

# DRAFT



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

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

Date: July 29, 2024  
Time: 10:00 AM

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### 1. CALL TO ORDER

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

### 2. ROLL CALL

Board Member Jeffrey Gordon  
Secretary Harris Rosen  
Board Member Todd Weiss  
Vice Chairperson Michael Thorson  
Chairperson Fred Rosen  
Town Attorney Leonard Rubin  
Town Clerk Lanelda Gaskins

#### **ABSENT**

Board Member Joel Leinson

#### **ADDITIONAL STAFF**

Town Planner Ingrid Allen

### 3. PLEDGE OF ALLEGIANCE

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

### 4. APPROVAL OF THE AGENDA

**MOTION:** Chairperson Rosen - Moved to approve the agenda as presented, which passed unanimously 5 - 0.

### 5. SWEARING IN OF THE PUBLIC

Town Clerk Gaskins swore in those witnesses giving testimony.

## 6. APPROVAL OF MINUTES

### A. January 21, 2024

**MOTION:** Chairperson Rosen/Secretary Rosen - Moved to approve the January 21, 2024 Minute as presented, which passed unanimously 5 - 0.

## 7. NEW BUSINESS

### A. Application No. PZ-24-2 / Maria and Stephen Garchick

**Consideration of Application No. PZ-24-2 by Michael Marshall, Esq., for an Appeal of a Town interpretation regarding customary yard accessories for the property located at 2474 South Ocean Boulevard.**

Chairperson Rosen introduced Application No. PZ-24-2 / Maria and Stephen Garchick. He asked the Board Members if they had any ex parte communications to disclose. The Members had no ex parte communications.

Chairperson Rosen opened the public hearing.

Michael Marshall, Attorney for the applicants presented and discussed his appeal of the Town's interpretation regarding customary yard accessories for the above-referenced property.

Town Planner Allen provided an overview of Application No. PZ-24-2 regarding an appeal of a town interpretation related to customary yard accessories. At the July 09, 2024, Code Enforcement Board meeting, the applicant received an extension until October 4, 2024, to address a code violation for constructing a pergola without a permit.

Following the presentations, discussion ensued among the Board Members, Attorney Michael Marshall, and Town Planner Allen regarding the application.

Also, the following individuals provided comments:

Stephen Garchick, property owner.

Building Official Jeff Remas explained that the structure is a sun controlled structure which is an accessory structure.

Maria Garchick, property owner.

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

**MOTION:** Rosen/Thorson – Moved to uphold staff’s interpretation and denied the appeal. Upon roll call: Chairperson F. Rosen (Yes), Secretary Thornson (Yes) Member Gordon (No), Secretary Rosen (Yes); and Member Weiss (Yes). The motion passed on a 4 to 10 vote with Member Gordon dissenting.

**8. UNFINISHED BUSINESS**

None.

**9. ANNOUNCEMENTS**

August 06, 2024 1:30 P.M. Town Commission Meeting

August 08, 2024 9:30 A.M. Planning Board Regular Meeting

August 13, 2024 1:00 P.M. Code Enforcement Board Regular Meeting

**10. ADJOURNMENT**

The meeting was adjourned at 11:04 A.M.

**APPROVED:** November 12, 2024, Board of Adjustment & Appeals Regular Meeting

**ATTEST:**

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Fred Rosen, Chairperson

Transcribed by: Lanelda Gaskins

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Lanelda Gaskins, MMC  
Town Clerk

\_\_\_\_\_  
Date