



# TOWN OF HIGHLAND BEACH

## AGENDA MEMORANDUM

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**MEETING TYPE:** Town Commission Meeting

**MEETING DATE** January 4, 2022

**SUBMITTED BY:** Ingrid Allen, Town Planner, Building Department

**SUBJECT:** Request for a Town of Highland Beach right-of-way permit for the property located at 2500 South Ocean Boulevard

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### SUMMARY:

On December 7, 2021, the Town Commission adopted Ordinance No. 2021-018 which provides for the protection of the public right-of-way while also allowing certain improvements. Pursuant to Section 25-1 of the Town Code, it shall be unlawful to construct improvements or install new trees in new locations within the public right-of-way including swales without first obtaining a right-of-way permit from the Town Building Department unless waived or otherwise determined as not required by the Town's Public Works Director. At the same Town Commission meeting, Resolution No. 2021-041 was adopted which requires Town Commission review and approval of right-of-way permits for construction of improvements or placement of trees in new locations within State Road A1A right-of-way. The latter review and approval is applicable until the Florida Department of Transportation's (FDOT) Resurfacing, Restoration and Rehabilitation Project ("RRR Project") is completed.

The Applicant has received a driveway connection permit (Permit No. 2021-A-496-00031) from FDOT (Attachment No. 1). The paving, grading and drainage plans that accompany the FDOT permit (date stamped 10/6/2021 as a revision) match the paving, grading and drainage plans included as part of the Applicant's site plan approval (Development Order No. 21-0005) which was granted by the Planning Board on December 9, 2021. The paving, grading and drainage plans were reviewed and accepted by CAP Government, Inc. In addition, the Town's Public Works Director, Pat Roman, has indicated that such plans do not conflict with existing Town utilities.

Note that the Town right-of-way permit will include the following conditions at issuance:

- Pre-Construction Meeting must be held with assigned Town Staff and the contractor(s)
  - Reasonable lighting shall be provided to secured work area(s) and shall be maintained until final inspection is granted by the Building Department.
  - Work areas shall be properly secured and left in a reasonably safe condition at the end of the work day as determined by Town staff at the pre-construction meeting. All
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measures required to be in place, as determined by Town Staff, shall be documented and added to the permit file.

- Town staff shall conduct weekly inspections of the work with inspection notes added to the permit file.

Concurrent with this request for a Town right-of-way permit, is an amendment to FDOT's Transportation Landscape Inclusive Memorandum of Agreement ("Agreement") for the same property. This amendment to the Agreement is for the purpose of maintaining new landscape improvements installed in FDOT's right-of-way along State Road A1A adjacent to 2500 South Ocean Boulevard.

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**FISCAL IMPACT:**

N/A

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**ATTACHMENTS:**

Attachment No. 1 - FDOT driveway connection permit (No. 2021-A-496-00031).

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**RECOMMENDATION:**

Approval of Town right-of-way permit.