



3/19/25

Ingrid Allen
Town Planner
Town of Highland Beach
3614 S. Ocean Boulevard
Highland Beach, FL 33487

**Re: Technical Review of Proposed Ancillary Marine Facility – 1006 Grand Court
 Town of Highland Beach**

Ms. Allen,

This correspondence is provided as a formal response to your request for a technical review of the proposed accessory marine facility at 1006 Grand Court, Highland Beach submitted to the Town under a development order approval application dated 12/23/24.

Basis of Review

The following documents were utilized as a basis for this review:

1. Development Order Application – PZ-25-19, Dated May 23, 2024
2. FDEP Verification of Exemption, Dated December 27, 2024
3. Site Plans prepared by B & M Marine Construction, Inc.; Dated February 2, 2025
4. Site Boundary Survey by Baseline Land Survey, LLC; Updated September 26, 2024

This review was limited to the information as provided above and was primarily focused on the proposed structure relative to provisions of Town Code and standard practice. No additional investigations or studies were conducted.



Review relative to Town Code

There are several provisions of relevance within the Town Code regarding the installation of the proposed accessory marine facility. These are summarized in the following:

Sec. 30-68 Supplemental district regulations (g)(1) accessory marine facilities. The proposed construction is appropriately addressed as an 'accessory marine facility' as defined in the Code. Code requires review of the proposal by the Planning Board and approval by special exception at the discretion of the Board.

Sec. 30-68 Supplemental district regulations (g)(1) c. Accessory marine facilities shall not be a hazard to navigation. In general, the proposed structure does not impede fairway access beyond established standards within this canal (see further discussion below).

Sec. 30-68 Supplemental district regulations (g)(4). When moored, any portion of a boat shall not extend beyond any property line, as extended waterward. This section is relevant to consideration of the potential for conflict with the adjacent property. Further discussion regarding this is provided below.

Sec. 30-68 Supplemental district regulations (g)(6)d. Marine facilities shall comply with side yard setbacks. As this area is zoned multi-family, marine facilities are exempt from side yard setback requirement from all interior lot lines. The proposed vessel berth abuts the north property line, but the proposed finger pier is interior to the parcel.

Sec. 30-68 Supplemental district regulations (g)(7). Perpendicular docking is allowed under certain restrictions that are discussed further below. the proposal is reviewed under the provisions that it is a request for perpendicular docking.

Sec. 30-68 Supplemental district regulations (h)(1) a. Installation is subject to special exception approval by the planning board.

Sec. 30-68 Supplemental district regulations (h)(1) b. The facility is located in a canal or waterway at least eighty (80) feet in width. As measured from seawall to seawall the location is



in conformance with this provision. It is noted that existing docks and mooring dolphins protrude into this distance, however, the Code does not specifically account for these structures in the width determination.

Sec. 30-68 Supplemental district regulations (h)(4). Adjacent Property. The installation shall not cause a hazardous interference with navigation, endanger life or property or deny the adjacent property owners or public of reasonable visual access to the public waterway. Additional discussion regarding navigation provided below.

Sec. 30-68 Supplemental district regulations (h)(4). Navigation. Installation of the mooring facilities shall not infringe upon standard navigation practices. Additional discussion of navigation is provided below.

Design Review and Discussion

The proposed construction consists of the construction of a new, 30' long by 4' wide wood finger perpendicular to the seawall face (Figure 1). The existing seawall and marginal dock would remain as is. An additional mooring pile is proposed interior to the north riparian line. The finger pier is 17.5 feet south of the property line (as measured along the seawall).

The perpendicular orientation of the dock is allowable (subject to approval) for properties at the end of canals. While the canal does extend further to the south, over the southern portion of this parcel, the area where the proposed construction will occur can be reasonably considered as the landward end of the canal. This general location is preferable to the southern half of the parcel which would be a greater restriction to navigation within the canal for parcels to the south and along the opposite (western) side of the canal. The primary issue of note is the potential for



PROPOSED CONDITIONS IDENTIFICATION:

1. EXISTING SEAWALL CAP, PANELS AND PILES TO REMAIN
2. EXISTING 159'-2" \pm 5' WOOD DOCK (800±s) & ASSOC. PILES TO REMAIN
3. EXISTING 10" DIA WOOD PILES TO REMAIN (TYP OF 8)
4. PROPOSED 30' \pm 4" WOOD FRAMED FINGER PIER (120±s) ON (8) NEW WOOD PILES
5. PROPOSED 12" DIA. MOORING PILE (TYP OF 1)

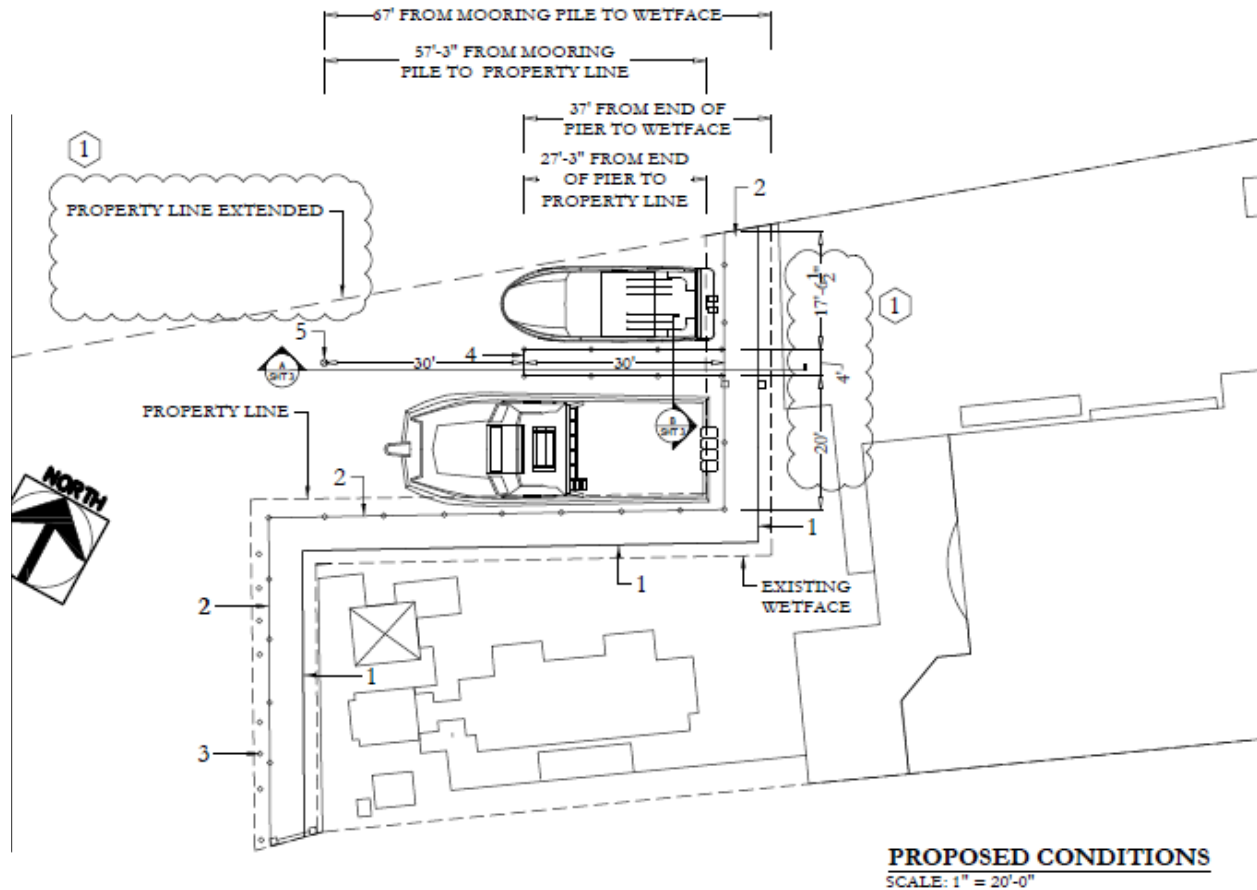


Figure 1. Proposed Finger Pier and Mooring Pile (per submitted plan)

conflict with the adjacent property which in this case is the adjacent property to the north (Figure 2). The adjacent property has a similar, perpendicular finger dock as the proposed structure which is located roughly the same distance north of the property line as the proposed finger pier is proposed south of the property line. In both cases the finger docks are located a similar distance interior from the property line allowing for mooring along the property line. The proposed use is similar to the adjacent property and in both cases there is a potential that a vessel could be moored across the riparian property boundary which is not allowed under Sec. 30-68 Supplemental district regulations (g)(4). The issue is more related to the vessel that is being moored than the finger pier and mooring pile themselves. The adjacent property appears to have a mooring pile near the property boundary would help to differentiate mooring use by





Figure 2. Aerial Image of Subject Property and Adjacent Property to the North. Note existing finger pier for the adjacent property and perpendicular mooring for this property along the property line (*image from Google Maps – dated 3/1/25*)

either party and an additional mooring pile is proposed for this property directly off of the proposed finger pier south of the berth. Both the subject parcel and the adjacent property have similar mooring access with finger piers interior to the properties and perpendicular mooring along the finger pier and riparian line. There is a practical limit to the size of vessel that can be moored for either property along the property line. In principle if either party moors a vessel that extends beyond the property line this would be a violation of Sec. 30-68 Supplemental district regulations (g)(4). and would be actionable by the Town. It is noted that the property boundary is not perpendicular to the seawall and is oriented slightly to the south in terms of the riparian line into the canal. This is a greater restriction to the size of vessel that can be moored in the new berth along the property line for this parcel. Provided the applicant uses this berth with this



restriction in mind, the activity would be limited to the riparian area of this parcel and would not intrude on the use by the adjacent owner. For both properties there is sufficient fairway and mooring radius from the canal into the mooring berths.

In principle it would be helpful for the applicant to proactively coordinate with the adjacent property owner regarding this issue as it is the primary concern with issuance of a special exception by the Town's planning board.

The proposed finger pier delineates a second, larger vessel berth south of the finger pier between the pier and existing seawall. This berth is interior to the parcel riparian area and is offset from the canal access to the south. The 20-foot width of the berth limits the overall size of vessel that can be moored in this berth and limits the possibility that a vessel could be moored that would significantly extent beyond the seawall into the canal fairway.

Regulatory Approvals

It is noted that correspondence from the FDEP dated December 27, 2024, has been provided documenting that the proposed construction is exempt from the need for an FDEP regulatory authorization and has Federal authorization through the State Programmatic General Permit.

View Discussion

The new finger pier is similar in nature to other finger piers within the canal and utilizes typical construction techniques and dimension. Moored vessels would primarily restrict the view from the subject property. Multiple vessels of similar dimension are present within the canal and the addition of two berths is aesthetically consistent with the current canal use.

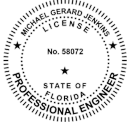
Recommendation

Approval of this plan is at the discretion of the Planning Board under special exception. In review of the plan the primary concern is the potential for conflict with the adjacent north parcel from vessel mooring along the property line. This issue is a function of the vessel dimension which could be moored within this berth and not specifically the finger pier and mooring pile proposed. As the approval request is relative to the pier and pile, and not the potential vessel the plan is consistent with the requirements under Town Code for perpendicular docking.



Sincerely,

Applied Technology & Management, Inc.



**Michael
Jenkins,
PhD, PE**

Digitally signed by
Michael Jenkins,
PhD, PE
Date: 2025.03.19
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Michael G. Jenkins, Ph.D., P.E.
Coastal Engineering Principal
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