

**PLANNING AND ZONING BOARD**

**Regular Meeting**

**June 28, 2023**

**6:30 P.M.**

**247 Edwards Lane / Palm Beach Shores, FL 33404**

**Chairman Jerald Cohn  
Vice Chairman Kevin Banks**

Member Tim Blash  
Member Tony Lembo  
Member Steve Smith  
Alternate Member Weston Gracida  
Alternate Member (Open Seat)

Town Attorney, Mitty Barnard  
Josh Nichols, Zoning Official  
Rob Rennebaum, Engineer  
Town Clerk, Jude M. Goudreau

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**PUBLIC PARTICIPATION MAY OCCUR REMOTELY**

**Meeting link:**

<https://townofpalmbeachshores.my.webex.com/townofpalmbeachshores.my/j.php?MTID=medc07a92a1d7b666c3fe599bdd0d4782>

Meeting number: 2633 294 6263

Password: 0628

Join by phone +1-408-418-9388 United States Toll

Access code: 2633 294 6263

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**1. CALL TO ORDER:**

- a. Pledge of Allegiance
- b. Roll Call

**2. APPROVAL OF MEETING AGENDA: (Additions, substitutions, deletions)**

**3. ACTION ITEMS:**

- a. **SPR23-08/AAR23-08:** Sailfish Holding Company LLC, Owner of 98 Lake Drive, requests Site Plan Review and Architectural & Aesthetic Review Approval to replace a section of existing seawall by constructing 205± of new seawall forward of the existing seawall which will have a concrete cap that is nine (9) inches higher than the existing seawall cap.
- b. **SPR23-02/AAR23-02:** RP Trust, Owner of 300 Bravado Lane, requests Site Plan and Architectural & Aesthetic Review Approval to install paver walkways in the rear of the property.
- c. **SPR23-09/AAR23-09:** Dave and Cindy Stevens, Owners of 337 Bravado Lane, request Site Plan Review and Architectural & Aesthetic Review Approval to replace the current blacktop driveway with a semi-pervious paver driveway and install a pool and associated pool equipment in the rear of the property.

**5. PUBLIC COMMENT:**

**6. DISCUSSION ITEMS:**

**7. ADJOURNMENT:**

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Planning & Zoning Board with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings, and for such purpose may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. The meeting/hearing will be continued from day to day, time to time, place to place, as may be found necessary during the aforesaid meeting.

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT (LARGE PRINT) UPON REQUEST AND SPECIAL ACCOMMODATIONS CAN BE PROVIDED UPON REQUEST WITH THREE (3) DAYS ADVANCE NOTICE. FOR HEARING ASSISTANCE: If any person wishes to use a hearing device, please contact the Town Clerk.



PROJECT NAME: Sailfish Seawall Repair

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Town Receipt No: \_\_\_\_\_

### SUBMITTAL CHECKLIST

All submittals must include ten (10) paper sets (folded & sorted into complete packet sets) and an electronic copy (on cd or thumb drive) of the following:

- ☒ Completed **Development Application** (complete all fields, use N/A when not applicable).
  - ☒ Architectural & Aesthetic Review Request (pg. 11, all submittals)
  - ☐ Variance Request (pg. 13, if applicable)
  - ☐ Special Exception Request (pg. 14, if applicable)
- ☒ **Boundary Survey** (Dated to within 6 months of application submission).
- ☒ **Signed and Sealed Schematics** depicting building on site, setbacks, grading, drainage and elevations, as well as the relationship of the site to the neighboring sites (e.g. Site Plan, Drainage and Grading Plan, Roof Plan, Landscape Plan, Elevations).
- ☐ **Tabular Data** showing compliance with all lot coverage, floor area, building height, grade and landscaping requirements.

### SITE PLAN CHECKLIST

Please be sure to include the following on the Site Plan:

- ☐ Depict and label 10' Town Strip (front of property) and 5' utility easement (rear of property), and all other applicable easements.
- ☒ Depict and label all setbacks and Code required setback lines (front, rear, side, pool, etc.).
- ☒ Provide a tabular data table reflecting data from the tables on pgs. 7-8 of this development application.
- ☐ For renovations and/or additions, please shade proposed addition area(s) to differentiate from existing.
- ☐ Include all a/c equipment, pool equipment and emergency generators and label as proposed or existing.
- ☐ Ensure that beam height and top of roof are dimensioned on all elevation drawings submitted.
- ☒ Provide a construction schedule for the proposed project (including calendar dates). Start & complete Fall 2019

### LANDSCAPE PLAN CHECKLIST

Please be sure to include the following on the Landscape Plan:

- ☐ Depict and label the 10' Town Strip (front of property) and 5' utility easement (rear of property).
- ☐ Include and label both existing (to remain) and proposed landscaping on the subject property.
- ☐ Provide a species legend/key including the height of all landscaping to be provided at installation.
- ☐ Ensure that the requirements for 10' Town Strip and front yard trees are met.
- ☐ For multi-story construction, ensure that the requirements for privacy screening are met.
- ☐ Ensure screening is provided for all ground mounted mechanical equipment (e.g. a/c compressors, pool equipment, emergency generators).

**NOTE: Checklists are not comprehensive.** They are provided solely to remind Applicants to include items commonly omitted from plans submitted to the Town.



## DEVELOPMENT APPLICATION

TOWN OF PALM BEACH SHORES  
247 EDWARDS LANE  
PALM BEACH SHORES, FL 33404  
(561) 844-3457

OWNER/APPLICANT: Owner: Sailfish Holding Company; Applicant: Construction Technology, Inc.

PROJECT ADDRESS: 98 Lake Drive, Palm Beach Shores, FL 33404

APPLICATION NO.: 1 SUBMITTAL DATE: 6/14/2022

### TYPE OF APPROVAL(S) REQUESTED (Check box(es) ☒)

ADMINISTRATIVE APPEAL		SITE PLAN MODIFICATION (14-62)	
ARCHITECTURAL AND AESTHETIC REVIEW (Pf. 14-86)		SITE PLAN REVIEW (14-62)	
COMPREHENSIVE PLAN AMENDMENT (Pf. 17.3(B))		SPECIAL EXCEPTION (Pf. 15.8)	
PLAT APPROVAL		VARIANCE (Pf. 15.4)	
REZONING (Pf. 17.3(B))		ZONING TEXT AMENDMENT (Pf. 17.3(B))	

	PROPERTY OWNER(S)	APPLICANT (If different than Owner(s))
NAME:	Sailfish Holding Company LLC	Construction Technology, Inc.
ADDRESS:	301 E 4th Street, Cincinnati, OH 45202	PO Box 16576, West Palm Beach, FL 33416
PHONE:	561-319-2960	561-689-9667
EMAIL:	jkalpin@sailfishmarina.com	contech@bellsouth.net

	AGENT (If different than Owner(s))	CURRENT OCCUPANT (If different than Owner(s))
NAME:	NA	NA
ADDRESS:		
PHONE:		
EMAIL:		



	PLANNER	DEVELOPER
NAME:	NA	NA
ADDRESS:		
PHONE:		
EMAIL:		

	ARCHITECT	LANDSCAPE ARCHITECT
NAME:	NA	NA
ADDRESS:		
PHONE:		
EMAIL:		

	SURVEYOR	ATTORNEY
NAME:	Wallace Surveying	NA
ADDRESS:	5553 Village Blvd	
PHONE:	561-640-4551	
EMAIL:		

	ENGINEER (USE ADD'L SHEET FOR MULTIPLE ENGINEERS)	
NAME:	William J Mathers, P.E.	
ADDRESS:	PO Box 16576, West Palm Beach, FL 33416	
PHONE:	561-689-9667	
EMAIL:	contech@bellsouth.net	



## OWNER ACKNOWLEDGMENT & CERTIFICATION

I (We) affirm and certify that I (We) understand and will comply with all provisions and regulations of the Town of Palm Beach Shores, Florida. I (We) understand that if this Application is approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be a part of the Town of Palm Beach Shores and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive Plan and Zoning Ordinance. I (We) further certify that all statements and diagrams submitted herewith are true and accurate to the best of my (our) knowledge and belief. Further, I (We) understand that this Application and attachments become part of the Official Records of the Town of Palm Beach Shores, Florida and are not returnable. I (We) acknowledge that no permit will be issued before all fees associated with Application are paid.

1. Owner acknowledges and understands that the fee for site plan review, architectural/aesthetic review, variance, special exception, rezoning, etc. **may not cover all review costs**. A final statement of any outstanding costs (covering advertising costs, legal, architectural and other consultant costs) will be sent to the applicant upon completion of the review process. Owner accepts financial responsibility for all costs incurred as a result of this Application.
2. A construction schedule is required of all developers during the development process. The Planning and Zoning Board must approve your proposed construction schedule.
3. The Town requires payment of impact fees for floor area added during the development, re-development or renovation of a property. These impact fees will be used to pay for capital improvements relative to Fire Protection, Police Protection, Parks & Recreation and Public Buildings. Impact fees must be paid to the Town before a Certificate of Occupancy will be issued.
4. Roll-off dumpsters for construction/demolition debris and solid waste must be rented through the Town's contracted solid waste hauler, Waste Management.
5. Final as-built plans must be submitted to the Town in digital form, preferably in PDF format.

By signing below, I acknowledge that I have read and understand the five (5) items listed above.

Signature of Owner

Bryan P Cheney

Printed Name of Owner

Date

5/9/23

### STATE OF FLORIDA PALM BEACH COUNTY:

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 9 day of MAY, 2023,

by Bryan Cheney who is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification.

(Name - type, stamp or print clearly)



(Signature)

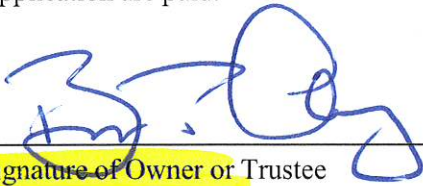
NOTARY'S SEAL

## AUTHORIZATION OF AGENT & ACKNOWLEDGEMENT OF FINANCIAL RESPONSIBILITY

Consent to an agent is required from the property owner(s) and contract purchaser, if applicable, if the property owner(s) or contract purchaser does not intend to attend all meetings and public hearings and submit it person all material pertaining to the Application. Consent to a firm shall be deemed consent for the entire firm, unless otherwise specified.

This form shall serve as consent for the agent identified below to prepare or have prepared all documents for the Application affecting property I (We) have an ownership interest in.

I (We) hereby designate and authorize the below-signed person to act as my (our) agent in regard to this Application and accept financial responsibility for any costs incurred by the agent as a result of this Application. Further, I (We) acknowledge that no permit will be issued before all fees associated with Application are paid.

  
Signature of Owner or Trustee

5/9/23  
Date

### STATE OF FLORIDA PALM BEACH COUNTY:

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this 9 day of MAY 20 23,  
by BIYAN CHENET who is personally known to me or has  
produced \_\_\_\_\_ (type of identification) as identification.




  
(Signature)

### NOTARY'S SEAL

### Agent Information:

SCOTT P. GROOMES  
Printed Name of Agent

  
Signature of Agent

Construction Technology, INC.  
Name of Firm

5/9/23  
Date



## PROCEDURES AND TIMELINES

All development applications required to be submitted to the Planning and Zoning Board for review (Site Plan Review, Site Plan Modification, Architectural and Aesthetic Review, Special Exceptions and Variances) will be subject to the following procedures:

1. Development Review Committee ("DRC") review is regularly scheduled for the first Wednesday of each month at 2:00 pm. In order to be placed on the DRC agenda, a complete application must be submitted to the Town Clerk by the close of business on Monday of the week prior to the regularly scheduled DRC meeting. **Incomplete applications and late submittals will not be placed on a DRC agenda.**
2. If, as a result of the initial DRC review, it is determined by the DRC that a subsequent DRC meeting is necessary, the complete revised application must be submitted to the Town Clerk by the close of business on Monday of the week prior to the regularly scheduled DRC meeting. **Applications that fail to include all revisions required by the DRC, or that are submitted late will not be placed on a DRC agenda until they have been corrected and are timely.**
3. If, as a result of the initial DRC review, it is determined by the DRC that the project can proceed to the Planning and Zoning Board, a complete Planning and Zoning Board application must be submitted to the Town Clerk including all revisions noted by the DRC. A sufficiency review will be performed by the Town to confirm that all comments provided by the DRC have been addressed and a complete revised application submitted. Once all DRC comments have been adequately addressed and a complete revised application submitted, the submittal will be placed on the agenda for the next available Planning and Zoning Board, subject to legal advertising requirements. Planning and Zoning Board review is regularly scheduled for the fourth Wednesday of each month. **Applications that fail to include all revisions required by the DRC or that are incomplete will not be placed on a Planning and Zoning Board agenda.**

### APPLICATION FEE INFORMATION

Administrative Appeal	\$250.00
Site Plan Review	\$200.00
Site Plan Modification Review	\$200.00
Variance Request	\$ 250.00
Special Exception Request	\$ 250.00
Telecom Site Plan Review or Modification	\$ 500.00
Plat Approval Request	\$ 600.00
Comprehensive Plan Amendment	\$ 750.00
Zoning Text Amendment / Rezoning	\$ 750.00
Sufficiency Review	Zoning Official (rate per hour)



### **NUMBER OF COPIES REQUIRED**

Development Review Committee	Ten (10) paper sets (folded & sorted into complete packet sets), including one (1) sealed original with original signatures and nine (9) copies, three (3) of which are sealed by a licensed engineer, architect and/or surveyor, <u>and</u> an electronic copy of all documents (on cd or thumb drive).
Planning and Zoning Board	Ten (10) paper sets (folded & sorted into complete packet sets), including one (1) sealed original with original signatures and nine (9) copies, three (3) of which are sealed by a licensed engineer, architect and/or surveyor, <u>and</u> an electronic copy of all documents (on cd or thumb drive).
Local Planning Agency	Ten (10) copies (folded & sorted into complete packet sets).
Town Commission	Ten (10) paper sets (folded & sorted into complete packet sets), including one (1) sealed original with original signatures and nine (9) copies, three (3) of which are sealed by a licensed engineer, architect and/or surveyor (as applicable), <u>and</u> an electronic copy of all documents (on cd or thumb drive).

**Applicant acknowledges and understands that the fee for Site Plan Review, Architectural/aesthetic Review, Variance, Special Exception, Rezoning, etc. *may not cover all review costs.* A final statement of any outstanding costs (covering advertising costs, legal, architectural, and other consultants) will be sent to the Applicant upon completion of the review process.**

**Tabular data showing compliance with all lot coverage, floor area, building height, grade and landscaping requirements must be provided on all submitted plans (Town Code § 14-62).**

PROJECT NAME: Sailfish Seawall Repair

PROJECT ADDRESS: 98 Lake Drive, Palm Beach Shores, FL 33404

PCN: 54-43-42-27-69-001-0000;

PROJECT LEGAL DESCRIPTION: SAILFISH MARINA AND RESORT PAR A K/A ALL OF PLAT

\*\*\* All boxes must be completed, use N/A where appropriate \*\*\*

GENERAL DATA	CODE REQUIREMENT	EXISTING	PROPOSED
COMPREHENSIVE PLAN DESIGNATION: (SF-5, MF-21, MF-30, MF-42, P, ROS)	None	N/A	N/A
LAND USE: (Residential, Commercial, Recreational, Marina, Public, etc.)	None	Marina	Marina
ZONING DISTRICT: (A, B, C, D, P, ROS, designated at Pf. 3.1, Zoning Ordinance)	None		
FLOOD ZONE CATEGORY:	None	N/A	N/A
LOT COVERAGE, LANDSCAPING & PARKING	CODE REQUIREMENT	EXISTING	PROPOSED
TOTAL LOT SIZE: (sq. ft.)	None		N/A
TOTAL COVERAGE OF A LOT BY BUILDINGS: (Pf. 5.4, 6.4, 7.5 or 8.5, Zoning Ordinance)	N/A		N/A
TOTAL LANDSCAPE COVERAGE: (Pf. 5.4.3, Zoning Ordinance)	N/A		N/A
OFF-STREET PARKING: (Pf. 5.13, 6.12, 7.13 or 8.14, Zoning Ordinance)	N/A		N/A
SETBACKS	CODE REQUIREMENT	EXISTING	PROPOSED
FRONT YARD: (Pf. 5.5, 6.6, 7.7 or 8.7, Zoning Ordinance)			N/A
REAR YARD: (Pf. 5.6, 6.7, 7.9 or 8.9, Zoning Ordinance)	N/A		N/A
SIDE YARD: (Pf. 5.7, 6.8, 7.8 or 8.8, Zoning Ordinance)	25'		25'

FLOOR AREA	CODE REQUIREMENT	EXISTING	PROPOSED
FIRST FLOOR AREA (sq. ft.):	None		N/A
SECOND FLOOR AREA (sq. ft.): (Pf. 5.4.2, Zoning Ordinance)			N/A
TOTAL FLOOR AREA (sq. ft.): (Pf. 2.23, Zoning Ordinance)	None		N/A
FLOOR AREA RATIO: (Pf. 5.4.2, Zoning Ordinance)			N/A
DWELLING UNIT DENSITY: (Pf. 6.5, 7.6 or 8.6, Zoning Ordinance)			N/A
IMPERVIOUS AREA	NET INCREASE	EXISTING	PROPOSED
BUILDING FIRST FLOOR AREA (sq. ft.):			N/A
OTHER IMPERVIOUS AREA (sq. ft.): (Decks, Patios, Walkways, Driveways, Pool Deck & Pool Surface Areas)			N/A
TOTAL IMPERVIOUS AREA (sq. ft.):			N/A
ELEVATIONS	CODE REQUIREMENT	EXISTING	PROPOSED
GRADE ELEVATION (NAVD): (Pf. 4.6, Zoning Code)			+5.0
ESTABLISHED 1 <sup>ST</sup> FLOOR ELEVATION (NAVD): (Pf. 4.6, Zoning Code)			N/A
MEAN CROWN OF ROAD ELEVATION (NAVD):	None		N/A
BUILDING HEIGHT	CODE REQUIREMENT	EXISTING	PROPOSED
TOTAL BUILDING HEIGHT (NAVD): (Pf. 5.2, 6.2, 7.3 or 8.3, Zoning Ordinance)			N/A
TOP OF BEAM HEIGHT (NAVD): (Pf. 5.2, 6.2, 7.3 or 8.3, Zoning Ordinance)			N/A
ROOF PITCH: (Pf. 5.2, 6.2 or 7.3, Zoning Ordinance)			N/A
FLAT ROOF PERCENTAGE: (Pf. 5.2, Zoning Ordinance)			N/A



## JUSTIFICATION STATEMENT

Provide a summary of the proposed project, describing in detail the construction, phasing and proposed development to occur as part of this application (attach additional sheets if needed):

Construct 205+/- of new seawall in front of existing.

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**Note: Construction Schedule is due as part of site plan review and before building permit issuance. (Town Code §14-63). A signed and notarized contract (signed by owner) must be provided before building permit issuance. (Town Code §14-108).**

Provide an estimate of construction costs:

\$557,300.00

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Describe the existing improvements located on the subject property (attach additional sheets if needed):

Marina

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Provide a project history for the subject property, including any prior development approvals filed within the last year in connection with the subject property. Please include the date of previous site plan approval by the Planning and Zoning Board for this property (attach additional sheets if needed):

N/A

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Provide the justification, special reasons, or basis for the approval of this application. Explain why this application is consistent with good planning and zoning practice, will not be contrary to the Town's Comprehensive Development Plan, and will not be detrimental to the promotion of public appearance, comfort, convenience, general welfare, good order, health, morals, prosperity, and safety of the Town. Additionally, all standards set forth in the Town Code of Ordinances for Special Exceptions, Variances, Administrative Appeals, etc. must be addressed. (attach additional sheets if needed):

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Provide any other pertinent information related to the subject property to support the proposed request.

N/A

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## **DRAINAGE REQUIREMENTS**

(For projects proposing additional on-site impervious area)

For proposed renovations/modifications to existing projects that result in LESS THAN a 50% increase in total site imperviousness, retain 1" of stormwater volume from the total additional impervious area.

For proposed new construction, or renovations/modifications to existing projects that result in a GREATER THAN a 50% increase in total site imperviousness, retain 1" of stormwater volume over the entire site.

Submit a Survey with topographic elevations and existing improvements.

A Drainage and Grading Plan and drainage calculations are required to be submitted with the application package for new construction projects and substantial modifications to existing projects. The Drainage Plan must show the following:

- a. Existing and proposed elevations.
- b. Location of sodded swales, sodded depressed retention areas, underground exfiltration trench and/or other proposed stormwater treatment/retention methods.
- c. Underground piping and inlets and other drainage system improvements proposed.
- d. Drainage calculations showing the retention of the volume of 1" of stormwater from addition impervious areas (or overall site).
- e. Show drainage improvements and underground piping, including water and sewer services, on the Landscape Plans to show no conflicts exist.
- f. Include note that no runoff may be directed to adjacent properties and all storm flows and runoff must be retained on-site prior to discharge into the adjacent roadway right-of-way following retention of required stormwater volume.
- g. Provide engineering details of gutter and downspout dry wells, if proposed.
- h. Provide engineering detail of exfiltration trench, if proposed.
- i. Provide engineering detail of sodded swales, if proposed.
- j. Provide engineering detail of depressed dry retention areas, if proposed.
- k. Provide Geotechnical Report or engineering assumptions/justification for coefficient of permeability (K Factor) for exfiltration trench design, if proposed.
- l. Engineering details/cross sections at property lines demonstrating no runoff will flow to adjacent properties may be required.

Project Engineer or Architect shall be responsible for insuring the drainage improvements are completed in substantial accordance with the approved plan.

Prior to C.O., Project Engineer or Architect to provide final signed and sealed certification that the drainage improvements and grading have been completed in substantial accordance with the approved plan.

Upon receipt of final Certification from Project Engineer or Architect, Town Engineer to visit site and ensure conformance of Town requirements prior to issuance of final C.O.

## REQUEST FOR ARCHITECTURAL AND AESTHETIC REVIEW

Please be advised that pursuant to Sec. 14-86 and 14-87 of the Town Code of Ordinances, the Town Planning and Zoning Board uses the following criteria in order to complete its Architectural and Aesthetic Review. Each criteria must be addressed by the applicant prior to the application being processed.

**1. Relationship of building to site:** (Explain transition from streetscape; placement of parking and service areas; and compatibility of building height and scale with site):

Seawall Repair

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**2. Relationship of building and site to adjoining area(s):** (Explain how structures and landscaping are consistent with established neighborhood character and will enhance the surrounding area. Include description of architectural style, as well as textures, materials and colors to be utilized):

Repairing existing seawall consistent with surrounding area.

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**3. Landscape and site treatment:** (Explain how landscaping, exterior lighting and other site elements will be used to enhance architectural features, buffer the mass of buildings as appropriate, and enhance the privacy of the owner and neighbors. Describe the use of native species and xeriscaping as appropriate.):

N/A

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**4. Building design:** (Explain proposed building design and style, and how components such as roofs, windows, doors, eaves and parapets are balanced in proportion to each other; address harmoniousness of colors, visual interest and compatibility):

N/A

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N/A

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**Please provide all documentation and/or samples necessary** to address all architectural review criteria as applicable. Attach additional pages as necessary.

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## REQUEST FOR SITE PLAN MODIFICATION

1. Previously approved (Original) site plan information:

a. Original Project Name: \_\_\_\_\_

b. Original Site Plan Application No.: \_\_\_\_\_

c. Original Site Plan Approval Date: \_\_\_\_\_

d. List of all other relevant information on file with original application: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Requested Modification(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please provide all documentation necessary to describe the proposed modification and to explain the reason(s) for the proposed modification(s), including a survey, if applicable. Attach additional pages as necessary.

## REQUEST FOR VARIANCE

The Applicant is requesting a variance from the Town Code Section(s) \_\_\_\_\_ to permit the following:

\_\_\_\_\_

\_\_\_\_\_

Please be advised that a variance from the terms of the Zoning Code shall not be recommended by the Planning and Zoning Board, nor granted by the Town Commission, unless the Applicant is able to demonstrate the following:

1. Explain the special conditions and circumstances which exist that are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or building in the same zoning district:

\_\_\_\_\_

\_\_\_\_\_

2. Explain how the special conditions and circumstances that exist do not result from the actions of the Applicant:

\_\_\_\_\_

\_\_\_\_\_

3. Explain how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Code and would work unnecessary and undue hardship on the Applicant:

\_\_\_\_\_

\_\_\_\_\_

4. Explain how the variance requested is the minimum variance that will make possible a reasonable use of the land, building or structure:

\_\_\_\_\_

\_\_\_\_\_

5. Explain how the granting of the requested variance will not confer on the Applicant any special privilege that is denied by the Zoning Code to other lands, structures, or buildings in the same zoning district:

\_\_\_\_\_

\_\_\_\_\_

6. Explain how the grant of the requested variance will be in harmony with the general intent and purpose of the Zoning Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare:

\_\_\_\_\_

\_\_\_\_\_

*The burden of meeting the standards as set forth above is upon the Applicant. Please provide all documentation necessary to prove your case, including a survey, if applicable. Attach additional pages as necessary.*

## REQUEST FOR SPECIAL EXCEPTION

The Applicant is requesting a special exception pursuant to Town Code Section(s) \_\_\_\_\_ to permit the following:

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A Special Exception shall not be recommended by the Town Planning and Zoning Board, nor granted by the Town Commission, unless the Applicant is able to demonstrate the following:

1. Explain how all structures will be separated from adjacent and nearby uses by appropriate screening devices:

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2. Explain whether or not excessive vehicular traffic will be generated on surrounding residential streets:

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3. Explain whether or not a vehicular parking or traffic problem is created:

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4. Explain where on the site appropriate drives, walkways and buffers will be installed:

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5. Explain how the proposed use will make a substantial contribution to the neighborhood environment and will not infringe on the rights of properties in the vicinity:

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6. Explain how the proposed use will not endanger, restrict or impair public safety:

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*The initial burden of meeting the standards as set forth above is upon the Applicant. Please provide all documentation necessary to prove your case, including a survey, if applicable. Attach additional pages as necessary.*



# BUILDING PERMIT APPLICATION

TOWN OF PALM BEACH SHORES

247 Edwards Lane, Palm Beach Shores, FL 33404

(561) 844-3457

## PROPERTY OWNER INFORMATION:

Owner Name: Sailfish Holding Company

Owner Address: 301 E. 4th Street

Cincinnati, OH 450202

Phone (O): 561-319-2960

Phone (H): \_\_\_\_\_

SINGLE FAMILY ☐ MULTI-FAMILY ☐ # UNITS \_\_\_\_\_

## TYPE OF IMPROVEMENT:

- |   |                                     |
|---|-------------------------------------|
| <input type="checkbox"/> New Sq. Ft. _____                      | <input type="checkbox"/> Building   |
| <input type="checkbox"/> Addition Sq. Ft. _____                 | <input type="checkbox"/> Electrical |
| <input type="checkbox"/> Alteration                             | <input type="checkbox"/> Gas        |
| <input type="checkbox"/> Repair                                 | <input type="checkbox"/> Plumbing   |
| <input type="checkbox"/> Installation                           | <input type="checkbox"/> Mechanical |
| <input type="checkbox"/> Change/Cont.                           | <input type="checkbox"/> Roofing    |
| <input type="checkbox"/> Pool/Spa                               | <input type="checkbox"/> Driveway   |
| <input checked="" type="checkbox"/> Other <u>Seawall Repair</u> |                                     |

Valuation of Job: \$ 557,300.00

Master Permit No: \_\_\_\_\_

Does this include value of subcontractor's work?

Yes ☐ No ☐

## CONTRACTOR INFORMATION:

Qualifier: Scott P. Groomes

Company Name: Construction Technology, Inc.

Company Address: P.O. Box 16576

West Palm Beach, FL 33416-6576

Phone : 561-689-9667

County/State License #: CGC-060820

Contractor Email: contech@bellsouth.net

## LOCATION INFORMATION:

Address: 98 Lake Drive

Palm Beach Shores, Florida

PCN: 54-43-42-27-69-001-0000

Zoning Designation: \_\_\_\_\_ Lot No: \_\_\_\_\_

Flood Zone \_\_\_\_\_

Base Flood Elevation: \_\_\_\_\_

Paid -- Receipt #: \_\_\_\_\_

Permit Fee: \$ \_\_\_\_\_

If related to a multi-family dwelling or nonresidential use, will improvements require rental of a portable storage unit ("PSU")? Yes ☐ No ☐

*(If checked 'Yes' above, please complete a separate no-fee permit application form for PSUs for multi-family and nonresidential properties)*

## DESCRIPTION OF WORK:

Repair 205+/- linear feet of seawall.

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in the jurisdiction. I understand that separate permits must be acquired for ELECTRICAL WORK, DEMOLITION, PLUMBING, SIGNS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, ROOFING, AIR CONDITIONING, ETC. **WASTE MANAGEMENT DUMPSTER ONLY**

I further acknowledge the following:

- Issuance of a permit may be subject to conditions and is subject to time limitations.
- Issuance of a permit is not authorization to violate public or private restrictions.
- Failure to comply with applicable construction regulations may result in the withholding of future permits.
- Demolition-only projects must comply with Chapter 14, Articles V and VI of the Town Code and require submittal of drainage plans as part of the demolition permit application.

OWNER'S AFFIDAVIT: I CERTIFY THAT ALL THE FOREGOING INFORMATION IS ACCURATE AND THAT ALL WORK WILL BE DONE IN COMPLIANCE WITH ALL APPLICABLE LAWS REGULATING CONSTRUCTION AND ZONING.

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.**

Signature: \_\_\_\_\_

Owner or Agent

(If agent is signing, then original, notarized agency letter signed by owner must be attached)

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was sworn (or affirmed) before me this 9 day of MAY, 2023, by BYRON CHENEY who is personally known to me or who has produced a Florida driver's license as identification.

(Seal)

Notary Public, State of Florida

Signature: \_\_\_\_\_

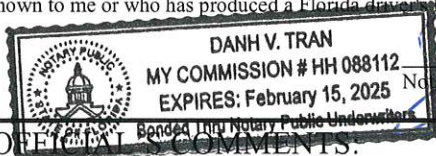
Contractor



STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was sworn (or affirmed) before me this 9th day of May, 2023, by Scott Groomes who is personally known to me or who has produced a Florida driver's license as identification.

(Seal)



Notary Public, State of Florida

BUILDING OFFICIAL'S COMMENTS:

APPROVAL \_\_\_\_\_

DATE \_\_\_\_\_

Building Official



# Construction Technology, Inc.

Post Office Box 16576  
West Palm Beach, Florida 33416-6576  
Phone (561) 689-9667 Fax (561) 689-9672  
CGC 060820  
Email: [contech@bellsouth.net](mailto:contech@bellsouth.net)

Celebrating 40 Years of Business 1983 ~ 2023!

Page 1 of 2  
Proposal No. 8212  
SH/jr

## Proposal / Contract

Attn: Jeff Kalpin		email: <a href="mailto:jkalpin@sailfishmarina.com">jkalpin@sailfishmarina.com</a>	
Proposal Submitted To	Cell	Fax	Date
Sailfish Marina	561-319-2960		3/30/2023
Address	Job Name		
98 Lake Drive	New Seawall		
City, State and Zip Code	Job Location		
West Palm Beach, FL 33404	98 Lake Drive		

SCOPE OF THE WORK: Construction Technology, Inc. shall perform all of the work shown on the drawings and specifications and described herein:

We will provide necessary supervision, labor, material, and equipment for construction of 205' of new seawall in front of the bar/restaurant at the above location in accordance with the following qualifications and specifications.

1. No new rip rap is included. Moving and reinstalling existing rip rap is included.
2. The new steel sheet pile wall will consist of epoxy coated (top 14' of the sheets on the waterward face) AZ 19-700 sheet piling or equal with 12"x12" concrete batter piles at 10± feet on center.
3. Area between old wall and new wall will be filled with concrete.
4. The top of the new 36"x 24" concrete cap will be 9" higher than the existing cap.
5. Engineering and building permit processing is included. Building permit fees are not included (3% ±).
6. This price is based on installation of the wall from the barge, using vibratory hammer.
7. Brick pavers to be removed by others 6'± behind wall. Contech will hand excavate 3'-4' down to partially unload wall prior to removing batter piles.
8. Con Tech is not responsible for preconstruction property & adjacent property inspections.
9. Con Tech is not responsible for any damage (or alleged damage) to the existing on site structures, nor adjacent property structures due to vibration resulting from seawall construction.

ESCALATION CLAUSE: This contract is based on the cost of materials as of the date of the contract. Any increases in the material costs at the time of construction are to be paid by the owner to Construction Technology, Inc.

### CONTRACT SUM

The Owner shall pay Construction Technology, Inc. for the performance of the Contract, in accordance with the above, in current funds as follows:

**FIVE HUNDRED FIFTY-SEVEN THOUSAND THREE HUNDRED DOLLARS ..... \$557,300**

### PROGRESS PAYMENTS

1. \$30,000. DUE UPON EXECUTION OF CONTRACT.
2. \$180,000. DUE UPON MOBILIZATION & DELIVERY OF SHEET PILE.
3. \$180,000. DUE UPON INSTALLATION OF SHEET PILING.
4. BALANCE DUE UPON COMPLETION.

### TIME OF COMPLETION

The work to be performed under this Contract shall be commenced Mid July and shall be substantially completed within 55 days of commencement.

### ACCEPTANCE AND FINAL PAYMENT

Final payment shall be due 7 days after substantial completion of the work provided the work be then fully completed and the Contract fully performed. (All moneys not paid when due shall bear interest at the maximum rate allowed by law).

The above proposal is subject to all terms and conditions of both sides hereof, and becomes a contract when acceptance below is signed by an authorized agent of each party.

### ACCEPTANCE OF PROPOSAL

CONSTRUCTION TECHNOLOGY, INC.

CGC 060820

By:

Scott P. Grooms, President or Syd Hobbs, Exec. Vice President

Date:

3/30/23

Accepted By:

(OWNER)

Authorized Signature

Title:

Date:





# Construction Technology, Inc.

Post Office Box 16576

West Palm Beach, Florida 33416-6576

Phone (561) 689-9667 Fax (561) 689-9672

CGC 060820

Email: [contech@bellsouth.net](mailto:contech@bellsouth.net)

*Celebrating 40 Years of Business 1983 ~ 2023!*

Page 2 of 2

10. Utility sleeves provided by others, will be installed in new cap.
11. Security fence with screening by others.
12. Exclusions: Recent Property Survey, Environmental Permits, New Rip Rap, Utility Disconnect/Re-Connect, Bonds, Additional Backfill, Hardscape & Landscape Restoration

**ESCALATION CLAUSE:** This contract is based on the cost of materials as of the date of the contract. Any increases in the material costs at the time of construction are to be paid by the owner to Construction Technology, Inc.

#### CONTRACT SUM

The Owner shall pay Construction Technology, Inc. for the performance of the Contract, in accordance with the above, in current funds as follows:

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The above proposal is subject to all terms and conditions of both sides hereof, and becomes a contract when acceptance below is signed by an authorized agent of each party.

#### ACCEPTANCE OF PROPOSAL

CONSTRUCTION TECHNOLOGY, INC.

CGC 060820

By: 

Scott P. Groomes, President or Syd Hobbs, Exec. Vice President

Date: 3/10/13

Accepted By:

(OWNER)

Authorized Signature

Title:

Date:





# FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
561-681-6600

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

April 7, 2023

Sailfish Holding Company, LLC  
c/o Mark Weiss  
301 East 4th Street  
Cincinnati, OH 45202  
Sent via agents' e-mail: [mbutler@coastal-engineers.com](mailto:mbutler@coastal-engineers.com)

Re: File No.: 50-0126380-011,012,013-EE  
File Name: 98 Lake Drive Seawall Replacement

Dear Mr. Mark Weiss:

On March 28, 2023, we received your request for verification of exemption to perform the following activities: 1) install 205 ln. ft. of seawall within 18 inches waterward (wetface to wetface) of the existing seawall; 2) install a seawall cap and batter piles; and 3) replace 10 mooring piles in the same location. The project is located in the Lake Worth Lagoon, Class III Waters, adjacent to 98 Lake Drive, Palm Beach Shores (Section 34, Township 42 South, Range 43 East), in Palm Beach County (Latitude N 26°46'38.6897", Longitude W 80°2'22.7221").

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

**Your project qualifies for all three.** However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Michelle Miles at the letterhead address or at [Michelle.Miles@FloridaDEP.gov](mailto:Michelle.Miles@FloridaDEP.gov).

## 1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has verified that the activities as proposed are exempt, under Chapter 62-330.051(5)(d) and (12)(b & d), Florida Administrative Code, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

## **2. Proprietary Review- GRANTED**

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258 of the Florida Statutes, and Chapters 18-20 and 18-21 of the Florida Administrative Code.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity as long as the work is performed as described in the attached project drawings, is wholly located within the boundaries of the existing lease (BOT No. 500729109) and is consistent with the terms and conditions therein, we have no objection to the project. Therefore, consider this letter to also constitute the authority sought under Section 253.77, F.S. to pursue this project.

## **Special Consent Conditions**

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails

or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.

4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

### **General Conditions for Authorizations for Activities**

All authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or 258, Part II, F.S.

(a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.

(b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.

(c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.

(d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.

(e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.



(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under Paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

### **3. Federal Review - APPROVED**

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit VI-R1, and a **SEPARATE permit** or authorization **will not be required** from the U.S. Army Corps of Engineers. Please note that the Federal authorization expires on July 27, 2026. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition 15 of the SPGP VI-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP VI-R1 with all terms and conditions and the General Conditions may be found online in the Jacksonville District Regulatory Division Sourcebook (<https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>).

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

### **Additional Information**

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

### **NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

### **Petition for Administrative Hearing**

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us). Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

#### Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you

do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

#### Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us), before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

#### Mediation

Mediation is not available in this proceeding.

#### FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

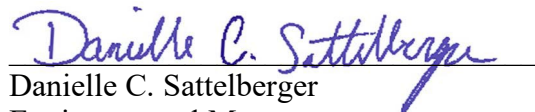
#### Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

#### EXECUTION AND CLERKING

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Danielle C. Sattelberger  
Environmental Manager  
Southeast District



Enclosures:

Attachment A- Specific Exemption Rule  
Special Conditions for Federal Authorization for SPGP VI-R1  
General Conditions for Federal Authorization for SPGP VI-R1  
Project drawings, 3 pages

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

FDEP – Danielle C. Sattelberger, Michelle Miles  
Matthew D. Butler, Isiminger & Stubbs Engineering, Inc., [mbutler@coastal-engineers.com](mailto:mbutler@coastal-engineers.com)

Additional mailings:

SPGP [nmfs.ser.statewideprogrammatic@noaa.gov](mailto:nmfs.ser.statewideprogrammatic@noaa.gov) ; [spgp@usace.army.mil](mailto:spgp@usace.army.mil)  
Matt Mitchell, Palm Beach County, Environmental Resources, [mmitchell@pbcgov.org](mailto:mmitchell@pbcgov.org)

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

  
\_\_\_\_\_  
Clerk

April 7, 2023  
Date

## **Attachment A**

### **Chapter 62-330.051 Exempt Activities.**

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

#### **(5) Dock, Pier, Boat Ramp and Other Boating-related Work –**

(d) Replacement or repair of existing docks and piers, including mooring piles, in accordance with section 403.813(1)(d), F.S., provided the existing structure is still functional or has been rendered non-functional within the last year by a discrete event, such as a storm, flood, accident, or fire.

#### **12) Construction, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –**

(b) The restoration of a seawall or riprap under section 403.813(1)(e), F.S., where:

1. The seawall or riprap has been damaged or destroyed within the last year by a discrete event, such as a storm, flood, accident, or fire or where the seawall or riprap restoration or repair involves only minimal backfilling to level the land directly associated with the restoration or repair and does not involve land reclamation as the primary project purpose. See section 3.2.4 of Volume I for factors used to determine qualification under this provision;

2. Restoration shall be no more than 18 inches waterward of its previous location, as measured from the waterward face of the existing seawall to the face of the restored seawall, or from the waterward slope of the existing riprap to the waterward slope of the restored riprap; and

3. Applicable permits under chapter 161, F.S., are obtained.

(d) Installation of batter piles, king piles, or a seawall cap, used exclusively to stabilize and repair seawalls, provided they do not impede navigation.

*Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History—New 10-1-13, Amended 6-1-18.*

## **Special Conditions for Federal Authorizations for SPGP VI-R1**

1. Authorization, design and construction must adhere to the terms of the SPGP VI instrument including the General Conditions for All Projects, Special Conditions for All Projects, Applicable activity-specific special conditions, Procedure and Work Authorized sections.
2. Design and construction must adhere to the PDCs for In-Water Activities (Attachment 28, from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
3. All activities must be performed during daylight hours (Reference: JAXBO PDC AP.6.).
4. For all projects involving the installation of piles, sheet piles, concrete slab walls or boatlift I-beams (Reference Categories A, B and C of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86):
  - a. Construction methods limited to trench and fill, pilot hole (auger or drop punch), jetting, vibratory, and impact hammer (however, impact hammer limited to installing no more than 5 per day).
  - b. Material limited to wood piles with a 14-inch diameter or less, concrete piles with a 24-inch diameter/width or less, metal pipe piles with a 36-inch diameter or less, metal boatlift I-beams, concrete slab walls, vinyl sheet piles, and metal sheet piles.
  - c. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86.).
  - d. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
5. The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 29).
6. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant’s/Permittee’s behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at <http://www.cr.nps.gov/nr/research>.



- a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245- 6333 and the Corps Regulatory Archeologist at 904-232-3270 to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 C.F.R. § 325.7.
  - b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Archeologist at 904-232-3270 shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
7. The Permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.
8. Mangroves. The design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.12.):
  - a. All projects must be sited and designed to avoid or minimize impacts to mangroves.
  - b. Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:
    - (1) Removal to install up to a 4-ft-wide walkway for a dock.
    - (2) Removal of mangroves above the mean high water line (MHWL) provided that the tree does not have any prop roots that extend into the water below the MHWL.
    - (3) Mangrove trimming. Mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree.
      - (a) Projects with associated mangrove trimming waterward of the MHWL are authorized if the trimming: (a) occurs within the area where the authorized structures are placed or will be placed (i.e., removal of branches that overhang a dock or lift),
      - (b) is necessary to provide temporary construction access, and (c) is conducted in a

manner that avoids any unnecessary trimming.

(b) Projects proposing to remove red mangrove prop roots waterward of the MHWL are not authorized, except for removal to install the dock walkways as described above.

9. For Projects authorized under this SPGP VI in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

10. Notifications to the Corps. For all authorizations under this SPGP VI, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:

a. Commencement Notification. Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" form (Attachment 8).

b. Corps *Self-Certification Statement of Compliance* form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (Attachment 9) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form (Attachment 10).

d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.

(1) For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.

(2) For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

11. The District Engineer reserves the right to require that any request for authorization under this SPGP VI be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP VI does not automatically guarantee Federal authorization.
12. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
13. Failure to comply with all conditions of the SPGP VI constitutes a violation of the Federal authorization.
14. The SPGP VI will be valid through the expiration date unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the period ending expiration date, is not contrary to the public interest. The SPGP VI will not be extended beyond the expiration date but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP VI will be evaluated by the Corps.
15. If the SPGP VI expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP VI will remain in effect provided the activity is completed within 12 months of the date the SPGP VI expired or was revoked.

**Special Conditions for *Shoreline Stabilization* activities.**

16. Shoreline stabilization structures other than vertical seawalls shall be no steeper than a 2 horizontal:1 vertical slope (Reference: JAXBO PDC A1.1.4.).
17. Placement of backfill is limited to those situations where it is necessary to level the land behind seawalls or riprap.
18. Living shoreline structures and permanent wave attenuation structures can only be constructed out of the following materials: oyster breakwaters, clean limestone boulders or stone (sometimes contained in metal baskets or cages to contain the material), small mangrove islands, biologs, coir, rock sills, and pre-fabricated structures made of concrete and rebar that are designed in a manner so that they do not trap sea turtles, smalltooth sawfish, or sturgeon (Reference: JAXBO PDC A7.5.).
  - a. Reef balls or similar structures are authorized if they are not open on the bottom, are open-bottom structures with a top opening of at least 4 ft, or are pre-fabricated structures, such as reef discs stacked on a pile, and are designed in a manner that would not entrap sea turtles.
  - b. Oyster reef materials shall be placed and constructed in a manner that ensures that

materials will remain stable and that prevents movement of materials to surrounding areas (e.g., oysters will be contained in bags or attached to mats and loose cultch must be surrounded by contained or bagged oysters or another stabilizing feature) (Reference: JAXBO PDC A7.2.).

c. Oyster reef materials shall be placed in designated locations only (i.e., the materials shall not be indiscriminately dumped or allowed to spread outside of the reef structure) (Reference: JAXBO PDC A7.3.)

d. Wave attenuation structures must have 5 ft gaps at least every 75 ft in length as measured parallel to the shoreline and at the sea floor, to allow for tidal flushing and species movement (Reference: JAXBO PDC A7.6.).

e. Other materials are not authorized by this SPGP VI (Reference: JAXBO PDC A7.5.).

**Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures.**

19. Chickees must be less than 500 ft<sup>2</sup> and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).

20. The design and construction of a Project over marsh (emergent vegetation) must comply with the following:

a. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.

b. The over-marsh portion of the piling-supported structure (decking) shall be elevated to at least 4 feet above the marsh floor.

c. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.

21. Mangroves. For pile-supported structures, the following additional requirements for mangroves found in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) shall apply:

a. The width of the piling-supported structure is limited to a maximum of 4 feet.

b. Mangrove clearing is restricted to the width of the piling-supported structure.



c. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.

22. Regarding SAV, the design and construction of a Project must comply with the following:

a. A pile supported structure

(1) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and

(2) that is within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia north of Ponce Inlet), but outside of the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) will be constructed to the following standards:

(a) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then SAV is presumed present and the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "*Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of SPGP, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts and minor structures in Monroe County may be installed within existing boat slips without completion of a SAV survey. Boatlift accessory structures, like catwalks, shall adhere to "*Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) if a SAV survey has not been completed.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(b) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "*Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over*

Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat” U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts may be installed within existing boat slips without completion of a SAV survey.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(c) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), then no design restrictions are required and boatlifts may include a cover.

(d) A pile supported structure

(i) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and

(ii) that is within the range of Johnson’s seagrass (the range of Johnson’s seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) but not within Johnson’s seagrass critical habitat will be constructed to the following standards:

(iii) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers’/National Marine Fisheries Service’s “Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat” U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(e) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers’/National Marine Fisheries Service’s “Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat” U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(f) If a survey is performed in accordance with the methods described in the procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), THEN no design restrictions are required and boatlifts may include a cover.

(g) A pile supported structure located within Johnson's seagrass critical habitat will be constructed to the following standards:

(i) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(ii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent and the project is

1. A dock replacement in the same footprint, no design restrictions are required.
2. A new dock or dock expansion THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(iii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

23. North Atlantic Right Whale. The attached North Atlantic Right Whale Information Form (Attachment 30) describes the presence of North Atlantic right whales in the area and

the Federal regulations governing the approach to North Atlantic right whales. The FDEP or Designee will attach the North Atlantic Right Whale Information Form to their authorizations for any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of an inlet that leads to areas within the known range of North Atlantic right whale. These zones, with an 11 nm radius, are described by the North Atlantic Right Whale Educational Sign Zones, Attachment 7 (from Section 2.1.1.4 of JAXBO, pages 31 and 32, inclusive). (Reference JAXBO PDC A2.4).

24. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):

a. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at: (<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>). The signs required to be posted by area are stated below: <https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>

(1) All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.

(2) Projects within the North Atlantic right whale educational sign zone shall post the Help Protect North Atlantic Right Whales sign.

(3) On the east coast of Florida, projects located within the St. Johns River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.

25. Monofilament Recycling Bins. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided as described below (Reference: The below replicates PDC A.2.3 within the table PDCs Specific to Activity 2 –Pile Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):

a. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:

(1) Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.



- (2) Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.
26. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/> (Reference: JAXBO PDC A2.8.).
27. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).
28. Aids to Navigation (ATONs). ATONs must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).
29. Aids to Navigation (ATONs) in Acropora critical habitat. The distance from ATONs to ESA-listed corals and Acropora critical habitat (Attachment 20) shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).
30. Within Loggerhead sea turtle critical habitat (Reference: JAXBO PDC A2.15.):
- (1) ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the Northwest Atlantic Distinct Population Segment (NWA DPS) of loggerhead sea turtle critical habitat.
- (2) No other pile-supported structures are allowed in nearshore reproductive habitat.

**General Conditions for All Projects:**

1. The time limit for completing the work authorized ends on July 27, 2026.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may

require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form (Attachment 10) and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Further Information:**

1. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
  - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or Construction deficiencies associated with the permitted work.

- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
  4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
    - a. You fail to comply with the terms and conditions of this permit.
    - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
    - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
  5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
  6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.
  7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

**Department of the Army Permit Transfer for SPGP VI-R1**

PERMITEE: \_\_\_\_\_

PERMIT NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS/LOCATION OF PROJECT:

\_\_\_\_\_

\_\_\_\_\_  
(Subdivision)

\_\_\_\_\_  
(Lot)

\_\_\_\_\_  
(Block)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

\_\_\_\_\_  
(Transferee Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Name Printed)

\_\_\_\_\_  
(Street address)

\_\_\_\_\_  
(Mailing address)

\_\_\_\_\_  
(City, State, Zip Code)



## STANDARD MANATEE CONDITIONS FOR IN-WATER WORK 2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com)
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see [MyFWC.com/manatee](http://MyFWC.com/manatee)). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Questions concerning these signs can be sent to the email address listed above.

# CAUTION: MANATEE HABITAT

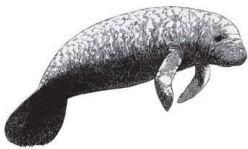
**All project vessels**

**IDLE SPEED / NO WAKE**

When a manatee is within 50 feet of work  
all in-water activities must

**SHUT DOWN**

Report any collision with or injury to a manatee:



**Wildlife Alert:**

**1-888-404-FWCC(3922)**

cell \*FWC or #FWC



**UNITED STATES DEPARTMENT OF  
COMMERCE**

**National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE**

Southeast Regional Office  
263 13th Avenue South  
St. Petersburg, FL 33701

**SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS**

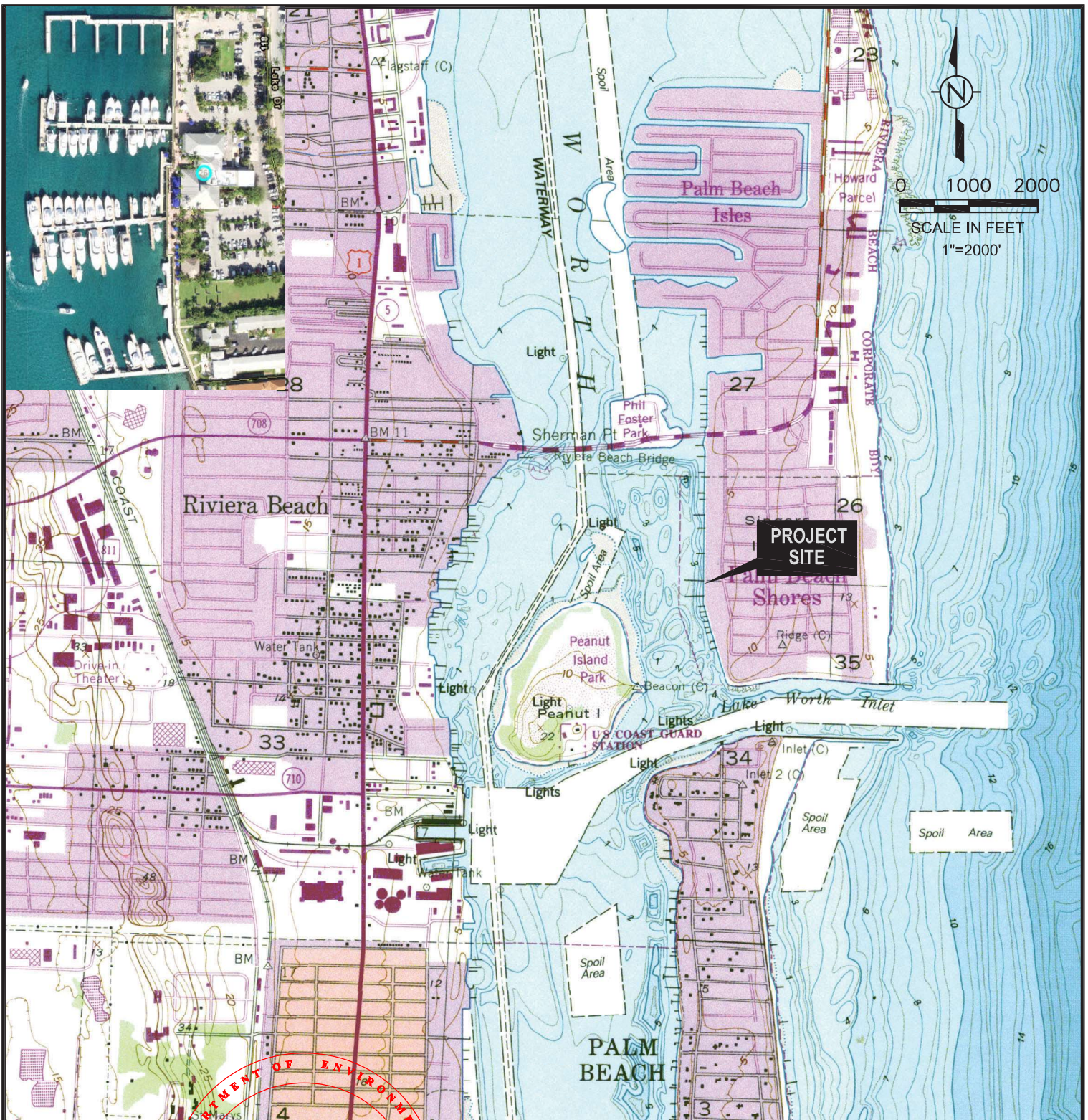
The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.

- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.
- h. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).
- i. Reports to NMFS's Protected Resources Division (PRD) may be made by email to [takereport.nmfsser@noaa.gov](mailto:takereport.nmfsser@noaa.gov).
- j. Sea turtle and marine stranding/rescue organizations' contact information is available by region at <http://www.nmfs.noaa.gov/pr/health/networks.htm>.
- k. Smalltooth sawfish encounters shall be reported to <http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html>.
- l. All work must occur during daylight hours.







TAKEN FROM U.S.G.S. RIVIERA BEACH, FLORIDA QUADRANGLE

SEC: 27 TWP: 42S RGE: 43E

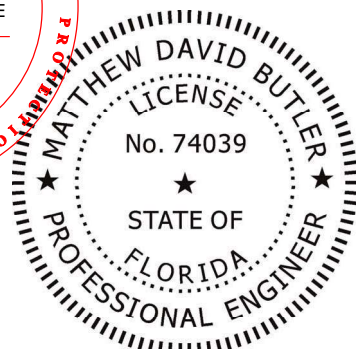
LAT: 26° 46' 39" N

50-126380-011,012,013-EE

LONG: 080° 02' 24" W

Southeast District

This item has been digitally signed and sealed by Matthew D. Butler, P.E. on 3/27/2023 using a Digital Signature. Printed copies of this document are not considered signed and sealed, and the signature must be verified on any electronic copies.



## VICINITY MAP



**ISIMINGER & STUBBS  
ENGINEERING, INC.**

COASTAL • ENVIRONMENTAL • MARINE

REGISTRATION NUMBER: 8114

P.O. BOX 14702 - NORTH PALM BEACH, FL 33408 • 561-881-0003

PROPOSED MOORING PILE AND SEAWALL REPLACEMENT  
LAKE WORTH  
98 LAKE DRIVE  
TOWN OF PALM BEACH SHORES, PALM BEACH COUNTY, FL  
FOR: SAILFISH HOLDING COMPANY, LLC

DATE	3/23	DRAWN	MDB	CHKD	TCR	APPRVD	MDB
DWG NO.	12030NNN1					SHEET	
COMPUTER FILE NO.	12030NNN					OF	3

**1**



APPROX. RIPARIAN LINE

APPROX. PROPERTY LINE (TYP.)



0 50 100

SCALE IN FEET

1"=100'

EXISTING DOCK (TYP.) TO REMAIN

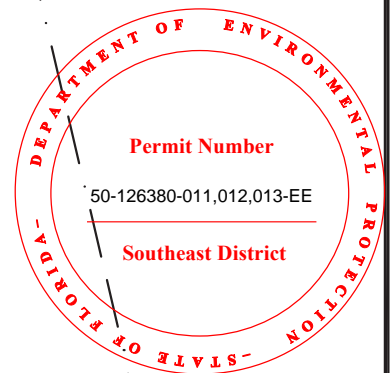
EXISTING SEAWALL  
(875± L.F., MHWL AT FACE)

SUBMERGED LAND LEASE BOUNDARY (TYP.)

18" MAX.

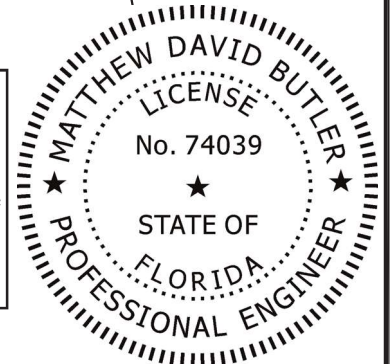
EXISTING MOORING PILE (TYP., 10 TOTAL)  
TO BE REPLACED,  
AS NECESSARY205± L.F. PORTION OF  
EXISTING SEAWALL  
TO BE REPLACED WITHIN  
18" WATERWARDEXISTING MOORING PILE  
(TYP.) TO REMAIN

PROPOSED SEAWALL

SAILFISH MARINA RESORT  
(UPLANDS)

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## PLAN VIEW

**ISIMINGER & STUBBS  
ENGINEERING, INC.**

COASTAL • ENVIRONMENTAL • MARINE

REGISTRATION NUMBER: 8114

P.O. BOX 14702 - NORTH PALM BEACH, FL 33408 • 561-881-0003

PROPOSED MOORING PILE AND SEAWALL REPLACEMENT  
LAKE WORTH  
98 LAKE DRIVE  
TOWN OF PALM BEACH SHORES, PALM BEACH COUNTY, FL  
FOR: SAILFISH HOLDING COMPANY, LLC

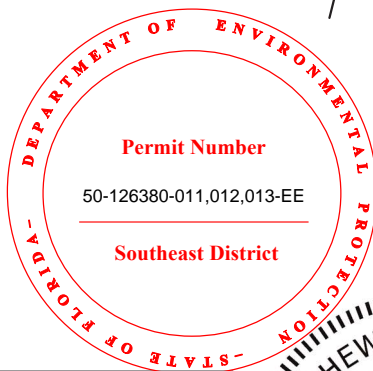
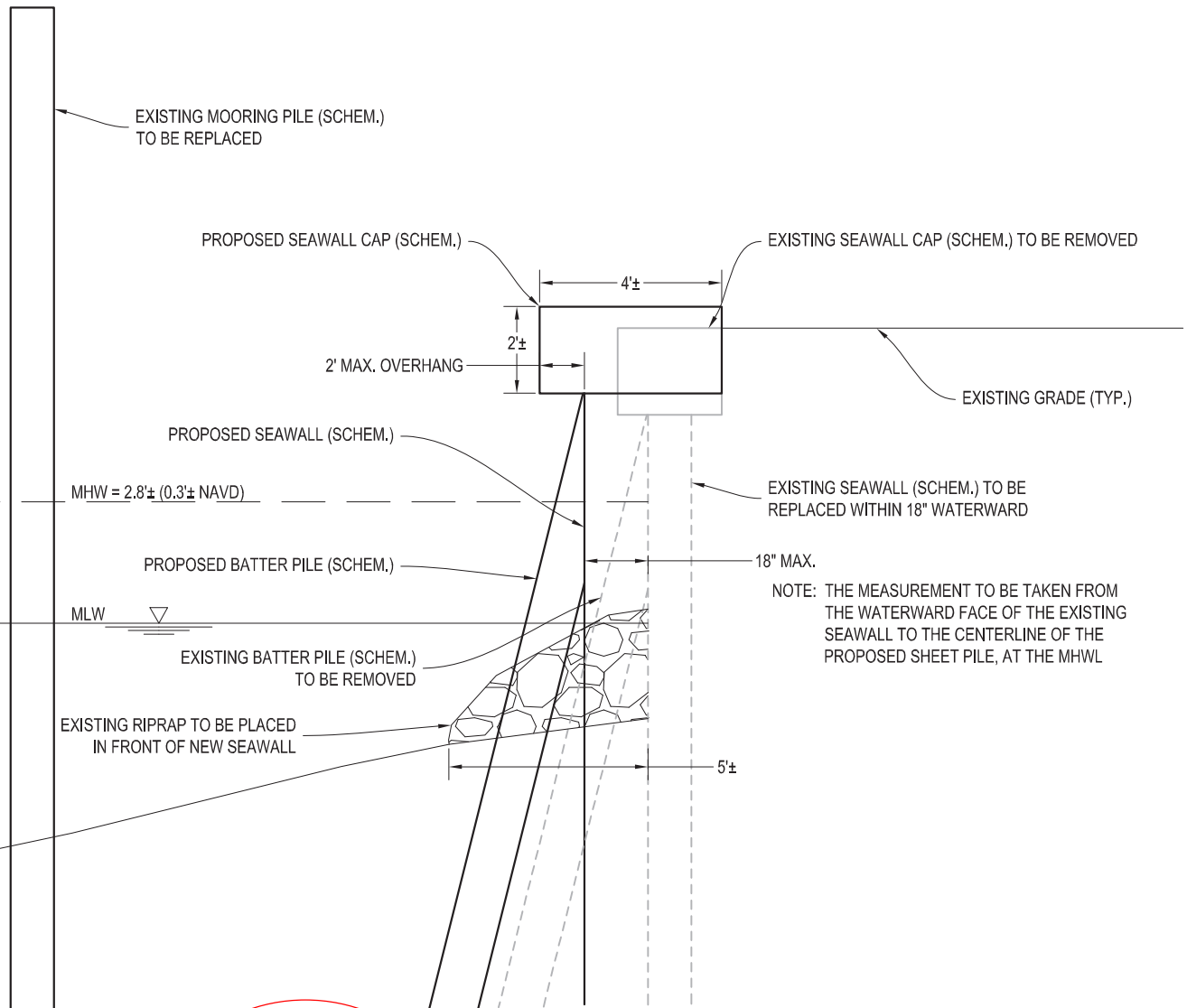
DATE	3/23	DRAWN	MDB	CHKD	TCR	APPRVD	MDB
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DWG NO.	12030NNN2	SHEET	2
COMPUTER FILE NO.	12030NNN	OF	3

## NOTES:

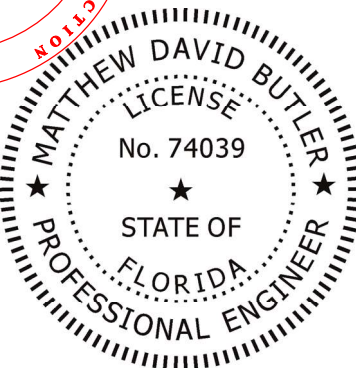
- EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY WALLACE SURVEYING CORP., DATED 6/15.

SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.  
NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.



**SECTION A-A**  
 0 2 4  
 SCALE IN FEET  
 1"=4'

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**NOTES:**

- EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY WALLACE SURVEYING CORP., DATED 6/15.

**SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.  
 NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.**

**SECTION VIEW**



**ISIMINGER & STUBBS  
 ENGINEERING, INC.**

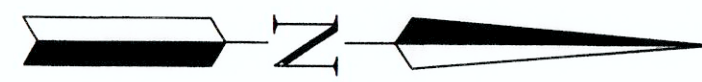
COASTAL • ENVIRONMENTAL • MARINE  
 REGISTRATION NUMBER: 8114  
 P.O. BOX 14702 - NORTH PALM BEACH, FL 33408 • 561-881-0003

**PROPOSED MOORING PILE AND SEAWALL REPLACEMENT  
 LAKE WORTH  
 98 LAKE DRIVE  
 TOWN OF PALM BEACH SHORES, PALM BEACH COUNTY, FL  
 FOR: SAILFISH HOLDING COMPANY, LLC**

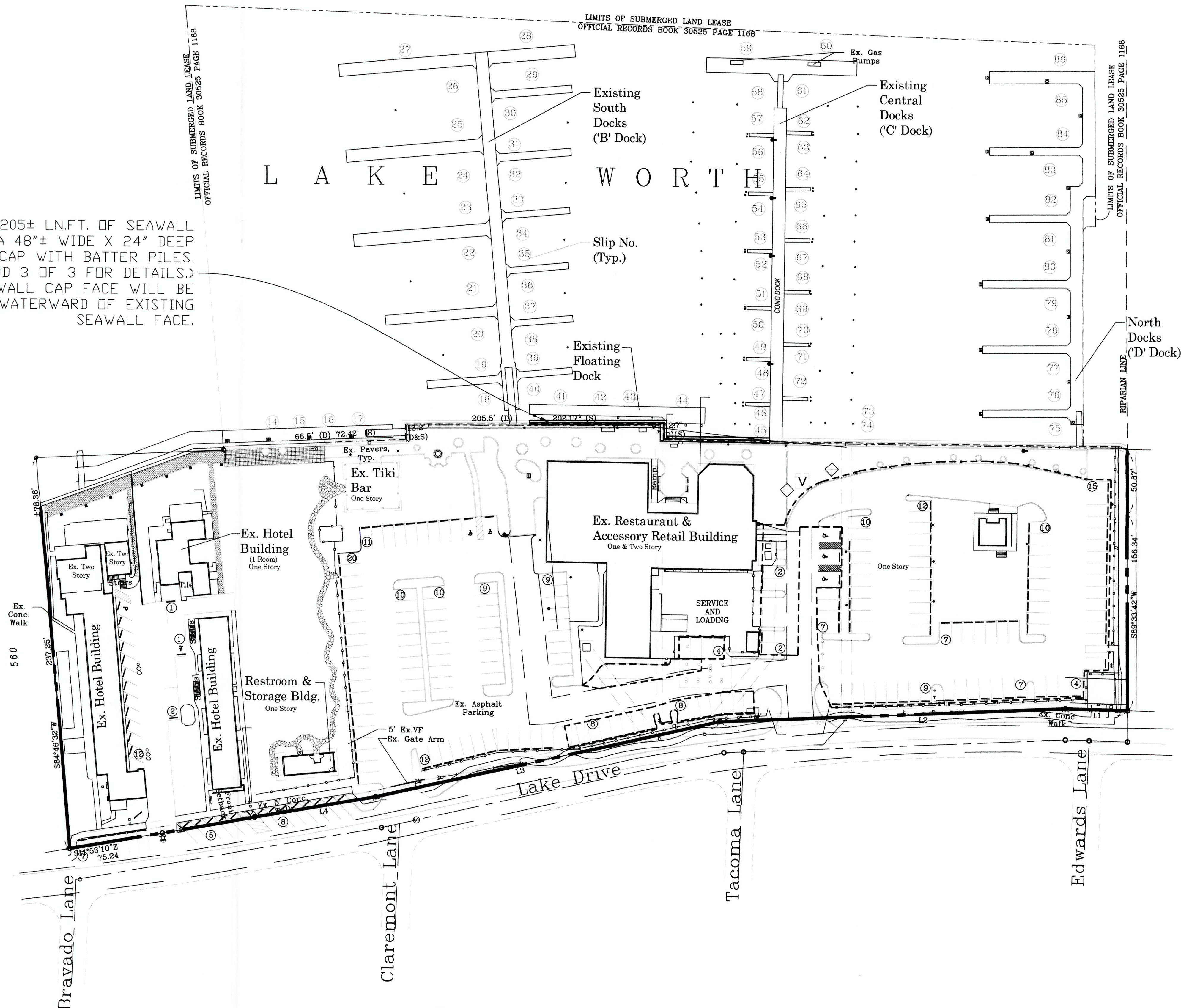
DATE	3/23	DRAWN	MDB	CHKD	TCR	APPRVD	MDB
DWG NO.	12030NNN3					SHEET	3
COMPUTER FILE NO.	12030NNN					OF	3



SCALE: N.T.S.

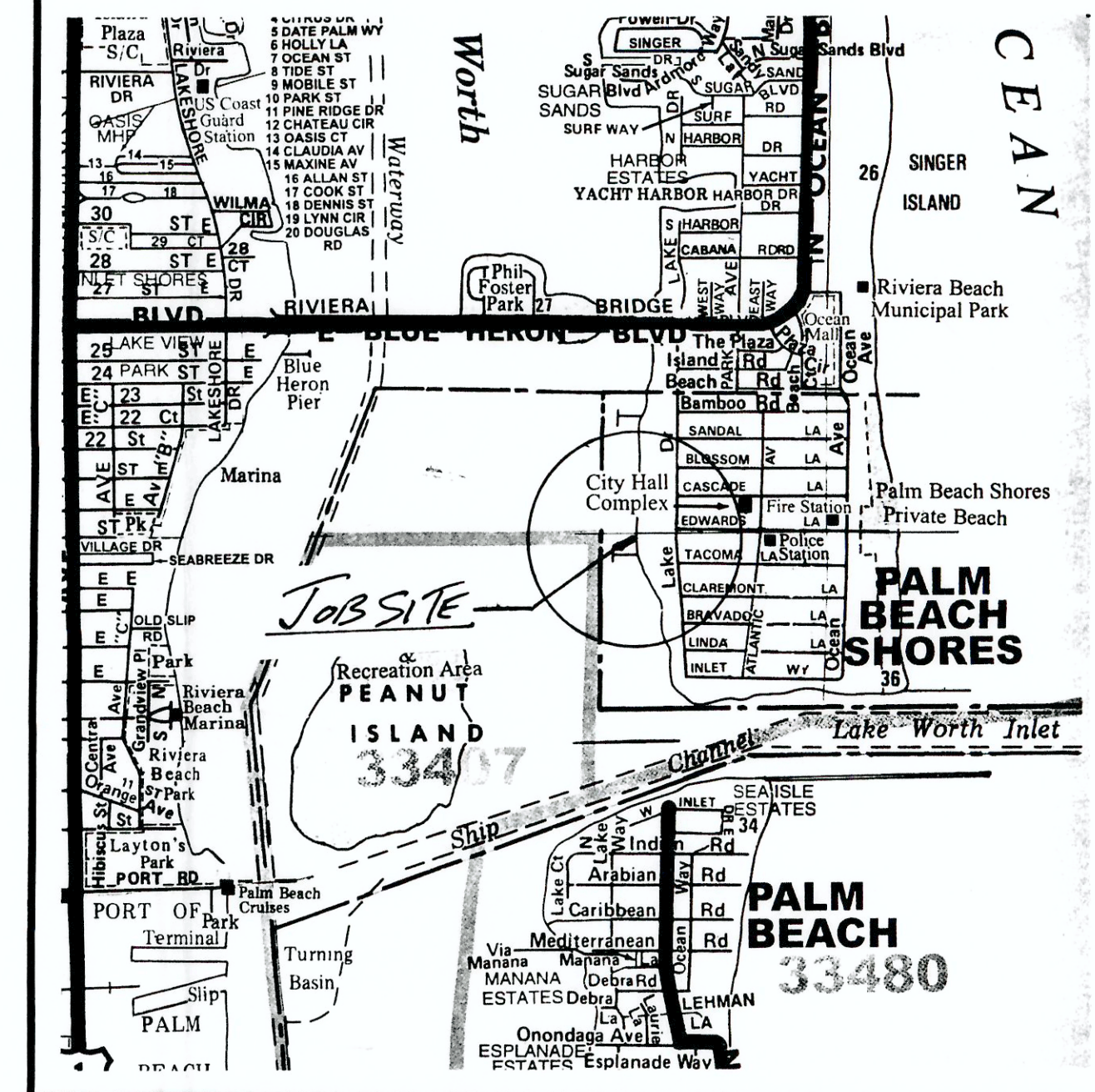


LIMITS OF SUBMERGED LAND LEASE-----  
 OFFICIAL RECORDS BOOK 30525 PAGE 1168



PROPOSED SEAWALL REPAIR – SITE PLAN

SCALE: SITE – NOT TO SCALE



## LOCATION MAP

SCALE: NOT TO SCALE

NOTE: AS PER THE NOTICE REQUIREMENTS, F 61G15.20.003(1)FAC, THIS DOCUMENT IS BEING TRANSMITTED TO THE PUBLIC AGENCY TO RECEIVE AGENCY REVIEW, COMMENTS AND INTERPRETATIONS. THE DOCUMENTS MAY SUBSEQUENTLY BE REVISED BY THE ENGINEER FOR RESOLUTION OF ISSUES WITH THE PUBLIC AGENCY PRIOR TO FINAL ACTION BY THE AGENCY. CHANGES, REVISIONS, AND MODIFICATIONS TO A PROJECT MAY PROMPT AN ADDITIONAL DOCUMENT SUBMITTAL FOR AGENCY APPROVAL ACTION ON THE SAME PROJECT. THE ENGINEER'S SIGNATURE AND SECOND SIGNATURE COMPANY THE AGENCY'S WRITTEN APPROVAL DESIGNATES THIS DOCUMENT'S FINAL FORM.

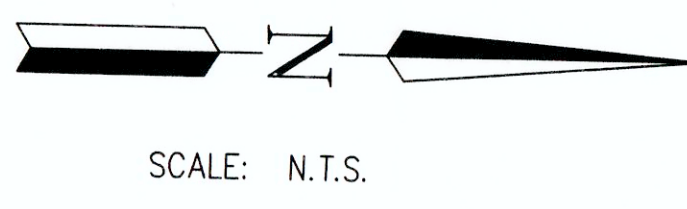
MAY 05 2023

WILLIAM J. MATHERS, P.E., FOR  
CONSTRUCTION TECHNOLOGY, INC.  
F.L. #19658

[illegible]

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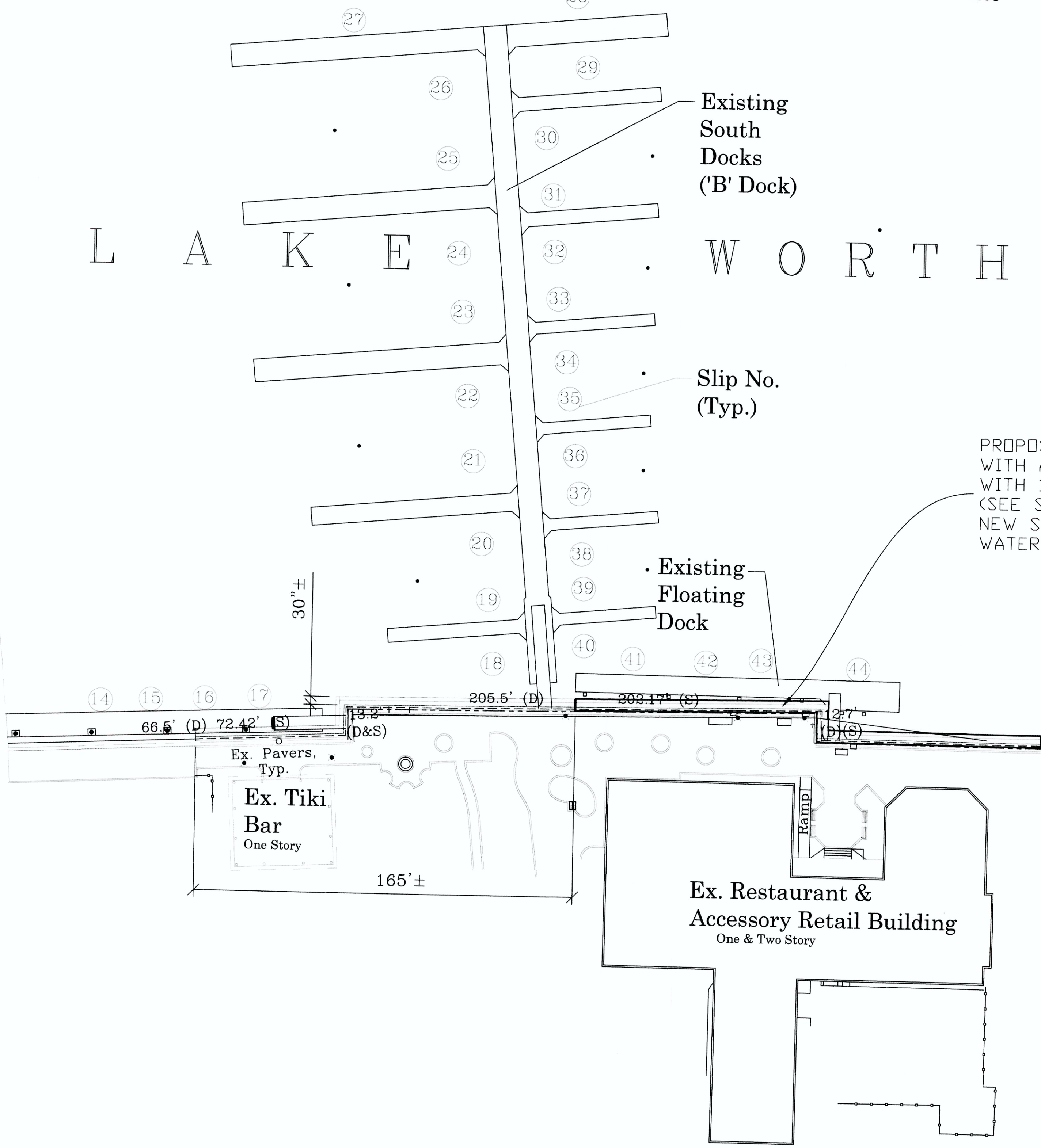




LIMITS OF SUBMERGED LAND LEASE  
OFFICIAL RECORDS BOOK 30525 PAGE 1168

L A K E W O R T H

LIMITS OF SUBMERGED LAND LEASE  
OFFICIAL RECORDS BOOK 30525 PAGE 1168



PROPOSED 205± LN.FT. OF SEAWALL REPAIR  
WITH A 48"± WIDE X 24" DEEP CONCRETE CAP  
WITH 12" X 12" SQUARE BATTER PILES.  
(SEE SHEET 2 AND 3 OF 3 FOR DETAILS.)  
NEW SEAWALL CAP FACE WILL BE APPROX. 30±"  
WATERWARD OF EXISTING SEAWALL FACE.

NOTE: AS PER THE NOTICE REQUIREMENTS OF 61G15-30.003(J)FAC. THIS DOCUMENT IS  
BEING TRANSMITTED TO THE PUBLIC AGENCY TO RECEIVE AGENCY REVIEW. COMMENTS AND  
INTERPRETATIONS. THE DOCUMENTS MAY SUBSEQUENTLY BE REVISED BY THE ENGINEER  
TO REFLECT RESOLUTION OF ISSUES WITH THE PUBLIC AGENCY PRIOR TO FINAL ACTION  
BY THE AGENCY. CHANGES, REVISIONS, AND MODIFICATIONS TO A PROJECT MAY PROMPT  
ADDITIONAL DOCUMENT SUBMITTAL FOR AGENCY APPROVAL ACTION ON THE SAME PROJECT.  
THE MOST CURRENT DATE OF THE ENGINEER OF RECORDS SIGNATURE ACCOMPANY THE  
AGENCY'S WRITTEN APPROVAL DESIGNATES THIS DOCUMENTS FINAL FORM.

CON - TECH  
CONTRACTORS ENGINEERS

PROPOSED SEAWALL REPAIR  
98 LAKE DRIVE  
PALM BEACH SHORES, FL

NO.	DATE	DESCRIPTION	BY
REVISIONS			

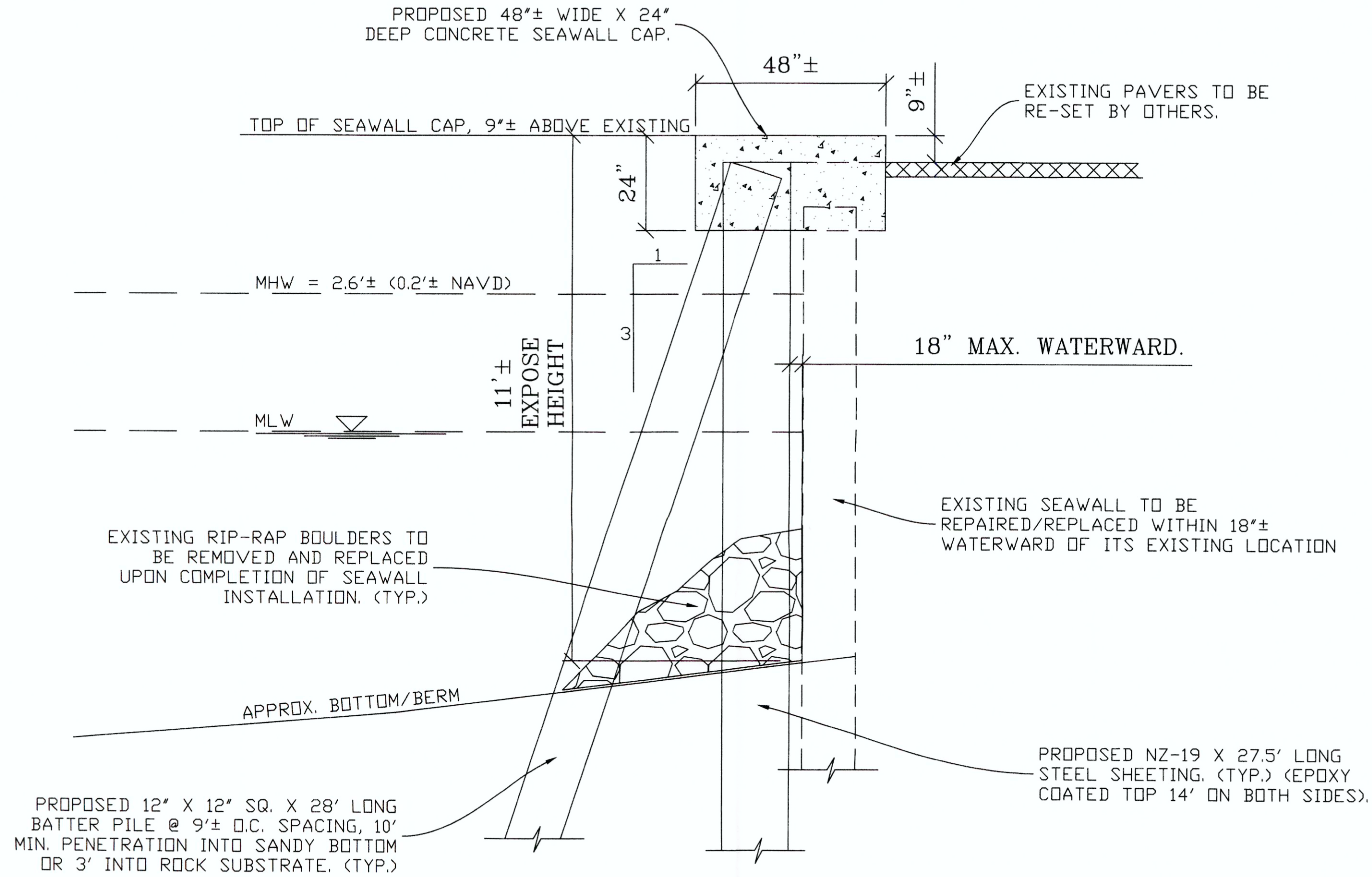
CONSTRUCTION TECHNOLOGY INC. P.O. BOX 16576, WEST PALM BEACH, FL 33416 PHONE 561-689-9667 FAX 561-689-9672 COC-060820 EB-0004242		DRAWN D.T.	SCALE 1"=10'	DRAWING NO. 22D1031
PREPARED FOR: GREAT AMERICAN LIFE INSURANCE COMPANY		DESIGNED S.H.	JOB NO. 325	SHEET 2
		APPROVED	DATE 5/03/23	OF 3

PROPOSED SEAWALL REPAIR - SITE PLAN

SCALE: SITE - NOT TO SCALE

MAY 05 2023  
WILLIAM J. MATHERS, P.E., FOR  
CONSTRUCTION TECHNOLOGY, INC.  
F.L. #19658

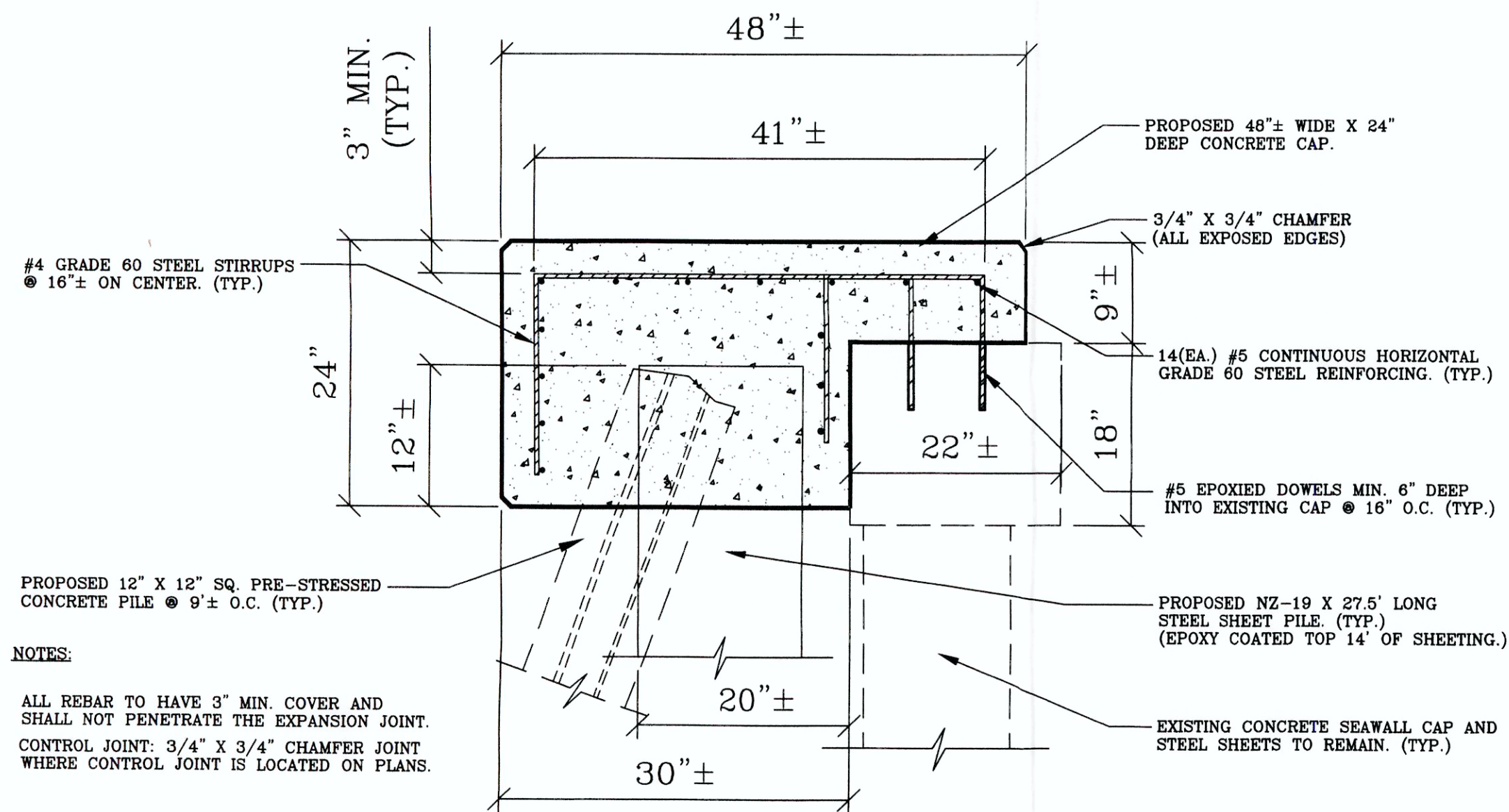




TYPICAL WALL SECTION A-A

SCALE: 1/2" = 1'-0"

NOTE: AS PER THE NOTICE REQUIREMENTS OF 61015-30.003(1)FAC. THIS DOCUMENT IS BEING TRANSMITTED TO THE PUBLIC AGENCY TO RECEIVE AGENCY REVIEW, COMMENTS AND INTERPRETATIONS. THE DOCUMENTS MAY SUBSEQUENTLY BE REVISED BY THE ENGINEER TO REFLECT RESOLUTION OF ISSUES WITH THE PUBLIC AGENCY PRIOR TO FINAL ACTION BY THE AGENCY. CHANGES, REVISIONS, AND MODIFICATIONS TO A PROJECT MAY PROMPT ADDITIONAL DOCUMENT SUBMITTAL FOR AGENCY APPROVAL ACTION ON THE SAME PROJECT. THE MOST CURRENT DATE OF THE ENGINEER OF RECORDS SIGNATURE ACCOMPANY THE AGENCY'S WRITTEN APPROVAL DESIGNATES THIS DOCUMENTS FINAL FORM.



TYPICAL CAP SECTION

SCALE: 1" = 1'-0"

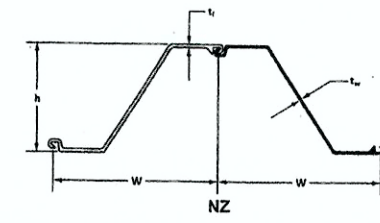
- NOTES:
- ALL REBAR TO HAVE 3" MIN. COVER AND SHALL NOT PENETRATE THE EXPANSION JOINT.
  - CONTROL JOINT: 3/4" X 3/4" CHAMFER JOINT WHERE CONTROL JOINT IS LOCATED ON PLANS.

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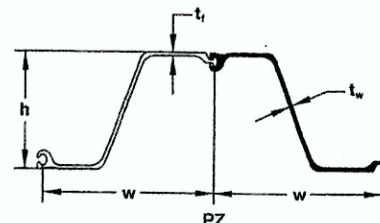
SKYLINESTEEL SHOP DRAWING.

NZ/PZ

NZ/PZ Hot Rolled Steel Sheet Pile



SECTION	Width in (mm)	Height in (mm)	THICKNESS		Flange in (mm)	Web in (mm)	Cross Sectional Area in <sup>2</sup> (cm <sup>2</sup> )	Pile in <sup>2</sup> (cm <sup>2</sup> )	Web in <sup>2</sup> (cm <sup>2</sup> )	SECTION MODULUS		Moment of Inertia in <sup>4</sup> (cm <sup>4</sup> )	CONTING AREA	
			Flange in (mm)	Web in (mm)						Elastic in <sup>3</sup> (cm <sup>3</sup> )	Plastic in <sup>3</sup> (cm <sup>3</sup> )		Both Sides in <sup>2</sup> (cm <sup>2</sup> )	Web Surface in <sup>2</sup> (cm <sup>2</sup> )
NZ 14	30.31	13.39	0.375	0.375	6.40	55	21.77	25.65	30.50	171.7	244.7	6.10	1.20	1.20
NZ 19	27.56	16.34	0.375	0.375	7.07	55	24.05	35.08	41.33	281.1	394.7	6.10	1.80	1.80
NZ 20	27.56	16.34	0.394	0.394	7.34	57	24.82	36.24	42.80	292.8	404.4	6.10	1.90	1.90
NZ 21	27.56	16.34	0.433	0.433	7.80	61	26.16	38.69	45.85	311.4	428.8	6.10	1.95	1.95
NZ 26	27.56	17.32	0.500	0.500	9.08	71	30.39	48.50	57.02	428.9	649.9	6.40	2.41	2.41
NZ 28	27.56	17.32	0.540	0.540	9.86	76	33.96	52.62	62.16	457.4	689.1	6.40	2.41	2.41



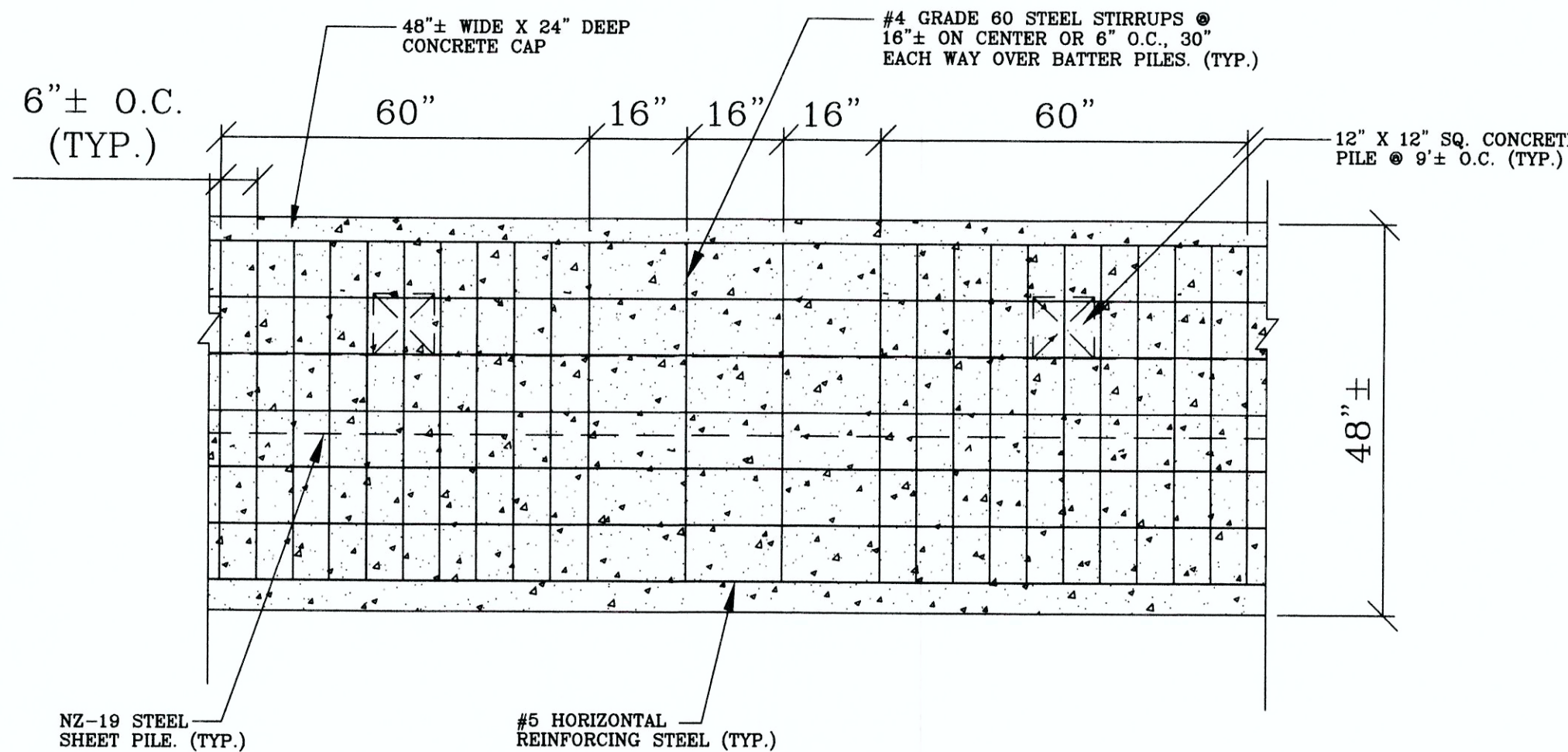
SECTION	Width in (mm)	Height in (mm)	THICKNESS		Flange in (mm)	Web in (mm)	Cross Sectional Area in <sup>2</sup> (cm <sup>2</sup> )	Pile in <sup>2</sup> (cm <sup>2</sup> )	Web in <sup>2</sup> (cm <sup>2</sup> )	SECTION MODULUS		Moment of Inertia in <sup>4</sup> (cm <sup>4</sup> )	CONTING AREA	
			Flange in (mm)	Web in (mm)						Elastic in <sup>3</sup> (cm <sup>3</sup> )	Plastic in <sup>3</sup> (cm <sup>3</sup> )		Both Sides in <sup>2</sup> (cm <sup>2</sup> )	Web Surface in <sup>2</sup> (cm <sup>2</sup> )
PZ 22	22.0	9.0	0.375	0.375	6.47	40.3	22.0	14.1	21.39	14.38	14.38	1.22	1.22	1.22
PZ 27	18.0	12.0	0.375	0.375	7.86	40.3	27.0	18.0	18.0	18.0	18.0	1.22	1.22	1.22
PZ 35	22.0	14.0	0.500	0.500	10.29	50.0	35.0	22.0	22.0	22.0	22.0	1.42	1.42	1.42
PZ 40	18.0	16.0	0.500	0.500	11.77	50.0	40.0	20.0	20.0	20.0	20.0	1.42	1.42	1.42

Technical Hotline: 1-866-875-5546 | engineering@skylinesteel.com | www.skylinesteel.com 5

NOTES AND SPECIFICATIONS

- ANY OR ALL PRINTS OR DUPLICATIONS OBTAINED FROM THESE PLANS ARE VALID ONLY IF SIGNED AND SEALED BY A REGISTERED PROFESSIONAL ENGINEER REPRESENTING CONSTRUCTION TECHNOLOGY, INC., ENGINEER OF RECORD.
- ANY CONSTRUCTION AS SPECIFIED IN THESE PLANS SHALL BE UNDER DIRECT SUPERVISION AND CONSULTATION OF CONSTRUCTION TECHNOLOGY, INC.'S ENGINEER OF RECORD. ANY WORK INITIATED WITHOUT SUCH SUPERVISION OR CONSULTATION SHALL NOT BE THE RESPONSIBILITY OF CONSTRUCTION TECHNOLOGY, INC.'S, ENGINEER OF RECORD.
- ALL CONSTRUCTION SHALL COMPLY WITH LOCAL, STATE, AND NATIONAL CODES.
- ALL MANUFACTURED ITEMS SHALL BE APPLIED OR INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.
- CONCRETE SPECIFICATIONS:**
  - CONCRETE USED FOR CAP SHALL HAVE A 28-DAY COMPRESSIVE STRENGTH NOT LESS THAN 5,000 PSI.
  - ALL EXPOSED CONCRETE SURFACES SHALL BE FREE OF HONEY-COMBING AND EXPOSED AGGREGATE. TOP SURFACE TO HAVE A LIGHT BROOM FINISH.
  - REINFORCEMENT BARS SHALL BE NEW DEFORMED BILLET STEEL, INTERMEDIATE GRADE, GRADE 60 (FY=60,000 PSI) PER ASTM A616.
  - ALL CONCRETE STEEL CONSTRUCTION SHALL CONFORM TO STANDARD PRACTICE AS OUTLINED BY CRSI AND ACI MANUAL OF STANDARD PRACTICE.
  - ALL REINFORCEMENT TO BE LAP SPICED MEETING THE REQUIREMENTS OF ACI 318.
- CONCRETE PILE SPECIFICATIONS:**
  - MATERIALS: PRESTRESSING STEEL SHALL CONFORM TO ASTM A-416. ALL CONCRETE SHALL HAVE A 28 DAY ULTIMATE COMPRESSIVE STRENGTH (f'c) OF NOT LESS THAN 5000 PSI.
  - CONCRETE COVER: ALL PRESTRESSING STEEL AND PILE REINFORCEMENT SHALL HAVE A CONCRETE COVER OF NOT LESS THAN 2.5" FOR ALL-WATER EXPOSURE.
  - WHEN APPLICABLE, SEAL ALL FIELD CUT PILING WITH EPOXY SEALANT.
- SHEET PILE SPECIFICATIONS:**

SHEETING SHALL BE NZ-19 X 22.5' LONG STEEL SHEET PILES AS MFR. BY SKYLINESTEEL, 866-875-9546 OR WWW.SKYLINESTEEL.COM OR ENGINEERING@SKYLINESTEEL.COM.
- BACKFILL & COMPACTION:**
  - ALL BACKFILL SHALL BE CLEAN, FREE-DRAINING, GRANULAR SAND WHICH CONFORMS TO ASTM D2487 CLASSIFICATION SP-SW, POORLY-GRADED SAND.
  - ALL REQUIRED BACKFILL SHALL BE COMPACTED TO A MINIMUM 95% OF MAX. DRY DENSITY AS MODIFIED BY A.A.S.H.T.O. AND SHALL BE INSTALLED TO THE LINES AND GRADES SHOWN ON PLANS.



NOTES:

- MINIMUM 3" COVER ON ALL STEEL REINFORCING.
- TOP OF SEAWALL EL. 5.0'± N.A.V.D., APPROX. 9" ABOVE EXISTING CAP.

TYPICAL BATTER PILE SPACING

SCALE: 1/2" = 1'-0"

MAY 05 2023  
WILLIAM J. MATHERS, P.E., FOR  
CONSTRUCTION TECHNOLOGY, INC.  
F.L. #19658

DRAWING NO.	SCALE	DRAWN BY	CONSTRUCTION TECHNOLOGY, INC.	PREPARED FOR:
23D1016	SHOWN	D.T.	P.O. BOX 16576, WEST PALM BEACH, FL 33416	CONTRACTORS
SHEET	JOB NO.	DESIGNED	PHONE 561-882-9696	ENGINEERS
3 OF 3	325	S.H.	FAX 561-882-9697	
	DATE	APPROVED	CC-000820	
	5/04/23		EB-0004242	
				GREAT AMERICAN LIFE INSURANCE COMPANY

SEAWALL DETAILS	BY
98 LAKE DRIVE	DESCRIPTION
PALM BEACH SHORES, FL	REVISIONS
	NO.
	DATE



## SPECIAL PURPOSE AS-BUILT SURVEY FOR: SAILFISH MARINA RESORT

This special purpose survey is made specifically and only for the following party for the purpose of permitting & as-built on the surveyed property.

**Sailfish Marina Resort**

The undersigned surveyor assumes no responsibility or liability for any other purpose or to any other party other than stated above.

### PROPERTY ADDRESS:

98 Lake Drive  
Palm Beach Shores, FL 33404

### LEGAL DESCRIPTION:

#### PARCEL A:

Field survey of a parcel of submerged land lying in Section 27, Township 42 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

**COMMENCING** at the intersection of the existing bulkhead and the North property line of Lot 549, as projected, of **PALM BEACH SHORES** as recorded in Plat Book 23, Pages 29 through 32 inclusive, Public Records of Palm Beach County, Florida; thence Southerly, along said bulkhead, a distance of 10 feet to the **POINT OF BEGINNING**;

thence continue Southerly a distance of 365 feet, more or less, to the North property line of Lot 554 of said **PALM BEACH SHORES**, as projected; thence Westerly, along said bulkhead, a distance of 12.7 feet, more or less, to a point on said bulkhead;  
thence Southerly, along said bulkhead, a distance of 205.5 feet, more or less, to a point on said bulkhead;  
thence Easterly, along said bulkhead, a distance of 13.2 feet, more or less, to a point on said bulkhead;  
thence Southerly, along said bulkhead, a distance of 66.5 feet, more or less, to the South property line of Lot 556 of said **PALM BEACH SHORES**, as projected;

thence S87°W, a distance of 30.44 feet, more or less, to a point;  
thence N00°W, a distance of 25.67 feet, more or less, to a point;  
thence S87°W, a distance of 291 feet, more or less, to a point;  
thence N00°W, a distance of 603 feet, more or less, to a point;  
thence N90°E, a distance of 300 feet, more or less, to a point;  
thence N00°E, a distance of 25 feet, more or less, to a point;  
thence N90°E, a distance of 20 feet, more or less, to the **POINT OF BEGINNING**.

#### PARCEL B:

A parcel of submerged land located in Section 34, Township 42 South, Range 43 East, Palm Beach County, more particularly described as follows:

**COMMENCING** at the intersection of the existing bulkhead and the North property line of Lot 557, as projected, of **PALM BEACH SHORES** as recorded in Plat Book 23, Page 29 through 32, in the Public Records of Palm Beach County, Florida, which is the **POINT OF BEGINNING**;

thence S87°0'W, a distance of 30.44 feet, more or less, to a point;  
thence N00°0'W, a distance of 25.67 feet, more or less, to a point;  
thence S87°0'W, a distance of 291 feet, more or less, to a point;  
thence S00°0'W, a distance of 116 feet, more or less, to a point;  
thence N82°42'50"E, a distance of 332 feet, more or less, to a point;  
thence N04°44'06"W, a distance of 75 feet, more or less, to the **POINT OF BEGINNING**.

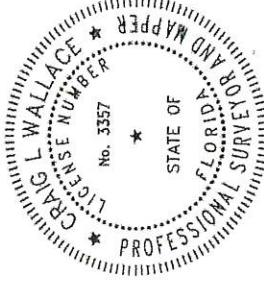
### NOTES:

- No title policy or commitment affecting title or boundary to the subject property has been provided. It is possible there are deeds and easements, recorded or unrecorded, which could affect this survey and boundaries. This office has made no search of the Public Records.
- Elevations shown hereon, if any, are in feet and decimal parts thereof and are based on NGVD-29. The expected accuracy of the elevations shown hereon is 0.03' for the hard surface elevations (shown thus x 0.00) and 0.1' (shown thus x 0.0) for the soft surface elevations. Elevations shown hereon are U.S. survey feet unless otherwise noted.
- Description furnished by client or client's agent.
- Unless it bears the signature and the original raised seal of a Florida licensed surveyor or mapper this drawing, sketch, plat or map is for informational purposes only and is not valid.
- This survey cannot be transferred or assigned without the specific written permission of Wallace Surveying Corporation. Certificate of Authorization Number LB4569.
- Except as shown, underground and overhead improvements are not located. Underground foundations not located.
- The survey sketch shown hereon does not necessarily contain all of the information obtained or developed by the undersigned surveyor in his field work, office work or research.
- No responsibility is assumed by this surveyor for the construction of improvements, from building ties shown on this survey.
- Revisions shown hereon do not represent a "survey update" unless otherwise noted.
- All dates shown within the revisions block hereon are for interoffice filing use only and in no way affect the date of the field survey stated herein.
- In some instances, graphic representations have been exaggerated to more clearly illustrate the relationships between physical improvements and/or lot lines. In all cases, dimensions shown shall control the location of the improvements over scaled positions.
- It is a violation of Rule 5J-17 of the Florida Administrative Code to alter this survey without the express prior written consent of the Surveyor. Additions and/or deletions made to the face of this survey will make this survey invalid.
- The ownership of fences, perimeter walls and/or hedges shown hereon are not known and thus are not listed as encroachments. Fences, hedges and/or perimeter walls are shown in their relative position to the boundary.
- The expected horizontal accuracy of the information shown hereon is  $\pm 0.10'$ .

### CERTIFICATION:

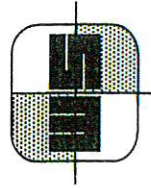
I HEREBY ATTEST that the survey shown hereon conforms to the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes, effective September 1, 1981.

**CRAIG L WALLACE** Digitally signed  
by **CRAIG L WALLACE**  
E Date: 2021.03.16  
08:17:03 -04'00'



DATE OF LAST FIELD SURVEY: 02/15/2021

Craig L. Wallace  
Professional Surveyor and Mapper  
Florida Certificate No. 3357  
Sheet 1 of 4



**WALLACE SURVEYING**  
CORP., LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 \* (561) 640-4551



LEGEND

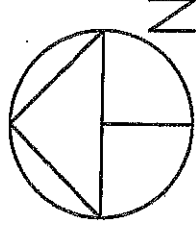
A	= ARC LENGTH	P.O.C.	= POINT OF COMMENCEMENT
A/C	= AIR CONDITIONING	P.R.C.	= POINT OF REVERSE CURVATURE
A.E.	= ACCESS EASEMENT	P.R.M.	= PERMANENT REFERENCE MONUMENT
A.K.A.	= ALSO KNOWN AS	PROP.	= PROPOSED
ASPH.	= ASPHALT	P.T.	= POINT OF TANGENCY
BLDG.	= BUILDING	PVMT	= PAVEMENT
B.M.	= BENCHMARK	(R)	= RADIAL
B.O.C.	= BACK OF CURB	R	= RANGE
B.O.W.	= BACK OF WALK	RGE.	= ROAD PLAT BOOK
(C)	= CALCULATED	R.P.B.	= RIGHT OF WAY
CATV	= CABLE ANTENNA TELEVISION	RW	= SURVEY DATUM
C.B.	= CHORD BEARING	(S)	= SETBACK
C.B.S.	= CONCRETE BLOCK STRUCTURE	S.B.	= SECTION
C.C.C.L.	= COASTAL CONSTRUCTION CONTROL LINE	SEC.	= SUBDIVISION
CH	= CHORD	S/D	= SQUARE FEET
G.L.F.	= CHAIN LINK FENCE	S.F.	= SOUTH FLORIDA WATER
CLR.	= CLEAR	S.F.W.M.D.	= SEASONAL HIGH WATER LINE
C.M.P.	= CORRUGATED METAL PIPE	S.H.W.L.	= SOUTH INDIAN RIVER WATER
CONC.	= CONCRETE	S.I.R.W.C.D.	= CONTROL DISTRICT
(D)	= DESCRIPTION DATUM	S.R.	= STATE ROAD
D.B.	= DEED BOOK	STA.	= STATION
D.E.	= DRAINAGE EASEMENT	STY.	= STORY
D.H.	= DRILL HOLE	SW	= SIDEWALK
DW	= DRIVEWAY	T.O.B.	= TOP OF BANK
EL.	= ELEVATION	T.O.C.	= TOP OF CURB
ENC.	= ENCROACHMENT	TWP.	= TOWNSHIP
E.O.P.	= EDGE OF PAVEMENT	TYP.	= TYPICAL
E.O.W.	= EDGE OF WATER	U/C	= UNDER CONSTRUCTION
ESMT	= EASEMENT	U.E.	= UTILITY EASEMENT
F.F.	= FINISH FLOOR	U.R.	= UNRECORDED
FND.	= FOUND	W.C.	= WITNESS CORNER
F.O.C.	= FACE OF CURB	W.M.E.	= WATER MANAGEMENT EASEMENT
I.D.	= INSIDE DIAMETER	W.M.M.E.	= WATER MANAGEMENT MAINTENANCE EASEMENT
INV.	= INVERT	W.M.T.	= WATER MANAGEMENT TRACT
I.T.W.C.D.	= INDIAN TRAIL WATER CONTROL DISTRICT	Δ	= BASELINE
L.A.E.	= LIMITED ACCESS EASEMENT	Δ	= CENTRAL ANGLE/Delta
L.B.	= LICENSE BOARD	Δ	= CONCRETE MONUMENT FOUND (AS NOTED)
L.W.D.D.	= LAKE WORTH DRAINAGE DISTRICT	Δ	= CONCRETE MONUMENT SET (LB #4569)
(M)	= FIELD MEASUREMENT	Δ	= ROD & CAP FOUND (AS NOTED)
M.H.	= MANHOLE	Δ	= 5/8" IRON ROD & CAP SET (LB #4569)
M.H.W.L.	= MEAN HIGH WATER LINE	Δ	= IRON PIPE FOUND (AS NOTED)
MIN.	= MINIMUM	Δ	= IRON ROD FOUND (AS NOTED)
M.L.W.L.	= MEAN LOW WATER LINE	Δ	= NAIL FOUND (AS NOTED)
N.V.G.D.	= NATIONAL GEODETIC VERTICAL DATUM	Δ	= NAIL & DISK FOUND (AS NOTED)
N.P.B.C.I.D.	= NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT	Δ	= MAG NAIL & DISK SET (LB #4569)
N.T.S.	= NOT TO SCALE	Δ	= PROPERTY LINE
O.A.	= OVERALL	Δ	= UTILITY POLE
O.D.	= OUTSIDE DIAMETER	Δ	= FIRE HYDRANT
O/H	= OVERHEAD UTILITY LINE	Δ	= WATER METER
O.R.B.	= OFFICIAL RECORDS BOOK	Δ	= WATER VALVE
O/S	= OFFSET	Δ	= LIGHT POLE
(P)	= PLAT DATUM	Δ	
P.B.	= PLAT BOOK	Δ	
P.B.C.	= PALM BEACH COUNTY	Δ	
P.C.	= POINT OF CURVATURE	Δ	
P.C.C.	= POINT OF COMPOUND CURVATURE	Δ	
P.C.P.	= PERMANENT CONTROL POINT	Δ	
PG.	= PAGE	Δ	
P.I.	= POINT OF INTERSECTION	Δ	
P/O	= PART OF	Δ	
P.O.B.	= POINT OF BEGINNING	Δ	



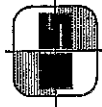
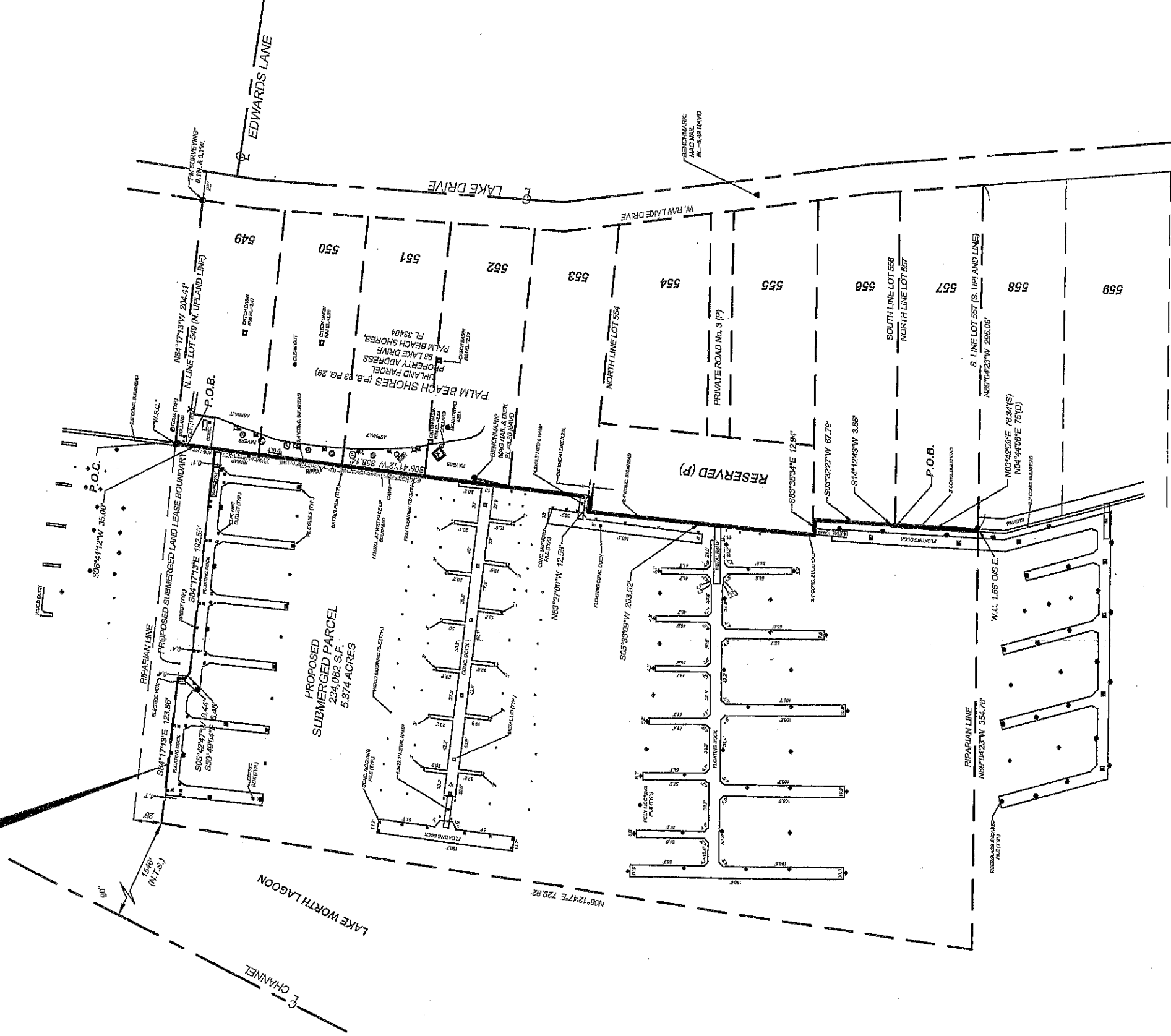
**WALLACE SURVEYING**  
CORP. LICENSED BUSINESS # 4569  
5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 \* (561) 640-4551

FIELD:	C.E.	JOB NO.:	03-1314.26	F.B.	S1128	PG.	70
OFFICE:	S.W.	DATE:	02/15/21	DWG. NO.	03-1314-9		
C'KD:	C.W.	REF:	03-1314-8.DWG	SHEET	2	OF	4

SEE PAGE 4 FOR DETAIL OF THE NEW NORTH DOCK



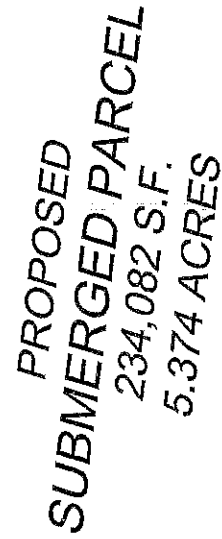
SCALE: 1"=100'



**WALLACE SURVEYING**  
CORP., LICENSED BUSINESS # 4580  
5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 \* (561) 640-4551

FIELD: C.E.	JOB NO.: 03-1314.26	F.B. S1128 PG. 70
OFFICE: S.W.	DATE: 02/15/21	DWG. NO. 03-1314-9
CK'D: C.W.	REF: 03-1314-8.DWG	SHEET 3 OF 4





**WALSH**  
CORP., LICENSED BUSINESS #4569  
5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 \* (561) 640-4551

FIELD:	C.E.	JOB NO.: 03-1314.26	F.B. S1128 PG. 70
OFFICE:	S.W.	DATE: 02/15/21	DWG. NO. 03-1314-9
CK'D:	C.W.	REF: 03-1314-8.DWG	SHEET 4 OF 4

SP503000



**DEVELOPMENT APPLICATION**  
TOWN OF PALM BEACH SHORES  
247 EDWARDS LANE  
PALM BEACH SHORES, FL 33404  
(561) 844-3457

DRC 2/1/23

Return to DRC  
march

OWNER/APPLICANT: RP Trust / Remy Palacio

PROJECT ADDRESS: 300 Bravado Lane

APPLICATION NO.: \_\_\_\_\_ SUBMITTAL DATE: \_\_\_\_\_

**TYPE OF APPROVAL(S) REQUESTED** (Check box(es) ☒)

ADMINISTRATIVE APPEAL		SITE PLAN MODIFICATION (14-62)	<input checked="" type="checkbox"/>
ARCHITECTURAL AND AESTHETIC REVIEW (Pf. 14-86)	<input checked="" type="checkbox"/>	SITE PLAN REVIEW (14-62)	<input checked="" type="checkbox"/>
COMPREHENSIVE PLAN AMENDMENT (Pf. 17.3(B))		SPECIAL EXCEPTION (Pf. 15.8)	
PLAT APPROVAL		VARIANCE (Pf. 15.4)	
REZONING (Pf. 17.3(B))		ZONING TEXT AMENDMENT (Pf. 17.3(B))	

	PROPERTY OWNER(S)	APPLICANT (If different than Owner(s))
NAME:	RP Trust	Remy Palacio
ADDRESS:	300 Bravado Lane	
PHONE:	786 286 9500	
EMAIL:	recypal@aol.com	

	AGENT (If different than Owner(s))	CURRENT OCCUPANT (If different than Owner(s))
NAME:		
ADDRESS:		
PHONE:		
EMAIL:		

maureen 1842  
305-401-1315  
863-699-1315

	PLANNER	DEVELOPER
NAME:		
ADDRESS:		
PHONE:		
EMAIL:		

	ARCHITECT	LANDSCAPE ARCHITECT
NAME:		
ADDRESS:		
PHONE:		
EMAIL:		

	SURVEYOR	ATTORNEY
NAME:	Compass Surveying	
ADDRESS:	6250 military trail Suite 102	
PHONE:	561 440 4800	
EMAIL:		

	ENGINEER (USE ADD'L SHEET FOR MULTIPLE ENGINEERS)	
NAME:		
ADDRESS:		
PHONE:		
EMAIL:		



## OWNER ACKNOWLEDGMENT & CERTIFICATION

I (We) affirm and certify that I (We) understand and will comply with all provisions and regulations of the Town of Palm Beach Shores, Florida. I (We) understand that if this Application is approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be a part of the Town of Palm Beach Shores and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive Plan and Zoning Ordinance. I (We) further certify that all statements and diagrams submitted herewith are true and accurate to the best of my (our) knowledge and belief. Further, I (We) understand that this Application and attachments become part of the Official Records of the Town of Palm Beach Shores, Florida and are not returnable. I (We) acknowledge that no permit will be issued before all fees associated with Application are paid.

1. Owner acknowledges and understands that the fee for site plan review, architectural/aesthetic review, variance, special exception, rezoning, etc. **may not cover all review costs**. A final statement of any outstanding costs (covering advertising costs, legal, architectural and other consultant costs) will be sent to the applicant upon completion of the review process. Owner accepts financial responsibility for all costs incurred as a result of this Application.
2. A construction schedule is required of all developers during the development process. The Planning and Zoning Board must approve your proposed construction schedule.
3. The Town requires payment of impact fees for floor area added during the development, re-development or renovation of a property. These impact fees will be used to pay for capital improvements relative to Fire Protection, Police Protection, Parks & Recreation and Public Buildings. Impact fees must be paid to the Town before a Certificate of Occupancy will be issued.
4. Roll-off dumpsters for construction/demolition debris and solid waste must be rented through the Town's contracted solid waste hauler, Waste Management.
5. Final as-built plans must be submitted to the Town in digital form, preferably in PDF format.

By signing below, I acknowledge that I have read and understand the five (5) items listed above.

[Signature]  
Signature of Owner

0-27-2022  
Date

RECYPAL@AOL.COM  
Printed Name of Owner

### STATE OF FLORIDA PALM BEACH COUNTY:

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 27 day of OCTOBER 2022.

by RECYPALACTO who is personally known to me or has produced FLDRIVER LICENSE (type of identification) as identification.

KAWONNA W. MACK  
(Name - type, stamp or print clearly)

[Signature]  
(Signature)

NOTARY'S SE



KAWONNA W. MACK  
Notary Public, State of Florida  
Commission# HH 248364  
My comm. expires June 20, 2026



## PROCEDURES AND TIMELINES

All development applications required to be submitted to the Planning and Zoning Board for review (Site Plan Review, Site Plan Modification, Architectural and Aesthetic Review, Special Exceptions and Variances) will be subject to the following procedures:

1. Development Review Committee ("DRC") review is regularly scheduled for the first Wednesday of each month at 2:00 pm. In order to be placed on the DRC agenda, a complete application must be submitted to the Town Clerk by the close of business on Monday of the week prior to the regularly scheduled DRC meeting. **Incomplete applications and late submittals will not be placed on a DRC agenda.**
2. If, as a result of the initial DRC review, it is determined by the DRC that a subsequent DRC meeting is necessary, the complete revised application must be submitted to the Town Clerk by the close of business on Monday of the week prior to the regularly scheduled DRC meeting. **Applications that fail to include all revisions required by the DRC, or that are submitted late will not be placed on a DRC agenda until they have been corrected and are timely.**
3. If, as a result of the initial DRC review, it is determined by the DRC that the project can proceed to the Planning and Zoning Board, a complete Planning and Zoning Board application must be submitted to the Town Clerk including all revisions noted by the DRC. A sufficiency review will be performed by the Town to confirm that all comments provided by the DRC have been addressed and a complete revised application submitted. Once all DRC comments have been adequately addressed and a complete revised application submitted, the submittal will be placed on the agenda for the next available Planning and Zoning Board, subject to legal advertising requirements. Planning and Zoning Board review is regularly scheduled for the fourth Wednesday of each month. **Applications that fail to include all revisions required by the DRC or that are incomplete will not be placed on a Planning and Zoning Board agenda.**

### APPLICATION FEE INFORMATION

Administrative Appeal	\$250.00
Site Plan Review	\$350.00
Site Plan Modification Review	\$350.00
Variance Request	\$350.00
Special Exception Request	\$250.00
Telecom Site Plan Review or Modification	\$500.00
Plat Approval Request	\$600.00
Comprehensive Plan Amendment	\$750.00
Zoning Text Amendment / Rezoning	\$750.00
Sufficiency Review	Zoning Official (rate per hour)



## AUTHORIZATION OF AGENT & ACKNOWLEDGEMENT OF FINANCIAL RESPONSIBILITY

Consent to an agent is required from the property owner(s) and contract purchaser, if applicable, if the property owner(s) or contract purchaser does not intend to attend all meetings and public hearings and submit it person all material pertaining to the Application. Consent to a firm shall be deemed consent for the entire firm, unless otherwise specified.

This form shall serve as consent for the agent identified below to prepare or have prepared all documents for the Application affecting property I (We) have an ownership interest in.

I (We) hereby designate and authorize the below-signed person to act as my (our) agent in regard to this Application and accept financial responsibility for any costs incurred by the agent as a result of this Application. Further, I (We) acknowledge that no permit will be issued before all fees associated with Application are paid.

[Signature]  
Signature of Owner or Trustee

10/21  
Date

### STATE OF FLORIDA PALM BEACH COUNTY:

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 27 day of OCTOBER 2022 by REY PALACTO who is personally known to me or has produced FLORIDA DRIVER LICENSE (type of identification) as identification.

Kawonna W. Mack  
(Name - type, stamp or print clearly)

[Signature]  
(Signature)



### Agent Information:

\_\_\_\_\_  
Printed Name of Agent

\_\_\_\_\_  
Name of Firm

\_\_\_\_\_  
Signature of Agent

\_\_\_\_\_  
Date

### NUMBER OF COPIES REQUIRED

Development Review Committee

Ten (10) paper sets (folded & sorted into complete packet sets), including one (1) sealed original with original signatures and nine (9) copies, three (3) of which are sealed by a licensed engineer, architect and/or surveyor, and an electronic copy of all documents (on cd or thumb drive).

Planning and Zoning Board

Ten (10) paper sets (folded & sorted into complete packet sets), including one (1) sealed original with original signatures and nine (9) copies, three (3) of which are sealed by a licensed engineer, architect and/or surveyor, and an electronic copy of all documents (on cd or thumb drive).

Local Planning Agency

Ten (10) copies (folded & sorted into complete packet sets).

Town Commission

Ten (10) paper sets (folded & sorted into complete packet sets), including one (1) sealed original with original signatures and nine (9) copies, three (3) of which are sealed by a licensed engineer, architect and/or surveyor (as applicable), and an electronic copy of all documents (on cd or thumb drive).

**Applicant acknowledges and understands that the fee for Site Plan Review, Architectural/aesthetic Review, Variance, Special Exception, Rezoning, etc. *may not cover all review costs.* A final statement of any outstanding costs (covering advertising costs, legal, architectural, and other consultants) will be sent to the Applicant upon completion of the review process.**



## JUSTIFICATION STATEMENT

Provide a summary of the proposed project, describing in detail the construction, phasing and proposed development to occur as part of this application (attach additional sheets if needed):

Owner installed walkways in rear fenced in area  
to prevent injury and/or accidents.

Note: Construction Schedule is due as part of site plan review and before building permit issuance. (Town Code §14-63). A signed and notarized contract (signed by owner) must be provided before building permit issuance. (Town Code §14-108).

Provide an estimate of construction costs:

\$1500.<sup>00</sup>

Describe the existing improvements located on the subject property (attach additional sheets if needed):

pool and deck installed with permits

Provide a project history for the subject property, including any prior development approvals filed within the last year in connection with the subject property. Please include the date of previous site plan approval by the Planning and Zoning Board for this property (attach additional sheets if needed):

Provide the justification, special reasons, or basis for the approval of this application. Explain why this application is consistent with good planning and zoning practice, will not be contrary to the Town's Comprehensive Development Plan, and will not be detrimental to the promotion of public appearance, comfort, convenience, general welfare, good order, health, morals, prosperity, and safety of the Town. Additionally, all standards set forth in the Town Code of Ordinances for Special Exceptions, Variances, Administrative Appeals, etc. must be addressed. (attach additional sheets if needed):

Safety concerns with using gates throughout  
the rear yard from uneven grassy areas.

Precautionary measure to prevent fall and reduce accident.

Provide any other pertinent information related to the subject property to support the proposed request.

Walkways are from the existing deck to garage  
and gates allowing safe passages

FLOOR AREA	CODE REQUIREMENT	EXISTING	PROPOSED
FIRST FLOOR AREA (sq. ft.):	None	2,610	N/A
SECOND FLOOR AREA (sq. ft.): (Pf. 5.4.2, Zoning Ordinance)	✓	N/A	N/A
TOTAL FLOOR AREA (sq. ft.): (Pf. 2.23, Zoning Ordinance)	None	2,610	2,610
FLOOR AREA RATIO: (Pf. 5.4.2, Zoning Ordinance)	✓	N/A	N/A
DWELLING UNIT DENSITY: (Pf. 6.5, 7.6 or 8.6, Zoning Ordinance)	✓	✓	✓
IMPERVIOUS AREA	NET INCREASE	EXISTING	PROPOSED
BUILDING FIRST FLOOR AREA (sq. ft.):	✓	2,610	N/A
OTHER IMPERVIOUS AREA (sq. ft.): (Decks, Patios, Walkways, Driveways, Pool Deck & Pool Surface Areas)	108ft <sup>2</sup>	4,151	108ft <sup>2</sup> .
TOTAL IMPERVIOUS AREA (sq. ft.):	108ft <sup>2</sup>	4,151	108ft <sup>2</sup> .
ELEVATIONS	CODE REQUIREMENT	EXISTING	PROPOSED
GRADE ELEVATION (NAVD): (Pf. 4.6, Zoning Code)			
ESTABLISHED 1 <sup>ST</sup> FLOOR ELEVATION (NAVD): (Pf. 4.6, Zoning Code)			
MEAN CROWN OF ROAD ELEVATION (NAVD):	None		
BUILDING HEIGHT	CODE REQUIREMENT	EXISTING	PROPOSED
TOTAL BUILDING HEIGHT (NAVD): (Pf. 5.2, 6.2, 7.3 or 8.3, Zoning Ordinance)			
TOP OF BEAM HEIGHT (NAVD): (Pf. 5.2, 6.2, 7.3 or 8.3, Zoning Ordinance)			
ROOF PITCH: (Pf. 5.2, 6.2 or 7.3, Zoning Ordinance)			
FLAT ROOF PERCENTAGE: (Pf. 5.2, Zoning Ordinance)			



Tabular data showing compliance with all lot coverage, floor area, building height, grade and landscaping requirements must be provided on all submitted plans (Town Code § 14-62).

PROJECT NAME: RP Trust / Recy Palacio

PROJECT ADDRESS: 300 Bravado Lane.

PROJECT LEGAL DESCRIPTION: \_\_\_\_\_

\*\*\* All boxes must be completed, use N/A where appropriate \*\*\*

GENERAL DATA	CODE REQUIREMENT	EXISTING	PROPOSED
COMPREHENSIVE PLAN DESIGNATION: (SF-5, MF-21, MF-30, MF-42, P, ROS)	None	SF-5	SF-5
LAND USE: (Residential, Commercial, Recreational, Marina, Public, etc.)	None	Res	Res
ZONING DISTRICT: (A, B, C, D, P, ROS, designated at Pf. 3.1, Zoning Ordinance)	None	A	A
FLOOD ZONE CATEGORY:	None	X	X
LOT COVERAGE, LANDSCAPING & PARKING	CODE REQUIREMENT	EXISTING	PROPOSED
TOTAL LOT SIZE: (sq. ft.)	None	8,337	8,337
TOTAL COVERAGE OF A LOT BY BUILDINGS: (Pf. 5.4, 6.4, 7.5 or 8.5, Zoning Ordinance)	40%	49%	N/A
TOTAL LANDSCAPE COVERAGE: (Pf. 5.4.3, Zoning Ordinance)	20%	50%	108 ft.
OFF-STREET PARKING: (Pf. 5.13, 6.12, 7.13 or 8.14, Zoning Ordinance)	N/A	M/G	N/A
SETBACKS	CODE REQUIREMENT	EXISTING	PROPOSED
FRONT YARD: (Pf. 5.5, 6.6, 7.7 or 8.7, Zoning Ordinance)			
REAR YARD: (Pf. 5.6, 6.7, 7.9 or 8.9, Zoning Ordinance)			
SIDE YARD: (Pf. 5.7, 6.8, 7.8 or 8.8, Zoning Ordinance)			



## **DRAINAGE REQUIREMENTS**

(For projects proposing additional on-site impervious area)

For proposed renovations/modifications to existing projects that result in LESS THAN a 50% increase in total site imperviousness, retain 1" of stormwater volume from the total additional impervious area.

For proposed new construction, or renovations/modifications to existing projects that result in a GREATER THAN a 50% increase in total site imperviousness, retain 1" of stormwater volume over the entire site.

Submit a Survey with topographic elevations and existing improvements.

A Drainage and Grading Plan and drainage calculations are required to be submitted with the application package for new construction projects and substantial modifications to existing projects. The Drainage Plan must show the following:

- a. Existing and proposed elevations.
- b. Location of sodded swales, sodded depressed retention areas, underground exfiltration trench and/or other proposed stormwater treatment/retention methods.
- c. Underground piping and inlets and other drainage system improvements proposed.
- d. Drainage calculations showing the retention of the volume of 1" of stormwater from addition impervious areas (or overall site).
- e. Show drainage improvements and underground piping, including water and sewer services, on the Landscape Plans to show no conflicts exist.
- f. Include note that no runoff may be directed to adjacent properties and all storm flows and runoff must be retained on-site prior to discharge into the adjacent roadway right-of-way following retention of required stormwater volume.
- g. Provide engineering details of gutter and downspout dry wells, if proposed.
- h. Provide engineering detail of exfiltration trench, if proposed.
- i. Provide engineering detail of sodded swales, if proposed.
- j. Provide engineering detail of depressed dry retention areas, if proposed.
- k. Provide Geotechnical Report or engineering assumptions/justification for coefficient of permeability (K Factor) for exfiltration trench design, if proposed.
- l. Engineering details/cross sections at property lines demonstrating no runoff will flow to adjacent properties may be required.

Project Engineer or Architect shall be responsible for insuring the drainage improvements are completed in substantial accordance with the approved plan.

Prior to C.O., Project Engineer or Architect to provide final signed and sealed certification that the drainage improvements and grading have been completed in substantial accordance with the approved plan.

Upon receipt of final Certification from Project Engineer or Architect, Town Engineer to visit site and ensure conformance of Town requirements prior to issuance of final C.O.

## REQUEST FOR VARIANCE

The Applicant is requesting a variance from the Town Code Section(s) \_\_\_\_\_ to permit the following:

Please be advised that a variance from the terms of the Zoning Code shall not be recommended by the Planning and Zoning Board, nor granted by the Town Commission, unless the Applicant is able to demonstrate the following:

1. Explain the special conditions and circumstances which exist that are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or building in the same zoning district:

2. Explain how the special conditions and circumstances that exist do not result from the actions of the Applicant:

3. Explain how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Code and would work unnecessary and undue hardship on the Applicant:

4. Explain how the variance requested is the minimum variance that will make possible a reasonable use of the land, building or structure:

5. Explain how the granting of the requested variance will not confer on the Applicant any special privilege that is denied by the Zoning Code to other lands, structures, or buildings in the same zoning district:

6. Explain how the grant of the requested variance will be in harmony with the general intent and purpose of the Zoning Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare:

*The burden of meeting the standards as set forth above is upon the Applicant. Please provide all documentation necessary to prove your case, including a survey, if applicable. Attach additional pages as necessary.*

## REQUEST FOR SITE PLAN MODIFICATION

1. Previously approved (Original) site plan information:

- a. Original Project Name: 300 Drawado
- b. Original Site Plan Application No.: SPR20-17
- c. Original Site Plan Approval Date: 11/25/20
- d. List of all other relevant information on file with original application: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

2. Requested Modification(s): Pool/Deck
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Please provide all documentation necessary to describe the proposed modification and to explain the reason(s) for the proposed modification(s), including a survey, if applicable. Attach additional pages as necessary.



## REQUEST FOR ARCHITECTURAL AND AESTHETIC REVIEW

Please be advised that pursuant to Sec. 14-86 and 14-87 of the Town Code of Ordinances, the Town Planning and Zoning Board uses the following criteria in order to complete its Architectural and Aesthetic Review. Each criteria must be addressed by the applicant prior to the application being processed.

**1. Relationship of building to site:** (Explain transition from streetscape; placement of parking and service areas; and compatibility of building height and scale with site):

Rear of property, fenced in walkways that improve safety and are functional.

**2. Relationship of building and site to adjoining area(s):** (Explain how structures and landscaping are consistent with established neighborhood character and will enhance the surrounding area. Include description of architectural style, as well as textures, materials and colors to be utilized):

This is in the rear yard and should not interfere with character. It will prevent injury from uneven ground on the property.

**3. Landscape and site treatment:** (Explain how landscaping, exterior lighting and other site elements will be used to enhance architectural features, buffer the mass of buildings as appropriate, and enhance the privacy of the owner and neighbors. Describe the use of native species and xeriscaping as appropriate.):

**4. Building design:** (Explain proposed building design and style, and how components such as roofs, windows, doors, eaves and parapets are balanced in proportion to each other; address harmoniousness of colors, visual interest and compatibility):

Please provide all documentation and/or samples necessary to address all architectural review criteria as applicable. Attach additional pages as necessary.

## REQUEST FOR SPECIAL EXCEPTION

The Applicant is requesting a special exception pursuant to Town Code Section(s) \_\_\_\_\_ to permit the following:

---

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A Special Exception shall not be recommended by the Town Planning and Zoning Board, nor granted by the Town Commission, unless the Applicant is able to demonstrate the following:

1. Explain how all structures will be separated from adjacent and nearby uses by appropriate screening devices:

---

---

2. Explain whether or not excessive vehicular traffic will be generated on surrounding residential streets:

---

---

3. Explain whether or not a vehicular parking or traffic problem is created:

---

---

4. Explain where on the site appropriate drives, walkways and buffers will be installed:

---

---

5. Explain how the proposed use will make a substantial contribution to the neighborhood environment and will not infringe on the rights of properties in the vicinity:

---

---

6. Explain how the proposed use will not endanger, restrict or impair public safety:

---

---

*The initial burden of meeting the standards as set forth above is upon the Applicant. Please provide all documentation necessary to prove your case, including a survey, if applicable. Attach additional pages as necessary.*



1"=20'  
NORTH



LOT COVERAGE CALCULATIONS  
OVERALL PARCEL  
8,337 SQUARE FEET / 0.19 ACRES

IMPERVIOUS FEATURES  
BUILDING - 2,610 SQUARE FEET  
CONCRETE DRIVE - 1,520 SQUARE FEET  
CONCRETE PADS - 21 SQUARE FEET  
TOTAL - 4,151 SQUARE FEET

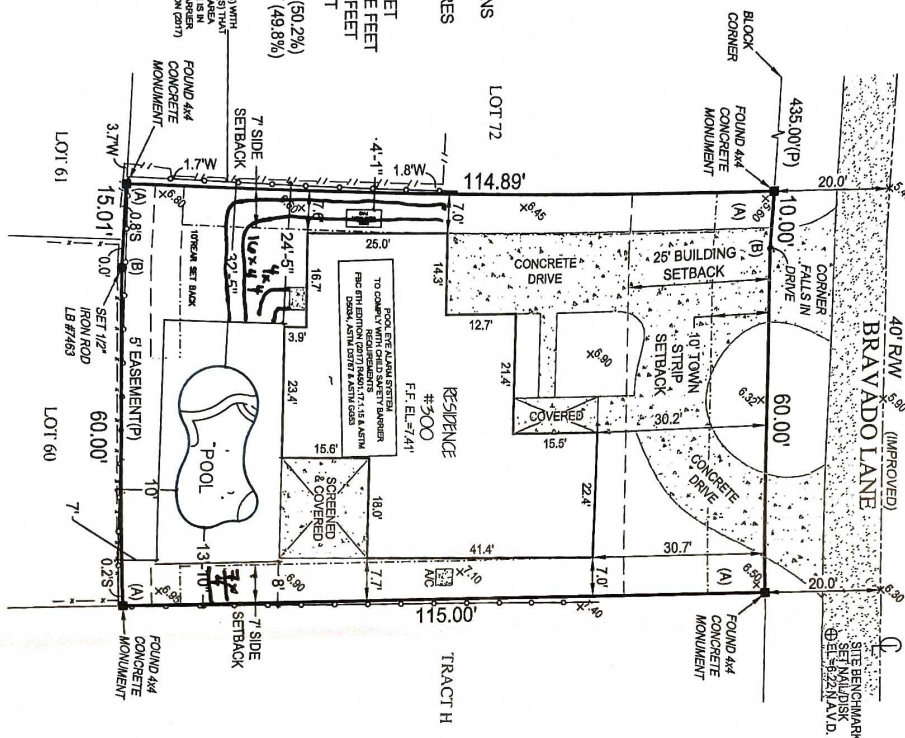
PERVIOUS - 4,186 SQUARE FEET (50.2%)  
IMPERVIOUS 4,151 SQUARE FEET (49.8%)

### CORNER ANGLE DATA

(A) = 90°00'00"  
(B) = 177°30'00"

NOTES:

1. LEGAL DESCRIPTION PROVIDED BY CLIENT
2. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
3. NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
4. ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORDED AND MEASURED UNLESS OTHERWISE NOTED



LEGAL DESCRIPTION:

LOT 73, PALM BEACH SHORES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 29, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

FLOOD ZONE: X  
COMMUNITY NUMBER: 125137  
PANEL: 12099C0393  
SUFFIX: F

ABBREVIATION DESCRIPTION:

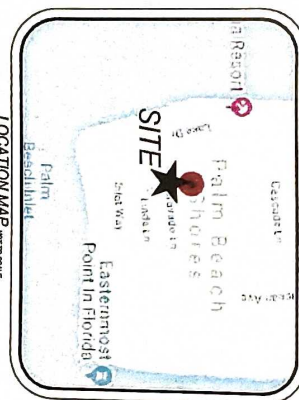
AC AIR CONDITIONER  
C/L CENTERLINE  
I.D. IDENTIFICATION  
LB LICENSED BUSINESS  
N.A.V.D. NORTH AMERICAN VERTICAL DATUM  
P PLAT  
RW RIGHT OF WAY  
TOPOGRAPHIC ELEVATION

ORIGNATION BENCHMARK  
PALM BEACH COUNTY BENCHMARK  
"R 309"  
N.A.V.D. 1988 ELEVATION = 7.07



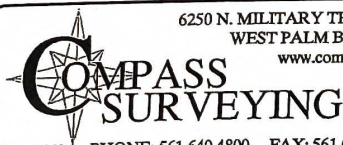
**SURVEYORS CERTIFICATE**

(SIGNED) Kenneth Osborne  
KENNETH OSBORNE, PROFESSIONAL SURVEYOR AND MAPPER #11111



BOUNDARY SURVEY WITH TOPOGRAPHY  
& LOT COVERAGE CALCULATIONS OF  
300 BRAVADO LANE  
PALM BEACH SHORES, FL. 33404

PREPARED FOR  
RECY PALACIO



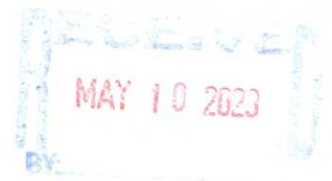
LB. 7463

PHONE: 561.640.4800 FAX: 561.640.0576

Project C-17797	1 of 1
Date 07-11-2019	
Scale 1" = 20'	

## Project: Cindy and Dave Stevens

337 Bravado Lane - New Pool and Driveway



### Table of Contents

**Submittal Checklist** ..... page 1

**Developmental Application** ..... Cover - Page 11

- Notarized Owner acknowledgement & certification ..... page 3
- Impervious area changes calculations ..... page 8  
(+515 sq. ft., <50%). Also see Exhibits D, F & G
- Justification Statements ..... page 9  
For additional/expanded comments, refer to Exhibit A

**Exhibit A, Justification Statements**, 2 pages. Includes You Tube link

**Exhibit B, Copy of Boundary Survey, April 24, 2023**

**Exhibit C, Elevation added** for neighboring lots

**Exhibit D, Pictures (existing and planned); Pervious vs Impervious narrative**, 2 pages

**Exhibit E, Project Diagram**,

- shows new pool equipment screened on north side of home, (A/C unit is existing)
- 5 Ft aluminum fence for northside of pool. Gate complies with all codes.

**Exhibit F, Pictures of Project**

- **Picture 1** – sod replacing bottom half of existing asphalt driveway and privacy hedge in front of pool fence on southside of pool– 41'10" from deck to street of new pervious area
- **Picture 2** – new paver driveway on northside of home.
- **Picture 3** – shows 5ft. aluminum fence on northside of pool.

**Exhibit G – Drainage and Landscaping plan**

**Exhibit H – Pool Setbacks with Sealed pool engineering plan**, (3 pages).

**Exhibit I – Notarized Acknowledgement of Owner Responsibility for Pool Safety**

**Exhibit J – Driveway sketch** – also see virtual pictures of proposed driveway on Exhibit D p.1





PROJECT NAME: Cindy and Dave Stevens, 337 Bravado Lane

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Town Receipt No: \_\_\_\_\_

### SUBMITTAL CHECKLIST

All submittals must include ten (10) paper sets (folded & sorted into complete packet sets) and an electronic copy (on cd or thumb drive) of the following:

- ☒ Completed **Development Application** (complete all fields, use N/A when not applicable).
  - ☒ Architectural & Aesthetic Review Request (pg. 11, all submittals)
  - ☐ Variance Request (pg. 13, if applicable)
  - ☐ Special Exception Request (pg. 14, if applicable)
- ☒ **Boundary Survey** (Dated to within 6 months of application submission).
- ☒ **Signed and Sealed Schematics** depicting building on site, setbacks, grading, drainage and elevations, as well as the relationship of the site to the neighboring sites (e.g. Site Plan, Drainage and Grading Plan, Roof Plan, Landscape Plan, Elevations).
- ☐ **Tabular Data** showing compliance with all lot coverage, floor area, building height, grade and landscaping requirements.

### SITE PLAN CHECKLIST

Please be sure to include the following on the Site Plan:

- ☒ Depict and label 10' Town Strip (front of property) and 5' utility easement (rear of property), and all other applicable easements.
- ☒ Depict and label all setbacks and Code required setback lines (front, rear, side, pool, etc.).
- ☒ Provide a tabular data table reflecting data from the tables on pgs. 7-8 of this development application.
- ☐ For renovations and/or additions, please shade proposed addition area(s) to differentiate from existing.
- ☐ Include all a/c equipment, pool equipment and emergency generators and label as proposed or existing.
- ☐ Ensure that beam height and top of roof are dimensioned on all elevation drawings submitted.
- ☒ Provide a construction schedule for the proposed project (including calendar dates).

### LANDSCAPE PLAN CHECKLIST

Please be sure to include the following on the Landscape Plan:

- ☒ Depict and label the 10' Town Strip (front of property) and 5' utility easement (rear of property).
- ☒ Include and label both existing (to remain) and proposed landscaping on the subject property.
- ☐ Provide a species legend/key including the height of all landscaping to be provided at installation.
- ☐ Ensure that the requirements for 10' Town Strip and front yard trees are met.
- ☐ For multi-story construction, ensure that the requirements for privacy screening are met.
- ☒ Ensure screening is provided for all ground mounted mechanical equipment (e.g. a/c compressors, pool equipment, emergency generators).

**NOTE:** These items are not required for all projects. They are provided solely to remind Applicants to include items commonly omitted from plans submitted to the Town.



**DEVELOPMENT APPLICATION**  
TOWN OF PALM BEACH SHORES  
247 EDWARDS LANE  
PALM BEACH SHORES, FL 33404  
(561) 844-3457



OWNER/APPLICANT: **Cindy & Dave Stevens**

PROJECT ADDRESS: **337 Bravado Lane**

APPLICATION NO.: \_\_\_\_\_ SUBMITTAL DATE: **May 10, 2023**

**TYPE OF APPROVAL(S) REQUESTED (Check box(es) ☒)**

ADMINISTRATIVE APPEAL	N/A	(14-62)	SITE PLAN MODIFICATION	N/A
ARCHITECTURAL AND AESTHETIC REVIEW (PF 14-86)	X		SITE PLAN REVIEW (14-62)	X
COMPREHENSIVE PLAN AMENDMENT (PF 17.3(B))	N/A		SPECIAL EXCEPTION (PF 15.8)	N/A
PLAT APPROVAL	N/A		VARIANCE (PF 15.4)	N/A
REZONING (PF 17.3(B))	N/A		ZONING TEXT AMENDMENT (PF 17.3(B))	N/A

NAME:	Cindy & Dave Stevens	PROPERTY OWNER(S)	APPLICANT (If different than Owner(s))
ADDRESS:	337 Bravado Lane		
PHONE:	410-371-6834 (D) or 410-404-3682 (C)		
EMAIL:	dstevens51@gmail.com and dstevens52@gmail.com		

NAME:	N/A	AGENT (If different than Owner(s))	CURRENT OCCUPANT (If different than Owner(s))
ADDRESS:			
PHONE:			
EMAIL:			

	PLANNER	DEVELOPER
NAME:	Owners	N/A
ADDRESS:		
PHONE:		
EMAIL:		

	ARCHITECT	LANDSCAPE ARCHITECT
NAME:	N/A	N/A
ADDRESS:		
PHONE:		
EMAIL:		

	SURVEYOR	ATTORNEY
NAME:	Scott Guzzi	N/A
ADDRESS:		
PHONE:	954-722-8500	
EMAIL:	scottguzzi@aol.com	

	ENGINEER (USE ADD'L SHEET FOR MULTIPLE ENGINEERS)	
NAME:	Sidney Kover - pool	
ADDRESS:		
PHONE:	561-563-6152	
EMAIL:	Elsideng@comcast.net	

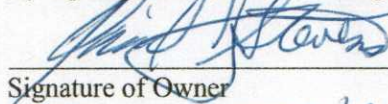


## OWNER ACKNOWLEDGMENT & CERTIFICATION

I (We) affirm and certify that I (We) understand and will comply with all provisions and regulations of the Town of Palm Beach Shores, Florida. I (We) understand that if this Application is approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be a part of the Town of Palm Beach Shores and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive Plan and Zoning Ordinance. I (We) further certify that all statements and diagrams submitted herewith are true and accurate to the best of my (our) knowledge and belief. Further, I (We) understand that this Application and attachments become part of the Official Records of the Town of Palm Beach Shores, Florida and are not returnable. I (We) acknowledge that no permit will be issued before all fees associated with Application are paid.

1. Owner acknowledges and understands that the fee for site plan review, architectural/aesthetic review, variance, special exception, rezoning, etc. **may not cover all review costs**. A final statement of any outstanding costs (covering advertising costs, legal, architectural and other consultant costs) will be sent to the applicant upon completion of the review process. Owner accepts financial responsibility for all costs incurred as a result of this Application.
2. A construction schedule is required of all developers during the development process. The Planning and Zoning Board must approve your proposed construction schedule.
3. The Town requires payment of impact fees for floor area added during the development, re-development or renovation of a property. These impact fees will be used to pay for capital improvements relative to Fire Protection, Police Protection, Parks & Recreation and Public Buildings. Impact fees must be paid to the Town before a Certificate of Occupancy will be issued.
4. Roll-off dumpsters for construction/demolition debris and solid waste must be rented through the Town's contracted solid waste hauler, Waste Management.
5. Final as-built plans must be submitted to the Town in digital form, preferably in PDF format.

By signing below, I acknowledge that I have read and understand the five (5) items listed above.

  
\_\_\_\_\_  
Signature of Owner

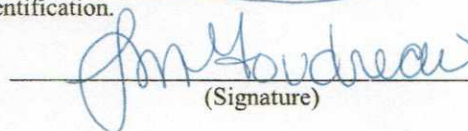
April 24, 2023  
\_\_\_\_\_  
Date

David J. Stevens  
\_\_\_\_\_  
Printed Name of Owner

### STATE OF FLORIDA PALM BEACH COUNTY:

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 24 day of April, 2023,  
by David Stevens who is personally known to me or has  
produced \_\_\_\_\_ (type of identification) as identification.



  
\_\_\_\_\_  
(Signature)

NOTARY'S SEAL



**Tabular data showing compliance with all lot coverage, floor area, building height, grade and landscaping requirements must be provided on all submitted plans (Town Code § 14-62).**

PROJECT NAME: Cindy & Dave Stevens

PROJECT ADDRESS: 337 Bravado Lane

PROJECT LEGAL DESCRIPTION: \_\_\_\_\_

\*\*\* All boxes must be completed, use N/A where appropriate \*\*\*

GENERAL DATA	CODE REQUIREMENT	EXISTING	PROPOSED
COMPREHENSIVE PLAN DESIGNATION: (SF-5, MF-21, MF-30, MF-42, P, ROS)	None	N/A	N/A
LAND USE: (Residential, Commercial, Recreational, Marina, Public, etc.)	None	Residential	Residential
ZONING DISTRICT: (A, B, C, D, P, ROS, designated at Pf. 3.1, Zoning Ordinance)	None	Zone A	Zone A
FLOOD ZONE CATEGORY: <b>Zone AE</b>	None	<b>Zone AE</b>	<b>Zone AE</b>
<b>LOT COVERAGE, LANDSCAPING &amp; PARKING</b>	<b>CODE REQUIREMENT</b>	<b>EXISTING</b>	<b>PROPOSED</b>
TOTAL LOT SIZE: (sq. ft.) <b>10,028.11 sq, ft</b>	None	10,028.11 sq, ft	10,028.11 sq, ft
TOTAL COVERAGE OF A LOT BY BUILDINGS: (Pf. 5.4, 6.4, 7.5 or 8.5, Zoning Ordinance)	40%	2,660	2,660
TOTAL LANDSCAPE COVERAGE: (Pf. 5.4.3, Zoning Ordinance)	20%	5,296.11	4,781.11 equals 47%
OFF-STREET PARKING: (Pf. 5.13, 6.12, 7.13 or 8.14, Zoning Ordinance)	2	2	2
<b>SETBACKS</b>	<b>CODE REQUIREMENT</b>	<b>EXISTING</b>	<b>PROPOSED</b>
<b>Pool Setbacks - corner lot</b>			
FRONT YARD: (Pf. 5.5, 6.6, 7.7 or 8.7, Zoning Ordinance)	South Property Line 8 ft.	N/A	59 ft. 2 in.
REAR YARD: (Pf. 5.6, 6.7, 7.9 or 8.9, Zoning Ordinance)	North Property Line 10 ft.	N/A	27 ft.
SIDE YARD: (Pf. 5.7, 6.8, 7.8 or 8.8, Zoning Ordinance)	East Property Line 7 ft.	N/A	8 ft. 4 in.

FLOOR AREA	CODE REQUIREMENT	EXISTING	PROPOSED
FIRST FLOOR AREA (sq. ft.):	None	N/A	N/A
SECOND FLOOR AREA (sq. ft.): (Pf. 5.4.2, Zoning Ordinance)	N/A	N/A	N/A
TOTAL FLOOR AREA (sq. ft.): (Pf. 2.23, Zoning Ordinance)	None	N/A	N/A
FLOOR AREA RATIO: (Pf. 5.4.2, Zoning Ordinance)	N/A	N/A	N/A
DWELLING UNIT DENSITY: (Pf. 6.5, 7.6 or 8.6, Zoning Ordinance)	N/A	N/A	N/A
IMPERVIOUS AREA	NET INCREASE	EXISTING	PROPOSED
BUILDING FIRST FLOOR AREA (sq. ft.):	N/A	2,660 total, (1,809 A/C)	N/A
OTHER IMPERVIOUS AREA (sq. ft.): (Decks, Patios, Walkways, Driveways, Pool Deck & Pool Surface Areas)	+515	2,072 sq ft. Asphalt driveway	new paver driveway, pool surface & pool deck area 2,587
TOTAL IMPERVIOUS AREA (sq. ft.):	+515	4,732	5247
ELEVATIONS	CODE REQUIREMENT	EXISTING	PROPOSED
GRADE ELEVATION (NAVD): (Pf. 4.6, Zoning Code)	N/A	N/A	N/A
ESTABLISHED 1 <sup>ST</sup> FLOOR ELEVATION (NAVD): (Pf. 4.6, Zoning Code)	N/A	N/A	N/A
MEAN CROWN OF ROAD ELEVATION (NAVD):	None	N/A	N/A
BUILDING HEIGHT	CODE REQUIREMENT	EXISTING	PROPOSED
TOTAL BUILDING HEIGHT (NAVD): (Pf. 5.2, 6.2, 7.3 or 8.3, Zoning Ordinance)	N/A	N/A	N/A
TOP OF BEAM HEIGHT (NAVD): (Pf. 5.2, 6.2, 7.3 or 8.3, Zoning Ordinance)	N/A	N/A	N/A
ROOF PITCH: (Pf. 5.2, 6.2 or 7.3, Zoning Ordinance)	N/A	N/A	N/A
FLAT ROOF PERCENTAGE: (Pf. 5.2, Zoning Ordinance)	N/A	N/A	N/A



## JUSTIFICATION STATEMENT

Provide a summary of the proposed project, describing in detail the construction, phasing and proposed development to occur as part of this application (attach additional sheets if needed):

See attached

**Note: Construction Schedule is due as part of site plan review and before building permit issuance. (Town Code §14-63). A signed and notarized contract (signed by owner) must be provided before building permit issuance. (Town Code §14-108).**

Provide an estimate of construction costs:

Describe the existing improvements located on the subject property (attach additional sheets if needed):

None

Provide a project history for the subject property, including any prior development approvals filed within the last year in connection with the subject property. Please include the date of previous site plan approval by the Planning and Zoning Board for this property (attach additional sheets if needed):

Last renovation for this home was in 2012-2013. New roof, impact windows and kitchen remodel.

Provide the justification, special reasons, or basis for the approval of this application. Explain why this application is consistent with good planning and zoning practice, will not be contrary to the Town's Comprehensive Development Plan, and will not be detrimental to the promotion of public appearance, comfort, convenience, general welfare, good order, health, morals, prosperity, and safety of the Town. Additionally, all standards set forth in the Town Code of Ordinances for Special Exceptions, Variances, Administrative Appeals, etc. must be addressed. (attach additional sheets if needed):

See attached

Provide any other pertinent information related to the subject property to support the proposed request.

Please refer to diagrams and video link for complete visual of this project.



## REQUEST FOR ARCHITECTURAL AND AESTHETIC REVIEW

Please be advised that pursuant to Sec. 14-86 and 14-87 of the Town Code of Ordinances, the Town Planning and Zoning Board uses the following criteria in order to complete its Architectural and Aesthetic Review. Each criteria must be addressed by the applicant prior to the application being processed.

**1. Relationship of building to site:** (Explain transition from streetscape; placement of parking and service areas; and compatibility of building height and scale with site):

---

No changes to the existing home footprint.

---

**2. Relationship of building and site to adjoining area(s):** (Explain how structures and landscaping are consistent with established neighborhood character and will enhance the surrounding area. Include description of architectural style, as well as textures, materials and colors to be utilized):

---

Major improvement with removal of blacktop, impervious driveway. Colors and landscaping fit the character of the neighborhood.

---

**3. Landscape and site treatment:** (Explain how landscaping, exterior lighting and other site elements will be used to enhance architectural features, buffer the mass of buildings as appropriate, and enhance the privacy of the owner and neighbors. Describe the use of native species and xeriscaping as appropriate.):

---

Existing hedge and new podocarpus hedge will provide privacy and buffer for owners and neighbors. Added landscaping will be made by owners.

---

**4. Building design:** (Explain proposed building design and style, and how components such as roofs, windows, doors, eaves and parapets are balanced in proportion to each other; address harmoniousness of colors, visual interest and compatibility):

---

N/A No changes to existing home footprint,

---

Please provide all documentation and/or samples necessary to address all architectural review criteria as applicable. Attach additional pages as necessary.

---

N/A No changes to existing home footprint,

---

## **JUSTIFICATION STATEMENT**

**Provide a summary of the proposed project, describing in detail the construction, phasing and proposed development to occur as part of this application (attach additional sheets if needed):**

This narrative is to accompany the Stevens's request for new driveway and pool improvements at 337 Bravado Lane. Video of Virtual Plan is on YouTube link: <https://youtu.be/Ts3i-vpczc> Control click the address or cut and paste into your browser.

We will have our blacktop driveway, that comes across the back of the entire length of our home at 337 Bravado Lane, removed. It will be replaced with a semi-pervious paver driveway to the left of our home. The garage is located on this side in the rear of the house. We feel that our yard will not only be more aesthetically pleasing, but it will additionally provide more softscape for the absorption of water during heavy rains. The bottom portion of the existing driveway will be replaced by sod installed by the owners.

We will add a pool in the back of the property. Pool Engineering report (Exhibit H) is provided by Dolphin Pools They have completed several pools in PBS in the last year. Appropriate fencing will be added and pool equipment will be screened on the north side of the house. Exhibit D

There are no changes to the existing footprint of the house.

### ***Construction Schedule***

Construction to begin in early July with completion of the pool in 3 months. Construction schedule dependent upon weather and supply chain. Driveway will be in two phases: 1). demo of existing asphalt driveway and older shrubs and hedges starting in early July. 2). completion of driveway in August, coordinating with pool construction. We have been advised that pavers take 4-6 weeks from order date. 3) Pool completion by October. Home painting and landscaping to follow.

**Note: Construction Schedule is due as part of site plan review and before building permit issuance. (Town Code §14-63). A signed and notarized contract (signed by owner) must be provided before building permit issuance. (Town Code §14-108).**

**Provide an estimate of construction costs: \$91,000 +/-**

**Describe the existing improvements located on the subject property (attach additional sheets if needed)**

Last renovation for this home was in 2012-2013. New roof, impact windows and kitchen remodel.

**Provide a project history for the subject property, including any prior development approvals filed within the last year in connection with the subject property. Please include the date of previous site plan approval by the Planning and Zoning Board for this property (attach additional sheets if needed):**

**None**



**Provide the justification, special reasons, or basis for the approval of this application. Explain why this application is consistent with good planning and zoning practice, will not be contrary to the Town's Comprehensive Development Plan, and will not be detrimental to the promotion of public appearance, comfort, convenience, general welfare, good order, health, morals, prosperity, and safety of the Town. Additionally, all standards set forth in the Town Code of Ordinances for Special Exceptions, Variances, Administrative Appeals, etc. must be addressed. (Attach additional sheets if needed):**

This project will enhance the appearance and value of the property and contribute to the overall appearance of the town through this pool addition, and semipervious paver driveway. It will be in compliance with Town Codes. Both owner's and neighbors' privacy and safety needs will be addressed and met.

**Provide any other pertinent information related to the subject property to support the proposed request.**

Please refer to diagrams and video link for complete visual of this project.

YOUTUBE Link: <https://youtu.be/Ts3i-vpczc>

Video of 337 Bravado with improvements



LOT 108, PALM BEACH SHORES, ACCORDING TO THE PLAT THEREOF,  
AS RECORDED IN PLAT BOOK 23, PAGES 29-32, OF THE PUBLIC  
RECORDS OF PALM BEACH COUNTY, FLORIDA.

○	SET 5/8" IR & CAP (LD 8893)	○	MANHOLE (SANITARY)
△	NAIL & TAB	○	MANHOLE (STORM)
●	POP	☐	CATCH BASIN
⊙	PRM	⊙	ELECTRIC SERVICE
↗	ELEVATION	⊙	TELEPHONE JUNCTION BOX
⊕	FIRE HYDRANT	□	WATER METER
⊖	CENTERLINE	⊕	CABLE TV BOX
⊙	LIGHT POLES	⊕	UTILITY POLE
⊕	GATE VALVE		

1. REPRODUCTIONS OF THIS SURVEY ARE NOT VALID UNLESS SIGNED BY THE SIGNOR SURVEYOR.  
2. THE DRAWING IS THE PROPERTY OF V.C. SMITH & ASSOCIATES, INC. AND SHALL NOT BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF V.C. SMITH & ASSOCIATES, INC.  
3. ALL SURVEY HATCHES HEREON ARE NOT REVIEWED FOR MONTHS-OF-SCALE, EASEMENTS, OR OTHER SMALL MATTERS OF RECORD.  
4. THE LEGAL DESCRIPTION FURNISHED BY CLIENT.  
5. THIS SURVEY DOES NOT PURPORT TO IDENTIFY APPROPRIATIONS BELOW GRADE, IF ANY, EXCEPT AS SPECIFICALLY NOTED HEREON.  
6. SURVEY AND PERFORMANCE OF THIS SURVEY IS LIMITED TO THE MATTERS NOTED HEREON.  
7. ANYLESS SURVEY HEREON APPEARS OF FIELD MEASUREMENTS WITHIN THE PLAT ENTITLED PALM BEACH SHORES, AS RECORDED IN PLAT BOOK 22, PAGES 29-35, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.  
8. ELEVATIONS SHOWN HEREON ARE RELATIVE TO M.A.S.L. MEAN.  
9. FLOOD ELEVATION INFORMATION:

COMMUNITY NO. = 125137      PANEL NO. = 1200000309  
DATE OF FIRM = 10-05-17      SUFFIX = F  
FIRM ZONE = AE      BASE FLOOD ELEVATION = 1

10. PROPERTY ADDRESS: 337 BRAVADO LANE, PALM BEACH SHORES, FLORIDA 33404  
11. CONTAINING 10,028 SQUARE FEET, MORE OR LESS.  
12. CERTIFIED TO: CYNTHIA STEVENS AND DAVID STEVENS

[illegible]

Digitally signed  
by SCOTT A  
GUZZI  
Date: 2023.04.25  
10:08:20 -04'00'

**SURVEYOR'S CERTIFICATION:**  
I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON COMPLIES WITH THE STANDARDS OF PRACTICE FOR SURVEYS AS CONTAINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID SURVEY IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SCOTT A. GUZZI, PSM  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NUMBER 5108

4-24-23

[illegible]

LAND SURVEYING &amp;

**VIC-S**  
(IT'S GOOD!)

337 BRAVADO LANE  
PALM BEACH SHORES, FLORIDA 33404

PROJECT NO.	2958
SHEET NO.	1 OF 1

Exhibit B



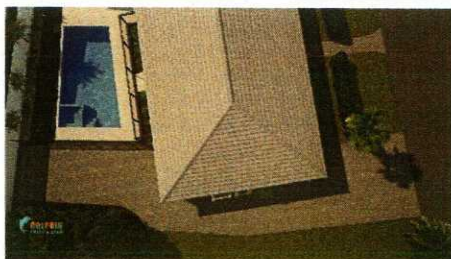
Exhibit C

PROJECT NO.	2958
SHEET NO.	1 OF 1

Present look of home and driveway:



New look of home and driveway



YOUTUBE Link: <https://youtu.be/Ts3i-vpczc>

Video of 337 Bravado with improvements.



### Explanation on Pervious vs Impervious change to our property:

Please note from the survey that our property is **lower** than any of the three lots that border us (109,110,107). Our Lot is 10,028 sq ft. Our change is 515 sq ft. That is a .05% change.

We are taking out 2072 sq ft of non-pervious blacktop driveway.

We are adding approx. 1012 sq ft of non-pervious with the pool and deck.

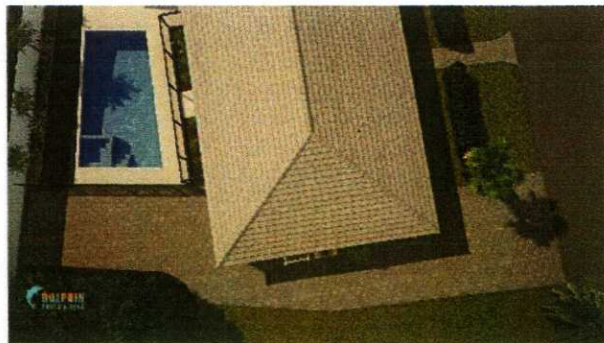
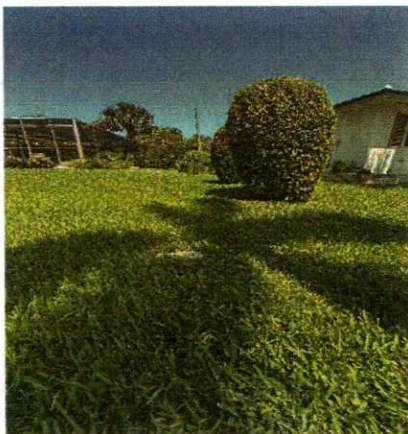
We are putting in a paver driveway that is semi-pervious at approx. 1575 sq ft.

So this is where we come up with 515 sq ft additional sq ft of **semi-pervious** area.

Dolphin Pools drew in a French drain in case it would be required, but we are requesting that this **not be required**, as this is the area that a large area of blacktop is being replace by sod. There now will be 41'10" distance from the pool deck to the street. See Exhibits G, H and pictures below.

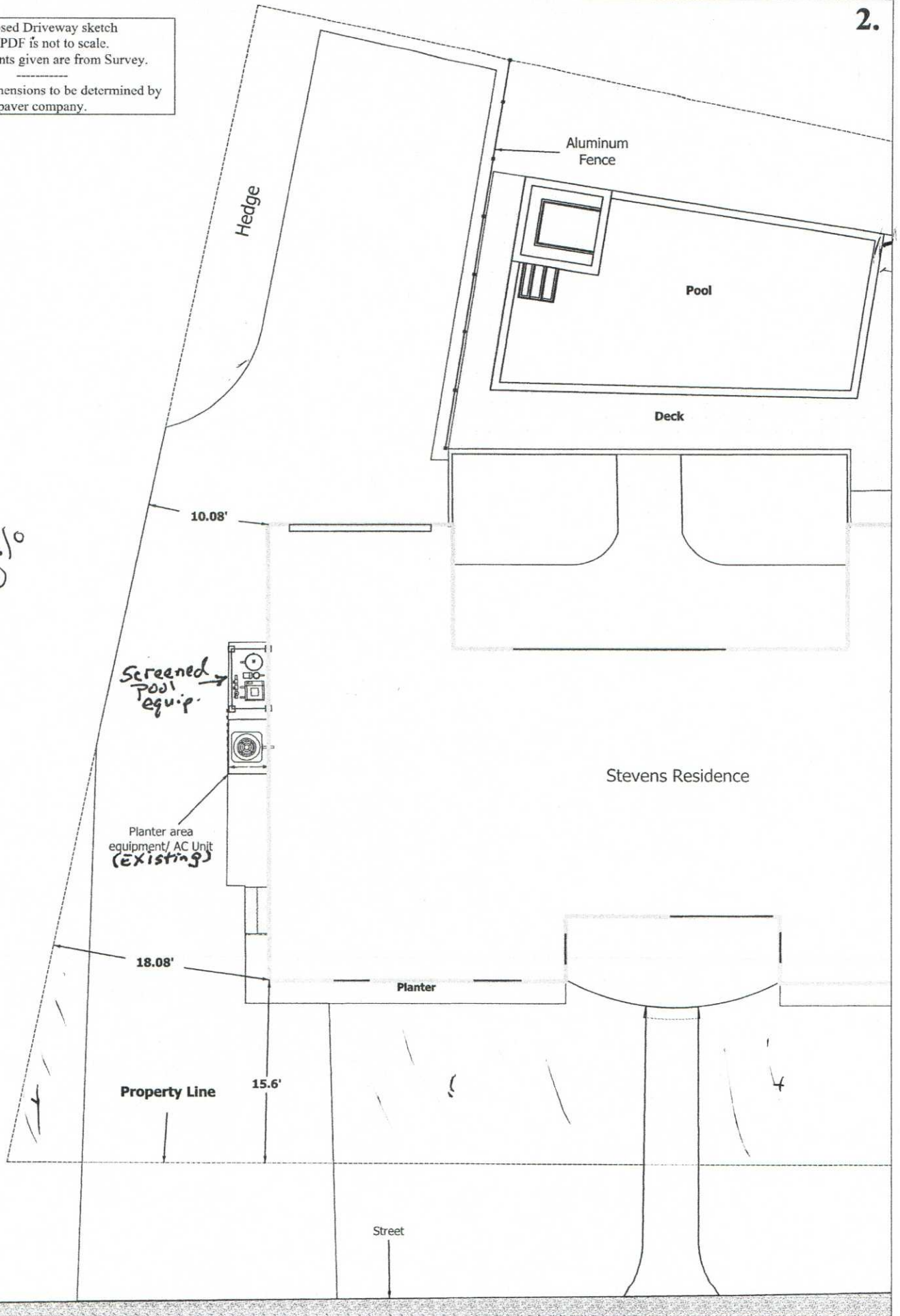


Lot 109 to our north is higher, with an existing swale so, no concern about water flowing onto their lot from our paver driveway.

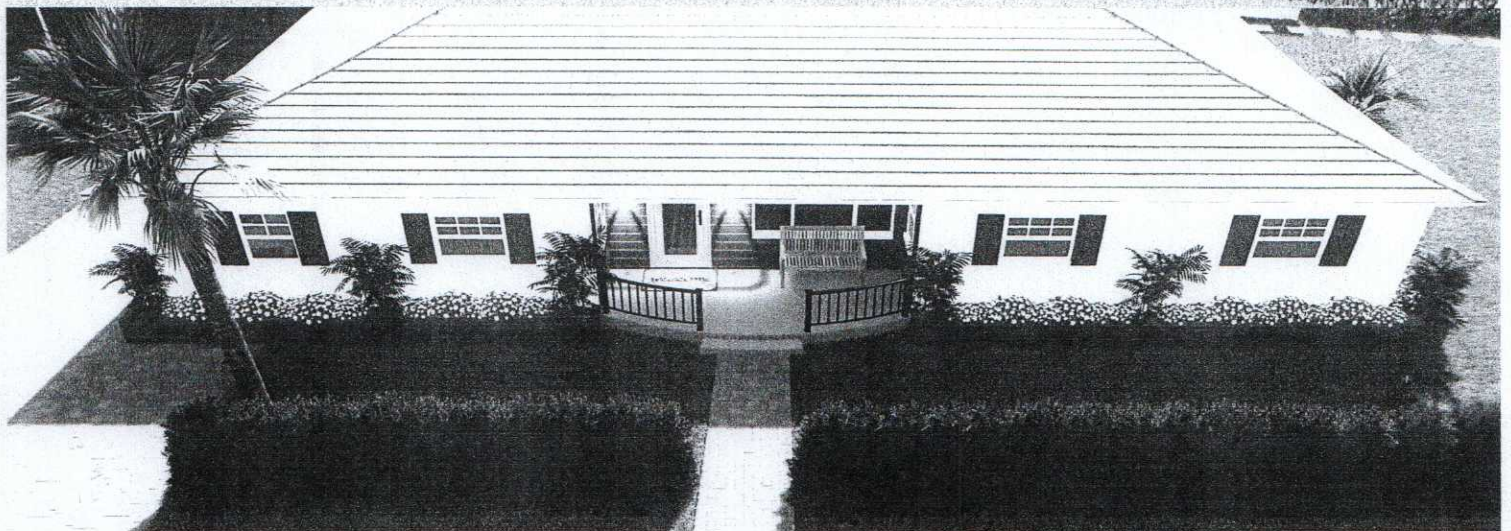
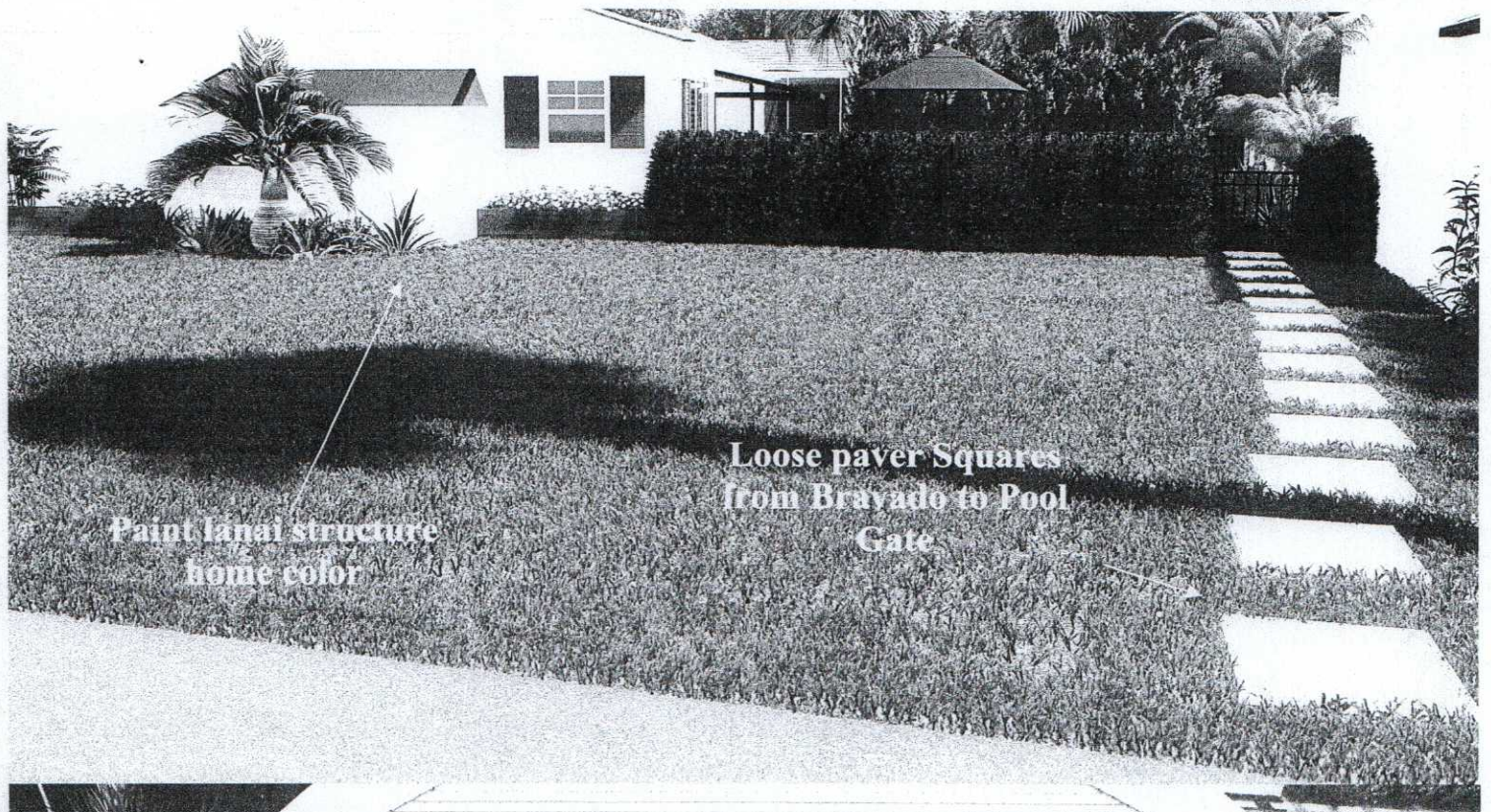


Proposed Driveway sketch  
 This PDF is not to scale.  
 Measurements given are from Survey.  
 Driveway dimensions to be determined by  
 paver company.

20%

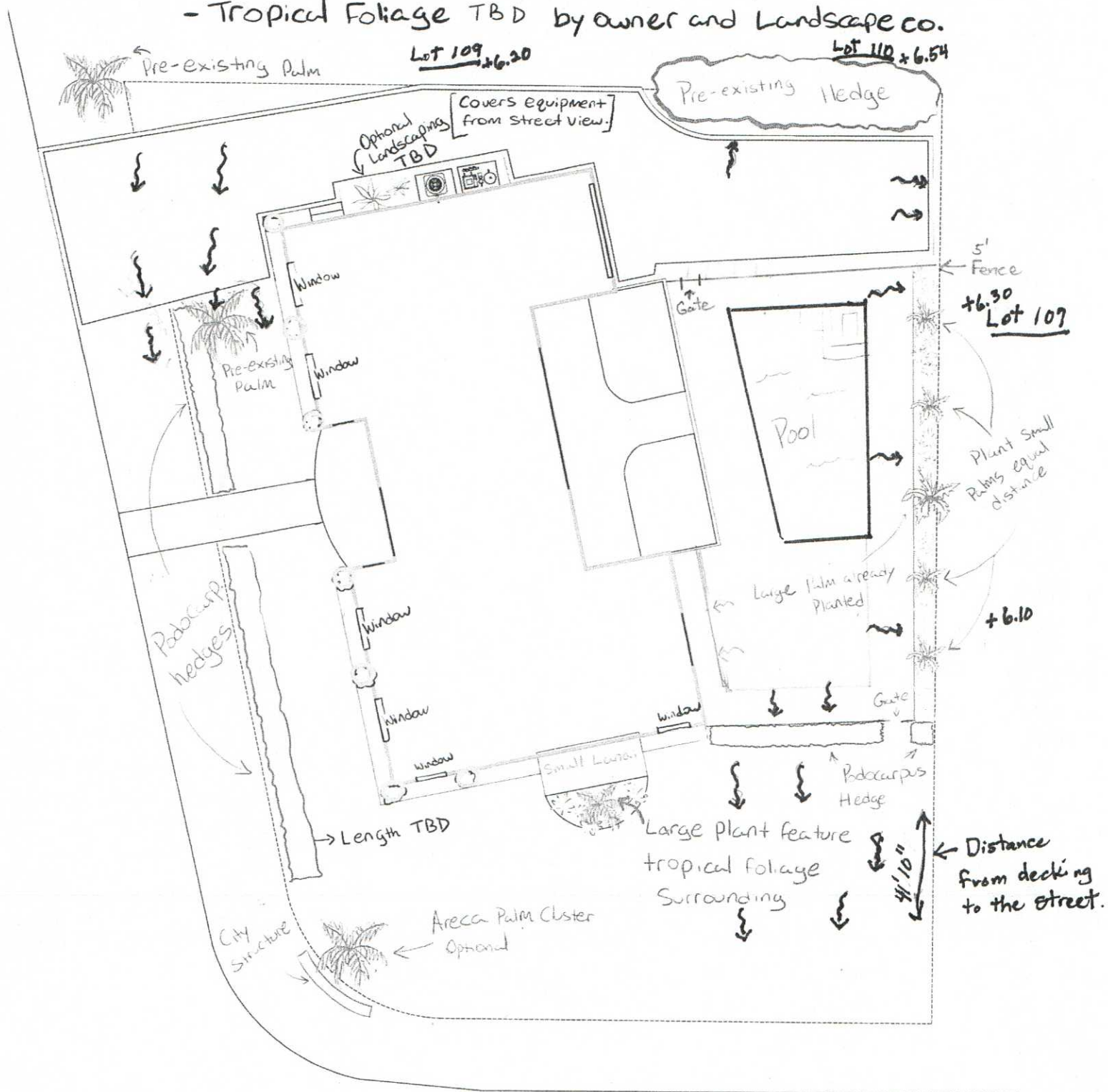






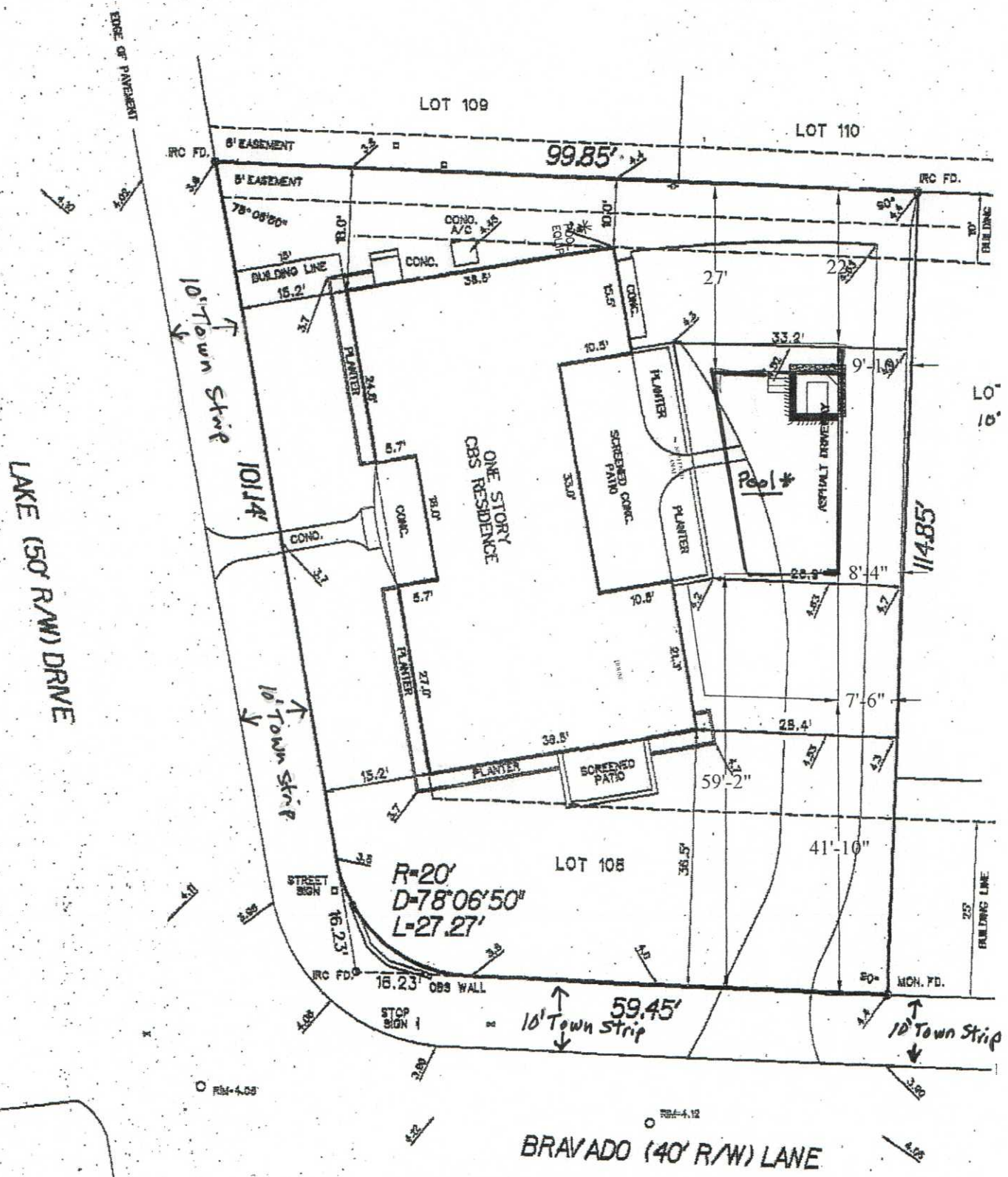


- Tall plant Location, Foliage TBD by owner and landscape co. 5.
- Madagascar Periwinkle (White) between tall plants
- Tropical Foliage TBD by owner and Landscape co.



TBD (To be determined)

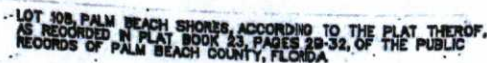












- |              |                          |                          |
|--------------|--------------------------|--------------------------|
| NET          | W 8 1/2 H 6 1/2 D 12 1/2 | ○ HANDLE BATTERY         |
| WGL & TID    |                          | ○ HANDLE STORD           |
| POP          |                          | □ BATH BATH              |
| FIN          |                          | ○ BLINDING SERVICE       |
| ELEVATION    |                          | △ TELEPHONE JUNCTION BOX |
| FIRE HYDRANT |                          | △ WATER METER            |
| CENTRAL      |                          | △ GAZE TV BOX            |
| LIGHT POLE   |                          | ↓ UTILITY POLE           |
| GATE VALVE   |                          |                          |

**NOTES:**

1. REPRESENTATIONS OF THE SERVICE ARE NOT VALID UNLESS MADE BY THE SERVED PERSON.
2. ~~THE SERVICE SHALL BE VALID ONLY IF THE SERVED PERSON IS A PERSON~~ AND SHALL NOT BE VALID ON REPRESENTED BY WHOMEVER.
3. ~~THE SERVICE SHALL BE VALID ONLY IF THE SERVED PERSON IS A PERSON~~ OR OTHER VALID METHOD OF SERVICE.
4. ~~THE SERVICE SHALL BE VALID ONLY IF THE SERVED PERSON IS A PERSON~~ OR OTHER VALID METHOD OF SERVICE.
5. ~~THE SERVICE SHALL BE VALID ONLY IF THE SERVED PERSON IS A PERSON~~ OR OTHER VALID METHOD OF SERVICE.
6. ~~THE SERVICE SHALL BE VALID ONLY IF THE SERVED PERSON IS A PERSON~~ OR OTHER VALID METHOD OF SERVICE.
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8. ~~THE SERVICE SHALL BE VALID ONLY IF THE SERVED PERSON IS A PERSON~~ OR OTHER VALID METHOD OF SERVICE.
9. ~~THE SERVICE SHALL BE VALID ONLY IF THE SERVED PERSON IS A PERSON~~ OR OTHER VALID METHOD OF SERVICE.
10. ~~THE SERVICE SHALL BE VALID ONLY IF THE SERVED PERSON IS A PERSON~~ OR OTHER VALID METHOD OF SERVICE.

TO PROPERTY ADDRESS OF BEARING LINE, PALM BEACH SHORES, FLORIDA BEACH  
 IS CONTAINED THREE SEVEN FIFTY, MORE OR LESS,  
 IS ENTITLED TO BEING SETBACK AND DOES NOT

$$= 97,5 \text{ W ft}^2 (\text{N/A})$$

**SCOTT** Digitally signed  
by **SCOTT A**  
**A GUZZI** Date: 2023.04.25  
10:08:20 -04'00'

**BOUNDARY SURVEY**  
**SCALE:**

**SURVEYOR'S CERTIFICATION:** 1" = 20'  
I, the undersigned, being a duly qualified and licensed Surveyor of the State of New York, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in the records of the State of New York.

4-24-23

**MC-SCOTT LAND SURVEYING &**

337 BRAVADO LANE

2051





**ACKNOWLEDGEMENT OF  
OWNER RESPONSIBILITY FOR POOL SAFETY**

**Town of Palm Beach Shores  
Building Department**

Permit No. \_\_\_\_\_

Owner David J. Stevens  
(Print name)

Address 337 Bravado Lane

When a pool permit is issued, I understand that it is my responsibility as owner of the property to provide safety enclosures and barriers pursuant to Florida Building Code Chapter 424, Florida Statute 515 and ANSI/NSPI-8.

These safety enclosures and barriers will be installed and in working order at time of final pool inspection.

[Signature]  
Signature of Owner

**THIS DOCUMENT MUST BE NOTARIZED**

**STATE OF FLORIDA  
PALM BEACH COUNTY**

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 24<sup>th</sup> day of April, 2023, (Year), by David Stevens, who is personally known to me ☒ or has produced \_\_\_\_\_ as identification and who did or did not take an oath.

**NOTARY PUBLIC**

Signature [Signature]

Printed Jude M Goudreau

My Commission Expires 03/01/2024 Serial # GG 963871  
(if any)

Official Stamp / Seal:



For information on pool enclosure and barrier requirements, please contact the Palm Beach Shores Building Dept, Monday through Friday, 8:30 AM to 4:30 pm.

TOWN OF PALM BEACH SHORES  
247 Edwards Lane,  
Palm Beach Shores, Florida 33404  
Phone: (561) 844-3457 Fax: (561) 863-1350  
Rev: 01/28/2020









