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May 3, 2017

Timothy Stillings, AICP
Planning, Zoning & Building Director
City of Delray Beach
100 NW First Avenue
Delray Beach, FL 33444



Re: Application for Modification to Dock Standards Pursuant to Code Section 7.9.4 -
744 Seasage Drive (David and Kelli Long - Owners)

Dear Mr. Stillings:

I am pleased to represent David and Kelli Long who own a single family residence and dock at 744 Seasage Drive. Please consider this an application pursuant to Section 7.9.4 of the City Code requesting the City Commission to authorize modification in the standards for dock approval set forth in Article 7.9, specifically a request to allow a secondary lift on the existing dock. Section 7.9.11 governing boatlifts and entitled "Standards for Approval" provides in subsection (B) that [w]hen plot frontage exists along a body of water, only one boat lift is permitted....."

Enclosed as composite Exhibit "A" is an aerial of the property and photographs depicting the conditions of the existing dock, previously approved by the City. Enclosed as Exhibit "B" is the proposed dock plan depicting the proposed platform lift which will allow Mr. Long's family to safely launch kayaks and other non-motorized watercraft into the waterway. Currently, the conditions are such that the water levels do not allow the safe launching of any such watercraft, substantially diminishing the Longs' use and enjoyment of their property and riparian rights. As evidenced by the photographs attached as Exhibit "C", which depict the very aesthetically pleasing look of a platform lift which obscures the lift mechanism, there would be no adverse impact on adjacent properties. These photographs are of the type of system proposed to be installed at the Longs' property if the modification was to be approved. Attached as Exhibit "D", is the Florida Department of Environmental Protection approval of the proposed platform lift.

As set forth in Section 7.9.4 of the City Code entitled "**Modification of Standards for Approval; Appeals**"

Timothy Stillings, AICP

May 3, 2017

Page 2

Upon the recommendation of the Building Official, the Commission may authorize modification in the standards for approval as set forth in various Subsections of this Article 7.9, **if it is determined that the requirements of these sections would not be feasible or would constitute hardship in a particular instance, and provided that a modification would not endanger public safety and welfare.**

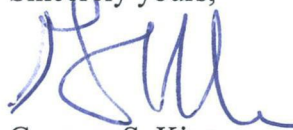
The requirements of these sections will not be feasible or would constitute hardship in a particular instance: The Standards for Approval that restrict a dock to only one boatlift constitutes a hardship as such restriction does not allow a waterfront property owner to fully enjoy their riparian rights and safely access the adjacent waterway for non-motorized recreational watercraft. A traditional boatlift does not provide access to the water for these types of crafts and water levels are such that one cannot safely launch them from a dock. City staff has characterized the platform lift as a "boatlift"; however, it neither looks nor operates like a traditional boatlift which has its lifting mechanism exposed on the supporting pilings or the dock itself. While more than one vessel may be moored to a dock, only one boatlift is permitted for each dock, arguably for aesthetic reasons. A granting of this modification to the dock Standards for Approval can be supported as a hardship has been demonstrated and with the platform's lifting mechanism obscured beneath the platform it does not thwart the rationale for the one boatlift limitation.

The modification would not endanger public safety and welfare: The Florida Department of Environmental Protection reviews proposed docks to address any adverse impacts on the Intracoastal Waterway, including to seagrasses and navigability. It has reviewed and approved the requested platform lift. The design of the lift will pose no adverse aesthetic or other impact to adjacent or surrounding properties; therefore, the proposed modification to the Section 7.9.11 (A) Standards for Approval would not endanger public safety or welfare.

For the above reasons, the Longs' respectfully request City staff to process the application and schedule the required review by the City Commission. A check in the amount of \$1,000, representing the required modification fee, is included with this application.

If you have any questions, please do not hesitate to call me.

Sincerely yours,



Gregory S. Kino

GSK:sfd
Enclosures

Cc: David and Kelli Long (via email)

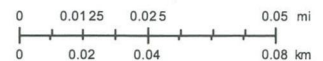


created by: PBC Property Appraiser

12434621070160141

Exhibit "A"

1:2,257



February 15, 2017





REFERENCE PROPERTY SURVEY PROVIDED
BY NEXGEN SURVEYING, LLC - N.P.B. FL
DATED: 2/23/16 ORDER NO.: 1000000899

INTRA-COASTAL WATERWAY



SCALE: 1" = 20'

EXISTING
30,000 LB. X2T2
TOPLESS BOATLIFT AS MFR. BY
HI-TIDE SALES, INC. ON 4(EA.)
CONCRETE LIFT PILES.

BUMPER/ MOORING
PILES (TYP., 8 TOTAL)

8"± WIDE
X 56' ± LONG PIER
DOCK W/ 4 5' WIDE
X 38'± LONG
MARGINAL DOCK.

PROPOSED 10,000 LB. CAPACITY
"NO-PROTIE", DECKED LIFT
MOUNTED ON 6(EA) 12' X 12' SQ.
CONCRETE LIFT PILES.

EXISTING CONCRETE
SEAWALL TO REMAIN.

UPLAND
SINGLE-FAMILY

APPROX. PROPERTY LINE

PROPOSED DOCK PLAN

SCALE: 1" = 20'

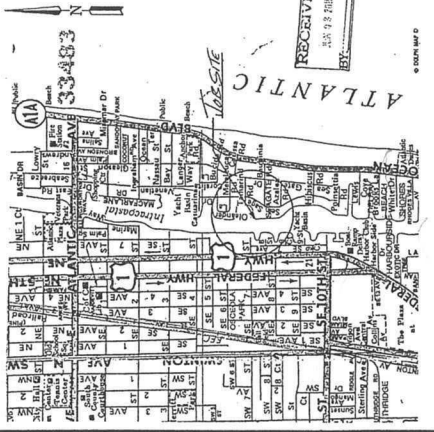
COPYRIGHT 2016 BY CONSTRUCTION TECHNOLOGY, INC. THIS DRAWING IS PROVIDED
FOR INFORMATIONAL PURPOSES ONLY, UNLESS SIGNED AND SEALED BY A REGISTERED
PROFESSIONAL ENGINEER REPRESENTING CONSTRUCTION TECHNOLOGY, INC.

WILLIAM J. MATHERS, P.E., FOR
CONSTRUCTION TECHNOLOGY, INC.
F.L. #18658

NOTE: AS PER THE NOTICE REQUIREMENTS OF 61G15-30.003(1)FAC, THIS DOCUMENT IS
BEING TRANSMITTED TO THE PUBLIC AGENCY TO REVIEW COMMENTS AND
INTERPRETATIONS. THE DOCUMENTS MAY SUBSEQUENTLY BE REMOVED BY THE ENGINEER
BY THE AGENCY CHANGES, REVISIONS, AND MODIFICATIONS TO A PROJECT MAY PROHIBIT
TO REFLECT RESOLUTION OF ISSUES WITH THE PUBLIC AGENCY PRIOR TO FINAL ACTION
ADDITIONAL DOCUMENT SUBMITTAL FOR AGENCY APPROVAL ACTION ON THE SAME PROJECT.
AGENCY'S WRITTEN APPROVAL DESIGNATES THIS DOCUMENTS FINAL FORM.

LOCATION MAP

SCALE: NOT TO SCALE



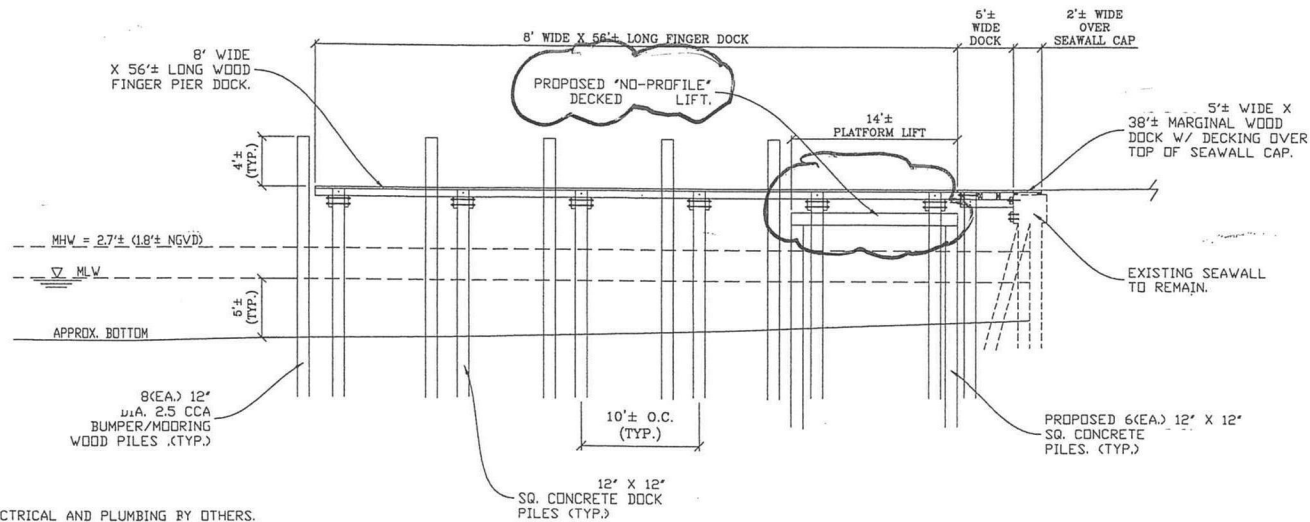
PROPOSED DOCK PLAN
744 SEASAGE DRIVE
DELRAY BEACH, FL

CON - TECH
CONTRACTORS
ENGINEERS

CONSTRUCTION TECHNOLOGY, INC.
P.O. BOX 16576, WEST PALM BEACH, FL 33416
PHONE 561-882-9956 FAX 561-882-9957
COC-060820 EB-0004242

MR. DAVID LONG
APPROVED
DATE 5/26/16
SHEET 3
DRAWING NO. 16D1027

NOTE: AS PER THE NOTICE REQUIREMENTS OF 61615-30.00(1)FAC, THIS DOCUMENT IS BEING TRANSMITTED TO THE PUBLIC AGENCY TO RECEIVE AGENCY REVIEW, COMMENTS AND INTERPRETATIONS. THE DOCUMENTS MAY SUBSEQUENTLY BE REVISED BY THE ENGINEER TO REFLECT RESOLUTION OF ISSUES WITH THE PUBLIC AGENCY PRIOR TO FINAL ACTION BY THE AGENCY. CHANGES, REVISIONS, AND MODIFICATIONS TO A PROJECT MAY PROMPT ADDITIONAL DOCUMENT SUBMITTAL FOR AGENCY APPROVAL ACTION ON THE SAME PROJECT. THE MOST CURRENT DATE OF THE ENGINEER OF RECORDS SIGNATURE ACCOMPANY THE AGENCY'S WRITTEN APPROVAL DESIGNATES THIS DOCUMENTS FINAL FORM.



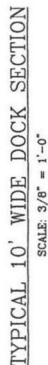
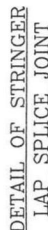
NOTES:

1. ALL ELECTRICAL AND PLUMBING BY OTHERS.
2. 30,000 LB. CAPACITY LIFT NOT SHOWN FOR CLARITY.
3. PILE PENETRATIONS, SEE SHEET 3 OF 3 FOR DETAILS.

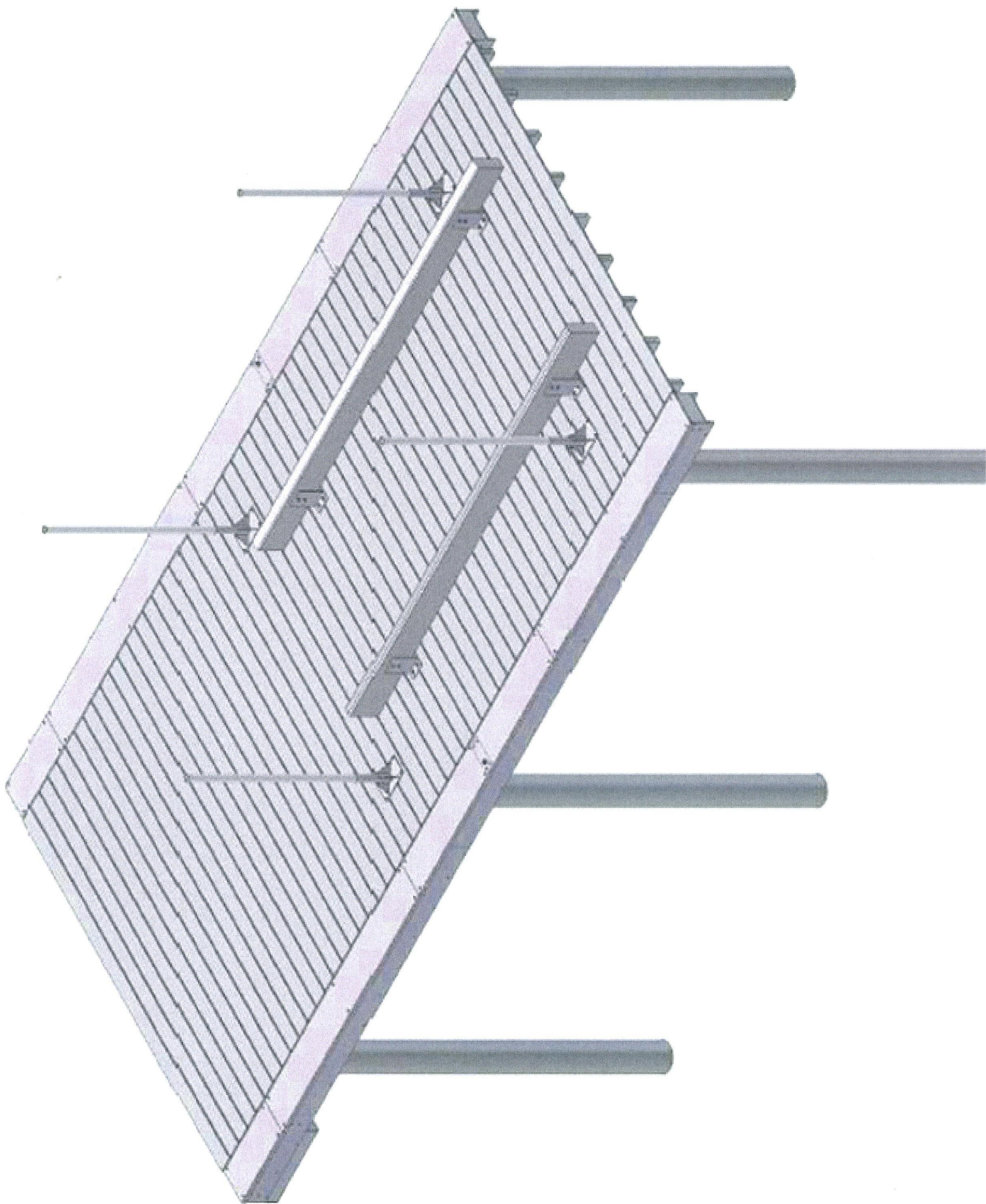
TYPICAL DOCK PROFILE

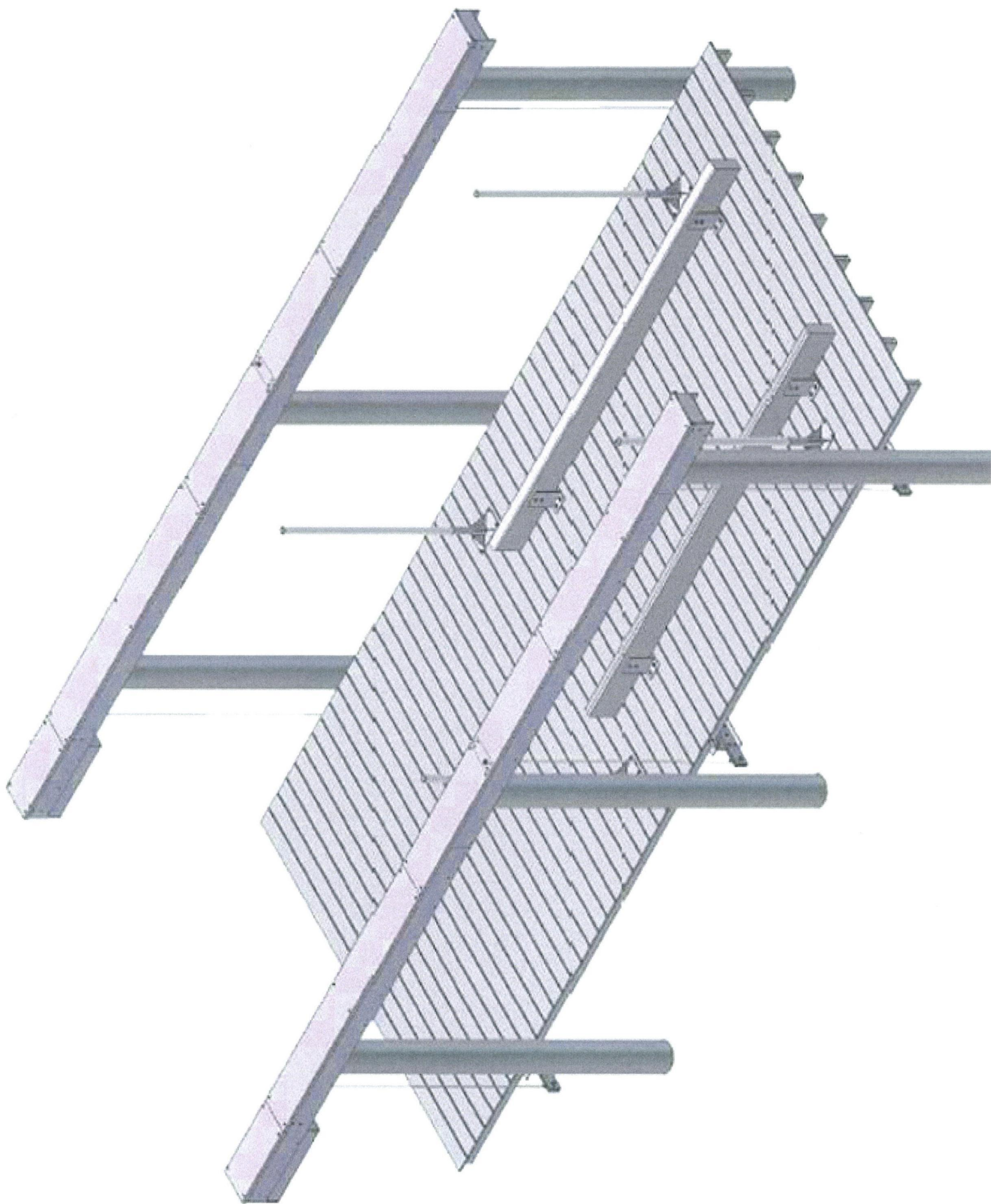
SCALE: 1" = 5'

DRAWING NO.	SCALE	DRAWN	DESIGNED	CHECKED	DATE	SHEET	OF
10D1027	3/8" = 1'	D.T.	S.G.	APPROVED	5/26/18	02	3
CONSTRUCTION TECHNOLOGY, INC. 1111 S. W. 11th Ave., Suite 100 Phone 561-882-9696 Fax 561-882-9697 COC-0004242 EB-0004242							MR. DAVID LONG
CON - TECH CONTRACTORS ENGINEERS							
DOCK PROFILE 744 SEASAGE DRIVE DELRAY BEACH, FL							
NO.	DATE	DESCRIPTION	BY	REVISIONS			



- [illegible]







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*Your complimentary
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Exhibit "C"

FILE COPY



REVIEWED FOR COO
**Florida Department of
Environmental Protection**

SOUTHEAST DISTRICT OFFICE
3301 GUN CLUB ROAD, MSC 7210-1
WEST PALM BEACH, FL 33406
561-681-6600

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

May 25, 2016

David Long
744 Seasage Dr
Delray Beach, FL 33483
Sent via e-mail to Scott Groomes: contech@bellsouth.net

Re: File No.: 50-0343688-001,002,003-EE
File Name: David Long

Dear Mr. Long:

On April 25, 2016, we received your application for an exemption to perform the following activities: (1) replace an existing marginal dock with a 638 ft² L-shaped dock, consisting of a 5 foot by 38 foot (190 ft²) marginal dock with a 8 foot by 56 foot (448 ft²) finger pier; (2) install a boatlift; and (3) install a 12 foot by 30 foot (360 ft²) platform boatlift. The project is located in the Intracoastal Waterway, Class III Waters, adjacent to 744 Seasage Dr, Delray Beach (Section 21, Township 46 South, Range 43 East), in Palm Beach County (Latitude N 26° 27' 2.61", Longitude W 80° 3' 51.86").

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

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

1. Regulatory Review – VERIFIED

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

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification will expire after one year, and will not be valid at any other time if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. However, the activity may still be conducted without further notification to or verification from the

www.dep.state.fl.us

Exhibit "D"