



## HIGHLAND BEACH BUILDING DEPARTMENT

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

## PLANNING BOARD STAFF REPORT

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**MEETING OF:**       **October 13, 2022**

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

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

**SUBJECT:**           **APPLICATION BY WILLIAM R. THOMAS, UNLIMITED PERMIT SERVICES INC., FOR A SPECIAL EXCEPTION APPROVAL TO INSTALL A 500 SQUARE FOOT DOCK FOR THE PROPERTY LOCATED AT 1005 RUSSELL DRIVE. (DO #21-0015).**

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### I. GENERAL INFORMATION:

**Applicant (Property Owner):**       Villa Del Alto Property Owners  
1005 Russell Drive  
Highland Beach, Fl. 33487

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

**Property Characteristics:**

**Comprehensive Plan Land Use:**   Multi Family Low Density  
**Zoning District:**                   RML, Residential Multiple Family Low Density  
**Parcel PCN#:**                       24-43-47-04-03-000-0231

**Request and Analysis:**

The Applicant is proposing to install a 500 square foot dock at the property located at 1005 Russell Drive. According to the Applicant's property survey, the proposed dock will replace an existing 430.5 square foot dock. Note that the plan set submitted by the Applicant provides for a proposed

deck located on the property. These deck details are for references purposes only given the deck's proximity to the proposed dock. While the proposed deck does require a building permit, it does not require Planning Board approval given it is not an accessory marine facility as defined in Section 30-68(g).

The Applicant has obtained both Florida Department of Environmental Protection (FDEP) and US Army Corps of Engineers (ACOE) authorization for the proposed dock. The corresponding file numbers for each agency are provided in the table below.

<b>FDEP (FILE NO.)</b>	<b>ACOE (FILE NO.)</b>
50-0294283-003,004-EE	SAJ-2021-02182(NW/GP-PRC)

Both the FDEP and ACOE authorizations include the installation of a 300 linear foot seawall cap; however, the special exception application (DO #21-0015) and corresponding plan set submitted to the Town, do not include such proposed seawall cap. Any future request for a seawall cap, will require Planning and Board approval pursuant to Section 30-67 of the Town Code. Section 30-68(h)(1)a. of the Town Code, states that the installation of a dock shall be subject to special exception approval by the Planning Board at an advertised public hearing. Note that according to Section 30-68(g)(6)d.2. of the Town Code, accessory marine facilities (which includes docks) located in the multifamily zoning districts are exempt from side yard setback requirements.

Section 30-36(a) of the Town code states that if the Planning Board is the final authority on the special exception, then it shall approve, approve with conditions, or deny the application. Staff has reviewed the Applicant's proposed request and finds that the project is consistent with the Zoning Code (Chapter 30) including the special exception criteria of Section 30-36, were applicable, and the Town Comprehensive Plan.

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.

## **II. Recommendation**

Staff recommends approval of the installation of a 500 square foot dock at the property located at 1005 Russell Drive based on the plans date stamped received by the Building Department on September 21, 2022:

### **The Applicant's proposed request:**

☒ **Meets Town of Highland Beach Zoning and other governmental agencies requirements.**

- ☐ **Meets Town of Highland Beach Zoning requirements; however, approvals are pending before the Town of Highland Beach will issue permits, with other governmental agencies as listed:**
- ☐ **Does not meet Town of Highland Beach Zoning requirements.**

**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  
ACOE approval  
HOA approval  
Applicant Plans**