



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

**MINUTES
TOWN OF HILLSBORO BEACH
BOARD OF ZONING & APPEALS MEETING
FEBRUARY 4, 2025**

9:00 A.M.

CALL TO ORDER AND ROLL CALL

Mayor Dawn Miller called the meeting to order at 9:00 A.M. Roll was called with the Commission members and staff present as listed below.

Town Commission:

Mayor Dawn Miller
Commissioner Jane Reiser
Commissioner David A. Ravanesi

Vice Mayor Barbara Baldassarre
Commissioner Vinnie Andreano

Town Staff:

Town Manager William "Mac" Serda, ICMA-CM
Town Attorney Donald J. Doody, Esq.
Town Clerk Sherry D. Henderson, CMC
Police Chief Jay Szesnat

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

I. QUASI-JUDICIAL PUBLIC HEARINGS

A. VARIANCE #2025-VI-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 dune toe 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 Ordinances 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..."

Mayor Miller advised that to avoid any appearance of impropriety, she would abstain from voting upon this Item, as she is a member of the Hillsboro Club.

Town Attorney D. J. Doody stated that Section 12-282 (C) of the Town's Code of Ordinances requires a four-fifths vote of the Board of Zoning Appeals to approve a variance. The mayor's abstention means the applicant would require a unanimous decision by the four remaining members of the Board for approval.

At this time any individuals wishing to speak on the Item were sworn in by Town Attorney Doody.

Planning Consultant Graham Long, CG&A, explained that both Variance Applications before the Board address a joint seawall project along the Atlantic coastline. The two properties involved are the Hillsboro Club (901 Hillsboro Mile) as well as a private residence located in the RS-2 single-family residential zoning district (921 Hillsboro Mile)

The reason for the variance request is that the Town's Code states no structures may be built past the Easterly Building Line, which is a defined line created by the Town and on file with Broward County. In the subject section of the Town, the Easterly Building Line is very close to the beach itself, located on the dune.

Gordon Thomson, 2500 N. Military Trail, Suite 275, Boca Raton, Florida, representing the Applicants, gave a presentation on the variance request, stating that the seawall is proposed because some of the Hillsboro Club's structures are threatened. He provided photos of the subject area, noting that buildings are constructed very close to the dune line. When they were constructed several decades ago, the dune was wider; however, it has eroded over time, and surge can threaten the buildings.

The Hillsboro Club engaged consultant Baird & Associates to create a Master Plan which provided them with potential options for the protection of their property, some of which has historic significance. These options included beach or dune nourishment as well as the construction of a seawall. The consultant recommended the seawall option, as the width of the beach is very limited in the subject area due to the jetty structure on the north side of Hillsboro Inlet. Any address of that structure is beyond the purview of the Hillsboro Club, as it would involve the Hillsboro Inlet District, the Town itself, the U.S. Army Corps of Engineers, and the Florida Department of Environmental Protection (FDEP), as well as communities to the south.

Mr. Thomson continued that when a seawall is proposed, it is necessary to engage adjacent neighbors, who in this case are the McCarty family that resides at 921 Hillsboro Mile. The McCarty's expressed concern that this project would mean there are seawalls to either side of their property, which would place more stress on their property in the case of a major

storm event. The family chose to extend the proposed Hillsboro Club seawall and undertake it as a joint project. Mr. Thomson emphasized that the two Variance Applications before the Board are separate.

The proposed seawall has been submitted to FDEP as a coastal construction control (CCC) permit, which includes a few requirements. One requirement is approval by the Town in its capacity as local jurisdiction. Another is that the seawall be constructed as far landward as possible. Mr. Thomson advised that his preference was to proceed with dune nourishment or beach nourishment. The Application proposes to put some sand on the beach in front of the seawall; however, there is a limit to the volume of sand that can be put on the beach.

The seawall would be located at the toe of the dune, reaching as close to the vegetation line as possible. Excavation into the dune is not recommended, as this could destabilize the dune itself as well as the structures. Mr. Thomson showed a rendering of the area, including the Hillsboro Club, the proposed seawall, and the beach access point.

The seawall itself will be comprised of sheet pile wall with a concrete cap and rock and soil anchors. The intent is to avoid batter piles, as a structure belonging to the Hillsboro Club would be compromised by the proximity and angle of those piles. The concrete cap would be a 3 ft. square structure with sand in front of it. Most of the seawall would not be visible on a daily basis.

Mr. Thomson also identified older piles on the rendering, which are thought to be the remnants of older structures. The seawall will be constructed directly against these, accompanied by backfilling and vegetation. He also showed views of the McCarty's property, noting that the proposed seawall would continue to follow the alignment of vegetation and would be set further back than the seawall located to the north of that property.

Mr. Thomson advised that the consultants modeled a 100-year storm event to determine the cap elevation of the seawall. This would also require a variance, as the Town Code limits this height to base flood elevation. The base flood elevation in this area is currently 9 ft.; however, he provided a rendering that showed immediate offshore water levels to be higher than 9 ft. at some points. The proposed height of the seawall is intended to prevent its being overtopped in the event of a 100-year storm.

Town Attorney Doody requested that the applicant's representative identify the hardship necessary for approval of a variance, as well as clarification of whether more than one variance is being sought at this time by the Hillsboro Club. It was clarified that there is no variance request regarding the seawall cap at this time, as it would be compliant with Town Code. The base flood elevation mentioned in the presentation is not a Town regulation.

Mr. Thomson explained that the hardship in this case is the location of the structures, as well as the fact that the property is not able to protect its existing structures without constructing a seawall. The only alternative would be to relocate those structures, some of which are considered historic and would be negatively impacted.

Commissioner Ravanese requested clarification of the height of the proposed seawall. Mr. Thomson replied that it would be +13 ft. The area for which the wall is proposed is approximately +8 to +9, which means there will be 3 ft. to 4 ft. of wall exposed.

Commissioner Andreano commented that erosion can expose more of the seawall and the rocks helping to anchor it over time, and asked how deep the structure would be built. Mr. Thomson replied that the sheet pile will extend down to the bedrock, which in the subject area varies from -17 ft. to -20 ft. He confirmed that after a major storm event, however, more of the seawall would be exposed. He characterized the seawall as “the last line of defense” in the event of a large storm, as sand would be moved offshore. As the sand naturally moves back onshore over time, less of the sheet pile would be exposed.

Mr. Thomson continued that another consideration for the Hillsboro Club is working with the Hillsboro Inlet District to determine if they can take some of the sand that goes into the inlet; however, these discussions are still in very early stages. He concluded that the applicant does not plan to place any rocks as part of the proposed project.

Town Attorney Doody requested disclosure of any ex-parte communications with the applicant at this time. There were no disclosures.

At this time Mayor Miller opened the public hearing. As there were no individuals wishing to speak at this time, Mayor Miller closed the public hearing and brought the discussion back to the Board.

Mayor Miller indicated that a Staff Report included in the application documentation should be incorporated into the official record of the proceedings. The memo fully identifies the reasons for the variance request. Mr. Long confirmed that he had compiled the information included in the memo and would testify to its content. He also requested that the memo be adopted into the record. It was also clarified that the Staff Report is automatically considered part of the record.

Motion made by Commissioner Ravanese, seconded by Commissioner Andreano, to approve. In a roll call vote, the **motion** passed unanimously (4-0). **(Mayor Miller abstained from voting - Form 8B Memorandum of Voting Conflict is incorporated with approved minutes, F.S. 112.3143)**

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 Ordinances 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..."

At this time any individuals wishing to speak on the Item were sworn in by Town Attorney Doody.

Mr. Long explained that this variance would apply to the related application for the property at 921 Hillsboro Mile, which is a single-family residence. While both variance requests address the same issue, the two applicants were asked to file separate applications for the two properties.

Mr. Thomson, again representing the applicant, advised that there are no differences between the alignment of the proposed seawall at the Hillsboro Club and the McCarty property. The seawall would be installed as far landward as possible. The hardship for this applicant is that their home is located directly off the dune and would be threatened by any further recession of the dune. An additional challenge would be that the building is located between two seawalls, which would make it even more susceptible to erosion once the Hillsboro Club seawall is constructed.

All design concepts are the same and the location would be one continuous seawall. Mr. Thomson explained that the proposed seawall would be recessed further back than the seawall to the north of the McCarty's property.

Mayor Miller requested additional information about the connection between the proposed seawall and an existing seawall to the north. Mr. Thomson showed a rendering of the plans, including identification of the area where the two separate seawalls would meet. The proposed seawall on the McCarty's property includes a return feature, which means it turns 90 degrees toward the house to avoid the possibility of waves wrapping around the side of the structure and potentially eroding it.

Mr. Thomson continued that the return feature is necessary because the proposed seawall cannot be joined the seawall on the adjacent property, as they do not know the full construction details or condition of that structure. Both seawalls will be located along the vegetation line.

At this time Mayor Miller opened the public hearing. As there were no individuals wishing to speak at this time, Mayor Miller closed the public hearing and brought the discussion back to the Board.

Motion made by Commissioner Andreano, seconded by Commissioner Ravanese, to approve. In a roll call vote, the **motion** passed unanimously (5-0).

II. ADJOURNMENT

There being no further business before the Board of Zoning and Appeals, the meeting was adjourned at 9:32 a.m.

ADOPTED THIS 4th DAY OF MARCH, 2025.

By: _____

Dawn Miller, Mayor

ATTEST:

Sherry D. Henderson
Sherry D. Henderson, CMC Town Clerk

3/4/2025





*Hand-outs Provided or Presented at Meeting
Entered into the Record.*

FEBRUARY 4, 2025

Board of Zoning Appeals

Town of Hillsboro Beach
1210 Hillsboro Mile
Hillsboro Beach, FL 33062
TownofHillsboroBeach.com
954-427-4011

FEB 04 2025

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Miller, Dawn	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Town of Hillsboro Beach Town Commission
MAILING ADDRESS Town Hall - 1210 Hillsboro Mile	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY Hillsboro Beach	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
COUNTY Broward County	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 2/4/2025	MY POSITION IS: ☒ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

RECEIVED

FEB 04 2025

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Dawn Miller, hereby disclose that on February 4, 20 25 :

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

To avoid any appearance of impropriety, I am declaring a Conflict of Interest pursuant to Section 112-3143 of the Florida Statutes, as a member of the Hillsboro Club the pending application for variance for 901 Hillsboro Mile would inured to my private gain or loss.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

February 4, 2025

Date Filed

Signature

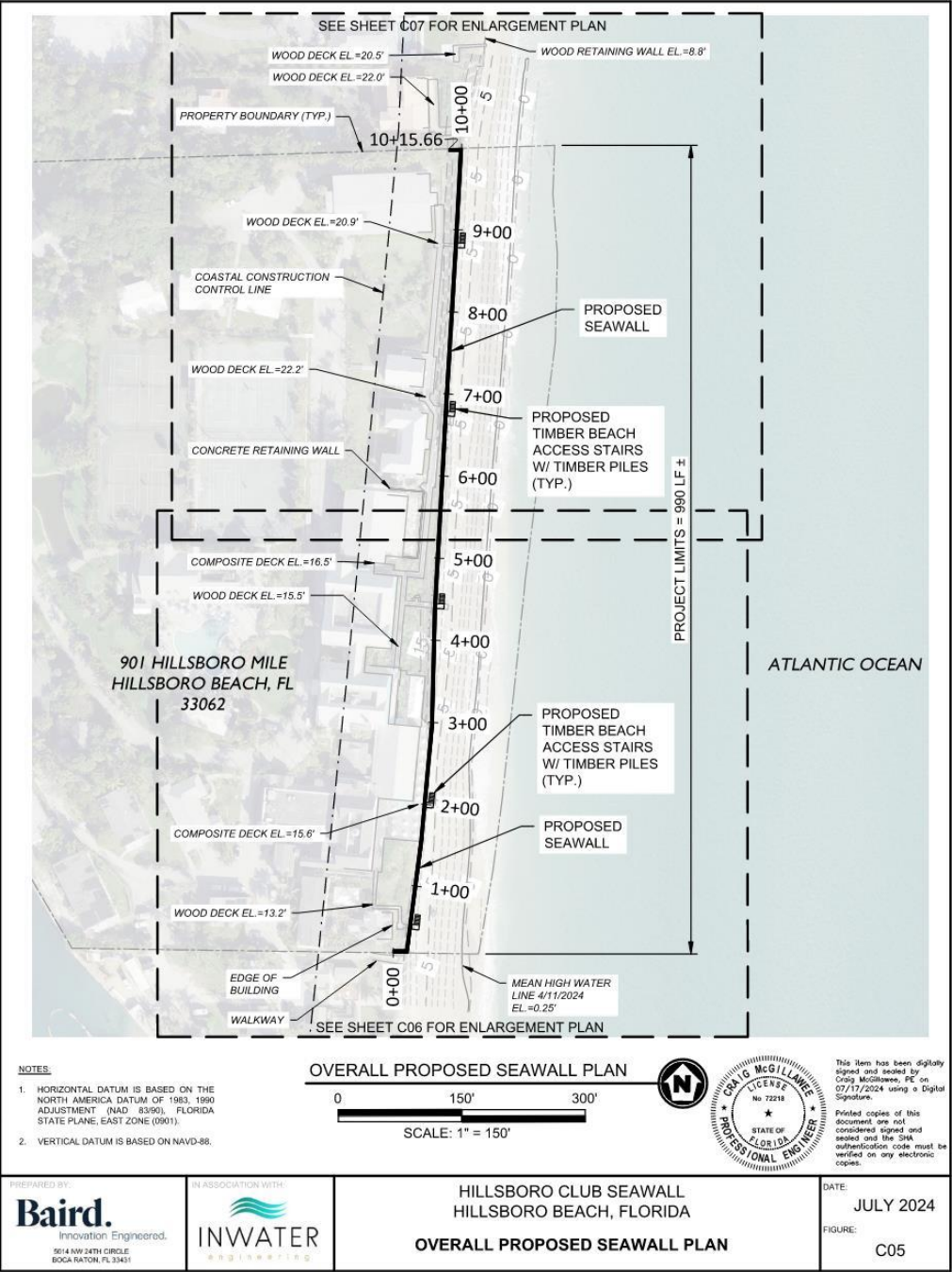
NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

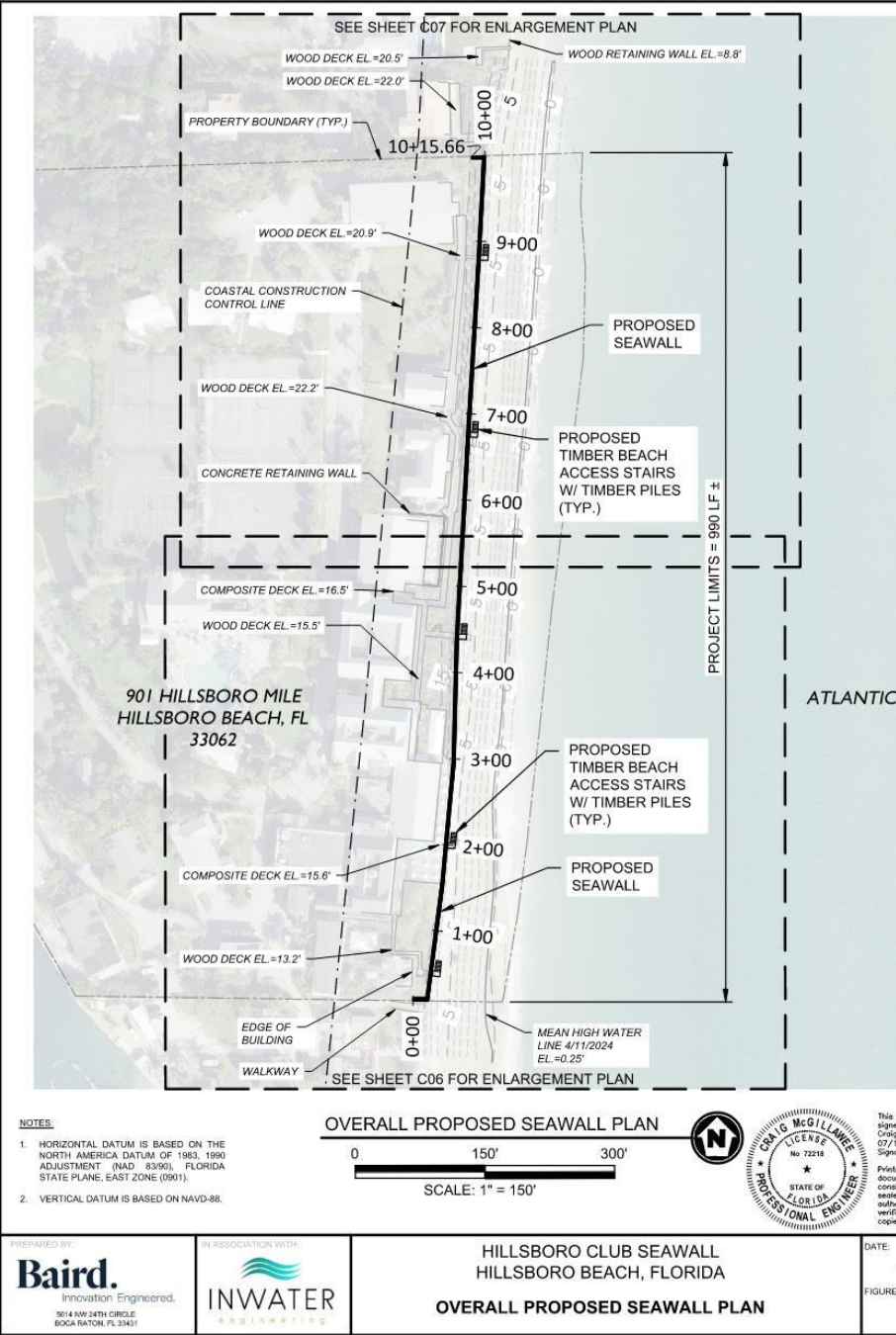
Baird.
Innovation Engineered.

Hillsboro Club and McCarty Seawall Variance Request

Town of Hillsboro Beach

February 4, 2025



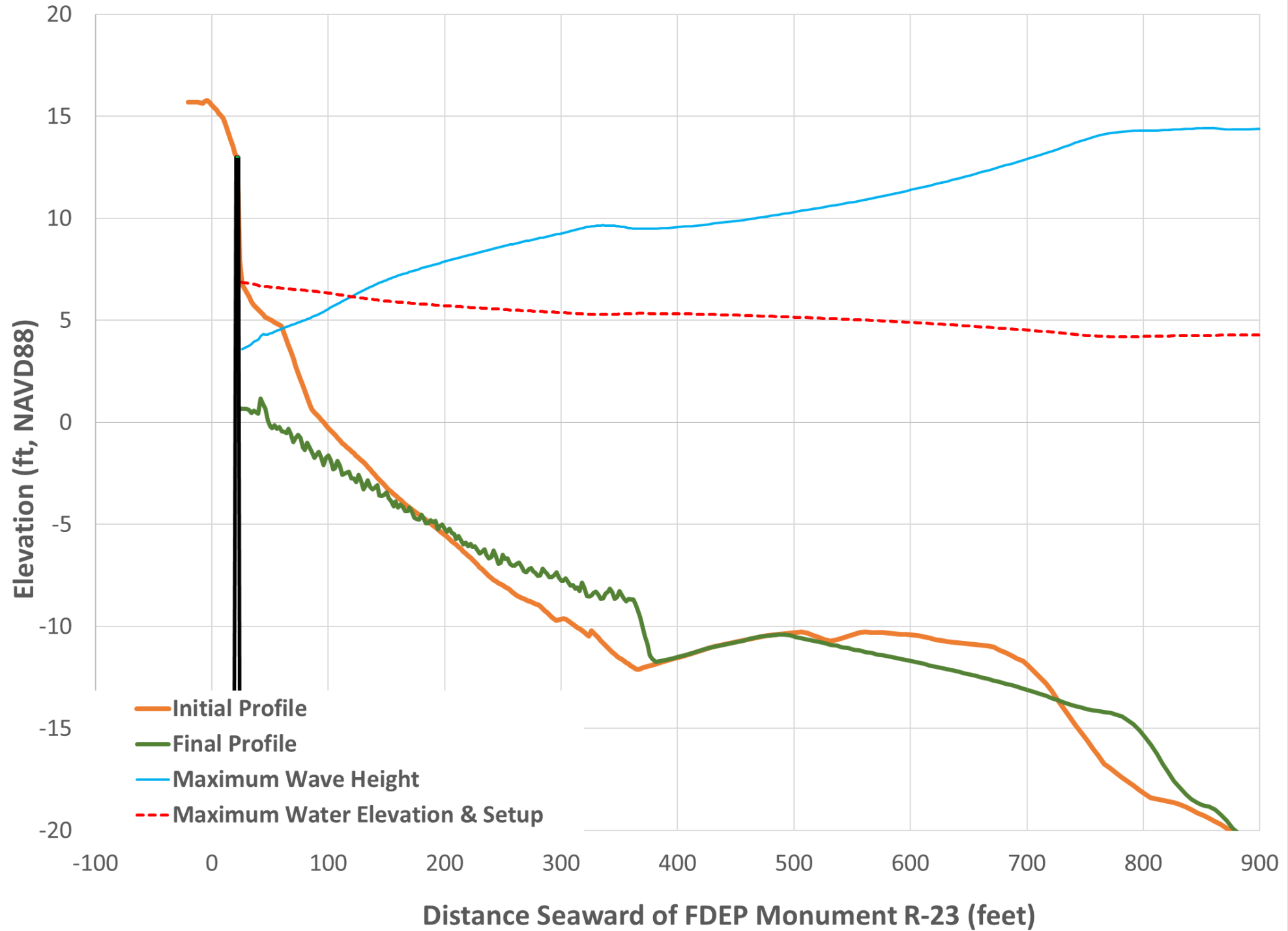


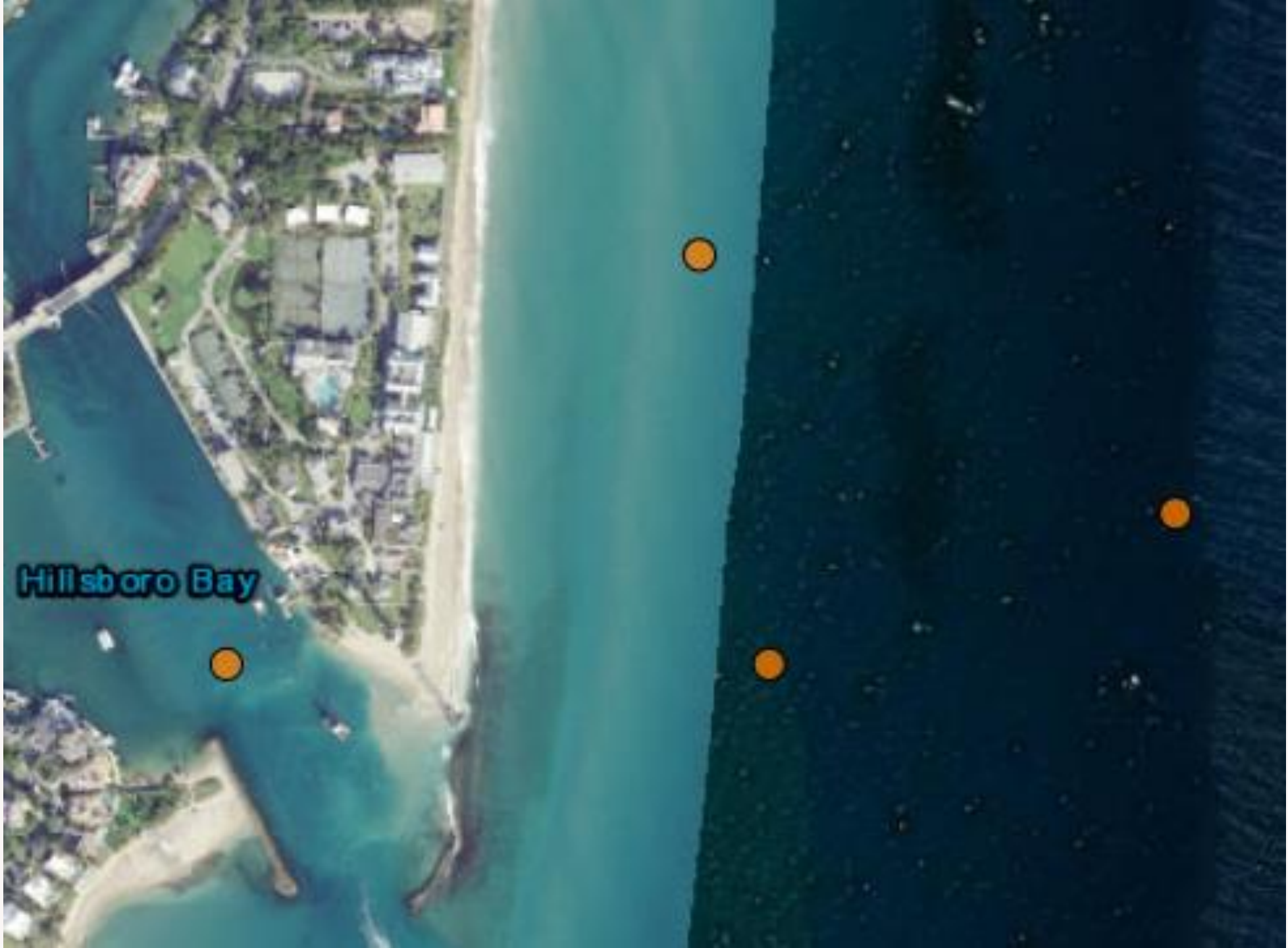












Hillsboro Bay

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