



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE: February 6, 2024

SUBMITTED BY: Ingrid Allen, Town Planner, Building Department

SUBJECT: Request for land filling approval for a portion of the property located at 4801 South Ocean Boulevard.

SUMMARY:

On January 11, 2024, the Applicant received Planning Board approval for an amendment to a previously approved special exception request (Development Order No. 21-0008) to install a 465 square foot marginal dock, and a 257 linear foot seawall and cap for the property located at 4801 South Ocean Boulevard within the Boca Highlands development (Development Order No. 23-0010). As part of the latter request, the Applicant proposes to backfill an 830 square foot area located behind the new seawall and current seawall. The project will change the design of a portion of the current seawall from a zig-zag configuration to a linear configuration. The Planning Board's approval was contingent upon Town Commission approval of a land fill permit pursuant to Chapter 14 of the Town Code of Ordinances.

According to Section 14.1 of the Town Code of Ordinances, the following provisions pertaining to "land filling" apply:

*Any person desiring to add to or extend any lands, areas, including submerged lands, to remove sand, rock or earth from any submerged lands, to construct a finger canal, lagoon or yacht basin within the territorial limits of the town by any means, including, but not limited to, hydraulic dredging, pumping, dragline, dynamiting or shovel, **shall first make application to the town commission for permission to do so.** Such written application shall be accompanied by a plan or drawing showing the area to be filled and also showing the area from which any fill material is to be dredged or removed by other means. Specifications sufficient in detail as to clearly outline how the dredging or filling procedure will take place must also accompany the application.*

The Applicant has provided a narrative regarding the fill operation and materials along with an accompanying plan (approved by the Planning Board on January 11, 2024 (Development Order No. 23-0010) showing the area to be filled (see attached 11X17 plans). The Applicant has received both Florida Department of Environmental Protection and US Army Corps of Engineers approval for the installation of such proposed fill. The corresponding file numbers for each agency are provided in the table below.

PROPOSED ACTIVITY	FDEP (FILE NO.)	ACOE (FILE NO.)
Seawall and dock including fill.	50-196034-008-EM	SAJ-2007-01043 (NWP/GP-KMM

FISCAL IMPACT:

N/A

ATTACHMENTS:

Applicant's fill narrative
January 11, 2024 Planning Board staff report and backup materials

RECOMMENDATION:

At the discretion of the Town Commission