

**TOWN OF OCEAN RIDGE
PLANNING & ZONING REGULAR MEETING
AGENDA**



**February 18, 2025 at 9:00 AM
Town Hall - Meeting Chambers**

COMMISSIONERS

Chair P. Shields Ferber
Vice Chair Kenneth Kaleel
Member Neal Sigety
Member Marc de Baptiste
Member Fady Khairallah
Alt. Member Polly Joa
Alt. Member Jason Sutherland

ADMINISTRATION

Town Manager Lynne Ladner
Town Attorney Christy Goddeau
Town Clerk Kelly Avery
Building Official Mike Crisafulle
Town Planner Corey O'Gorman
Town Engineer Tara Bamber
Town Zoning Official Manual Palacios

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT – (3-minute individual limit for items not on the agenda)

APPROVAL OF MINUTES

1. Adopt Minutes of the January 21, 2025, Regular Meeting

DISCUSSION / ACTION ITEMS

2. Quasi-judicial Hearing: 7-9 Sabal Island Re-Plat
3. Approval of Work Restrictions for Holidays
4. Review of Proposed Seawall Ordinance
5. Consideration of Fee Schedule Changes
6. Correction of Section 64-2

COMMISSIONER COMMENTS

This item is reserved for any Commissioner Comments that are not related to any item printed on the agenda.

ADJOURNMENT

**THE NEXT MEETING OF THE PLANNING & ZONING BOARD WILL BE HELD
ON TUESDAY, MARCH 18, 2025, AT 9:00 AM AT TOWN HALL.**

The Town of Ocean Ridge is holding all meetings in-person, with an additional option of listening to the

audio live. Any person wishing to listen to the audio live can access the feed on the date and time of the meeting by dialing +1 (571) 317-3122 and using 471-955-997 as the access code. You can join from your computer, tablet or smartphone. <https://meet.goto.com/471955997>

If a person decides to appeal any decision made by the Planning & Zoning Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that for such purpose, he/she 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. Persons who need an accomodation in order to attend or participate in this meeting should contact the Town Clerk at 561-732-2635 at least 5 days prior to the meeting in order to request such assistance. Please take notice that one or more Town Commissioners may be present at any board or commission meeting of the Town of Ocean Ridge.

PLANNING & ZONING COMMISSION MEETING MINUTES
JANUARY 21, 2025

Meeting Minutes of the Planning and Zoning Commission of the Town of Ocean Ridge held on Tuesday, January 21, 2025, in the Town Hall Meeting Chambers.

CALL TO ORDER

The meeting was called to order at 9:05 a.m. by Chair Ferber.

ROLL CALL

Town Clerk Avery led the roll call, which was answered by the following:

Chair Shields Ferber	Present
Vice Chair Kenneth Kaleel	Absent
Member Marc de Baptiste	Present
Member Fady Khairallah	Present
Member Neal Sigety	Absent
Alt. Member Polly Joa	Present

Vice Chair Kaleel and Member Sigety were absent with notice.

PLEDGE OF ALLEGIANCE

Chair Ferber led the Pledge of Allegiance.

PUBLIC COMMENT

Chair Ferber called for public comment, and there was none.

APPROVAL OF MINUTES

1. **Adopt Minutes of the December 17, 2024, Regular Meeting.**

Member De Baptiste moved to adopt the minutes of December 17, 2024; seconded by Member Khairallah. Motion carried 4-0.

WORKSHOP DISCUSSION ITEMS

3. **Discuss the Possibilities to Allow Outdoor Spaces/Accessory Structures (kitchens, pergolas, etc.) to be Constructed Within the Setbacks (*Out of Order*)**

Town Planner O’Gorman introduced the item. He discussed items related to accessory structures.

The Board expressed their concerns regarding allowing a structure within the setback.

Terry Brown – made a comment regarding sheds.

There was a consensus to send the item back to the Town Commission recommending that the item remain with the Board of Adjustment.

DISCUSSION/ ACTION ITEMS

2. Quasi-Judicial Hearing: Development Plan Review for 29 Hibiscus Way.

Chair Ferber opened the quasi-judicial hearing. Chair Ferber asked if any of the board members had any ex-parte communications. All Commissioners informed that they had none. Town Clerk Avery swore in those who wished to give testimony.

Town Planner O’Gorman introduced the project and recommended approval, subject to conditions outlined in the staff report by the Town Engineer and the Planning and Zoning Officials.

Town Engineer Bamber said that the conditions will need to be addressed during the Building Permit phase. Zoning Official Palacios stated that the project meets the calculations and restrictions for zoning.

Donald Lang, the architect, presented the proposed project. He discussed the architectural narrative.

Lynne Bender, the landscape architect, provided details on the landscape. She stated that the landscaping met all requirements.

Chair Ferber opened the floor for public comment.

Terry Brown – stated that the pool is near the neighbor’s property and suggested that a border or shield be placed around the pool for noise control.

Chair Ferber closed the floor for public comment.

The Board members had no comments and Chair Ferber suggested that the wall on the east side of the property be softened.

Member Khairallah moved to approve the Development Plan Review Application for 29 Hibiscus Way subject to all conditions outlined by staff with additional landscaping around the east elevation; seconded by Member Joa. Motion carried 4-0.

PUBLIC HEARING ITEMS

4. Comprehensive Plan Amendment 2025 adopting Evaluation and Appraisal Report (EAR) Comprehensive Plan Amendments

The Board had no comments on the Comprehensive Plan.

Town Planner O’Gorman mentioned that the Planning and Zoning Board makes recommendations under the Florida statute to the governing body to the Town Commission on amendments to the Comprehensive Plan.

Member Joa asked if the Comprehensives Plan addresses if someone wanted to build a new island and Town Planner O’Gorman answered her question. Town Attorney Goddeau agreed with the Town Planner's answer.

PLANNING & ZONING COMMISSION MEETING MINUTES
JANUARY 21, 2025

Jim Fleischman mentioned that all changes were reflected as previously requested.

Chair Ferber opened the floor for public comment.

Carolyn Cassidy – asked questions regarding the portable water contract, coastal management, schedule of capital improvements, and public notices.

There was a discussion regarding the town's water supply usage.

Terry Brown – made a comment on public notice and disaster zones.

Chair Ferber closed the floor for public comment.

Member Khairallah made a recommendation to submit the Comp Plan to the Town Commission with revisions as presented by staff; seconded by Member De Baptiste. Motion carried 4-0.

COMMISSIONER COMMENTS

There was none.

Town Manager Ladner announced that she is drafting changes in the fee schedule for February's meeting agenda.

ADJOURNMENT

Member De Baptiste moved to adjourn the meeting; seconded by Member Sigety. Motion carried 5-0.

Meeting adjourned at 9:59 a.m.

Minutes prepared by Deputy Town Clerk Pinder and adopted by the Planning & Zoning Commission on February 18, 2025.

Shields Ferber, Chair

Attest:

Kelly Avery, Town Clerk

Town of Ocean Ridge, Florida

Planning & Zoning Board Agenda Memorandum

To: Planning & Zoning Board Members
From: Corey O’Gorman, Town Planner
Meeting Date: February 18, 2025
Subject: 7-9 Sabal Island Drive - Replat

1. PETITION DESCRIPTION

APPLICANT: Max Weinberg

OWNER: Max Weinberg

ADDRESS: 7 Sabal Island Drive & 9 Sabal Island Drive, Ocean Ridge

ZONING DISTRICT: RSF

REQUEST: The applicant is requesting approval of a re-plat in accordance with Town Code Section 63-31, 64-1 and 64-104 to permit the combination of three existing platted lots into two lots. The property is located at 7 Sabal Island Drive and 9 Sabal Island Drive and consists of parcel control numbers 46-43-45-22-09-000-0070 and 46-43-45-22-09-000-0080,

2. BACKGROUND

The property is currently configured into two tax parcels and three platted lots. Parcel 46-43-45-22-09-000-0070 includes Lot 7 of McCormick Mile and Parcel 46-43-45-22-09-000-0080 includes Lots 8 and 9 of McCormick Mile. The owner desires to reconfigure the parcels and lots into two (2) properties of similar size.

In that regard and as described in the Land Development Action Application, the applicant is requesting to re-plat the existing platted lots 7, 8 and 9 of the McCormick Mile plat into two (2) lots described as Lots 1 and 2 of the McCormick Mile Replat No. 1. As noted below the lots exceed the requirements of Section 64-1(j)(2) for lot size and dimension, and the plat includes dedication of a drainage easement to the Town necessary for area drainage and replacing existing easements.

Standard	Required	Proposed Lot 1	Proposed Lot 2
Lot Size	10,000 SF	16,500 SF	16,905 SF
Lot Width	80’	150’	132.8’
Lot Depth	100’	110’	110’

The Town Staff has reviewed the request and found that the request meets the applicable Town Code requirements for the subject re-plat.

3. BOARD ACTION.

Town Code Section 63-31 gives the Planning and Zoning Board the authority to review and recommend plats to the Town Commission, Section 64-1 prescribes the minimum standards for lot area and dimensions, and Section 64-104 includes the requirements for final plats. Those Town Code Sections are referenced below.

Section 63-31 Planning and zoning commission established; powers and duties.

Paragraph (e) *Authority; functions; powers and duties generally.* The planning and zoning commission shall have the authority and duty to:

(5) Hear applications for approval of subdivision plats.

Section 64-1(j) (j) *RSF — Single-family residential property development regulations.* Property development regulations for the RSF district are as follows:

(1) *Minimum lot area and dimensions.* Minimum lot area and dimensions are as follows:

- a. Area: 10,000 square feet.
- b. Width (interior): 80 feet.
- c. Width (corner): 90 feet.
- d. Depth: 100 feet.

Section 64-104 – Preparation of final plat, specifies the procedures for submittal and staff review of the final plat, includes the minimum standards for the plat, and specifies that the Town Commission may approve the final plat via resolution.

4. STAFF RECOMMENDATION

Town Staff recommends that the Planning and Zoning Board review the information in this staff report, testimony presented at the meeting and make a recommendation of approval to the Town Commission.

**PLAN REVIEW REPORT
RE-PLAT / LOTS 7, 8, AND 9
MCCORMICK MILE
12-6-24**

This Plan Review Report is for the re-plat of lots 7, 8 and 9 McCormick Mile and the review references survey prepared by Engle Land Surveying dated 06/10/24, and the preliminary plat prepared by Engle Land Surveying.

PCN: 46-43-45-22-09-000-0070 & 0080
FLU: Single-Family Residential
Zoning: RSF

The following review is based on the requirements of the Town of Ocean Ridge Zoning Code, Chapter 64, Article I, Section 64-1 for RSF zoning for compliance with minimum lot size and dimensional requirements.

Section 64-1(j)(2) provides for the following minimum requirements and the proposed McCormick Mile Plat 2 proposes the following minimums:

Standard	Required	Proposed Lot 1	Proposed Lot 2
Lot Size	10,000 SF	16,500 SF	16,905 SF
Lot Width	80'	150'	132.8'
Lot Depth	100'	110'	110'

The proposed re-plat exceeds the minimum requirements of the RSF zoning regulations for lot size and dimensions, and as such this plan review report recommend approval.

February 6, 2025

Ms. Lynne Ladner, Town Manager
Town of Ocean Ridge
6450 N. Ocean Blvd.
Ocean Ridge, FL. 33435
(Via E-Mail: lladner@oceanridgeflorida.com)

**Re: Professional Surveying Services
3rd Plat Review- 7-9 Sabal Island
Ocean Ridge, Florida
Engenuity Group Project No. 00020.10B**

Dear Ms. Ladner:

This is the third review of this Plat. This review is done for compliance with Chapter 177, Florida Statutes and the Town of Ocean Ridge codes and ordinances.

All previous comments have been adequately addressed. The Plat is in compliance with Chapter 177, Florida Statutes, and the Town of Ocean Ridge's, codes and ordinances. We therefore recommend that the plat be approved for recording.

If you have any questions, please do not hesitate to contact us.

Best regards,



John J. Rice, P.S.M.
Project Manager

Kenneth M. Kaleel, P.A.
Mark D. McWilliams, P.A.

KALEEL & ASSOCIATES

Attorneys & Counselors at Law

November 21, 2024

HAND-DELIVERED

Town of Ocean Ridge
Attn: Kelly Avery – Town Clerk
6450 N. Ocean Blvd.
Ocean Ridge, FL 33435

RE: Lots 7,8 and 9 Sabal Island Drive

Dear Ms. Avery,

The undersigned represents Max Maury Weinberg and Rebecca S. Weinberg with respect to Lots 7,8 and 9 Sabal Island Dr.

Enclosed please find the Land Development Action Application for the purpose of re-platting the aforesaid Lots. Lots 8 and 9 were designated for purposes of the Palm Beach County Property Appraiser and Palm Beach County Tax Collector under folio no. 46-43-45-22-09-000-0080. Also enclosed is a Certificate of Title and Title Search Report for the 3 Lots and copies of the existing Warranty Deeds showing title held by Mr. and Mrs. Weinberg.

By way of background, the Town of Ocean Ridge joined Lot 8 and 9 and permitted the prior Owners in Title to build upon and across Lots 8 and 9. The Town also recorded a Utility Easement over the North 10 ft of Lot 8 in exchange for the abandonment of a 10' utility easement along the boundary lines of Lots 8 and 9. These matters were documented in the Town of Ocean Ridge Resolution 75.32 dated August 4, 1975 and recorded in O.R. Book 2455, Page 986 of Public Records of Palm Beach County. As you know, recently the Town abandoned the Utility Easement in exchange for a 10 ft Utility Easement over the Southern 10 ft of Lot 9. The Weinbergs also paid for the construction and installation of a new and improved drainage facility on said easement. Additionally, recently the Weinbergs replaced the drainage pipe on Lot 7 at their expense.

As you can see by the enclosed replat survey performed by Surveyor Paul Eagle, Lot 8 is being split and added to Lots 7 and 9 respectively. This replat is keeping in concert with what was previously approved by the Town in 1975 and maintaining 2 residential homes over the three Lots. As an alternative, if the Town officials deem appropriate, an option may be to split Lot 8 as described and have 2 Unity of Titles reflecting the two Lots as opposed to replating.



Kaleel & Associates | 54 NE 4th Avenue, Delray Beach, FL 33483 | kmkpa.com

Phone: 561-279-4201 | Fax: 561-278-9462

I would appreciate the prompt review by Town officials so that any issues or questions may be addressed. Thereafter, upon acceptance, that the application be placed on the Commission Agenda as soon as practical.

As always ,thank you, in advance for your assistance and cooperation. I look forward to hearing from you.

Sincerely,

KALEEL & ASSOCIATES

Kenneth M. Kaleel, Esq.

Cc: Town Attorney
Christy Goddeau

Town Manager
Lynee Ladner

KMK/sm
Enclosures



Kaleel & Associates | 54 NE 4th Avenue, Delray Beach, FL 33483 | kmkpa.com

Phone: 561-279-4201 | Fax: 561-278-9462

TOWN OF OCEAN RIDGE

6450 N. Ocean Blvd., Ocean Ridge, FL 33435
561.732.2635 Main ♦ permits@oceanridgeflorida.com ♦ www.oceanridgeflorida.com



Land Development Action Application

All information must be printed legibly or typed. Please contact the Town Hall at 561-732-2635 or via email at info@oceanridgeflorida.com

This application is being submitted for the property located at:

7,8,& 9 Sabal Island Ddrive, Ocean Ridge Florida 33435

Check Applicable Approval Being Requested

- | | |
|--|---|
| ☐ Annexation | ☐ PRD Amendment |
| ☐ Comprehensive Plan Amendment | ☒ Plat or Re-Plat |
| ☐ Construction East of the CCCL | ☐ Re-Zoning |
| ☐ Development Plan Review | ☐ Site Plan Review |
| ☐ Planned Residential Development (PRD) | ☐ Special Exception |

Property Owner(s)	Applicant (if different than Owner)
Name(s): Max Weinberg	Name:
Address: 813 Delmar Way #402 Delray Beach, Florida 33483	Address:
Phone: 732 266 1373	Phone:
Email: backbeat1951@gmail.com	Email:

The applicant(s) or authorized agent must be present for the public hearing in order for the Commission/Board to act upon their request. The applicant is encouraged to invite to the meeting those associated with this proposed development.

TOWN OF OCEAN RIDGE

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General Data

Project Name: Weinberg Re-Plat

Project Location Address: 7,8, &9 Sabal Island Derive, Ocean Ridge, Florida 33435

Exact Legal Description of Property: Lots 7 & 9 McCormick Mile

Property Control No: 46-43-45- 22-09-000-0080 and 22-09-000-0070

Existing Zoning: RSW

Proposed Zoning (if applicable to application): N/

Existing Land Use: Residential

Proposed Land Use: Residential

First Floor Living Elevation (For CCCL Application): urrent BFE plus one foot

Total Site Area: 33,300 square feet Sq. Ft.: 33,300 square feet Acres: .765 of an acre

Flood Zone Category: AE

Existing Comprehensive Plan Designation (if applicable to application):
N/A

Proposed Comprehensive Plan Designation (if applicable to application):
N/A

Is the site currently served by public water? ☒ Yes ☐ No

Is the site currently served by public sewer? ☐ Yes ☒ No

Existing Bedrooms: 0 Proposed Bedrooms: N/A

Existing Bathrooms: N/ Proposed Bathrooms: N/A

Residential: Total Number of Dwelling Units: 2 Density (Units per acre): 3

Commercial: Total Square Footage: N/A Number of Buildings: N/A

TOWN OF OCEAN RIDGE

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Describe the nature of your application in detail and be descriptive.

(Example: Requesting a Land Development Permit from the provisions of the Land Development Code, Article 2; COASTAL CONSTRUCTION, Section 67-17; Coastal Construction and Excavation Setback Line; Sub-Paragraph (a); Setback Line Established; and Sub-Paragraph (h); Existing Structures, to permit the construction of a two story addition of a 1-car garage (13' 8" x 20' 0") on the bottom floor and a living room (17' 8" x 19'), and a bedroom (13' 8" x 13' 2") on the second floor. The garage floor to be at 19.0 NAVD with the living room floor at 22.0 NAVD to match the rest of the existing 2-story house. The addition is to be at a maximum of 168' 4" east of the Coastal Construction Control Line (CCCL) of 1997, and the addition of a swimming pool (15' 8" x 36') that is to be at a maximum of 181' 7 5/8" east of the CCCL of 1997.)

in 1975 lot 9 annexed lot 8 (8880 sf) to create one larger lot. No Unity of Title was executed
Applicant owns Lots, 7 & 9 and is applying to take the 80 foot frontage on Sabal Island Drive

State the reasons or basis for the application 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 for Special Exceptions, Variances, Administrative Appeals, etc. must be addressed. (Attach a separate Justification Statement if insufficient space.) Please be descriptive.

Has a 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.

Applicant applied for and was approved to install a new 18 inch drainage lot in the utility
Town Utility Setback located at the South side of Lot 9
A perpetual Easement in favor of the Town was executed. Applicant
paid for all these improvements

Has a Site Plan been previously approved by the Town Commission for this property?

☒ Yes ☐ No If Yes, please note date of previous approval: For above Drainage

TOWN OF OCEAN RIDGE

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Please provide the name and contact information of the following persons or firms involved in this proposed development, where applicable:

Authorized Agent (if different from Owner):	
Name:	Barry D Neighbour
Company Name:	
Address:	21954 Canendensis Drive, Boca Raton Florida 34428
Phone:	732 966 0183
Email:	barrydneighbour@gmail.com
Developer:	
Name:	Max Weinberg
Company Name:	M & B Development Enterprises, LLC
Address:	813 Delmar Way #402 Delray Beach, Florida 33483
Phone:	732 266 1373
Email:	backbeat1951@gmail.com
Planner:	
Name:	Paul Engle
Florida Registration No.:	
Company Name:	
Address:	955 NW 17th Ave, Ste K-1, Delray Beach, FL 33445
Phone:	561-276-4501
Email:	englelandsurveyingllc@gmail.com
Architect	
Attorney	
Name:	Kenneth M. Kaleel, Esq.
Florida Registration No.:	
Company Name:	Kaleel & Associates
Address:	54 NE 4th Avenue, Delray Beach, FL 33483
Phone:	561-279-4201
Email:	kmk@kmkpa.com
Landscape Architect	
Name:	
Florida Registration No.:	
Company Name:	
Address:	
Phone:	
Email:	
Engineer	
Name:	
Florida Registration No.:	
Company Name:	
Address:	
Phone:	
Email:	

TOWN OF OCEAN RIDGE

6450 N. Ocean Blvd., Ocean Ridge, FL 33435

561.732.2635 Main ♦ permits@oceanridgeflorida.com ♦ www.oceanridgeflorida.com



I understand that any development permit issued by the Town of Ocean Ridge is contingent on the applicant meeting all requirements from the State of Florida, Palm Beach County, and the Town of Ocean Ridge and upon an actual building permit submittal and review by the Building, Zoning, and Engineering Officials of the Town of Ocean Ridge.

I certify that all of the foregoing information is accurate, and that if approved, all work will be done in compliance with all applicable laws regulating construction and zoning.

Max Weinberg
Applicant Signature

Max Weinberg
Printed Name of Applicant

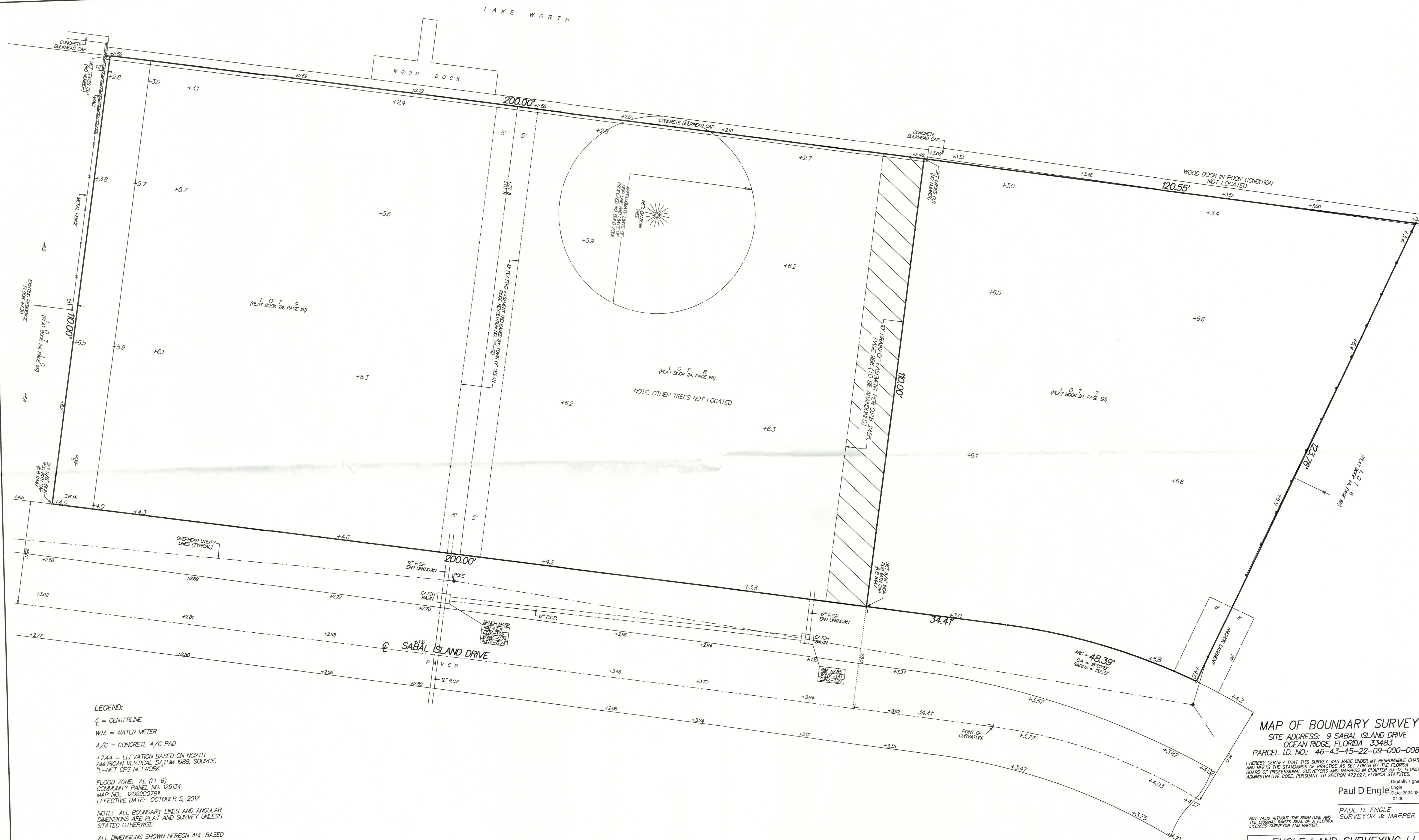
Applicant is: ☒ Owner ☐ Lessee ☐ Agent

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 7th day of October, 2024 who is personally known to me or has produced FL Driver License as identification and who did (or did not) take an oath.

Angelia R. Shellman
Notary Signature (for Applicant)

Commission Expiration





LEGEND:

CL = CENTERLINE
W.M. = WATER METER
A/C = CONCRETE A/C PAD
+7.44 = ELEVATION BASED ON NORTH AMERICAN VERTICAL DATUM 1988. SOURCE: "L-NET GPS NETWORK"

FLOOD ZONE: AE (EL 6)
COMMUNITY PANEL NO. 125134
MAP NO.: 12099C0791F
EFFECTIVE DATE: OCTOBER 5, 2017

NOTE: ALL BOUNDARY LINES AND ANGULAR DIMENSIONS ARE PLAT AND SURVEY UNLESS STATED OTHERWISE.

ALL DIMENSIONS SHOWN HEREON ARE BASED ON THE STANDARD U.S. FOOT.

THIS SURVEY HAS ACHIEVED A MINIMUM LEVEL OF CLOSURE OF 1 FOOT IN 10,000 FEET AS REQUIRED FOR COMMERCIAL/HIGH RISK PROPERTY CLOSURE. WAS ACHIEVED BASED ON A REDUNDANCY OF MEASUREMENTS FOR VERTICAL, HORIZONTAL AND ANGULAR DIMENSIONS.

NO SUBSURFACE SEARCH WAS MADE FOR UTILITIES OR UNDERGROUND FOOTERS

DESCRIPTION:

LOTS 7, 8 AND 9, MCCORMICK MILE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, PAGE 191, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

MAP OF BOUNDARY SURVEY
SITE ADDRESS: 9 SABAL ISLAND DRIVE
OCEAN RIDGE, FLORIDA 33483
PARCEL I.D. NO.: 46-43-45-22-09-000-0080

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 53-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Digitally signed by Paul D. Engle
Date: 2024.08.29 20:50:11 -0400

Paul D. Engle
SURVEYOR & MAPPER #5708

ENGLE LAND SURVEYING LLC
LAND SURVEYORS

CERTIFICATE OF AUTHORIZATION #LB8447
SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE: PAUL D. ENGLE
955 N.W. 17TH AVENUE, SUITE K-1, DELRAY BEACH, FLORIDA 33445
(561) 276-4501 732-3279 FAX 276-2390

DATE OF SURVEY JUNE 10, 2024	PAGE NO. 18	SCALE: 1" = 10'	ORDER NO.: 22-45db
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Kenneth M. Kaleel, P.A.
Mark D. McWilliams, P.A.

KALEEL & ASSOCIATES

Attorneys & Counselors at Law

CERTIFICATE OF TITLE

November 21, 2024

Town of Ocean Ridge
Development Services

RE: 7,8 and 9 Sabal Island Drive, Ocean Ridge, FL 33435

Pursuant to the attached Title Search Report with the effective date of the search June 13, 2024, at 11:00 p.m., as prepared by Attorney's Title Fund Services, LLC regarding the following described property:

Parcel 1 : 46-43-45-22-09-000-0070

Lot 7, McCormick Mile, according to the plat thereof, as recorded in Plat Book 24, Page 191 of The Public Records of Palm Beach County.

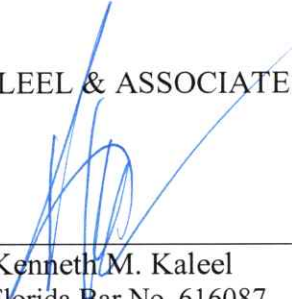
Parcel 2 : 46-43-45-22-09-000-0080

Lots 8 and 9, McCormick Mile, according to the plat thereof as recorded in Plat Book 24, Page 191, Public Records of Palm Beach County, Florida.

find the last owners of record to be **Max M. Weinberg and Rebecca S. Weinberg, husband and wife recorded on September 23, 2022 and December 28, 2022**, whose mailing address is **813 Delmar Way, #402, Delray Beach, FL 33483**. The Restrictions/Easements affecting the property are set forth in the attached Report.

KALEEL & ASSOCIATES

BY


Kenneth M. Kaleel
Florida Bar No. 616087

KMK/sm
Enclosure



Kaleel & Associates | 54 NE 4th Avenue, Delray Beach, FL 33483 | kmkpa.com

Phone: 561-279-4201 | Fax: 561-278-9462

TITLE SEARCH PROPERTY INFORMATION REPORT

Fund File Number 1539489

Effective Date of approved base title information: August 23, 2022

Effective Date of Search: June 13, 2024 at 11:00 PM

Apparent Title Vested in:

Max Maury Weinberg and Rebecca S. Weinberg

Description of real property situated in Palm Beach County, Florida.

See Exhibit A

Muniments of Title, including bankruptcy, foreclosure, quiet title, probate, guardianship and incompetency proceedings, if any, recorded in the Official Records Books of the county:

1. Warranty Deed from H. F. E. Schuster, III a/k/a H. Frederick E. Schuster, III a/k/a Hermann Frederick Ernest Schuster and R. Elizabeth Schuster a/k/a Ruby Elizabeth Schuster, individually and as Trustees under the H. Frederick E. Schuster, III Living Trust dated March 13, 1995, as restated May 13, 2016 and H. F. E. Schuster, III a/k/a H. Frederick E. Schuster, III a/k/a Hermann Frederick Ernest Schuster and R. Elizabeth Schuster a/k/a Ruby Elizabeth Schuster, individually and as Trustees under the Rudy Elizabeth Schuster Living Trust dated March 13, 1995, as restated May 13, 2016 to Max M. Weinberg and Rebecca S. Weinberg, recorded September 23, 2023 in O.R. Book 33857, Page 1980, Public Records of Palm Beach County, Florida. (Parcel 1)
2. Certification of Trust recorded in O.R. Book 33857, Page 1963, Public Records of Palm Beach County, Florida. (Parcel 1)
3. Affidavit recorded in O.R. Book 33857, Page 1979, Public Records of Palm Beach County, Florida. (Parcel 1)
4. Certification of Trust recorded in O.R. Book 33857, Page 1971, Public Records of Palm Beach County, Florida. (Parcel 1)
5. Trustee's Deed from Deborah Dodge Cash and Jonathan D. Dodge, both individually and as Successor Co- Trustees of the Lydia S. Dodge Declaration of Trust u/a/d April 2, 1987 to Blaine C. Dickenson, Trustee of the 211 Pine Street Land Trust u/a/d September 16, 2016, recorded October 24, 2022 in O.R. Book 33906, Page 1606, Public Records of Palm Beach County, Florida. (Parcel 2)
6. Certificate of Trust recorded in O.R. Book 33906, Page 1624, Public Records of Palm Beach County, Florida. (Parcel 2)
7. Warranty Deed from Blaine C. Dickenson, Trustee of the 211 Pine Street Land Trust u/a/d September 16, 2016 to Max Maury Weinberg and Rebecca S. Weinberg, recorded December 28, 2022 in O.R. Book 34040, Page 1571, Public Records of Palm Beach County, Florida. (Parcel 2)

Mortgages, Assignments and Modifications:

Prepared Date: June 18, 2024

Prepared by: Patricia Credit-Jones, Examiner

Phone Number: (800) 515-0155 x6414

Email Address: pcredit-jones@thefund.com

Attorneys' Title Fund Services, LLC

TITLE SEARCH PROPERTY INFORMATION REPORT

Fund File Number 1539489

1. Mortgage to First Republic Bank, mortgagee(s), recorded in O.R. Book 33857, Page 1982, as assigned to JPMorgan Chase Bank, National Association recorded in O.R. Book 34624, Page 233, Public Records of Palm Beach County, Florida. (Parcel 1)
2. Mortgage to First Republic Bank, mortgagee(s), recorded in O.R. Book 33906, Page 1608, as assigned to JPMorgan Chase Bank, National Association recorded in O.R. Book 34624, Page 50, Public Records of Palm Beach County, Florida. (Parcel 2)

Other Property Liens:

1. The Property Appraiser reflects that the property is vacant/unimproved. Fund Member must independently verify that the person represented to be the seller is the true owner of the property to be insured. (Parcel 1 and 2)
2. FOR INFORMATIONAL PURPOSES ONLY: 2023 taxes were paid under receipt number B24.74360, on November 1, 2023, Parcel/Account ID# 46-43-45-22-09-000-0070, the gross amount being \$46,812.02. (Parcel 1)
3. FOR INFORMATIONAL PURPOSES ONLY: 2023 taxes were paid under receipt number B24.74361, on November 1, 2023, Parcel/Account ID# 46-43-45-22-09-000-0080, the gross amount being \$115,120.46. (Parcel 2)
4. Any lien or claim of lien for services, labor or materials which may take priority over the estate or interest insured by reason of that certain Notice of Commencement recorded September 11, 2023, under O.R. Book 34549, Page 580, Public Records of Palm Beach County, Florida. (Parcel 1)
5. Any lien or claim of lien for services, labor or materials which may take priority over the estate or interest insured by reason of that certain Notice of Commencement recorded September 11, 2023, under O.R. Book 34549, Page 579, Public Records of Palm Beach County, Florida. (Parcel 2)
6. Any lien or claim of lien for services, labor or materials which may take priority over the estate or interest insured by reason of that certain Notice of Commencement recorded June 6, 2024, under O.R. Book 35066, Page 192, Public Records of Palm Beach County, Florida. (Parcel 1)
7. Any lien or claim of lien for services, labor or materials which may take priority over the estate or interest insured by reason of that certain Notice of Commencement recorded June 6, 2024, under O.R. Book 35066, Page 193, Public Records of Palm Beach County, Florida. (Parcel 2)
8. FOR INFORMATION PURPOSES ONLY, An alert warning has appeared in ATIDS for the property and/or name search as follows: MS 99999/2615 All McCormick Mile Plat Book 24/191 and All Addition 1 McCormick Mile Plat Book 25/18 & Beach Area McCormick Mile Beach Club being all Prop E Center Line Ocean Blvd Beg a Line 5078.93' N S Sec Line 22-45-43 Running N Line Sec. *** Warning Property should not be insured without checking with The Funds Legal Department 1-800-432-9594.

Restrictions/Easements:

1. Rights of the lessees under unrecorded leases.
2. All matters contained on the Plat of McCormick Mile, as recorded in Plat Book 24, Page 191, as affected by Surveyor's Affidavit recorded in O.R. Book 30999, Page 329, Public Records of Palm Beach County, Florida.

TITLE SEARCH PROPERTY INFORMATION REPORT

Fund File Number 1539489

3. Restrictions and Establishment of Beach Area for McCormick Mile, recorded January 25, 1956 in Deed Book 1122, Page 268; Appointments of McCormick Mile Property Owners Building Committee recorded December 23, 1957 in O.R. Book 137, Page 80, September 4, 1970 in O.R. Book 1836, Page 1087 and September 26, 2019 in O.R. Book 30919, Page 271, Public Records of Palm Beach County, Florida.
4. Temporary Easement and Agreement for Beach Restoration in favor of the County of Palm Beach recorded September 26, 1996, in O.R. Book 9456, Page 1766, Public Records of Palm Beach County, Florida.
5. Ocean bathing facilities in favor of the owners of lots in the subdivision of Ocean Ridge Development Company located between SR A1A and Lake Worth, recorded December 27, 1955 in Deed Book 1119, Page 37, Public Records of Palm Beach County, Florida.
6. Easement to the Town of Ocean Ridge for public utilities recorded September 10, 1975, under O.R. Book 2455, Page 986, Public Records of Palm Beach County, Florida. (specific to Lot 8)
7. Riparian and littoral rights are not insured.
8. The right of the United States Government, in the interest of navigation and commerce, to regulate any portion of the Land that was formerly submerged by navigable waters.
9. Any portion of the Land lying waterward of the mean high-water line of Lake Worth, and lands accreted thereto.

Other:

1. Nothing Found

REAL PROPERTY TAX INFORMATION ATTACHED

Proposed Insured: None

A 20-year name search was not performed on the proposed insured. The agent is responsible for obtaining a name search unless a loan policy for a 100% purchase money mortgage.

STANDARD EXCEPTIONS

Unless satisfactory evidence is presented to the Agent eliminating the need for standard exceptions, the following should be made a part of any commitment or policy.

1. *General or special taxes and assessments required to be paid in the year 2024 and subsequent years.*
2. *Rights or claims of parties in possession not shown by the public records.*
3. *Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.*
4. *Easements or claims of easements not shown by the public records.*
5. *Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.*

TITLE SEARCH PROPERTY INFORMATION REPORT

Fund File Number 1539489

6. *Any owner policy issued pursuant hereto will contain under Schedule B the following exception: Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled and artificially exposed lands, and lands accreted to such lands.*
7. *Federal liens and judgment liens, if any, filed with the Florida Department of State pursuant to Sec. 713.901, et seq., F.S., and Sec. 55.201, et seq., F.S., respectively, which designate the Florida Department of State as the place for filing federal liens and judgment liens against personal property. For insuring purposes:*
 - (a) *Pursuant to Sec. 713.901, et seq., F.S., personal property includes, but is not limited to, mortgages, leaseholds, mortgages on leaseholds, interests in cooperative associations, vendees' interests, and options when those interests are held by a partnership, corporation, trust or decedent's estate; and*
 - (b) *Pursuant to Sec. 55.201, et seq., F.S., personal property includes, but is not limited to, leaseholds, interests in cooperative associations, vendees' interests, and options regardless of the type of entity holding such interests, including individuals. (Note: Mortgages have been specifically excluded from the personal property interests in which a judgment lien may be acquired under the provisions of Sec. 55.201, et seq., F.S.)*
8. *Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority, for unpaid service charges for services by any water systems, sewer systems or gas systems serving the land described herein; and any lien for waste fees in favor of any county or municipality.*

NOTE: *This report does not cover bankruptcies or other matters filed in the Federal District Courts of Florida.*

NOTE: *Consideration in foreclosure proceedings should be given to joining as defendants any persons in possession, other than the record owner, and any parties, other than those named herein, known to Agent, the plaintiff or the plaintiff's attorney and having or claiming an interest in the property.*

NOTE: *The Agent is responsible for obtaining underwriting approval on any commitment prepared from this product in the amount of \$1,000,000.00 or otherwise in excess of their agency/member limits.*

TITLE SEARCH PROPERTY INFORMATION REPORT
Exhibit A

Fund File Number 1539489

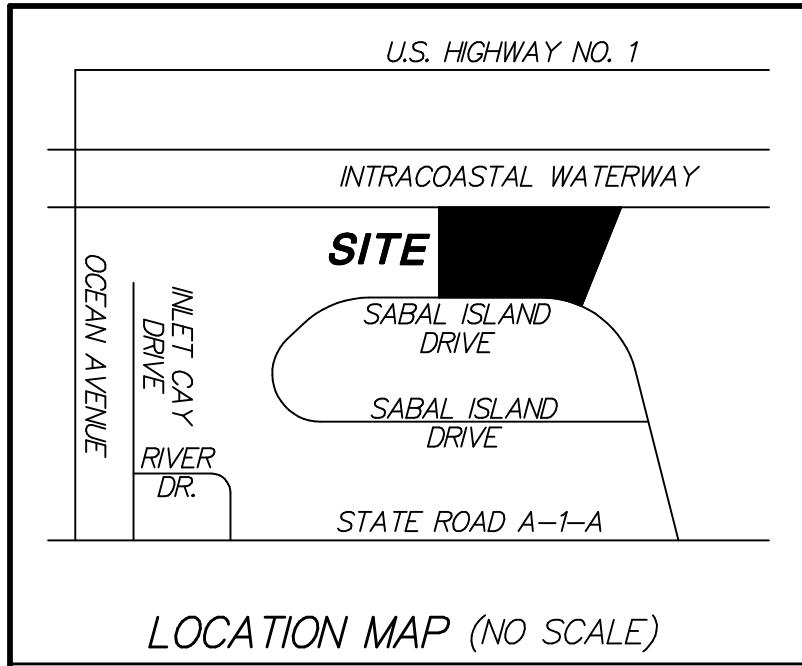
Parcel 1

Lot 7, McCormick Mile, according to the plat thereof, as recorded in Plat Book 24, Page 191 of The Public Records of Palm Beach County.

Parcel 2

Lots 8 and 9, McCormick Mile, according to the plat thereof as recorded in Plat Book 24, Page 191, Public Records of Palm Beach County, Florida.

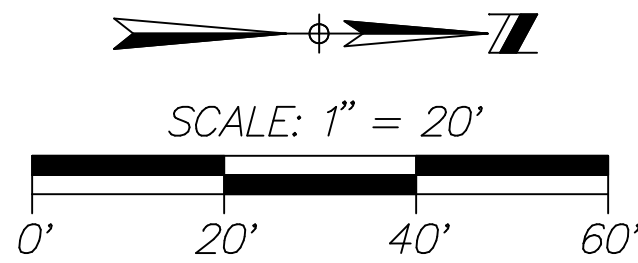
Page 5 of 5



McCORMICK MILE REPLAT NO. 1

BEING A REPLAT OF LOTS 7, 8 AND 9, McCORMICK MILE, PLAT BOOK 24, PAGE 191, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING IN SECTION 22, TOWNSHIP 45 SOUTH, RANGE 43 EAST, TOWN OF OCEAN RIDGE, PALM BEACH COUNTY, FLORIDA

SHEET 1 OF 1

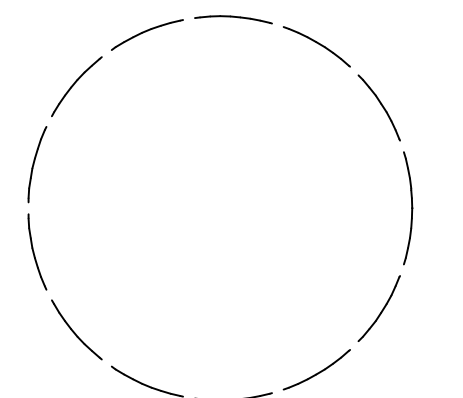


STATE OF FLORIDA
COUNTY OF PALM BEACH
THIS PLAT WAS FILED FOR
RECORD AT _____ M.
THIS _____ DAY OF _____
A.D. 2023
AND DULY RECORDED IN PLAT
BOOK _____ ON PAGES
_____ THROUGH _____.

JOSEPH ABRUZZO.
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

BY: _____
DEPUTY CLERK

CLERK OF THE CIRCUIT COURT
AND COMPTROLLER



LEGEND:

⊕ = CENTERLINE

P.R.M. = PERMANENT REFERENCE
MONUMENT (4"x4" CONCRETE
MONUMENT STAMPED "PRM LB8447")
UNLESS STATED OTHERWISE

P.R.M. (NAIL) = PERMANENT
REFERENCE MARKER (NAIL AND DISK
STAMPED "PRM LB8447")

P.R.P.B.CO. = PUBLIC RECORDS OF
PALM BEACH COUNTY

SECTION 22/45/43 = SECTION 22,
TOWNSHIP 45 SOUTH, RANGE 43 EAST

O.R.B. = OFFICIAL RECORDS BOOK

L.B. = LICENSED BUSINESS

C.A. = CENTRAL ANGLE

REVIEWING SURVEYOR'S STATEMENT:

IN ACCORDANCE WITH CHAPTER 177.08(1), FLORIDA STATUTES, THIS PLAT OF
McCORMICK MILE REPLAT NO. 1 HAS BEEN REVIEWED FOR CONFORMITY TO CHAPTER
177 PART 1, FLORIDA STATUTES BY A FLORIDA LICENSED PROFESSIONAL SURVEYOR
AND MAPPER UNDER EMPLOY OF ENGENUITY GROUP INC., CURRENTLY UNDER
CONTRACT WITH THE TOWN OF OCEAN RIDGE, FLORIDA.

DATE: _____

C. ANDRE RAYMAN, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 4938
ENGENUITY GROUP, INC.

SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT
REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND
SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE
AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS (P.R.M.'S) HAVE BEEN
PLACED AS REQUIRED BY LAW AND THAT PERMANENT CONTROL POINTS (P.C.P.'S)
WILL BE PLACED SET UNDER GUARANTEES POSTED WITH THE TOWN OF OCEAN RIDGE
FOR REQUIRED IMPROVEMENTS; AND FURTHER, THAT THE SURVEY DATA COMPLIES
WITH ALL REQUIREMENTS OF CHAPTER 177, PART 1, PLATTING, FLORIDA
STATUTES, AS AMENDED, AND THE ORDINANCES OF THE TOWN OF OCEAN RIDGE.

DATE: _____

PAUL D. ENGLE
SURVEYOR AND MAPPER NO. 5708
ENGLE LAND SURVEYING LLC
8033 STIRRUP CAY COURT
BOYNTON BEACH, FLORIDA 33436
CERTIFICATE OF AUTHORIZATION NO. 8447

STATE OF FLORIDA
COUNTY OF PALM BEACH

I, KENNETH M. KALEEL, ESQ., A DULY LICENSED ATTORNEY IN THE STATE
OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE
HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS
VESTED TO MAX M. WEINBERG AND REBECCA S. WEINBERG THAT THE CURRENT
TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED
OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND
THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT
PROHIBIT THE CREATION OF THIS PLAT.

DATE: _____

KENNETH M. KALEEL
ATTORNEY STATE OF FLORIDA
FLA. BAR NO. _____

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT WE, MAX M. WEINBERG AND REBECCA S.
WEINBERG, OWNERS OF THE LAND SHOWN HEREON AS McCORMICK MILE REPLAT NO. 1,
BEING A REPLAT OF LOTS 7, 8 AND 9, McCORMICK MILE, PLAT BOOK 24, PAGE
191, PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA, LYING IN SECTION 22,
TOWNSHIP 45 SOUTH, RANGE 43 EAST, TOWN OF OCEAN RIDGE, PALM BEACH COUNTY,
FLORIDA, SAID LAND IS DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION:

LOTS 7, 8 AND 9, McCORMICK MILE, ACCORDING TO THE PLAT THEREOF RECORDED
IN PLAT BOOK 24, PAGE 191 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY,
FLORIDA.

CONTAINING 33,405 SQUARE FEET OR 0.7669 ACRES MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON 2
AND DOES HEREBY DEDICATE AND RESERVE AS FOLLOWS:

LOT 1 AND LOT 2, AS SHOWN HEREON, ARE HEREBY RESERVED FOR
MAX M. WEINBERG AND REBECCA S. WEINBERG, THEIR SUCCESSORS
AND ASSIGNS, FOR PURPOSES CONSISTANT WITH THE ZONING
REGULATIONS OF TOWN OF OCEAN RIDGE, FLORIDA AND IS THE
PERPETUAL MAINTENANCE OBLIGATION OF MAX M. WEINBERG AND
REBECCA S. WEINBERG, THEIR SUCCESSORS AND ASSIGNS, WITHOUT
RECOURSE TO THE TOWN OF OCEAN RIDGE, FLORIDA.

IN WITNESS WHEREOF, WE MAX M. WEINBERG AND REEBECCA S. WEINBERG,
HAVE SIGNED THESE PRESENTS ON THIS _____ DAY OF _____
2025.

WITNESS: _____ BY: _____
PRINT NAME: MAX M. WEINBERG
WITNESS TO BOTH

WITNESS: _____ BY: _____
PRINT NAME: REBECCA S. WEINBERG
WITNESS TO BOTH

ACKNOWLEDGEMENT:

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT AS ACKNOWLEDGED BEFORE ME BY MEANS OF
☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS _____ DAY OF _____
2025, BY MAX M. WEINBERG AND REBECCA S.
WEINBERG WHO ARE PERSONALLY KNOWN TO ME OR HAVE PRODUCED
_____ AND _____ AS IDENTIFICATION.

MY COMMISSION EXPIRES:

NOTARY PUBLIC
NAME: _____
COMMISSION NO.: _____

MORTGAGEE'S CONSENT

STATE OF _____

COUNTY OF _____

THE UNDERSIGNED HEREBY CERTIFIES THAT IS THE HOLDER OF A
MORTGAGE, UPON THE PROPERTY DESCRIBED HEREON AND DOES HEREBY JOIN IN
AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID
DEDICATION BY THE OWNER THEREOF AND AGREES THAT ITS MORTGAGE WHICH IS
RECORDED IN OFFICIAL RECORD BOOK 34624, AT PAGE 50 AND OFFICIAL
RECORD BOOK 34624 AT PAGE 233 OF THE PUBLIC RECORDS OF PALM BEACH
COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN
HEREON.

IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THESE PRESENTS TO
BE SIGNED BY ITS _____ AND ITS CORPORATE SEAL
TO BE AFFIXED HEREON BY AND WITH THE AUTHORITY OF ITS BOARD OF
DIRECTORS THIS _____ DAY OF _____, 2025.

JPMORGAN CHASE BANK,
NATIONAL ASSOCIATION

WITNESS: _____
PRINT NAME:

BY: _____
PRINT NAME:
TITLE:

WITNESS: _____
PRINT NAME:

ACKNOWLEDGEMENT:

STATE OF _____

COUNTY OF _____

THE FOREGOING INSTRUMENT AS ACKNOWLEDGED BEFORE ME BY MEANS OF
☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS _____ DAY OF _____
2025, BY _____ WHO IS PERSONALLY
KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION, AND
WHO EXECUTED THE FOREGOING INSTRUMENT AS (TITLE) OF JPMORGAN CHASE
BANK, NATIONAL ASSOCIATION, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE
ME THAT (HE/SHE) EXECUTED SUCH INSTRUMENT AS (TITLE) OF SAID
CORPORATION, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS
THE CORPORATE SEAL OF SAID CORPORATION AND THAT IT WAS AFFIXED TO
SAID INSTRUMENT BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT SAID
INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.

MY COMMISSION EXPIRES:

NOTARY PUBLIC
NAME: _____
COMMISSION NO.: _____

NOTES:

ALL BEARINGS SHOWN HEREON ARE RELATIVE TO THE NORTH LINE OF 10 (PLAT
BOOK 24, PAGE 191) HAVING AN ASSUMED BEARING OF N8°20'08"W.

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS
PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY,
FLORIDA.

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL
DEFINITION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO
CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR
DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT
ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS
OF PALM BEACH COUNTY, FLORIDA.

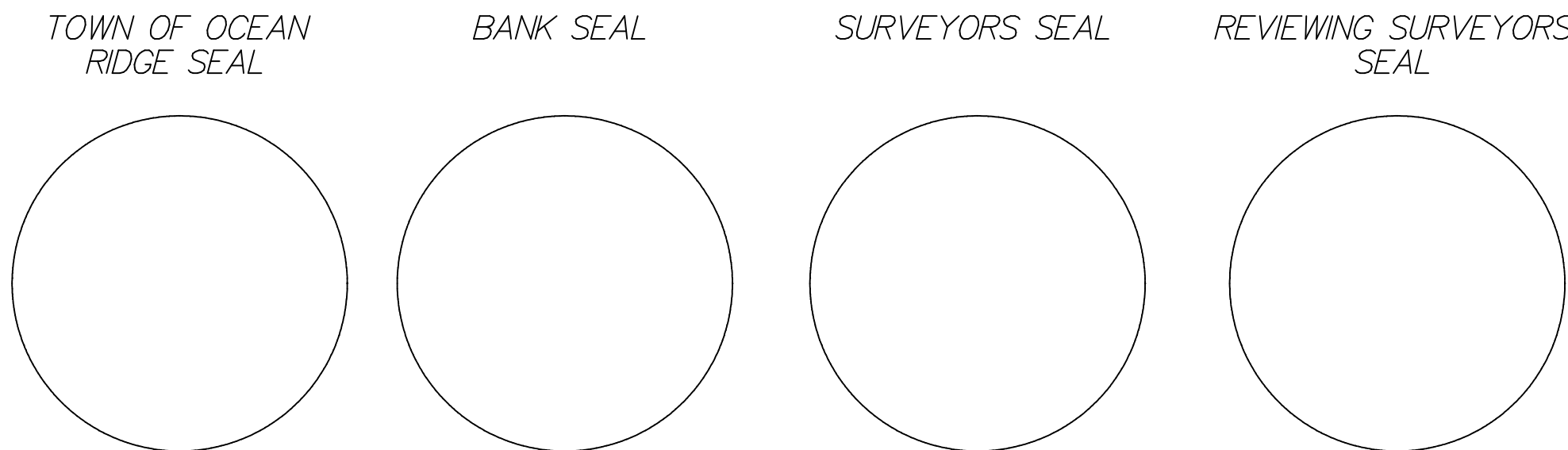
THE TOWN OF OCEAN RIDGE IS HEREBY GRANTED THE RIGHT OF ACCESS FOR
EMERGENCY AND MAINTENANCE PURPOSES.

THIS INSTRUMENT WAS PREPARED BY PAUL D. ENGLE, IN THE OFFICE OF ENGLE
LAND SURVEYING LLC, 8033 STIRRUP CAY COURT, BOYNTON BEACH, FL 33436

PERMANENT REFERENCE MONUMENTS ARE SHOWN THUS: ⊕

THERE SHALL BE NO BUILDINGS OR ANY KIND OF CONSTRUCTION PLACED ON
WATER, SEWER OR DRAINAGE EASEMENTS. NO STRUCTURES SHALL BE PLACED
WITHIN A HORIZONTAL DISTANCE OF 10 FEET FROM ANY EXISTING OR PROPOSED
TOWN OF OCEAN RIDGE MAINTAINED WATER, SEWER OR DRAINAGE FACILITIES.
CONSTRUCTION OR LANDSCAPING UPON MAINTENANCE OR MAINTENANCE ACCESS
EASEMENTS MUST BE IN CONFORMANCE WITH ALL BUILDING AND ZONING CODES
AND/OR ORDINANCES OF THE TOWN OF OCEAN RIDGE.

THERE SHALL BE NO TREES OR SHRUBS PLACED ON UTILITY EASEMENTS WHICH
ARE PROVIDED FOR WATER AND SEWER USE OR UPON DRAINAGE EASEMENTS.
LANDSCAPING ON ANY OTHER UTILITY EASEMENTS SHALL BE ALLOWED ONLY
AFTER CONSENT OF ALL UTILITY COMPANIES OCCUPYING SAME.



Agenda: Tuesday, February 18, 2025
Memo: Item #3.

Town of Ocean Ridge, Florida
Planning & Zoning Commission Agenda Memorandum
Lynne Ladner, Town Manager

Subject: Approval of Work Restrictions for Holidays

The Town Commission has asked that you consider amending Section 34-83 – Construction during certain hours, Saturdays, Sundays and federal holidays. The request that they would like for you to consider is addition to the holidays in which work is prohibited.

They would like to have you consider limitations or a prohibition on work the day before Thanksgiving, and on Christmas Eve. Other days such as New Year's Eve or the Saturday before Easter are other times to consider as they are times in which residents are preparing for or have guests and the construction noises interrupt and cause dirt or other airborne debris to displace on to other properties.

Suggested Motion:

Respectfully,
Lynne Ladner, Town Manager

Sec. 34-83. - Construction during certain hours, Saturdays, Sundays, and federal holidays; penalties.

It is unlawful for any person to operate or cause the operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work, or perform any activities on the site related to construction, drilling, repair, alteration or demolition work, between the hours of 6:00 p.m. and 8:00 a.m. the following day on weekdays, or at any time on Saturdays, except between the hours of 8:00 a.m. and 1:00 p.m., Sundays or certain federal holidays (New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day), such that the sound therefrom creates a loud and raucous noise across a real property line or at any time violates the provisions of section 34-95 or 34-92, except in case of urgent necessity in the interest of public health and safety and then only with a permit from the noise control officer or his designee, which permit may be granted for a period not to exceed three working days or less while the emergency or urgent necessity continues and which permit may be renewed for successive periods of three days or less while the emergency or urgent necessity continues or by variance issued pursuant to this article. This section shall not apply to the use of domestic power tools as specified in section 34-90.

(Code 1993, § 34-83; Ord. No. 553, § 2, 3-7-2005; Ord. No. 625, § 3, 9-26-2017)

Editor's note— Ord. No. 625, § 3, adopted Sept. 26, 2017, changed the title of § 34-8 from "Construction during certain hours, Sundays, and federal holidays; penalties" to read as herein set out.

Cross reference— Subdivision regulations, § 64-96 et seq.; buildings and building regulations, ch. 67.

Agenda: Tuesday, February 18, 2025
Memo: Item #4.

Town of Ocean Ridge, Florida
Planning & Zoning Commission Agenda Memorandum
Christy Goddeau, Town Attorney

Subject: Review of Proposed Seawall Ordinance

As you may recall, at the October 2024 Planning and Zoning Commission meeting, the Planning and Zoning Commission discussed a proposed seawall ordinance which would set a minimum height requirement of five (5) feet NAVD88. In discussing the proposed seawall ordinance, additional issues were discussed and direction provided to come back with some revisions.

The attached ordinance revises the previously reviewed seawall ordinance as follows:

Instead of just height, the new ordinance addresses “minimum design requirements” (unless an agency with jurisdiction has more restrictive requirements):

1. The minimum height remains at five (5) feet NAVD88.
2. The seawall cannot be constructed beyond the property line unless reconstructing/rehabilitating an existing seawall, which allows for an additional 18 inches from the property line.
3. The seawall cap is limited to extending no farther than two (2) feet from the wet face of the seawall or property line, whichever is greater.
4. For purposes of how far a dock can project into the waterway, the five (5) foot limitation in section 64-77(b) is extended by the “outermost waterside edge” of a new, substantially repaired, or substantially rehabilitated seawall.
5. Seawall caps placed at an elevation greater than the adjacent property shall provide a wall return of the same material and type as the seawall cap.

Should you have any questions regarding the above, please do not hesitate to contact me.

Attachment: Proposed Ordinance

Suggested Motion:

Respectfully,

Christy Goddeau, Town Attorney

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE AT CHAPTER 64, “ZONING”, ARTICLE IV, “MARINAS, DOCKS, AND BULKHEADS”, BY CREATING A NEW SECTION 64-82, “MINIMUM DESIGN REQUIREMENTS FOR SEAWALLS”, TO ESTABLISH A MINIMUM DESIGN REQUIREMENTS FOR ALL SEAWALLS UNDER CERTAIN CONDITIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

WHEREAS, the Town of Ocean Ridge, Florida (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, section 64-77 of the Town’s Land Development Code provides regulations for location, type, and height of docks, floating docks, and pilings throughout the Town, which includes the relationship between docks and seawalls; and

WHEREAS, to assist in the preservation of the Town’s efforts to mitigate high tide flooding associated with realized and additional sea level rise, the Town seeks to establish a minimum height for seawalls under certain circumstances; and

WHEREAS, the Town’s Planning and Zoning Commission reviewed this Ordinance and found the same is consistent with the Town’s Comprehensive Plan and recommended approval of the Ordinance to the Town Commission; and,

WHEREAS, the Town Commission for the Town of Ocean Ridge finds that this Ordinance is consistent with the Town’s Comprehensive Plan and serves a valid public purpose and is in the best interests of the Town of Ocean Ridge.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 – Findings of Fact: The **WHEREAS** clauses set forth above are adopted and incorporated herein as true findings of fact of the Town Commission and that this Ordinance is a lawful exercise of the Town’s police power.

SECTION 2 – Amendment: Chapter 64, entitled “Zoning”, Article IV, entitled “Marinas, Dock and Bulkheads”, by creating a new Section 64-82, to be entitled “Seawall Height”, which shall read as follows (underline denotes added language):

Chapter 64 – ZONING

Article IV. – MARINAS, DOCKS AND BULKHEADS

Sec. 64-82. – Minimum Design Requirements for Seawalls.

- (a) All new, substantially repaired, or substantially rehabilitated seawalls shall be designed and constructed to have the following minimum design requirements unless the requirements of a jurisdictional agency are more restrictive:
 - (1) The top elevation of the seawall (inclusive of the seawall cap) shall be a minimum of five (5) feet NAVD88.
 - (2) The seawall shall not be constructed beyond the property line adjacent to the waterway. However, a property owner may for a substantially repaired or substantially rehabilitated existing seawall extend the seawall up to eighteen (18) inches waterside of the property line so long as such extension does not unreasonably interfere with navigation of the abutting waterway.
 - (3) A new seawall cap shall not extend farther than two (2) feet from the wet face of the seawall or the property line, whichever is greater.
 - (4) For purposes of section 64-77(b), the outermost waterside edge of a new, substantially repaired, or substantially rehabilitated seawall shall be the starting point for the measurement of a dock's projection into the waterway, which projection shall not exceed five (5) feet.
 - (5) Seawall caps placed at an elevation greater than the adjacent property shall provide a wall return of the same material and type as the seawall cap.
- (b) For purposes of this section, the following terms shall have the following meanings and shall prevail over definitions contained in other documents or manuals including, but not limited to, the Florida Building Code:
 - (1) North American Vertical Datum (NAVD88) means the vertical control for datum of orthometric height established for vertical control surveying in the United States of America based upon the General Adjustment of the North American Datum of 1988.
 - (2) Seawall means a vertical or near vertical (often interlocking) structure, inclusive of the seawall cap and similar, placed between an upland area and/or proposed upland area and a waterway or waterbody for erosion and/or flood control.
 - (3) Substantial repair or substantial rehabilitation means:
 - i. any modification to a seawall along more than fifty percent (50%) of the length of a property's shoreline; or,
 - ii. any modification or alteration of an existing seawall that exceeds fifty percent

(50%) of the fair market replacement cost of the existing seawall as certified by licensed Florida engineer.

- iii. Strictly for the purposes of defining “substantial repair” and “substantial rehabilitation” for this section, the term “seawall” excludes docks, piles, and ancillary concrete footers but shall include concrete docks that are poured monolithically with the seawall.

(c) This section shall not apply to property whose property line is adjacent to the Atlantic Ocean.

SECTION 3 - Codification: This Ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 4 - Repeal of Conflicting Ordinances: All ordinances, resolutions, or parts of ordinances and resolutions in conflict herewith are hereby repealed.

SECTION 5 - Severability: If any word, clause, sentence, paragraph, section, or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void, or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this ____ day of _____, 2025.

SECOND AND FINAL READING this ____ day of _____, 2025.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

	AYE	NAY
GEOFF PUGH, Mayor	_____	_____
STEVE COZ, Vice Mayor	_____	_____
CAROLYN CASSIDY, Commissioner	_____	_____
DAVID HUTCHINS, Commissioner	_____	_____
AINAR AIJALA JR., Commissioner	_____	_____

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this ____ day of _____, 2025.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
Geoff Pugh, Mayor

ATTEST:

BY: _____
Kelly Avery, Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____
Christy Goddeau, Town Attorney

Town of Ocean Ridge, Florida
Planning & Zoning Commission Agenda Memorandum
Lynne Ladner, Town Manager

Subject: Consideration of Fee Schedule Changes

Staff have been reviewing possible changes to the current fee schedule for items that come before the P&Z Board and the BOA. Some of the fees are new, others are items that are used by other communities of similar size in Palm Beach County. They are listed in the chart below. Currently, the town charges \$1,500 for a variance. This can be a variance of a single section of the code or multiple sections of the code. We believe that due to the amount of work that must be completed when a variance application requests a variance to more than one section of the code, the fee be adjusted to allow \$1,500 for the first code section variance, and an additional \$500 fee for each additional section of the code they are requesting consideration for a variance.

DESCRIPTION	CURRENT	RECOMMENDED	CHG
	FEE		
BUILDING DEPARTMENT			
VARIANCE	\$1,500.00		
ADDITION VARIANCE ON SAME APPLICATION	\$0.00		\$500.00
POSSIBLE NEW FEES/PERMITS			
FAILURE TO REQUEST FINAL INSPECTION BEFORE PERMIT EXPIRES			\$100.00
REINSTATEMENT OF PERMIT (BUILDING OFFICIALS DISCRETION)			\$100.00
DRIVEWAY			
LOT LINE AMENDMENT - 2 EXISTING PARCELS			\$250.00
LAND CLEARING PLAN REVIEW			\$50.00
PORTABLE STORAGE UNIT (POD)			\$25.00
FLOATING VESSEL PLATFORM			

FLOATING VESSEL PLATFORM
APPLICATION REVIEW
UNITY OF TITLE
DAMAGE BOND - CLEAR AND FILL NO
DEMOLITION

Suggested Motion:

Respectfully,
Lynne Ladner, Town Manager

ORDINANCE NO. 2024-__

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE AT CHAPTER 64, “ZONING”, ARTICLE I, “DISTRICT REGULATIONS”, SECTION 64-2, “RMM MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT”, TO CORRECT CROSS REFERENCE TO SECTION 64-1, “RSF AND RSE SINGLE-FAMILY RESIDENTIAL DISTRICTS”; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

WHEREAS, the Town of Ocean Ridge, Florida (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, section 64-2 of the Town’s Land Development Code contains regulations pertaining to the Town’s RMM Medium Density Multiple-Family Residential District; and

WHEREAS, section 64-2(e)(7) incorporates by cross reference the development regulations contained in sections 64-1(b) through 64-1(i) of the RSF District; and

WHEREAS, on November 7, 2005, the Town Commission adopted Ordinance No. 560, which, among other things, added a new subsection 64-1(c); and

WHEREAS, the addition of the new subsection 64-1(c) resulted in subsection 64-1(i) being renumbered to subsection 64-1(j); and

WHEREAS, Ordinance No. 560 inadvertently failed to specify that 64-2(e)(7)’s cross reference to section 64-1 should be amended to include the renumbered subsection 64-1(j); and

WHEREAS, the Town Commission always intended that section 64-2(e)(7)’s cross-reference to section 64-1 include the requirements contained in section 64-1(j); and

WHEREAS, the Town’s Planning and Zoning Commission reviewed this Ordinance at its meeting on XXXX and found the same is consistent with the Town’s Comprehensive Plan and recommended approval of the Ordinance to the Town Commission; and

WHEREAS, the Town Commission for the Town of Ocean Ridge finds that this Ordinance is consistent with the Town’s Comprehensive Plan and serves a valid public purpose and is in the best interests of the Town of Ocean Ridge.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 – Findings of Fact: The **WHEREAS** clauses set forth above are adopted and incorporated herein as true findings of fact of the Town Commission and that this Ordinance is a lawful exercise of the Town’s police power.

SECTION 2 – Amendment: Chapter 64, entitled “Zoning”, Article I, entitled “District Regulations”, Section 64-2, entitled “RMM medium density multiple-family residential district”, is hereby amended to read as follows (underline denotes added language; ~~strike-through~~ denotes deleted language):

Sec. 64-2. RMM medium density multiple-family residential district.

- (a) *Purpose and intent.* The purpose and intent of the RMM district is intended to include land developed or found by the comprehensive plan to be suitable for single-family attached, semidetached, detached and duplex residences and other multifamily residential types not to exceed a density of five dwelling units per gross acre.
- (b) *Permitted uses.* In an RMM medium density multiple-family residential district, no building, structure or land or water use shall be permitted except for one or more of the following uses:
 - (1) Single-family dwelling and its customary accessory uses.
 - (2) Multiple-family development and accessory uses and buildings. Accessory uses may include a private garage, swimming pool or tennis court.
- (c) *Prohibited uses.* The following uses are specifically prohibited in the medium-density multiple-family residential district:
 - (1) Commercial uses.
 - (2) Transient housing units.
 - (3) Vacation rentals or units.
 - (4) Any other use not specifically provided for in this Code.
- (d) *Special exceptions.* Special exceptions are subject to town commission approval. Special exceptions permitted subject to town commission approval are as follows in the RMM district:
 - (1) Public and private utility uses and structures.
 - (2) Reserved.
 - (3) Private recreation facilities and clubs.
 - (4) Churches and accessory buildings.
 - (5) Planned residential development.
 - (6) Marina facilities.
- (e) *Property development regulations.* Property development regulations for the RMM district are as follows:
 - (1) Minimum lot area and dimensions.

- a. Minimum lot area for a single-family dwelling is 7,500 square feet.
 - b. Minimum lot area for a two-family duplex is 12,500 square feet.
 - c. Minimum lot area for a multiple-family dwelling is 12,500 square feet for the first dwelling unit and 6,500 square feet for each additional unit thereafter.
 - d. Minimum lot dimensions for single-family dwellings are as follows:
 - 1. Depth: 100 feet.
 - 2. Width (interior): 50 feet.
 - 3. Width (corner): 60 feet.
 - e. Minimum lot dimensions for duplex and multiple-family dwellings are as follows:
 - 1. Depth: 100 feet.
 - 2. Width (interior): 100 feet.
 - 3. Width (corner): 100 feet.
- (2) *Minimum building setbacks.* The minimum building setbacks shall apply both to the proximity of one building to another as well as to the proximity to the property line. Minimum building setbacks are as follows:
- a. Front: 25 feet.
 - b. Side (interior): 15 feet.
 - c. Side (corner): 25 feet.
 - d. Rear: 15 feet.
 - e. Waterway: 25 feet.
- (3) *Maximum building height.* Maximum building height is 36 feet, subject to the additional provisions of section 64-1 as applicable to single-family dwellings and of section 64-41(b)(2) as applicable to accessory uses, buildings or structures. Any flat roof areas, excluding decks and porches, shall be screened entirely by a parapet, which shall not extend above the top of the tie beam by more than three feet. This parapet shall extend around the flat roof area and shall screen all flat roof elements. Where a parapet is used to conceal a pitched roof, the top of the parapet shall not extend above the top of the tie beam by more than three feet.
- (4) *Maximum lot coverage.* Maximum lot coverage is 40 percent of the total lot area.
- (5) *Minimum floor area requirements.* Minimum floor area requirements are as follows:
- a. Efficiency: 850 square feet.
 - b. One bedroom: 1,000 square feet.
 - c. Two bedrooms: 1,200 square feet.
 - d. Three bedrooms: 1,400 square feet.
 - e. More than three bedrooms: 1,600 square feet.

- (6) *Allowable building square footage computation.* Notwithstanding other provisions of the Code, allowable building square footage for all residential lots with less than 7,500 square feet total area within the town may be computed using a floor area ratio of 0.45; provided, however, the maximum floor area of a building structure on any lot less than 7,500 square feet in total area may not exceed 2,700 square feet.
- (7) *Single-family development regulations.* Except as otherwise provided in this section, each single-family dwelling and its customary private accessory uses, including garage, swimming pool and tennis court constructed in the RMM district shall be subject to the property development regulations set forth in sections 64-1(b) through 64-1(i)(j) herein, except the minimum floor area shall be 1,600 square feet. In addition, for two-story buildings, wherever a base flood elevation (BFE) is dictated by the FEMA National Flood Insurance Program maps requiring the finished floor elevation to be above seven feet NAVD, for every foot above seven feet NAVD there shall be a corresponding decrease of one foot in the maximum building height.
- (f) *Special regulations.* See article III of this chapter for regulations relative to access, parking, landscaping and fences and chapter 70 of this land development code for regulations relative to signs.
- (g) *Site plan review.* A site plan review shall be required prior to the issuance of a building permit for the construction or alteration of any multiple-family development within this RMM medium density multiple-family district.

SECTION 3 - Codification: This Ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 4 - Repeal of Conflicting Ordinances: All ordinances, resolutions, or parts of ordinances and resolutions in conflict herewith are hereby repealed.

SECTION 5 - Severability: If any word, clause, sentence, paragraph, section, or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void, or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this ____ day of _____, 2025.

SECOND AND FINAL READING this ____ day of _____, 2025.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

GEOFF PUGH, Mayor

AYE NAY
____ ____

STEVE COZ, Vice Mayor
CAROLYN CASSIDY, Commissioner
DAVID HUTCHINS, Commissioner
AINAR AIJALA JR., Commissioner

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this _____ day of _____, 2025.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
Geoff Pugh, Mayor

ATTEST:

BY: _____
Kelly Avery, Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____
Christy Goddeau, Town Attorney