



## HIGHLAND BEACH BUILDING DEPARTMENT

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

## PLANNING BOARD STAFF REPORT

**MEETING OF:**        **SEPTEMBER 21, 2023**

**TO:**                    **PLANNING BOARD**

**FROM:**              **INGRID ALLEN, TOWN PLANNER**

**SUBJECT:**           **APPLICATION BY WILLIAM THOMAS, UNLIMITED PERMIT SERVICES, INC, FOR A SPECIAL EXCEPTION REQUEST TO INSTALL APPROXIMATELY 95 LINEAR FEET OF SEAWALL AND SEAWALL CAP, APPROXIMATELY 101 FEET OF RETAINING WALL, A 223 SQUARE FOOT DOCK, AND A 40,000 POUND CAPACITY NO PROFILE BOAT LIFT FOR THE PROPERTY LOCATED AT 4321 INTRACOASTAL DRIVE. (DO# 23-0005)**

### I. GENERAL INFORMATION:

**Applicant (Property Owner):**        JVK Investments LLC  
3907 South Ocean Boulevard  
Highland Beach, FL 33487

**Applicant's Agent:**                William Thomas  
Unlimited Permit Services, Inc.  
902 NE 1<sup>st</sup> Street, Suite #2  
Pompano Beach, FL 33060

**Property Characteristics:**

**Site Location:**                        4321 Intracoastal Drive

**Comprehensive Plan Land Use:**    Single Family

**Zoning District:**                      Residential Single Family (RS)

**Parcel PCN#:**                          24-43-47-04-02-004-0050

### **Request and Analysis:**

The Applicant is proposing to install approximately 95 linear feet of seawall (within 18 inches waterward of the existing seawall) and seawall cap, approximately 101 feet of retaining wall, a 223 square foot dock, and a 40,000 pound capacity no profile boat lift for the property located at 4321 Intracoastal Drive.

The Applicant has obtained Florida Department of Environmental Protection (FDEP) approval for the above-referenced proposed items (FDEP File No. 50-0430961-001,002,003-EE). The authorization letter provided by FDEP (dated February 14, 2023) indicates that a separate permit or authorization from the U.S. Army Corps of Engineers will not be required.

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 is proposing a seawall at 6.5 feet NAVD.

Pursuant to Section 30-68(g)(6)(d)1. of the Town Code, the Applicant's request is in compliance with the required 25-foot side yard setback for accessory marine facilities located in a single-family zoning district. According to the Applicant's boat lift detail (sheet 5 of 6), the top of the platform/no profile boat lift measures 7.33 feet NAVD. The Applicant has indicated that they do not know the type of vessel to be moored on the boat lift at this time (this is not a requirement of the Town Code) That said, the Applicant has added a note on sheet 5 referencing the boat lift definition as provided 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.*

According to Section 30-68(h) of the Town Code, installation of mooring facilities including docks and boat lifts shall comply with the below standards.

- The mooring facilities will not create a hazardous interference with navigation, endanger life or property, or deny the adjacent property owners or public reasonable visual access to public waterway.
- Installation of such mooring facilities shall not infringe upon standard navigational practices that are or may be used by abutting property owners.

The installation of the proposed no profile boat lift will be located along the southernmost lake of the Bel Lido plat. The lake width from the subject property's rear property line is approximately 370 feet which is one of the widest sections of either lake or canals in the Bel Lido plat.

Section 30-68(h)(1)a. of the Town Code, states that the installation of accessory marine facilities including docks, and boat lifts shall be subject to special exception approval by the Planning Board at an advertised public hearing. In addition, Section 6-128 requires special exception approval by the Planning Board for seawall or retaining walls. 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.

If the Planning Board should grant approval of the special exception request, staff recommends the following conditions of approval which are based on the Applicant's plan set, date stamped received by the Building Department on August 18, 2023:

1. The no profile boat lift shall only be utilized to a store vessel and not for any other purpose including, but not limited to, walking, gathering, and sitting.
2. No mooring of any boat or vessel is permitted along any side of the no profile boat lift.

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

**Attachments: Application  
Aerials  
FDEP approval  
Applicant proposed plans (11x17)**