Order Application No. 23-0007 / Seth H. Hochbaum & Laura A. Coburn

Application by Mitchell Scavone, Ray Qualmann Marine Construction, Inc., for a Special Exception Request to install a 100 linear foot seawall/seawall cap, and two 10-foot returns for the property located at 1101 Highland Beach Drive, Unit A.

9. **NEW BUSINESS**

A. Development Order Application No. 23-0010 / David Nutter / Boca Highland Center, Inc.

Application by B&M Marine Construction, Inc. For an amendment to a previously approved special exception request (Development Order No. 21-0008) to install a 465 square foot marginal dock, and a 257 linear foot seawall and cap, for the property located at 4801 South Ocean Boulevard.

B. Development Application No. 23-0012 / Michael J. Beyer

Application by Anthony Routhier, Cavadium, Inc., 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, balconies, exterior walls, number of square feet, roof line, and elevation for the property located at 2365 South Ocean Boulevard.

10. ANNOUNCEMENTS

January 15, 2024		Town Hall Closed in Observance of Martin Luther King Jr. Day
February 06, 2024	1:30 PM	Town Commission Meeting
February 07, 2023	11:00 AM	Natural Resources Preservation Advisory Board Meeting
February 08, 2023	9:30 AM	Planning Board Meeting

11. ADJOURNMENT

Any person that decides to appeal any decision made by the Board of Adjustment & Appeals with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record including testimony and evidence upon which the appeal is based. (State Law requires the above Notice. Any person desiring a verbatim transcript shall have the responsibility, at his/her own cost, to arrange for the transcript.) The Town neither provides nor prepares such record. There may be one or more Town Commissioners attending the meeting.

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

File Attachments for Item:

A. December 14, 2023



TOWN OF HIGHLAND BEACH PLANNING BOARD REGULAR MEETING MINUTES

Library Community Room
3618 South Ocean Boulevard
Highland Beach, Florida 33487

Date: December 14, 2023
Time: 9:30 AM

1. CALL TO ORDER

Chairperson Goldenberg called the meeting to order at 9:29 A.M.

2. ROLL CALL

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

ADDITIONAL STAFF PRESENT

Town Planner Ingrid Allen

ABSENT

Board Member Roger Brown

3. PLEDGE OF ALLEGIANCE

The Board Members led the Pledge of Allegiance to the United States of America followed by Chairperson Goldenberg welcoming Member Axelrod to the Planning Board.

4. APPROVAL OF THE AGENDA

Motion: Axelrod/Mendelson– Moved to approve the agenda as amended which passed 6 to 0.

5. SWEARING IN OF THE PUBLIC

Deputy Town Clerk Jaclyn DeHart swore in those giving testimony.

6. PUBLIC COMMENT

There were no public comments.

7. APPROVAL OF MINUTES

A. November 09, 2023

Motion: Powell/Axelrod – Moved to approve the minutes as presented which passed 6 to 0.

8. UNFINISHED BUSINESS

A. None.

9. NEW BUSINESS

A. Welcome New Board Member Eve Rosen

Chairperson Goldenberg introduced Member Eve Rosen and announced that Member Harry Adwar had left the board.

B. Development Order Application No. 23-0007 / Seth H. Hochbaum & Laura A. Coburn

Application by Mitchell Scavone, Ray Qualmann Marine Construction, Inc., for a Special Exception Request to install a 100 linear foot seawall/seawall cap, and two 10-foot returns for the property located at 1101 Highland Beach Drive, Unit A.

Chairperson Goldenberg read the title of the item and asked the Board Members if they had any ex parte communications to disclose. The Members had no ex parte communications.

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

Town Planner Allen presented Development Order No. 23-0007.

Seth Hochbaum, property owner, made comments about the property in question in regard to ownership of the parcel north of the property.

Kyle Martinez spoke about the return walls after being sworn in by deputy Town Clerk Jaclyn Dehart.

Deputy Town Clerk DeHart swore in Jill Cammisa, owner of 1101 Highland Beach Dr. Apt B, who then voiced concerns over the development order.

The Board discussed the application followed by a motion.

Motion: Mendelson/ Powell – Moved to continue this item to the January 11, 2024, meeting. Based upon a roll call: Vice Chairperson Mendelson (Yes), Member Powell (Yes), Member Rosen (Yes), Member Chudnofsky (Yes), Member Axelrod (Yes), and Chairperson Goldenberg (Yes). The motion passed on a 6 to 0 vote.

C. Development Order Application No. 23-0016 / Le Sanctuaire Condominium Association

An amendment to a previously approved major modification to an existing building (Development Order No. 23-0003) to modify the landscape plan to reflect landscaping in the FDOT's right-of-way (S.R. A1A) adjacent to the property located at 3425 South Ocean Boulevard.

Chairperson Goldenberg read the title of the item and asked the Board Members if they had any ex parte communications to disclose. The Members had no ex parte communications.

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

Town Planner Allen presented Development Order No. 23-0016.

Motion: Axelrod/Mendelson - Moved to approve (Development Order No. 22-0016, amendment to development order No. 23-0003). Based upon roll call: Member Axelrod (Yes), Vice Chairperson Mendelson (Yes), Member Rosen (Yes), Member Powell (Yes), Member Chudnofsky (Yes), and Chairperson Goldenberg (Yes). The motion passed on a 6 to 0 vote.

D. Consideration of the 2024 Proposed Planning Board Meeting Dates.

Motion: Chudnofsky/Powell – Moved to accept the 2024 Planning Board Meeting schedule as presented, which passed unanimously 6 to 0.

10. ANNOUNCEMENTS

Chairperson Goldenberg read the announcements as follows:

December 19, 2023	1:30 P.M.	Town Commission Meeting
December 25, 2023		Town Hall Closed in observance of Christmas
January 1, 2024		Town Hall Closed in observance of New Year's Day
January 11, 2024	9:30 A.M.	Planning Board Regular Meeting

11. ADJOURNMENT

The meeting was adjourned at 10:20 A.M.

APPROVED on January 11, 2024, Planning Board Regular Meeting.

Eric Goldenberg, Chairperson

ATTEST:

Transcribed by: Jaclyn DeHart

01/11/2024

Jaclyn DeHart
Deputy Town Clerk

Date

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

File Attachments for Item:

A. Development Order Application No. 23-0007 / Seth H. Hochbaum & Laura A. Coburn
Application by Mitchell Scavone, Ray Qualmann Marine Construction, Inc., for a Special
Exception Request to install a 100 linear foot seawall/seawall cap, and two 10-foot
returns for the property located at 1101 Highland Beach Drive, Unit A.



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Planning Board Meeting

MEETING DATE January 11, 2024

SUBMITTED BY: Ingrid Allen, Town Planner, Building Department

SUBJECT: APPLICATION BY MITCHELL SCAVONE, RAY QUALMANN MARINE CONSTRUCTION, INC., FOR A SPECIAL EXCEPTION REQUEST TO INSTALL A 100 LINEAR FOOT SEAWALL/SEAWALL CAP, AND TWO 10-FOOT RETURNS FOR THE PROPERTY LOCATED AT 1101 HIGHLAND BEACH DRIVE UNIT A. (DO# 23-0007)

SUMMARY:

At the December 14, 2023 Planning Board (“Board”) meeting, the Board moved to continue this item to the January 11, 2024 meeting. Consensus from the Board was that they wish to see an agreement between the Applicant and the adjacent property owner to the north that allows for the installation of the seawall. As of the writing of this memorandum, staff has not received an agreement from the Applicant. The Board will be updated on the status of the agreement at the January 11, 2024 Board meeting.



HIGHLAND BEACH BUILDING DEPARTMENT

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

PLANNING BOARD STAFF REPORT

MEETING OF: DECEMBER 14, 2023

TO: PLANNING BOARD

FROM: INGRID ALLEN, TOWN PLANNER

SUBJECT: APPLICATION BY MITCHELL SCAVONE, RAY QUALMANN MARINE CONSTRUCTION, INC., FOR A SPECIAL EXCEPTION REQUEST TO INSTALL A 100 LINEAR FOOT SEAWALL/SEAWALL CAP, AND TWO 10-FOOT RETURNS FOR THE PROPERTY LOCATED AT 1101 HIGHLAND BEACH DRIVE UNIT A. (DO# 23-0007)

I. GENERAL INFORMATION:

Applicant (Property Owner): Seth H. Hochbaum & Laura A. Coburn
1101 Highland Beach Drive, Unit A
Highland Beach, FL 33487

Applicant's Agent: Mitchell Scavone
Ray Qualmann Marine Construction, Inc.
2860 NE 16 Street
Pompano Beach, FL 33062

Property Characteristics:

Site Location: 1101 Highland Beach Drive, Unit A
Comprehensive Plan Land Use: Multi Family Low Density
Zoning District: Residential Multiple Family Low Density (RML)
Parcel PCN#: 24-43-47-04-02-002-0161

Request and Analysis:

The Applicant is proposing to install a 100 linear foot seawall and seawall cap, and two (2) 10-foot returns for the property located at 1101 Highland Beach Drive, Unit A. The installation of the new seawall is proposed 12-inches waterward of the existing seawall. According to the survey provided by the Applicant, the existing and proposed seawalls are located within the adjacent parcel to the north of the subject property. According to the Palm Beach County Property Appraiser, ownership of this adjacent parcel is affiliated with the Ocean Cove at Highland Beach HOA Inc. Given the special exception request is to install a seawall for the Applicant’s property, it is acceptable to the Town that the property owner of 1101 Highland Beach Drive, Unit A is the sole applicant.

The Applicant has obtained South Florida Water Management District (SFWMD) and U.S. Army Corps of Engineers (ACOE) authorizations as follows:

SFWMD (FILE NO.)	ACOE (FILE NO.)
50-108526-P (Exemption No.) 230227-37740 (Application No.)	SAJ-2023-01112(NW-KMM)

Note that staff was advised by the SFWMD that because a previously issued SFWMD environmental resource permit was associated with the property, their review was required for the proposed request rather than the Florida Department of Environmental Protection (FDEP).

According to Section 6-128(b) of the Town Code, all seawalls west of State Road A1A shall be at base flood elevation (BFE) or higher as provided by the FEMA FIRM maps. The current BFE for the property is six (6) feet NAVD, the Applicant’s proposed new seawall is at 6.00 feet NAVD.

Section 30-36(a) of the Town Code states that the Planning Board shall review and be the final authority on applications involving seawalls. In addition, Section 30-36(a) of the Town Code indicates that the Planning Board may approve, approve with conditions, or deny a request for special exception relating to seawalls, bulkheads, retaining walls and accessory marine facilities.

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

Staff reviewed the Applicant’s proposed request and finds that the project is consistent with the Town Code of Ordinances. If the Planning Board should grant approval of the special exception request, staff recommends the following condition of approval which is based on the Applicant’s plan set, date stamped received by the Building Department on November 28, 2023:

1. Prior to the submittal of a Building Permit application to the Town’s Building Department for the installation of the seawall, the Applicant shall provide an executed agreement between the property owner and the Ocean Cove at Highland Beach HOA Inc. to install such seawall or otherwise demonstrate, to the satisfaction of the Town, that the approval of the Ocean Cove at Highland Beach

HOA Inc. is not legally required for the installation of the seawall on property owned by the HOA.

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

Attachments: Application

Aerials

Property HOA approval

SFWMD approval

ACOE approval

Applicant proposed plans (11x17)

According to the Palm Beach County Property Appraiser, ownership of the parcel to the north of the subject property is affiliated with the Ocean Cove at Highland Beach HOA.

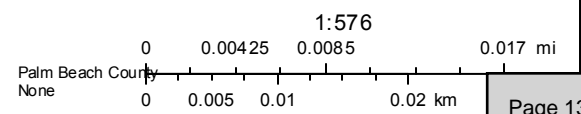
SUBJECT PROPERTY

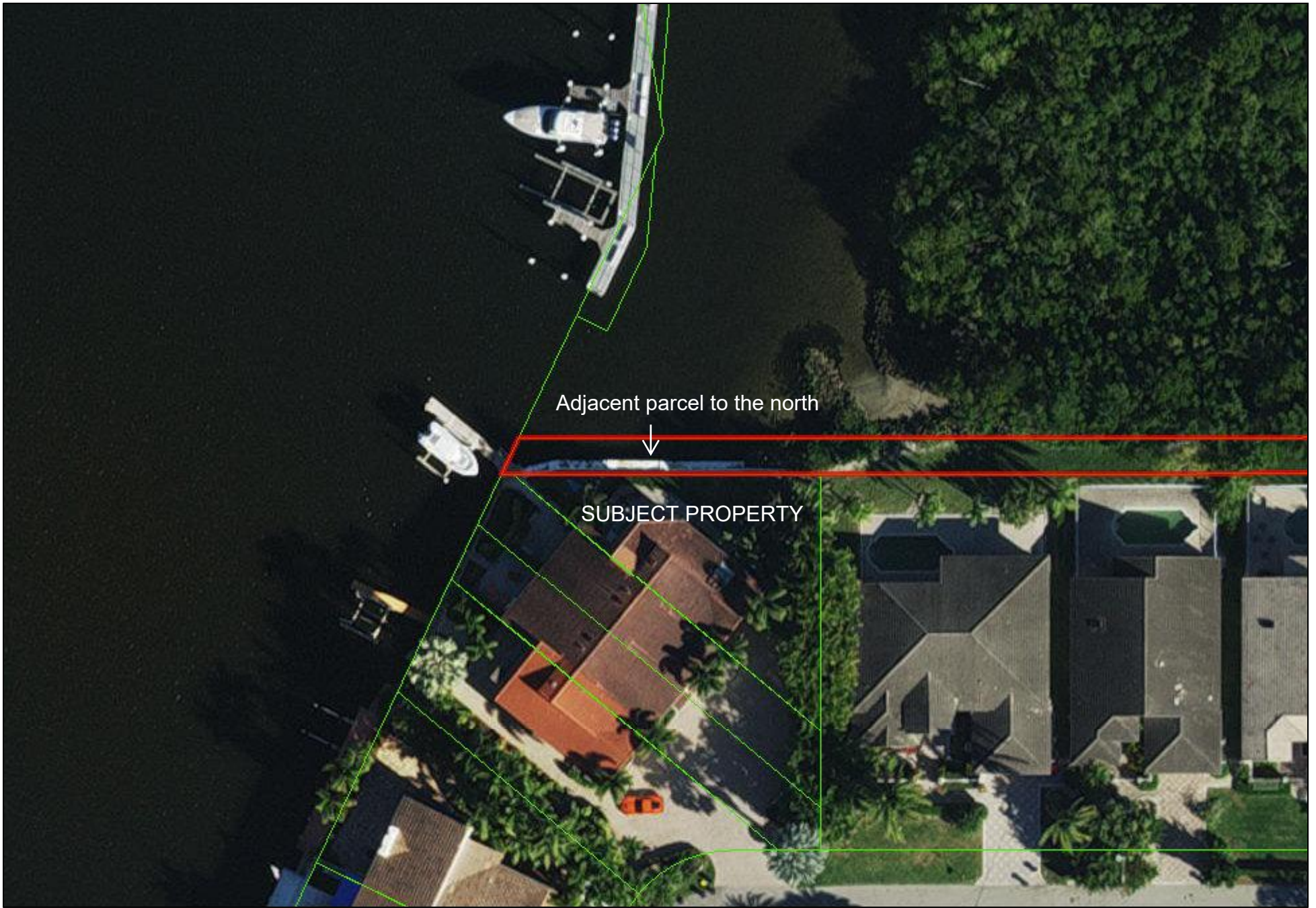
Highland Beach Dr

Highland Beach



1101 Highland beach Dr Unit A





Adjacent parcel to the north



SUBJECT PROPERTY



Adjacent parcel to the north of subject property

1101 Highland Beach Drive Unit A

Looking southward



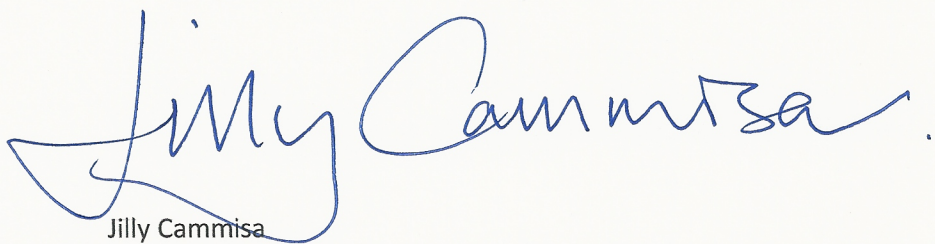
Looking eastward



Highland Pointe Association Inc.
1101 Highland Beach Drive, Apt B.
Highland Beach Fl 33487

July 21st, 2023

Highland Pointe Association Inc. (The Homeowners Association for 1101 Highland Beach Dr.,) gives permission to the owners of 1101 Highland Beach Drive, unit A, Highland Beach Fl 33487 to construct a 100 linear foot precast pile and panel seawall and seawall cap with returns.



Jilly Cammisa

President – Highland Pointe Association Inc.

Hochbaum-Coburn 230227-37740

5 messages

Westerfield, Caitlin <cwesterf@sfwmd.gov>

Wed, Jul 19, 2023 at 3:45 PM

To: "permits@qualmannmarine.com" <permits@qualmannmarine.com>

Hello,

I received a call about the subject application regarding a typo on the exemption letter write up. This error was fixed on the corrected permit issued on March 24, 2023. Please see the [ePermitting file](#) for the corrected exemption letter and notice of the corrected permit.

Thanks,

**Caitlin Westerfield**

Environmental Analyst II

Phone: (561) 682-6058**Email:** cwesterf@sfwmd.gov

3301 Gun Club Road

West Palm Beach, FL 33409

-

NOTE: While the District supports that it is commonplace and convenient to collaborate via email during the pre-application/application process, Permit Applications and Responses to a Request for Additional Information (RAI) submitted via email are **not** an official submittal (Section 4.4 of Environmental

Resource Permit Applicant's Handbook Volume I). For timely and efficient processing of permit applications and RAI responses, please submit online using [ePermitting](#).

Due to Florida's broad public records law, any and all correspondence via email may be subject to disclosure.

Permit Dept. <permits@qualmannmarine.com>
To: "Westerfield, Caitlin" <cwesterf@sfwmd.gov>

Wed, Jul 19, 2023 at 3:49 PM

Thank you!
I guess I missed that one.
Have a great day!

Marie Bessette
Permit Coordinator

Ray Qualmann Marine Construction Inc
American Seawall Marine Construction Inc
2860 NE 16 Street,
Pompano Beach FL 33062
954.941.0132

[Quoted text hidden]

Permit Dept. <permits@qualmannmarine.com>
To: "Westerfield, Caitlin" <cwesterf@sfwmd.gov>

Fri, Jul 28, 2023 at 8:51 AM

Good morning,
We just heard back from the City regarding this project.
they require the seawall cap to be at 6.0 NAVD.
Can I get some type of letter stating that the 6.0 NAVD is approved by SFWMD?
I am getting the same from ACOE also.
Let me know.
Have a great day!

Marie Bessette
Permit Coordinator

Ray Qualmann Marine Construction Inc
American Seawall Marine Construction Inc
2860 NE 16 Street,
Pompano Beach FL 33062
954.941.0132

On Wed, Jul 19, 2023 at 3:45 PM Westerfield, Caitlin <cwesterf@sfwmd.gov> wrote:
[Quoted text hidden]

Westerfield, Caitlin <cwesterf@sfwmd.gov>
To: "Permit Dept." <permits@qualmannmarine.com>

Fri, Jul 28, 2023 at 12:27 PM

Hello,

I cannot provide an official letter unless an exemption request is submitted with the updated plans.

However, if an email will suffice, the District is fine with the change to 6.0 ft NAVD.

Thanks,



Caitlin Westerfield

Environmental Analyst II

Phone: (561) 682-6058

Email: cwesterf@sfwmd.gov

3301 Gun Club Road

West Palm Beach, FL 33409

-

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Due to Florida's broad public records law, any and all correspondence via email may be subject to disclosure.

From: Permit Dept. <permits@qualmannmarine.com>
Sent: Friday, July 28, 2023 8:52 AM
To: Westerfield, Caitlin <cwesterf@sfwmd.gov>
Subject: Re: Hochbaum-Coburn 230227-37740

[Please remember, this is an external email]

[Quoted text hidden]

Permit Dept. <permits@qualmannmarine.com>
To: "Westerfield, Caitlin" <cwesterf@sfwmd.gov>

Fri, Jul 28, 2023 at 12:42 PM

I believe this could do the trick.
Army Corps stated the same.
Thanks

Marie Bessette
Permit Coordinator

Ray Qualmann Marine Construction Inc
American Seawall Marine Construction Inc
2860 NE 16 Street,
Pompano Beach FL 33062
954.941.0132

[Quoted text hidden]



Corrected Copy March 24, 2023

March 22, 2023

** Delivered via email*

Seth/Laura Hochbaum/Coburn *
1101 Highland Beach Drive Unit A
Palm Beach, FL 33487

**Subject: Exemption for Hochbaum-Coburn
Application No. 230227-37740
Exemption No. 50-108526-P
Palm Beach County**

Dear Seth & Laura Hochbaum-Coburn:

The South Florida Water Management District (District) reviewed the information submitted for the proposed seawall and pile installation and has determined that the proposed project is exempt from the requirement to obtain an Environmental Resource Permit, pursuant to Rules 62-330.051 (12)(b) and 62-330.051(12)(d), Florida Administrative Code.

The proposed activities will occur at 1101 Highland Beach Drive Unit A, in Highland Beach, Palm Beach County. See Exhibit No. 1.0 for Location Map.

Based on the plans (Exhibit No. 2.0) received by the District on February 24, 2023, the proposed activities to be conducted under the exemption involve:

1. The removal of existing batter piles and rip rap boulders in front of the existing seawall.
2. The construction of a 100 linear-foot precast pile and panel seawall, no more than 12.0 inches waterward from the existing seawall.
3. The construction of seawall caps to incorporate king and batter piles.
4. The construction of two 10-foot returns using one 3.0-inch pin pile at each end of property, with minimal backfilling to achieve grade.

Activities that qualify for this exemption must be conducted and operated using appropriate best management practices and in a manner which does not cause or contribute to a water quality violation. Pursuant to Chapters 62-302 or 62-4, Florida Administrative Code.

This letter does not relieve you from the responsibility of obtaining other permits (federal, state or local) which may be required for the project.

The determination that this project qualifies as an exempt activity may be revoked if the installation is substantially modified, if the basis of the exemption is determined to be materially incorrect, or if the installation results in violation to state water quality standards. Any changes made in the construction plans or location of the project may necessitate a permit from the District. Therefore you are advised to contact the District before beginning any work in wetlands which is not specifically described in the submittal.

The notice of determination that the project qualifies as an exempt activity constitutes final agency action by the District unless a petition for administrative hearing is filed. Upon timely filing of a petition, this Notice will not be effective until further Order of the District. If you have any questions concerning this matter, please contact Caitlin Westerfield, Environmental Analyst 2 at 561-682-6058 or cwesterf@sfwmd.gov, and Susana Pascal, Engineering Specialist IV at (561) 682-2905 or spascal@sfwmd.gov.

Sincerely,



Jesse Markle, P.E.
Bureau Chief, Environmental Resource Bureau

c: Mitchell Scavone, Ray Qualmann Marine Construction Inc *

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website (<http://my.sfwmd.gov/ePermitting>) and searching under this application number 230227-37740.

[Exhibit 1.0 Location Map](#)

[Exhibit 2.0 Plans](#)

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.
- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a

petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.

- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

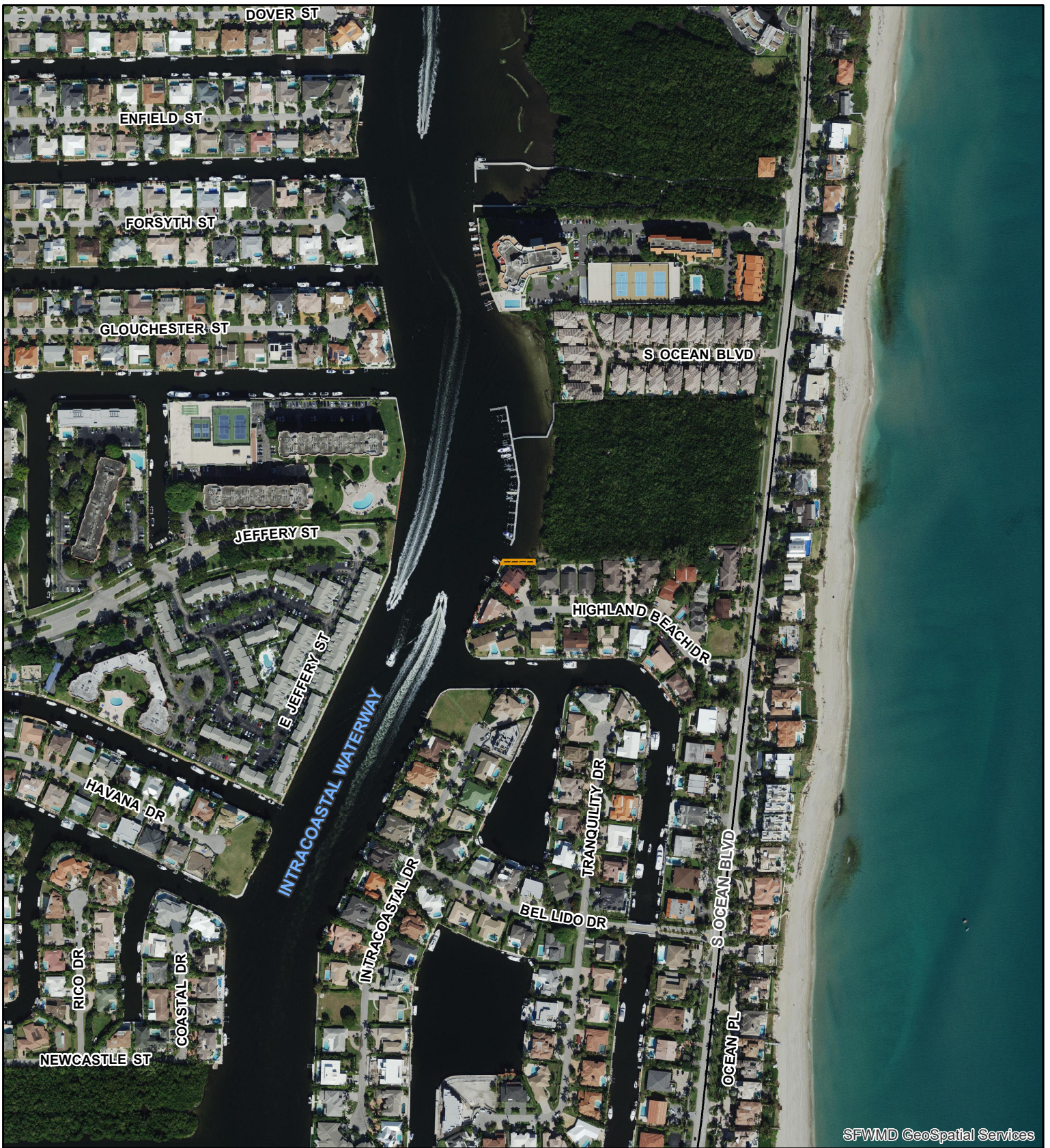
1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.



SFWMDC GeoSpatial Services

Exhibit No: 1

Exhibit Created On:
2023-03-20

PALM BEACH COUNTY, FL

 Application

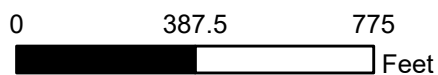
Exemption No: 50-108526-P

Application Number: 230227-37740



REGULATION DIVISION

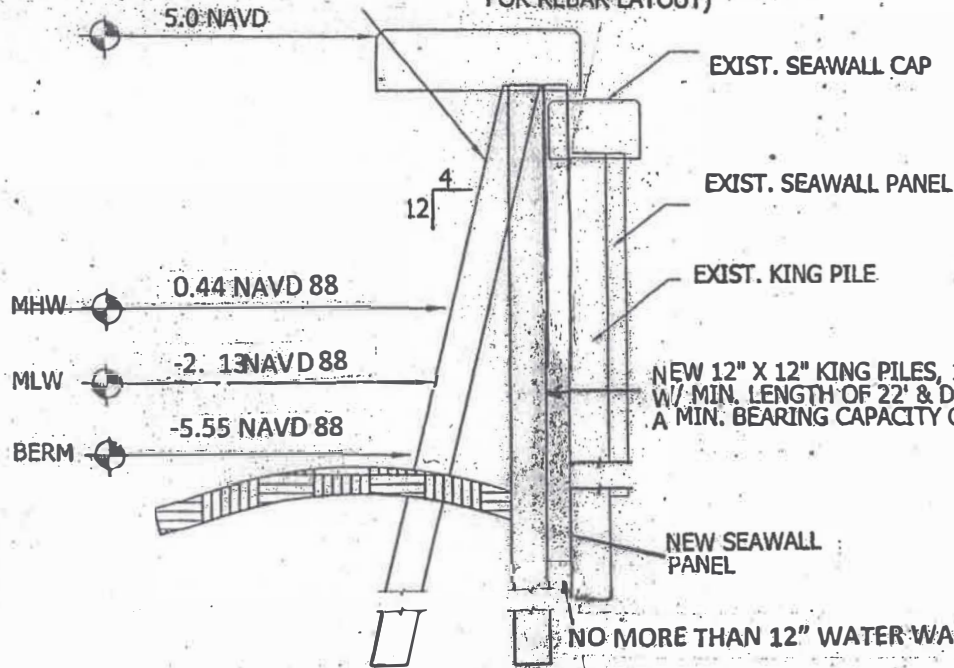
Project Name: Hochbaum-Coburn



South Florida Water Management

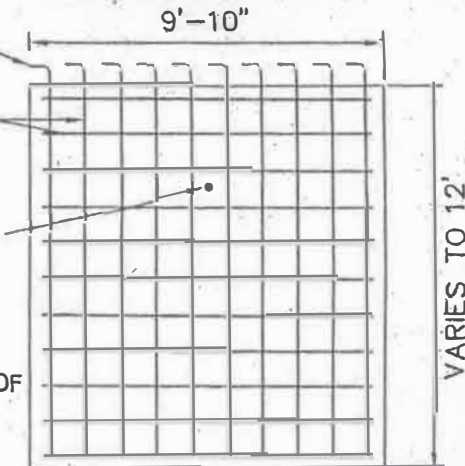
NEW 12" X 12" BATTER PILES, 10' O.C.,
W/ MIN. LENGTH OF 22' & DRIVEN TO
A MIN. BEARING CAPACITY OF 15 TONS

SEAWALL CAP
(SEE CAP CROSS SECTION
FOR REBAR LAYOUT)



CONCRETE SEAWALL SECTION
N.T.S.

STD. HOOK IN
VERT. BAR.
#5 REBAR 12" O.C.
VERT., 12" O.C. HORIZ.
SIDE COVER 6"
TOP / BOTTOM 4"



TYP. 8" THICK SEAWALL PANEL
N.T.S.

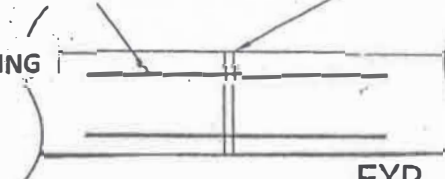
ONE 3" WEEPHOLE,
PLACED 2'-0"
INSIDE PANEL EDGE,
2'-10" BELOW TOP.

PROVIDE TWO 3/4"
LIFTING HOOKS IN TOP OF
PANEL OR 1/4" S.S.
CABLE FOR LIFTING.

3/4" DOWEL, 3' LONG, (4).
EACH CORNER OF CAP REBAR
CAGE. GREASED TO ALLOW EXPANSION.

1/2" EXP. MATERIAL W/
BACKER ROD (CONT.
AROUND JOINT)

NO MORE THAN 12" WATER WARD OF EXISTING



NOTE: PLACE EXP.
JT. @ MIDWAY
APPROX. EVERY 90 L.F. +/-

EXP. JOINT DETAIL
N.T.S.

Hochbaum, 1101 Highland Beach Dr, HB

GENERAL NOTES:

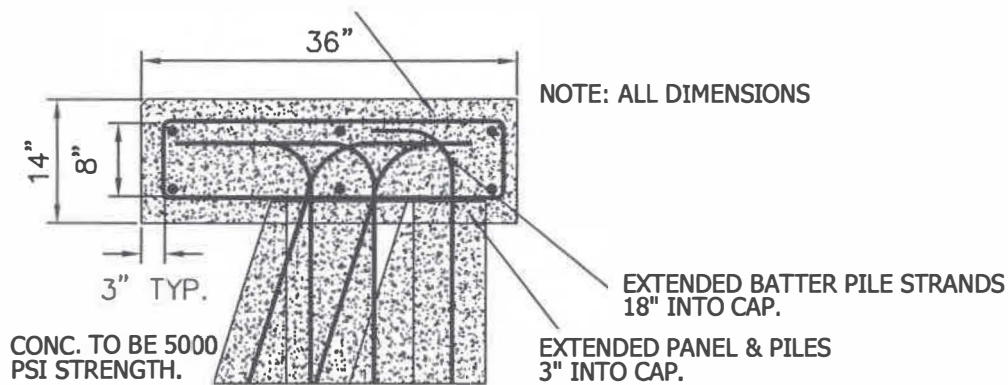
1. ALL CONCRETE TO BE 5000 psi. 28 DAY COMP. STRENGTH.
2. ALL STEEL REBAR TO BE GRADE 60
3. CONCRETE SHALL BE PROPERLY CURED.
4. CONTRACTOR TO OBTAIN UTILITY CLEARANCE PRIOR TO PILE DRIVING. CALL 1-800-432-4770.
5. ASSUMES GOOD BEARING SOIL. IF SILTS OR MUCK IS ENCOUNTERED, INCREASE PANEL DEPTH TO THE POINT OF REFUSAL AND CONTACT ENGINEER.

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



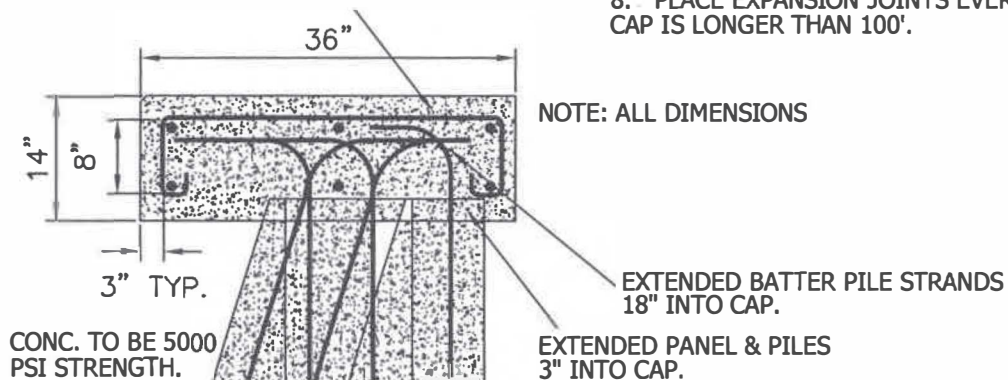
ESTABLISHED IN 1948

(3) - # 5 BARS TOP & BOTTOM,
W/ # 3 HOOPS 12" O.C., 6" O.C. @ PILE.



SEAWALL CAP
N.T.S.

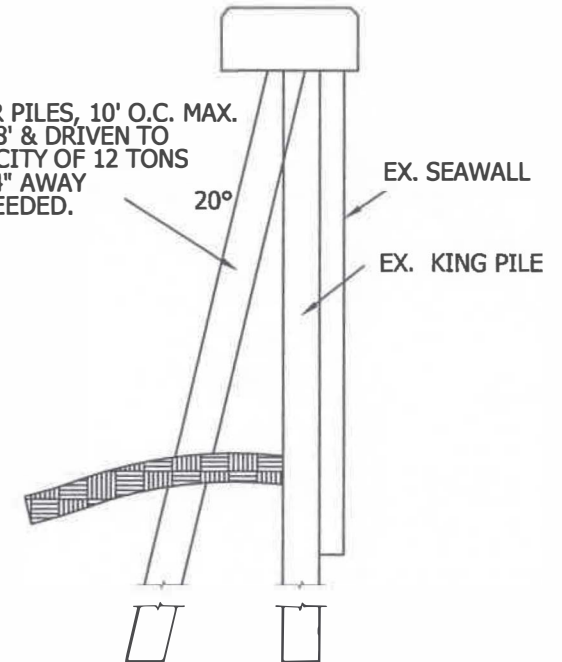
(3) - # 5 BARS TOP & BOTTOM,
W/ # STIRRUPS 12" O.C., 6" O.C. @ PILE.



ALTERNATE SEAWALL CAP
N.T.S.

SEAWALL CAP
(SEE CAP CROSS SECTION
FOR REBAR LAYOUT)

NEW 12" X 12" BATTER PILES, 10' O.C. MAX.
W/ MIN. LENGTH OF 18' & DRIVEN TO
A MIN. BEARING CAPACITY OF 12 TONS
OFFSET BATTER PILE 4" AWAY
FROM KING PILE, IF NEEDED.



CONCRETE SEAWALL SECTION
N.T.S.

- GENERAL NOTES:
1. ALL CONCRETE TO BE 5000 psi. 28 DAY COMP. STRENGTH.
 2. ALL STEEL REBAR TO BE GRADE 60
 3. CONCRETE SHALL BE PROPERLY CURED.
 4. CONTRACTOR TO OBTAIN UTILITY CLEARANCE PRIOR TO PILE DRIVING. CALL 1-800-432-4770.
 5. PLACE BATTERS AT EACH KING / T-PILE LOCATION.
 6. CAP WIDTH MAY VARY FROM 42", ADJUST LONGITUDINAL STEEL REBAR ACCORDINGLY.
 7. TYPICAL CAP THICKNESS 14".
 8. PLACE EXPANSION JOINTS EVERY 100' IF CAP IS LONGER THAN 100'.

Hochbaum, 1101 Highland Beach Dr Unit A Highland Beach

Handwritten signature and date: 2/22/23



ESTABLISHED IN 1948

Permit for SAJ-2023-01112 (Coburn, Laura/ riprap, seawall 1100 Highland Beach Drive Unit A/Palm Beach)

7 messages

Mallett, Kaitlyn M CIV USARMY CESAJ (USA) <Kaitlyn.M.Mallett@usace.army.mil>

Mon, Jun 5, 2023 at 10:56 AM

To: "Permit Dept." <permits@qualmannmarine.com>

Cc: "sethhochbaum@gmail.com" <sethhochbaum@gmail.com>, "CESAJ, RE Permits SAJ" <REPermitsSAJ.CESAJ@usace.army.mil>

Hello,

Please see the attached permit decision for SAJ-2023-01112. Please let me know if you have any questions. Thank you

**Kaitlyn Mallett**Biologist, Regulatory Division
Palm Beach Gardens SectionKaitlyn.M.Mallett@usace.army.mil**US Army Corps**

Phone: 561-545-4885

of Engineers[4400 PGA Blvd., Suite 500](#)
Palm Beach Gardens, FL 33410

Jacksonville District

From: CESAJ-RD-SP-General <Application-sp@usace.army.mil>**Sent:** Tuesday, February 28, 2023 8:48 AM**To:** Permit Dept. <permits@qualmannmarine.com>; Mallett, Kaitlyn M CIV USARMY CESAJ (USA) <Kaitlyn.M.Mallett@usace.army.mil>**Cc:** sethhochbaum@gmail.com**Subject:** SAJ-2023-01112 (Coburn, Laura/ riprap, seawall 1100 Highland Beach Drive Unit A/Palm Beach)

Your application for a Department of the Army, Corps of Engineers permit has been processed and assigned to a Project Manager. The project is known as:

Project No.

(Project Name)

SAJ-2023-01112 (Coburn, Laura/ riprap, seawall 1100 Highland Beach Drive Unit A/Palm Beach)

Kaitlyn Mallett has been assigned as the Project Manager (PM). Kaitlyn can be contacted at phone number **561-472-3503 office, 561-545-4885 cell** or by electronic mail at kaitlyn.m.mallett@usace.army.mil. Please refer to the SAJ No and project name in all future correspondence on this project and direct to your assigned Project Manager.

Please allow 10 working days for the assigned PM to review the projects before making initial contact with them.

BE ADVISED: You are cautioned that commencement of the proposed work in waters of the United States subject to Corps jurisdiction prior to Department of the Army (DA) authorization would constitute a violation of Federal laws and subject you to possible enforcement action. Receipt of a permit from the Florida Department of Environmental Protection or Florida Water Management Districts and/or other state and local agencies does not obviate the requirement for obtaining a DA permit prior to commencing the proposed work

 Sherilyn Connor

RD-SP RPA

561-545-6911

From: Permit Dept. <permits@qualmannmarine.com>

Sent: Friday, February 24, 2023 9:58 AM

To: CESAJ-RD-SP-General <Application-sp@usace.army.mil>

Subject: [Non-DoD Source] Hochbaum-Coburn-1101 Highland Beach Dr

Please assign & process

Marie Bessette

Permit Coordinator

Ray Qualmann Marine Construction Inc

American Seawall Marine Construction Inc

2860 NE 16 Street,

Pompano Beach FL 33062

954.941.0132

 **20230605-Permit.pdf**
1575K

Mallett, Kaitlyn M CIV USARMY CESAJ (USA)
<Kaitlyn.M.Mallett@usace.army.mil>
To: "Permit Dept." <permits@qualmannmarine.com>

Mon, Jun 26, 2023 at 10:01
AM

Marie,

Please confirm receipt of the attached. Thank you

[Quoted text hidden]

 **20230605-Permit.pdf**
1575K

Permit Dept. <permits@qualmannmarine.com>
To: "Mallett, Kaitlyn M CIV USARMY CESAJ (USA)" <Kaitlyn.M.Mallett@usace.army.mil>

Wed, Jul 19, 2023 at 1:35 PM

Good afternoon Kaitlyn,
Would it be possible to change the height of the cap to 6.0 NAVD.
This has been requested by the Planning Dept of Highland Beach.
Marie Bessette
Permit Coordinator

Ray Qualmann Marine Construction Inc
American Seawall Marine Construction Inc
2860 NE 16 Street,
Pompano Beach FL 33062
954.941.0132

[Quoted text hidden]

Mallett, Kaitlyn M CIV USARMY CESAJ (USA)
<Kaitlyn.M.Mallett@usace.army.mil>
To: "Permit Dept." <permits@qualmannmarine.com>

Wed, Jul 19, 2023 at 1:37
PM

Marie,

This could be noted in the as-builts since its not waterward a whole review of a verification may not be needed for height change of seawall cap.

[Quoted text hidden]

Permit Dept. <permits@qualmannmarine.com>

Fri, Jul 28, 2023 at 8:49 AM

To: "Mallett, Kaitlyn M CIV USARMY CESAJ (USA)" <Kaitlyn.M.Mallett@usace.army.mil>

Good morning,
The Town requires the seawall cap to be at 6.0 NAVD.
What do you need to help us comply with this requirement?
We will build to 6.0 NAVD.

Marie Bessette
Permit Coordinator

Ray Qualmann Marine Construction Inc
American Seawall Marine Construction Inc
2860 NE 16 Street,
Pompano Beach FL 33062
954.941.0132

[Quoted text hidden]

Mallett, Kaitlyn M CIV USARMY CESAJ (USA) <Kaitlyn.M.Mallett@usace.army.mil>

Fri, Jul 28, 2023 at 9:03 AM

To: "Permit Dept." <permits@qualmannmarine.com>

Marie,

Since As-builts with XY coordinates is conditioned into the permit and will be needed after completion of the work, the Corps would suggest noting the change on the As-builts since work is not being conducted more waterward than authorized. A new review of the change of 5 ft NAVD to 6 ft NAVD would not change what has been verified already.



Kaitlyn Mallett

Biologist, Regulatory Division
Palm Beach Gardens Section

Kaitlyn.M.Mallett@usace.army.mil

Phone: 561-545-4885

4400 PGA Blvd., Suite 500
Palm Beach Gardens, FL 33410

US Army Corps

of Engineers

Jacksonville District



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

June 5, 2023

Regulatory Division
South Branch
Palm Beach Gardens Section
SAJ-2023-01112(NW-KMM)

Laura Coburn
1101 Highland Beach Drive, Unit A
Highland Beach, Florida 33487
Sent via email: sethhochbaum@gmail.com

Dear Laura Coburn:

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit received on February 24, 2023. Your application was assigned file number SAJ-2023-01112(NW-KMM). A review of the information and drawings provided indicates that the proposed work would improve shoreline stabilization for a single-family residence by the installation of 100 linear feet of seawall 12-inches waterward of the existing wetface to the new wetface with new batter and king piles and installation of a 100 linear foot concrete seawall cap overpour (3-foot wide).

The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403), and Section 404 of the Clean Water Act (33 U.S.C. § 1344). The project is located in the Intracoastal Waterway at 1101 Highland Beach Dr. unit A, in Section 04, Township 47 South, Range 43 East, Highland Beach, Palm Beach County, Florida.

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) 13 (Bank Stabilization). **This verification is valid until March 14, 2026.** Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP. In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the NWP General Conditions and the Jacksonville District Regional Conditions, and the General and Project-Specific Special Conditions listed below. Alternatively, you can access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory Source Book web page for links to view NWP information at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>. Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there select "Source Book" and then select "Nationwide Permits." These files contain the description of the NWP authorization, the NWP general conditions, and the regional conditions, which apply specifically to this NWP verification.

You must comply with all of the special and general conditions for NWP-#, including any project-specific conditions included in this letter and all conditions incorporated by reference as described above.

General Conditions (33 CFR PART 320-330):

1. The time limit for completing the work authorized ends on **March 14, 2026**.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity, or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner on the transfer form attached to this letter and forward a copy to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Project Specific Special Conditions:

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

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

The Permittee shall reference this permit number, SAJ-2023-01112(NW-KMM), on all submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" Form (Attachment 2).
3. **As-Built Certification with X-Y Coordinates:** Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and complete the enclosed "As-Built Certification by Professional Engineer or Surveyor" form, (Attachment 3) to the Corps. The drawings shall be signed and sealed by a registered professional engineer or a professional land surveyor confirming the actual location of all authorized work/structures with respect to the Federal channel and/or within the Federal easement and include the following:
 - a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawings shall include the X & Y State Plane coordination points of the most waterward point of the structure. The drawings shall include the dimensions of the structure, location of mean high water line (MHWL), depth of water (at mean low water) at the waterward end of the structure, and the distance from the waterward end of the structure to the near design edge of the Federal channel.
 - b. List of any deviations between the work authorized by this permit and the work as constructed. In the event the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any

deviations that have been listed. Please note the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the Corps.

- c. The Department of the Army Permit number.
 - d. Within 60 days of completion of the work authorized by this permit, the Permittee shall provide a courtesy copy of the signed and sealed As-Built drawings to the Corps, Engineering Division. Submittals shall be sent either electronically by email at ENPermits.CESAJ@usace.army.mil or by standard mail at Post Office Box 4970, Jacksonville Florida 32232-0019.
4. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
 5. **Manatee Conditions:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 4). The most recent version of the Manatee Conditions must be utilized.
 6. **Jacksonville District Programmatic Biological Opinion (JAXBO):** Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable PDCs contained in the JAXBO, based on the permitted activity. Johnson’s seagrass and its critical habitat were delisted from the Endangered Species Act on May 16, 2022. Therefore, JAXBO PDCs required to minimize adverse effects to Johnson’s seagrass and its critical habitat are no longer applicable to any project. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take. The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at: <http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

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

7. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained daily until the authorized work has been completed and turbidity within the construction area has returned to ambient levels. Turbidity barriers shall be removed upon stabilization of the work area.

8. **Cultural Resources/Historic Properties:**
 - a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.

 - b. If, during permitted activities, items that may have historic or archaeological origin are observed the Permittee shall immediately cease all activities adjacent to the discovery that may result in the destruction of these resources and shall prevent his/her employees from further removing, or otherwise damaging, such resources. The applicant shall notify both the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333 and the Corps, of the observations within the same business day (8 hours). Examples of submerged historical, archaeological or cultural resources include shipwrecks, shipwreck debris fields (such as steam engine parts, or wood planks and beams), anchors, ballast rock, concreted iron objects, concentrations of coal, prehistoric watercraft (such as log "dugouts"), and other evidence of human activity. The materials may be deeply buried in sediment, resting in shallow sediments or above them, or protruding into water. The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions. Project activities shall not resume without verbal and/or written authorization from the Corps.

 - c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition and, if deemed necessary by the SHPO or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based on the circumstances of the discovery, equity to all parties, and

considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

- d. In the unlikely event that unmarked human remains are identified on non-federal lands; they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the SHPO and from the Corps.
9. **Consent to Easement:** A portion of the authorized work may be located within the Federal right-of-way and therefore, may require a Department of the Army Consent to Easement. The Permittee shall complete the "Application for Consent to Cross U.S. Government Easement" (Attachment 6) and submit to the Corps Real Estate Division SAJ-RE-Consent@usace.army.mil or Post Office Box 4970, Jacksonville, Florida 32232-0019 or by telephone at 904-570-4514. The application should include a boundary survey map along with the authorized construction plans and specifications for the project. Prior to commencement of construction, the Permittee shall provide a copy of the Corps approved Consent to Easement, or correspondence from the Real Estate Division indicating that a Consent to Easement is not required, to the address identified in the **Reporting Address Special Condition**.
10. **Federal Channel Setback:** The most waterward edge of the authorized project shall be constructed no closer than 84 feet from the near design edge of the federal channel as shown in the attached drawings.
11. **Notice of Permit:** The Permittee shall complete and record the "Notice of Department of the Army Authorization" form (attached) with the Clerk of the County Court, Registrar of Deeds or other appropriate official charged with the responsibility of maintaining records of title to or interest in real property within the county of the authorized activity. No later than 90 days from the effective date of this permit, the Permittee shall provide a copy of the recorded Notice of Permit

to the Corps clearly showing a stamp from the appropriate official indicating the book and page at which the Notice of Permit is recorded in the official records and the date of recording.

12. **Fill Material:** The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance in toxic amounts, in accordance with Section 307 of the Clean Water Act.

Jurisdictional Determination:

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

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

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

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

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We

strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Please be aware this Internet address is case sensitive and you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Should you have any questions related to this NWP verification or have issues accessing the documents reference in this letter, please contact Kaitlyn Mallett at the letterhead address above, via telephone at 561-545-4885, or via e-mail at Kaitlyn.M.Mallett@usace.army.mil .

Sincerely,

Kaitlyn Mallett

Kaitlyn Mallett
Project Manager

Enclosures

Cc:

Marie Bessette, Ray Qualmann Marine Construction Inc permits@qualmannmarine.com

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

DA PERMIT NUMBER: SAJ-2023-01112(NW-KMM)

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

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

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT) _____
(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

US Army Corps of Engineers

SAJ-2023-01112(NW-KMM)

Sheet 1 of 5

06/05/2023

[Coordinates](#)

DD (decimal degrees)*

Latitude 26.4018047

Longitude -80.0659019

[Get Address](#)

Lat,Long 26.4018047,-80.0659019

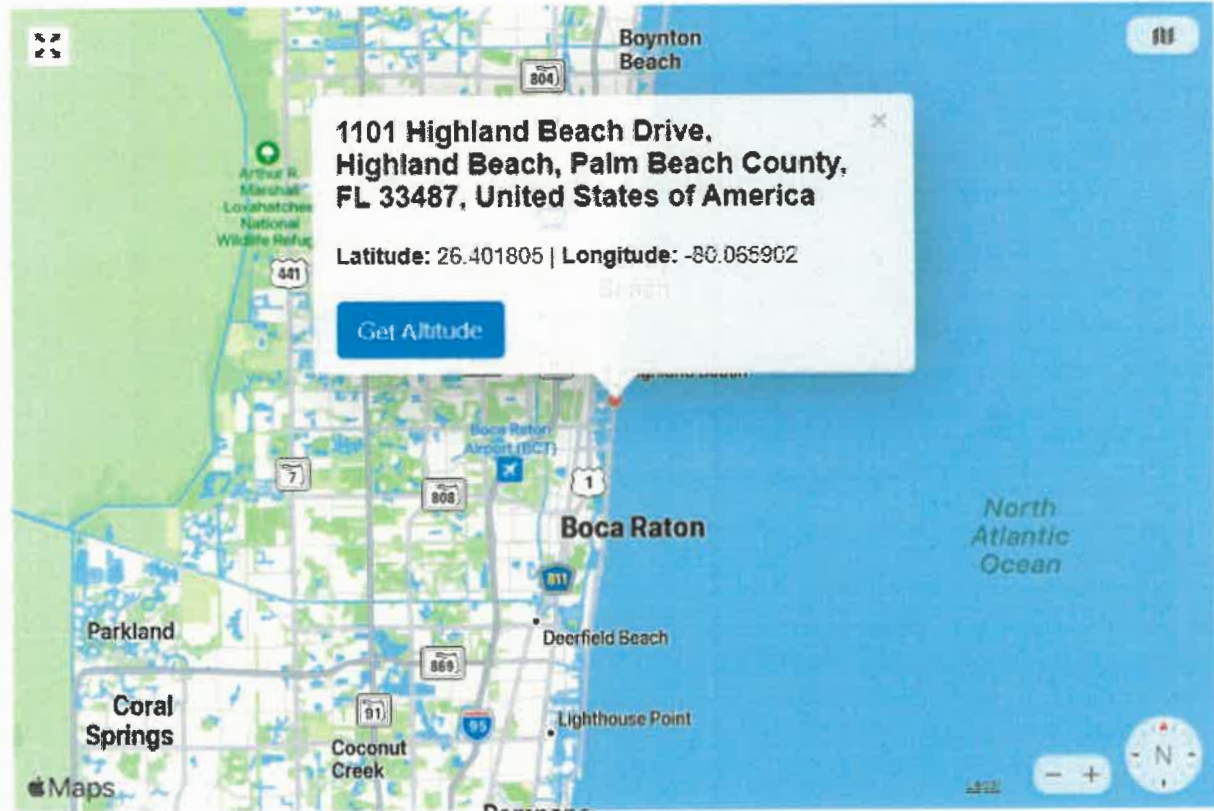
DMS (degrees, minutes, seconds)*

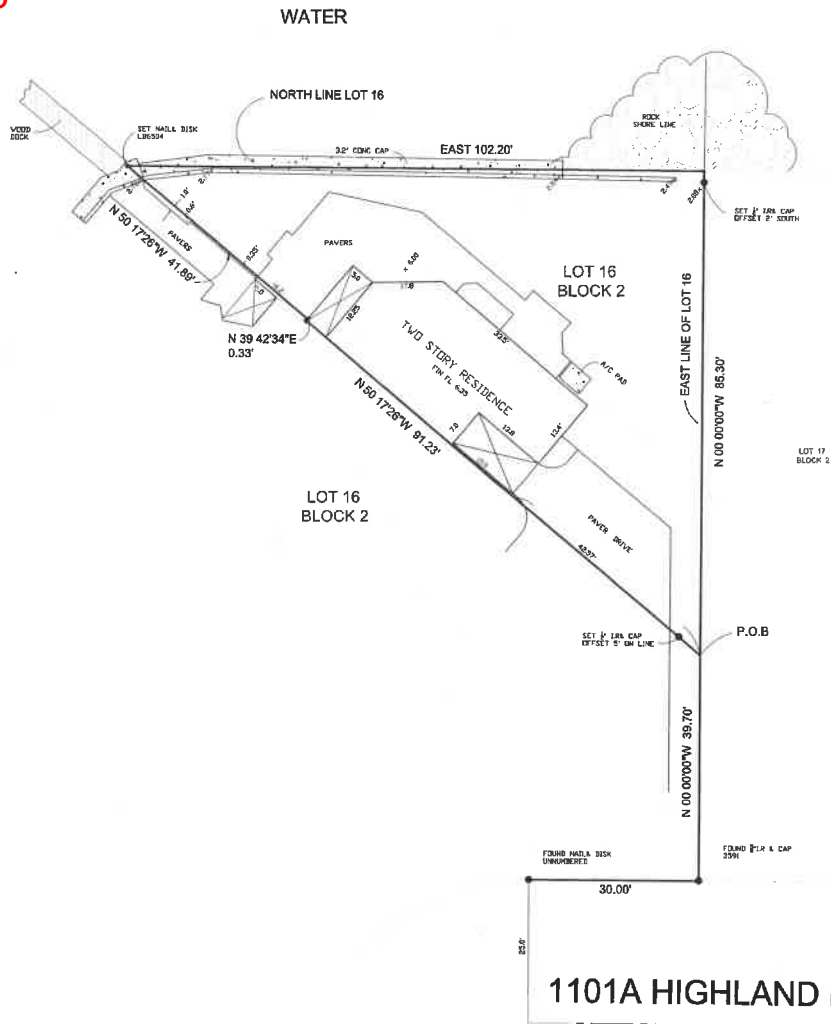
Latitude N S 26 ° 24 ' 6.497 ''

Longitude E W 80 ° 3 ' 57.246 ''

[Get Address](#)

*World Geodetic System 84 (WGS 84)





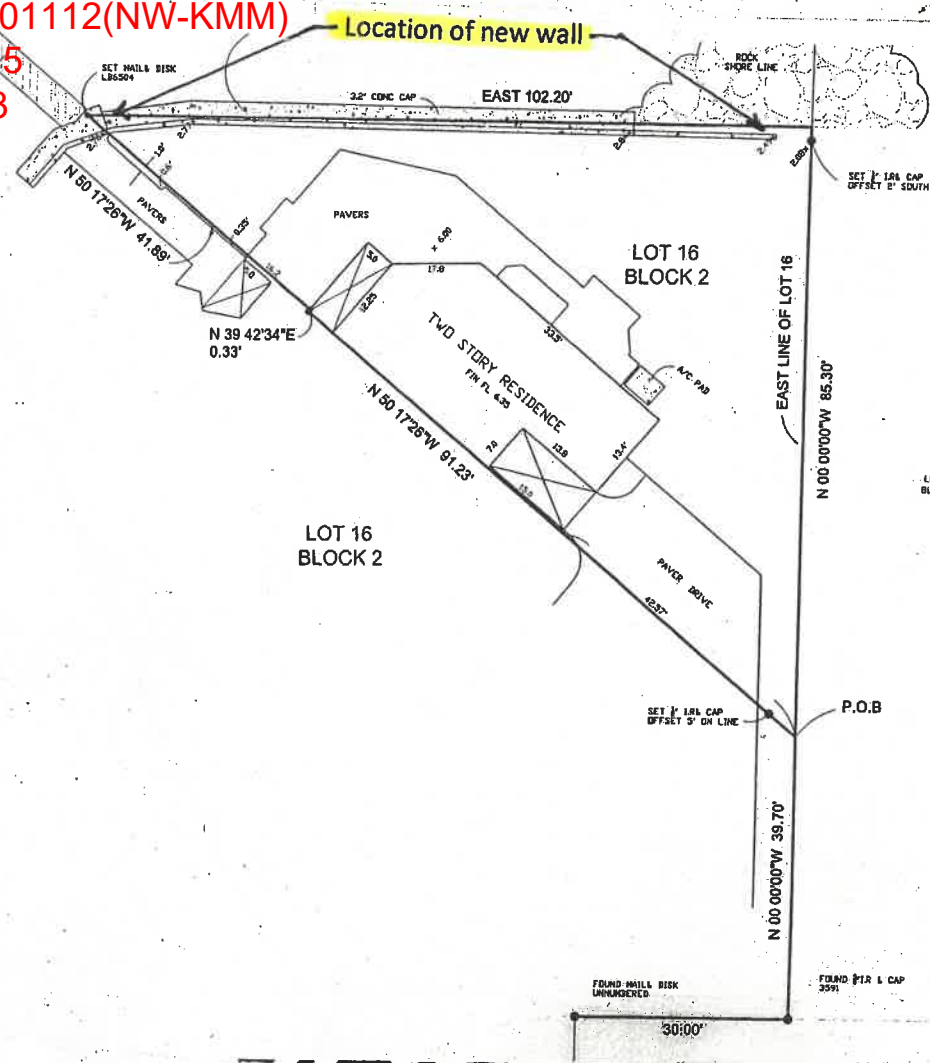
PARCEL "A", A PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 41 EAST, HIGHLAND BEACH, FLORIDA, BEING A PORTION OF LOT 16, BLOCK 2, NE. 1810, AS RECORDED IN PLAT BOOK 26, PAGE 87 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE AFORESAID LOT 16, THENCE WITH AN ASSUMED BEARING OF NORTH ALONG THE EAST LINE OF 16, A DISTANCE OF 59.76 FEET TO THE POINT OF BEGINNING; THENCE WITH A BEARING OF NORTH 88 DEGREES 17 MINUTES, 28 SECONDS WEST, A DISTANCE OF 61.23 FEET TO A POINT; THENCE WITH A BEARING OF NORTH 88 DEGREES, 42 MINUTES, 34 SECONDS EAST, A DISTANCE OF 0.33 FEET TO A POINT; THENCE WITH A BEARING OF NORTH 89 DEGREES, 17 MINUTES, 26 SECONDS WEST, A DISTANCE OF 41.89 FEET TO A POINT LYING ON THE NORTH LINE OF LOT 16, THENCE EAST A DISTANCE OF 102.20 FEET TO THE NORTHEAST CORNER OF LOT 16; THENCE WITH A BEARING OF SOUTH ALONG THE EAST LINE OF LOT 16, A DISTANCE OF 85.36 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

1101A HIGHLAND BEACH DRIVE

- NOTES**
- 1) BEARINGS SHOWN HEREIN ARE ASSUMED
 - 2) NO ATTEMPT OR FIELD SEARCH WAS MADE TO DISCOVER THE CONTENTS OF ANY INSTRUMENTS OR RECORDS OF RECORDS.
 - 3) ELEVATIONS SHOWN HEREIN ARE BASED ON NAVD 1988 ALL ELEVATIONS SHOWN HEREIN ARE RELATIVE HEIGHTS.
 - 4) NO 30-CV ORLAND IMPROVEMENTS, FOOTING, FOUNDATIONS OR UTILITIES HAVE BEEN LOCATED OR SHOWN ON THIS SURVEY.

100 = official record book 101 = composite block structure 102 = point of curved curve 103 = permanent control point 104 = point of commencement 105 = point of beginning 106 = boundary segment 107 = complete survey 108 = complete work stop 109 = unrecorded land not yet 110 = accurate business	111 = transformer pad 112 = Florida tower and light 113 = company monument 114 = point of reference 115 = point of intersection 116 = north line 117 = road priority fence 118 = double-line fence 119 = elevation	120 = slab book 121 = typical 122 = right-of-way 123 = street front 124 = bearing table 125 = point 126 = station 127 = chain line fence 128 = permanent reference monument	129 = plat 130 = corner post 131 = monument 132 = 30' steel pipe 133 = 4" steel pipe 134 = 2" steel pipe 135 = 1" steel pipe 136 = 3/4" steel pipe 137 = 1/2" steel pipe 138 = 1/4" steel pipe 139 = 3/8" steel pipe 140 = 1/2" steel pipe 141 = 3/4" steel pipe 142 = 1" steel pipe 143 = 1 1/2" steel pipe 144 = 2" steel pipe 145 = 3" steel pipe 146 = 4" steel pipe 147 = 6" steel pipe 148 = 8" steel pipe 149 = 10" steel pipe 150 = 12" steel pipe 151 = 14" steel pipe 152 = 16" steel pipe 153 = 18" steel pipe 154 = 20" steel pipe 155 = 24" steel pipe 156 = 30" steel pipe 157 = 36" steel pipe 158 = 42" steel pipe 159 = 48" steel pipe 160 = 54" steel pipe 161 = 60" steel pipe 162 = 66" steel pipe 163 = 72" steel pipe 164 = 78" steel pipe 165 = 84" steel pipe 166 = 90" steel pipe 167 = 96" steel pipe 168 = 102" steel pipe 169 = 108" steel pipe 170 = 114" steel pipe 171 = 120" steel pipe 172 = 126" steel pipe 173 = 132" steel pipe 174 = 138" steel pipe 175 = 144" steel pipe 176 = 150" steel pipe 177 = 156" steel pipe 178 = 162" steel pipe 179 = 168" steel pipe 180 = 174" steel pipe 181 = 180" steel pipe 182 = 186" steel pipe 183 = 192" steel pipe 184 = 198" steel pipe 185 = 204" steel pipe 186 = 210" steel pipe 187 = 216" steel pipe 188 = 222" steel pipe 189 = 228" steel pipe 190 = 234" steel pipe 191 = 240" steel pipe 192 = 246" steel pipe 193 = 252" steel pipe 194 = 258" steel pipe 195 = 264" steel pipe 196 = 270" steel pipe 197 = 276" steel pipe 198 = 282" steel pipe 199 = 288" steel pipe 200 = 294" steel pipe 201 = 300" steel pipe 202 = 306" steel pipe 203 = 312" steel pipe 204 = 318" steel pipe 205 = 324" steel pipe 206 = 330" steel pipe 207 = 336" steel pipe 208 = 342" steel pipe 209 = 348" steel pipe 210 = 354" steel pipe 211 = 360" steel pipe 212 = 366" steel pipe 213 = 372" steel pipe 214 = 378" steel pipe 215 = 384" steel pipe 216 = 390" steel pipe 217 = 396" steel pipe 218 = 402" steel pipe 219 = 408" steel pipe 220 = 414" steel pipe 221 = 420" steel pipe 222 = 426" steel pipe 223 = 432" steel pipe 224 = 438" steel pipe 225 = 444" steel pipe 226 = 450" steel pipe 227 = 456" steel pipe 228 = 462" steel pipe 229 = 468" steel pipe 230 = 474" steel pipe 231 = 480" steel pipe 232 = 486" steel pipe 233 = 492" steel pipe 234 = 498" steel pipe 235 = 504" steel pipe 236 = 510" steel pipe 237 = 516" steel pipe 238 = 522" steel pipe 239 = 528" steel pipe 240 = 534" steel pipe 241 = 540" steel pipe 242 = 546" steel pipe 243 = 552" steel pipe 244 = 558" steel pipe 245 = 564" steel pipe 246 = 570" steel pipe 247 = 576" steel pipe 248 = 582" steel pipe 249 = 588" steel pipe 250 = 594" steel pipe 251 = 600" steel pipe 252 = 606" steel pipe 253 = 612" steel pipe 254 = 618" steel pipe 255 = 624" steel pipe 256 = 630" steel pipe 257 = 636" steel pipe 258 = 642" steel pipe 259 = 648" steel pipe 260 = 654" steel pipe 261 = 660" steel pipe 262 = 666" steel pipe 263 = 672" steel pipe 264 = 678" steel pipe 265 = 684" steel pipe 266 = 690" steel pipe 267 = 696" steel pipe 268 = 702" steel pipe 269 = 708" steel pipe 270 = 714" steel pipe 271 = 720" steel pipe 272 = 726" steel pipe 273 = 732" steel pipe 274 = 738" steel pipe 275 = 744" steel pipe 276 = 750" steel pipe 277 = 756" steel pipe 278 = 762" steel pipe 279 = 768" steel pipe 280 = 774" steel pipe 281 = 780" steel pipe 282 = 786" steel pipe 283 = 792" steel pipe 284 = 798" steel pipe 285 = 804" steel pipe 286 = 810" steel pipe 287 = 816" steel pipe 288 = 822" steel pipe 289 = 828" steel pipe 290 = 834" steel pipe 291 = 840" steel pipe 292 = 846" steel pipe 293 = 852" steel pipe 294 = 858" steel pipe 295 = 864" steel pipe 296 = 870" steel pipe 297 = 876" steel pipe 298 = 882" steel pipe 299 = 888" steel pipe 300 = 894" steel pipe 301 = 900" steel pipe 302 = 906" steel pipe 303 = 912" steel pipe 304 = 918" steel pipe 305 = 924" steel pipe 306 = 930" steel pipe 307 = 936" steel pipe 308 = 942" steel pipe 309 = 948" steel pipe 310 = 954" steel pipe 311 = 960" steel pipe 312 = 966" steel pipe 313 = 972" steel pipe 314 = 978" steel pipe 315 = 984" steel pipe 316 = 990" steel pipe 317 = 996" steel pipe 318 = 1002" steel pipe 319 = 1008" steel pipe 320 = 1014" steel pipe 321 = 1020" steel pipe 322 = 1026" steel pipe 323 = 1032" steel pipe 324 = 1038" steel pipe 325 = 1044" steel pipe 326 = 1050" steel pipe 327 = 1056" steel pipe 328 = 1062" steel pipe 329 = 1068" steel pipe 330 = 1074" steel pipe 331 = 1080" steel pipe 332 = 1086" steel pipe 333 = 1092" steel pipe 334 = 1098" steel pipe 335 = 1104" steel pipe 336 = 1110" steel pipe 337 = 1116" steel pipe 338 = 1122" steel pipe 339 = 1128" steel pipe 340 = 1134" steel pipe 341 = 1140" steel pipe 342 = 1146" steel pipe 343 = 1152" steel pipe 344 = 1158" steel pipe 345 = 1164" steel pipe 346 = 1170" steel pipe 347 = 1176" steel pipe 348 = 1182" steel pipe 349 = 1188" steel pipe 350 = 1194" steel pipe 351 = 1200" steel pipe 352 = 1206" steel pipe 353 = 1212" steel pipe 354 = 1218" steel pipe 355 = 1224" steel pipe 356 = 1230" steel pipe 357 = 1236" steel pipe 358 = 1242" steel pipe 359 = 1248" steel pipe 360 = 1254" steel pipe 361 = 1260" steel pipe 362 = 1266" steel pipe 363 = 1272" steel pipe 364 = 1278" steel pipe 365 = 1284" steel pipe 366 = 1290" steel pipe 367 = 1296" steel pipe 368 = 1302" steel pipe 369 = 1308" steel pipe 370 = 1314" steel pipe 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steel pipe 763 = 3672" steel pipe 764 = 3678" steel pipe 765 = 3684" steel pipe 766 = 3690" steel pipe 767 = 3696" steel pipe 768 = 3702" steel pipe 769 = 3708" steel pipe 770 = 3714" steel pipe 771 = 3720" steel pipe 772 = 3726" steel pipe 773 = 3732" steel pipe 774 = 3738" steel pipe 775 = 3744" steel pipe 776 = 3750" steel pipe 777 = 3756" steel pipe 778 = 3762" steel pipe 779 = 3768" steel pipe 780 = 3774" steel pipe 781 = 3780" steel pipe 782 = 3786" steel pipe 783 = 3792" steel pipe 784 = 3798" steel pipe 785 = 3804" steel pipe 786 = 3810" steel pipe
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U.S. Army Corps of Engineers
 SAJ-2023-01112(NW-KMM)
 Sheet 3 of 5
 06/05/2023



1101A HIGHLAND BEACH DRIVE

Scope of Work:

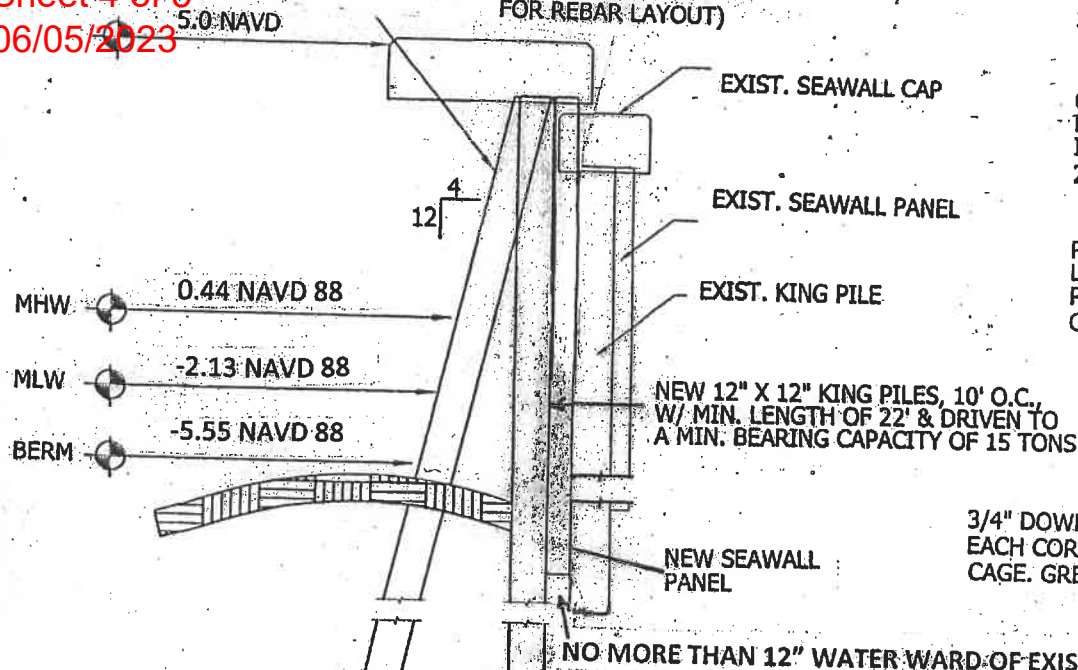
- Construct 100 lin.ft precast pile & panel wall
 No more than 12" waterward from existing wall

Hochbaum, 1101 Highland Beach Dr, HB

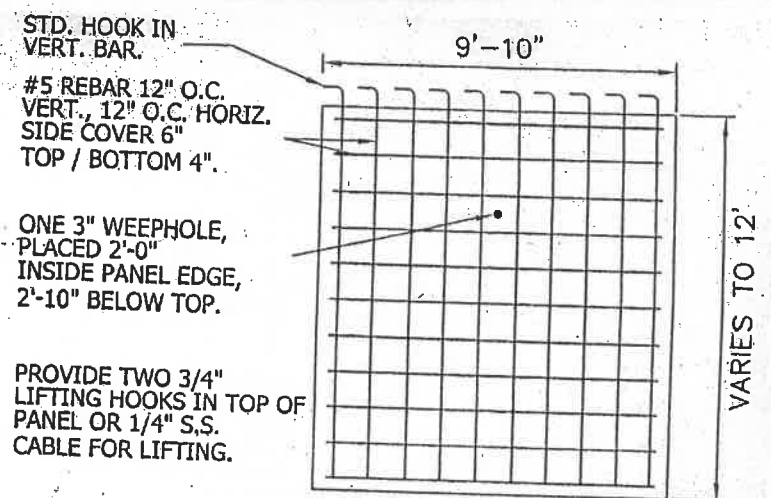
Alan Garcia
 ALAN GARCIA, P.E.
 4202 NW 54t Street
 Coconut Creek, FL
 LICENSE #42564



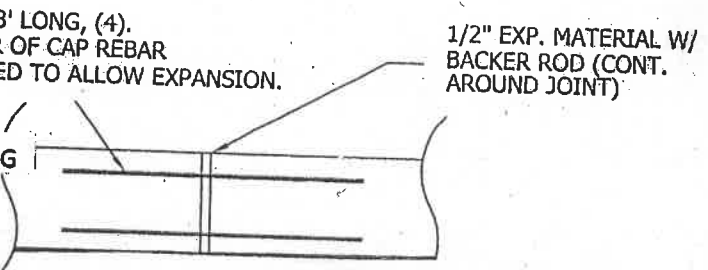
ESTABLISHED IN 1948



CONCRETE SEAWALL SECTION
 N.T.S.



**TYP. 8\"/>
 N.T.S.**



EXP. JOINT DETAIL
 N.T.S.

GENERAL NOTES:

1. ALL CONCRETE TO BE 5000 psi. 28 DAY COMP. STRENGTH.
2. ALL STEEL REBAR TO BE GRADE 60
3. CONCRETE SHALL BE PROPERLY CURED.
4. CONTRACTOR TO OBTAIN UTILITY CLEARANCE PRIOR TO PILE DRIVING. CALL 1-800-432-4770.
5. ASSUMES GOOD BEARING SOIL. IF SILTS OR MUCK IS ENCOUNTERED, INCREASE PANEL DEPTH TO THE POINT OF REFUSAL AND CONTACT ENGINEER.

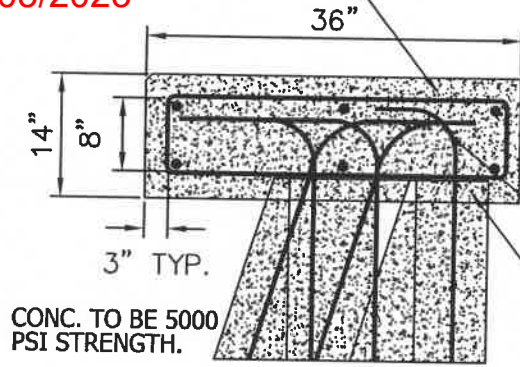
Hochbaum, 1101 Highland Beach Dr, HB

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



ESTABLISHED IN 1948

(3) - # 5 BARS TOP & BOTTOM,
W/ # 3 HOOPS 12" O.C., 6" O.C. @ PILE.



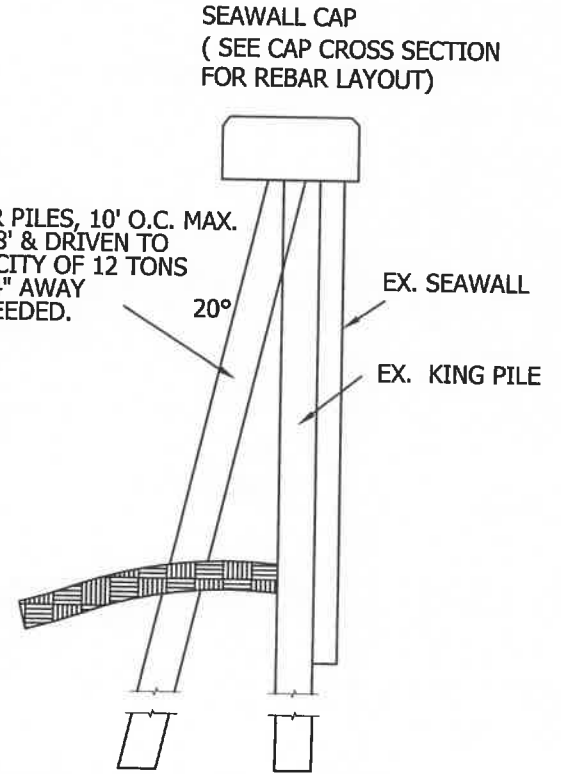
NOTE: ALL DIMENSIONS

EXTENDED BATTER PILE STRANDS
18" INTO CAP.
EXTENDED PANEL & PILES
3" INTO CAP.

CONC. TO BE 5000
PSI STRENGTH.

SEAWALL CAP N.T.S.

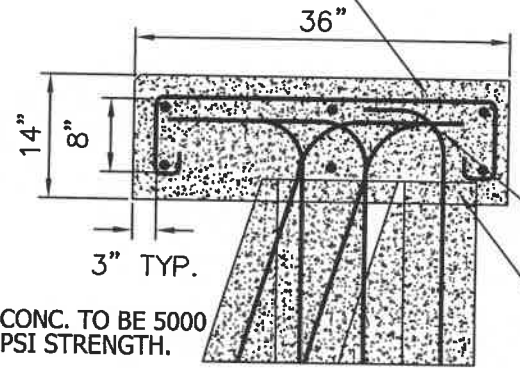
NEW 12" X 12" BATTER PILES, 10' O.C. MAX.
W/ MIN. LENGTH OF 18' & DRIVEN TO
A MIN. BEARING CAPACITY OF 12 TONS
OFFSET BATTER PILE 4" AWAY
FROM KING PILE, IF NEEDED.



CONCRETE SEAWALL SECTION N.T.S.

- GENERAL NOTES:
1. ALL CONCRETE TO BE 5000 psi. 28 DAY COMP. STRENGTH.
 2. ALL STEEL REBAR TO BE GRADE 60
 3. CONCRETE SHALL BE PROPERLY CURED.
 4. CONTRACTOR TO OBTAIN UTILITY CLEARANCE PRIOR TO PILE DRIVING. CALL 1-800-432-4770.
 5. PLACE BATTERS AT EACH KING / T-PILE LOCATION.
 6. CAP WIDTH MAY VARY FROM 42", ADJUST LONGITUDINAL STEEL REBAR ACCORDINGLY.
 7. TYPICAL CAP THICKNESS 14".
 8. PLACE EXPANSION JOINTS EVERY 100' IF CAP IS LONGER THAN 100'.

(3) - # 5 BARS TOP & BOTTOM,
W/ # STIRRUPS 12" O.C., 6" O.C. @ PILE.



NOTE: ALL DIMENSIONS

EXTENDED BATTER PILE STRANDS
18" INTO CAP.
EXTENDED PANEL & PILES
3" INTO CAP.

CONC. TO BE 5000
PSI STRENGTH.

ALTERNATE SEAWALL CAP N.T.S.

Hochbaum, 1101 Highland Beach Dr Unit A Highland Beach

Handwritten signature and date: 2/22/23



ESTABLISHED IN 1948

COMMENCEMENT NOTIFICATION

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

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

2. **Permittee Information:**

Name: _____

Email: _____

Address: _____

Phone: _____

3. **Construction Start Date:** _____

4. **Contact to Schedule Inspection:**

Name: _____

Email: _____

Phone: _____

Signature of Permittee

Printed Name of Permittee

Date

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

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

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

2. Permittee Information:

Name: _____

Address: _____

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

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

Signature of Engineer

Name (*Please type*)

(FL, PR, or VI) Reg. Number

Company Name

City

State

ZIP

(Affix Seal)

Date

Telephone Number

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

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

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

CAUTION: MANATEE HABITAT

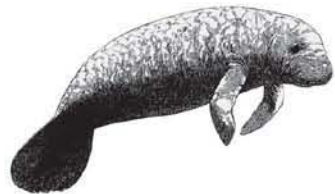
All project vessels

IDLE SPEED / NO WAKE

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

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC

Prepared by:

Permittee: _____

Address: _____

Phone: _____

NOTICE OF DEPARTMENT OF THE ARMY PERMIT

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

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

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

To obtain a copy of the authorization in its entirety submit a written request to:
U.S. Army Corps of Engineers
Regulatory Division - Special Projects & Enforcement Branch
Post Office Box 4970
Jacksonville, Florida 32232-0019

Questions regarding compliance with these conditions should be directed to:
U.S. Army Corps of Engineers
Enforcement Section
Post Office Box 4970
Jacksonville, Florida 32232-0019

Conflict Between Notice and Permit

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

This Notice is Not an Encumbrance

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

Release

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

This Notice of Authorization is executed on this _____ day of _____, _____. This document is being submitted for recordation in the Public Records of Palm Beach County, Florida as part of the requirement imposed by the authorization SAJ-2014-01517 issued by Corps.

Permittee:

Address:

Phone: _____

STATE OF FLORIDA
COUNTY OF _____

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

Notary Public (Seal)

Print

My Commission Expires _____

APPLICATION FOR CONSENT TO CROSS U.S. GOVERNMENT EASEMENT

APPLICATION IS MADE for a Department of the Army Consent to Easement to construct, maintain, control, operate and repair a (state type of structure) _____

_____ over, under, across, in, or upon the Easement vested in the United States of America as shown on the attached [include boundary survey map with legal description/construction plans and specifications of project], and situated in Section____, Township____ South, Range____ East, County of_____, Florida.

Names and Mailing Addresses of Record Owners: _____

Physical Address (location of project work): _____

Email Address_____

Applicant understands that permanent structures affixed to the land or otherwise constructed or situated in a manner lasting or meant to last indefinitely and not expected to change in status, condition, or place are not permitted within the U.S. Easement. Unauthorized structures include, but are not limited to, residential and commercial buildings, swimming pools, patios, outbuildings, fences, gazebos, satellite dishes, oil and gas wells, boat ramps and seawall enclosures of docking areas or other structures as defined in CFR Title 36, Section 327.20. Noncompliance may subject the Applicant to possible removal and enforcement action.

The undersigned agrees that construction of the facility or structure involved in this application shall not begin until the Consent to Cross U.S. Government Easement, herein applied for, shall have been granted and appropriate rights shall have been acquired from the record owners and encumbrances of the underlying fee in the land involved.

Property Owner(s) Name (Print)

Property Owner(s) Name (Print)

(Signature)

(Signature)

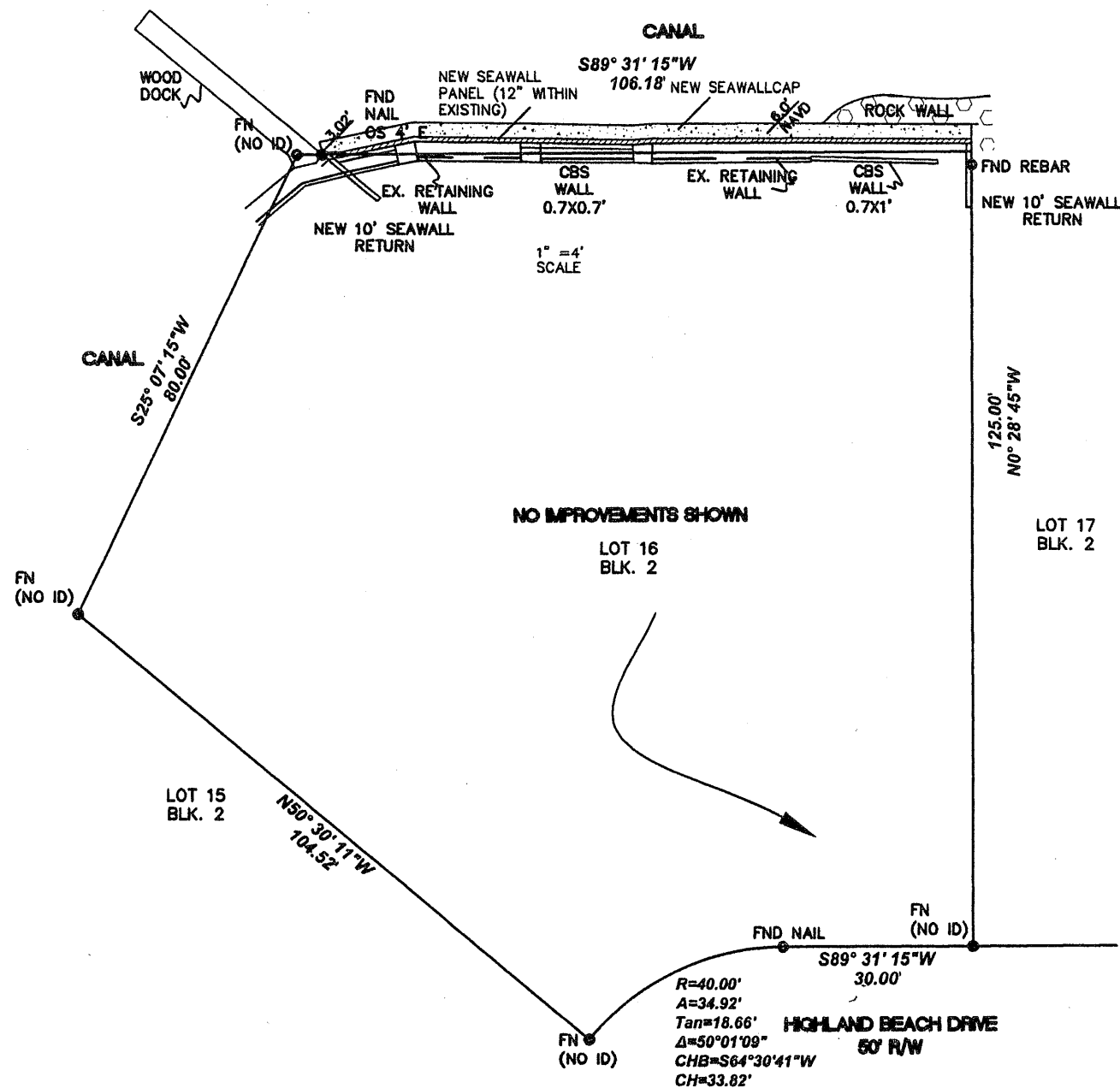
DATE: _____

RETURN TO: US Army Corps of Engineers, Jacksonville District
ATTN: Real Estate Division
P.O. Box 4970
Jacksonville, FL 32232-0019

RECEIVED

NOV 28 2023

HIGHLAND BEACH
BUILDING DEPARTMENT



Owner: Hochbaum
 1101 Highland Beach Drive Unit A
 Highland Beach FL
 Contractor: Qualmann Marine

Engineer: Alan W. Garcia, P.E.
 4202 NW 54th Street
 Coconut Creek, FL 33073

Seawall Cap Plan Survey
 Sheet 1 of 1

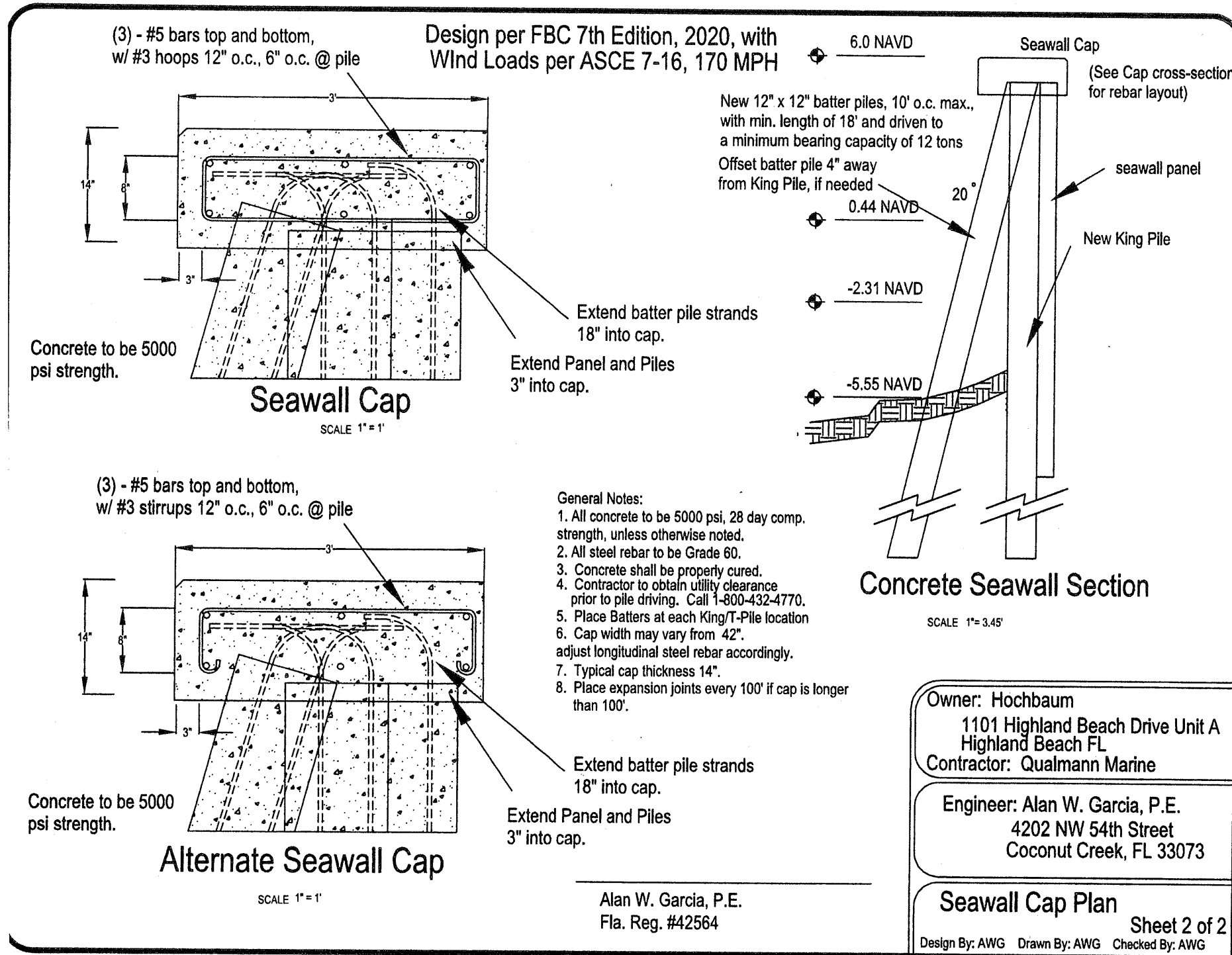
Design By: AWG Drawn By: AWG Checked By: AWG Page 57

Alan W. Garcia
 ALAN W. GARCIA, P.E.
 FLA. REG. #42564

RECEIVED

NOV 28 2023

HIGHLAND BEACH
BUILDING DEPARTMENT

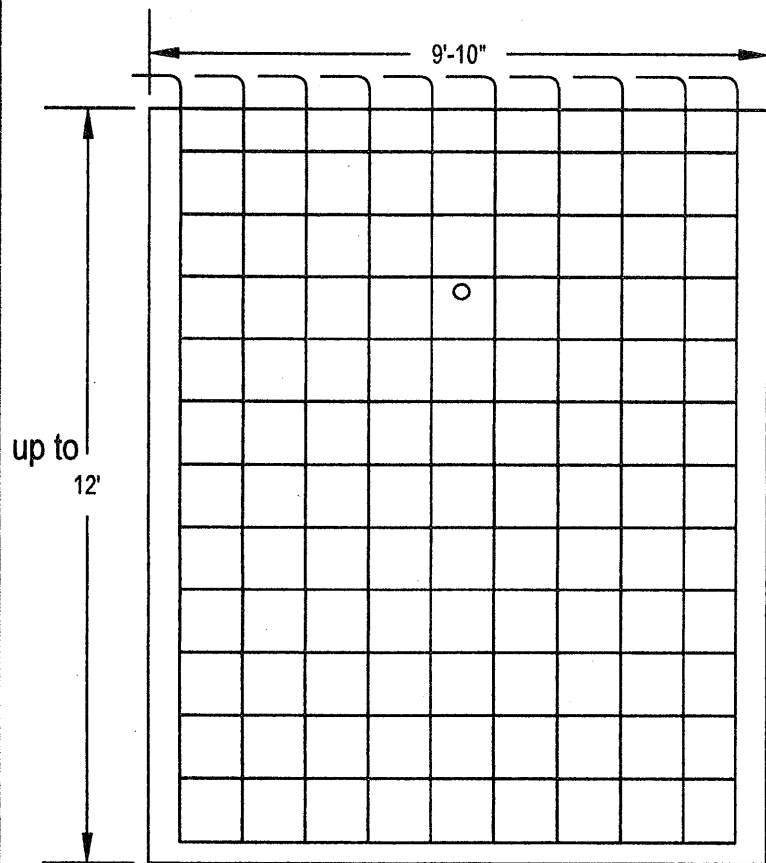


Alan W. Garcia
Alan W. Garcia, PE
Fla Reg. #42564
4202 NW 54th Street
Coconut Creek, FL 33073
(954) 304-0098

General Notes:

1. All concrete to be 5000 psi, 28 day comp. strength, unless otherwise noted.
2. All steel rebar to be Grade 60.
3. Concrete shall be properly cured.
4. Contractor to obtain utility clearance prior to pile driving. Call 1-800-432-4770.
5. Place Batters at each King/T-Pile location
6. Cap width may vary from 42". adjust longitudinal steel rebar accordingly.
7. Typical cap thickness 14".
8. Place expansion joints every 100' if cap is longer than 100'.

**Design per FBC 7th Edition, 2020, with
Wind Loads per ASCE 7-16, 170 MPH**



Typical 8" Thick Seawall Panel

SCALE
1" = 3.80'

Std. Hook in vertical bar.

#5 Rebar 12" o.c vertical. 12" o.c. horizontal.
Side cover 6", top/bottom 4".

One 3" weephole, placed middle inside panel edge, 2'-10" below top.

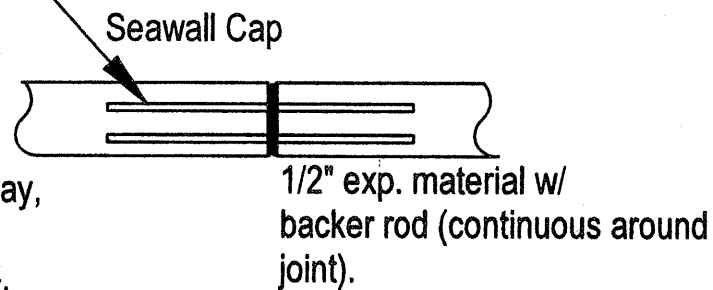
Provide two 3/4" lifting hooks in top of panel or 1/4" s.s. cable for lifting.

3/4" dowel, 3' long, (4).
Each corner of cap rebar cage.
Greased to allow expansion.

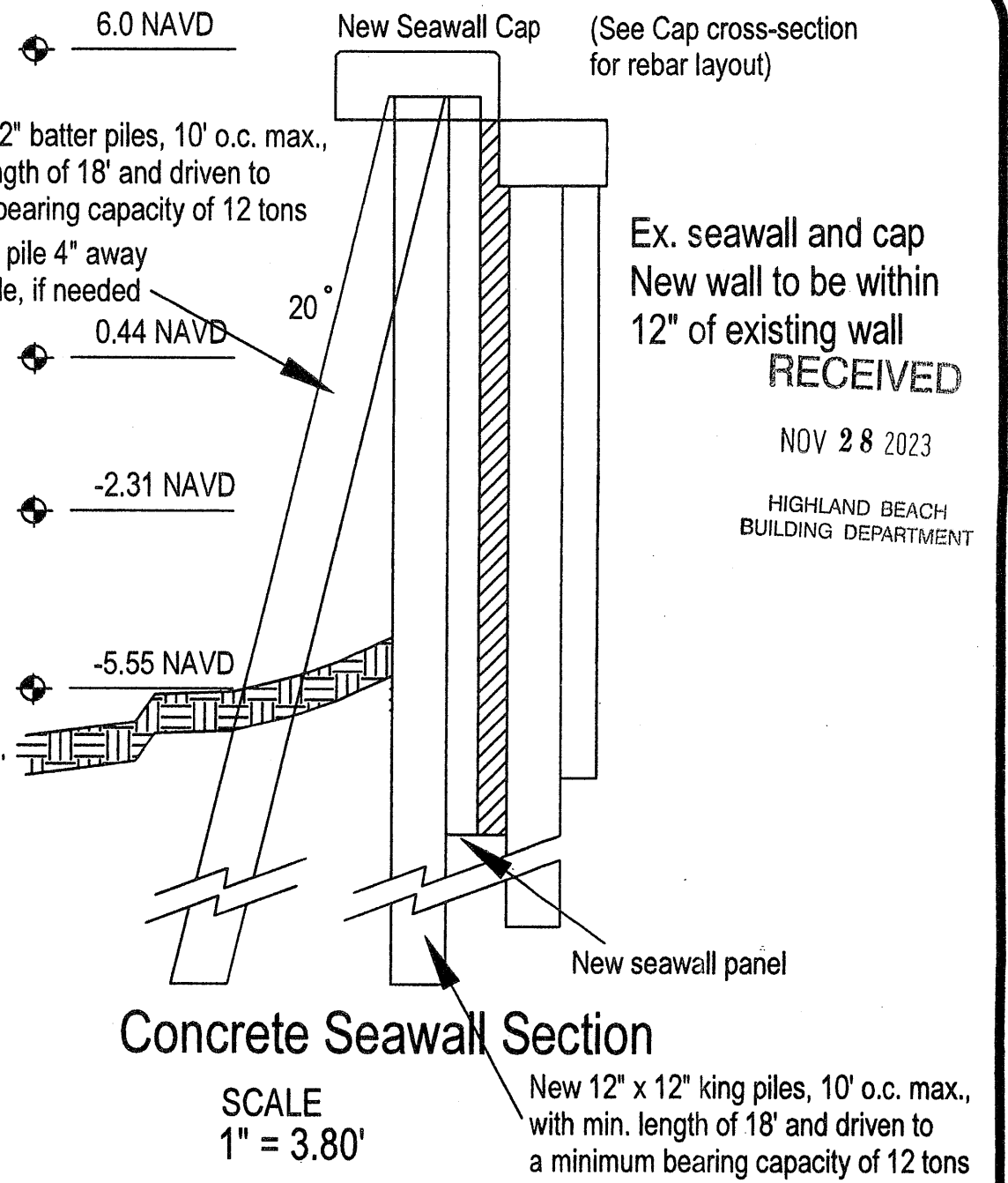
Note: Place exp. jt @ midway, approximately, every 90 l.f. +/-.

Exp. Joint Detail

SCALE
1"=3.23'



Alan W. Garcia, P.E.
Fla. Reg. #42564



Concrete Seawall Section

SCALE
1" = 3.80'

New 12" x 12" king piles, 10' o.c. max., with min. length of 18' and driven to a minimum bearing capacity of 12 tons

(See Cap cross-section for rebar layout)

Ex. seawall and cap
New wall to be within 12" of existing wall
RECEIVED

NOV 28 2023

HIGHLAND BEACH
BUILDING DEPARTMENT

Owner: Hochbaum
1101 Highland Beach Drive Unit A
Highland Beach FL
Contractor: Qualmann Marine

Engineer: Alan W. Garcia, P.E.
4202 NW 54th Street
Coconut Creek, FL 33073

Seawall Panel Plan
Sheet 2
Design By: AWG Drawn By: AWG Checked By: AWG

General Notes:

- 1. All concrete to be 5000 psi, 28 day comp. strength, unless otherwise noted.
- 2. All steel rebar to be Grade 60.
- 3. Concrete shall be properly cured.
- 4. Contractor to obtain utility clearance prior to pile driving. Call 1-800-432-4770.

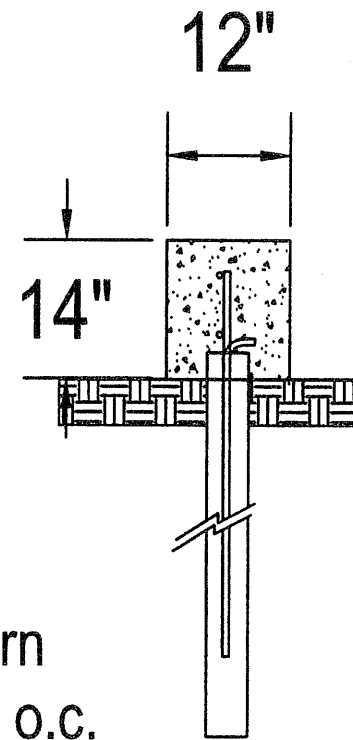
Design per FBC 7th Edition, 2020, with
Wind Loads per ASCE 7-16, 170 MPH

RECEIVED

NOV 28 2023

HIGHLAND BEACH
BUILDING DEPARTMENT

3" galv. sched 40 steel
pin pile driven to refusal
w/ #5 hook bar and grout
filled . Min. 3" into cap return
Max spacing of pin pile 10' o.c.



#5 vert. 12" o.c.
and (2) #5 cont.

Concrete Seawall Return

SCALE
1" = 2'

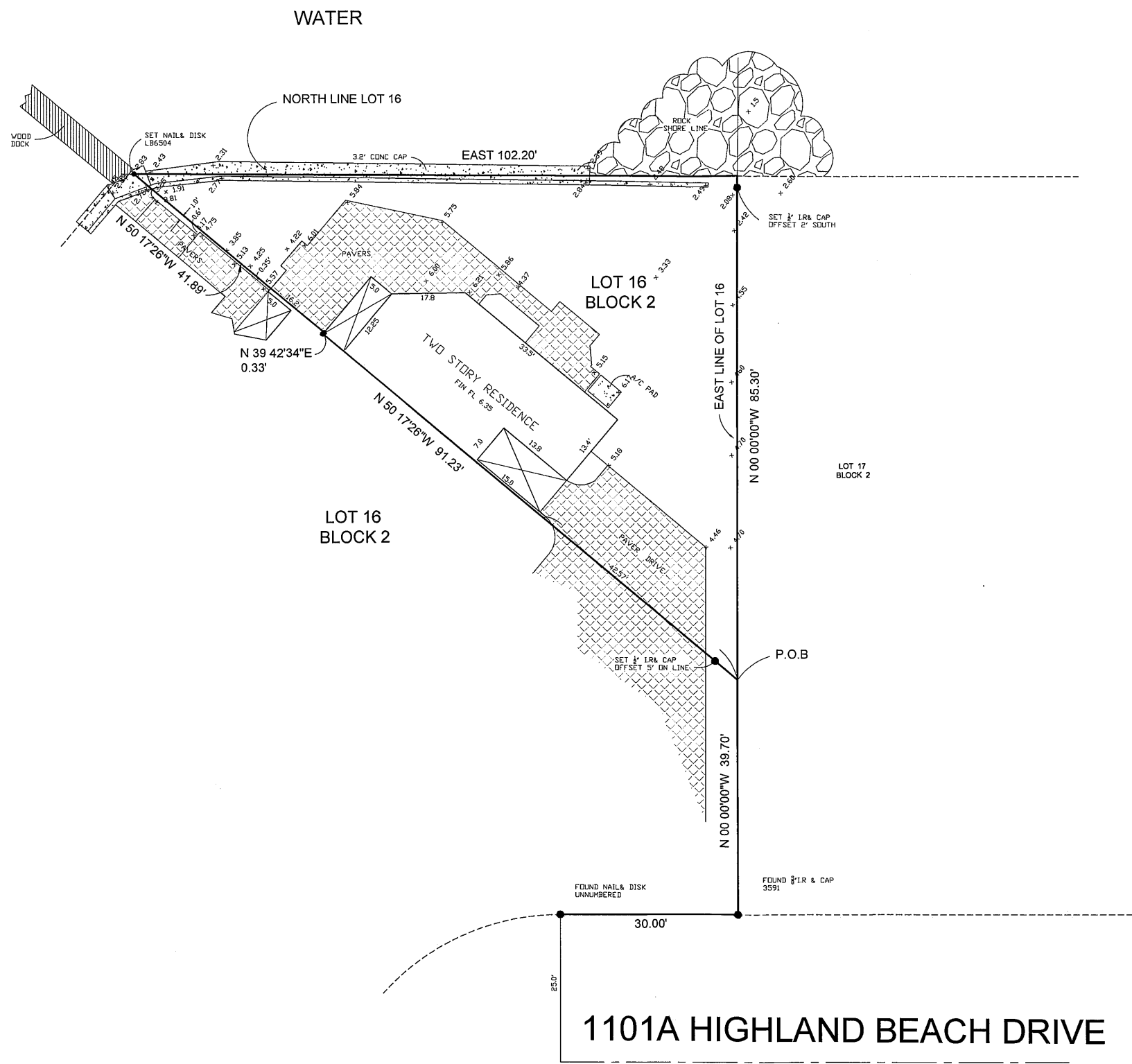
Owner: Hochbaum
1101 Highland Beach Drive Unit A
Highland Beach FL
Contractor: Qualmann Marine

Engineer: Alan W. Garcia, P.E.
4202 NW 54th Street
Coconut Creek, FL 33073

Seawall Return Detail

Design By: AWG Drawn By: AWG Checked By: AWG

Alan W. Garcia
Alan W. Garcia, P.E.
Fla. Reg. #42564



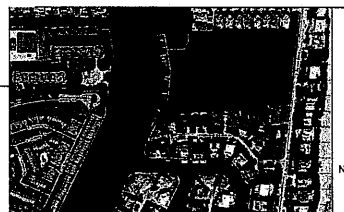
PARCEL "A", A PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 43 EAST, HIGHLAND BEACH, FLORIDA, BEING A PORTION OF LOT 16, BLOCK 2, BEL LIDO, AS RECORDED IN PLAT BOOK 25, PAGE 97 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE AFOREMENTIONED LOT 16, THENCE WITH AN ASSUMED BEARING OF NORTH ALONG THE EAST LINE OF 16, A DISTANCE OF 39.70 FEET TO THE POINT OF BEGINNING; THENCE WITH A BEARING OF NORTH 50 DEGREES, 17 MINUTES, 26 SECONDS WEST, A DISTANCE OF 91.23 FEET TO A POINT; THENCE WITH A BEARING OF NORTH 39 DEGREES, 42 MINUTES, 34 SECONDS EAST, A DISTANCE OF 0.33 FEET TO A POINT; THENCE WITH A BEARING OF NORTH 50 DEGREES, 17 MINUTES, 26 SECONDS WEST A DISTANCE OF 41.89 FEET TO A POINT LYING ON THE NORTH LINE OF LOT 16, THENCE EAST A DISTANCE OF 102.20 FEET TO THE NORTHEAST CORNER OF LOT 16; THENCE WITH A BEARING OF SOUTH ALONG THE EAST LINE OF LOT 16, A DISTANCE OF 85.30 FEET, MORE OR LESS TO THE POINT OF BEGINNING.



- NOTES:**
- 1) BEARINGS SHOWN HEREON ARE ASSUMED
 - 2) NO ABSTRACT OR TITLE SEARCH WAS PERFORMED TO DISCOVER THE EXISTENCE OF ANY EASEMENTS OR RESTRICTIONS OF RECORD.
 - 3) ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 1988 ALL ELEVATION SHOWN HEREON ARE RELATIVE THERETO
 - 4) NO BELOW GROUND IMPROVEMENTS, FOOTERS, FOUNDATIONS OR UTILITIES HAVE BEEN LOCATED OR SHOWN ON THIS SURVEY.

D.R.B. = official record book C.B.S. = concrete block structure P.C.C. = point of compound curve P.C.P. = permanent control point P.I.C. = point of intersection P.B. = point of beginning D/E = drainage easement C.M.P. = corrugated metal pipe R.L.S. = registered land surveyor L.B. = licensed business	TRAN. = transformer pad F.P.&L. = Florida power and light C.N. = concrete monument P.R.C. = point of reverse P.I. = point of intersection P.T. = point of tangency N.F. = not field measured V.P.F. = wood privacy fence CHATT = chattahoochee ELEV = elevation	P.B. = plat book TYP. = typical R/O/W. = right-of-way Δ = central angle B.B.L. = bearing basis line RSPH = asphalt HJ = manhole U/E = utility easement ALUM = aluminum C.L.F. = chain link fence P.C. = point of curvature P.M. = permanent reference monument	P = plat E = power pole H = MEASURED I.P. = IRON PIPE R.P. = radius point L = ARC LENGTH C. = centerline ESMT. = easement CALC. = calculated	P.G. = page I.R. = iron rod R = radius D = deed D/S = offset C.M.C. = concrete ESMT. = easement CALC. = calculated
---	--	---	--	---



<p>801 S.E. 6th Ave., Suite 203 Delray Beach, FL 33483</p> <p>Phone: 61-243-4624 Fax: 243-4869</p> <p>AUTHORIZATION NUMBER LB6504</p>	CERTIFIED TO:
	<p>FLOOD ZONE: 12099C0989F</p> <p>MAP NO: AE ELEV 6</p> <p>MAP DATE: 10-5-2017</p> <p>DATE: 2-2-2023</p> <p>JOB NO. 1-23-057</p> <p>REVISED:</p>
<p>I HEREBY CERTIFY THAT THE SKETCH OF SURVEY SHOWN HEREON MEETS THE STANDARDS OF PRACTICE FORTH IN CHAPTER 53-17-050-052, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, F.L.C. 11/1/2017</p> <p>harry a burgess</p> <p>Date: 2023.07.12 08:12:59</p>	<p>NDT VALID UNLESS SEALED WITH EMBOSSED SURVEYOR'S SEAL</p>

**Town of Highland Beach
Town Commission Development Order (PB)
Application No. 23-0007**



**Applicant: Seth Hochbaum/Laura Coburn/Mitchell Scavone
Property Address: 1101 Highland Beach Drive Unit A
Highland Beach, Florida 33487**

CERTIFICATE OF MAILING AFFIDAVIT

I hereby certify that the Town Clerk's Office mailed a copy of the Notice of Public Hearing (Exhibit A) for Application No. 23-0007 for the property located at 1101 Highland Beach Drive Unit A., Highland Beach, Florida 33487, by U.S. first-class and international mail to:

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

The mailings consisted of 81 notices that were sent first class mail and 02 notices that were sent by International Mail.

This 29th day of November 2023.

Highland Beach Town Clerk's Office

A handwritten signature in blue ink that reads "Lanelda Gaskins". The signature is written in a cursive, flowing style.

Lanelda Gaskins, MMC
Town Clerk



PUBLIC NOTICE APPLICATION NO. 23-0007

November 28, 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, December 14, 2023 at 9:30 AM** in the Community Room of the Town Library located at 3618 South Ocean Boulevard, Highland Beach, Florida to consider the following application.

APPLICATION BY MITCHELL SCAVONE, RAY QUALMANN MARINE CONSTRUCTION, INC., FOR A SPECIAL EXCEPTION REQUEST TO INSTALL A 100 LINEAR FOOT SEAWALL/SEAWALL CAP, AND TWO 10-FOOT RETURNS FOR THE PROPERTY LOCATED AT 1101 HIGHLAND BEACH DRIVE UNIT A.

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

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

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 Dec 04, 2023

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

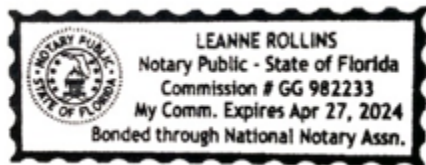


Signature of Affiant

Sworn to and subscribed before me this: December 04, 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
7538579

**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, December 14, 2023, at 9:30 AM in the Highland Beach Library Community Room, 3618 South Ocean Boulevard, Highland Beach, Florida to consider the following:

APPLICATION NO. 23-0007 BY MITCHELL SCAVONE, RAY QUALMANN MARINE CONSTRUCTION, INC., FOR A SPECIAL EXCEPTION REQUEST TO INSTALL A 100 LINEAR FOOT SEAWALL/SEAWALL CAP, AND TWO 10-FOOT RETURNS FOR THE PROPERTY LOCATED AT 1101 HIGHLAND BEACH DRIVE UNIT A.

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

TOWN OF HIGHLAND BEACH, BUILDING
DEPARTMENT
12/04/2023 7538579

Order # - 7538579

PUBLIC COMMENT

From: [Jilly Cammisa](#)
To: [Ingrid Allen](#)
Cc: [Jilly Cammisa](#); [Jerry Cammisa \(gcammisa@aol.com\)](mailto:Jerry_Cammisa_gcammisa@aol.com)
Subject: My view on Application for Seawall 1101 Highland Bch Dr., A
Date: Tuesday, December 12, 2023 10:28:57 PM
Attachments: [PublicHearing121423.docx](#)

Good evening Ingrid,

Thank you for calling me today and I appreciate the help you gave me about the plans for A unit's seawall project. If for any reason I don't make it to the meeting, I rely on you reading out the attached.

As Ron Brown, our Bel Lido Homeowners Association President, always says we appreciate our "little piece of paradise" here in the Bel Lido neighborhood! Highland Beach Drive is beautiful, especially where we are right at the point of the Cul de Sac.

Kindest regards,

Jilly Cammisa
Estate Agent
PREMIER ESTATE PROPERTIES INC.
561.665.8181 Direct
561.271.7010 Mobile
561.278.7188 Facsimile
premierestateproperties.com
jilly@premierestateproperties.com
900 East Atlantic Avenue, Boutique 4, Delray Beach, Florida 33483



JILLY CAMMISA

Estate Agent

MOBILE 561.271.7010 | DIRECT 561.665.8181 | FACSIMILE 561.278.7188

jilly@premierestateproperties.com | jillycammisa.info

[Seller's E-Box Presentation](#) | [Buyer's E-Box Presentation](#)

900 East Atlantic Avenue, Suite 4, Delray Beach, Florida, 33483

Presenting Properties Exclusively In Excess of One Million Dollars™

OUR UNRIVALED GLOBAL NETWORK



Notice of Confidentiality: This e-mail communication and the attachment(s) hereto, if any, are intended solely for the information and use of the addressee(s) identified above and may contain information, which is legally privileged from disclosure and/or otherwise confidential. If a recipient of this e-mail communication is not an addressee (or an authorized representative of an addressee), such recipient is hereby advised that any review, disclosure, reproduction, re-transmission or other dissemination or use of this e-mail communication (or any information contained herein) is strictly prohibited. If you are not an addressee and have received this e-mail communication in error, please advise the sender either by reply e-mail or by telephone at (561) 394.7700, immediately delete this e-mail communication from any computer and destroy all physical copies of same. Thank you. Replies Filtered: Any incoming reply to this e-mail communication or other e-mail communication will be electronically filtered for "spam" and/or "viruses". That filtering process may result in such reply or other e-mail communications being quarantined (i.e., potentially not received at our site at all) and/or delayed in reaching us. For that reason, there is no guarantee that we will receive your reply or other e-mail communications to us and/or that we will receive the same in a timely manner. Accordingly, you should consider sending communications to us, which are particularly important or time-sensitive by means other than e-mail. Thank you.

A Unit Permit for Seawall 6ft above elevation NAD

As the immediate neighbour in our 4 Townhouse Highland Pointe Community, we are distressed to learn about a building project that will have a disruptive effect on our small community.

I have asked 'what is the increase in height for the proposed seawall compared to the existing seawall built in 1980?' I've had no response from the engineer and as a layman cannot see that measurement on the plans. Surely, it is not unreasonable to ask, as the direct neighbour who will be impacted by this increased height of seawall, what will be the difference in feet & inches? Also I would like the proposed "two 10-foot returns" explained to me?

I've spoken to Ingrid, our Town Planner and she assured me the plans are only for the new seawall and not for the back terrace project that will severely compromise our water view. I was told by the architect there would be a wall between our unit B's patio and the new project for A unit. I understand we are in a "multifamily" situation but for us to lose the huge selling point of a water's edge view from our adjacent back patio is extremely distressing. Please take these words on board for future planning and permitting.

As a Real Estate agent for Premier Estate Properties in this area with over 20 years experience, I want to stress that values are increased hugely by exceptional or special wide water views. We have been the owners of our residence for now almost eight years. It is a unique situation where by we have an Intracoastal lagoon that does not get severely effected by Intracoastal boat traffic due to the marina of Ocean Cove which acts as a buffer. Sadly, I sense no maintenance was done to the A unit seawall and I've been told via the grapevine the owners believe their property is sinking. Well if there has been no order to "fill" behind the seawall on a regular basis, there will be subsidence. If only waterfront residents carried out annual maintenance to fill behind their seawall, this sense of "sinkage" could be minimized.

As long as the proposed seawall construction is to code at 6 feet above base flood elevation and all workers are licensed and insured, we cannot object. However, if the follow up project severely impacts our water view, we shall object and make that statement now. Our current privacy on Unit B patio is key and any changes to trees/vegetation on our property line must be reinstated at the expense of the A unit owners. Ingrid told me that for planning permission for unit A's next project there may not be a public hearing so that's why I have come out this morning to stress the importance to not compromise our B unit's wide water Intracoastal view. Thank You.

File Attachments for Item:

A. Development Order Application No. 23-0010 / David Nutter / Boca Highland Center, Inc.

Application by B&M Marine Construction, Inc. For an amendment to a previously approved special exception request (Development Order No. 21-0008) to install a 465 square foot marginal dock, and a 257 linear foot seawall and cap, for the property located at 4801 South Ocean Boulevard.



HIGHLAND BEACH BUILDING DEPARTMENT

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

PLANNING BOARD STAFF REPORT

MEETING OF: **JANUARY 11, 2024**

TO: **PLANNING BOARD**

FROM: **INGRID ALLEN, TOWN PLANNER**

SUBJECT: **APPLICATION BY B&M MARINE CONSTRUCTION, INC. FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL EXCEPTION REQUEST (DEVELOPMENT ORDER NO. 21-0008) TO INSTALL A 465 SQUARE FOOT MARGINAL DOCK, AND A 257 LINEAR FOOT SEAWALL AND CAP, FOR THE PROPERTY LOCATED AT 4801 SOUTH OCEAN BOULEVARD (APPLICATION NO. 23-0010)**

I. GENERAL INFORMATION:

Applicant (Property Owner): Boca Highland Center, Inc.
4801 South Ocean Boulevard
Highland Beach, FL 33487

Applicant's Agent: David Nutter
B & M Marine Construction, Inc.
1211 South Military Trail, #220
Deerfield Beach, FL 33442

Property Characteristics:

Comprehensive Plan Land Use: Multi Family Low Density

Zoning District: Residential Multiple Family Low Density (RML)

Parcel PCN#: 24-43-47-09-00-001-0100

Property Background:

On November 10, 2021, the Planning Board approved a Special Exception request to install a 1,315 square foot marginal dock, a 271 linear foot seawall and cap, a 120 square foot finger pier, and a 16,000 pound capacity boat lift for the property (Development Order No. No. 21-0008) motion carried 6-0).

Request and Analysis:

The Applicant is requesting an amendment to a previously approved special exception request (Development Order No. 21-0008) to install a 465 square foot marginal dock, and a 257 linear foot seawall and cap for the property located at 4801 South Ocean Boulevard within the Boca Highlands development. As indicated above, the Applicant received a special exception approval from the Planning Board on November 10, 2021; however, the Applicant wishes to amend the square footage of the marginal dock and the linear footage of the seawall and cap as follows:

STRUCTURE TYPE	ORIGINAL APPROVAL	AMENDMENT
DOCK	1,315 square feet (includes 3.8' x 2.5' extension).	465 square feet
SEAWALL/CAP	271 linear feet	257 linear feet

The previously approved 120 square foot finger pier, and 16,000 pound capacity boat lift are to remain unchanged. The Applicant also proposes to backfill an 830 square foot area between the existing and new seawall. Pursuant to Section 14.1 of the Town Code, the following provisions pertaining to “land filling” apply:

*Any person desiring to add to or extend any lands, areas, including submerged lands, to remove sand, rock or earth from any submerged lands, to construct a finger canal, lagoon or yacht basin within the territorial limits of the town by any means, including, but not limited to, hydraulic dredging, pumping, dragline, dynamiting or shovel, shall first **make application to the town commission for permission to do so.** Such written application shall be accompanied by a plan or drawing showing the area to be filled and also showing the area from which any fill material is to be dredged or removed by other means. Specifications sufficient in detail as to clearly outline how the dredging or filling procedure will take place must also accompany the application.*

As noted above, a land fill request will be reviewed and considered by the Town Commission.

The Applicant has obtained both Florida Department of Environmental Protection (FDEP) and US Army Corps of Engineers (ACOE) approval for the above-referenced items. The corresponding file/permit numbers for each agency are provided in the table below. Note that the FDEP and ACOE approvals reference the proposed marginal dock at 476 square feet rather than 465 square feet as proposed on the Applicant’s request to the Town (see Applicant’s narrative table provided as part of the Application). The Applicant indicates that the area used for the FDEP and ACOE approvals was calculated using total length and width without regard to the dock corners (see “square footage note” on sheet 2 of 9 of Applicant plans).

FDEP (PERMIT NO.)	ACOE (FILE NO.)
50-196034-008-EM	SAJ-2007-01043 (NWP/GP-KMM)

Pursuant to Section 6-128(b) of the Town Code, all seawalls west of State Road A1A shall be at Base Flood Elevation (BFE) or higher as provided by the FEMA FIRM maps. The BFE for the property is currently at 6 feet. The Applicant’s proposed seawall is 6.0 feet NAVD.

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

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

Staff reviewed the Applicant’s proposed request and finds that it is consistent with the special exception provisions of Section 30-36 of the Town Code, were applicable, and consistent with the Town Comprehensive Plan and Code of Ordinances. If the Planning Board should grant approval of the request, staff recommends the following condition of approval which is based on the Applicant’s plan set, date stamped received by the Building Department on December 14, 2023:

1. Contingent upon Town Commission approval of a land fill permit pursuant to Chapter 14 of the Town Code of Ordinances.

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

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



TOWN OF HIGHLAND BEACH DEVELOPMENT APPROVAL APPLICATION

Application # _____

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

PROPERTY INFORMATION ASSOCIATED WITH THIS APPLICATION	
Address: 4801 S Ocean Blvd, Highland Beach, FL 33487	PCN: 24-43-47-09-00-001-0100
Full Legal Description of the Property [as described in the deed] or reference to an attachment: 9-47-43, PT OF N 1/2 OF GOV LTS 1 & 2 & PT BET F/K/A LAGOON IN TRS DEEDS 20336, 20335 & 20334 AS IN OR3861P457 (LESS OR3763PGS1106 & 1108) K/A ENTRANCEWAY, SOUTH MARINA, BEACH CLUB PAR & RDWYS 1 2 & 4 & MARINA PARKING OR669P867	
Zoning District: RML	What is the location of the installation? <input type="checkbox"/> Intracoastal Waterway (ICW) <input checked="" type="checkbox"/> Interior Canal/Basin <input type="checkbox"/> N/A

PROPERTY OWNER (APPLICANT) INFORMATION		
Name: Boca Highland Center, Inc.	Phone: 561-391-2461	Fax: 561-416-2134
Mailing Address: 4801 S Ocean Blvd, Highland Beach, FL 33487		
Email Address: kande@bocahighland.com		

APPLICANT'S AGENT INFORMATION		
Name: David Nutter	Phone: 954-421-1700	Fax:
Company Name: B & M Marine Construction, Inc		
Mailing Address: 1211 S Military Trail #200, Deerfield Beach, FL 33442		
Email Address: permits@bm-marine.com		

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

- Repair seawall with new concrete panel & piling seawall in front of existing -
176' of new seawall to be placed 19" to 22" in front of existing (measured wetface to wetface)

- 81' of new seawall to be placed up to 29' in front of existing (measured wetface to wetface)

- Removal of 103' of existing seawall (after installation of new seawall)

- Replace mooring structures -

- Replace existing pier with new 30' x 4' wood pier in same location on new wood piles

- Existing lift and piles to be removed and reinstalled after new dock and pier are constructed

- Removal of six existing mooring piles

- Approx. 104' of existing 3' wide dock and piles removed during initial commencement of project (Approx. 312sf)

- Removal of 151' of existing 4' wide dock (636sf) and piles

- Reconstruction of 93' of new 5' wide dock (476sf) on new wood piles

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

Applicant's Signature: Keith Newfield Date: 8/3/23
Applicant's Printed Name Keith Newfield

Received by the Town Clerk's Office:

Received By: _____ Date: _____

Date Public Notices Mailed: _____

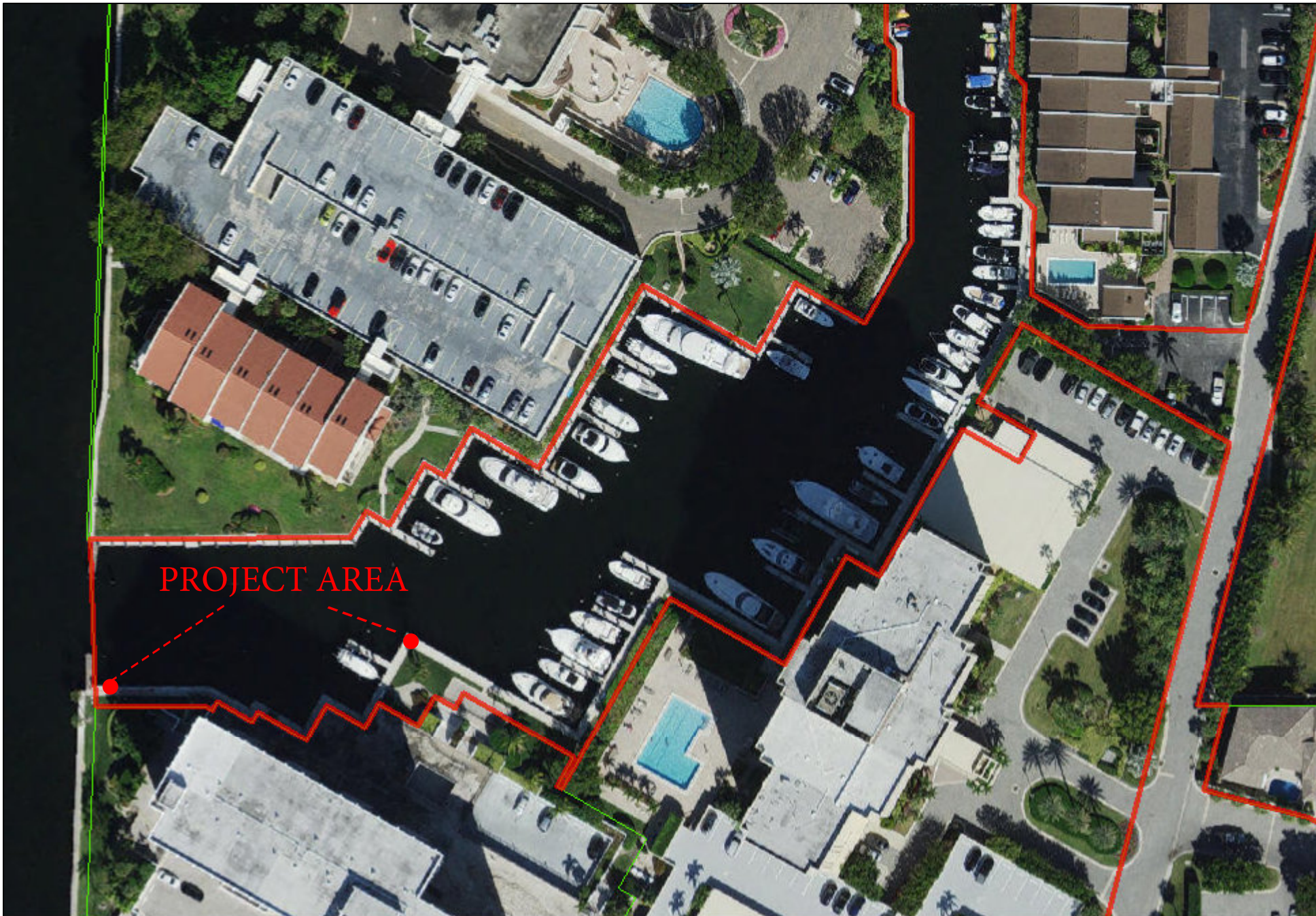
Date Legal Advertisement Published: _____

STRUCTURE	ORIGINALLY APPROVED	REQUESTED	CHANGE	REASON FOR CHANGE
EXISTING SEAWALL	275LF OF EXISTING SEAWALL TO REMAIN	172LF OF EXISTING SEAWALL TO REMAIN; 103LF OF EXISTING SEAWALL TO BE REMOVED	103LF	PORTION OF EXISTING SEAWALL TO BE REMOVED WHERE NEW SEAWALL WILL BE STRAIGHTENING THE CANAL
NEW SEAWALL	271LF OF NEW SEAWALL IN FRONT OF EXISTING	257LF OF NEW SEAWALL IN FRONT OF EXISTING	14LF	NEW SEAWALL WILL STRAIGHTEN THE CANAL REDUCING THE TOTAL LENGTH OF NEW WALL
EXISTING DOCK TO BE REMOVED	263LF OF EXISTING DOCK TO BE REMOVED	158LF OF EXISTING DOCK TO BE REMOVED; 104LF OF EXISTING DOCK REMOVED DURING INITIAL JOB COMMENCEMENT	104LF	PORTION OF EXISTING DOCK WAS REMOVED PRIOR TO THIS MODIFICATION REQUEST DURING THE INITIAL JOB COMMENCEMENT
NEW DOCK	262' x 5'	93' x 5'	169LF	NO NEW DOCK WILL BE INSTALLED ALONG THE BEGINNING OF THE NEW SEAWALL REDUCING THE LENGTH OF THE NEW DOCK
PIER	REMOVED & REBUILT AS 30' x 4'	REMOVED & REBUILT AS 30' x 4'	NONE	N/A
LIFT	TO BE REMOVED AND REINSTALLED	TO BE REMOVED AND REINSTALLED	NONE	N/A

NOTE REGARDING DOCK SQUARE FOOTAGE:

THE PLANS INDICATE A DOCK SQUARE FOOTAGE OF 476SF, HOWEVER THE ABOVE DOCK DIMENSIONS CALCULATE TO 465SF. THE DIFFERENCE IS DUE TO THE SHAPE OF THE DOCK THAT INCLUDES CORNERS.

A SIMPLE MULTIPLICATION OF THE TOTAL LENGTH AND WIDTH WILL NOT RESULT IN THE TOTAL AREA STATED, DUE TO THE CORNERS ALONG THE LENGTH OF THE DOCK. SIMPLE MULTIPLICATION OF THE LENGTH AND WIDTH WILL CAUSE SOME CORNERS TO BE DUPLICATED AND SOME CORNERS TO BE MISSED. THE TOTAL AREA WAS CALCULATED ELECTRONICALLY USING THE CAD PROGRAM THAT WAS USED TO DRAW THE PLANS.

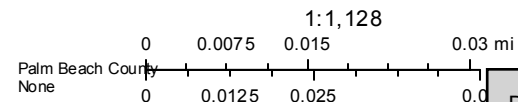


PROJECT AREA

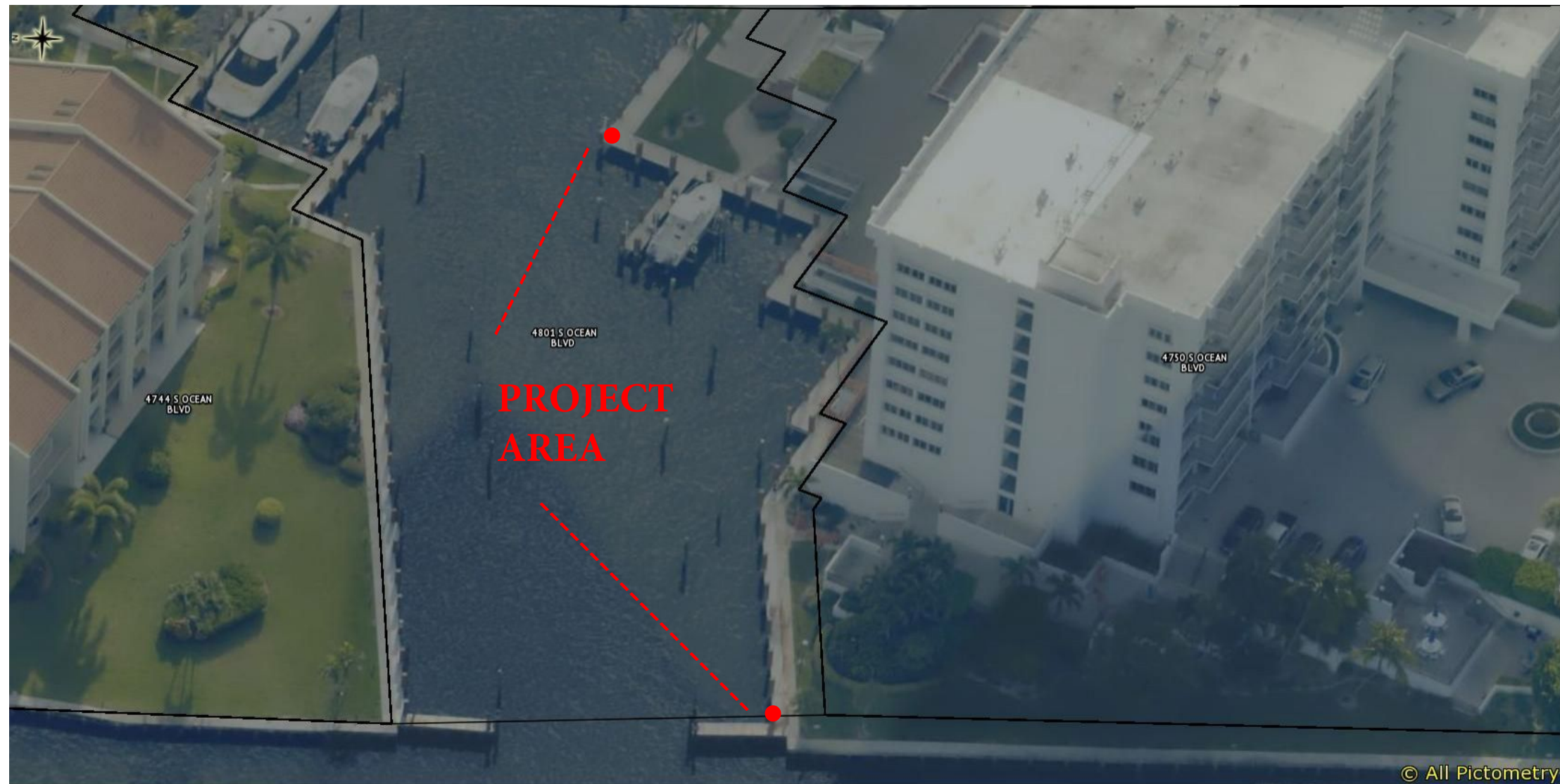


Created by: Palm Beach County

4801 South Ocean Boulevard



4801 South Ocean Boulevard



© All Pictometry

RE: DEP 50-196034-008-EM SAJ-2007-01043

From: Sattelberger, Danielle (danielle.sattelberger@floridadep.gov)

To: nutt3839@bellsouth.net

Date: Wednesday, November 8, 2023 at 08:13 AM EST

Dave,

The position of the lift will not impact the validity of DEP's permit.

For any future ERP related matters, please contact William Lange. He is the new ERP manager and can be reached at William.Lange@FloridaDEP.gov. I now oversee the State 404 Program.

Thank you,



Danielle C. Sattelberger

Environmental Administrator

Florida Department of Environmental Protection

Southeast District – West Palm Beach

3301 Gun Club Road, MSC 7210-1

West Palm Beach, FL 33406

Danielle.Sattelberger@FloridaDEP.gov

Office: (561) 681-6783



From: david nutter <nutt3839@bellsouth.net>

Sent: Monday, October 16, 2023 2:06 PM

To: Munoz, Gabriela <Gabriela.Munoz@FloridaDEP.gov>; Sattelberger, Danielle <Danielle.Sattelberger@FloridaDEP.gov>; Mallett Kaitlyn M CIV USARMY CESAJ (USA) <kaitlyn.m.mallett@usace.army.mil>

Cc: Kande bocahighland.com <kande@bocahighland.com>

Subject: Re: DEP 50-196034-008-EM SAJ-2007-01043

EXTERNAL MESSAGE

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

Danielle and Kaitlyn,

Once again I need to reach out to you due to a slight discrepancy between the building plans I submitted to the Town of Highland Beach and the plans Isiminger submitted the DEP and ACOE. This one concerns the position of the lift to be re-installed.

Please see pages 1, 2 and 9 of our plans, pages 10, 11 and 13 of the Corps authorization, and pages 14, 15 and 17 of the DEP authorization (all attached here).

Referring to the aerial view sheets, the Existing and Proposed Conditions -

- The Existing Conditions in all three (Page 1 in our plans, page 10 in the Corps and page 14 in the DEP) all show the existing lift at a slight rotation to the existing pier.
- The Proposed Conditions in the environmental authorizations (Page 11 in the Corps and page 15 in the DEP) continue to show the lift at this slight rotation to the rebuilt pier, but that is not how a lift would be installed.
- The Proposed Conditions in our plans (Page 2) show the lift rotated to be parallel with the pier, as this would be the proper and professional way to position the lift.
- The first lift pile, closest to the end of the pier will be in the same footprint as its existing position, with the lift and the remaining three piles rotated around that first pile, so the other inside pile is adjacent to the pier as well. This rotation shifts the piles approximately 11 to 16 inches.
 - 2nd lift pile (the 2nd one along the pier)- 11 inch shift
 - 3rd lift pile (the 1st outside pile) - 11.625 inch shift
 - 4th lift pile (the 2nd outside pile) - 16 inch shift - this shift is greater because it is the farthest one from the first pile

Referring to the cross sections -

- Page 13 in the Corps and page 17 in the DEP show the lift piles closer to the second and third pier piles and shows the lift piles 12 feet apart.
- Page 9 in our plans show the lift farther out along the pier and show the lift piles 11 feet, 6.75 inches apart.
- The cross section for the lift in our plans is based on the position of the first lift pile and the distance between the lift piles and shown in the Proposed Conditions.
- The position of the first lift pile from the end of the pier and the distance between the lift piles as shown in the our cross section is exactly matches that shown in all three of the Proposed Conditions pages.

The Town is requesting that the DEP and ACOE both respond as to whether the discrepancies described above are sufficient enough to invalidate your respective authorizations or are minor enough to be not be of a concern or to be handled with an as-built survey/plan/explanation at the close of the project.

Please let me know what your responses are. And feel free to call or contact me if you need any additional information.

David Nutter

B & M Marine Construction

nutt3839@bellsouth.net

On Tuesday, October 10, 2023 at 06:16:01 PM EDT, Sattelberger, Danielle <danielle.sattelberger@floridadep.gov> wrote:

Hi David,

The elevation of the grade landward of the cap will not impact the validity of DEP's permit.

Thank you,

Danielle C. Sattelberger

Environmental Administrator

Florida Department of Environmental Protection

Southeast District – West Palm Beach

3301 Gun Club Road, MSC 7210-1

West Palm Beach, FL 33406

Danielle.Sattelberger@FloridaDEP.gov

Office: (561) 681-6783



From: david nutter <nutt3839@bellsouth.net>
Sent: Tuesday, October 10, 2023 5:25 PM
To: Munoz, Gabriela <Gabriela.Munoz@FloridaDEP.gov>; Sattelberger, Danielle <Danielle.Sattelberger@FloridaDEP.gov>; Kaitlyn Mallett <kaitlyn.mallett@floridadep.gov>
Cc: Kande bocahighland.com <kande@bocahighland.com>
Subject: DEP 50-196034-008-EM SAJ-2007-01043

EXTERNAL MESSAGE

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

Kaitlyn, Gabriela, and Danielle,

Please see the attached comments from the Town of Highland Beach regarding the seawall and dock at Boca Highlands. Also attached are the DEP and ACOE modifications and the latest signed plans.

Please see Comment #5 regarding the grade behind the new cap and respond at to whether the elevation of the grade landward of the cap will impact the validity of your authorizations for the seawall and dock work.

Feel free to call me on my cell (954-868-8476) if you have any questions or concerns.

David Nutter

B & M Marine Construction

nutt3839@bellsouth.net



RE: DEP 50-196034-008-EM SAJ-2007-01043

From: Sattelberger, Danielle (danielle.sattelberger@floridadep.gov)

To: nutt3839@bellsouth.net; Gabriela.Munoz@FloridaDEP.gov

Cc: kande@bocahighland.com

Date: Tuesday, October 10, 2023 at 06:16 PM EDT

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Danielle C. Sattelberger

Environmental Administrator

Florida Department of Environmental Protection

Southeast District – West Palm Beach

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West Palm Beach, FL 33406

Danielle.Sattelberger@FloridaDEP.gov

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David Nutter

B & M Marine Construction

nutt3839@bellsouth.net





FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Project Name: Boca Highland Dock and Seawall

Permittee/Authorized Entity:

Boca Highland Beach Club
c/o Douglas Hillman
4801 South Ocean Blvd
Highland Beach, FL 33487
Email: kande@bocahighland.com

Authorized Agent:

Isiminger & Stubbs Engineering, Inc.
c/o Matt Butler
Email: mbutler@coastal-engineers.com

Environmental Resource Permit - Granted

State-owned Submerged Lands Authorization – Not Applicable

**U.S. Army Corps of Engineers / Section 404 Authorization – Separate Authorization
Required**

Permit No.: 50-196034-008-EM

Modification of Permit No.: 50-196034-007-EI

Permit Issuance Date: March 6, 2023

Permit Construction Phase Expiration Date: March 6, 2028

Environmental Resource Permit

Permit No.: 50-196034-008-EM

PROJECT LOCATION

The activities authorized by this Permit are located within a canal located off the Intracoastal Waterway, Class III Waters, adjacent to 4801 South Ocean Boulevard, Highland Beach (Section 09, Township 47 South, Range 43 East), in Palm Beach County (Latitude N 26°23'28.0634", Longitude W -80°3'59.6422").

PROJECT DESCRIPTION

This permit authorizes the following activities: removal of an existing finger pier, mooring pile, 636 sq. ft. portion of existing marginal dock, and a 103 ln. ft. portion of existing seawall; installation of a 4 ft. by 30 ft. (120 sq. ft.) finger pier, a 476 sq. ft. marginal dock, and a new boatlift; installation of a new 257 ln. ft. seawall, a new seawall cap and backfill approximately 310 cubic yards to level land.

This permit authorizes 1,426 ft² of work in surface waters. Submerged resources are not located within the project boundaries; therefore, there will be no adverse impacts to these resources. Mitigation is not required.

The attached standard manatee conditions (version 2011) shall be adhered to during all in-water work. Prior to construction commencement, weighted floating turbidity curtains, extending to within one-foot from the submerged bottom shall be utilized around the project area to ensure that any turbidity resulting from construction activities will be contained within the project boundaries. All water bodies, including any adjacent submerged aquatic vegetation outside the specific limits of construction authorized by this permit shall be protected from erosion, siltation, sedimentation, and/or scouring.

AUTHORIZATIONS

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

As staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), the Department has determined the activity is not subject to the requirements of Chapter 253, F.S., or Rule 18-21, F.A.C.

Federal Authorization

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

<https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

Project Name: Boca Highland Dock and Seawall

Permit No.: 50-196034-008-EM

Page 2 of 12

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

Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit authorization, as described.

SPECIFIC CONDITIONS- PROJECT FORMS & ATTACHMENTS

(1) The attached project drawings (sheets 1 through 5); the Standard Manatee Conditions for In-Water Work, 2011; <http://www.fleppc.org/list/2015FLEPPCLIST-LARGEFORMAT-FINAL.pdf>; and DEP forms, 62-330.310(1); 62-330.310(2); 62-330.340(1); and 62-330.350(1), which may be downloaded at <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm> become part of this permit.

Project Name: Boca Highland Dock and Seawall

Permit No.: 50-196034-008-EM

Page 3 of 12

If the permittee does not have access to the Internet, please contact the Department at (561) 681-6600 to request the aforementioned forms and/or document(s).

(2) If the attached permit drawings conflict with the specific conditions, then the specific conditions shall prevail.

SPECIFIC CONDITIONS - PRIOR TO CONSTRUCTION

(3) After selection of the contractor to perform the authorized activities and prior to the initiation of any work authorized by this permit, the permittee (or authorized agent) and the contractor shall attend a pre-construction conference with a representative of the Department. It shall be the responsibility of the permittee to contact the Department's Compliance Assistance Program, by email SED_Compliance@FloridaDEP.gov, or by phone (561) 681-6600, to schedule the pre-construction conference.

(4) The permittee shall ensure that the permit conditions are explained to all construction personnel working on the project and for providing each contractor and subcontractor with a copy of this permit before the authorized work begins.

(5) Prior to the initiation of any work authorized by this permit, floating turbidity curtains with weighted skirts that extend to within one foot of the bottom shall be placed around the project site, and shall be maintained and remain in place for the duration of the project construction to ensure that turbid discharges do not occur outside the boundaries of the floating turbidity screens. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent turbid discharges.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

(6) There shall be no storage or stockpiling of tools and materials (i.e., lumber, pilings, debris), along the shoreline adjacent to waters of the state. All excess lumber, scrap wood, trash, garbage, and any other type of debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit. All construction equipment/tools and materials shall be transported to and from the site via upland roadways and barges and all equipment/tools and materials shall be stored on the uplands.

(7) All watercraft associated with the construction of the permitted structure shall operate within waters of sufficient depth to preclude bottom scouring, prop dredging or damage to submerged bottom or submerged resources. During all construction activities, there shall be a minimum of 1-foot clearance between the draft of the construction vessel/barge and the submerged bottom.

(8) The surrounding waterbody and marine resources located outside of the specific limits of construction, authorized by this permit, shall be protected from siltation, sedimentation, and/or scouring. Best management practices for turbidity and erosion control shall be implemented and maintained at all times during to prevent siltation and turbid discharges into the surface waters surrounding the project site.

(9) All wooden pilings used in construction of the dock shall be wrapped with an impervious membrane one-foot above the mean high-water line to one-foot below the substrate.

(10) No dredging or filling of submerged grass beds or live bottom communities are authorized by this permit.

SPECIFIC CONDITIONS – MONITORING/REPORTING REQUIREMENTS

(11) Turbidity levels outside the construction area shall not exceed 29 NTU’s above background levels. The following measures shall be taken immediately by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed 29 NTUs above background:

- a. Notify the Department at (561) 681-6600 at the time the violation is first detected.
- b. Immediately cease all work contributing to the water quality violation.
- c. Stabilize all exposed soils contributing to the violation. Modify the work procedures that were responsible for the violation, install more turbidity containment devices, and repair any non-functional turbidity containment devices.
- d. As required, perform turbidity monitoring per Specific Conditions.
- e. Resume construction activities once turbidity levels outside turbidity curtains fall below 29 NTUs.

(12) Turbidity Monitoring: Water turbidity levels shall be monitored if a turbidity plume is observed outside the limits of the required turbidity control devices. Samples shall be taken every four hours until turbidity subsides at one foot above the bottom, mid-depth, and one-foot below the surface at monitoring stations located as follows:

- a. Approximately 100 feet up-current of the work sites and clearly outside the influence of construction activities. (This shall serve as the natural background sample against which other turbidity readings shall be compared.)
- b. Directly outside the turbidity curtains surrounding the work sites and within the densest portion of any visible turbidity plume. (This sample shall serve as the compliance sample.)

(13) Turbidity Monitoring Reports: During the construction activities, the permittee or permittee's contractor shall collect the following turbidity monitoring data at the frequency and water depths directed by the Specific Condition above:

- a. Date and time of sampling event
- b. Turbidity sampling results (background NTUs, compliance NTUs, and the difference between them)
- c. Description of data collection methods
- d. An aerial map indicating the sampling locations
- e. Depth of sample(s)
- f. Weather conditions at times of sampling
- g. Tidal stage and direction of flow

Data shall be collected in a turbidity log and shall include a statement by the individual responsible for implementation of the sampling program attesting to the authenticity, precision, limits of detection, and accuracy of the data. The turbidity log shall be scanned and sent on a weekly basis to the Department's ERP Compliance Assurance Program via email at SED_Compliance@FloridaDEP.gov. The subject line of the email shall include the project name, permit number, and the title "Turbidity Monitoring Reports."

SPECIFIC CONDITIONS – OPERATIONS

- (14) Vessels utilizing this structure shall maintain a minimum of one-foot clearance between the deepest draft of the vessel with the engine in the down position and the submerged bottom so as to preclude bottom scouring or prop dredging.

SPECIFIC CONDITIONS – MANATEE CONDITIONS

- (15) The permittee shall comply with the standard manatee protection construction conditions listed in the attached "2011 Standard Manatee Conditions for In-Water Work".
- (16) While performing backfilling, it is important to ensure that manatees or sea turtles do not become entrapped during sheet pile installation or gain access after the sheet pile has been installed and before filling work has been completed. If a manatee or sea turtle becomes entrapped, the area shall be opened to allow the manatee or turtle to leave of its own volition. It shall not be herded or harassed into leaving the area.
- (17) The Permittee shall install permanent manatee educational signs, which shall be maintained for the life of the facility, no later than 60 days after construction commencement. The number and types of signs, as well as the on-site locations shall be approved by FWC staff prior to installation. A proposal for FWC sign approval shall be submitted to ImperiledSpecies@MyFWC.com in accordance with information provided at <http://www.myfwc.com/wildlifehabitats/managed/manatee/education-for-marinas/>. Signs shall be replaced in accordance with FWC guidance by the Permittee if outdated, damaged or faded.

SPECIFIC CONDITIONS – LISTED SPECIES

- (18) This permit does not authorize the permittee to cause any adverse impact to or "take" of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of "take" and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a "take" permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

(1) All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

(2) A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

(3) Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

(4) At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

(5) Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

(6) Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

- a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
- b. For all other activities – "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
- c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

- (7) If the final operation and maintenance entity is a third party:
- a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

(8) The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

- (9) This permit does not:
- a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

(10) Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

(11) The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

- (12) The permittee shall notify the Agency in writing:
- a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

(13) Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

(14) If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

(15) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

(16) The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

(17) This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

(18) A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

NOTICE OF RIGHTS

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

Petition for Administrative Hearing

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

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

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

Time Period for Filing a Petition

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

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver may not apply to persons who have not received a clear point of entry.

Extension of Time

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

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

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

Judicial Review

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

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Norva Blandin, MSEM
Permitting Program Administrator
Southeast District

CERTIFICATE OF SERVICE

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

FDEP – Norva Blandin MSEM, Jeffrey Meyer, Gabriela Munoz, Abigail Davis
Matt Mitchell, Palm Beach County, Environmental Resources, mmitchell@pbcgov.org
Ashley La Vere, FFWCC, Ashley.LaVere@myfwc.com

FILING AND ACKNOWLEDGMENT

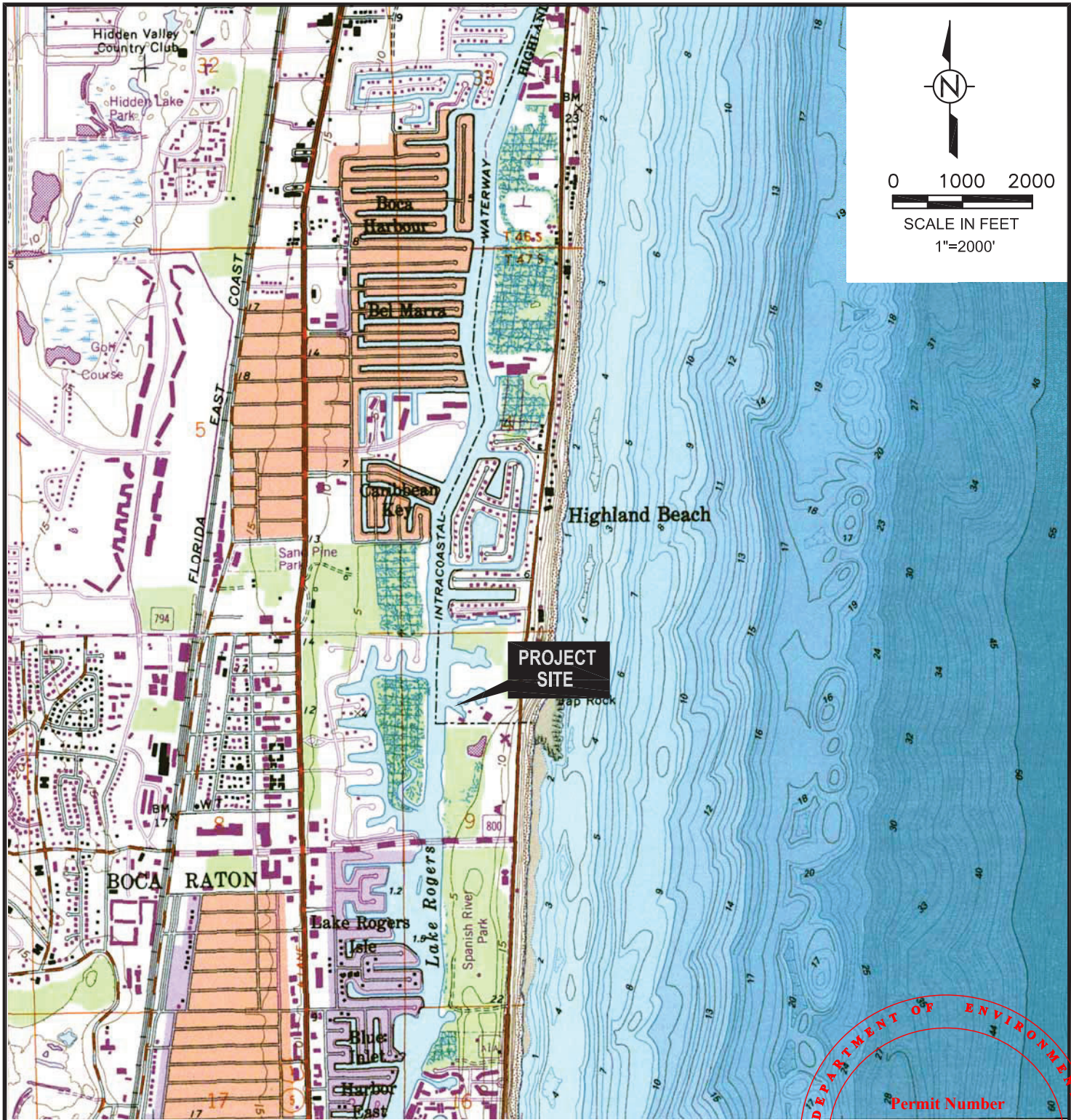
FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Mandakini Patel March 6, 2023
Clerk Date

Attachments:

- Project Drawings and Design Specs., 5 pages
- Standard Manatee Conditions for In-Water Work, 2011
- Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit Form 62-330.310(3)*
- As-built Certification and Request for Conversion to Operational Phase Form 62-330.310(1)*
- Request for Transfer to the Perpetual Operation Entity Form 62-330.310(2)*
- Request to Transfer Permit Form 62-330.340(1)*
- Commencement Notice Form 62-330.350(1)*

*Can be downloaded at: <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/forms-environmental-resource>



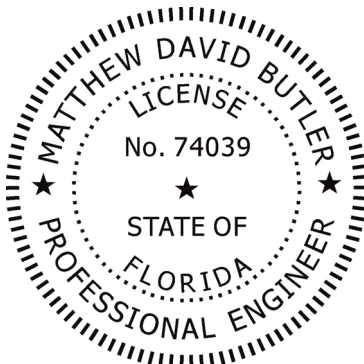
TAKEN FROM U.S.G.S. DELRAY BEACH, FLORIDA QUADRANGLE

SEC: 09 TWP: 47S RGE: 43E

LAT: 26° 23' 30" N

LONG: 080° 04' 11" W

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VICINITY MAP

50-196034-008-EM



**ISMINGER & STUBBS
ENGINEERING, INC.**

COASTAL • ENVIRONMENTAL • MARINE

REGISTRATION NUMBER: 8114
P.O. BOX 14702 • NORTH PALM BEACH, FL 33408 • 561-881-0003

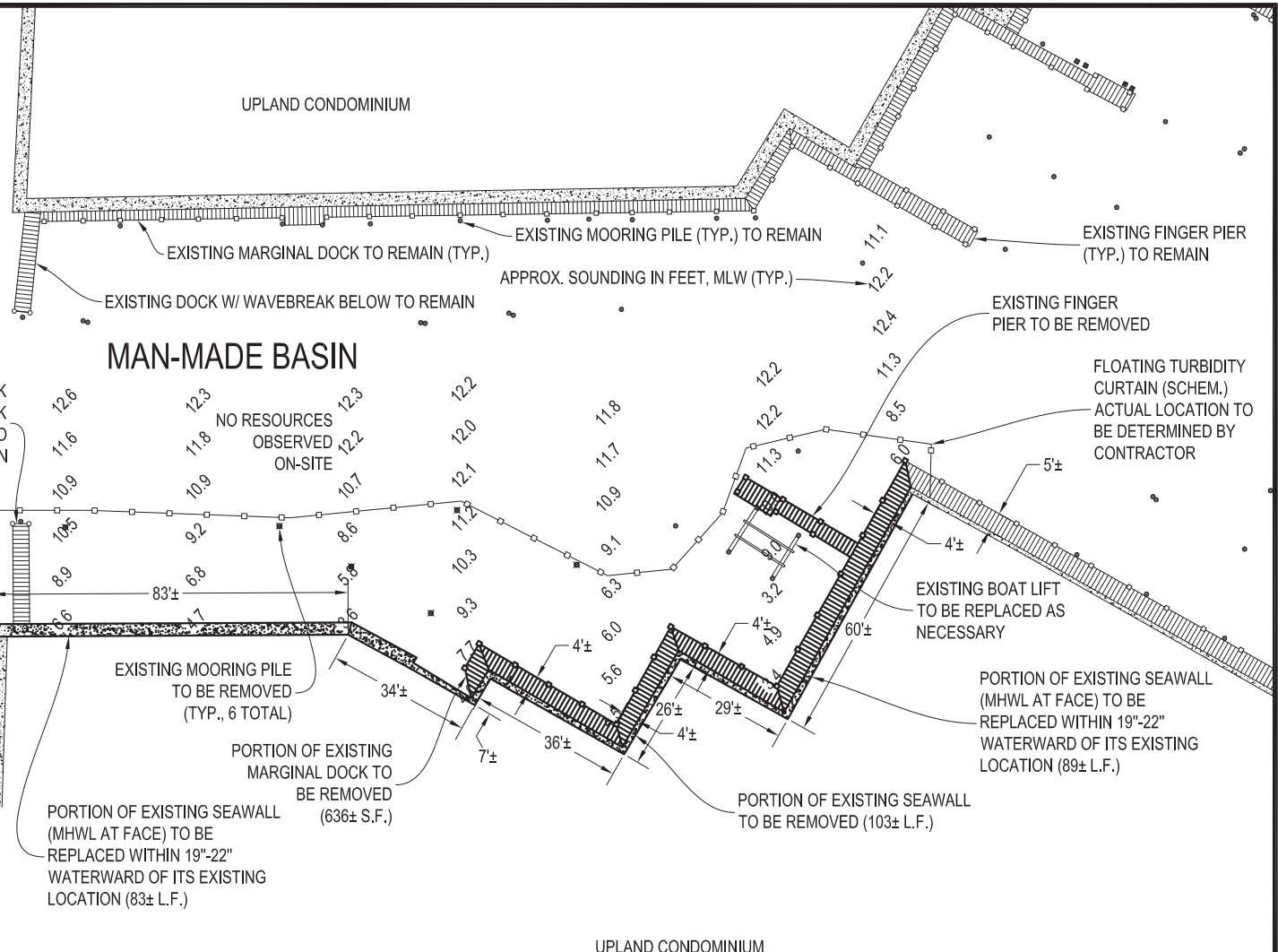
**PROPOSED DOCK AND SEAWALL
MAN-MADE BASIN**

4801 SOUTH OCEAN BOULEVARD
TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY, FL
APPLICANT: BOCA HIGHLAND BEACH CLUB & MARINA

DATE	12/22	DRAWN	MDB	CHKD	TCR	APPRVD	MDB
DWG NO.	22133A1					SHEET	OF 5
COMPUTER FILE NO.	22133A						



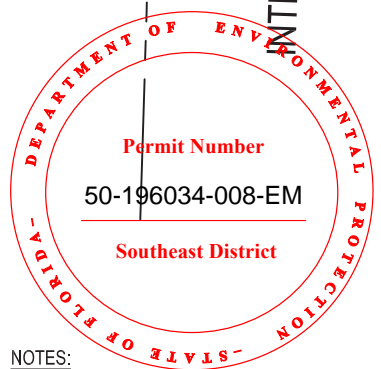
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1"=40'



INTRACOASTAL WATERWAY

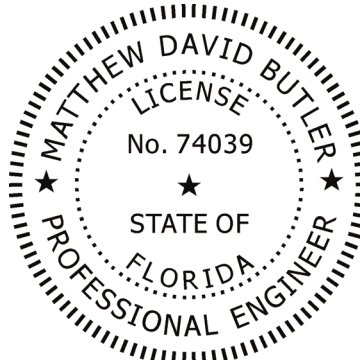


EAST EDGE OF ICW CHANNEL



- NOTES:
- DATUM IS MLW. MLW = -2.1± NAVD FROM LABINS DATABASE.
 - EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY TERRAQUATIC SURVEYING AND MAPPING, DATED 12/8/20, AND ON-SITE OBSERVATIONS.
 - SOUNDINGS AND RESOURCE INFORMATION BY ISIMINGER & STUBBS ENGINEERING, INC. FIELD WORK PERFORMED 8/5/22. SOUNDINGS REDUCED TO MLW BASED ON PREDICTED TIDES ONLY.

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EXISTING PLAN VIEW

ISIMINGER & STUBBS ENGINEERING, INC.
COASTAL • ENVIRONMENTAL • MARINE
REGISTRATION NUMBER: 8114
P.O. BOX 14702 • NORTH PALM BEACH, FL 33408 • 561-881-0003

**PROPOSED DOCK AND SEAWALL
MAN-MADE BASIN**
4801 SOUTH OCEAN BOULEVARD
TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY, FL
APPLICANT: BOCA HIGHLAND BEACH CLUB & MARINA

DATE	12/22	DRAWN	TCR	CHKD	TCR	APPRVD	MDB
DWG NO.	22133A2		SHEET OF		Page 97		
COMPUTER FILE NO.	22133Ar1						

REV	1	1/23	ADDED TURBIDITY CURTAIN
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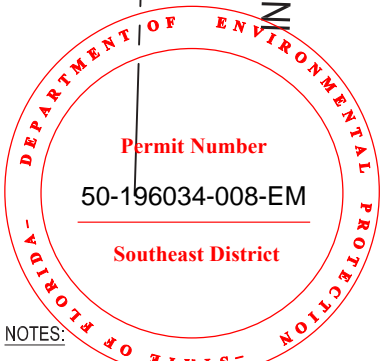
SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.



0 20 40
SCALE IN FEET
1"=40'

EAST EDGE OF ICW CHANNEL

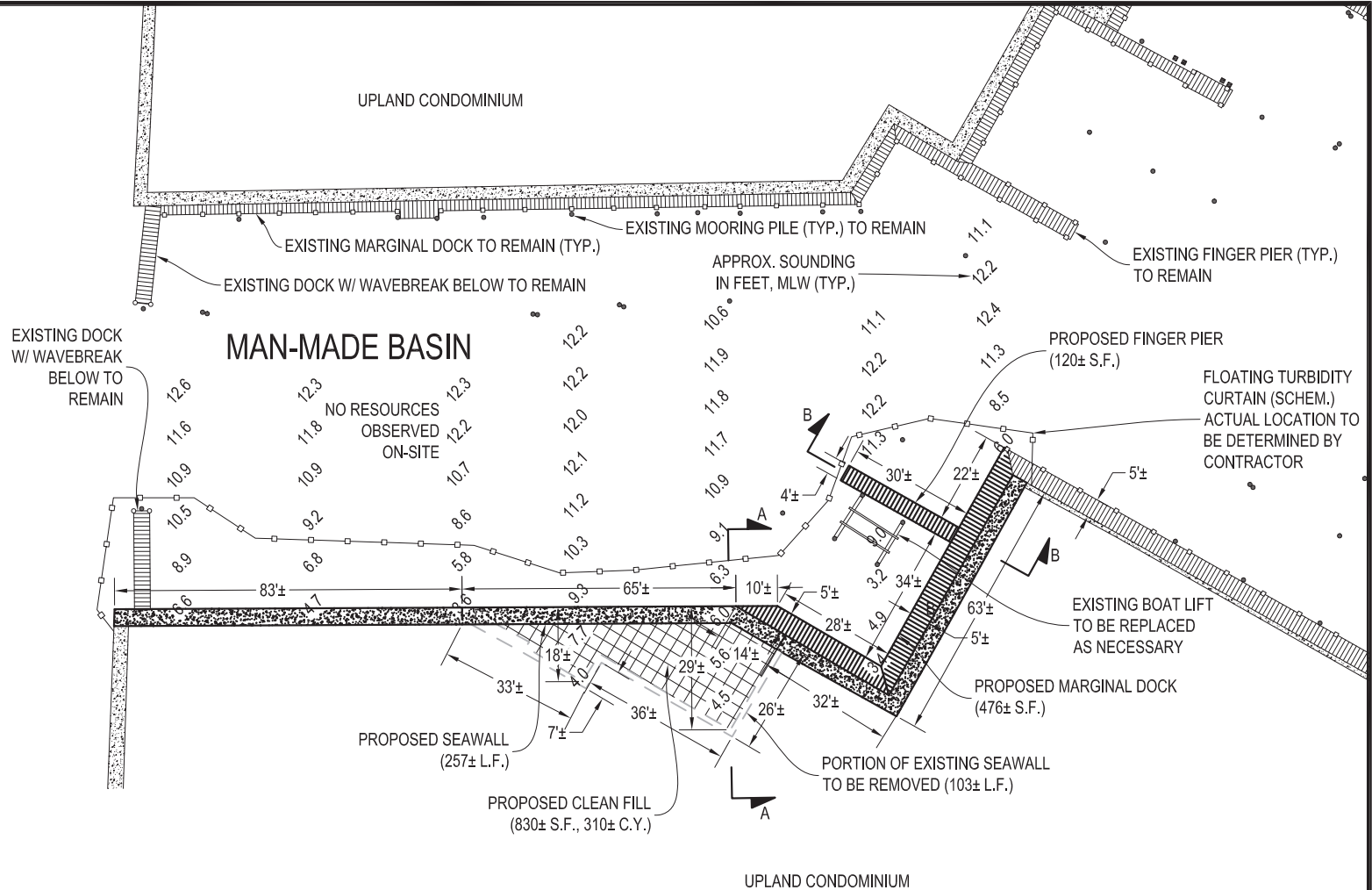
INTRACOASTAL WATERWAY



NOTES:

- DATUM IS MLW. MLW = -2.1± NAVD FROM LABINS DATABASE.
- EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY TERRAQUATIC SURVEYING AND MAPPING, DATED 12/8/20, AND ON-SITE OBSERVATIONS.
- SOUNDINGS AND RESOURCE INFORMATION BY ISIMINGER & STUBBS ENGINEERING, INC. FIELD WORK PERFORMED 8/5/22. SOUNDINGS REDUCED TO MLW BASED ON PREDICTED TIDES ONLY.

SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.



PROPOSED PLAN VIEW



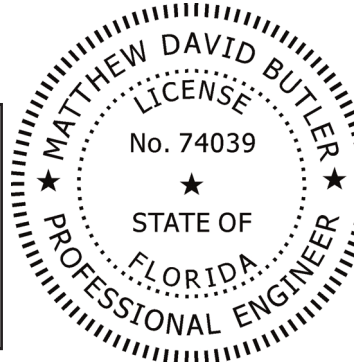
**ISIMINGER & STUBBS
ENGINEERING, INC.**

COASTAL • ENVIRONMENTAL • MARINE
REGISTRATION NUMBER: 8114
P.O. BOX 14702 • NORTH PALM BEACH, FL 33408 • 561-881-0003

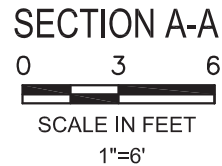
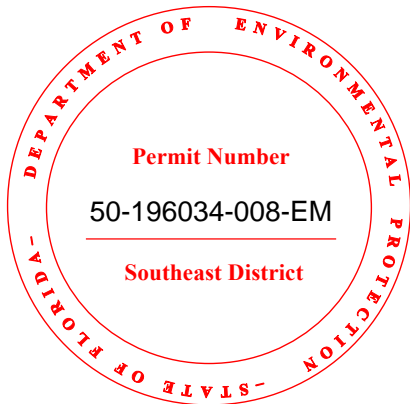
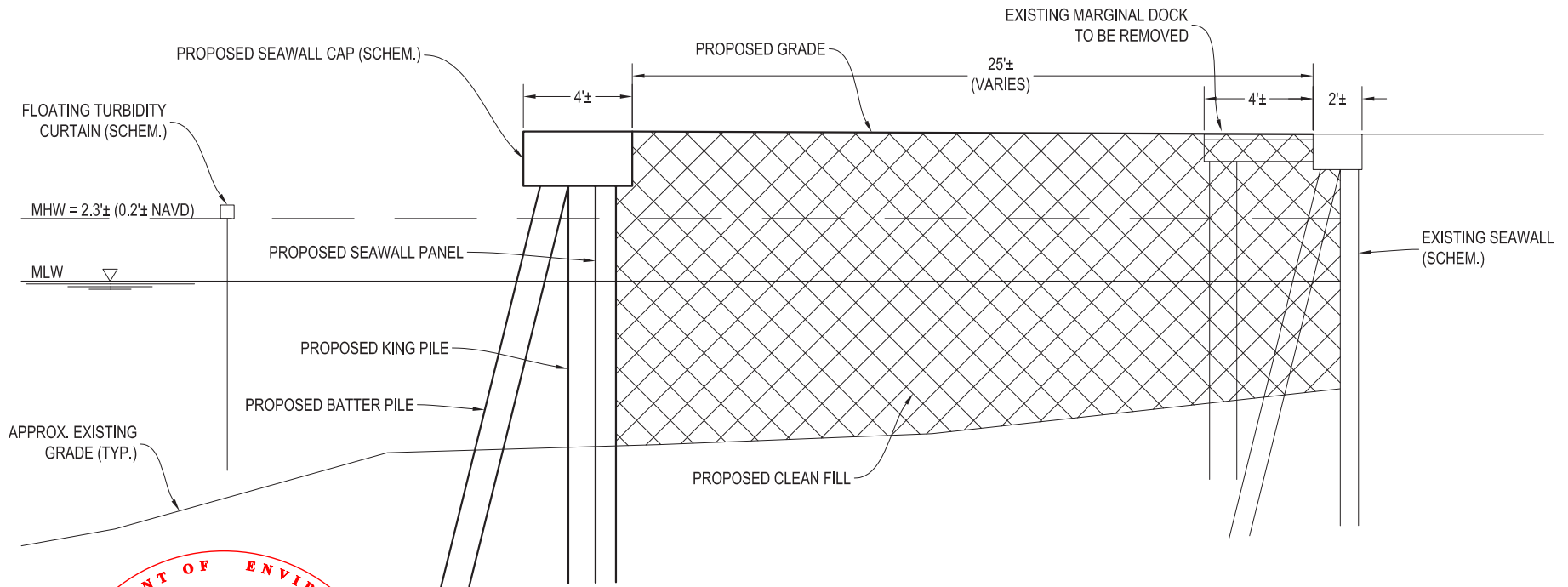
PROPOSED DOCK AND SEAWALL
MAN-MADE BASIN
4801 SOUTH OCEAN BOULEVARD
TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY, FL
APPLICANT: BOCA HIGHLAND BEACH CLUB & MARINA

DATE	12/22	DRAWN	TCR	CHKD	TCR	APPRVD	MDB
DWG NO.	22133A3		SHEET OF		Page 98		
COMPUTER FILE NO.	22133Ar1						

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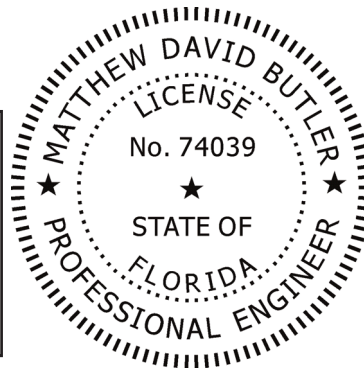
REV	1	1/23	ADDED TURBIDITY CURTAIN
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NOTES:

- DATUM IS MLW. MLW = -2.1± NAVD FROM LABINS DATABASE.
- EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY TERRAQUATIC SURVEYING AND MAPPING, DATED 12/8/20, AND ON-SITE OBSERVATIONS.
- SOUNDINGS BY ISIMINGER & STUBBS ENGINEERING, INC. FIELD WORK PERFORMED 8/5/22. SOUNDINGS REDUCED TO MLW BASED ON PREDICTED TIDES ONLY.

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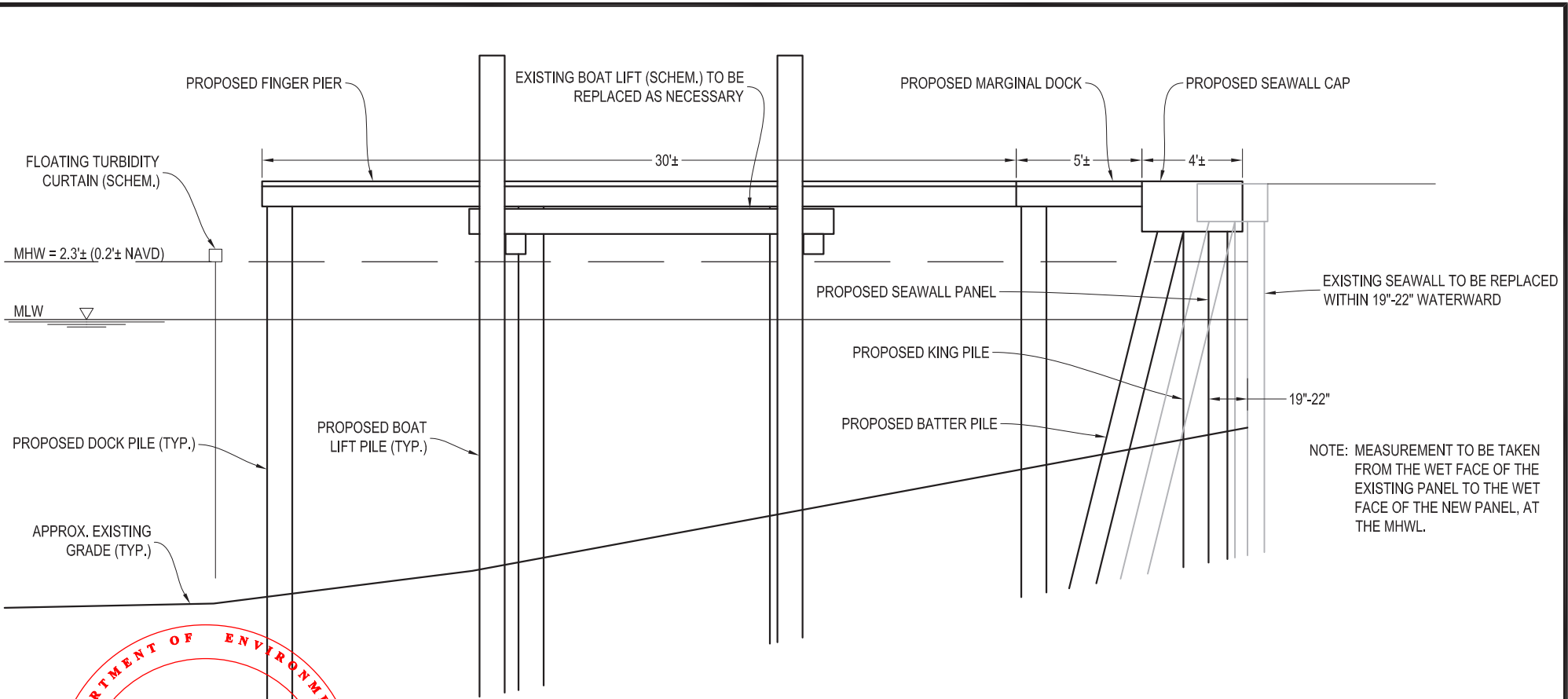


SECTION VIEW

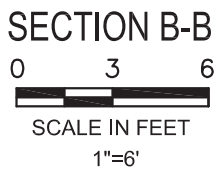
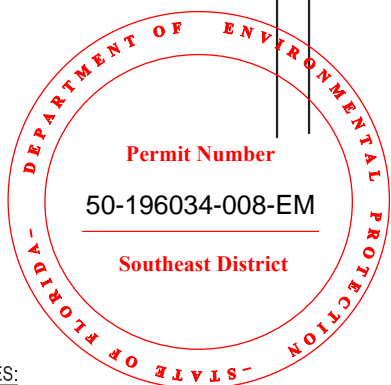
 ISIMINGER & STUBBS ENGINEERING, INC. COASTAL • ENVIRONMENTAL • MARINE REGISTRATION NUMBER: 8114 P.O. BOX 14702 • NORTH PALM BEACH, FL 33408 • 561-881-0003							
PROPOSED DOCK AND SEAWALL MAN-MADE BASIN 4801 SOUTH OCEAN BOULEVARD TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY, FL APPLICANT: BOCA HIGHLAND BEACH CLUB & MARINA							
DATE	12/22	DRAWN	MDB	CHKD	TCR	APPRVD	MDB
DWG NO.	22133A4					SHEET OF	Page 99
COMPUTER FILE NO.	22133Ar1						

**SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.**

REV	1	1/23	ADDED TURBIDITY CURTAIN
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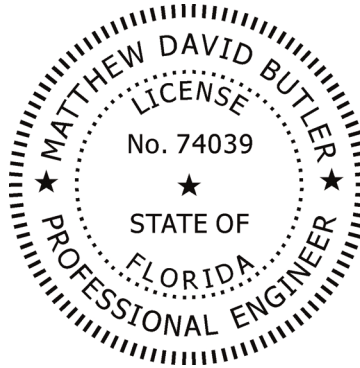
NOTE: MEASUREMENT TO BE TAKEN FROM THE WET FACE OF THE EXISTING PANEL TO THE WET FACE OF THE NEW PANEL, AT THE MHWL.



NOTES:

- DATUM IS MLW. MLW = -2.1± NAVD FROM LABINS DATABASE.
- EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY TERRAQUATIC SURVEYING AND MAPPING, DATED 12/8/20, AND ON-SITE OBSERVATIONS.
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SECTION VIEW

 ISIMINGER & STUBBS ENGINEERING, INC. COASTAL • ENVIRONMENTAL • MARINE REGISTRATION NUMBER: 8114 P.O. BOX 14702 • NORTH PALM BEACH, FL 33408 • 561-881-0003							
PROPOSED DOCK AND SEAWALL MAN-MADE BASIN 4801 SOUTH OCEAN BOULEVARD TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY, FL APPLICANT: BOCA HIGHLAND BEACH CLUB & MARINA							
DATE	12/22	DRAWN	MDB	CHKD	TCR	APPRVD	MDB
DWG NO.	22133A5		SHEET		OF		
COMPUTER FILE NO.	22133Ar1		Page 100				

**SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.**

REV	1	1/23	ADDED TURBIDITY CURTAIN
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STANDARD MANATEE CONDITIONS FOR IN-WATER WORK
2011

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

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

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

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

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC

RE: [Non-DoD Source] Re: DEP 50-196034-008-EM SAJ-2007-01043

From: Mallett, Kaitlyn M CIV USARMY CESAJ (USA) (kaitlyn.m.mallett@usace.army.mil)

To: nutt3839@bellsouth.net; gabriela.munoz@floridadep.gov; Danielle.Sattelberger@FloridaDEP.gov

Cc: kande@bocahighland.com

Date: Thursday, October 19, 2023 at 08:04 AM EDT

David,

The slight shift for the piles can be shown in the self-cert survey at the close of the project. The shift does not invalidate the USACE Corps authorization. Please let me know if there is anything else I can help you with. Thank you again



**US Army Corps
of Engineers**
Jacksonville District

Kaitlyn Mallett

Biologist, Regulatory Division
Palm Beach Gardens Section
Kaitlyn.M.Mallett@usace.army.mil
Phone: 561-545-4885
4400 PGA Blvd., Suite 500
Palm Beach Gardens, FL 33410

From: david nutter <nutt3839@bellsouth.net>
Sent: Monday, October 16, 2023 2:06 PM
To: Munoz, Gabriela <gabriela.munoz@floridadep.gov>; Sattelberger, Danielle <Danielle.Sattelberger@FloridaDEP.gov>; Mallett, Kaitlyn M CIV USARMY CESAJ (USA) <Kaitlyn.M.Mallett@usace.army.mil>
Cc: Kande bocahighland.com <kande@bocahighland.com>
Subject: [Non-DoD Source] Re: DEP 50-196034-008-EM SAJ-2007-01043

Danielle and Kaitlyn,

Once again I need to reach out to you due to a slight discrepancy between the building plans I submitted to the Town of Highland Beach and the plans Isiminger submitted the DEP and ACOE. This one concerns the position of the lift to be re-installed.

Please see pages 1, 2 and 9 of our plans, pages 10, 11 and 13 of the Corps authorization, and pages 14, 15 and 17 of the DEP authorization (all attached here).

Referring to the aerial view sheets, the Existing and Proposed Conditions -

- The Existing Conditions in all three (Page 1 in our plans, page 10 in the Corps and page 14 in the DEP) all show the existing lift at a slight rotation to the existing pier.

- The Proposed Conditions in the environmental authorizations (Page 11 in the Corps and page 15 in the DEP) continue to show the lift at this slight rotation to the rebuilt pier, but that is not how a lift would be installed.
- The Proposed Conditions in our plans (Page2) show the lift rotated to be parallel with the pier, as this would be the proper and professional way to position the lift.
- The first lift pile, closest to the end of the pier will be in the same footprint as its existing position, with the lift and the remaining three piles rotated around that first pile, so the other inside pile is adjacent to the pier as well. This rotation shifts the piles approximately 11 to 16 inches.
 - 2nd lift pile (the 2nd one along the pier)- 11 inch shift
 - 3rd lift pile (the 1st outside pile) - 11.625 inch shift
 - 4th lift pile (the 2nd outside pile) - 16 inch shift - this shift is greater because it is the farthest one from the first pile

Referring to the cross sections -

- Page 13 in the Corps and page 17 in the DEP show the lift piles closer to the second and third pier piles and shows the lift piles 12 feet apart.
- Page 9 in our plans show the lift farther out along the pier and show the lift piles 11 feet, 6.75 inches apart.
- The cross section for the lift in our plans is based on the position of the first lift pile and the distance between the lift piles and shown in the Proposed Conditions.
- The position of the first lift pile from the end of the pier and the distance between the lift piles as shown in the our cross section is exactly matches that shown in all three of the Proposed Conditions pages.

The Town is requesting that the DEP and ACOE both respond as to whether the discrepancies described above are sufficient enough to invalidate your respective authorizations or are minor enough to be not be of a concern or to be handled with an as-built survey/plan/explanation at the close of the project.

Please let me know what your responses are. And feel free to call or contact me if you need any additional information.

David Nutter

B & M Marine Construction

nutt3839@bellsouth.net

On Tuesday, October 10, 2023 at 06:16:01 PM EDT, Sattelberger, Danielle <danielle.sattelberger@floridadep.gov> wrote:

Hi David,

The elevation of the grade landward of the cap will not impact the validity of DEP's permit.

Thank you,



Danielle C. Sattelberger

Environmental Administrator

Florida Department of Environmental Protection

Southeast District – West Palm Beach

3301 Gun Club Road, MSC 7210-1

West Palm Beach, FL 33406

Danielle.Sattelberger@FloridaDEP.gov

Office: (561) 681-6783



From: david nutter <nutt3839@bellsouth.net>
Sent: Tuesday, October 10, 2023 5:25 PM
To: Munoz, Gabriela <Gabriela.Munoz@FloridaDEP.gov>; Sattelberger, Danielle <Danielle.Sattelberger@FloridaDEP.gov>; Kaitlyn Mallett <kaitlyn.mallett@floridadep.gov>
Cc: Kande bocahighland.com <kande@bocahighland.com>
Subject: DEP 50-196034-008-EM SAJ-2007-01043

EXTERNAL MESSAGE

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

Kaitlyn, Gabriela, and Danielle,

Please see the attached comments from the Town of Highland Beach regarding the seawall and dock at Boca Highlands. Also attached are the DEP and ACOE modifications and the latest signed plans.

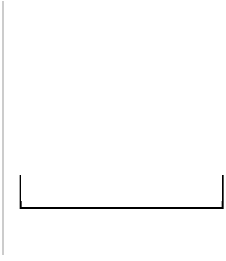
Please see Comment #5 regarding the grade behind the new cap and respond at to whether the elevation of the grade landward of the cap will impact the validity of your authorizations for the seawall and dock work.

Feel free to call me on my cell (954-868-8476) if you have any questions or concerns.

David Nutter

B & M Marine Construction

nutt3839@bellsouth.net



RE: [Non-DoD Source] Fw: DEP 50-196034-008-EM SAJ-2007-01043

From: Mallett, Kaitlyn M CIV USARMY CESAJ (USA) (kaitlyn.m.mallett@usace.army.mil)

To: nutt3839@bellsouth.net

Date: Wednesday, October 11, 2023 at 08:15 AM EDT

David,

If you are asking if changing the graded fill landward of the seawall is still valid with the Corps permit, the answer is yes. However if you are asking something else I believe I may be misunderstanding. Please let me know if I missed the question. Thank you



Kaitlyn Mallett

Biologist, Regulatory Division
Palm Beach Gardens Section
Kaitlyn.M.Mallett@usace.army.mil
Phone: 561-545-4885
4400 PGA Blvd., Suite 500
Palm Beach Gardens, FL 33410

From: david nutter <nutt3839@bellsouth.net>
Sent: Tuesday, October 10, 2023 5:55 PM
To: Mallett, Kaitlyn M CIV USARMY CESAJ (USA) <Kaitlyn.M.Mallett@usace.army.mil>
Subject: [Non-DoD Source] Fw: DEP 50-196034-008-EM SAJ-2007-01043

David Nutter

B & M Marine Construction

nutt3839@bellsouth.net

----- Forwarded Message -----

From: david nutter <nutt3839@bellsouth.net>

To: Gabriela Munoz <gabriela.munoz@floridadep.gov>; Danielle Sattelberger <danielle.sattelberger@floridadep.gov>; Kaitlyn Mallett <kaitlyn.mallett@floridadep.gov>

Cc: Kande bocaighland.com <kande@bocahighland.com>

Sent: Tuesday, October 10, 2023 at 05:24:45 PM EDT

Subject: DEP 50-196034-008-EM SAJ-2007-01043

Kaitlyn, Gabriela, and Danielle,

Please see the attached comments from the Town of Highland Beach regarding the seawall and dock at Boca Highlands. Also attached are the DEP and ACOE modifications and the latest signed plans.

Please see Comment #5 regarding the grade behind the new cap and respond at to whether the elevation of the grade landward of the cap will impact the validity of your authorizations for the seawall and dock work.

Feel free to call me on my cell (954-868-8476) if you have any questions or concerns.

David Nutter

B & M Marine Construction

nutt3839@bellsouth.net



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

July 24, 2023

Regulatory Division
South Branch
Palm Beach Gardens Section
SAJ-2007-01043 (NWP/GP-KMM)

Boca Highland Beach Club & Marina
c/o Douglas Hillman
4801 South Ocean Boulevard
Highland Beach, Florida 33487
Sent via email: kande@bocahighland.com and nutt3839@bellsouth.net

Dear Douglas Hillman:

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit, which the Corps received on December 6, 2022. Your application was assigned file number SAJ-2007-01043(NWP/GP-KMM). A review of the information and drawings provided indicates that the proposed work would improve water access and shoreline stabilization for an existing 6-slip multi-family docking facility by conducting the following activities:

1. Removal of a 636 square foot portion of existing marginal dock, removal of an existing mooring pile, and removal of an existing finger pier;
2. Installation of 257 linear feet of seawall 19-22" waterward of the existing wetface to adjoin and uniformly align the seawall with a seawall cap and installation of king and batter piles;
3. After installation of 257 linear feet of seawall, removal of a portion of 103 linear feet of seawall resulting in a reconfiguration of existing slips within the marina;
4. Proposed 310 cubic yards (830 square feet) of backfill landward of the seawall after seawall installation;
5. Installation of a 476 marginal dock, installation of a 30-foot by 4-foot finger pier;
6. Replace existing boatlift

The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403), and Section 404 of the Clean Water Act (33 U.S.C. § 1344). The project is located in the man-made basin directly connected to the Intracoastal Waterway, at 4801 S Ocean Blvd, in Section 09, Township 47 South, Range 43 East, Highland Beach, Palm Beach County, Florida.

The aspect of your project involving the installation of 257 linear feet seawall and cap, installation of king and batter piles and proposed 310 cubic yards of backfill as depicted

on the attached drawings, is authorized by Nationwide Permit 13 (NWP-13), Bank Stabilization. The aspect of your project involving the removal of 103 linear feet resulting in a reconfiguration of the existing marina basin and slips as depicted on the attached drawings, is authorized by Nationwide Permit 28 (NWP-28), Modification of Existing Marinas. **These verifications are valid until March 14, 2026.** In order for these NWPs authorizations to be valid, you must ensure that the work is performed in accordance with the Nationwide Permit General Conditions, the Jacksonville District Regional Conditions, and the General and Project-Specific Special Conditions listed below. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP. Alternatively, you can access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory Source Book web page for links to view NWP information at:

<https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>. Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there you will need to select "Source Book" and then select "Nationwide Permits." These files contain the description of the NWP authorization, the NWP general conditions, and the regional conditions, which apply specifically to this NWP verification.

The aspect of your project involving the removal of the existing dock and piles, construction of the new marginal dock, installation of new docking structure and replacement of boatlift, as depicted on the attached drawings, is authorized by Regional General Permit (RGP) SAJ-20 and its subsequent modifications, if applicable. **This RGP authorization is valid until March 28, 2028.** Please access the Corps' Jacksonville District Regulatory Division Source Book webpage to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is: <http://www.saj.usace.army.mil/Missions/Regulatory.aspx>. Please be aware this Internet address is case sensitive and you will need to enter it exactly as it appears above. Once there select "Source Book" and then select "General Permits." Then you will need to select the specific SAJ permit noted above.

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

General Conditions (33 CFR PART 320-330):

1. The time limit for completing the work authorized by NWP-13 and NWP-28 ends on **March 14, 2026**. The time limit for completing the work authorized by RGP SAJ-20 ends on **March 28, 2028**.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit you must obtain the signature of the new owner on the transfer form attached to this letter and forward a copy to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.

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

Project Specific Special Conditions:

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

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

The Permittee shall reference this permit number, SAJ-2007-01043 (NW/GP-KMM), on all submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed “Commencement Notification” Form (Attachment 2).
3. **Self-Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached “Self-Certification Statement of Compliance” form (Attachment 3) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the “Self-Certification Statement of Compliance” form. The description of any deviations on the “Self-Certification Statement of Compliance” form does not constitute approval of any deviations by the Corps.
4. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
5. **Manatee Conditions:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 4). The most recent version of the Manatee Conditions must be utilized.
6. **Jacksonville District Programmatic Biological Opinion (JAXBO):** Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable PDCs contained in the JAXBO, based on the permitted activity. Johnson’s seagrass and its critical habitat were delisted from the Endangered Species Act on May 16, 2022. Therefore, JAXBO PDCs required to minimize adverse effects to Johnson’s seagrass and its critical habitat are no longer applicable to any project. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take. The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at:
<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

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

7. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained daily until the authorized work has been completed and turbidity within the construction area has returned to ambient levels. Turbidity barriers shall be removed upon stabilization of the work area.

8. **Cultural Resources/Historic Properties:**
 - a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.

 - b. If, during permitted activities, items that may have historic or archaeological origin are observed the Permittee shall immediately cease all activities adjacent to the discovery that may result in the destruction of these resources and shall prevent his/her employees from further removing, or otherwise damaging, such resources. The applicant shall notify both the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333 and the Corps, of the observations within the same business day (8 hours). Examples of submerged historical, archaeological or cultural resources include shipwrecks, shipwreck debris fields (such as steam engine parts, or wood planks and beams), anchors, ballast rock, concreted iron objects, concentrations of coal, prehistoric watercraft (such as log "dugouts"), and other evidence of human activity. The materials may be deeply buried in sediment, resting in shallow sediments or above them, or protruding into water. The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions. Project activities shall not resume without verbal and/or written authorization from the Corps.

 - c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition and, if deemed necessary by the SHPO or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based on the circumstances of the discovery, equity to all parties, and

considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

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

9. **Fill Material:** The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance in toxic amounts, in accordance with Section 307 of the Clean Water Act.

Jurisdictional Determination:

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

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

This letter of authorization does not give absolute Federal authority to perform the work

as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

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

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

Should you have any questions related to this NWP/RGP verification or have issues accessing the documents referenced in this letter, please contact Kaitlyn Mallett at the letterhead address above, via telephone at 561-545-4885, or via e-mail at Kaitlyn.M.Mallett@usace.army.mil.

Sincerely,

Kaitlyn Mallett

Kaitlyn Mallett
Project Manager

Enclosures
Project Drawings
Commencement Notification form
Self-Certification Statement of Compliance form
Standard Manatee Conditions for In-Water Work—2011

Cc:
Matthew Butler, Isiminger & Stubbs Engineering mbutler@coastal-engineers.com

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

DA PERMIT NUMBER: SAJ-2007-01043(NW/GP-KMM)

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

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

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

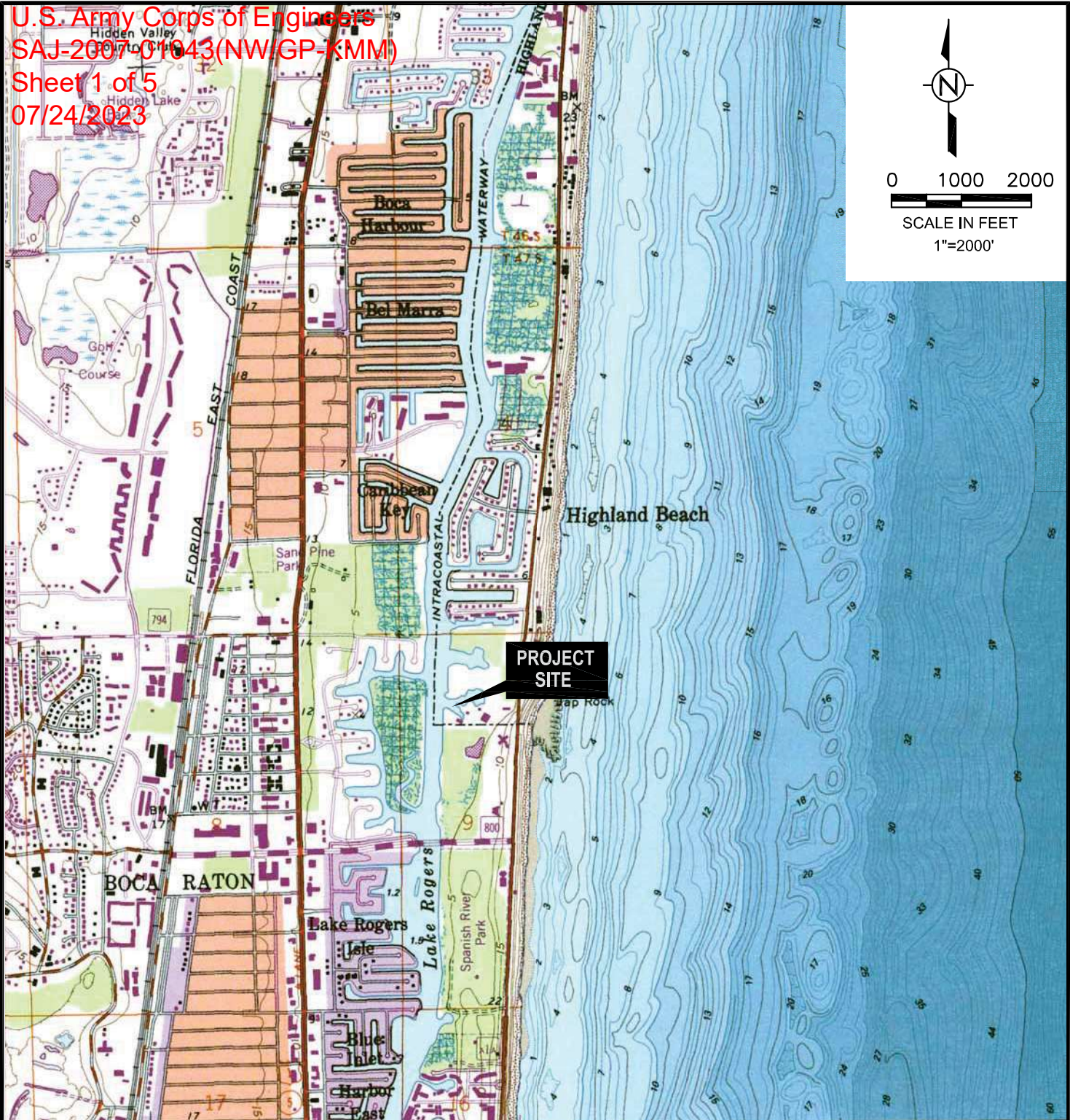
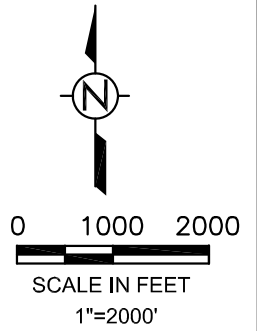
(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

U.S. Army Corps of Engineers
 SAJ-2007-01043(NW/GP-KMM)
 Sheet 1 of 5
 07/24/2023



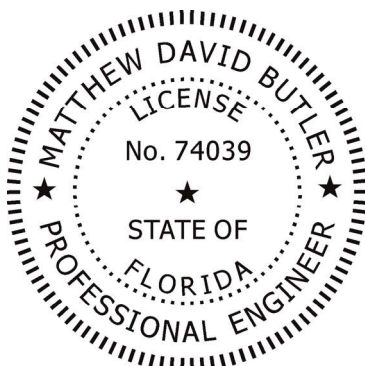
TAKEN FROM U.S.G.S. DELRAY BEACH, FLORIDA QUADRANGLE

SEC: 09 TWP: 47S RGE: 43E

LAT: 26° 23' 30" N

LONG: 080° 04' 11" W

This item has been digitally signed and sealed by Matthew D. Butler, P.E. on 12/6/2022 using a Digital Signature. Printed copies of this document are not considered signed and sealed, and the signature must be verified on any electronic copies.



VICINITY MAP



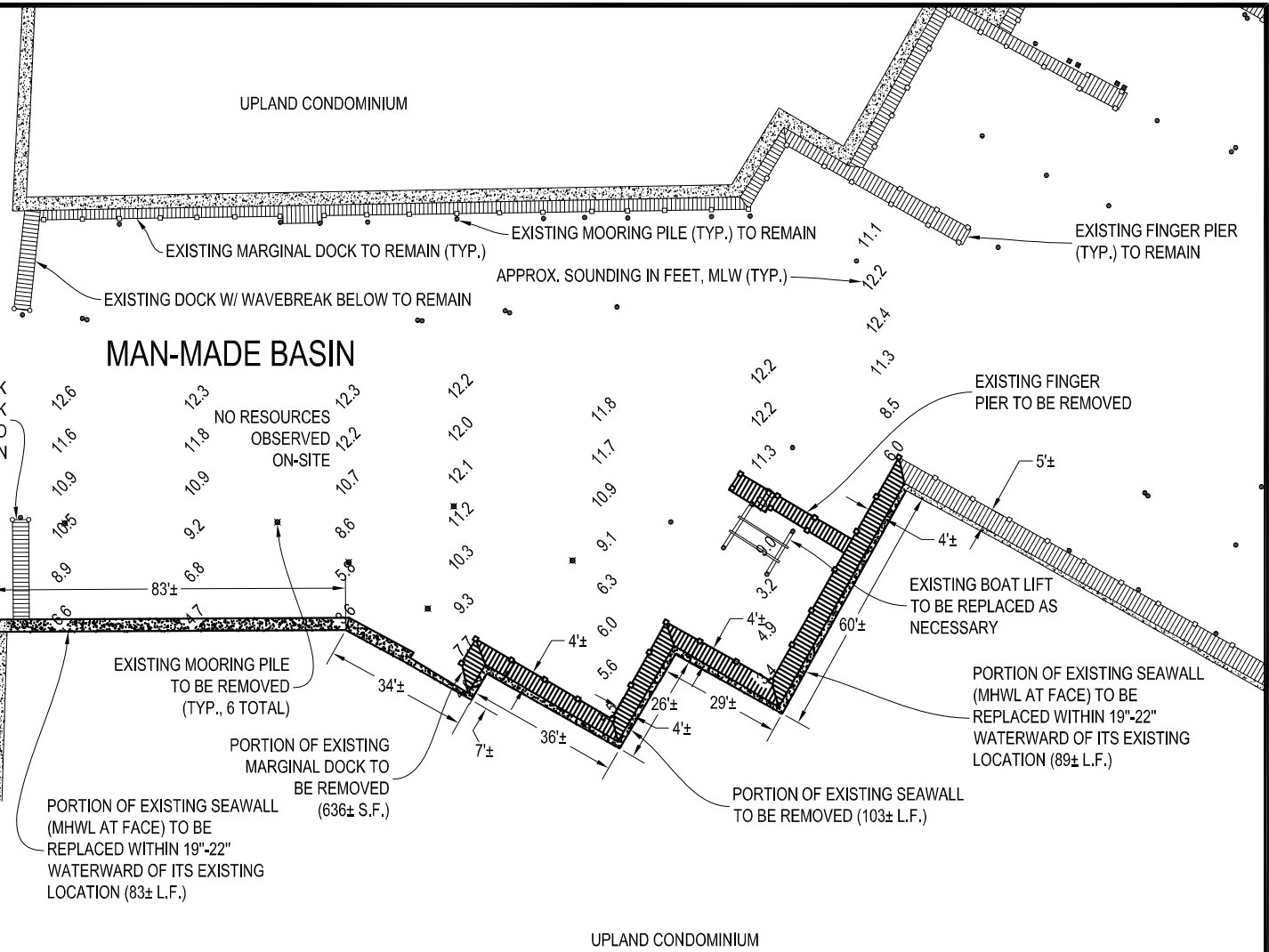
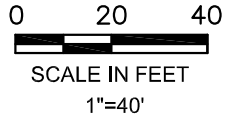
**ISIMINGER & STUBBS
 ENGINEERING, INC.**

COASTAL • ENVIRONMENTAL • MARINE

REGISTRATION NUMBER: 8114
 P.O. BOX 14702 - NORTH PALM BEACH, FL 33408 - 561-881-0003

**PROPOSED DOCK AND SEAWALL
 MAN-MADE BASIN**
 4801 SOUTH OCEAN BOULEVARD
 TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY, FL
 APPLICANT: BOCA HIGHLAND BEACH CLUB & MARINA

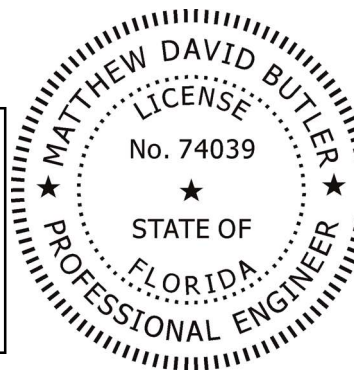
DATE	12/22	DRAWN	MDB	CHKD	TCR	APPRVD	MDB
DWG NO.	22133A1					SHEET	OF 5
COMPUTER FILE NO.	22133A					Page 117	



NOTES:

1. DATUM IS MLW. MLW = -2.1± NAVD FROM LABINS DATABASE.
2. EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY TERRAQUATIC SURVEYING AND MAPPING, DATED 12/8/20, AND ON-SITE OBSERVATIONS.
3. SOUNDINGS AND RESOURCE INFORMATION BY ISIMINGER & STUBBS ENGINEERING, INC. FIELD WORK PERFORMED 8/5/22. SOUNDINGS REDUCED TO MLW BASED ON PREDICTED TIDES ONLY.

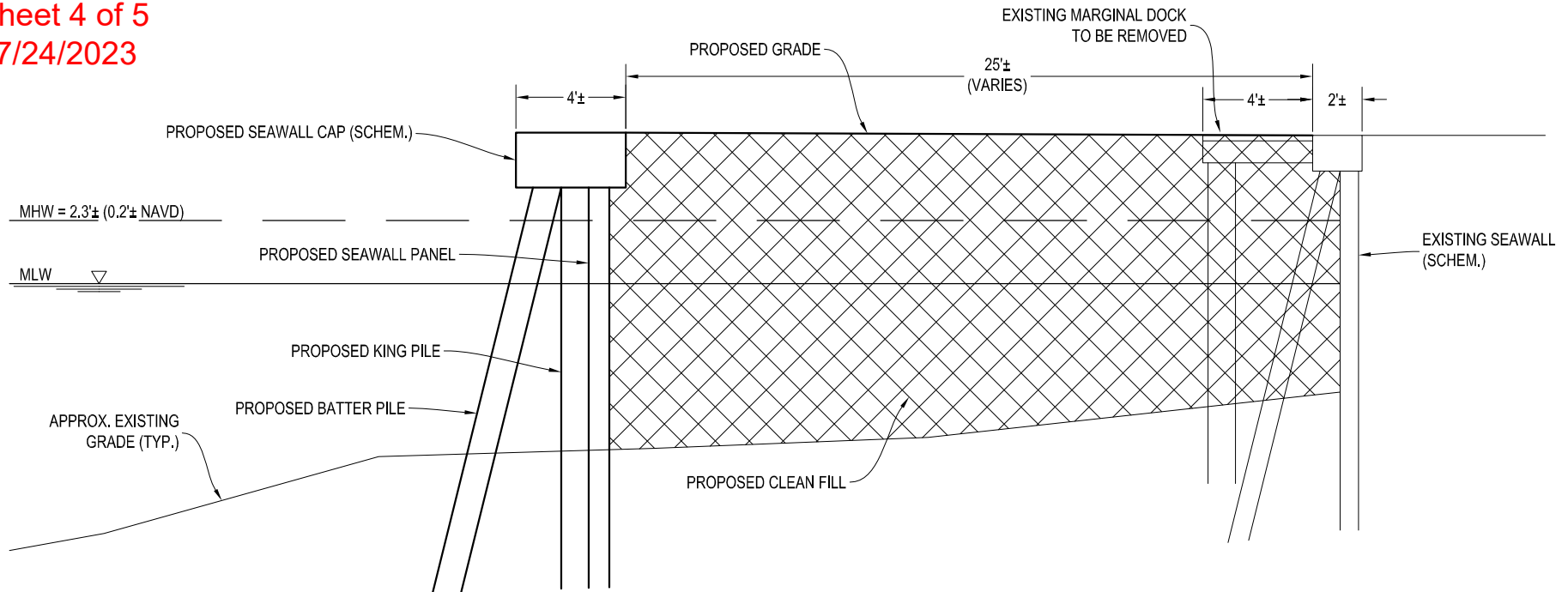
This item has been digitally signed and sealed by Matthew D. Butler, P.E. on 12/6/2022 using a Digital Signature.
 Printed copies of this document are not considered signed and sealed, and the signature must be verified on any electronic copies.



SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
 NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.

EXISTING PLAN VIEW

 ISIMINGER & STUBBS ENGINEERING, INC. COASTAL • ENVIRONMENTAL • MARINE REGISTRATION NUMBER: 8114 P.O. BOX 14702 - NORTH PALM BEACH, FL 33408 - 561-881-0003							
PROPOSED DOCK AND SEAWALL MAN-MADE BASIN 4801 SOUTH OCEAN BOULEVARD TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY, FL APPLICANT: BOCA HIGHLAND BEACH CLUB & MARINA							
DATE	12/22	DRAWN	TCR	CHKD	TCR	APPRVD	MDB
DWG NO.	22133A2			SHEET		Page 118	
COMPUTER FILE NO.	22133A			OF			



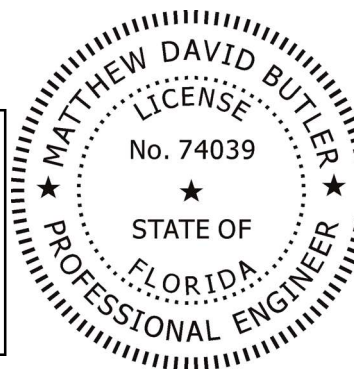
SECTION A-A
 0 3 6
 SCALE IN FEET
 1"=6'

NOTES:

- DATUM IS MLW. MLW = -2.1± NAVD FROM LABINS DATABASE.
- EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY TERRAQUATIC SURVEYING AND MAPPING, DATED 12/8/20, AND ON-SITE OBSERVATIONS.
- SOUNDINGS BY ISIMINGER & STUBBS ENGINEERING, INC. FIELD WORK PERFORMED 8/5/22. SOUNDINGS REDUCED TO MLW BASED ON PREDICTED TIDES ONLY.

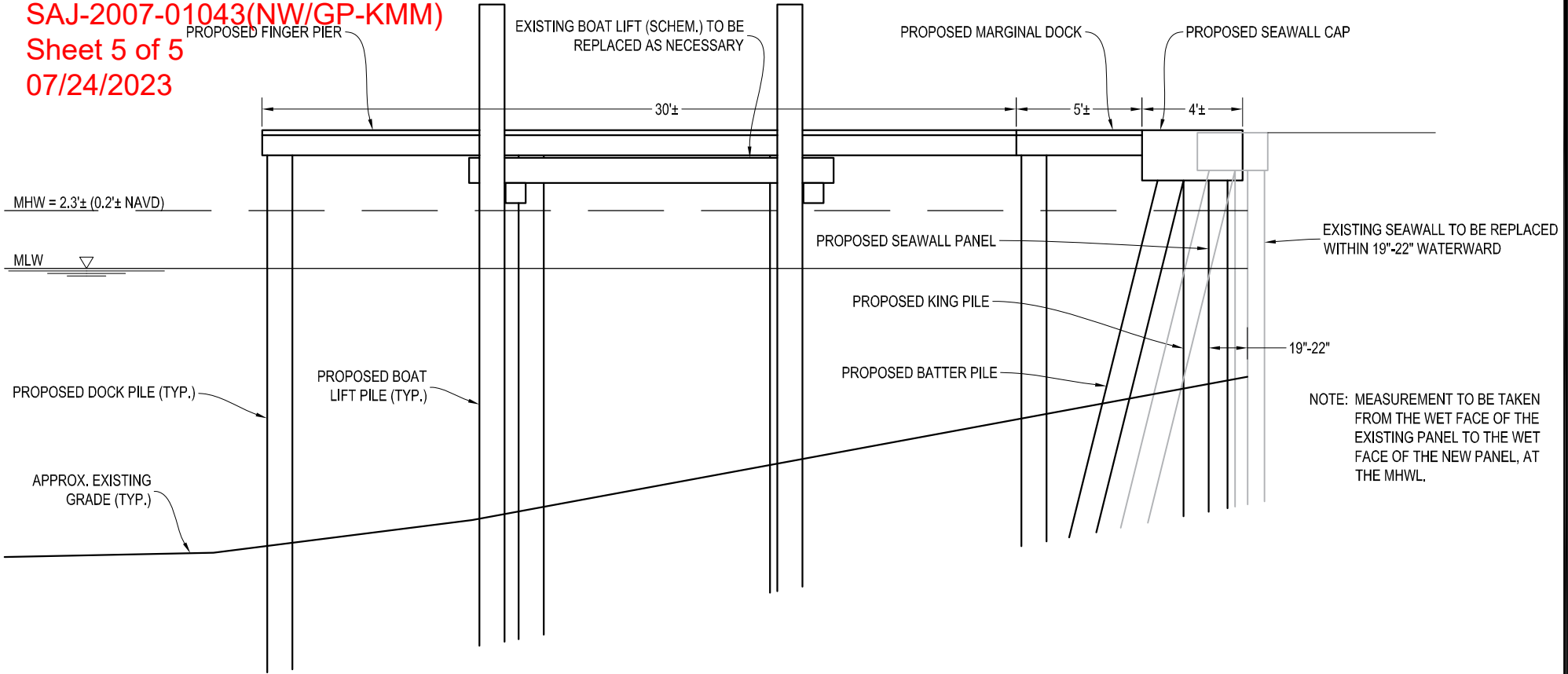
SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
 NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.

This item has been digitally signed and sealed by Matthew D. Butler, P.E. on 12/6/2022 using a Digital Signature.
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SECTION VIEW

 COASTAL • ENVIRONMENTAL • MARINE REGISTRATION NUMBER: 8114 P.O. BOX 14702 - NORTH PALM BEACH, FL 33408 - 561-881-0003							
PROPOSED DOCK AND SEAWALL MAN-MADE BASIN 4801 SOUTH OCEAN BOULEVARD TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY, FL APPLICANT: BOCA HIGHLAND BEACH CLUB & MARINA							
DATE	12/22	DRAWN	MDB	CHKD	TCR	APPRVD	MDB
DWG NO.	22133A4					SHEET	Page 120
COMPUTER FILE NO.	22133A					OF	



SECTION B-B



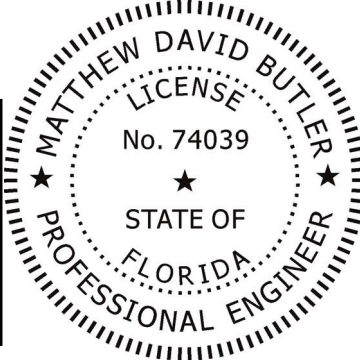
SCALE IN FEET

1"=6'

NOTES:

- DATUM IS MLW. MLW = -2.1'± NAVD FROM LABINS DATABASE.
- EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY TERRAQUATIC SURVEYING AND MAPPING, DATED 12/8/20, AND ON-SITE OBSERVATIONS.
- SOUNDINGS BY ISIMINGER & STUBBS ENGINEERING, INC. FIELD WORK PERFORMED 8/5/22. SOUNDINGS REDUCED TO MLW BASED ON PREDICTED TIDES ONLY.

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SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
 NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.

SECTION VIEW

 COASTAL • ENVIRONMENTAL • MARINE REGISTRATION NUMBER: 8114 P.O. BOX 14702 - NORTH PALM BEACH, FL 33408 - 561-881-0003							
PROPOSED DOCK AND SEAWALL MAN-MADE BASIN 4801 SOUTH OCEAN BOULEVARD TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY, FL APPLICANT: BOCA HIGHLAND BEACH CLUB & MARINA							
DATE	12/22	DRAWN	MDB	CHKD	TCR	APPRVD	MDB
DWG NO.	22133A5					SHEET	Page 121
COMPUTER FILE NO.	22133A					OF	

COMMENCEMENT NOTIFICATION

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

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

2. **Permittee Information:**

Name: _____

Email: _____

Address: _____

Phone: _____

3. **Construction Start Date:** _____

4. **Contact to Schedule Inspection:**

Name: _____

Email: _____

Phone: _____

Signature of Permittee

Printed Name of Permittee

Date

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Within sixty (60) days of completion of the authorized work, submit this form via electronic mail to saj-rd-enforcement@usace.army.mil (preferred) or by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

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

2. **Permittee Information:** Name: _____

Email: _____

Address: _____

Phone: _____

3. **Date Authorized Work Started:** _____ **Completed:** _____

4. **Contact to Schedule Inspection:** Name: _____

Email: _____

Phone: _____

5. **Description of Authorized Work (e.g. bank stabilization, fill placed within wetlands, docks, dredging, etc.):** _____

6. **Acreage or Square Feet of Impacts to Waters of the United States:** _____

7. **Describe Mitigation completed (if applicable):** _____

8. **Describe any Deviations from Permit (attach drawing(s) depicting the deviations):**

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Printed Name of Permittee

Date

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

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

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

CAUTION: MANATEE HABITAT

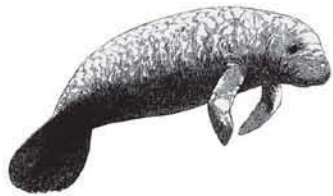
All project vessels

IDLE SPEED / NO WAKE

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

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC

August 28, 2023

Town of Highland Beach Building Department
Attn: Ingrid Allen
3616 S. Ocean Blvd.
Highland Beach, FL 33487

Re: Permit Application DO23-0010
Modification Request to DO21-0008
Boca Highland Beach Club and Marina
4801 S. Ocean Blvd

To whom it may concern,

At a properly noticed meeting held on April 21, 2021, the board of the Boca Highland Beach Club and Marina voted to contract with B & M Marine Construction to complete seawall and dock work at the above location. The board has authorized that the work scope be amended as follows –

- Install 176' of new seawall to be placed 19 to 22 inches in front of the existing seawall;
- Install 81' of new seawall to be placed up to 29 feet in front of the existing seawall;
- Removal of 255' of existing marginal dock (104' has already been removed during initial commencement of project; 151' still needs to be removed);
- Installation of 93' of new wood dock on new wood piles;
- Replacement of existing 30' x 4' wood pier on new wood piles in same location;
- Removal and reinstallation of existing boat lift on existing wood piles;
- Removal of six wood mooring piles;

We expect this repair work to commence once the appropriate permits are secured. Please contact Kande Lewandowski at 561-391-2461 or kande@bocahighland.com with any questions or concerns on behalf of the association.

Sincerely,

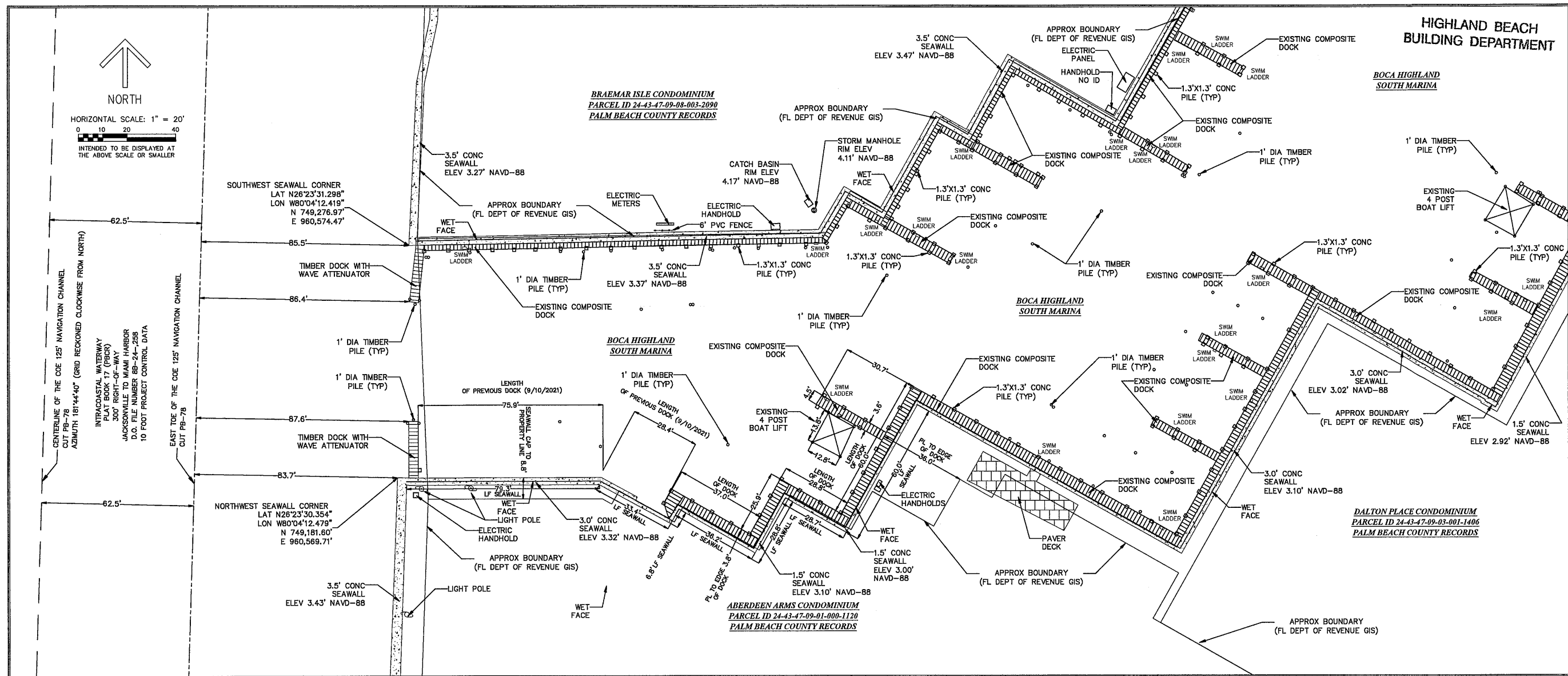

Keith Newfield

Treasurer for Boca Highland Beach Club & Marina, Inc.

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DEC 14 2023

LOCATION AND SPECIFIC PURPOSE SURVEY, 4801 SOUTH OCEAN BOULEVARD, HIGHLAND BEACH, FLORIDA, 33487
A PORTION OF SECTION SECTION 9, TOWNSHIP 47 SOUTH, RANGE 43 EAST



HIGHLAND BEACH BUILDING DEPARTMENT

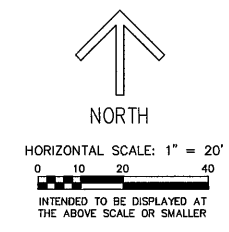
BOCA HIGHLAND SOUTH MARINA

BOCA HIGHLAND SOUTH MARINA

DALTON PLACE CONDOMINIUM
PARCEL ID 24-43-47-09-03-001-1406
PALM BEACH COUNTY RECORDS

ABERDEEN ARMS CONDOMINIUM
PARCEL ID 24-43-47-09-01-000-1120
PALM BEACH COUNTY RECORDS

BRAEMAR ISLE CONDOMINIUM
PARCEL ID 24-43-47-09-08-003-2090
PALM BEACH COUNTY RECORDS



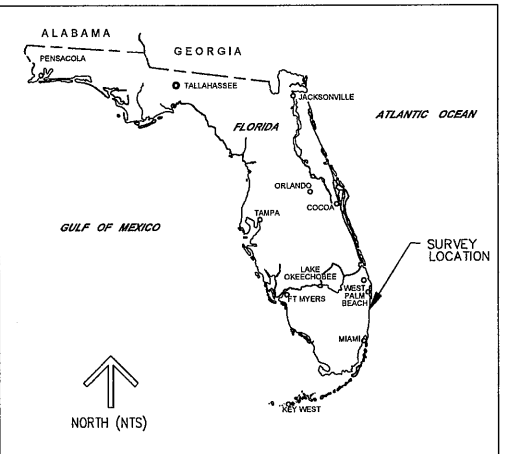
SOUTHWEST SEAWALL CORNER
LAT N26°23'31.298"
LON W80°04'12.419"
N 749,276.97'
E 960,574.47'

NORTHWEST SEAWALL CORNER
LAT N26°23'30.354"
LON W80°04'12.479"
N 749,181.60'
E 960,569.71'

CENTERLINE OF THE COE 125' NAVIGATION CHANNEL CUT PB-78
AZIMUTH 181°44'40" (GRID RECKONED CLOCKWISE FROM NORTH)

EAST TOE OF THE COE 125' NAVIGATION CHANNEL CUT PB-78

INTRACOASTAL WATERWAY PLAT BOOK 17 (PBCR) 300' RIGHT-OF-WAY JACKSONVILLE TO MIAMI HARBOR D.O. FILE NUMBER 88-24-258 10 FOOT PROJECT CONTROL DATA

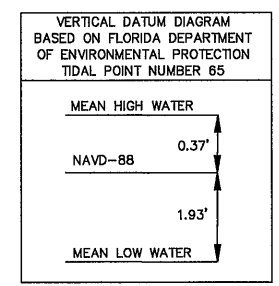


VICINITY MAP

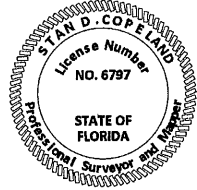


LOCATION MAP
HIGHLAND BEACH, FL 33487

ABBREVIATIONS/LEGEND table with columns for symbol, description, and found status.



SURVEY NOTES: 1. THIS IS NOT A BOUNDARY SURVEY. 2. THIS SURVEY REPRESENTS A SPECIFIC PURPOSE SURVEY AS DEFINED BY THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE. 3. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL. 4. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED EMBOSSED SEAL OR SECURE ELECTRONIC SIGNATURE OF THE UNDERSIGNED. 5. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED FOR EASEMENTS, ENCUMBRANCES OR OTHER INSTRUMENTS OF RECORD OTHER THAN THOSE SHOWN HEREON WHICH MAY AFFECT THIS PARCEL OF LAND. 6. THIS SURVEY IS INTENDED TO BE DISPLAYED AT SCALE OF 1 INCH EQUALS 20 FEET OR SMALLER. 7. UNDERGROUND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY. 8. GEOGRAPHIC AND PLANE COORDINATES SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICA DATUM OF 1983, FLORIDA STATE PLANE, ZONE 901, TRANSVERSE MERCATOR PROJECTION IN THE U.S. SURVEY FOOT UNIT OF MEASUREMENT. 9. AZIMUTHS SHOWN HEREON ARE GRID ALONG THE CENTERLINE OF THE INTRACOASTAL WATERWAY NAVIGATION CHANNEL AS PROVIDED BY THE US ARMY CORPS OF ENGINEERS. 10. LOCATIONS OF ALL IMPROVEMENTS WERE OBTAINED USING REAL TIME KINEMATIC GPS METHODOLOGIES WITH BROADCAST CORRECTIONS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION REFERENCE NETWORK AND ARE ACCURATE TO THIRD ORDER, CLASS II. 11. THE SPECIFIC PURPOSE OF THIS SURVEY IS TO SHOW THE LOCATION OF THE EXISTING SEAWALL AND ADJACENT IMPROVEMENTS WITHIN THE DEPICTED MARINA. 12. ANY ELEVATIONS SHOWN HEREON ARE IN FEET AND RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD-88). CERTIFICATION: I HEREBY CERTIFY THAT THE ATTACHED SPECIFIC PURPOSE SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION ON JULY 27TH, 2023. I FURTHER CERTIFY THAT THIS SPECIFIC PURPOSE SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTE 472.027.



Digitally signed by Stanley Copeland
DN: c=US,
serialNumber=AATL2023040629317
0, cn=Stanley Copeland,
email=stan@tdisurvey.com
Date: 2023.07.27 18:27:07 -04'00'

STAN D. COPELAND, PSM - FLORIDA REGISTRATION NUMBER 6797
JULY 27TH, 2023

Table with columns: REVISIONS, FILE NAME, DATE, BY.

PREPARED BY: TECHNICAL DISCIPLINES, INC. PROFESSIONAL SURVEYING AND MAPPING 6335 STATE STREET, SUITE 3344I DEERFIELD BEACH, FLORIDA 33441 954-850-2008 - LICENSED BUSINESS NO 8123

PREPARED FOR: BOCA HIGHLAND BEACH CLUB & MARINA, INC. 4801 S. OCEAN BLVD. HIGHLAND BEACH, FL 33487

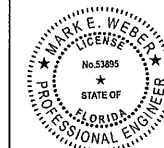
DATE 07/27/23
DRAWN BY SDC
F.B./PG. ELEC
SCALE AS-SHOWN

JOB # TDI-928
SHT. NO. 1
OF 1 S

RECEIVED

DEC 14 2023

HIGHLAND BEACH
BUILDING DEPARTMENT



Digitally signed by
Mark E
Weber
Date:
2023.10.16
18:51:25
-04'00'

Mark E. Weber, P.E.
LICENSE #53885 | CA 30702
MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 754-333-0877
WWW.MWEngineering.net

PREPARED FOR:
B & M MARINE
CONSTRUCTION, INC.
1211 South Military Trail, Suite 200
Deerfield Beach, FL 33442
954-421-1700 CGC052820

SEAWALL REPLACEMENT FOR:
BOCA HIGHLANDS
4801 S OCEAN BLVD
HIGHLAND BEACH, FL

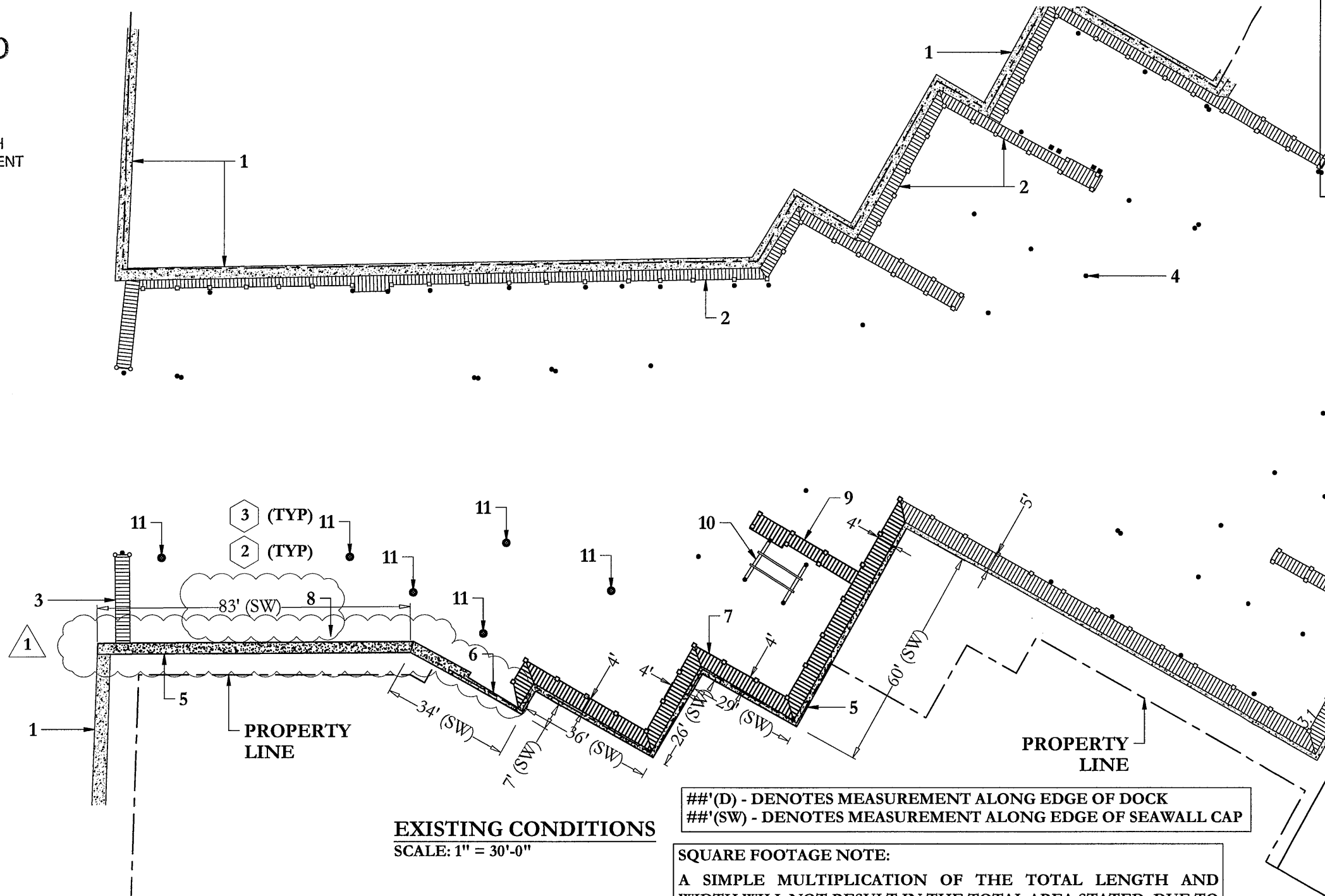
DATE	NOTES/REVISIONS
7/28/2023	REVISION 1
8/25/2023	Corrections per Town
10/16/2023	Corrections per Town

SCALE: AS NOTED
DATE: 8/04/2021

JOB No: 20-2515

SHT 1

1 of 1



EXISTING CONDITIONS
SCALE: 1" = 30'-0"

##'(D) - DENOTES MEASUREMENT ALONG EDGE OF DOCK
##'(SW) - DENOTES MEASUREMENT ALONG EDGE OF SEAWALL CAP

SQUARE FOOTAGE NOTE:
A SIMPLE MULTIPLICATION OF THE TOTAL LENGTH AND WIDTH WILL NOT RESULT IN THE TOTAL AREA STATED, DUE TO THE CORNERS ALONG THE LENGTH OF THE DOCK. A SIMPLE MULTIPLICATION WILL CAUSE SOME CORNERS TO BE DUPLICATED IN THE TOTAL AREA AND SOME CORNERS TO BE MISSED IN THE TOTAL AREA. THE TOTAL AREA WAS CALCULATED ELECTRONICALLY USING THE CAD PROGRAM THAT WAS USED TO DRAW THE PLANS.

EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY
TECHNICAL DISCIPLINES INC. SURVEYING AND MAPPING DATED 7/27/23

- 3 Corrections 3 - Removed bold highlight from dimensions on Sheets 1, 2, 3 of 11
- 2 Corrections 2 - Changed cap width to 4' to match FDEP/ACOE; Made dimensions/leaders bold and larger
- 1 Revision 1 - Denoted removal of portion of existing dock; Change to layout design of new seawall and dock

EXISTING CONDITIONS IDENTIFICATION:

1. EXISTING CONCRETE SEAWALL, CAP AND PILES TO REMAIN
2. EXISTING WOOD DOCK AND PIERS TO REMAIN
3. EXISTING FINGER PIER AND WAVEBREAK TO REMAIN
4. EXISTING MOORING PILES TO REMAIN (EXCEPT AS NOTED IN ITEM #11)
5. EXISTING CONCRETE SEAWALL, CAP AND PILES TO BE REPLACED 19" TO 22" IN FRONT (APPROX. 172')
6. EXISTING CONCRETE SEAWALL, CAP AND PILES TO BE REMOVED AND REPLACED UP TO 29' IN FRONT (APPROX. 103')
7. EXISTING WOOD DOCK TO BE REMOVED (APPROX. 158', 636SF)
8. EXISTING WOOD DOCK REMOVED DURING INITIAL COMMENCEMENT OF PROJECT (APPROX. 104', 312SF)
9. EXISTING WOOD FINGER PIER (30' x 4', 120SF) AND PILES TO BE REMOVED
10. EXISTING LIFT AND PILES TO BE REMOVED
11. EXISTING MOORING PILES TO BE REMOVED (TYP OF 6)

RECEIVED

DEC 14 2023

HIGHLAND BEACH
BUILDING DEPARTMENT

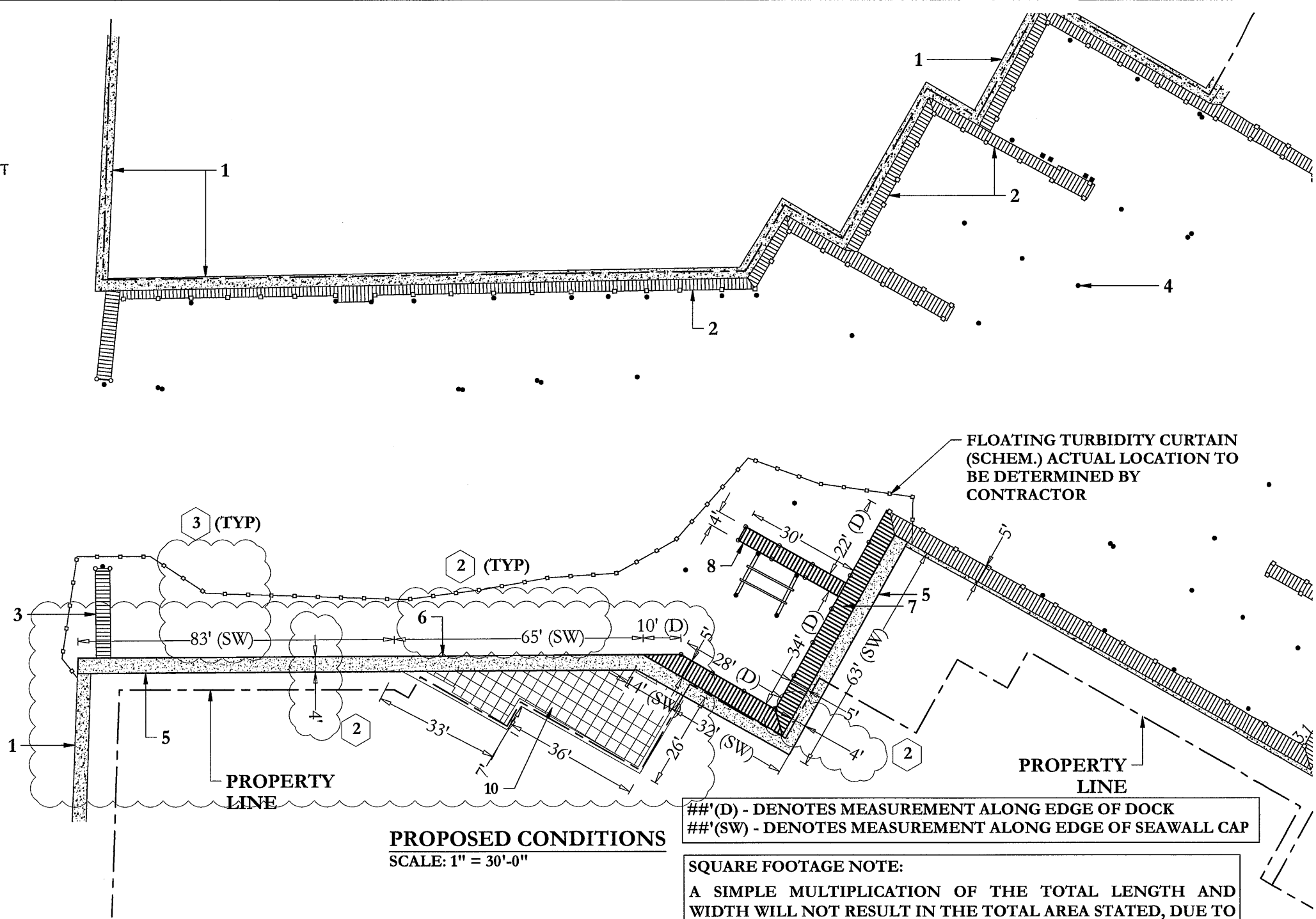


Digitally signed by
Mark E
Weber
Date:
2023.10.16
18:52:24
-04'00'

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

EAST EDGE OF CHANNEL

INTRACOASTAL WATERWAY



PROPOSED CONDITIONS
SCALE: 1" = 30'-0"

###(D) - DENOTES MEASUREMENT ALONG EDGE OF DOCK
###(SW) - DENOTES MEASUREMENT ALONG EDGE OF SEAWALL CAP

SQUARE FOOTAGE NOTE:
A SIMPLE MULTIPLICATION OF THE TOTAL LENGTH AND WIDTH WILL NOT RESULT IN THE TOTAL AREA STATED, DUE TO THE CORNERS ALONG THE LENGTH OF THE DOCK. A SIMPLE MULTIPLICATION WILL CAUSE SOME CORNERS TO BE MISSED IN THE TOTAL AREA. THE TOTAL AREA WAS CALCULATED ELECTRONICALLY USING THE CAD PROGRAM THAT WAS USED TO DRAW THE PLANS.

EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEYS BY TECHNICAL DISCIPLINES INC. SURVEYING AND MAPPING DATED 7/27/23

PROPOSED CONDITIONS IDENTIFICATION:

1. EXISTING CONCRETE SEAWALL, CAP AND PILES TO REMAIN
2. EXISTING WOOD DOCK AND PIERS TO REMAIN
3. EXISTING FINGER PIER AND WAVEBREAK TO REMAIN
4. EXISTING MOORING PILES TO REMAIN
5. NEW CONCRETE SEAWALL, CAP AND PILES INSTALLED 19" TO 22" IN FRONT OF EXISTING (APPROX. 176')
6. NEW CONCRETE SEAWALL, CAP AND PILES INSTALLED UP TO 29' IN FRONT OF EXISTING (APPROX. 81')
7. NEW 93' x 5' WOOD DOCK ON (9) NEW WOOD PILES (476SF)
8. NEW WOOD FINGER PIER (30' x 4', 120SF) ON (6) NEW WOOD PILES TO BE RECONSTRUCTED IN SAME LOCATION AS EXISTING ON NEW WOOD PILES
9. EXISTING LIFT AND PILES TO BE REINSTALLED IN SAME LOCATION
10. CLEAN BACKFILL BETWEEN NEW AND EXISTING SEAWALLS; 830SF, 310CY

- 3 Corrections 3 - Removed bold highlight from dimensions on Sheets 1, 2, 3 of 11
- 2 Corrections 2 - Changed cap width to 4' to match FDEP/ACOE; Made dimensions/leaders bold and larger
- 1 Revision 1 - Denoted removal of portion of existing dock; Change to layout design of new seawall and dock

PREPARED FOR:
B & M MARINE
CONSTRUCTION, INC.
1211 South Military Trail, Suite 200
Deerfield Beach, FL 33442
954-421-1700 CGC052820

SEAWALL REPLACEMENT FOR:
BOCA HIGHLANDS
4801 S OCEAN BLVD
HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS
7/28/2023	REVISION 1
8/25/2023	Corrections per Town
10/16/2023	Corrections per Town

SCALE: AS NOTED
DATE: 8/04/2021
JOB No: 20-2515
SHT 2
2 of 1

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DEC 14 2023

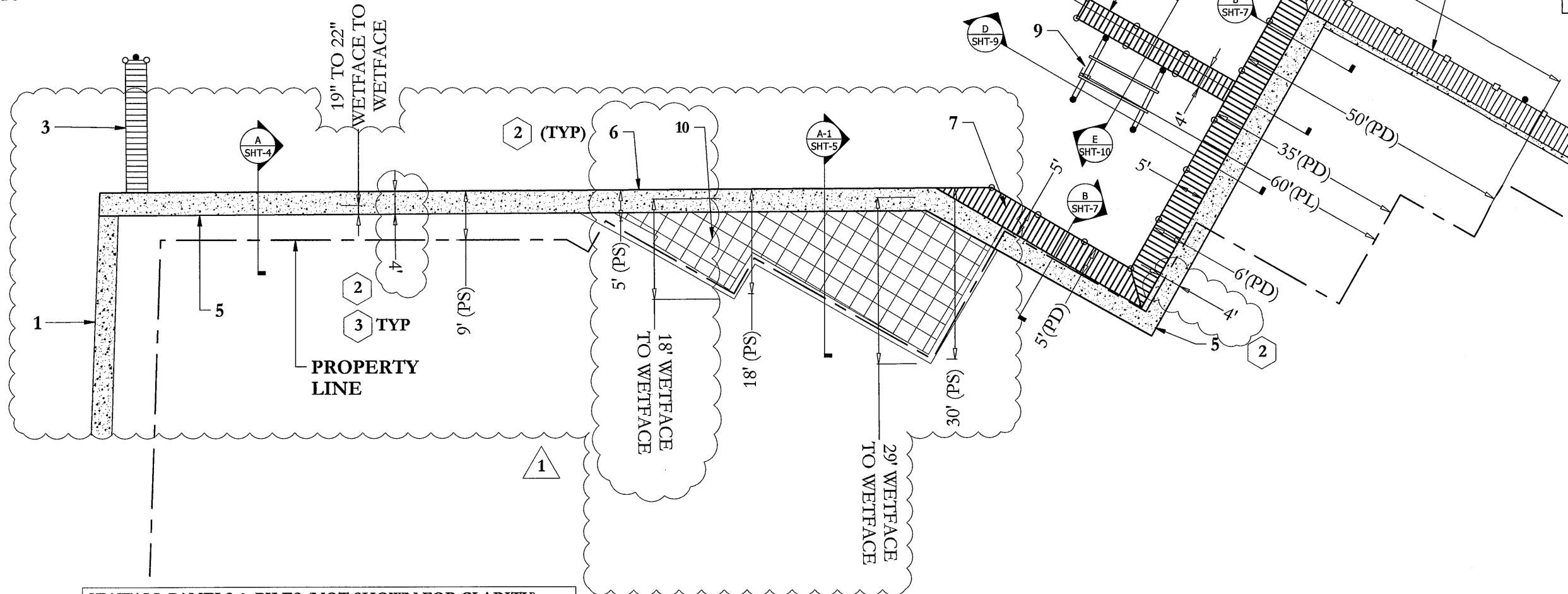
HIGHLAND BEACH
BUILDING DEPARTMENT

##'(PD) - DENOTES MEASUREMENT FROM PROPERTY LINE TO EDGE OF DOCK
##'(PS) - DENOTES MEASUREMENT FROM PROPERTY LINE TO EDGE OF CAP
##'(PP) - DENOTES MEASUREMENT FROM PROPERTY LINE TO END OF PIER
##'(PL) - DENOTES MEASUREMENT FROM PROPERTY LINE TO END OF LIFT



Digitally signed
by Mark E
Weber
Date:
2023.10.16
18:52:43 -04'00'

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



SEAWALL PANELS & PILES (NOT SHOWN FOR CLARITY) -
PANELS - 28 VERTICAL PILES - 30 BATTER PILES - 28
(ALL QUANTITIES ARE APPROXIMATE; ACTUAL
QUANTITIES MAY DIFFER DUE TO FINAL LAYOUT
DETERMINED IN FIELD)

SECTION DETAIL LAYOUT
(w/ DIMENSIONS FROM PROPERTY LINE)
SCALE: 1" = 20'-0"

PROPOSED CONDITIONS IDENTIFICATION:

- EXISTING CONCRETE SEAWALL, CAP AND PILES TO REMAIN
- EXISTING WOOD DOCK AND PIERS TO REMAIN
- EXISTING FINGER PIER AND WAVEBREAK TO REMAIN
- EXISTING MOORING PILES TO REMAIN (EXCEPT AS NOTED)
- NEW CONCRETE SEAWALL, CAP AND PILES INSTALLED 19" TO 22" IN FRONT OF EXISTING (APPROX. 176')
- NEW CONCRETE SEAWALL, CAP AND PILES INSTALLED UP TO 29' IN FRONT OF EXISTING (APPROX. 81')
- NEW 93' x 5' WOOD DOCK ON (9) NEW WOOD PILES (476SF)
- NEW WOOD FINGER PIER (30' x 4', 120SF) ON (6) NEW WOOD PILES TO BE RECONSTRUCTED IN SAME LOCATION AS EXISTING ON NEW WOOD PILES
- EXISTING LIFT AND PILES TO BE REINSTALLED IN SAME LOCATION
- CLEAN BACKFILL BETWEEN NEW AND EXISTING SEAWALLS; 830SF, 310CY

3 Corrections 3 - Removed bold highlight from dimensions on Sheets 1, 2, 3 of 11
2 Corrections 2 - Changed cap width to 4' to match FDEP/ACOE; Made dimensions/leaders bold and larger
1 Revision 1 - Denoted removal of portion of existing dock; Change to layout design of new seawall and dock

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954-421-1700 CGC052820

SEAWALL REPLACEMENT FOR:
BOCA HIGHLANDS
4801 S OCEAN BLVD
HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS
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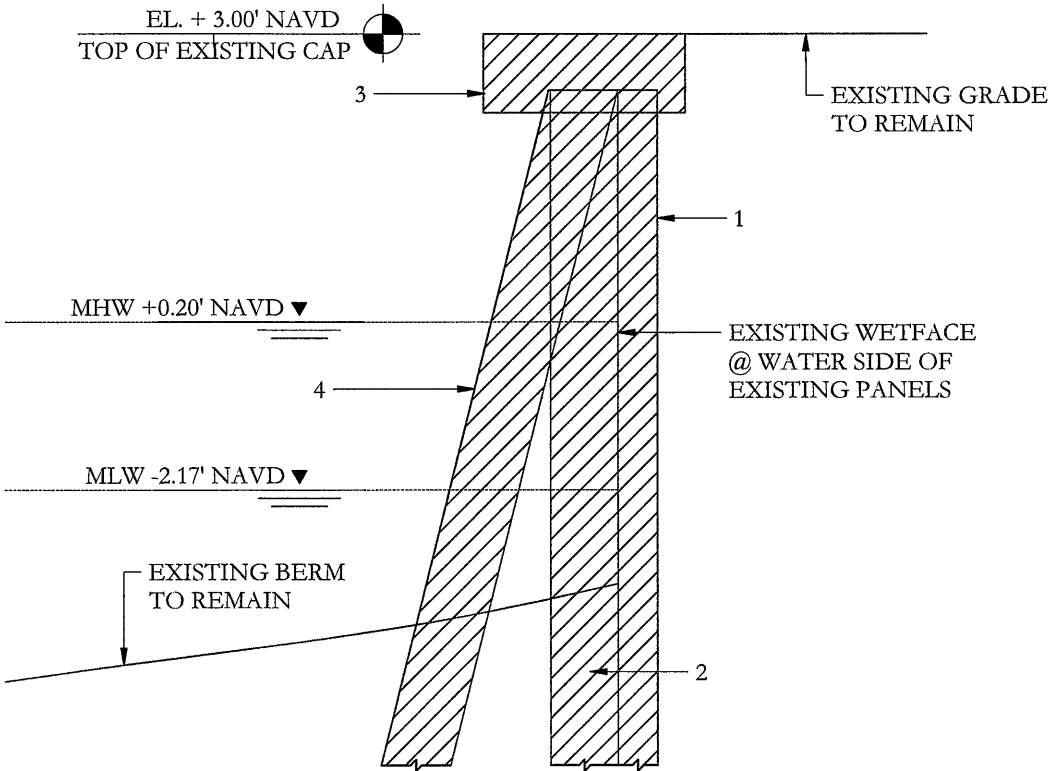
SCALE: AS NOTED
DATE: 8/04/2021
JOB No: 20-2515

SHT 3
3 of 1

RECEIVED

DEC 14 2023

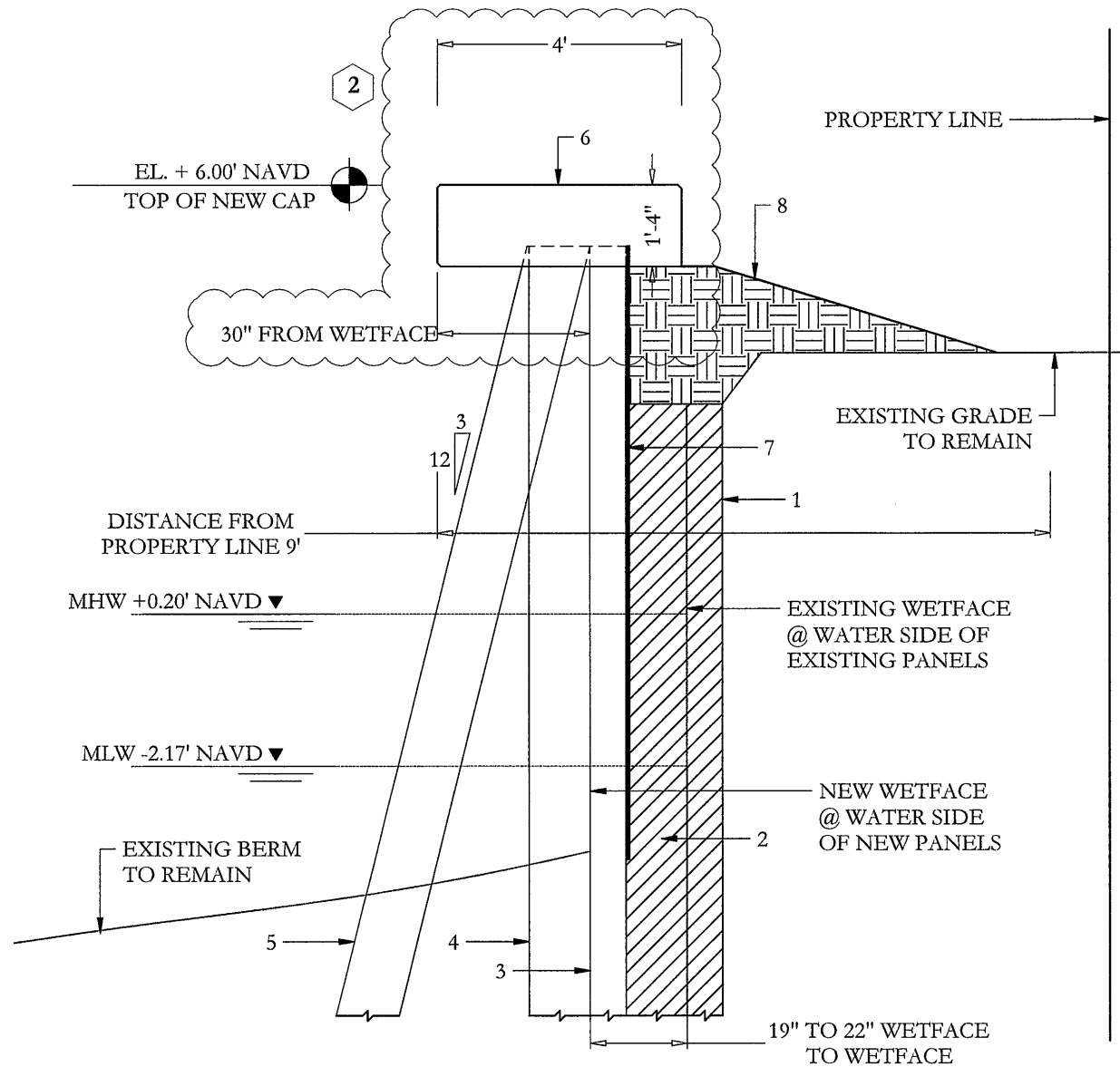
HIGHLAND BEACH
BUILDING DEPARTMENT



EXISTING SEAWALL DETAIL
SCALE: 3/8" = 1'-0"

EXISTING SEAWALL IDENTIFICATION:

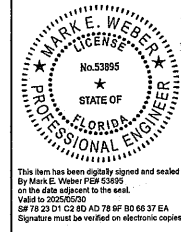
1. EXISTING SEAWALL PANELS TO REMAIN
2. EXISTING VERTICAL PILES TO REMAIN TO MAINTAIN WALL INTEGRITY DURING INSTALLATION OF NEW WALL; SOME EXISTING VERTICALS PILINGS TO BE REMOVED AS NECESSARY;
3. EXISTING CAP TO BE REMOVED
4. EXISTING BATTER PILES TO BE REMOVED



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

PROPOSED SEAWALL IDENTIFICATION:

1. EXISTING SEAWALL PANELS TO REMAIN
2. EXISTING VERTICAL PILES TO REMAIN TO MAINTAIN WALL INTEGRITY DURING INSTALLATION OF NEW WALL; SOME EXISTING VERTICALS PILINGS TO BE REMOVED AS NECESSARY;
3. PROPOSED 8'-10" x 7.5" x 12' PRE-CAST CONCRETE PANEL (SEE SHEET 6 FOR DETAILS)
4. PROPOSED 12" x 12" CONCRETE KING PILE
5. PROPOSED 12" x 12" CONCRETE BATTER PILE
6. PROPOSED 48" x 16" CONCRETE SEAWALL CAP
7. PROPOSED GEOTEXTILE FABRIC AT CONCRETE PANEL GAP
8. MINIMAL BACKFILL WITH CLEAN MATERIAL OVER EXISTING SEAWALL COMPONENTS TO REMAIN



Digitally signed by Mark E Weber
Date: 2023.10.16 18:53:04 -04'00'

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

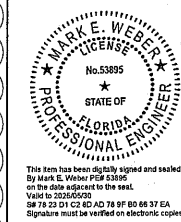
PREPARED FOR:
B & M MARINE CONSTRUCTION, INC.
1211 South Military Trail, Suite 200
Deerfield Beach, FL 33442
954-421-1700 CGC052820

SEAWALL REPLACEMENT FOR:
BOCA HIGHLANDS
4801 S OCEAN BLVD
HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS
8/25/2023	Corrections per Town

SCALE: AS NOTED
DATE: 8/04/2021
JOB No: 20-2515
SHT 4

2 Corrections 2 - Changed cap width to 4' to match FDEP/ACOE; Made dimensions/leaders bold and larger



Digitally signed by Mark E Weber
 Date: 2023.10.16 18:53:23 -04'00'

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

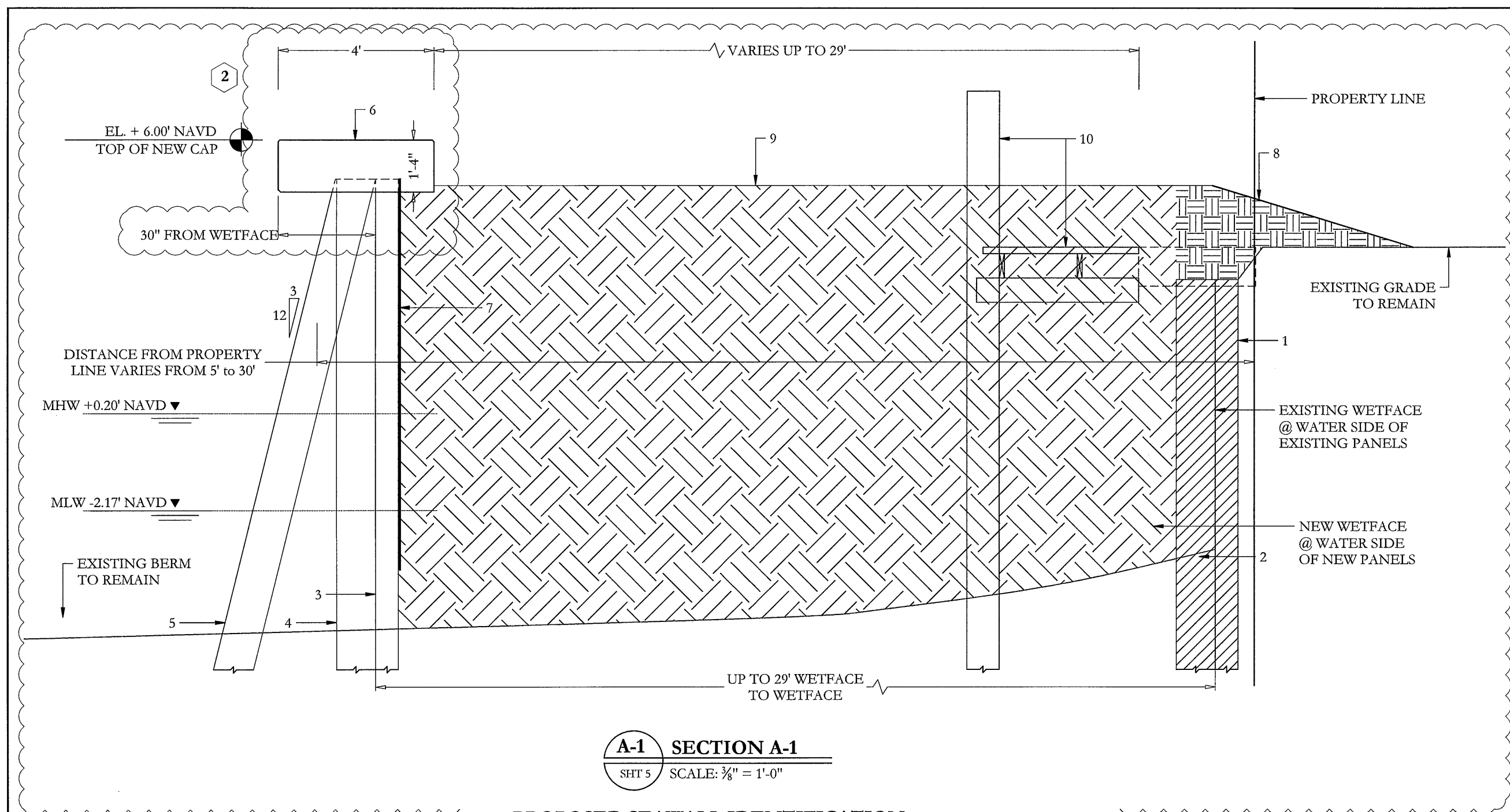
PREPARED FOR:
 B & M MARINE CONSTRUCTION, INC.
 1211 South Military Trail, Suite 200
 Deerfield Beach, FL 33442
 954-421-1700 CGC052820

SEAWALL REPLACEMENT FOR:
 BOCA HIGHLANDS
 4801 S OCEAN BLVD
 HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS
7/28/2023	REVISION 1
8/25/2023	Corrections per Town

SCALE: AS NOTED
 DATE: 8/04/2021
 JOB No: 20-2515

SHT 5
 5 of 1



A-1 SECTION A-1
 SHT 5 SCALE: 3/8" = 1'-0"

PROPOSED SEAWALL IDENTIFICATION:

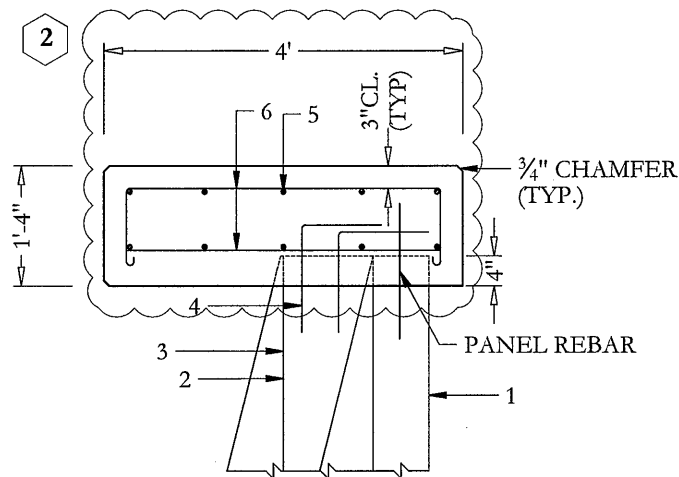
1. EXISTING SEAWALL PANELS TO REMAIN
2. EXISTING VERTICAL PILES TO REMAIN TO MAINTAIN WALL INTEGRITY DURING INSTALLATION OF NEW WALL; SOME EXISTING VERTICALS PILINGS TO BE REMOVED AS NECESSARY;
3. PROPOSED 8'-10" x 7.5" x 12' PRE-CAST CONCRETE PANEL (SEE SHT 6 FOR DETAILS)
4. PROPOSED 12" x 12" CONCRETE KING PILE
5. PROPOSED 12" x 12" CONCRETE BATTER PILE
6. PROPOSED 48" x 16" CONCRETE SEAWALL CAP
7. PROPOSED GEOTEXTILE FABRIC AT CONCRETE PANEL GAP
8. MINIMAL BACKFILL WITH CLEAN MATERIAL OVER EXISTING SEAWALL COMPONENTS TO REMAIN
9. BACKFILL WITH CLEAN MATERIAL BETWEEN NEW AND EXISTING SEAWALLS
10. EXISTING DOCK AND PILES TO BE REMOVED

1

2

Corrections 2 - Changed cap width to 4' to match FDEP/ACOE; Made dimensions/leaders bold and larger
 Revision 1 - Denoted removal of portion of existing dock; Change to layout design of new seawall and dock

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 HIGHLAND BEACH
 BUILDING DEPARTMENT

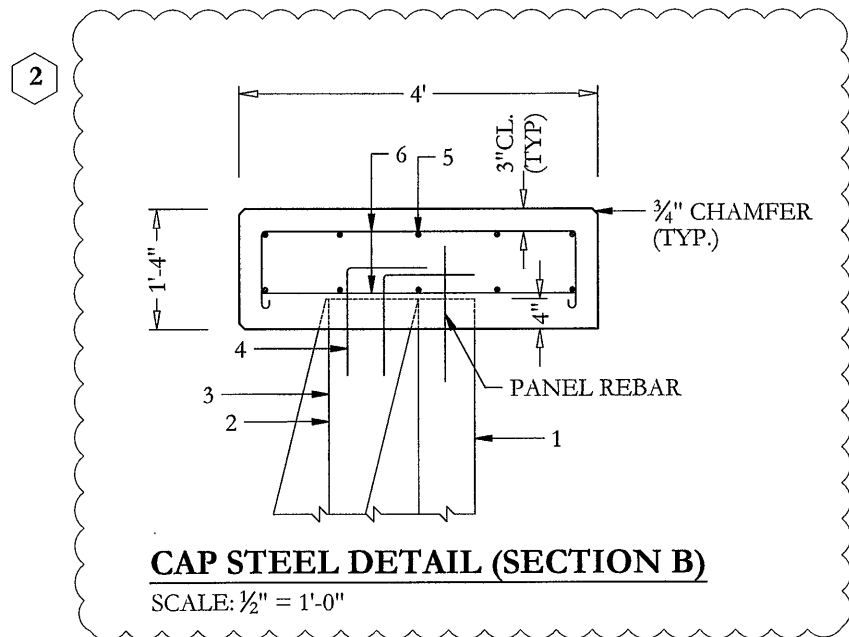


CAP STEEL DETAIL (SECTIONS A & A-1)

SCALE: 1/2" = 1'-0"

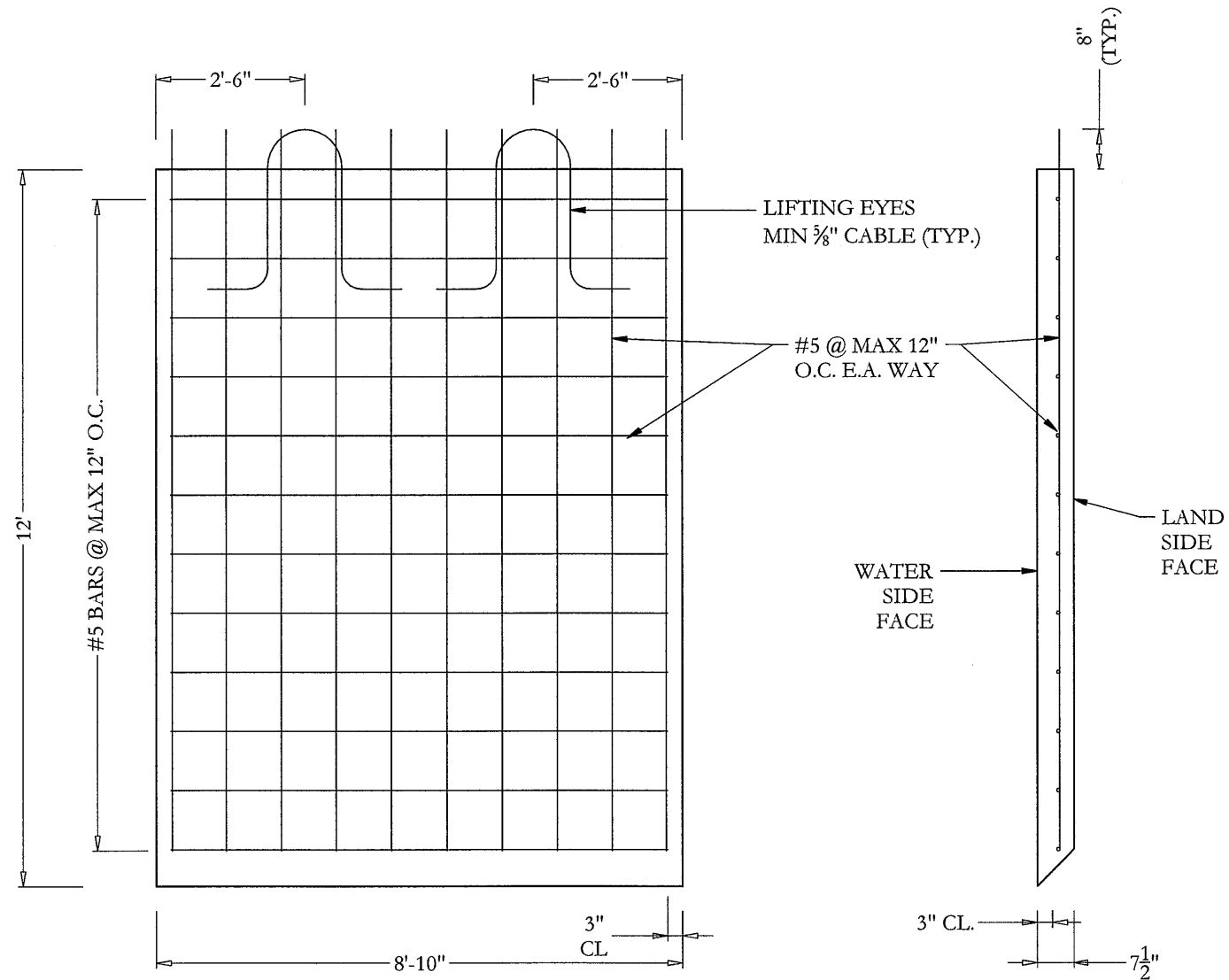
CAP STEEL IDENTIFICATION:

1. PROPOSED 8'-10" x 7.5" x 12' PRE-CAST CONCRETE PANEL (SEE SHEET 6 FOR DETAILS)
2. PROPOSED 12" x 12" CONCRETE VERTICAL PILE
3. PROPOSED 12" x 12" CONCRETE BATTER PILE
4. EXTEND PILE STRANDS A MIN. OF 18" INTO CAP/DOCK SLAB STEEL OR CUT STRANDS EVEN W/ TOP OF PILINGS & DOWEL & EPOXY (2) #5 L-BARS, 12" LONG W/ 12" BEND, INTO TOP OF PILINGS, W/ A MIN. OF 4" EMBEDMENT.
5. (10) #5 BARS CONTINUOUS
6. #3 STIRRUPS WITH #3 CROSS TIES @ 18" O.C.



CAP STEEL DETAIL (SECTION B)

SCALE: 1/2" = 1'-0"



CONCRETE PANEL DETAIL

SCALE: 3/8" = 1'-0"

SIDE VIEW

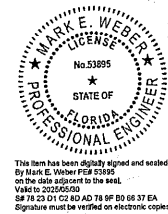
SCALE: 3/8" = 1'-0"

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

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HIGHLAND BEACH
BUILDING DEPARTMENT



Digitally signed by Mark E Weber
Date: 2023.10.16 18:53:41 -04'00'

Mark E. Weber, P.E.
LICENSE #53895 | CA. 30702
MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 754-333-0877
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PREPARED FOR:
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1211 South Military Trail, Suite 200
Deerfield Beach, FL 33442
954-421-1700 CGC052820

SEA WALL REPLACEMENT FOR:
BOCA HIGHLANDS
4801 S OCEAN BLVD
HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS
8/25/2023	Corrections per Town

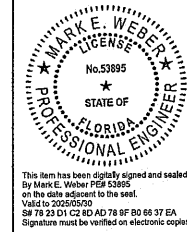
SCALE: AS NOTED
DATE: 8/04/2021

JOB No: 20-2515

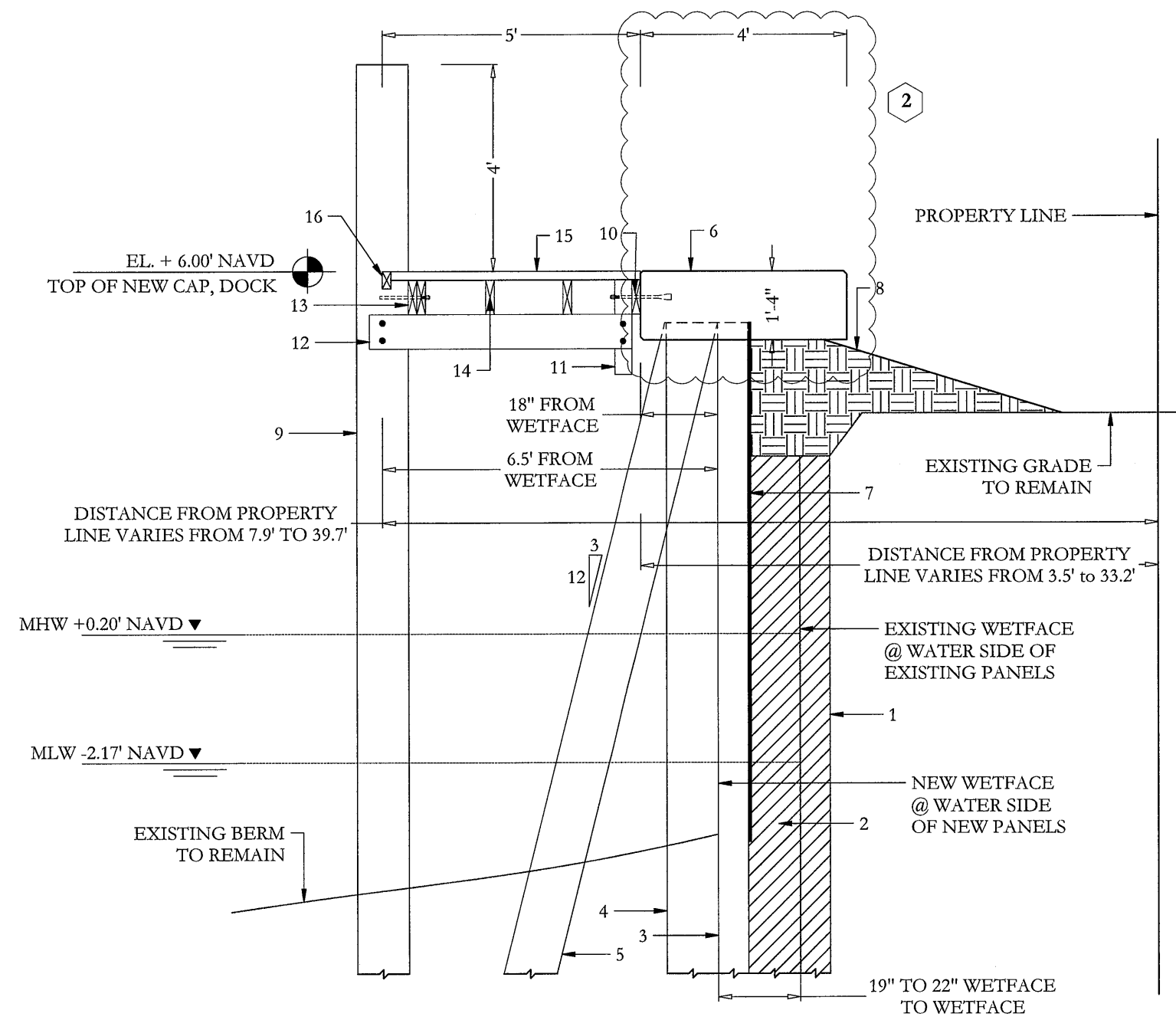
SHT 6

2 Corrections 2 - Changed cap width to 4' to match FDEP/ACOE; Made dimensions/leaders bold and larger

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 HIGHLAND BEACH
 BUILDING DEPARTMENT



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 by Mark E Weber
 Date: 2023.10.16
 18:54:02 -04'00'



B SECTION B
 SHT 7 SCALE: 3/8" = 1'-0"

PROPOSED SEAWALL & DOCK IDENTIFICATION:

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. EXISTING SEAWALL PANELS TO REMAIN 2. EXISTING VERTICAL PILES TO REMAIN TO MAINTAIN WALL INTEGRITY DURING INSTALLATION OF NEW WALL; SOME EXISTING VERTICALS PILINGS TO BE REMOVED AS NECESSARY; 3. PROPOSED 8'-10" x 7.5" x 12' PRE-CAST CONCRETE PANEL (SEE SHEET 6 FOR DETAILS) 4. PROPOSED 12" x 12" CONCRETE KING PILE 5. PROPOSED 12" x 12" CONCRETE BATTER PILE 6. PROPOSED 48" x 16" CONCRETE SEAWALL CAP 7. PROPOSED GEOTEXTILE FABRIC AT CONCRETE PANEL GAP 8. MINIMAL BACKFILL WITH CLEAN MATERIAL OVER EXISTING SEAWALL COMPONENTS TO REMAIN | <ol style="list-style-type: none"> 9. NEW 12" DIA. WOOD PILING 10. 2" x 8" LEDGER TO CAP WITH (2) 5/8" WEDGE ANCHORS @ 36" O.C, MIN. 4" EMBEDMENT 11. 4" x 12" HANGER TO CAP WITH (2) 5/8" WEDGE ANCHOR, MIN. 4" EMBEDMENT 12. 2" x 8" SUBSTRINGER WITH (2) 5/8" THRU BOLT OR LAG BOLT @ PILINGS AND HANGERS 13. (2) 2" x 8" STRINGERS @ PILINGS WITH (1) 5/8" THRU BOLT OR LAG BOLT TO PILINGS 14. 2" x 8" STRINGERS W/ (2) 16D NAILS TO EACH SUBSTRINGER; @ 16" O.C. FOR AZEK DECKBOARDS OR 24" O.C.. FOR PRESSURE TREATED WOOD DECKBOARDS OR 3/4" IPE DECKBOARDS 15. 2" x 6" DECKING WITH (2) #8 x 3" DECK SCREWS PER STRINGER 16. 2" x 4" WOOD TRIM |
|--|---|

Mark E. Weber, P.E.
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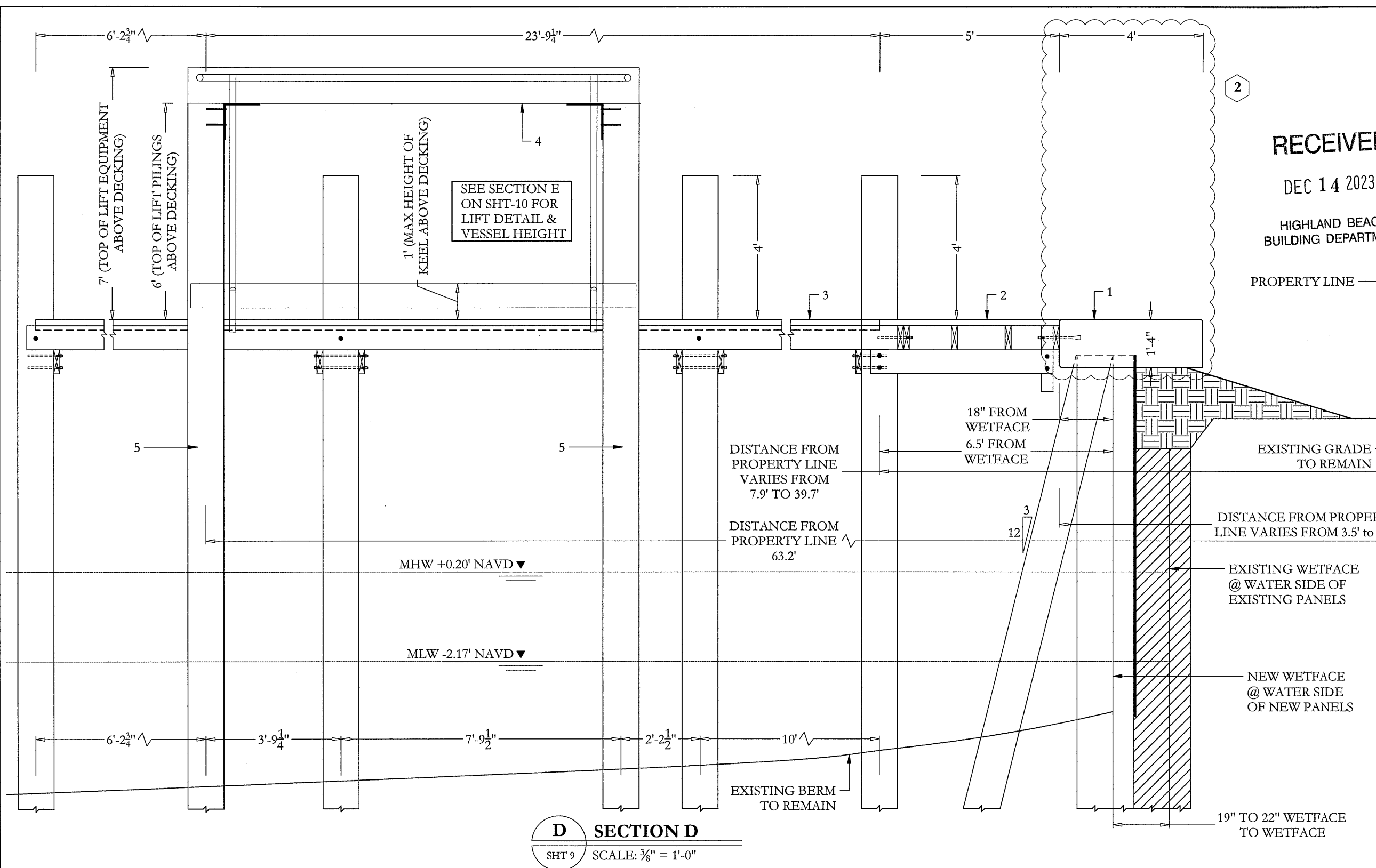
SEAWALL REPLACEMENT FOR:
BOCA HIGHLANDS
 4801 S OCEAN BLVD
 HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS
8/25/2023	Corrections per Town

SCALE: AS NOTED
 DATE: 8/04/2021
 JOB No: 20-2515

2 Corrections 2 - Changed cap width to 4' to match FDEP/ACOE; Made dimensions/leaders bold and larger

SHT 7
 7 of 1



D SECTION D
 SHT 9 SCALE: 3/8" = 1'-0"

REINSTALLED LIFT IDENTIFICATION:

1. SEE SECTION A ON SHT-4 FOR PROPOSED SEAWALL DETAILS
2. SEE SECTION B ON SHT-5 FOR PROPOSED DOCK DETAILS
3. SEE SECTION C ON SHT-7 FOR PROPOSED PIER DETAILS
4. EXISTING LIFT TO BE REMOVED AND REPLACED IN SAME LOCATION ALONG REBUILT PIER
5. EXISTING 12" DIA WOOD LIFT PILES TO BE REMOVED AND REINSTALLED

Digitally signed by Mark E Weber
 Date: 2023.10.16 18:54:40 -04'00'

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HIGHLAND BEACH BUILDING DEPARTMENT
 PROPERTY LINE

Mark E. Weber, P.E.
 LICENSE #53895 | CA 30702
MW ENGINEERING, INC
 902 NE 1 Street Suite #2
 Pompano Beach, Florida 33060
 Ofc: 754-333-0877
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PREPARED FOR:
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 1211 South Military Trail, Suite 200
 Deerfield Beach, FL 33442
 954-421-1700 CGC052820

SEAWALL REPLACEMENT FOR:
BOCA HIGHLANDS
 4801 S OCEAN BLVD
 HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS
8/25/2023	Corrections per Town

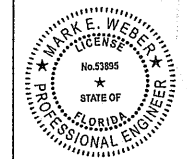
SCALE: AS NOTED
 DATE: 8/04/2021
 JOB No: 20-2515

SHT 9
 9 of 1

2 Corrections 2 - Changed cap width to 4' to match FDEP/ACOE; Made dimensions/leaders bold and larger

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 HIGHLAND BEACH
 BUILDING DEPARTMENT

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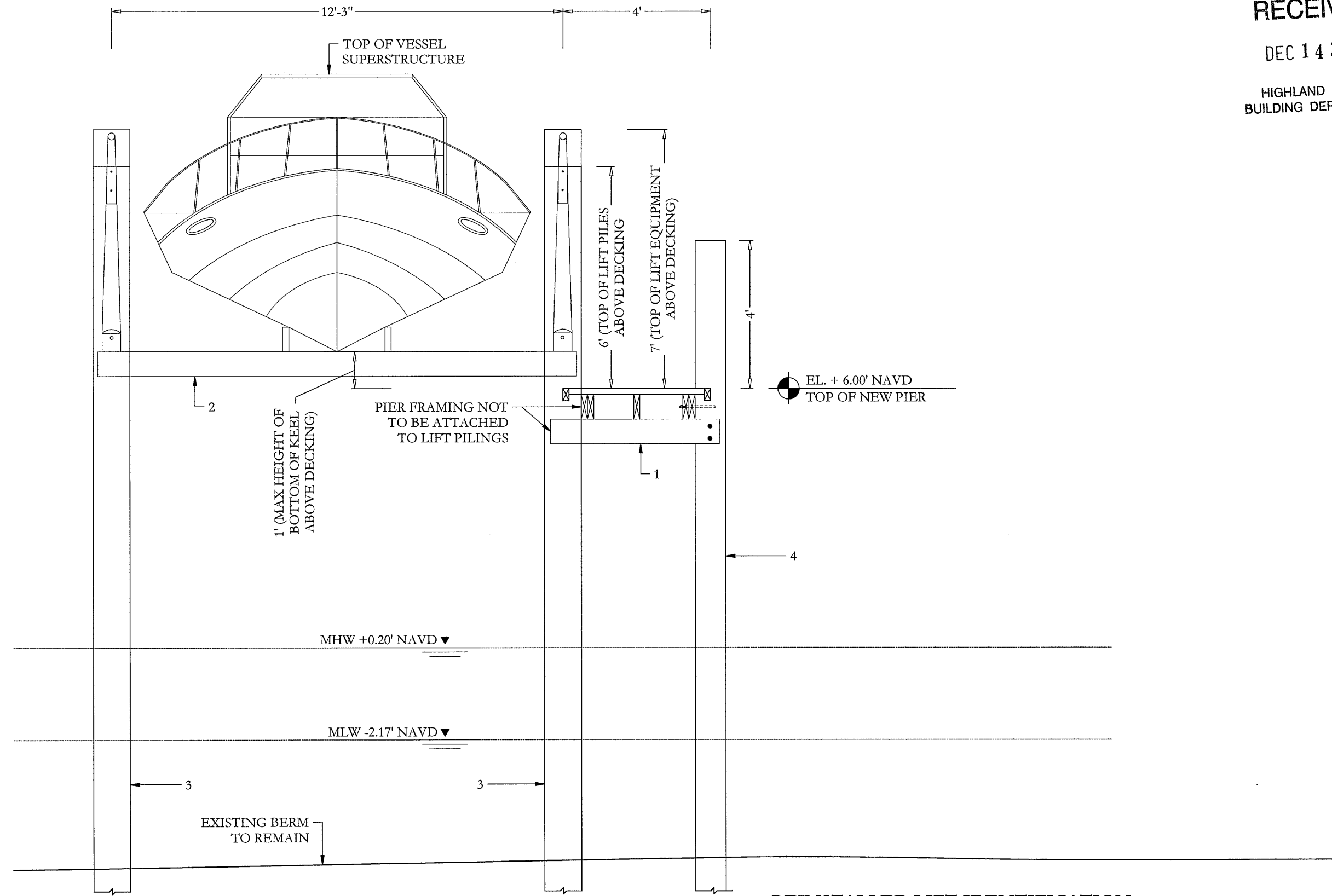
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SEAWALL REPLACEMENT FOR:
BOCA HIGHLANDS
 4801 S OCEAN BLVD
 HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS

SCALE: AS NOTED
 DATE: 8/04/2021
 JOB No: 20-2515

SHT 10
 10 of 1



E SECTION E
 SHT 10 SCALE: 3/8" = 1'-0"

REINSTALLED LIFT IDENTIFICATION:

1. SEE SECTION C ON SHT-7 FOR PROPOSED PIER DETAILS
2. EXISTING LIFT TO BE REMOVED AND REPLACED IN SAME LOCATION ALONG REBUILT PIER
3. EXISTING 12" DIA WOOD LIFT PILES TO BE REMOVED AND REINSTALLED
4. NEW 12" DIA. WOOD PIER PILES

GENERAL NOTES:

1. Construction to follow the Florida Building Code 7th Edition (2020) and amendments as applicable and all Local, State and Federal Laws.
2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
9. Licensed Contractor to verify location of existing utilities prior to commencing work.
10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

CONCRETE NOTES: (IF CONCRETE STRUCTURES ARE INSTALLED)

1. Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
6. Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
7. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of epoxy-concrete mix or gunnite concrete with sulfate-resistant cement.
8. For cap overpours, dowel and epoxy #5 bars or L-bars into top and/or front of existing cap, staggered @ 24" o.c., min. 4" embedment.

SHORING NOTE: (IF EXISTING SEAWALL IS TO BE REMOVED AND REPLACED)

1. Contractor of record and permit holder responsible for all shoring. Until provisions for permanent support have been made, all excavations shall be properly guarded and protected so as to prevent them from becoming dangerous to life and property and shall be sheet piled, braced and/or shored, where necessary, to prevent the adjoining earth from caving in; such protection to be provided by the person causing the excavation to be made. All excavations shall comply with the minimum requirements of the Florida Building Code, and Florida Statute 553.60, "Trench Safety Act," and 29-cfr1926-650 (p) "Occupational Safety and Health Administration Excavation Safety Act."

PILE DRIVING: (IF PILES NEW ARE INSTALLED)

1. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
2. Piles shall be driven to a minimum allowable bearing capacity of 10 tons for wood, and 25 tons for concrete, and 5 tons for pin piles, a minimum of 8' into berm or refusal.
3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
4. Piles shall be driven with a variation of not more than ¼ inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE PILE NOTES: (IF CONCRETE PILES ARE INSTALLED)

1. Concrete piles shall attain 5000 psi compressive strength in 28 days.
2. Concrete piles shall be reinforced with four - 7/16"Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
3. Concrete piles shall be 12"x12" square, minimum length of 20'.
4. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel.
5. For all prestressed pilings, extend pilings strands a min. of 18" into cap/dock slab steel or cut strands even w/ top of pilings & dowel & epoxy (2) #5 L-bars, 12" long w/ 12" bend, into top of pilings, w/ a min. of 4" embedment.
6. New batter and vertical pilings and panels to have a minimum 4" penetration into the new cap form. New dock pilings to have a minimum 3" penetration into the new dock slab form.

WOOD PILES NOTES: (IF WOOD PILES ARE INSTALLED)

1. Wood piles to be 2.5lb CCA treated in accordance with AWWA Standard C18.
2. Wood piles shall be a minimum diameter of 10"; Miami Dade County requires minimum diameter of 12".

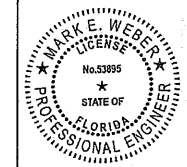
WOOD DOCK/PIER NOTES: (IF WOOD STRUCTURES ARE INSTALLED)

1. All materials to be pressure treated pine unless otherwise noted.
2. All frame work materials to be Southern Yellow Pine Grade #1, Fb=1200 PSI and Fv=175 PSI.
3. All decking materials to be grade #1 unless otherwise noted.
4. All hardware to be Stainless Steel or Galvanized unless otherwise noted.

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DEC 14 2023

HIGHLAND BEACH BUILDING DEPARTMENT



Digitally signed by Mark E Weber
Date: 2023.10.16 18:55:21 -04'00'

This form has been digitally signed and sealed by Mark E. Weber PE# 53895 on this form adjacent to the seal. Valid to 2025/05/29. All PE 78 23 01 C2 80 42 78 99 02 08 37 EA. Signature must be verified on electronic copies.

Mark E. Weber, P.E.
LICENSE #53895 | CA 30702
MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
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PREPARED FOR:
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SEAWALL REPLACEMENT FOR:
BOCA HIGHLANDS
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HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS

SCALE: AS NOTED

DATE: 8/04/2021

JOB No: 20-2515

SHT 11

11 of 1

**Town of Highland Beach
Town Commission Development Order (PB)
Application No. 23-0010**



**Applicant: David Nutter
Property Address: 4801 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. 23-0010 for the property located at 4801 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 4801 S. Ocean Blvd, Highland Beach, Florida 33487.

The mailings consisted of 58 notices that were sent first class mail and 01 notices that were sent by International Mail.

This 28th day of December 2023.

Highland Beach Town Clerk's Office

Jaclyn DeHart
Deputy Town Clerk



PUBLIC NOTICE APPLICATION NO. 23-0010

December 28, 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, January 11, 2024 at 9:30 AM** in the Community Room of the Town Library located at 3618 South Ocean Boulevard, Highland Beach, Florida to consider the following application.

APPLICATION BY B&M MARINE CONSTRUCTION, INC. FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL EXCEPTION REQUEST (DEVELOPMENT ORDER NO. 21-0008) TO INSTALL A 465 SQUARE FOOT MARGINAL DOCK, AND A 257 LINEAR FOOT SEAWALL AND CAP, FOR THE PROPERTY LOCATED AT 4801 SOUTH OCEAN BOULEVARD.

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

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 Jan 01, 2024

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

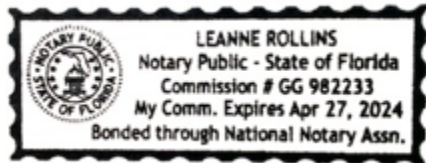


Signature of Affiant

Sworn to and subscribed before me this: January 02, 2024.



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
7548258

**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, January 11, 2024 at 9:30 AM in the Highland Beach Library Community Room, 3618 South Ocean Boulevard, Highland Beach, Florida to consider the following:

APPLICATION NO. 23-0010 BY B&M MARINE CONSTRUCTION, INC. FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL EXCEPTION REQUEST (DEVELOPMENT ORDER NO. 21-0008) TO INSTALL A 465 SQUARE FOOT MARGINAL DOCK, AND A 257 LINEAR FOOT SEAWALL AND CAP, FOR THE PROPERTY LOCATED AT 4801 SOUTH OCEAN BOULEVARD.

APPLICANT: David Nutter

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

TOWN OF HIGHLAND BEACH, BUILDING
DEPARTMENT
1/1/24 7548258

Order # - 7548258

File Attachments for Item:

B. Development Application No. 23-0012 / Michael J. Beyer

Application by Anthony Routhier, Cavadium, Inc., 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, balconies, exterior walls, number of square feet, roof line, and elevation for the property located at 2365 South Ocean Boulevard.



HIGHLAND BEACH BUILDING DEPARTMENT

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

PLANNING BOARD STAFF REPORT

MEETING OF: January 11, 2024

TO: PLANNING BOARD

FROM: INGRID ALLEN, TOWN PLANNER

SUBJECT: APPLICATION BY ANTHONY ROUTHIER, CAVADIUM, INC., 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, BALCONIES, EXTERIOR WALLS, NUMBER OF SQUARE FEET, ROOF LINE, AND ELEVATION FOR THE PROPERTY LOCATED AT 2365 SOUTH OCEAN BOULEVARD. (DO#23-0012).

I. GENERAL INFORMATION:

Applicant (Property Owner): Michael J. Beyer
2365 South Ocean Boulevard
Highland Beach, FL 33487

Applicant's Agent: Anthony Routhier
Cavadium, Inc.
4163 Davis Road
Palm Springs, FL 33461

Property Characteristics:

Comprehensive Plan Land Use: Single Family
Zoning District: Residential Single Family Estate Lots (RE)
Parcel PCN#: 24-43-46-28-09-000-0040
Site Location: 2365 South Ocean Boulevard

Property Background

According to the Palm Beach County Property Appraiser, the existing home was built in 2013.

Request and Analysis:

The Applicant is proposing a major modification to an existing single-family home located at 2365 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:

- Exterior façade changes including modifications to balconies, new columns and stone cladding to window surrounds.
- Enclose existing covered loggia/lanai with a roof deck above.
- The addition of 3,953 square feet (under AC) as follows:
 - First floor, 172 square feet
 - Second floor, 1,899 square feet
 - Garage loft, 1,882 square feet
- Alteration of the roof line on the north and south wings of the existing home.

The Applicant is also proposing to replace all existing windows and doors which according to Section 30-39 of the Town Code is considered a minor modification and therefore does not require Planning Board approval. Note that all proposed modifications are proposed west of the Coastal Construction Control Line (CCCL) and therefore a CCCL permit from the Florida Department of Environmental Protection (FDEP) is not required. Following an approval by the Planning Board and prior to initiation of construction, the Applicant will be required to obtain a building permit from the Town of Highland Beach Building Department. Pursuant to Section 30-21(g) of the Town Code, commencement of construction of the approved major modification shall be initiated within two (2) years following the date of approval by the Planning Board.

According to Section 30-39(b) of the Town Code, major building modifications are to be reviewed in the same manner as an original structure or use as required by Chapter 30 (Zoning Code). Section 30-31 of the Town Code requires site plan approval from the Planning Board for new single-family residences. Pursuant to Section 30-22 of the Town Code, when acting in a decision-making capacity, the Planning Board shall approve, approve with conditions, or deny applications for development approval which includes major modifications.

Staff has reviewed the Applicant’s proposed request including plans date stamped received by the Building Department on December 20, 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
Applicant proposed Plans (11X17)



TOWN OF HIGHLAND BEACH DEVELOPMENT ORDER APPROVAL APPLICATION

Application # D023-0012

PROPERTY INFORMATION ASSOCIATED WITH THIS APPLICATION	
Address: 2365 SOUTH OCEAN BLVD, HIGHLAND BEACH, FL 33487	PCN: 24-43-46-28-09-000-0040
Full Legal Description of the Property [as described in the deed] or reference to an attachment: BYRD BEACH LT 4 K/A PT OF CITY LT 134	
Zoning District: RE - RESIDENTIAL SINGLE FAMILY ESTATES LOTS	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: MICHAEL J. BEYER	Phone: (724) 288-5172	Fax:
Mailing Address: 2365 SOUTH OCEAN BLVD, HIGHLAND BEACH, FL 33487		
Email Address: beyermichaelj@gmail.com		

APPLICANT'S AGENT INFORMATION		
Name: ANTHONY ROUTHIER	Phone: 561-601-7724	Fax:
Company Name: CAVADIUM, INC.		
Mailing Address: 4163 DAVIS ROAD, PALM SPRINGS, FL 33461		
Email Address: TONY@CAVADIUM.COM		

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

Please see next page for detailed description of proposed project.

DETAILED DESCRIPTION OF PROPOSED PROJECT

RENOVATION NARRATIVE

1. EXISTING HOUSE FOOTPRINT TO REMAIN AND NO REVISIONS TO BE ADDED TO THE FOOTPRINT.
2. EXISTING AND NEW HOUSE ARE WEST OF THE COASTAL CONSTRUCTION CONTROL LINE.
3. EXISTING GROUND FLOOR SLAB TO REMAIN AT 20.0' NAVD.
4. EXISTING SECOND FLOOR SLAB TO REMAIN.
5. EXISTING ROOF HEIGHT TO REMAIN. NO EXTRA HEIGHT IS TO BE ADDED TO THE NEW ROOF.
6. NEW ROOF SLOPE TO MATCH EXISTING ROOF SLOPE @ 8 ON 12.
7. REMOVE ALL EXISTING WINDOWS AND DOORS AND REPLACE WITH NEW WINDOWS AND DOORS AS APPROVED / SELECTED BY OWNER / BUILDER.
8. REMOVE ALL EXISTING SHUTTERS.
9. REMOVE EXISTING CHIMNEYS.
10. REMOVE ALL EXISTING TRIM ON BALCONIES, WINDOWS AND DOORS.
11. REMOVE FRONT AND REAR COVERED LOGGIA EXISTING COLUMNS.
12. REMOVE EXISTING RAILINGS AND REPLACE WITH NEW RAILINGS.
13. ADD NEW COLUMNS AND ROOF TO EXISTING FRONT AND REAR BALCONIES.
14. ADD NEW STONE CLADDING TO WINDOW SURROUNDS (AS SEEN IN ELEVATIONS.)
15. ADD SECOND FLOOR, WALLS AND ROOF TO NORTH AND SOUTH WINGS OF EXISTING HOME
16. ENCLOSE EXISTING COVERED BBQ LOGGIA AND ADD NEW SLIDING DOORS WITH A ROOF DECK ABOVE.
17. NEW ROOF TILES AND ROOF.
18. NEW ROOF OVERHANG - 2'-0".

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: Michael J. Beyer Date: 9-15-23

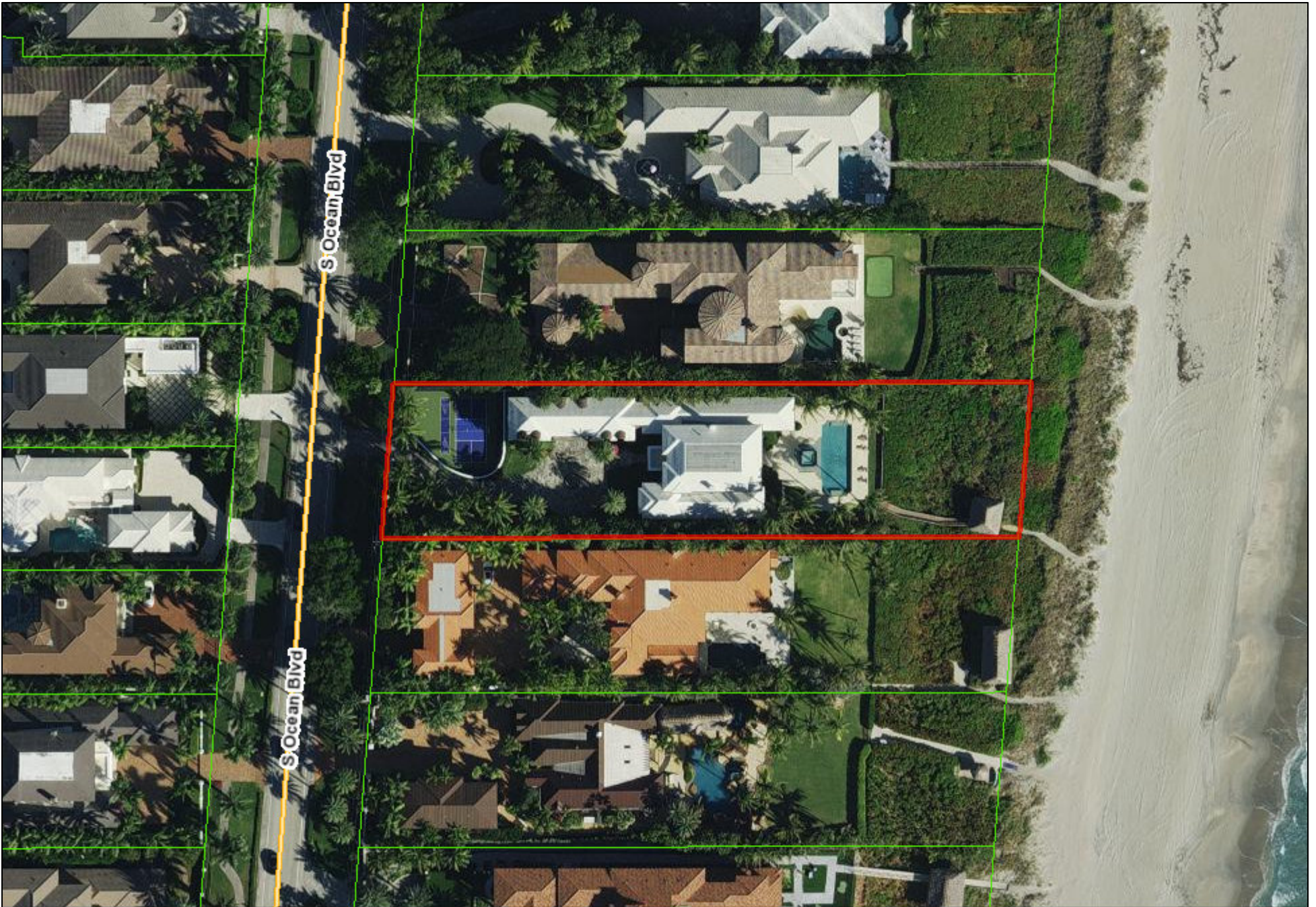
Applicant's Printed Name MICHAEL J. BEYER

Received by the Town Clerk's Office:

Received By: _____ Date: _____

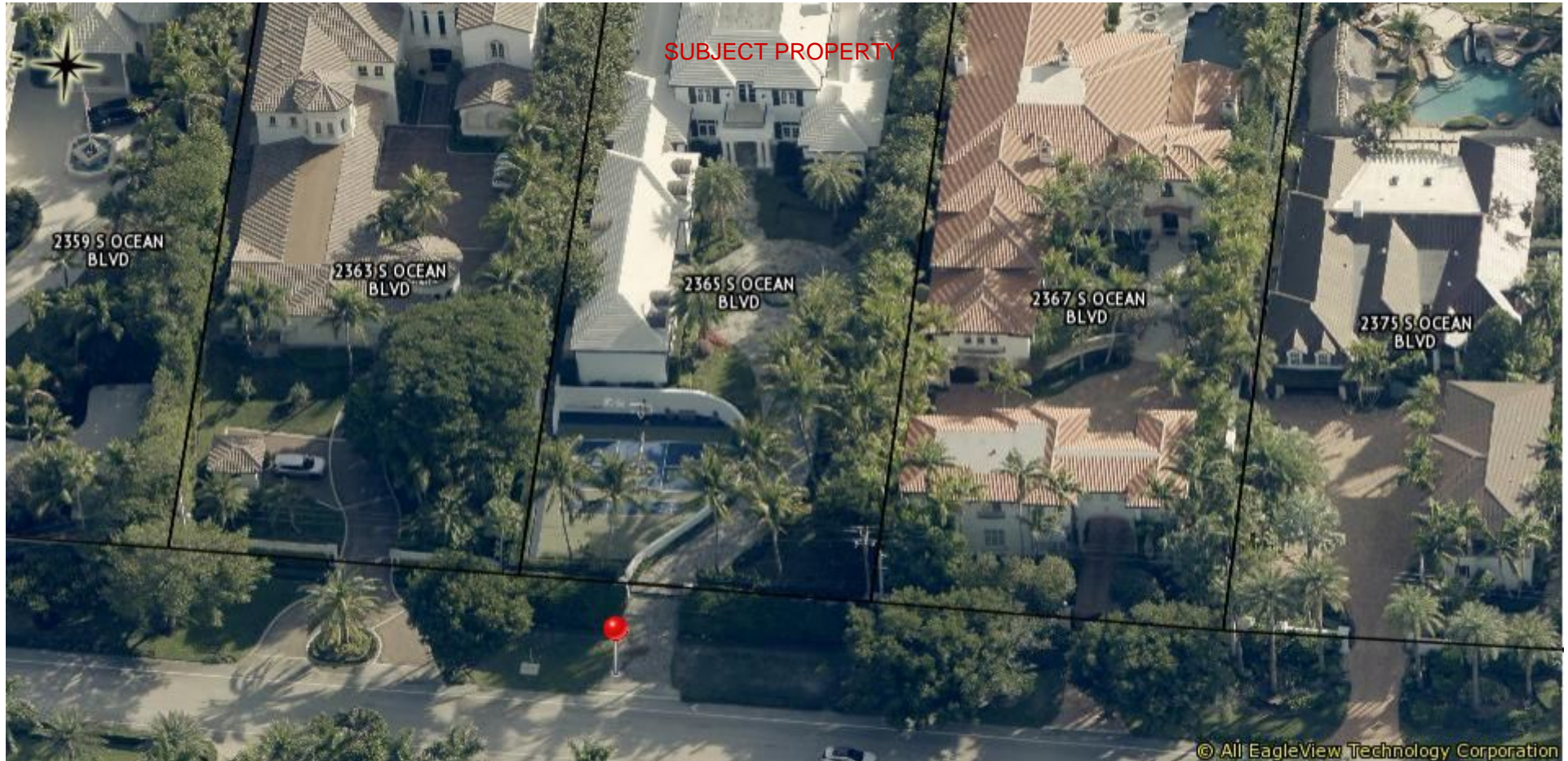
Date Public Notices Mailed: _____

Date Legal Advertisement Published: _____



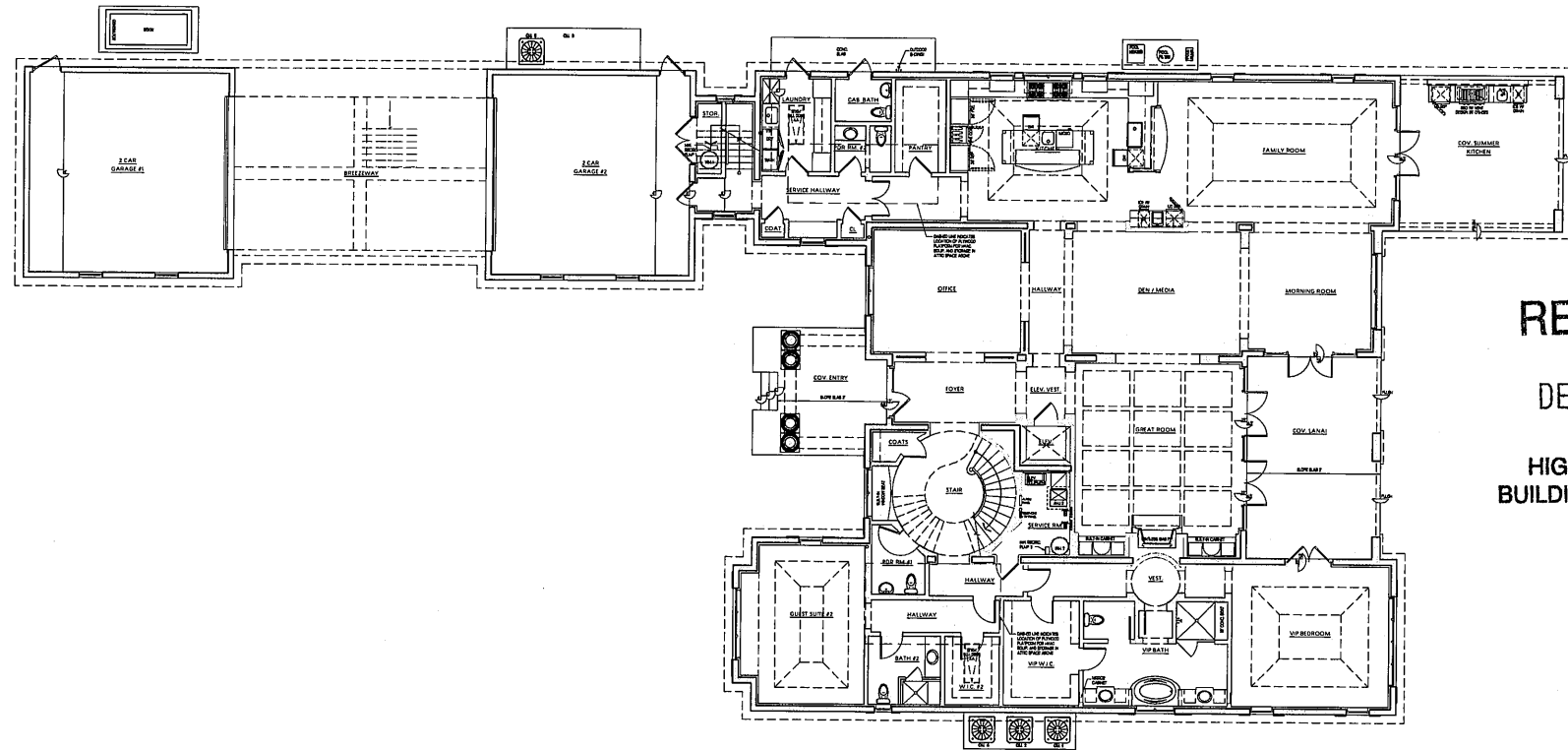
2365 South Ocean Blvd.

2365 South Ocean Blvd. - FRONT



2365 South Ocean Blvd. - REAR



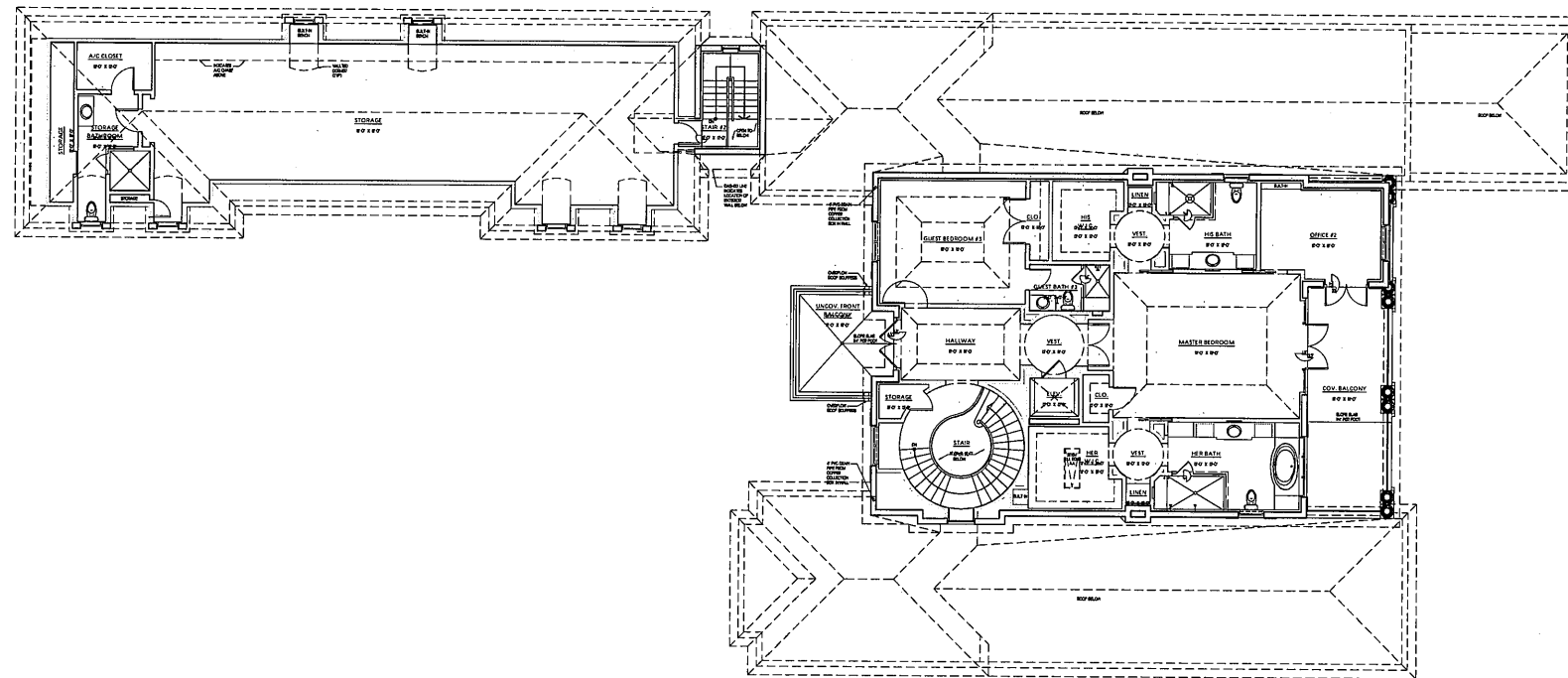


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HIGHLAND BEACH
BUILDING DEPARTMENT

(EXISTING) FIRST FLOOR PLAN
1/8" = 1'-0"



(EXISTING) SECOND FLOOR PLAN
1/8" = 1'-0"

Project Number:
22141

BEYER RESIDENCE
2365 SOUTH OCEAN BLVD.,
HIGHLAND BEACH, FL

AFFINITI
ARCHITECTS

6100 Broken Sound Pkwy. NW - Suite 8 - Boca Raton FL - 33487
561.750.0445 AFFINITIARCHITECTS.COM

Revisions

NOT FOR CONSTRUCTION
Date 8/31/2023
Drawn/Checked FC/...
Date | Approval -
Date | Permit -
Date | Construction -

Seal: Digitally signed
by Mitchell
Kunk
DN: cn=Mitchell
Kunk, o=Affiniti
Architects,
email=mk@affini
tiarchitects.com,
c=US
Date: 2023.12.18
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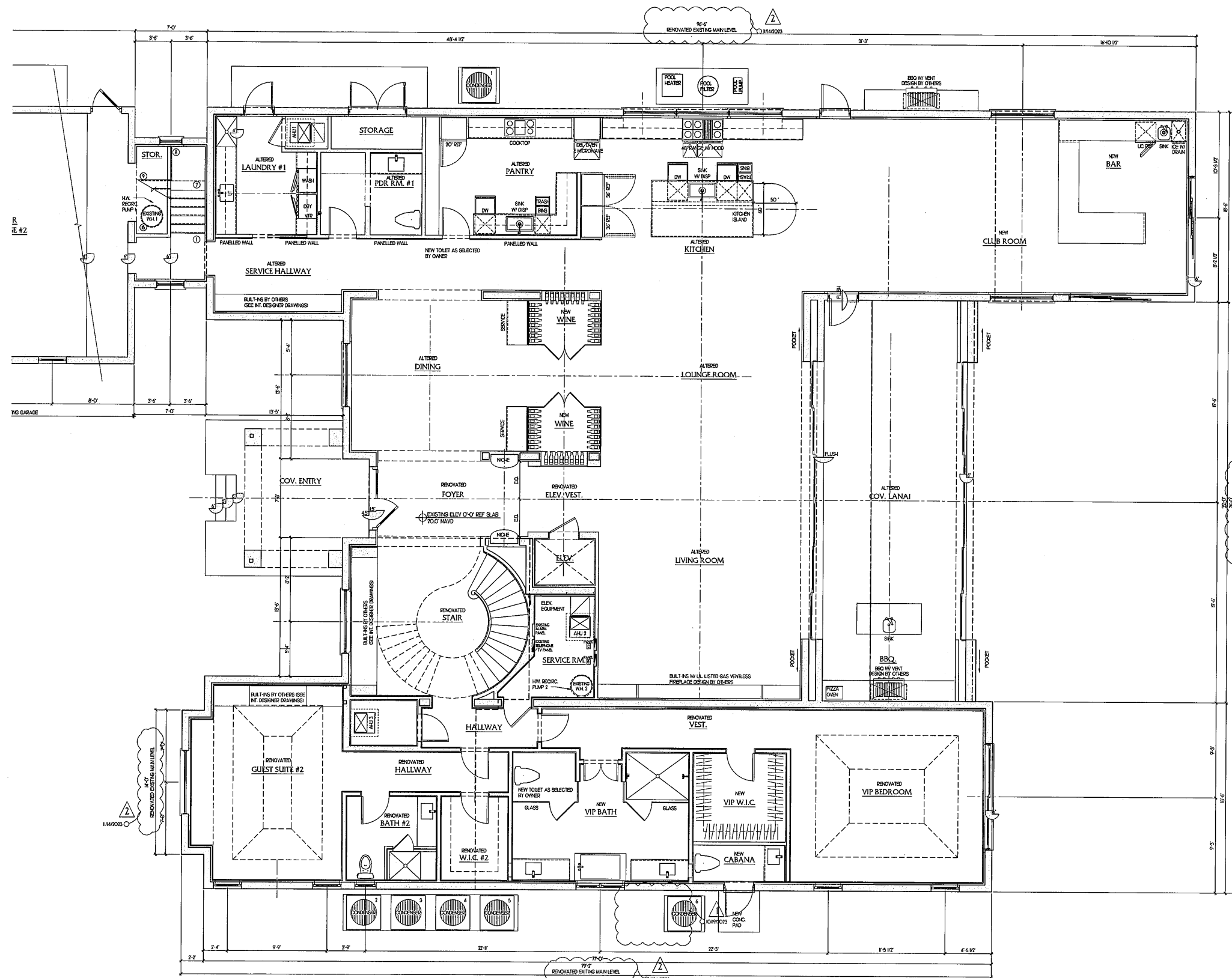


A2

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AREA CALCULATION EXISTING	
1ST FLOOR A/C	5038 SQ. FT.
2ND FLOOR A/C	292 SQ. FT.
TOTAL A/C	7230 SQ. FT.
GARAGE	1250 SQ. FT.
STORAGE 2ND FLOOR	1558 SQ. FT.
COVERED ENTRY	150 SQ. FT.
COVERED LANAI	384 SQ. FT.
COVERED SUMMER KITCHEN (TO BE ELIMINATED)	361 SQ. FT.
COVERED BREEZEWAY	677 SQ. FT.
COVERED BELVEDERE	232 SQ. FT.
TOTAL NON AC	4612 SQ. FT.
TOTAL	11805 SQ. FT.
DATE: 10/24/2023	

AREA CALCULATION PROPOSED	
1ST FLOOR A/C (NEW 172 SQ. FT.)	5210 SQ. FT.
2ND FLOOR A/C (NEW 1,899 SQ. FT.)	4091 SQ. FT.
GARAGE LOFT - 2ND FLOOR A/C (NEW)	1882 SQ. FT.
TOTAL A/C	11833 SQ. FT.
GARAGE	1250 SQ. FT.
COVERED ENTRY	149 SQ. FT.
COVERED FRONT BALCONY	149 SQ. FT.
COVERED REAR BALCONY	390 SQ. FT.
REAR MASTER BALCONY	361 SQ. FT.
COVERED FRONT GARAGE LOFT BALCONY	79 SQ. FT.
COVERED SIDE GARAGE LOFT BALCONY	43 SQ. FT.
COVERED LANAI	546 SQ. FT.
TOTAL	14150 SQ. FT.
DATE: 10/24/2023	

Project Number:
22141

BEYER RESIDENCE
2365 SOUTH OCEAN BLVD.,
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Revisions

1	TOWN CENTER COMMENTS	10-9-2023
2	TOWN CENTER COMMENTS	11-4-2023

NOT FOR CONSTRUCTION

Date: 11/14/2023
 Drawn / Checked: FC
 Date / Approval: FC
 Date / Permit: FC
 Date / Construction: FC

Seal: Digitally signed by Mitchell Karik
 DN: cn=Mitchell Karik, o=Affinity Architects Holding LLC, c=US, email=mkarik@affinityarchitects.com, ou=Affinity Architects Holding LLC, ou=112839-05107
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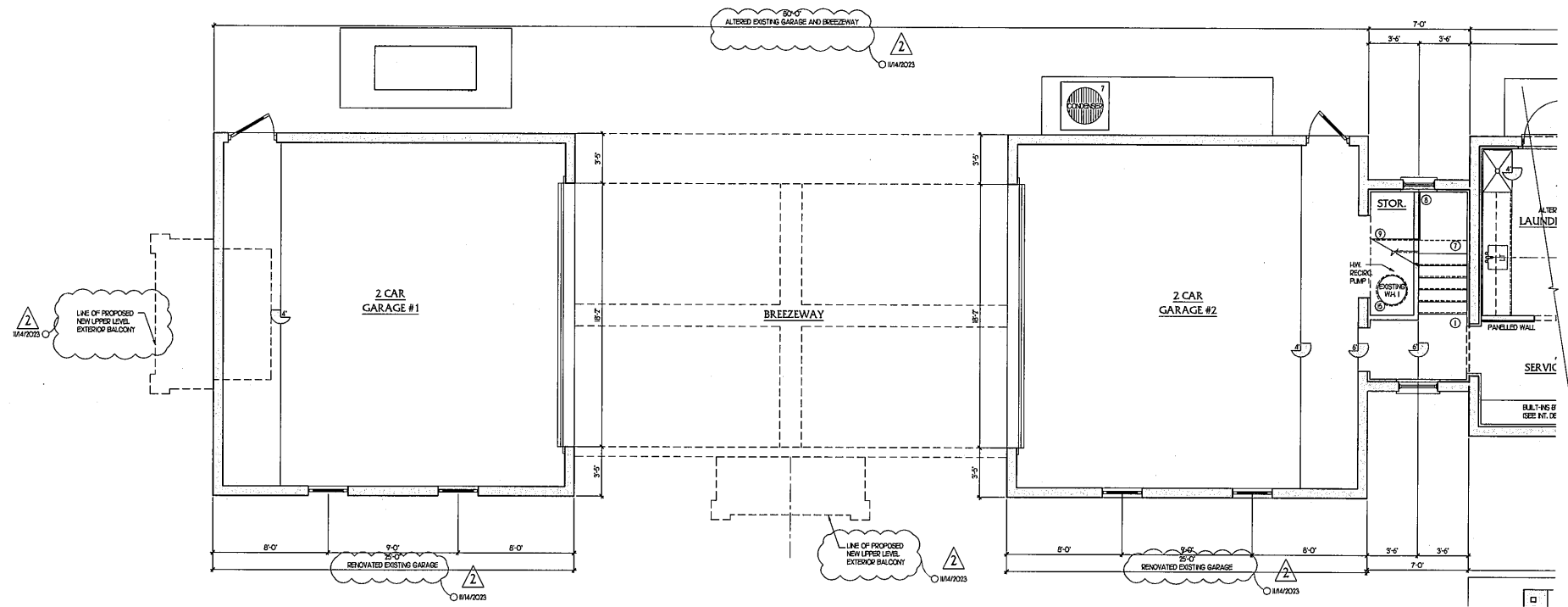
(NEW) MAIN HOUSE FIRST FLOOR PLAN
1/4" = 1'-0"

A3

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Revisions	
1	TOWN CENTER COMMENTS FC 10-19-2023
2	TOWN CENTER COMMENTS FC 11-14-2023
3	TOWN CENTER COMMENTS FC 11-30-2023

NOT FOR CONSTRUCTION
 Date: 11/20/2023
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 Date / Approval: - / -
 Date / Permit: - / -
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 Michael Funch
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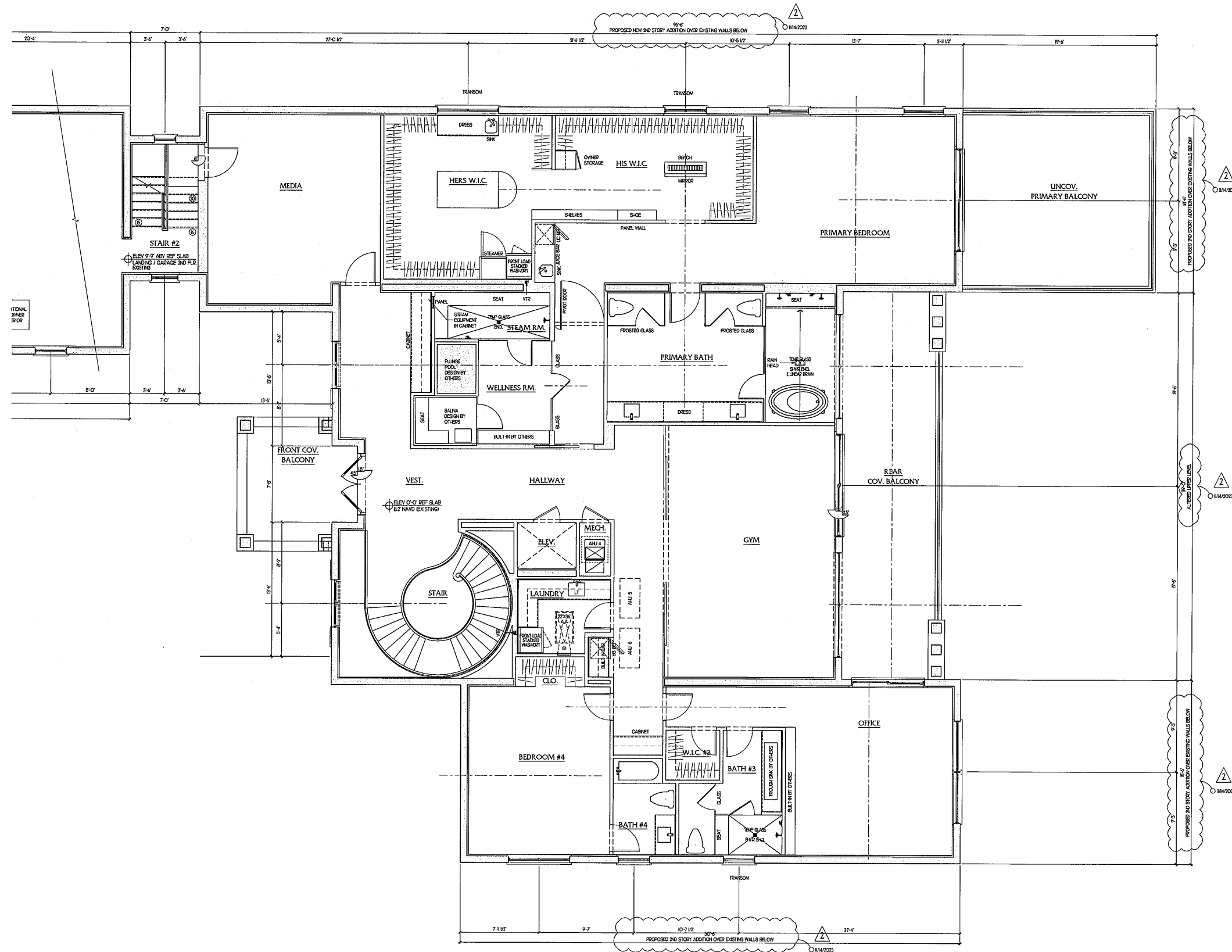
(NEW) FIRST FLOOR PLAN - GARAGE
1/4" = 1'-0"

A4

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Revisions

△	TOWN CENTER COMMENTS FC 10-09-2023
△	TOWN CENTER COMMENTS FC 11-14-2023

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Date: 11/19/2023
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 Date / Approval: / ...
 Date / Permit: / ...
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Seal:

Digitally signed by
 Michael Kunk
 DN:
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 LLC, c=US
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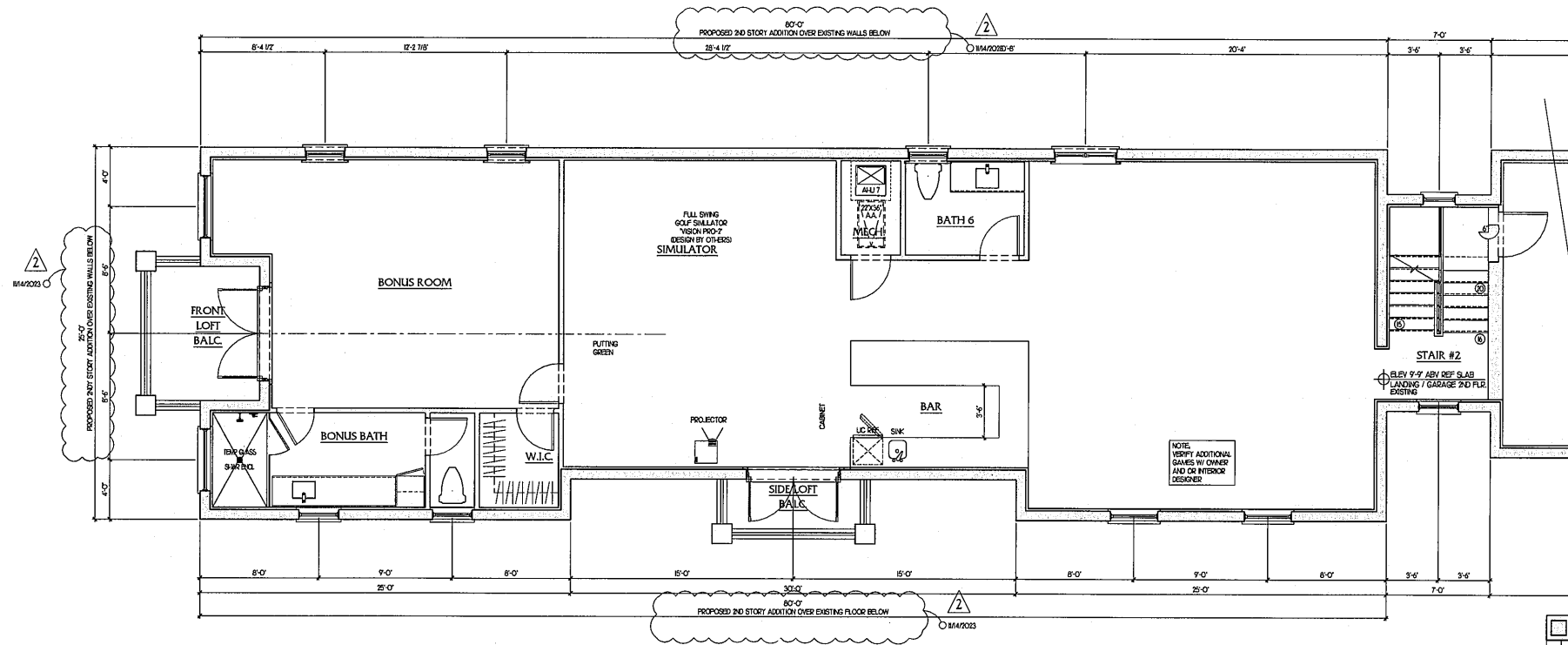
(NEW) MAIN HOUSE SECOND FLR PLAN
1/4" = 1'-0"

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△	TOWN CENTER COMMENTS FC 10-19-2023
△	TOWN CENTER COMMENTS FC 11-14-2023

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 Michael Kunk
 DN:
 cn=Michael Kunk,
 o=AFINITIA Architects
 Holding LLC, c=US
 Date: 2023.11.15
 11:31:25 -0500

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(NEW) SECOND FLR PLAN - GARAGE
1/4" = 1'-0"

A6

- RENOVATION NARRATIVE**
- EXISTING HOUSE FOOTPRINT TO REMAIN AND NO REVISIONS TO BE ADDED TO THE FOOTPRINT.
 - EXISTING AND NEW HOUSE ARE WEST OF THE COASTAL CONSTRUCTION CONTROL LINE.
 - EXISTING GROUND FLOOR SLAB TO REMAIN AT 20.0' NAVD.
 - EXISTING SECOND FLOOR SLAB TO REMAIN.
 - EXISTING ROOF HEIGHT TO REMAIN. NO EXTRA HEIGHT IS TO BE ADDED TO THE NEW ROOF.
 - NEW ROOF SLOPE TO MATCH EXISTING ROOF SLOPE # 8 ON 12.
 - REMOVE ALL EXISTING WINDOWS AND DOORS AND REPLACE WITH NEW WINDOWS AND DOORS AS APPROVED / SELECTED BY OWNER / BUILDER.
 - REMOVE ALL EXISTING SHUTTERS.
 - REMOVE EXISTING CHIMNEYS.
 - REMOVE ALL EXISTING TRIM ON BALCONIES, WINDOWS AND DOORS.
 - REMOVE FRONT ENTRY EXISTING COLUMNS AND REPLACE WITH NEW COLUMNS.
 - REMOVE EXISTING BALUNGS AND REPLACE WITH NEW BALUNGS.
 - ADD NEW COLUMNS AND ROOF TO EXISTING FRONT BALCONY.
 - ADD NEW STONE CLADDING TO WINDOW SURROUNDS (AS SEEN IN ELEVATIONS).
 - REMOVE EXISTING STAIR NEAR LAUNDRY AND ADD NEW STAIR.
 - INCREASE HEIGHT OF CEILING AND ROOF IN STAIRWELL NEAR LAUNDRY.
 - ADD SECOND FLOOR WALLS AND ROOF TO NORTH AND SOUTH WINGS OF EXISTING HOME.
 - NEW ROOF TILES AND ROOF.
 - NEW ROOF OVERHANGS - 7'-0"

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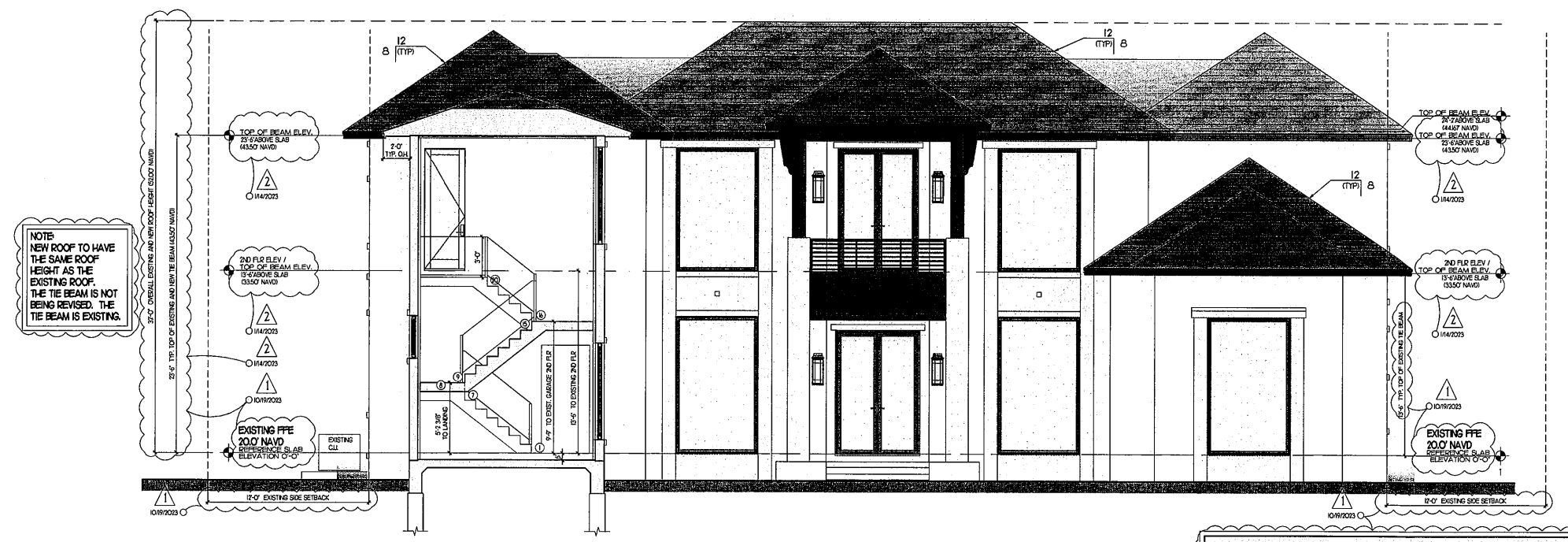
Project Number:
22141

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(EXISTING) MAIN HOUSE FRONT ELEVATION
1/4" = 1'-0"



(NEW) MAIN HOUSE FRONT ELEVATION
1/4" = 1'-0"

Revisions

1	TOWN CENTER COMMENTS FC 10-9-2023
2	TOWN CENTER COMMENTS FC 11-4-2023

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Date	11/13/2023
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Date / Approval	- / -
Date / Permit	- / -
Date / Construction	- / -

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Mitchell Hunt
DN: cn=2342.1920900.1,
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@saccc.com, serial=100079
613, c=us, email=mi
h@affinityarchitects.com
Affinity Architects Holding
LLC, cn=11,
Date: 2023.11.15
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A7

- RENOVATION NARRATIVE**
- EXISTING HOUSE FOOTPRINT TO REMAIN AND NO REVISIONS TO BE ADDED TO THE FOOTPRINT.
 - EXISTING AND NEW HOUSE ARE WEST OF THE COASTAL CONSTRUCTION CONTROL LINE.
 - EXISTING GROUND FLOOR SLAB TO REMAIN AT 20.0' NAVD.
 - EXISTING SECOND FLOOR SLAB TO REMAIN.
 - EXISTING ROOF HEIGHT TO REMAIN. NO EXTRA HEIGHT IS TO BE ADDED TO THE NEW ROOF.
 - NEW ROOF SLOPE TO MATCH EXISTING ROOF SLOPE + 8 ON 12.
 - REMOVE ALL EXISTING WINDOWS AND DOORS AND REPLACE WITH NEW WINDOWS AND DOORS AS APPROVED / SELECTED BY OWNER / BUILDER.
 - REMOVE ALL EXISTING SHUTTERS.
 - REMOVE EXISTING CHIMNEYS.
 - REMOVE ALL EXISTING TRIM ON BALCONIES, WINDOWS AND DOORS.
 - REMOVE FRONT AND REAR COVERED LOGGIA EXISTING COLUMNS. REMOVE EXISTING BALUNES AND REPLACE WITH NEW BALUNES.
 - ADD NEW COLUMNS AND ROOF TO EXISTING FRONT AND REAR BALCONIES.
 - ADD NEW STONE CLADDING TO WINDOW SURROUNDS (AS SEEN IN ELEVATIONS).
 - ADD SECOND FLOOR WALLS AND ROOF TO NORTH AND SOUTH WINGS OF EXISTING HOME.
 - ENCLOSE EXISTING COVERED REO LOGGIA AND ADD NEW SLIDING DOORS WITH A ROOF DECK ABOVE.
 - NEW ROOF TILES AND ROOF.
 - NEW ROOF OVERHANG - 2'-0".

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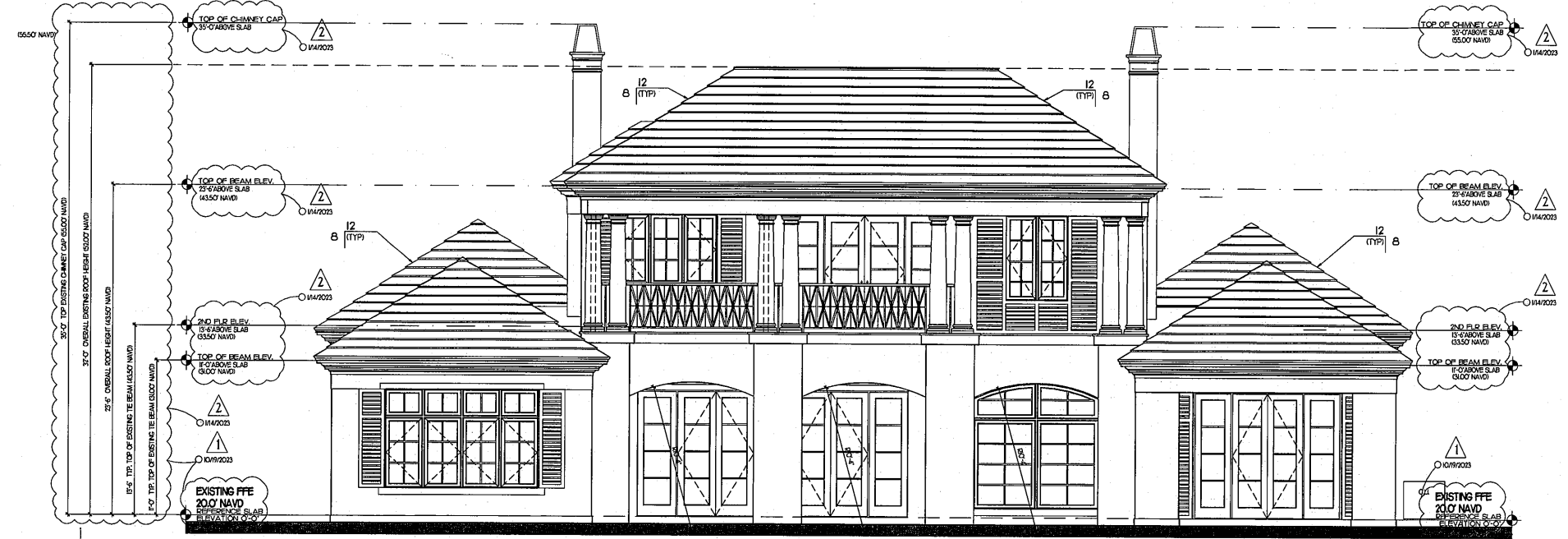
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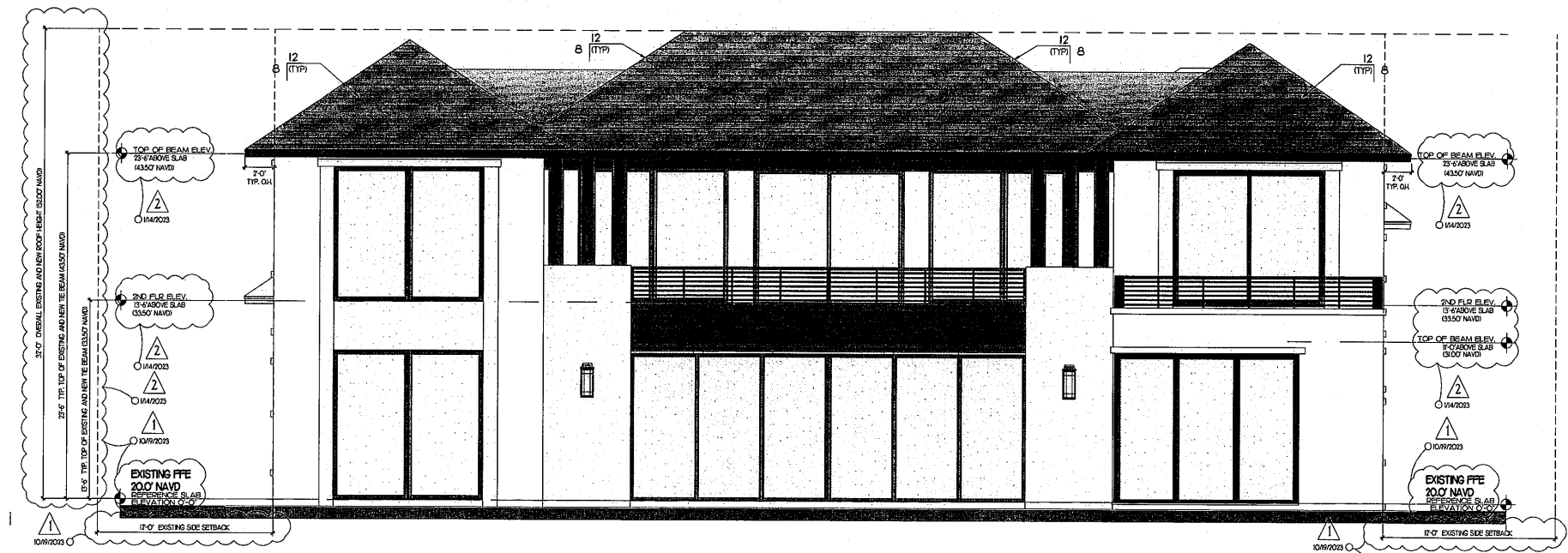
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22141

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(EXISTING) MAIN HOUSE REAR ELEVATION
1/4" = 1'-0"



(NEW) MAIN HOUSE REAR ELEVATION
1/4" = 1'-0"

Revisions

△	TOWN CENTER COMMENTS	10-19-2023
△	TOWN CENTER COMMENTS	11-14-2023

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Date: 11/13/2023
Drawn | Checked | FC |
Date | Approval | FC |
Date | Permit |
Date | Construction |

Seal:
Digitally signed by
Michael Kurik
DN: cn=Michael Kurik,
ou=AFINITI ARCHITECTS,
o=AFINITI ARCHITECTS,
c=FL
Date: 2023.11.15
11:32:47 -0500

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A8

- RENOVATION NARRATIVE**
- EXISTING HOUSE FOOTPRINT TO REMAIN AND NO REVISIONS TO BE ADDED TO THE FOOTPRINT.
 - EXISTING AND NEW HOUSE ARE WEST OF THE COASTAL CONSTRUCTION CONTROL LINE.
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 - NEW ROOF SLOPE TO MATCH EXISTING ROOF SLOPE • 8 ON 12.
 - REMOVE ALL EXISTING WINDOWS AND DOORS AND REPLACE WITH NEW WINDOWS AND DOORS AS APPROVED / SELECTED BY OWNER / BUILDER.
 - REMOVE ALL EXISTING SHUTTERS.
 - REMOVE EXISTING CHIMNEYS.
 - REMOVE ALL EXISTING TRIM ON BALCONIES, WINDOWS AND DOORS.
 - REMOVE FRONT AND REAR COVERED LOGGIA EXISTING COLUMNS.
 - REMOVE EXISTING RAILINGS AND REPLACE WITH NEW RAILINGS.
 - ADD NEW COLUMNS AND ROOF TO EXISTING FRONT AND REAR BALCONIES.
 - ADD NEW STONE CLADDING TO WINDOW BALCONIES (AS SHOWN IN ELEVATIONS).
 - ADD SECOND FLOOR WALLS AND ROOF TO NORTH AND SOUTH WINGS OF EXISTING HOME.
 - ENCLOSE EXISTING COVERED HERO LOGGIA AND ADD NEW SLIDING DOORS WITH A ROOF DECK ABOVE.
 - NEW ROOF TILES AND ROOF.
 - NEW ROOF OVERHANG - 2'-0".

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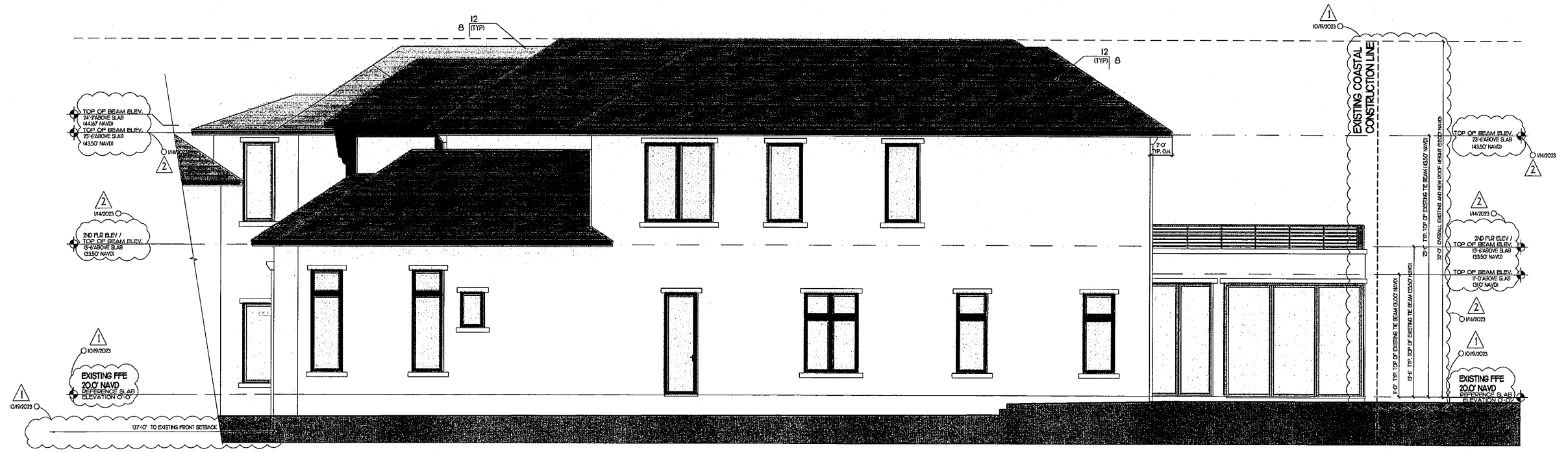
HIGHLAND BEACH
BUILDING DEPARTMENT

Project Number:
22141

BEYER RESIDENCE
2365 SOUTH OCEAN BLVD.,
HIGHLAND BEACH, FL



(EXISTING) MAIN HOUSE RIGHT ELEVATION
1/4" = 1'-0"



(NEW) MAIN HOUSE RIGHT ELEVATION
1/4" = 1'-0"

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Revisions

△	TOWN CENTER COMMENTS	FC	10/9/2023
△	TOWN CENTER COMMENTS	FC	11/14/2023

NOT FOR CONSTRUCTION
Date Drawn / Checked 11/13/2023
Date Approval FC
Date I Permit
Date I Construction

Seal:
Digitally signed by
Michelle Kunkin
DN:
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cn=1140211020,
c=US, email=MKK@AFFINITYARCHITECTS.COM,
ou=Michelle Kunkin,
ou=Affinity Architects
Holding LLC, ou=US
Date: 2023.11.15
11:38:08 -0500

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A9

- RENOVATION NARRATIVE**
- EXISTING HOUSE FOOTPRINT TO REMAIN AND NO REVISIONS TO BE ADDED TO THE FOOTPRINT.
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 - REMOVE EXISTING CHIMNEYS.
 - REMOVE ALL EXISTING TRIM ON BALCONIES, WINDOWS AND DOORS.
 - REMOVE FRONT AND REAR COVERED LOGGIA EXISTING COLUMNS.
 - REMOVE EXISTING RAILINGS AND REPLACE WITH NEW RAILINGS.
 - ADD NEW COLUMNS AND ROOF TO EXISTING FRONT AND REAR BALCONIES.
 - ADD NEW STONE CLADDING TO WINDOW SLEEVES (AS SHOWN IN ELEVATIONS).
 - ADD SECOND FLOOR WALLS AND ROOF TO NORTH AND SOUTH WINGS OF EXISTING HOME.
 - ENCLOSE EXISTING COVERED REAR LOGGIA AND ADD NEW SLIDING DOORS WITH A ROOF DECK ABOVE.
 - NEW ROOF TILES AND ROOF.
 - NEW ROOF OVERHANG - 2'-0".

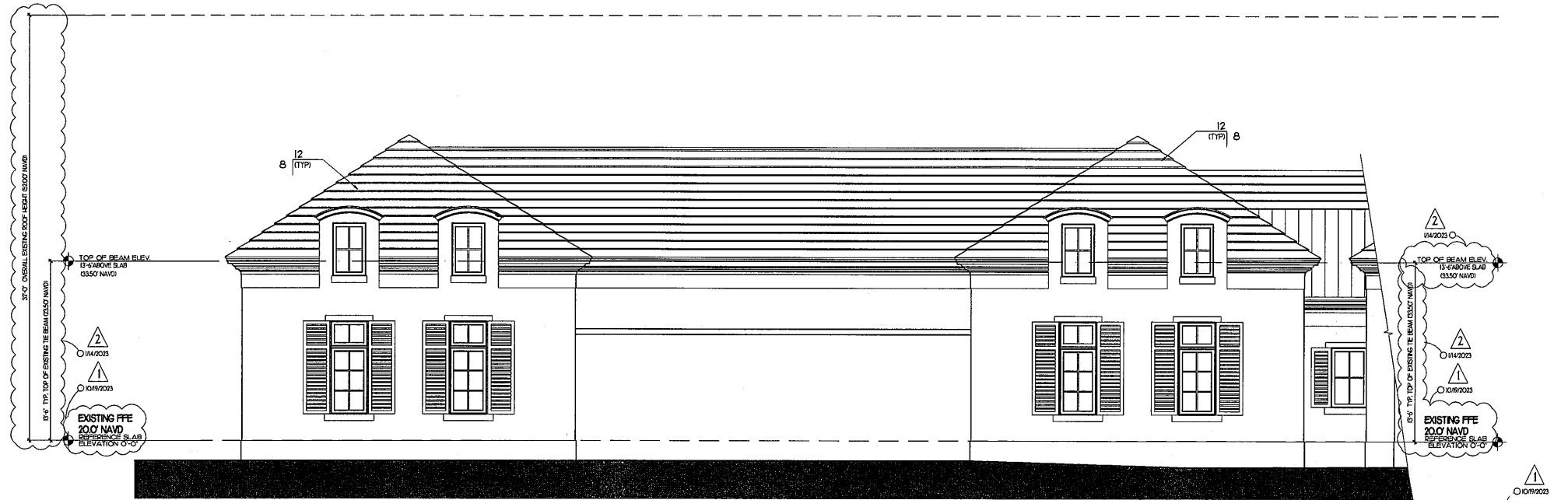
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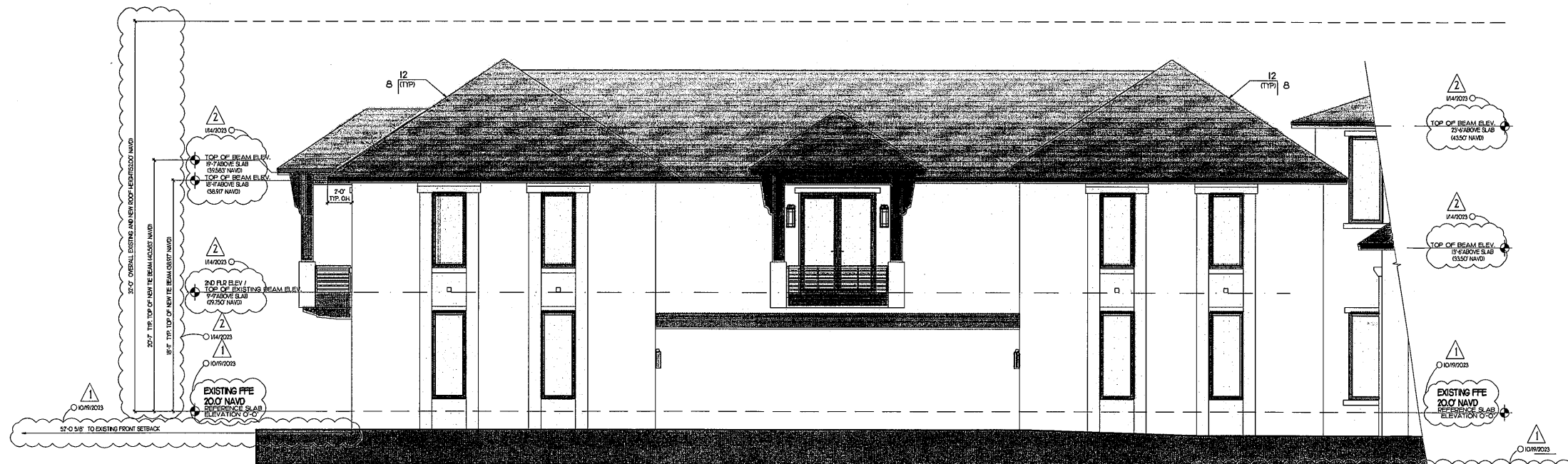
HIGHLAND BEACH
BUILDING DEPARTMENT

Project Number:
22141

BEYER RESIDENCE
2365 SOUTH OCEAN BLVD.,
HIGHLAND BEACH, FL



(EXISTING) GARAGE RIGHT ELEVATION
1/4" = 1'-0"



(NEW) GARAGE RIGHT ELEVATION
1/4" = 1'-0"

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Revisions

△	TOWN CENTER COMMENTS FC	12-19-2023
△	TOWN CENTER COMMENTS FC	1-14-2023

NOT FOR CONSTRUCTION
Date 11/13/2023
Drawn I Checked FC
Date I Approval
Date I Permit
Date I Construction

Seal:
Digitally signed by Mitchell Kunk
DN: c=US, o=Affinity Architects, ou=Affinity Architects, email=Mitchell.Kunk@affinityarchitects.com, cn=Mitchell Kunk
Date: 2023.11.15 11:33:29 -0500

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A10

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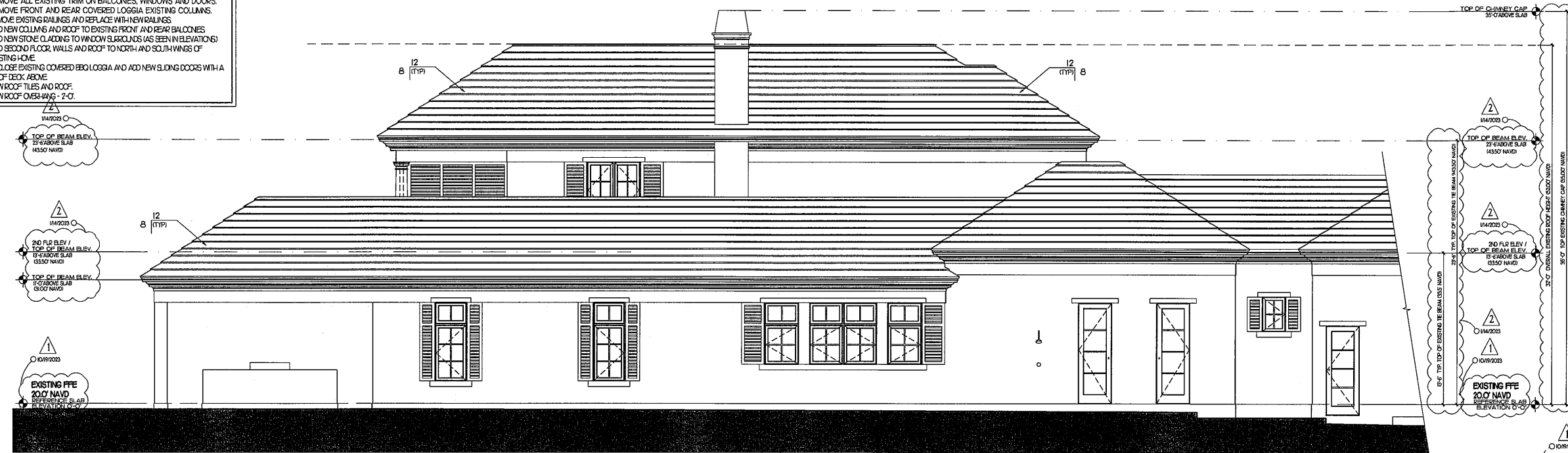
DEC 20 2023

HIGHLAND BEACH
BUILDING DEPARTMENT

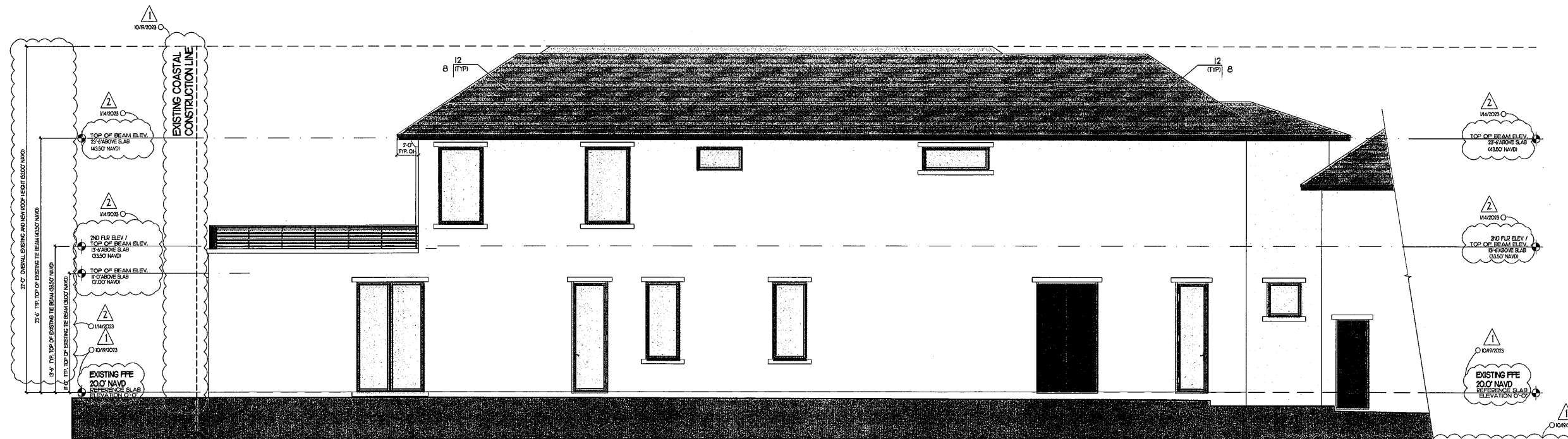
Project Number:
22141

BEYER RESIDENCE
2365 SOUTH OCEAN BLVD.,
HIGHLAND BEACH, FL

- RENOVATION NARRATIVE**
- EXISTING HOUSE FOOTPRINT TO REMAIN AND NO REVISIONS TO BE ADDED TO THE FOOTPRINT.
 - EXISTING AND NEW HOUSE ARE WEST OF THE COASTAL CONSTRUCTION CONTROL LINE.
 - EXISTING GROUND FLOOR SLAB TO REMAIN AT 20.0' NAVD.
 - EXISTING SECOND FLOOR SLAB TO REMAIN.
 - EXISTING ROOF HEIGHT TO REMAIN. NO EXTRA HEIGHT IS TO BE ADDED TO THE NEW ROOF.
 - NEW ROOF SLOPE TO MATCH EXISTING ROOF SLOPE = 8 ON 12.
 - REMOVE ALL EXISTING WINDOWS AND DOORS AND REPLACE WITH NEW WINDOWS AND DOORS AS APPROVED / SELECTED BY OWNER / BUILDER.
 - REMOVE ALL EXISTING SHUTTERS.
 - REMOVE EXISTING CHIMNEYS.
 - REMOVE ALL EXISTING TRIM ON BALCONIES, WINDOWS AND DOORS.
 - REMOVE FRONT AND REAR COVERED LOGGIA EXISTING COLUMNS.
 - REMOVE EXISTING RAILINGS AND REPLACE WITH NEW RAILINGS.
 - ADD NEW COLUMNS AND ROOF TO EXISTING FRONT AND REAR BALCONIES.
 - ADD NEW STONE CLADDING TO WINDOW SURROUNDS (AS SHOWN IN ELEVATIONS).
 - ADD SECOND FLOOR WALLS AND ROOF TO NORTH AND SOUTH WINGS OF EXISTING HOME.
 - ENCLOSE EXISTING COVERED BEQ LOGGIA AND ADD NEW SLIDING DOORS WITH A ROOF DECK ABOVE.
 - NEW ROOF TILES AND ROOF.
 - NEW ROOF OVERHANG - 2'-0".



(EXISTING) MAIN HOUSE LEFT ELEVATION
1/4" = 1'-0"



(NEW) MAIN HOUSE LEFT ELEVATION
1/4" = 1'-0"

A F I N I T I
A R C H I T E C T S
6100 Broken Sound Pkwy. NW - Suite 8 - Boca Raton FL - 33487
561.750.0445 AFINITIARCHITECTS.COM

Revisions

1	TOWN CENTER COMMENTS	10/9/2023
2	TOWN CENTER COMMENTS	1/4/2023

NOT FOR CONSTRUCTION
Date 11/13/2023
Drawn/Checked FC/---
Date Approval FC/---
Date I Permit ---
Date I Construction ---

Seal:
Digitally signed by
Michael Hunt
DN:
c=US, o=AFINITI
Architects Holding
LLC, ou=AFINITI
Date: 2023.11.13
11:36:38 -0500

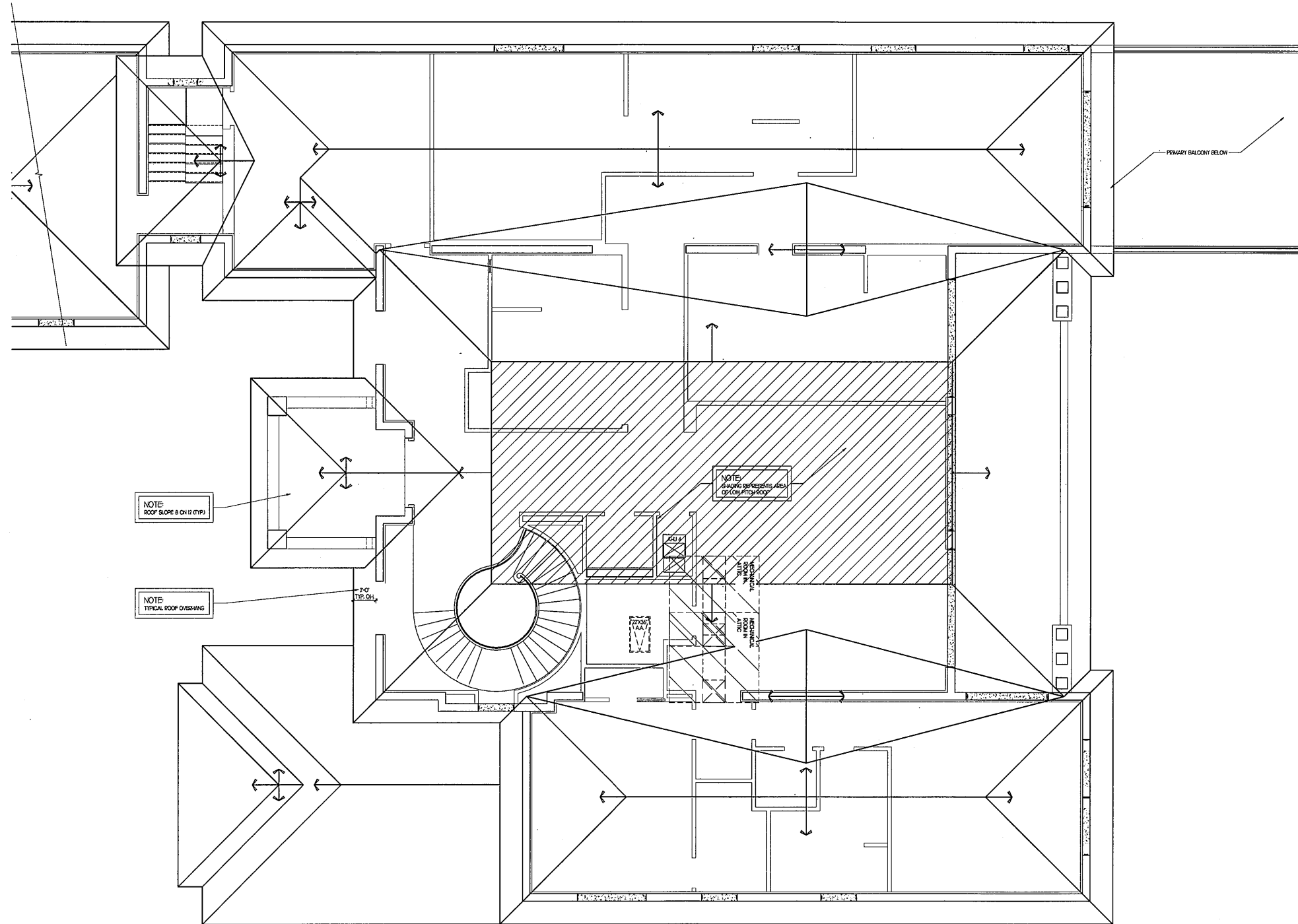
AA0002340 © 2023

A11

RECEIVED

DEC 20 2023

HIGHLAND BEACH
BUILDING DEPARTMENT



Project Number:
22141

BEYER RESIDENCE
2365 SOUTH OCEAN BLVD.,
HIGHLAND BEACH, FL

AFFINITY
ARCHITECTS
6100 Broken Sound Pkwy, NW - Suite 8 - Boca Raton FL - 33487
561.750.0445 AFFINITYARCHITECTS.COM

Revisions
1. TOWN CENTER COMMENTS
FC 12-19-2023

NOT FOR CONSTRUCTION

Date	10/19/2023
Drawn Checked	FC --
Date Approval	FC --
Date Permit	FC --
Date Construction	FC --

Seal: Digitally signed by Mitchell Kunik
 DK: c=US, o=Affinity Architects, email=mk@affinityarchitects.com, cn=US
 Date: 2023.12.18
 45409-0500

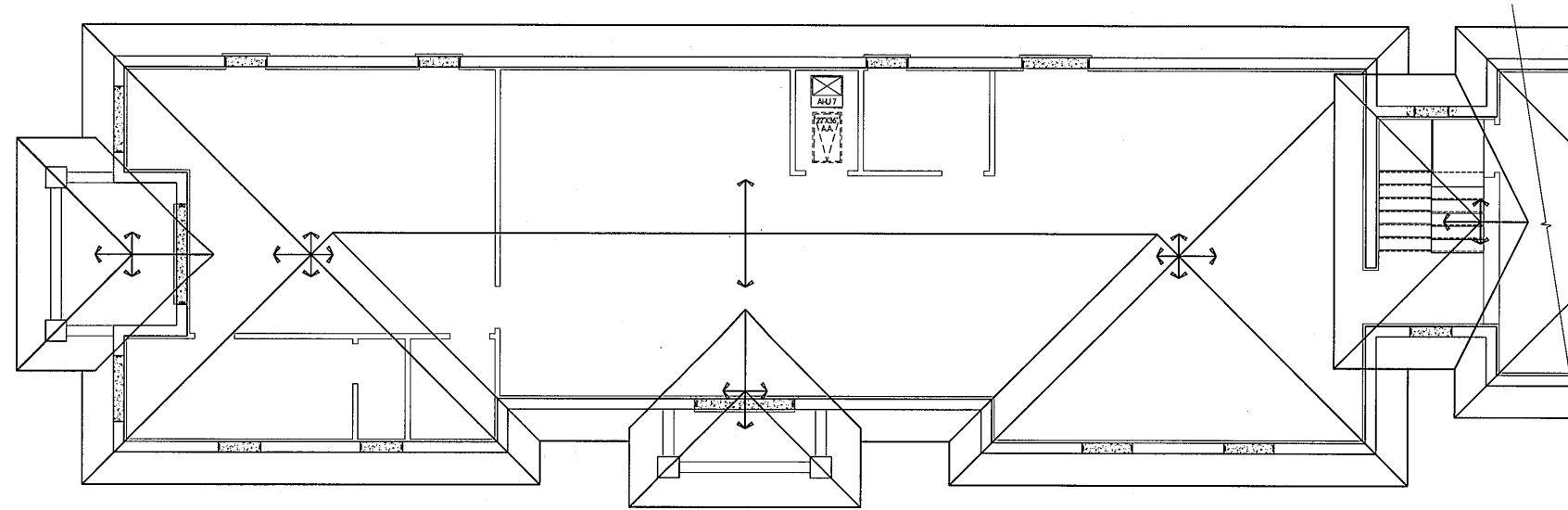
(NEW) MAIN HOUSE ROOF PLAN
1/4" = 1'-0"

A13

RECEIVED

DEC 20 2023

HIGHLAND BEACH
BUILDING DEPARTMENT



Project Number:
22141

BEYER RESIDENCE
2365 SOUTH OCEAN BLVD.,
HIGHLAND BEACH, FL

Affiniti
Architects
6100 Broken Sound Pkwy, NW - Suite 8 - Boca Raton FL - 33487
561.750.0445 AFFINITIARCHITECTS.COM

Revisions
TOWN CENTER COMMENTS
10-19-2023

NOT FOR CONSTRUCTION

Date	10/19/2023
Drawn Checked	FC ...
Date Approval	...
Date Permit	...
Date Construction	...

Seal: Digitally signed by Mitchell Kunik
 DN: cn=Mitchell Kunik, o=Affiniti Architects, email=mth@affinit architects.com, c=US
 Date: 2023.12.14 15:46:29 -0500

(NEW) GARAGE ROOF PLAN
1/4" = 1'-0"

A14

FD. P.R.M.
PM BH R-192 1974

N 761715.957 (P)
E 962893.586 (P)
N 761716.11 (M)
E 962893.51 (M)

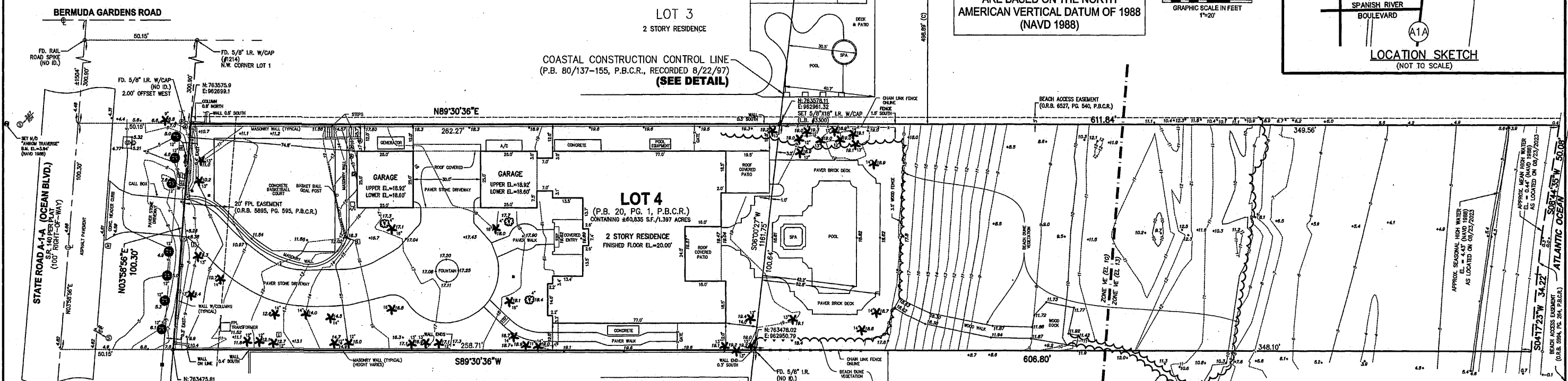
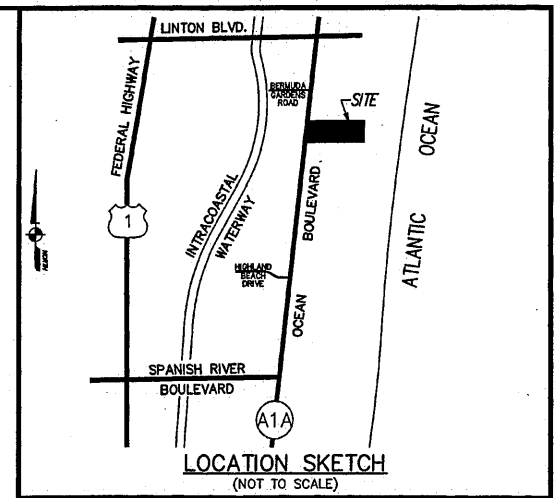
LINE	DIRECTION	DISTANCE
L1	S 31°08'07" W	420.97'
L2	S 06°32'18" W	928.50'
L3	S 05°29'39" W	1412.37'
L4	S 05°47'02" W	1018.38'
L5	S 05°52'22" W	889.39'
L6	S 06°00'27" W	1161.75'
L7	S 05°28'09" W	1208.24'
L8	S 85°10'51" E	137.29'
L9	S 05°00'27" W	508.09'
L10	S 06°00'27" W	103.64'
L11	S 06°00'27" W	553.02'

COASTAL CONSTRUCTION CONTROL LINE DETAIL

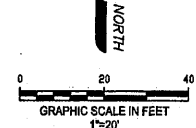
SCALE: 1" = 500'

FD. P.R.M.
06 78 H01 1978
N 768667.426 (P)
E 963691.268 (P)
N 768667.53 (M)
E 963691.16 (M)

NOTE:
THE COORDINATES SHOWN THUSLY ARE BASED UPON THE NORTH AMERICAN 1983 DATUM (ADJUSTMENT OF 1990), FLORIDA MERCATOR EAST ZONE PER COASTAL CONSTRUCTION CONTROL LINE (SEE SURVEYOR'S REPORT #7).



NOTE
ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988)



TREE LEGEND

- Palm
- Shrub
- Unknown Species
- Denotes 12" Diameter Trunk (Typical)

LEGEND

- BACKFLOW PREVENTOR VALVE
- BENCHMARK
- CLEAN OUT
- CONCRETE UTILITY POLE
- EXISTING ELEVATION
- EXISTING ELEVATION
- GAS METER
- GUY ANCHOR
- IRRIGATION VALVE
- IRRIGATION CONTROL BOX
- LIGHT POLE
- MAIL BOX
- OVERHEAD WIRES
- SANITARY MANHOLE
- UNDERGROUND GAS MARKER
- UNKNOWN UTILITY SERVICE BOX
- WATER METER
- YARD DRAIN

STATION NAME: 06 78 H01 1978	PUBLISHED COORDINATES: N 768667.426 E 963691.268
OBSERVED COORDINATES: N 768667.53 E 963691.16	REMARKS: FD. P.R.M. STAMPED "06 78 H01 1978"
STATION NAME: PM BH R-192 1974	PUBLISHED COORDINATES: N 761715.957 E 962893.586
OBSERVED COORDINATES: N 761716.11 E 962893.51	REMARKS: FD. P.R.M. STAMPED "PM BH R-192 1974"

SURVEYOR'S REPORT:

- Reproductions of this Sketch are not valid without the signature and the original seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this survey map or report by other than the signing party is prohibited without written consent of the signing party.
- No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
- The land description shown hereon was taken from Warranty Deed recorded in Official Records Book 32624, Page 1811 of the Public Records of Palm Beach County, Florida.
- No underground improvements were located.
- The undersigned surveyor has no knowledge as to whether any of the hereon property is filled formerly submerged lands.
- Bearings shown hereon are based on Coastal Construction Control Line Book 80, Pages 137 through 155, with a bearing of S06°00'27"W.
- Coordinates shown hereon are based on a Real-time Kinematic (RTK) GPS Control Survey which is certified to 0.3 feet accuracy (US Survey Foot), relative to the control points as shown hereon and is based on the North American Datum of 1983, adjustment of 1990 (NAD 83/90), of the Florida State Plane Coordinate System (Traverse Mercator Projection), East Zone (NAD 83/90). Ties were made to published control coordinates as shown on Plat Book 80, Pages 137-155, Palm Beach County Records.
 - (i) Equipment Used: Leica GS18 High Precision GNSS (Multi Frequency Receiver).
 - (ii) Method: Virtual Reference Station GPS Network.
 - (iii) Processing Software: Leica Infinity, Version 3.3.
- Coordinates depicted on "R" Monuments were obtained from Florida Department of Environmental Protection and unless noted, these monuments were not recovered.
- Benchmark Description: U.S.C. & G.S. Benchmark #K-315, A1A & 220 feet N.E. of Post Office, Elevation = 5.61 feet. (NAVD 1988).
- Elevations indicated hereon are in feet and decimals referenced to North American Vertical Datum of 1988, (NAVD 1988).
- The property described hereon lies within Flood Zones VE (EL 10) & VE (EL 13), as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Numbers 12099C0991F & 12099C0987F, Community Number 125111, dated 10/05/2017.
 - (a) The flood zone lines shown hereon were digitized from data downloaded from FEMA's website.
 - (b) Atlantic Ocean approximate Seasonal High Water Elevation is 4.43 feet, NAVD 1988, as located on 08/24/2023. Seasonal High Water Elevation shown hereon is equal to the elevation of Mean High Water (0.44 feet, NAVD 1988) plus 150% of Mean Range (3.99 feet) which equals Seasonal High Water Elevation of 4.43 feet, NAVD 1988.
 - (c) Atlantic Ocean approximate Mean High Water Elevation is 0.44 feet, NAVD 1988, as located on 08/24/2023.
 - (d) Both the Mean and Seasonal High Water Elevation indicated hereon are based on established data obtained from the Land Boundary Information System website, www.labis.org, referenced to Tide Interpolation Point Number: 100836. (Procedure: Extend the above Mean High Water height onto job site)
- Survey References:
 - (a) Coastal Construction Control Line, recorded in Plat Book 80, Pages 137-155, Palm Beach County, Records.
 - (b) Plat Book 20, Page 1 of the Public Records of Palm Beach County, Florida.
- The common name of trees shown hereon were identified to the best of knowledge and ability of the surveyor, without the benefit of an arborist or biologist. It is the responsibility of the end user to verify the identity of the species.
- Property Address: 2365 S. Ocean Boulevard, Highland Beach, Florida.
- Abbreviation Legend: A/C = Air conditioner; APPROX. = Approximate; B.M. = Benchmark; C = Calculated; C = Centerlines; CCCL = Coastal Construction Control Line; C.M. = Concrete Monument; CONC. = Concrete; EL = Elevation; FD. = Found; F.F. = Finished Floor; F.P.L. = Florida Power & Light Company; ID. = Identification; I.R. = Iron Rod; L.B. = Licensed Business; MHW = Mean High Water; MS = Measured; NAD = North American Datum; NAVD = North American Vertical Datum; N/D = Nail & Disk; O.R.B. = Official Records Book; OW = Overhead Wires; P = Per Record Plat; P.B. = Plat Book; P.B.C.R. = Palm Beach County Records; PG. = Page; P.L.S. = Professional Land Surveyor; P.R.M. = Permanent Reference Monument; R.L.S. = Registered Land Surveyor; R/W = Right-of-Way; S.F. = Square Feet; W/ = With; W/CAP = With Surveyors Cap.

LAND DESCRIPTION:

Lot 4, PLAT OF BYRD BEACH according to the Plat thereof, as recorded in Plat Book 20, Page 1, of the Public Records of Palm Beach County, Florida.

Said lands situate in the Town of Highland Beach, Palm Beach County, Florida and containing 60,835 square feet (1.397 acres) more or less.

CERTIFICATION:

I HEREBY CERTIFY that the attached Boundary and Mean High Water Survey of the hereon described property is true and correct to the best of my knowledge and belief as surveyed in the field under my direction. I FURTHER CERTIFY that this Boundary and Mean High Water Survey meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

Date: 8/24/2023
John T. Doogan, PLS
Digitally signed by John T. Doogan, PLS
Date: 2023.09.12 13:59:15 -04'00'
JOHN T. DOOGAN, P.L.S.
Florida Registration No. 4409
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

RECEIVED
DEC 20 2023
HIGHLAND BEACH
BUILDING DEPARTMENT



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
(561) 392-2594 / www.AVIROMSURVEY.com
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REVISIONS	DATE	F.B./PG.	BY	CKD	REVISIONS	DATE	F.B./PG.	BY	CKD

BOUNDARY & MEAN HIGH WATER SURVEY
2365 SOUTH OCEAN BOULEVARD
LOT 4
PLAT OF BYRD BEACH
(P.B. 20, PG. 1, P.B.C.R.)
LYING IN SECTION 28, TOWNSHIP 46 SOUTH, RANGE 43 EAST
TOWN OF HIGHLAND BEACH, PALM BEACH COUNTY, FLORIDA

JOB #:	6813
SCALE:	1" = 20'
DATE:	08/24/2023
BY:	S.K.
CHECKED:	J.T.D.
F.B. 2193	PG. 6
SHEET:	1 OF 1

**Town of Highland Beach
Town Commission Development Order (PB)
Application No. 23-0012**



**Applicant: Anthony Routhier
Property Address: 2365 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. 23-0012 for the property located at 2365 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 2365 S. Ocean Blvd, Highland Beach, Florida 33487.

The mailings consisted of 23 notices that were sent first class mail and 01 notices that were sent by International Mail.

This 28th day of December 2023.

Highland Beach Town Clerk's Office

A handwritten signature in black ink that reads 'Jaclyn DeHart'. The signature is written in a cursive, flowing style.

Jaclyn DeHart
Deputy Town Clerk



PUBLIC NOTICE APPLICATION NO. 23-0012

December 28, 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, January 11, 2024 at 9:30 AM* in the Community Room of the Town Library located at 3618 South Ocean Boulevard, Highland Beach, Florida to consider the following application.

APPLICATION BY ANTHONY ROUTHIER, CAVADIUM, INC., 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, BALCONIES, EXTERIOR WALLS, NUMBER OF SQUARE FEET, ROOF LINE, AND ELEVATION FOR THE PROPERTY LOCATED AT 2365 SOUTH OCEAN BOULEVARD.

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

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 Jan 01, 2024

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

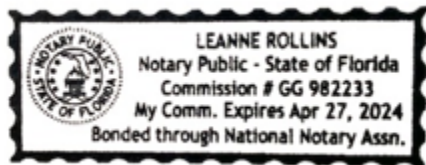


Signature of Affiant

Sworn to and subscribed before me this: January 02, 2024.



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
7548287

**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, January 11, 2024 at 9:30 AM in the Highland Beach Library Community Room, 3618 South Ocean Boulevard, Highland Beach, Florida to consider the following:

APPLICATION NO. 23-0012 BY ANTHONY ROUTHIER, CAVADIUM, INC., 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, BALCONIES, EXTERIOR WALLS, NUMBER OF SQUARE FEET, ROOF LINE, AND ELEVATION FOR THE PROPERTY LOCATED AT 2365 SOUTH OCEAN BOULEVARD.

APPLICANT: Michael J. Beyer

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

TOWN OF HIGHLAND BEACH, BUILDING
DEPARTMENT
01/01/2024 7548287

Order # - 7548287

