



TOWN OF HIGHLAND BEACH

AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE September 6, 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 4005 South Ocean Boulevard

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. 2022-A-496-00041) from FDOT (Attachment No. 1). This permit superseded a previously approved 2017 FDOT driveway connection permit (Permit No. 2017-A-496-061). The Town's Public Works Director, Pat Roman, has indicated that the driveway plan submitted as part of the FDOT permit does not conflict with existing Town utilities.

Given the construction of a single-family residence at the property is nearly complete, some of the conditions provided below that would normally apply with the issuance of a Town right-of-way permit may no longer be applicable:

- 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 measures required to be in place, as determined by Town Staff, shall be documented and added to the permit file.
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- 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 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 4005 South Ocean Boulevard.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Attachment No. 1 - FDOT driveway connection permit (No. 2022-A-496-00041).

RECOMMENDATION:

At the discretion of the Town Commission.