



# TOWN OF HIGHLAND BEACH

## AGENDA MEMORANDUM

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**MEETING TYPE:** Town Commission Meeting

**MEETING DATE** September 19, 2023

**SUBMITTED BY:** Ingrid Allen, Town Planner, Building Department

**SUBJECT:** Request for a Town of Highland Beach Right-of-Way (ROW) permit for the property located at 3521 South Ocean Boulevard

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### SUMMARY:

On December 7, 2021, the Town Commission adopted Ordinance No. 2021-018 which provides for the protection of the public ROW while also allowing certain improvements. Pursuant to Section 25-1 of the Town Code, it shall be unlawful to construct improvements or install new trees in new locations within the public ROW including swales without first obtaining a Town ROW permit from the Building Department unless waived or otherwise determined as not required by the Town's Public Works Director. At the same Town Commission meeting, Resolution No. 2021-041 was adopted which requires Town Commission approval of ROW permits for construction of improvements or placement of trees in new locations within State Road A1A ROW. The latter approval is applicable until the Florida Department of Transportation's (FDOT) Resurfacing, Restoration and Rehabilitation Project ("RRR Project") is completed.

The Applicant is proposing a new single driveway and has received a driveway connection permit (Permit No. 2023-A-496-00010) from FDOT (Attachment No. 1). The Town's Public Works Director, Pat Roman, has indicated that the driveway plan submitted as part of the FDOT permit does not conflict with existing Town utilities.

Concurrent with this request for a Town ROW permit, is an amendment to FDOT's Landscape Inclusive Memorandum of Agreement ("Agreement") for the same property. This amendment to the Agreement is for the purpose of maintaining new landscape improvements installed in FDOT's ROW along State Road A1A adjacent to subject property.

Note that on July 13, 2023, the Planning Board granted site plan approval (Development Order No. 22-0017) for a new three-story, 3,997 square foot single family residence at the property (motion carried 7-0).

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### FISCAL IMPACT:

N/A

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**ATTACHMENTS:**

Attachment No. 1 - FDOT driveway connection permit (No. 2023-A-496-00010).

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**RECOMMENDATION:**

At the discretion of the Town Commission.