



HIGHLAND BEACH BUILDING DEPARTMENT

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

PLANNING BOARD STAFF REPORT

MEETING OF: **December 14, 2023**

TO: **PLANNING BOARD**

FROM: **INGRID ALLEN, TOWN PLANNER**

SUBJECT: **AN AMENDMENT TO A PREVIOUSLY APPROVED MAJOR MODIFICATION TO AN EXISTING BUILDING (DEVELOPMENT ORDER NO. 23-0003) TO MODIFY THE LANDSCAPE PLAN TO REFLECT LANDSCAPING IN FDOT'S RIGHT-OF-WAY (S.R. A1A) ADJACENT TO THE PROPERTY LOCATED AT 3425 SOUTH OCEAN BOULEVARD. (DO# 23-0016).**

I. GENERAL INFORMATION:

Applicant (Property Owner): Le Sanctuaire Condominium Association, Inc.
3425 South Ocean Boulevard
Highland Beach, FL 33487

Applicant's Agent: Mark Rothenberg
Ellemar Enterprises LLC
6810 North State Road 7
Coconut Creek, FL 33073

Property Characteristics:

Comprehensive Plan Land Use: Multiple Family Medium Density

Zoning District: Residential Multiple Family Medium Density (RMM)

Site location: 3425 South Ocean Blvd.

Parcel PCN#: 24-43-46-33-41-000-0010, 24-43-46-33-41-000-0020,
24-43-46-33-41-000-0030, 24-43-46-33-41-000-0040.

Property Background:

On April 7, 1992, the Board of Adjustment held a Workshop Meeting whereby the Board considered a request for relief from side setbacks from 20 feet to 16 feet 6 inches, and height requirements from 40 feet to 50 feet 10 inches for a proposed four (4) unit condominium at 3425 South Ocean Boulevard. The Chairman of the Board announced the Public Meeting for the item to be held on April 21, 1992.

On April 21, 1992, the Board of Adjustment approved a variance allowing side setbacks for the parking garage to be reduced from 20 feet to 16 feet 6 inches and denying a variance request to increase the building height from 40 feet to 50 feet 10 inches (motion carried 7-0).

On June 10, 1992, the Planning Board considered a preliminary review for a four (4)-unit condominium at 3425 South Ocean Boulevard. The Planning Board gave final approval (motion carried 5-0).

On June 30, 1992, the Town Commission held a Workshop Meeting whereby the Commission reviewed “the proposal” for the property located at 3425 South Ocean Boulevard. The Town Commission moved the matter to the July 7, 1992 Town Commission Regular Meeting consent agenda for consideration.

On July 7, 1992, the Town Commission approved a proposal for 3425 South Ocean Boulevard (motion carried 5-0).

On August 10, 2023, the Planning Board recommended approval of a major modification to an existing building (Development Order No. 23-0003) as provided in Section 30-39 of the Town Code of Ordinances including changes to the exterior façade and balconies for the property located at 3425 South Ocean Boulevard (motion carried 6-0).

On September 5, 2023, the Town Commission approved a major modification to an existing building (Development Order No. 23-0003) as provided in Section 30-39 of the Town Code of Ordinances including changes to the exterior façade and balconies for the property located at 3425 South Ocean Boulevard (motion carried 5-0).

Background and Analysis:

As noted above, on August 10, 2023, the Planning Board recommended approval for a major modification to an existing building located at 3425 South Ocean Boulevard (Development Order No. 23-0003). As part of the major modification approval, a landscape plan was provided that reflected improvements to the landscaping for the property only. During the development review process for the major modification request, the Applicant indicated that the existing landscaping located within Florida Department of Transportation’s (FDOT) Right-of-Way (ROW) was to remain. After the major modification was approved by the Town Commission on September 5, 2023, staff received from FDOT an amendment to the Landscape Inclusive Maintenance Memorandum of Agreement which reflected landscape improvements in FDOT’s ROW adjacent to the property. Since the landscape plan reviewed by the Planning Board on August 10, 2023 did not include landscape improvements in FDOT’s ROW, the Applicant is required to go back before the Planning Board for an amendment to the previous major modification approval recommendation in order to

modify the landscape plan to reflect landscaping improvements in FDOT's ROW. Note that on July 20, 2017, the Florida Department of Transportation (FDOT) and the Town of Highland Beach entered into a Landscape Inclusive Maintenance Memorandum of Agreement for the purpose of maintaining landscape improvements on State Road A1A (South Ocean Boulevard). New landscaping improvements proposed in FDOT's ROW along State Road A1A require such an amendment to the Landscape Inclusive Memorandum of Agreement. A resolution to execute such Agreement will be considered by the Town Commission.

FDOT agrees to the landscape improvements proposed in its ROW adjacent to the property located at 3425 South Ocean Boulevard (FDOT Permit No. 2023-L-496-00009). Staff has reviewed the Applicant's proposed request including landscape plans date stamped received by the Building Department on November 7, 2023 and finds that the project is consistent with the Town Code of Ordinances.

Should you have any questions, please feel free to contact me at (561) 637-2012 or iallen@highlandbeach.us

ATTACHMENTS: Application.
Aerials.
Previously approved Landscape Plan (Development Order No. 23-0003).
FDOT permit for landscaping improvements in ROW (Permit No. 2023-L-496-00009).
Applicant proposed Landscape Plan for FDOT ROW (11X17 sheets).