## PLANNING AND ZONING BOARD Regular Meeting April 24, 2024 247 Edwards Lane / Palm Beach Shores, FL 33404 6:30 P.M.

# Chairman Janet Kortenhaus Vice Chairman Kevin Banks

Member Tony Lembo Member Weston Gracida Member Anastasia Stogiannis-Karloutsos Alternate Member (vacant) Alternate Member (vacant) Town Attorney, Dylan Brandenburg Josh Nichols, Zoning Official Rob Rennebaum, Engineer Town Clerk, Jude M. Goudreau

# PUBLIC PARTICIPATION MAY OCCUR REMOTELY

# Meeting link:

https://townofpalmbeachshores.my.webex.com/townofpalmbeachshores.my/j.php?MTID=m626bfbd2a942130d 5bf0cb387fa2d734 Meeting number: 2632 997 0476 Password: 0424 Join by phone +1-408-418-9388 United States Toll Access code: 263 299 70476 AGENDA

# 1. CALL TO ORDER:

- a. Pledge of Allegiance
- b. Roll Call
- 2. <u>APPROVAL OF MEETING AGENDA</u>: (Additions, substitutions, deletions)

# 3. APPROVAL OF CONSENT AGENDA:

- a. Approve March 27, 2024, P&Z Meeting Minutes.
- b. Approve March 27, 2024, P&Z Reorganization Meeting Minutes.

# 4. ACTION ITEMS:

- a. **SPR24-07/AAR24-07:** Dimitri Nicholas, Owner of 315 Inlet Way, requests Site Plan Review and Architectural & Aesthetic Review Approval to install a new 26Kw emergency generator with natural gas hookup on the east side of the property.
- b. **SPM24-01/AAR24-06:** Buccaneer Unit A LLC, Owner of 142 Lake Avenue, requests Site Plan Modification and Architectural Review & Aesthetic Review to remove the existing 18-slip residential/mixed use marina and replace it with a new 27-slip commercial marina with two (2) marginal docks to provide fuel sales, charters, accessory on-shore retail and earing facilities.

## 4. PUBLIC COMMENT:

## 5. DISCUSSION ITEMS:

a. Building Department Development Project Update (Orlando Rodriguez, Building Department)

# 6. <u>ADJOURNMENT</u>:

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 ACCOMODATIONS 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.



## PLANNING AND ZONING BOARD REGULAR MEETING MINUTES March 27, 2024

## CALL TO ORDER

The meeting was called to order at 6:50 p.m. by Chairperson Janet Kortenhaus. The meeting was held in the Commission Chambers of Town Hall at 247 Edwards Lane, Palm Beach Shores, FL 33404.

Town Clerk Jude Goudreau called the roll. Chairman Janet Kortenhaus and Vice Chairman Kevin Banks, Members Anastasia Stogiannis-Karloutsos, Tony Lembo, Weston Gracida, Town Attorney Dylan Brandenburg, Zoning Official Josh Nichols, and Town Engineer Rob Rennebaum were all present.

APPROVAL OF MEETING AGENDA: (Additions, substitutions, deletions)

**MOTION:** Kevin Banks made a motion to approve the meeting. **SECOND AND VOTE:** Tony Lembo seconded the motion, which passed unanimously by those present.

## **CONSENT AGENDA:**

Approve the Planning & Zoning Board Meeting Minutes of Approve the LPA Minutes of

**MOTION:** made a motion to approve the consent agenda. **SECOND AND VOTE:** seconded the motion, which passed unanimously by those present.

# ACTION ITEMS:

Attorney Brandenburg swore all the applicants and staff in before the Board heard the action items.

a. **SPR24-05/AAR24-05:** Eric Vermillion, Owner of 313 Claremont Lane, requests Site Plan Review and Architectural & Aesthetic Review Approval to demolish the existing home and build a new 3,346 SF single-family home in its place.

**Motion:** Anastasia Stogiannis-Karloutsos made a motion to approve the plans, subject to the conditions stated by staff.

**Second and Vote:** Janet Kortenhaus seconded the motion, which passed unanimously by those present.

b. **SE24-01:** Buccaneer Unit A LLC, Owner of 142 Lake Drive, requests Special Exception Use approval for a "commercial dock" and "marina" on the property.

**Motion:** Kevin Banks made a motion to recommend approval to Commission with the recommendation to change the parking agreement from Non-exclusive to Exclusive. **Second and Vote:** Anastasia Stogiannis-Karloutsos seconded the motion, which was passed unanimously by those present.

# PUBLIC COMMENT: No Public Comments

## **DISCUSSION ITEMS:**

Building Department Update. The Board discussed the Building Department Update provided by Orlando Rodriguez.

## ADJOURNMENT:

**MOTION, SECOND, AND VOTE**: Janet Kortenhaus moved to adjourn the meeting, with Anastasia Stogiannis-Karloutsos seconding the motion. The motion passed unanimously, and the meeting was adjourned at 6:55 p.m.

APPROVED this <u>24th</u> day of <u>April</u> 2024.

ATTEST:

Jude Marie Goudreau, Town Clerk

Janet Kortenhaus, Chairperson

(Seal)

## PLANNING AND ZONING BOARD REORGANIZATION MEETING MINUTES March 27, 2024

# 1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Vice Chairman Kevin Banks. The meeting was held in the Commission Chambers of Town Hall located at 247 Edwards Lane, Palm Beach Shores, FL 33404. Vice Chairman Kevin Banks, Members; Tony Lembo, Weston Gracida, Janet Kortenhaus and, Anastasia Stogiannis-Karloutsos, Assistant Town Attorney Dylan Brandenburg, Zoning Official Josh Nichols, and Town Engineer Rob Rennenbaum were present.

## 2. <u>APPROVAL OF MEETING AGENDA:</u> (Additions, substitutions, deletions)

**MOTION:** Member Tony Lembo made a motion to approve the agenda as drafted.

**SECOND AND VOTE:** Anastasia Stogiannis-Karloutsos seconded the motion, which passed unanimously by those present.

# 3. INSTALLATION:

Swearing in of Planning & Zoning Members

Assistant Town Attorney Dylan Brandenburg swore in the Members of the Planning and Zoning Board. Election of Chairman

**MOTION:** Member Kevin Banks made a motion to appoint Janet Kortenhaus as Chairman.

**SECOND AND VOTE:** Anastasia Stogiannis-Karloutsos seconded the motion, which passed unanimously by those present.

Election of Vice Chairman

**MOTION**: Tony Lembo made a motion to appoint Kevin Banks as Vice Chairman.

**VOTE:** Anastasia Stogiannis-Karloutsos seconded the motion, which passed unanimously by those present.

Selection of DRC Member

**MOTION**: Anastasia Stogiannis-Karloutsos made a motion to appoint Janet Kortenhaus as DRC Member.

VOTE: Tony Lembo seconded the motion, which passed unanimously by those present.

Election of Landscape Approval Member.

Selection of Landscape Approval Member

**MOTION**: Anastasia Stogiannis-Karloutsos made a motion to appoint Weston Gracida as Landscape Approval Member.

VOTE: Kevin Banks seconded the motion. Motion passed unanimously by those present.

# 4. LEGAL UPDATE BY TOWN ATTORNEY:

Town Attorney Dylan Brandenburg provided the annual legal update and answered questions from the Board.

## 5. PUBLIC COMMENTS: None

# 6. ADJOURNMENT:

**MOTION, SECOND AND VOTE**: Vice Chairman Kevin Banks moved to adjourn the meeting with Member Anastasia Stogiannis-Karloutsos seconded the motion, which passed unanimously by those present. The meeting was adjourned at 6:49 p.m.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_\_, 2024.

ATTEST:

Jude Marie Goudreau, Town Clerk (Seal) Janet Kortenhaus, Chairman

		<b>AFCEIVER</b>	[	_
			Reviewed By:	_
PROJECT NAME:_	Dimitn	NICHOLOUS APR U 4 2024	Date:	-
			Fee Paid:	_
	SIII	MITTAL CHECKLIST	Tourn Possint No.	

# SUBMITTAL CHECKLIST

Town	Receip	t No:	

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). XI

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). X

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

Cover Page



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

OWNER/APPLICANT:	Dimitri Nicholas	
PROJECT ADDRESS:	315 Inter Way, Riviery Beach, FL 33404	

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

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

ADMINISTRATIVE APPEAL	SITE PLAN N (14-62)	MODIFICATION
ARCHITECTURAL AND AESTHETIC REVIEW (Pf. 14-86)	SITE PLAN R	REVIEW (14-62)
COMPREHENSIVE PLAN AMENDMENT (Pf. 17.3(B))	SPECIAL EX	CEPTION (Pf. 15.8)
PLAT APPROVAL	VARIANCE (I	Pf. 15.4)
REZONING (Pf. 17.3(B))	ZONING TEX (Pf. 17.3(B))	T AMENDMENT

	PROPERTY OWNER(S)	APPLICANT (If different than Owner(s))
NAME:	Dimitri Nicholai	Andio Electri, Inc.
ADDRESS:	315 Inter Way Riviera Brach, FL, 33404	8729 112+h Ferrale N WP8, FL, 33412
PHONE:	937-214-6644	561-840-0009
EMAIL:	dimitrimnicholas @gmail.com	permits@1stopgeneratorshop.com

	AGENT (If different than Owner(s))	CURRENT OCCUPANT (If different than Owner(s))
NAME:	of Andio Electric, Inc.	NIA
ADDRESS:	8724 112th Teirace N, WPB, FL, 33412	NIA
PHONE:	561-840-0009	NIA
EMAIL:	permits@1.stopgenerator	MA

	PLANNER	DEVELOPER
NAME:	NIA	MA
ADDRESS:	MA	MA
PHONE:	MA	NA
EMAIL:	N/A	NIA

.

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

	SURVEYOR	ATTORNEY
NAME:	NIA	W1A
ADDRESS:	N/A	NIA
PHONE:	NIA	N/A
EMAIL:	NIA	NIA

	ENGINEER (USE ADD'L. SHEET FOR MULTIPLE ENGINEERS)	
NAME:	NIA	
ADDRESS:	~/ A	
PHONE:	NJA	
EMAIL:	NIA	

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# **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.

- 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.
- 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, redevelopment 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

EXPIRES: August 5, 2025 Bonded Thru Notary Public Underwriters

<u>3/12/24</u> Date

NOTARY'S SEAL

Dimitn' Nicholas

Printed Name of Owner

#### STATE OF FLORIDA PALM BEACH COUNTY:

The foregoing instrument was acknowledged before me by means of  $\stackrel{\text{def}}{=}$  physical presence or  $\Box$  online notarization this  $\frac{12}{12}$  day of  $\frac{March}{2024}$ ,

by Dimitri Nicholas	who is personally known to me or has
produced DIL (type of identificatio	on) as identification.
O, K	i la i
Otevi naminski	Stort The
(Name - type, stamp or print clearly)	(Signature)
	(organizatio)
ฐังกินกร้างกำรงจับหลังหรือแล้วแต่งหลังเสียงมีหลังหรือสถินเรียงกันเรื่องสัตรก็สะจันกร้างสอบกู	
STEVI KAMINSKI	
MY COMMISSION # HH 161916	

Page 3 of 14

# **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.

gnature of Owner or Trustee

Date

## STATE OF FLORIDA PALM BEACH COUNTY:

The foregoing instrument was acknowledged before me by means of D physical presence or D online notarization this 12 day of March 2024,

Nicholas Dimitri by who is personally known to me or has (type of identification) as identification produced DIL

aminski (Name - type, stamp or print clearly)

STEVI KAMINSKI MY COMMISSION # HH 161916

EXPIRES: August 5, 2025 Bonded Thru Notary Public Underwriters

(Signature)

NOTARY'S SEAL

**Agent Information:** 

HISON

Printed Name of Agent

Signature of Agent

V Flectne, Inc.

Name of Firm

Date

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# **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 REOUIRED

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).

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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: DIMITY NICHOLAS

PROJECT ADDRESS: 315 IN-et Way

PROJECT LEGAL DESCRIPTION: Install Aleken generator with NG hookup.

\*\*\* 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	NIA
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	A	A
FLOOD ZONE CATEGORY:	None	AFE	AE
LOT COVERAGE, LANDSCAPING & PARKING	CODE REQUIREMENT	EXISTING	PROPOSED
TOTAL LOT SIZE: (sq. ft.)	None	12,747 sq. ft	12,747 sq. ft
TOTAL COVERAGE OF A LOT BY BUILDINGS: (Pf. 5.4, 6.4, 7.5 or 8.5, Zoning Ordinance)	NIA	3340 sq. ft	3360 Sq. ft
TOTAL LANDSCAPE COVERAGE: (Pf. 5.4.3, Zoning Ordinance)	20°/0	2549 Sq. Ft	2549 sq. ft
OFF-STREET PARKING: (Pf. 5.13, 6.12, 7.13 or 8.14, Zoning Ordinance)	NIA	MA	NIA
SETBACKS	CODE REQUIREMENT	EXISTING	PROPOSED
FRONT YARD: (Pf. 5.5, 6.6, 7.7 or 8.7, Zoning Ordinance)	Not allawed in front yard	NIA	76ft
REAR YARD: (Pf. 5.6, 6.7, 7.9 or 8.9, Zoning Ordinance)	5ft	NIA	34 A
SIDE YARD: (Pf. 5.7, 6.8, 7.8 or 8.8, Zoning Ordinance)	5 ft	NIA	6'2"

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)	NIA	N/A	N/A
DWELLING UNIT DENSITY: (Pf. 6.5, 7.6 or 8.6, Zoning Ordinance)	N1A	N/A	NIA
IMPERVIOUS AREA	NET INCREASE	EXISTING	PROPOSED
BUILDING FIRST FLOOR AREA (sq. ft.):	NIA	N/A	NIA
OTHER IMPERVIOUS AREA (sq. ft.): (Decks, Patios, Walkways, Driveways, Pool Deck & Pool Surface Areas)	NIA	NIA	NIA
TOTAL IMPERVIOUS AREA (sq. ft.):	N/ A	N/A	N/A
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)	NI A	NIA	NIA
MEAN CROWN OF ROAD ELEVATION (NAVD):	None	N/A	NIA
BUILDING HEIGHT	CODE REQUIREMENT	EXISTING	PROPOSED
TOTAL BUILDING HEIGHT (NAVD): (Pf. 5.2, 6.2, 7.3 or 8.3, Zoning Ordinance)	NIA	NIA	N/A
TOP OF BEAM HEIGHT (NAVD): (Pf. 5.2, 6.2, 7.3 or 8.3, Zoning Ordinance)	NIA	N/A	N/A
ROOF PITCH: (Pf. 5.2, 6.2 or 7.3, Zoning Ordinance)	NIA	N   A	N/A
FLAT ROOF PERCENTAGE: (Pf. 5.2, Zoning Ordinance)	NIA	NJA	N/A

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# 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):

Install	alikw	generator	with	natural	gas	hookup	
		0			U -	·····	

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:

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NA

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

\_\_\_\_\_

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):

NIA

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):

to provide back up power for home in case 

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

NA

# DRAINAGE REQUIREMENTS

(For projects proposing additional on-site impervious area)

For proposed renovations/modifications to existing projects that result in <u>LESS THAN</u> 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 <u>GREATER</u> <u>THAN</u> 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.
- 1. 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):

Gundrator to be located 18" off wall, 4.2ft from side prop	urty
line, 76th from front property line. Generator is not	
locoted in Front yard.	

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):

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.):

Screen the generator trom to lower the decibal of the mnine

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):

enerator will be screened from new from

and not usible from front GNHOY Vard Stree 11

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

plan review attached - survey with details,

# **REQUEST FOR SITE PLAN MODIFICATION**

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1. Previously approved (Original) site plan information:
a. Original Project Name: NA
b. Original Site Plan Application No.: NA
c. Original Site Plan Approval Date: <u>NA</u>
d. List of all other relevant information on file with original application: $MA$
2. Requested Modification(s): NA

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:

N	A
1 1	

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:

NA

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

NA

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:

NIA

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

NA

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:

NA

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:

N)A

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.

Page 13 of 14

# **REQUEST FOR SPECIAL EXCEPTION**

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

N	A

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:

NA

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

NIA

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

NIA

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

NIA 

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:

MA

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

NIA

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.



7830 Byron Drive, #11, West Palm Beach, FL 33404 Phone (561) 840-0009 Fax (561) 840-3323 Toll Free 888-68-WATTS www.1StopGeneratorShop.com

April 4, 2024

Dimitri Nicholas 315 Inlet Way

Construction Schedule:

- Generator installation to begin on 5/6/2024
- Gas underground installation to begin on 5/7/2024
- Go back day held for 5/8/2024
- Gas backfill/ final connect 5/13/2024
- Gas final inspection 5/14/2024
- Generator final inspection 5/20/2024

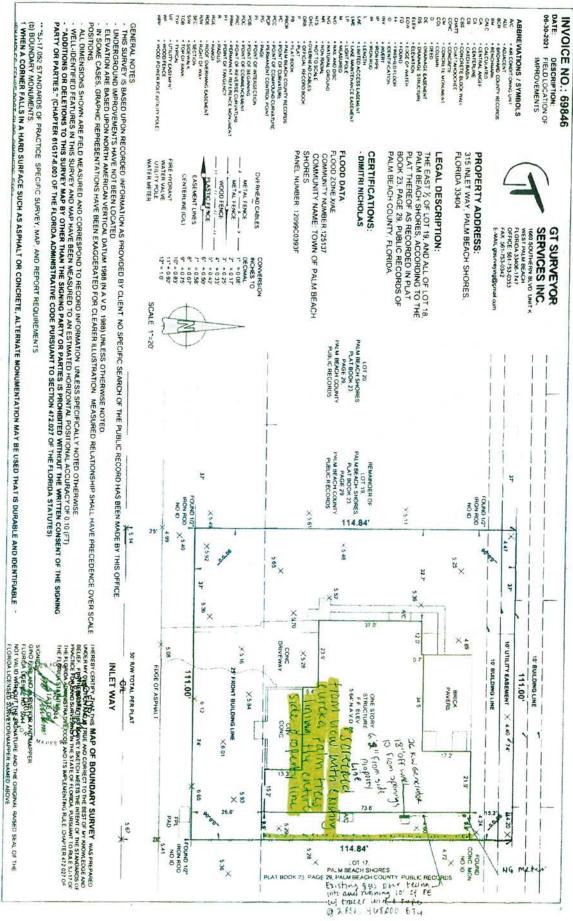
\*Please note this is a tentative schedule pending permit issuance

Permits Clerk,

Allison Aylor

The greatest compliment clients can give is a referral of their family and friends.









·Generator location

•Entire side property line is screened with 35 - 15 gau eureka palm trees.



# 26 kW

# GENERAC

# GUARDIAN<sup>®</sup> SERIES Residential Standby Generators Air-Cooled Gas Engine

Standby Power Rating

**WX 92** 

[10] R. 2010, 2010, 2010, 64 (1977) [Instate - 26] Web 94.



US

Note CETL or CUI, certification only applies to unbundled units and units packaged with Limited orccuit switches, Units packaged with the Smart Switch are ETL or UL certified in the USA only.

# FEATURES

- O INNOVATIVE ENGINE DESIGN & RIGOROUS TESTING are at the heart of Generac's success in providing the most reliable generators possible. Generac's G-Force engine lineup offers added peace of mind and reliability for when it's needed the most. The G-Force series engines are purpose built and designed to handle the rigors of extended run times in high temperatures and extreme operating conditions.
- O TRUE POWER\*\* ELECTRICAL TECHNOLOGY: Superior harmonics and sine wave form produce less than 5% Total Harmonic Distortion for utility quality power. This allows confident operation of sensitive electronic equipment and micro-chip based appliances such as variable speed HVAC systems.

1

O TEST CRITERIA:

- PROTOTYPE TESTED
- SYSTEM TORSIONAL TESTED
- NEMA MG1-22 EVALUATION MOTOR STARTING ABILITY
- MOBILE LINK\* CONNECTIVITY: FREE with select Guardian Series Home standby generators. Mobile Link Wi-Fi allows users to monitor generator status from anywhere in the world using a smartphone tablet or PC Easily access information such as the current operating status and maintenance alerts. Users can connect an account to an authorized service dealer for fast, triendly, and proactive service. With Mobile Link, users are taken care of before the next power outage.

- SOLID-STATE, FREQUENCY COMPENSATED VOLTAGE REGULATION: This state-of-the art power maximizing regulation system is standard on all Generac models. It provides optimized FAST RESPONSE to changing load conditions and MAXI-MUM MOTOR STARTING CAPABILITY by electronically torque-matching the surge loads to the engine. Digital voltage regulation at ± 1%
- SINGLE SOURCE SERVICE RESPONSE from Generacis extensive dealer network provides parts and service know-how for the entire unit. from the engine to the smallest electronic component.
- GENERAC TRANSFER SWITCHES: Long life and reliability are synonymous with GENERAC POWER SYSTEMS. One reason for this confidence is that the GENERAC product line is offered with its own transfer systems and controls for total system compatibility.





## INCLUDES:

- True Power Electrical Technology
- Two-line multilingual digital LCD Evolution <sup>10</sup> controller (English/Spanish/French/Portuguese)
- 200 amp service rated transfer switch available.
- Electronic governor
- Standard Wi-Fi<sup>®</sup> connectivity
- System status & maintenance interval LED indicators
- Sound attenuated enclosure
- Flexible fuel line connector
- Natural gas or LP gas operation
- 5 Year limited warranty
- Base fascia
- Listed and labeled for installation as close as 18 in (457 mm) to a structure."

"Must be located away from doors windows, and fresh air intakes and in accordance with local codes



# 26 kW

# Features and Benefits

#### Engine

- Generac G Force design
- "Spiny-lok" cast iron cylinder walls
- Electronic ignition/spark advance
- Full pressure lubrication system
- Low oil pressure shutdown system
- EPA Certified for non-emergency applications
- High temperature shutdown

#### Generator

- Revolving field
- Skewed stator
- Displaced phase excitation
- Automatic voltage regulation
- UL 2200 listed

#### Transfer Switch (if applicable)

- Fully automatic
- NEMA 3R
- Integrated load management technology
- Remote mounting

#### Evolution" Controls

- AUTO/MANUAL/OFF illuminated buttons
- Two-line multilingual LCD
- Sealed, raised buttons
- Utility voltage sensing
- Generator voltage sensing
- Utility interrupt delay
- Engine warm-up
- Engine cool-down
- Programmable exercise

#### Smart battery charger

- Main line circuit breaker
- Electronic governor

#### Unit

- SAE weather protective enclosure
- Enclosed critical grade multiler
- Small, compact, attractive

Allows for a smaller-light weight unit that operates 25% more efficiently than a revolving armature generator. Produces a smooth output waveform for compatibility with electronic equipment. Maximizes motor starting capability

Maximizes engine "breathing" for increased fuel efficiency. Plateau honed cylinder walls and plasma moly

Pressurized lubrication to all vital bearings means better performance, less maintenance, and longer engine

rings help the engine run cooler, reducing oil consumption and resulting in longer engine life

Regulating output voltage to  $\pm 1\%$  prevents damaging voltage spikes. For your safety.

Rigid construction and added durability provide long engine life

life Now featuring up to a 2 year/200 hour oil change interval.

Allows unit to be used for demand response applications

Prevents damage due to overheating

These features combine to assure smooth, duick starting every time.

Shutdown protection prevents catastrophic engine damage due to low oil

Transfers vital electrical loads to the energized source of power

- Can be installed inside or outside for maximum flexibility
- Capability to manage additional loads for efficient power management.
- Mounts near an existing distribution panel for simple. low-cost installation.

Selects the operating mode and provides easy, al-a-glance status indication in any condition. Provides homeowners easily visible logs of history, maintenance, and events up to 50 occurrences. Smooth, weather-resistant user interface for programming and operations. Constantly monitors utility voltage, setpoints 65% dropout, 80% pick-up, of standard voltage. Constantly monitors generator voltage to verily the cleanest power delivered to the home. Prevents nuisance start-ups of the engine, adjustable 2-1500 seconds from the factory default setting of 5 seconds by a qualified deater. Verifies engine is ready to assume the load, setpoint approximately 5 seconds. Allows engine to cool prior to shutdown, setpoint approximately 1 minute. Operates engine to prevent oil seal drying and damage between power outages by running the generator for 5 minutes every other week. Also offers a selectable setting for weekly or monthly operation providing flexibility and potentially lower fuel costs to the owner. Delivers charge to the battery only when needed at varying rates depending on outdoor air temperature

Compatible with lead acid and AGM-style balteries

Protects generator from overload

Maintains constant 60 Hz frequency

Sound attenuated enclosures ensure quiet operation and protection against mother nature, withstanding winds up to 150 mph (241 km/h). Hinged key tocking root panel for security. Lift-out front for easy access to all routine maintenance items. Electrostatically applied textured epoxy paint for added durability. Quiet, critical grade muffler is mounted inside the unit to prevent injuries.

Makes for an easy, eye appealing installation as close as 18 in (457 mm) away from a structure.

# GENERAC

# 26 kW

# **Features and Benefits**

#### Installation System

• 14 in (35.6 cm) flexible fuel line connector

Listed ANSI Z21 75/CSA 6 27 outdoor appliance connector for the required connection to the gas supply piping Meets IFGC and NFPA 54 installation requirements.

Integral sediment trap

### Connectivity (Wi-Fi equipped models only)

- Ability to view generator status
- Ability to view generator Exercise/Run and Total Hours
- Ability to view generator maintenance information
- Monthly report with previous month's activity
- Aprility to view generator battery information
- Weather information

Monitor generator with a smartphone, tablet, or computer at any time via the Mobile Link application for

- Review the generator's complete protection profile for exercise hours and total hours.
- Provides maintenance information for the specific model generator when scheduled maintenance is due
- Detailed monthly reports provide historical generator information.

complete peace of mind.

- Built in battery diagnostics displaying current state of the battery
- Provides detailed local ambient weather conditions for generator location.

3 0

# GENERAC

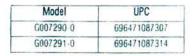
# **Available Accessories**

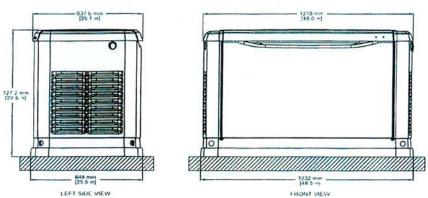
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26 kW

Model #	Product	Description
G007101-0	Battery Pad Warmer	Pad warmer rests under the battery. Recommended for use if temperature regularly falls below 0 "F (-18 °C), (Not nec- essary for use with AGM-style batteries).
G007102-0	Oil Warmer	Oil warmer slips directly over the oil filter. Recommended for use if temperature regularly fails below 0 °F (-18 °C)
G007103-1	Breather Warmer	Breather warmer is for use in extreme cold weather applications. For use with Evolution controllers only in climates where heavy icing occurs.
G005621-0	Auxiliary Transfer Switch Contact Kit	The auxiliary transfer switch contact kit allows the transfer switch to lock out a single large electrical load that may not be needed. Not compatible with 50 amp pre-wired switches
G007027-0 - Bisque	Fascia Base Wrap Kit	The fascia base wrap snaps together around the bottom of the new air-cooled generators. This offers a sleek, contoured appearance as well as offering protection from rodents and insects by covering the lifting holes located in the base.
G005703-0 - Bisque	Touch-Up Paint Kit	If the generator enclosure is scratched or damaged, it is important to touch up the paint to protect from future corrosion. The touch-up paint kit includes the necessary paint to correctly maintain or touch up a generator enclosure.
G006485-0	Scheduled Maintenance Kit	Generac's scheduled maintenance kit provides all the items necessary to perform complete routine maintenance on a Generac automatic standby generator (oil not included).
G007005-0	Wi-Fi LP Tank Fuel Level Monitor	The Wi-Fi enabled LP tank fuel level monitor provides constant monitoring of the connected LP fuel tank. Monitoring the LP tank's fuel level is an important step in verifying the generator is ready to run during an unexpected power failure. Status alerts are available through a free application to notify users when the LP tank is in need of a refill.
G007000-0 (50 amp) G007006-0 (100 amp)	Smart Management Module	Smart Management Modules (SMM) are used to optimize the performance of a standby generator. It manages large elec- trical loads upon startup and sheds them to aid in recovery when overloaded. In many cases, using SMM's can reduce the overall size and cost of the system.
G007169-0 - 4G LTE G007170-0 - Wi-Fi Ethernet	Mobile Link <sup>®</sup> Cellular Accessories	The Mobile Link family of Cellular Accessories allow users to monitor generator status from anywhere in the world, using a smart phone, tablet, or PC. Easily access information such as the current operating status and maintenance alerts. Us- ers can connect an account with an authorized service dealer for fast, friendly, and proactive service. With Mobile Link, users are taken care of before the next power outage.
G007220-0 - Bisque	Base Plug Kit	Base plugs snap into the lifting holes on the base of air-cooled home standby generators. This offers a sleek, contoured appearance, as well as offers protection from rodents and insects by covering the lifting holes located in the base. Kit contains four plugs, sufficient for use on a single air-cooled home standby generator.

Dimensions & UPCs





Dimensions shown we approximate. See installation manual to construments on the 1107 USE THESE OMERISIONS FOR INSTAL ATION PORPOSES.



Generac Power Systems, Inc. • S45 W29290 HWY, 59, Waukesha, WI 53189 • generac.com © 2022 Generac Power Systems, Inc. 4I rights reserved. All specifications are subject to change without notice. Part No. A0002026891 Rev.C 04/26/2022

GENERAC

# **Specifications**



#### Generator G007290-0 Model G007291-0 (26 kW) 26.000 Watts\* Rated maximum continuous power capacity (LP) 22.500 Walls\* Rated maximum continuous power capacity (NG) 240 Rated voltage 108.3/93.8 Rated maximum continuous load current - 240 volts (LP/NG) Less than 5% Total Harmonic Distortion 110 amp Vain line circuit treaker 1 Phase 2 Number of rotor coles 60 Hz Rated AC frequency Power factor 10 12 Volts, Group 26B 540 CCA minimum or Group 35AGM 650 CCA minimum Battery requirement (not included) 518/235 Unit weight (It: / kg) 48 x 25 x 29 / 121,9 x 63,5 x 73.7 Dimensions (L x W x H) in / cm no output in dB(A) at 23.11 (7 m) with generator operating at normal load." 6 57 Sound output in dB(A) at 23 ft (7 m) with generator in Bulet-Test \* low-speed exercise mode\*\* Exercise duration 5 min Engine Engine type GENERAC G-Force 1000 Series Number of cylinders 2 Displacement 999 cc Cylinder block Aluminum w/ cast iron sleeve Overhead value Valve attangement Solid-state w/ magneto Ignition system Electronic Governor system Compression ratio 9.5.1 Starter 12 VDC Oil capacity including filter Approx. 1.9 qt / 1 Operating rpm 3.600 Fuel consumption Natural gas fP/hr (m3/hr) 188 (5.32) 333 (9.43) 1/2 Load Full Load h<sup>3</sup>/hr (gal/br) [L/hr] 1/2 Load Liquid propane 75 (2.06) [7.78] 132 (3.63) [13.73] Full Load Note Fuel pipe must be sized for full load. Regured fuel pressure to generator fuel intel at all load ranges - 3.5 7 in water column (0.87 - 1.74 kPa) for NG, 10-12 in water column (2.49-2.99 kPa) for LP gas For BTU content, multiply h<sup>3</sup>/hr x 2500 (LP) or ft<sup>3</sup>/hr x 1000 (NG). For Megapule content, multiply m<sup>3</sup>/hr x 93,15 (LP) or m<sup>3</sup>/hr x 37,26 (NG) Controls Two-line plain text multilingua LCD Simple user interface for ease of operation, Mode buttons AUTO Automatic start on utility failure. Weekly, Bi-weekly, or Monthly selectable exerciser. MANUAL Start with starter control, unit stays on, If utility fails, transfer to load takes place OFF Stops unit. Power is removed, Control and charger still operate. Ready to Run/Maintenance messages Standard Engine run hours indication Standard Programmable start delay between 2-1500 seconds Standard (programmable by dealer only) Utility Voltage Loss/Return to Utility adjustable (brownout setting) From 140-171 V / 190-216 V Future Set Capable Exercises/Exercise Set Error warning Standard Run/Alarm/Maintenance loos 50 events each Engine start sequence Cyclic cranking, 16 sec on, 7 rest (90 sec maximum duration) Starter lock-out Starter cannot re-engage until 5 sec after engine has stopped. Smart Battery Charger Slandard Charger Fault/Missing AC warning Standard ow Battery/Battery Problem Protection and Battery Condition indication Standard Automatic Voltage Regulation with Over and Under Voltage Protection Standard Under-Frequency/Overload/Stepper Overcurrent Protection Standard Safety Fused/Fuse Problem Protection Standard Automatic Low Oil Pressure/High Oil Temperature Shufdown Standard Overcrank/Overspeed (@ 72 Hz)/rpm Sense Loss Shutdown Standard High Engine Temperature Shutdown Standard Internal Fault/Incorrect Wiring protection Standard Common external fault capability Standard Field upgradable firmware Standard

Rating definitions – Optional Standby: Applicable for supplying backup power for the duration of the utility power outlage with correct maintenance performed. No overfload capability is available for this rating. (All ratings in accordance with 855514, ISO3046, UL2200, and DIN6271). Maximum Hlovolt emps and current are subject to and limited by such factors as fuel BTU/Mogajoute content, ambient temperature, altitude, engine power and condition, etc. Maximum power decreases approximately 3,5% for each 1,000 ft (304,8 m) above sea level and approximately 1% for each 10, 17.6 (C) above 60-F (16), 1% our of the front of the generator. Sound levels taken from other sides of the generator may be higher depending on installation parameters UIS EPA certified for non-emergency applications.

# 26 kW

#### Service Rated Automatic Transfer Switch Features

- Intelligently manages up to four air conditioner loads with no additional hardware.
- Up to eight additional large (240 VAC) loads can be managed when used in conjunction . with Smart Management Modules (SMMs)
- Electrically operated mechanically-held contacts for fast clean connections. .
- Main breakers are rated for 80% continuous load .
- 2-pole, 250 VAC contactors
- Service equipment rated dual coil design
- Rated for both aluminum and copper conductors.
- Main contacts are silver plated or silver alloy to resist welding and sticking
- NEMA/UL 3R aluminum outdoor enclosure allows for indioor or outdoor mounting flexibility.

#### Dimensions

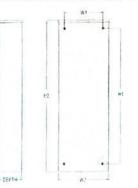
	200 Amps 120/240, 1ø Open Transition Service Rated				
I	Height		Wi	Width	
	H1	H2	W1	W2	Depth
in	26.8	30.1	10.5	13.5	6.9
cm	67.95	76.43	26 67	34 18	17.5

#### Wire Bannes

the thinges				
Conductor Lug	Neutral Lug	Ground Lug		
250 MCM - #6	350 MCM + #6	2.0 - #14		

G007291-0 (26 kW) Model No. of poies 2 Current rating (amps) 200 120/240, 10 Voltage rating (VAC) Utility voltage monitor (field)\* Pick 40 Dropout Return to Utility\* Approx 13 sec ETL or UL listed Standard NEMA/UL 3R Enclosure type 22.000 Circuit breaker protected Lug range 250 MCM - #6

\*Function of Evolution controller Exercise can be set to weekly, bi-weekly, or monthly



# 26 kW

5 0

GENERAC

**Switch Options** 



 $\mathbf{M}$ 

# PROJECT NAME: Buccaneer Marina - Floating Dock

Reviewed By:	
Date:	
Fee Paid:	
Town Receipt No:	

# SUBMITTAL CHECKLIST

All submittals <u>must</u> 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: Checklists are <u>not</u> comprehensive. They are provided solely to remind Applicants to include items commonly omitted from plans submitted to the Town.

Cover Page



# **DEVELOPMENT APPLICATION**

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

OWNER/APPLICANT: Buccanner Unit A, LLC

PROJECT ADDRESS: 142 Lake Dr. Palm Beach Shores, FL 33404

APPLICATION NO .:

SUBMITTAL DATE: 2/26/24

# TYPE OF APPROVAL(S) REOUESTED (Check box(es) 2)

ADMINISTRATIVE APPEAL	RATIVE 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)	x
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:	Buccaneer Unit A, LLC c/o Christophe	Hamilton, Esq.
ADDRESS:	P.O. Box 788, Jensen Beach, FL 3495	57
PHONE:	813-416-2352	
EMAIL:	chamilton@sharfiholdings.com	

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

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

.

ARCHITECT	LANDSCAPE ARCHITECT
N/A	N/A

<u></u>	SURVEYOR	ATTORNEY
NAME:	D.L. Blanton, Inc	N/A
ADDRESS:	1887 SW Newport Isles Blvd Port Saint Lucie, FL 34953	
PHONE:	561-963-1953	
EMAIL:	DLBIanto@bellsouth.net	

	ENGINEER (USE ADD'L. SHEET FOR MULTIPLE ENGINEERS)	
NAME:	Bellingham Marine	N/A
ADDRESS:		
	2014 Dennis Street, Jacksonville, FL 32204	
PHONE:	904-358-3362	
EMAIL:		
	bfalk@bellingham-marine.com	

# **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.

- 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, redevelopment 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, Lacknowledge that I have read and understand the five (5) items listed above.

Signature of Owner

Mar. 8, 2024 Date

Christopher F. Hamilton, Esq. Printed Name of Owner

#### STATE OF FLORIDA PALM BEACH COUNTY:

The foregoing instrument was acknowledged before me by means of  $\lambda$  physical presence or  $\Box$  online notarization this day of  $20 \frac{2}{2}$ ,

by Christopher Hamilton who is personally known to me or has produced (type of identification) as identification. Till Sabata (Name - type, stamp or print clearly) JILL SABOTA MY COMMISSION # HH 075122 EXPIRES: December 28, 2024 Bonded Thru Notary Public Underwriters NOTARY'S SEAL

Page 3 of 14

# 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

Date

## STATE OF FLORIDA PALM BEACH COUNTY:

The foregoing instrument was acknowledged before me by means of  $\Box$  physical presence or  $\Box$  online notarization this \_\_\_\_\_ day of \_\_\_\_\_\_,

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

(Name - type, stamp or print clearly)

(Signature)

NOTARY'S SEAL

**Agent Information:** 

Printed Name of Agent

Name of Firm

Signature of Agent

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 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 REOUIRED

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).

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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: Buccaneer Marina - Floating Dock

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PROJECT ADDRESS: 142 Lake Dr. Palm Beach Shores, FL 33404

PROJECT LEGAL DESCRIPTION: <u>54-43-42-27-41-001-0010</u>

\*\*\* 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	No change.	No change.
LAND USE: (Residential, Commercial, Recreational, Marina, Public, etc.)	None	No change.	No change.
ZONING DISTRICT: (A, B, C, D, P, ROS, designated at Pf. 3.1, Zoning Ordinance)	None	No change.	No change.
FLOOD ZONE CATEGORY:	None	No change.	No change.
LOT COVERAGE, LANDSCAPING & PARKING	CODE REQUIREMENT	EXISTING	PROPOSED
TOTAL LOT SIZE: (sq. ft.)	None	No change.	No change.
TOTAL COVERAGE OF A LOT BY BUILDINGS: (Pf. 5.4, 6.4, 7.5 or 8.5, Zoning Ordinance)	N/A	No change.	No change.
TOTAL LANDSCAPE COVERAGE: (Pf. 5.4.3, Zoning Ordinance)	N/A	No change.	No change.
OFF-STREET PARKING:	0.75 spaces	18 slips =	27 slips =
(Pf. 5.13, 6.12, 7.13 or 8.14, Zoning Ordinance)	per slips	13.5 spaces	20.25 spaces
SETBACKS	CODE REQUIREMENT	EXISTING	PROPOSED
FRONT YARD: (Pf. 5.5, 6.6, 7.7 or 8.7, Zoning Ordinance)	N/A	No change.	No change.
REAR YARD: (Pf. 5.6, 6.7, 7.9 or 8.9, Zoning Ordinance)	N/A	No change.	No change.
SIDE YARD: (Pf. 5.7, 6.8, 7.8 or 8.8, Zoning Ordinance)	N/A	No change.	No change.

FLOOR AREA	CODE REQUIREMENT	EXISTING	PROPOSED
FIRST FLOOR AREA (sq. ft.):	None	No change.	No change.
SECOND FLOOR AREA (sq. ft.): Pf. 5.4.2, Zoning Ordinance)	N/A	No change.	No change.
TOTAL FLOOR AREA (sq. ft.): Pf.2.23, Zoning Ordinance)	None	No change.	No change.
FLOOR AREA RATIO: Pf. 5.4.2, Zoning Ordinance)	N/A	No change.	No change.
DWELLING UNIT DENSITY: (Pf. 6.5, 7.6 or 8.6, Zoning Ordinance)	N/A	No change.	No change.
IMPERVIOUS AREA	NET INCREASE	EXISTING	PROPOSED
BUILDING FIRST FLOOR AREA (sq. ft.):	N/A	No change.	No change.
OTHER IMPERVIOUS AREA (sq. ft.): (Decks, Patios, Walkways, Driveways, Pool Deck & Pool Surface Areas)	N/A	No change.	No change.
TOTAL IMPERVIOUS AREA (sq. ft.):	N/A	No change.	No change.
ELEVATIONS	CODE REQUIREMENT	EXISTING	PROPOSED
GRADE ELEVATION (NAVD): (Pf. 4.6, Zoning Code)	N/A	No change.	No change.
ESTABLISHED 1 <sup>st</sup> FLOOR ELEVATION (NAVD): (Pf. 4.6, Zoning Code)	N/A	No change.	No change.
MEAN CROWN OF ROAD ELEVATION (NAVD):	None	No change.	No change.
BUILDING HEIGHT	CODE REQUIREMENT	EXISTING	PROPOSED
TOTAL BUILDING HEIGHT (NAVD): (Pf. 5.2, 6.2, 7.3 or 8.3, Zoning Ordinance)	N/A	No change.	No change.
TOP OF BEAM HEIGHT (NAVD): (Pf. 5.2, 6.2, 7.3 or 8.3, Zoning Ordinance)	N/A	No change.	No change.
ROOF PITCH: Pf. 5.2, 6.2 or 7.3, Zoning Ordinance)	N/A	No change.	No change.
FLAT ROOF PERCENTAGE: Pf. 5.2, Zoning Ordinance)	N/A	No change.	No change.

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### 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):

#### Please 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:

#### Please see attached.

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

#### Please see attached.

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):

#### Please see attached.

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):

#### Please see attached.

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

#### Please see attached.

#### DRAINAGE REQUIREMENTS

#### (For projects proposing additional on-site impervious area)

For proposed renovations/modifications to existing projects that result in <u>LESS THAN</u> 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 <u>GREATER</u> <u>THAN</u> 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.
- 1. 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 SITE PLAN MODIFICATION**

Original Project Name: Buccan	eer Resort & Marina
Original Site Plan Application No.:	VAR 23-01 - Most recent approval
Original Site Plan Approval Date:	Mar. 27, 2023 - Most recent approval
List of all other relevant information	on file with original application:
ested Modification(s):	
	eer Marina and grant a special exception for it to
classify as a marina an	d/or commercial dock under para. 7.2(b) as

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.

Please see attached and enclosed.

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### **REQUEST FOR SPECIAL EXCEPTION**

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

## Please see attached.

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:
	Please see attached.

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

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

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

# Please see attached.

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:

# Please see attached.

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

### Please see attached.

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.

### **REQUEST FOR VARIANCE**

The Applicant is requesting a variance from the Town Code Section(s) N/A to permit the following:

N/Ä

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:

N/A

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

N/A

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:

N/A

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

N/A

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:

N/A

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:

N/A

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.

# NOTICE

# ALL DRC/P&Z APPLICANTS

# YOU <u>MUST ATTEND</u> THE DRC AND P&Z MEETING

# OR HAVE A REPRESENTATIVE PRESENT OR VIA COMPUTER

DRC IS THE FIRST Wednesday OF EACH MONTH

P&Z IS THE 4<sup>TH</sup> Wednesday OF EACH MONTH.

ONLY A COMPLETE APPLICATION AND 9 COPIES WILL BE ACCEPTED WITH AN ELECTRONIC VERSION

THEY MUST MATCH.



THANK YOU

### 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):

Reclassify and provide a special exception for the Buccaneer Marina to transition from its current classification to a commercial dock and/or marina pursuant to Appendix A, paragraph 7.2(b) of the Town Code.

Bellingham Marine will demolish the current existing wooden fixed piers, support pilings and fender piles. Then, Bellingham will install an entirely new concrete floating dock system with steel pipe pilings (with decorative black sleeves and fiberglass pile caps) for support, including new electrical, fire, fuel and water services to be extended from landside out to the new floating docks (altogether the "New Dock") that will all be compliant with FDEP, USACE, Town, and other applicable agencies' regulations.

Applicant is happy to provide a construction schedule for more detailed phasing, if required. All applicable federal, state and/or local clearances and approvals will be obtained prior to beginning a task or phase.

#### Provide an estimate of construction costs:

\$3,380,260.00 (est., new docks) + \$300,000.00 (est., new fuel system on docks) = \$3,680,260.00 (est.)

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

Currently there are upland renovations being completed to commercial Unit A (i.e. the dining facility and ship's store) and the individual condominium units, as addressed in prior site plan and building related submissions approvals.

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):

The New Dock is already approved and permitted by the Florida Department of Environmental Protection pursuant to FDEP Permit No. 50-0147856 and Submerged Lands Lease No. 500022746, along with U.S. Army Corps of Engineers Permit No. SAL-2017-002239. Assuming and once the special exception is approved, Applicant will obtain necessary approvals for the New Dock from the P&Z Board with the Town.

#### **SE24-01** Supplement to Application Buccaneer Marina - Special Exception Use Approval for New Docks

Provide the justification, special reasons, or basis for the approval of this application. Explain why this application is [a] consistent with good planning and zoning practice, [b] will not be contrary to the Town's Comprehensive Development Plan, and [c] 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, [d] 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)

[a] The New Dock being classified as a commercial dock and/or marina will be consistent with good planning and zoning practices because it will promote commerce to the Town and surrounding establishments, there is sufficient upland interests and ownership to accommodate the classification, Applicant holds sufficient upland parking required pursuant to the local Code (as detailed herein and attached), and it will comply with current zoning.

[b] The New Dock's classification as a commercial dock and/or marina will relatedly serve to meet the Town's Comprehensive Plan by further complying with the zoning and economic promotion of the surrounding areas. Additionally, the New Dock's changed classification will align with neighboring marinas already operating under a same special exception - i.e. Cannonsport and Sailfish Marinas.

[c] The New Dock being classified as a commercial dock and/or marina will promote appearance by being a new modern floating dock system versus the current deteriorating wooden marina, the conveniences and comfort associated with the floating dock system are evident in ease of side-tie mooring and walkability/accessibility of the docks, and the New Docks will include updated fire, electrical, fuel and water systems that are up-to-date with current standards and thus safer for the public and Town.

[d] The New Dock meets the special exception criteria in paragraph 7.2(b) of the Town Code by virtue of the following, in that the New Dock will:

- contain up-to-date fuel sale systems for boating only;
- be open to the public for renting or leasing pursuant to terms in the FDEP and USACE Permits;
- allow the sale of ice and bait, along with other fishing equipment and marine supplies on the dock and through the upland ship's store;
- have an accessory on-shore retail and eating facilities by virtue of the upland ship's store and dining establishment on the property;
- allow for limited marine servicing that complies with FDEP and USACE Permits and regulations;
- there are no plans for any charter vessels at this time.

Additionally, the New Dock will have sufficient upland parking requirements, as there are 27 planned slips that equates to 20.25 required parking spots (27 slips x 0.75 parking spots per slip) and there are approximately 85 upland available parking spots pursuant to the attached site plan

#### Page 3 of 4

#### SE24-01

Supplement to Application Buccaneer Marina - Special Exception Use Approval for New Docks

calculations and signed Reciprocal Driveway Easement and Shared Parking Agreement (copy is attached).

The Applicant will also ensure the New Dock meets requirements for and obtains an FDEP Clean Marina Designation pursuant to Sec. 82-57(d) in the Town Code, and Application will ensure the materials used for construction comply with Sec. 82-51(d) to meet a minimum life expectancy of at least ten years.

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

### **REQUEST FOR SPECIAL EXCEPTION**

The Applicant is requesting a special exception pursuant to Town Code Section(s) Appendix A, paragraph 7.2(b) to permit the following:

Reclassification and granting of a special exception for the Buccaneer Marina to transition from its current classification to a commercial dock and/or marina pursuant to Appendix A, paragraph 7.2(b) of the Town Code. Please also see above for breakdown of criteria for para. 7.2(b).

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

The New Dock (defined above) will be separated from adjacent and nearby uses by virtue of the 25-ft. riparian setbacks and ensuring there is sufficient room for safe navigation between neighboring docks.

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

Predominantly water-based operations and traffic. Therefore, Applicant does not expect any additional traffic attributable to solely the reclassification and special exception. Customers seeking to visit the eating facility will be parking at an off-site parking area and will access the property via state registered low-speed vehicle.

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

Predominantly water-based operations and traffic. No vehicular traffic or parking problem is created and there are sufficient upland parking spots to meet the reclassification/exception, as there are 27 planned slips that equates to 20.25 required parking spots (27 slips x 0.75 parking spots per slip) and there are approximately 85 upland available parking spots pursuant to the attached site plan calculations and signed Reciprocal Driveway Easement and Shared Parking Agreement (copy is attached).

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

Predominantly water-based operations and traffic, but nevertheless there are sufficient upland access to the New Dock through existing approved drives and sidewalks, including complying with ADA requirements, to the extent that such is required.

# 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:

The expansion and operation of the existing marina to the New Dock has, and will continue, to bring tourism and associated revenue to the local economy and provide additional fuel and docking facilities to the local boating community, which are consistent with other neighboring commercial properties operating with the same special exception sought here (i.e. Cannonsport and Sailfish Marinas). Additionally, the new marina meets all set-back and safe navigation/operation governmental requirements.

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

The current and proposed New Dock meets all appropriate set-back requirements and other factors for safe navigation and operation pursuant to FDEP, USACE, and other governing authorities. Moreover, the New Dock will contain the latest up-do-date fire, electrical, fuel and water systems to promote safety and ease of use.

Prepared by and return to: Joshua D. Miron, Esq. 3731 NE Pineapple Ave., 2nd Floor Jensen Beach, FL 34957 (772) 405-0058

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CFN 20220277724

DR BK 33670 PG 1260 RECORDED 06/29/2022 14:25:19 ANT 10.00 Doc Stamp 0.70 Palm Beach County, Florida Joseph Abruzzo, Clerk Pss 1260 - 1261; (2pss) APR 1 1 2024

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#### Quit Claim Deed

This Quit Claim Deed made this A day of June, 2022, between Benjamin K. Sharfi, as Trustee of the Benjamin Sharfi 2002 Trust Dated December 18, 2002, whose post office address is: PO Box 788, Jensen Beach, FL 34958, grantor, and Buccaneer Unit A, LLC, whose post office address is: PO Box 788, Jensen Beach, FL 34958, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Palm Beach County, Florida to-wit:

Condominium Parcel Commercial Unit "A" of Buccaneer Condominium according to the Declaration of Condominium of Buccaneer Condominium, recorded in Official Records Book 3237, Page 1645, as amended, of the Public Records of Palm Beach County, Florida, together with all interest, rights and appurtenances thereto as provided in such Declaration

Parcel Identification Number: 54-43-42-27-41-001-0010

This conveyance is of unencumbered property with no change in beneficial ownership and no exchange of value. Pursuant to Crescent Miami Center, LLC v. Florida Department of Revenue and subsequent technical assistance advisements issued by the State of Florida Department of Revenue, only minimum documentary stamp tax is due.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit, and profit of the said grantee forever.

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Book33670/Page1261 CFN#20220277724 Page 2 of 2

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

**BENJAMIN SHARFI 2002 TRUST** Signed, sealed and delivered in our presence: Witness Printed Name: hanna S McCullagh Benjamin K. Sharfi, Trustee hur Witness Pfinted Name: STATE OF FLORIDA ) SS: ) COUNTY OF MARTIN )

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this  $2\lambda$  June, 2022, by BENJAMIN K. SHARFI, as Trustee of the Benjamin Sharfi 2002 Trust dated December 18, 2002, who [] is personally known or [] has produced a driver's license as identification.



Mare My

Prepared by and return to: Joshua D. Miron, Esq. 3731 NE Pineapple Ave., 2nd Floor Jensen Beach, FL 34957 (772) 405-0058

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### RECIPROCAL DRIVEWAY EASEMENT AND SHARED PARKING AGREEMENT

THIS RECIPROCAL DRIVEWAY EASEMENT AND SHARED PARKING AGREEMENT ("Agreement") is made and entered into this 22<sup>nd</sup> day of July, 2022, by and among, Island Chapel, LLC, a Florida limited liability company having a principal address of 1100 East Blue Heron Blvd., Riviera Beach, Florida ("Island Chapel"), Buccaneer Unit A, LLC, a Florida limited liability company, having a principal address of 142 Lake Dr., Unit A, Palm Beach Shores, Florida ("Unit A"), and The Buccaneer Condominium Association of Palm Beach Shores, Inc., a Florida non-profit corporation, having a principal address of 142 Lake Drive, Palm Beach Shores, Florida ("The Buccaneer").

#### WITNESSETH:

WHEREAS, Island Chapel is the owner in fee simple of that certain real property and improvements located at 1100 East Blue Heron Boulevard in the City of Riviera Beach, Florida, legally described pursuant to the attached Exhibit "C", and more fully described on the Administrative Site Plan attached hereto as Exhibit "A" ("Island Chapel Property");

WHEREAS, Unit A is the owner in fee simple of that certain commercial condominium parcel located at 142 Lake Dr., Unit A, Palm Beach Shores, Florida, legally described pursuant to the attached Exhibit "D," and more fully described on the Final Site Plan attached hereto as Exhibit "B" ("The Buccaneer Property");

WHEREAS, The Buccaneer is the owner in fee simple of those certain common elements associated with the Buccaneer Condominium according to the Declaration of Condominium, recorded in Official Records Book 3237, Page 1645, as amended, of the Public Records of Palm Beach County and located at 142 Lake Dr., Palm Beach Shores, Florida and more fully described on the Final Site Plan attached hereto as Exhibit "B" ("The Buccaneer Property");

WHEREAS, the parties to this Agreement desire to create and grant an easement on, over, upon and across portions of each property (Island Chapel Property and The Buccaneer Property, collectively, the "Parcels") for purposes of vehicular and pedestrian ingress and egress to and from, and non-exclusive parking rights, and for all other uses expressly contemplated by this Agreement;

WHEREAS, the interested parties representing the Island Chapel Property and The Buccaneer Property are seeking approval from the City of Palm Beach Shores (the "City") for The Buccaneer Final Site Plan ("Approval" or "Site Plan") and the City is requiring the execution of this Agreement as a condition to the Approval and the issuance of permits.

1. Recitals. The above recitals are true and correct and are hereby made a part of and incorporated in this Agreement.

#### 2. Granting of Easements

2.1 Cross Access Easement. The interested parties representing the Island Chapel Property and The Buccaneer Property hereby grant and convey non-exclusive, mutual cross access easements for purposes of vehicular and pedestrian ingress and egress on, over, upon and across the areas identified on Exhibits A and B, respectively, (the Easement Areas). The Cross Access Easement is subject to the terms, conditions, restrictions and limitations set forth herein and in other recorded easements, reservations, rights-of-way, licenses, restrictions, conditions and limitations affecting the Easement Areas; provided, however, that the foregoing shall not unreasonably interfere with the easement rights under this Agreement. The Cross Access Easement is for the benefit of and is appurtenant to each of the Parcels, respectively, and may be used by the record title owner of each of the Parcels, respectively, and each of their respective successors, assigns, employees, contractors, agents, licensees, lessees under leases extending the use thereof to such lessees and other permittees (collectively the "Permitted Users") solely for the uses set forth herein (the "Permitted Uses") and for no other uses. Such Permitted Uses shall be for the benefit of the Parcels as now or hereafter improved, subdivided and/or developed.

2.2 Common Driveway Easement. The interested parties representing the Island Chapel Property and The Buccaneer Property hereby grant and convey non-exclusive, mutual common driveway easements for purposes of vehicular ingress and egress on, over, upon and across the areas defined in the Easement Areas.

2.3 Parking Easement. The interested parties representing the Island Chapel Property hereby grant and convey a non-exclusive, parking easement for use of all parking spaces within the areas defined in the Easement Area and associated only with the Island Chapel.

3. Maintenance of Easement Areas. Any construction of/on the Easement Areas shall be completed in a good and workmanlike manner free and clear of any construction liens and in full compliance with all present and future local, municipal, county, state and federal environmental and all other applicable laws, statutes, governmental constitutions, ordinances, codes, rules, regulations, resolutions, requirements, standards, applications and directives, as well as all decisions, judgments, writs, injunctions, orders, decrees or demands of courts, administrative bodies and other authorities construing any of the foregoing (collectively, the "Laws"). Each party shall maintain its respective Easement Areas, at its sole cost and expense.

4. Mutual Indemnities. Each party held by this Agreement will indemnify, defend and hold harmless the other for, from and against any and all claims suffered or incurred in connection with any alleged bodily injury or property damage arising out of use or enjoyment of the Easement Areas, unless caused by negligence or willful misconduct of the party to be indemnified.

5. Run with the Land. The covenants, conditions, restrictions, easements, and the other provisions of this Agreement shall run with and be appurtenant to each portion of the Island Chapel

Property and The Buccaneer Property and shall be binding upon each portion of the Island Chapel Property and The Buccaneer Property as applicable.

Assignment. This Agreement involves the granting of an appurtenant easement for the 6. benefit of the Parcels and which burdens the Easement Areas. Therefore, this Agreement and the benefits and/or burdens of the easements granted herein, as applicable, shall be automatically assigned (either in whole or in part, as applicable) to any person or entity to whom fee simple title to all or any portion of any of the Parcels and/or the Easement Areas are conveyed. Notwithstanding anything else contained in this Agreement, upon any such assignment or partial assignment, the rights, duties, obligations and liability of the assignor shall automatically terminate, and the assignee shall be deemed to have assumed and be bound by the applicable duties, obligations and liability so assigned and shall be entitled to all the rights and benefits so assigned with respect to that portion of the Parcels and/or the Easement Areas conveyed. Whenever and wherever the term "successors and assigns" is used in this Agreement, it shall mean only those successors and assigns who acquire their interest by a conveyance of any portion of the Parcels and/or the Easement Areas in accordance with and subject to this Section. Notwithstanding, this Agreement is intended for the benefit of the parties hereto and their respective permitted successors and assigns, and is not for the benefit of, nor may any provision hereof be enforced by any other person, entity or party.

7. Counterparts. This Agreement may be executed in counterparts; each of which shall be deemed to be an original and all of which shall together constitute one and the same instrument.

8. Governing Law. This Agreement shall be governed by, construed under and interpreted and enforced in accordance with the laws of the State of Florida.

9. Waiver / Invalidity. Any failure to enforce any provision contained in this Agreement shall in no way be deemed a waiver of the right to do so thereafter. The invalidity, violation, abandonment or waiver of anyone or more of any of the provisions hereof shall not affect or impair the remaining portions of this Agreement.

10. Authority. By their execution hereof each person executing this Agreement hereby warrants that he or she has full power and authority to bind any corporation, partnership, trust, limited liability company, or other entity for which he or she purports to act hereunder.

[INTENTIONALLY LEFT BLANK] [SIGNATURE PAGE FOLLOWS] IN WITNESS WHEREOF, this Agreement has been made as of the above referenced date.

ISLAND CHAPEL, LLC

Benjamin K. Sharfi, Trustee, Manager

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Printed Name: CHUSTOPHER HARLITON Witness Printed Name

STATE OF FLORIDA	)	
	)	SS:
COUNTY OF MARTIN	)	

The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this 22 July, 2022, by Benjamin K. Sharfi, Manager of Island Chapel, LLC, who [X] is personally known or [] has produced a driver's license as identification.

CONTRACT.	JILL SABOTA
Δ.	MY COMMISSION # HH 075122
	EXPIRES: December 28, 2024
OF FLO	Bonded Thru Notary Public Underwritera

Notary

BUCCANEER UNIT A, LLC

Joshua D. Miron, General Counsel

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Printed Name: CHRISTOPHER HAMILTEN Witness Printed Name: Jin Schoola

STATE OF FLORIDA	)	
	)	SS:
COUNTY OF MARTIN	)	

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization, this 22 July, 2022, by Joshua D. Miron, General Counsel of Buccaneer Unit A, LLC, who 🕅 is personally known or [] has produced a driver's license as identification.

	JILL SABOTA
<b>A</b>	MY COMMISSION # HH 075122
	EXPIRES: December 28, 2024
OFPO	Bonded Thru Notary Public Underwriters

Notary

THE BUCCANEER CONDOMINIUM ASSOCIATION OF PALM BEACH SHORES, INC.

Kevin Kryzda, Vice President

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

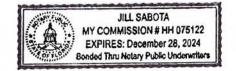
Signed, sealed and delivered in our presence:

Witness Printed Name: CHTELSTOPHER HANLIGUN

Jin ( Witness Printed Name.

STATE OF FLORIDA	)	
	)	SS:
COUNTY OF MARTIN	)	

The foregoing instrument was acknowledged before me by means of  $\aleph$ ] physical presence or [] online notarization, this 22 July, 2022, by Kevin K. Kryzda, Vice President of The Buccaneer Condominium Association of Palm Beach Shores, Inc., who  $\aleph$ ] is personally known or [] has produced a driver's license as identification.



Notary

Exhibit "A"

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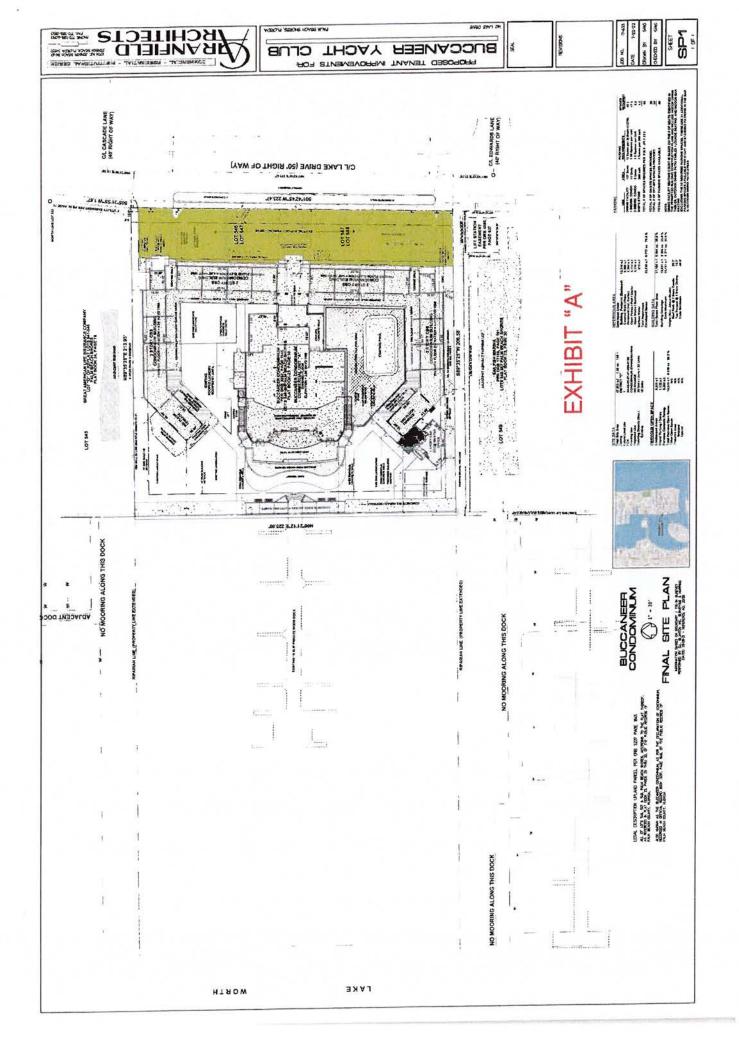


Exhibit "B"

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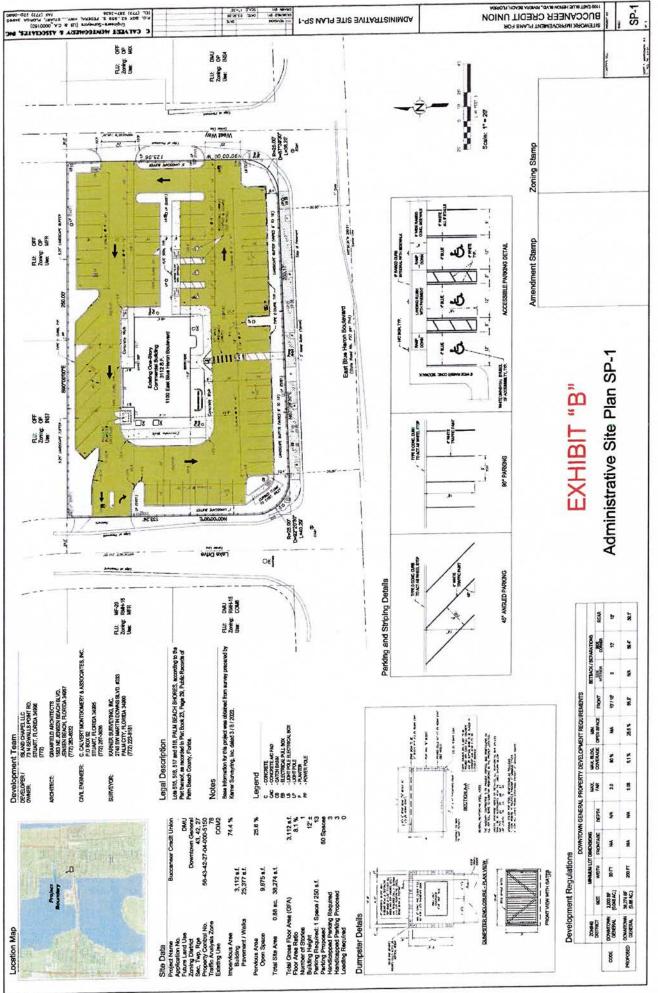


Exhibit "C"

# PROPERTY DESCRIPTIONS FOR ISLAND CHAPEL

Exhibit C - Amended Reciprocal Driveway Easement and Shared Parking Agreement

Street Address: 1100 E Blue Heron Boulevard, Palm Beach Shores, FL

Legal Description: Lots 515, 516, 517 and 518, Palm Beach Shores, according to the map or plat thereof as recorded in Plat Book 23, Page 29, Public Records of Palm Beach County, Florida.

Parcel Identification Number: 6-43-42-27-04-000-5150

Exhibit "D"

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#### PROPERTY DESCRIPTIONS FOR UNIT A

Exhibit D - Amended Reciprocal Driveway Easement and Shared Parking Agreement

Strect Address: 142 Lake Drive, Unit A, Palm Beach Shores, FL

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Legal Description: Condominium Parcel Commercial Unit "A" of Buccaneer Condominium according to the Declaration of Condominium of Buccaneer Condominium, recorded in Official Records Book 3237, Page 1645, as amended, of the Public Records of Palm Beach County, Florida, together with all interests, rights and appurtenances thereto as provided in such Declaration.

Parcel Identification Number: 54-43-42-27-41-001-0010

This Instrument Prepared By: <u>Celeda Wallace</u> Action No. <u>47348</u> Bureau of Public Land Administration 3900 Commonwealth Boulevard Mail Station No. 125 Tallahassee, Florida 32399

#### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

#### SOVEREIGNTY SUBMERGED LANDS LEASE RENEWAL AND MODIFICATION TO REFLECT CHANGE IN UPLAND OWNERSHIP, CHANGE UPLAND USE AND INCREASE SQUARE FOOTAGE

#### BOT FILE NO. <u>500022746</u> PA NO. <u>50-0147856-006-EM</u>

THIS LEASE is hereby issued by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida,

hereinafter referred to as the Lessor.

WITNESSETH: That for and in consideration of payment of the annual lease fees hereinafter provided and the faithful

and timely performance of and compliance with all terms and conditions stated herein, the Lessor does hereby lease to

Buccaneer Unit A, LLC, a Florida limited liability company, hereinafter referred to as the Lessee, the sovereignty lands as

defined in 18-21.003, Florida Administrative Code, contained within the following legal description:

A parcel of sovereignty submerged land in Section <u>27</u>, Township <u>42 South</u>, Range <u>43 East</u>, in <u>Lake Worth</u>, <u>Palm Beach</u> County, Florida, containing <u>57,072</u> square feet, more or less, as is more particularly described and shown on Attachment A, dated <u>March 9, 2023</u>.

TO HAVE THE USE OF the hereinabove described premises from March 27, 2023, the effective date of this modified

lcase renewal, through January 1, 2033, the expiration date of this modified lease renewal. The terms and conditions on and for

which this lease is granted are as follows:

1. <u>USE OF PROPERTY:</u> The Lessee is hereby authorized to construct and operate a <u>27-slip commercial docking facility</u> to be used exclusively for mooring of recreational and commercial vessels in conjunction with an upland <u>commercial marina</u>, with fueling facilities, with a sewage pumpout facility if it meets the regulatory requirements of the State of Florida Department of Environmental Protection or State of Florida Department of Health, whichever agency has jurisdiction, and without liveaboards as defined in paragraph 27, as shown and conditioned in Attachment A, and the State of Florida Department of Environmental Protection Environmental Resource Permit No. <u>50-0147856-006</u>, dated <u>March 17, 2023</u>, incorporated herein and made a part of this lease by reference. The construction of the structures described in Attachment A shall be completed within the initial term hereof or within the first 5 years of the initial term if the initial term is for a period greater than 5 years. The failure to complete the construction of all authorized structures within this time period shall constitute a material breach of the lease to automatically terminate upon the expiration of the initial term or 5 years, whichever is sooner, without any right of renewal. All of the foregoing subject to the remaining conditions of this lease.

[01]

2. <u>LEASE FEES</u>: The Lessee hereby agrees to pay to the Lessor an initial annual lease fee for the expanded area (33,149) square feet) of (5.603.28), plus 25 percent surcharge and sales tax pursuant to Section 212.031, Florida Statutes, if applicable, within 30 days of receipt of this fully executed modified lease. The annual fee for the remaining years of this lease for the entire lease area (57,072) square feet) shall be adjusted pursuant to provisions of Rule 18-21.011, Florida Administrative Code. The State of Florida Department of Environmental Protection, Division of State Lands (the "Division") will notify the Lessee in writing of the amount and the due date of each subsequent annual lease payment during the remaining term of this lease. All lease fees due hereunder shall be remitted to the Division, as agent for the Lessor.

3. WET SLIP RENTAL CERTIFICATION/SUPPLEMENTAL PAYMENT: (A) The Lessee shall provide upon request by the Lessor any and all information in a certified form needed to calculate the lease fee specified in paragraph two (2) above, including the income, as defined in subsection 18-21.003(32), Florida Administrative Code, derived directly or indirectly from the use of sovereignty submerged lands on an annual basis. When six percent (6%) of said annual income exceeds the base fee or minimum annual fee established pursuant to Rule 18-21.011, Florida Administrative Code, for any lease year during the term of this lease, the Lessor shall send the Lessee a supplemental invoice for the difference in the amounts for that lease year. (B) The instrument or agreement used by the Lessee to transfer or assign the right to use a wet slip at the docking facility to a third party shall include a provision that clearly notifies the wet slip renter/user/holder that if the wet slip renter/user/holder subsequently transfers his right to use said wet slip to another party, the instrument or agreement used to transfer said wet slip shall contain a provision that requires six percent (6%) of the annual gross income derived from said instrument or agreement for the use of said wet slip be paid to the Lessee who, upon receipt, shall report and transmit said amount to the Lessor. The instrument or agreement used by the Lessee to transfer a wet slip shall also include a provision that clearly notifies the wet slip renter/user/holder that no interest in said wet slip may be further transferred unless a substantially similar provision to the one contained in the preceding sentence is placed in each succeeding instrument or agreement used to transfer said wet slip to each new wet slip renter/user/holder. (C) The Lessee shall submit to the Lessor each instrument or agreement used by the Lessee to transfer or assign the right to use a wet slip at the docking facility to a third party annually at the same time the Lessee submits the required Annual Wet Slip Revenue Report to the Lessor. Any breach of this lease condition shall constitute a default under this lease.

4. <u>LATE FEE ASSESSMENTS</u>: The Lessee shall pay a late payment assessment for lease fees or other charges due under this lease which are not paid within 30 days after the due date. This assessment shall be computed at the rate of twelve percent (12%) per annum, calculated on a daily basis for every day the payment is late.

5. <u>EXAMINATION OF LESSEE'S RECORDS</u>: For purposes of this lease, the Lessor is hereby specifically authorized and empowered to examine, for the term of this lease including any extensions thereto plus three (3) additional years, at all reasonable hours, the books, records, contracts, and other documents confirming and pertaining to the computation of annual lease payments as specified in paragraph two (2) above.

6. <u>MAINTENANCE OF LESSEE'S RECORDS</u>: The Lessee shall maintain separate accounting records for: (i) the gross revenue derived directly from the use of the leased premises, (ii) the gross revenue derived indirectly from the use of the leased premises, and (iii) all other gross revenue derived from the Lessee's operations on the riparian upland property The Lessee shall secure, maintain and keep all records for the entire term of this lease plus three (3) additional years. This period shall be extended for an additional two (2) years upon request for examination of all records and accounts for lease verification purposes by the Lessor.

7. <u>AGREEMENT TO EXTENT OF USE:</u> This lease is given to the Lessee to use or occupy the leased premises only for those activities specified herein and as conditioned by the permit(s) referenced in paragraph 1 of this lease. The Lessee shall not (i) change or add to the approved use of the leased premises as defined herein (e.g., from commercial to multi-family residential, from temporary mooring to rental of wet slips, from rental of wet slips to contractual agreement with third party for docking of cruise ships, from rental of recreational pleasure craft to rental or temporary mooring of charter/tour boats, from loading/offloading commercial to rental of wet slips, etc.); (ii) change activities in any manner that may have an environmental impact that was not considered in the original authorization or regulatory permit; or (iii) change the type of use of the riparian uplands or as permitted by the Lessee's interest in the riparian upland property that is more particularly described in Attachment <u>B</u> without first obtaining a regulatory permit/modified permit, if applicable, the Lessor's written authorization in the form of a modified lease, the payment of additional fees, if applicable, and, if applicable, the removal of any structures which may no longer qualify for authorization under the modified lease.

Page 2 of 17 Pages Sovereignty Submerged Lands Lease No. 500022746 8. <u>PROPERTY RIGHTS</u>: The Lessee shall make no claim of title or interest to said lands hereinbefore described by reason of the occupancy or use thereof, and all title and interest to said land hereinbefore described is vested in the Lessor. The Lessee is prohibited from including, or making any claim that purports to include, said lands described or the Lessee's leasehold interest in said lands into any form of private ownership, including but not limited to any form of condominium or cooperative ownership. The Lessee is further prohibited from making any claim, including any advertisement, that said land, or the use thereof, may be purchased, sold, or re-sold.

9. <u>INTEREST IN RIPARIAN UPLAND PROPERTY</u>: During the term of this lease, the Lessee shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), Florida Administrative Code, in the riparian upland property that is more particularly described in Attachment <u>B</u> and by reference made a part hereof together with the riparian rights appurtenant thereto. If such interest is terminated or the Lessor determines that such interest did not exist on the effective date of this lease, this lease may be terminated at the option of the Lessor. If the Lessor terminates this lease, the Lessee agrees not to assert a claim or defense against the Lessor arising out of this lease. Prior to sale and/or termination of the Lessee's interest in the riparian upland property, the Lessee shall inform any potential buyer or transferee of the Lessee's interest in the riparian upland property and the existence of this lease and all its terms and conditions and shall complete and execute any documents required by the Lessor to affect an assignment of this lease, if consented to by the Lessor. Failure to do so will not relieve the Lessee from responsibility for full compliance with the terms and conditions of this lease which include, but are not limited to, payment of all fees and/or penalty assessments incurred prior to such act.

10. <u>ASSIGNMENT OF LEASE</u>: This lease shall not be assigned or otherwise transferred without prior written consent of the Lessor or its duly authorized agent. Such assignment or other transfer shall be subject to the terms, conditions and provisions of this lease, current management standards and applicable laws, rules and regulations in effect at that time. Any assignment or other transfer without prior written consent of the Lessor shall be null and void and without legal effect.

11. <u>INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS</u>: The Lessee shall investigate all claims of every nature arising out of this lease at its expense, and shall indemnify, defend and save and hold harmless the Lessor and the State of Florida from all claims, actions, lawsuits and demands arising out of this lease.

12. <u>NOTICES/COMPLIANCE/TERMINATION</u>: The Lessee binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth and said provisions and conditions shall be deemed covenants of the Lessee, its successors and assigns. In the event the Lessee fails or refuses to comply with the provisions and conditions herein set forth, or in the event the Lessee violates any of the provisions and conditions herein set forth, and the Lessee fails or refuses to comply with any of said provisions or conditions within twenty (20) days of receipt of the Lessor's notice to correct, this lease may be terminated by the Lessor upon thirty (30) days written notice to the Lessee. If canceled, all of the above-described parcel of land shall revert to the Lessor. All notices required to be given to the Lessee by this lease or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Buccaneer Unit A, LLC 142 Lake Drive Palm Beach Shores, Florida 33404

The Lessee shall notify the Lessor by certified mail of any change to this address at least ten (10) days before the change is effective.

13. <u>TAXES AND ASSESSMENTS</u>: The Lessee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this lease.

14. <u>NUISANCES OR ILLEGAL OPERATIONS</u>: The Lessee shall not permit the leased premises or any part thereof to be used or occupied for any purpose or business other than herein specified unless such proposed use and occupancy are consented to by the Lessor and the lease is modified accordingly, nor shall Lessee knowingly permit or suffer any nuisances or illegal operations of any kind on the leased premises.

Page 3 of 17 Pages Sovereignty Submerged Lands Lease No. 500022746 15. <u>MAINTENANCE OF FACILITY/RIGHT TO INSPECT</u>: The Lessee shall maintain the leased premises in good condition, keeping the structures and equipment located thereon in a good state of repair in the interests of public health, safety and welfare. No dock or pier shall be constructed in any manner that would cause harm to wildlife. The leased premises shall be subject to inspection by the Lessor or its designated agent at any reasonable time.

16. <u>NON-DISCRIMINATION</u>: The Lessee shall not discriminate against any individual because of that individual's race, color, religion, sex, national origin, age, handicap, or marital status with respect to any activity occurring within the area subject to this lease or upon lands adjacent to and used as an adjunct of the leased area.

17. <u>ENFORCEMENT OF PROVISIONS</u>: No failure, or successive failures, on the part of the Lessor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Lessor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

18. <u>PERMISSION GRANTED</u>: Upon expiration or cancellation of this lease all permission granted hereunder shall cease and terminate.

19. <u>RENEWAL PROVISIONS</u>: Renewal of this lease shall be at the sole option of the Lessor. Such renewal shall be subject to the terms, conditions and provisions of management standards and applicable laws, rules and regulations in effect at that time. In the event that the Lessee is in full compliance with the terms of this lease, the Lessor will begin the renewal process. The term of any renewal granted by the Lessor shall commence on the last day of the previous lease term. In the event the Lessor does not grant a renewal, the Lessee shall vacate the leased premises and remove all structures and equipment occupying and erected thereon at its expense. The obligation to remove all structures authorized herein upon termination of this lease shall constitute an affirmative covenant upon the Lessee's interest in the riparian upland property more particularly described in Attachment <u>B</u> which shall run with the title to the Lessee's interest in said riparian upland property and shall be binding upon the Lessee and the Lessee's successors in title or successors in interest.

20. <u>REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES</u>: If the Lessee does not remove said structures and equipment occupying and erected upon the leased premises after expiration or cancellation of this lease, such structures and equipment will be deemed forfeited to the Lessor, and the Lessor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Lessee at the address specified in Paragraph 12 or at such address on record as provided to the Lessor by the Lessee. However, such remedy shall be in addition to all other remedies available to the Lessor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

21. <u>REMOVAL COSTS/LIEN ON RIPARIAN UPLAND PROPERTY</u>: Subject to the noticing provisions of Paragraph 20 of this lease, any costs incurred by the Lessor in removal of any structures and equipment constructed or maintained on state lands shall be paid by Lessee and any unpaid costs and expenses shall constitute a lien upon the Lessee's interest in the riparian upland property that is more particularly described in Attachment <u>B</u>. This lien on the Lessee's interest in the riparian upland property shall be enforceable in summary proceedings as provided by law.

22. <u>RIPARIAN RIGHTS/FINAL ADJUDICATION</u>: In the event that any part of any structure authorized hereunder is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent riparian rights, Lessee agrees to either obtain written consent for the offending structure from the affected riparian owner or to remove the interference or encroachment within 60 days from the date of the adjudication. Failure to comply with this paragraph shall constitute a material breach of this lease agreement and shall be grounds for immediate termination of this lease agreement at the option of the Lessor.

23. <u>AMENDMENTS/MODIFICATIONS</u>: This lease is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this lease must be in writing, must be accepted, acknowledged and executed by the Lessee and Lessor, and must comply with the rules and statutes in existence at the time of the execution of the modification or amendment. Notwithstanding the provisions of this paragraph, if mooring is authorized by this lease, the Lessee may install boatlifts within the leased premises without formal modification of the lease provided that (a) the Lessee obtains any state or local regulatory permit that may be required; and (b) the location or size of the lift does not increase the mooring capacity of the docking facility.

24. <u>ADVERTISEMENT/SIGNS/NON-WATER DEPENDENT ACTIVITIES/ADDITIONAL ACTIVITIES/MINOR STRUCTURAL REPAIRS</u>: No permanent or temporary signs directed to the boating public advertising the sale of alcoholic beverages shall be erected or placed within the leased premises. No restaurant or dining activities are to occur within the leased premises. The Lessee shall ensure that no permanent, temporary or floating structures, fences, docks, pilings or any structures whose use is not water-dependent shall be erected or conducted over sovereignty submerged lands without prior written consent from the Lessor. No additional structures and/or activities including dredging, relocation/realignment or major repairs or renovations to authorized structures, shall be erected or conducted on or over sovereignty, submerged lands without prior written consent from the Lessor. Unless specifically authorized in writing by the Lessor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Lessee to administrative fines under Chapter 18-14, Florida Administrative Code. This condition does not apply to minor structural repairs required to maintain the authorized structures in a good state of repair in the interests of public health, safety or welfare; provided, however, that such activities shall not exceed the activities authorized by this lease.

25. <u>USACE AUTHORIZATION</u>: Prior to commencement of construction and/or activities authorized herein, the Lessee shall obtain the U.S. Army Corps of Engineers (USACE) permit if it is required by the USACE. Any modifications to the construction and/or activities authorized herein that may be required by the USACE shall require consideration by and the prior written approval of the Lessor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

26. <u>COMPLIANCE WITH FLORIDA LAWS</u>: On or in conjunction with the use of the leased premises, the Lessee shall at all times comply with all Florida Statutes and all administrative rules promulgated thereunder. Any unlawful activity which occurs on the leased premises or in conjunction with the use of the leased premises shall be grounds for the termination of this lease by the Lessor.

27. <u>LIVEABOARDS</u>: The term "liveaboard" is defined as a vessel docked at the facility and inhabited by a person or persons for any five (5) consecutive days or a total of ten (10) days within a thirty (30) day period. If liveaboards are authorized by paragraph one (1) of this lease, in no event shall such "liveaboard" status exceed six (6) months within any twelve (12) month period, nor shall any such vessel constitute a legal or primary residence.

28. <u>GAMBLING VESSELS</u>: During the term of this lease and any renewals, extensions, modifications or assignments thereof, Lessee shall prohibit the operation of or entry onto the leased premises of gambling cruise ships, or vessels that are used principally for the purpose of gambling, when these vessels are engaged in "cruises to nowhere," where the ships leave and return to the state of Florida without an intervening stop within another state or foreign country or waters within the jurisdiction of another state or foreign country, and any watercraft used to carry passengers to and from such gambling cruise ships.

29. <u>FINANCIAL CAPABILITY</u>: To assure the Lessor that the Lessee has the financial capability to undertake and operate the project authorized by this lease, the Lessee certifies to the Lessor as follows: (i) the Lessee is not the subject of a pending bankruptcy proceeding that would prohibit the Lessee from paying its lease fees, on or before the due date, with or without, as applicable, approval from the bankruptcy court or, if appointed, the bankruptcy trustee; (ii) the Lessee has no unsatisfied judgments entered against it that would impair the Lessee's financial capability to undertake and operate the project authorized by this lease; (iii) the Lessee has no delinquent state and local taxes for which it is responsible and that remain outstanding and not in dispute; and (iv) to the best of the Lessee's knowledge, there are no other matters pending or threatened against or affecting the Lessee or the Lessee's interest in the riparian upland property that would impair the Lessee's financial capability to undertake and operate the project authorized by this lease. Any breach of this lease condition shall constitute a default under this lease.

30. <u>SPECIAL LEASE CONDITION</u>: A minimum of ninety percent (90%) of the wet slips at the docking facility shall be made available for rent to the general public on a "first come, first served" basis, as defined in Rule 18- 21.003, Florida Administrative Code, with no longer than one-year rental terms and with no automatic renewal rights or conditions. To help ensure compliance with and to assist in providing public awareness of this requirement, the Lessee shall erect permanent signs at the waterward entrance to the docking facility that are clearly visible to passing boaters and at the upland entrance to the docking facility that are clearly visible to passing boaters and at the upland entrance to the docking facility are available for rent to the general public. Any dockage rate sheet publications and dockage advertising for the docking facility shall clearly state that a minimum of ninety percent (90%) of the wet slips at the docking facility shall clearly state that a minimum of ninety percent (90%) of the wet slips at the docking facility shall clearly state that a minimum of ninety percent (90%) of the wet slips at the docking facility shall clearly state that a minimum of ninety percent (90%) of the wet slips at the docking facility shall clearly state that a minimum of ninety percent (90%) of the wet slips at the docking facility shall clearly state that a minimum of ninety percent (90%) of the wet slips at the docking facility shall clearly state that a minimum of ninety percent (90%) of the wet slips at the docking facility shall clearly state that a minimum of ninety percent (90%) of the wet slips at the docking facility shall clearly state that a minimum of ninety percent (90%) of the wet slips at the docking facility are open to the general public on a "first come, first served" basis.

[Remainder of page intentionally left blank; Signature page follows]

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IN WITNESS WHEREOF, the Lessor and the Lessee have executed this instrument on the day and year first above written.

BY:

WITNESSES al Signature

3800 Commonwealth Brd.

**Original Signature** 

Print/Type Name of Witness 3800 Common Wealth Blvd. IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

BOARD OF TRUSTEES OF THE INTERNAL

(SEAL)

Brad Richardson, Chief, Bureau of Public Land Administration, Division of State Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

"LESSOR"

Tallahassel, FL 32399 STATE OF FLORIDA COUNTY OF LEON

The foregoing instrument was acknowledged before me by means of physical presence this 22 day of 2024, by Brad Richardson, Chief, Bureau of Public Land Administration, Division of State Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. He is personally known to me.

APPROVED SUBJECT TO PROPER EXECUTION: Toni Sturtevant 11/13/2023

**DEP** Attorney

Date

Notary Public, State of Florida

Printed, Typed or Stamped Name

My Commission Expires:

KATHY C. GRIFFIN MY COMMISSION # HH 448124 EXPIRES: November 27, 2027

Commission/Serial No.

WITNESSES:

Kolm That

Original Signature

ROBERT MOSS Typed Printed Name of Witnes Original Signature

DAVID V. MARTIN Typed/Printed Name of Witness

STATE OF Florida

COUNTY OF Martin

Buccaneer Unit A, LLC, a Florida limited liability company

(SEAL)

BY:

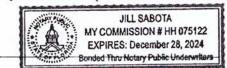
Original Signature of Executing Authority

Christopher F. Hamilton Typed/Printed Name of Executing Authority

Authorized Signatory Title of Executing Authority

"LESSEE"

My Commission Expires:



Commission/Serial No.

Signature of Notary Public

Notary Public, State of Florida

Tin Sabota Printed, Typed or Stamped Name





#### LEGAL DESCRIPTION

DESCRIPTION OF SOVEREIGN SUBMERGED LAND LEASE UNDER THE WATERS OF LAKE WORTH AND BEING IN SECTION 27, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

THE SOUTH LINE OF LOT 548 IS ASSUMED TO BEAR SOUTH 89°35'25" WEST AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 548, AS SHOWN ON THE PLAT OF PALM BEACH SHORES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGES 29 THROUGH 32, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE \$89°35'25"W, ALONG THE SOUTH LINE OF SAID LOT 548. A DISTANCE OF 208.48 FEET TO THE POINT OF INTERSECTION WITH THE WEST FACE OF A CONCRETE BULKHEAD, ALSO BEING THE MEAN HIGH WATER LINE OF THE WATERS OF LAKE WORTH: THENCE N00°21'12"E, ALONG THE WEST FACE OF SAID BULKHEAD, A DISTANCE OF 25.00 FEET TO THE THE POINT OF BEGINNING; THENCE S89°35'25"W, ALONG A LINE PARALLEL WITH AND 25.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 548, A DISTANCE OF 325.00 FEET; THENCE N00°24'41"W, A DISTANCE OF 174.98 FEET: THENCE N89°35'25"E, ALONG A LINE PARALLEL WITH AND 25.00 FEET SOUTH OF THE NORTH LINE OF LOT 546, SAID PLAT OF PALM BEACH SHORES, A DISTANCE OF 327.34 FEET, TO A POINT ON SAID CONCRETE BULKHEAD AND MEAN HIGH WATER LINE; THENCE S00°31'06"W, ALONG SAID CONCRETE BULKHEAD, A DISTANCE OF 174.99 FEET TO THE POINT OF BEGINNING.

#### CONTAINING IN ALL, 57,072 SQUARE FEET / 1.31 ACRES.

#### SURVEYOR'S NOTES

 SUKVE TUR'S NUTLES

 1. The current and expected use of the site is Commercial and meets the accuracy standards for such as required by the Florida Standards Standards of Practice per FAC chapter SJ-17.

 2. The Specific purpose of this survey is to provide data showing the relationship of docks and pilings adjacent to the proposed boundary lines of the submerged land lease.

 3. Foundstions, Footers and other Underground Facilities not located, unless otherwise shown.

 4. Existing easements & fights-drway as shown hereon are per plat of Pain Beach Shores recorded in Plat Book 23, Pages 29-32.

 5. Distances and angles / bearings shown hereon are per plat and agree with the survey measurement unless otherwise specified.

 6. The Bearing base is the South line of lot 548, and all other bearings are relative thereto.

 7. No search of the Public Records by this Surveyor.

 8. State Plane Coordinates are based on field observations relative to North American Datum NAD 83 Florids East Zone.

 9. This survey cannot be transferred or assigned, unless authorized by Daniel L Rienton

- 9. This survey cannot be transferred or assigned, unless authorized by Daniel L. Blanton. 10. Additions or Deletions to this statch other than by the signing surveyor are prohibited. 11. Not valid without the original signature or electronic signature and seal of a Florida licensed surveyor and mapper.

I HEREBY CERTIFY TO: The Board of Trustees of the Internal Improvement Trust Fund Buccaneer Condominium Association of Palm Beach Shores, Inc. Benjamin K. Sharfi, as Trustee for the Benjamin K. Sharfi 2002 Trust

That this survey was made under my responsible charge and meets the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.



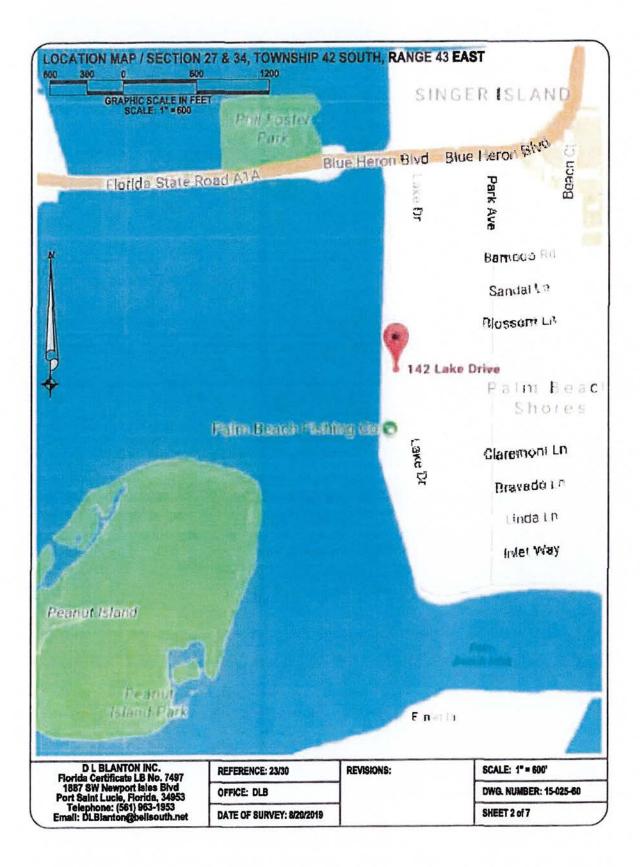
by Daniel L Blanton Date:

2023.03.09 19:25:28 -05'00'

DANIEL L. BLANTON **PROFESSIONAL SURVEYOR & MAPPER** FLORIDA CERTIFICATION NO. 5988

D L BLANTON INC. Florida Certificate LB No. 7497	REFERENCE: 23/30	REVISIONS: 2/1/2021 Address Comments	SCALE: NA
1887 SW Newport Isles Blvd Port Saint Lucie, Florida, 34953	OFFICE: DLB	7/3/2021 USACE Combined App 8/28/2022 Added Sheet 7 Construction Notes	DWG. NUMBER: 15-025-60
Telephone: (561) 963-1953 Email: DLBianton@bellsouth.net	DATE OF SURVEY: 8/20/2019	3/9/2023 Rev Sheet 5 Address MHW Notes	SHEET 1 OF 7

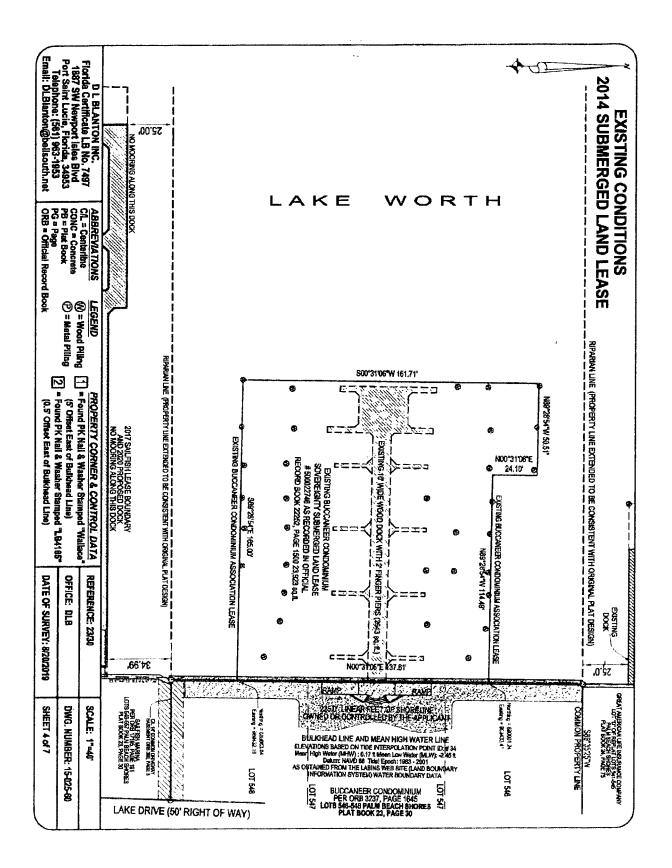
Attachment A Page 9 of 17 Pages Sovereignty Submerged Lands Lease No. 500022746



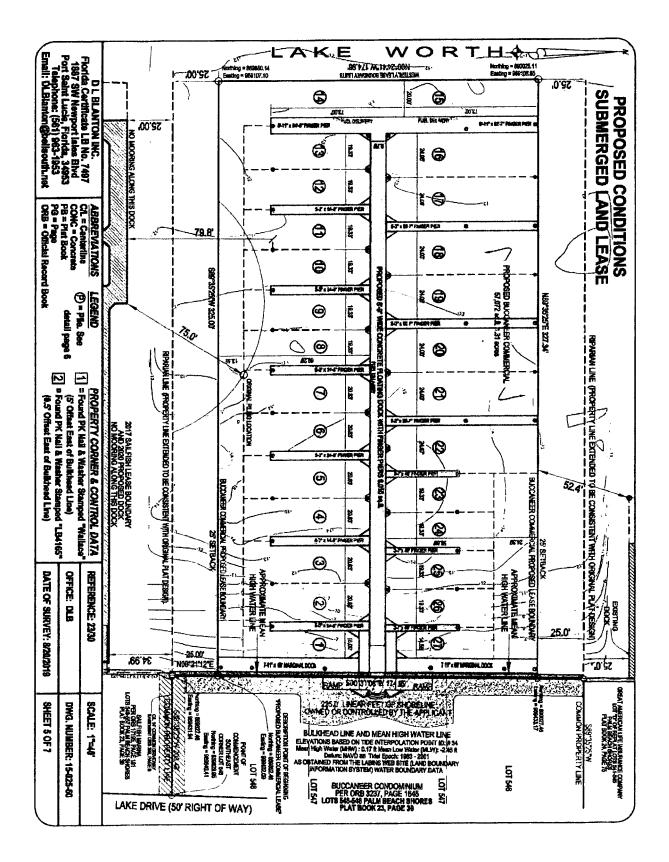
Attachment A Page 10 of 17 Pages Sovereignty Submerged Lands Lease No. 500022746



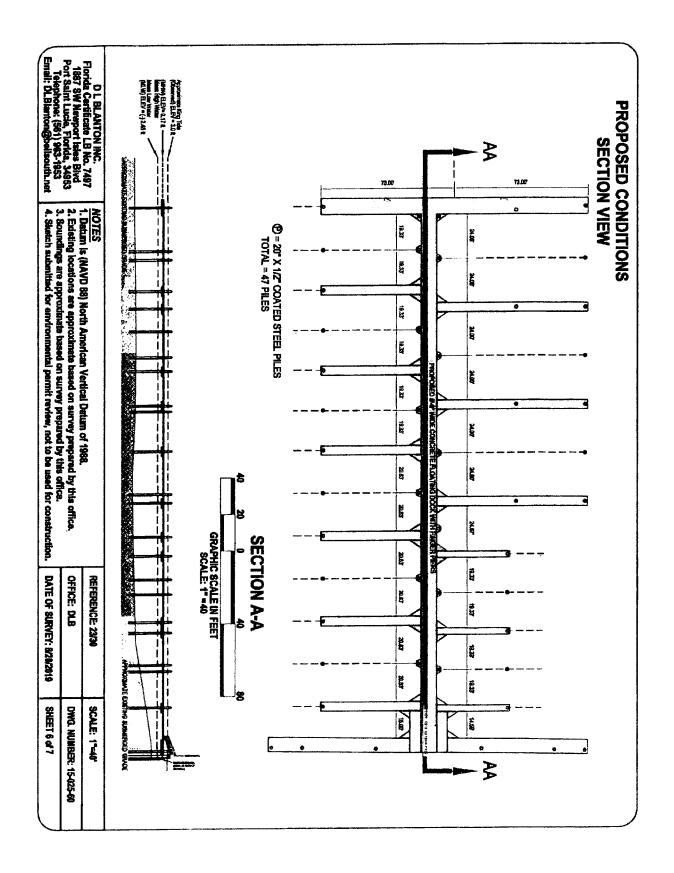
Attachment A Page 11 of 17 Pages Sovereignty Submerged Lands Lease No. 500022746



Attachment A Page 12 of 17 Pages Sovereignty Submerged Lands Lease No. 500022746

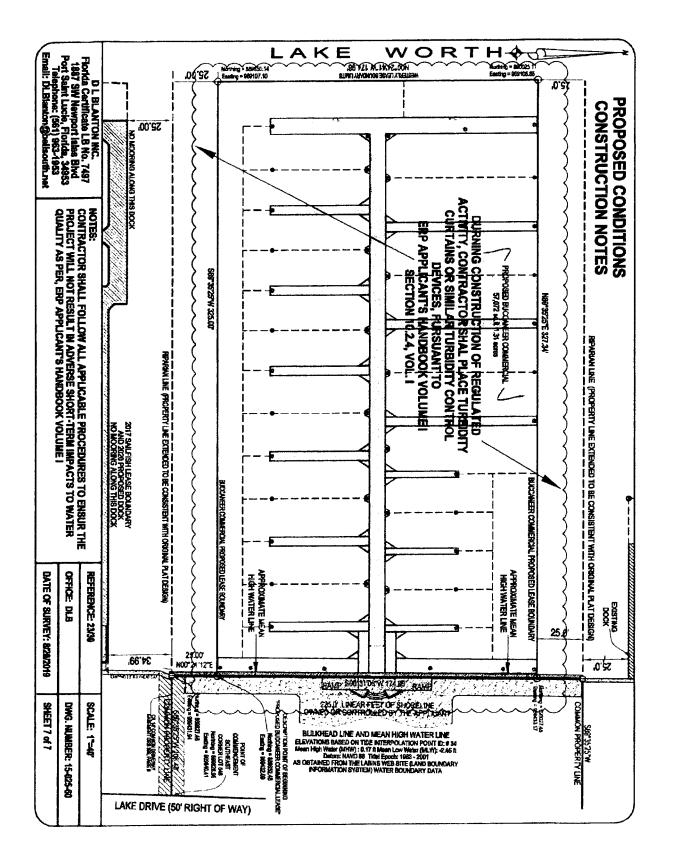


Attachment A Page 13 of 17 Pages Sovereignty Submerged Lands Lease No. 500022746



Attachment A Page 14 of 17 Pages Sovereignty Submerged Lands Lease No. 500022746

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Attachment A Page 15 of 17 Pages Sovereignty Submerged Lands Lease No. 500022746 4/20/23, 9:15 AM

Prepared by and return to:

3731 NE Pineapple Ave., 2nd Floor

Joshua D. Miron, Esq.

Jensen Beach, FL 34957 (772) 405-0058 Landmark Web Official Records Search

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### CFN 20220277724

DR BK 33670 PG 1260 RECORDED 06/29/2022 14:25:19 ANT 10.00 Doc Stamp 0.70 Palm Beach County, Florida Joseph Abruzzo;Clerk Pss 1260 - 1261; (2pss)

Space above this line for recording data

### Quit Claim Deed

This Quit Claim Deed made this A day of June, 2022, between Benjamin K. Sharfi, as Trustee of the Benjamin Sharfi 2002 Trust Dated December 18, 2407, whose post office address is: PO Box 788, Jensen Beach, FL 34958, grantor, and Buccaneer Unit A, LLC, whose post office address is: PO Box 788, Jensen Beach, FL 34958, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors are regions of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand-paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which granter bes in and to the following described land, situate, lying and being in Palm Beach County, Florida to-wit:

Condominium Parcel Commercial Unit "A" of Buccaneer Condominium according to the Declaration of Condominium of Buccaneer Condominium, recorded in Official Records Book 3237, Page 1645, as amended, of the Public Records of Palm Beach County, Florida, together with all interest, rights and appurtenances thereto as provided in such Declaration

Parcel Identification Number: 54-43-42-27-41-001-0010

This conveyance is of unencumbered property with no change in beneficial ownership and no exchange of value. Pursuant to Crescent Miami Center, LLC v. Florida Department of Revenue and subsequent technical assistance advisements issued by the State of Florida Department of Revenue, only minimum documentary stamp tax is due.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit, and profit of the said grantee forever.

1

4/20/23, 9:15 AM

Landmark Web Official Records Search

Book33670/Page12 CFN#20220277724 Page 2 of 2

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Printed Name llagh

**BENJAMIN SHARFI 2002 TRUST** 

Benjamin K. Sharfi, Trustee

husto alu Witness Pfinted Name: CHRISTOPHO -SAPLET

))))

STATE OF FLORIDA

COUNTY OF MARTIN

The foregoing instrument was acknowledged before me by means of [ $\neg$ ] physical presence or [] online notarization, this  $2\lambda$  June, 2022, by BENJAMIN K. SPARFI, as Trustee of the Benjamin Sharfi 2002 Trust dated December 18, 2002, who [ $\neg$ ] is personally known or [ $\neg$ ] has produced a driver's license as identification.

2



aud Mr



DEPARTMENT OF THE ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT 4400 PGA BOULEVARD, SUITE 500 PALM BEACH GARDENS, FLORIDA 33410

October 12, 2022

Regulatory Division South Branch Palm Beach Gardens Section SAJ-2017-02239 (MOD-CGK) Modification-2

Benjamin K. Sharfi, as Trustee of the Benjamin Sharfi 2002 Trust, 142 Lake Drive Palm Beach Shores, FL 33404

The Buccaneer Condominium Association of Palm Beach Shores c/o Benjamin K. Sharfi BSharfi@Sharfiholding.com

Dear Mr. Sharfi:

The U.S. Army Corps of Engineers (Corps) has completed the review and evaluation of your modification request, received on 24 June 2022, in which you asked to revise the plans authorized by Department of the Army permit number SAJ-2017-02239 (MOD-CGK), issued to Benjamin K. Sharfi, as Trustee of the Benjamin Sharfi 2002 Trust and The Buccaneer Condominium Association of Palm Beach Shores, dated November 5, 2020. The project site is located within the Lake Worth Lagoon at 142 Lake Drive, Palm Beach Shores (Section 27 and 34, Township 42 South, Range 43 East), Palm Beach County, Florida.

The proposed modification would result in the installation of a 9,015.0 square foot floating concrete dock system with finger piers, that has an approximate 8-feet 9-inches wide access walkway and 47 metal piles as well as the installation of three (3) finger piers that measure 3-feet 7-inches by 40-feet, Six (6) finger piers that measure 5-feet 2inches by 54-feet 8-inches, three (3) finger piers that measure 5-feet 2-inches by 82-feet 7-inches, One (1) finger pier that measure 8-feet 11-inches by 54-feet 8-inches, One (1) finger pier that measure 8-feet 11-inches by 82-feet 7-inches, and Two (2) Marginal docks that measure 7-feet 11-inches by 83-feet. The facility will contain a total of 27 boat slips. The modification must be completed in accordance with the enclosed construction drawings which replaces drawings of the original permit and the previous modification. Furthermore, the modification must adhere to the general conditions outlined in the original permit, as well as the following special conditions:

**1. Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019. The Permittee shall reference this permit modification number, SAJ-2017-02239 (MOD-CGK), on all submittals.

**2. 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 B).

**3. As-Built Certification**: Within 60 days of completion of the work authorized by this permit, the Permittee shall submit as-built drawings of the authorized work and a completed "As-Built Certification By Professional Engineer" form (Attachment C) to the Corps. The as-built drawings shall be signed and sealed by a registered professional engineer and include the following:

a. A plan view drawing of the location of the authorized work footprint, as shown on the permit drawings, with transparent overlay of the work as constructed in the same scale as the permit drawings on 8½-inch by 11-inch sheets. The plan view drawing should show all "earth disturbance," including any wetland impacts and water management structures.

b. A list of any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the attached "As-Built Certification By Professional Engineer" form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or "As-Built Certification By Professional Engineer" form does not constitute approval of any deviations by the Corps.

c. Include the Department of the Army permit number on all sheets submitted.

**4. Assurance of Navigation and Maintenance:** 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 or alteration.

**5. Turbidity Barriers**: Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend to within one foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all erodible materials have been stabilized. Turbidity barriers shall be removed upon stabilization of the work area.

### 6. Manatee Conditions:

a.The Permittee shall comply with the enclosed (Attachment D) "Standard Manatee Conditions for In-Water Work – 2011."

b. No later than 60 days prior to slip occupancy, the Permittee shall install permanent manatee educational sign. In the even the signs fade, become damaged or outdated, the permittee shall replace the signs during the term of this and all subsequent authorizations. The Permittee shall ensure that the review of the signs is not obstructed by vegetation or structures. The on-site locations and types of signs shall be in accordance with information and process provided by the Florida Fish and Wildlife Conservation Commission at

http://www.myfwc.com/wildlifehabitats/managed/manatee/education-for-marinas/

**7. Signage:** Signs stating "No Overnight Mooring: shall be installed along the docks in the location of the transient slips.

8. Jacksonville District Programmatic Biological Opinion (JAXBO): Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable PDCs contained in the JAXBO, based on the permitted activity. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take. The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at:

http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx

**9. Construction Location:** Project construction shall take place from uplands or from floating equipment (e.g., barge) with clearance to access the site; prop or wheel-washing is prohibited.

### 10: Cultural Resources/Historic Properties:

a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for

inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures 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 and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions. c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). 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 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on nonfederal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). 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 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

e. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850) 245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.

**11.** The Permittee shall complete and record the "Notice of Department of the Army Authorization" form (Attachment E) with the Clerk of the County Court, Registrar of Deeds or other appropriate official charged with the responsibility of maintaining records of title to or interest in real property within the county of the authorized activity. No later than 90 days from the effective date of this permit, the Permittee shall provide a copy of the recorded Notice of Permit to the Corps clearly showing a stamp from the appropriate official indicating the book and page at which the Notice of Permit is recorded in the official records and the date of recording.

If you object to this determination/decision, you may request an administrative appeal under Corps' regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination/decision, you must submit a completed RFA form to the South Atlantic Division Office at the following address:

Mr. Phillip A. Shannin South Atlantic Division U.S. Army Corps of Engineers CESAD-CM-CO-R, Room 9M15 60 Forsyth St., SW. Atlanta, Georgia 30303-8801.

Mr. Shannin can be reached by telephone number at 404-562-5136, or by facsimile at 404-562-5138.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the above address by December 11, 2022. It is not necessary to submit an RFA form to the Division office, if you do not object to the determination/decision in this letter.

The impact of your proposal on navigation and the environment has been reviewed and found to be insignificant. The permit is hereby modified in accordance with your request. You should attach this letter to the permit. All other conditions of the permit remain in full force and effect. If you have any questions concerning this permit modification, please contact the project manager Christian Karvounis at the letterhead address, by telephone at 561-472-3508 or by electronic mail at Christian.G.Karvounis@usace.army.mil.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at https://regulatory.ops.usace.army.mil/customer-service-survey/. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Linda C. Knoeck

James L. Booth Colonel, U.S. Army District Commander

Enclosures: Attachment: Drawings Attachment: Commencement Notification Attachment: As-Built Certification Attachment: Manatee Conditions Attachment: Notice of Permit NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

pplicant: Benjamin K. Sharfi File Number: SAJ-2017-02239 (MOD-CGK)		Date:
Attached is:		See Section below
INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
PROFFERED PERMIT (Standard Permit or Letter of permission)		B
PERMIT DENIAL		C
APPROVED JURISDICTIONAL DETERMINATION		D
PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <u>http://www.usace.army.mil/CECW/Pages/reg\_materials.aspx</u> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may
  request that the permit be modified accordingly. You must complete Section II of this form and return the form to the
  district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice,
  or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will
  evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to
  address some of your objections, or (c) not modify the permit having determined that the permit should be issued as
  previously written. After evaluating your objections, the district engineer will send you a proffered permit for your
  reconsideration, as indicated in Section B below.

### B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days
  of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the
  approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION IL REQUEST FOR APPEAL OF OR IECTIONS T				
SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to				
an initial proffered permit in clear concise statements. You				
your reasons or objections are addressed in the administrat				
ADDITIONAL INFORMATION: The enneet is limited to a set	iow of the administrative record	the Corps momercendum for		
ADDITIONAL INFORMATION: The appeal is limited to a rew the record of the appeal conference or meeting, and any sup				
is needed to clarify the administrative record. Neither the ap				
to the record. However, you may provide additional information				
administrative record.	tion to clarify the location of inte	simation that is already in the		
POINT OF CONTACT FOR QUESTIONS OR INFORMATIC	N:			
If you have questions regarding this decision and/or the	If you only have questions reg	parding the appeal process		
appeal process you may contact:	you may also contact:			
	,			
Project Manager as noted in letter	Philip A. Shannin			
	404-562-5136			
RIGHT OF ENTRY: Your signature below grants the right of				
government consultants, to conduct investigations of the project site during the course of the appeal process. You will				
be provided a 15 day notice of any site investigation, and will				
	Date:	Telephone number:		
Signature of appellant or agent.				

### SPECIFIC PURPOSE SURVEY SUBMERGED LAND LEASE & PROPOSED DOCK **Buccaneer Unit A. LLC** Palm Beach Shores, Florida



### LEGAL DESCRIPTION

DESCRIPTION OF SOVEREIGN SUBMERGED LAND LEASE UNDER THE WATERS OF LAKE WORTH AND BEING IN SECTION 27, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

THE SOUTH LINE OF LOT 548 IS ASSUMED TO BEAR SOUTH 89°35'25" WEST AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 548, AS SHOWN ON THE PLAT OF PALM BEACH SHORES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGES 29 THROUGH 32, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE S89°35'25"W, ALONG THE SOUTH LINE OF SAID LOT 548, A DISTANCE OF 208.48 FEET TO THE POINT OF INTERSECTION WITH THE WEST FACE OF A CONCRETE BULKHEAD, ALSO BEING THE MEAN HIGH WATER LINE OF THE WATERS OF LAKE WORTH; THENCE N00°21'12"E, ALONG THE WEST FACE OF SAID BULKHEAD, A DISTANCE OF 25.00 FEET TO THE THE POINT OF BEGINNING; THENCE S89°35'25"W, ALONG A LINE PARALLEL WITH AND 25.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 548, A DISTANCE OF 325.00 FEET; THENCE N00°24'41"W, A DISTANCE OF 174.98 FEET: THENCE N89°35'25"E, ALONG A LINE PARALLEL WITH AND 25.00 FEET SOUTH OF THE NORTH LINE OF LOT 546, SAID PLAT OF PALM BEACH SHORES, A DISTANCE OF 327.34 FEET, TO A POINT ON SAID CONCRETE BULKHEAD AND MEAN HIGH WATER LINE; THENCE S00°31'06"W, ALONG SAID CONCRETE BULKHEAD, A DISTANCE OF 174.99 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL, 57,072 SQUARE FEET / 1.31 ACRES.

### SURVEYOR'S NOTES

- The current and expected use of the site is Commercial and meets the accuracy standards for such as required by the Florida Standards Standards of Practice per FAC chapter 5J-17.
- The Specific purpose of this survey is to provide data showing the relationship of docks and pilings adjacent to the proposed boundary lines of the submerged land lease.
- Foundations, Footers and other Underground Facilities not located, unless otherwise shown. 3.
- Existing easements & rights-of-way as shown hereon are per plat of Palm Beach Shores recorded in Plat Book 23, Pages 29-32.
- Distances and angles / bearings shown hereon are per plat and agree with the survey measurement unless otherwise specified. 5.
- The Bearing base is the South line of lot 548, and all other bearings are relative thereto. 6.
- No search of the Public Records by this Surveyor. 7.
- State Plane Coordinates are based on field observations relative to North American 8. Datum NAD 83 Florida East Zone.
- This survey cannot be transferred or assigned, unless authorized by Daniel L. Blanton.
   Additions or Deletions to this sketch other than by the signing surveyor are prohibited.
- 11. Not valid without the original signature or electronic signature and seal of a Florida licensed surveyor and mapper.

### I HEREBY CERTIFY TO:

The Board of Trustees of the Internal Improvement Trust Fund Buccaneer Condominium Association of Palm Beach Shores, Inc. Benjamin K. Sharfi, as Trustee for the Benjamin K. Sharfi 2002 Trust

That this survey was made under my responsible charge and meets the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.



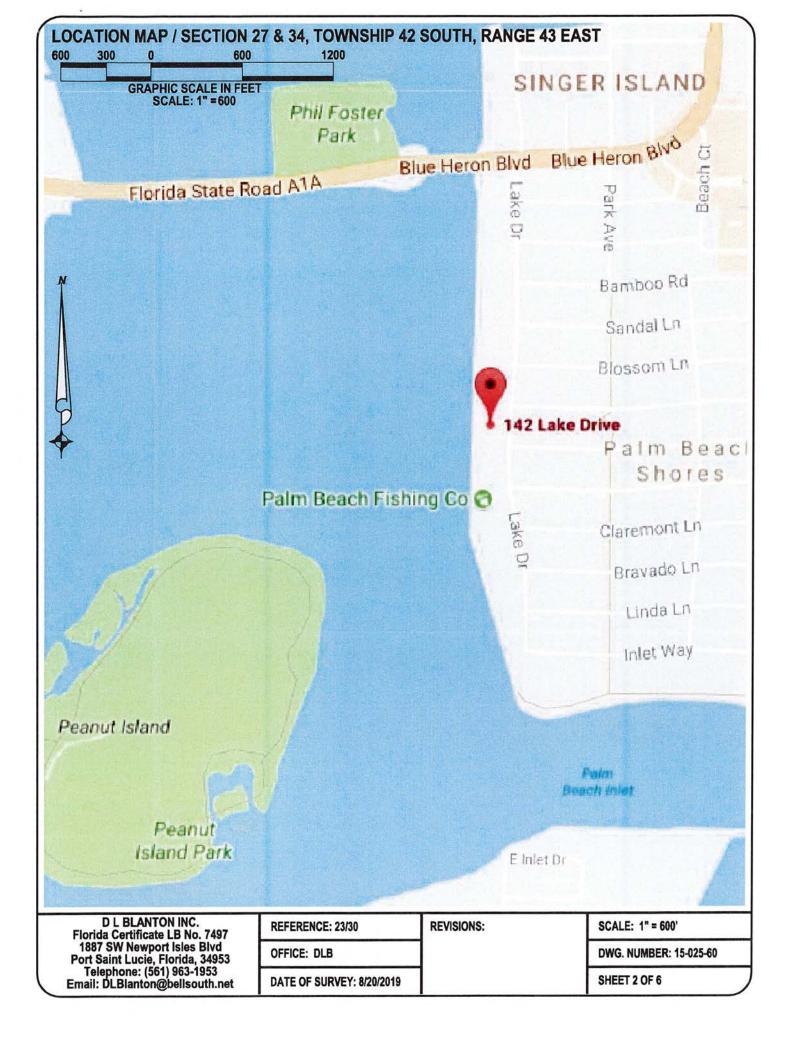
This item has been electronically signed and sealed by Daniel L. Blanton. PSM using a Digital Signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

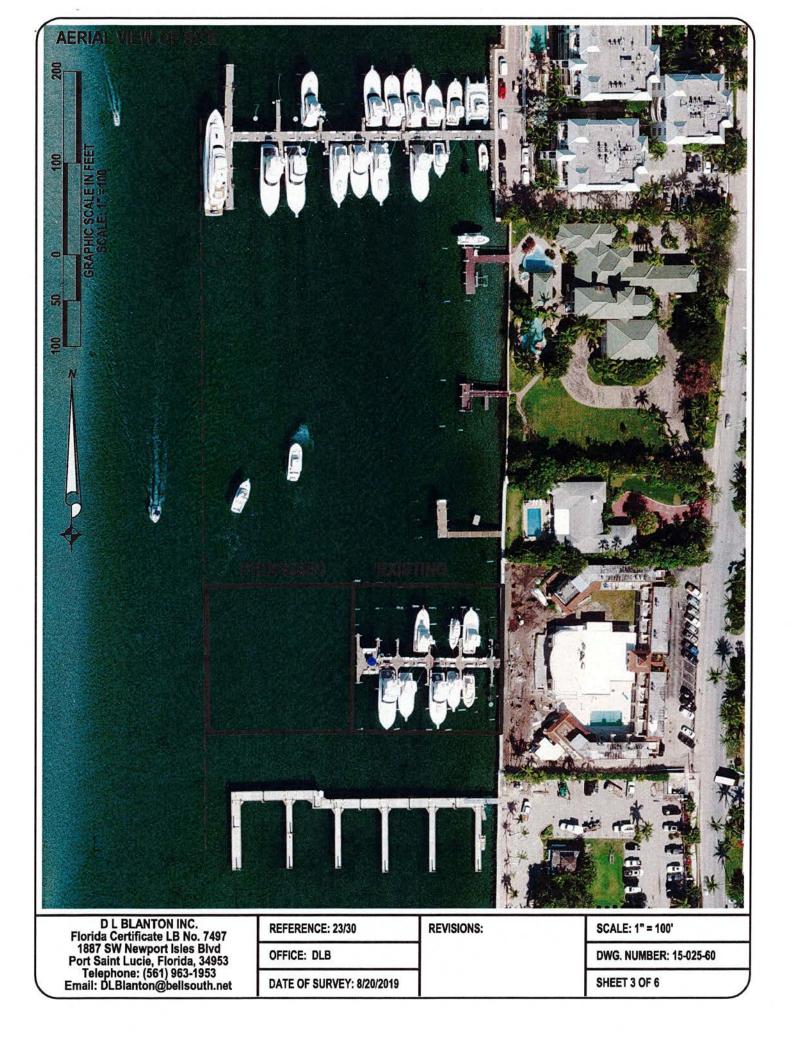
**Digitally signed** by Daniel L. Blanton, PSM 5988

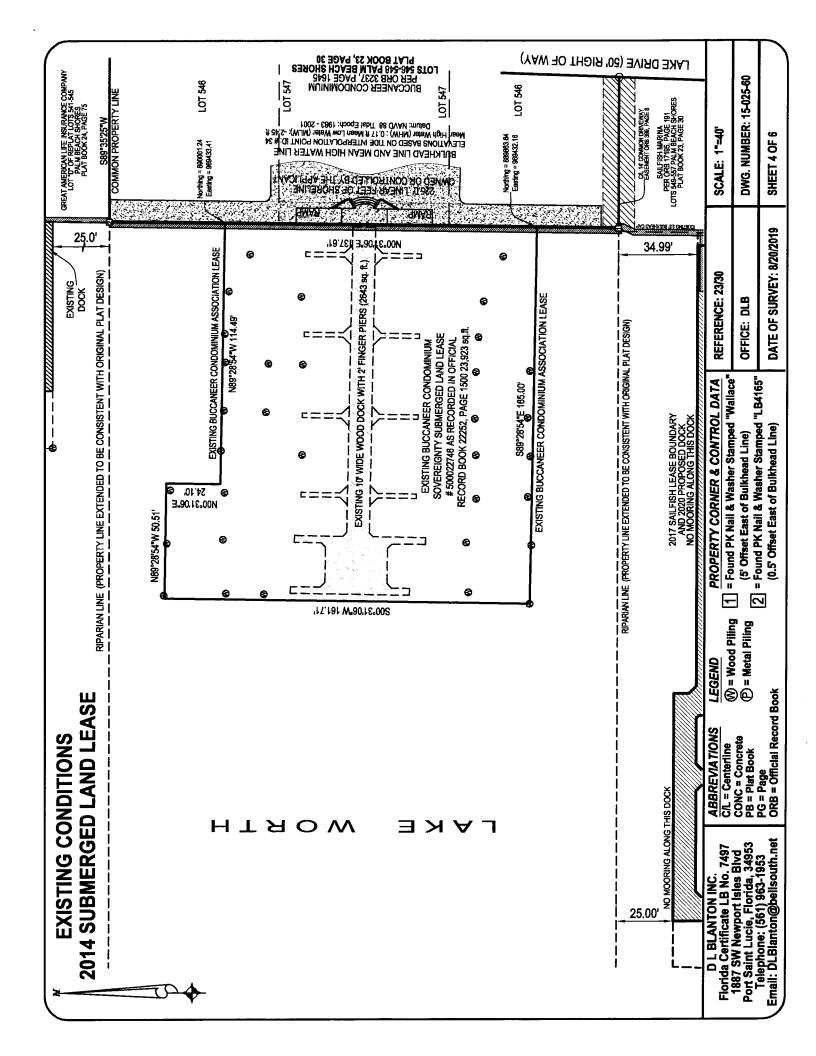
Date: 2022.06.24 10:35:43 -04'00'

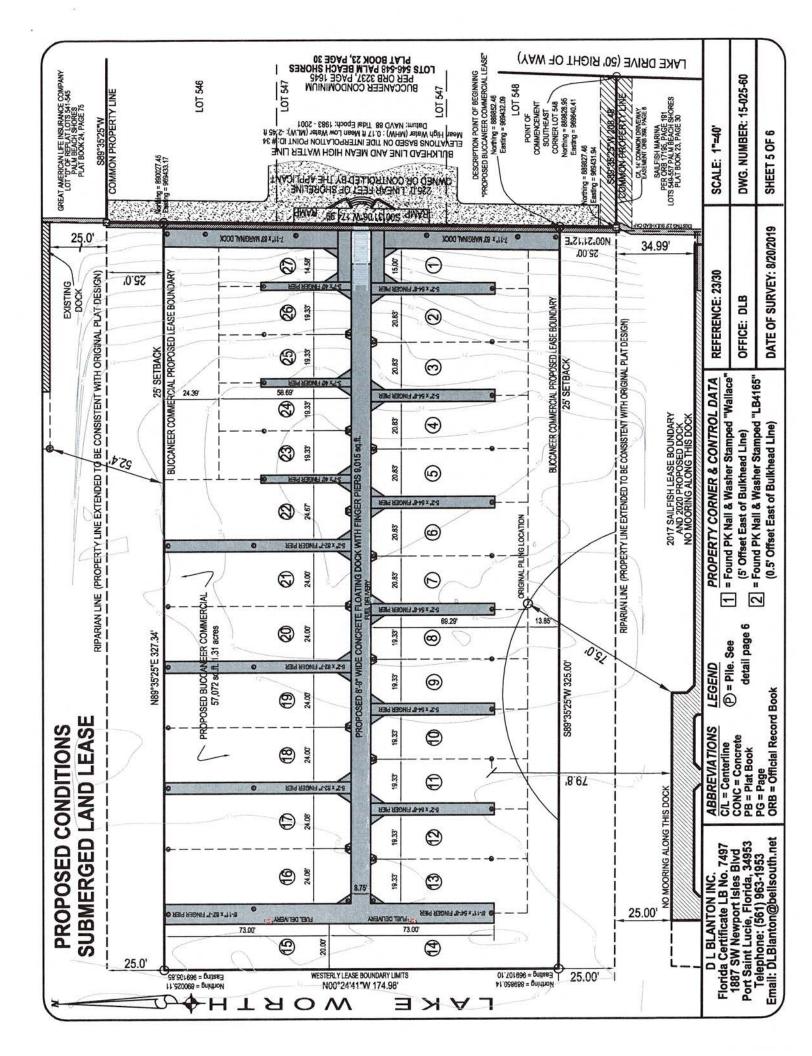
DANIEL L. BLANTON PROFESSIONAL SURVEYOR & MAPPER **FLORIDA CERTIFICATION NO. 5988** 

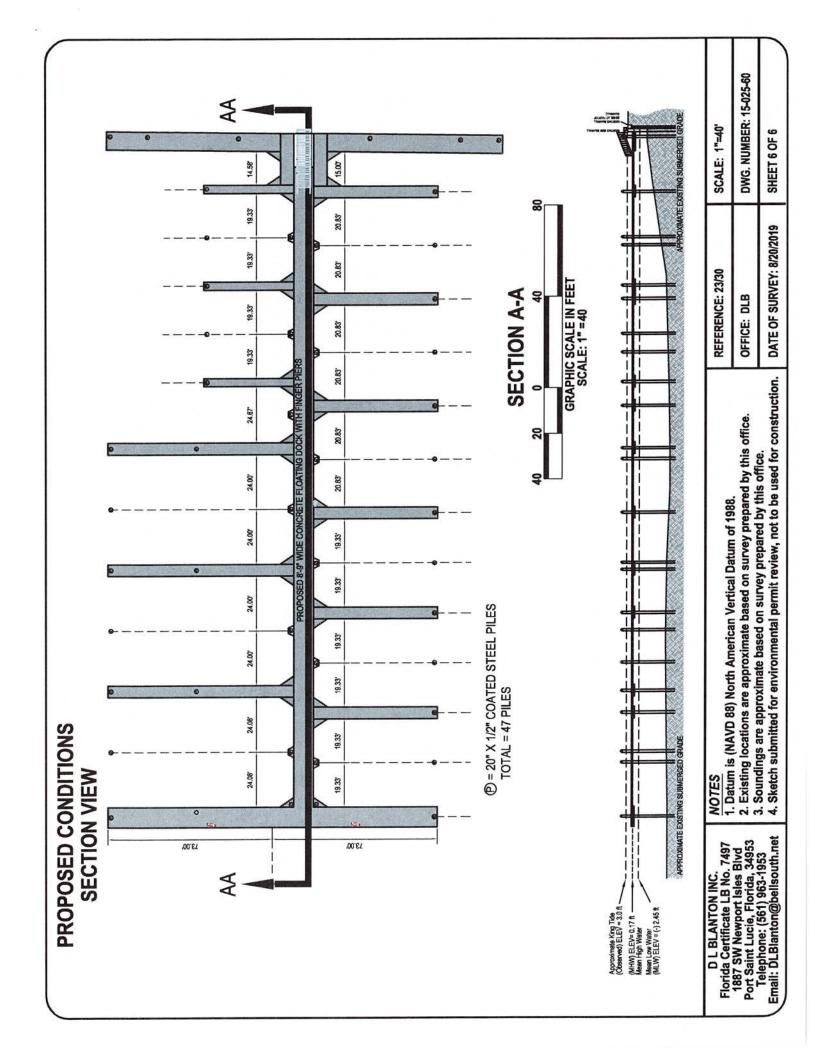
D L BLANTON INC. SCALE: N/A **REFERENCE: 23/30 REVISIONS:** Florida Certificate LB No. 7497 1/20/2021 Revised Dock 1887 SW Newport Isles Blvd DWG. NUMBER: 15-025-60 OFFICE: DLB 2/1/2021 Address Comments Port Saint Lucie, Florida, 34953 7/3/2021 USACE Combined App Telephone: (561) 963-1953 SHEET 1 OF 6 **DATE OF SURVEY: 8/20/2019** Email: DLBlanton@bellsouth.net











### **COMMENCEMENT NOTIFICATION**

Within 10 days of initiating the authorized work, submit this form via electronic mail to sajrd-enforcement@usace.army.mil (preferred, not to exceed 15 MB) <u>or</u> by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

1. Department of t	he Army Permit Number:
2. Permittee Inform	nation:
Name:	
Email:	
Address:	
Phone:	
3. Construction St	art Date:
4. Contact to Sche	edule Inspection:
Name:	
Email:	
Phone:	
	Signature of Permittee

Printed Name of Permittee

Date

### AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Within sixty (60) days of completion of the authorized work, submit this form and one set of asbuilt engineering drawings via electronic mail to <u>saj-rd-enforcement@usace.army.mil</u> (preferred, but not to exceed 15 MB) <u>or</u> by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019. If you have questions regarding this requirement, please contact the Enforcement Branch at 904-232-3697.

1. Department of the Army Permit Number: SAJ- - ( -CGK)

2. Permittee Informat	tion:	
Name: _		 
Address: _		 

3. Project Site Identification (physical location/address):

4. As-Built Certification: I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

Signature of Engineer	Name ( <i>Please type</i> )		
(FL, PR, or VI) Reg. Number	Company Name		
City	State	ZIP	
(Affix Seal)			

Date	Telephone Number
Date Work Started:	Date Work Completed:
Identify any deviations from the approved additional pages if necessary):	permit drawings and/or special conditions (attach

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### STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

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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 Florida Fish and Wildlife Conservation Commission (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
- 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 FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" 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. These signs can be viewed at MyFWC.com/manatee. 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



Prepared by:	
Permittee:	
Address:	

Phone:

### NOTICE OF DEPARTMENT OF THE ARMY PERMIT

**TAKE NOTICE** the United States Army Corps of Engineers (Corps) has issued a permit or verification SAJ-2017-02339 (MOD-CGK) to Benjamin K. Sharfi, (Permittee) on October 12, 2022 authorizing work in navigable waters of the United States in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) on a parcel of land known as Folio/Parcel ID:

Lake Drive, Palm Beach Shores (Section 27 and 34, Township 42 South, Range 43 East), Palm Beach County, Florida.

Within 30 days of any transfer of interest or control of said property, the Permittee must notify the Corps in writing of the property transfer by submitting the completed permit transfer page included with the issued permit or verification. Notification of the transfer does not by itself constitute a permit transfer. Therefore, purchasers of that portion of the premises containing the area authorized to be filled (or any portion thereof) are notified that it is unlawful for any person to construct, alter, operate, maintain, remove or abandon any works, including dredging or filling, or any other work within, over, or under waters of the United States (including wetlands) without first having obtained a permit from the Corps in the purchaser's name.

**Conditions of the Permit/Verification:** The permit or verification is subject to General Conditions and Special Conditions which may affect the use of the work authorized in Lake Worth Lagoon. Accordingly, interested parties should closely examine the entire permit or verification, all associated applications, and any subsequent modifications.

To obtain a copy of the authorization in its entirety submit a written request to: U.S. Army Corps of Engineers Regulatory Division - Special Projects & Enforcement Branch Post Office Box 4970 Jacksonville, Florida 32232-0019

Questions regarding compliance with these conditions should be directed to: U.S. Army Corps of Engineers Enforcement Section Post Office Box 4970 Jacksonville, Florida 32232-0019

### **Conflict Between Notice and Permit**

This Notice of Authorization is not a complete summary of the issued permit or verification. Provisions in this Notice of Permit shall not be used in interpreting the permit or verification provisions. In the event of conflict between this Notice of Permit and the permit or verification, the permit or verification shall control.

### This Notice is Not an Encumbrance

This Notice is for informational purposes only. It is not intended to be a lien, encumbrance, or cloud on the title of the premises.

### Release

This Notice may not be released or removed from the public records without the prior written consent of the Corps.

This Notice of Authorization is executed on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_. This document is being submitted for recordation in the Public Records of Palm Beach County, Florida as part of the requirement imposed by the authorization SAJ-2017-02339 (MOD-CGK) issued by Corps.

	Permittee:
	Address:
	Phone:
STATE OF FLORIDA	
COUNTY OF	
The foregoing instrument was a, 20,	cknowledged before me thisday of , by, who is personally known to as identification.
me or has produced	as identification.
(seal)	Notary Public
	Print

My Commission Expires\_\_\_\_\_

Subject:	RE: Buccaneer Marina // Permit No. 50-0147856-EM
Date:	Friday, March 15, 2024 at 9:21:23 AM Eastern Daylight Time
From:	Mitty Barnard
To:	Chris Hamilton
CC:	Josh Miron, Dylan Brandenburg, Josh Nichols
Attachmen	ts: image006.jpg, image007.png, image009.jpg, image010.jpg, image011.png, image012.png, image013.jpg, image014.jpg, image001.jpg

Chris,

315

Thanks! Feel free to be bring the Special Exception hearing. Also, please be sure this email is included with your Site Plan Modification resubmittal.

Thank you,

### Amity R. Barnard, Esquire Associate Attorney



701 Northpoint Parkway, Suite 205 West Palm Beach, Florida 33407 Tel: (561) 586-7116, Ext. 2702 Email: mitty@davislawteam.com



Incoming e-mails are filtered which may delay receipt. This e-mail is personal to the named recipient(s) and may be privileged and confidential. If you are not the intended recipient, you received this in error. If so, any review, dissemination, or copying of this e-mail is prohibited. Please notify us immediately by e-mail and delete the original message.

From: Chris Hamilton <<u>chamilton@sharfiholdings.com</u>> Sent: Friday, March 15, 2024 9:12 AM To: Mitty Barnard <<u>mitty@davislawteam.com</u>> Cc: Josh Miron <<u>jmiron@sharfiholdings.com</u>> Subject: FW: Buccaneer Marina // Permit No. 50-0147856-EM

You don't often get email from <u>chamilton@sharfiholdings.com</u>. <u>Learn why this is important</u> Good morning Mitty, Following up our discussion on the FDEP Permit issue, please see below from our FDEP permitting point of contact, who confirmed the clarification. Although it's my understanding we don't need this email confirmation for the Special Exception P&Z Meeting, I will still bring a few printed copies of this email just in case.

Let us know if you need anything further. Thanks, again, for your continued guidance!

Cheers, Chris

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### **Christopher F. Hamilton**

Senior Vice President – Operations | SHARFI HOLDINGS, INC. & Deputy General Counsel

Cell: (813) 416-2352 | <u>E-Mail</u> 3731 NE Pineapple Ave., 2<sup>nd</sup> Floor, Jensen Beach, FL 34957

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From: "Tracey, John" <<u>John.Tracey@FloridaDEP.gov</u>> Date: Monday, March 11, 2024 at 8:54 AM To: Chris Hamilton <<u>chamilton@sharfiholdings.com</u>> Cc: Josh Miron <<u>jmiron@sharfiholdings.com</u>> Subject: RE: Buccaneer Marina // Permit No. 50-0147856-EM

Good Morning,

Yes, it is our understanding that the dock would be removed/rebuilt completely as shown on the stamped and approved plans.

Please let me know if you need any additional information from me on this one. Thank you,



John Tracey Environmental Specialist III Florida Department of Environmental Protection Southeast District – West Palm Beach 3301 Gun Club Road, MSC 7210-1 West Palm Beach, FL 33406 John.Tracey@FloridaDEP.gov Office: 561.681.6717



From: Chris Hamilton <<u>chamilton@sharfiholdings.com</u>> Sent: Friday, March 8, 2024 10:06 AM To: Tracey, John <<u>John.Tracey@FloridaDEP.gov</u>> Cc: Josh Miron <<u>jmiron@sharfiholdings.com</u>> Subject: Re: Buccaneer Marina // Permit No. 50-0147856-EM

### **EXTERNAL MESSAGE**

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Hi John,

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Tried calling you and left a voicemail. I know you are slammed and I'm sorry to bug you, but we must provide this confirmation on the clarification to the Town of Palm Beach Shores ASAP, so please either respond to confirm as mentioned below or give me a call to discuss proposed edits/issues as soon as you can. Thank you so much!

Thanks, Chris

### **Christopher F. Hamilton**

Senior Vice President – Operations | SHARFI HOLDINGS, INC. & Deputy General Counsel

Cell: (813) 416-2352 | <u>E-Mail</u> 3731 NE Pineapple Ave., 2<sup>nd</sup> Floor, Jensen Beach, FL 34957

SHARFI HOLDINGS

From: Chris Hamilton <<u>chamilton@sharfiholdings.com</u>> Date: Thursday, March 7, 2024 at 11:23 AM To: "Tracey, John" <<u>John.Tracey@FloridaDEP.gov</u>> Subject: Buccaneer Marina // Permit No. 50-0147856-EM

Hi John,

As we discussed yesterday morning, The Town of Palm Beach Shores asked us to clarify a point with FDEP. Specifically, the current referenced Permit states on p. 2 (of 14) under "Project Description" that the permit authorizes "...2) construction of [a] *floating dock addition to an existing*[] *dock*, ... "

The Town of Palm Beach Shores asked that we please clarify and confirm with you that FDEP and our team all agree and understand that this Permit in reality contemplates and encompasses the *complete* demolition of the existing dock at the Buccaneer Marina and the installation of a completely new concrete floating dock system to replace the existing docks in total pursuant to the Permit drawings.

Please just confirm by replying that this understanding is accurate, so we can pass along to the Town and alleviate their concerns. Thanks, in advance, for your help!

Thanks, Chris

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### **Christopher F. Hamilton**

Senior Vice President – Operations | SHARFI HOLDINGS, INC. & Deputy General Counsel

Cell: (813) 416-2352 | <u>E-Mail</u> 3731 NE Pineapple Ave., 2<sup>nd</sup> Floor, Jensen Beach, FL 34957





### 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

Project Name: Buccaneer Docking Facility

### Permittee/Authorized Entity:

Sharfi Holdings Inc. &

Buccaneer Unit A, LLC c/o Joshua Miron, General Counsel & Chief Operating Officer 3731 Pineapple Ave, Second Floor Jensen Beach, FL 34957 Email: jmiron@sharfiholding.com

> Authorized Agent: DLBlanton, Inc. c/o Daniel Blanton Email: <u>DLBlanton@bellsouth.net</u>

### **Environmental Resource Permit - Granted**

State-owned Submerged Lands Authorization – Granted Pending Document Execution

U.S. Army Corps of Engineers / Section 404 Authorization – Separate Authorization Required

> Permit No.: 50-0147856-006-EM Lease File No.: 500022746

Permit Issuance Date: March 17, 2023

Permit Construction Phase Expiration Date: March 17, 2028

### Consolidated Environmental Resource Permit and Recommended Intent to Grant Stateowned Submerged Lands Authorization

Permit No.: 50-0147856-006-EM

### **PROJECT LOCATION**

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The activities authorized by this Permit and state-owned submerged lands authorization are located within Lake Worth, Class III Waters, adjacent to 142 Lake Drive, Palm Beach Shores (Section 27, Township 42 South, Range 43 East), in Palm Beach County (Latitude N 26°46'43.5237", Longitude W -80°2'22.2073").

### **PROJECT DESCRIPTION**

This permit authorizes the following activities: 1) conversion of an existing 18-slip multi-family docking facility to a 27-slip commercial docking facility; 2) construction of an approximately 9,015 sq. ft. floating dock addition to an existing 2,643 sq. ft. dock, for a total 11,658 sq. ft. dock structure; and 3) installation of forty-seven (47) associated piles.

This permit authorizes 9,015 ft<sup>2</sup> of work within other surface waters. Submerged resources are not located within the project boundaries; therefore, there will be no adverse impacts to these resources. Mitigation is not required.

The attached standard manatee conditions (version 2011) shall be adhered to during all in-water work. Prior to construction commencement, weighted floating turbidity curtains, extending to within one-foot from the submerged bottom shall be utilized around the project area to ensure that any turbidity resulting from construction activities will be contained within the project boundaries. All water bodies, including any adjacent submerged aquatic vegetation outside the specific limits of construction authorized by this permit shall be protected from erosion, siltation, sedimentation, and/or scouring.

### **AUTHORIZATIONS**

### Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

### Sovereignty Submerged Lands Authorization

The activity is located on sovereignty submerged lands owned by the State of Florida. It therefore also requires authorization from the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Section 253.77, F.S.,

As staff to the Board of Trustees under Sections 253.002, F.S., the Department has determined that the activity qualifies for and requires a lease modification, as long as the work performed is located within the boundaries as described and is consistent with the terms and conditions herein.

The final documents required to execute the lease will be sent to the lessee by the Department's Division of State Lands for execution. The Department intends to issue the lease, upon satisfactory execution of those documents, including payment of required fees and compliance with the conditions

Project Name: Buccaneer Docking Facility Permit No.: 50-0147856-006-EM Page 2 of 14

### in the attached permit. You may not begin construction of the activities described until you receive a copy of the executed lease from the Department.

### Federal Authorization

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using their APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: 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.

### Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

### Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

### Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

### PERMIT & SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

- The Specific Conditions
- The General Conditions
- The General Conditions for Sovereignty Submerged Lands Authorization
- The limits, conditions and locations of work shown in the attached drawings
- The term limits of this authorization

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms,

Project Name: Buccaneer Docking Facility Permit No.: 50-0147856-006-EM Page 3 of 14 conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

#### SPECIFIC CONDITIONS – EXECUTION OF PROPRIETARY DOCUMENTS

(1) The terms, conditions, and provisions of the required lease shall be met. Construction of this activity shall not commence on sovereign submerged lands, title to which is held by the Board of Trustees of the Internal Improvement Trust Fund, until all required lease agreement documents have been executed to the satisfaction of the Department.

#### SPECIFIC CONDITIONS- PROJECT FORMS & ATTACHMENTS

(2) The attached project drawings (sheets 1 through 7); the Marina Operation and Management Plan (sheets 1 through 4); the Standard Manatee Conditions for In-Water Work, 2011; and DEP forms 62-330.310(3), 62-330.310(1); 62-330.310(2); 62-330.340(1); and 62-330.350(1), which may be downloaded at <a href="http://www.dep.state.fl.us/water/wetlands/erp/forms.htm">http://www.dep.state.fl.us/water/wetlands/erp/forms.htm</a> become part of this permit. If the permittee does not have access to the Internet, please contact the Department at (561) 681-6600 to request the aforementioned forms and/or document(s).

#### **SPECIFIC CONDITIONS - PRIOR TO CONSTRUCTION**

(3) After selection of the contractor to perform the authorized activities and prior to the initiation of any work authorized by this permit, the permittee (or authorized agent) and the contractor shall attend a pre-construction conference with a representative of the Department. It shall be the responsibility of the permittee to contact the Department's Compliance Assistance Program, by email <u>SED\_Compliance@FloridaDEP.gov</u>, or by phone (561) 681-6600, to schedule the pre-construction conference.

(4) Prior to the initiation of any work authorized by this permit, floating turbidity curtains with weighted skirts that extend to within one foot of the bottom shall be placed around the project site, and shall be maintained and remain in place for the duration of the project construction to ensure that turbid discharges do not occur outside the boundaries of the floating turbidity screens. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent turbid discharges.

#### SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

(5) All watercraft associated with the construction of the permitted activities shall only operate within waters of sufficient depth (one-foot clearance from the deepest draft of the vessel (barge) to the submerged bottom) so as to preclude bottom scouring or prop dredging.

(6) There shall be no storage or stockpiling of tools and materials (i.e., lumber, pilings, debris), along the shoreline adjacent to waters of the state. All excess lumber, scrap wood, trash, garbage, and any other type of debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit. All construction equipment/tools and

Project Name: Buccaneer Docking Facility Permit No.: 50-0147856-006-EM Page 4 of 14 materials shall be transported to and from the site via upland roadways and barges and all equipment/tools and materials shall be stored on the construction barges or uplands.

#### **SPECIFIC CONDITIONS – MONITORING/REPORTING REQUIREMENTS**

(7) Turbidity levels outside the construction area shall not exceed 29 NTU's above background levels. The following measures shall be taken immediately by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed 29 NTUs above background:

- a. Notify the Department at 561-681-6600 at the time the violation is first detected.
- b. Immediately cease all work contributing to the water quality violation.
- c. Stabilize all exposed soils contributing to the violation. Modify the work procedures that were responsible for the violation, install more turbidity containment devices, and repair any non-functional turbidity containment devices.
- d. As required, perform turbidity monitoring per Specific Conditions.
- e. Resume construction activities once turbidity levels outside turbidity curtains fall below 29 NTUs.

(8) Water turbidity levels shall be monitored if a turbidity plume is observed outside the limits of the required turbidity control devices. Samples shall be taken every four hours until turbidity subsides at one foot above the bottom, mid-depth, and one-foot below the surface at monitoring stations located as follows:

- f. Approximately 100 feet up-current of the work sites and clearly outside the influence of construction activities. (This shall serve as the natural background sample against which other turbidity readings shall be compared.)
- g. Directly outside the turbidity curtains surrounding the work sites and within the densest portion of any visible turbidity plume. (This sample shall serve as the compliance sample.)

(9) During dock construction activities, the permittee or permittee's contractor shall collect the following turbidity monitoring data at the frequency and water depths directed by the Specific Condition above:

- a. Date and time of sampling event
- b. Turbidity sampling results (background NTUs, compliance NTUs, and the difference between them)
- c. Description of data collection methods
- d. An aerial map indicating the sampling locations
- e. Depth of sample(s)
- f. Weather conditions at times of sampling
- g. Tidal stage and direction of flow

Data shall be collected in a turbidity log and shall include a statement by the individual responsible for implementation of the sampling program attesting to the authenticity, precision, limits of detection, and accuracy of the data. The turbidity log shall be scanned and sent on a weekly basis to the Department's ERP Compliance Assurance Program via email at <u>SED\_Compliance@floridadep.gov</u>. The subject line of the email shall include the project name, permit number, and the title "Turbidity Monitoring Reports."

#### SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES

(10) The docking facility shall be limited to water dependent activities as defined in Chapter 18-21, F.A.C., and the dock shall accommodate the mooring of twenty-seven (27) vessels in the location depicted in the attached permit sketches.

(11) The docking facility shall be limited to vessels with drafts that provide a minimum of one (1) foot clearance between the deepest draft of the vessel (with the motor in the down position) and the submerged bottom at mean low water while mooring at the docking facility so as to preclude bottom scouring or prop dredging.

(12) The slips shall not be occupied by liveaboard vessels. A liveaboard vessel shall be defined as a vessel docked at the facility that is inhabited by a person or persons for any five consecutive days or a total of ten days within a 30-day period.

- (13) The following activities are prohibited at this docking facility:
  - a. Overboard or through hull discharges of trash, human or animal waste, gray water, or fuel shall not occur at the docking facility.
  - b. Fish cleaning stations and boat repair stations shall not be provided at the docking facility. Fueling stations shall only be authorized at locations shown in the attached construction drawings.
  - c. Boat maintenance or repair activities requiring removal of a vessel from the water, or removal of major portions of the vessel, including the engine, for purposes of routine repair or maintenance on site, shall be prohibited for the life of the facility, except where removal is necessitated by emergency conditions which have resulted in or can result in the sinking of a vessel. Specifically prohibited shall be hull cleaning, hull painting, and discharges or release of oils or greases associated with engine and hydraulic repairs, and related metal-based bottom paints associated with hull scraping, cleaning, and painting. Minor repairs and boat maintenance that will not cause or contribute to the release of water pollutants and which are performed by owners or qualified marine mechanics are allowed.

(14) The attached 'Marina Operation & Management Plan' shall be followed in addition to the specific permit conditions. Any proposed changes to the 'Marina Operation & Management Plan' shall be approved by the Florida Department of Environmental Protection before implementation.

#### SPECIFIC CONDITIONS – MANATEE CONDITIONS

(15) The permittee shall comply with the standard manatee protection construction conditions listed in the attached "2011 Standard Manatee Conditions for In-Water Work".

Project Name: Buccaneer Docking Facility Permit No.: 50-0147856-006-EM Page 6 of 14

The Permittee shall install permanent manatee educational signs, which shall be (16)maintained for the life of the facility, no later than 60 days after construction commencement. The number and types of signs, as well as the on-site locations shall be approved by FWC staff prior to approval shall submitted installation. proposal for FWC sign be to A provided ImperiledSpecies@MyFWC.com in accordance with information at http://www.myfwc.com/wildlifehabitats/managed/manatee/education-for-marinas/. Signs shall be replaced in accordance with FWC guidance by the Permittee if outdated, damaged or faded.

#### **SPECIFIC CONDITIONS – LISTED SPECIES**

This permit does not authorize the permittee to cause any adverse impact to or "take" (17)of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of "take" and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a "take" permit cannot Requests information review further or can be sent be issued. for to FWCConservationPlanningServices@MyFWC.com.

#### **GENERAL CONDITIONS FOR INDIVIDUAL PERMITS**

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

(1) All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

(2) A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

(3) Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

Project Name: Buccaneer Docking Facility Permit No.: 50-0147856-006-EM Page 7 of 14 (4) At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

(5) Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

(6) Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

- a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
- b. For all other activities "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
- c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

(7) If the final operation and maintenance entity is a third party:

- a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
- b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

(8) The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

- (9) This permit does not:
  - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.
  - b. Convey to the permittee or create in the permittee any interest in real property;
  - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or

d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

(10) Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

(11) The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

- (12) The permittee shall notify the Agency in writing:
  - a. Immediately if any previously submitted information is discovered to be inaccurate; and
  - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

(13) Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

(14) If any prehistoric or historic artifacts, such as pottery or 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 are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

(15) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

(16) The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in

a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

(17) This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

(18) A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

## GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

Any use of sovereignty submerged lands is subject to the following general conditions are binding upon the applicant and are enforceable under Chapter 253, F.S.

(1) Sovereignty submerged lands may be used 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 will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.

(2) Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.

(3) Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.

(4) Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.

(5) Construction, use, or operation of the structure or activity will 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.

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

(7) Structures or activities will not create a navigational hazard.

(8) Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.

(9) Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.

(10) 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.

(11) 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.

(12) 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.

(13) 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.

(14) This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

#### **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 subsequent order may modify or take a different position than this action.

#### 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:

Project Name: Buccaneer Docking Facility Permit No.: 50-0147856-006-EM Page 11 of 14

- (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. 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 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. 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 may not apply to persons who have not received a clear point of entry.

#### 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

Project Name: Buccaneer Docking Facility Permit No.: 50-0147856-006-EM Page 12 of 14 electronic correspondence at 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.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

alit

Jason Andreotta District Director Southeast District

#### **CERTIFICATE OF SERVICE**

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

FDEP – Norva Blandin MSEM, Danielle Sattelberger, John Tracey, Abigail Davis, SED Compliance@FloridaDEP.gov

Matt Mitchell, Palm Beach County, Environmental Resources, <u>mmitchell@pbcgov.org</u> Sharfi Holdings, In.c, Christopher F. Hamilton, <u>CHamilton@sharfiholding.com</u>

#### 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.

Project Name: Buccaneer Docking Facility Permit No.: 50-0147856-006-EM Page 13 of 14 Vanessa Osborne 03/17/2023

Clerk

Date

#### Attachments:

Project Drawings and Design Specs., 7 pages Marina Operation & Management Plan, 4 pages Standard Manatee Conditions for In-Water Work, 2011 As-built Certification and Request for Conversion to Operational Phase Form 62-330.310(1)\* Request for Transfer to the Perpetual Operation Entity Form 62-330.310(2)\* Request to Transfer Permit Form 62-330.340(1)\* Commencement Notice Form 62-330.350(1)\* \*Can be downloaded at: <u>https://floridadep.gov/water/submerged-lands-environmental-resourcescoordination/content/forms-environmental-resource</u>

Project Name: Buccaneer Docking Facility Permit No.: 50-0147856-006-EM Page 14 of 14

### SPECIFIC PURPOSE SURVEY SUBMERGED LAND LEASE & PROPOSED DOCK **Buccaneer Unit A. LLC** Palm Beach Shores, Florida



### LEGAL DESCRIPTION

DESCRIPTION OF SOVEREIGN SUBMERGED LAND LEASE UNDER THE WATERS OF LAKE WORTH AND BEING IN SECTION 27, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

THE SOUTH LINE OF LOT 548 IS ASSUMED TO BEAR SOUTH 89°35'25" WEST AND ALL OTHER BEARINGS ARE **RELATIVE THERETO.** 

COMMENCING AT THE SOUTHEAST CORNER OF LOT 548, AS SHOWN ON THE PLAT OF PALM BEACH SHORES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGES 29 THROUGH 32, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE S89°35'25"W, ALONG THE SOUTH LINE OF SAID LOT 548, A DISTANCE OF 208.48 FEET TO THE POINT OF INTERSECTION WITH THE WEST FACE OF A CONCRETE BULKHEAD, ALSO BEING THE MEAN HIGH WATER LINE OF THE WATERS OF LAKE WORTH; THENCE N00°21'12"E, ALONG THE WEST FACE OF SAID BULKHEAD, A DISTANCE OF 25.00 FEET TO THE THE POINT OF BEGINNING; THENCE S89°35'25"W, ALONG A LINE PARALLEL WITH AND 25.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 548. A DISTANCE OF 325.00 FEET; THENCE N00°24'41"W, A DISTANCE OF 174.98 FEET; THENCE N89°35'25"E, ALONG A LINE PARALLEL WITH AND 25.00 FEET SOUTH OF THE NORTH LINE OF LOT 546, SAID PLAT OF PALM BEACH SHORES, A DISTANCE OF 327.34 FEET, TO A POINT ON SAID CONCRETE BULKHEAD AND MEAN HIGH WATER LINE; THENCE S00°31'06"W, ALONG SAID CONCRETE BULKHEAD, A DISTANCE OF 174.99 FEET TO THE POINT OF BEGINNING.

#### CONTAINING IN ALL, 57,072 SQUARE FEET / 1.31 ACRES.

#### SURVEYOR'S NOTES

- 1. The current and expected use of the site is Commercial and meets the accuracy standards for such as required by the Florida Standards Standards of Practice per FAC chapter 5J-17.
- The Specific purpose of this survey is to provide data showing the relationship of docks and pilings adjacent to the proposed boundary lines of the 2. submerged land lease.

**REVISIONS:** 

1/20/2021 Revised Dock

2/1/2021 Address Comments

7/3/2021 USACE Combined App

- Foundations, Footers and other Underground Facilities not located, unless otherwise shown.
- Existing easements & rights-of-way as shown hereon are per plat of Palm Beach Shores recorded in Plat Book 23, Pages 29-32. Distances and angles / bearings shown hereon are per plat and agree with the survey measurement unless otherwise specified. The Bearing base is the South line of lot 548, and all other bearings are relative thereto. No search of the Public Records by this Surveyor. State Plane Coordinates are based on field observations relative to North American
- 5.
- 6.
- 8. Datum NAD 83 Florida East Zone.
- This survey cannot be transferred or assigned, unless authorized by Daniel L. Blanton.
- 10. Additions or Deletions to this sketch other than by the signing surveyor are prohibited.
- 11. Not valid without the original signature or electronic signature and seal of a Florida
- licensed surveyor and mapper.

Florida Certificate LB No. 7497

1887 SW Newport Isles Blvd

Port Saint Lucie, Florida, 34953

Telephone: (561) 963-1953

Email: DLBlanton@bellsouth.net

#### I HEREBY CERTIFY TO:

The Board of Trustees of the Internal Improvement Trust Fund Buccaneer Condominium Association of Palm Beach Shores, Inc. Benjamin K. Sharfi, as Trustee for the Benjamin K. Sharfi 2002 Trust

That this survey was made under my responsible charge and meets the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.



### DANIEL L. BLANTON **PROFESSIONAL SURVEYOR & MAPPER** FLORIDA CERTIFICATION NO. 5988

SCALE: N/A

DWG. NUMBER: 15-025-60

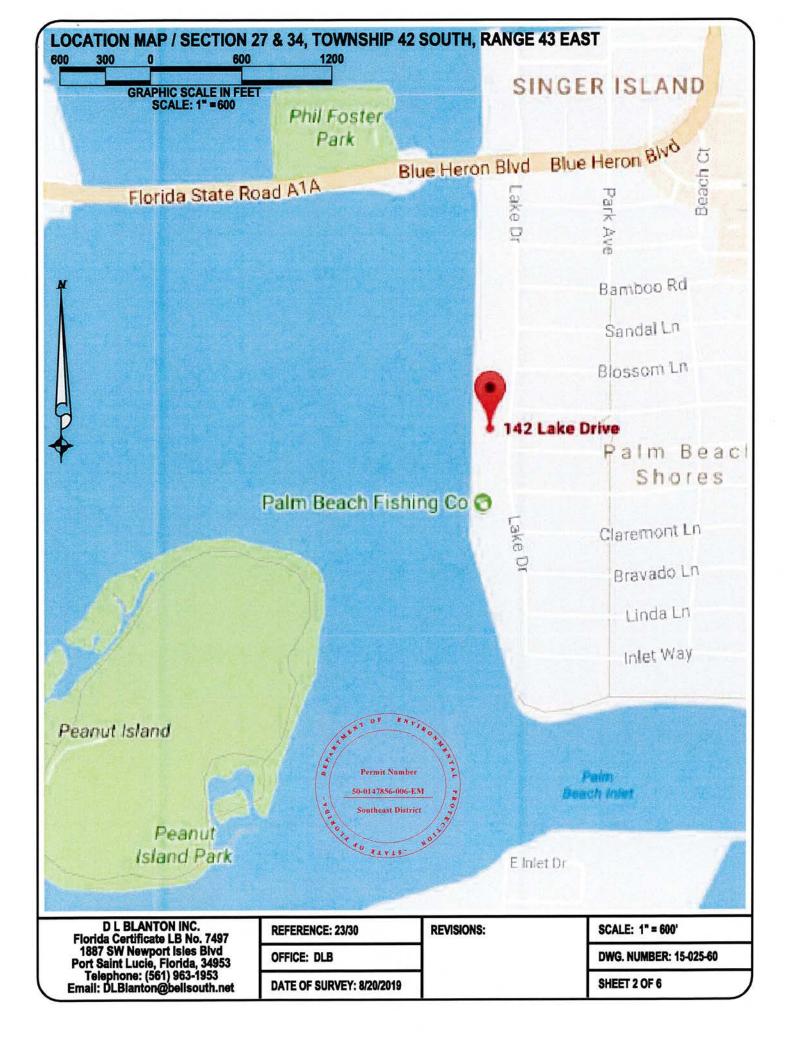
SHEET 1 OF 6

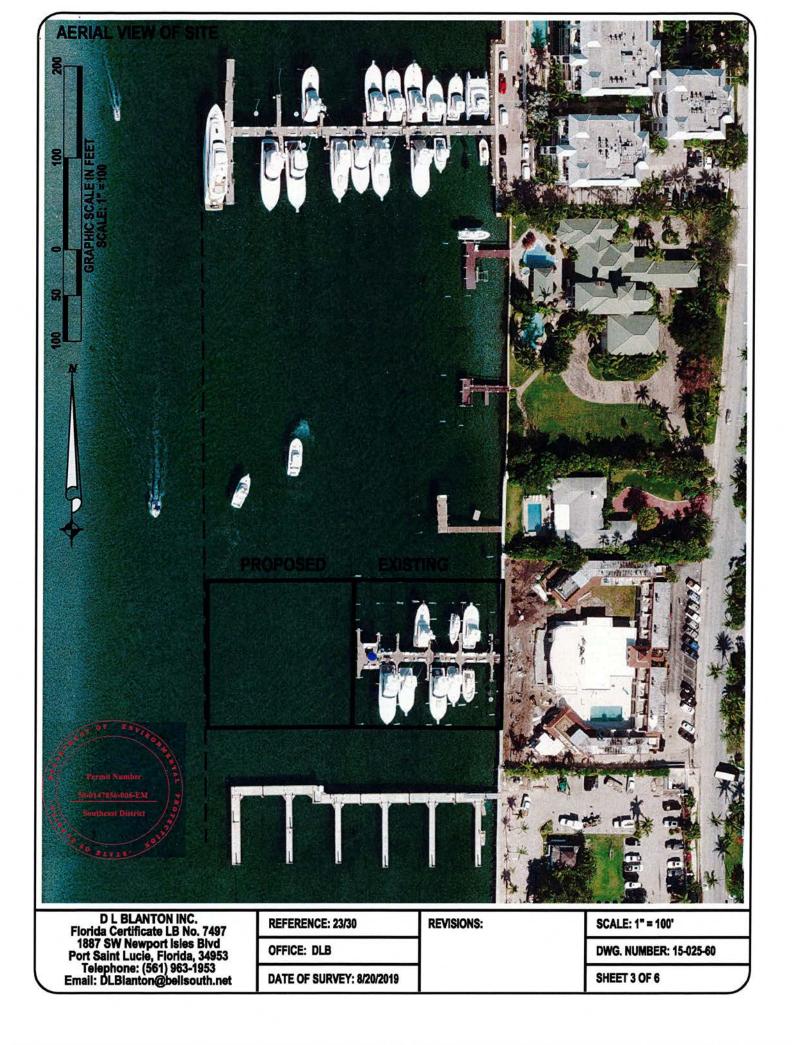
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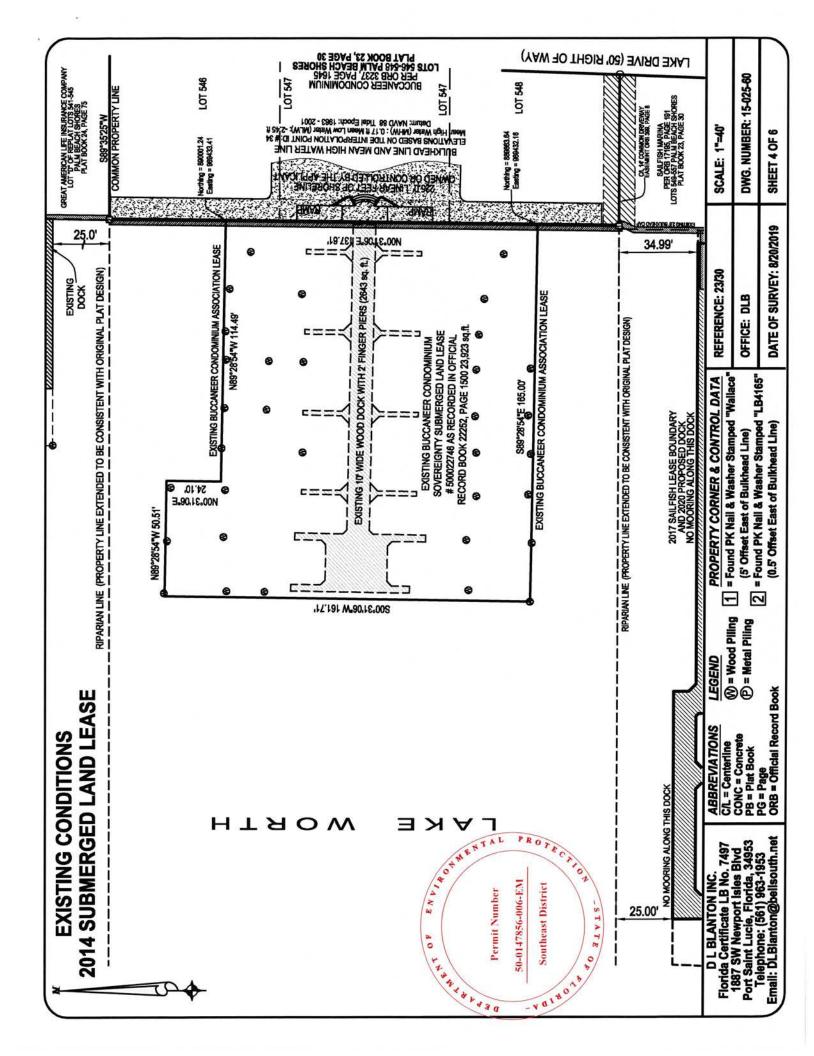
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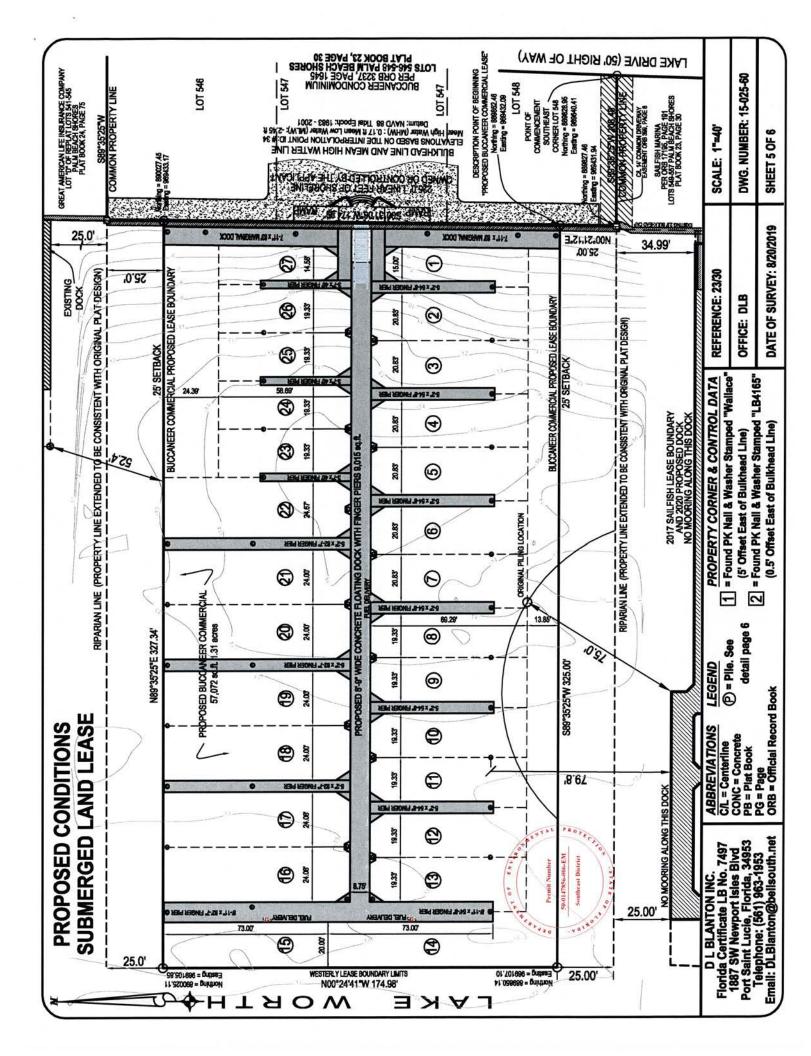
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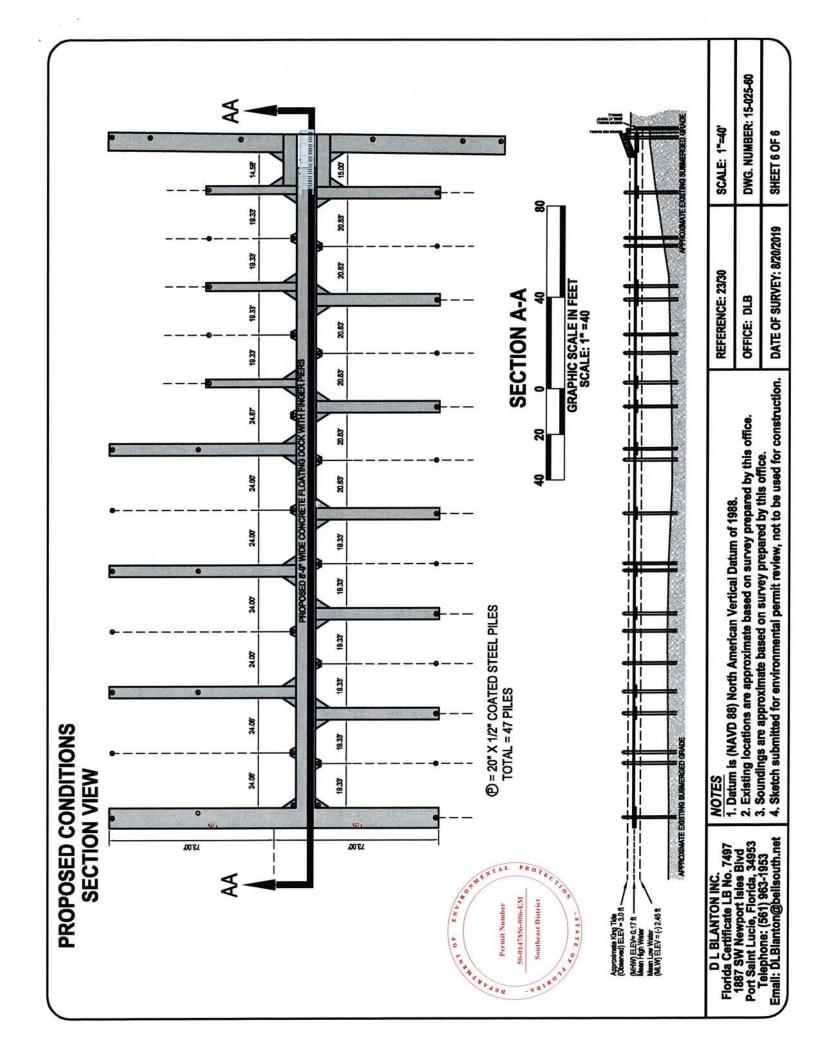
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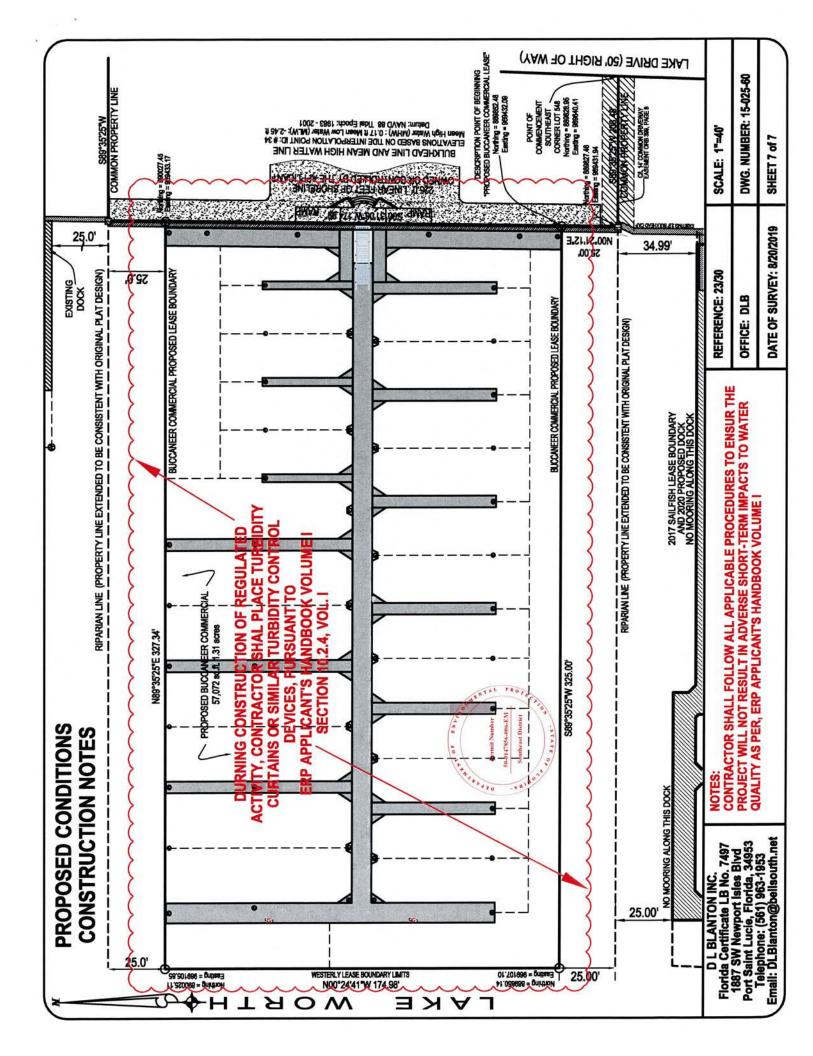














#### BUCCANEER MARINA Marina Operation & Management Plan Updated October 2022

#### **INTRODUCTION**

This is a current 18-slip marina facility with wet slips. The marina has a full-time dock master to assist marina patrons and monitor activities at the facility. The marina does not currently have the ability to pump-out vessels, but it is considering adding pump-out facilities. No professional boat maintenance, boat haul-out, or boat cleaning is proposed for the facility. The Buccaneer Condominium Association of Palm Beach Shores, Inc. is the current owner of the facility.

Buccaneer Marina, together with Buccaneer Unit A, LLC (owner of the upland business interests and the entity entitled to expand the Marina pursuant to the Condominium Declaration) has initiated the necessary steps to expand and upgrade the marina (the "Buccaneer Marina"). The expansion will consist of the construction of a new 27-slip floating concrete docking structure that will replace the current 18-slip stationary facility that is nearly 50 years old. The new facility will provide two new fuel pumps along with a full-time dock master to administer fuel sales, receive visiting vessels, and ensure the marina operates efficiently and complies with regulations. Buccaneer Marina will not be offering pump-out facilities, but will offer information for nearby third party pump out services and it will post available nearby pump-out services or marinas offering it as well. The improvements will also include extensive electrical upgrades and marina signage. The marina improvements have been designed to minimize impacts to the natural environment while being user friendly. It is the goal of ownership to have this marina represent a facility where aesthetics, cleanliness, and environmental concerns are the very highest priority. The ownership is directly involved in overseeing the progress reviewed below to ensure compliance.

To provide the Florida Department of Environmental Protection (FDEP) reasonable assurances that the proposed facility will meet water quality standards, improvements are proposed in the form of marina management and operations. Part of the improvement in operations is the full-time presence of a dock master during normal business hours. Fuel pumping and mooring of vessels will be performed by staff trained in the operations of these functions with knowledge of emergency procedures. No professional boat washing or maintenance is proposed at the facility, other than recreational boaters rinsing down or cleaning their vessels. The project site currently meets state standards for water quality parameters.

The following are changes, improvements, and management criteria that will improve water quality in general.

#### PARAMETERS OF CONCERN

The following Best Management Practices (BMP's) will address the construction and operation of the facility.

The Facility Management Plan is broken down into areas and elements which directly affect water quality in the basin.

#### MONITORING/COMPLIANCE

Ownership shall designate an Environmental Compliance Officer (ECO) who will be responsible for water quality in the marina. The ECO shall answer directly to the owner and shall remain a permanent



operating position as long as the marina provides boat mooring. The ECO shall be responsible for documentation and reporting and shall work pro-actively with the marina users to assure full compliance with the Management Plan and state water quality criteria. The ECO will be identified to the FDEP and will be the point contact between the owner and FDEP. The ECO will take immediate action to rectify any violations of state water quality standards, reporting these actions to the FDEP and owner. The criteria for reporting to FDEP will be any observable violation of state law or rule.

#### ENFORCEMENT

Responsibility - it will be the responsibility of Buccaneer Marina, or successor in title, for protection and maintenance of water quality standards within the marina. It shall be the responsibility of Buccaneer Marina to identify pollution sources from within the marina that may result in water quality violations and to take appropriate actions to prevent such occurrences.

*Violations* – Buccaneer Marina reserves the right to identify any offender causing a violation of water quality standards within the marina, and to name said offender in any enforcement action taken by the FDEP. Buccaneer Marina acknowledges that it has the duty to monitor its patrons to the extent practicable to ensure compliance with this agreement and with the conditions and requirements. Should Buccaneer Marina fail to enforce or improperly monitor this agreement with the respect to activities of its patrons, then Buccaneer Marina acknowledges its responsibility and liability for violations of FDEP rules, statutes and water quality standards resulting there from. Nothing herein shall be construed to waive any defenses provided to Buccaneer Marina in Chapters 403 and 376, Florida Statutes, in any enforcement action brought by FDEP.

#### MODIFICATIONS

It is the intent of both the FDEP and Buccaneer Marina to monitor, assess and implement changes to this Management Plan as necessary to comply with all FDEP Permits and state water quality standards. Changes to the Management Plan can be implemented through a request to FDEP, after a final decision has been reached and a written agreement between Buccaneer Marina and the FDEP has been made.

#### ARINA ACTION PLAN

To provide the FDEP reasonable assurance of environmental and public safety, the marina will develop and maintain on-site a Marina Action Plan. The Plan will be reviewed annually with all marina employees.

The Marina Action Plan will include the following information:

- Emergency contacts for oil and/or gas spills as well as the Facility Site Map which provides the locations of the spill kits for the marina.
- A hurricane preparedness plan which provides procedures to be initiated in the event of an oncoming hurricane.
- Fire safety procedures which include locations of fire extinguishers and emergency contacts.

#### BOAT BASINS (MARINA)

#### FUELING AND REGULATED STORAGE TANKS:

Two brand new fuel pumps will be installed at the western-end of the new floating T-dock for transient and public boating access. The fuel storage tanks are on the eastern edge of the property with professional, licensed, and insured contractors installing and connecting the tanks to the new pumps. FDEP and Buccaneer



Marina will work together to ensure all applicable environmental guidelines are followed in the installation, use, and implementation of the fuel system.

**SOLID WASTES:** Waste dumpsters and trash cans will be placed on the new docks and landward for patrons. Waste dumpsters should remain covered from inclement weather when not in use. If the dumpster becomes rusted or corroded, have the waste management company replace the dumpster to keep storm water from discharging to the ground or storm water drainage. To the extent necessary, Buccaneer Marina will post signs by dumpster instructing patrons not to place hazardous waste in the dumpster and directing them to marina staff. Buccaneer Marina will also train marina staff in proper waste management.

**HULL MAINTENANCE:** Hull maintenance in the water, particularly in the form of hard scraping of sailboats with lead keels, may "shave" particulate lead into the bottom sediments and drive copper into solution as a function of brushing boat bottoms with copper-based paints. No in-water hull maintenance will be allowed at the marina.

**DOCK CONSTRUCTION:** Use of Chromate Copper Arsenic (CCA) treated piling and timber may be leaching the CCA treatment into the water column, increasing the concentration of arsenic, copper and chromium in the water column and sediments. All new docks will be constructed using alterative materials such as concrete, plastic, or fiberglass pilings, or wrap all CCA treated pilings in PVC liner that extends from 1' below the mud line to 1' above mean high water elevation. When existing piles are replaced, use either alternative materials, or CCA treated piles wrapped in PVC.

**SEWAGE PUMP-OUT:** Overboard discharges of domestic sewage from marine heads or holding tanks, including gray water from showers and sinks, contribute to water quality degradation. Poorly maintained pump-outs and pump-out in inaccessible locations limit their use and encourage the improper disposal of sanitary wastes. The Buccaneer Marina will not be offering a pump out station, but staff will be prepared and trained to inform the public about nearby third party pump out services and/or other nearby marinas offering it as well.

**BOAT CLEANING:** Hard abrasives, such as stainless-steel wool, or similar cleaning pads, may drive chromium treatments into the water column during cleaning of boat bright work. Use of various soaps, detergents, and cleaners are detrimental to the environment and degrade water quality. Products used to wash a boat's hull and deck often contain toxic ingredients such as ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates, or lye. All boats should be washed by hand avoiding use of hard abrasives, or chemical treatments that may drive the chromium into solution. Buccaneer Marina will provide information to marina users regarding the use of cleaners and provide recommendations for brand names that are environmentally friendly if it notices a potential issues or is asked.

**PETROLEUM BYPRODUCTS:** Oil and grease from the operation and maintenance of inboard engines are sources of petroleum in bilges. Discharged bilge water, with associated oils and greases, are sources of pollution in marinas. Methods to be employed by marina management will include the following:

- Educate marina users on the importance of maintaining bilge water free of oils and associated greases. Encourage patrons to conduct periodic inspections of engine components and to repair leaks and eliminate spillage
- Maintain an oil boom on-site and train marina staff on the appropriate use.
- Encourage use of absorbent pads.

**PETROLEUM BYPRODUCTS:** Maintenance, typically changing of engine oils and oil/water separators, and repair of injection nozzles and similar maintenance results in contaminates and used

products that boaters do not have a convenient means for proper disposal. No changing of engine oils and oil/water separators, repair of injection nozzles and similar maintenance is proposed to occur at the facility.

**BATTERY MANAGEMENT:** Lead acid batteries contain a wet electrolyte sulfuric acid solution which can spill if the cell caps are removed or missing, if the battery is not properly anchored down, or if the battery case cracks. These batteries also contain several pounds of lead which, along with the acid electrolyte, which may cause elevated levels of lead in the water column. Smaller, dry cell, nickel-cadmium and sealed lead acid rechargeable batteries, if improperly discarded into the marina basin, may contribute to degraded water quality. Buccaneer Marina will include the 1-800-8-BATTERY phone number for nickel-cadmium battery recycling information, and will also include the FDEP information line phone number of 1-800-741-4FDEP and FDEP web site at <u>www.FDEP.state.fl.us</u> for help in recycling batteries or other materials.



## 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
- 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). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 81/2" 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:

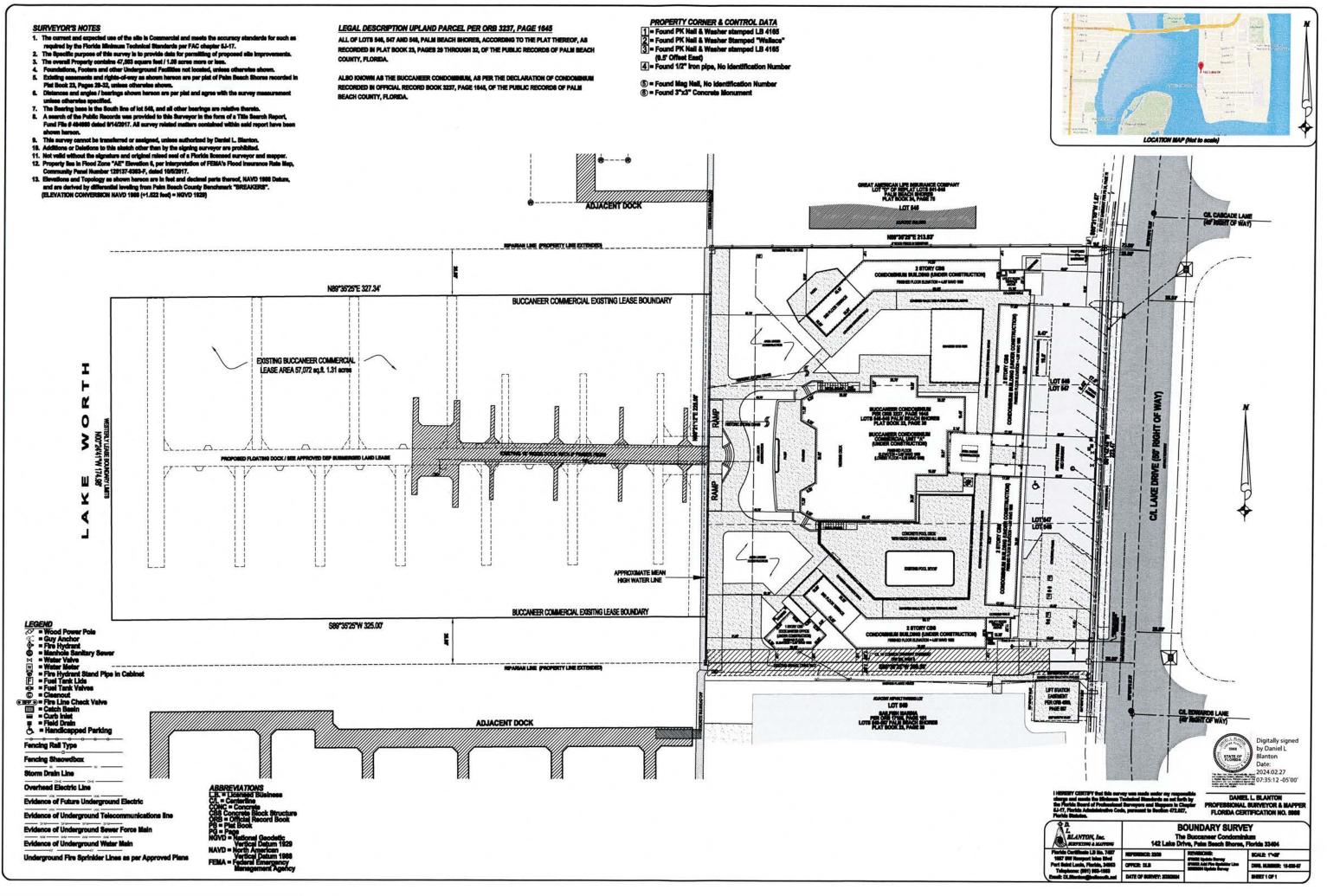


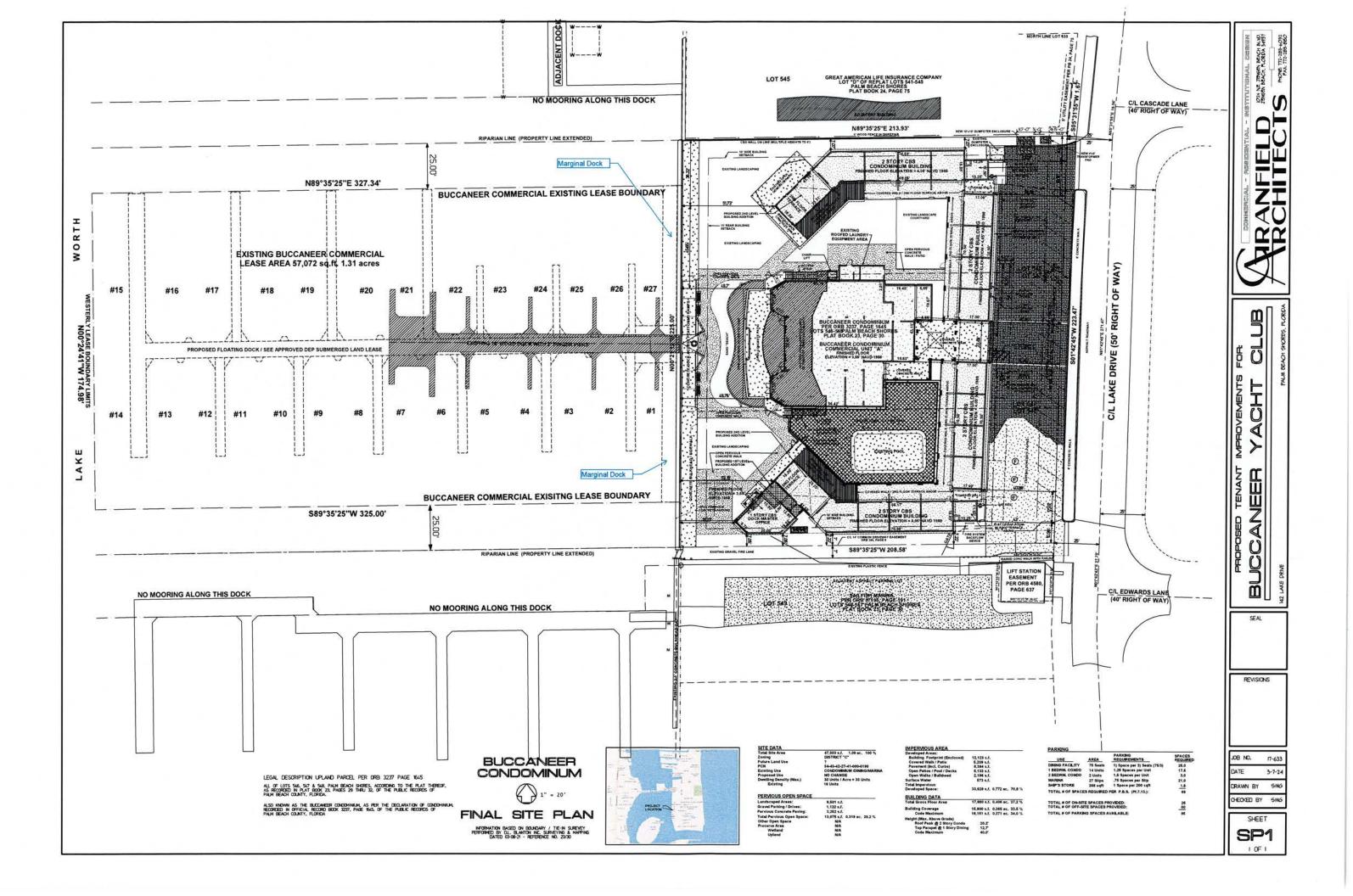
Wildlife Alert: 1-888-404-FWCC(3922)

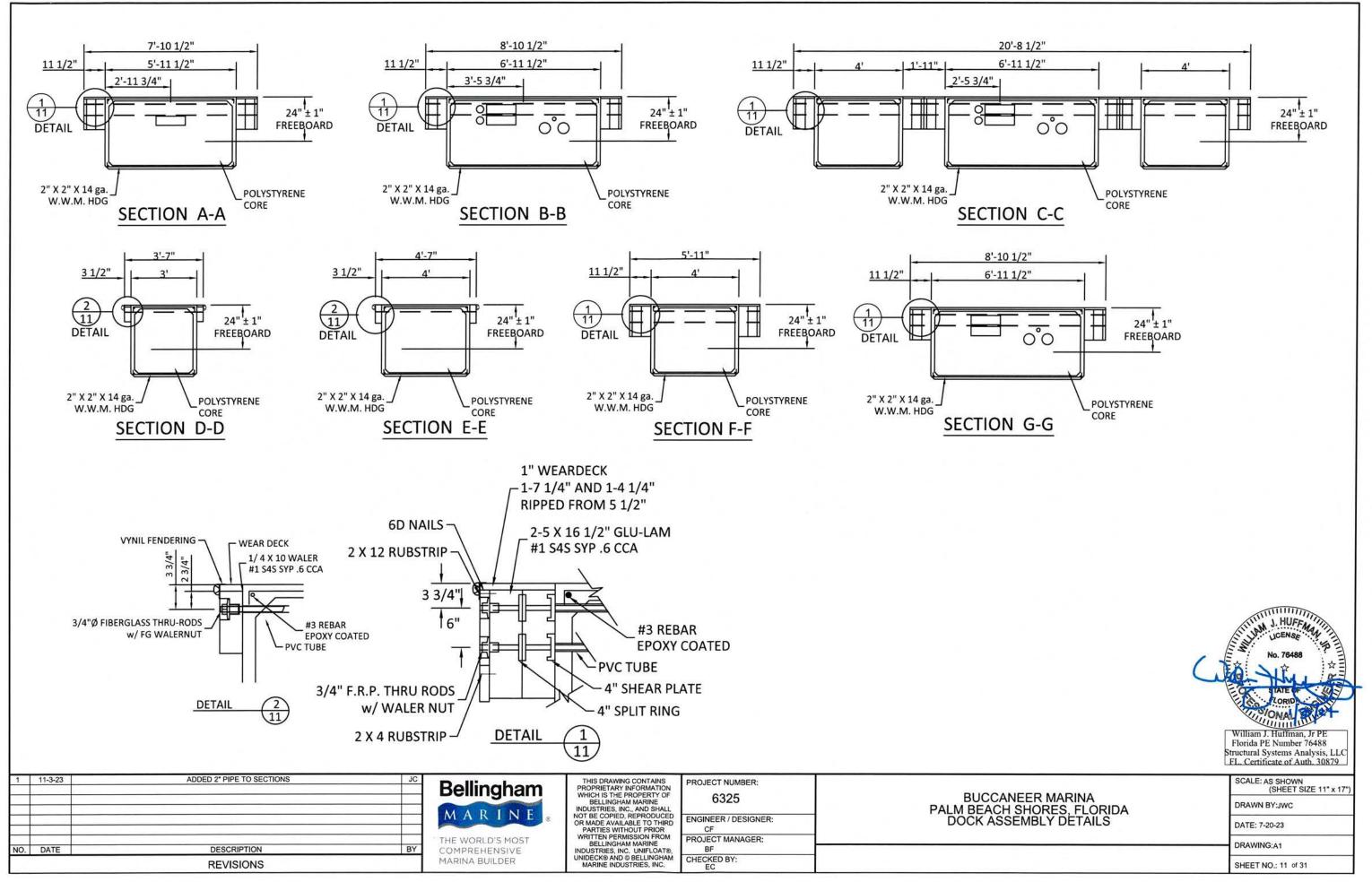
cell \*FWC or #FWC

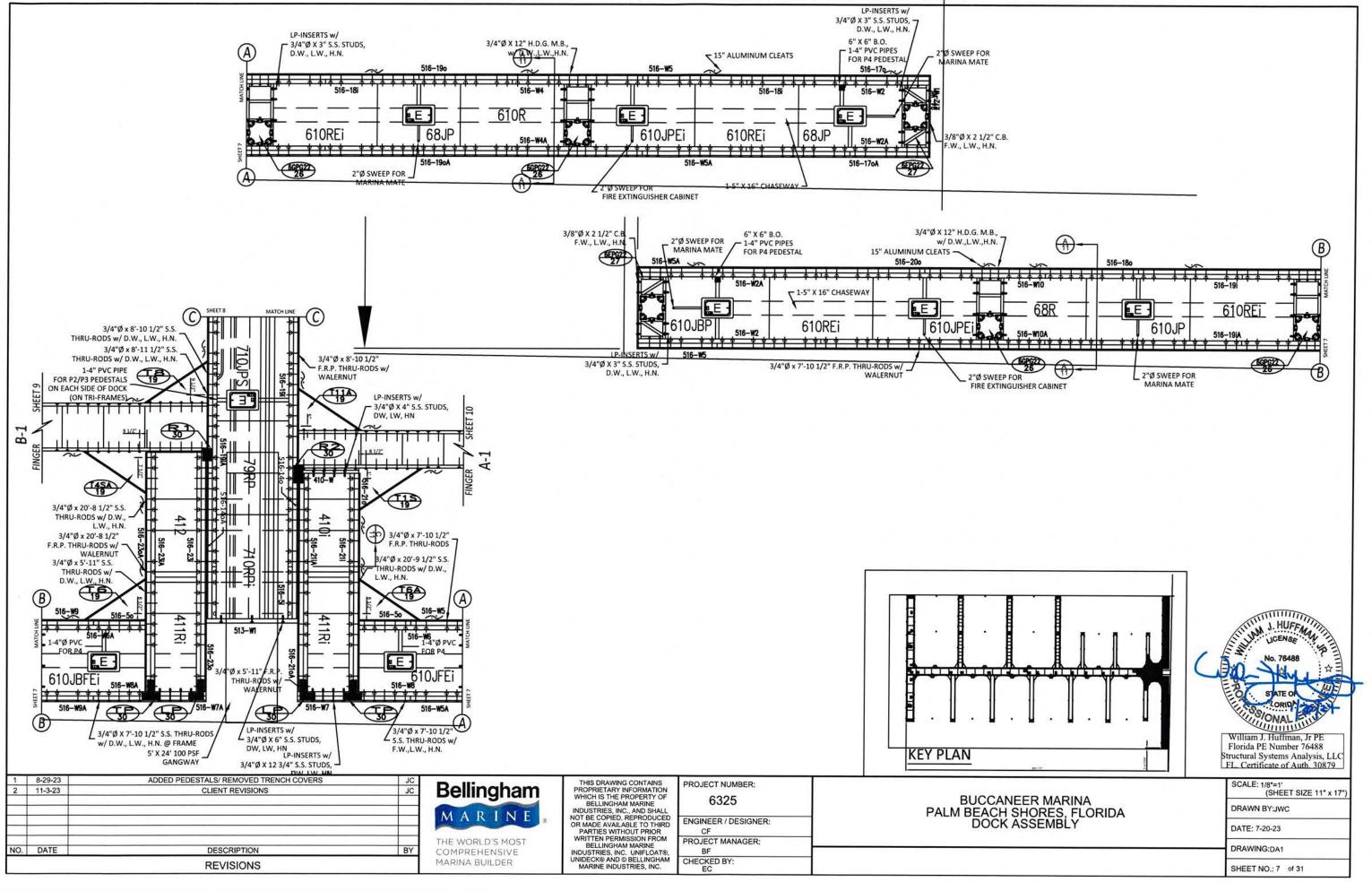
- unions otherwise specified.
- shown hereon.

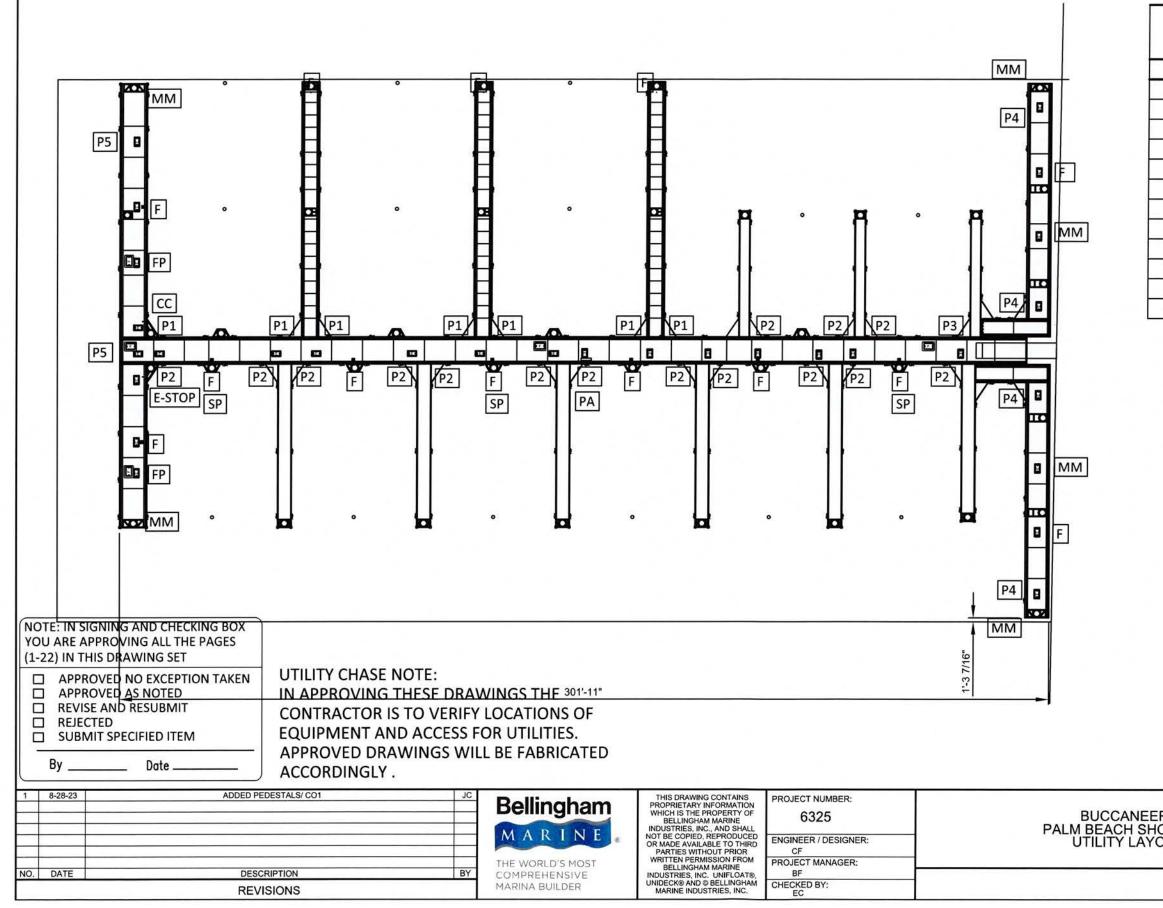
= Found PK Nall & Washer stamped LB 4165 = Found PK Nall & Washer Stamped "Wallace" Found PK Nall & Washer stamped LB 4165







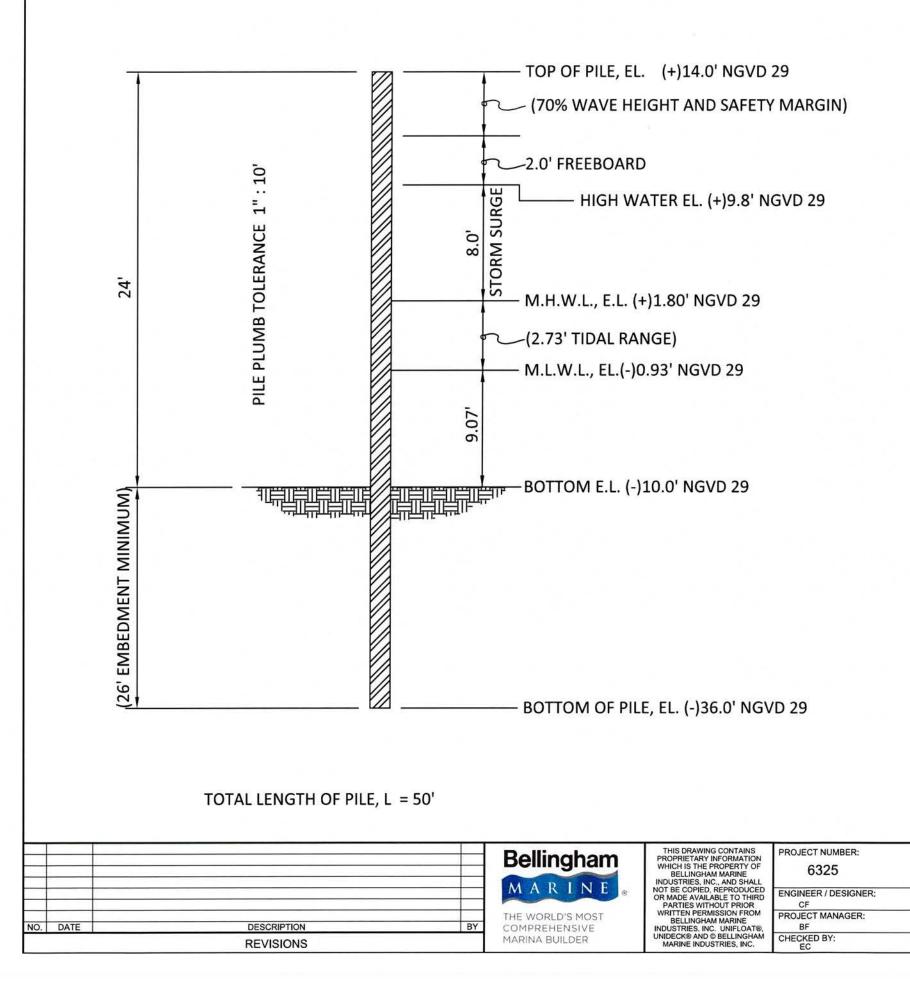




#### CLIENT TO PROVIDE LOCATION AND QUANTITY OF UTILITIES

QTY.	SYMBOL	SPECS
7	P1	COMMODORE S.S.
16	P2	HARBOR LIGHT S.S.
1	P3	HARBOR LIGHT S.S.
4	P4	HARBOR LIGHT S.S.
2	P5	HARBOR LIGHT S.S.
8	MM	MARINA MATE (LIGHT ONLY)
1	PA	120/240V PANEL
3	SP	STANDPIPE (DRY)
2	FP	FUEL PUMP -GAS /DIESEL
13	F	FIRE EXTINGUISHER CABINET
1	E-STOP	EMERGENCY FUEL STOP
1	CC	FUEL CREDIT CARD READER

	No. 76488 No. 76488 State o ORID William J. Huffman, Jr PE Florida PE Number 76488 Structural Systems Analysis, LLC FL. Certificate of Auth 30879
R MARINA	SCALE: 1"=30' (SHEET SIZE 11" x 17")
ORES, FLORIDA DUT SHEET	DRAWN BY:JWC
JUI SHEET	DATE: 7-20-23
	DRAWING:UL1
	SHEET NO.: 6 of 31



## **UPON THE FOLLOWING DESIGN CRITERIA:**

### **Buccaneer Marina Criteria**

- **Storm Duration 2.0 Hour Maximum**
- Largest Average Vessels 51 feet LOA Largest Single Vessel - 80 feet LOA
- Anticipated Surge (+/-) 8.0 feet maximum
- Top of Pile Elevation 14.0 NGVD 29
- Existing Bottom Depth (-)10.0 NGVD 29
- . site - Owner is responsible for wind/wave study to verify)
- Boat Wake 1.0' maximum .
- Current 3.0 knot Unoccupied .
- .

- Number of 20"Ø piling 36 each
- Length of Piling 50'-0"

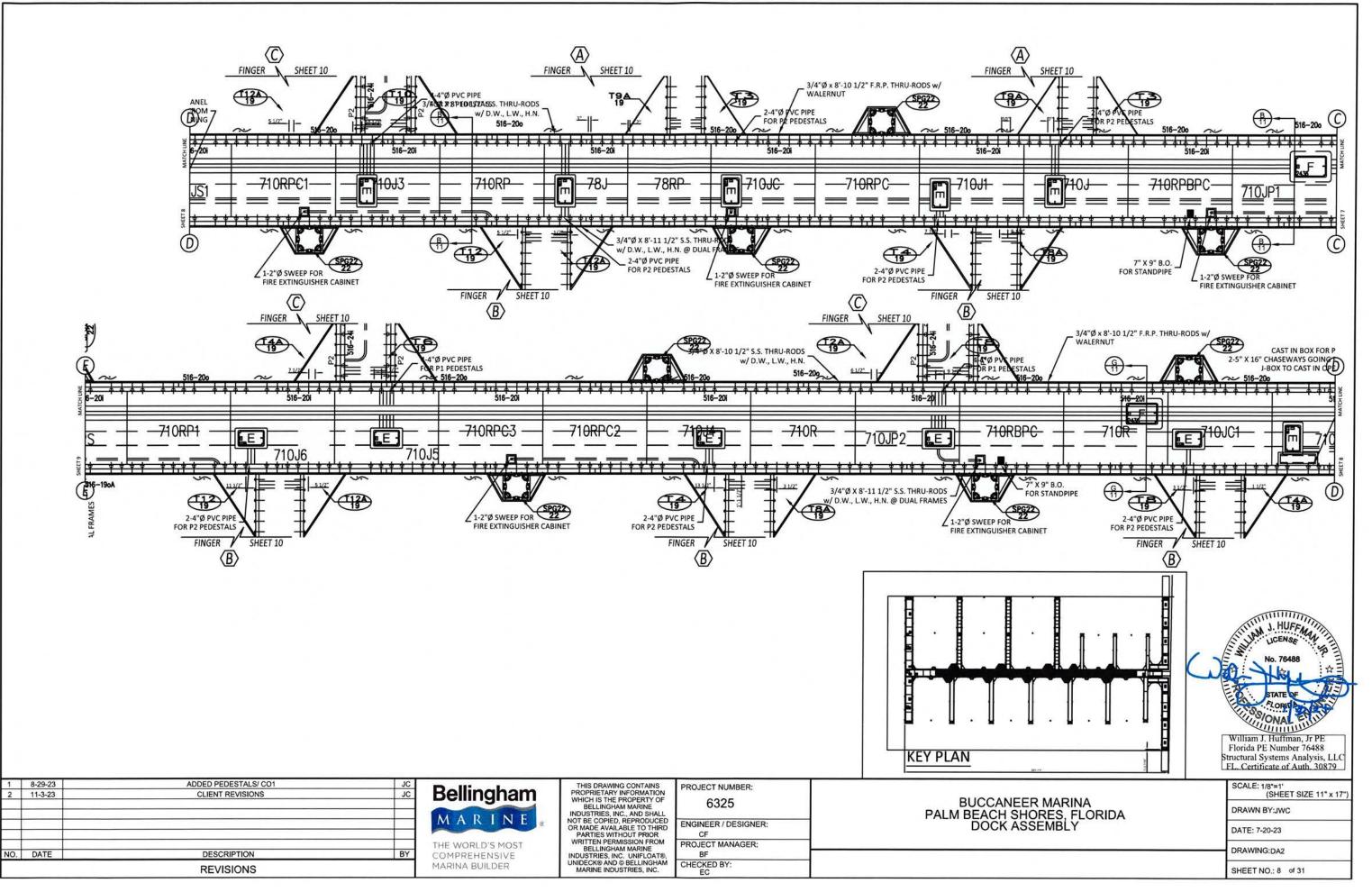
DESIGN CRITERIA: THE UNIFLOAT SYSTEM PROPOSED AND WARRANTED HEREIN IS BASED

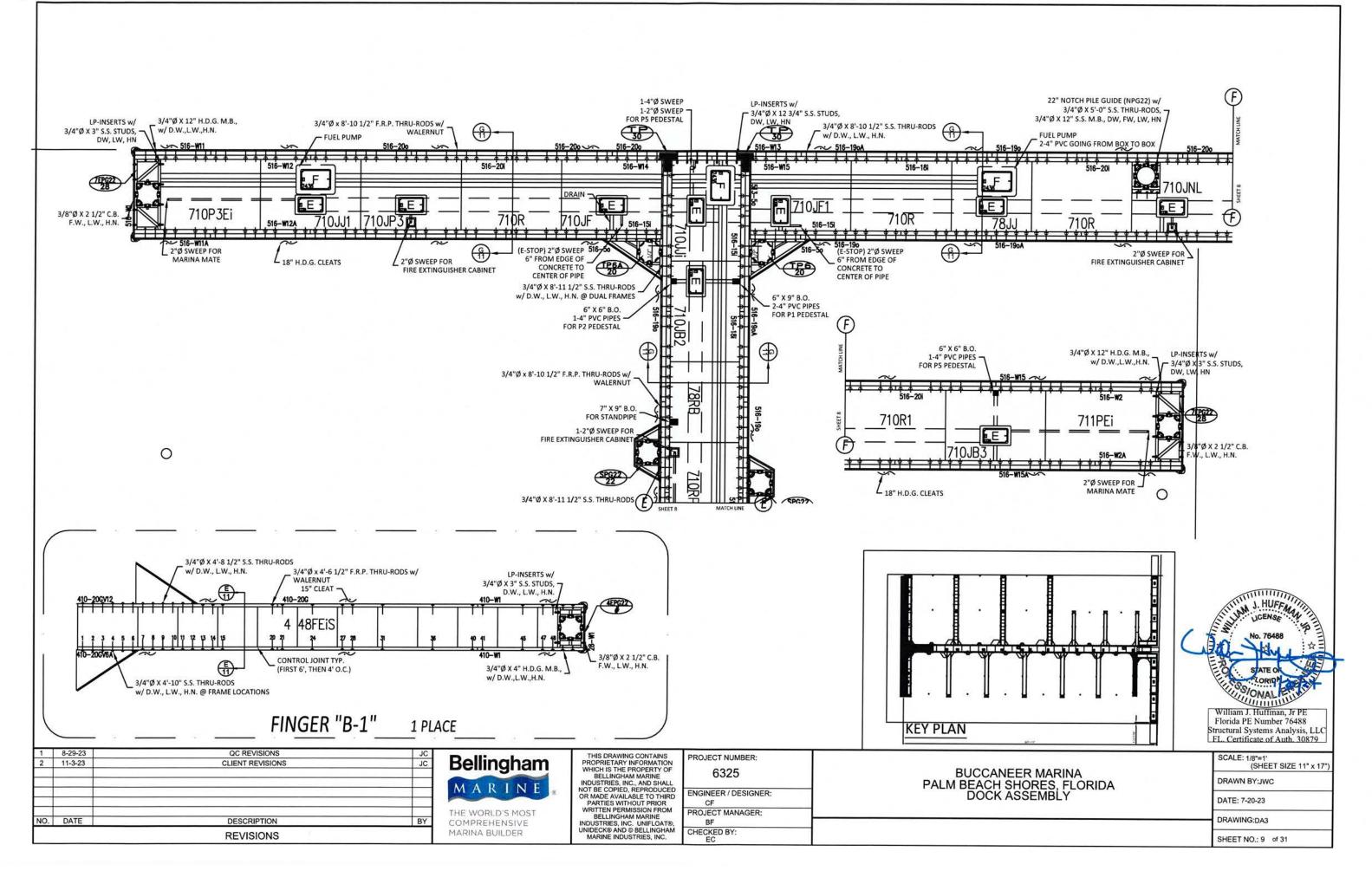
Maximum Wind Speed Occupied - 90 MPH - (ASCE 7-16: 3 second gust) Maximum Wind Speed Unoccupied - 120 MPH - (ASCE 7-16: 3 second gust) Layout of Docks - As supplied by Owner and BMI Occupied Wave at Site - 2.0 foot / 2.0 second period (As estimated from local conditions on

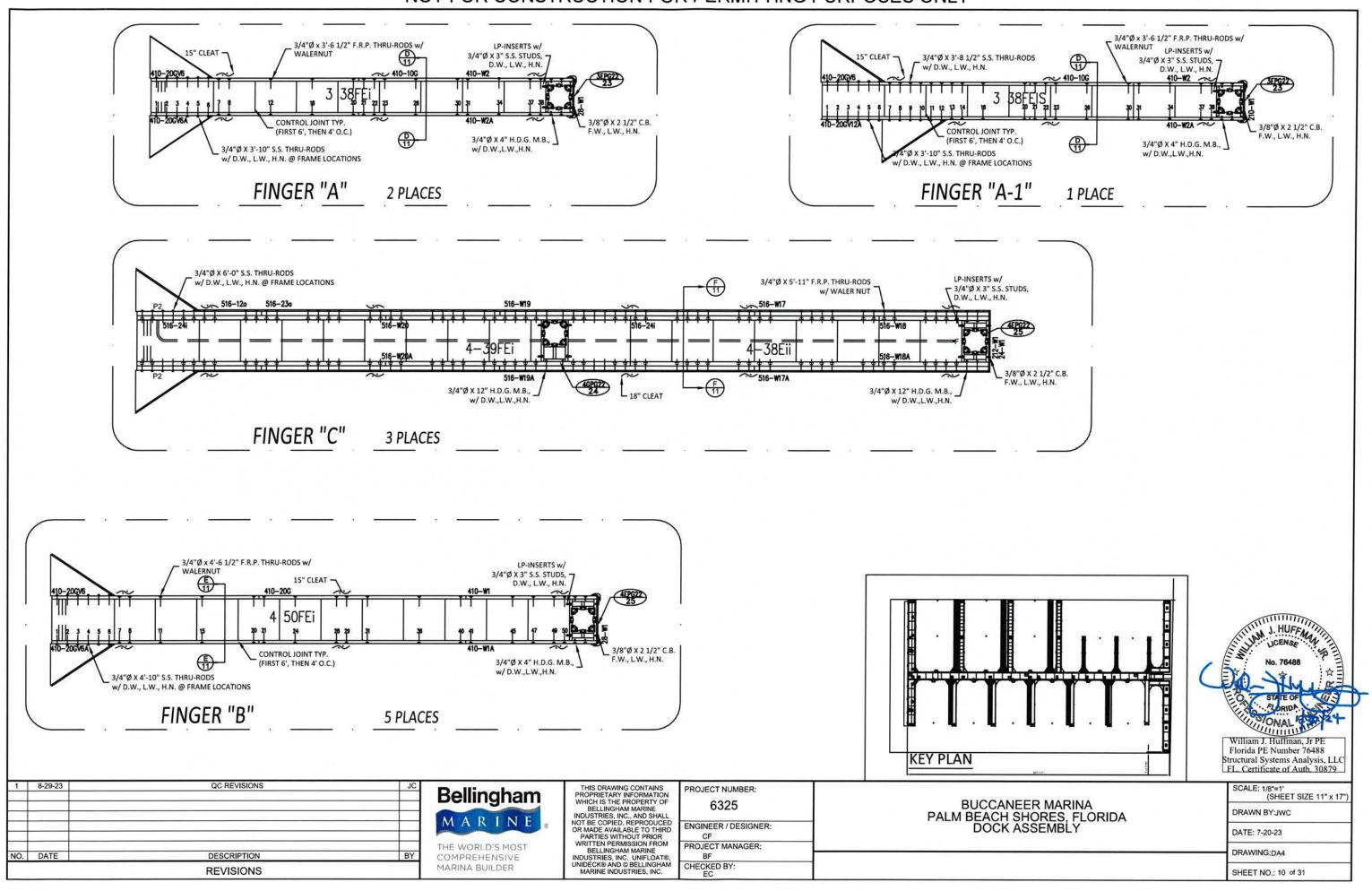
Tidal Data - MHWL (+)1.80 NGVD 29 / MLWL (-)0.93 NGVD 29 Pile Type - 20" Ø Steel Pipe Piling - 1/2" wall ASTM A252 Grade 3 better (Fb = 45 ksi) coated top 25'with Coal-Tar Epoxy 16 mils DFT or 22" HDPE Pipe Sleeves Layout of Piling - As determined from BMI Engineering Plan

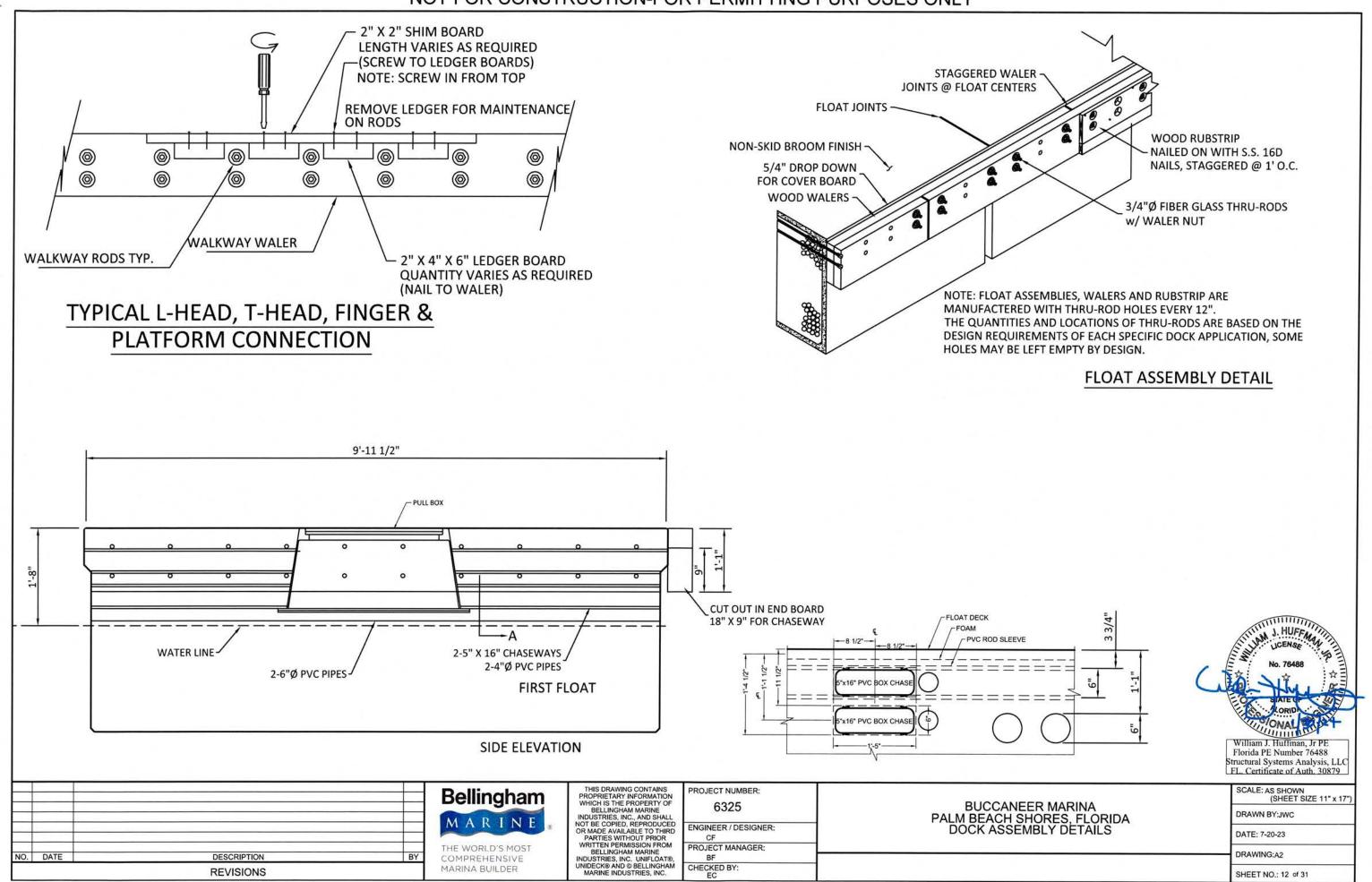
Depth of Required Penetration - 26'(assumed Geotechnical from local conditions) Freeboard - 24 inches under dead load only (40 PSF Live Load with 12" Freeboard) Gangways - 1 each 5' x 24' with 100 PSF Live Load L/240 criteria

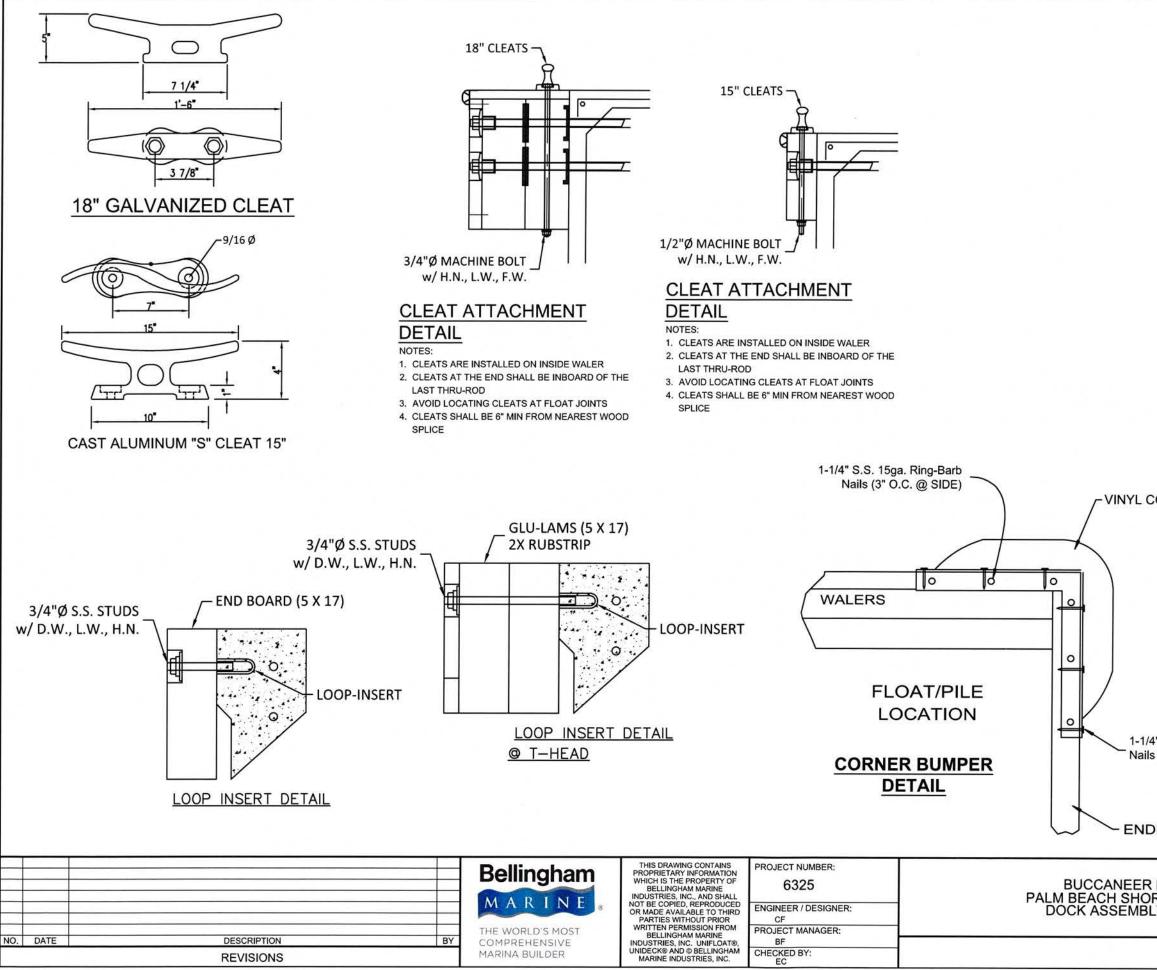






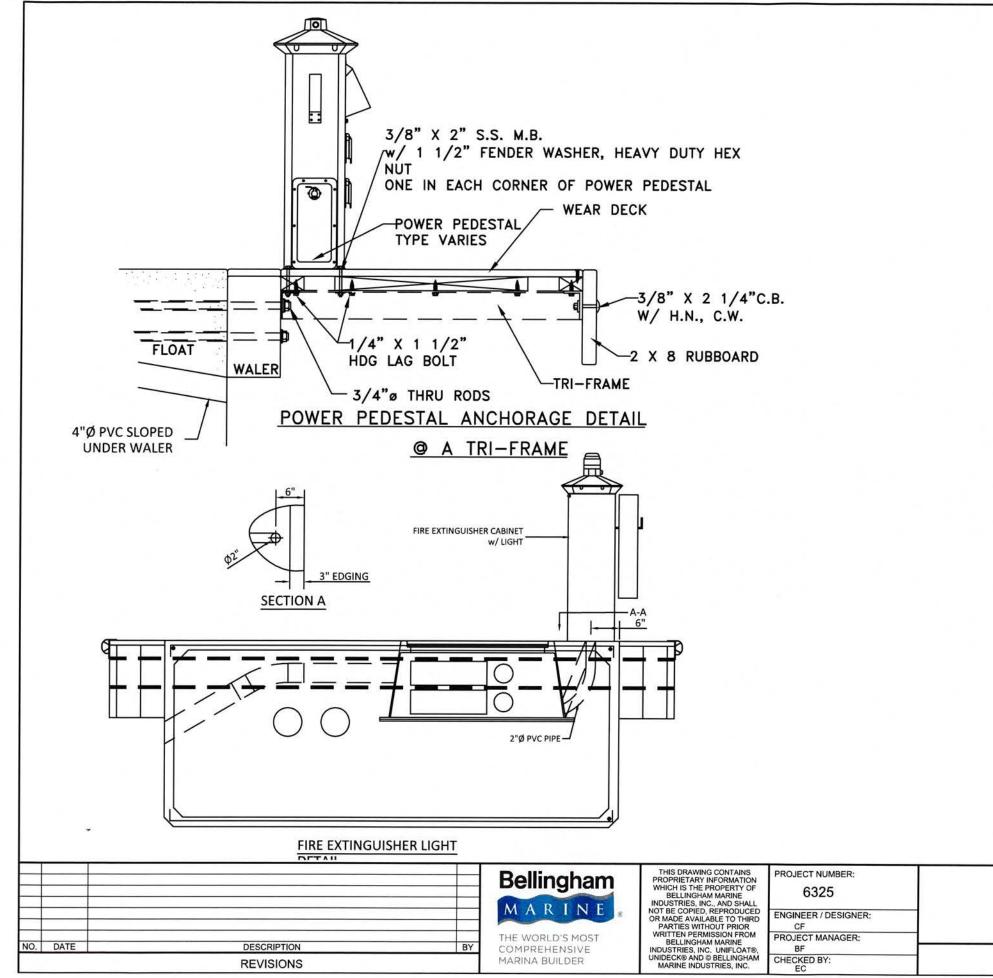




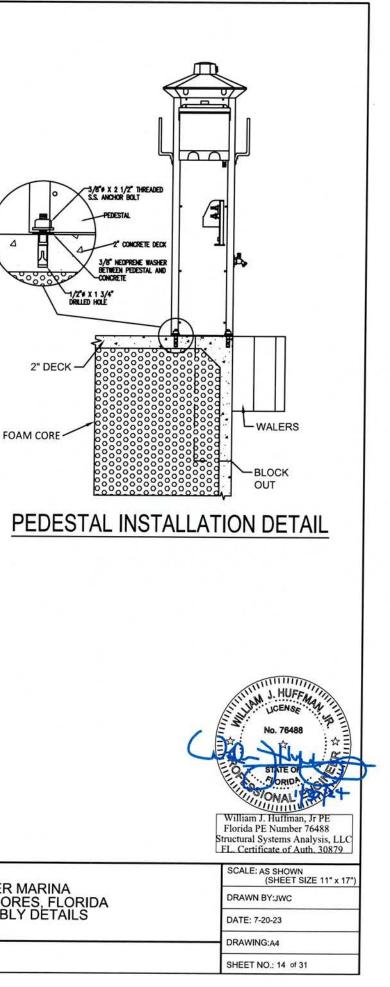


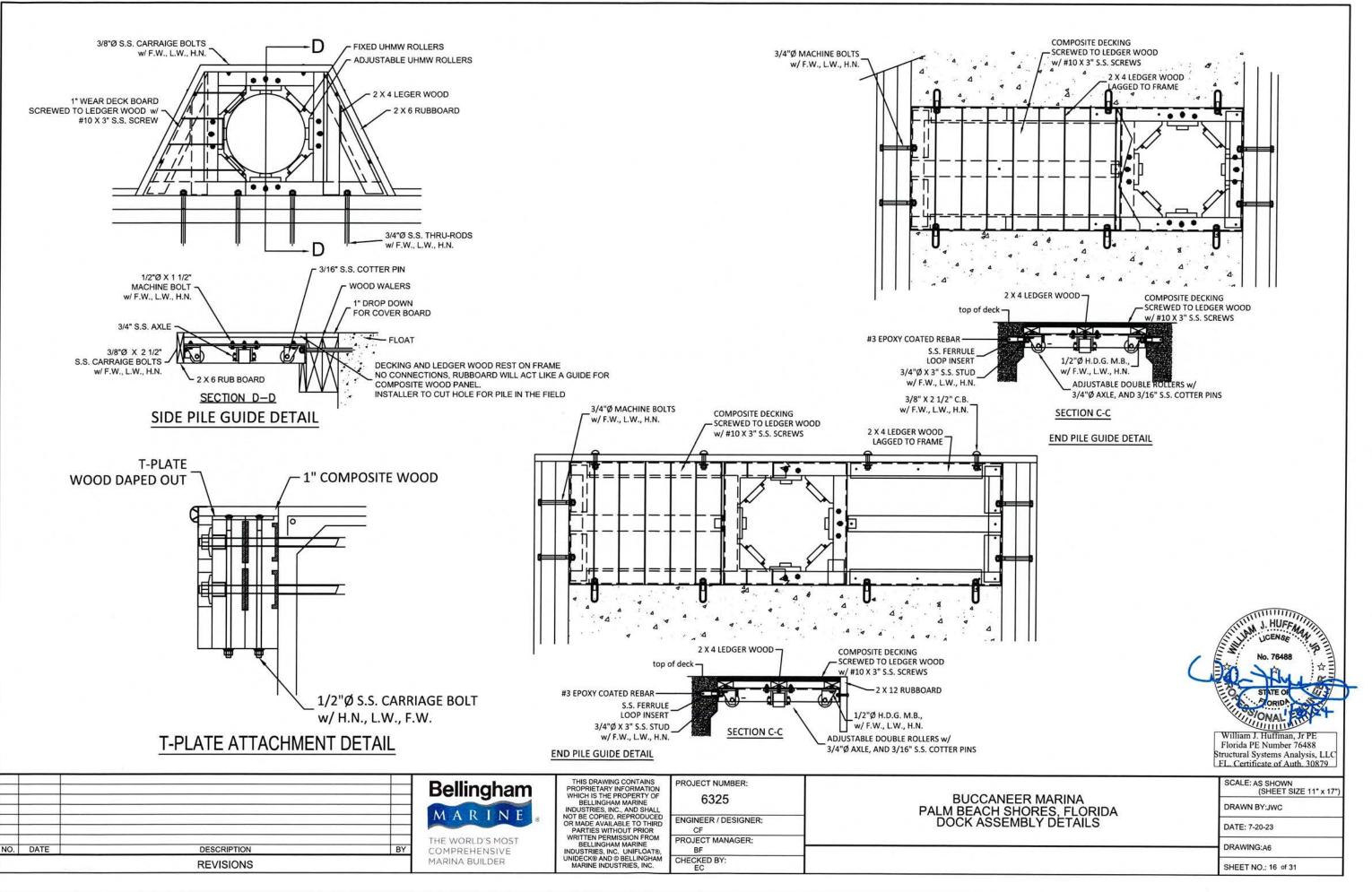
-VINYL CORNER BUMPER

No. 76488
William J. Huffinan, Jr PE Florida PE Number 76488 Structural Systems Analysis, LLC FL. Certificate of Auth. 30879
SCALE: AS SHOWN (SHEET SIZE 11" x 17")
DRAWN BY:JWC
DATE: 7-20-23
DRAWING:A3
SHEET NO .: 13 of 31



#### BUCCANEER MARINA PALM BEACH SHORES, FLORIDA DOCK ASSEMBLY DETAILS





INDEX					
EV. STATUS	REV. DATE	DRAWING	SHEET NO.	DRAWING DESCRIPTION	
		T1	1	TITLE SHEET	
		IDX1	2	INDEX SHEET	
		GN1	3	GENERAL NOTES	
1	8/28/2023	OL1	4	OVERALL LAYOUT/ PILE PLACEMENT	
		PL1	5	PILE DESIGN PAGE	
2	11/2/2023	UL1	6	UTILTY LAYOUT	
2	11/2/2023	DA1	7	DOCK ASSEMBLY	
2	11/2/2023	DA2	8	DOCK ASSEMBLY	
1	8/28/2023	DA3	9	DOCK ASSEMBLY	
1	8/28/2023	DA4	10	DOCK ASSEMBLY	
1	11/2/2023	A1	11	DOCK ASSEMBLY DETAILS	
		A2	12	DOCK ASSEMBLY DETAILS	
		A3	13	DOCK ASSEMBLY DETAILS	
		A4	14	DOCK ASSEMBLY DETAILS	
		A5	15	DOCK ASSEMBLY DETAILS	
		A6	16	DOCK ASSEMBLY DETAILS	
1	8/28/2023	A7	17	DOCK ASSEMBLY DETAILS	
		A8	18	DOCK ASSEMBLY DETAILS	
		S1	19	STEEL FABRICATION DETAILS	
		S2	20	STEEL FABRICATION DETAILS	
		S3	21	STEEL FABRICATION DETAILS	
		S4	22	STEEL FABRICATION DETAILS	
		S5	23	STEEL FABRICATION DETAILS	
		S6	24	STEEL FABRICATION DETAILS	
		S7	25	STEEL FABRICATION DETAILS	
		S8	26	STEEL FABRICATION DETAILS	
		S9	27	STEEL FABRICATION DETAILS	
		S10	28	STEEL FABRICATION DETAILS	
1	8/28/2023	S11	29	STEEL FABRICATION DETAILS	
		S12	30	STEEL FABRICATION DETAILS	

4

S13	31	STEEL FABRICATION DETAILS

1	11-3-23	CLIENT REVISIONS	JC	<b>Bellingham</b> MARINE®	THIS DRAWING CONTAINS PROPRIETARY INFORMATION WHICH IS THE PROPERTY OF BELLINGHAM MARINE INDUSTRIES, INC., AND SHALL NOT BE COPIED, REPRODUCED OR MADE AVAILABLE TO THIRD PARTIES WITHOUT PRIOR CF	6325	BUCCANEER PALM BEACH SHOF INDEX SH
NO.	DATE	DESCRIPTION	BY	THE WORLD'S MOST COMPREHENSIVE MARINA BUILDER	WRITTEN PERMISSION FROM BELLINGHAM MARINE INDUSTRIES, INC. UNIFLOAT®, UNIDECK® AND © BELLINGHAM MARINE INDUSTRIES, INC.	PROJECT MANAGER: BF CHECKED BY: EC	

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	William J. Huffman, Jr PE Florida PE Number 76488 Structural Systems Analysis, LLC FL. Certificate of Auth. 30879
	SCALE: AS SHOWN (SHEET SIZE 11" x 17")
R MARINA ORES, FLORIDA SHEET	DRAWN BY:JWC
	DATE: 7-20-23 DRAWING:IDX1
	SHEET NO.: 2 of 31

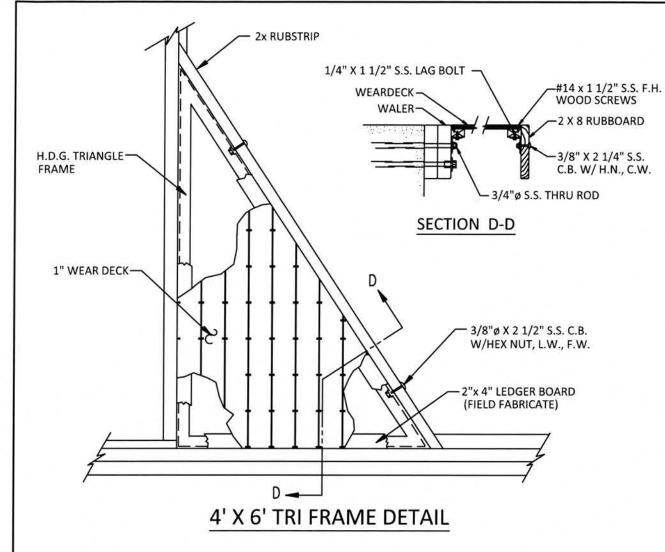
#### **GENERAL NOTES**

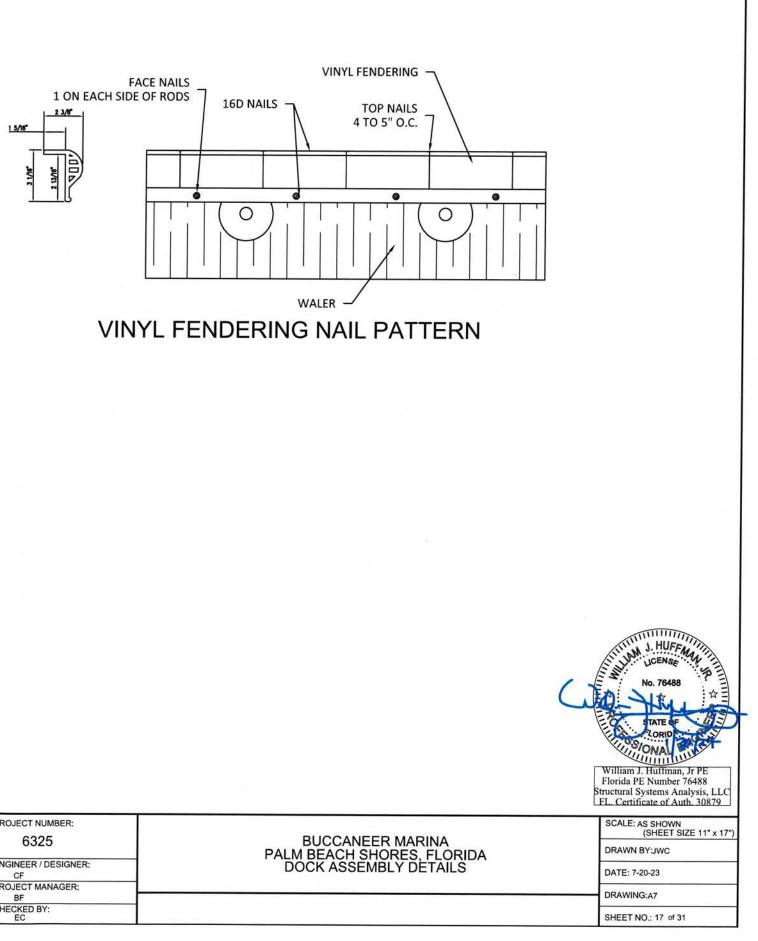
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- WHEN THESE DRAWINGS AND DESIGN ARE BASED ON A "PROPOSED SURVEY", IT IS ADVISABLE TO HAVE AN ACTUAL "AS BUILT SURVEY" PRIOR TO EARLY PRODUCTION. RELEASE BASED ON A PROPOSED SURVEY IS THE CUSTOMER'S RESPONSIBILITY.
- CAUTION: FLOAT SYSTEMS ARE UNSTABLE WHEN PLACED IN WATER PRIOR TO ASSEMBLY IN THEIR FINAL INTENDED CONFIGURATION. MODULES OR SUBASSEMBLIES SHOULD BE HANDLED WITH CARE DURING INSTALLATION AND SHOULD NEVER BE STOOD OR WALKED UPON PRIOR TO FINISHED ASSEMBLY.
- WARNING: BELLINGHAM MARINE INDUSTRIES, INC. HAS BEEN NOTIFIED BY ITS WOOD
  PRESERVERS THAT THE CHEMICALS USED IN THE WOOD TREATMENT PROCESS ARE KNOWN TO
  CAUSE CANCER.
- NOTE: PVC SLEEVES CAST INTO FLOAT MODULES ARE NOT CONTINUOUS THRU THE ASSEMBLED DOCK. THERE IS A 3 1/2" APPROXIMATE GAP BETWEEN FLOAT MODULES. THIS SYSTEM IS DESIGNED TO PROVIDE ONLY A SLEEVE FOR WHATEVER WIRING/CONDUIT SYSTEM IS REQUIRED BY THE ELECTRICAL SYSTEM DESIGNER AND LOCAL CODE AUTHORITY.
- NOTE: STEEL WELDMENTS ARE HOT DIPPED GALVANIZED (HDG) AFTER FABRICATION. ALL NUTS, BOLTS, AND WASHERS WILL BE A307 HDG STEEL, OR STAINLESS STEEL GRADE 304. THE GALVANIZED COATING ON HDG STEEL PARTS IS A SACRIFICIAL MATERIAL THAT DEGRADES OVER TIME. GALVANIZED PARTS WILL CORRODE AFTER EXPOSURE TO SALTWATER, AND HAVE A LIFE EXPECTANCY OF 5 TO 10 YEARS. ROUTINE MAINTENANCE AND/OR REPLACEMENT WILL BE REQUIRED.

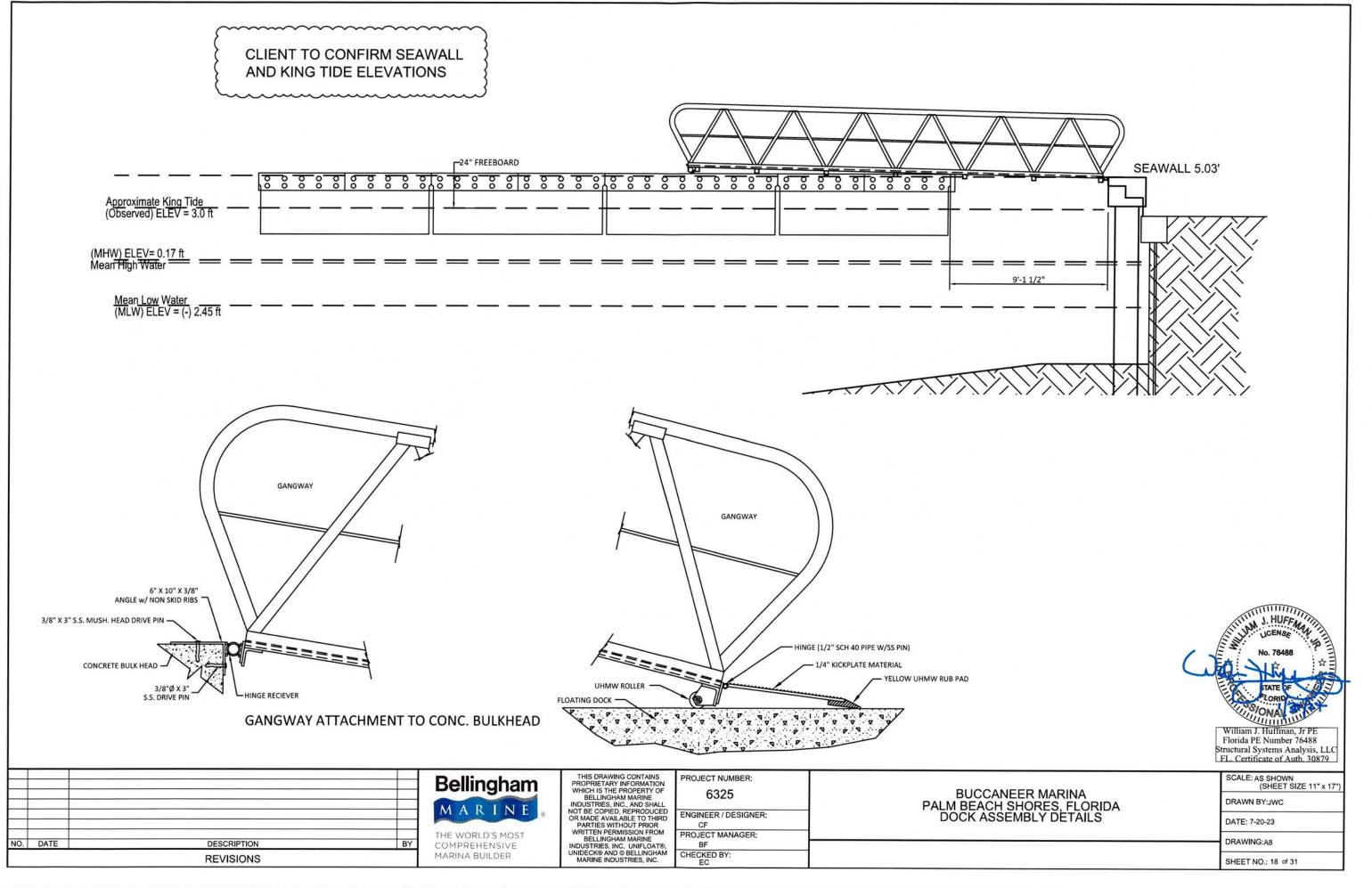
	ABBREVIATIONS				
&	and	%	Percent		
@	at	±	Plus or Minus		
A.C.O.E.	Army Corps of Engineers	PL.	Plate		
ALUM.	Aluminum	PCF	Pounds per Cubic Foot		
A.S.	Anti-Skid	P.O.C.			
X	by	PSI	Pounds per Square Inch		
CB	Carriage Bolt	P.T.	Pressure Treated		
<b>ب</b> C-C	Center Line	PVC	Polyvinyl Chloride		
C.F.	Center to Center Cubic Foot/Feet	PL. PW	Plate Plate Washer		
C.I.P.	Cubic Fool/Feet Cast in Place	QTY.			
CLR.	Clear	REINF.			
CW	Cleat Washer	REQ'D	Required		
CONC.	Concrete	SQ.	Square		
CONT.	Continuous	SQW	Square Washer		
C.Y.	Cubic Yard	S.F.	Square Foot		
0	Degrees	SIM.	Similar		
D.F.	Douglas Fir	SHT.	Sheet		
DWG	DWĞ	S.S.	Stainless Steel		
D.L.	Dead Load	T.O.C.	Top of Concrete		
DET.	Detail	T.O.S.			
Ø or DIA.	Diameter	T.S.	Tube Steel		
ELEV. or EL.	Elevation	TYP.	Typical		
EXIST. or (E)	Existing	THK.	Thick		
EA.	Each	U.N.O.	Unless Otherwise Noted		
Fab.	Fabrication	UHMW	Ultra High Molecular Weight		
F.B. FH	Flat Bar	VERT.	Vertical		
FT.	Flat Head Foot	W.W.F.	Welded Wire Fabric		
FW	Flat Washer	W.W.M. w/	Welded Wire Mesh with		
GA.	Gage	w.	Wide, Width		
GALV.	Galvanized	X.H.W.	Extreme High Water		
GLB	Glue Laminated Beam	X.L.W.	Extreme Low Water		
H.D.		A.E.W.			
H.D.G.	Hot Dip Galvanized				
HDPE	High Density Polyethylene				
HW	Hardware				
HN	Hex Nut				
IN.	Inch(es)				
LBS. or #	pound(s)				
LAM					
LIN	Linear/lineal				
LG	Long				
L.L.	Live Load				
LW MLLW	Lock Washer Mean Lower Low Water				
MLLW MAX.	Mean Lower Low Water Maximum				
MAX.	Machine Bolt				
MDPE	Medium Density Polyethylene				
MFR	Manufacturer		TILAM J. TUFFMA		
MM	Millimeter		LIN UCENSE		
MIN.	Minimum		No. 76488		
N.I.C.	Not In Contract	(			
NO. or #	Number		The second		
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NTS	Not To Scale		ZORID		
O.A.	Overall		ONAL		
O.C.	On Center		William I. Hutting I. BU		
OPP.	Opposite		William J. Huffinan, Jr PE Florida PE Number 76488		
			Structural Systems Analysis, LLC		
02			FL. Certificate of Auth. 30879		
			SCALE: AS SHOWN		
			(SHEET SIZE 11" x 17")		
			DRAWN BY:JWC		
PALM	BEACH SHORES, FLORIDA				
GE	INERAL NUTES SHEET		DATE: 7-20-23		
			DRAWING:GN1		
			SHEET NO.: 3 of 31		

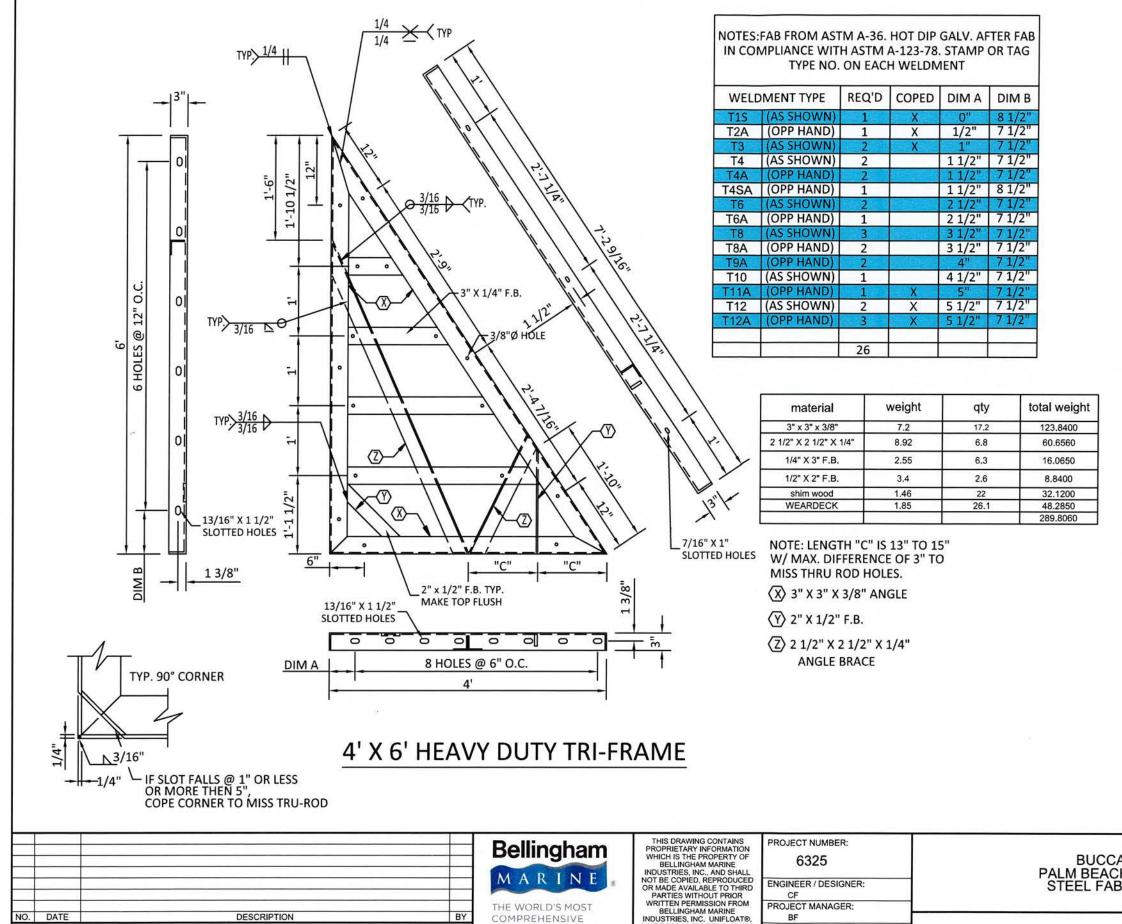
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NO.	DATE	DESCRIPTION	BY	COMPREHENSIVE	BELLINGHAM MARINE INDUSTRIES, INC. UNIFLOAT®.	BF	
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-				MARINE	INDUSTRIES, INC., AND SHALL NOT BE COPIED, REPRODUCED	ENGINEER / DESIGNER:	PALM BEACH SH GENERAL NO
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				Bellingham	THIS DRAWING CONTAINS PROPRIETARY INFORMATION	PROJECT NUMBER:	





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				MARINE	INDUSTRIES, INC., AND SHALL NOT BE COPIED, REPRODUCED OR MADE AVAILABLE TO THIRD	ENGINEER / DESIGNER:	PALM BEACH SHO DOCK ASSEME
				Bellingham	PROPRIETARY INFORMATION WHICH IS THE PROPERTY OF BELLINGHAM MARINE	6325	BUCCANEE
1	8-29-23	REMOVED TRENCH COVERS	JC		THIS DRAWING CONTAINS	PROJECT NUMBER:	





REVISIONS

MARINA BUILDER

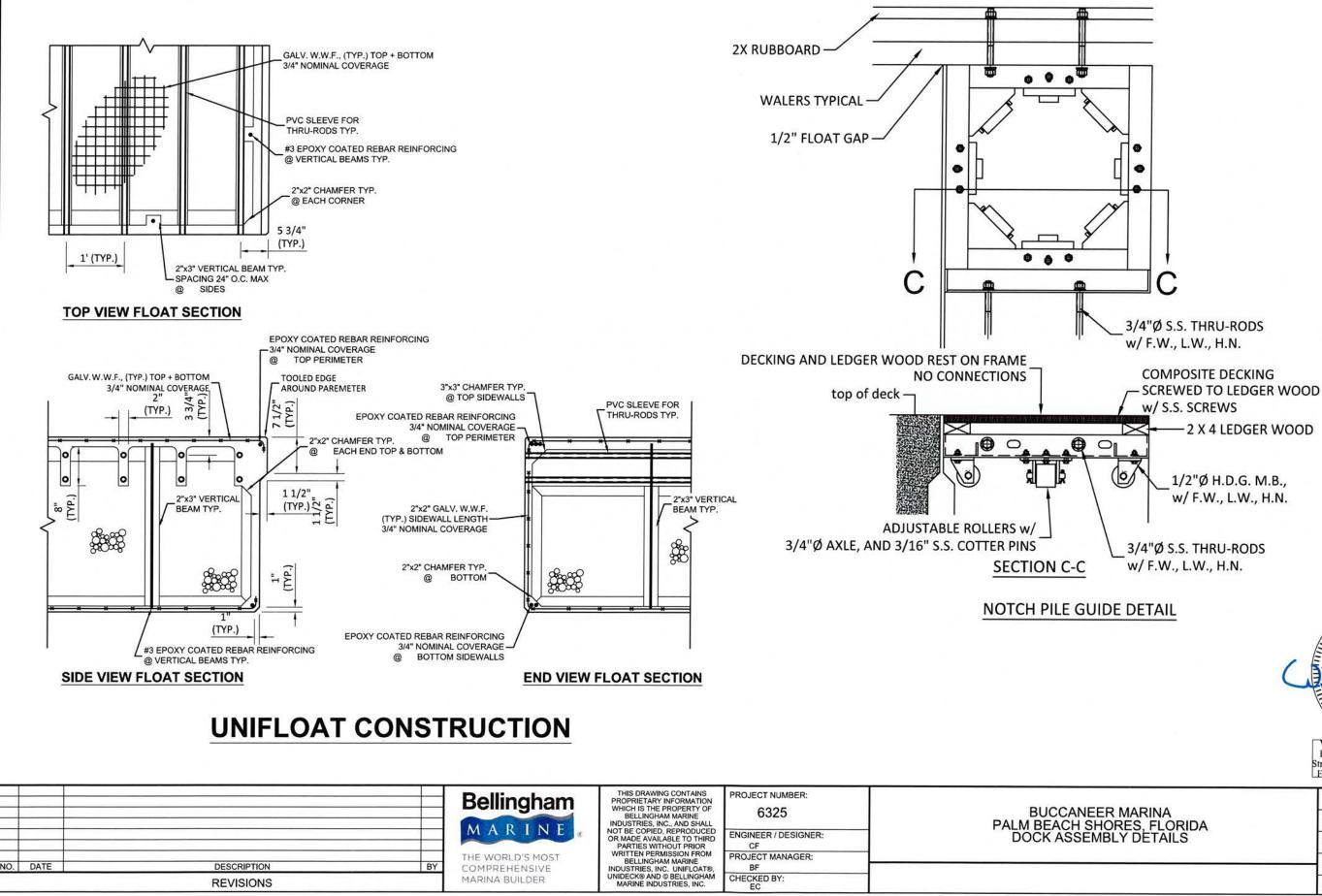
INDUSTRIES, INC. UNIFLOAT®, UNIDECK® AND © BELLINGHAM MARINE INDUSTRIES, INC. CHECKED BY: EC

BUCCANEER M PALM BEACH SHORES, FLORIDA STEEL FABRICATION DETAILS

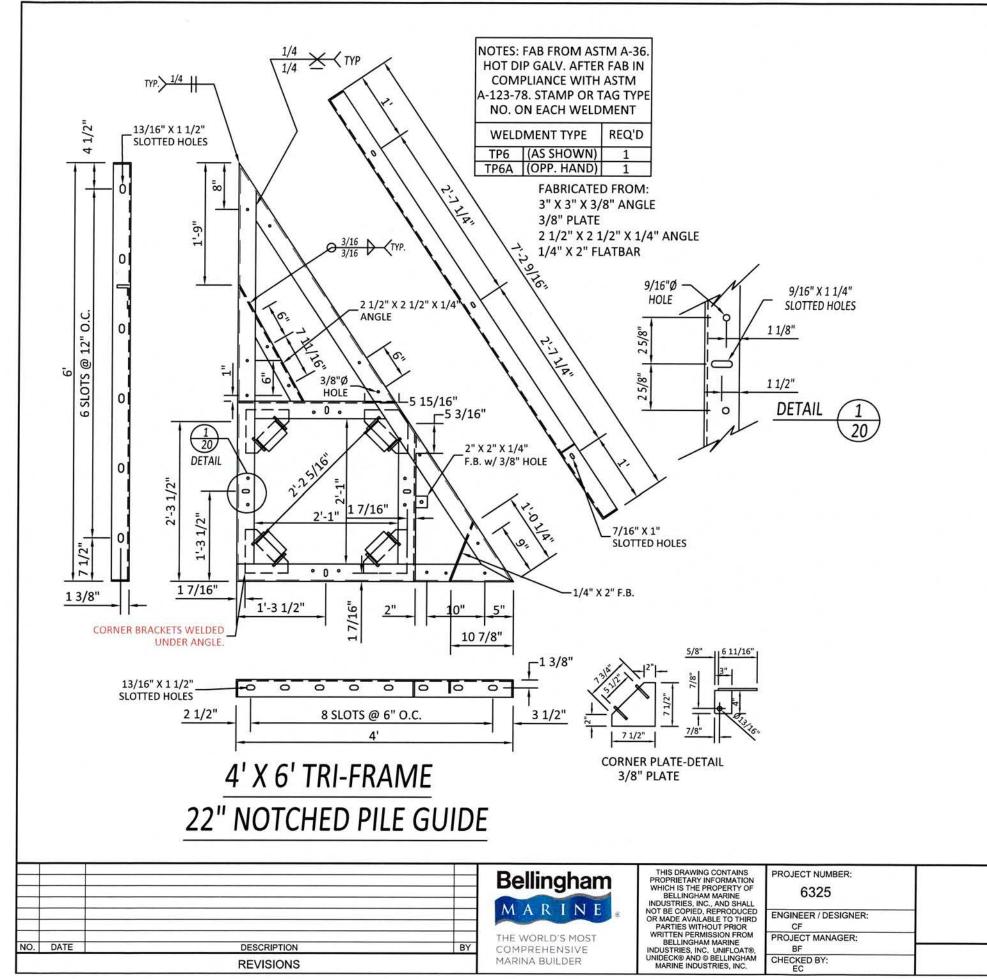
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MARINA RES, FLORIDA		ALE: 3/4"=1' (SHEET SIZE 11" x 17") AWN BY:JWC

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SHEET NO .: 19 of 31

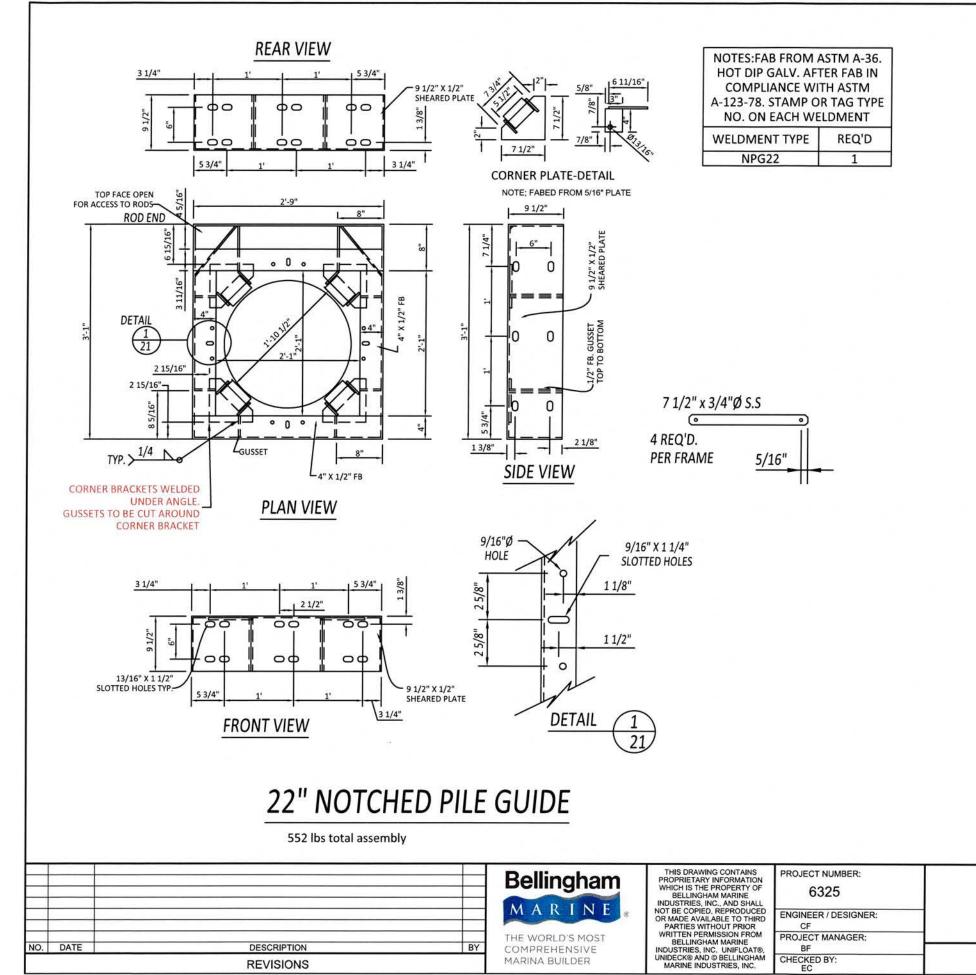


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BUCCANEE PALM BEACH SHO STEEL FABRICA

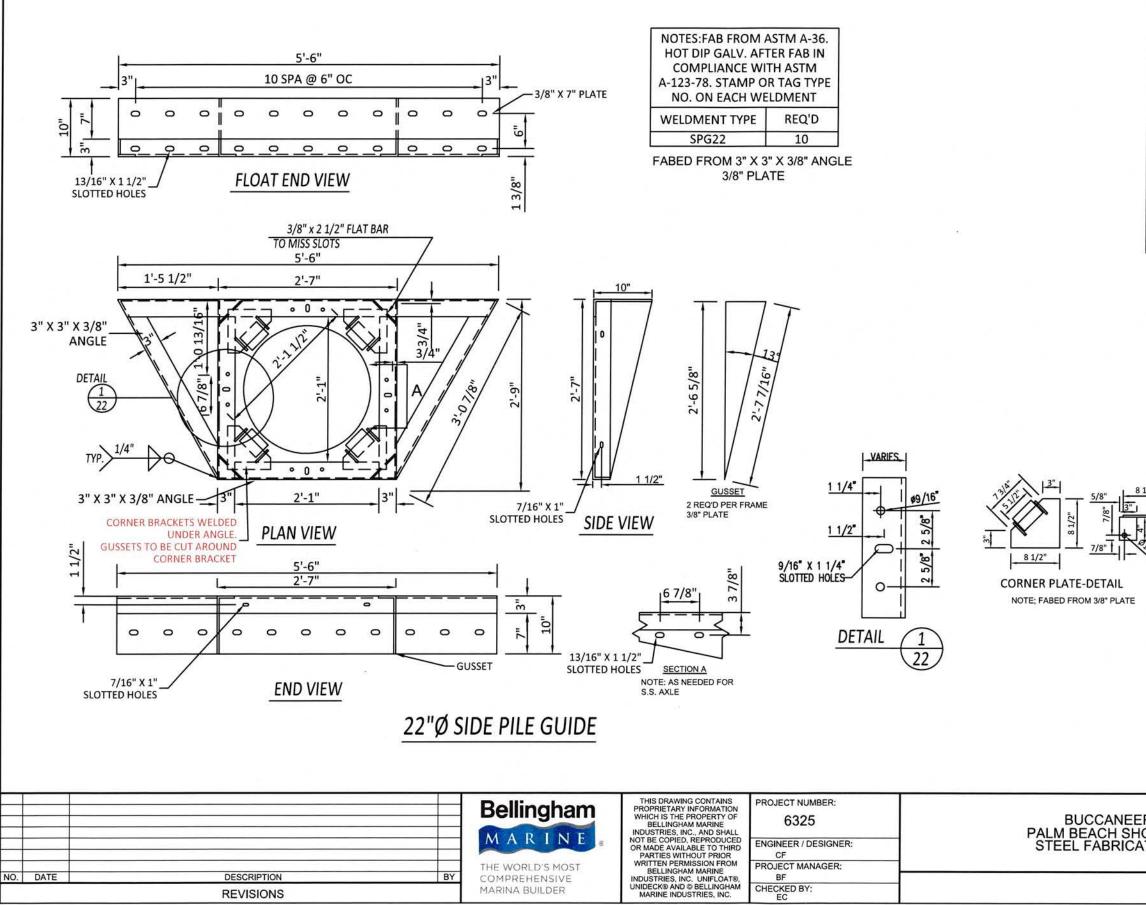
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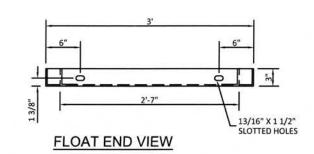
BUCCANEER PALM BEACH SHOI STEEL FABRICAT

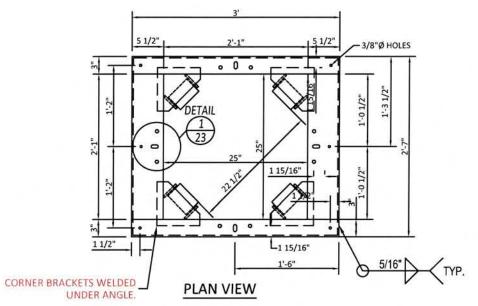
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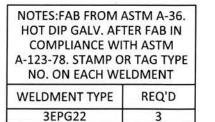
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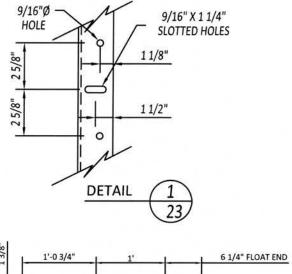
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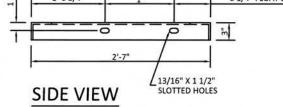


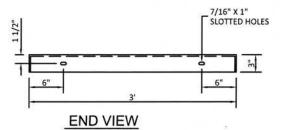




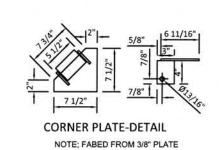
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22" END PILE GUIDE FOR 3' FLOAT

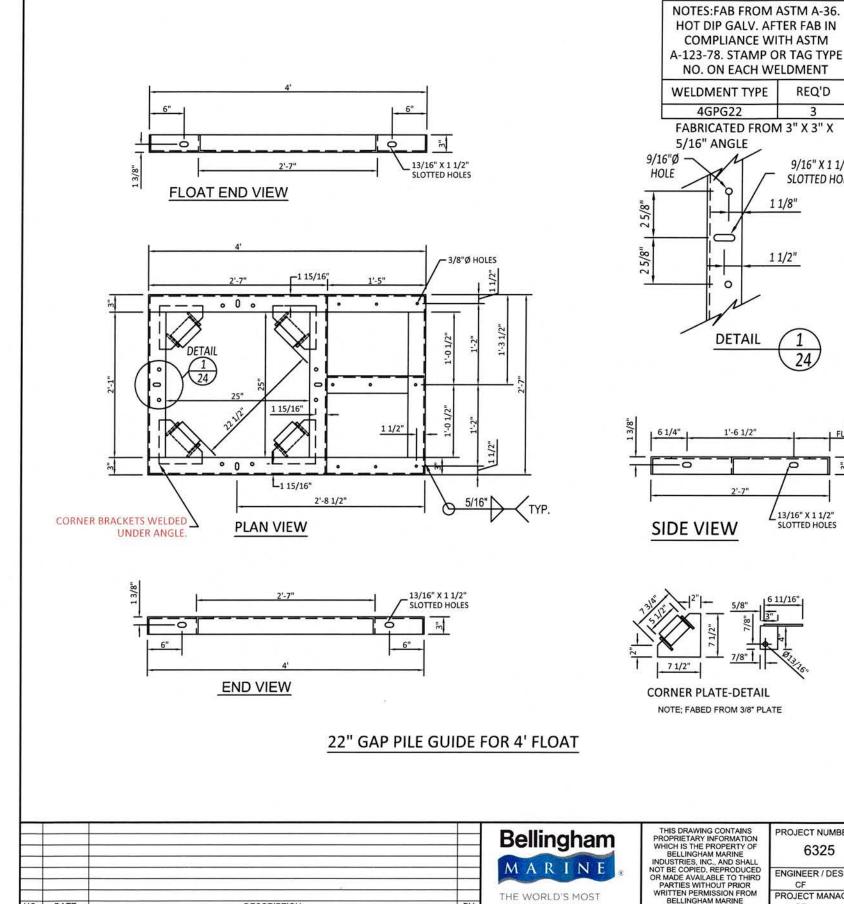


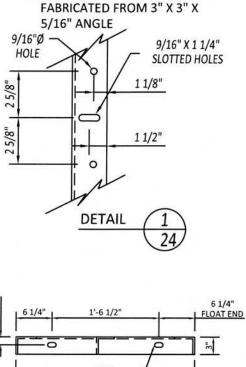
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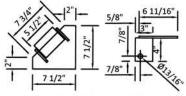
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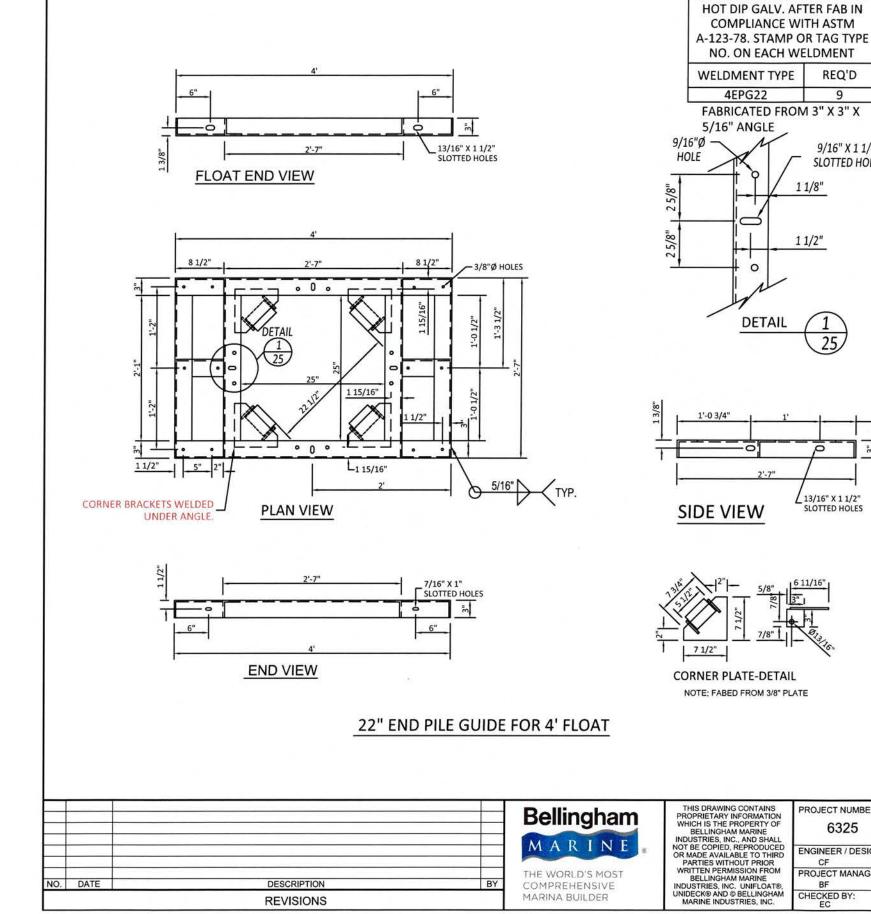


NOTE; FABED FROM 3/8" PLATE



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NOTES: FAB FROM ASTM A-36.



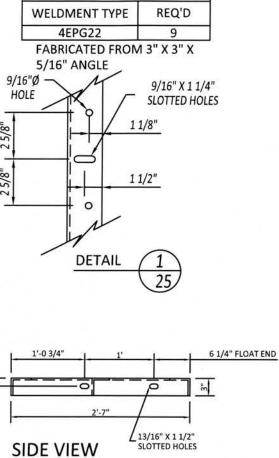
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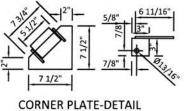
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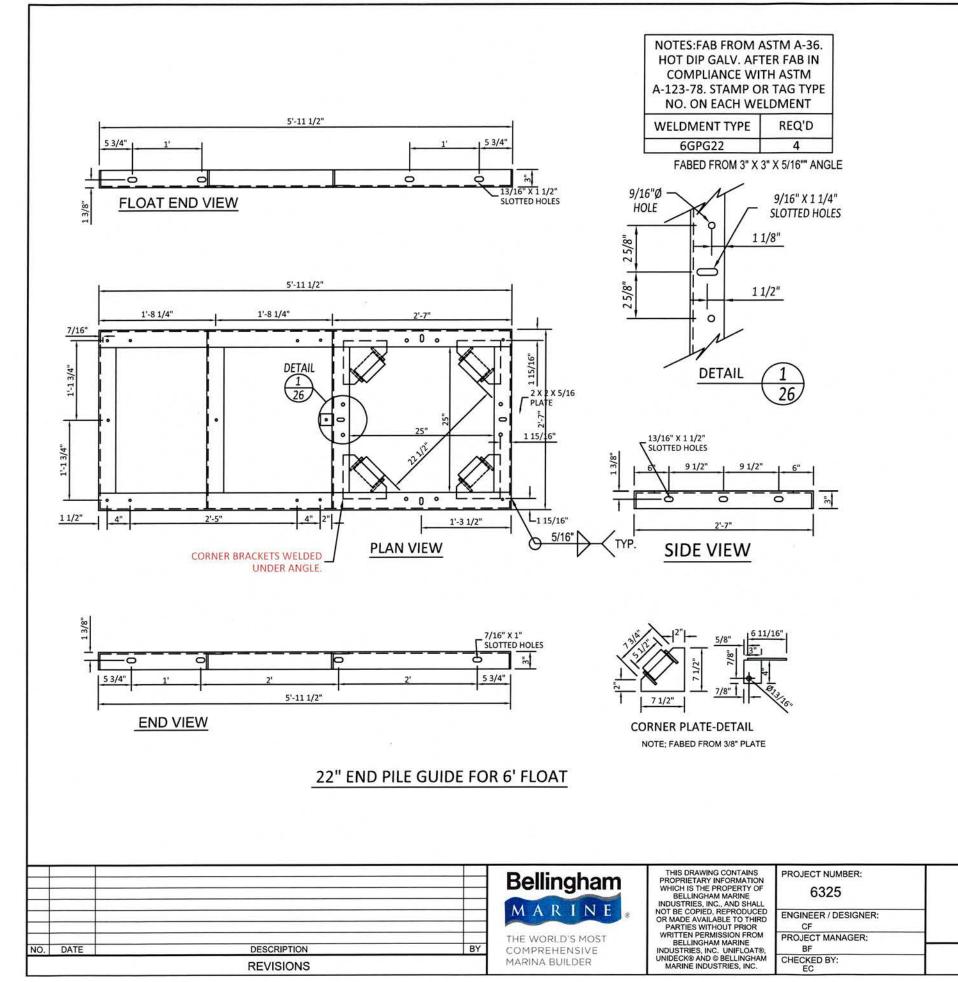


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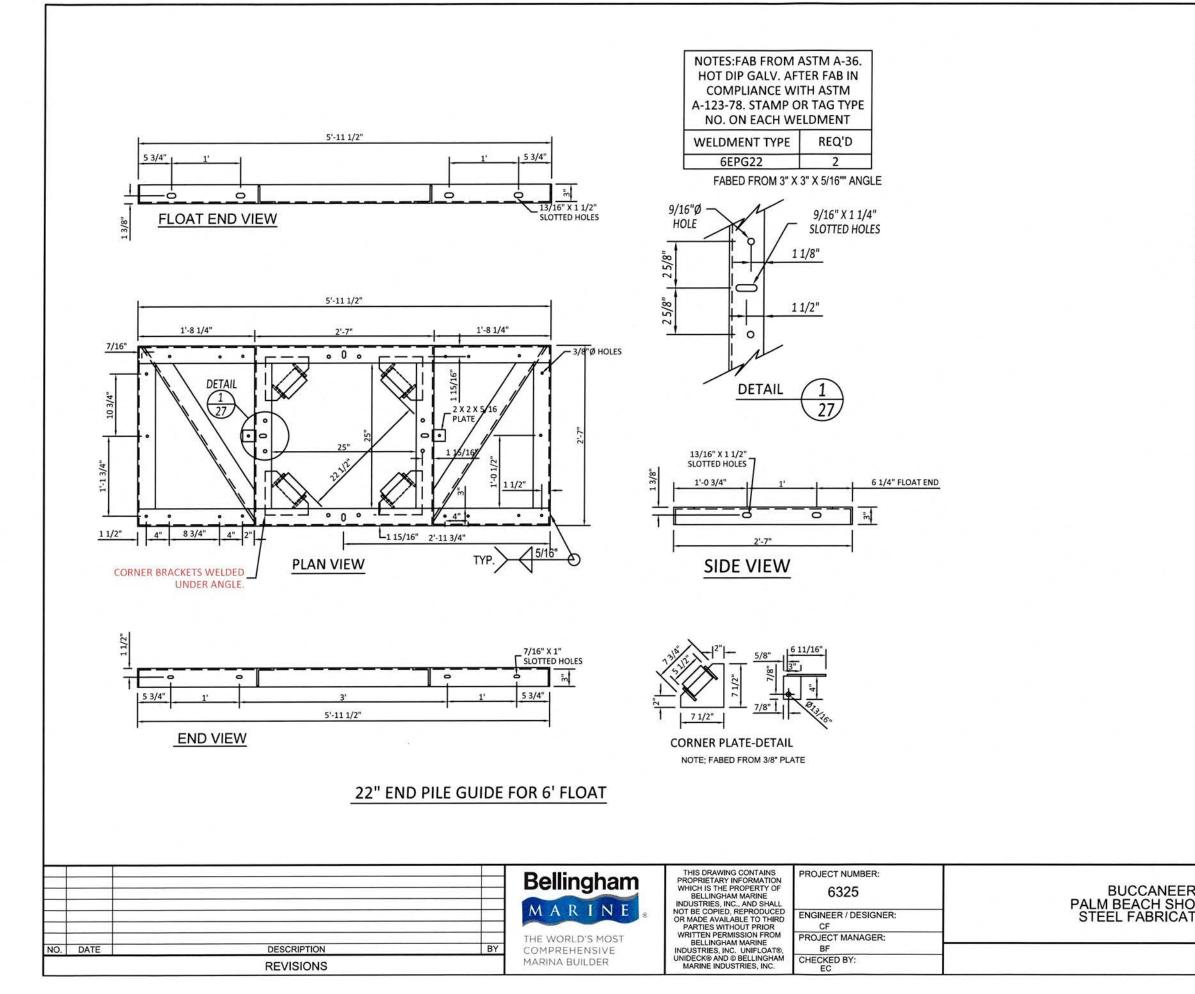
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SCALE: 3/4"=1' (SHEET SIZE 11" x 17") R MARINA ORES, FLORIDA TION DETAILS DRAWN BY:JWC DATE: 7-20-23 DRAWING:S7 SHEET NO .: 25 of 31

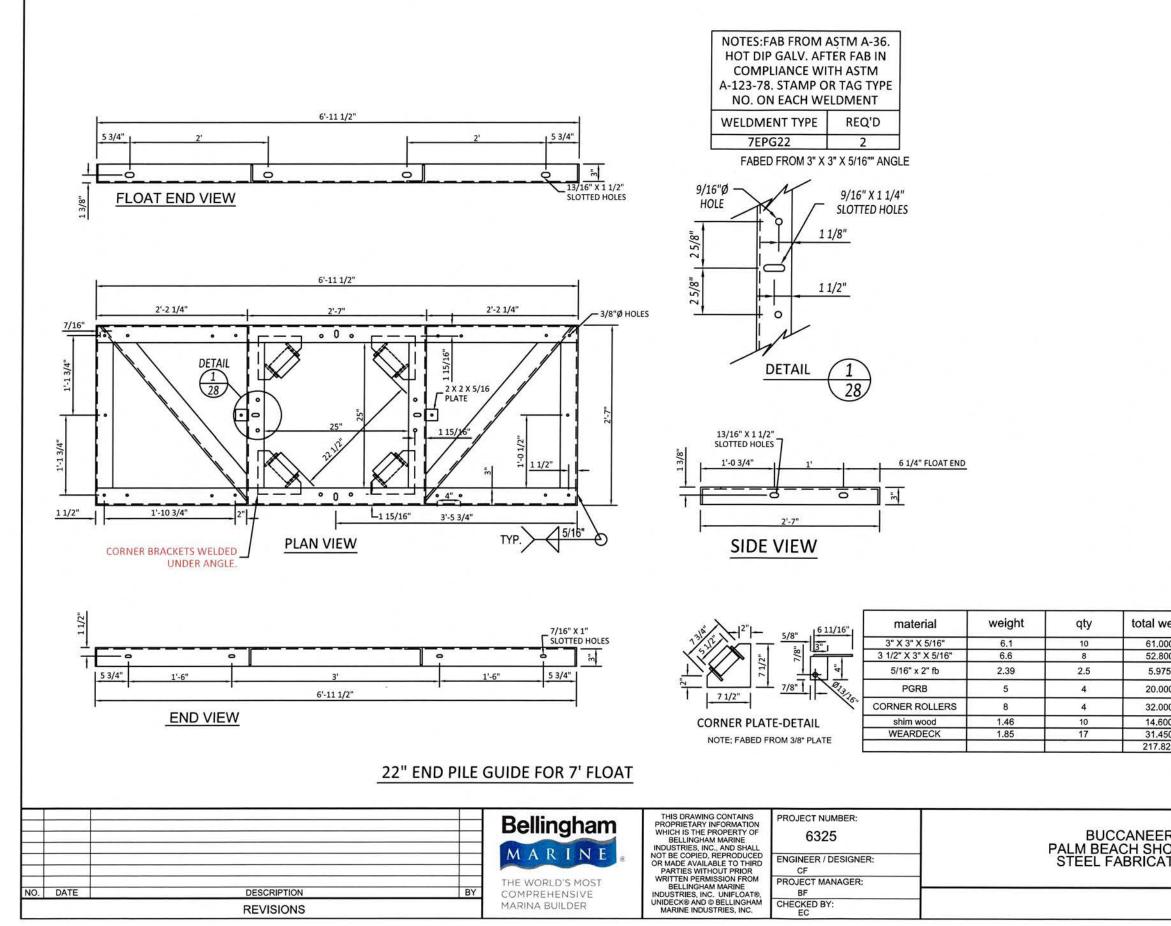


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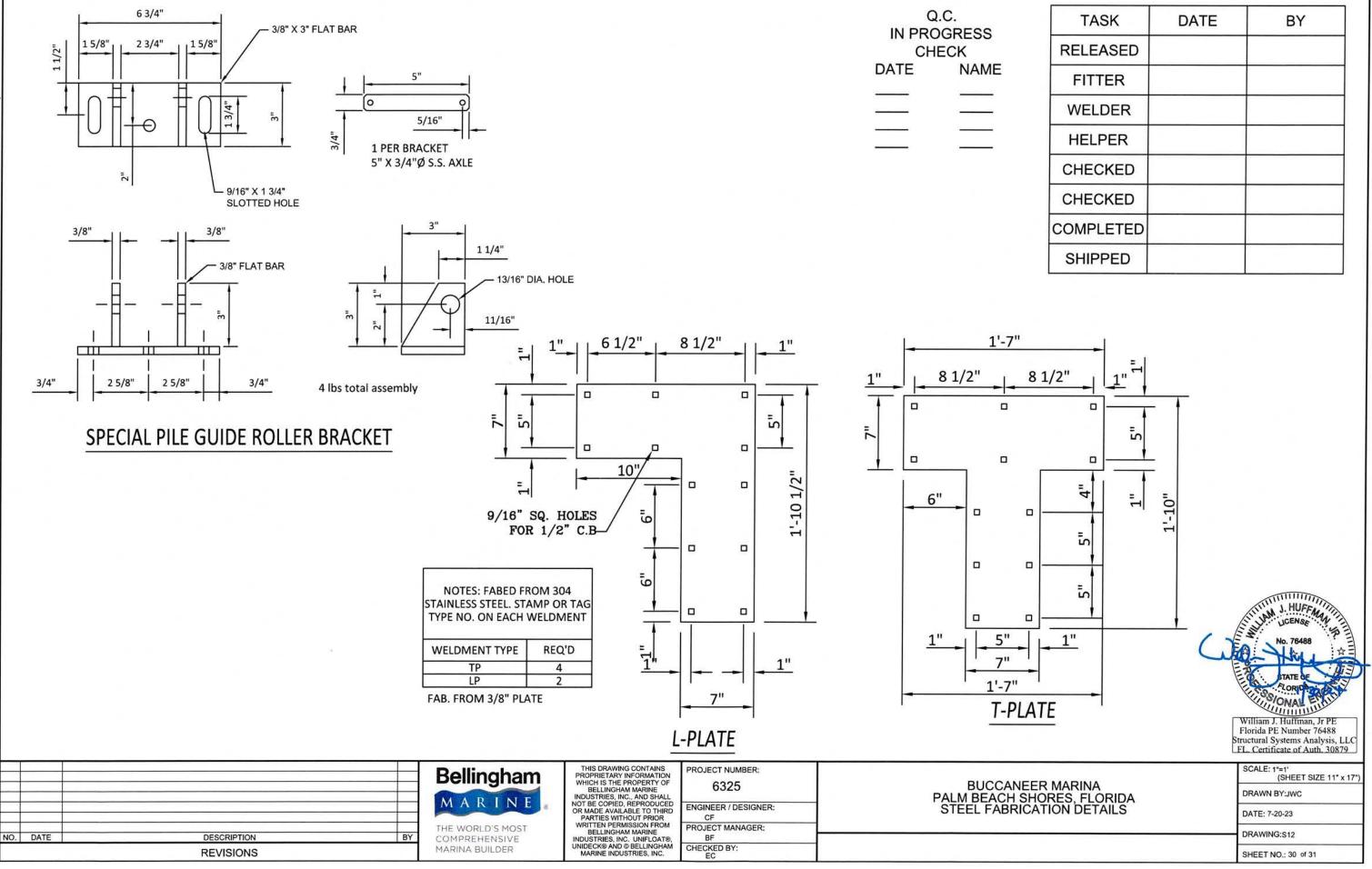
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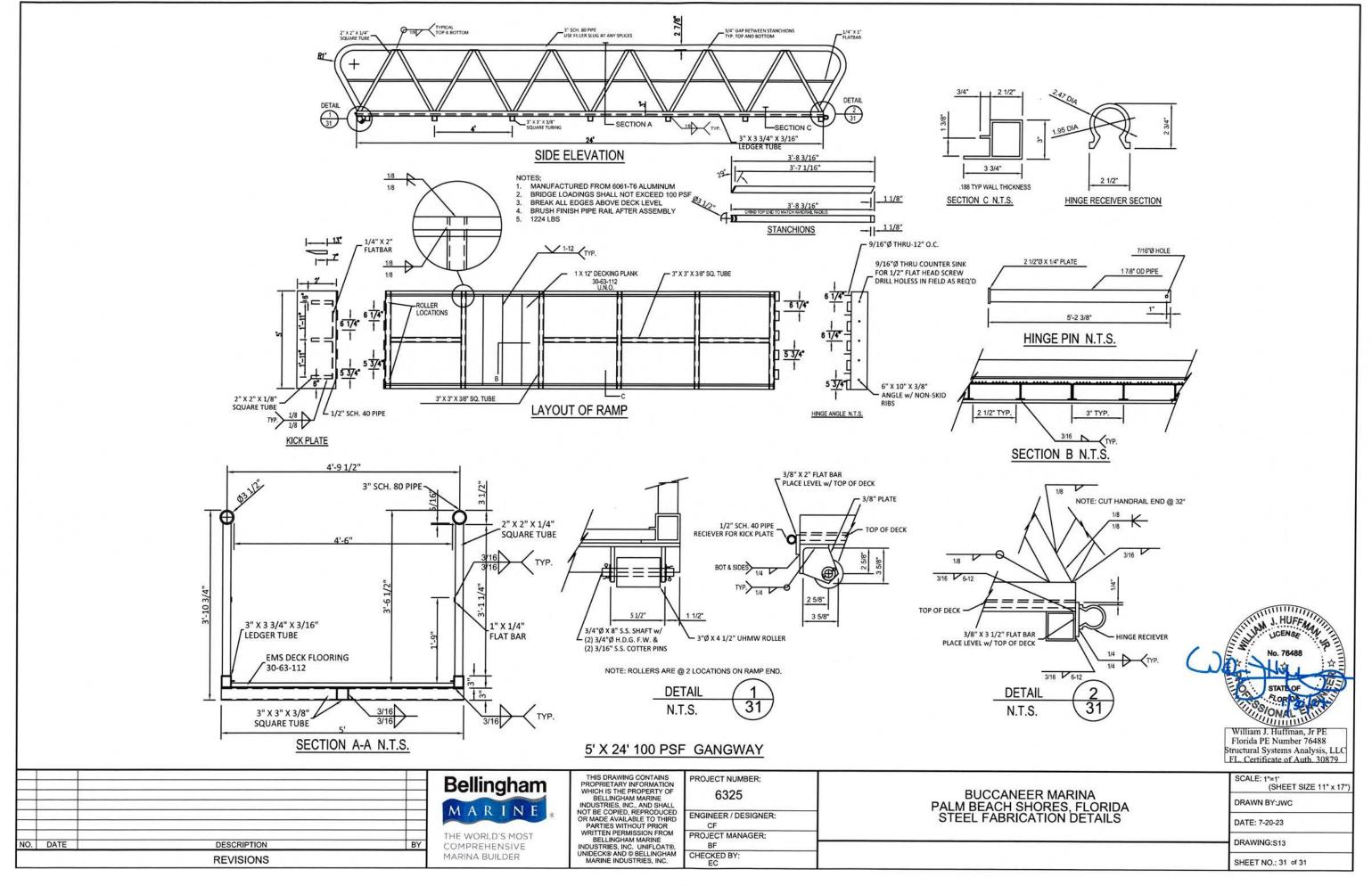
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# **BUCCANEER MARINA**

# PALM BEACH SHORES, FLORIDA



Precision Engineered Flotation Systems

#### WARNING

BELLINGHAM MARINE INDUSTRIES HAS BEEN NOTIFIED BY ITS WOOD PRESERVERS, THAT THE CHEMICALS USED IN THE WOOD TREATMENT PROCESS ARE KNOWN TO CAUSE CANCER VICINITY MAP

CAUTION: CAUTION: FLOAT SYSTEMS ARE UNSTABLE WHEN PLACED IN WATER PRIOR TO ASSEMBLY IN THEIR FINAL INTENDED CONFIGURATION. MODULES OR SUBASSEMBLIES SHOULD BE HANDLED WITH CARE DURING INSTALLATION AND SHOULD NEVER BE STOOD OR WALKED UPON PRIOR TO FINISHED ASSEMBLY.

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#### PROJECT DESCRIPTION

CONSTRUCTING NEW FLOATING DOCK SYSTEM AS FOLLOWS: 1. DESIGN, PROCUREMENT, & MANUFACTURE OF NEW DOCK

#### CONTACT INFORMATION

PROJECT ADDRESS: BUCCANEER MARINA 142 LAKE DRIVE PALM BEACH SHORED, FL. 33404

PROJECT OWNER: Sharfi Holding, Inc

3731 NE Pineapple Ave, 2nd FL Jensen Beach, FL 34957

TEL: 904-358-3362

NO DATE

CONTRACTOR: BELLINGHAM MARINE INDUSTRIES, INC. (SE) ATTN: JEFF PRATT, GENERAL MANAGER 1813 DENNIS ST. JACKSONVILLE, FLORIDA 32204

GANGWAY MANUFACTURE: BELLINGHAM MARINE INDUSTRIES, INC. (SE) ATTN: JEFF PRATT, GENERAL MANAGER 1813 DENNIS ST. IACKSONVILLE, FLORIDA 32204

DESCRIPTION

REVISIONS

SUPPLIER: BELLINGHAM MARINE INDUSTRIES, INC. (SE)

ATTN: JEFF PRATT, GENERAL MANAGER

STRUCTURAL ENGINEER: STRUCTURAL SYSTEMS ANALYSIS (SSA)

JACKSONVILLE, FLORIDA 32204 TEL: 904-358-3362

WILLIAM J. HUFFMAN JR. PE 7 Poplar Drive-Suite B

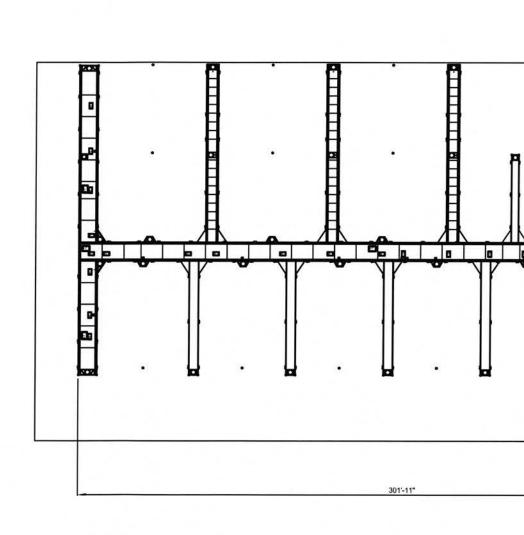
1813 DENNIS ST.

PO Box 67

Rosman, NC 28772

912-484-7374 Tel.





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