



HIGHLAND BEACH BUILDING DEPARTMENT

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

PLANNING BOARD STAFF REPORT

MEETING OF: February 9, 2023

TO: PLANNING BOARD

FROM: INGRID ALLEN, TOWN PLANNER

SUBJECT: APPLICATION BY AKBAR MONDAL NUNEZ, BOAT LIFTS & DOCKS OF SOUTH FLORIDA, FOR A SPECIAL EXCEPTION APPROVAL TO INSTALL A 10,000 POUND CAPACITY BOAT LIFT IN SLIP NO. 22 FOR A PROPERTY LOCATED AT 4018 SOUTH OCEAN BOULEVARD. (DO #22-0016)

I. GENERAL INFORMATION:

Applicant (Property Owner): Nancy F. Politzer
4018 South Ocean Blvd.
Highland Beach, Fl. 33487

Applicant's Agent: Akbar Mondal Nunez
Boat Lifts & Docks of South Florida
989 Northwest 31 Avenue
Pompano Beach, Fl. 33060

Property Characteristics:

Comprehensive Plan Land Use: Multi Family Low Density

Zoning District: RML, Residential Multiple Family Low Density

Site Location: 4018 South Ocean Blvd, slip number 22

Parcel PCN#: 24-43-47-04-55-000-0090

Request and Analysis:

The Applicant is proposing to install a four (4) post, 10,000 pound capacity boat lift in slip number 22 of the boat dock located at the Ocean Cove development. To the west of the Ocean Cove residences, there is a walkway that leads to the dock which runs parallel to the Intracoastal Waterway. The existing dock slips only accommodate perpendicular docking.

The Applicant has obtained South Florida Water Management District (SFWMD) (Application No. 220916-35977) and US Army Corps of Engineers (File No. SAJ-2022-02908(GP-PRC)) authorizations for the proposed boat lift. Note that the Florida Department of Environmental Protection (FDEP) delegated the review of the request to the SFWMD (see attached FDEP email correspondence). FDEP determined that because the Boca Cove development initially received an Environmental Resource Permit from SFWMD, the proposed boat lift should be reviewed by SFWMD given the permitting history. It is worth noting that a previous boat lift request (DO# 21-0006 – 4036 S. Ocean Blvd.) located within the same Boca Cove development was approved in 2021 by FDEP not SFWMD. FDEP indicated to staff that they inadvertently processed such approval; however, it is considered a valid authorization.

According to the Applicant's boat lift detail (sheet DET 1), the top of the lift measures 6 feet 11 inches from the existing pier. The Applicant has not dimensioned the superstructure components of the boat on the lift detail (this is not a requirement of the Town Code). That said and at the request of staff, the Applicant has included on sheet DET 1, a note referencing the boat lift definition found in Section 30-131 of the Town Code which is as follows:

Boat lifts means the bottom of the keel of any boat shall not be hoisted greater than one foot above the minimum seawall elevation. In no case shall the lift be higher than the superstructure of the boat when lifted.

Section 30-68(h)(1)a. of the Town Code, states that the installation of a boat lift shall be subject to special exception approval by the Planning Board at an advertised public hearing. Section 30-36(a) of the Town code states that if the Planning Board is the final authority on the special exception, then it shall approve, approve with conditions, or deny the application.

Staff has reviewed the Applicant's proposed request and finds that the project is consistent with the Zoning Code (Chapter 30) including the special exception criteria of Section 30-36, were applicable, and the Town Comprehensive Plan.

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.

II. Recommendation

Staff recommends approval to install a proposed 10,000 pound capacity boat lift in slip number 22 based on the plans date stamped received by the Building Department on January 6, 2023:

The Applicant's proposed request:

- ☒ **Meets Town of Highland Beach Zoning and other governmental agencies requirements.**
- ☐ **Meets Town of Highland Beach Zoning requirements; however, approvals are pending before the Town of Highland Beach will issue permits, with other governmental agencies as listed:**
- ☐ **Does not meet Town of Highland Beach Zoning requirements.**

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
 HOA approval
 FDEP correspondence
 SFWMD authorization
 ACOE authorization
 Applicant Plans