



## TOWN OF HIGHLAND BEACH TOWN PLANNING BOARD REGULAR MEETING MINUTES

Town Hall / Commission Chambers  
3614 South Ocean Boulevard  
Highland Beach, Florida 33487

Date: December 09, 2021  
Time: 9:30 AM

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### 1. CALL TO ORDER

Chairperson Goldenberg called the meeting to order at 9:31 A.M.

### 2. PRESENT UOPN ROLL CALL

Member David Powell  
Vice Chairperson Ilyne Mendelson  
Member Roger Brown  
Member Brian DeMoss  
Member Harry Adwar  
Member David Axelrod  
Chairperson Eric Goldenberg  
Town Attorney Leonard Rubin  
Town Clerk Lanelda Gaskins

### ABSENT

Member Roger Brown

### ADDITIONAL STAFF

Town Planner Ingrid Allen

### 3. PLEDGE OF ALLEGIANCE

The Board members led the Pledge of Allegiance.

### 4. APPROVAL OF THE AGENDA

Town Planner Allen indicated staff was requesting to continue Item 9C, Development Application No. 21-0005 because the property owner's information and other information provided on the development application request, the authorized agent form, the Florida Department of Environmental Protection (FDEP) approval, and the Code Enforcement case etcetera was not correct.

At that point, Town Attorney Rubin spoke about an issue with the actual owner of the property. The Palm Beach County Property Appraiser's Office had the property owner listed under the Bel Lido Property Owner Association. The property should have been listed as the Bel Lido Villas Property Owner Association. Additionally, the Town has had discussions with Mr. Mendelson, the party at interest, and he was working to correct this matter. Development Order Application No. 21-0005 will be returned to the Board at a future meeting once Mr. Mendelson corrects the property owner information.

**MOTION:** Axelrod/DeMoss – Moved to approve the agenda with the deletion of Item 9C.

**The motion passed unanimously on a 6 to 0 vote.**

## **5. SWEARING IN OF THE PUBLIC**

Town Clerk Gaskins swore those in giving testimony.

## **6. PUBLIC COMMENT**

There were no public comments.

## **7. APPROVAL OF MINUTES**

A. November 10, 2021

**MOTION:** Adwar/Mendelson - To approve November 10, 2021, Meeting Minutes, as amended.

**The motion passed unanimously on a 6 to 0 vote.**

## **8. UNFINISHED BUSINESS**

A. None

## **9. NEW BUSINESS**

**A. Development Application No. 21-0005 / Adrian C. Stitts and Mariana Deligiannis-Stitts**

Application by RJ Mele Construction, Inc. requesting site plan approval for a new two-story, 6,655 square foot single family residence with pool and spa located at 2500 South Ocean Boulevard.

Chairperson Goldenberg read the title of Item 9A and asked the Board members if they had any ex parte communications to disclose? The Board members had no ex parte communications.

Chairperson Goldenberg opened the public hearing and called Town Planner Allen to present her recommendations regarding the application.

Town Planner Allen presented a PowerPoint Presentation of the Development Order depicting aerial photographs of the site plans to construct a new two-story, 6,655 square foot single family residence with a pool and spa. She advised that the applicant proposes to remove the existing seawall and install a new seawall approximately 16 feet west of the existing seawall along the rear (west) property line. The applicant has submitted a concurrent Special Exception request to install a new seawall and dock. The applicant proposes to backfill the area between the existing and new seawall with 200 cubic yards of fill and has received approval from the Florida Department of Environmental Protection (FDEP) and the US Army Corps (ACOE). The request complies with the property development regulations for the Residential Single-Family Estate (RS) zoning found in Section 30-64(a) of the Town Code.

Ms. Allen advised that if the request receives the Planning Board approval, the applicant will be required to obtain a building permit prior to initiation of construction from the Town of Highland Beach Building Department. According 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. Staff recommends approval of the proposed site plan date stamped received by the Building Department on November 19, 2021, subject to the following conditions: 1) Contingent upon approval by the Town Commission for landfill permit pursuant to Chapter 14 of the Town Code of Ordinances.

Chairperson Goldenberg asked the Board members if they had any questions. Afterward, the Board members and Town Planner Allen discussed the development application.

Matthew Wheeler, Associate/Project Manager with Affiniti Architects, a representative for the applicant, provided comments about this project.

Hearing no further comments, Chairperson Goldenberg closed the public hearing and asked for a motion, which resulted as follows:

**MOTION:** Mendelson/Axelrod - Moved to approve Development Order Application No. 21-0005 as presented by Town Planner Ingrid Allen.

**Based upon the roll call, Development Order Application No. 21-0005 passed on a 6 to 0.**

**B. Development Application No. 21-0009 / Adrian C. Stitts and Mariana Deligiannis-Stitts**

**Application by RJ Mele Construction, Inc. for a special exception approval to install 90 linear foot seawall and 400 square foot dock for a property located at 2500 South Ocean Boulevard.**

Chairperson Goldenberg read the title of Item 9B and asked the Board members if they had any ex parte communications to disclose? The Board members had no ex parte communications.

Chairperson Goldenberg opened the public hearing and called Town Planner Allen to present her recommendations regarding the application.

Town Planner Allen presented a PowerPoint Presentation of the Development Order depicting aerial photographs of the site plans and the property. She advised that the applicant proposes installing a 90 linear foot seawall and 400 square foot dock. The new seawall will be located 16 feet west of an existing seawall which will be removed. She advised that the applicant has submitted a concurrent Site Plan approval request described in the above-referenced Development Application No. 21-0005. She also reported that the applicant had obtained both the Florida Department of Environmental Protection (FDEP) and US Army Corps of Engineers (ACOE) authorization for the seawall (including fill) and dock, and the applicant's request is consistent with the special exception provisions of Section 30-36 of the Town Code, were applicable and consistent with the Town Comprehensive Plan and Code of Ordinances.

Staff recommends approval of the proposed special exception request to install a 90 linear foot seawall and 400 square foot dock, based on the plans date stamped received by the Building Department on November 19, 2021, subject to the following conditions: 1) Contingent upon approval by the Town Commission for landfill permit pursuant to Chapter 14 of the Town Code of Ordinances. Ms. Allen advised that if the Planning Board approves the request, the applicant will be required to obtain a building permit from the Town of Highland Beach Building Department following such approval and prior to initiation of construction. According to Section 30-21(g) of the Town Code, the commencement of construction shall be initiated within two (2) years following the date of approval by the Planning Board.

Chairperson Goldenberg asked the Board members if they had any questions.

Afterward, there was a dialogue between the Board member and Town Planner Allen regarding the new seawall, possibly moving forward with a perpendicular boat lift and the seawall height.

Howard Jablon, Civil Engineer with Affinit Architects, a representative of the applicant, provided comments about the property.

Hearing no further comments, Chairperson Goldenberg closed the public hearing and asked for a motion, which resulted as follows:

**MOTION:** DeMoss/Axelrod - Moved to approve Development Order Application No. 21-0009 as presented by Town Planner Ingrid Allen.

**Based upon the roll call, Development Order Application No. 21-0009 passed on a 6 to 0 vote.**

**C. Development Application No. 21-0010 / Bel Lido Property Owners Association, Inc.**

**Application by Richard N. Mendelson for a special exception approval to install a 400 square foot dock for the property located at 1124 Highland Beach Drive.**

**MOTION:** Axelrod/DeMoss – Moved to approve the agenda with the deletion of Item 9C.

**The motion passed on a 6 to 0 vote.**

**D. Development Application No. 21-0011 / Highlands Place Condominium Association, Inc.**

**Application by B&M Marine Construction, Inc. for a special exception approval to install a 721 square foot dock and a 126 linear foot seawall and cap for the property located at 2901 South Ocean Boulevard.**

Chairperson Goldenberg read the title of Item 9D and asked the Board members if they had any ex parte communications to disclose? The Board members had no ex parte communications.

Chairperson Goldenberg opened the public hearing and called Town Planner Allen to present her recommendations regarding the application.

Town Planner Allen presented a PowerPoint Presentation of the Development Order depicting aerial photographs of the site plans, the property, and the proposed wood dock and seawall cap. She advised that the new proposed dock will replace an existing dock and that the applicant has obtained approval from the Florida Department of Environmental Protection (FDEP). The request is consistent with the special exception provisions of Section 30-36 of the Town Code, were applicable and consistent with the Town Comprehensive Plan and Code of Ordinances.

Staff recommends approval of the proposed special exception request to install a 721 square foot dock and a 126 linear foot seawall and cap based on the plans date stamped received by the Building Department on November 17, 2021. Ms. Allen advised that if the Planning Board approves the request, the applicant will be required to obtain a building permit from the Town of Highland Beach Building Department following such approval and prior to initiation of construction. According to Section 30-21(g) of the Town Code, the commencement of construction shall be initiated within two (2) years following the date of approval by the Planning Board.

Chairperson Goldenberg asked the Board members if they had any questions.

Afterward, there was a dialogue between the Board members and Town Attorney Rubin regarding an email included in the agenda packet related to the height of the seawall. Additionally, there was a dialogue between the Board members, Town Planner Allen, and

Mr. David Nutter (authorized agent for the applicant) about the location of the new seawall, the gap between the property and the neighbor's seawall, the reason the property owner was replacing the current seawall, and the height of the current seawall.

Hearing no further comments, Chairperson Goldenberg closed the public hearing and asked for a motion.

The Board members discussed delaying this item until the Board hears from the applicant.

**MOTION:** DeMoss/Axelrod - Moved to continue Development Application No. 21-0011 until January 13, 2021, Planning Board Regular Meeting.

**Based upon the roll call, the motion passed on a 5 to 1 vote with Vice Chairperson Mendelson dissenting.**

**E. Proposed Ordinance Pertaining to Rezoning Three (3) Parcels of Real Property to Correct Scrivener's Error**

**An Ordinance of the Town of Highland Beach, Florida, rezoning three (3) parcels of real property totaling approximately 1.03 acres located in the Boca Cove Development along South Ocean Boulevard approximately 300 feet south of Russell Drive, as more particularly described herein, from No Zoning Designation to the Residential Multiple-Family Low Density (RML) Zoning District to correct a scrivener's error; providing for severability; providing for conflicts; and providing an effective date.**

Town Planner Allen presented a PowerPoint presentation.

**MOTION:** DeMoss/Axelrod - To approve the Proposed Ordinance pertaining to rezoning three (3) parcels of real property to correct scrivener's errors.

**Based upon the roll call, the Proposed Ordinance passed on a 6 to 0 vote.**

**F. Proposed Ordinance Pertaining to Future Land Use Map Amendment**

**An Ordinance of the Town of Highland Beach, Florida, adopting a small-scale amendment to the Town Comprehensive Plan to amend the Future Land Use Designation of a 0.8315 acre parcel of land located in the Boca Cove Development along South Ocean Boulevard approximately 300 feet south of Russell Drive, as more particularly described herein, from No Future Land Use Classification to Multi Family Low Density to correct a scrivener's error; providing for severability; providing for conflicts; and providing an effective date.**

Town Planner Allen presented a PowerPoint presentation.

**MOTION:** Axelrod/DeMoss - To approve the Proposed Ordinance pertaining to Future Land Use Map Amendment.

Based upon the roll call, the Proposed Ordinance passed on a 6 to 0 vote.

## 10. ANNOUNCEMENTS

December 21, 2021 - 1:30 P.M. Town Commission Meeting

December 24 and 25, 2021 - Town Hall Closed in Observance of the Christmas Holiday

December 31, 2021 - Town Hall Closed in Observance of New Years Day

January 04, 2022 - 1:30 P.M. Town Commission Meeting

January 13, 2022 - 9:30 A.M. Planning Board Regular Meeting

Chairperson Goldenberg read the announcements as follows:

## 11. ADJOURNMENT

The meeting adjourned at 10:33 A.M.

**APPROVED** at the January 13, 2022, Planning Board Regular Meeting

**ATTEST:**

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Eric Goldenberg, Chairperson

Transcribed by: Lanelda Gaskins

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Lanelda Gaskins, MMC  
Town Clerk

\_\_\_\_\_  
Date

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the event of the meeting. Verbatim audio/video of this meeting can be found on the town's Media Archives & Minutes webpage: <https://highlandbeach-fl.muni/codem meetings.com/>.