



## TOWN OF HILLSBORO BEACH

1210 Hillsboro Mile, Hillsboro Beach, Florida 33062

February 4, 2025 | 9:00 AM

### BOARD OF ZONING & APPEALS AGENDA

MAYOR DAWN MILLER  
VICE MAYOR BARBARA BALDASARRE  
COMMISSIONER JANE REISER  
COMMISSIONER DAVID A. RAVANESI  
COMMISSIONER VINNIE ANDREANO

TOWN MANAGER MAC SERDA, ICMA-CM  
TOWN ATTORNEY DONALD J. DOODY, ESQ  
TOWN CLERK SHERRY D. HENDERSON, CMC

Please refer to the end of the Agenda for the RULES OF DECORUM (RES 2023-36) adopted by the Town Commission 9/12/2023

#### CALL TO ORDER AND ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### I. QUASI-JUDICIAL PUBLIC HEARINGS

A. **VARIANCE #2025-V1-901HM**  
**901 Hillsboro Mile, Hillsboro Beach, FL 33062**

Property Owner: Hillsboro Club, Inc.

Authorized Agent: Gordon Thomson, PE - Baird & Associates

Request: The Hillsboro Club is requesting to construct a seawall along the existing toe of dune along the Atlantic Ocean portion of their property

Staff: Graham Long, Development Planner, CG&A Solutions

Seeking a variance to Section 4-4 (C) of the Town's Code of Ordinance as stated below:

Section 4-4 (C): "No building permits shall hereinafter be issued for the erection of any building or structure by the clerk or other official of the town whereby the building or appurtenance thereto sought to be erected shall encroach upon the easterly building line..."

All interested parties are sworn in by the Town Attorney.

- Staff Presentation
- Commission Discussion
- Public Hearing Opened
- Public Comments
- Public Hearing Closed
- Commission Discussion
- Commission Motion & Second
- Commission Vote

B. **VARIANCE #2025-V2-921HM**  
**921 Hillsboro Mile, Hillsboro Beach, FL 33062**

Property Owner: Richard, Claire & Rory McCarty

Authorized Agent: Gordon Thomson, PE – Baird & Associates

Request: Applicant is requesting to construct a seawall along the existing toe of dune along the Atlantic Ocean portion of their property

Staff: Graham Long, Development Planner, CG&A Solutions

Seeking a Variance to Section 4-4 (C) of the Town's Code of Ordinance as stated below:  
Section 4-4 (C): "No building permits shall hereinafter be issued for the erection of any building or structure by the clerk or other official of the town whereby the building or appurtenance thereto sought to be erected shall encroach upon the easterly building line..."

All interested parties are sworn in by the Town Attorney.

- Staff Presentation
- Commission Discussion
- Public Hearing Opened
- Public Comments
- Public Hearing Closed
- Commission Discussion
- Commission Motion & Second
- Commission Vote

## II. ADJOURNMENT

### RULES OF DECORUM

- The goal of Commission Meetings and Public Hearings is to accomplish the public's business in an environment that encourages fair discussion and exchange of ideas.
- Everyone will have three (3) minutes when recognized for public comment, participants should step forward to the podium and state their name & address for the record.
- All comments shall be directed to the commission or board as a body, through its presiding officer. Comments shall not be addressed to a single member of the commission or board, or to Town staff including the attorney, the manager, or the clerk, unless a majority of the members present on the commission or board shall so agree.
- The public comment period is for receipt of public comments, not debate. It is not intended as a time for problem solving but rather for hearing the citizens for their input.
- Anger, rudeness, ridicule, personal attacks, profane language, and lack of respect for others is unacceptable behavior. Demonstrations to support or oppose a speaker or idea, such as clapping, cheering, booing, hissing, or the use of intimidating body language are not permitted.
- If a person refuses to abide by these rules of civility and decorum, a commissioner may request a motion to temporarily recess.
- Continued disruptions by any person may result in the request of the person to depart the meeting.

Resolution No. 2023-36, adopted 9-12-2023

**PLEASE TAKE NOTICE AND BE ADVISED** that if any interested person desires to appeal any decision made by the Town Commission, Special Master or any other Boards or Commissions of the Town 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 ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The meeting/hearing may be continued from day to day, time to time, place to place, as may be found necessary during the aforesaid meeting. IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA) THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT (LARGE PRINT) UPON REQUEST AND SPECIAL ACCOMMODATIONS CAN BE PROVIDED UPON REQUEST WITH THREE (3) DAYS ADVANCE NOTICE. Please contact Sherry D. Henderson, IIMC-CMC, Town Clerk (954) 427-4011 Town Hall - 1210 Hillsboro Mile, Hillsboro Beach, Florida 33062.





## TOWN OF HILLSBORO BEACH

1210 Hillsboro Mile  
Hillsboro Beach, FL 33062

Phone: (954) 427-4011  
[www.townofhillsborobeach.com](http://www.townofhillsborobeach.com)

### Agenda Item Cover Memo

**Agenda Item:** **VARIANCE #2025-V1-901HM**  
**901 Hillsboro Mile, Hillsboro Beach, FL 33062**

**Property Owner:** Hillsboro Club, Inc.

**Authorized Agent:** Gordon Thomson, PE - Baird & Associates

**Request:** The Hillsboro Club is requesting to construct a seawall along the existing toe of dune along the Atlantic Ocean portion of their property

**Staff:** Graham Long, Development Planner, CG&A Solutions

Seeking a variance to Section 4-4 (C) of the Town's Code of Ordinance as stated below:

Section 4-4 (C): "No building permits shall hereinafter be issued for the erection of any building or structure by the clerk or other official of the town whereby the building or appurtenance thereto sought to be erected shall encroach upon the easterly building line..."

All interested parties are sworn in by the Town Attorney.

- Staff Presentation
- Commission Discussion
- Public Hearing Opened
- Public Comments
- Public Hearing Closed
- Commission Discussion
- Commission Motion & Second
- Commission Vote

**Submitting Dept:** Planning & Zoning, Sherry Henderson, Town Clerk

**Agenda Date:** February 4, 2025

### 1. BACKGROUND/HISTORY

### 2. CURRENT ACTIVITY

### 2. FINANCIAL IMPACT



## TOWN OF HILLSBORO BEACH

1210 Hillsboro Mile  
Hillsboro Beach, FL 33062

Phone: (954) 427-4011  
[www.townofhillsborobeach.com](http://www.townofhillsborobeach.com)

### 3. RECOMMENDATION

- ATTACHMENTS:**
1. STAFF REPORT - 901-921 HM (Seawall Variances)
  2. Variance Request #2025-V1-901HM
  3. Certification Letter (300ft public notice)
  4. Affidavit -901 HM



1210 Hillsboro Mile  
Hillsboro Beach, FL 33062

## TOWN OF HILLSBORO BEACH

Phone: (954) 427-4011  
Fax: (954) 427-4834

---

TO: Mayor Miller and Town Commission  
THROUGH: Mac Serda, Town Manager  
FROM: Graham Long, Planning Consultant  
DATE: February 4, 2025  
SUBJECT: Request for Variance: Joint applications for placement of a seawall, 901/921 HM

***This staff report pertains to the applications for a variance related to placement of a seawall, as a joint project between the adjacent properties at 901 and 921 Hillsboro Mile.***

The Property Owners, Hillsboro Club, Inc., and Richard, Claire & Rory McCarty (Applicants), and their authorized agent, Gordon Thomson, PE, are requesting approval of a variance from Section 4-4 of the Land Development Code (Code) to allow for placement of a seawall encroaching upon the Easterly Building Line, located at 901 and 921 Hillsboro Mile (HM), respectively. The property at 901 HM is within the RPC Private Club Multiple-Family Dwelling Residential District, and the property at 921 HM is within the RS-2 Single-Family residential district.

### Background:

The Applicants are seeking to construct a seawall, as a joint project, along the ocean side dune of the respective properties. The proposed seawall would be placed within the natural dune area, and the limited dune space on the beach side of the seawall would be restored with beach compatible sand and planted with native dune vegetation.

As the proposed seawall would encroach between 10-feet and 15-feet beyond the Easterly Building Line, the proposal violates Section 4-4 of the Town Code, entitled “Easterly building line; extended.”

Per Code section 4-4(C):

*“No building permits shall hereinafter be issued for the erection of any building or structure by the clerk or other official of the town whereby the building or appurtenance thereto sought to be erected shall encroach upon the easterly building line as hereinbefore described.”*

The Applicants propose placement of the seawall structure beyond the Easterly Building Line. Thus, the Applicants seek variance relief from the required prohibition of structures as described in code section 4-4(C).

In this section of the Town, the Easterly Building Line is located relatively close to the beach area, along the existing dune. The dune is narrow at the 901 HM and 921 HM adjacent properties, as significant erosion has occurred over the years. This erosion has threatened and continues to threaten existing structures, some of which of historic value, on these properties. The structures in question on both properties are located in close proximity to the narrow dune area (and to the Easterly Building Line).

The Applicants have applied for Florida state DEP permits for the proposed seawall, as it would be constructed east of the Coastal Construction Control Line. FDEP requires that the Applicants first obtain notice from the Town that the proposed action is consistent with Town regulations. As the proposal violates code section 4-4(C), the Town can not provide a letter of consistency without a variance being first obtained by the Applicants.

Should the variance be approved, and FDEP issue the required permits, the Town would then receive building permit applications that would further be reviewed by all involved disciplines (including zoning).

#### Variance Criteria Analysis:

Per Section 12-283, the Board of Zoning Appeals (Board) has the powers and should be its duty to grant variances from the Code. The Applicant is requesting relief through the criteria set forth in 12-283(C)(1) Yard requirements, 12-283(C)(2) Instances of Hardship, and 12-283(C)(3) Additional provisions which are as follows:

- “(1) Yard requirements. Permit a variance in the yard requirement of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variations will not seriously affect any adjoining property or the general welfare.*
- (2) Instances of hardship. Authorize upon appeal, whenever a property owner can show that a strict application of the terms of this chapter relating to the use, construction or alterations of buildings or structures, or the use of land will impose upon him or her unusual and practical difficulties or particular hardship, such variances of land will impose upon him or her unusual and practical difficulties or particular hardship, such variances of the strict application of the terms of this chapter as are in harmony with its general purpose and intent, but only when the Board is satisfied that a granting of the variance will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variance from the comprehensive plan as established by this chapter, and at the same time, the surrounding property will be properly protected.*
- (3) Additional provisions. In consideration of all appeals and all proposed exceptions or variances to this chapter, the Board shall, before making any exceptions or variations from the chapter in a specific case, first determine that it will not impair an adequate supply of light, air and sunshine to adjacent property or unreasonably increase the congesting in streets or highways or increase the danger of fire or endanger the public safety or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the Town of Hillsboro Beach.”*

Below are the Code-required criteria listed above with consultant planner’s analysis of how the proposal relates to the criteria:

#### *12-283(C)(1) Yard requirements.*

As the regulations of section 4-4 prohibit structures, buildings or appurtenances thereto from extending into yard space beyond the Easterly Building Line, the practical placement for the proposed seawall on the properties is a factor for consideration. The Easterly Building Line is located along the narrow dune on both properties, within close proximity to existing structures and to the beach. The significant erosion that has occurred in this area makes placement of a seawall west of the Easterly Building Line practically impossible.

In this case, both adjacent properties face the same conditions, as the topography of the lots and the location of the existing structures is threatened by further erosion.

*12-283(C)(2) Instances of Hardship.*

The strict application of section 4-4 would prevent the Applicants from placing a seawall in the area beyond the Easterly Building Line, which crosses through the existing narrow dune area. This narrow dune area along the line is the subject of continuing erosion. Additionally, many of the existing structures of the 901 HM property were built prior to the Easterly Building Line being established (1966) and extended (1973) by the Town.

*12-283(C)(3) Additional provisions.*

The proposed seawall would not impair any needs or characteristics of adjacent properties (the applicant states that the property at 923 HM to the north has an existing seawall), nor present any safety or other concerns for such properties, residents, or the Town itself.

Recommendation:

Based on the application and review of the Criteria set forth in Town Code section 12-283, the consultant planner finds the Applicants' request for a variance for placement of a seawall at 901 and 921 Hillsboro Mile to meet the criteria for zoning variance approval.

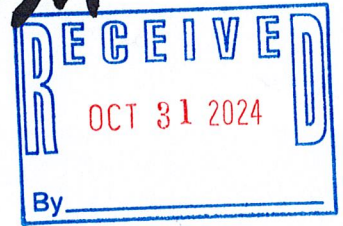


Variance Request

# 2025-V1-901HM



901 HM



TOWN OF HILLSBORO BEACH  
1210 HILLSBORO MILE, HILLSBORO BEACH, FL 33062  
PHONE (954) 427-4011 • FAX (954) 427-4834  
www.townofhillsborobeach.com

DEVELOPMENT APPLICATION

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

Zoning Board Meeting Date: 2/4/2025

Property Control # \_\_\_\_\_

Town Commission Meeting Date: —

| PROPERTY OWNER(S)                                           |       | AUTHORIZED AGENT                                                    |       |
|-------------------------------------------------------------|-------|---------------------------------------------------------------------|-------|
| NAME:<br>Hillsboro Club, Inc.                               |       | NAME:<br>Gordon Thomson, PE                                         |       |
| ADDRESS:<br>901 Hillsboro Mile<br>Hillsboro Beach, FL 33062 |       | ADDRESS:<br>5014 NW 24 <sup>th</sup> Circle<br>Boca Raton, FL 33431 |       |
| PHONE:<br>(954) 941-2220                                    | CELL: | PHONE:<br>(561) 400-7820                                            | CELL: |
| E-MAIL<br>carl@hillsboroclub.org                            | FAX:  | E-MAIL<br>gthomson@baird.com                                        | FAX:  |

APPLICANT'S CERTIFICATION

I, **Gordon Thomson** (authorized agent) affirm and certify that I understand and will comply with all provisions and regulations of the Town of Hillsboro Beach Florida. I certify that all drawings and specifications for buildings or structures costing \$5,000 or over for commercial buildings or \$10,000 for residential building must be drawn or verified by a state registered architect or engineer and his seal of office imprinted thereon. Additionally, I certify that the drawings and specifications show full compliance and do fully comply with the Zoning Code. I understand that if any drawings or specifications are not in full compliance, the application will be rejected. If approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be a part of the Town of Hillsboro Beach and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive Plan and Zoning Code. I further certify that all statements and diagrams submitted herewith are true and accurate to the best of my knowledge and belief. Further, I understand that this Application and attachments become part of the Official Records of the Town of Hillsboro Beach, Florida, and are not returnable.

G. Thomson  
Signature

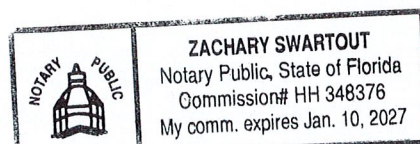
Gordon Thomson  
Print Name

STATE OF FLORIDA, COUNTY OF ~~BROWARD~~ Palm Beach

The foregoing instrument was acknowledged before me on this 23 day of October, 2024, by Gordon Thomson as Vice President for W.F. Baird & Associates

Personally know \_\_\_\_\_ or has produced identification X. Type of Identification FL DL

Zachary Swartout  
Notary Signature  
Zachary Swartout  
Print Notary Name





## CHECK BELOW WHERE APPLICABLE

|  |                                      |   |                               |
|--|--------------------------------------|---|-------------------------------|
|  | FINAL PLAT - \$1,000.00              |   | REZONING - \$3,500.00         |
|  | LAND USE PLAN AMENDMENT - \$3,500.00 |   | SITE PLAN REVIEW - \$2,000.00 |
|  | PRELIMINARY PLAT - \$1,000.00        | X | VARIANCE – \$1,050.00         |

Hillsboro Beach Town Code Sec. 12.1.3d provides for the collection of service charges or fees, consultant review fees, etc. for the administrative processing and review of applications for development permits submitted to the Town for review and approval. The owner, architect or other authorized agents are urged to attend the Zoning Board of Appeals and Town Commission meetings. Each applicant must familiarize himself with the criteria and procedures. **If all required information is not presented with this application by the submittal date, the project will not be placed on the agenda for review and consideration.** PLEASE NOTE: THE FEES LISTED ABOVE ARE **ADMINISTRATIVE FEES ONLY**. YOU WILL BE BILLED BY THE TOWN OF HILLSBORO BEACH FOR ANY AND ALL ADDITIONAL EXPENSES WHICH WILL BE INCURRED BY THE TOWN THROUGH THE SERVICES OF THE TOWN ENGINEER/PLANNER, LEGAL ADVERTISING, REBUTTALS, CONSULTATION AS WELL AS POSTAGE FOR MAILINGS AND COURIER SERVICES RELATED TO YOUR PROJECT.

**Items Required for Submittal:** Must be submitted **30 days prior** to the Town Commission Meeting date.

1. This application and all applicable fees
2. Narrative letter describing the request
3. Letters from each adjoining property owners (with approvals, if possible) – Variance Application only
4. Approval letter from the Association and minutes (when applicable)
5. Agent's authorization letter (when applicable)
6. 1 electronic copy and 2 signed and sealed – Plans are to be standard architectural size
7. 1 set of plans for the City of Deerfield Fire Inspector / Plans Examiner (when applicable)

**Code References:** (All sections are available for viewing and printing on the website)

- Chapter 12 – Division 1. General Provisions
- Chapter 12 – Division 2. Development Review Requirements
- Chapter 12 – Division 3. Platting and Subdivision Regulations
- Chapter 12 – Division 4. Site Plan Procedures & Requirements
- Chapter 12 – Division 5. Zoning

## GENERAL DATA

Project Location: 901 Hillsboro Mile District: 4

Proposed Zoning: No Change

Existing Comprehensive Plan Designation: Community Facilities / Residential Medium

Proposed Comprehensive Plan Designation: Community Facilities / Residential Medium

Existing Land Use: RPC – Private Club Multi Family

Proposed Land Use: RPC – Private Club Multi Family

Total Site Area: 713,876 Sq. Ft. 16.4 Acres

Flood Zone Category: AE

Is site currently serviced by public water? Yes ☐ No ☒

Is site currently serviced by public sewer? Yes ☐ No ☒

Describe briefly the nature of any improvements presently located on the subject property. The Hillsboro Club is requesting to construct a seawall along the existing toe of dune along the Atlantic Ocean Portion of their property.

Describe the type of operation or business proposed; or the proposed construction. The Hillsboro Club is requesting to construct a seawall along the existing toe of dune along the Atlantic Ocean Portion of their property.

Estimated construction cost: \$4.9M

Describe in detail the phasing of the proposed development. Only one construction mobilization is anticipated with continuous construction. The work will involve the driving of sheet pile followed by the installation of rock or soil anchors. A concrete cap will then be poured to encase the top of the sheet pile and the soil anchor tiebacks. Beach compatible sand will then be placed behind the seawall to match existing grade. Beach compatible sand will be placed in front of the seawall, from the base of the cap to the existing grade at a 1V:3H slope. This slope, and the area behind the seawall, will then be planted with native dune vegetation.

State the reasons or basis for the Approval request, and explain why this request is consistent with good planning and zoning practice, will not be contrary to the Town's Comprehensive 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 must be addressed. (Attach a separate Justification Statement if insufficient space.)

Please see attached sheet.

Has any previous Application been filed within the last year in connection with the subject property?

Yes ☐ No ☒ If yes, briefly describe the nature of the Application. \_\_\_\_\_

Has a site plan been previously approved by the Town Commission for this property?

Yes ☐ No ☒ If yes, please note date of previous approval. No, not related to this proposed action.

- (A) Every general contractor or other person being issued a building permit, shall deposit with the Town Clerk a bond in the amount of \$500 per each \$100,000 with a minimum of \$1,000 for any complete new building or an addition to existing building. The bond shall be in the form of a cashier's check.
- (B) By the deposit of the funds the contractor authorizes the Town of Hillsboro Beach, through its proper officials, to expend all or any portion of the bond to effect cleanup, during and after construction, if not satisfactorily performed by the contractor or person. Subsequent to the satisfactory cleanup of the vicinity of the construction, unused funds in whole or in part will be refunded to the contractor or person.
- (C) (1) It shall be the duty of the general contractor or other person receiving the permit to see that the premises and adjoining public areas shall be policed at all times during and after construction to prevent debris from being discarded on adjoining properties.  
(2) The DRO or the DRO's designate shall certify in writing to the Town Commission his or her determination and recommendation. The building plans and specifications shall be approved by the Town Commission prior to the issuance of a building permit. (1976 Code, CH. 12, Div. 5, Art. XV § 9)



W.F. Baird & Associates Ltd.

Office | 5014 NW 24th Circle, Boca Raton, FL 33431, USA  
Phone | +1 561 400 7820 Email | gulfstates@baird.com

Mr. Graham Long  
Senior Planner | Town of Hillsboro Beach  
1210 Hillsboro Mile  
Hillsboro Beach, FL 33062

October 24, 2024

Dear Mr. Long,

**Reference # 13951.201**

**RE: Hillsboro Club (901 Hillsboro Mile) Seawall - Variance Request**

The Hillsboro Club, located at 901 Hillsboro Mile, is requesting a variance from the Town of Hillsboro Beach to allow construction of a 990-foot long seawall along the toe of dune fronting the Atlantic Ocean.

The variance request is to allow:

1. Construction east of the Town's Easterly Building Line
2. A seawall cap elevation of +13 feet, NAVD88.

The intent of the seawall is to protect the Hillsboro Club's buildings that are situated along the dune crest. Despite the Club's efforts to periodically renourish the dune, large storms continue to remove the vegetation and erode the dune. W.F. Baird & Associates, Ltd (Baird) performed coastal modeling to evaluate the need for a seawall and, subsequently, the cap elevation. Without a seawall, the modeling suggests that a 50-year event could result in a loss of 20 feet of dune, which could threaten the stability of the upland buildings.

The modeling demonstrates that the cap of the seawall should be at an elevation of 13 feet, NAVD88 to prevent the loss of backfill during a 100-year storm event. This event has a 60% chance of occurring within the 50-year design life of the seawall. We have also factored in 0.52 feet of sea level rise (3.16 mm/year per the NOAA tide gauge at Virginia Key). The Town's ordinance restricts seawall elevation to the FEMA Base Flood Elevation (BFE), which is +7 feet, NAVD88 at the Hillsboro Club. The model (SBEACH, which is a United States Army Corps of Engineers (USACE) model and uses input from the USACE's South Atlantic Coastal Study), suggests that the storm surge elevation at the seawall will exceed 7 feet, NAVD88, without the consideration of wave action on top of this water elevation.

The Hillsboro Club requires a letter from the Town stating that the proposed action meets the Town's zoning and setback requirements to support their Coastal Construction Control Line (CCCL) permit application to the Florida Department of Environmental Protection.

[www.baird.com](http://www.baird.com)

Innovation Engineered.

Per your e-mail, I have attached the "Development Application" form to support this variance request. I have also appended additional information discussing how the proposed action is consistent with the Town Comprehensive Plan and various Town ordinances.

I appreciate the time for the Town to review this request and will be available to meet with the Town at your convenience to discuss the Hillsboro Club's application.

Kind regards,



**Gordon Thomson** | Associate Principal  
Baird & Associates  
E: gthomson@baird.com  
M: (561) 400-7820

CC: Carl Horace, Hillsboro Club



State the reasons or basis for the Approval request, and explain why this request is consistent with good planning and zoning practice, will not be contrary to the Town's Comprehensive 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 must be addressed. (Attach a separate Justification Statement if insufficient space.)

### **Consistency with the Town's Comprehensive Plan**

The vegetated dune in front of the Hillsboro Club continues to recede threatening the upland infrastructure. Figure 1 shows the temporary shoring that was required to be installed to support the deck along the top of the dune. The piles in the foreground show the location of the deck from numerous years ago that have become exposed due to the dune erosion.



Photo 1. View of the temporary shoring underneath the walkway and cut piles in the foreground.

The beach width and elevation in front of the dune fluctuates throughout the year based on seasons, tides and storm events. However, natural dune recovery takes an extended period of time. The Hillsboro Club periodically places sand within the dune system and vegetates the dune to provide additional protection but this is not always sufficient to protect against storm events. After a review of the beach and numerical modeling of the potential exposure of the upland infrastructure to a storm event, W.F. Baird and Associates (Baird) recommended to the Hillsboro Club that they install a seawall along the toe of the dune. This includes placement of sand in front of the seawall and vegetation of this sand placement.

The intent is that the seawall will provide a last line of defense to protect the upland infrastructure during particularly severe storm events. Placing the seawall as far landward as possible, maximizes environmental

and recreational use of the beach while minimizing natural recovery of the beach system.

This is consistent with good planning and zoning practices because:

- It provides protection to upland infrastructure and the associated tax base for the Town.
- Bringing beach compatible sand to the site provides greater resilience for the entire beach system.
- It does not change the use or density of use of the area.

Elements that are relevant to the Town Comprehensive Plan (text in italics copies from The Town's 2018 Comprehensive Plan).

#### *Objective 2.3 Historic Preservation*

*Continue to protect historic properties in all land use considerations.*

*Policy 2.3.1 Every other year, consult historic designated properties, the Hillsboro Club and the U.S. Coast Guard to assure that these historic properties will continue to be preserved.*

The proposed action will assist with protecting the historic Hillsboro Club.

#### *Objective 4.4 Open Space*

*Policy 4.3.6 Continue to enforce the existing land development regulations that designate the beach area east of the Town's Easterly Building Line open space and conservation.*

The proposed action does not alter existing land usage.

#### *Coastal Management*

##### *Goal 6.0*

*To develop, redevelop and maintain a coastal resort residential community in a manner which minimizes potential natural and financial impacts to developed upland properties while preserving beach, shoreline and tidal water resources while enhancing resilience to sea level rise impacts.*

The proposed project minimizes financial impacts to the Hillsboro Club's property by protecting existing assets from future damage while preserving beach, shoreline and tidal water resources. The design also incorporates resilience to sea level rise by considering sea level rise in the cap elevation.

*Policy 6.1.5 Continue to enforce the prohibition of structures east of the Town's Plat of the Easterly Building Line.*

The Hillsboro Club is submitting this request for variance because the proposed action may be interpreted as not being consistent within the Comprehensive Plan because the Plan defines a structure as:

*"Structure" means anything constructed, installed or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on land which can be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently. "Structure" also includes fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising signs".*

However, the proposed action also meets many of the other elements within the Town's Comprehensive Master Plan, as discussed herein.

#### *Objective 6.3 Dune Protection*

*Use the land development regulations to maintain, improve and preserve the Town's coastal dune system.*

*Policy 6.3.2 Use best management techniques for maintenance of the dune system on developed properties.*



*Policy 6.3.3 Consider means to recreate a vegetated dune system on those parcels where none currently exist.*

The proposed action (seawall construction) has been sited at the toe of the dune with beach fill placed both behind (landward) and in front (seaward) of the seawall. These areas will be vegetated. This follows best management practices. By placing beach compatible sand as proposed environmental, functional and aesthetic benefits can be realized.

The current dune system continues to be denuded due to periodic (annual to bi-annual wave impacts) and subsequent loss of the dune (see photo 2).



Photo 2. Denuded section of dune due to wave action and undercutting of the dune.

*Objective 6.5 Historic Preservation*

*Use coordination and incentive programs to provide for the preservation of the Hillsboro Lighthouse and other Town historic properties.*

*Policy 6.5.2 When appropriate, work with the Hillsboro Club membership to maintain the design and structural integrity of the site's historic buildings.*

The proposed action seeks to protect the Hillsboro Club's historic buildings.

*Objective 6.8 Minimize Storm and Sea Level Rise Impacts*

*The Town shall ensure that building, development and redevelopment activities minimizes damage to life and property from tropical storms, hurricanes and future sea level rise.*

The proposed action incorporates future sea level rise into the design and provides increased resilience for upland infrastructure.

*Policy 6.8.7 Consider implementing higher regulatory standards to minimize storm, flooding and sea-level rise impacts.*

The proposed action is based on modeling that incorporates sea level rise and the latest available data (topography, bathymetry, wave heights, storm surge, etc.) to support the design (cap elevation, location, toe depth, etc.)

*Policy 6.8.9 All new construction and redevelopment shall be consistent with Ordinance 294 establishing seawall elevation requirements considering the impacts of existing tidal flooding and sea level rise expected to occur with a 40-year lifetime for seawalls. Said Ordinance considers flooding impacts to adjacent properties and flood protection of Hillsboro Mile (SR A1A).*

This will be discussed separately.

*Objective 6.9 Redevelopment and Post Disaster Redevelopment*

*Redevelopment and post-disaster redevelopment shall be implemented to minimize public and private vulnerabilities to future disasters and sea level rise.*

The proposed action is proposed to reduce the upland infrastructure vulnerability and be proactive rather than reactive to the risks posed by hurricanes.

*Policy 6.9.6 Any development of structures lying partially on, or seaward of the Coastal Construction Control Line shall be subject to the provisions set forth in Chapter 161 Florida Statutes.*

The Hillsboro Club is applying for a Florida Department of Environmental Protection permit for the proposed action. Part of the FDEP permit application is to obtain a notice from the Town that the proposed action is consistent with the Town's zoning and setback requirements.

*Policy 6.9.8 When opportunities arise, modify development and redevelopment regulations for minimum floor elevations, optimal seawall heights and deadlines for retrofitting to the heights to minimize inappropriate and unsafe development in the coastal high hazard area.*

The optimal seawall height will be discussed separately.

**Consistency with the Town's Code of Ordinances**

Section 12-268 – Seawalls guides the regulation of seawalls. This section provides a brief discussion of the various elements of the ordinance and how the design of the seawall for the Hillsboro Club meets the Town's ordinances. Text from the Town's ordinances are italicized.

*Sec 12-268 (B) (1) – The Town commission finds:*

*(1) The construction of new seawalls or the repair to existing seawalls to prevent tidal waters from flowing overland and leaving one's property is necessary to protect the health, safety, and welfare of the town residents; and*

*(2) The town has a substantial interest in attempting to prevent the closure of State Road A-1-A due to tidal waters flowing overland from the Intracoastal waterway onto the state road.*

These statements appear to indicate that the ordinance primarily considers seawalls along interior canals with low lying property that are not exposed to wave action from the Atlantic Ocean. This is important when considering elements of the ordinance.

*Sec 12-268 (D). The top surface of a newly constructed seawall shall have a minimum elevation of 5.0 feet NAVD88 (see table). The elevation shall not exceed a maximum of the base flood elevation (BFE) as*



identified in the most recent FEMA Flood Insurance Rate Map (FIRM) for the property...

The BFE for the Hillsboro Club property, based on the latest (2024) update of the FEMA flood map is +7 feet, NAVD88. This implies that the maximum elevation of the seawall can be +7 feet, NAVD.

The proposed seawall cap elevation is +13 feet, NAVD88 based on numerical modeling performed by Baird. Cross-shore modeling was performed using the US Army Corps of Engineers (USACE) model SBEACH. Inputs to the model include the existing beach and dune profile, wave height, wave period, water elevation, and wind. The beach and dune profile was based on 2023 surveys performed by the Florida Department of Environmental Protection. Wave heights and water levels were extracted from the USACE South Atlantic Coast Study (data point 30346) for a 50-year return period storm event. This data point is located approximately 550 feet directly offshore of the Hillsboro Club. The estimated 50-year significant ( $H_{m0}$ ) wave height is 11.7 feet while the “still” water level (peak storm stage) was listed as +4.6 feet, NAVD88. Note that wave action is superimposed on top of the peak storm stage. Figure 1 shows the output from the SBEACH model.

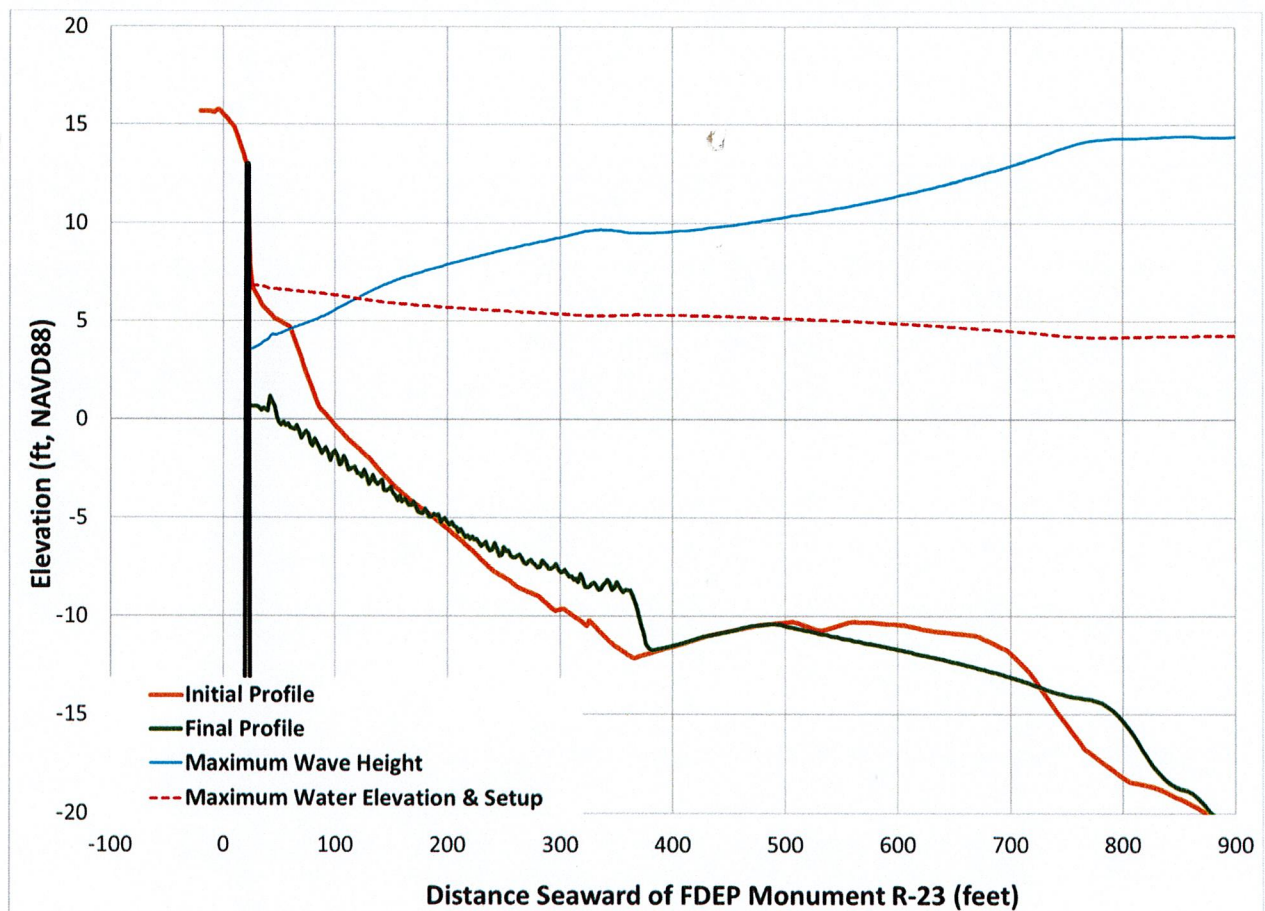


Figure 1. SBEACH Out for 50-year Storm Event.

Figure 1 is a cross-section of the beach with the Hillsboro Club dune to the left and the Atlantic Ocean to the right. The horizontal (x) axis is given in feet from the FDEP Monument R-23. This shows the offshore water elevation of 4.6 feet, NAVD88 and maximum wave height of almost 15 feet. The maximum wave height is larger than the significant wave height of 11.7 feet (by definition) and was taken from the USACE wave record. There are several important elements in Figure 1:

1. The maximum water elevation and setup is approximately 7 feet, NAVD88 at the location of the seawall.

2. The wave height at the seawall is approximately 4 feet. This wave action occurs on top of the "still" water elevation.
3. At the start of the storm event, the elevation of the beach at the seawall is almost +7 feet, NAVD88. The mean high water line is approximately 80 feet from the seawall.
4. At the end of the storm event, the mean high water line is almost at the seawall.

The modeling highlights that the water level (before considering waves) would overtop the seawall if the top of the seawall was limited to FEMA's BFE of +7 feet, NAVD88. The seawall crest needs to be higher than the still water elevation plus wave action. Furthermore, the seawall is designed for a 50-year project life but there is a 60% chance that the seawall experiences a 100-year storm event within the 50-year project life. Therefore, the seawall was designed using the 100-year storm conditions. There is also expected to be 0.52 feet of sea level rise over the 50-year project life (3.16mm/year per the NOAA tide gauge at Virginia Key). This led to a design elevation of +13 feet, NAVD'88 for the top elevation of seawall.

Lastly, the model suggested that without the seawall, the dune would recede approximately 20 feet during a 50-year storm event, which could undermine the existing buildings.

Baird's modeling report is available upon request.

The dune in this area ranges from +17 feet to +22 feet, NAVD88. Therefore, the seawall will not be visible from the landward side. It will also be placed as far landward as possible to minimize encroachment on to the beach, extend longevity by limiting its exposure, and decrease backfill costs.

*Sec 12-268 (D) (1) Seawalls shall be designed and built in a substantially impermeable manner to prevent tidal waters from flowing through the seawall while still allowing for the release of hydrostatic pressure from the upland direction. To effectuate the release of hydrostatic pressure, if needed because of insufficient structural strength of the seawall, seawalls shall be designed to provide for "seepage holes" with adequate back-flow prevention or a valve with backflow preventer. Additionally, the design of seawalls shall take into account the existing historic storm water runoff patterns and provide for maintaining those patterns so as not to cause flooding of adjacent roadways.*

The seawall will be comprised of steel sheet pile. The design was based on fully saturated soils on the landward side but will release hydrostatic pressure (water) because the joints, while interlocked, are not sealed. The top of the seawall will also be lower than the upland terrain allowing for upland, surface water to flow over the top of seawall. Since the upland area is higher than the seawall, the seawall will not cause upland flooding.

Rory McCarty  
921 Hillsboro Mile  
Hillsboro Beach, FL 33062

Mr. Carl Horace  
Chief Operating Officer  
Hillsboro Club  
901 Hillsboro Mile  
Hillsboro Beach, FL 33062

September 27, 2024

**Re: Letter of No Objection to Construct a Seawall**

Mr. Horace:

Thank you for your letter dated September 27, 2024 where you requested a letter of no objection from the Hillsboro Club to construct a seawall along your property.

The Hillsboro Club is in a similar situation of needing to protect our property with a seawall. We therefore have no objection to you proposing to do so. I have confirmed with Mr. Thomson, whom we have also retained for the design and permitting of our seawall, that the elevation and alignment of our seawall will match yours.

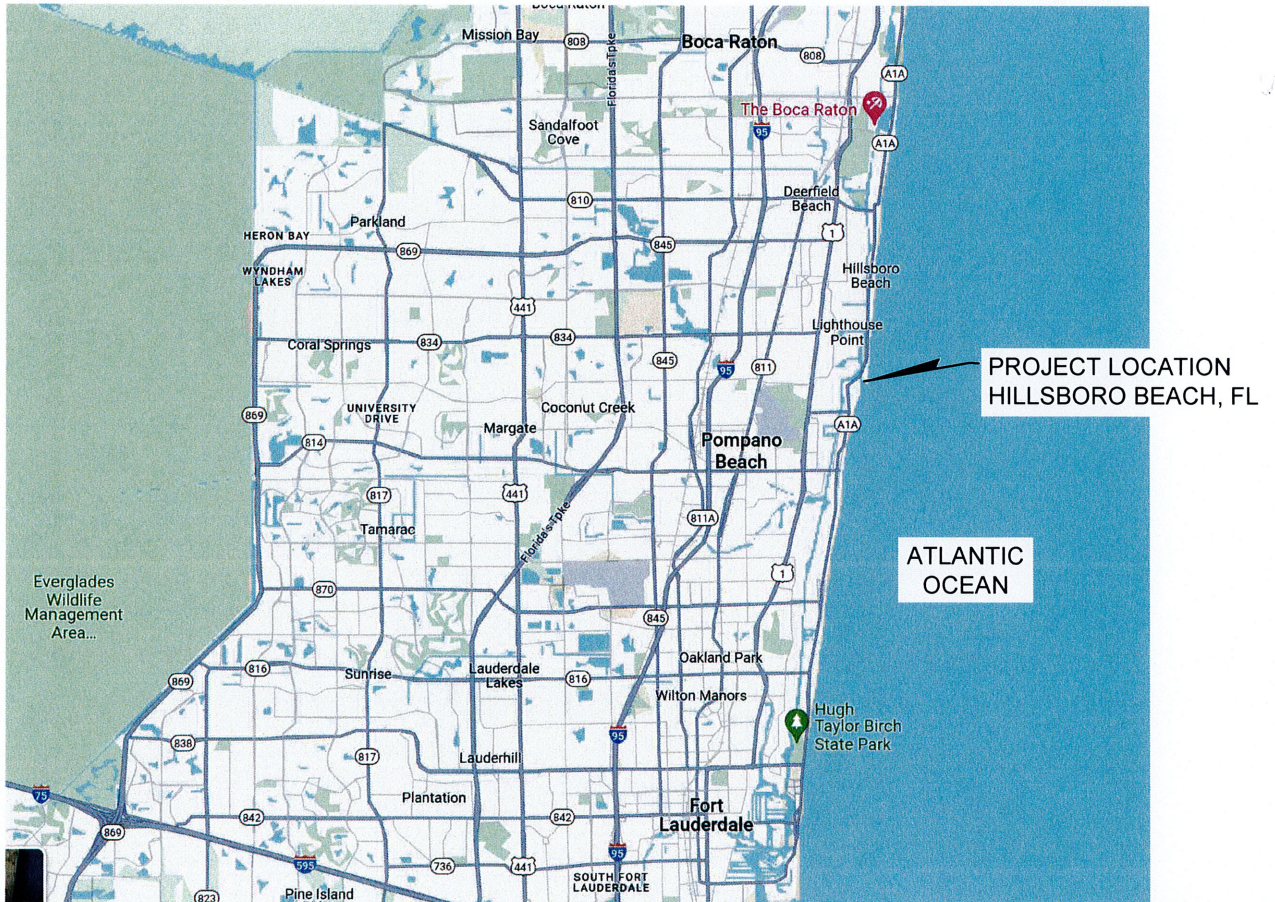
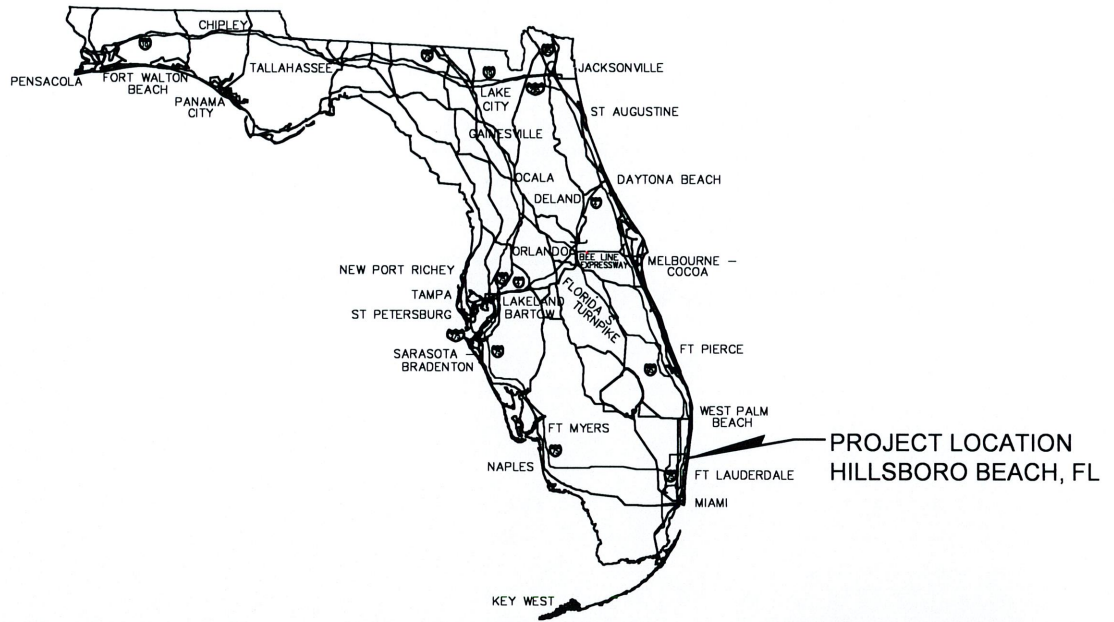
Sincerely,



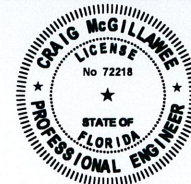
Rory McCarty  
921 Hillsboro Mile

Cc: Gordon Thomson





PROJECT LOCATION MAPS  
NOT TO SCALE



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA

PROJECT LOCATION MAPS

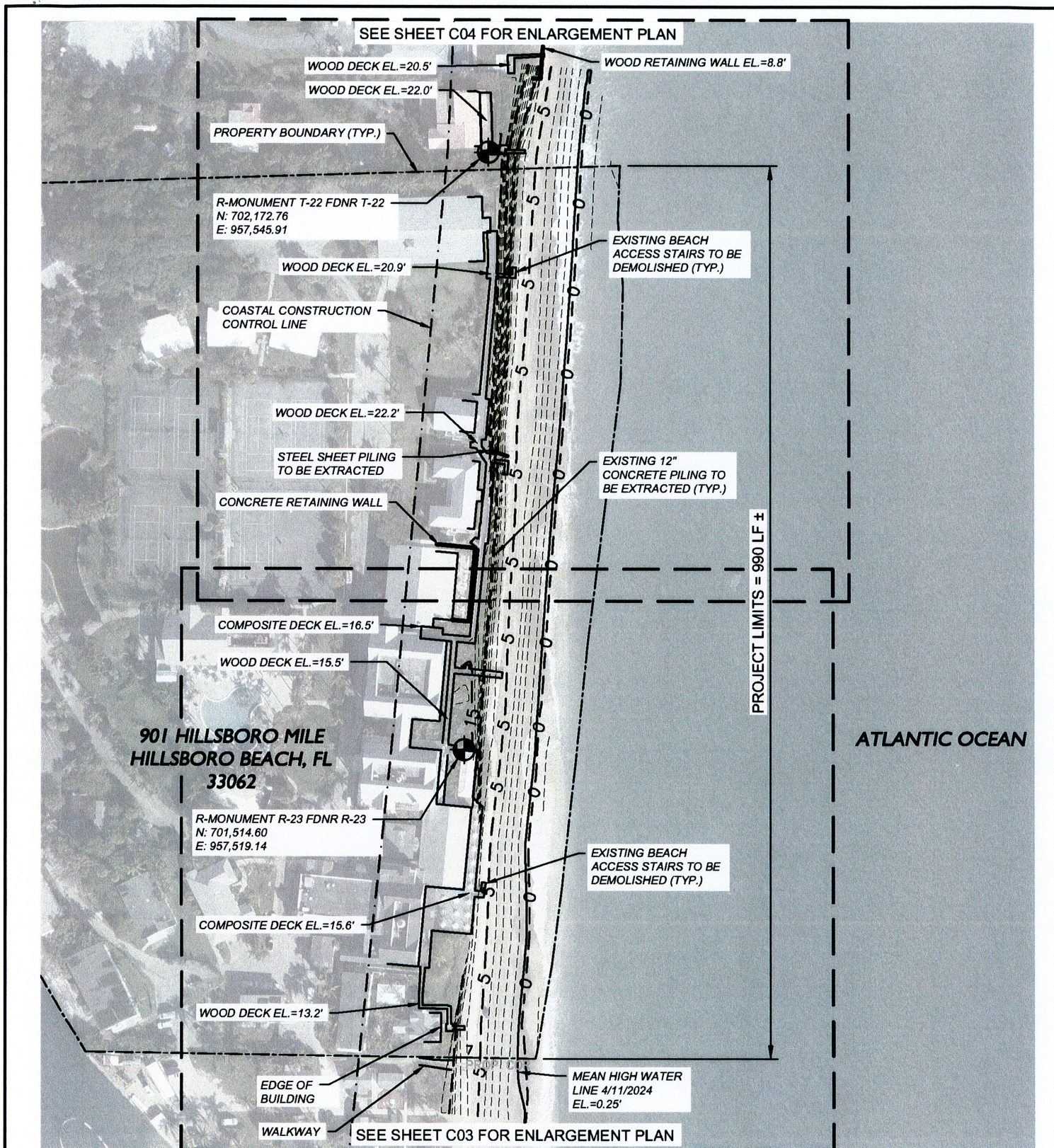
DATE:

JULY 2024

FIGURE:

C01  
Page 20 of 79

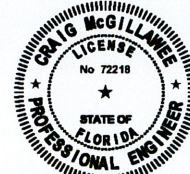
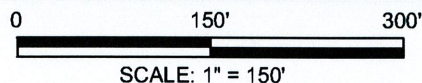




**NOTES:**

1. HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
2. VERTICAL DATUM IS BASED ON NAVD-88.

**OVERALL EXISTING CONDITIONS PLAN**



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA

**OVERALL EXISTING CONDITIONS PLAN**

DATE:

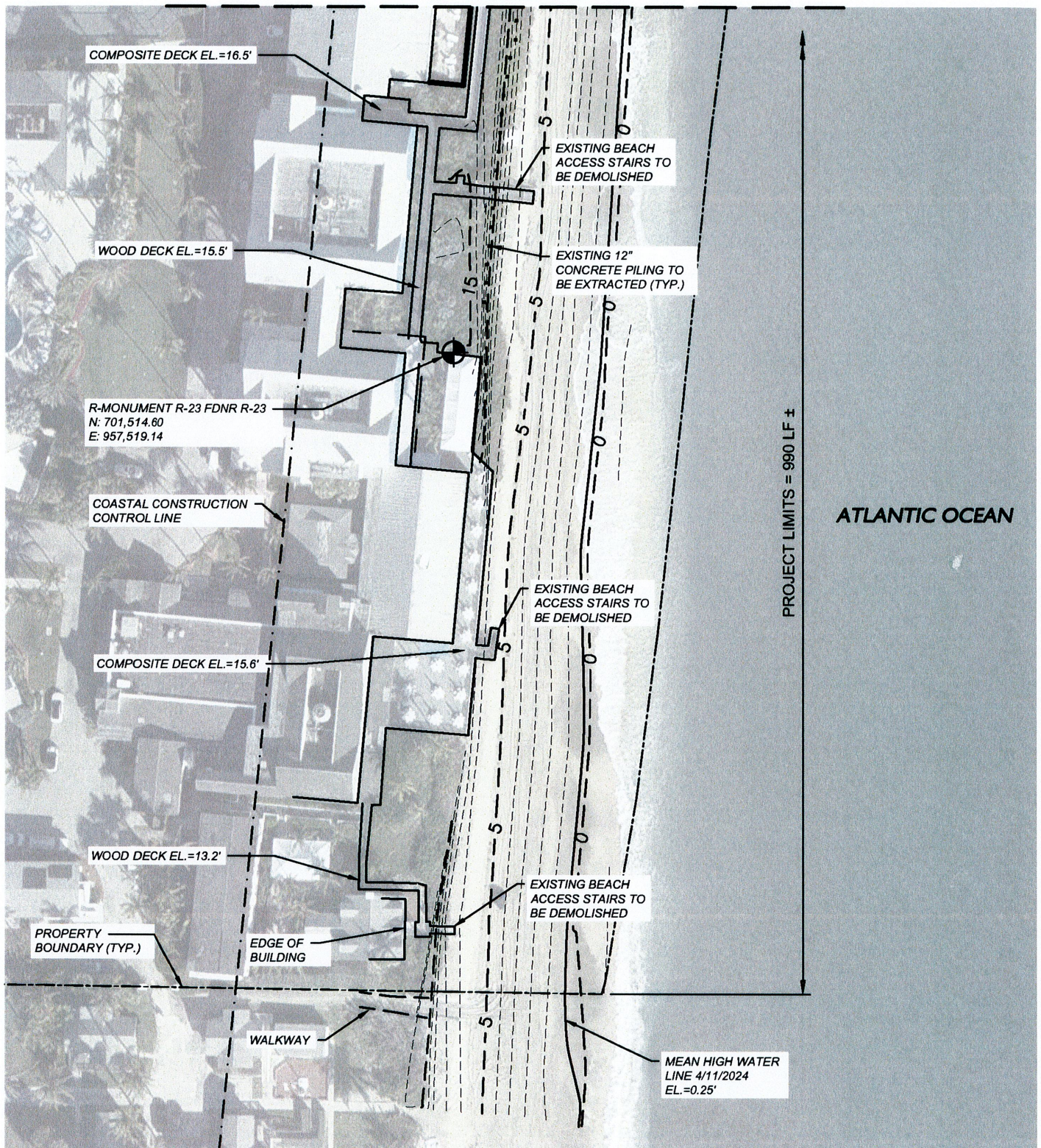
JULY 2024

FIGURE:

C02



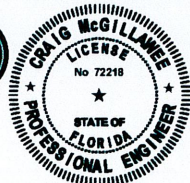
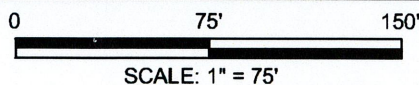
SEE SHEET C04 FOR ENLARGEMENT PLAN



**NOTES:**

1. HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0801).
2. VERTICAL DATUM IS BASED ON NAVD-88.

**EXISTING CONDITIONS ENLARGEMENT PLAN 1**



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SEA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA  
**EXISTING CONDITIONS ENLARGEMENT PLAN 1**

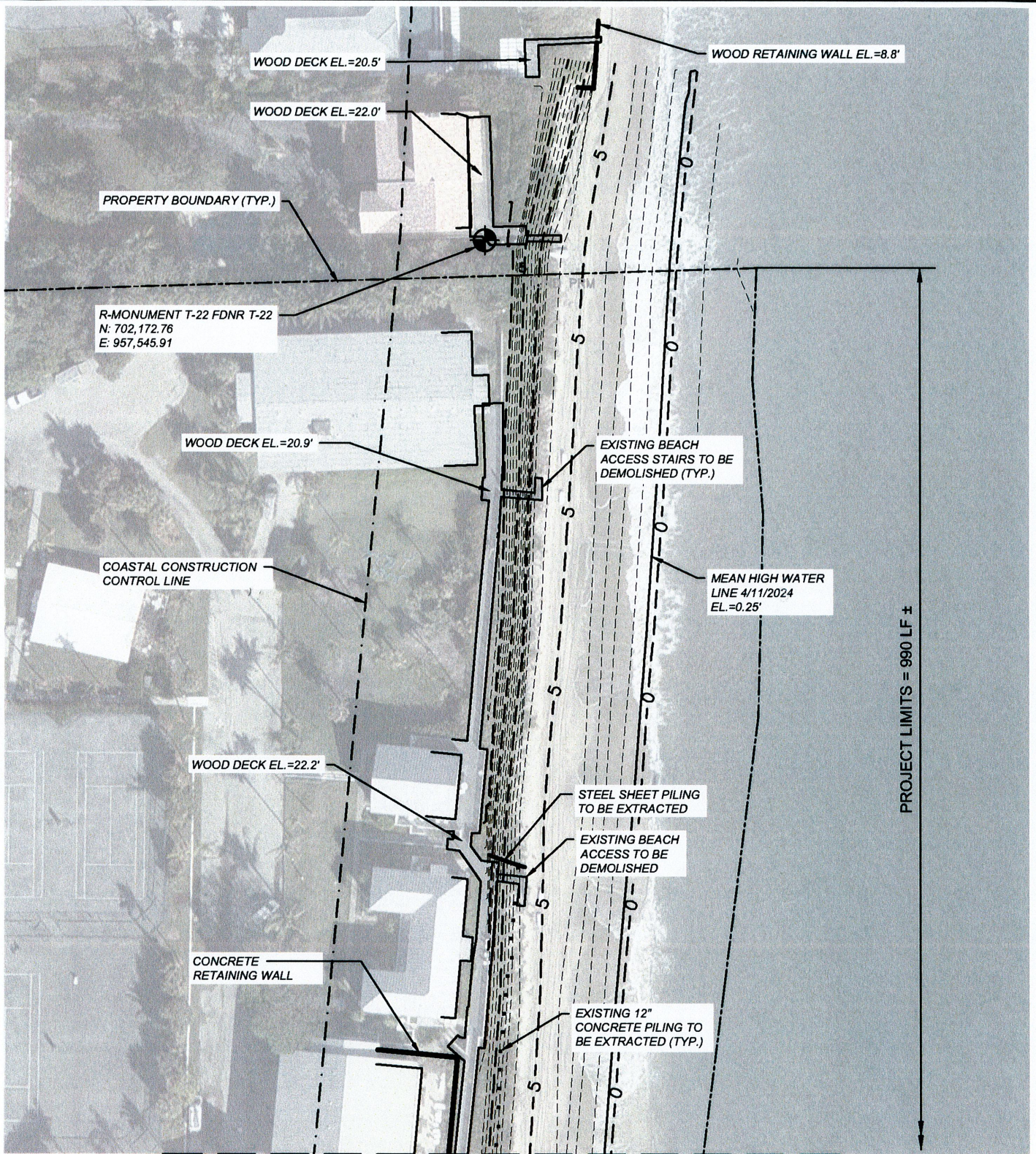
DATE:

JULY 2024

FIGURE:

C03



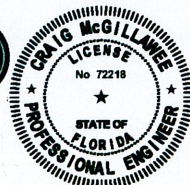
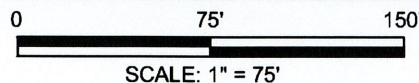


SEE SHEET C03 FOR ENLARGEMENT PLAN

**NOTES:**

1. HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
2. VERTICAL DATUM IS BASED ON NAVD-88.

**EXISTING CONDITIONS ENLARGEMENT PLAN 2**



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.  
Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

  
**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA  
**EXISTING CONDITIONS ENLARGEMENT PLAN 2**

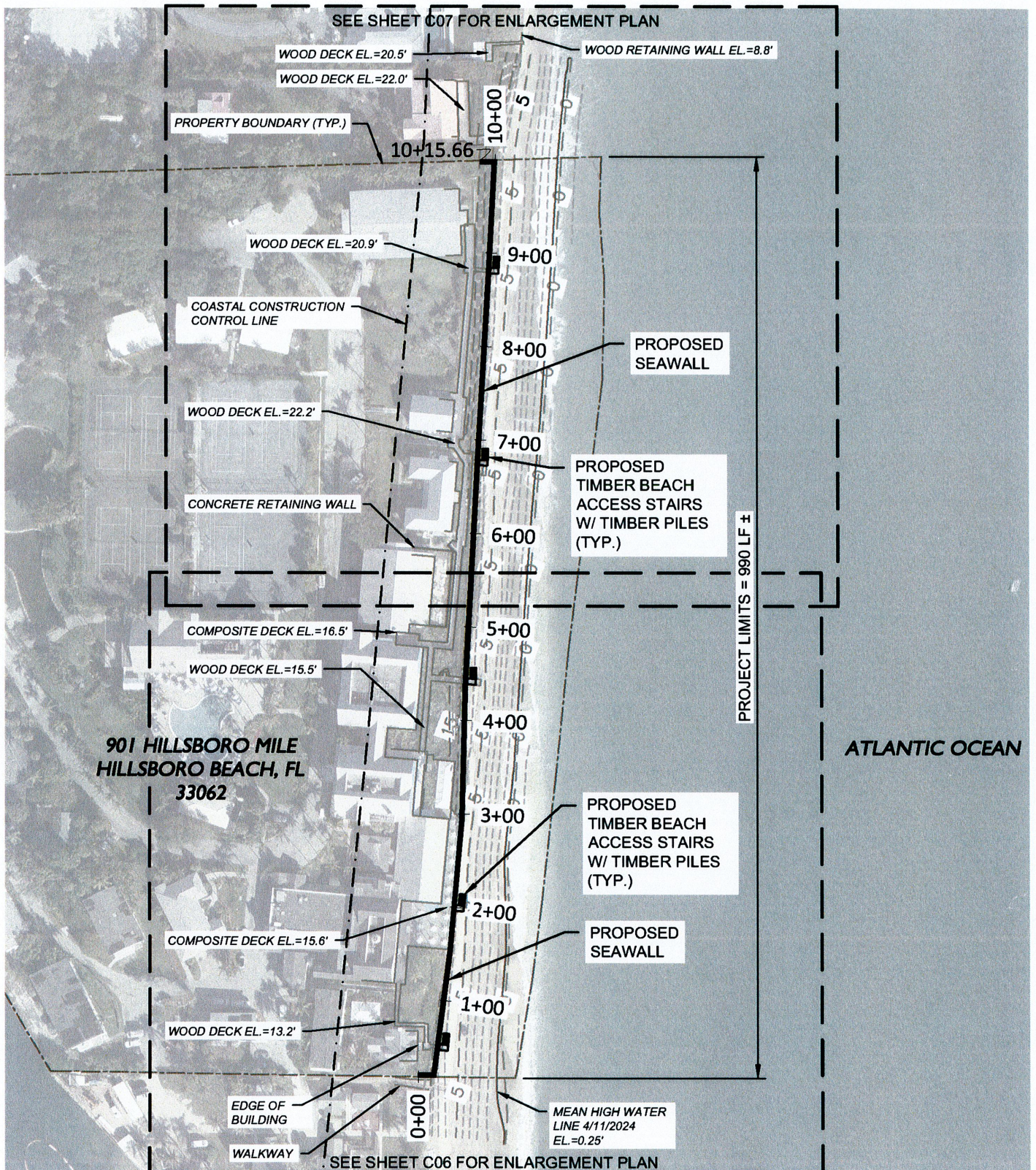
DATE:

JULY 2024

FIGURE:

C04

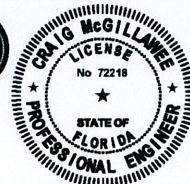
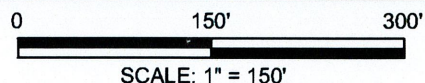




**NOTES:**

- HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
- VERTICAL DATUM IS BASED ON NAVD-88.

**OVERALL PROPOSED SEAWALL PLAN**



This item has been digitally signed and sealed by Craig McGillane, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SEA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA  
**OVERALL PROPOSED SEAWALL PLAN**

DATE:

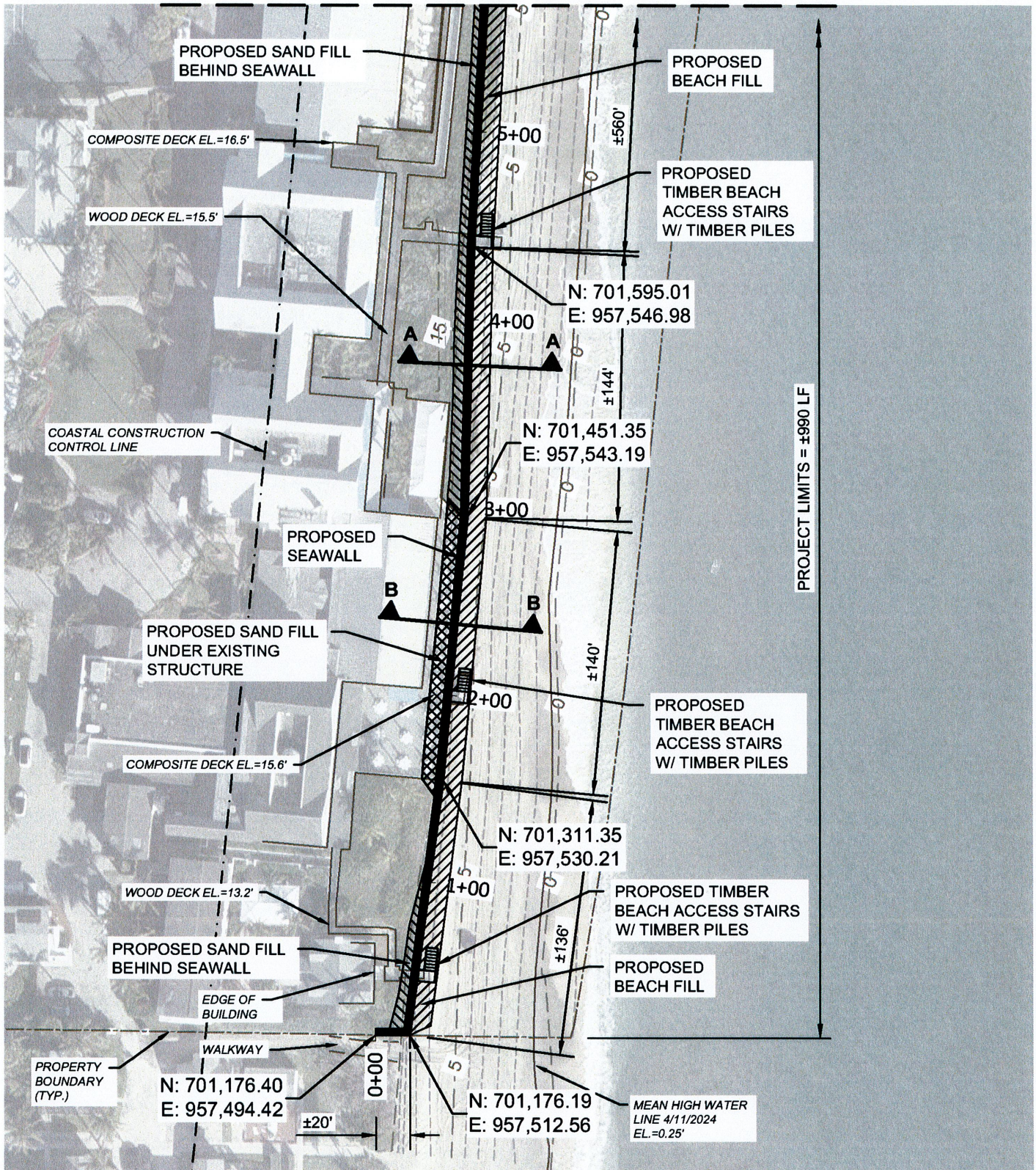
JULY 2024

FIGURE:

C05  
Page 24 of 79



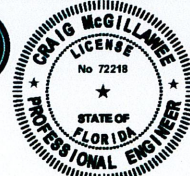
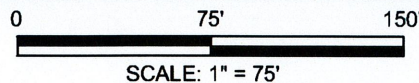
SEE SHEET C07 FOR ENLARGEMENT PLAN



**NOTES:**

1. HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1980 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
2. VERTICAL DATUM IS BASED ON NAVD-88.

**PROPOSED SEAWALL ENLARGEMENT PLAN 1**



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.  
Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA

**PROPOSED SEAWALL ENLARGEMENT PLAN 1**

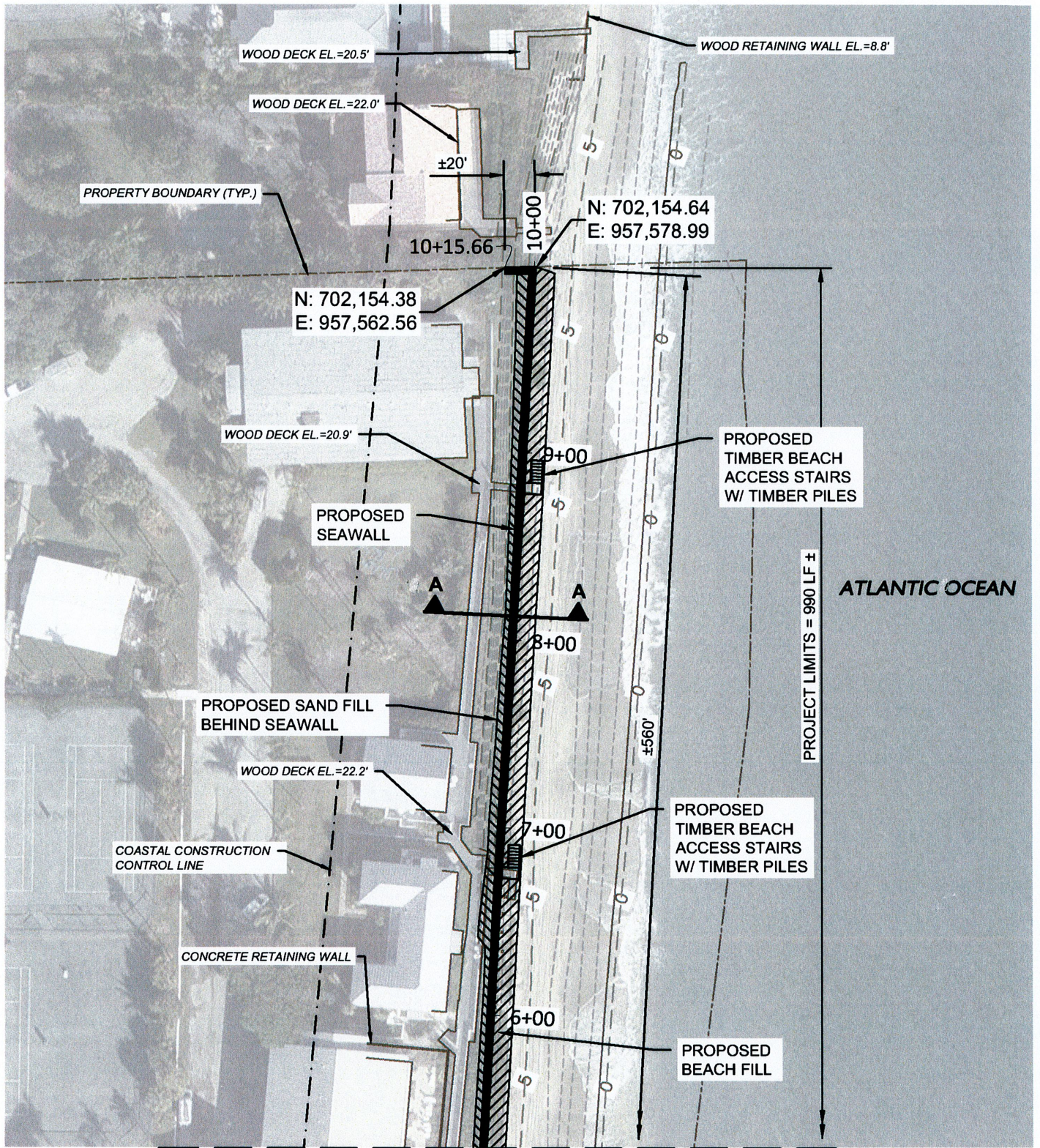
DATE:

JULY 2024

FIGURE:

C06



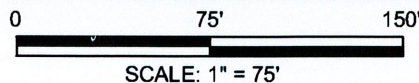


SEE SHEET C06 FOR ENLARGEMENT PLAN

**NOTES:**

- HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
- VERTICAL DATUM IS BASED ON NAVD-88.

**PROPOSED SEAWALL ENLARGEMENT PLAN 2**



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA  
**PROPOSED SEAWALL ENLARGEMENT PLAN 2**

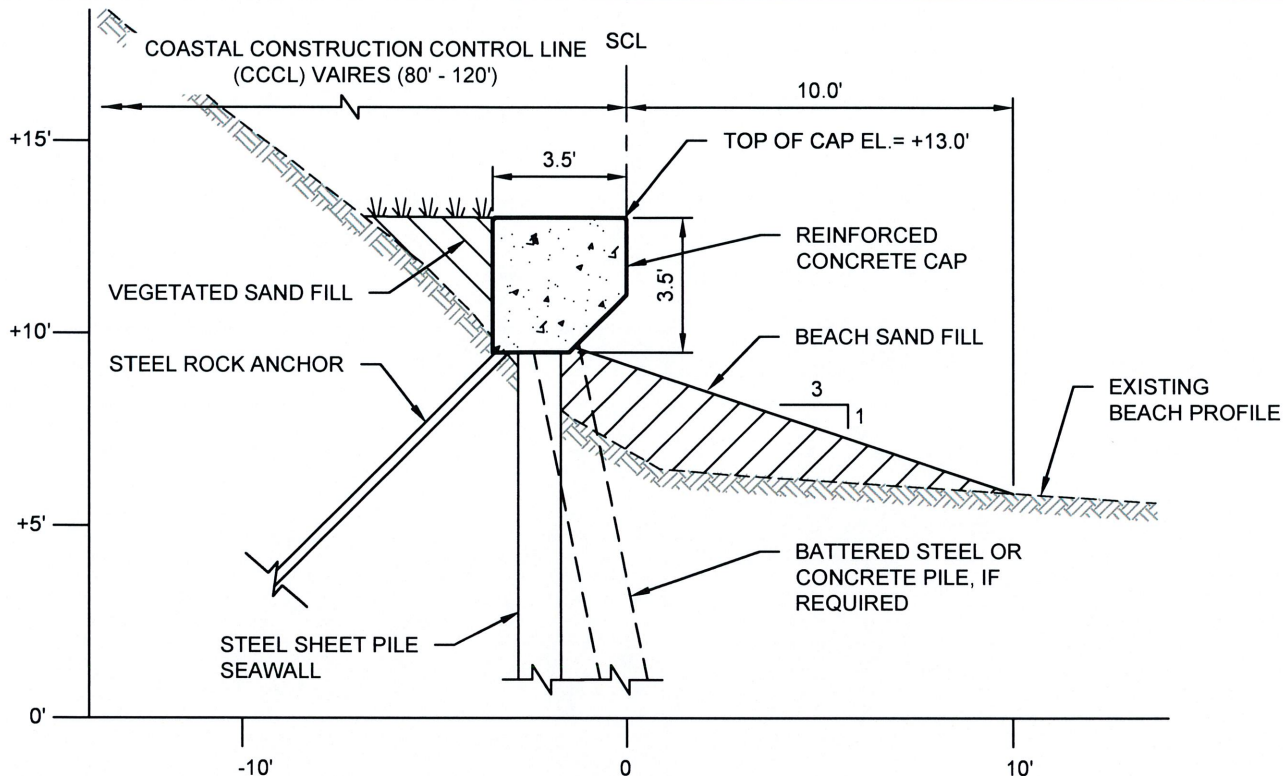
DATE:

JULY 2024

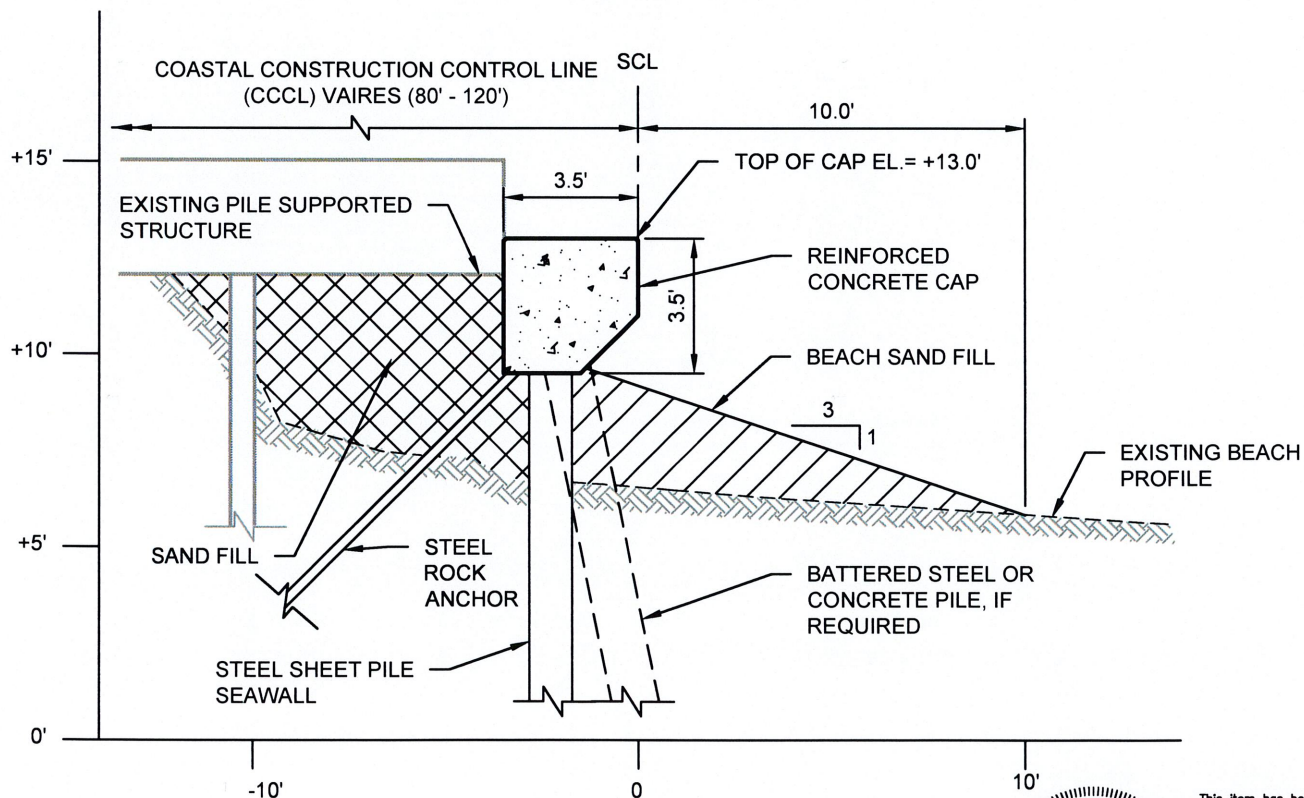
FIGURE:

C07  
Page 26 of 79

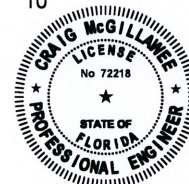




SECTION A



SECTION B



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**

Innovation Engineered.

5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA

TYPICAL SECTIONS

DATE:

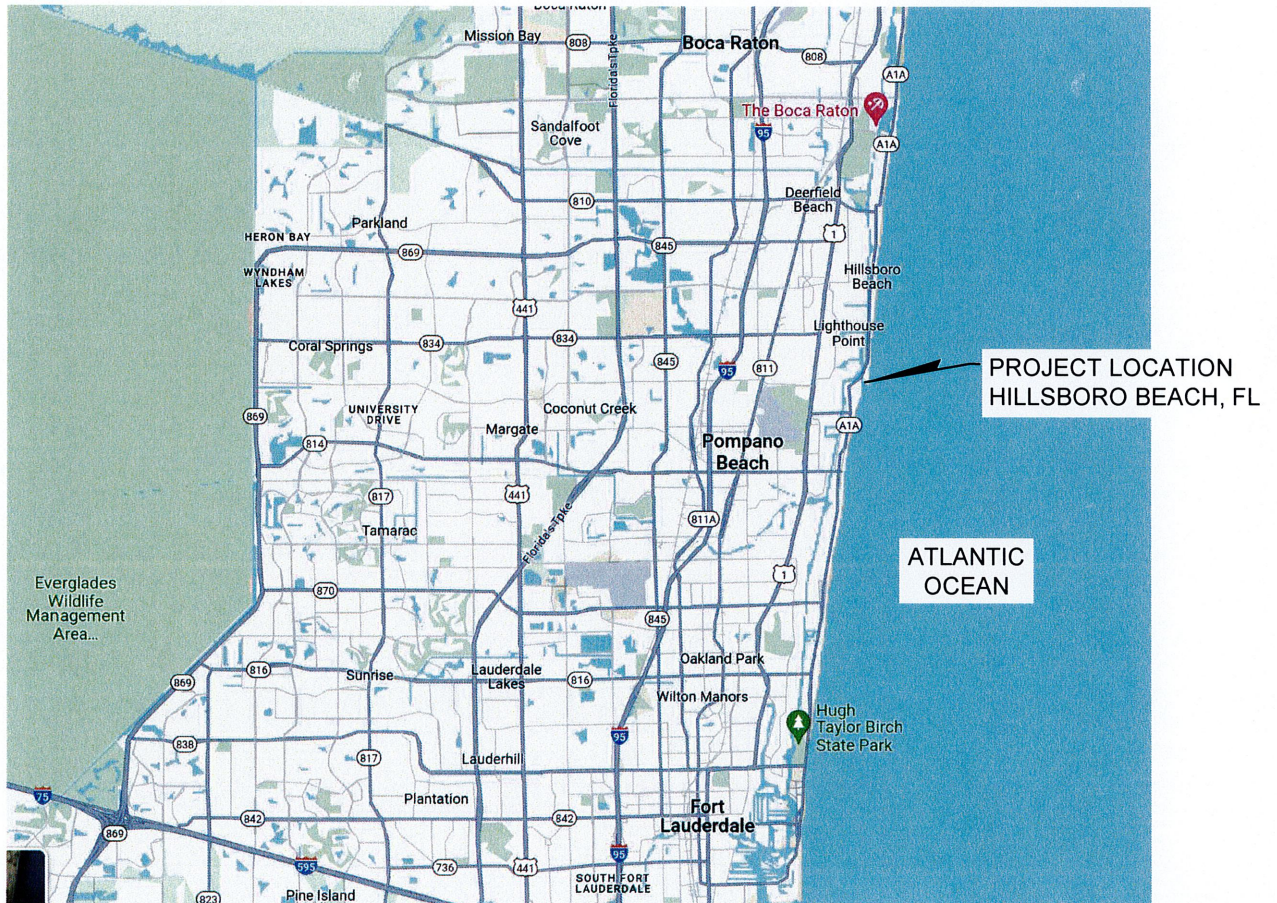
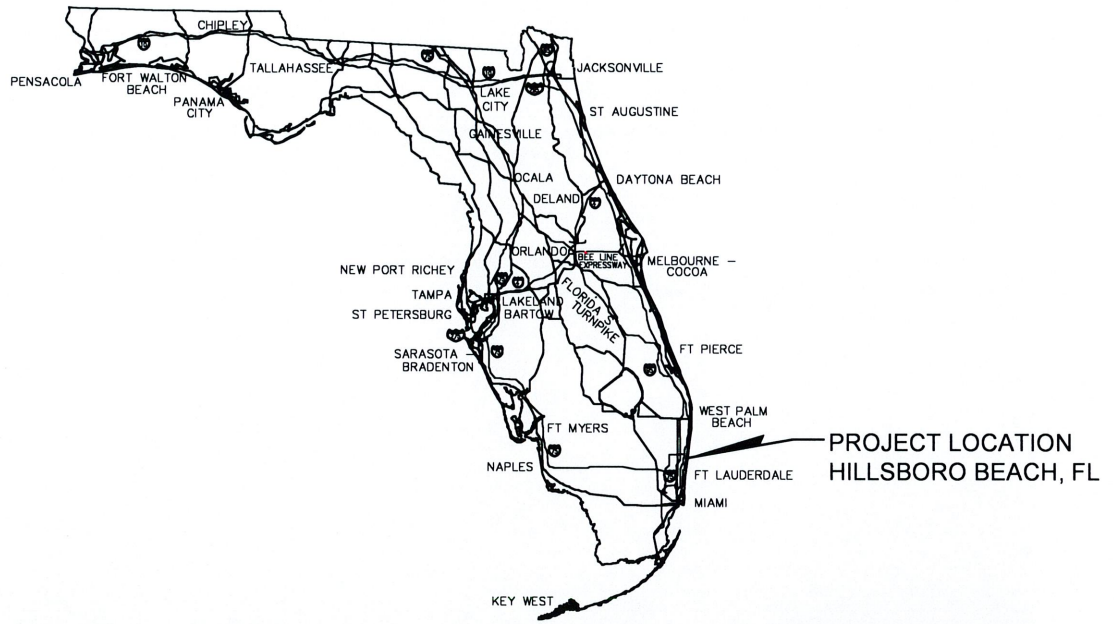
JULY 2024

FIGURE:

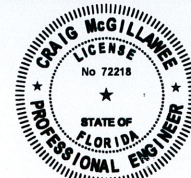
C08

Page 27 of 79





PROJECT LOCATION MAPS  
NOT TO SCALE



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA

PROJECT LOCATION MAPS

DATE:

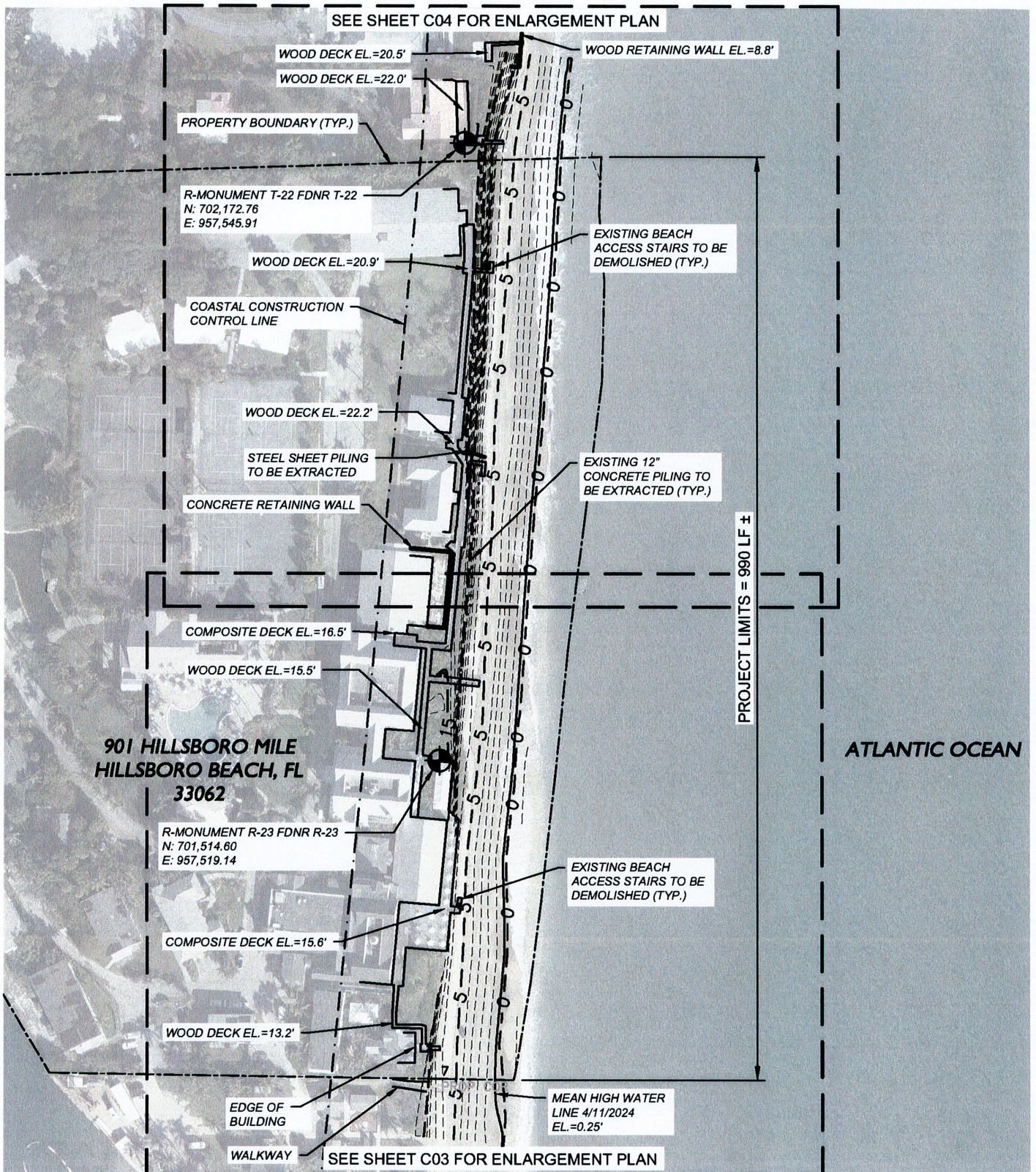
JULY 2024

FIGURE:

C01

Page 28 of 70

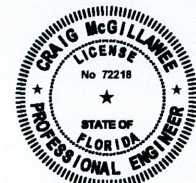
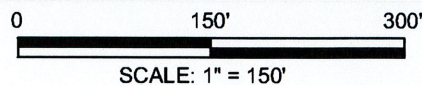




**NOTES:**

- HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
- VERTICAL DATUM IS BASED ON NAVD-88.

**OVERALL EXISTING CONDITIONS PLAN**



This item has been digitally signed and sealed by Craig McGillan, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA

**OVERALL EXISTING CONDITIONS PLAN**

DATE:

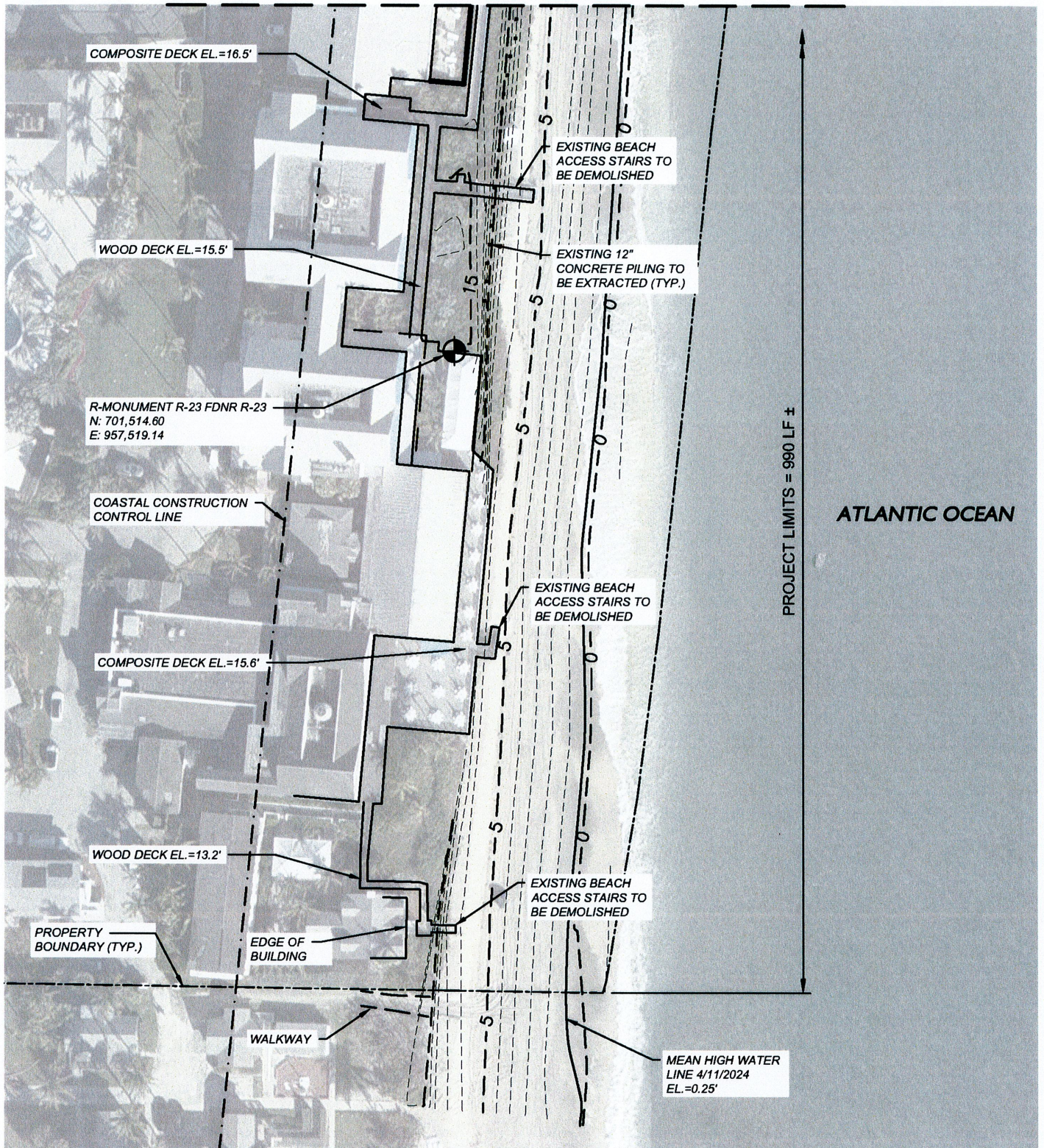
JULY 2024

FIGURE:

C02



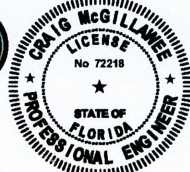
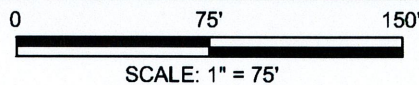
SEE SHEET C04 FOR ENLARGEMENT PLAN



**NOTES:**

1. HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
2. VERTICAL DATUM IS BASED ON NAVD-88.

**EXISTING CONDITIONS ENLARGEMENT PLAN 1**



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.  
Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA

**EXISTING CONDITIONS ENLARGEMENT PLAN 1**

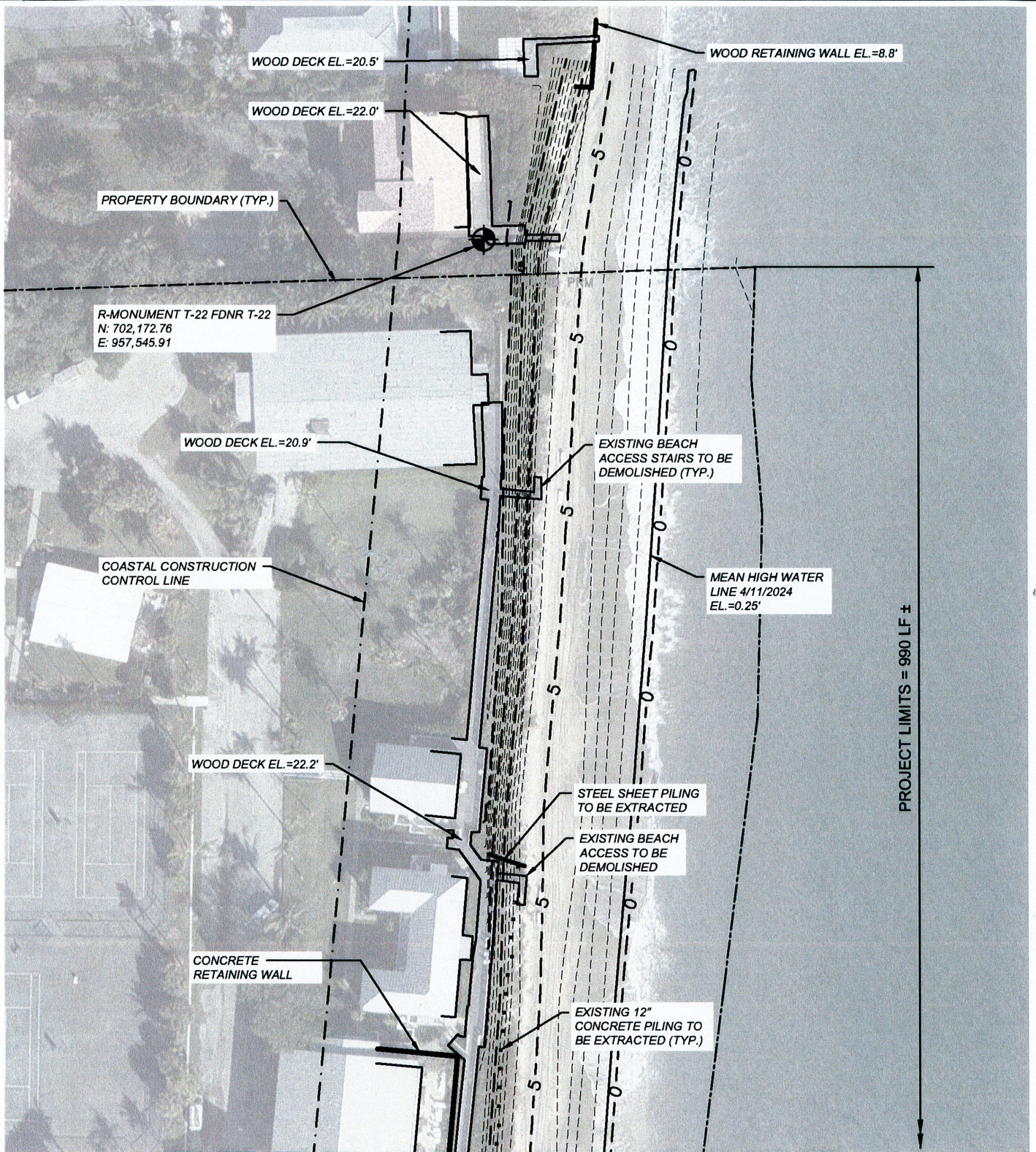
DATE:

JULY 2024

FIGURE:

C03  
Page 30 of 79



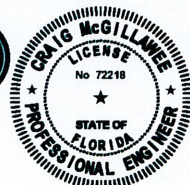
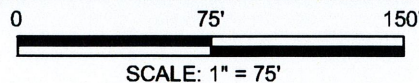


SEE SHEET C03 FOR ENLARGEMENT PLAN

**NOTES:**

1. HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0801).
2. VERTICAL DATUM IS BASED ON NAVD-88.

**EXISTING CONDITIONS ENLARGEMENT PLAN 2**



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA  
**EXISTING CONDITIONS ENLARGEMENT PLAN 2**

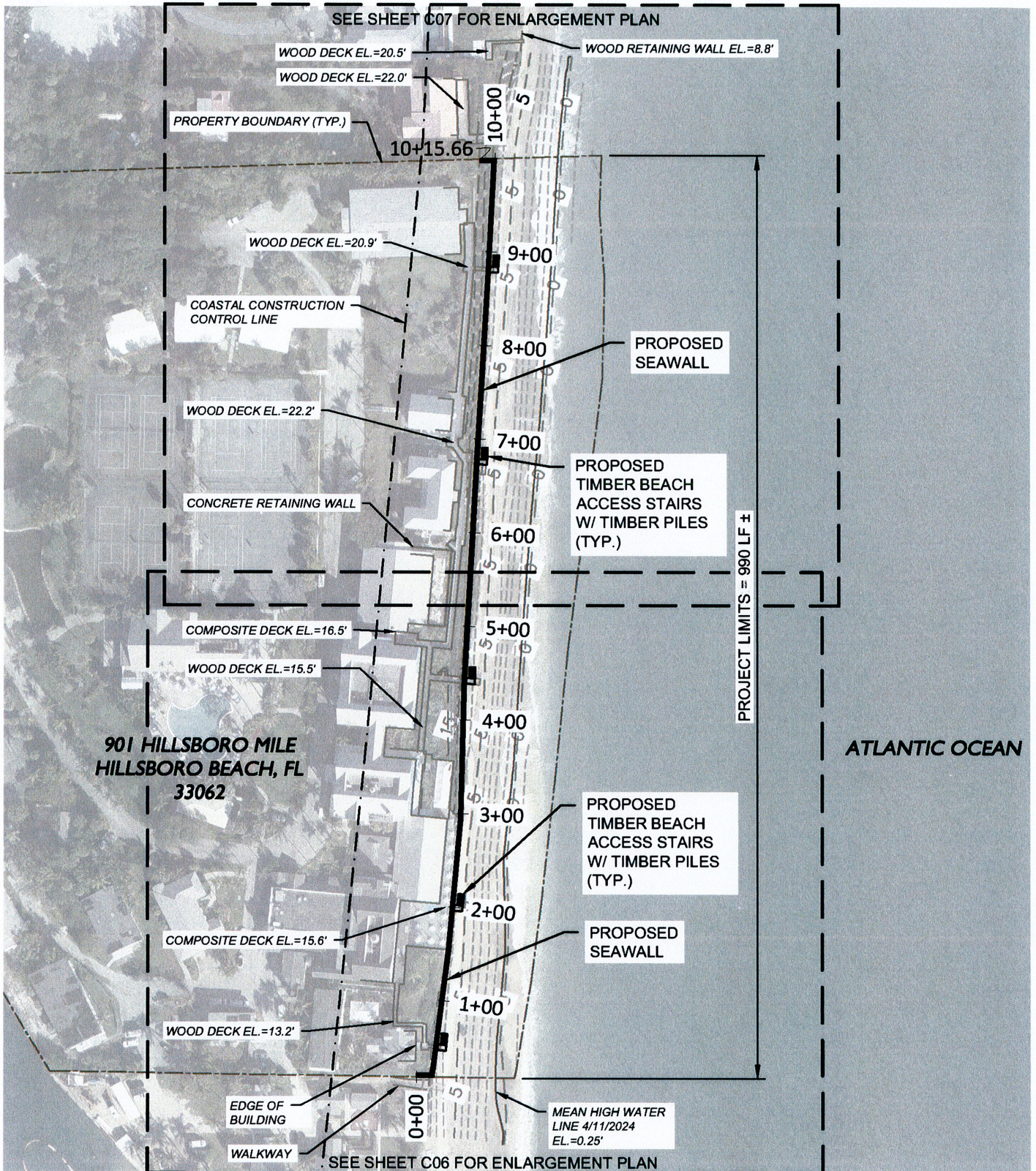
DATE:

JULY 2024

FIGURE:

C04  
Page 31 of 79

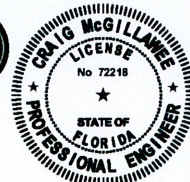
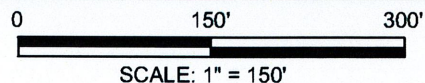




#### NOTES:

1. HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
2. VERTICAL DATUM IS BASED ON NAVD-88.

#### OVERALL PROPOSED SEAWALL PLAN



This item has been digitally signed and sealed by Craig McGillivray, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA  
**OVERALL PROPOSED SEAWALL PLAN**

DATE:

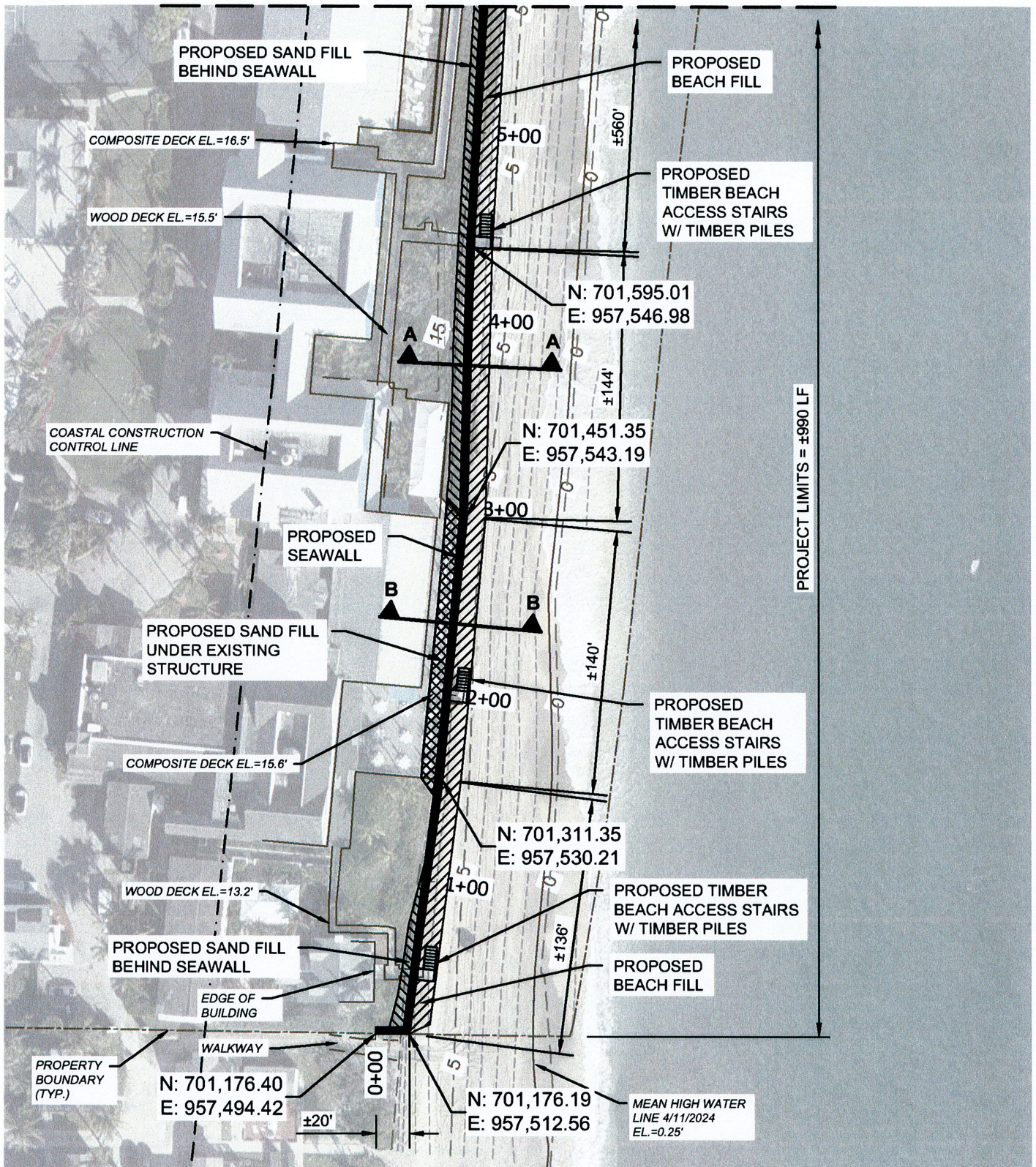
JULY 2024

FIGURE:

C05  
Page 32 of 79



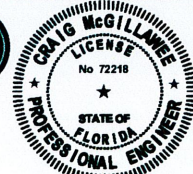
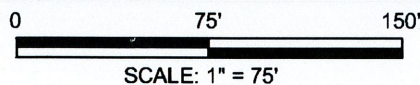
SEE SHEET C07 FOR ENLARGEMENT PLAN



**NOTES:**

1. HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
2. VERTICAL DATUM IS BASED ON NAVD-88.

**PROPOSED SEAWALL ENLARGEMENT PLAN 1**



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA  
**PROPOSED SEAWALL ENLARGEMENT PLAN 1**

DATE:

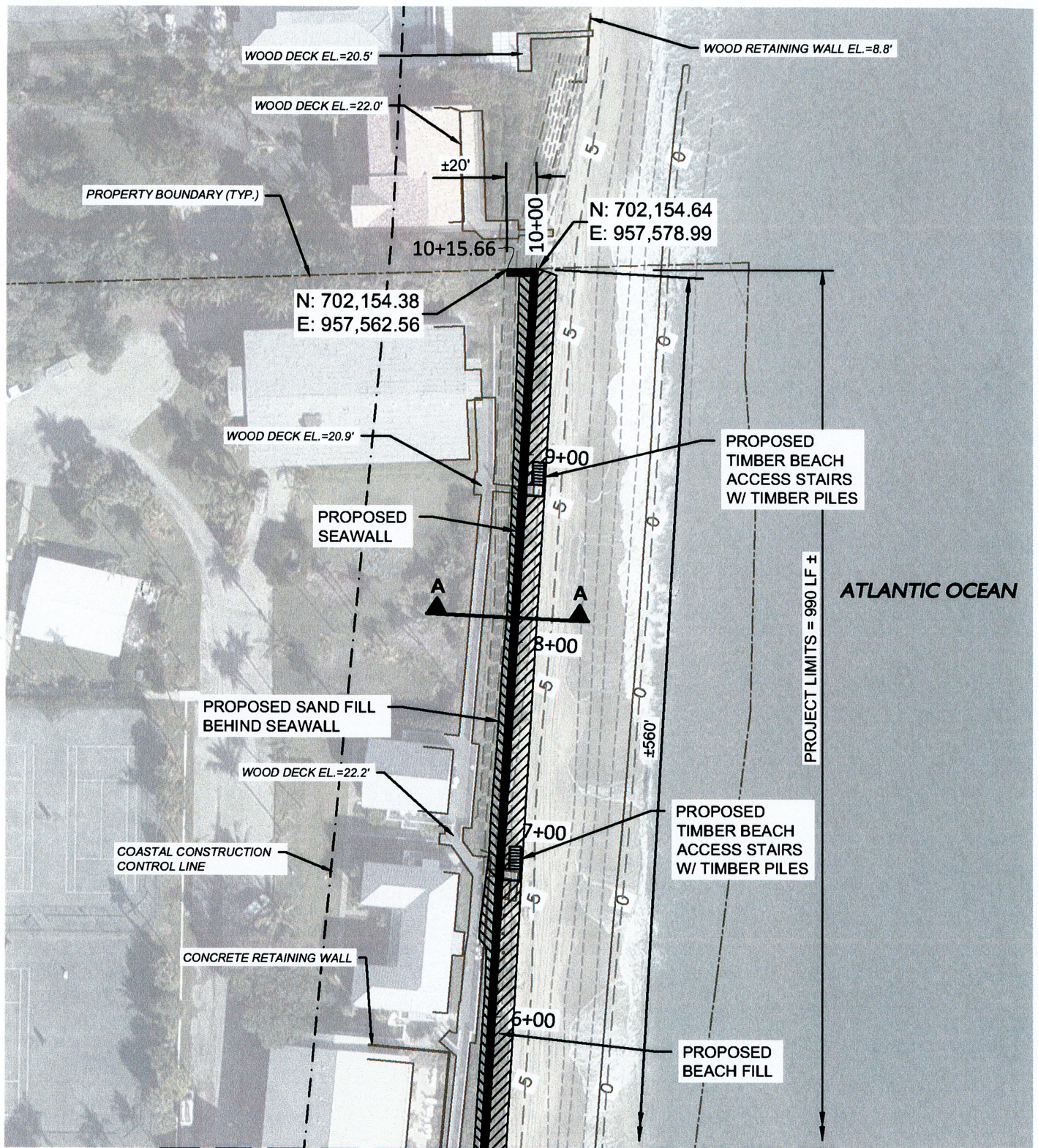
JULY 2024

FIGURE:

C06

Page 33 of 79



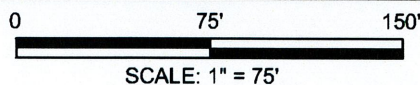


SEE SHEET C06 FOR ENLARGEMENT PLAN

**NOTES:**

- HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
- VERTICAL DATUM IS BASED ON NAVD-88.

**PROPOSED SEAWALL ENLARGEMENT PLAN 2**



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SEA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**  
Innovation Engineered.  
5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA  
**PROPOSED SEAWALL ENLARGEMENT PLAN 2**

DATE:

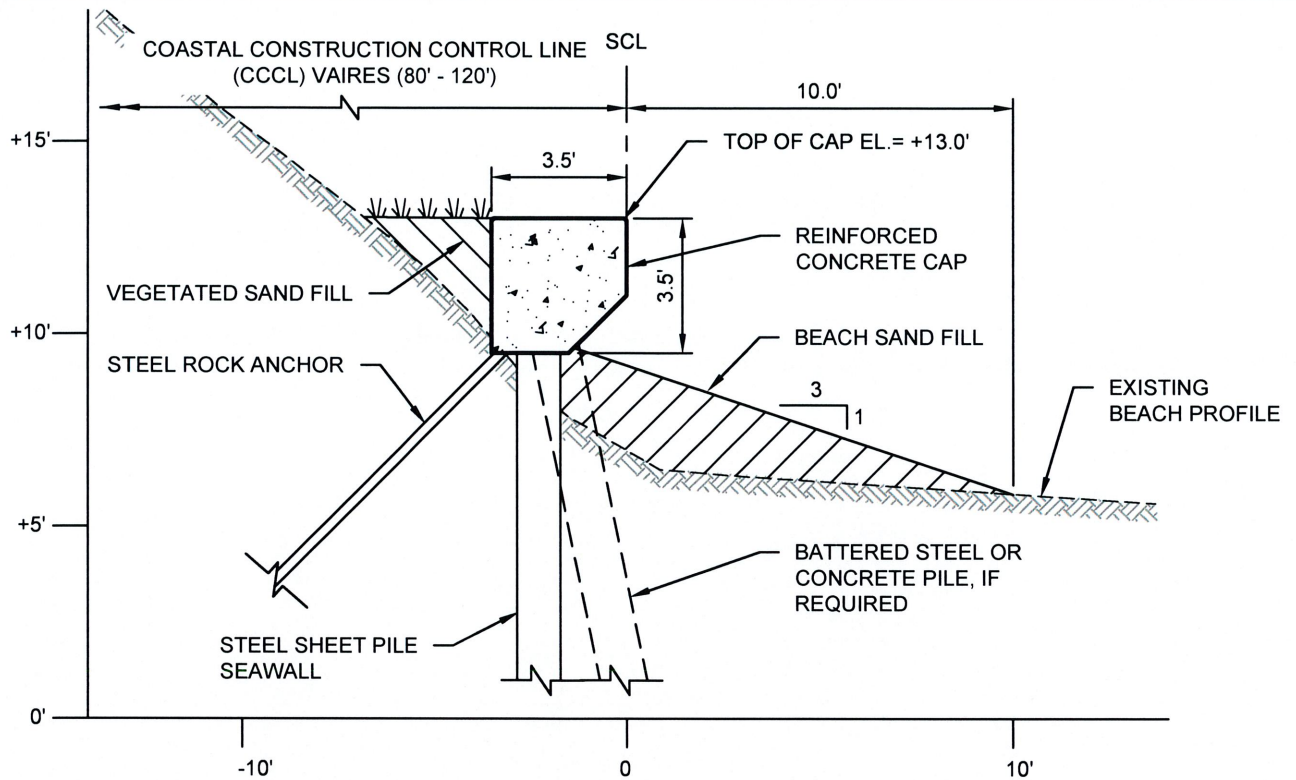
JULY 2024

FIGURE:

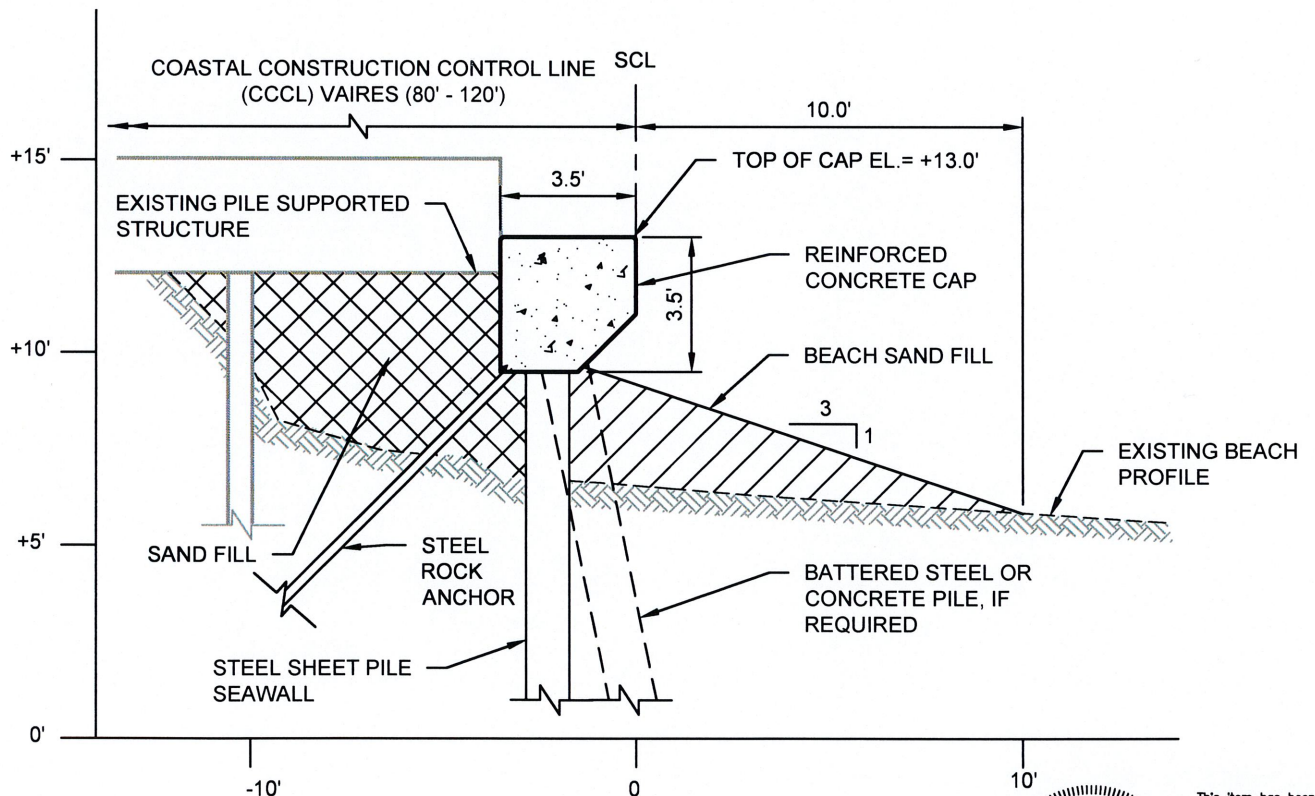
C07

Page 34 of 79

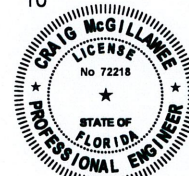




SECTION A



SECTION B



This item has been digitally signed and sealed by Craig McGillawee, PE on 07/17/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:

**Baird.**

Innovation Engineered.

5014 NW 24TH CIRCLE  
BOCA RATON, FL 33431

IN ASSOCIATION WITH:

**INWATER**  
engineering

HILLSBORO CLUB SEAWALL  
HILLSBORO BEACH, FLORIDA

TYPICAL SECTIONS

DATE:

JULY 2024

FIGURE:

C08

Page 35 of 70



---

13951.201 - Hillsboro Club - Seawall - Town of Hillsboro Beach Variance Application Fee

---

**From** Gordon Thomson <gthomson@baird.com>

**Date** Tue 11/5/2024 3:21 PM

**To** Carl Horace <carlh@hillsboroclub.org>

Carl:

Graham Long has confirmed that the variance application fee for the Town of Hillsboro Beach is \$1,050. Can you please send the Town a check referencing the seawall application. I do not have a project number from the Town as yet.

Alternatively, you can send it to me and I'll forward it but I figured it is quicker to have you send it directly to the Town.

Please let me know. Thanks.

**Gordon Thomson, P.E.\*, BC.CE** | Associate Principal

m 561 400 7820

[gthomson@baird.com](mailto:gthomson@baird.com) | [baird.com](http://baird.com) | [LinkedIn](#)

5014 NW 24<sup>th</sup> Circle

Boca Raton, FL USA 33431

**Baird.**

Innovation Engineered.

\*FL, AL, DE, LA, MA, MI, MS, NC, OH, TX

---

**From:** Graham Long <GLong@CGAsolutions.com>

**Sent:** Friday, November 1, 2024 11:54 AM

**To:** Gordon Thomson <gthomson@baird.com>

**Cc:** Rory McCarty <Rory@rrkproperties.com>

**Subject:** RE: 14127.101 - McCarty Seawall Development Application

Thank you for sending along that data on the Easterly Building Line. That will be very helpful to me.

The fees for the variance is \$1,050 per application. These can be sent directly to Town Hall, to the attention of the Town Clerk.

---

**From:** Gordon Thomson <[gthomson@baird.com](mailto:gthomson@baird.com)>

**Sent:** Thursday, October 31, 2024 3:42 PM

**To:** Graham Long <[GLong@CGAsolutions.com](mailto:GLong@CGAsolutions.com)>

**Cc:** Rory McCarty <[Rory@rrkproperties.com](mailto:Rory@rrkproperties.com)>

**Subject:** RE: 14127.101 - McCarty Seawall Development Application

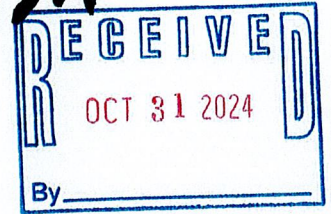


Variance Request

# 2025-V1-901HM



901 HM



TOWN OF HILLSBORO BEACH  
1210 HILLSBORO MILE, HILLSBORO BEACH, FL 33062  
PHONE (954) 427-4011 • FAX (954) 427-4834  
www.townofhillsborobeach.com  
HILLSBORO BEACH, FL 33062

DEVELOPMENT APPLICATION

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

Zoning Board Meeting Date: 2/4/2025

Property Control # \_\_\_\_\_

Town Commission Meeting Date: \_\_\_\_\_



HILLSBORO CLUB INC  
OPERATING ACCOUNT  
901 HILLSBORO MILE  
HILLSBORO BEACH, FL 33062-2801

CHECK NO. \_\_\_\_\_

One Thousand Fifty Dollars and Zero Cents

DATE

AMOUNT

Nov 11, 2024

\$1,050.00

PAY  
TO THE  
ORDER  
OF

Town of Hillsboro Beach  
210 N. University Drive  
Suite 702  
Coral Springs, FL 33071

AUTHORIZED SIGNATURE

| Vendor Company Name     |              | Vendor Number  | Check Date   | Check No.    |                |
|-------------------------|--------------|----------------|--------------|--------------|----------------|
| Town of Hillsboro Beach |              |                | Nov 11, 2024 | 69591        |                |
| Invoice Number          | Invoice Date | Invoice Amount | Total Paid   | Discount/Adj | Payment Amount |
| Seawall App             | Nov 5, 2024  | \$1,050.00     | \$1,050.00   |              | \$1,050.00     |

Page 1 of 1

|                 |            |
|-----------------|------------|
| This Page Total | \$1,050.00 |
| Check Total     | \$1,050.00 |





## TOWN OF HILLSBORO BEACH

1210 Hillsboro Mile  
Hillsboro Beach, Florida 33062

(P) 954-427-4011  
(F) 954-427-4834

### CERTIFICATION LETTER

**Date:** January 27, 2025

**Property Owner:** Hillsboro Club, Inc.  
**Authorized Agent:** Gordon Thomson, PE – Baird & Associates

**Abbreviated Legal Description:** THE HILLSBORO CLUB 148-32 B PARCEL A

**Property Address:** 901 Hillsboro Mile, Hillsboro Beach, FL 33062  
**Type of Application:** Variance

This letter certifies that the enclosed list of property owners were mailed **PUBLIC NOTICE** of the February 4, 2025, Quasi-Judicial / BZA Public Hearing concerning variance request for property located at 901 Hillsboro Mile, Hillsboro Beach, FL 33062. The list below includes all properties within 300 feet from the property line of the subject site in compliance with the Town of Hillsboro Beach notification regulations.

This letter also certifies that the notices were mailed to property owners on January 22, 2025.

#### NOTICE MAILED TO:

- 900 Hillsboro Mile, #1 Hillsboro Beach, FL 33062
- 900 Hillsboro Mile, #2 Hillsboro Beach, FL 33062
- 900 Hillsboro Mile, #3 Hillsboro Beach, FL 33062
- 900 Hillsboro Mile, #4 Hillsboro Beach, FL 33062
- 901 Hillsboro Mile, Hillsboro Beach, FL 33062
- 921 Hillsboro Mile, Hillsboro Beach, FL 33062
- 923 Hillsboro Mile, Hillsboro Beach, FL 33062
- 927 Hillsboro Mile, Hillsboro Beach, FL 33062
- 925 Hillsboro Mile, Hillsboro Beach, FL 33062

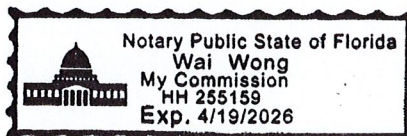
SHERRY D. HENDERSON, CMC  
Town Clerk

#### NOTARY PUBLIC

State of Florida  
Broward County

Sworn to and subscribed before me this 28 day of Jan, 2025.

Notary Signature







# TOWN OF HILLSBORO BEACH

Sherry D. Henderson, CMC Town Clerk

OFFICE OF THE TOWN CLERK

1210 Hillsboro Mile • Hillsboro Beach, FL 33062

Phone 954-427-4011 • SHenderson@TownofHillsboroBeach.com

## PUBLIC NOTICE

TOWN OF HILLSBORO BEACH, FLORIDA

FEBRUARY 4, 2025, at 9:00 AM

### VARIANCE REQUEST FOR

901 HILLSBORO MILE, HILLSBORO BEACH, FL 33062 AND

921 HILLSBORO MILE, HILLSBORO BEACH, FL 33062

**NOTICE IS HEREBY GIVEN** the Town of Hillsboro Beach, Florida Board of Zoning Appeals will meet **Tuesday, February 4, 2025, at 9:00 a.m.**

The Authorized Agent for **901 Hillsboro Mile, Hillsboro Beach, FL 33062**, is seeking a variance to Section 4-4 (C) of the Town's Code of Ordinance as stated below:

Section 4-4 (C): "No building permits shall hereinafter be issued for the erection of any building or structure by the clerk or other official of the town whereby the building or appurtenance thereto sought to be erected shall encroach upon the easterly building line..."

**NOTICE IS FURTHER GIVEN**, the Authorized Agent for **921 Hillsboro Mile, Hillsboro Beach FL 33062** is seeking a variance to Section 4-4 (C) of the Town's Code of Ordinance as stated below:

Section 4-4 (C): "No building permits shall hereinafter be issued for the erection of any building or structure by the clerk or other official of the town whereby the building or appurtenance thereto sought to be erected shall encroach upon the easterly building line..."

Information on the Development Application(s) and supporting documents can be obtained at Town Hall, 10 days prior to the meeting. Public comments on the request will be at the meeting on February 4, 2025.

The public can attend in person at Town Hall, located at 1210 Hillsboro Mile, Hillsboro Beach, Florida, or virtually via Zoom video conference and provide public comment. Zoom Meeting log-in details are provided on Town Website.

If any person decides to Appeal any decision made with respect to any matter considered at the Public Hearing, he/she will need a record of the proceedings and for such purposes may need to ensure that a verbatim recording of the proceedings is made, which records include the testimony and evidence upon which the Appeal is to be based.

In accordance with the American with Disabilities Act and Florida Statute 286.26, persons with disabilities needing special accommodations to participate in these proceedings should contact the Town Clerk no later than two days prior to the Public Hearing at 954-427-4011 for assistance.

Sherry D. Henderson, Town Clerk  
Town of Hillsboro Beach, Florida

PUBLIC NOTICE: 1/22/2025  
SUN SENTINEL LEGAL AD: 1/25/2025



Scott Herman  
900 Hillsboro Mile #2  
Hillsboro Beach, FL 33062

925 Land TR Dvorkhin,  
Howard S TRS  
925 Hillsboro Mile  
Hillsboro Beach, FL 33062

Lewis Swezy  
927 Hillsboro Mile  
Hillsboro Beach, FL 33062

Michael A. McCormick  
900 Hillsboro Mile #4  
Hillsboro Beach, FL 33062

923 Hillsboro Mile  
Chris Peyerker - Peyerker LIV TR  
Hillsboro Beach, FL 33062

Hillsboro Club, Inc.  
Attn: Carl Horace, COO  
901 Hillsboro Mile  
Hillsboro Beach, FL 33062

Richard & Claire McCarty  
921 Hillsboro Mile  
Hillsboro Beach, FL 33062

Steven R. Smith  
900 Hillsboro Mile #1  
Hillsboro Beach, FL 33062

Steven Fagien  
900 Hillsboro Mile #3  
Hillsboro Beach, FL 33062

1/22/2025   
TOWN OF HILLSBORO BEACH  
1210 HILLSBORO MILE  
HILLSBORO BEACH, FL 33062  




**Sold To:**

Town Of Hillsboro Beach - CU00114721  
1210 Hillsboro Mile  
Hillsboro Beach,FL 33062

**Bill To:**

Town Of Hillsboro Beach - CU00114721  
1210 Hillsboro Mile  
Hillsboro Beach,FL 33062

**Published Daily**

**Fort Lauderdale, Broward County, Florida**  
**Boca Raton, Palm Beach County, Florida**  
**Miami, Miami-Dade County, Florida**

**State Of Florida**

**County Of Orange**

Before the undersigned authority personally appeared  
Rose Williams, who on oath says that he or she is a duly authorized representative of the SUN- SENTINEL,  
a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County, Florida; that the  
attached copy of advertisement, being a Legal Notice in:

The matter of 11720-Notice of Public Meeting .

Was published in said newspaper by print in the issues of, and by publication on the  
newspaper's website, if authorized on Jan 25, 2025

SSC\_Notice of Public Meeting

Affiant further says that the newspaper complies with all legal requirements for  
publication in Chapter 50, Florida Statutes.

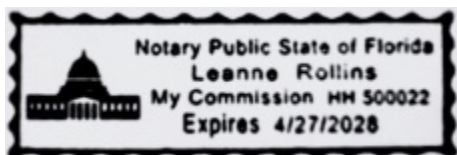


Signature of Affiant

Sworn to and subscribed before me this: January 26, 2025.



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped  
Personally Known (X) or Produced Identification ( )

**Affidavit Delivery Method:** E-Mail

**Affidavit Email Address:** shenderson@townofhillsborobeach.com  
7757965



**TOWN OF HILLSBORO BEACH, FLORIDA  
FEBRUARY 4, 2025, AT 9:00 AM  
VARIANCE REQUEST FOR**

**901 HILLSBORO MILE, HILLSBORO  
BEACH, FLORIDA 33062**

NOTICE IS HEREBY GIVEN the Town of Hillsboro Beach, Florida Board of Zoning Appeals will meet Tuesday, February 4, 2025, at 9:00 a.m. The Authorized Agent for 901 Hillsboro Mile, Hillsboro Beach, Florida 33062, is seeking a variance to Section 4-4 (C) of the Town's Code of Ordinance as stated below:

Section 4-4 (C): "No building permits shall hereinafter be issued for the erection of any building or structure by the clerk or other official of the town whereby the building or appurtenance thereto sought to be erected shall encroach upon the easterly building line..."

Information on the Development Application and supporting documents can be obtained at Town Hall, 10 days prior to the meeting. Public comments on the request will be at the meeting on February 4, 2025.

The public can attend in person at Town Hall, located at 1210 Hillsboro Mile, Hillsboro Beach, Florida or virtually via Zoom video conference and provide public comment. Zoom Meeting log-in details are provided on Town Website.

If any person decides to Appeal any decision made with respect to any matter considered at the Public Hearing, he/she will need a record of the proceedings and for such purposes may need to ensure that a verbatim recording of the proceedings is made, which records include the testimony and evidence upon which the Appeal is to be based.

In accordance with the American with Disabilities Act and Florida Statute 286.26, persons with disabilities needing special accommodations to participate in these proceedings should contact the Town Clerk no later than two days prior to the Public Hearing at 954-427-4011 for assistance.

Sherry D. Henderson, CMC Town Clerk  
TOWN OF HILLSBORO BEACH, FLORIDA  
1/25/2025 7757965

Order # - 7757965









## TOWN OF HILLSBORO BEACH

1210 Hillsboro Mile  
Hillsboro Beach, FL 33062

Phone: (954) 427-4011  
[www.townofhillsborobeach.com](http://www.townofhillsborobeach.com)

### Agenda Item Cover Memo

**Agenda Item:** **VARIANCE #2025-V2-921HM**  
**921 Hillsboro Mile, Hillsboro Beach, FL 33062**

**Property Owner:** Richard, Claire & Rory McCarty

**Authorized Agent:** Gordon Thomson, PE – Baird & Associates

**Request:** Applicant is requesting to construct a seawall along the existing toe of dune along the Atlantic Ocean portion of their property

**Staff:** Graham Long, Development Planner, CG&A Solutions

**Seeking a Variance to Section 4-4 (C) of the Town's Code of Ordinance as stated below:**

**Section 4-4 (C): "No building permits shall hereinafter be issued for the erection of any building or structure by the clerk or other official of the town whereby the building or appurtenance thereto sought to be erected shall encroach upon the easterly building line..."**

**All interested parties are sworn in by the Town Attorney.**

- Staff Presentation
- Commission Discussion
- Public Hearing Opened
- Public Comments
- Public Hearing Closed
- Commission Discussion
- Commission Motion & Second
- Commission Vote

**Submitting Dept:** Planning & Zoning, Sherry Henderson, Town Clerk

**Agenda Date:** February 4, 2025

### 1. BACKGROUND/HISTORY

### 2. CURRENT ACTIVITY

### 2. FINANCIAL IMPACT

### 3. RECOMMENDATION





## TOWN OF HILLSBORO BEACH

1210 Hillsboro Mile  
Hillsboro Beach, FL 33062

Phone: (954) 427-4011  
[www.townofhillsborobeach.com](http://www.townofhillsborobeach.com)

- ATTACHMENTS:**
1. STAFF REPORT - 901-921 HM (Seawall Variances)
  2. Variance Request #2025-V2-921HM
  3. Certification Letter (300ft public notice)
  4. Affidavit - 921 HM





1210 Hillsboro Mile  
Hillsboro Beach, FL 33062

## TOWN OF HILLSBORO BEACH

Phone: (954) 427-4011  
Fax: (954) 427-4834

TO: Mayor Miller and Town Commission  
THROUGH: Mac Serda, Town Manager  
FROM: Graham Long, Planning Consultant  
DATE: February 4, 2025  
SUBJECT: Request for Variance: Joint applications for placement of a seawall, 901/921 HM

***This staff report pertains to the applications for a variance related to placement of a seawall, as a joint project between the adjacent properties at 901 and 921 Hillsboro Mile.***

The Property Owners, Hillsboro Club, Inc., and Richard, Claire & Rory McCarty (Applicants), and their authorized agent, Gordon Thomson, PE, are requesting approval of a variance from Section 4-4 of the Land Development Code (Code) to allow for placement of a seawall encroaching upon the Easterly Building Line, located at 901 and 921 Hillsboro Mile (HM), respectively. The property at 901 HM is within the RPC Private Club Multiple-Family Dwelling Residential District, and the property at 921 HM is within the RS-2 Single-Family residential district.

### Background:

The Applicants are seeking to construct a seawall, as a joint project, along the ocean side dune of the respective properties. The proposed seawall would be placed within the natural dune area, and the limited dune space on the beach side of the seawall would be restored with beach compatible sand and planted with native dune vegetation.

As the proposed seawall would encroach between 10-feet and 15-feet beyond the Easterly Building Line, the proposal violates Section 4-4 of the Town Code, entitled “Easterly building line; extended.”

Per Code section 4-4(C):

*“No building permits shall hereinafter be issued for the erection of any building or structure by the clerk or other official of the town whereby the building or appurtenance thereto sought to be erected shall encroach upon the easterly building line as hereinbefore described.”*

The Applicants propose placement of the seawall structure beyond the Easterly Building Line. Thus, the Applicants seek variance relief from the required prohibition of structures as described in code section 4-4(C).

In this section of the Town, the Easterly Building Line is located relatively close to the beach area, along the existing dune. The dune is narrow at the 901 HM and 921 HM adjacent properties, as significant erosion has occurred over the years. This erosion has threatened and continues to threaten existing structures, some of which of historic value, on these properties. The structures in question on both properties are located in close proximity to the narrow dune area (and to the Easterly Building Line).



The Applicants have applied for Florida state DEP permits for the proposed seawall, as it would be constructed east of the Coastal Construction Control Line. FDEP requires that the Applicants first obtain notice from the Town that the proposed action is consistent with Town regulations. As the proposal violates code section 4-4(C), the Town can not provide a letter of consistency without a variance being first obtained by the Applicants.

Should the variance be approved, and FDEP issue the required permits, the Town would then receive building permit applications that would further be reviewed by all involved disciplines (including zoning).

#### Variance Criteria Analysis:

Per Section 12-283, the Board of Zoning Appeals (Board) has the powers and should be its duty to grant variances from the Code. The Applicant is requesting relief through the criteria set forth in 12-283(C)(1) Yard requirements, 12-283(C)(2) Instances of Hardship, and 12-283(C)(3) Additional provisions which are as follows:

- “(1) Yard requirements. Permit a variance in the yard requirement of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variations will not seriously affect any adjoining property or the general welfare.*
- (2) Instances of hardship. Authorize upon appeal, whenever a property owner can show that a strict application of the terms of this chapter relating to the use, construction or alterations of buildings or structures, or the use of land will impose upon him or her unusual and practical difficulties or particular hardship, such variances of land will impose upon him or her unusual and practical difficulties or particular hardship, such variances of the strict application of the terms of this chapter as are in harmony with its general purpose and intent, but only when the Board is satisfied that a granting of the variance will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variance from the comprehensive plan as established by this chapter, and at the same time, the surrounding property will be properly protected.*
- (3) Additional provisions. In consideration of all appeals and all proposed exceptions or variances to this chapter, the Board shall, before making any exceptions or variations from the chapter in a specific case, first determine that it will not impair an adequate supply of light, air and sunshine to adjacent property or unreasonably increase the congesting in streets or highways or increase the danger of fire or endanger the public safety or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the Town of Hillsboro Beach.”*

Below are the Code-required criteria listed above with consultant planner’s analysis of how the proposal relates to the criteria:

#### *12-283(C)(1) Yard requirements.*

As the regulations of section 4-4 prohibit structures, buildings or appurtenances thereto from extending into yard space beyond the Easterly Building Line, the practical placement for the proposed seawall on the properties is a factor for consideration. The Easterly Building Line is located along the narrow dune on both properties, within close proximity to existing structures and to the beach. The significant erosion that has occurred in this area makes placement of a seawall west of the Easterly Building Line practically impossible.



In this case, both adjacent properties face the same conditions, as the topography of the lots and the location of the existing structures is threatened by further erosion.

*12-283(C)(2) Instances of Hardship.*

The strict application of section 4-4 would prevent the Applicants from placing a seawall in the area beyond the Easterly Building Line, which crosses through the existing narrow dune area. This narrow dune area along the line is the subject of continuing erosion. Additionally, many of the existing structures of the 901 HM property were built prior to the Easterly Building Line being established (1966) and extended (1973) by the Town.

*12-283(C)(3) Additional provisions.*

The proposed seawall would not impair any needs or characteristics of adjacent properties (the applicant states that the property at 923 HM to the north has an existing seawall), nor present any safety or other concerns for such properties, residents, or the Town itself.

Recommendation:

Based on the application and review of the Criteria set forth in Town Code section 12-283, the consultant planner finds the Applicants' request for a variance for placement of a seawall at 901 and 921 Hillsboro Mile to meet the criteria for zoning variance approval.



921 HM



TOWN OF HILLSBORO BEACH

1210 HILLSBORO MILE, HILLSBORO BEACH, FL 33062

PHONE (954) 427-4011 • FAX (954) 427-4834

www.townofhillsborobeach.com



TOWN OF HILLSBORO BEACH  
1210 HILLSBORO MILE  
HILLSBORO BEACH, FL 33062

*St. H. Thompson*  
Town Clerk

DEVELOPMENT APPLICATION

Submittal Date: By

Zoning Board Meeting Date: 2/4/2025

Property Control # \_\_\_\_\_

Town Commission Meeting Date: —

| PROPERTY OWNER(S)                                           |                         | AUTHORIZED AGENT                                                    |       |
|-------------------------------------------------------------|-------------------------|---------------------------------------------------------------------|-------|
| NAME:<br>Richard, Claire and Rory McCarty                   |                         | NAME:<br>Gordon Thomson, PE                                         |       |
| ADDRESS:<br>921 Hillsboro Mile<br>Hillsboro Beach, FL 33062 |                         | ADDRESS:<br>5014 NW 24 <sup>th</sup> Circle<br>Boca Raton, FL 33431 |       |
| PHONE:<br>(954) 941-3485                                    | CELL:<br>(954) 803-5630 | PHONE:<br>(561) 400-7820                                            | CELL: |
| E-MAIL<br>Rory@RRKProperties.com                            | FAX:                    | E-MAIL<br>gthomson@baird.com                                        | FAX:  |

APPLICANT'S CERTIFICATION

I, **Gordon Thomson** (authorized agent) affirm and certify that I understand and will comply with all provisions and regulations of the Town of Hillsboro Beach Florida. I certify that all drawings and specifications for buildings or structures costing \$5,000 or over for commercial buildings or \$10,000 for residential building must be drawn or verified by a state registered architect or engineer and his seal of office imprinted thereon. Additionally, I certify that the drawings and specifications show full compliance and do fully comply with the Zoning Code. I understand that if any drawings or specifications are not in full compliance, the application will be rejected. If approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be a part of the Town of Hillsboro Beach and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive Plan and Zoning Code. I further certify that all statements and diagrams submitted herewith are true and accurate to the best of my knowledge and belief. Further, I understand that this Application and attachments become part of the Official Records of the Town of Hillsboro Beach, Florida, and are not returnable.

*G. Thomson*  
Signature

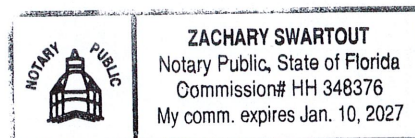
Gordon Thomson  
Print Name

STATE OF FLORIDA, COUNTY OF Broward *Palm Beach*

The foregoing instrument was acknowledged before me on this 23 day of October, 2024, by Gordon Thomson as Vice President for W.F. Baird & Associates

Personally know \_\_\_\_\_ or has produced identification X. Type of Identification FL DL

*Zachary Swartout*  
Notary Signature  
Zachary Swartout  
Print Notary Name





## CHECK BELOW WHERE APPLICABLE

|  |                                      |   |                               |
|--|--------------------------------------|---|-------------------------------|
|  | FINAL PLAT - \$1,000.00              |   | REZONING - \$3,500.00         |
|  | LAND USE PLAN AMENDMENT - \$3,500.00 |   | SITE PLAN REVIEW - \$2,000.00 |
|  | PRELIMINARY PLAT - \$1,000.00        | X | VARIANCE – \$1,050.00         |

Hillsboro Beach Town Code Sec. 12.1.3d provides for the collection of service charges or fees, consultant review fees, etc. for the administrative processing and review of applications for development permits submitted to the Town for review and approval. The owner, architect or other authorized agents are urged to attend the Zoning Board of Appeals and Town Commission meetings. Each applicant must familiarize himself with the criteria and procedures. **If all required information is not presented with this application by the submittal date, the project will not be placed on the agenda for review and consideration.** PLEASE NOTE: THE FEES LISTED ABOVE ARE **ADMINISTRATIVE FEES ONLY**. YOU WILL BE BILLED BY THE TOWN OF HILLSBORO BEACH FOR ANY AND ALL ADDITIONAL EXPENSES WHICH WILL BE INCURRED BY THE TOWN THROUGH THE SERVICES OF THE TOWN ENGINEER/PLANNER, LEGAL ADVERTISING, REBUTTALS, CONSULTATION AS WELL AS POSTAGE FOR MAILINGS AND COURIER SERVICES RELATED TO YOUR PROJECT.

**Items Required for Submittal:** Must be submitted **30 days prior** to the Town Commission Meeting date.

1. This application and all applicable fees
2. Narrative letter describing the request
3. Letters from each adjoining property owners (with approvals, if possible) – Variance Application only
4. Approval letter from the Association and minutes (when applicable)
5. Agent's authorization letter (when applicable)
6. 1 electronic copy and 2 signed and sealed – Plans are to be standard architectural size
7. 1 set of plans for the City of Deerfield Fire Inspector / Plans Examiner (when applicable)

**Code References:** (All sections are available for viewing and printing on the website)

- Chapter 12 – Division 1. General Provisions
- Chapter 12 – Division 2. Development Review Requirements
- Chapter 12 – Division 3. Platting and Subdivision Regulations
- Chapter 12 – Division 4. Site Plan Procedures & Requirements
- Chapter 12 – Division 5. Zoning

## GENERAL DATA

Project Location: 921 Hillsboro Mile District: 4

Proposed Zoning: No Change

Existing Comprehensive Plan Designation: Community Facilities / Residential Medium

Proposed Comprehensive Plan Designation: Community Facilities / Residential Medium

Existing Land Use: RS2 – Single Family Residence

Proposed Land Use: RS2 – Single Family Residence

Total Site Area: 62,063 Sq. Ft. 1.425 Acres

Flood Zone Category: AE

Is site currently serviced by public water? Yes ☒ No ☐

Is site currently serviced by public sewer? Yes ☒ No ☐



Describe briefly the nature of any improvements presently located on the subject property. The applicant is requesting to construct a seawall along the toe of dune along the Atlantic Ocean Portion of their property.

Describe the type of operation or business proposed; or the proposed construction. The applicant is requesting to construct a seawall along the existing toe of dune along the Atlantic Ocean Portion of their property.

Estimated construction cost: \$600K

Describe in detail the phasing of the proposed development. Only one construction mobilization is anticipated with continuous construction. The work will involve the driving of sheet pile followed by the installation of rock or soil anchors. A concrete cap will then be poured to encase the top of the sheet pile and the soil anchor tiebacks. Beach compatible sand will then be placed behind the seawall to match existing grade. Beach compatible sand will be placed in front of the seawall, from the base of the cap to the existing grade at a 1V:3H slope. This slope, and the area behind the seawall, will then be planted with native dune vegetation.

State the reasons or basis for the Approval request, and explain why this request is consistent with good planning and zoning practice, will not be contrary to the Town's Comprehensive 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 must be addressed. (Attach a separate Justification Statement if insufficient space.)

Please see attached sheet.

Has any previous Application been filed within the last year in connection with the subject property?

Yes ☐ No ☒ If yes, briefly describe the nature of the Application. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has a site plan been previously approved by the Town Commission for this property?

Yes ☐ No ☒ If yes, please note date of previous approval. \_\_\_\_\_

- (A) Every general contractor or other person being issued a building permit, shall deposit with the Town Clerk a bond in the amount of \$500 per each \$100,000 with a minimum of \$1,000 for any complete new building or an addition to existing building. The bond shall be in the form of a cashier's check.
- (B) By the deposit of the funds the contractor authorizes the Town of Hillsboro Beach, through its proper officials, to expend all or any portion of the bond to effect cleanup, during and after construction, if not satisfactorily performed by the contractor or person. Subsequent to the satisfactory cleanup of the vicinity of the construction, unused funds in whole or in part will be refunded to the contractor or person.
- (C) (1) It shall be the duty of the general contractor or other person receiving the permit to see that the premises and adjoining public areas shall be policed at all times during and after construction to prevent debris from being discarded on adjoining properties.  
(2) The DRO or the DRO's designate shall certify in writing to the Town Commission his or her determination and recommendation. The building plans and specifications shall be approved by the Town Commission prior to the issuance of a building permit. (1976 Code, CH. 12, Div. 5, Art. XV § 9)





W.F. Baird & Associates Ltd.

Office | 5014 NW 24th Circle, Boca Raton, FL 33431, USA  
Phone | +1 561 400 7820 Email | gulfstates@baird.com

Mr. Graham Long  
Senior Planner | Town of Hillsboro Beach  
1210 Hillsboro Mile  
Hillsboro Beach, FL 33062

October 24, 2024

Dear Mr. Long,

**Reference # 14127.101**

**RE: McCarty Property (921 Hillsboro Mile) Seawall - Variance Request**

Richard and Rory McCarty, located at 921 Hillsboro Mile, are requesting a variance from the Town of Hillsboro Beach to allow construction of a 105-foot long seawall along the toe of dune fronting the Atlantic Ocean.

The variance request is to allow:

1. Construction east of the Town's Easterly Building Line
2. A seawall cap elevation of +13 feet, NAVD88.

The intent of the seawall is to protect the McCarty's upland property from continued erosion. Their house is located along the top of the dune and large storms continue to remove the vegetation and erode the dune. This is obviously a critical concern for the McCarty family. W.F. Baird & Associates, Ltd (Baird) performed coastal modeling to evaluate the need for a seawall and, subsequently, the cap elevation. Without a seawall, the modeling suggests that a 50-year event could result in a loss of 20 feet of dune, which could threaten the stability of the upland building.

The modeling demonstrates that the cap of the seawall should be at an elevation of 13 feet, NAVD88 to prevent the loss of backfill during a 100-year storm event. This event has a 60% chance of occurring within the 50-year design life of the seawall. We have also factored in 0.52 feet of sea level rise (3.16 mm/year per the NOAA tide gauge at Virginia Key). The Town's ordinance restricts seawall elevation to the FEMA Base Flood Elevation (BFE), which is +7 feet, NAVD88 on the oceanside of the McCarty property. The model (SBEACH, which is a United States Army Corps of Engineers (USACE) model and uses input from the USACE's South Atlantic Coastal Study), suggests that the storm surge elevation at the seawall will exceed 7 feet, NAVD88, without the consideration of wave action on top of this water elevation.

The applicant requires a letter from the Town stating that the proposed action meets the Town's zoning and setback requirements to support their Coastal Construction Control Line (CCCL) permit application to the Florida Department of Environmental Protection.

Per your e-mail, I have attached the "Development Application" form to support this variance request. I have also appended additional information discussing how the proposed action is consistent with the Town Comprehensive Plan and various Town ordinances.

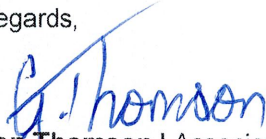
www.baird.com



Innovation Engineered.

I appreciate the time for the Town to review this request and will be available to meet with the Town at your convenience to discuss the McCarty's application.

Kind regards,



**Gordon Thomson** | Associate Principal  
Baird & Associates  
E: gthomson@baird.com  
M: (561) 400-7820

CC: Richard McCarty  
Rory McCarty



State the reasons or basis for the Approval request, and explain why this request is consistent with good planning and zoning practice, will not be contrary to the Town's Comprehensive 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 must be addressed. (Attach a separate Justification Statement if insufficient space.)

### **Consistency with the Town's Comprehensive Plan**

The vegetated dune in front of the McCarty's house continues to recede. The beach width and elevation in front of the dune fluctuates throughout the year based on seasons, tides and storm events. However, natural dune recovery takes an extended period of time. After a review of the beach and numerical modeling of the potential exposure of the upland infrastructure to a storm event, W.F. Baird and Associates (Baird) recommended to the McCartys that they install a seawall along the toe of the dune. This includes placement of sand in front of the seawall and vegetation of this sand placement.

The intent is that the seawall will provide a last line of defense to protect the upland infrastructure during particularly severe storm events. Placing the seawall as far landward as possible, maximizes environmental and recreational use of the beach while minimizing natural recovery of the beach system.

This is consistent with good planning and zoning practices because:

- It provides protection to upland infrastructure and the associated tax base for the Town.
- Bringing beach compatible sand to the site provides greater resilience for the entire beach system.
- It does not change the use or density of use of the area.

Elements that are relevant to the Town Comprehensive Plan (text in italics copies from The Town's 2018 Comprehensive Plan).

#### ***Objective 4.4 Open Space***

***Policy 4.3.6 Continue to enforce the existing land development regulations that designate the beach area east of the Town's Easterly Building Line open space and conservation.***

The proposed action does not alter existing land usage.

#### ***Coastal Management***

##### ***Goal 6.0***

***To develop, redevelop and maintain a coastal resort residential community in a manner which minimizes potential natural and financial impacts to developed upland properties while preserving beach, shoreline and tidal water resources while enhancing resilience to sea level rise impacts.***

The proposed project minimizes damage and thus financial impacts to the McCarty property while preserving beach, shoreline and tidal water resources. The seawall is placed as far landward as possible to minimize infringement on the existing vegetated dune system. The design also incorporates resilience to sea level rise by considering sea level rise in the cap elevation.

***Policy 6.1.5 Continue to enforce the prohibition of structures east of the Town's Plat of the Easterly Building Line.***

The applicant is submitting this request for variance because the proposed action may be interpreted as not being consistent with the Comprehensive Plan because the Plan defines a



structure as:

*"Structure" means anything constructed, installed or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on land which can be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently. "Structure" also includes fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising signs".*

However, the proposed action also meets many of the other elements within the Town's Comprehensive Master Plan, as discussed herein.

#### ***Objective 6.3 Dune Protection***

*Use the land development regulations to maintain, improve and preserve the Town's coastal dune system.*

*Policy 6.3.2 Use best management techniques for maintenance of the dune system on developed properties.*

*Policy 6.3.3 Consider means to recreate a vegetated dune system on those parcels where none currently exist.*

The proposed action (seawall construction) has been sited at the toe of the dune with beach fill placed both behind (landward) and in front (seaward) of the seawall. These areas will be vegetated. This follows best management practices. Environmental, functional and aesthetic benefits can be realized due to the sand placement.

The current dune system continues to be denuded due to periodic (annual to bi-annual wave impacts) and subsequent loss of the dune.

#### ***Objective 6.8 Minimize Storm and Sea Level Rise Impacts***

*The Town shall ensure that building, development and redevelopment activities minimizes damage to life and property from tropical storms, hurricanes and future sea level rise.*

The proposed action incorporates future sea level rise into the design and provides increased resilience for upland infrastructure.

*Policy 6.8.7 Consider implementing higher regulatory standards to minimize storm, flooding and sea-level rise impacts.*

The proposed action is based on modeling that incorporates sea level rise and the latest available data (topography, bathymetry, wave heights, storm surge, etc.) to support the design (cap elevation, location, toe depth, etc.)

*Policy 6.8.9 All new construction and redevelopment shall be consistent with Ordinance 294 establishing seawall elevation requirements considering the impacts of existing tidal flooding and sea level rise expected to occur with a 40-year lifetime for seawalls. Said Ordinance considers flooding impacts to adjacent properties and flood protection of Hillsboro Mile (SR A1A).*

This will be discussed separately.

#### ***Objective 6.9 Redevelopment and Post Disaster Redevelopment***

*Redevelopment and post-disaster redevelopment shall be implemented to minimize public and private vulnerabilities to future disasters and sea level rise.*

The proposed action is proposed to reduce the upland infrastructure vulnerability and be proactive

rather than reactive to the risks posed by hurricanes.

*Policy 6.9.6 Any development of structures lying partially on, or seaward of the Coastal Construction Control Line shall be subject to the provisions set forth in Chapter 161 Florida Statutes.*

The applicant is applying for a Florida Department of Environmental Protection permit for the proposed action. Part of the FDEP permit application is to obtain a notice from the Town that the proposed action is consistent with the Town's zoning and setback requirements.

*Policy 6.9.8 When opportunities arise, modify development and redevelopment regulations for minimum floor elevations, optimal seawall heights and deadlines for retrofitting to the heights to minimize inappropriate and unsafe development in the coastal high hazard area.*

The optimal seawall height will be discussed separately.

### **Consistency with the Town's Code of Ordinances**

Section 12-268 – Seawalls guides the regulation of seawalls. This section provides a brief discussion of the various elements of the ordinance and how the design of the seawall for the McCarty property meets the Town's ordinances. Text from the Town's ordinances are italicized.

*Sec 12-268 (B) (1) – The Town commission finds:*

*(1) The construction of new seawalls or the repair to existing seawalls to prevent tidal waters from flowing overland and leaving one's property is necessary to protect the health, safety, and welfare of the town residents; and*

*(2) The town has a substantial interest in attempting to prevent the closure of State Road A-1-A due to tidal waters flowing overland from the Intracoastal waterway onto the state road.*

These statements appear to indicate that the ordinance primarily considers seawalls along interior canals with low lying property that are not exposed to wave action from the Atlantic Ocean. This is important when considering elements of the ordinance.

*Sec 12-268 (D). The top surface of a newly constructed seawall shall have a minimum elevation of 5.0 feet NAVD88 (see table). The elevation shall not exceed a maximum of the base flood elevation (BFE) as identified in the most recent FEMA Flood Insurance Rate Map (FIRM) for the property...*

The BFE for the oceanside of the McCarty property, based on the latest (2024) update of the FEMA flood map is +7 feet, NAVD88. This implies that the maximum elevation of the seawall can be +7 feet, NAVD.

The proposed seawall cap elevation is +13 feet, NAVD88 based on numerical modeling performed by Baird. Cross-shore modeling was performed using the US Army Corps of Engineers' (USACE) model SBEACH. Inputs to the model include the existing beach and dune profile, wave height, wave period, water elevation, and wind. The beach and dune profile was based on 2023 surveys performed by the Florida Department of Environmental Protection. Wave heights and water levels were extracted from the USACE South Atlantic Coast Study (data point 30346) for a 50-year return period storm event. This data point is located approximately 550 feet directly offshore of the applicant's property. The estimated 50-year significant ( $H_{m0}$ ) wave height is 11.7 feet while the



“still” water level (peak storm stage) was listed as +4.6 feet, NAVD88. Note that wave action is superimposed on top of the peak storm stage. Figure 1 shows the output from the SBEACH model.

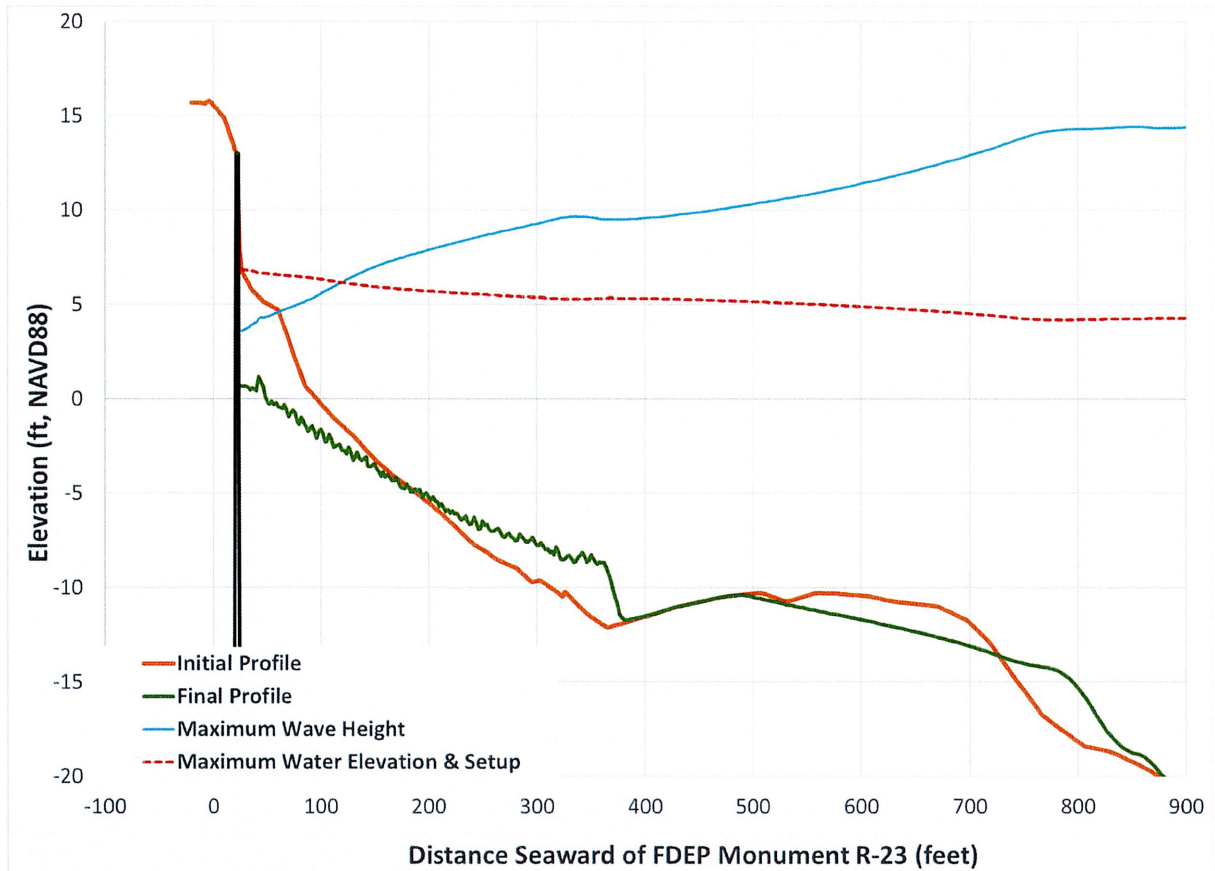


Figure 1. SBEACH Out for 50-year Storm Event.

Figure 1 is a cross-section of the beach with the McCarty's dune to the left and the Atlantic Ocean to the right. The horizontal (x) axis is given in feet from the FDEP Monument R-23. This shows the offshore water elevation of 4.6 feet, NAVD88 and maximum wave height of almost 15 feet. The maximum wave height is larger than the significant wave height of 11.7 feet (by definition) and was taken from the USACE wave record. There are several important elements in Figure 1:

1. The maximum water elevation and setup is approximately 7 feet, NAVD88 at the location of the seawall.
2. The wave height at the seawall is approximately 4 feet. This wave action occurs on top of the “still” water elevation.
3. At the start of the storm event, the elevation of the beach at the seawall is almost +7 feet, NAVD88. The mean high water line is approximately 80 feet from the seawall.
4. At the end of the storm event, the mean high water line is almost at the seawall.

The modeling highlights that the water level (before considering waves) would overtop the seawall if the top of the seawall was limited to FEMA's BFE of +7 feet, NAVD88. The seawall crest needs to be higher than the elevation of the highest waves impacting the seawall. Furthermore, the seawall is designed for a 50-year project life but there is a 60% chance that the seawall experiences a 100-year storm event within the 50-year project life. Therefore, the seawall was designed using the 100-year storm conditions. There is also expected to be 0.52 feet of sea level rise over the 50-year project life (3.16mm/year per the NOAA tide gauge at Virginia Key). This led to a design elevation of +13 feet, NAVD'88 for the top elevation of seawall.

Lastly, the model suggested that without the seawall, the dune would recede approximately 20 feet during a 50-year storm event, which could threaten to undermine the McCarty's house.

Baird's modeling report is available upon request.

The dune crest at the McCarty property is approximately in this area is approximately at +20 feet, NAVD88. Therefore, the seawall will not be visible from the landward side of the property. It will also be placed as far landward as possible to minimize encroachment on to the beach, extend longevity by limiting its exposure, and decrease backfill costs.

*Sec 12-268 (D) (1) Seawalls shall be designed and built in a substantially impermeable manner to prevent tidal waters from flowing through the seawall while still allowing for the release of hydrostatic pressure from the upland direction. To effectuate the release of hydrostatic pressure, if needed because of insufficient structural strength of the seawall, seawalls shall be designed to provide for "seepage holes" with adequate back-flow prevention or a valve with backflow preventer. Additionally, the design of seawalls shall take into account the existing historic storm water runoff patterns and provide for maintaining those patterns so as not to cause flooding of adjacent roadways.*

The seawall will be comprised of steel sheet pile. The design was based on fully saturated soils on the landward side but will release hydrostatic pressure (water) because the joints, while interlocked, are not sealed. The top of the seawall will also be lower than the upland terrain allowing for upland, surface water to flow over the top of seawall. Since the upland area is higher than the seawall, the seawall will not cause upland flooding.

### **Consistency with the Town's Variance Criteria**

This section discusses the basis for the McCarty's request for a variance with respect to the Town's Variance Criteria per Section 12-283 of the Town' Administrative Code. Text from the Town's ordinances are italicized.

*Sec. 12-283. - Duties.*

(C)

*Authority on variances. The Board shall have the authority to grant the following variances.*

*(1) Yard requirements. Permit a variance in the yard requirement of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variations will not seriously affect any adjoining property or the general welfare.*

The proposed seawall is being located as far landward as possible without impacting the dune. The requested variance will not affect the neighbor to the north (Chris Peyerck at 923 Hillsboro Mile) because the Peyerck's already have a seawall. The seawall proposed by the McCartys is located landward and south (downdrift) of the Peyerck's seawall and will not intercept sediment transport. The Hillsboro Club is located to the south and they are also proposing to construct a seawall with the identical alignment as the McCartys. The construction of the seawall will not affect the sight line of adjacent properties because the seawall cap is below the elevation of the dune crest.

*(2) Instances of hardship. Authorize upon appeal, whenever a property owner can show that a strict application of the terms of this chapter relating to the use, construction or alterations of buildings or structures, or the use of land will impose upon him or her unusual and practical difficulties or particular hardship, such variances of land will impose upon him or her unusual and practical difficulties or particular*



*hardship, such variances of the strict application of the terms of this chapter as are in harmony with its general purpose and intent, but only when the Board is satisfied that a granting of the variance will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variance from the comprehensive plan as established by this chapter, and at the same time, the surrounding property will be properly protected.*

The McCartys property is in threat due to erosion of the beach, which has resulted in irreversible dune loss. Continued dune loss poses a threat to the McCarty's home. As discussed above, nourishment of the dune and beach is cost prohibitive to constantly maintain. The proposed seawall will provide protection from continual impacts of storm events.

Furthermore, a similar variance (construction of a seawall east of the Easterly Building Line) has been granted to the adjacent property owner, and properties to the north.

*(3) Additional provisions. In consideration of all appeals and all proposed exceptions or variances to this chapter, the Board shall, before making any exceptions or variations from the chapter in a specific case, first determine that it will not impair an adequate supply of light, air and sunshine to adjacent property or unreasonably increase the congesting in streets or highways or increase the danger of fire or endanger the public safety or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the Town of Hillsboro Beach.*

The proposed variance does not impair the adjacent properties to any degree. The concern with a seawall is not limiting supply of light, sunshine or air, but the supply of sediment. The seawalls will not interrupt sediment transport along the beach. A dune nourishment is proposed with the work to segment the beach.

As mentioned in the paragraph above, the neighbor to the north already has a seawall and the Hillsboro Club is proposing to install a seawall as well.

The seawall does not have any impact on street congestion or diminish adjacent property values. The seawall should increase property values by providing additional resilience to upland infrastructure.

Neither does the proposed work have any impact on public health, safety, comfort, morals or welfare of inhabitants of the Town of Hillsboro Beach.

Mr. Carl Horace  
Chief Operating Officer  
Hillsboro Club  
901 Hillsboro Mile  
Hillsboro Beach, FL 33062

Richard D. McCarty  
Claire B. McCarty  
R. Rory McCarty  
921 Hillsboro Mile  
Hillsboro Beach, FL 33062

September 26, 2024

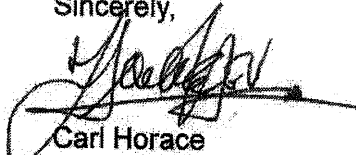
**Re: Letter of No Objection to Construct a Seawall**

To the McCartys:

Thank you for your letter dated September 26, 2024 where you requested a letter of no objection from the Hillsboro Club to construct a seawall along your property.

The Hillsboro Club is in a similar situation of needing to protect our property with a seawall. We therefore have no objection to you proposing to do so. I have confirmed with Mr. Thomson, whom we have also retained for the design and permitting of our seawall, that the elevation and alignment of our seawall will match yours.

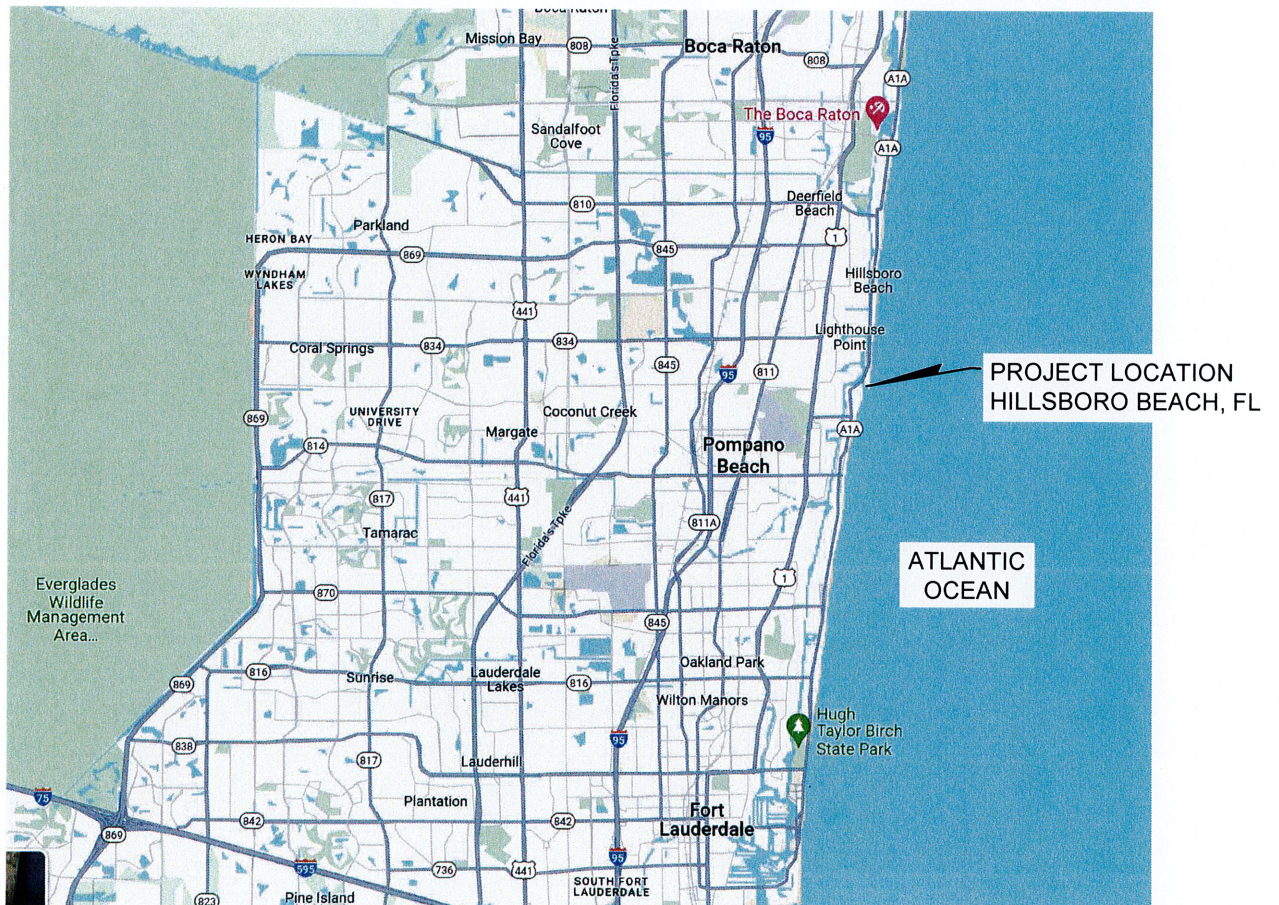
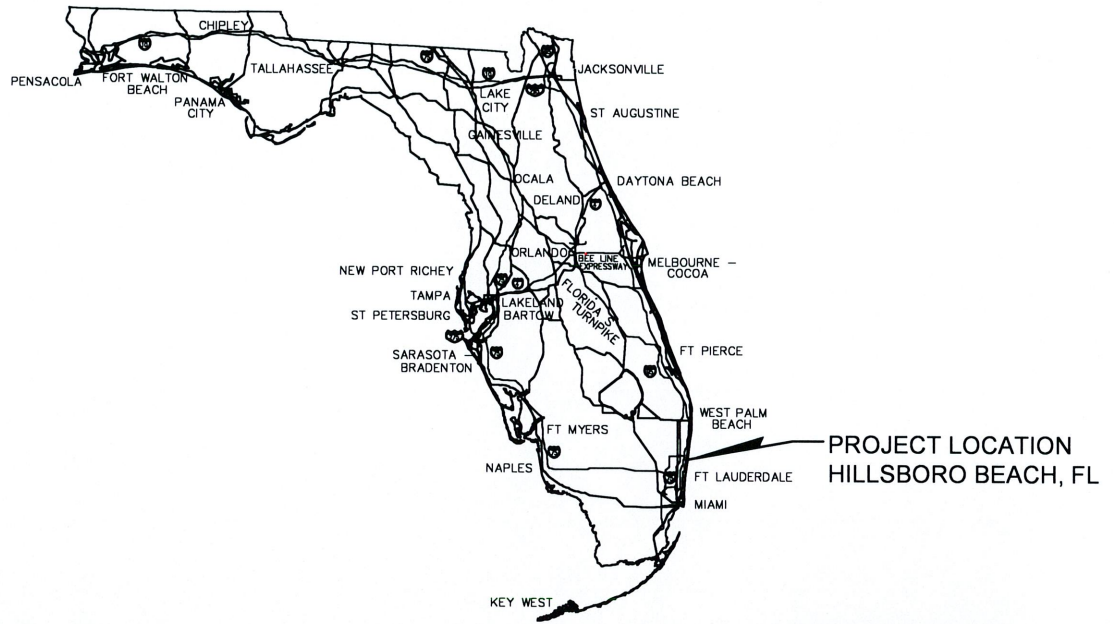
Sincerely,



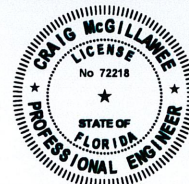
Carl Horace  
Chief Operating Officer

Cc: Gordon Thomson





PROJECT LOCATION MAPS  
NOT TO SCALE



This item has been digitally signed and sealed by Craig McGillawee, PE on 09/27/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:



IN ASSOCIATION WITH:



McCARTY SEAWALL  
HILLSBORO BEACH, FLORIDA

PROJECT LOCATION MAPS

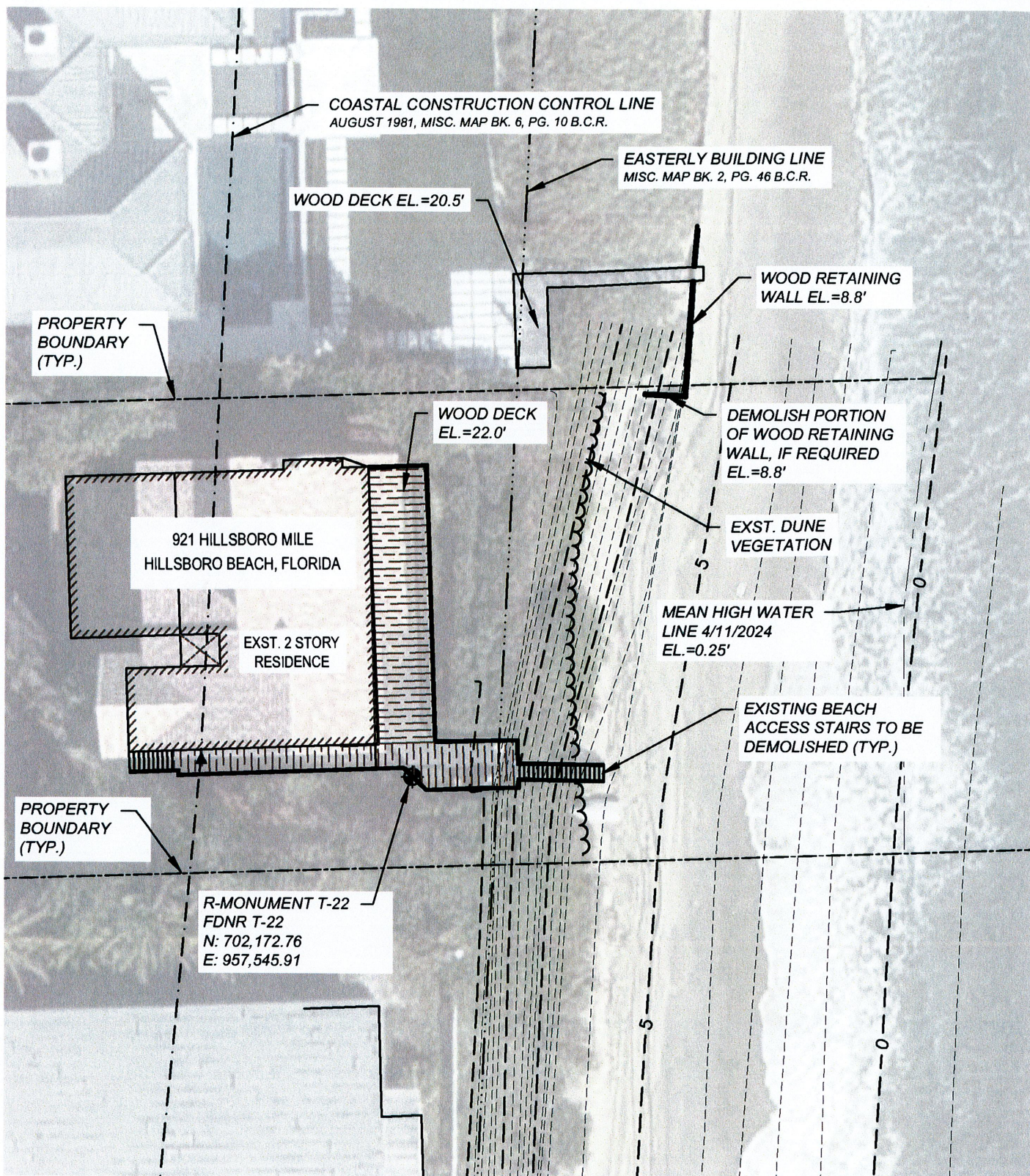
DATE:

SEPT. 2024

FIGURE:

C01  
Page 61 of 79

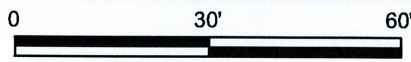




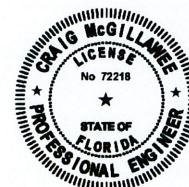
**NOTES:**

1. HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
2. VERTICAL DATUM IS BASED ON NAVD-88.

**EXISTING CONDITIONS PLAN**



SCALE: 1" = 30'



This item has been digitally signed and sealed by Craig McGillawee, PE on 09/27/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:



IN ASSOCIATION WITH:



McCARTY SEAWALL  
HILLSBORO BEACH, FLORIDA

**EXISTING CONDITIONS PLAN**

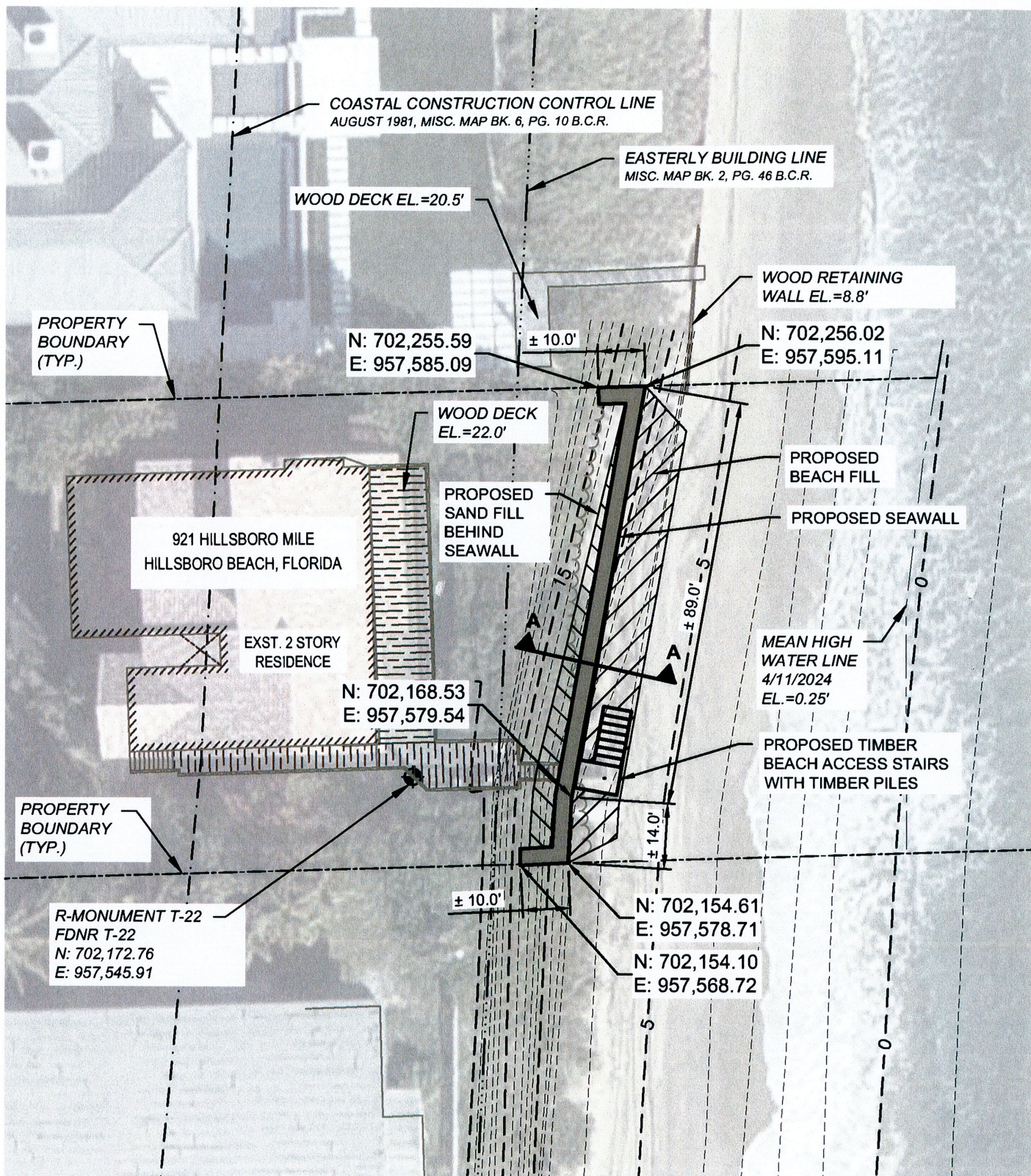
DATE:

SEPT. 2024

FIGURE:

C02





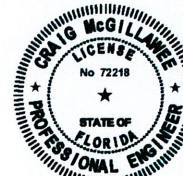
**NOTES:**

- HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
- VERTICAL DATUM IS BASED ON NAVD-88.

**PROPOSED SEAWALL PLAN**

0 30' 60'

SCALE: 1" = 30'



This item has been digitally signed and sealed by Craig McGillan, PE on 09/27/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:



IN ASSOCIATION WITH:



**McCARTY SEAWALL  
HILLSBORO BEACH, FLORIDA**

**PROPOSED SEAWALL PLAN**

DATE:

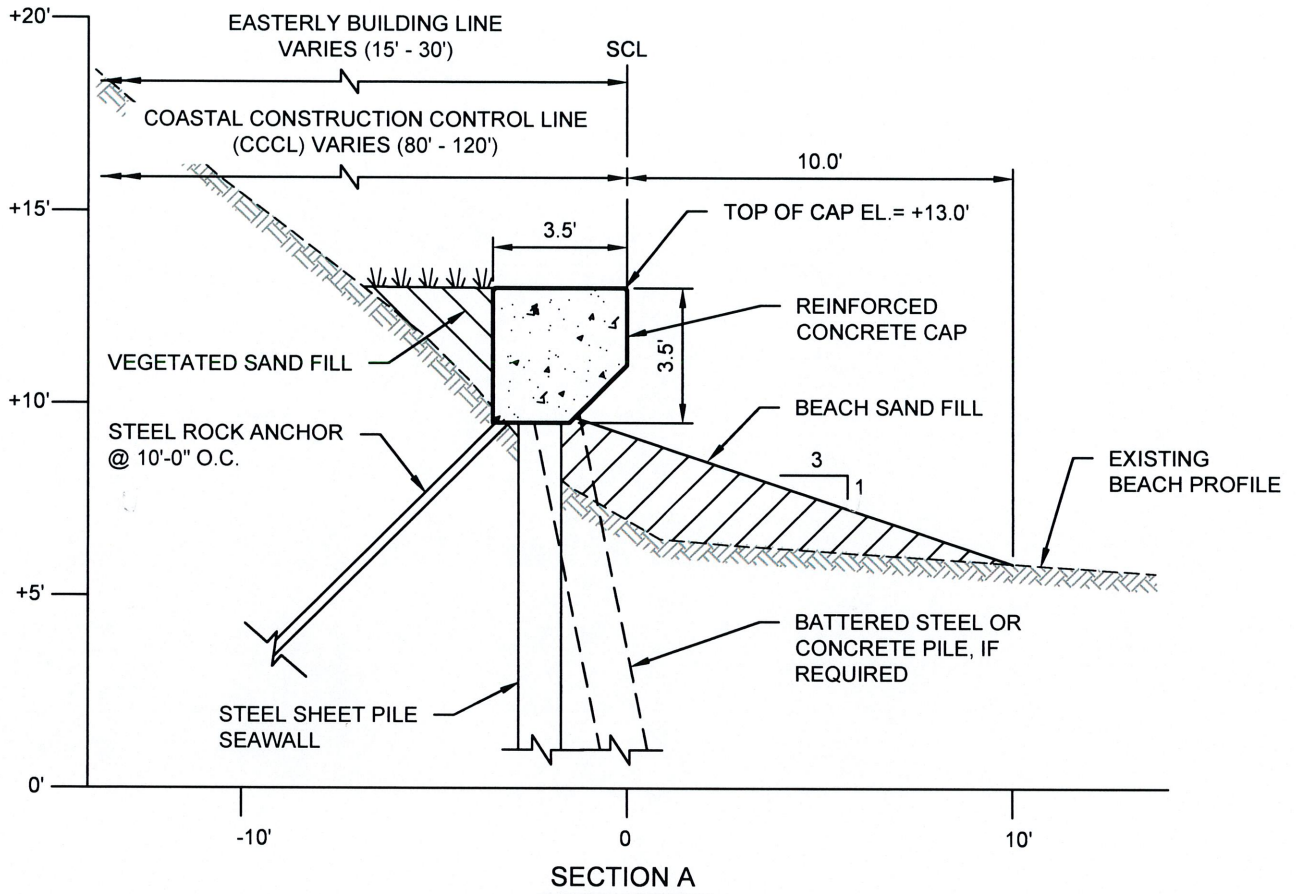
**SEPT. 2024**

FIGURE:

**C03**

Page 63 of 79





This item has been digitally  
signed and sealed by  
Craig McGillawee, PE on  
09/27/2024 using a Digital  
Signature.

Printed copies of this  
document are not  
considered signed and  
sealed and the SHA  
authentication code must be  
verified on any electronic  
copies.

PREPARED BY:



IN ASSOCIATION WITH:



McCARTY SEAWALL  
HILLSBORO BEACH, FLORIDA

TYPICAL SECTION

DATE:

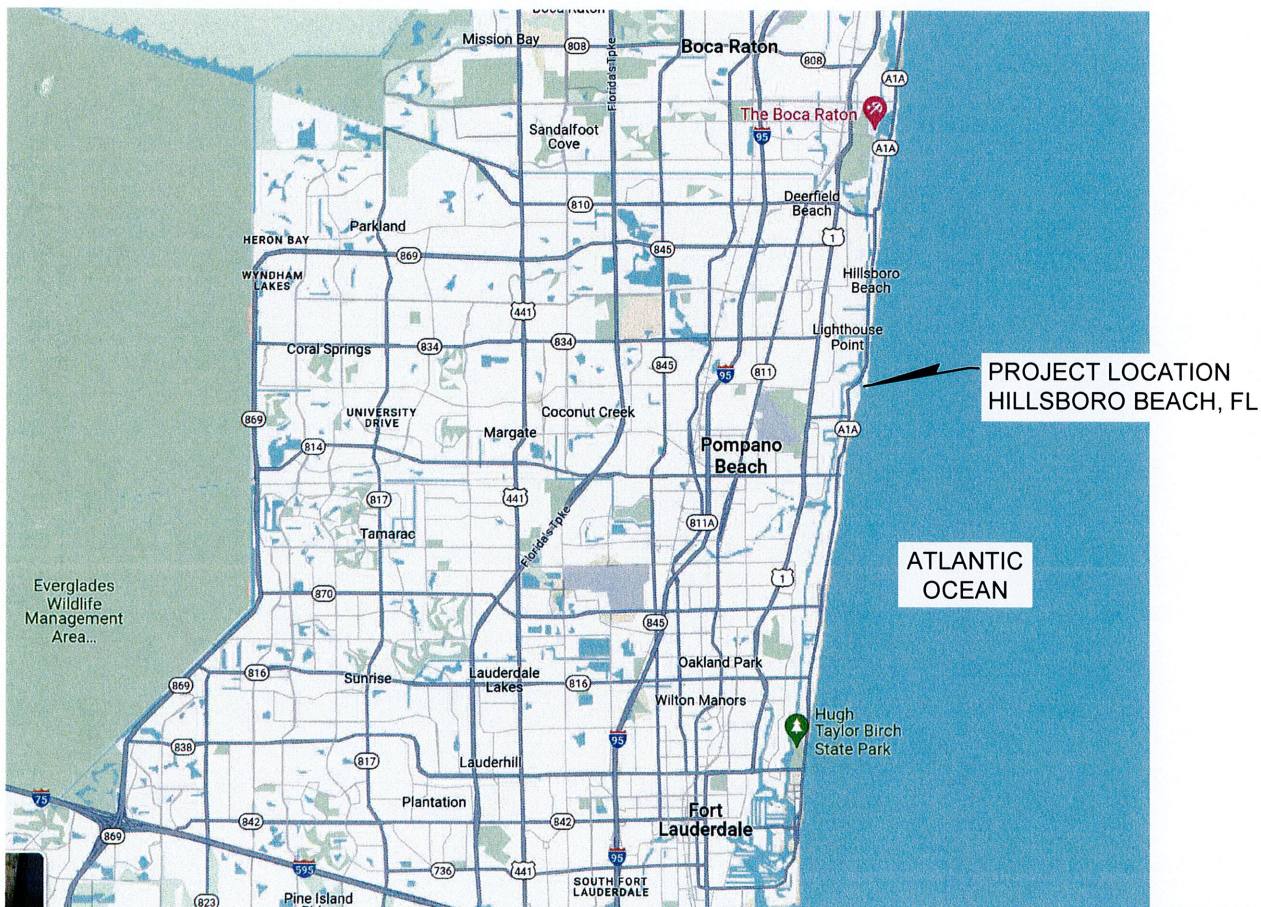
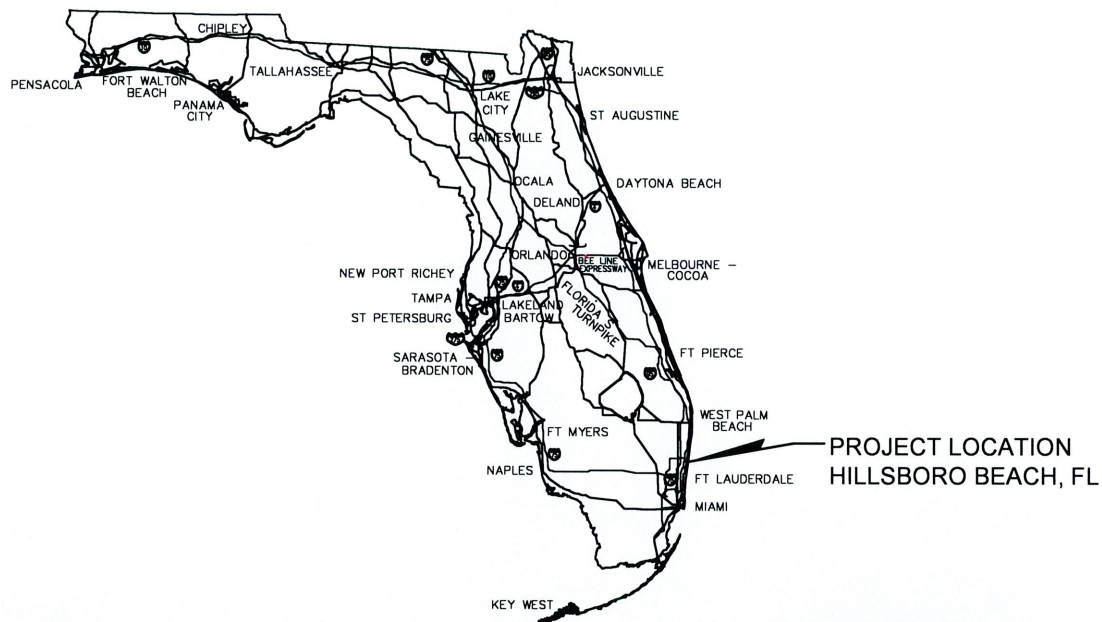
SEPT. 2024

FIGURE:

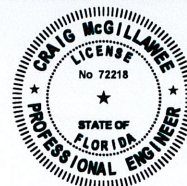
C04

Page 64 of 79





PROJECT LOCATION MAPS  
NOT TO SCALE



This item has been digitally signed and sealed by Craig McGillwee, PE on 09/27/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:



IN ASSOCIATION WITH:

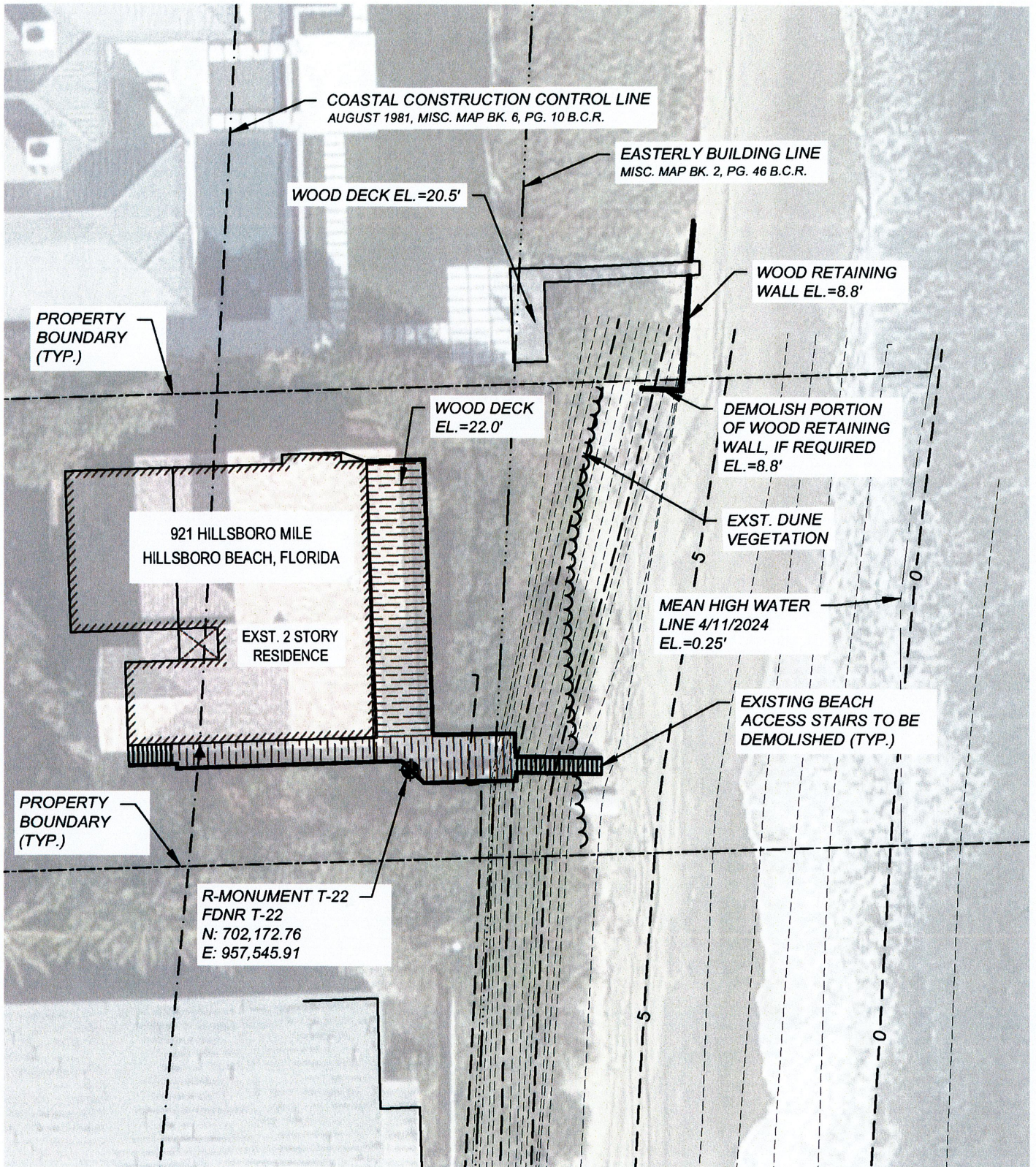


McCARTY SEAWALL  
HILLSBORO BEACH, FLORIDA  
PROJECT LOCATION MAPS

DATE:  
SEPT. 2024

FIGURE:  
C01  
Page 65 of 79





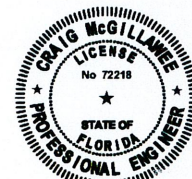
**NOTES:**

1. HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0801).
2. VERTICAL DATUM IS BASED ON NAVD-88.

**EXISTING CONDITIONS PLAN**

0 30' 60'

SCALE: 1" = 30'



This item has been digitally signed and sealed by Craig McGillawee, PE on 08/27/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:



IN ASSOCIATION WITH:



McCARTY SEAWALL  
HILLSBORO BEACH, FLORIDA

**EXISTING CONDITIONS PLAN**

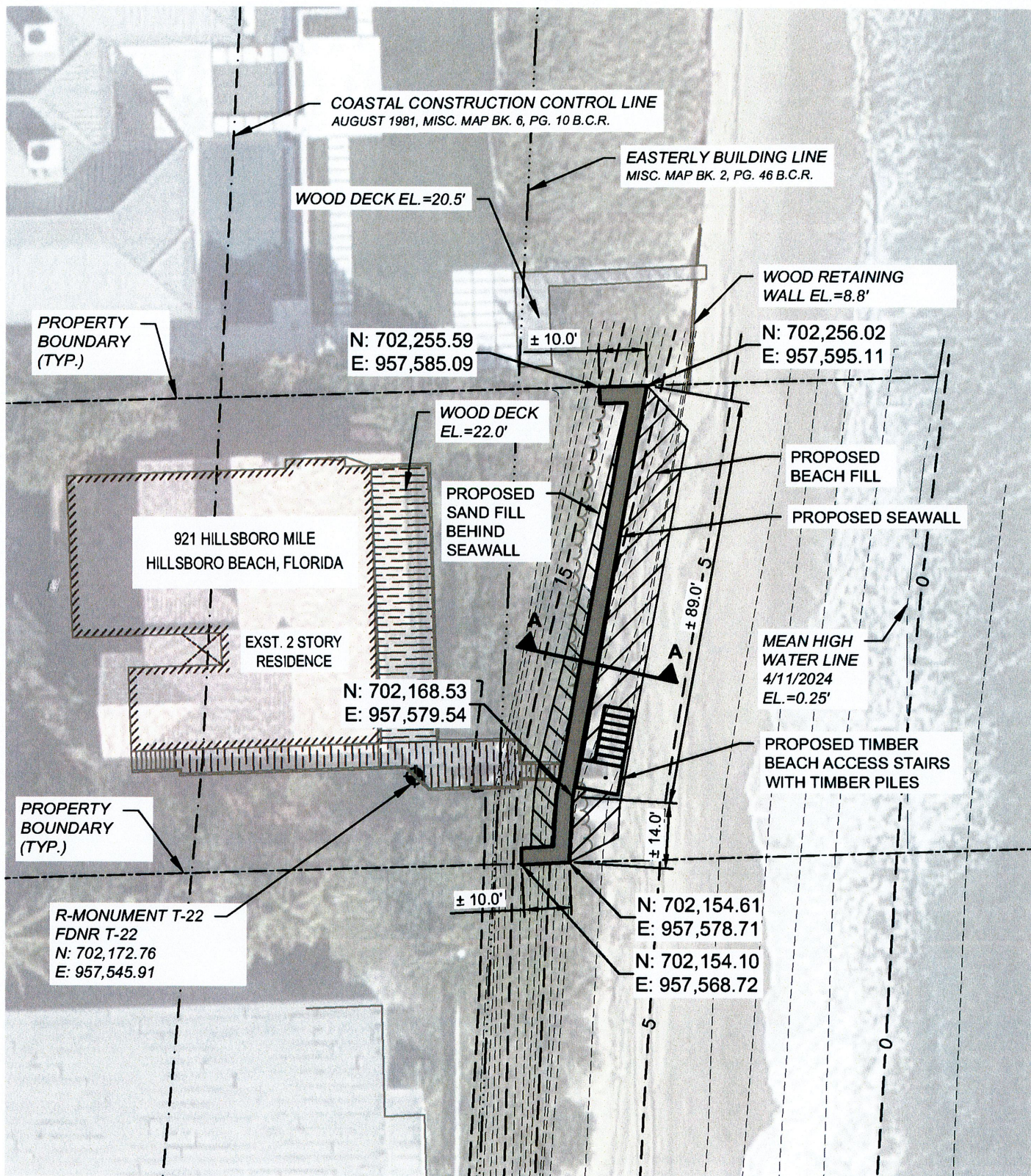
DATE:

SEPT. 2024

FIGURE:

C02  
Page 66 of 79

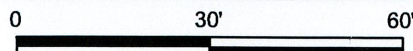




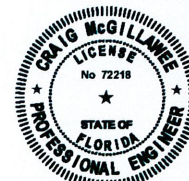
#### NOTES:

- HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
- VERTICAL DATUM IS BASED ON NAVD-88.

#### PROPOSED SEAWALL PLAN



SCALE: 1" = 30'



This item has been digitally signed and sealed by Craig McGillawee, PE on 09/27/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:



IN ASSOCIATION WITH:



McCARTY SEAWALL  
HILLSBORO BEACH, FLORIDA

PROPOSED SEAWALL PLAN

DATE:

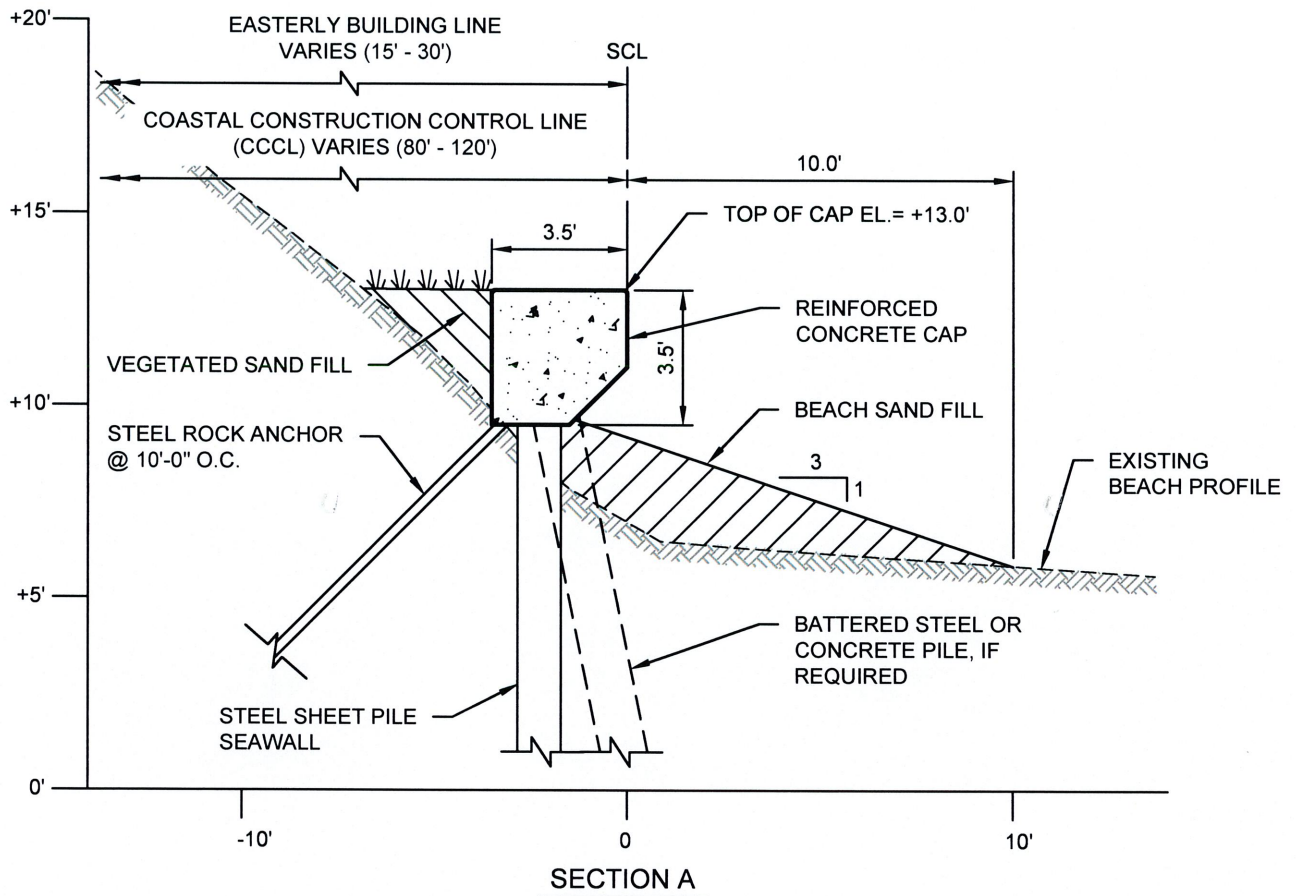
SEPT. 2024

FIGURE:

C03

Page 67 of 79





This item has been digitally  
signed and sealed by  
Craig McGillawee, PE on  
09/27/2024 using a Digital  
Signature.

Printed copies of this  
document are not  
considered signed and  
sealed and the SHA  
authentication code must be  
verified on any electronic  
copies.

PREPARED BY:



IN ASSOCIATION WITH:



McCARTY SEAWALL  
HILLSBORO BEACH, FLORIDA

TYPICAL SECTION

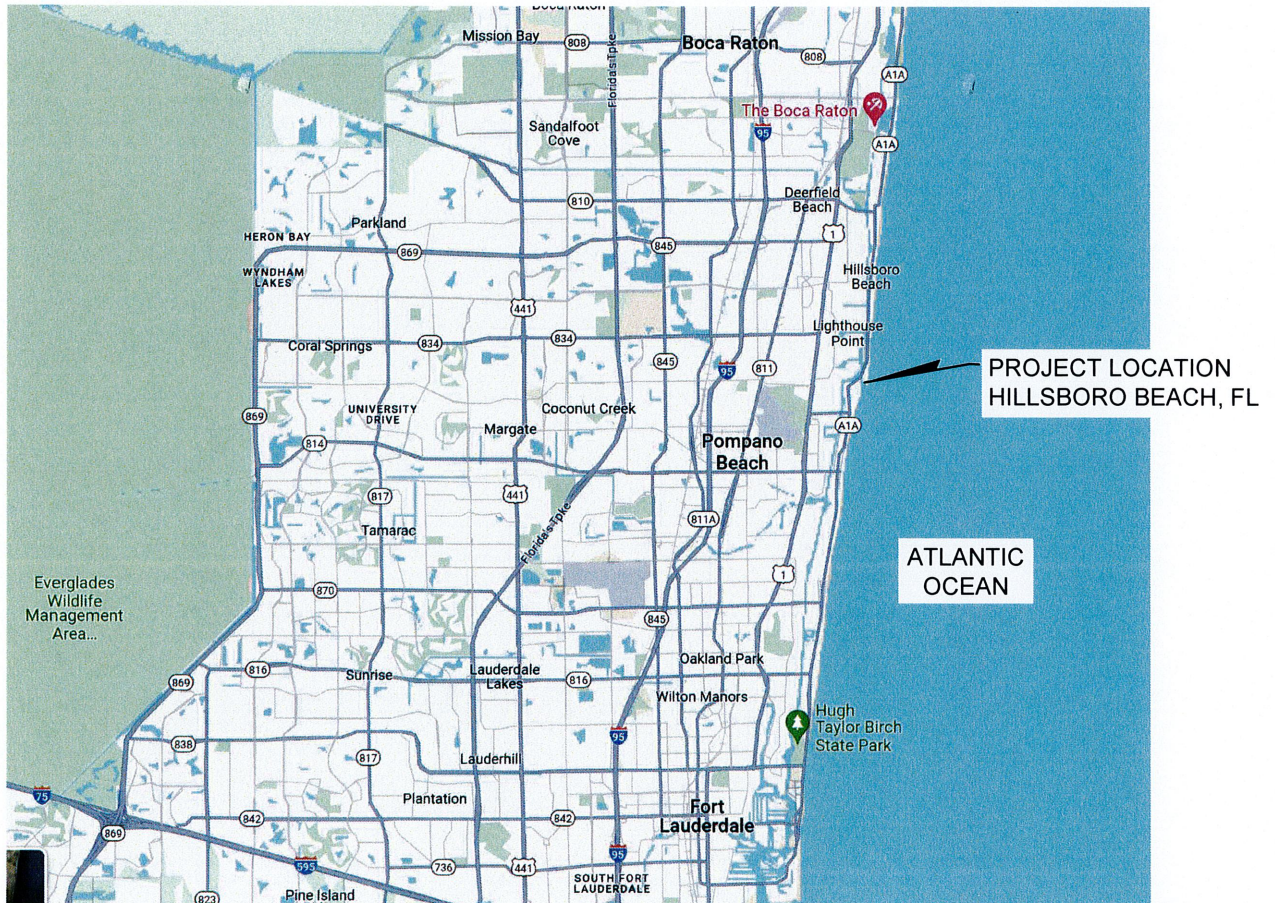
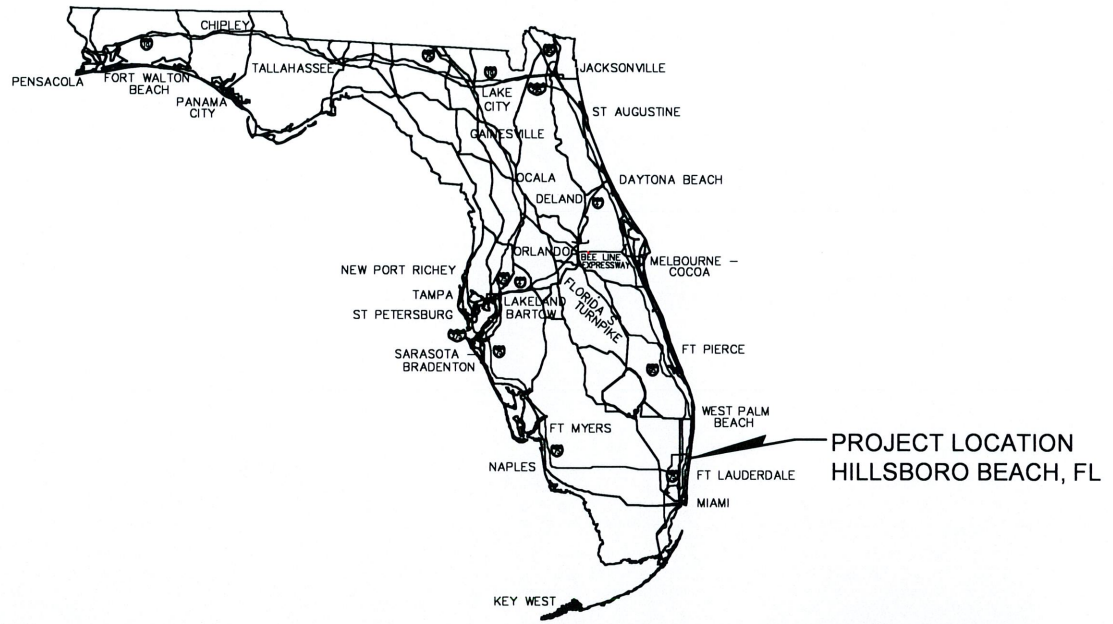
DATE:

SEPT. 2024

FIGURE:

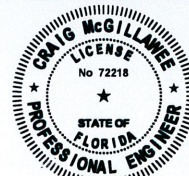
C04  
Page 68 of 79





# PROJECT LOCATION MAPS

NOT TO SCALE



This item has been digitally signed and sealed by Craig McGill, PE on 08/27/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:



IN ASSOCIATION WITH:



McCARTY SEAWALL  
HILLSBORO BEACH, FLORIDA

PROJECT LOCATION MAPS

DATE:

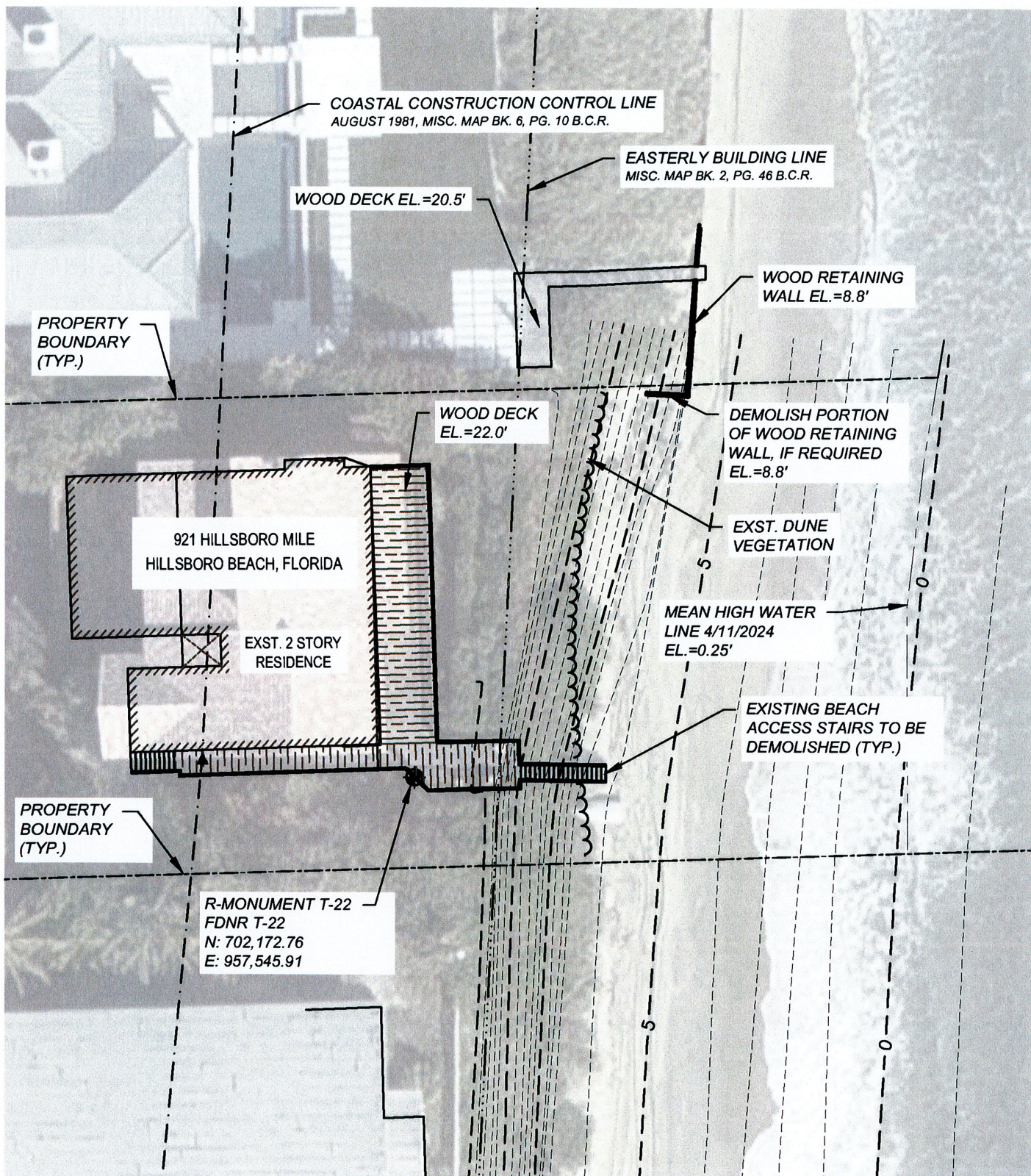
SEPT. 2024

FIGURE:

C01

Page 69 of 79





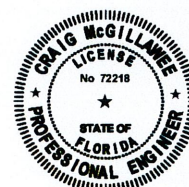
# NOTES:

- HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0901).
- VERTICAL DATUM IS BASED ON NAVD-88.

## EXISTING CONDITIONS PLAN

0 30' 60'

SCALE: 1" = 30'



This item has been digitally signed and sealed by Craig McGillawee, PE on 09/27/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:



IN ASSOCIATION WITH:



McCARTY SEAWALL  
HILLSBORO BEACH, FLORIDA

EXISTING CONDITIONS PLAN

DATE:

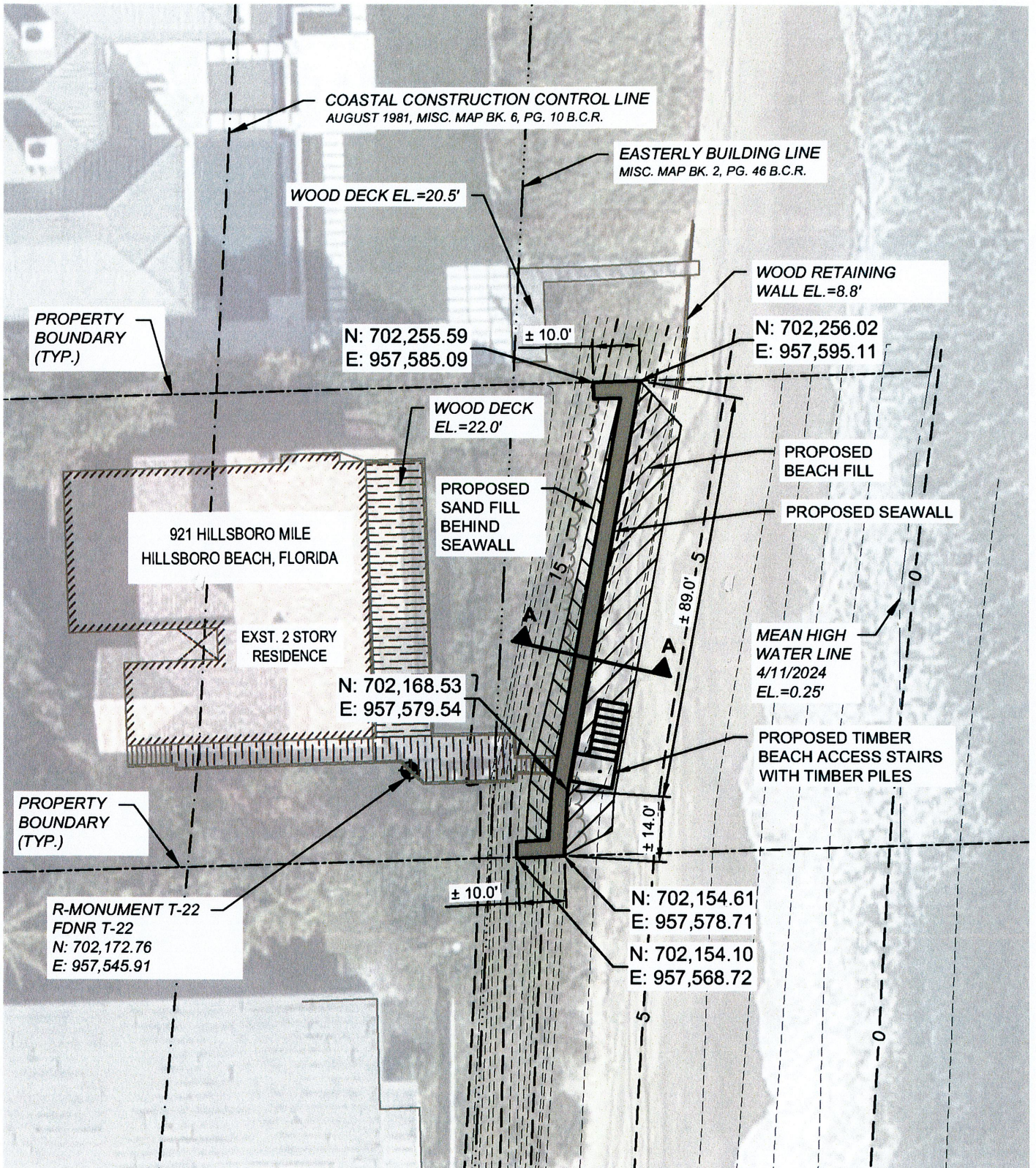
SEPT. 2024

FIGURE:

C02

Page 70 of 79





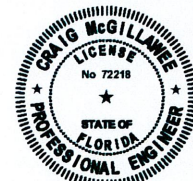
**NOTES:**

- HORIZONTAL DATUM IS BASED ON THE NORTH AMERICA DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), FLORIDA STATE PLANE, EAST ZONE (0801).
- VERTICAL DATUM IS BASED ON NAVD-88.

**PROPOSED SEAWALL PLAN**

0 30' 60'

SCALE: 1" = 30'



This item has been digitally signed and sealed by Craig McGillawee, PE on 09/27/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:



IN ASSOCIATION WITH:



McCARTY SEAWALL  
HILLSBORO BEACH, FLORIDA

**PROPOSED SEAWALL PLAN**

DATE:

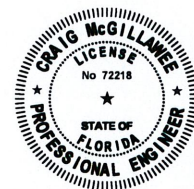
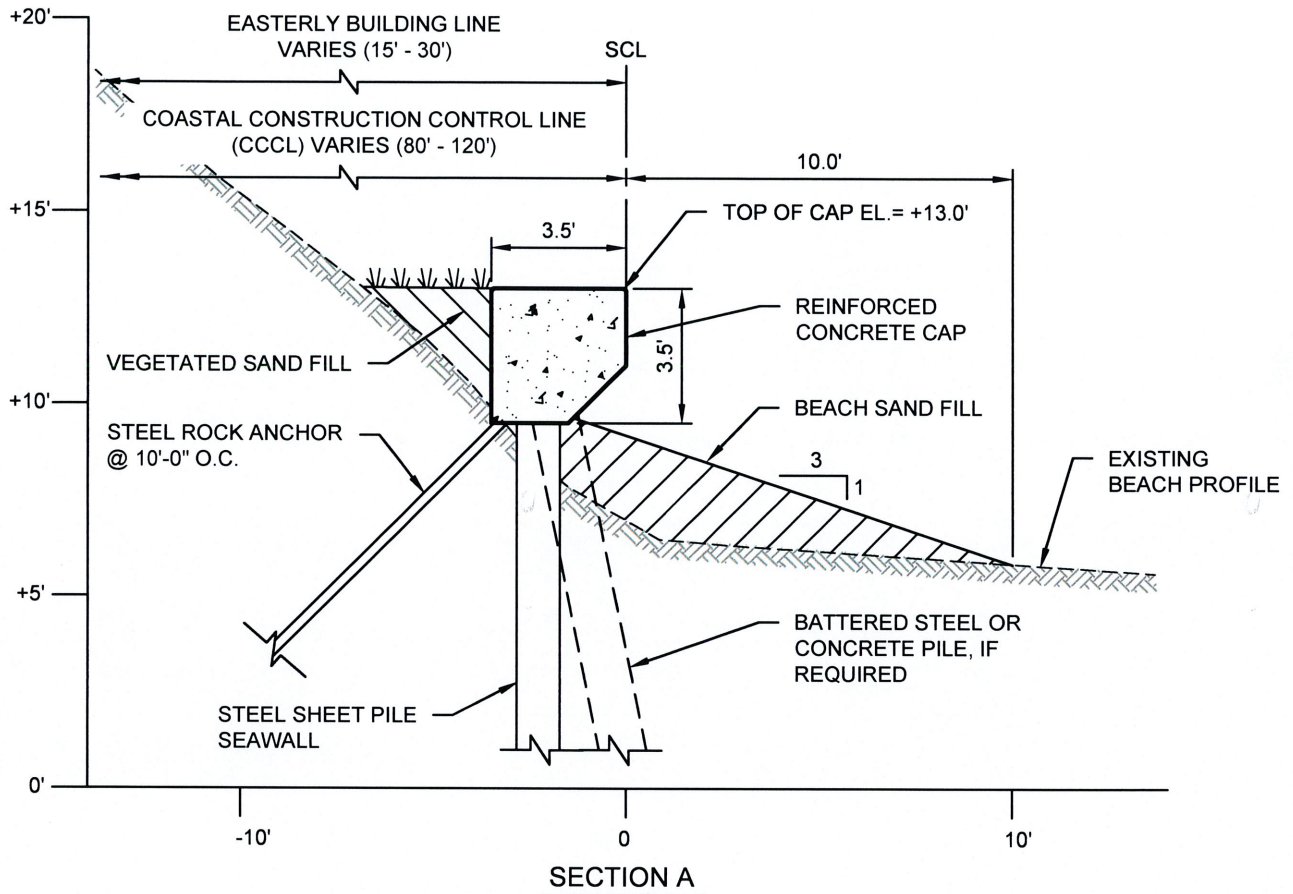
SEPT. 2024

FIGURE:

C03

Page 71 of 70





This item has been digitally signed and sealed by Craig McGillawee, PE on 08/27/2024 using a Digital Signature.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

PREPARED BY:



IN ASSOCIATION WITH:



McCARTY SEAWALL  
HILLSBORO BEACH, FLORIDA

TYPICAL SECTION

DATE:

SEPT. 2024

FIGURE:

C04

Page 72 of 79



RICHARD MCCARTY  
921 HILLSBORO MILE  
HILLSBORO BEACH, FL 33062

DATE 11/6/24

PAY TO THE  
ORDER OF

Town of Hillsboro

\$ 1,050.00

ONE THOUSAND FIFTY

00

DOLLARS



Security Features  
Included  
Details on Back

MEMO

Property Control # \_\_\_\_\_

Town Commission Meeting Date: \_\_\_\_\_

| PROPERTY OWNER(S)                                           |                         | AUTHORIZED AGENT                                                    |       |
|-------------------------------------------------------------|-------------------------|---------------------------------------------------------------------|-------|
| NAME:<br>Richard, Claire and Rory McCarty                   |                         | NAME:<br>Gordon Thomson, PE                                         |       |
| ADDRESS:<br>921 Hillsboro Mile<br>Hillsboro Beach, FL 33062 |                         | ADDRESS:<br>5014 NW 24 <sup>th</sup> Circle<br>Boca Raton, FL 33431 |       |
| PHONE:<br>(954) 941-3485                                    | CELL:<br>(954) 803-5630 | PHONE:<br>(561) 400-7820                                            | CELL: |
| E-MAIL<br>Rory@RRKProperties.com                            | FAX:                    | E-MAIL<br>gthomson@baird.com                                        | FAX:  |

### APPLICANT'S CERTIFICATION

I, **Gordon Thomson** (authorized agent) affirm and certify that I understand and will comply with all provisions and regulations of the Town of Hillsboro Beach Florida. I certify that all drawings and specifications for buildings or structures costing \$5,000 or over for commercial buildings or \$10,000 for residential building must be drawn or verified by a state registered architect or engineer and his seal of office imprinted thereon. Additionally, I certify that the drawings and specifications show full compliance and do fully comply with the Zoning Code. I understand that if any drawings or specifications are not in full compliance, the application will be rejected. If approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be a part of the Town of Hillsboro Beach and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive Plan and Zoning Code. I further certify that all statements and diagrams submitted herewith are true and accurate to the best of my knowledge and belief. Further, I understand that this Application and attachments become part of the Official Records of the Town of Hillsboro Beach, Florida, and are not returnable.

Signature

Gordon Thomson

Print Name

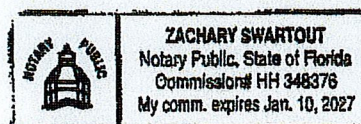
STATE OF FLORIDA, COUNTY OF BROWARD Palm Beach

The foregoing instrument was acknowledged before me on this 23 day of October, 2024, by Gordon Thomson as Vice President for W.F. Baird & Associates

Personally know \_\_\_\_\_ or has produced identification X. Type of identification FL DL

Notary Signature

Print Notary Name







## TOWN OF HILLSBORO BEACH

1210 Hillsboro Mile  
Hillsboro Beach, Florida 33062

(P) 954-427-4011  
(F) 954-427-4834

### CERTIFICATION LETTER

**Date:** January 27, 2025

**Property Owner:** McCarty, Richard D & Claire  
**Authorized Agent:** Gordon Thomson, PE – Baird & Associates

**Abbreviated Legal Description:** 20-48-43 GOV LOT 5 N 100 OF S 400 & TR DES IN OR 1624/538

**Property Address:** 921 Hillsboro Mile, Hillsboro Beach, FL 33062  
**Type of Application:** Variance

This letter certifies that the enclosed list of property owners were mailed **PUBLIC NOTICE** of the February 4, 2025, Quasi-Judicial / BZA Public Hearing concerning variance request for property located at 921 Hillsboro Mile, Hillsboro Beach, FL 33062. The list below includes all properties within 300 feet from the property line of the subject site in compliance with the Town of Hillsboro Beach notification regulations.

This letter also certifies that the notices were mailed to property owners on January 22, 2025.

#### NOTICE MAILED TO:

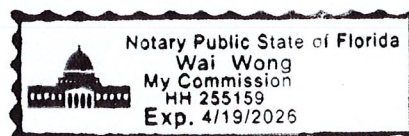
- 900 Hillsboro Mile, #1 Hillsboro Beach, FL 33062
- 900 Hillsboro Mile, #2 Hillsboro Beach, FL 33062
- 900 Hillsboro Mile, #3 Hillsboro Beach, FL 33062
- 900 Hillsboro Mile, #4 Hillsboro Beach, FL 33062
- 901 Hillsboro Mile, Hillsboro Beach, FL 33062
- 921 Hillsboro Mile, Hillsboro Beach, FL 33062
- 923 Hillsboro Mile, Hillsboro Beach, FL 33062
- 927 Hillsboro Mile, Hillsboro Beach, FL 33062
- 925 Hillsboro Mile, Hillsboro Beach, FL 33062

SHERRY D. HENDERSON, CMC  
Town Clerk

#### NOTARY PUBLIC

State of Florida  
Broward County

Sworn to and subscribed before me this 28 day of Jan, 2025.

  
Notary Signature





## TOWN OF HILLSBORO BEACH

Sherry D. Henderson, CMC Town Clerk

OFFICE OF THE TOWN CLERK

1210 Hillsboro Mile • Hillsboro Beach, FL 33062

Phone 954-427-4011 • SHenderson@TownofHillsboroBeach.com

# PUBLIC NOTICE

**TOWN OF HILLSBORO BEACH, FLORIDA**

**FEBRUARY 4, 2025, at 9:00 AM**

### VARIANCE REQUEST FOR

**901 HILLSBORO MILE, HILLSBORO BEACH, FL 33062 AND**

**921 HILLSBORO MILE, HILLSBORO BEACH, FL 33062**

**NOTICE IS HEREBY GIVEN** the Town of Hillsboro Beach, Florida Board of Zoning Appeals will meet **Tuesday, February 4, 2025, at 9:00 a.m.**

The Authorized Agent for **901 Hillsboro Mile, Hillsboro Beach, FL 33062**, is seeking a variance to Section 4-4 (C) of the Town's Code of Ordinance as stated below:

Section 4-4 (C): "No building permits shall hereinafter be issued for the erection of any building or structure by the clerk or other official of the town whereby the building or appurtenance thereto sought to be erected shall encroach upon the easterly building line..."

**NOTICE IS FURTHER GIVEN**, the Authorized Agent for **921 Hillsboro Mile, Hillsboro Beach FL 33062** is seeking a variance to Section 4-4 (C) of the Town's Code of Ordinance as stated below:

Section 4-4 (C): "No building permits shall hereinafter be issued for the erection of any building or structure by the clerk or other official of the town whereby the building or appurtenance thereto sought to be erected shall encroach upon the easterly building line..."

Information on the Development Application(s) and supporting documents can be obtained at Town Hall, 10 days prior to the meeting. Public comments on the request will be at the meeting on February 4, 2025.

The public can attend in person at Town Hall, located at 1210 Hillsboro Mile, Hillsboro Beach, Florida, or virtually via Zoom video conference and provide public comment. Zoom Meeting log-in details are provided on Town Website.

If any person decides to Appeal any decision made with respect to any matter considered at the Public Hearing, he/she will need a record of the proceedings and for such purposes may need to ensure that a verbatim recording of the proceedings is made, which records include the testimony and evidence upon which the Appeal is to be based.

In accordance with the American with Disabilities Act and Florida Statute 286.26, persons with disabilities needing special accommodations to participate in these proceedings should contact the Town Clerk no later than two days prior to the Public Hearing at 954-427-4011 for assistance.

Sherry D. Henderson, Town Clerk

Town of Hillsboro Beach, Florida

PUBLIC NOTICE:

1/22/2025

SUN SENTINEL LEGAL AD:

1/25/2025



Scott Herman  
900 Hillsboro Mile #2  
Hillsboro Beach, FL 33062

925 Land TR Dvorkhin,  
Howard S TRS  
925 Hillsboro Mile  
Hillsboro Beach, FL 33062

Lewis Swezy  
927 Hillsboro Mile  
Hillsboro Beach, FL 33062

Michael A. McCormick  
900 Hillsboro Mile #4  
Hillsboro Beach, FL 33062

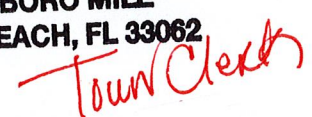
923 Hillsboro Mile  
Chris Peyerker - Peyerker LIV TR  
Hillsboro Beach, FL 33062

Hillsboro Club, Inc.  
Attn: Carl Horace, COO  
901 Hillsboro Mile  
Hillsboro Beach, FL 33062

Richard & Claire McCarty  
921 Hillsboro Mile  
Hillsboro Beach, FL 33062

Steven R. Smith  
900 Hillsboro Mile #1  
Hillsboro Beach, FL 33062

Steven Fagien  
900 Hillsboro Mile #3  
Hillsboro Beach, FL 33062

1/22/2025   
TOWN OF HILLSBORO BEACH  
1210 HILLSBORO MILE  
HILLSBORO BEACH, FL 33062  




**Sold To:**

Town Of Hillsboro Beach - CU00114721  
1210 Hillsboro Mile  
Hillsboro Beach,FL 33062

**Bill To:**

Town Of Hillsboro Beach - CU00114721  
1210 Hillsboro Mile  
Hillsboro Beach,FL 33062

**Published Daily**

**Fort Lauderdale, Broward County, Florida**  
**Boca Raton, Palm Beach County, Florida**  
**Miami, Miami-Dade County, Florida**

**State Of Florida**

**County Of Orange**

Before the undersigned authority personally appeared  
Rose Williams, who on oath says that he or she is a duly authorized representative of the SUN- SENTINEL,  
a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County, Florida; that the  
attached copy of advertisement, being a Legal Notice in:

The matter of 11720-Notice of Public Meeting .  
Was published in said newspaper by print in the issues of, and by publication on the  
newspaper's website, if authorized on Jan 25, 2025  
SSC\_Notice of Public Meeting  
Affiant further says that the newspaper complies with all legal requirements for  
publication in Chapter 50, Florida Statutes.

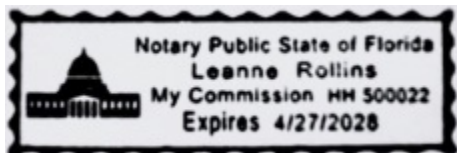


Signature of Affiant

Sworn to and subscribed before me this: January 26, 2025.



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped  
Personally Known (X) or Produced Identification ( )

**Affidavit Delivery Method:** E-Mail

**Affidavit Email Address:** shenderson@townofhillsborobeach.com  
7757994



**TOWN OF HILLSBORO BEACH, FLORIDA  
FEBRUARY 4, 2025, AT 9:00 AM  
VARIANCE REQUEST FOR**

**921 HILLSBORO MILE, HILLSBORO  
BEACH, FLORIDA 33062**

NOTICE IS HEREBY GIVEN the Town of Hillsboro Beach, Florida Board of Zoning Appeals will meet Tuesday, February 4, 2025, at 9:00 a.m. The Authorized Agent for 921 Hillsboro Mile, Hillsboro Beach, Florida 33062, is seeking a variance to Section 4-4 (C) of the Town's Code of Ordinance as stated below:

Section 4-4 (C): "No building permits shall hereinafter be issued for the erection of any building or structure by the clerk or other official of the town whereby the building or appurtenance thereto sought to be erected shall encroach upon the easterly building line..."

Information on the Development Application and supporting documents can be obtained at Town Hall, 10 days prior to the meeting. Public comments on the request will be at the meeting on February 4, 2025.

The public can attend in person at Town Hall, located at 1210 Hillsboro Mile, Hillsboro Beach, Florida or virtually via Zoom video conference and provide public comment. Zoom Meeting log-in details are provided on Town Website.

If any person decides to Appeal any decision made with respect to any matter considered at the Public Hearing, he/she will need a record of the proceedings and for such purposes may need to ensure that a verbatim recording of the proceedings is made, which records include the testimony and evidence upon which the Appeal is to be based.

In accordance with the American with Disabilities Act and Florida Statute 286.26, persons with disabilities needing special accommodations to participate in these proceedings should contact the Town Clerk no later than two days prior to the Public Hearing at 954-427-4011 for assistance.

Sherry D. Henderson, CMC Town Clerk  
TOWN OF HILLSBORO BEACH, FLORIDA  
1/25/2025 7757994

Order # - 7757994



