



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

October 11, 2022

** Delivered via email*

Steve Garbutt *
989 NW 31st Avenue
Pompano Beach, FL 33069

Subject: Exemption for Politzer Boat Lift
Application No. 220916-35977
Exemption No. 50-107725-P
Palm Beach County

Dear Ms. Politzer:

The South Florida Water Management District (District) reviewed the information submitted for the proposed installation of a 4 post boat lift and has determined that the proposed project is exempt from the requirement to obtain an Environmental Resource Permit, pursuant to rule 62-330.051(5)(h), Florida Administrative Code.

The proposed activities to be conducted under the exemption involve the installation of a 10,000 pound four-post boat lift with four existing concrete piles located at 4018 S. Ocean Blvd., in Highland Beach, Palm Beach County. Based on the plans received by the District on September 16, 2022, the proposed work proposes 126 square feet. Please see Exhibit No. 1 for a Location Map and Exhibit No. 2 for Plans.

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.

Steve Garbutt
Politzer Boat Lift, Application No. 220916-35977
October 11, 2022
Page 2

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 Elizabeth Allen, Environmental Analyst 1 at 863-462-5260 x3013 or eallen@sfwmd.gov, and Joe Marquez, at (954) 682-6738 or jmarquez@sfwmd.gov.

Sincerely,



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

c: Steve Garbutt *

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 220916-35977 .

[Exhibit No. 1 Location Map](#)

[Exhibit No. 2 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:

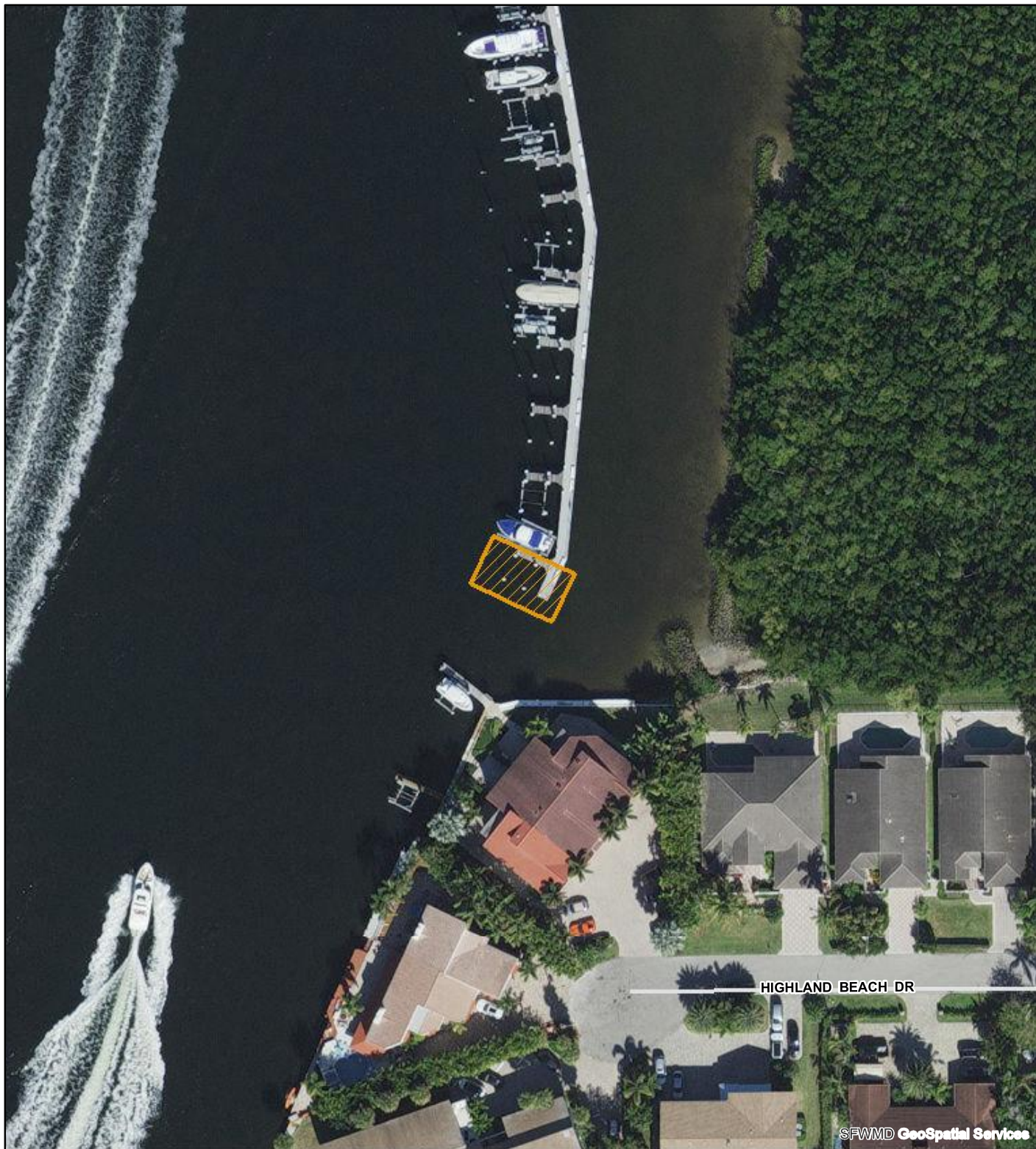
1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or 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.



SFWMD GeoSpatial Services

Exhibit No:1.0

Exhibit Created On:
2022-09-28

PALM BEACH COUNTY, FL

REGULATION DIVISION

Project Name: Politzer Nancy Boat Lift



0 65 130
Feet



Application

Permit No: 50-107725-P

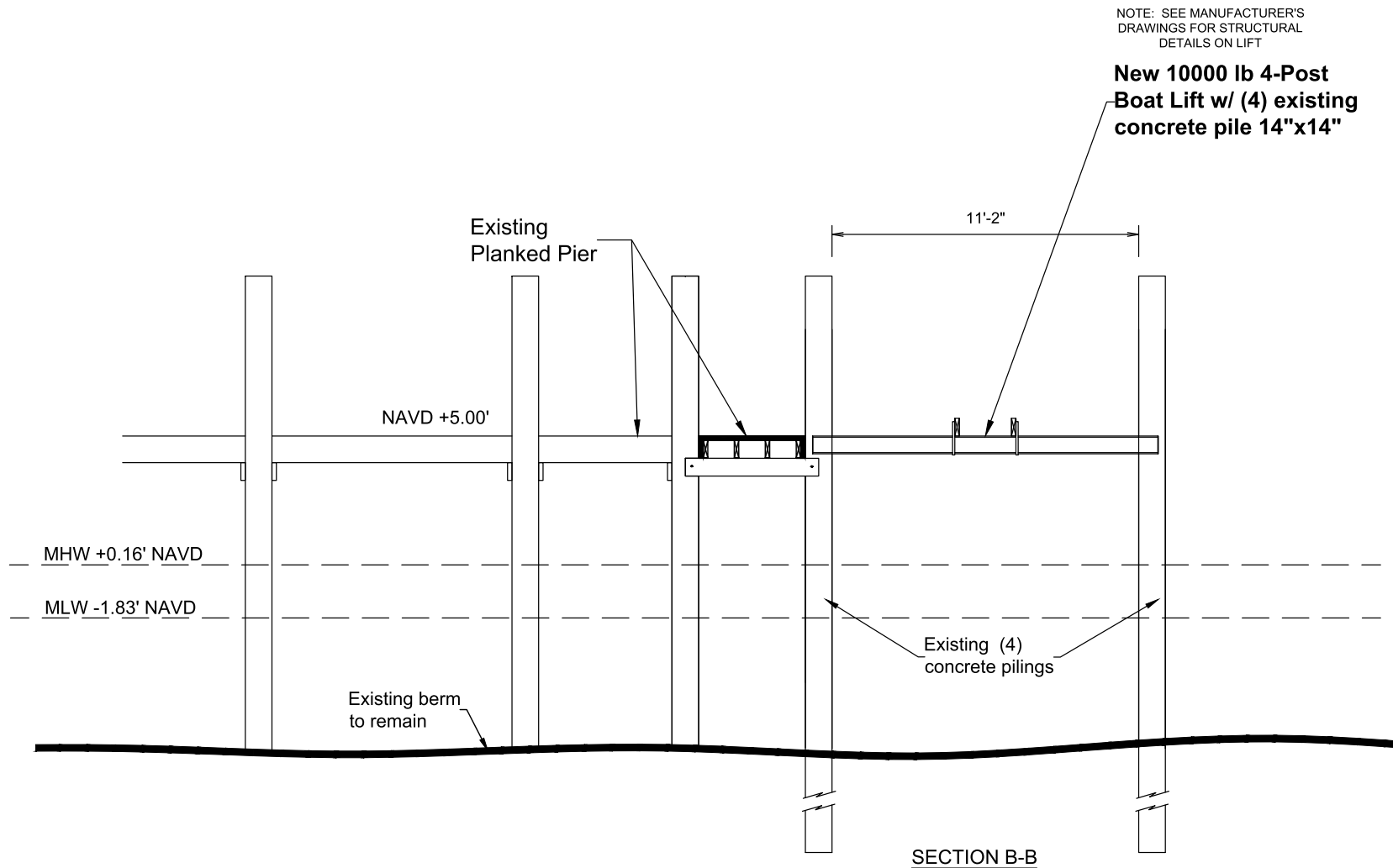
Application Number: 220916-3597



sfwmd.gov

Created by IT GIS Section

South Florida Water Management District



4-POST BOAT LIFT DETAIL
SCALE: 1/4"=1'-0"

CARL G. FORBES PE
1839 SOUTH DIXIE HIGHWAY WEST
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EMAIL: CARL.FORBES@BELL.SOUTH.NET
PHONE: 954-882-6651 FAX: 954-803-4284
STATE OF FLORIDA LICENSE PE 20689

PREPARED FOR:
**BOATLIFTS & DOCKS
OF SOUTH FLORIDA**
988 N.W. 31ST AVENUE
POMPANO BEACH, FL 33069
954-971-0811 SCCT131151479

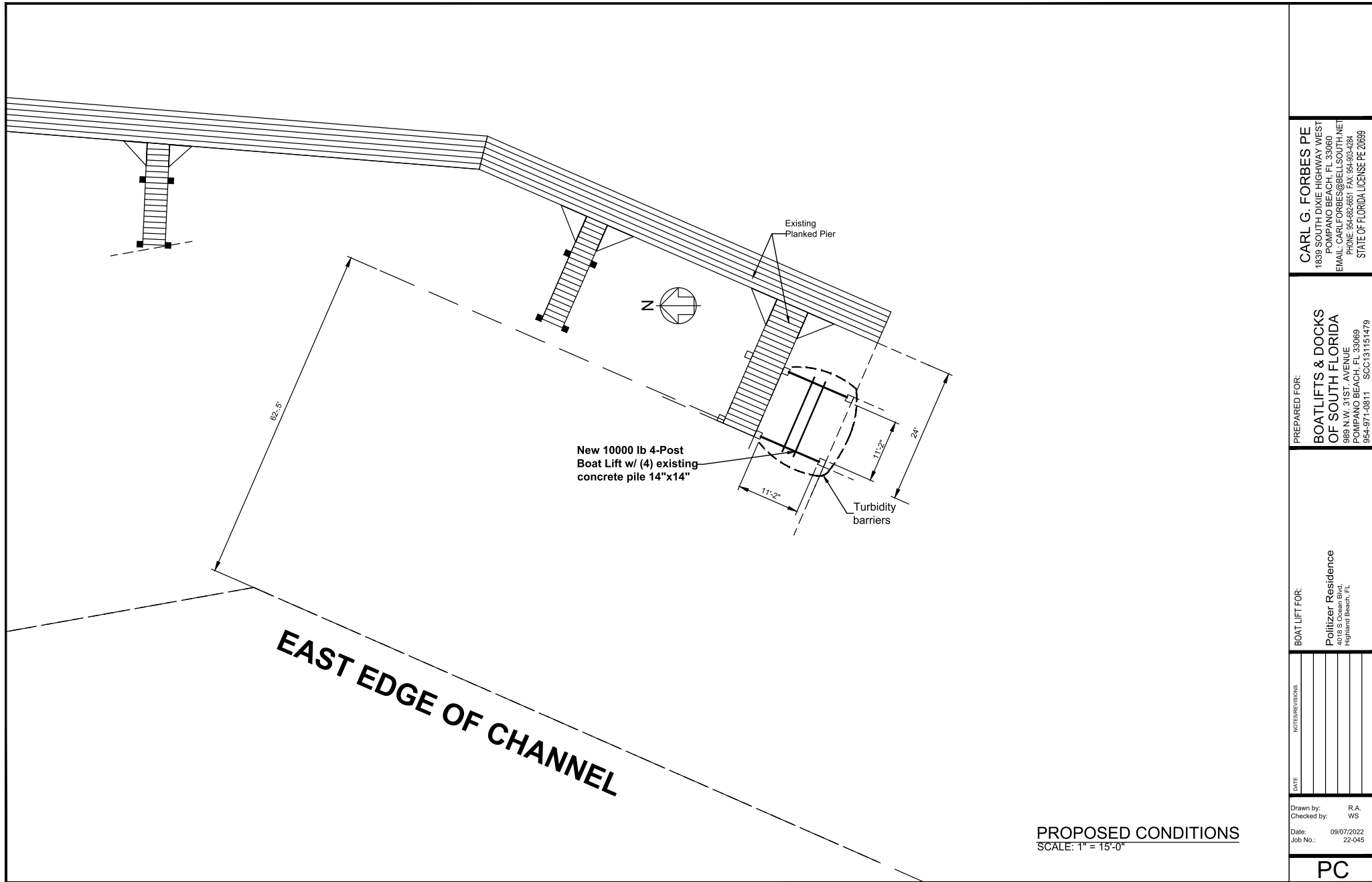
BOAT LIFT FOR:
Politzer Residence
4016 S Ocean Blvd.
Highland Beach, FL

NOTES/REVISIONS

DATE
Drawn by: R.A.
Checked by: Will

Date: 08/27/2022
Job No.: 22-045

DET 2



CARL G. FORBES PE
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STATE OF FLORIDA LICENSE PE 20899

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888 N.W. 31ST AVENUE
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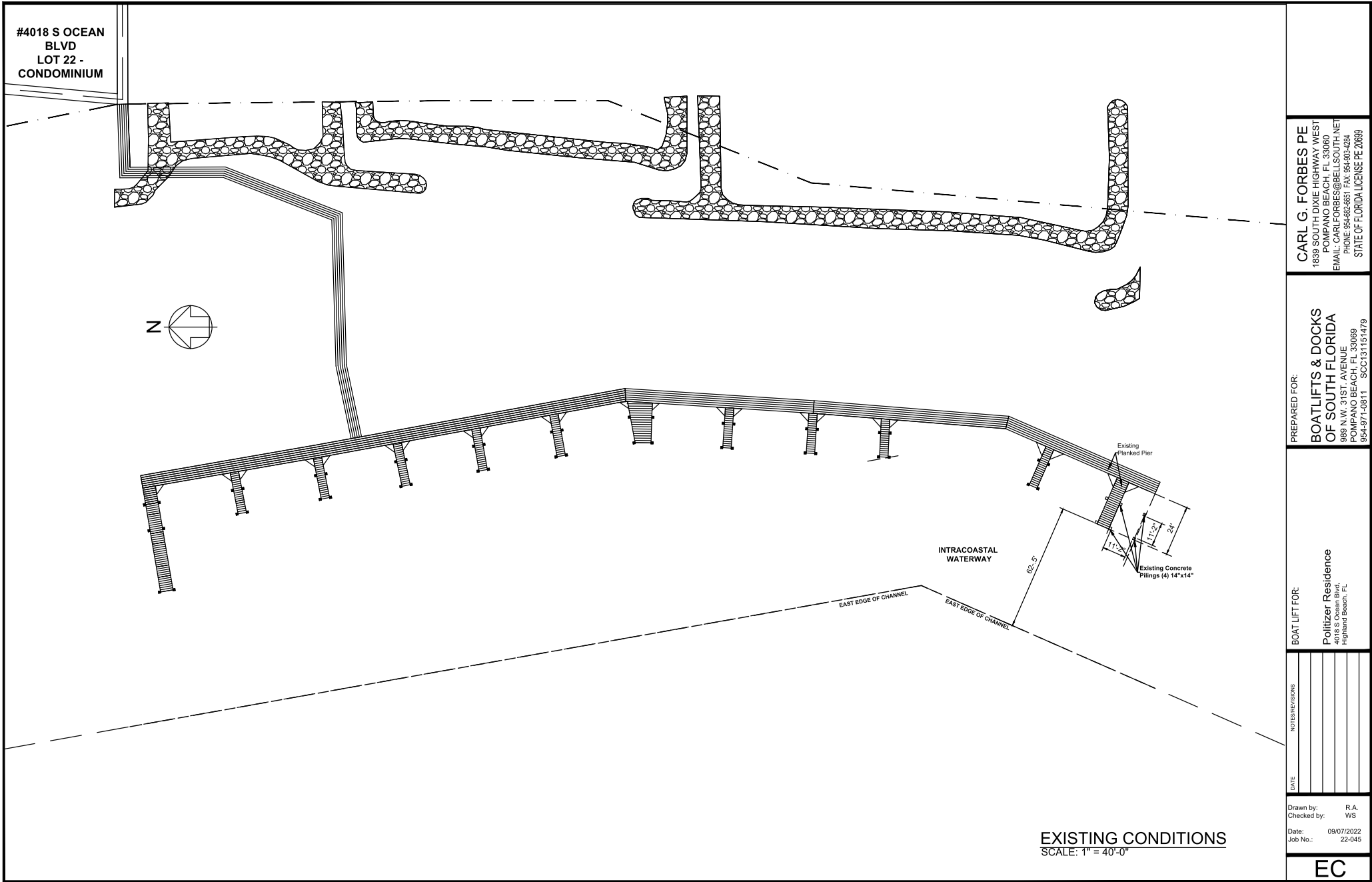
BOAT LIFT FOR:
Poltizer Residence
4018 S Ocean Blvd.
Highland Beach, FL

NOTES/REVISIONS

DATE

Drawn by: R.A.
Checked by: WS
Date: 09/07/2022
Job No.: 22-045

PC



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STATE OF FLORIDA LICENSE PE 20699

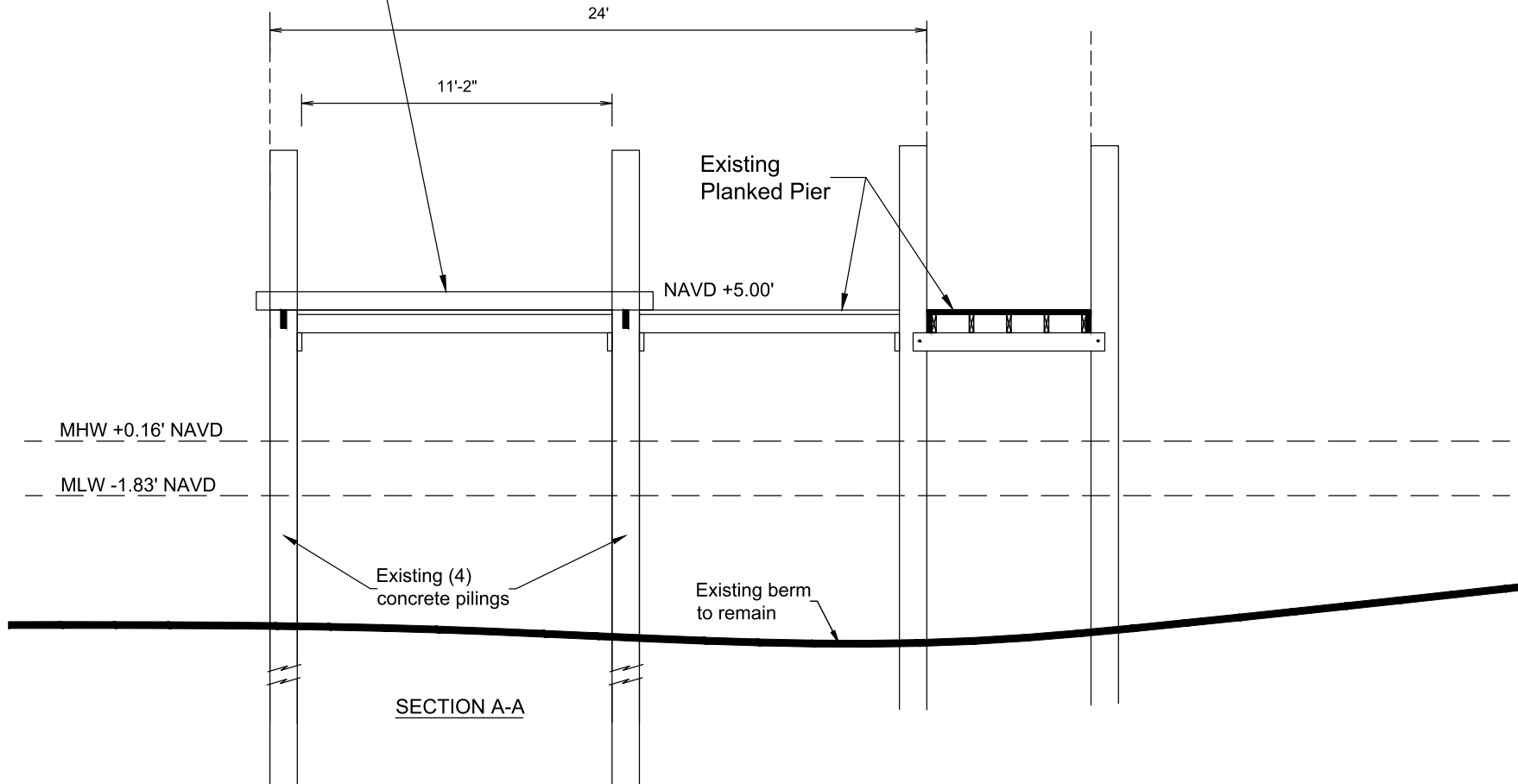
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989 N.W. 31ST AVENUE
POMPANO BEACH, FL 33069
954-971-0811 SCCT131515479

BOAT LIFT FOR:
Politzer Residence
4018 S Ocean Blvd.
Highland Beach, FL

EC

NOTE: SEE MANUFACTURER'S
DRAWINGS FOR STRUCTURAL
DETAILS ON LIFT

**New 10000 lb 4-Post
Boat Lift w/ (4) existing
concrete pile 14"x14"**



4-POST BOAT LIFT DETAIL
SCALE: 1/4"=1'-0"

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STATE OF FLORIDA LICENSE PE 20639

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954-971-3611 SCCT31515479

BOAT LIFT FOR:
Poltizer Residence
4018 S Ocean Blvd.
Highland Beach, FL

NOTES/REVISIONS

DATE
Drawn by: R.A.
Checked by: WS
Date: 09/07/2022
Job No.: 22-045

DET-2

INTRACOASTAL
WATERWAY

New 10000 lb 4-Post
Boat Lift w/ (4) existing
concrete pile 14"x14"

Existing
Planked Pier

Turbidity
barriers

SITE PLAN
SCALE: 3/32" = 1'-0"

General Notes:

1. New 10000 lbs 4-Post Boat Lift mounted on existing (4) concrete pilings 14"x14".
2. All pilings to be driven 8' into strata. If hard strata is encountered, a 2' minimum penetration is required.
3. All framing materials to be pressure treated, Southern Yellow Pine, Grade 2 or better, min. fb=975 PSI or better.
4. All hardware to be galvanized or stainless steel.
5. Turbidity barriers are to surround all in water construction areas during piling and/or panel installation activities.
6. Elevations shown are based on the North American Vertical Datum of 1988.
7. Design in accordance with 2020 7th Edition of the Florida Building Code.
8. Construction methods, procedures, and sequences are the responsibility of the Contractor. The Contractor shall take the necessary means to maintain and protect the structural integrity and serviceability of the construction at all times.
9. Any discrepancies found for any circumstance between the structural plans and the existing conditions found on site and/or any conditions that were omitted on the plans will be the responsibility of the Contractor to immediately bring to the attention of the Engineer of Record.

10. Existing conditions are unknown, therefore, worst case conditions have been approximated. all existing conditions are assumed and must be confirmed by the gc after permitting.
11. Engineer's Limitations of Responsibility: The Engineer shall not be responsible for the quality or composition of materials, fabrications, construction inspection, supervision, or review, special inspection, or the quality and correctness of construction unless the appropriate submissions, reports, approvals, inspections, site visit, construction review, or special inspections are performed by the Engineer or his representative as required herein, and then only such responsibility as is associated with the specific work performed as is commonly assigned a structural engineer in relation to other engineering and construction disciplines associated with the project.
12. The Engineer shall not be responsible for site and construction safety and/or the safety of construction workers. Site and construction safety is the responsibility of the Contractor. The Contractor shall be responsible for the safety of his employees and the safety of the employee of all subcontractors to the project.
13. Engineer's Statement of Compliance: To the best of the Engineer's knowledge, the structural plans and specifications presented herein comply with the applicable minimum building codes, standards, and practices.

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STATE OF FLORIDA LICENSE PE 20599

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SP