



TOWN COMMISSION MEETING

Tuesday July 14th, 2026

9:00 A.M.



PUBLIC NOTICE/AGENDA
Tuesday July 14th, 2026 at 9:00 a.m.

Town Commission	Town Staff
John Deese, Mayor _____	Eric Marmer, Town Manager _____
Simone Bonutti, Vice Mayor _____	Anthony Davidson, Asst. Town Manager _____
Elliot Bonner, Mayor Pro Tem _____	Jeff Rasor, Chief of Police _____
Orla Imbesi, Commissioner _____	Erika Petersen, Town Clerk _____
David Knobel, Commissioner _____	Keith W. Davis, Town Attorney _____
Dwight Kulwin, Commissioner _____	Brent Watson, Utilities Director _____
Cindy McMackin, Commissioner _____	Jacek (Jack) Tomasik, Building Official _____
	Dylan Brandenburg, Asst. Town Attorney _____

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF THE AGENDA: AGENDA ADDITIONS, DELETIONS OR SUBSTITUTIONS**
- 5. PUBLIC COMMENTS**
(3 MINUTES PER SPEAKER)
- 6. CONSENT AGENDA:**
 - a. Minutes June 23rd, 2026 Town Commission
 - b. Police Department Report for June
 - c. **RES 06-2026** Updated Fee Schedule
- 7. REGULAR AGENDA:**
 - a. **OLD BUSINESS:**
 - i. n/a
 - b. **NEW BUSINESS: *Quasi-Judicial Hearing**
 - i. Septic to Sewer project update from Mock Roos and discussion about resident connection options and financing.
 - ii. *** Special Exception-SE-26-02 - 1800 S. Ocean Blvd.,** Loki2 Land Trust, by and through its authorized agent Loki2 LLC, Robert Wexler, Manager, is requesting a Special Exception to allow a beach house on the East side of A-1-A in accordance with Sec.151.093(B) of the Town Zoning Code. The subject property address is 1800 South Ocean Boulevard.
 - iii. *** Architectural Review-TARC-26-01 - 214 S. Ocean Blvd.,** Manalapan Plaza Del Mar LLC seeks the Town Commission's approval for architectural alterations to storefronts at Suite 210 and Suite 214. Alterations include installation of glass storefronts in accordance with the application materials on file with the Town.
 - iv. *** Variance-VAR-26-04 – 2000 S. Ocean Blvd.,** Florida Realty LLC seeks the Town Commission's approval for several variances. The property at 2000 South Ocean Boulevard is already non-conforming, so any alterations or expansions thereto require variance approval in addition to other site or use related approvals. Specifically, a variance from Town Code Sec. 151.641(A) to allow the expansion of a non-conforming lot by acquiring and unifying onto 2000 South Ocean Boulevard a portion of the lot immediately adjacent to the north. In addition, a variance from Town Code Secs. 151.093, and 151.581 to allow the addition of a fourth pedestrian tunnel under A-1-A onto the combined site which already has three (3) pedestrian tunnels under A-1-A, where the code allows only one (1) pedestrian tunnel under A-1-A per lot or lot of record. All pedestrian tunnels are already existing; however, the newly acquired and unified parcel contains a fourth existing tunnel. Additionally, a variance from Town Code Sec. 151.643(B) to allow the construction of a

new pedestrian access ramp to the pedestrian tunnel under A-1-A being joined to the site through acquisition and unification of a portion of the parcel to the north where the code prohibits the construction or addition of any such use or structure to a non-conforming lot. Additionally, a variance from Town Code Sec. 151.097 to allow a side setback of 40 feet, 1.5 inches for a new proposed “engineering building” where the Town Code would require, per calculations applied to the newly unified lot dimensions, a 422.1 foot side setback. The subject property address is 2000 South Ocean Boulevard.

- v. * **Variance-VAR-26-05 – 1940 S. Ocean Blvd.,** David F. MacNeil Trust, David F. MacNeil Trustee, by and through its authorized agent Affinity Architects, seeks the Town Commission’s approval for several variances as a result of acquiring and unifying onto 1940 South Ocean Boulevard a portion of the lot immediately adjacent to the south. Specifically, a variance from Town Code Sec. 151.103(2) to allow an existing dock with a non “T” or “L” configuration, due to the existing platform boatlift, to remain. The dock is existing but will now be part of the 1940 South Ocean Boulevard parcel as a result of the purchase and lot unification. Additionally, a variance from Town Code Secs. 151.103(4) and (15) to allow a dock width of 22.15 feet due to the existing boatlift, where the code prohibits a dock width in excess of six (6) feet. Additionally, a variance from Town Code Sec. 151.103(13) to allow two docks where the code only allows one dock per lot or lot of record. Both docks are existing but will now be located on the same lot of record (1940 South Ocean Boulevard) as a result of the purchase and unification. Also, a variance from Town Code Sec. 151.103 (14) which requires docks to be located within 10 feet of the centerline of the upland parcel, to allow the existing docks to be located on the newly unified lot in their current locations, neither of which is within 10 feet of the centerline of the lot, and to allow a 25 foot side setback for the dock and the terminus from the waterward extension of the south side property line where the code requires a 50 foot side setback. The subject property address is 1940 South Ocean Boulevard.
- vi. Preliminary Budget Review. Set the Proposed Ad Valorem Millage Rate for the Town of Manalapan, Florida for Fiscal Year 2026-27 at a rate of 3.0000 per \$1,000 of Assessed Value and setting the Millage Rate and Budget Public Hearings as Follows: September 8, 2026 - 5:01 p.m. - Adopt Proposed Millage Rate and Budget; and September 22, 2026 – 5:01 p.m.- Adopt Final Millage Rate and Budget.

8. MAYOR’S COMMENTS, TOWN COMMISSION COMMENTS, TOWN MANAGER’S REPORT

9. PUBLIC HEARING:

- a. **PH 1 - Ordinance #401 – AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTER 151. ZONING. TO PROVIDE FOR A REVISED AND AMENDED OFFICIAL ZONING MAP THAT COMBINES ZONING DISTRICT R1-F AND PORTIONS OF ZONING DISTRICT R3-A INTO ZONING DISTRICT R1-D, AND WHICH ELIMINATES METES AND BOUNDS DESCRIPTIONS FOR ALL ZONING DISTRICTS FROM THE CODE; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 151. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (Second Reading)**
- b. **PH 2 – Ordinance #402 - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTER 151. ZONING. CREATING AN ENTIRELY NEW DIVISION “BOATS, BOATHOUSES, DOCKS, BULKHEADS” UTILIZING RESERVED CODE SECTIONS 151.585 THROUGH 151.600; RELOCATING ALL EXISTING BOAT, DOCK, BOATHOUSE AND BULKHEAD ZONING REGULATIONS INTO THIS ONE NEW DIVISION; DIVIDING THE TOWN INTO 16 WATERWAY ZONES BASED ON CURRENT CODE REQUIREMENTS FOR DOCKS; REPEALING THE RELOCATED CODE PROVISIONS FROM EACH ZONING DISTRICT’S SET OF CODES; PROVIDING THAT EACH AND**

EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 151. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. **(Second Reading)**

- c. **PH 3 – Ordinance #403** - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, ADOPTING A NEWLY REVISED AND AMENDED OFFICIAL ZONING MAP FOR THE TOWN OF MANALAPAN, FLORIDA, WHICH, IN CONJUNCTION WITH ORDINANCE 401 RE-ZONES ALL PROPERTY CURRENTLY DESIGNATED AS R1-F, AS WELL AS R3-A PROPERTIES LOCATED WEST OF LANDS END ROAD INTO THE DESIGNATION OF R1-D PROPERTY; IN ADDITION, ADOPTING AN ENTIRELY NEW MAP FOR THE NEWLY ADOPTED WATERWAY ZONES CODE WHICH, IN CONJUNCTION WITH ORDINANCE 402 WILL RELOCATE AND CONSOLIDATE ALL EXISTING TOWN DOCK, SEAWALL, AND RELATED REGULATIONS INTO A NEW, SINGLE, CONSOLIDATED ZONING CODE DIVISION IN ORDER TO BETTER ORGANIZE THESE EXISTING CODE PROVISIONS INTO ONE USER FRIENDLY PART OF THE ZONING CODE; PROVIDING THAT THE ZONING MAP OF THE TOWN OF MANALAPAN, FLORIDA, BE AMENDED TO REFLECT THE RE-ZONING OF ALL R1-F, AS WELL AS R3-A PROPERTIES LOCATED WEST OF LANDS END ROAD INTO R1-D PROPERTY AND TO REFLECT THE NEW WATERWAY ZONES; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. **(Second Reading)**
- d. **PH 4 – Ordinance #406** - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT TITLE III ADMINISTRATION, CHAPTER 31 STAFF, SECTION 31.17 TOWN GENERAL EMPLOYEES' AND POLICE OFFICERS' RETIREMENT FUND, SUBSECTION (E) BOARD OF TRUSTEES TO PROVIDE THAT THE EMPLOYEE TRUSTEES CANNOT BE EMPLOYEES IN THE DROP; AMENDING SUBSECTION (H). BENEFIT AMOUNTS AND ELIGIBILITY, SUBSECTION (I), PRE-RETIREMENT DEATH, SUBSECTION (J), DISABILITY, AND SUBSECTION (K), VESTING TO PROVIDE FOR A CHANGE IN VESTING IN THE PLAN OF BENEFITS FROM TEN YEARS TO EIGHT YEARS; ADDING SUBSECTION (BB), DEFERRED RETIREMENT OPTION PLAN (DROP), TO PROVIDE AN OPTION FOR MEMBERS TO HAVE A FIVE-YEAR DROP PERIOD; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF SECTION 31.17 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. **(Second Reading)**
- e. **PH 5 – Ordinance #407** - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA; AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 155. BEACHES AND WATERWAYS. SECTION 155.03. PROHIBITED FISHING ACTIVITIES. BY RENAMING THIS SECTION TO READ "PROHIBITED FISHING RELATED NUISANCE ACTIVITIES, AND OTHER NUISANCE ACTIVITIES"; DEFINING AND PROVIDING EXAMPLES OF PROHIBITED NUISANCE ACTIVITY ON BEACHES, RIGHTS-OF-WAY, AND OTHER PLACES IN THE TOWN TO INCLUDE LITTERING, TRESPASSING, NOISE VIOLATIONS AND LIGHT VIOLATIONS; IDENTIFYING TOWN POLICE AS HAVING ENFORCEMENT JURISDICTION OVER ALL NUISANCE ACTIVITY THAT OCCURS ANYWHERE IN THE TOWN; ALSO IDENTIFYING FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION (FWC) JURISDICTION OVER SALTWATER FISHING ACTIVITIES IN FLORIDA STATE WATERS IN AND ADJACENT TO THE TOWN, ACKNOWLEDGING FWC JURISDICTION OVER SHORE BASED SHARK FISHING; AND STATING FWC RULES AND REGULATIONS THAT APPLY TO SHORE BASED SHARK FISHING; DIRECTING THE TOWN MANAGER AND POLICE CHIEF TO WORK WITH FWC AND OBTAIN EDUCATIONAL MATERIALS TO BE PROVIDED TO TOWN RESIDENTS AND GUESTS REGARDING FWC RULES AND REGULATIONS THAT APPLY TO SHORE BASED SHARK FISHING; ENCOURAGING TOWN RESIDENTS AND GUESTS TO PROMPTLY REPORT ANY AND ALL NUISANCE ACTIVITY THEY MAY OBSERVE ON BEACHES, RIGHTS-OF-WAY, AND OTHER PLACES IN THE TOWN, FURTHER ENCOURAGING TOWN RESIDENTS AND GUESTS TO PROMPTLY REPORT ANY AND ALL SHORE BASED SHARK FISHING ACTIVITY THAT APPEARS TO VIOLATE ANY FWC RULE; PROVIDING DEFINITIONS, AND PROVIDING FOR ENFORCEMENT; PROVIDING THAT ALL OTHER SECTIONS AND SUBSECTIONS OF CHAPTER

155. BEACHES AND WATERWAYS. WILL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
(First Reading)

10. ADJOURNMENT

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Town Commission, Special Magistrate 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 insure 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 will be continued from day to day, time to time, place to place, as may be found necessary during the aforesaid meeting. IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT (LARGE PRINT) UPON REQUEST AND SPECIAL ACCOMMODATIONS CAN BE PROVIDED UPON REQUEST WITH THREE (3) DAYS ADVANCE NOTICE. Please contact the Town Clerk at (561) 585-9477 - 600 South Ocean Blvd., Manalapan, FL 33462 - townhall@manalapan.org



TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: CA - a

Agenda Item Name: June 23rd, 2026 Town Commission Meeting Minutes

ACTION REQUESTED: Discussion ☐ Approval ☒

ATTACHMENT:

- June 23rd, 2026 Town Commission Meeting Minutes



Town Commission Meeting
Tuesday June 23rd, 2026, at 9:00 a.m.

IN ATTENDANCE

TOWN COMMISSION		TOWN STAFF	
John Deese, Mayor	✓	Eric Marmer, Town Manager	✓
Simone Bonutti, Vice Mayor	✓	Jeffrey Rasor, Chief of Police	✓
Elliot Bonner, Mayor Pro Tem	✓	Erika Petersen, Town Clerk	✓
Orla Imbesi, Commissioner	✓	Keith Davis, Town Attorney	✓
David Knobel, Commissioner	X	Brent Watson, Utilities Director	✓
Dwight Kulwin, Commissioner	Zoom	Jack Tomasik, Building Official	✓
Cindy McMackin, Commissioner	✓	Dylan Brandenburg, Asst. Town Attorney	X

PUBLIC: Craig Spiegelhalter (PBC Fire Rescue), Matthew Scott (Greenspoon Marder), Abel Varaghese (2000 SOB), Carolee Rodebaugh (Daily Janssen Arch.), Tim Nardi (Eau Hotel), Michelle Phillips (Eau Hotel), Roger Ramdeen (S + B), Tito Rodriguez (Eau Hotel), Howard Parker (1275 Lands End Rd), Sharon Kirkland (30 Spoonbill), and Jane Musgrave (Coastal Star)

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Deese called the Town Commission meeting to order at 9:03 a.m.

AGENDA ADDITIONS, DELETIONS OR SUBSTITUTIONS

There were none.

PUBLIC COMMENTS

There were none.

CONSENT AGENDA

- a. Minutes May 12, 2026 Town Commission Meeting
- b. Police Department Report for May
- c. Amended Agreement with Town Manager Marmer
- d. Urban County Program Qualification Renewal 2027-2029
- e. Police Department Oracle Software Agreement

Vice Mayor Bonutti made a motion to **approve** the Consent Agenda, Commissioner Imbesi seconded, which prevailed by the following vote:

YES: Mayor Deese, Vice Mayor Bonutti, Mayor Pro Tem Bonner, Commissioner Imbesi, and Commissioner McMackin

REGULAR AGENDA

OLD BUSINESS:

n/a

NEW BUSINESS: *Quasi-Judicial Hearing

i. RES 05-2026 Budget Amendment

Town Manager Marmer reported that the Town had received the title for the property at 131 South Ocean Boulevard through the eminent domain case. He explained that to finalize the acquisition of the title, the Town would have to put our offer amount in escrow with the County. This resolution would approve that budget amendment.

Mayor Pro Tem Bonner made a motion to **approve** RES 05-2026 Budget Amendment, Commissioner McMackin seconded, which prevailed with the following vote:

YES: Mayor Deese, Vice Mayor Bonutti, Mayor Pro Tem Bonner, Commissioner Imbesi, and Commissioner McMackin

ii. * Site Plan Review SPR 26-01 - 100 S. Ocean Blvd. - Timothy Nardi, agent for MPB Property, LLC, requested to modify the previously approved site plan by changing the existing monument sign and existing building wall signage. The changes include new back-lit signs reflecting the new Eau Hotel logo design. Tim Nardi presented this application and explained the signage material would be aluminum with an automotive paint & UV coating for durability. Mr. Nardi also discussed upcoming renovations to the guest rooms at the hotel.

Vice Mayor Bonutti made a motion to **approve** Site Plan Review SPR 26-01, Mayor Pro Tem Bonner seconded, which prevailed with the following vote:

YES: Mayor Deese, Vice Mayor Bonutti, Mayor Pro Tem Bonner, Commissioner Imbesi, and Commissioner McMackin

iii. * Variance VAR 26-03 - 2000 S. Ocean Blvd. - Florida Realty, LLC requested a variance approval in order to expand and improve the Tennis Building with the addition of a second story, where Town Zoning Code Sec. 151.643(B) requires that nonconforming buildings and/or structures shall not be enlarged upon, expanded, increased or extended to occupy a greater area of land or over water, nor shall they be relocated in whole or in part to any portion of a lot or parcel, nor shall they be used as grounds for adding other buildings and/or structures prohibited elsewhere in the same District. Carolee Rodebaugh, the architect, presented the application. She explained they would like to have it completed by May of 2027.

Commissioner Imbesi made a motion to **approve** Variance VAR 26-03. Commissioner McMackin seconded, which prevailed with the following vote:

YES: Mayor Deese, Vice Mayor Bonutti, Mayor Pro Tem Bonner, Commissioner Imbesi, and Commissioner McMackin

MAYOR'S COMMENTS, TOWN COMMISSION COMMENTS, TOWN MANAGER'S REPORT:

Town Manager Marmer reported that the engineering plan for the new guardhouse would be finalized later in the week. He explained he will push to start the work in August.

Town Manager Marmer announced that the Land's End Road roadway project was completed. He noted the construction occurred without issues and that new sod had been planted in the area.

Town Manager Marmer updated the Commission that the Town was attempting to finalize a mediation date with the County and State over the Sand Transfer Plant. Town Attorney Davis advised that if the issue could be resolved through mediation, the Town could save resources. He further explained that if mediation failed, the Town would have to go through the discovery process which could be costly, and he estimated at least seventy-five thousand dollars. He and Town Manager Marmer advised the Commission that they could hold a Shade Meeting at a later date to discuss with the Commissioners what strategies and expenses they would agree to. Town Manager Marmer noted that the mediation would likely be scheduled for the first or second week of July and he would keep them abreast of the status.

Building Official Tomasik congratulated Building Services Administrator, Molly Gaughan, for winning the 2026 ICC Certified Permit Technician of the Year award from the Building Officials Association of Florida.

Town Attorney Davis advised that the Florida Department of Emergency Management is requiring elected officials to take the biannual emergency management training by July 1st.

Town Attorney Davis also explained to the Commission that the shore-based shark fishing ordinance passed in May had faced some backlash. He and the Town Manager decided it would be best if he reached out to the Florida Wildlife Commission (FWC) for feedback. FWC advised that since the Town of Manalapan does not have a public beach that it owns, there are challenges created. Town Attorney Davis advised he would be modifying the ordinance so that it targets nuisance and trespassing activity specifically and he noted that these modifications would also add FWC regulations.

PUBLIC HEARING:

a. PH 1 - Ordinance #401 – AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTER 151. ZONING. TO PROVIDE FOR A REVISED AND AMENDED OFFICIAL ZONING MAP THAT COMBINES ZONING DISTRICT R1-F AND PORTIONS OF ZONING DISTRICT R3-A INTO ZONING DISTRICT R1-D, AND WHICH ELIMINATES METES AND BOUNDS DESCRIPTIONS FOR ALL ZONING DISTRICTS FROM THE CODE; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 151. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. **(First Reading)**

Vice Mayor Bonutti made a motion to **approve** Ordinance #401, Commissioner Imbesi seconded, which prevailed with the following vote:

YES: Mayor Deese, Vice Mayor Bonutti, Mayor Pro Tem Bonner, Commissioner Imbesi, and Commissioner McMackin

b. PH 2 – Ordinance #402 - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTER 151. ZONING. CREATING AN ENTIRELY NEW DIVISION “BOATS, BOATHOUSES, DOCKS, BULKHEADS” UTILIZING RESERVED CODE SECTIONS 151.585 THROUGH 151.600; RELOCATING ALL EXISTING BOAT, DOCK, BOATHOUSE AND BULKHEAD ZONING REGULATIONS INTO THIS ONE NEW DIVISION; DIVIDING THE TOWN INTO 16 WATERWAY ZONES BASED ON CURRENT CODE REQUIREMENTS FOR DOCKS; REPEALING THE RELOCATED CODE PROVISIONS FROM EACH ZONING DISTRICT’S SET OF CODES; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 151. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. **(First Reading)**

Commissioner Imbesi made a motion to **approve** Ordinance #402, Vice Mayor Bonutti seconded, which prevailed with the following vote:

YES: Mayor Deese, Vice Mayor Bonutti, Mayor Pro Tem Bonner, Commissioner Imbesi, and Commissioner McMackin

c. PH 3 – Ordinance #403 - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, ADOPTING A NEWLY REVISED AND AMENDED OFFICIAL ZONING MAP FOR THE TOWN OF MANALAPAN, FLORIDA, WHICH, IN CONJUNCTION WITH ORDINANCE 401 RE-ZONES ALL PROPERTY CURRENTLY DESIGNATED AS R1-F, AS WELL AS R3-A PROPERTIES LOCATED WEST OF LANDS END ROAD INTO THE DESIGNATION OF R1-D PROPERTY; IN ADDITION, ADOPTING AN ENTIRELY NEW MAP FOR THE NEWLY ADOPTED WATERWAY ZONES CODE WHICH, IN CONJUNCTION WITH ORDINANCE 402 WILL RELOCATE AND CONSOLIDATE ALL EXISTING TOWN DOCK, SEAWALL, AND RELATED REGULATIONS INTO A NEW, SINGLE, CONSOLIDATED ZONING CODE DIVISION IN ORDER TO BETTER ORGANIZE THESE EXISTING CODE PROVISIONS INTO ONE USER FRIENDLY PART OF THE ZONING CODE; PROVIDING THAT THE ZONING MAP OF THE TOWN OF MANALAPAN, FLORIDA, BE AMENDED TO REFLECT THE RE-ZONING OF ALL R1-F, AS WELL AS R3-A PROPERTIES LOCATED WEST OF LANDS END ROAD INTO R1-D PROPERTY AND TO REFLECT THE NEW WATERWAY ZONES; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. **(First Reading)**

Building Official Tomasik and Zoning Administrator Everard clarified that all the dock zoning information would be kept in a separate section of the code. The new section would act as a directory to tell people exactly what they need to do based on their lot number which, they explained, would make it easier for contractors to quickly find information.

Mayor Pro Tem Bonner made a motion to **approve** Ordinance #403, Vice Mayor Bonutti seconded, which prevailed with the following vote:

YES: Mayor Deese, Vice Mayor Bonutti, Mayor Pro Tem Bonner, Commissioner Imbesi, and Commissioner McMackin

d. PH 4 – Ordinance #406 - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT TITLE III ADMINISTRATION, CHAPTER 31 STAFF, SECTION 31.17 TOWN GENERAL EMPLOYEES’ AND POLICE OFFICERS’ RETIREMENT FUND, SUBSECTION (E) BOARD OF TRUSTEES TO PROVIDE THAT THE EMPLOYEE TRUSTEES CANNOT BE

EMPLOYEES IN THE DROP; AMENDING SUBSECTION (H). BENEFIT AMOUNTS AND ELIGIBILITY, SUBSECTION (I), PRE-RETIREMENT DEATH, SUBSECTION (J), DISABILITY, AND SUBSECTION (K), VESTING TO PROVIDE FOR A CHANGE IN VESTING IN THE PLAN OF BENEFITS FROM TEN YEARS TO EIGHT YEARS; ADDING SUBSECTION (BB), DEFERRED RETIREMENT OPTION PLAN (DROP), TO PROVIDE AN OPTION FOR MEMBERS TO HAVE A FIVE-YEAR DROP PERIOD; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF SECTION 31.17 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. **(First Reading)**

Chief Rasor and Town Manager Marmer explained that the changes were codifying the agreed upon PBA agreement.

Commissioner Imbesi made a motion to **approve** Ordinance #406, Mayor Pro Tem Bonner seconded, which prevailed with the following vote:

YES: Mayor Deese, Vice Mayor Bonutti, Mayor Pro Tem Bonner, Commissioner Imbesi, and Commissioner McMackin

The Town Commission meeting adjourned at 10:00 a.m.

**These minutes were presented to the Town Commission
on Tuesday July 14th, 2026 for approval.**

John Deese, Mayor

Date Signed

Erika Petersen, Town Clerk

Date Signed



TOWN OF MANALAPAN

AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: CA - b

Agenda Item Name: Police Department Chief's Report for June

ACTION REQUESTED: Discussion ☐ Action ☒

ATTACHMENT:

- Chief Rasor's Executive Report
- The Police Department Report for June including Monthly Stats
- Palm Beach County Fire Rescue June Response Times



Manalapan Police Department

TO: Mayor and Town Commissioners
Eric Marmer, Town Manager
FROM: Chief Jeff Rasor
SUBJECT: Monthly Report for June 2026
DATE: July 6, 2026

JML#52157

Police Department Staffing:

- **Dispatcher Positions:** There are currently no vacancies for the position of Dispatcher.
- **Police Officer Positions:** There are currently no vacancies for sworn police officer positions.
- **Community Service Officer Positions:** There are currently two vacancies for Community Service Officer positions; one part-time and one full-time.
- **Staffing Summary:** Recruitment efforts continued throughout June, including participation in college job fairs and ongoing recruitment through the Town's website. The department has received applications and resumes for Community Service Officer positions and will continue the hiring process to fill the remaining vacancies.

Zone Coverage:

- Zone coverage remained consistent throughout the month, with two police officers and one sergeant assigned to each patrol shift, ensuring continuous patrol coverage, proactive policing, and timely response to calls for service.

Fleet:

- **Vehicle Maintenance:** The department's fleet remains current on all scheduled maintenance and service requirements, ensuring operational readiness, reliability, and officer safety.
- **Electric Golf Cart:** The department began evaluating options and obtaining quotations for the purchase of an electric golf cart to support Community Service Officer patrol operations on the Point. The golf cart is intended to enhance mobility and maintain security coverage during the planned demolition and reconstruction of the Guard House.

Training:

- **Field Training:**
 - Officer Nikita Kuznetsov successfully completed Phase 1 of the Field Training Officer (FTO) Program and advanced to Phase 2, continuing his progression toward solo patrol status.



Manalapan Police Department

- **Specialized Training Courses:**
 - **911 Palm Beach County Dispatching Updates at Emergency Operations Center (June 17):** Communications Supervisor Elizabeth Mackey attended the Palm Beach County 911 Dispatch Update meeting at the Palm Beach County Emergency Operations Center. The meeting provided important updates regarding countywide emergency communications procedures, technology enhancements, and interagency coordination.
 - **Axon Taser Training for Taser 10 (June 16):** Sergeant Merritt, Officer Temperato, and Officer Defilippis successfully completed Axon's Taser 10 Instructor (Train-the-Trainer) course. This certification prepares the department for the transition from the Taser 7 platform to the Taser 10 system and enables the instructors to conduct in-house certification training for sworn department personnel.

Miscellaneous – Department Projects and Promotions:

- **Police Department Summer Internship Program:** Florida Atlantic University student Sydney Wells began her summer internship with the Police Department in June. Through August, Ms. Wells will assist with converting historical police reports from paper records into electronic format, supporting the department's ongoing records modernization efforts and improving document accessibility and retention.

Total Police Calls for Service for the Month of June 2026

Types of Calls / Patrols	Total
ATV - Beach Patrols	20
Marine Patrols	8
Dark House Checks	1045
Construction Site Checks	266
Extra patrols in the plaza	70
Arrest	5
Baker Acts – Mental Distress	0
Traffic Stops	59
Uniform Traffic Citations Written	45
Traffic Violation Verbal Warnings	32
Parking Citations Written	10
Traffic Crashes	1
Distressed Swimmer	1
Iguana Removal	65



Manalapan Police Department

Total Calls Dispatched	629
911 Calls	48
Non-Emergency Calls	581
Most Frequent Call Dispatched (Service Call - Assisting the Resident with Non-Crime related issue – Example – Door Left Open, Medical, Information, Found Property, Lost Property, Alarms)	53
Total Crime Calls for the Month	1
Most Frequent Crime Reported (Trespassing)	1



Palm Beach County Fire Rescue

Manalapan

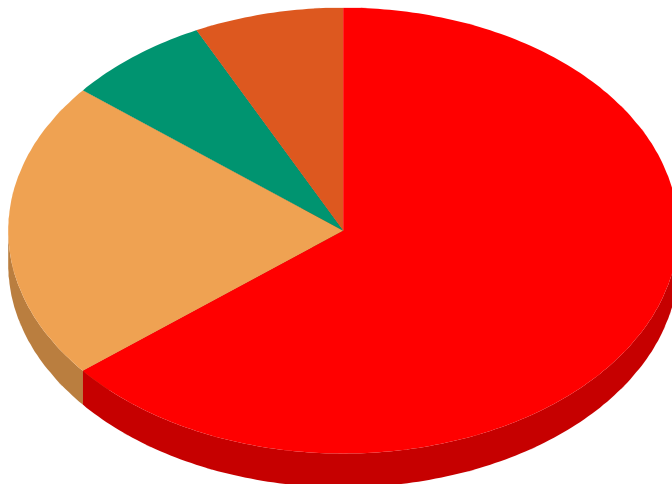
06/01/2026 to 06/30/2026

Average Response Times	Disp Hand	Turnout	Travel	Resp Time
Emergency Calls:	<u>0:00:38</u>	<u>0:00:54</u>	<u>0:02:55</u>	<u>0:04:27</u>

<u>Type - Situation Dispatched</u>	<u># of Incidents</u>	<u>%</u>
Medical Calls:	9	64.29%
Alarms:	3	21.43%
Assists/Investigations:	1	7.14%
Fires:	1	7.14%
Total	<u>14</u>	<u>100.00%</u>

Calls by Situation Dispatched

Manalapan



- Medical Calls:
- Alarms:
- Assists/Investigations:
- Fires:



TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: CA - c

Agenda Item Name: **RES 06-2026** Updated Fee Schedule

ACTION REQUESTED: Discussion ☐ Approval ☒

BACKGROUND:

This resolution updates the Town's Building Department fee schedule to comply with the State of Florida requirements of CS/CS/HB 803, effective July 1, 2026. Staff analyzed the Department's operating costs and determined that the current permit fees generally reflect the actual cost of providing building services. The proposed amendments revise reinspection fees to reflect actual inspection costs rather than penalties and establish permit fee reductions for projects using licensed private providers, as required by state law. These changes ensure the Town's fee schedule remains legally compliant while continuing to recover the costs of administering and enforcing the Florida Building Code.

ATTACHMENT:

- RES 06-2026 Updated Fee Schedule

RESOLUTION NO. 06-2026

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, PROVIDING A NEW SCHEDULE OF FEES AND CHARGES FOR SERVICES PROVIDED BY THE TOWN'S BUILDING DEPARTMENT, IN CONFORMANCE WITH NEW REQUIREMENTS CONTAINED IN RECENTLY ADOPTED LEGISLATION VIA HB 803 DURING THE 2026 FLORIDA LEGISLATIVE SESSION; PROVIDING THAT THIS SCHEDULE OF FEES AND CHARGES SHALL BE AVAILABLE FOR INSPECTION AT ALL TIMES AT THE TOWN HALL DURING REGULAR BUSINESS HOURS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, as a result of the passage and adoption into state law of HB 803 during the 2026 Florida Legislative Session, local governments are required to revise certain fees charged to applicants for building permit related matters; and

WHEREAS, the Building Official has undertaken a comprehensive review of the Town's current fee schedule for services provided by the Town's Building Department and now recommends the adoption of a new fee schedule which is in compliance with the new state law requirements; and

WHEREAS, the Town Commission of the Town of Manalapan desires accept the recommendations of the Building Official and adopt the new fee schedule for services provided by the Town's Building Department; and

WHEREAS, the Town Commission of the Town of Manalapan desires to make certain the new Fee Schedule is available for inspection such that any member of the public may be aware of the cost of all services provided by the Town of Manalapan's Building Department.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AS FOLLOWS:

SECTION 1: The Town Commission of the Town of Manalapan, Florida, hereby officially adopts the schedule of fees and charges for services provided by the Town's Building Department attached hereto as Exhibit "A" and made a part hereof as if fully set forth herein.

SECTION 2: The new Fee Schedule, as set forth in Exhibit "A" shall be available at the Town Hall for inspection by the public during normal business hours.

SECTION 3: This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of July 2026.

John Deese, Mayor

ATTEST:

Erika Petersen, Town Clerk

(Seal)

Exhibit A
Town of Manalapan
Rates, Fees, and Charges Schedule

A. PLANNING AND ZONING APPLICATION FEES AND CHARGES

1.	Application fee for variance.....	\$2,000.00
2.	Application fee for special exception.....	\$1000.00
3.	Application fee for site plan review.....	\$1000.00
4.	Application fee for zoning text and/or map amendment.....	\$2,500.00
5.	Application fee for comprehensive plan amendment.....	\$2,500.00
6.	Application fee for Planned Unit Development or PUD Amendment.....	\$1,500.00
7.	Application fee for paver agreement.....	\$500.00
8.	Application fee for MMOA (Maintenance Memorandum of Agreement).....	\$500.00
9.	Application fee for ARCOM review Level I.....	\$450.00
10.	Application fee for ARCOM review Level II.....	\$850.00
11.	Application fee for ARCOM review Level III.....	\$1,800.00
12.	Application fee for ARCOM review Level IV.....	\$2,500.00
13.	Application fee for Vegetation Removal or Trimming and Pruning Permit.....	\$150.00
14.	Proportionate Fair Share Program (app. Review per §150-20).....	\$750.00

Projects requiring extensive review or involving multiple correction-request, resubmittals will be subject to an additional fee of \$100.00 per hour, billed in 30-minute increments, in addition to the base fee listed above.

B. BUILDING PERMIT FEES

The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total replacement value of work, including materials and labor, for which the permit is being applied, such as structural, electrical, gas, mechanical, plumbing equipment, interior finish, related site work, architectural and design fees, marketing costs, overhead, and profit, excluding only land value. Building Permit Fee includes permit processing, building plan review and inspections excluding re-inspections and Zoning review.

The following fees are cumulative for all projects requiring a building permit:

1. Standard Building Permit fee - per valuation of project up to and including \$2,750.00 - \$250.00 plus 2.7% per valuation of the project from \$2,750.01 up to and including \$2,500,000.00 plus 2.0% - per valuation of project over \$2,500,000.00
2. Minimum Permit fee..... \$250.00
3. Sub-permit fee..... \$75.00

4. Enforcement and Maintenance of Traffic by Police Department Associated with Construction of the Tunnel when required by FDOT, Town manager, Police Chief or Building Official.
Surety (refundable deposit), to be paid prior to issuance of the building permit, per Town Ordinance 395, §151.581(F):..... \$44,800.00
5. Plan Revision Base Fee.....\$100.00
plus, per plan sheet, page, or attachment page fee \$20.00
6. Change of Contractor\$75.00
7. Zoning Review Fee:

New Construction (Residential and Commercial), Addition and
Tunnels.....\$550.00
Other Residential Improvements including landscaping..... \$275.00
Commercial Remodel, Addition and Tenant
Improvement..... \$300.00

Projects requiring extensive review or involving multiple correction-request resubmittals will be subject to an additional fee of \$100.00 per hour, billed in 30-minute increments in addition to the base zoning review fee listed above.

C. INSPECTIONS, RE-INSPECTION FEES

\$112.00 This fee represents the documented actual cost per inspection and is established pursuant to F.S. §553.79(f) as amended by CS/CS/HB 803. The fee applies uniformly regardless of the number of prior inspections performed under the permit and does not escalate.

D. PRIVATE PROVIDER CREDIT

Plan Review Services Only 13%
Inspection Services Only 17%
Combined Plan Review and Inspection Services 30%

When using Private Providers, no credits will be applicable if calculated discount fees are less than the minimum fees stipulated in this document or use of private provider is not indicated on the initial permit application.

E. MISCELLANEOUS FEES

Certificate of Occupancy... ..\$200.00
Temporary/Conditional Certificate of Occupancy..... \$300.00

Certificate of Completion.....\$100.00

Failure to obtain proper Building Permit(s) and/or Architectural/Town Commission approval prior to the commencement of construction activities - 4x required TCOM/ARCOM fee and building permit fee. But not to exceed \$12,000

F. PERMIT RENEWAL, EXTENSION UP TO 90 DAYS

\$250.00 or 2% of the calculated permit fee whichever is greater.

G. PERMIT FEE REFUNDS

Permit Termination Request shall be considered for up to 1 year from the date of the initial permit application.

1. Prior to any plan review - 75% of the Building Permit Fee with minimum retainer of \$500.00 and maximum retainer of \$3,000.00
2. After any plan review but prior to permit issuance - 50% of Building Permit Fee with max retainer of \$5,000.
3. After permit issuance and prior to commencement of any construction, 50% of Building Permit Fee shall be refunded with max retainer of \$5,000.

H. EXPEDITED PLAN REVIEW

Expedited out-of-sequence plan review – based on the staff availability.
The following charges shall apply in addition to regular permit fees (per occurrence/request)

Residential\$1,000.00
Commercial.....\$1,750.00

I. CODE COMPLIANCE FEES AND FINES

A fine imposed pursuant to section§ 32.07...not to exceed two hundred fifty dollars (\$250.00) per day for a first violation and shall not exceed five hundred dollars (\$500.00) per day for a repeat violation,
Violation irreparable or irreversible in nature, fine not to exceed five thousand dollars (\$5,000.00) per violation.

J. BUSINESS TAX TRANSFER FEES

1. Transfer to new owner: 10% of the annual business tax, but not less than \$3.00 nor more than \$25.00.
2. Transfer to new location: 10% of the annual business tax, but not less than \$3.00 nor more than \$25.00.

3. Transfer to new name: 10% of the annual business tax, but not less than \$3.00 nor more than \$25.00.

K. CONTRACTOR REGISTRATION FEE

1. Mandatory Business Registration (County U- Licenses, Installer Registrations, Landscaping, Private Providers, etc.)\$37.00
Private Provider Registration at no charge

L. ADMINISTRATIVE FEES & CHARGES

1. Public Records Requests (per Florida Statutes, plus tax)
2. Photocopies Letter Size (black & white or color)..... \$0.15 each (single sided)
3. Photocopies 11x17 Size (black & white or color) \$0.30 each (single sided)
\$0.35 each (double sided)
4. Research (Deposit Required) Hourly rate + copy costs
5. CD Recordings of Public Meetings \$1.00 per CD
6. Residential Building Plans/Drawings..... Actual Duplication Cost
7. Resident Mailing Labels..... \$5.00 per page
8. Zoning Map..... \$3.00
- 9.. Fee for Returned Checks.....Actual Cost + \$25.00

M. J. TURNER MOORE MEMORIAL LIBRARY

- Annual fee for Residents and Non-Resident Volunteers \$50.00
Annual Fee for Non-Residents... \$100.00

TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: RA. b.i.

Agenda Item Name: **Septic to Sewer project update from Mock Roos and discussion about resident connection options and financing.**

BACKGROUND:

At its July 8, 2025, meeting, the Town Commission approved a Continuing Services Agreement (CSA) with the Town's engineering consultant, Mock, Roos & Associates, Inc., to complete the design of the proposed low-pressure wastewater collection system for the Septic to Sewer conversion project. On March 10, 2026, the Town Commission approved an additional CSA with Mock, Roos & Associates to assist with preparing and submitting an application for a low-interest loan through the State Revolving Fund (SRF). This agreement included services provided by the Town's financial consultant, Raftelis, to prepare a comprehensive Wastewater Facility Plan, including a Capital Finance Plan (CFP), to support the SRF loan application and repayment strategy.

Mock, Roos & Associates will provide an update on the overall project as well as discuss with the Commission possible resident connection options and financing.

MOTION:

- n/a

ATTACHMENTS:

- n/a

TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: RA. b.ii.

Agenda Item Name: **Special Exception SE 26-02** – 1800 S. Ocean Boulevard

BACKGROUND:

Special Exception SE 26-02 1800 SOB - Loki2 Land Trust, by and through its authorized agent Loki2 LLC, Robert Wexler, Manager, is requesting a Special Exception to allow a beach house on the East side of A-1-A in accordance with Sec.151.093(B) of the Town Zoning Code. The subject property address is 1800 South Ocean Boulevard.

MOTION:

- Move to approve/disapprove Special Exception SE 26-02

ATTACHMENTS:

- Special Exception Application
- Development Drawings



TOWN OF MANALAPAN
600 South Ocean Boulevard, Manalapan, FL 33462
(561) 585-9477, Fax (561) 585-9498
townhall@manalapan.org www.manalapan.org

DEVELOPMENT APPLICATION

Submittal Date: 06.12.26

Property Control # 42-43-45-10-01-000-0091

PROPERTY OWNER(S)	AUTHORIZED AGENT(Required if owner not presenting)
Name: <u>Loki2 Land Trust</u>	Name: <u>Loki2 LLC, Robert Wexler. Authorized Agent</u>
Address: <u>C/O North Audley Street LLC</u> <u>501 S Flagler Dr., Suite 302</u> <u>West Palm Beach, FL 33401</u>	Address: <u>C/O North Audley Street LLC</u> <u>501 S Flagler Dr., Suite 302</u> <u>West Palm Beach, FL 33401</u>
Phone:	Phone: <u>201.803.8110</u>
E-mail:	E-mail: <u>rwexler@northaudley.com</u>

ARCHITECT/LANDSCAPE ARCHITECT	DEVELOPER/CONTRACTOR:
Name: <u>Meghan Ford Taylor (Architect)</u> <u>Brian Vertesch (Landscape Architect)</u>	Name: <u>Siobhan Zerilla, Principal, CBC1261250</u>
Company Name: <u>Tralongo & Taylor, LLC</u> <u>Vertesch Landscape Architecture</u>	Company Name: <u>Bluedoor Building Inc</u>
Address: <u>435 Southern Blvd., West Palm Beach, FL 33405</u> <u>6430 Robinson St., Jupiter, FL 33458</u>	Address: <u>1210 Roebuck Ct.</u> <u>West Palm Beach, FL 33401</u>
Phone: Cell: <u>904.742.7233</u>	Phone: <u>561. 406. 0552</u> Cell: <u>954.397.9301</u>
E-mail: <u>meghan@tralongoandtaylor.com</u> <u>brian@verteschla.com</u>	E-mail: <u>siobhan@bluedoorbuilding.com</u>

APPLICANT'S CERTIFICATION

- (I) Robert Wexler (owner or authorized agent) affirm and certify that I understand and will comply with all provisions and regulations of the Town of Manalapan, Florida. 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 Manalapan 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

Updated 03/03/2026

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 Manalapan, Florida, and are not returnable.

Signature-Owner or Authorized Agent

Robert Wexler

Print Name Robert Wexler

STATE OF FLORIDA, COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 28th day of May, 2026.

by Robert Wexler as Authorized Agent for Loki2 LLC.

Personally known ☒ or Produced Identification ☐

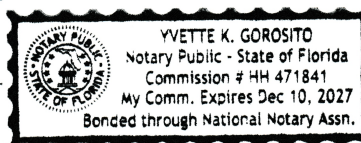
Type of Identification _____

Notary Signature

Yvette K. Gorosito

Print Notary Name

SEAL



CHECK BELOW WHERE APPLICABLE

(Payable by check only)

ARCHITECTURAL REVIEW – Level 1 \$450		PUD or PUD AMENDMENT \$1,500	
ARCHITECTURAL REVIEW – Level 2 \$850		SITE PLAN REVIEW \$1,000	
ARCHITECTURAL REVIEW – Level 3 \$1,800		SPECIAL EXCEPTION USE \$1,000	
ARCHITECTURAL REVIEW – Level 4 \$2,500	☒	VARIANCE \$2,000	
PAVER AGREEMENT \$500		ZONING TEXT/MAP OR COMP PLAN AMENDMENT \$2,500	

(See page 7 for definitions of Levels)

The owner, architect or other authorized agents are urged to attend the meeting. Each applicant must familiarize themselves with the Architectural Commission criteria and procedure. If all required information is not presented with this application, the project will not be placed on the agenda for review and consideration. PLEASE NOTE: Although an application meets minimum zoning requirements the Architectural Commission may approve, approve with conditions, or disapprove a request not found to meet Architectural Review criteria as found in Town Code, Section 152.23. All residents are notified of applicant's request by mail.

**ALL APPLICATIONS MUST BE COMPLETE, SIGNED,
NOTARIZED AND SUBMITTED WITH NARRATIVE AND
PLANS BY THE DEADLINE DATE**

1. This Application pages 3-4 for Project Levels 1 thru 3, and pages 1-6 for Level 4 Projects.
2. Agent's Authorization Letter (Required if owner does not sign/notarize application and/or is not presenting).
3. Application fee (see page 7).
4. Model, if applicable (see page 8).
5. Narrative letter describing the project.
6. Samples, renderings, pdfs, jpegs and Power Point photos are due 15 days prior to meeting.

Updated 03/03/2026

GENERAL DATA for NEW HOMES

(Required for Level 4 only)

Project Location: 1800 South Ocean Blvd. District: Manalapan

Proposed Zoning: R1-B Low Density Residential

Total Site Area: 81,228 Sq. Ft. 1.86 Acres

Flood Zone Category: X, VE, AE

Is site currently served by public water? Yes ✓ No

Is site currently served by public sewer? Yes ✓ No

Describe briefly the nature of any improvements presently located on the subject property.

This submittal only pertains to the portion of the lot East of A1A. There is an existing Beach Cabana, wood deck walkway, asphalt driveway, and site walls and columns.

Describe type of operation or business proposed; or the proposed construction.

We are proposing to renovate an existing Beach Cabana as well as East Lot modifications

Describe in detail the phasing of the proposed development (Attach if insufficient space).

Please see the attached Proposed Development Letter

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 for Special Exceptions, Variances, Administrative Appeals, etc. must be addressed. (Attach a separate Justification Statement if insufficient space.)

Please see the attached Justification Statement

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.

NO

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

SITE DATA FOR NEW HOMES ONLY

(Required for Level 4 only)

Setback Requirements

Front Yard:	<u>28.54'</u>	<u>15'</u>	Required
Rear Yard:	<u>100' from MHWL</u>	<u>185.2'</u>	Required
Side Yard:	<u>20'</u>	<u>50.47'</u>	Required
Average Lot Width:		<u> </u>	

Lot Coverage

Lot Size	<u>43,733 + (37,494 x .5)</u>	= <u>62,480</u>	Sq. Ft.
Total Bldg. Coverage Shown		= <u>2,158</u>	Sq. Ft.
% of Lot Coverage		<u>5.8% of East Lot</u>	
Greenspace		<u>34,104 of East Lot</u>	= 91%

Floor Areas

Basement Area	=	<u>N/A</u>	Sq. Ft.
First Floor A/C Area	=	<u>994</u>	Sq. Ft.
Second Floor A/C Area	=	<u>N/A</u>	Sq. Ft.
Total A/C Area	=	<u>994</u>	Sq. Ft.

Floor Height

Basement Ceiling Height	<u>N/A</u>	=	<u> </u>	Above Msl.
Established Ground Floor Height:	<u>17.2'</u>	=	<u> </u>	Above Msl
Second Floor Height:	<u>N/A</u>	=	<u> </u>	Above Msl
Ceiling Height First Floor:	<u>11'-0"</u>			
Ceiling Height Second Floor:	<u>N/A</u>			

Building Height

Ceiling at 2 nd Floor =	<u>N/A</u>	Above Finished First Floor
Total Bldg Height (Top Of Roof Peak) =	<u>12' 7-1/2"</u>	Above 1 st Floor
Total Bldg Height (Top Of Roof Peak) =	<u>12' 11-1/2"</u>	From Grade

Building Grade

Grade 17.2' NAVD



June 26th, 2026

Town of Manalapan
Town Commission (TCOM)
600 South Ocean Drive
Manalapan, FL 33462

RE: TCOM Narrative Letter for East Lot and Cabana Modifications at 1800 South Ocean Boulevard

Dear Members of the Town Commission,

Please accept this letter and the enclosed plans as our formal application for the proposed East Lot modifications and Beach Cabana renovations at 1800 South Ocean Boulevard. The existing Beach Cabana exceeds the Town's 16-foot maximum height requirement and creates an undesirable view from both the right-of-way and the West Lot. We propose to improve the structure by lowering its height, squaring off the exterior walls, and adding a green roof.

We are requesting the Town Commission's approval for the following Beach Cabana Renovations:

- The existing structure and foundation of the beach cabana includes a poured concrete elevated deck. The structure of the existing Beach Cabana and Elevated Deck are integrated, and the footprint is 1,340 SF.
- We Propose to maintain the overall structural footprint of 1,340 SF but increase the Cabana Under Air Square Footage from 752 SF to 994 SF, which includes 114 SF of Storage as well as the 880 SF Main Cabana Structure.
- We propose to fill in the grade surrounding the Existing Deck so that the deck is flush with the grade.
- We also propose the following:
 - Remove angled walls and replace them with rectilinear exterior walls.
 - Lower the non-conforming existing roof height from 17'-10" to 13'.
 - Reconfigure the Roof to have a poured concrete roof slab with a parapet and a green roof.
 - Add a structure for storage on the west side of Cabana.
 - Cover 222 SF of the Existing Deck with a roof structure (222 SF Covered Deck).



TRALONGO & TAYLOR
ARCHITECTURE – INTERIORS

We are requesting the Town Commission's approval for the following East Lot Site Modifications:

- Remove the current asphalt driveway and replace it with lawn.
- Remove one of the non-conforming walkways and gate.
- Change pathway material from asphalt to Oolite paving and lawn joints
- Remove the existing wood deck walkway
- Regrade the lot so the grade is flush with the existing deck.

We propose using the following materials:

- Cabana exterior walls to be a smooth stucco painted SW 9541 White Snow
- Windows and Doors to be a bronze finished metal
- Main Cabana Roof- Green Roof planted as per the plans
- Storage and covered deck roofs to be standing seam copper
- Window and door surrounds and deck hardscape to be Dominican Coral
- Walkway hardscape to be Oolite paving with lawn joints.
- Gate to be Aluminum powder coated white.

The proposed renovations are consistent with sound planning and zoning principles and were designed to be compatible with the surrounding area, respect the established character of the neighborhood, and maintain appropriate scale, massing, and architectural quality. The project represents a reasonable and thoughtful enhancement of the property that will contribute positively to the built environment while preserving the intent of the Town's development regulations and design standards.

Best Regards,

Meghan Ford Taylor

Meghan Ford Taylor

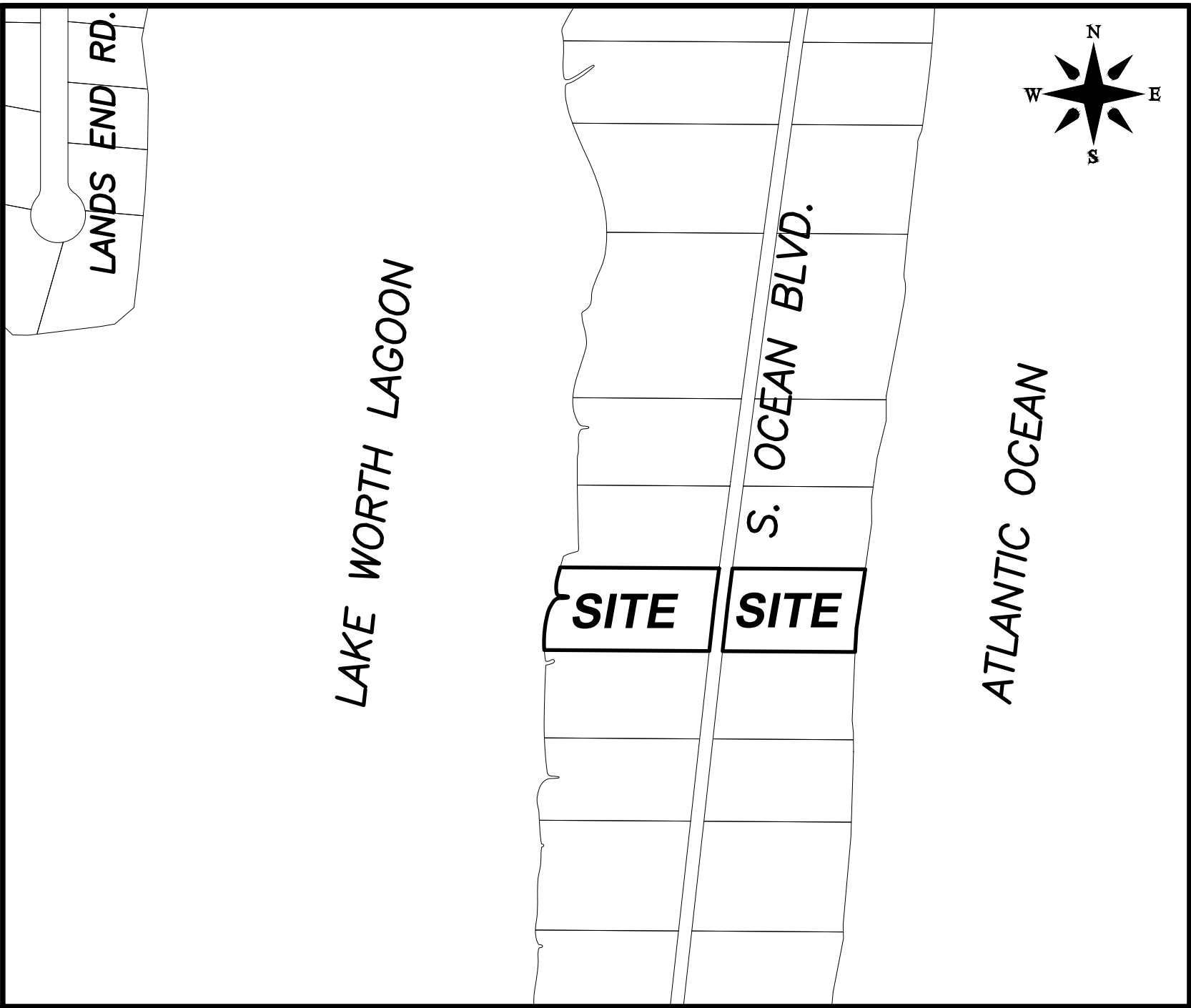
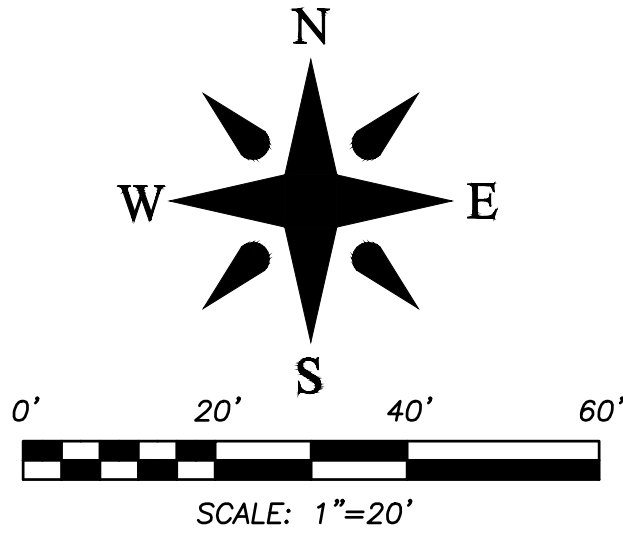
Principal of Tralongo and Taylor Architects

www.tralongoandtaylor.com

LEGEND

- A = ARC LENGTH
A/C = AIR CONDITIONING
A.E. = ACCESS EASEMENT
A.K.A. = ALSO KNOWN AS
ASPH. = ASPHALT
B.F.P. = BACKFLOW PREVENTOR
BLDG. = BUILDING
B.M. = BENCHMARK
B.O.C. = BACK OF CURB
B.O.W. = BACK OF WALK
(C) = CALCULATED
CATV = CABLE ANTENNA TELEVISION
C.B. = CHORD BEARING
C.B.S. = CONCRETE BLOCK STRUCTURE
C.C.C.L. = COASTAL CONSTRUCTION CONTROL LINE
CH = CHORD
C.L.F. = CHAIN LINK FENCE
CLR. = CLEAR
C.M.P. = CORRUGATED METAL PIPE
CONC. = CONCRETE
(D) = DESCRIPTION DATUM
D.B. = DEED BOOK
D.C.D.A. = DOUBLE CHECK DETECTOR ASSEMBLY
D.E. = DRAINAGE EASEMENT
D.H. = DRILL HOLE
DW. = DRIVEWAY
EL. = ELEVATION
ENC. = ENCROACHMENT
E.O.P. = EDGE OF PAVEMENT
E.O.W. = EDGE OF WATER
ESMT. = EASEMENT
F.D.C. = FIRE DEPARTMENT CONNECTION
F.F. = FINISHED FLOOR
FND. = FOUND
F.O.C. = FACE OF CURB
I.D. = INSIDE DIAMETER
INV. = INVERT
I.T.W.C.D. = INDIAN TRAIL WATER CONTROL DISTRICT
L.A.E. = LIMITED ACCESS EASEMENT
L.B. = LICENSE BOARD
L.W.D.D. = LAKE WORTH DRAINAGE DISTRICT
(M) = FIELD MEASUREMENT
M.H. = MANHOLE
M.H.W.L. = MEAN HIGH WATER LINE
MIN. = MINIMUM
M.L.W.L. = MEAN LOW WATER LINE
N.A.V.D. = NORTH AMERICAN VERTICAL DATUM
N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM
N.P.B.C.I.D. = NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT
N.T.S. = NOT TO SCALE
O.A. = OVERALL
O.D. = OUTSIDE DIAMETER
O/H = OVERHEAD UTILITY LINE
O.R.B. = OFFICIAL RECORDS BOOK
O/S = OFFSET
P = PLANTER
(P) = PLAT DATUM
P.B. = PLAT BOOK
P.B.C. = PALM BEACH COUNTY
P.C. = POINT OF CURVATURE
P.C.C. = POINT OF COMPOUND CURVATURE
P.C.P. = PERMANENT CONTROL POINT
PG. = PAGE
P.I. = POINT OF INTERSECTION
P/O = PART OF
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.R.C. = POINT OF REVERSE CURVATURE
P.R.M. = PERMANENT REFERENCE MONUMENT
PROP. = PROPOSED
P.T. = POINT OF TANGENCY
P.V.M.T. = PAVEMENT
(R) = RADIAL
R = RADIUS
RGE. = RANGE
R.P.B. = ROAD PLAT BOOK
R.P.Z. = REDUCED PRESSURE ZONE
R/W = RIGHT OF WAY
(S) = SURVEY DATUM
S.B. = SETBACK
SEC. = SECTION
S/D = SUBDIVISION
S.F. = SQUARE FEET
S.F.W.M.D. = SOUTH FLORIDA WATER MANAGEMENT DISTRICT
S.I.R.W.C.D. = SOUTH INDIAN RIVER WATER CONTROL DISTRICT
S.R. = STATE ROAD
STA. = STATION
STY. = STORY
SW. = SIDEWALK
T.O.B. = TOP OF BANK
T.O.C. = TOP OF CURB
T.O.W. = TOP OF WALL
TWP. = TOWNSHIP
TYP. = TYPICAL
U/C = UNDER CONSTRUCTION
U.E. = UTILITY EASEMENT
U.R. = UNRECORDED
W.C. = WITNESS CORNER
W.M.E. = WATER MANAGEMENT EASEMENT
W.M.M.E. = WATER MANAGEMENT MAINTENANCE EASEMENT
W.S.C. = WALLACE SURVEYING CORPORATION
YD. = YARD DRAIN
ℓ = BASELINE
℄ = CENTERLINE
Δ = CENTRAL ANGLE/DELTA
■ = CONCRETE MONUMENT FOUND (AS NOTED)
□ = CONCRETE MONUMENT SET (LB #8598)
▣ = ROD & CAP FOUND (AS NOTED)
● = 5/8" IRON ROD & CAP SET (LB #8598)
○ = IRON PIPE FOUND (AS NOTED)
◐ = IRON ROD FOUND (AS NOTED)
▲ = NAIL FOUND (AS NOTED)
● = NAIL & DISK FOUND (AS NOTED)
● = MAG NAIL & DISK SET (LB #8598)
ℓ = PROPERTY LINE
⌚ = UTILITY POLE
⌚ = FIRE HYDRANT
⌚ = WATER METER
⌚ = WATER VALVE
⌚ = LIGHT POLE
⌚ = CABLE TV RISER
⌚ = ELECTRIC BOX
⌚ = GAS METER
Ⓢ = SANITARY MANHOLE

Boundary Survey For:
ADE 925 LLC



VICINITY SKETCH
(NOT TO SCALE)

This survey is made specifically and only for the following parties for the purpose of a closing on the surveyed property.

ADE 925 LLC

The undersigned surveyor assumes no responsibility or liability for any other purpose or to any other party other than stated above.

PROPERTY ADDRESS:

1800 South Ocean Boulevard
Manalapan, FL 33462

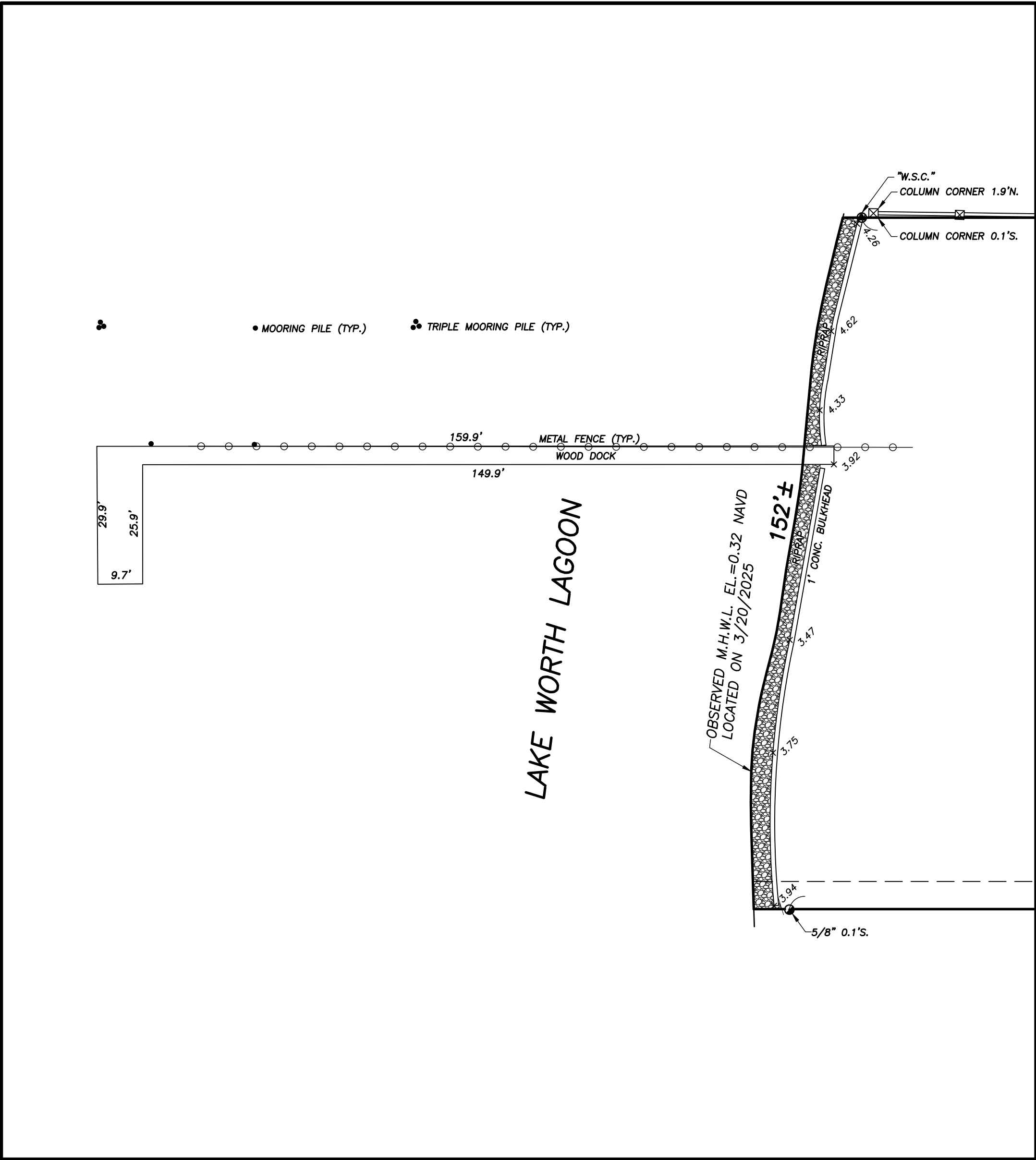
LEGAL DESCRIPTION:

A parcel of land in Section 15, Township 45 South, Range 43 East, Palm Beach County, Florida, bounded on the West by the waters of Lake Worth, bounded on the East by the waters of the Atlantic Ocean, which line is parallel to and 559.8 feet South from measured at right angles to, the North line of Section 15, bounded on the South by a line running from the waters of Lake Worth to the waters of the Atlantic Ocean, which line is parallel to and 709.8 feet South from measured at right angles to, the said North line of Section 15.

LESS AND EXCEPT the right of way of Ocean Boulevard, as now laid out and existing.

FLOOD ZONES:

This property is located in Flood Zones AE (EL 9), X, VE (EL 11) according to F.I.R.M. (Flood Insurance Rate Map) No. 12099C0791G, dated 12/20/2024.



SEE SHEET 2

SEE SHEET 2

TITLE COMMITMENT REVIEW

CLIENT: PBHam LLC, a Florida limited company		COMMITMENT NO. : 1620027	DATE: March 10, 2025			
REVIEWED BY: WILLIAM M. NAULTY		JOB NO. : 238610-SE				
B2 ITEM NO.	DOCUMENT	DESCRIPTION	AFFECTS AND PLOTTED	AFFECTS AND NOT PLOTT-ABLE	DOES NOT AFFECT	NOT A SURVEY MATTER
1-5	N/A	Standard expemptions				●
6	O.R.B. 2483, PG 832	Easement to Florida Power & Light Company.	●			
7	O.R.B. 1922, PG 1228	Easement for water mains and pipes and other underground utilities in favor of the Town of Manalapan contained in Grant of Easement	●			
8-11	N/A	Standard expemptions				●

CERTIFICATION:

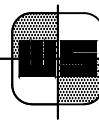
I HEREBY ATTEST that the survey shown hereon meets the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes, effective September 1, 1981.

DATE OF LAST FIELD SURVEY: 03/20/2025

William M. Naulty
Professional Surveyor and Mapper
Florida Certificate No. 7558

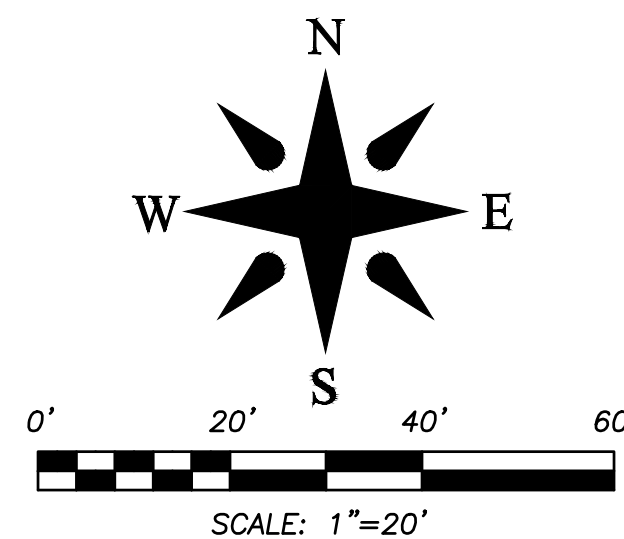
Boundary Survey For:

ADE 925 LLC



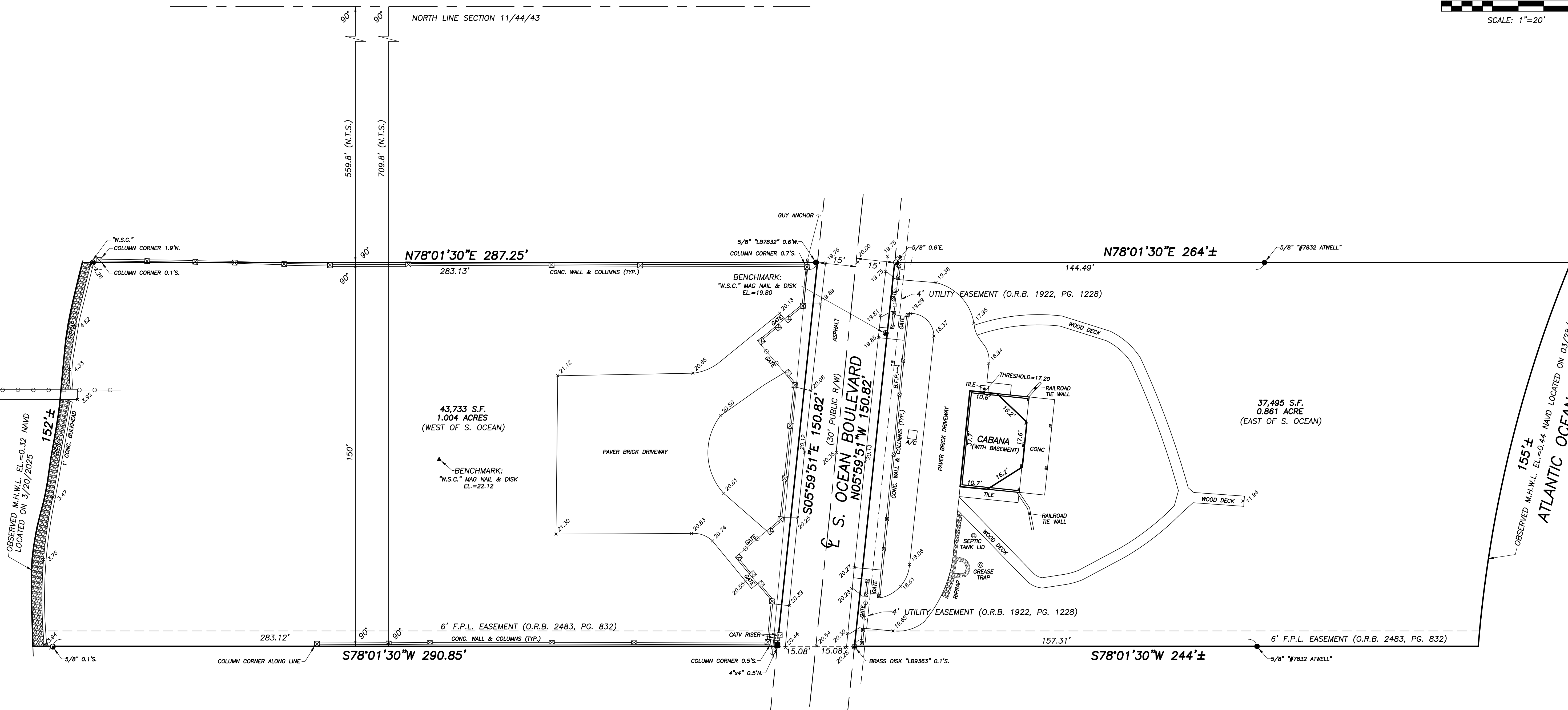
WALLACE SURVEYING
A DIVISION OF LANDTEC CONSTRUCTION
SURVEYING, LLC, LB #5598
5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

FIELD: J.M.	JOB No.: 238610	F.B. JOE3 PG. 59
OFFICE: S.W.	DATE: 03/20/25	DWG. No.: 238610
CK'D.: W.N.	REF.: 238610.DWG	SHEET: 1 OF 2



SEE SHEET 1

SEE SHEET 1

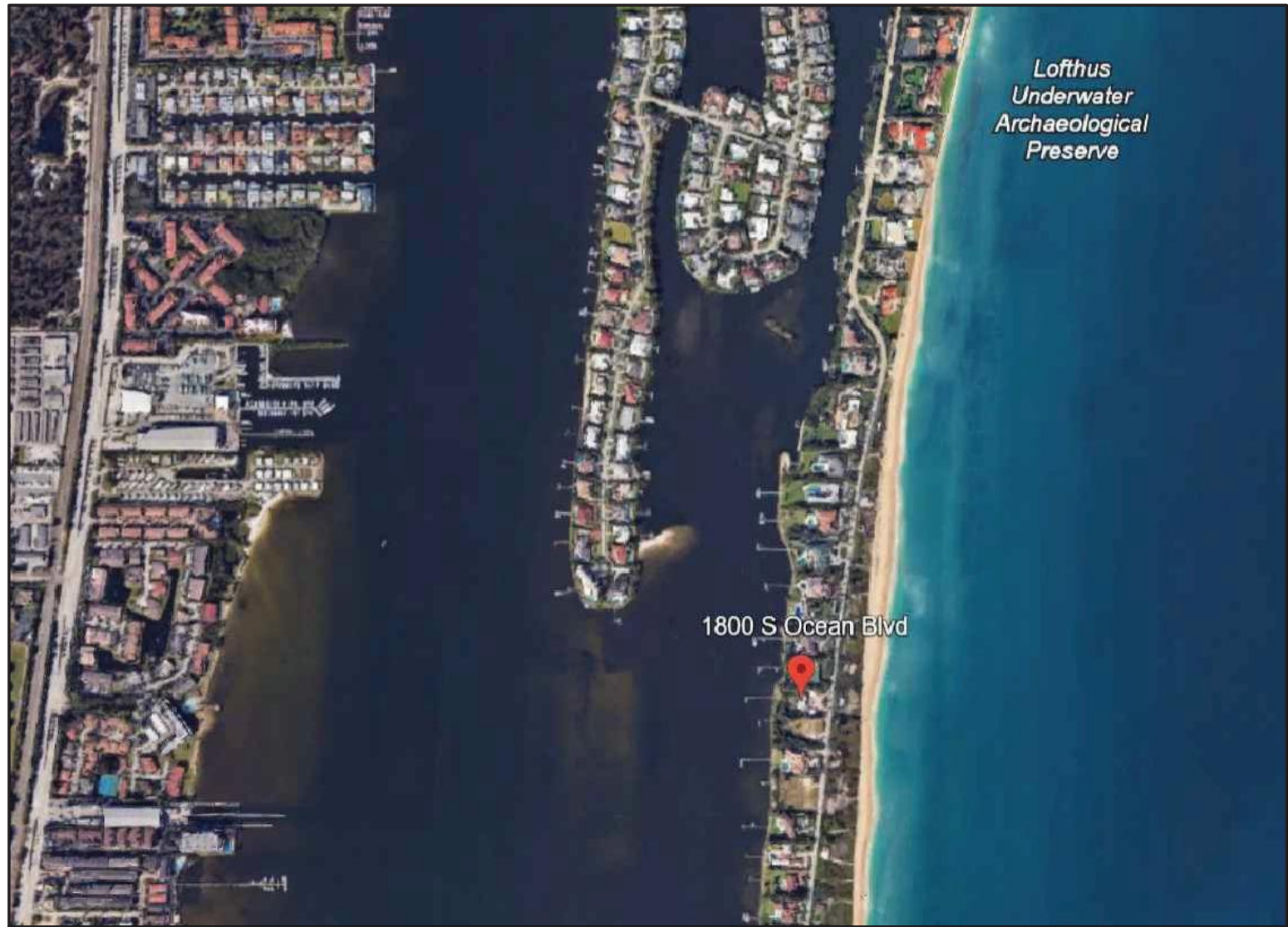


Boundary Survey For:

ADE 925 LLC



FIELD:	J.M.	JOB No.:	238610	F.B. JOE3	PG. 59
OFFICE:	S.W.	DATE:	03/20/25	DWG. No.:	238610
C/K'D.:	W.N.	REF.:	238610.DWG	SHEET:	2 OF 2



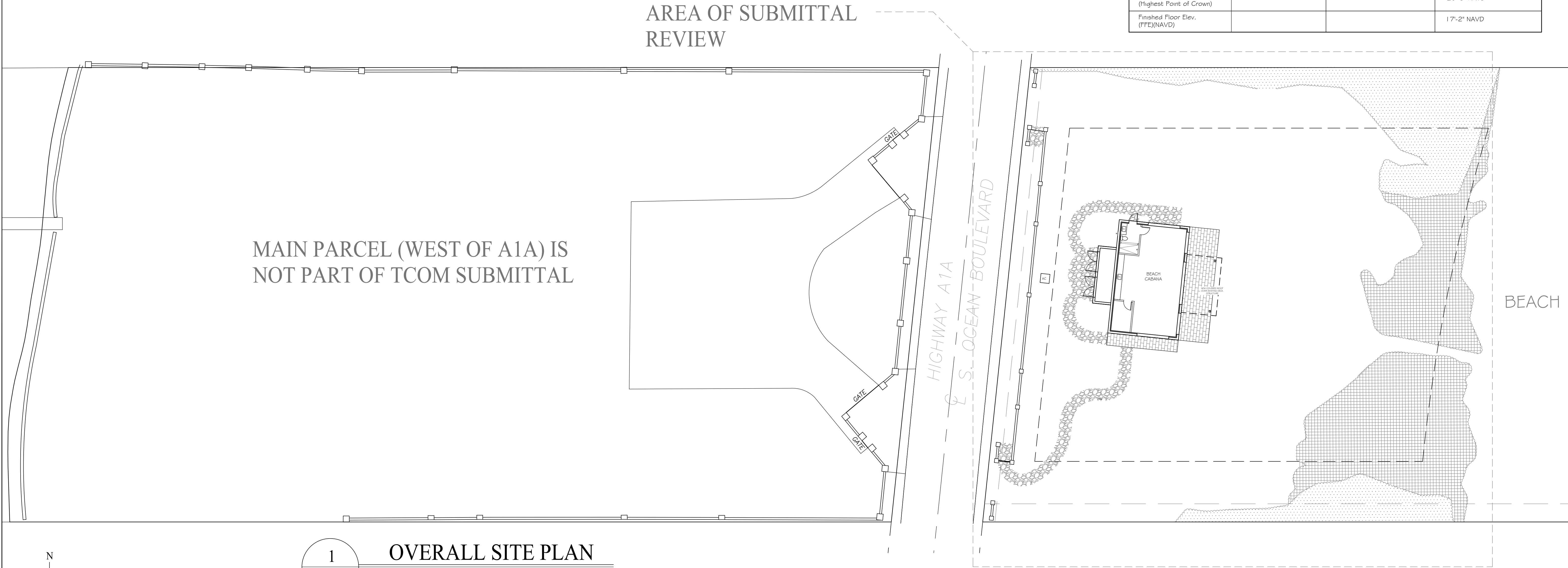
LOCATION MAP

SHEET LIST

- SP-0.0
SP-1.0
SP-1.1
E-1.0
A-1.0
A-1.1
A-2.0
A-2.1
- TITLE SHEET/ SITE PLAN/ ZONING INFORMATION
EXISTING EAST LOT SITE PLAN
PROPOSED EAST LOT SITE PLAN
EXISTING CONDITION PHOTOGRAPHS
EXISTING AND PROPOSED FLOOR PLANS
EXISTING AND PROPOSED ROOF PLANS
EXISTING ELEVATIONS
PROPOSED ELEVATIONS

1800 S OCEAN BLVD. ZONING LEGEND & SITE CALCULATIONS	
Property Address:	1800 South Ocean Blvd., Manalapan FL, 33462
Zoning District:	R1-B LOW DENSITY RESIDENTIAL
Lot Area (Sq. Ft.):	81,228 SQ. FT. (1.86 ACRES)
Average Lot Width	150'
Structure Type:	Single-Family
FEMA Flood Zone:	X, VE & AE
Base Flood NAVD	11'-0" NAVD
Highest Crown of Road (COR) (NAVD):	20'-6" NAVD

Zoning Item	Required/Allowed	Existing	Proposed
Lot Coverage Total Area	62,480 SF- 43,733 SF (100% of West Lot) + 18,747 (50% of East Lot)		
Lot Coverage Sq. Ft. and % Building Structural/ Deck Site Walls & Columns Walkways	21,868 SF Max (35%)	3,312 SF 1,340= 752 Cabana & 588 Deck 104 1,868 (3,736 x .5)	1,858 SF 1,340=994 Cabana & 346 Deck 104 414 (828 x .5)
Front Yard Setback	15'	34.54'	28.54'
Side Yard Setback	20'	50.47'	50.47' (No Change)
Rear Yard Setback	100' from M.H.W.L.	185.19' BEACH CABANA 175.41' Deck	185.19' (No Change) 175.41' Deck (No change)
Max. Building Length	35'-6"	35'-6"	35'-6" (No Change)
Max. Overall Building Height	16' from grade to top of roof pitch	17'-10" from grade to top of roof pitch	12'-11 1/2" from grade to top of roof pitch
Cabana Max. Square Feet	1,000 SF	752 SF	994 SF (Including Storage)
Deck Max. Square Feet	250 SF	588 SF uncovered deck 200 SF covered deck	346 SF uncovered deck 222 SF Covered Deck
Zero Datum (NAVD) (Highest Point of Crown)			20'-6" NAVD
Finished Floor Elev. (FFE)(NAVD)			17'-2" NAVD

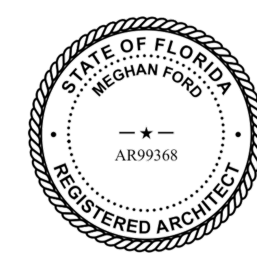


OVERALL SITE PLAN

TRALONGO & TAYLOR
435 SOUTHERN BLVD.
WEST PALM BEACH, FLORIDA 33405

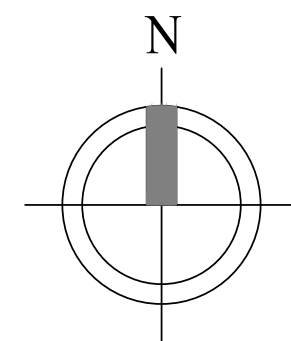
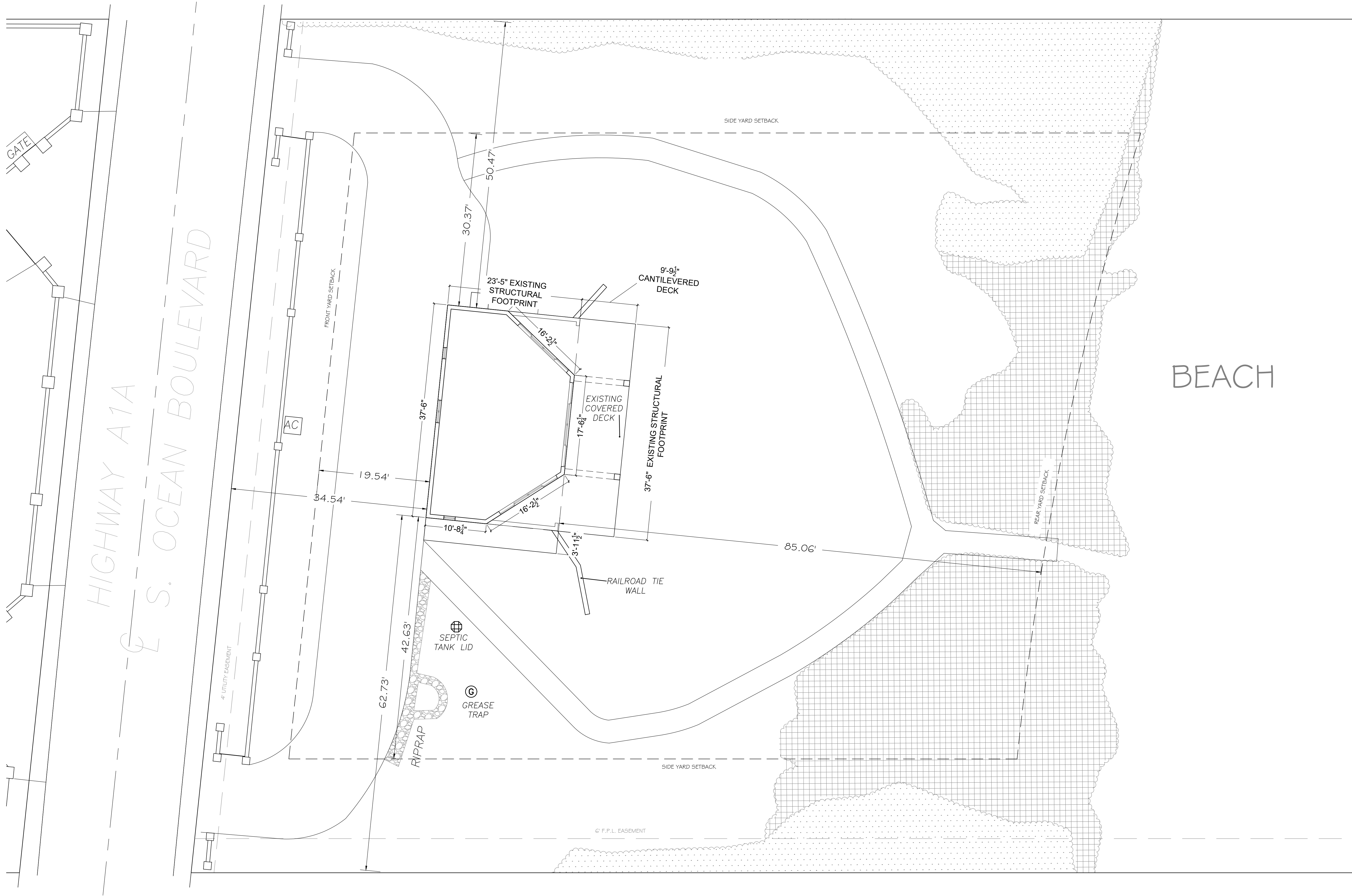
1800 S OCEAN BLVD
MANALAPAN, FL

SHEET TITLE
OVERALL SITE PLAN &
ZONING LEGEND
SCALE
AS NOTED
DRAWN BY
MEGHAN FORD TAYLOR
DATE
JUNE 26TH 2025



PAGE NO.

SP-1.0



1
SP-1.1

EXISTING EAST LOT SITE PLAN

Scale: 1/8" = 1' - 0"

TRALONGO & TAYLOR
435 SOUTHERN BLVD.
WEST PALM BEACH, FLORIDA 33405

1800 S OCEAN BLVD
MANALAPAN, FL

SHEET TITLE
WEST LOT SITE PLAN
DS

SCALE
AS NOTED

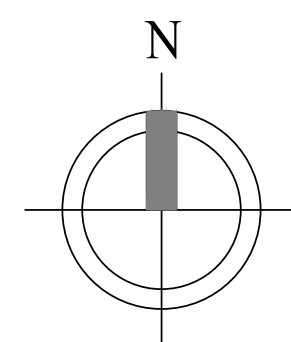
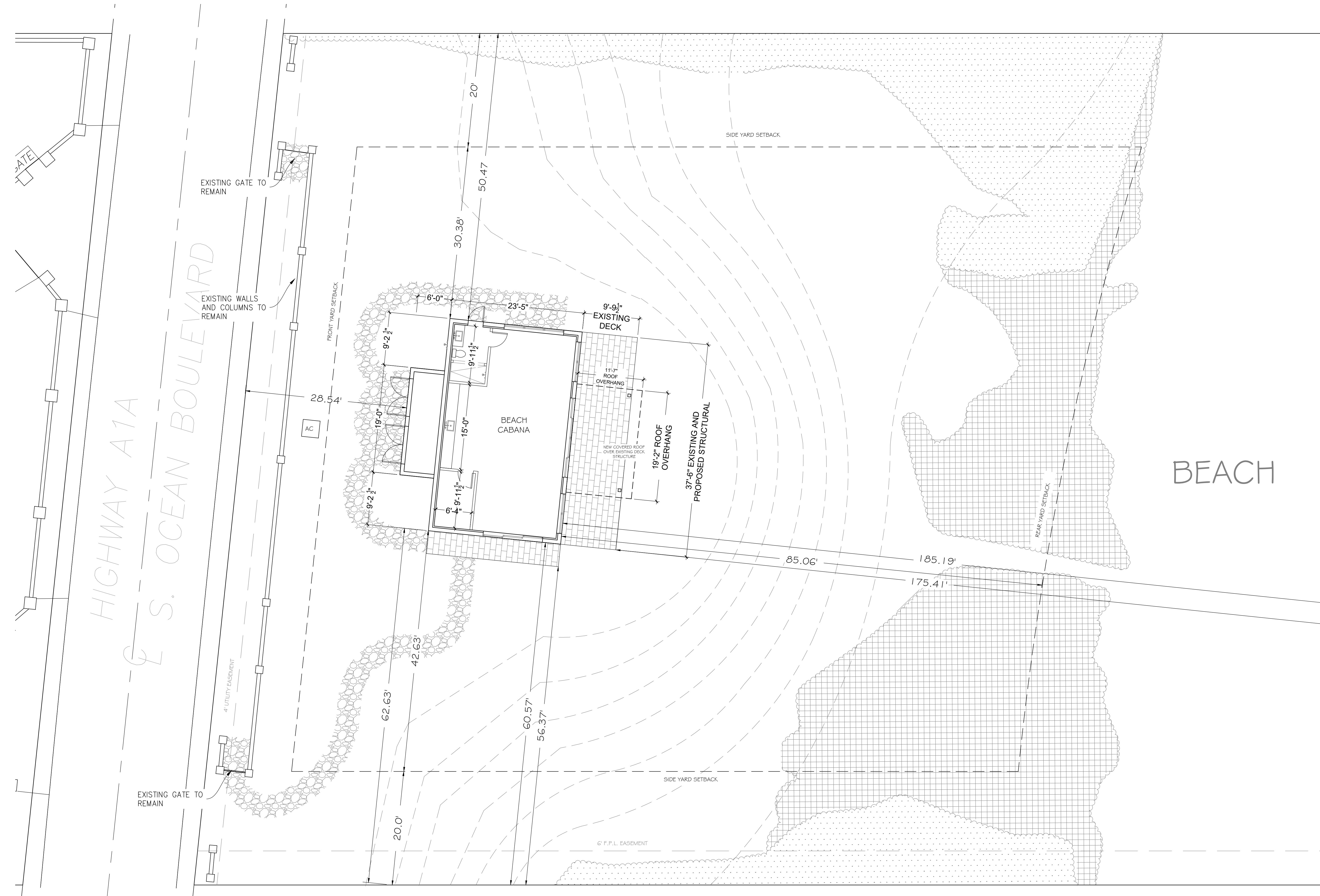
DATE
JUNE 26TH 2025

DRAWN BY
MEGHAN FORD TAYLOR



PAGE NO.

SP-1.1



1
SP-1.1

PROPOSED EAST LOT SITE PLAN

Scale: 1/8" = 1' - 0"

TRALONGO & TAYLOR
435 SOUTHERN BLVD.
WEST PALM BEACH, FLORIDA 33405

1800 S OCEAN BLVD
MANALAPAN, FL

WEST LOT SITE PLAN

DRAWN BY
MEGHAN FORD TAYLOR

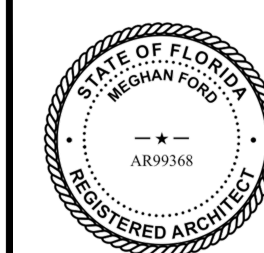
DATE
JUNE 26TH 2025

SCALE
AS NOTED

SHEET TITLE

DS

SEAL



PAGE NO.

SP-1.1



VIEW FROM THE EAST



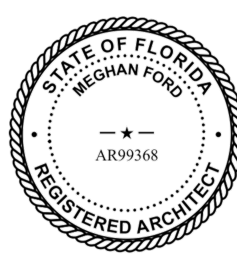
VIEW FROM THE NORTHEAST



TRALONGO & TAYLOR
435 SOUTHERN BLVD,
WEST PALM BEACH, FLORIDA 33405

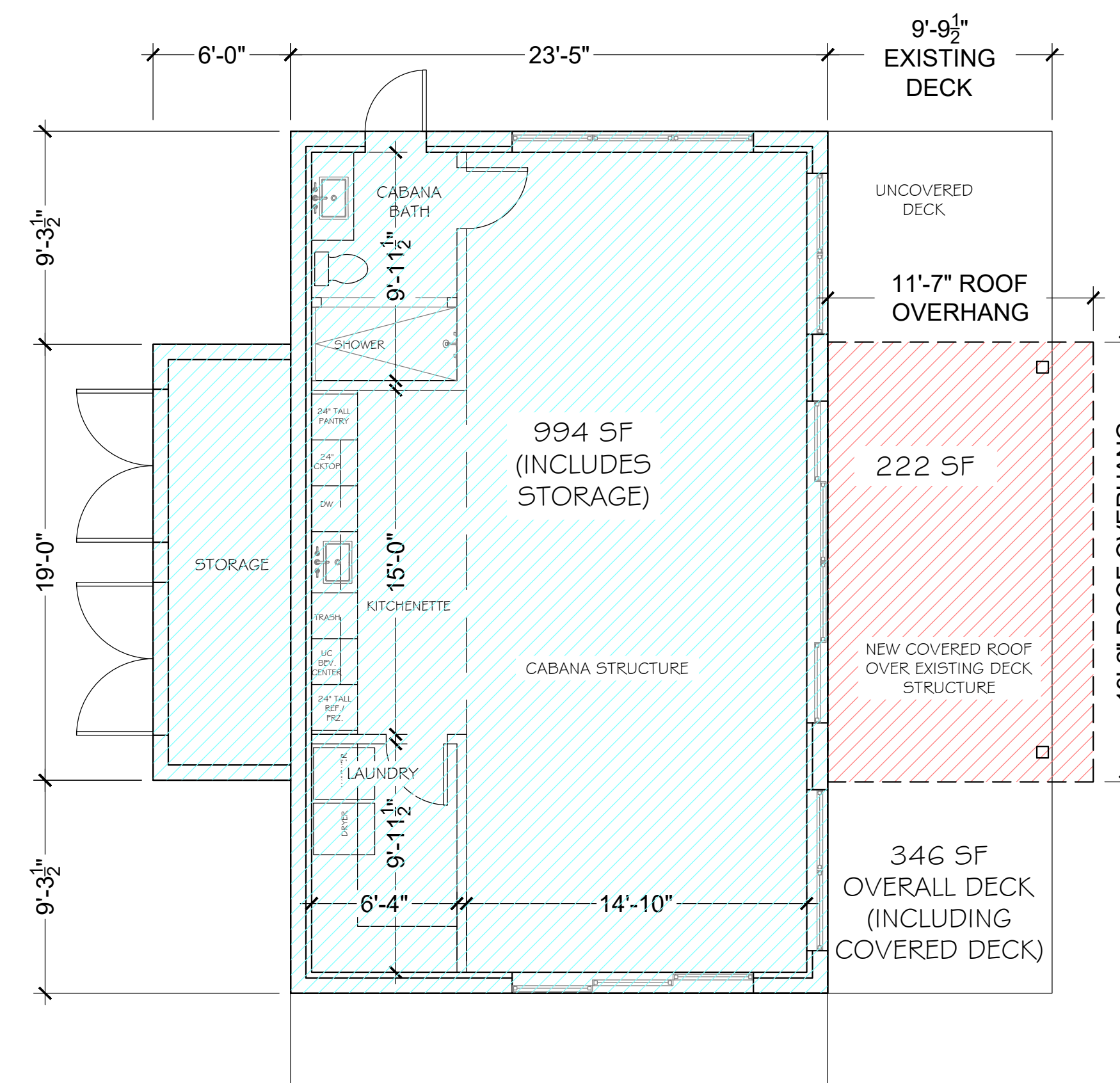
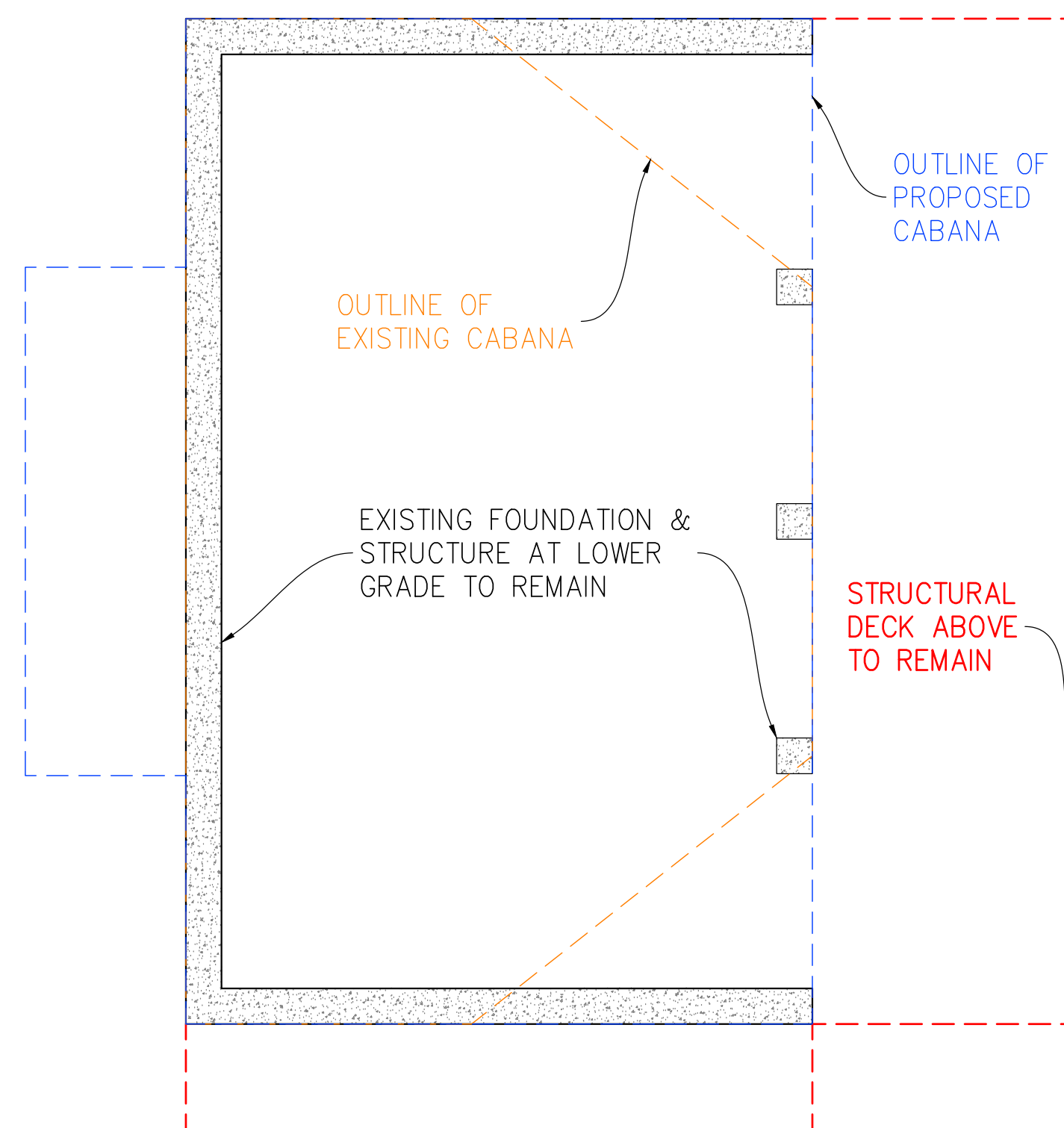
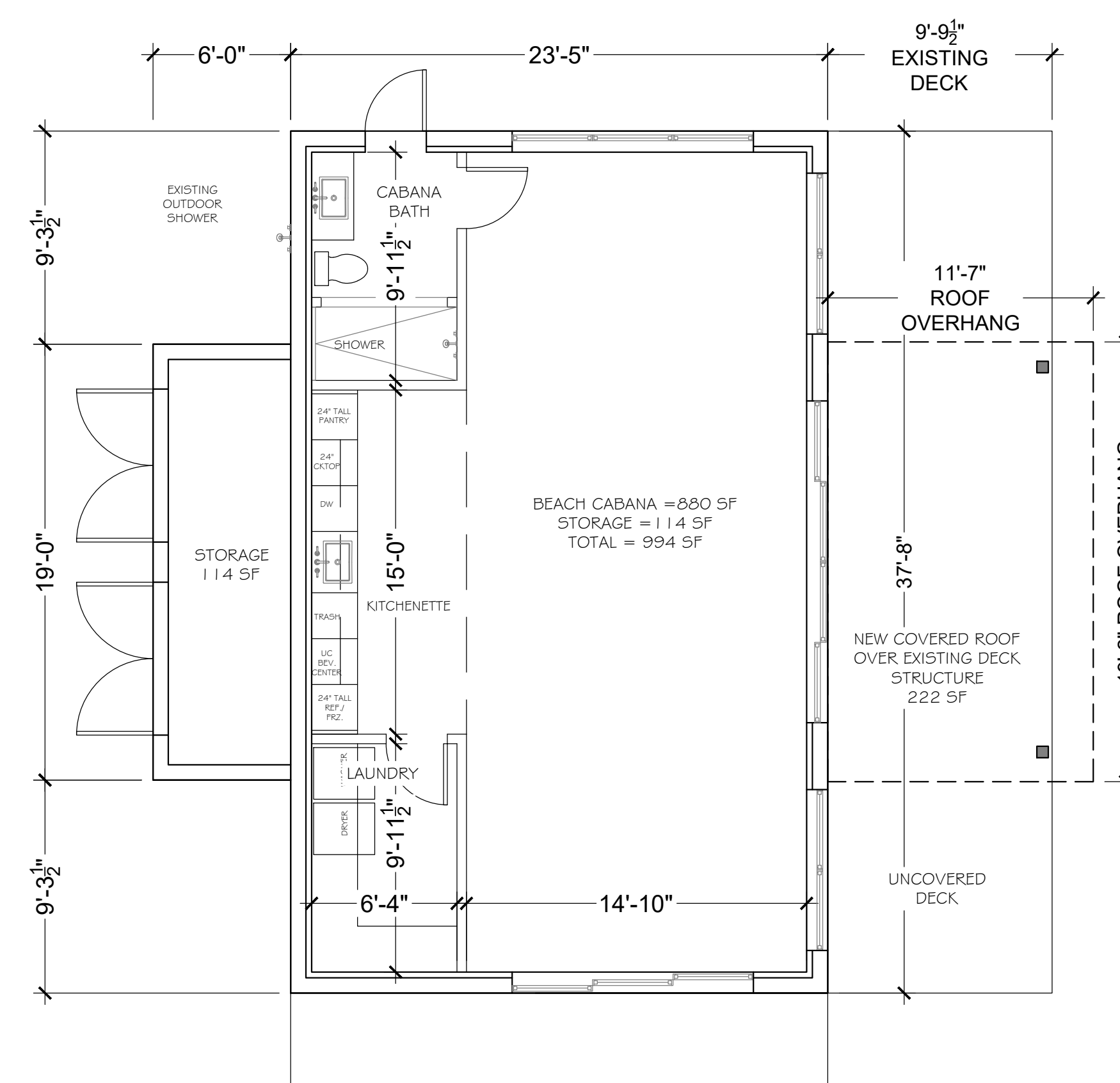
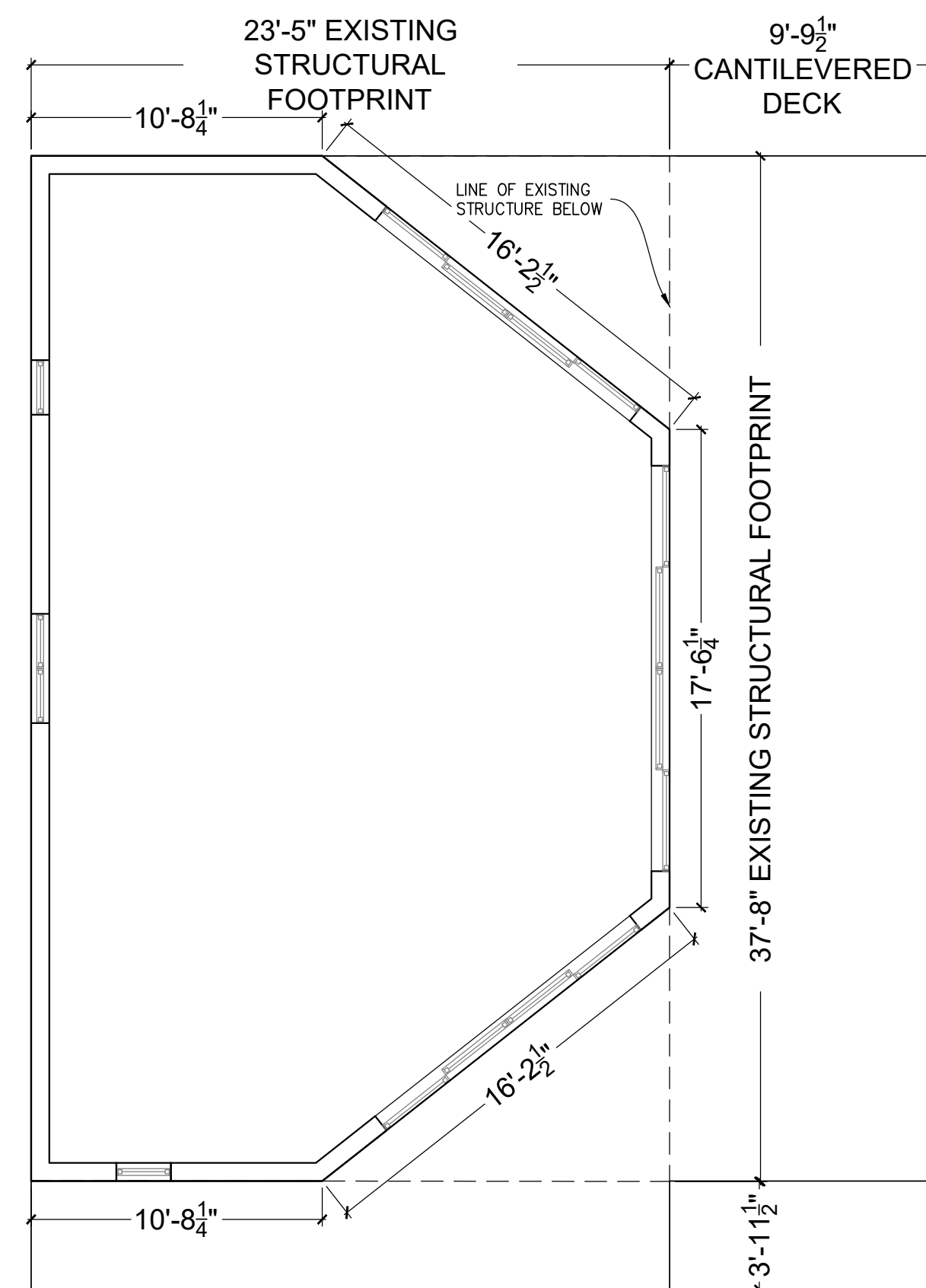
1800 S OCEAN BLVD
MANALAPAN, FL

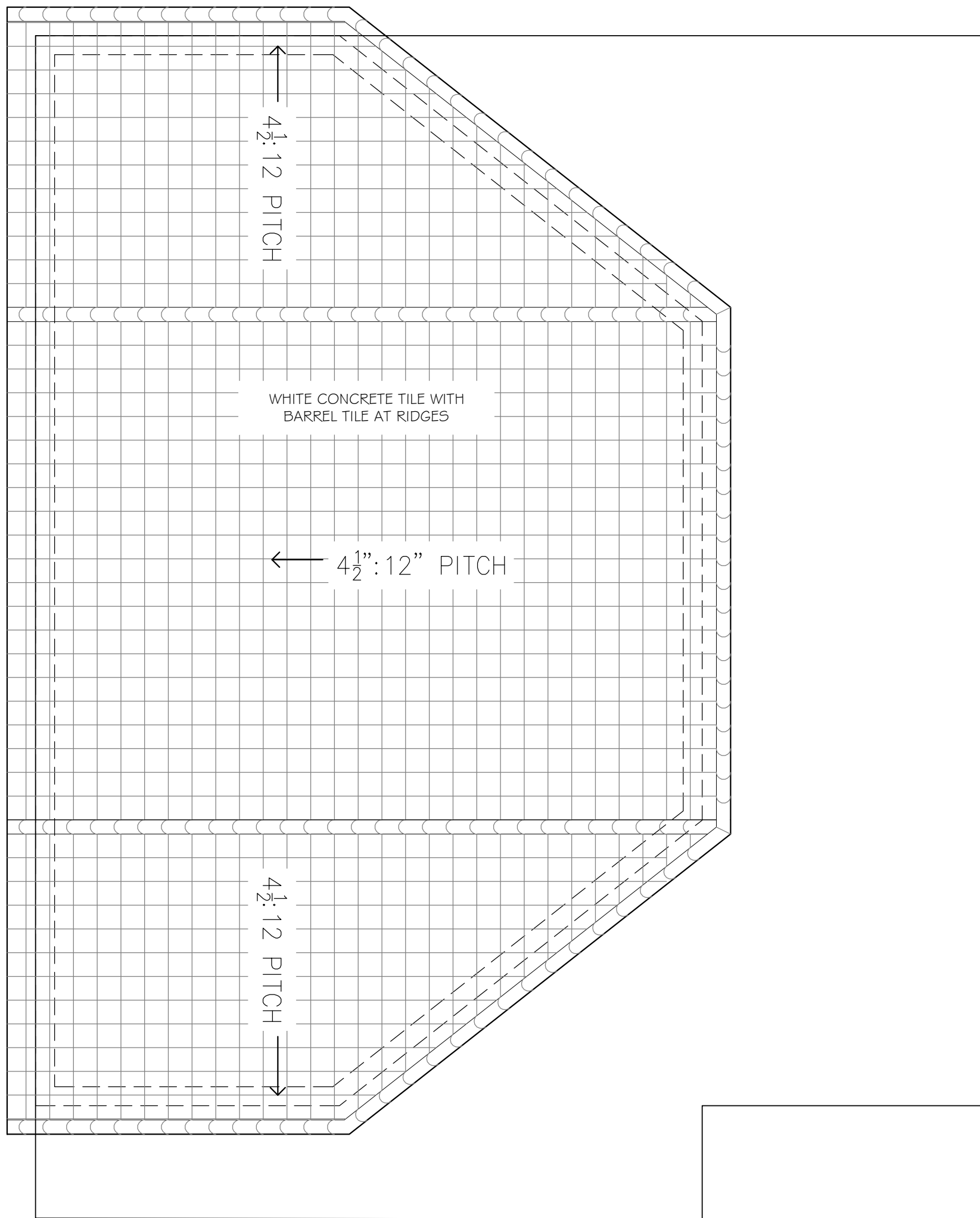
SHEET TITLE
EXISTING CABANA & SITE PHOTOS
SCALE
AS NOTED
DATE
JUNE 12TH 2026
DRAWN BY
MEGHAN FORD TAYLOR



PAGE NO.

E-1.0



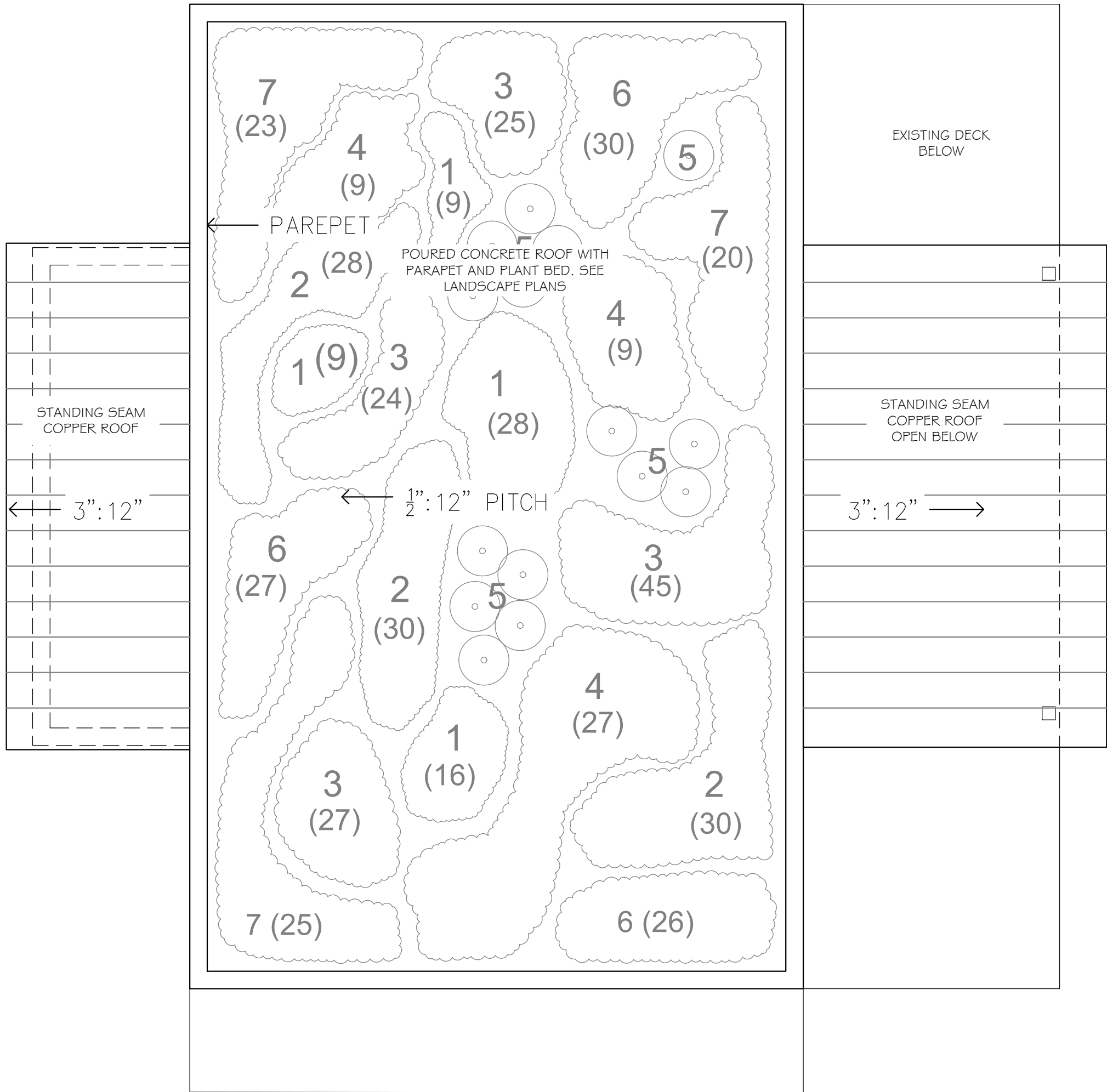


1
A-1.1

EXISTING ROOF PLAN
Scale: 1/4" = 1' - 0"

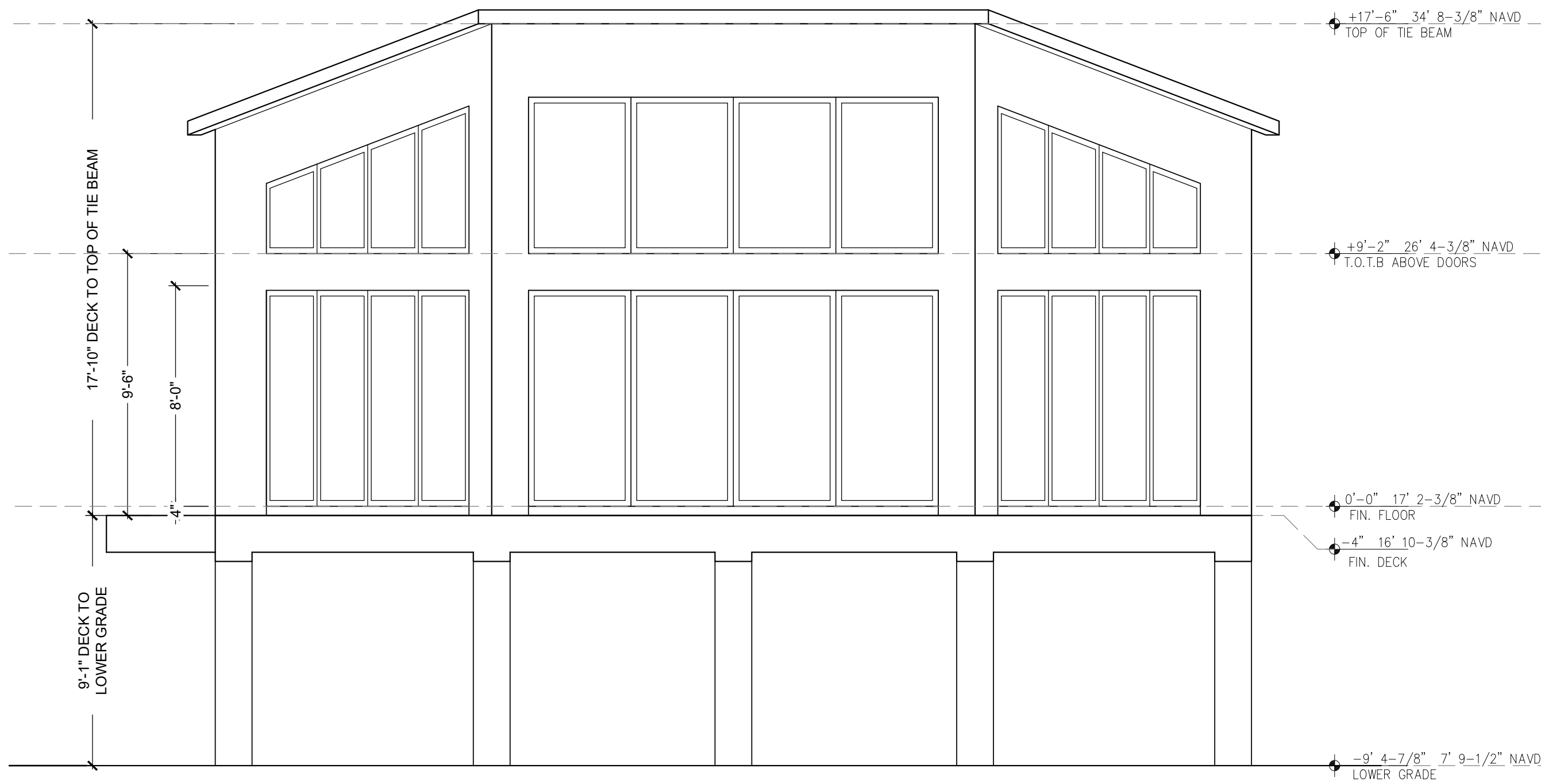
NO.	Qty	Scientific Name	Common Name	Planting Size	Notes	Native	Drought Tolerance
1	62	Helianthus debilis	Dune sunflower	1 gallon, 12" x 12"	Full, 12" oc	Y	Y
2	88	Graptopveria 'Fred Ives'	Graptopveria	1 gallon, 8" x 8" min	12" oc	N	Y
3	121	Iva imbiricata	Dune elder	1 gallon, low shrub	Full, 8" oc	Y	Y
4	45	Aloe vera	Medicinal Aloe	3 gallon, 24" x 18"	Full, 18" oc	N	Y
5	15	Argusia gnaphalodes	Sea Lavender	3 gallon, 12" x 10" min 12" oc		Y	Y
6	83	Juniperus conferta 'Blue Pacific	Shore juniper	3 gallon, 6" x 12" min	12" oc	N	Y
7	68	Carissa macrocarpa 'Emerald Blanket'	Dwarf Carissa	3 gallon, 12" x 12" min Full	15" oc	N	Y

PLANT SCHEDULE

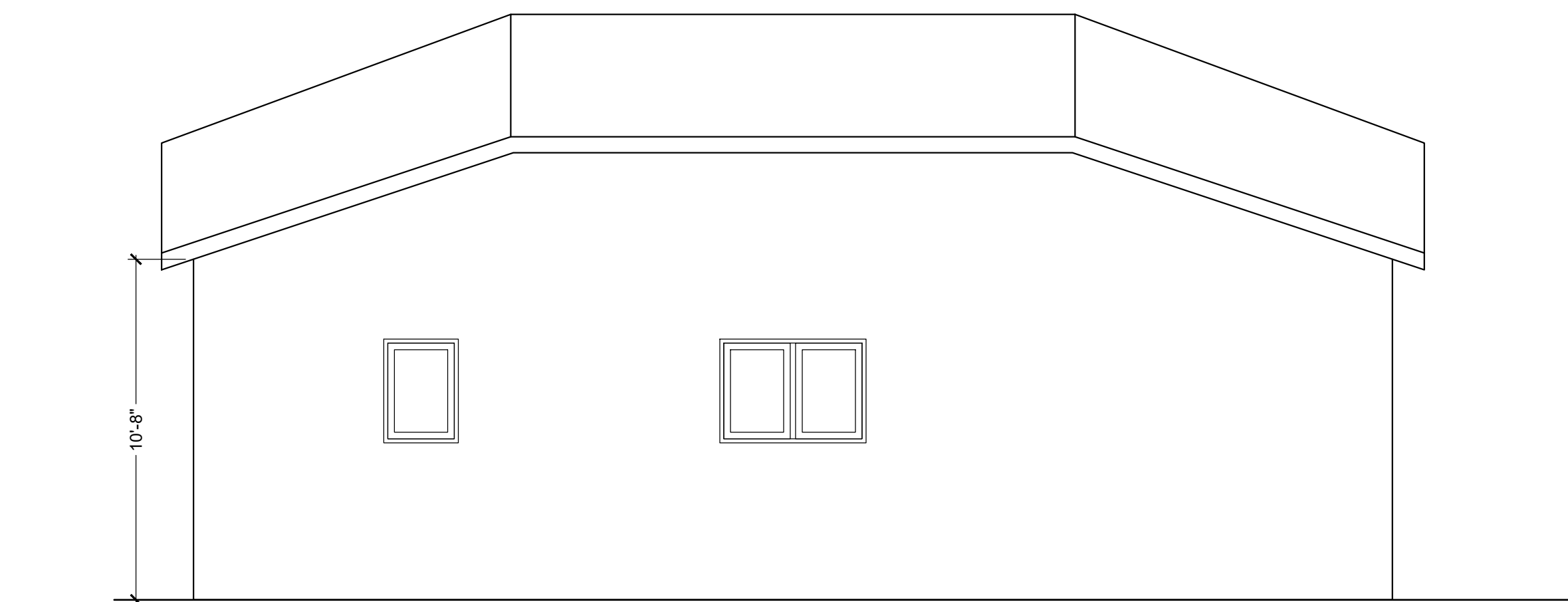


2
A-1.1

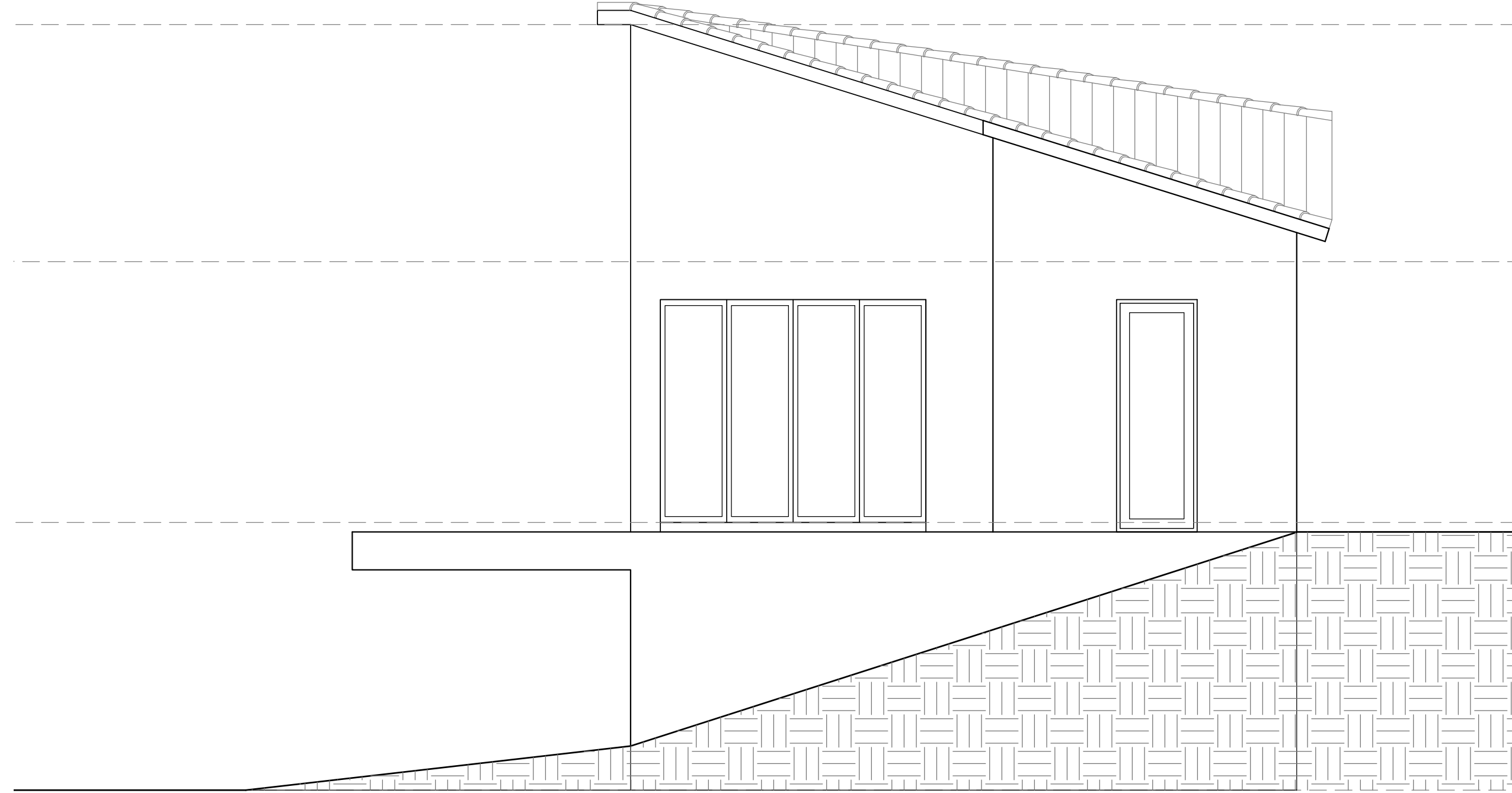
PROPOSED ROOF PLAN
Scale: 1/4" = 1' - 0"



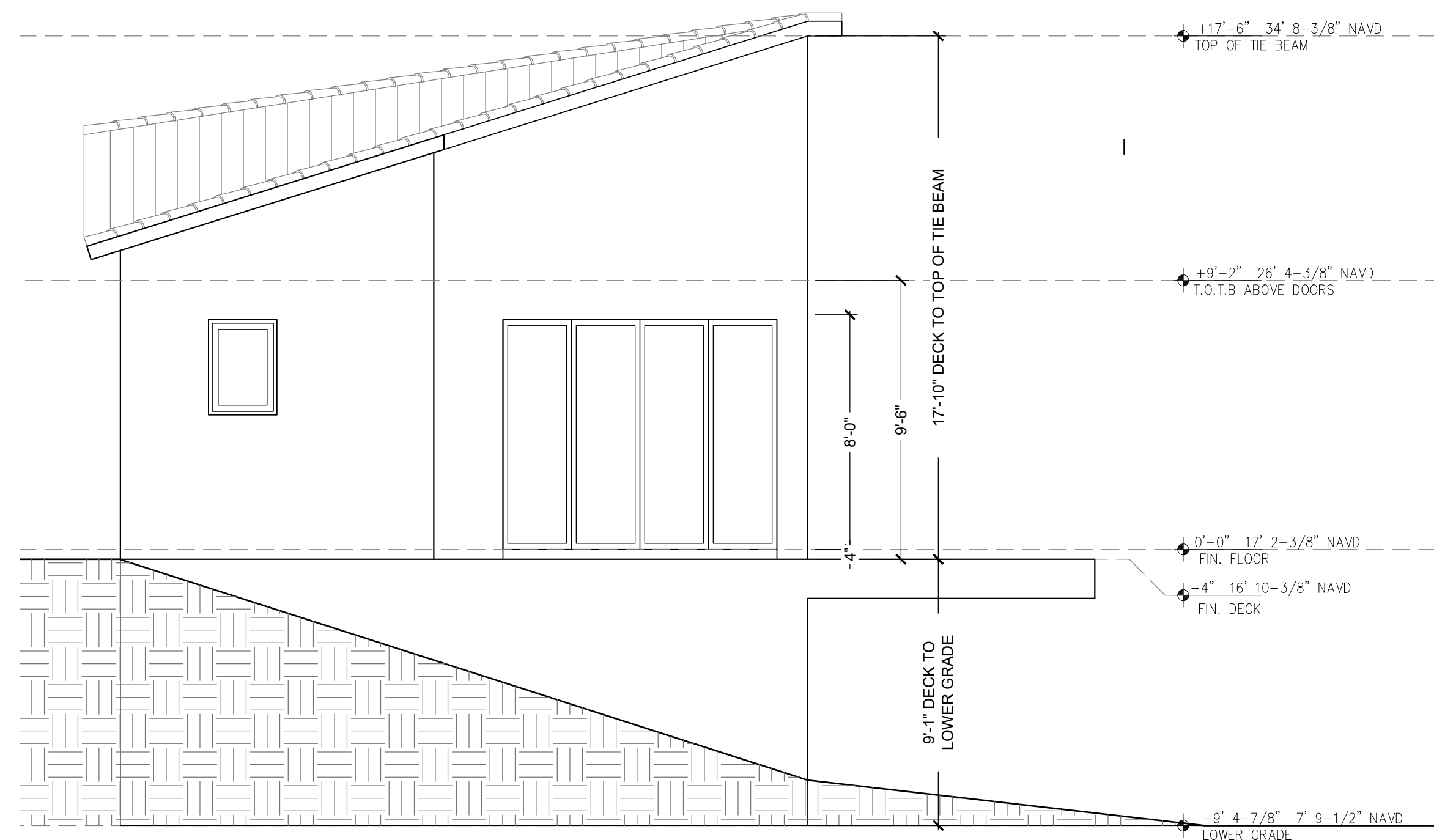
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A-2.0
EXISTING EAST ELEVATION
Scale: 1/4" = 1' - 0"



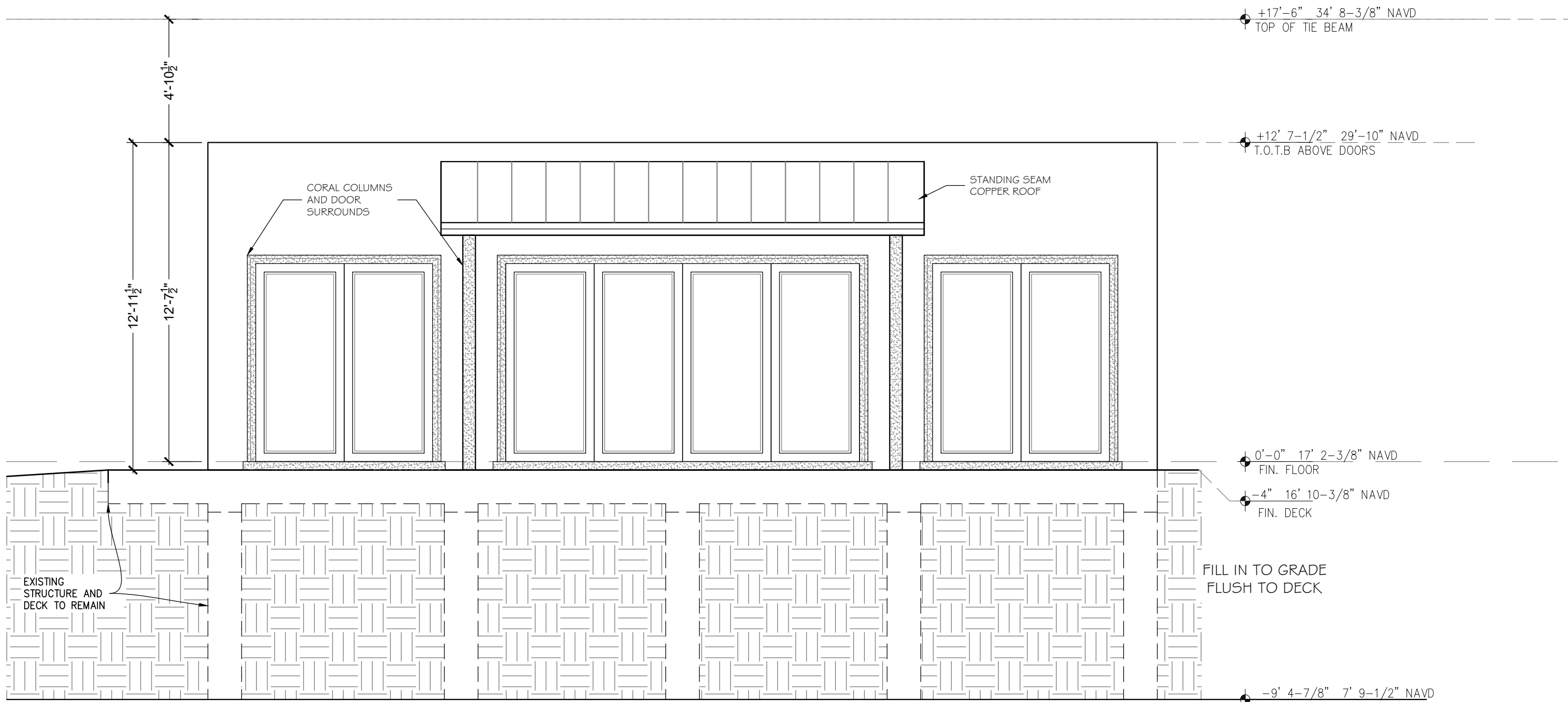
3
A-2.0
EXISTING WEST ELEVATION
Scale: 1/4" = 1' - 0"



2
A-2.0
EXISTING NORTH ELEVATION
Scale: 1/4" = 1' - 0"

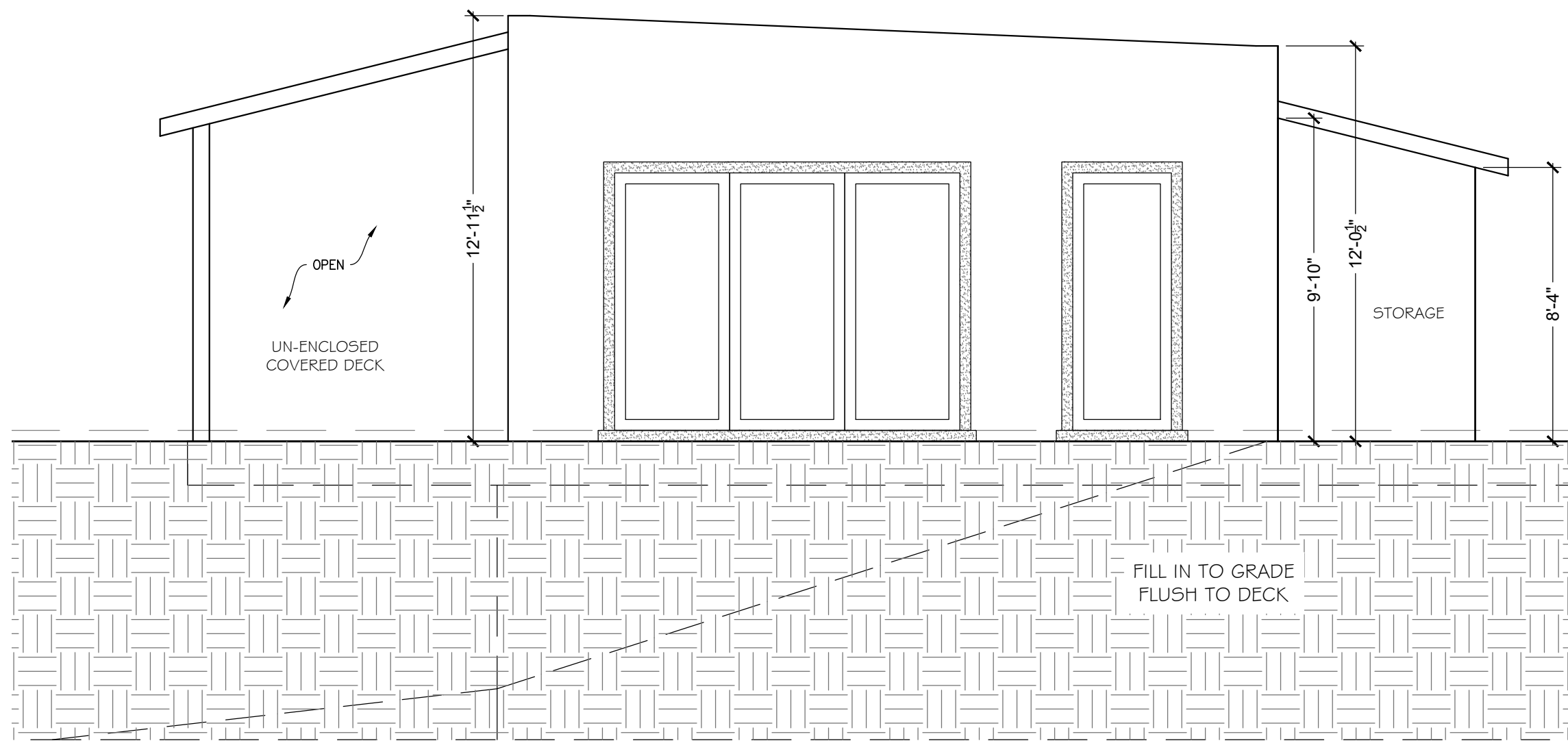


4
A-2.0
EXISTING SOUTH ELEVATION
Scale: 1/4" = 1' - 0"



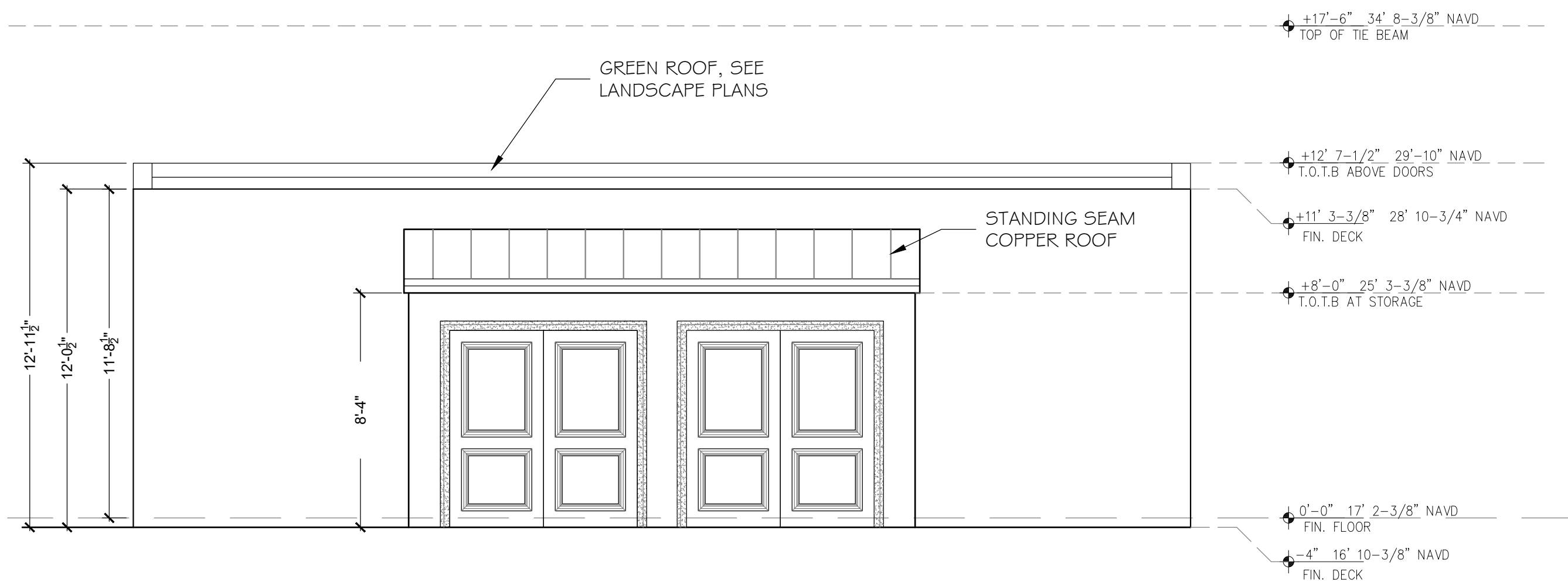
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A-2.1

PROPOSED EAST ELEVATION
Scale: 1/4" = 1' - 0"



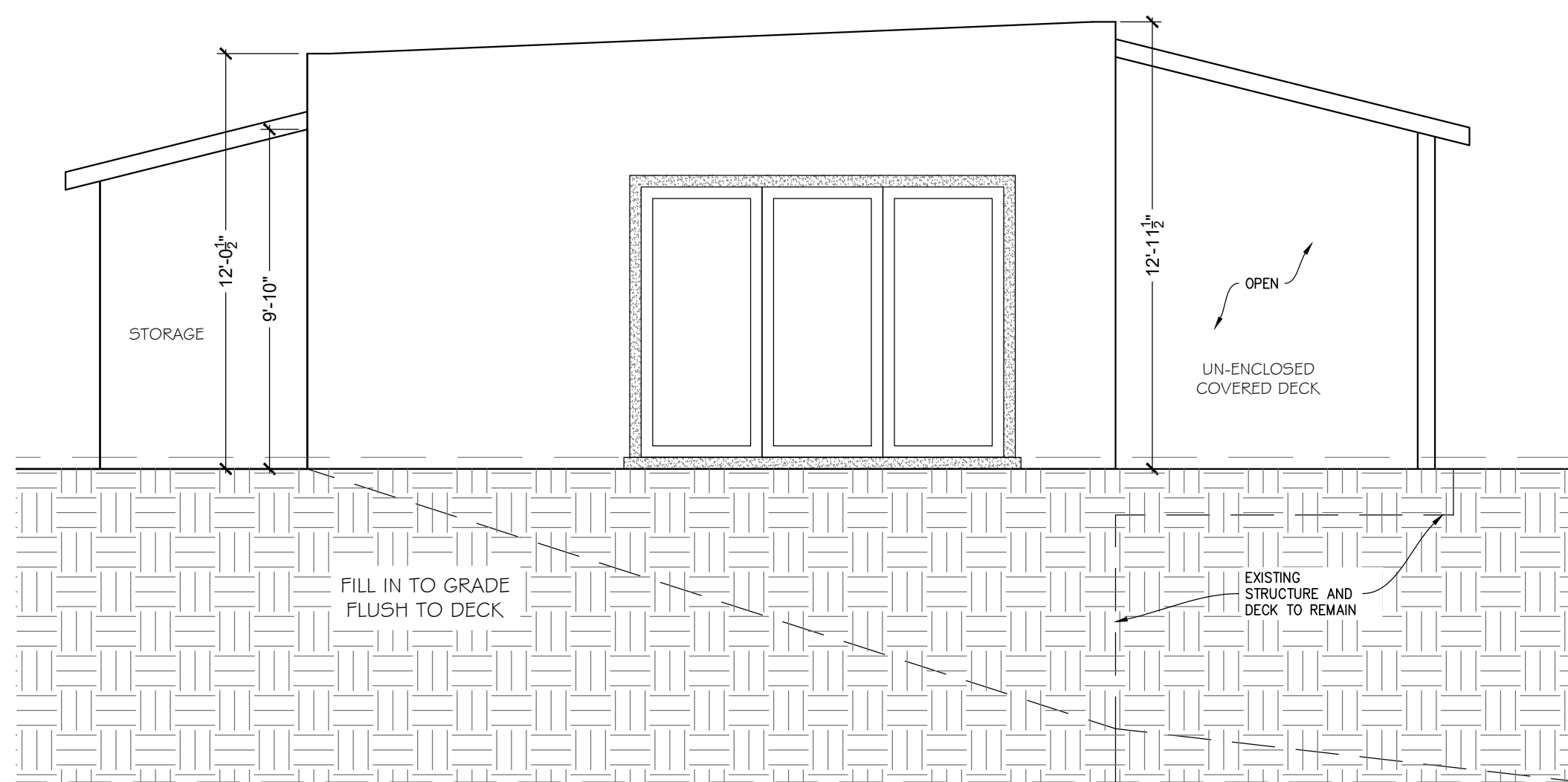
2
A-2.1

PROPOSED NORTH ELEVATION
Scale: 1/4" = 1' - 0"



3
A-2.1

PROPOSED WEST ELEVATION
Scale: 1/4" = 1' - 0"



4
A-2.1

PROPOSED SOUTH ELEVATION
Scale: 1/4" = 1' - 0"

TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: RA. b.iii.

Agenda Item Name: **Architectural Review TARC-26-01 – 214 S. Ocean Boulevard**

BACKGROUND:

Architectural Review TARC-26-01 - 214 SOB - Manalapan Plaza Del Mar LLC seeks the Town Commission's approval for architectural alterations to storefronts at Suite 210 and Suite 214. Alterations include installation of glass storefronts in accordance with the application materials on file with the Town.

MOTION:

- Move to approve/disapprove Architectural Review TARC-26-01

ATTACHMENTS:

- Architectural Review TARC Application
- Development Drawings



TOWN OF MANALAPAN
600 South Ocean Boulevard, Manalapan, FL 33462
(561) 585-9477, Fax (561) 585-9498
townhall@manalapan.org www.manalapan.org

DEVELOPMENT APPLICATION

Submittal Date: 6.12.2026

Property Control # 42-43-45-02-00-001-0020

PROPERTY OWNER(S)	AUTHORIZED AGENT(Required if owner not presenting)
Name: <u>SCOTT LOVENTHAL</u>	Name: <u>Owner shall be present</u>
Address: <u>MANALAPAN PLAZA DEL MAR LLC</u> <u>820 MORRIS TPKE</u> <u>SHARPT HILLS NJ 07078</u>	Address:
Phone: <u>973.467.5000 x1212</u>	Phone:
E-mail: <u>SCOTTL@GARDENHOMES.COM</u>	E-mail:

ARCHITECT/LANDSCAPE ARCHITECT	DEVELOPER/CONTRACTOR:
Name: <u>STEPHAN CLAREN AIA</u>	Name: <u>ROBERT POETZINGER</u>
Company Name: <u>CLAREN ARCHITECTURE</u>	Company Name: <u>EXECUTIVE CONSTRUCTION GROUP</u>
Address: <u>6400 CONGRESS AVE STE 2150</u> <u>BOCA RATON, FL 33487</u>	Address: <u>1330 W. NEWPORT CENTER DRIVE</u> <u>DEERFIELD BEACH FL 33442</u>
Phone: <u>561 961 4884</u> Cell: <u>772 260 3951</u>	Phone: <u>954.571.1894</u> Cell: <u>954.798.4826</u>
E-mail: <u>STEPHAN@CLARENARCHITECTURE.COM</u>	E-mail: <u>RPOETZINGER@EXECUTIVECONSTRUCTIONGROUP.COM</u>

APPLICANT'S CERTIFICATION

- (I) SS (owner or authorized agent) affirm and certify that I understand and will comply with all provisions and regulations of the Town of Manalapan, Florida. 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 Manalapan 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

Updated 03/03/2026

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 Manalapan, Florida, and are not returnable.

Signature-Owner or Authorized Agent

Print Name SCOTT LOVENTHAL

NEW JERSEY
STATE OF ~~FLORIDA~~, COUNTY OF ~~PALMBEACH~~ ESSEX

The foregoing instrument was acknowledged before me this 11th day of JUNE 2026.

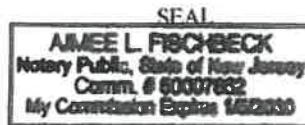
by SCOTT LOVENTHAL as MANAGING MEMBER for MANALAPAN PLAZA DEL MAR, LLC

Personally known ☒ or Produced Identification ☐

Type of Identification ☐

Aimee Fischbeck
Notary Signature

Aimee Fischbeck
Print Notary Name



CHECK BELOW WHERE APPLICABLE
(Payable by check only)

ARCHITECTURAL REVIEW – Level 1 \$450	PUD or PUD AMENDMENT \$1,500	
ARCHITECTURAL REVIEW – Level 2 \$850	SITE PLAN REVIEW \$1,000	☒
ARCHITECTURAL REVIEW – Level 3 \$1,800	SPECIAL EXCEPTION USE \$1,000	
ARCHITECTURAL REVIEW – Level 4 \$2,500	VARIANCE \$2,000	
PAVER AGREEMENT \$500	ZONING TEXT/MAP OR COMP PLAN AMENDMENT \$2,500	

(See page 7 for definitions of Levels)

The owner, architect or other authorized agents are urged to attend the meeting. Each applicant must familiarize themselves with the Architectural Commission criteria and procedure. If all required information is not presented with this application, the project will not be placed on the agenda for review and consideration. PLEASE NOTE: Although an application meets minimum zoning requirements the Architectural Commission may approve, approve with conditions, or disapprove a request not found to meet Architectural Review criteria as found in Town Code, Section 152.23. All residents are notified of applicant's request by mail.

**ALL APPLICATIONS MUST BE COMPLETE, SIGNED,
NOTARIZED AND SUBMITTED WITH NARRATIVE AND
PLANS BY THE DEADLINE DATE**

1. This Application pages 3-4 for Project Levels 1 thru 3, and pages 1-6 for Level 4 Projects.
2. Agent's Authorization Letter (Required if owner does not sign/notarize application and/or is not presenting).
3. Application fee (see page 7).
4. Model, if applicable (see page 8).
5. Narrative letter describing the project.
6. Samples, renderings, pdfs, jpegs and Power Point photos are due 15 days prior to meeting.

Updated 03/03/2026



Manalapan Plaza Del Mar, LLC

820 Morris Turnpike
Short Hills, New Jersey 07078
Phone 973.467.5000

June 12, 2026

PROJECT DESCRIPTION

The Project consists of work to Suites 210 and 214 in the western building at Plaza Del Mar including the replacement of the existing storefront with a new glass storefront and entry doors which shall be consistent with the previously renovated adjacent tenant spaces, the interior demolition of these Suites and the preparation for tenant improvements in Suite 210 in anticipation of the relocation of Brightside, an existing tenant in the Plaza Del Mar eastern building. The tenant improvements are to be completed under a separate Permit. A tenant for Suite 214 has yet to be identified.

Very truly yours,
MANALAPAN PLAZA DEL MAR, LLC

Scott Loventhal

Renovations for:

Plaza Del Mar

210 & 214 South Ocean Boulevard
Manalapan, FL 33462

ARCHITECT:
Claren Architecture + Design, Inc.

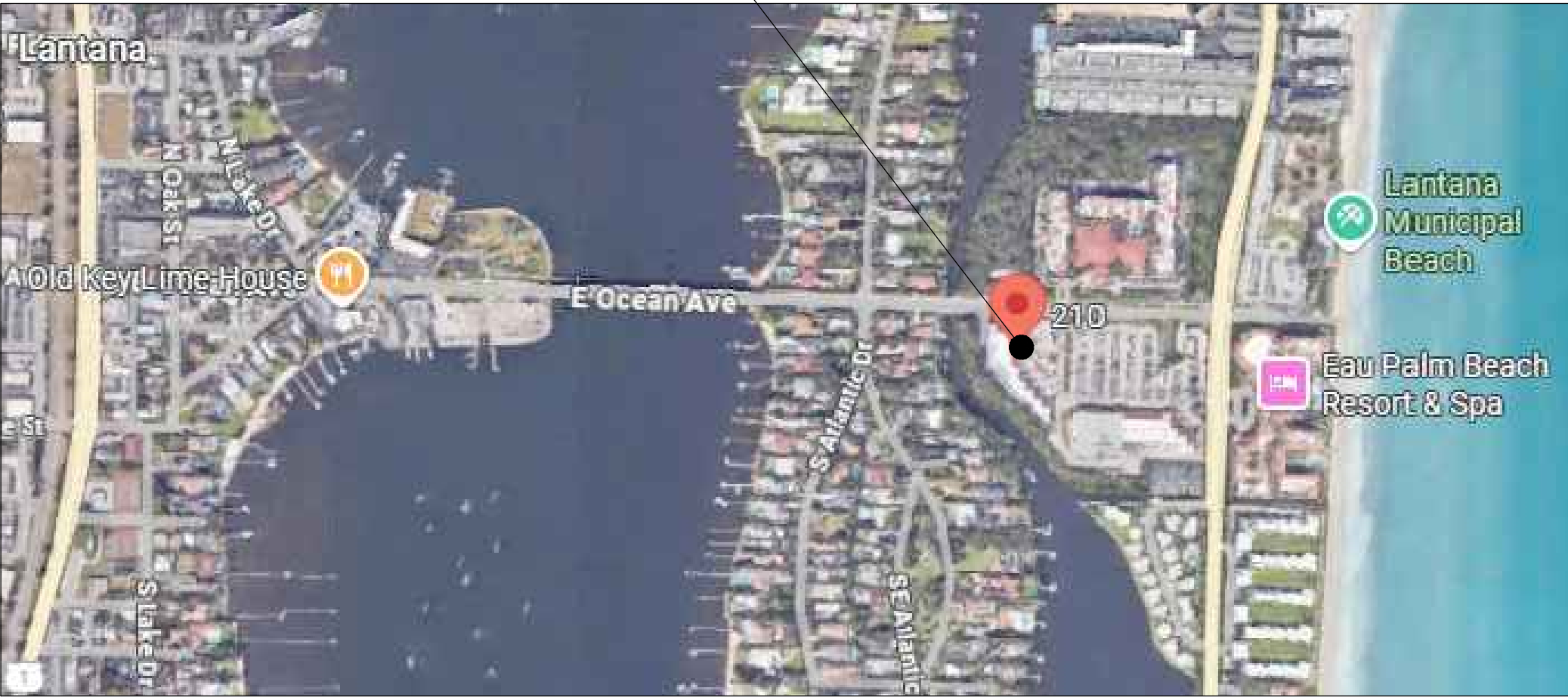
6400 Congress Ave, Suite 2150
Boca Raton, Florida 33487
Tel.: 561-961-4884
www.clarenarchitecture.com

DRAWING INDEX

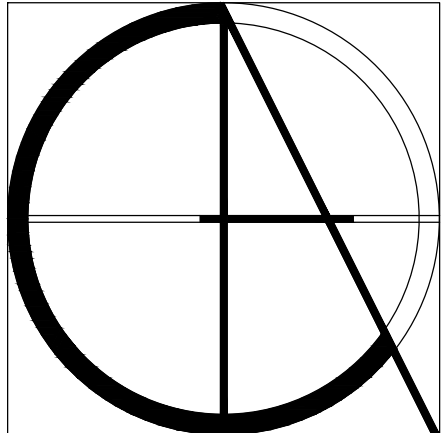
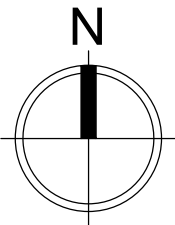
ARCHITECTURAL

- COVER SHEET
- AD-1 DEMOLITION PLAN & NOTES
- A-1 PROPOSED FLOOR PLAN, SCHEDULES & DETAILS
- A-4 DEMOLITION/PROPOSED ELEVATIONS & WALL SECTION

SITE LOCATION



LOCATION MAP
SCALE: N.T.S.



CLAREN
ARCHITECTURE + DESIGN

6400 CONGRESS AVE, SUITE 2150
BOCA RATON, FL 33487
561.961.4884

WWW.CLARENARCHITECTURE.COM

Renovations for:
PLAZA DEL MAR
210 & 214 South Ocean Blvd.,
Manalapan, FL 33462

SEAL



DIGITAL SIGNATURE

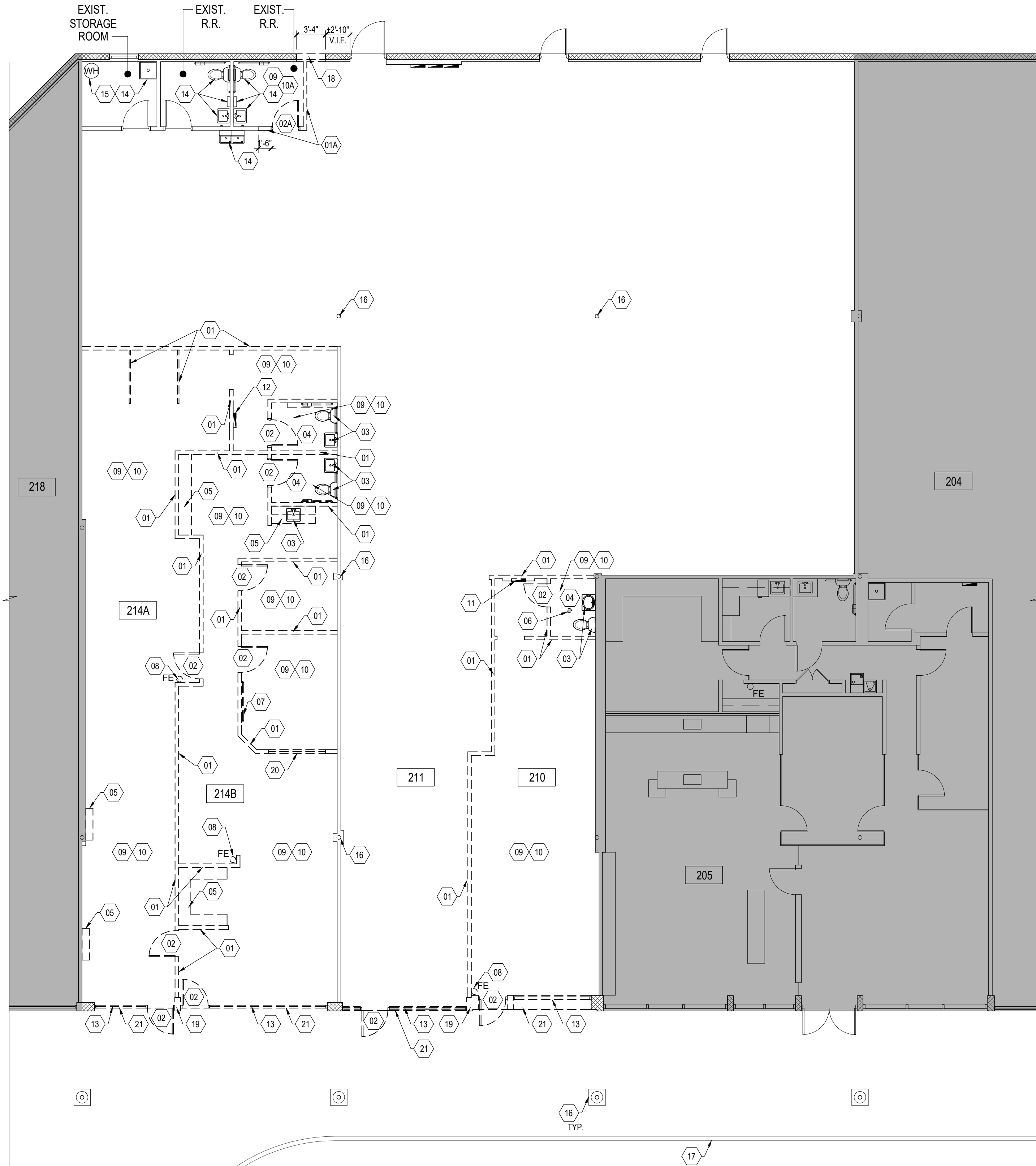
This document has been digitally signed and sealed on the date indicated above. Printed copies of this document are not considered signed and sealed and are provided for reference only. The authenticity of this document can be verified through the digital certificate embedded in the file.

PROJECT #		25-039
DATE		6-11-2026
REV #	DATE	
△		
△		
△		
△		
△		
△		

SHEET #

CS

COPYRIGHT 2025



- DEMOLITION PLAN KEY NOTES**
- 01 REMOVE EXISTING PARTITION.
 - 01A REMOVE PORTION OF EXISTING WALL TO ACCOMMODATE NEW PLAN LAYOUT.
 - 02 REMOVE EXISTING DOOR, FRAME AND HARDWARE.
 - 02A REMOVE EXISTING DOOR, FRAME AND HARDWARE AND SAVE FOR RE-USE.
 - 03 REMOVE EXISTING PLUMBING FIXTURES AND CAP AS REQUIRED.
 - 04 REMOVE EXISTING RESTROOM ACCESSORIES.
 - 05 REMOVE EXISTING CASEWORK AND SHELVING.
 - 06 REMOVE EXISTING FLOOR DRAIN AND CAP AS REQUIRED.
 - 07 REMOVE EXISTING HANDRAIL.
 - 08 REMOVE EXISTING FIRE EXTINGUISHER AND SALVAGE FOR RE-USE. SEE FLOOR PLAN.
 - 09 REMOVE EXISTING FLOOR FINISH DOWN TO CONCRETE SLAB.
 - 10 REMOVE EXISTING CEILING, LIGHT FIXTURES, AND A/C GRILLS. REMOVE ANY EXISTING DUCTWORK BACK TO UNITS. REFER TO MEP PLANS.
 - 10A REMOVE EXISTING CEILING TO ACCOMMODATE NEW WALL LOCATION. SALVAGE LIGHT, EMERGENCY LIGHT AND GRILLES FOR RE-USE.
 - 11 REMOVE EXISTING ELECTRICAL PANEL AND TERMINATE SERVICE. COORDINATE WITH BUILDING OWNER PRIOR TO DEMOLITION.
 - 12 REMOVE EXISTING ELECTRICAL PANEL AND MODIFY EXISTING SERVICE FOR NEW PANEL LOCATION. REFER TO ELECTRICAL.
 - 13 REMOVE EXISTING STOREFRONT SYSTEM.
 - 14 EXISTING PLUMBING FIXTURES TO REMAIN.
 - 15 EXISTING WATER HEATER TO REMAIN.
 - 16 EXISTING COLUMN TO REMAIN.
 - 17 EXISTING DRIVEWAY CURB TO REMAIN.
 - 18 REMOVE PORTION OF EXISTING MASONRY WALL AND FURRING TO ACCOMMODATE NEW DOOR OPENING (SEE STRUCTURAL PLANS).
 - 19 REMOVE PORTION OF EXISTING WALL TO ACCOMMODATE NEW STOREFRONT SYSTEM. SEE PROPOSED FLOOR PLAN.
 - 20 EXISTING WINDOW TO BE REMOVED.
 - 21 REMOVE EXISTING WALL BELOW EXISTING STOREFRONT.
- NOTES:**
1. ALL ITEMS NOT TAGGED OR DASHED ARE EXISTING TO REMAIN.

DEMOLITION PLAN LEGEND	
	AREA NOT IN SCOPE OF PROJECT
	EXISTING TO BE REMOVED
	EXISTING EXTERIOR WALL TO REMAIN
	EXISTING STUD PARTITION TO REMAIN
	EXISTING SUITE NUMBER
	ELECTRICAL PANEL (SEE ELECTRICAL DWGS)
	EXISTING WALL MOUNTED FIRE EXTINGUISHER

*** EXISTING SLAB NOTE *:**
IT IS BELIEVED THAT THE EXISTING CONCRETE SLAB ON GRADE IS POST-TENSION CONSTRUCTION. G.C. SHALL COORDINATE W/ ANY MODIFICATIONS TO SLAB AND PROVIDE X-RAYS AS REQUIRED.

- DEMOLITION PLAN GENERAL NOTES**
- DEMOLITION CONSISTS OF THE COMPLETE DISASSEMBLING, REMOVAL AND DISPOSAL OFF- SITE OF PORTIONS OF THE EXISTING BUILDING AS INDICATED.
 - IF HAZARDOUS MATERIAL (LEAD PAINT, ETC.) OR MATERIALS SUSPECTED OF CONTAINING ASBESTOS ARE ENCOUNTERED DURING THE DEMOLITION WORK, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT AND OWNER IMMEDIATELY. ASBESTOS CONTAINING MATERIAL SHALL BE REMOVED AND DISPOSED OF BY THE OWNER.
 - CONDITIONS OF STRUCTURES: THE OWNER AND ARCHITECT ASSUME NO RESPONSIBILITY FOR THE ACTUAL CONDITION OF STRUCTURES TO BE DEMOLISHED.
 - CONDITIONS EXISTING AT THE TIME OF INSPECTION, FOR BIDDING PURPOSES WILL BE MAINTAINED BY THE OWNER IN SO FAR AS PRACTICAL.
 - THE OWNER WILL REMOVE DESIRED ITEMS, NOT SCHEDULED OR SELECTED TO BE SALVAGED BY THE CONTRACTOR, FROM THE BUILDING PRIOR TO START OF DEMOLITION.
 - SALVAGING:**
 - THE OWNER SHALL DETERMINE WHICH ITEMS ARE TO BE REMOVED BY THIS CONTRACTOR AND TURNED OVER TO THE OWNER TO BE REINSTALLED. THE CONTRACTOR SHALL INQUIRE AT BID TIME WHICH ITEMS SHOULD BE INCLUDED.
 - OTHER ITEMS TO BE REMOVED SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF OFF-SITE.
 - STORAGE OR SALE OF REMOVED ITEMS AND MATERIALS WILL NOT BE PERMITTED ON THE OWNER'S PROPERTY.
 - UTILITIES SHALL BE DISCONNECTED BY THE GENERAL CONTRACTOR PRIOR TO THE START OF DEMOLITION.
 - PROVIDE INTERIOR AND EXTERIOR SHORING, BRACING OR SUPPORT TO PREVENT MOVEMENT OR SETTLEMENT OR COLLAPSE OF STRUCTURES TO BE DEMOLISHED AND ADJACENT FACILITIES TO REMAIN AS REQUIRED.
 - BUILDING DEMOLITION: DEMOLISH THOSE PORTIONS OF THE EXISTING BUILDING DENOTED ON THE DRAWINGS AS BEING TOTALLY DEMOLISHED. USE SUCH METHODS AS REQUIRED TO COMPLETE THE WORK WITHIN THE LIMITATIONS OF GOVERNING REGULATIONS.
 - PROCEED WITH DEMOLITION IN A SYSTEMATIC MANNER FROM THE TOP OF THE STRUCTURE TO THE GROUND.
 - LOCATE DEMOLITION EQUIPMENT THROUGHOUT THE STRUCTURE AND REMOVE MATERIALS SO AS TO NOT IMPOSE EXCESSIVE WALLS TO SUPPORTING WALLS, FLOOR, OR FRAMING.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO ADJACENT AREAS AS A RESULT OF DEMOLITION WORK PERFORMED BY THE CONTRACTOR.
 - DISPOSAL OF DEMOLISHED MATERIAL:**
 - STORAGE OF REMOVED MATERIALS ON THE SITE WILL NOT BE PERMITTED.
 - REMOVE AND LEGALLY DISPOSE OF OFF-SITE METAL ITEMS, DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM DEMOLITION OPERATIONS AT CONTRACTOR EXPENSE.
 - GENERAL CONTRACTOR SHALL PROVIDE A DUMPSTER FOR DEMOLISHED ITEMS. THE BUILDING DUMPSTER SHALL NOT BE USED.
 - PROTECT FROM DAMAGE, WHEN AND AS DIRECTED, EXISTING FINISH WORK THAT IS TO REMAIN IN PLACE AND BECOME EXPOSED DURING DEMOLITION OPERATIONS.
 - PROVIDE TEMPORARY WEATHER PROTECTION DURING INTERVALS BETWEEN DEMOLITION AND REMOVAL OF EXISTING CONSTRUCTION ON EXTERIOR SURFACES, AND INSTALLATION OF NEW CONSTRUCTION TO INSURE THAT NO WATER LEAKAGE OR DAMAGE OCCURS TO STRUCTURE OF INTERIOR AREAS OF EXISTING BUILDING.
 - UTILITY SERVICES: MAINTAIN ALL EXISTING UTILITIES NOT INDICATED TO BE DEMOLISHED. KEEP IN SERVICE, AND PROTECT AGAINST DAMAGE DURING DEMOLITION OPERATIONS. COORDINATE WITH THE OWNER. THE GENERAL CONTRACTOR SHALL TAKE CARE TO ENSURE THAT ALL ELECTRICAL POWER IS TURNED OFF PRIOR TO DEMOLITION OF ELECTRICAL COMPONENTS. ALL WIRING SHALL BE PROPERLY TERMINATED TO COMPLY W/ APPLICABLE CODES AND AVOID UNSAFE CONDITIONS.
 - TRAFFIC:** CONDUCT DEMOLITION OPERATIONS AND THE REMOVAL OF DEBRIS TO ENSURE MINIMUM INTERFERENCE WITH ROADS, STREETS, WALKS, AND OTHER ADJACENT OCCUPIED OR USED FACILITIES.
 - DO NOT CLOSE OR OBSTRUCT STREETS, WALKS AND OTHER ADJACENT OCCUPIED OR USED FACILITIES WITHOUT PERMISSION FROM AUTHORITIES HAVING JURISDICTION. PROVIDE ALTERNATE ROUTES AROUND CLOSED OR OBSTRUCTED TRAFFIC WAYS IF REQUIRED BY GOVERNING REGULATIONS.
 - CEASE OPERATIONS AND NOTIFY ARCHITECT AND OWNER'S REPRESENTATIVE IMMEDIATELY IF SAFETY OF STRUCTURE APPEARS TO BE ENDANGERED. TAKE PRECAUTIONS TO SUPPORT STRUCTURE UNTIL DETERMINATION IS MADE FOR CONTINUING OPERATIONS.
 - COVER AND PROTECT EQUIPMENT, AND FIXTURES TO REMAIN FROM SOILING OR DAMAGE WHEN DEMOLITION WORK IS PERFORMED IN ROOMS OR AREAS FROM WHICH SUCH ITEMS HAVE NOT BEEN REMOVED.
 - LOCATE, IDENTIFY, STUB-OFF, AND DISCONNECT UTILITY SERVICES THAT ARE NOT INDICATED TO REMAIN.
 - PROVIDE BYPASS CONNECTIONS AS NECESSARY TO MAINTAIN CONTINUITY OF SERVICE TO BE OCCUPIED AREAS OF BUILDING. PROVIDE MINIMUM 72 HOURS ADVANCE NOTICE TO OWNER IF SHUTDOWN OF SERVICE IS NECESSARY DURING CHANGEOVER.
 - IF UNANTICIPATED, MECHANICAL, ELECTRICAL, OR STRUCTURAL ELEMENTS WHICH CONFLICT WITH INTENDED FUNCTION OR DESIGN ARE ENCOUNTERED, INVESTIGATE AND ACCESS BOTH NATURE AND EXTENT OF THE CONFLICT. SUBMIT REPORT TO THE ARCHITECT IN WRITTEN, ACCURATE DETAIL. PENDING RECEIPT OF DIRECTIVE FROM ARCHITECT, REARRANGE SELECTIVE DEMOLITION SCHEDULE AS NECESSARY TO CONTINUE OVERALL JOB PROGRESS WITHOUT DELAY.
 - CONTRACTOR TO COORDINATE TEMPORARY SAFE STORAGE WITH OWNER.
 - DEMOLITION AND CONSTRUCTION SHALL NOT INTERFERE WITH BUILDING OPERATIONS.
 - ALL BUILDING LIFE SAFETY EQUIPMENT, I.E. FIRE ALARMS, ETC. SHALL REMAIN FULLY OPERATIONAL DURING DEMOLITION AND CONSTRUCTION.
 - ALL PLUMBING LINES BEING REMOVED SHALL RECEIVE SHUT OFF VALVE AND BE CAPPED. VENTS SHALL BE CAPPED AND SEALED OFF ON ROOF.
 - REMOVE EACH ITEM SHOWN WITH DASHED LINES ON THIS DRAWING WHETHER OR NOT EACH ITEM IS SPECIFICALLY NOTED TO BE REMOVED.
 - AFTER THE DEMOLITION OF MATERIALS, THE RESULTING EXPOSED SURFACE SHALL BE SMOOTH AND FLUSH WITH EXISTING CONDITIONS.
 - MAINTAIN THE EGRESS REQUIRED IN ALL AREAS PER ALL APPLICABLE CODES AND STANDARDS DURING CONSTRUCTION.
 - ALL CONSTRUCTION AND DEMOLITION PROCEDURES SHALL COMPLY W/ NFPA 241.

KEY PLAN

AREA OF WORK

DIGITAL SIGNATURE

PROJECT # 25-039

DATE 6-11-2026

REV # DATE

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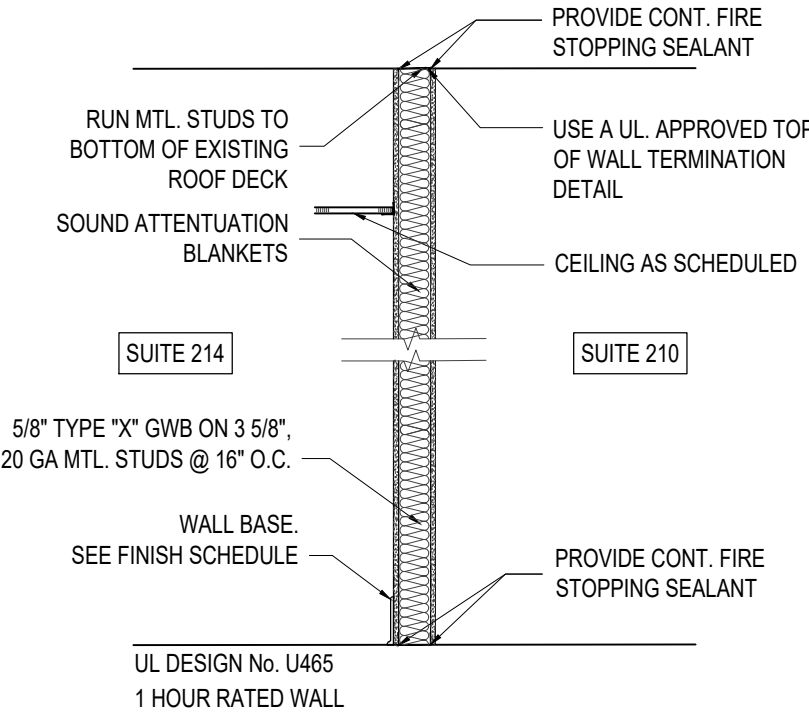
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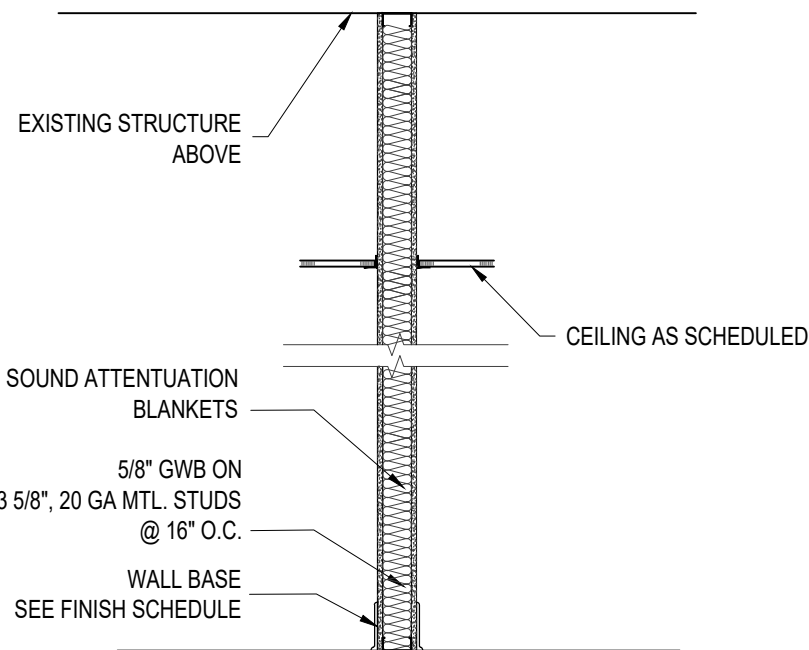
WALL TYPE NOTES:

- REFER TO FINISH SCHEDULE FOR ALL FINISHES ON WALLS.
- INSTALL STANDARD (90°) WALL CORNER BEADS AT ALL NEW CONDITIONS. DO NOT INSTALL DECORATIVE CORNER BEADS MATCHING EXISTING.
- FOR ALL FIRE RATED WALLS PROVIDE STENCILING ABOVE CLNG. TILES STATING FIRE AND SMOKE BARRIER - PROTECT ALL OPENINGS.
- REFER TO LIFE SAFETY PLANS FOR LOCATIONS OF RATED WALL ASSEMBLIES; CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL NOTED RATINGS.
- PROVIDE BLOCKING AT ALL PARTITIONS TO RECEIVE WALL MTD. EQUIPMENT. COORDINATE EXACT LOCATIONS W/ OWNER.
- ALL PENETRATIONS OF RATED STEEL STUD PARTITION WALLS AND WALL EXTENSIONS, FLOOR AND ROOF SHALL BE CONSTRUCTED IN ACCORDANCE WITH ONE OF THE FOLLOWING UL SYSTEMS:
SYSTEM NO. C-AJ-2218
SYSTEM NO. C-AJ-1014
SYSTEM NO. W-L-1054
SYSTEM NO. W-L-1176
SYSTEM NO. W-L-2154
SYSTEM NO. W-L-2148
- ALTERNATE PENETRATION PROTECTION SYSTEMS MUST BE TEST CERTIFIED AND SUBMITTED TO ARCHITECT FOR REVIEW.



02 WALL DETAIL 'W1'

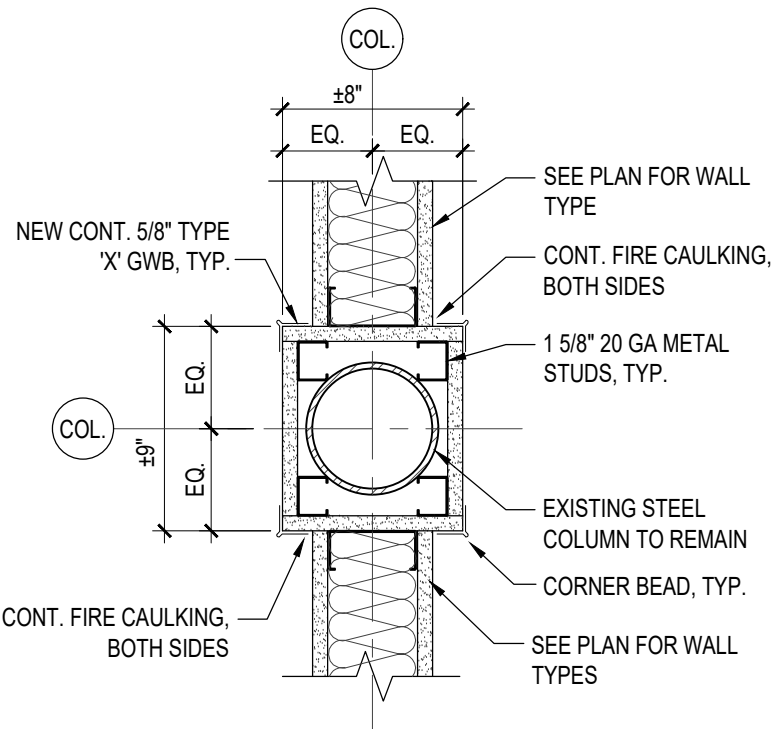
SCALE: 1/2" = 1'-0"



NOTE:
1. USE MOISTURE RESISTANT GWB IN WET AREAS

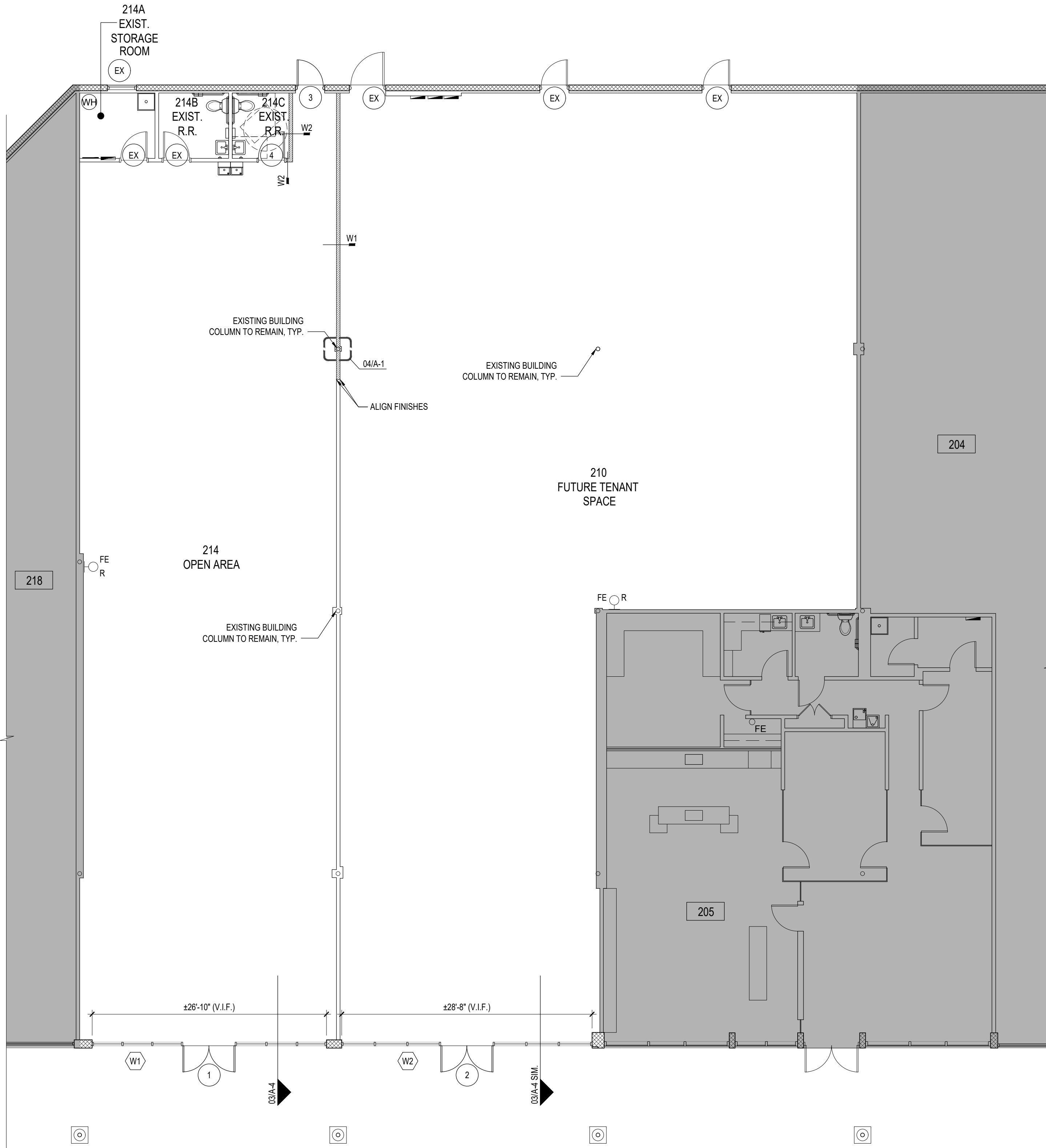
03 WALL DETAIL 'W2'

SCALE: 1/2" = 1'-0"



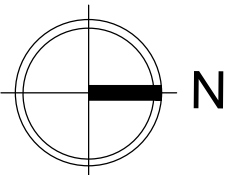
04 COLUMN BOX-OUT DETAIL

SCALE: 1 1/2" = 1'-0"



01 PROPOSED FLOOR PLAN

SCALE: 1/8" = 1'-0"



HARDWARE GROUP NO. 01 - EXTERIOR

Provide each SGL door(s) with the following:

QTY	EA	DESCRIPTION	CATALOG NUMBER	FINISH	MFR
3	EA	HINGE	5BB1 4.5 X 4.5 NRP	630	IVE
1	EA	PANIC HARDWARE	HH-99-L-NL-06-299F-SNB	626	VON
1	EA	RIM CYLINDER	20-057 ICX	626	SCH
1	EA	FSIC CORE	23-030	626	SCH
1	EA	SURFACE CLOSER	4040XP SCUSH TBWMS	669	LCN
1	EA	KICK PLATE	8400 10" X 2" LDW B-CS	630	IVE
1	EA	RAIN DRIP	142AA	AA	ZER
1	EA	GASKETING	488SBK PSA	BK	ZER
1	EA	THRESHOLD	65A-223	A	ZER

FINISH SCHEDULE

RM. NO.	ROOM NAME	FLOOR	WALLS	BASE	CEILING	CLNG. HGT.	REMARKS
214	OPEN AREA	CONCRETE	PAINTED GWB	4" VINYL	ACT-1	10'-8" AFF	
214A	EXISTING STORAGE RM.	EXISTING	EXISTING	EXISTING	EXISTING	-	
214B	EXISTING R.R.	EXISTING	EXISTING	EXISTING	EXISTING	-	
214C	EXISTING R.R.	VCT	PAINTED GWB	4" VINYL	ACT-2	±9'-3" A.F.F.	MATCH EXISTING CEILING HEIGHT
210	FUTURE TENANT SPACE	CONCRETE	GWB	-	EXPOSED	-	

FINISH NOTES:

- ALL FINISHES SHALL BE SELECTED BY TENANT AND INSTALLED BY CONTRACTOR.
- NEW DRYWALL SHALL RECEIVE A LEVEL 4 FINISH.
- PAINT TO BE APPLIED AS FOLLOWS: ONE COAT OF PRIMER & TWO (2) COATS OF FINISH PAINT.

MATERIAL LEGEND:

ACT-1: ARMSTRONG MODEL 1776, 24" x 48" x 5/8" DUNE ANGLED TEGULAR CEILING TILE WITH 15/16" WHITE GRID.

ACT-2: ARMSTRONG MODEL 1774, 24" x 24" x 5/8" DUNE ANGLED TEGULAR CEILING TILE WITH 15/16" WHITE GRID.

GWB: GYPSUM WALL BOARD

VCT: VINYL COMPOSITE TILE. MATCH EXISTING

VINYL: 4" VINYL BASE (MATCH EXISTING)

DOOR SCHEDULE

OPENING NUMBER	SIZE	MATL	TYPE	MATL	JAMB DEPTH	FRAME DETAILS			HWDR	REMARKS
						HEAD	JAMB	SILL		
1	(2) 3'-0" x 8'-0" x 1 3/4"	AL	A	AL	-	02/A-5	03/A-5	04/A-5	ENTRY SET	
2	(2) 3'-0" x 8'-0" x 1 3/4"	AL	A	AL	-	02/A-5	03/A-5	04/A-5	ENTRY SET	
3	3'-0" x 7'-0" x 1 3/4"	HM	B	HM	-	05/A-5	06/A-5	07/A-5	HARDWARE GROUP #01	
4	3'-0" x 7'-0" x 1 3/4"	WD	C	WD	-	08/A-5	09/A-5	10/A-5	RELOCATED	RELOCATED DOOR
EX	EXISTING DOOR TO REMAIN									

DOOR NOTES:

- COORDINATE/ CONFIRM ALL DOOR HARDWARE WITH BUILDING OWNER PRIOR TO CONSTRUCTION.
- DOOR HARDWARE SHALL MATCH EXISTING BUILDING STANDARD.
- PROVIDE GRADE 2 COMMERCIAL HARDWARE.

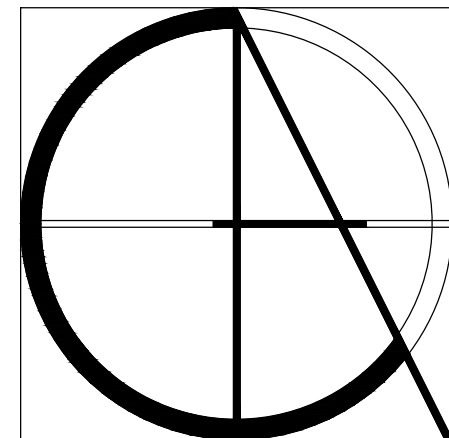
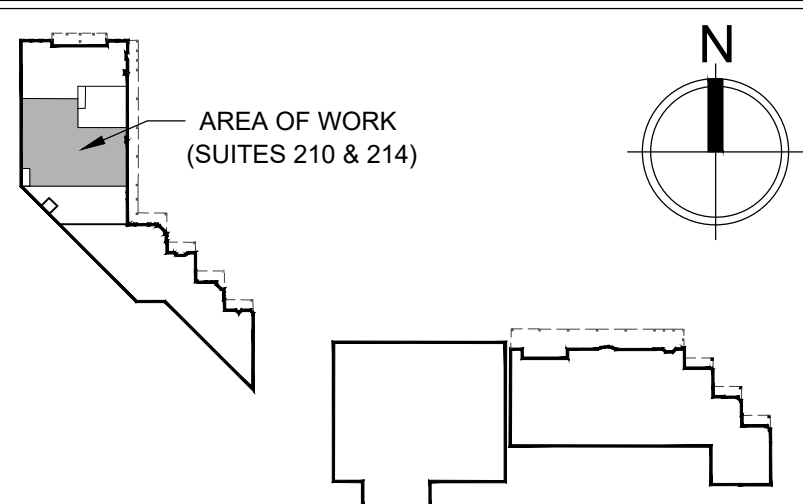
GENERAL NOTES

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL LOCAL AND APPLICABLE CODES, FBC 8TH EDITION (2023) & FLORIDA FIRE PREVENTION CODE, 8TH EDITION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS AND REGULATIONS OF THE BUILDING STANDARDS AND LOCAL JURISDICTIONS.
- PROPER CARE AND PROTECTION SHALL BE PROVIDED FOR ALL AREAS ADJACENT TO CONSTRUCTION AND ANY DAMAGE THAT MAY OCCUR TO THESE AREAS AS A RESULT OF THIS CONSTRUCTION SHALL BE PROMPTLY REPAIRED BY THE CONTRACTOR TO THE ORIGINAL CONDITION.
- THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS PRIOR TO STARTING CONSTRUCTION. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES OR ANY INCONSISTENCIES.
- ALL DIMENSIONS FOR NEW WORK ARE TO FACE OF STUDS, FACE OF CMU OR CONCRETE AND CENTERLINES OF COLUMNS, UNLESS OTHERWISE INDICATED. ALL DIMENSIONS TO EXISTING ARE TO FACE OF FINISH UNLESS OTHERWISE INDICATED. DIMENSIONS TAKE PRECEDENCE OVER SCALING OF DRAWINGS.
- VERIFY SIZES OF ALL OWNER PROVIDED EQUIPMENT AND COORDINATE ALL OPENINGS, CLEARANCES, ELECTRICAL AND MECHANICAL REQUIREMENTS WITH THE OWNER PRIOR TO INSTALLATION.
- UPON COMPLETION OF THE WORK, PROPERTY AND ADJACENT AREAS SHALL BE LEFT CLEAN AND SATISFACTORY TO THE OWNER AND THE ARCHITECT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR CUTTING, PATCHING AND FITTING OF ALL WORK IN A NEAT WORKMANLIKE MANNER. PROTECT ALL ADJACENT SURFACES FROM DAMAGE. PATCH AND REPAIR ALL WORK DAMAGED DURING CONSTRUCTION TO ITS ORIGINAL OR BETTER CONDITION. WHERE NEW WORK ADJOINS EXISTING IN THE SAME PLANE, MATCH ADJACENT FINISHES, MATERIALS, TEXTURES, SHEEN, ETC.

PLAN LEGEND

	AREA NOT IN SCOPE OF PROJECT
	EXISTING WALL AND FURRING TO REMAIN. (GC SHALL CONFIRM EXISTING WALL CONSTRUCTION)
	EXISTING STUD PARTITION TO REMAIN
	NEW STUD PARTITION (SEE PLAN FOR WALL TYPES)
	DOOR TAG (SEE DOOR SCHEDULE)
	WINDOW TAG (SEE WINDOW SCHEDULE)
	ELECTRICAL PANEL (SEE ELECTRICAL DWGS)
	WALL MOUNTED FIRE EXTINGUISHER (SEE DETAIL 14/A-5)
	EXISTING TO REMAIN
	RELOCATED
	60" DIA. TURNING SPACE
	59" x 60" CLEAR FLOOR SPACE
	30" x 48" CLEAR FLOOR SPACE

KEY PLAN



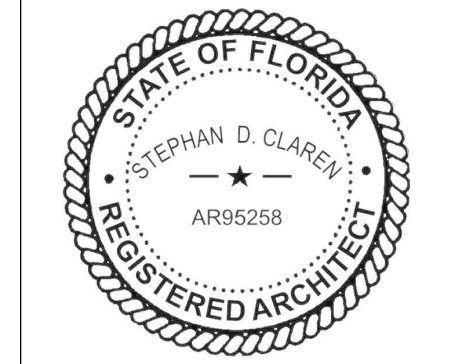
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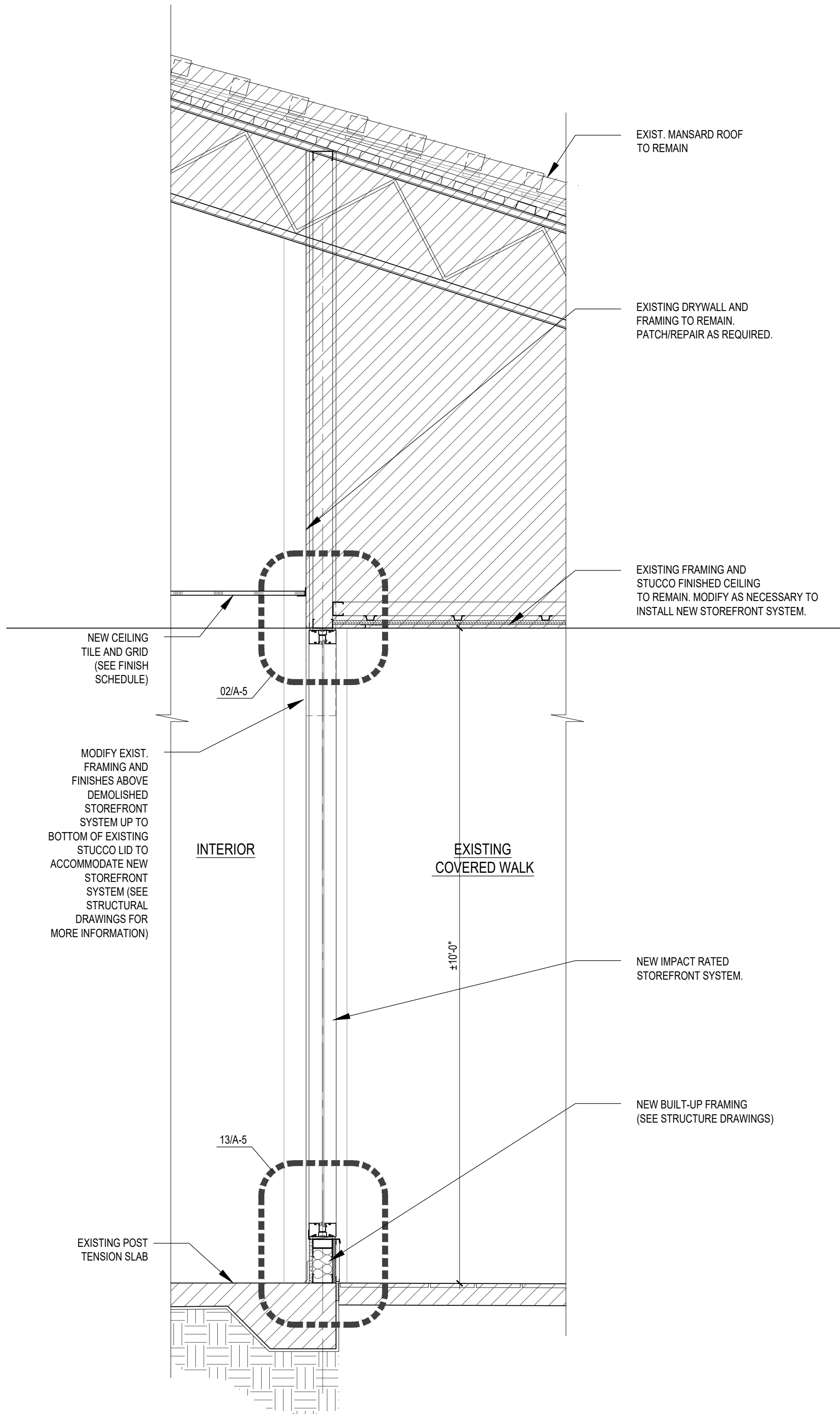
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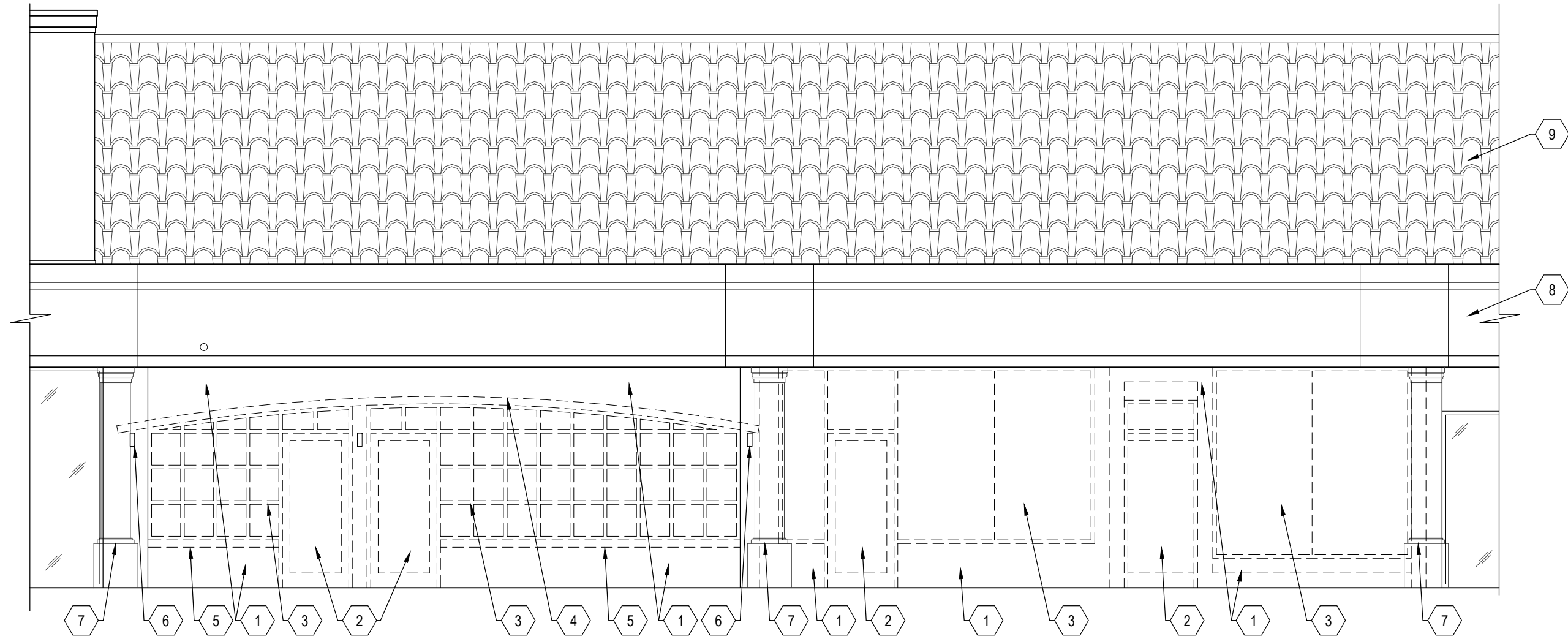
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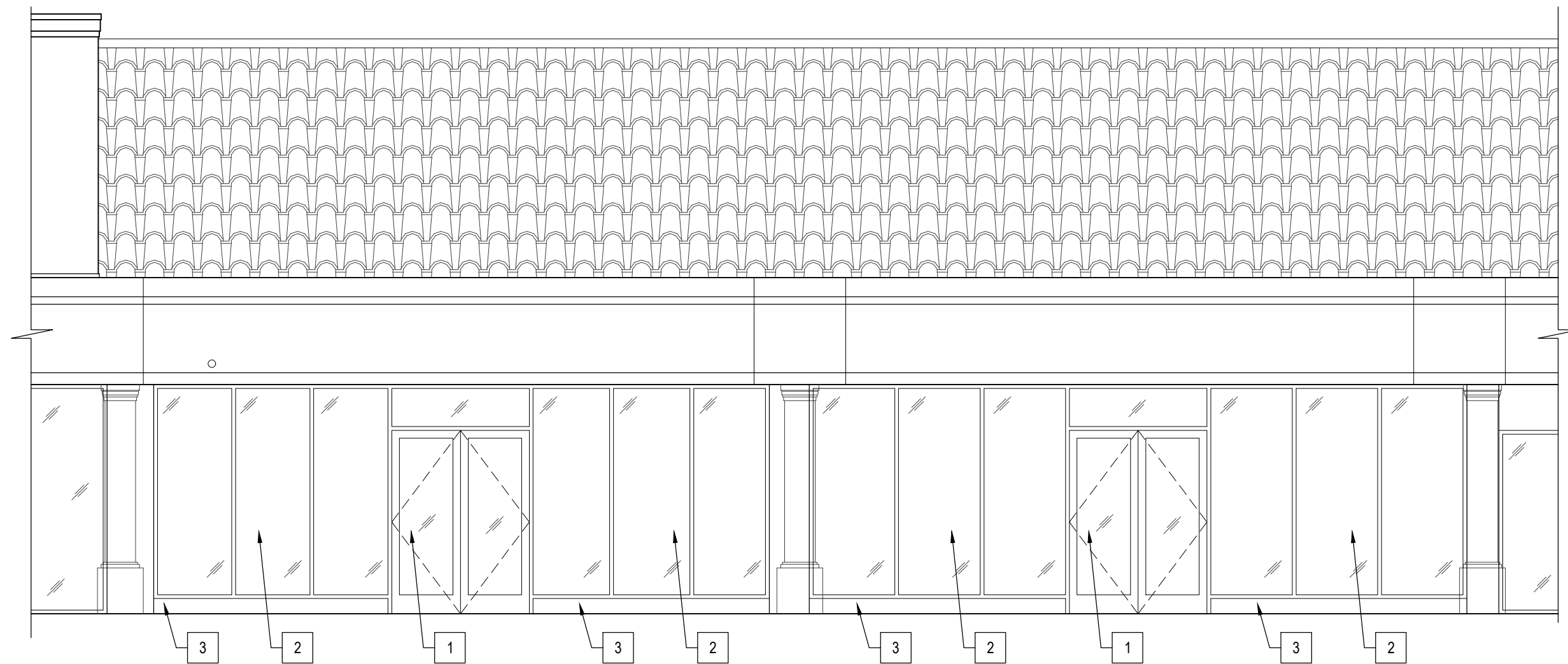
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03 WALL SECTION
SCALE: 3/4" = 1'-0"



01 PARTIAL DEMOLITION ELEVATION
SCALE: 3/16" = 1'-0"



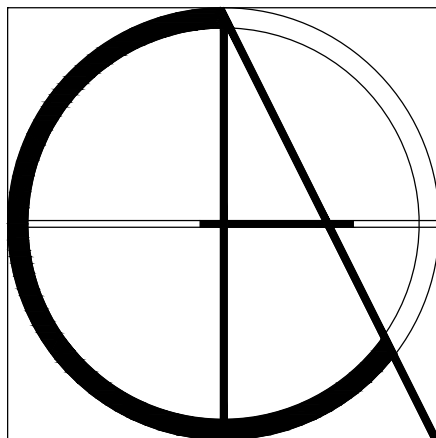
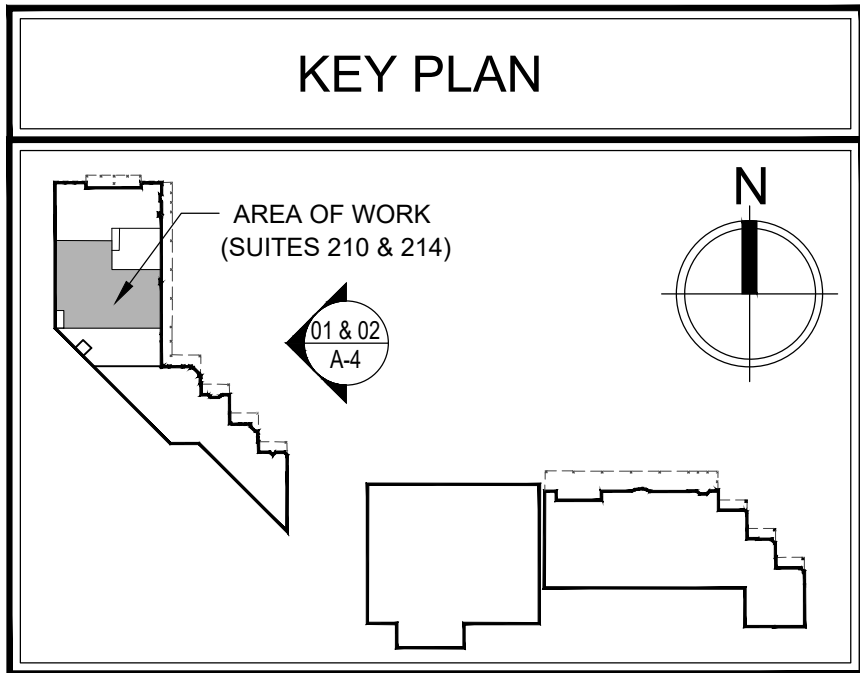
02 PARTIAL PROPOSED ELEVATION
SCALE: 3/16" = 1'-0"

X DEMOLITION ELEVATION KEY NOTES

- 1 REMOVE EXISTING WALL AND WALL FINISHES TO ACCOMMODATE NEW OPENINGS (SEE STRUCTURAL DWGS)
- 2 REMOVE EXISTING DOOR, FRAME AND ASSOCIATED HARDWARE
- 3 REMOVE EXISTING STOREFRONT WINDOW AND FRAME
- 4 REMOVE EXISTING BRICK LINTEL
- 5 REMOVE EXISTING BRICK SILL
- 6 REMOVE EXISTING LIGHT FIXTURE
- 7 EXISTING BUILDING COLUMN IN FOREGROUND TO REMAIN (SHOWN FOR CLARITY)
- 8 EXISTING STUCCO SOFFIT TO REMAIN
- 9 EXISTING MANSARD ROOF TO REMAIN

X PROPOSED ELEVATION KEY NOTES

- 1 NEW IMPACT RATED STOREFRONT DOOR (FINAL COLOR SELECTION TO BE CONFIRMED BY OWNER)
- 2 NEW IMPACT RATED STOREFRONT SYSTEM (FINAL COLOR SELECTION TO BE CONFIRMED BY OWNER)
- 3 NEW FRAMED KNEE WALL. SEE DETAIL 13/A-5 AND REFER TO STRUCT. DWGS.

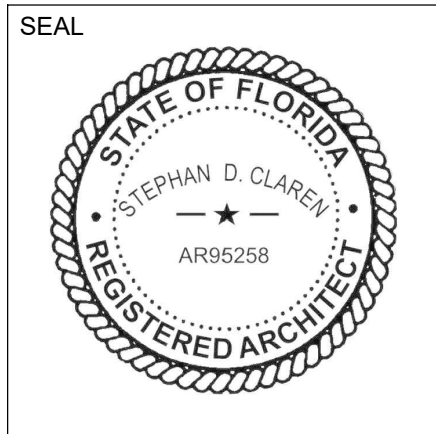


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TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: RA. b.iv.

Agenda Item Name: **Variance VAR 26-04** – 2000 S. Ocean Boulevard

BACKGROUND:

Variance VAR-26-04 2000 SOB - Florida Realty LLC seeks the Town Commission's approval for several variances. The property at 2000 South Ocean Boulevard is already non-conforming, so any alterations or expansions thereto require variance approval in addition to other site or use related approvals. Specifically, a variance from Town Code Sec. 151.641(A) to allow the expansion of a non-conforming lot by acquiring and unifying onto 2000 South Ocean Boulevard a portion of the lot immediately adjacent to the north. In addition, a variance from Town Code Secs. 151.093, and 151.581 to allow the addition of a fourth pedestrian tunnel under A-1-A onto the combined site which already has three (3) pedestrian tunnels under A-1-A, where the code allows only one (1) pedestrian tunnel under A-1-A per lot or lot of record. All pedestrian tunnels are already existing; however, the newly acquired and unified parcel contains a fourth existing tunnel. Additionally, a variance from Town Code Sec. 151.643(B) to allow the construction of a new pedestrian access ramp to the pedestrian tunnel under A-1-A being joined to the site through acquisition and unification of a portion of the parcel to the north where the code prohibits the construction or addition of any such use or structure to a non-conforming lot. Additionally, a variance from Town Code Sec. 151.097 to allow a side setback of 40 feet, 1.5 inches for a new proposed "engineering building" where the Town Code would require, per calculations applied to the newly unified lot dimensions, a 422.1 foot side setback. The subject property address is 2000 South Ocean Boulevard.

MOTION:

- Move to approve/disapprove Variance VAR 26-04

ATTACHMENTS:

- Variance Application
- Development Drawings



TOWN OF MANALAPAN
600 South Ocean Boulevard, Manalapan, FL 33462
(561) 585-9477, Fax (561) 585-9498
townhall@manalapan.org www.manalapan.org

DEVELOPMENT APPLICATION

Submittal Date: 06.12.2026

Property Control # 42-43-45-10-01-000-0031

PROPERTY OWNER(S)	AUTHORIZED AGENT(Required if owner not presenting)
Name: 1960 S OCEAN BLVD LLC	Name: Matthew H. Scott
Address: 1640 S OCEAN BLVD, Manalapan, FL 33462	Address: 200 East Broward Blvd, Suite 1800 Fort Lauderdale, FL 33301
Phone: 561-251-5239	Phone: (954) 298-0285
E-mail: stewart.satter@gmail.com	E-mail: Matthew.Scott@gmlaw.com

ARCHITECT/LANDSCAPE ARCHITECT	DEVELOPER/CONTRACTOR:
Name: Carolee Rodebaugh	Name: John Rogers
Company Name: Dailey Janssen Architects, PA	Company Name: Rogers General Contracting Corp
Address: 400 Clematis Street, #200 West Palm Beach, FL 33401	Address: 2475 Mercer Ave., Suite 301, West Palm Beach, FL 33401
Phone: (561) 833-4707 Cell:	Phone: (561) 475-5870 Cell:
E-mail: carolee@daileyjanssen.com	E-mail: jrogers@rogersgc.com

APPLICANT'S CERTIFICATION

- (I) **(owner or authorized agent)** affirm and certify that I understand and will comply with all provisions and regulations of the Town of Manalapan, Florida. 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 Manalapan 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



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townhall@manalapan.org www.manalapan.org

DEVELOPMENT APPLICATION

Submittal Date: 04.11.2026

Property Control # 42-43-45-10-01-000-0032

PROPERTY OWNER(S)	AUTHORIZED AGENT(Required if owner not presenting)
Name: Florida Realty LLC	Name: Matthew H. Scott
Address: 101 Ygnacio Valley Road, Suite 320, Walnut Creek, CA 94596	Address: 200 East Broward Blvd, Suite 1800 Fort Lauderdale, FL 33301
Phone: (925) 627-2618	Phone: (954) 298-0285
E-mail: bmori@lawrenceinv.com	E-mail: Matthew.Scott@gmlaw.com

ARCHITECT/LANDSCAPE ARCHITECT	DEVELOPER/CONTRACTOR:
Name: Carolee Rodebaugh	Name: John Rogers
Company Name: Dailey Janssen Architects,PA	Company Name: Rogers General Contracting Corp
Address: 400 Clematis Street, #200 West Palm Beach, FL 33401	Address: 2475 Mercer Ave., Suite 301, West Palm Beach, FL 33401
Phone: (561) 833-4707 Cell:	Phone: (561) 475-5870 Cell:
E-mail: carolee@daileyjanssen.com	E-mail: jrogers@rogersgc.com

APPLICANT'S CERTIFICATION

Barry T. Mori

- (I) B.T.M. (owner or authorized agent) affirm and certify that I understand and will comply with all provisions and regulations of the Town of Manalapan, Florida. 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 Manalapan 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 Manalapan, Florida, and are not returnable.

Signature-Owner or Authorized Agent



Print Name Barry T. Mori, Authorized Signatory

STATE OF FLORIDA, COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this _____ day of _____, 20____

by _____ as _____ for _____

Personally known _____ or Produced Identification _____

Type of Identification _____

Notary Signature

SEAL

Print Notary Name

See attached CA compliant for A20

CHECK BELOW WHERE APPLICABLE

(Payable by check only)

ARCHITECTURAL REVIEW – Level 1 \$450	PUD or PUD AMENDMENT \$1,500	
ARCHITECTURAL REVIEW – Level 2 \$850	SITE PLAN REVIEW \$1,000	✓
ARCHITECTURAL REVIEW – Level 3 \$1,800	SPECIAL EXCEPTION USE \$1,000	
ARCHITECTURAL REVIEW – Level 4 \$2,500	VARIANCE \$2,000	✓
PAVER AGREEMENT \$500	ZONING TEXT/MAP OR COMP PLAN AMENDMENT \$2,500	

(See page 7 for definitions of Levels)

The owner, architect or other authorized agents are urged to attend the meeting. Each applicant must familiarize themselves with the Architectural Commission criteria and procedure. If all required information is not presented with this application, the project will not be placed on the agenda for review and consideration. PLEASE NOTE: Although an application meets minimum zoning requirements the Architectural Commission may approve, approve with conditions, or disapprove a request not found to meet Architectural Review criteria as found in Town Code, Section 152.23. All residents are notified of applicant's request by mail.

**ALL APPLICATIONS MUST BE COMPLETE, SIGNED,
NOTARIZED AND SUBMITTED WITH NARRATIVE AND
PLANS BY THE DEADLINE DATE**

1. This Application pages 3-4 for Project Levels 1 thru 3, and pages 1-6 for Level 4 Projects.
2. Agent's Authorization Letter (Required if owner does not sign/notarize application and/or is not presenting).
3. Application fee (see page 7).
4. Model, if applicable (see page 8).
5. Narrative letter describing the project.
6. Samples, renderings, pdfs, jpegs and Power Point photos are due 15 days prior to meeting.

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

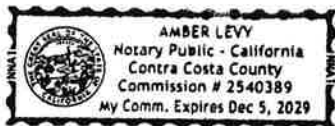
State of California

County of Contra Costa }

On 6/3/24 before me, Amber Levy, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Barry T. Mori
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Amber Levy
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Development Application

Document Date: 6/3/24 Number of Pages: 2

Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer(s)

Signer's Name: Barry T. Mori

☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: Florida Realty, LLC

Signer's Name: _____

☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____



Date: 06.12.2026

**LETTER OF INTENT FOR NEW CONSTRUCTION AT
2000 SOUTH OCEAN BOULEVARD
MANALAPAN, FLORIDA**

We are pleased to submit the accompanying documents and drawings for review of our proposed unity of title and new accessory structure at 2000 South Ocean Boulevard.

We are requesting the following:

1. Site Plan Approval

Florida Realty LLC is under contract to purchase the property to the North at 1960 South Ocean Boulevard and combine it with 2000 South Ocean Boulevard through Unity of title. We are submitting the required documentation and application for the lot combination.

2. Variance Approval – The lot combination will require variances to ensure the property is viable for a new accessory structure as 2000 South Ocean boulevard is a non-conforming property. We are applying for the following variance:

- a. **NORTH SIDE SETBACK** – the new combined lot will be 1407' long. By zoning code this would require a 422' combined setback which far exceeds the typical required. We are asked for a 40' 1.5" North side setback
- b. **EXISTING TUNNELS** – 2000 South Ocean Boulevard currently has (3) tunnels. Adding 200' of 1960 South Ocean Boulevard will add an additional tunnel to make (4). Zoning code allows (1) per parcel. We propose to make minor improvement to the tunnel access on the East and West side of South Ocean Boulevard.
- c. **ACCESSORY STRUCTURE** – The new proposed structure will be designed to meet all aspects of the zoning code in height, size, and massing. Because 2000 South Ocean Boulevard is non-conforming any changes to the site plan require a variance.

June 11, 2026

**Florida Realty, LLC
Variance Justification Statement
Expansion of Nonconforming Property**

A. Property Information Summary

Property Owner/Applicant	Florida Realty, LLC ("Applicant")
Address	2000 S. Ocean Blvd., Manalapan, FL 33462 ("Property")
General Location	east and west sides of S. Ocean Boulevard, north of Boynton Inlet
Parcel Control No.	42-43-45-10-01-000-0032 & 42-43-45-10-01-000-0032 (Island) & a portion of 42-43-45-10-01-000-0031 (New Northern Lot Addition)
Zoning District	R1-B & R-1A (Island)
Future Land Use	Single-Family Residential
Size	+/- 22.92 acres
Existing Use	Residential estate

B. Tabular Summary of Requests

Variance Requests	Proposed	Requirement	Code Section
To allow for the addition of a portion of the northern lot to the nonconforming Property	Applicant is proposing to expand the nonconforming Property to add a portion of the northern lot to the Property.	No nonconforming use shall be enlarged, increased, increased, intensified, substituted or extended to occupy a greater area than it occupied at the effective date of adoption or amendment of this chapter. No such nonconforming use shall be relocated in whole or in part to any portion of a lot	151.641(A)

		or parcel except the location occupied by such use at effective date of adoption or amendment of this chapter.	
To increase the number of tunnels on the Property under S. Ocean Blvd. from three (3) to four (4)	The addition of the northern lot area includes an existing non-conforming tunnel. Adding the lot area to the Property will increase the number of non-conforming tunnels from three (3) to four (4).	In Districts R1-A and R1-B, only as a Special Exception use, one (1) passageway under South Ocean Boulevard (State Highway A-1-A) per lot or lot of record, bound and maintained by unity of title may be constructed to provide underground pedestrian access from the property located on one side of such road to the property located on the other side of such road.	151.581
To add a ramp to the existing nonconforming tunnel in the northern area	Applicant is proposing to add a ramp to the existing tunnel on the northern lot area that is to be added to the Property.	<i>Extension or expansion; alteration and repairs.</i> Nonconforming buildings and/or structures shall not be enlarged upon, expanded, increased or extended to occupy a greater area of land or over water, nor shall they be relocated in whole or in part to any portion of a lot or parcel, nor shall they be used as grounds for adding other buildings and/or structures prohibited elsewhere in the same District except for the expansion of existing single-family	151.643(B)

		residence or accessory structure which does not increase the particular nonconformity. The "supplementary lot regulations" for all zoning Districts except C-3 allows this exception.	
To allow a 40'-1.5" side (north) setback for the proposed engineering building on the new northern lot area where a 422.1' setback is required.	The proposed expansion to the nonconforming lot includes a proposed accessory engineering building on the northern lot area, which requires a variance due to the side setback requirements.	A two (2) story structure shall have an aggregate side yard width equal to thirty (30) percent of the average width of the lot or lot of record, or equal to the overall height of the building (as defined in Section 151.003), whichever is greater. Nonetheless, no side yard shall be less than twenty-five (25) feet.	151.097(A)(2)

C. Background

Florida Realty, LLC proudly purchased the beautiful estate property historically known as "Gemini" in 2022 with a deep understanding of the need to care for the unique grounds and structures thereon. While Applicant unequivocally intends for the Property to remain a single-family home, it is understood that it is much more than that in the eyes of the Town of Manalapan and its residents. Applicant, thus, views itself as a steward of the Property, and in that role engaged architectural and landscaping experts to assist with long-range planning and preservation for the future of the site.

As part of this planning exercise, Applicant prepared a comprehensive landscape maintenance plan to promote the long-term health and protection of the numerous specimen trees and other vegetative material on site. Applicant also identified the need to repair, remodel, and/or add to certain

structures on the Property to address deferred maintenance issues, create necessary space for existing trees, and to help modernize the unique site. As stated previously to the Mayor and Town Commission, Applicant's vision is to make these improvements gradually over time. Over the past 2 years, Applicant has constructed a new guest house and made other site improvements.

Currently, Applicant is proposing to add a portion of the northern lot to the Property and to construct an accessory engineering building on the new lot area. The northern lot area also contains an existing nonconforming tunnel, and the Applicant is proposing to add a ramp to the existing tunnel. As the Property and its current structures are legally nonconforming, variances are required for the proposed lot addition and modifications. The addition of the northern lot and proposed engineering building on that portion of the Property also require a variance from the side (north) setback requirements. The City's Zoning Code ("Code") Sec. 151.097 requires "a two (2) story structure shall have an aggregate side yard width equal to thirty (30) percent of the average width of the lot or lot of record, or equal to the overall height of the building (as defined in Section 151.003), whichever is greater. Nonetheless, no side yard shall be less than twenty-five (25) feet." With the addition of the portion of the northern lot area, the combined lot width is 1407' which requires a 422.1' side setback (30% of 1407'). Applicant is proposing for the engineering building to be located 40'-1.5" from the northern property line. Relative to the tunnel, Code Sec. 151.581 limits pedestrian passageways under S. Ocean Blvd to one (1) per lot of record. The Property currently contains three (3) existing tunnels, and with the addition of the northern lot area, the number of tunnels under S. Ocean Blvd. would increase from three (3) to four (4) on the Property.

As such, Applicant is seeking variances (1) to add to a portion of the northern lot to the nonconforming property, (2) to allow for four (4) tunnels under S. Ocean Blvd. on the Property, (3) to add a ramp to the existing tunnel located in the northern lot area, and (4) to allow for the accessory engineering building to have a 40'-1.5" side (north) setback where a 422.1' side setback is required. Please see the enclosed site plan depicting the location, size, and details relative to the proposed addition to the Property. Applicant respectfully requests approval of these variances as they will allow not only for improvements to the site to suit the needs of its new owner but also for the continued stewardship of this landmark Property.

D. Justification Statement

It is important to note the proposed accessory engineering building is setback 40'-1.5" from the northern property line, which exceeds the minimum side setback requirement of 25' indicated in Code Sec. 151.097(A)(2). Further, the Applicant is not proposing to construct an additional tunnel, but to allow for the existing passageway in the new northern site area to remain on the Property. The variances are necessary due to the existing conditions on the site which are legally nonconforming and the expansion of the land which requires variance approval; however, the new construction and expansion will comply with Code in all other material respects. As Per Section 151.672(C)(1-6) of the Town's Code, in order to authorize a variance, the Town Commission must and shall find that the following criteria are met. Each of the criteria are listed below in **bold** with Applicant's justification below each in *italics*.

1. That special conditions and circumstances exist which are peculiar to the land or building involved and which are not applicable to other lands or buildings in the same zoning District.

It has long been recognized by the Town and the property owners over the years that these lands are special and unique. The Property has received several development approvals and variances since it was built. The Property is subject to an agreement with the Town dated October 27, 1987, recorded in Book 5489, Page 1191 of the public records of Palm Beach County. The agreement was subsequently amended as follows:

- *On November 22, 1994, by the Town's approval of application for variances described in letters dated September 15, 1994, September 22, 1994 and October 10, 1994 and accompanying architectural plans, drawings and exhibits on file with the Town; (Modifications, additions to previously granted variances subject to the Original Recorded Agreement.)*
- *On August 27, 1996, by the Town's approval of application for variances described in letters dated August 12, 1996 and August 16, 1996, and accompanying architectural plans, drawings and exhibits on file with the Town; (New entry gate; move Studio A on east side.)*
- *On June 24, 1997, by the Town's approval of application for variances dated June 10, 1997, and accompanying architectural plans, drawings and exhibits on file with the Town; (Reduced square footage of house; increased square footage of studios.)*
- *On November 25, 1997, by the Town's approval of application for variances dated November 13, 1997, and accompanying*

architectural plans, drawings and exhibits on file with the Town; (Front set back variance and lot, yard and bulk regulations variance.)

- On April 28, 1998, by the Town's approval of application for variances dated April 16, 1998, and accompanying architectural plans, drawings and exhibits on file with the Town; (Modifications to basement and first and second floor, landscaping and studios A and B.)
- On February 23, 1999, by the Town's approval of application for variances dated February 11, 1999, and accompanying architectural plans, drawings and exhibits on file with the Town; (Move Studios A and B; move north gate; delete middle gate; add new pedestrian gate.)
- On February 29, 2000, by the Town's approval of application for special exception dated January 25, 2000, and accompanying architectural plans, drawings and exhibits on file with the Town; (Pedestrian passageway.)
- On April 25, 2000, by the Town's approval of application for variances dated January 25, 2000, and accompanying architectural plans, drawings and exhibits on file with the Town; (Relocate northwest gate with 8' high stucco wall.) and
- On June 19, 2000, by the Town's approval of application for variances dated April 25, 2000, and accompanying architectural plans, drawings and exhibits on file with the Town. (build two 8' sections of site wall)
- First Amendment to Restatement of Previously Granted Development Approvals and Ratifications of Previously Recorded Agreement Relating to 2000 S Ocean (July 12, 2005)
- Second Amendment to Restatement of Previously Granted Development Approvals and Ratifications of Previously Recorded Agreement Relating to 2000 S Ocean (April 11, 2007)

As stated in the original agreement, the Town has recognized throughout the history of the development of the Property that there are certain unique aspects of the Property which are not common to and do not exist for other properties or other single-family residences located within the R1-A and R1-B zoning districts of the Town, including the following:

- The Property is improved with the only single-family residence within the Town zoning districts R1-A and R1-B where the primary residence extends underneath and to the east and west of Highway A-1-A,

and such improvements have existed since the construction of the residence in 1947;

- The Property extends north and south in excess of 1200' feet, extends along a narrow portion of the barrier island east to the Atlantic Ocean and west to Lake Worth, and is divided by Highway A-1-A; and*
- The Property's single family residential improvements are located well below the crown of the road of Highway A-1-A which crown is high above mean sea level, and thus such improvements can be better screened from view and buffered than other properties along Highway A-1-A in R1-A and R1-B zoning districts.*

2. That the special conditions and circumstances do not result from the actions of the applicant or his or her predecessor in interest.

The special conditions and unique aspects of the Property have existed since the construction of the original residence in 1947. Several variances have been granted by the Town Commission since that time, which indicate the Town's continued understanding of the special circumstances associated with the Property. The sheer size and layout of the Property speak to its special conditions, and neither of these features are a result of the actions of the Applicant.

3. That granting the variances requested will not confer on the applicant any special privilege that is denied by this chapter to other lands or structures in this same zoning District.

The proposed variances will allow the Applicant to add a portion of the northern lot to the Property which is to include a new engineering building, and to add a ramp to the existing tunnel. Per the Town's Code regarding non-conforming buildings and structures, they are not to be "...used as grounds for adding other buildings and/or structures prohibited elsewhere in the same District except for the expansion of existing single-family residence or accessory structure which does not increase the particular nonconformity." The proposed variances and related development represent the expansion of an existing residential estate with a new accessory structure. While the proposed area for the engineering building on the new northern lot area requires a variance request from the Code's side (north) setback requirement, the engineering building is proposed to be setback 40'-1.5" from the new northern property line, which exceeds the Code's minimum side setback requirement of 25'. As the variances include a request to add a portion

of the new northern lot to the Property, the side setback requirement becomes an excessive 422.1' (30% of the 1407' lot width).

The proposed engineering building would be a conforming accessory structure and meet all other requirements of the Town's Code. The request for the fourth (4th) tunnel on the Property is to incorporate the existing nonconforming tunnel located on the new northern lot area. With the combination of the lots, it will increase the number of tunnels from three (3) to four (4). The variances are needed to allow for the expansion of the Property to include the land area for the new engineering building and to add a ramp to the existing tunnel, which would otherwise be permitted as of right for any other property in the same zoning district.

4. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning District under the terms of this chapter and would work unnecessary and undue hardships on the applicant.

The proposed lot addition, accessory engineering building, and tunnel ramp are consistent with the intent of the Code, as the purpose of the R1-B zoning district is "to provide for single-family residential development of spacious character together with recreational facilities; special exception uses and accessory uses as may be necessary or are normally compatible with residential surroundings. This District is established to protect existing development of high character and contains vacant land considered appropriate for such development in the future." The proposed engineering building would be a conforming accessory structure designed to meet all other requirements of the Town's Code. Relative to the additional tunnel, Code Sec. 151.581 limits pedestrian passageways under S. Ocean Blvd to one (1) per lot of record. With the addition of the northern lot area, the lot width of the Property will become 1407', which is much longer than other properties in the R-1B district. The limitation of a single pedestrian passageway is logical for most properties within the R1-B district; however, the lot width of the Property represents a unique situation which requires more pedestrian passages than is typical. Not allowing the fourth (4th) existing tunnel to remain would hinder pedestrian activity in the northern area of the Property. A literal interpretation of the Code would prevent the Applicant from making any improvements and additions to the Property, which would be inconsistent with the approvals that have been granted to prior owners of the Property throughout its history as outlined above. Moreover, literal interpretation of the Code in

this case would deprive Applicant of the ability to make any structural changes to its Property, which is a fundamental and unnecessary hardship.

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land or structure, or both.

The Applicant is proposing a minor expansion of the Property to incorporate a portion of the lot to the north, to be developed with an accessory engineering structure. Applicant is also proposing to add a ramp to the existing tunnel located within the new northern lot area. The variance requests are the minimum to provide for the necessary land area for the new accessory engineering building, and to enhance the existing tunnel with a ramp. The proposed accessory engineering structure would conform to all other Code requirements of the Town and is not inconsistent with prior improvements granted to prior owners of the Property. With the addition of the northern lot area, the Applicant is not requesting the construction of an additional tunnel, but to allow for the existing passageway to remain on the Property and to make a minor enhancement to incorporate a ramp. The variances would allow the Applicant to make a minor addition to the lot size of the Property, add an accessory engineering structure, and enhance the existing tunnel with a ramp to maintain efficient and safe pedestrian circulation across the new northern section of the Property. The requests represent a continuation of the tradition of enhancing this unique and exceptional Property within the Town.

6. That the grant of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Granting of proposed variances would not alter or affect the harmony of the community or intent of the Town's Code. The proposed improvements do not represent a negative impact to public welfare. The Property and its proposed improvements would continue to be used as a single-family residence. The new accessory engineering building proposed on the addition of the northern lot area will be otherwise in conformity with the Town's Code with the exception of the side (north) setback requirement, which is triggered due to the unique lot width of the Property when the lots are combined. As mentioned above, while a variance is needed from the side setback requirement due to the combined lot width, the new accessory engineering structure is proposed to be setback 40'-1.5" from

the northern property line which exceeds the minimum side setback requirement in the R1-B district of 25'. The accessory engineering structure meets the front setback requirement of 55' from S. Ocean Blvd (Highway A1A) and also meets the rear setback requirement of 25'. The request to allow a fourth (4th) tunnel on the Property is also triggered by the addition of the northern lot area, which includes an existing passageway across S. Ocean Blvd. The proposed variances are consistent with the following policies of the Town's Comprehensive Plan:

- Policy 1.3.3 – Maintain the existing high quality of single family development throughout the community.
- Policy 1.3.19 – The Town of Manalapan shall continue to establish and enforce stringent standards for all demolitions and replacements, new construction, and building additions and alterations on vacant or development residential lots to ensure that all new development and redevelopment is compatible with the architectural style, scale, setbacks, and lot coverage of the surrounding neighborhoods and properties.

E. Conclusion

Applicant is honored to be the owner of "Gemini." Ownership of a Property as special as this one requires commitment to care for it to ensure it is preserved long into the future. Applicant respectfully requests approval of the above-mentioned variances to add a portion of the northern lot to the Property for the new accessory engineering building, and to maintain and enhance the existing tunnel under S. Ocean Blvd. in the northern area of the site, so it can continue its stewardship of this amazing Property.

Respectfully submitted,

GREENSPOON MARDER LLP



By: Matthew H. Scott, Partner
For the Firm

PROPOSED LOT COMBINATION AT:

2000 SOUTH OCEAN BOULEVARD

MANALAPAN

TCOM SUBMITTAL 06.12.26

PALM BEACH COUNTY, FLORIDA



DRAWING INDEX											
SHT NO:	SHEET NAME:	ISSUED/REV. NO.:									
		REVIEW SUBMITTAL 06.12.26									
GENERAL											
A0.00	COVER SHEET, INDEX & PROJECT INFORMATION	•									
ARCHITECTURAL											
SP-1.01	OVERALL SITE PLAN AND SITE DATA	•									
SP-1.04	NORTH LOT SITE PLAN	•									
P1 - P2	ACCESSORY STRUCTURE CONCEPT RENDERINGS	•									

PROJECT SCOPE OF WORK											
1. SITE PLAN APPROVAL FLORIDA REALTY LLC IS UNDER CONTRACT TO PURCHASE THE PROPERTY TO THE NORTH AT 1960 SOUTH OCEAN BOULEVARD AND COMBINE IT WITH 2000 SOUTH OCEAN BOULEVARD THROUGH UNITY OF TITLE. WE ARE SUBMITTING THE REQUIRED DOCUMENTATION AND APPLICATION FOR THE LOT COMBINATION. 2. VARIANCE APPROVAL - THE LOT COMBINATION WILL REQUIRE VARIANCES TO ENSURE THE PROPERTY IS VIABLE FOR A NEW ACCESSORY STRUCTURE AS 2000 SOUTH OCEAN BOULEVARD IS A NON-CONFORMING PROPERTY. WE ARE APPLYING FOR THE FOLLOWING VARIANCE: a. NORTH SIDE SETBACK - THE NEW COMBINED LOT WILL BE 1407' LONG. BY ZONING CODE THIS WOULD REQUIRE A 422' COMBINED SETBACK WHICH FAR EXCEEDS THE TYPICAL REQUIRED. WE ARE ASKED FOR A 40'1.5A NORTH SIDE SETBACK b. EXISTING TUNNELS - 2000 SOUTH OCEAN BOULEVARD CURRENTLY HAS (3) TUNNELS. ADDING 200' OF 1960 SOUTH OCEAN BOULEVARD WILL ADD AN ADDITIONAL TUNNEL TO MAKE (4). ZONING CODE ALLOWS (1) PER PARCEL. WE PROPOSE TO MAKE MINOR IMPROVEMENT TO THE TUNNEL ACCESS ON THE EAST AND WEST SIDE OF SOUTH OCEAN BOULEVARD. c. ACCESSORY STRUCTURE - THE NEW PROPOSED STRUCTURE WILL BE DESIGNED TO MEET ALL ASPECTS OF THE ZONING CODE IN HEIGHT, SIZE, AND MASSING. BECAUSE 2000 SOUTH OCEAN BOULEVARD IS NON-CONFORMING ANY CHANGES TO THE SITE PLAN REQUIRE A VARIANCE.											

PROPOSED ADDITIONS AND RENOVATIONS AT:

2000 SOUTH OCEAN BOULEVARD

PALM BEACH COUNTY, FLORIDA

DAILEY JANSSEN ARCHITECTS

400 CLEVELAND STREET, SUITE 200, WEST PALM BEACH, FLORIDA 33401 TEL: 561-933-4101, LICENSE #AA-C00174

DATE: 11-06-2023

DRAWN:

REVISIONS:

• 06.12.26 TOWN SUBMITTAL

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SEAL

ROGER P. JANSSEN AR-14185

COVER SHEET

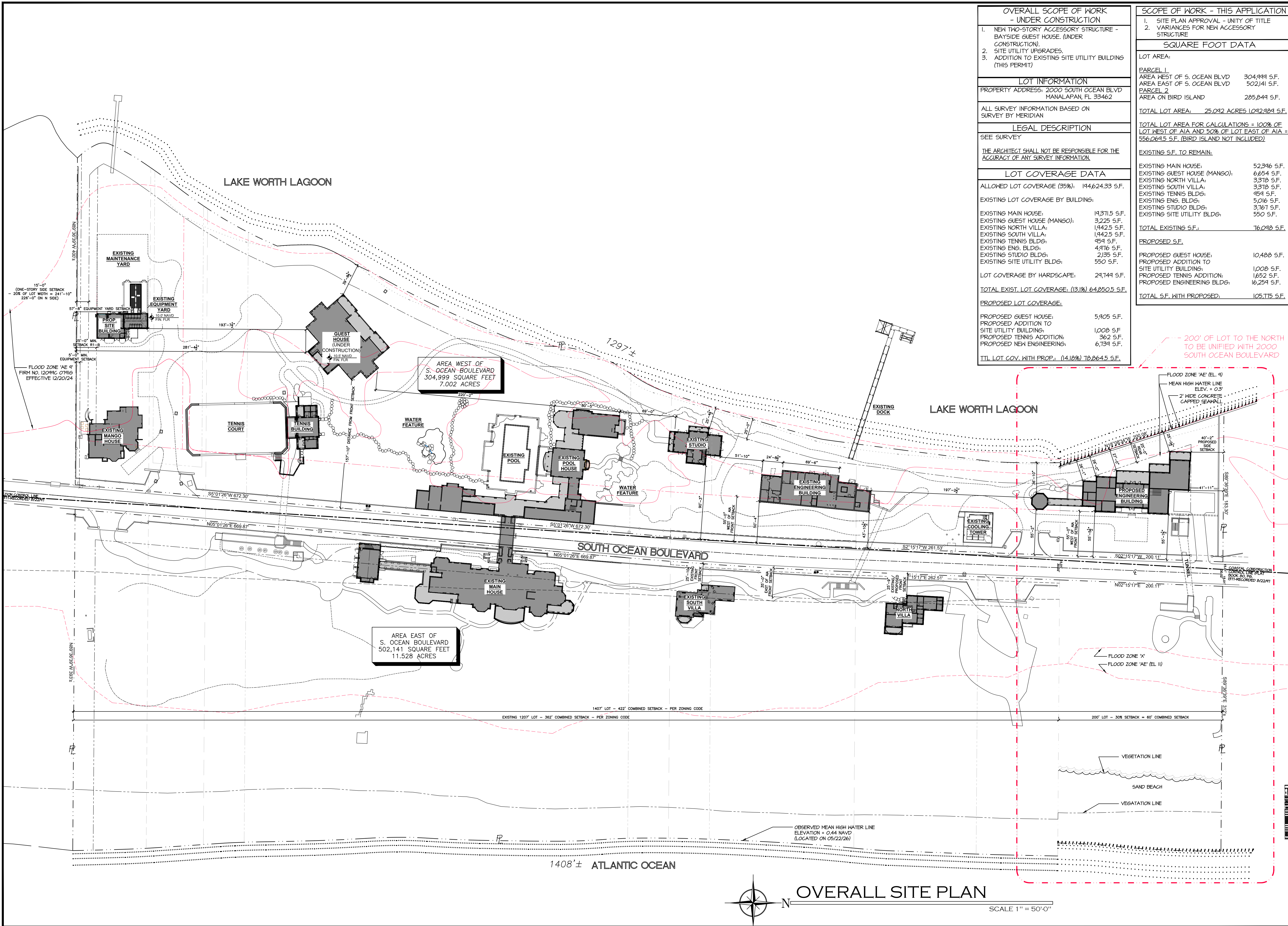
SHEET TITLE

DRAWING NO.

A0.00

JOB NUMBER:

22-136



OVERALL SCOPE OF WORK
- UNDER CONSTRUCTION

1. NEW TWO-STORY ACCESSORY STRUCTURE - BAYSIDE GUEST HOUSE. (UNDER CONSTRUCTION).
2. SITE UTILITY UPGRADES.
3. ADDITION TO EXISTING SITE UTILITY BUILDING (THIS PERMIT)

LOT INFORMATION

PROPERTY ADDRESS: 2000 SOUTH OCEAN BLVD
MANALAPAN, FL 33462

ALL SURVEY INFORMATION BASED ON SURVEY BY MERIDIAN

LEGAL DESCRIPTION

SEE SURVEY

THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF ANY SURVEY INFORMATION.

LOT COVERAGE DATA

ALLOWED LOT COVERAGE (35%): 194,624.33 S.F.

EXISTING LOT COVERAGE BY BUILDING:

EXISTING MAIN HOUSE: 19,311.5 S.F.
EXISTING GUEST HOUSE (MANGO): 3,225 S.F.
EXISTING NORTH VILLA: 14,425 S.F.
EXISTING SOUTH VILLA: 14,425 S.F.
EXISTING TENNIS BLDG: 454 S.F.
EXISTING ENG. BLDG: 4,916 S.F.
EXISTING STUDIO BLDG: 2,135 S.F.
EXISTING SITE UTILITY BLDG: 550 S.F.

LOT COVERAGE BY HARDSCAPE: 29,149 S.F.

TOTAL EXIST. LOT COVERAGE: (13.1%) 64,850.5 S.F.

PROPOSED LOT COVERAGE:

PROPOSED GUEST HOUSE: 5,905 S.F.
PROPOSED ADDITION TO SITE UTILITY BUILDING: 1,008 S.F.
PROPOSED TENNIS ADDITION: 362 S.F.
PROPOSED NEW ENGINEERING: 6,734 S.F.

TTL LOT COV. WITH PROP.: (14.18%) 78,864.5 S.F.

SCOPE OF WORK - THIS APPLICATION

1. SITE PLAN APPROVAL - UNITY OF TITLE
2. VARIANCES FOR NEW ACCESSORY STRUCTURE

SQUARE FOOT DATA

LOT AREA:

PARCEL 1
AREA WEST OF S. OCEAN BLVD 304,999 S.F.
AREA EAST OF S. OCEAN BLVD 502,141 S.F.
PARCEL 2
AREA ON BIRD ISLAND 285,844 S.F.

TOTAL LOT AREA: 25.092 ACRES 1,092,984 S.F.

TOTAL LOT AREA FOR CALCULATIONS = 100% OF LOT WEST OF AIA AND 50% OF LOT EAST OF AIA = 556,269.5 S.F. (BIRD ISLAND NOT INCLUDED)

EXISTING S.F. TO REMAIN:

EXISTING MAIN HOUSE: 52,346 S.F.
EXISTING GUEST HOUSE (MANGO): 6,654 S.F.
EXISTING NORTH VILLA: 3,318 S.F.
EXISTING SOUTH VILLA: 3,318 S.F.
EXISTING TENNIS BLDG: 454 S.F.
EXISTING ENG. BLDG: 5,016 S.F.
EXISTING STUDIO BLDG: 3,761 S.F.
EXISTING SITE UTILITY BLDG: 550 S.F.

TOTAL EXISTING S.F.: 76,090 S.F.

PROPOSED S.F.

PROPOSED GUEST HOUSE: 10,488 S.F.
PROPOSED ADDITION TO SITE UTILITY BUILDING: 1,008 S.F.
PROPOSED TENNIS ADDITION: 1,652 S.F.
PROPOSED ENGINEERING BLDG: 16,254 S.F.

TOTAL S.F. WITH PROPOSED: 105,715 S.F.

PROPOSED ADDITIONS AND RENOVATIONS AT:

2000 SOUTH OCEAN BOULEVARD

MANALAPAN, FL 33462

DAILEY JANSSEN ARCHITECTS

400 CLEVELAND STREET, SUITE 200, WEST PALM BEACH, FLORIDA 33411 TEL: 561-933-4101, LICENSE #AA-C001914

DATE: 11-06-2023

DRAWN:

REVISIONS:

• 06.12.25 TOWN SUBMITTAL

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PROPOSED VIEW TAKEN FROM EAST



PROPOSED VIEW TAKEN FROM WEST

TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: RA. b.v.

Agenda Item Name: **Variance VAR 26-05** – 1940 S. Ocean Boulevard

BACKGROUND:

Variance VAR-26-05 1940 SOB - David F. MacNeil Trust, David F. MacNeil Trustee, by and through its authorized agent Affinity Architects, seeks the Town Commission's approval for several variances as a result of acquiring and unifying onto 1940 South Ocean Boulevard a portion of the lot immediately adjacent to the south. Specifically, a variance from Town Code Sec. 151.103(2) to allow an existing dock with a non "T" or "L" configuration, due to the existing platform boatlift, to remain. The dock is existing but will now be part of the 1940 South Ocean Boulevard parcel as a result of the purchase and lot unification. Additionally, a variance from Town Code Secs. 151.103(4) and (15) to allow a dock width of 22.15 feet due to the existing boatlift, where the code prohibits a dock width in excess of six (6) feet. Additionally, a variance from Town Code Sec. 151.103(13) to allow two docks where the code only allows one dock per lot or lot of record. Both docks are existing but will now be located on the same lot of record (1940 South Ocean Boulevard) as a result of the purchase and unification. Also, a variance from Town Code Sec. 151.103 (14) which requires docks to be located within 10 feet of the centerline of the upland parcel, to allow the existing docks to be located on the newly unified lot in their current locations, neither of which is within 10 feet of the centerline of the lot, and to allow a 25 foot side setback for the dock and the terminus from the waterward extension of the south side property line where the code requires a 50 foot side setback. The subject property address is 1940 South Ocean Boulevard.

MOTION:

- Move to approve/disapprove Variance VAR 26-05

ATTACHMENTS:

- Variance Application
- Development Drawings



TOWN OF MANALAPAN
600 South Ocean Boulevard, Manalapan, FL 33462
(561) 585-9477, Fax (561) 585-9498
townhall@manalapan.org www.manalapan.org

DEVELOPMENT APPLICATION

Submittal Date: 6/12/2026

Property Control # 42-43-45-10-01-000-0031

PROPERTY OWNER(S)	AUTHORIZED AGENT(Required if owner not presenting) (ARCHITECT & CONTRACTOR)
Name: DAVID F MACNEIL	Name: AFFINITI ARCHITECTS - & RWB DESIGN BUILD LIVE-MARION COATES BENJAMIN SCHREIER
Address: 1960 S OCEAN BLVD MANALAPAN, FL 33462	Address: 6100 BROKEN SOUND PKWY NW STE 8 BOCA RATON, FL 33487
Phone: 954-280-8000	Phone: 561-750-0445 (Benjamin) 772-834-5160 (Marion)
E-mail: dfmacneil@macneil.com	E-mail: BS@AFFINITI.US & MARION@RWBDESIGNBUILDLIVE.COM

ARCHITECT/LANDSCAPE ARCHITECT	DEVELOPER/CONTRACTOR:
Name: BENJAMIN SCHREIER	Name: MARION COATES
Company Name: AFFINITI ARCHITECTS	Company Name: RWB DESIGN.BUILD.LIVE
Address: 6100 BROKEN SOUND PKWY NW STE 8 BOCA RATON, FL 33487	Address: 4875 PARK RIDGE BLVD #110 BOYNTON BEACH, FL 33426
Phone: BS@AFFINITI.US Cell: 561-750-0445	Phone: 561-270-1808 Cell: 772-834-5160
E-mail: BS@AFFINITI.US	E-mail: MARION@RWBDESIGNBUILDLIVE.COM

APPLICANT'S CERTIFICATION

- (I) BS (owner or authorized agent) affirm and certify that I understand and will comply with all provisions and regulations of the Town of Manalapan, Florida. 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 Manalapan 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

Updated 03/03/2026

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 Manalapan, Florida, and are not returnable.

Signature-Owner or Authorized Agent

Print Name

STATE OF FLORIDA, COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 6 day of June 2026

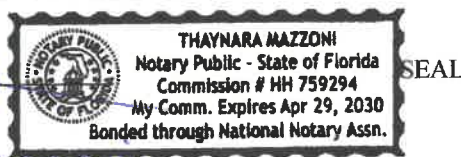
by Benjamin Schreier as owner for Affiniti Architects Holding LLC

Personally known _____ or Produced Identification _____

Type of Identification _____

Notary Signature

Print Notary Name



CHECK BELOW WHERE APPLICABLE

(Payable by check only)

ARCHITECTURAL REVIEW – Level 1 \$450	PUD or PUD AMENDMENT \$1,500	
ARCHITECTURAL REVIEW – Level 2 \$850	SITE PLAN REVIEW \$1,000	
ARCHITECTURAL REVIEW – Level 3 \$1,800	SPECIAL EXCEPTION USE \$1,000	
ARCHITECTURAL REVIEW – Level 4 \$2,500	VARIANCE \$2,000	X
PAVER AGREEMENT \$500	ZONING TEXT/MAP OR COMP PLAN AMENDMENT \$2,500	

(See page 7 for definitions of Levels)

The owner, architect or other authorized agents are urged to attend the meeting. Each applicant must familiarize themselves with the Architectural Commission criteria and procedure. If all required information is not presented with this application, the project will not be placed on the agenda for review and consideration. PLEASE NOTE: Although an application meets minimum zoning requirements the Architectural Commission may approve, approve with conditions, or disapprove a request not found to meet Architectural Review criteria as found in Town Code, Section 152.23. All residents are notified of applicant's request by mail.

ALL APPLICATIONS MUST BE COMPLETE, SIGNED, NOTARIZED AND SUBMITTED WITH NARRATIVE AND PLANS BY THE DEADLINE DATE

1. This Application pages 3-4 for Project Levels 1 thru 3, and pages 1-6 for Level 4 Projects.
2. Agent's Authorization Letter (Required if owner does not sign/notarize application and/or is not presenting).
3. Application fee (see page 7).
4. Model, if applicable (see page 8).
5. Narrative letter describing the project.
6. Samples, renderings, pdfs, jpegs and Power Point photos are due 15 days prior to meeting.

Updated 03/03/2026



APPLICATION FEE SCHEDULE

Adopted by Resolution 10-2010

LEVEL 1 (\$450)

- A. Changes in exterior walls, generator applications, roofing, windows, doors, awnings, or columns, which are significantly different in color, texture, material, or appearance than those existing.
- B. Changes in exterior wall, roofing, window trim or door colors which do not require a building permit.
- C. Landscape improvements and/or removal involving less than 20% of onsite vegetation.

LEVEL 2 (\$850)

- A. Accessory structures, with the exception of any detached, habitable structures.
- B. Expansions or demolitions of existing primary or accessory structures of up to 10% of the existing total floor area on the property but not to exceed 300 square feet.
- C. Increases or decreases in impervious surface areas or changes in impervious surface materials.
- D. Walls, fences and gates.
- E. Landscape improvements and/or removal involving greater than 20% and no less than 50% of onsite vegetation.
- F. Statues and/or Sculptures

LEVEL 3 (\$1,800)

- A. Detached, habitable, accessory structures.
- B. Expansions or demolitions of existing primary or accessory structures of greater than 300 square feet or 10% of the existing total floor area on the property but not more than 50%.
- C. Landscape improvements and/or removal involving equal to or greater than 50% of onsite vegetation.
- D. Development proposals which would otherwise qualify under Level 1 and Level 2 but also require a sign review.

LEVEL 4 (\$2,500)

- A. New primary structures.
- B. Expansion or demolition of existing primary or accessory structures equal to or greater than 50% of the existing total floor area on the property.
- C. Development proposals which are the subject of a development agreement.
- D. Development proposals which require an amendment to the official Zoning Map.
- E. Development proposals which require a comprehensive plan amendment.
- F. Development proposals which are deemed developments of regional impact pursuant to F.S. Section 380.06 or which are subject to review for extra jurisdictional impacts under the provisions of the intergovernmental coordination elements of the adopted comprehensive plan.

*** If any applicant for ARCOM review submits a single application encompassing more than one of the items set forth in the fee structure, that applicant will only be subject to the fee chargeable for the highest "level" being reviewed on that application. However, if applications for multiple items are submitted separately, the applicant will be responsible for the individual fee for each item.



Mitchell F. Kunik, AIA, LEEDAP, NCARB
Benjamin Schreier, AIA
Huy D. Nguyen
Matthew W. Wheeler, AIA, NCARB

BOCA RATON, FL • DELRAY BEACH, FL
RICHMOND, VA

To: The Town of Manalapan

Date: June 29, 2026

Variance Narrative for 1940/1960 South Ocean Boulevard:

The Owner of 1940 South Ocean Boulevard has purchased the adjacent property to the south at 1960 South Ocean Boulevard. Both properties have existing docks. The Owner is combining the properties through unity of title and seeks a variance to allow both docks to remain. The dock for which relief is sought is on the southern end of the property and is being modified to comply with applicable setbacks.

The dock has existed for nearly forty years and has not injured the value of surrounding properties, impaired the use and enjoyment of neighboring lands, or created a substantial economic, noise, glare, traffic, navigation, or other adverse impacts within the zoning district. The continued use of the dock will not affect any of these matters. The request seeks to preserve a long-standing and established waterfront structure which has demonstrated compatibility with the character of the neighborhood for decades. This will preserve a piece of Manalapan's built history which has existed for nearly forty years.

The existing dock dimensions, on the southern portion of the lot, are as follows: Dock Stem-5.75'; Dock Terminus 66.25' in length & 7.66' in width; Dock Elevation is 3.50' NAVD; Existing Boat lift dimensions are 30.58' x 16.40'

The Owner is seeking a variance for the following code sections:

-151.103(2): No dock finger or projection shall extend from the stem of a dock unless it is in a "T" or "L" configuration located at the furthest waterward projection of the dock, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection allowed and the total dimension of such terminus not to exceed fifty (50) feet by eight (8) feet. However, if the subject dock projects from a lot or lot of record having a width greater than or equal to three hundred (300) feet, a dock terminus dimension of seventy-five (75) feet by eight (8) feet shall be permitted so long as the dock or any portion of the dock, including any associated dock accessory structure, vessel-lifting device, or dolphin pilings, is setback at least fifty (50) feet from the extended side lot property lines.

The existing dock has an existing terminus of 66.25' by 7.66' (including the existing boat lift) with a setback of 25'

-151.103(13): Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the



two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. For any vacant lot or lot of record that contains a dock on August 1, 2020, the two-year period shall commence on August 1, 2020. For any lot or lot of record that becomes vacant after August 1, 2020, the two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.

The lot of record will contain (2) docks that are both existing.

-151.103(14): All docks shall be centered or within ten (10) feet of center on the lot or lot of record and shall run parallel with the side lot lines of the lot or lot of record on which it is located. However, on a lot or lot of record having a width of three hundred (300) feet or greater the dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structure, vessel-lifting device, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of the lot or lot of record from which such dock projects.

The existing dock is not centered, or within ten feet, of the lot of record.

-151.103(15): Dock accessory structures and vessel-lifting devices (boat elevators, boat-lifts, platforms, and personal watercraft lifts) are permitted on docks. Dock accessory structures containing a flat surface or platform shall be included in all calculations related to a dock's size, location, terminus configuration, maximum allowable length, and compliance with side setbacks. Dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable length and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.

The existing dock has an existing terminus of 66.25' by 7.66' (including the existing boat lift) with a setback of 25'

151.672 (C): Variances. Authorize on appeal such variance from the terms of the chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Commission must and shall find:

(1) That special conditions and circumstances exist which are peculiar to the land or building involved and which are not applicable to other lands or buildings in the same zoning District.



Mitchell F. Kunik, AIA, LEEDAP, NCARB
Benjamin Schreier, AIA
Huy D. Nguyen
Matthew W. Wheeler, AIA, NCARB

BOCA RATON, FL • DELRAY BEACH, FL
RICHMOND, VA

See Narrative

(2) That the special conditions and circumstances do not result from the actions of the applicant or his or her predecessor in interest.

See Narrative

(3) That granting the variances requested will not confer on the applicant any special privilege that is denied by this chapter to other lands or structures in this same zoning District.

See Narrative

(4) That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning District under the terms of this chapter and would work unnecessary and undue hardships on the applicant.

See Narrative

(5) That the variance granted is the minimum variance that will make possible the reasonable use of the land or structure, or both.

See Narrative

(6) That the grant of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

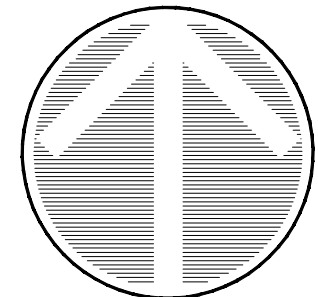
See Narrative

(7) In granting any variance, the Town Commission may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter. Under no circumstances shall the Town Commission grant a variance to permit a use not generally, or by special exception, permitted in the zoning District involved or any use expressly or by implication prohibited by the terms of this chapter in the zoning District. No nonconforming use of neighboring lands or structures or both in the same zoning District and no permitted use of lands or structures or both in other zoning Districts shall be considered grounds for the authorization of a variance.

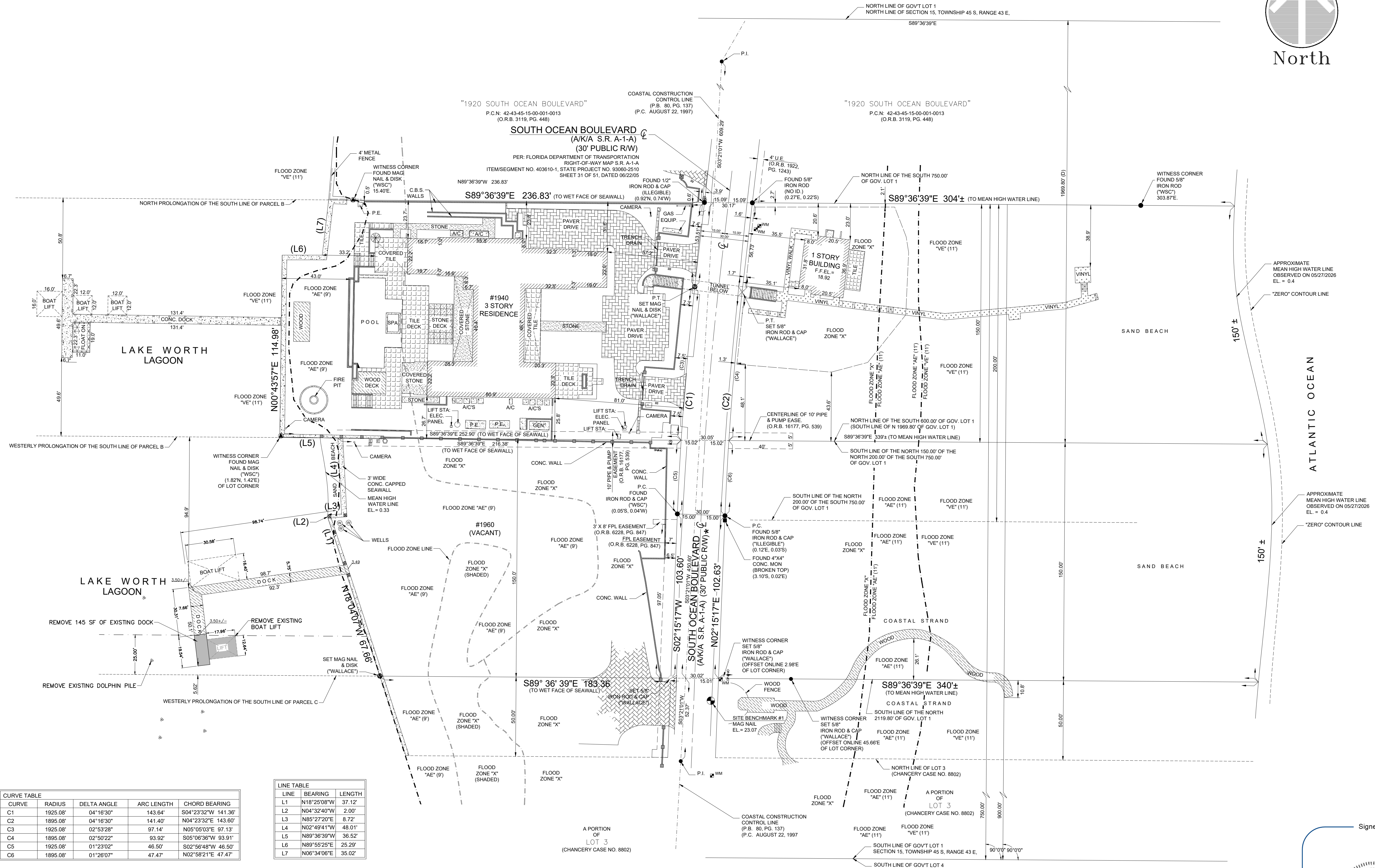
See Narrative

Sincerely,

Benjamin Schreier / Affiniti Architects



North



CURVE TABLE				
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING
C1	1925.08'	04°16'30"	143.64'	S04°23'32"W 141.36'
C2	1895.08'	04°16'30"	141.40'	N04°23'32"E 143.60'
C3	1925.08'	02°53'28"	97.14'	N05°05'03"E 97.13'
C4	1895.08'	02°50'22"	93.92'	S05°06'36"W 93.91'
C5	1925.08'	01°23'02"	46.50'	S02°56'48"W 46.50'
C6	1895.08'	01°26'07"	47.47'	N02°58'21"E 47.47'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N18°25'08"W	37.12'
L2	N04°32'40"W	2.00'
L3	N85°27'20"E	8.72'
L4	N02°49'41"W	48.01'
L5	N89°36'39"W	36.52'
L6	N89°55'25"E	25.29'
L7	N06°34'06"E	35.02'

This item has been electronically signed and sealed by William P. Stoddard on the date adjacent to the seal using a SHA authentication code.

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

Signed by:



6/29/2026

SCHULKE, BITTLE & STODDARD, L.L.C.
CIVIL & STRUCTURAL ENGINEERING - LAND PLANNING - ENVIRONMENTAL PERMITTING
REGISTERED PROFESSIONAL ENGINEERS
1717 INDIAN RIVER BLVD., SUITE 201 VERO BEACH, FLORIDA 32960
TEL 772 / 770-9622 FAX 772 / 770-9496 EMAIL info@sbseengineers.com

DOCK PLAN
SPECIAL EXCEPTION

PROPOSED DOCK ALTERATION
1940 SOUTH OCEAN BOULEVARD
MANALAPAN, FLORIDA

ENGINEER CERTIFICATION
☐ JOSEPH W. SCHULKE
FL REG. NO. 47048
☐ JOAH B. BITTLE
FL REG. NO. 57396
☒ WILLIAM P. STODDARD
FL REG. NO. 57605
Documented by:
William P. Stoddard
DATE: 6/29/2026
DOCK
PROJECT NO. 26-075

THE DRAWINGS ARE THE PROPERTY OF THE DESIGNER. NO PARTS OF THIS PROJECT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER. UNAUTHORIZED REPRODUCTION OR TRANSMISSION OF THIS PROJECT IS PROHIBITED AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.		
DRAWING 26075 VAR	REVISION	DATE
DESIGNED W.P.S.	1	6/29/2026
DRAWN A.A.C.		
CHECKED W.P.S.		
SCALE 1"=30'		
DATE 6/4/2026		



TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026
Agenda Item No.: RA - b.vi
Agenda Item Name: Preliminary Budget Review

ACTION REQUESTED: Discussion ☒ Approval ☐

BACKGROUND:

Review of the preliminary budget for fiscal year 2026-2027.

ATTACHMENTS:

- 2026-2027 Budget Summary
- Proposed 2026-2027 Town Budget



FISCAL YEAR 2026-27

PROPOSED SUMMARY BUDGET



TABLE OF CONTENTS

PROPOSED SUMMARY BUDGET	1
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BRIEF EXPLANATION OF FUNDS.....	7
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UTILITY CAPITAL IMPROVEMENT PROJECTS BUDGET	16

MANALAPAN MAYOR and TOWN COMMISSIONERS



Mayor John Deese, Seat #7 at-large



Vice Mayor Simone Bonutti, Seat #3 Ocean



Mayor Pro Tem Elliot Bonner, Seat #6 Point



Commissioner Cindy McMackin, Seat #1 at-large



Commissioner Orla Imbesi, Seat #2 at-large



Commissioner Dwight Kulwin, Seat #4 Ocean



Commissioner David Knobel, Seat #5 Point

UTILIZING THE DOCUMENT

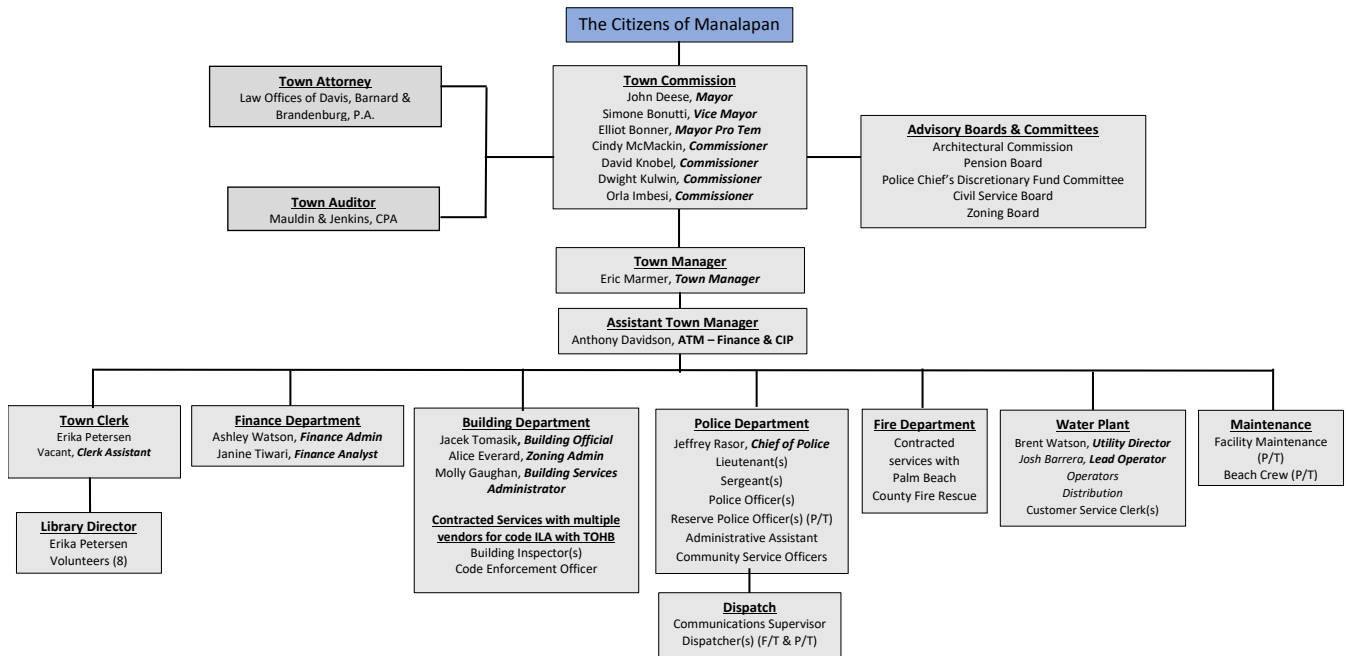
This proposed budget document provides financial information related to the operational and capital needs throughout the Town. Various narratives, graphs, charts, and tables supplement financial data.

BUDGET HIGHLIGHTS

- Per Palm Beach County Property Appraiser estimated 2026 taxable values increased by 6.94% over the prior year from \$2.4B to \$2.5B.
- The Millage Rate is proposed at 3.0000 mills, which is 6.65%, over the Roll-back Rate, of 2.8130 per the State TRIM calculations.
- Net Ad Valorem Taxes (less discounts) have increased to \$7,493,236, a \$470,935 increase over the prior year amount of \$7,022,301.
- The proposed budget for all Funds is equivalent to \$15.5M, this is a decrease of \$9.3M over last year's amended budget of \$24.8M.
- General Fund makes up 62.8% or \$9.7M of all funds, this represents a \$3.3M reduction, or 25.8% decrease from last year's adopted General Fund budget of \$13.1M. The reduction is due to prior year completion of capital projects and acquisition of the Bank building.
- Utility Fund and Utility CIP make up 33.4% or \$5.1M of all funds, this represents a reduction of \$3.5M or a 40.7% decrease from last year's adopted budget of \$8.7M (due to the completion of the various capital projects).

ORGANIZATIONAL CHART

TOWN OF MANALAPAN Organizational Chart



BUDGET CALENDAR



Fiscal Year 2026/2027 Budget Calendar

Wednesday, March 11, 2026	Open	Meet with Department leaders to discuss budget processes and distribute annual budget preparation forms (for Vehicle, Personnel, Technology, Capital Improvement, Goals & Objective, and Grant Funds). Training available for departments
Wednesday, April 8, 2026	4:00pm	1. Deadline to return all department requests to Finance/Budget review team 2. Departments final day of Operating budget data entry & Revenue Projections in BS&A system
Friday, April 10, 2026	PM	Personnel, Pension, & Health Insurance rates recommendations from Town Manger/Human Resources.
Monday - Friday May 11 - 15, 2026	TBD	Town Manager and Finance Department (Budget Team) meet with departments to review Operating & CIP budgets. Finalize proposed budget 2 to 3 weeks later.
Friday, May 22, 2026	Open	Estimated Property Taxable Values from Palm Beach County for revenue projections
Wednesday, July 1, 2026	Open	Truth In Millage (TRIM) process begins - Preliminary Property Taxable Values sent from Palm Beach County Property Appraiser late June 2026
Monday, July 6, 2026	4:00pm	Budget Transmission to Town Commission (PAPA's Preliminary Tax Roll certified to DOR)
Tuesday, July 14, 2026	9:00am	<u>Public Budget Workshop – Town Commission Chambers</u> Discuss Proposed FY26/27 Operating & CIP Budgets and Adoption of Tentative Millage Rate and confirm September meeting dates
Friday, July 17, 2026	Open	Begin eTRIM process for Proposed Millage, Rolled-Back rate, September tentative budget hearing via OASYS ePortal
Tuesday, September 8, 2026	5:01pm	1st Budget Public Hearing to adopt Proposed Budget (must be 65 days after July 1st) <u>Note: date cannot coincide with County (9/3/26) or School Board (9/9/26) meeting dates.</u>
Friday, September 18, 2026		Advertise final millage and budget hearing in newspaper for Saturday (within 15 days after 1st Public Hearing).
Tuesday, September 22, 2026	5:01pm	2nd Budget Public Hearing and Final Adoption of FY 26/27 Budget (within 2 to 5 days after Ad). <u>Note: Date cannot coincide with County (9/15/26) meeting date.</u>
Friday, September 25, 2026		Submit resolution/ordinance adopting final millage rate to Property Appraiser, Tax Collector, and Department of Revenue within 3 days of adopting final millage rate.
Tuesday, October 20, 2026		Submit completed TRIM package to DOR within 30 calendar days following adopting final millage rate with Form DR-487, Certificate of Compliance.

BRIEF EXPLANATION OF FUNDS

In accordance with generally accepted governmental accounting, auditing, and financial reporting principles, this document is organized by budgeted funds in the following manner

GENERAL FUND

The General Fund is the primary operating fund of the Town. The fund accounts for all financial transactions not accounted for in another fund. Revenue is derived primarily from property taxes, state and federal distributions and other intergovernmental revenue.

ENTERPRISE FUND

The enterprise fund report operations that provide services primarily to the public which are financed primarily by user charges, or activities where periodic measurement of net income is appropriate for capital maintenance, public policy, management control or other purposes.

Utilities Fund (400) - accounts for the construction, operation and maintenance of the Water and Sewer Department.

SPECIAL REVENUE FUNDS

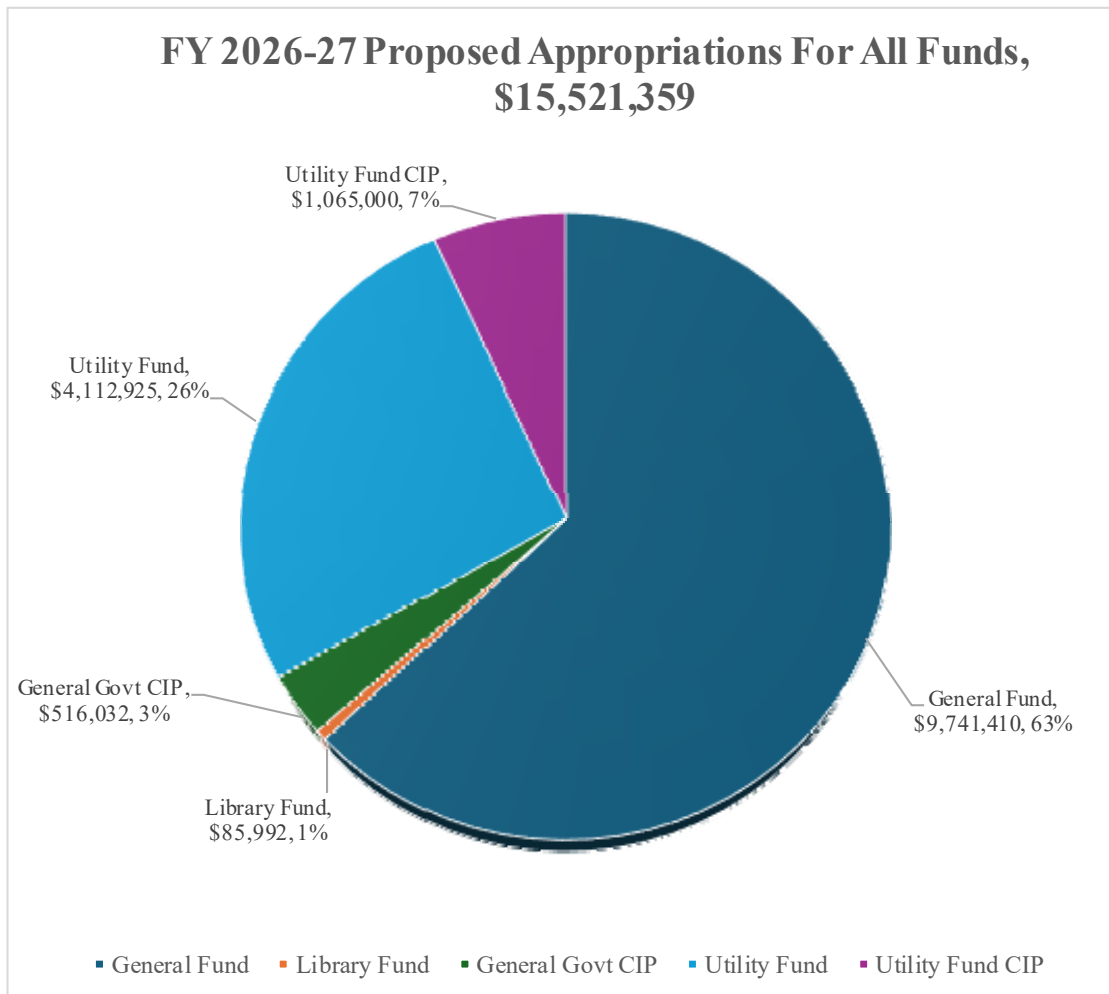
These funds account for specific governmental revenue (other than special assessments and major capital projects) requiring separate accounting because of legal or regulatory provisions or administrative action.

Library Fund (101) - accounts for the operations of the Library on Point Manalapan.

CAPITAL IMPROVEMENT PROJECT FUNDS (NEW)

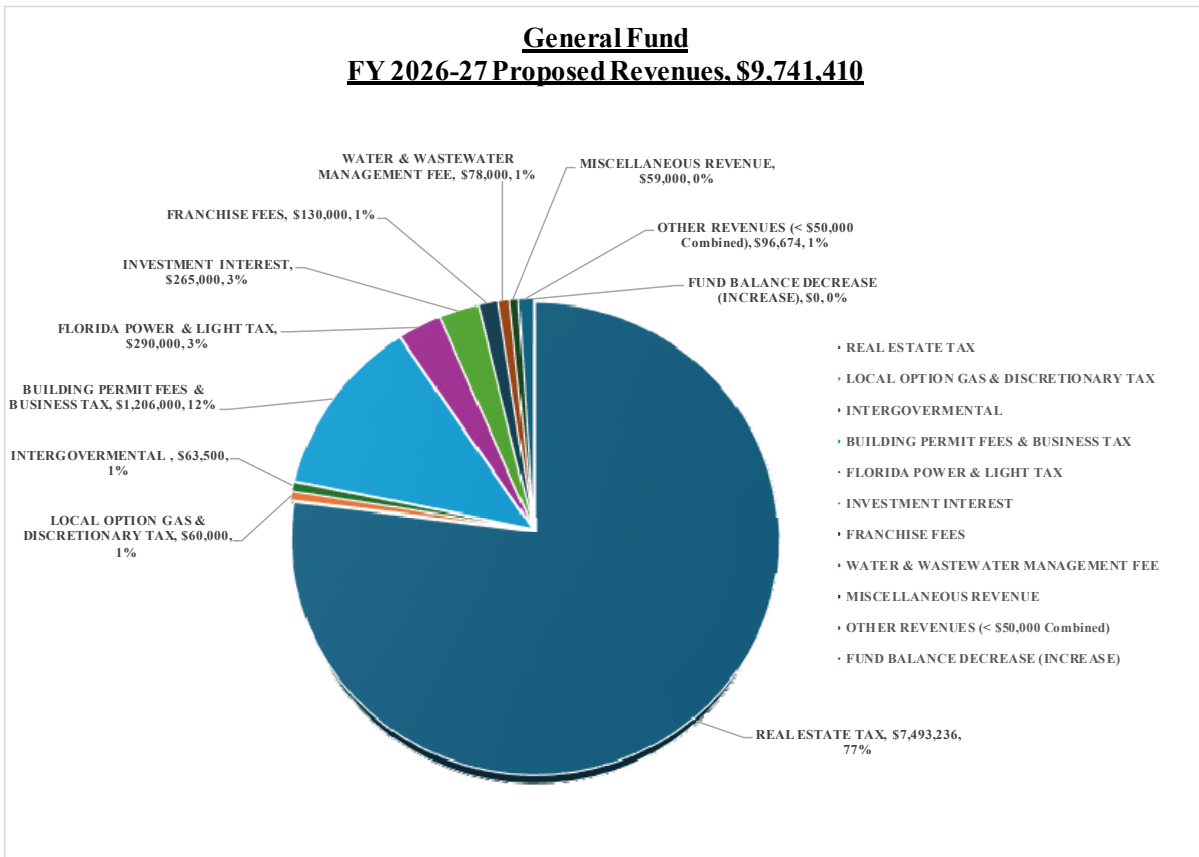
These funds account for the acquisition or construction of major capital facilities other than those financed by proprietary fund operations and special assessments. General Government CIP (302) and Utility Projects CIP (402)

VARIOUS FUND FINANCIAL SUMMARIES with CHARTS and TABLES (page 10 thru 16)



Fund Name	FY 2025-26 Adopted Budget	FY 2026-27 Proposed Budget	Variance (Proposed vs Adopted)	% Change
General Fund	\$13,125,612	\$9,741,410	(\$3,384,202)	-25.8%
Library Fund	\$97,680	\$85,992	(\$11,688)	-12.0%
General Govt CIP	\$2,900,000	\$516,032	(\$2,383,968)	-82.2%
Utility Fund	\$8,736,586	\$4,112,925	(\$4,623,661)	-52.9%
Utility Fund CIP	\$0	\$1,065,000	\$1,065,000	
	\$24,859,878	\$15,521,359	(\$9,338,519)	-37.6%

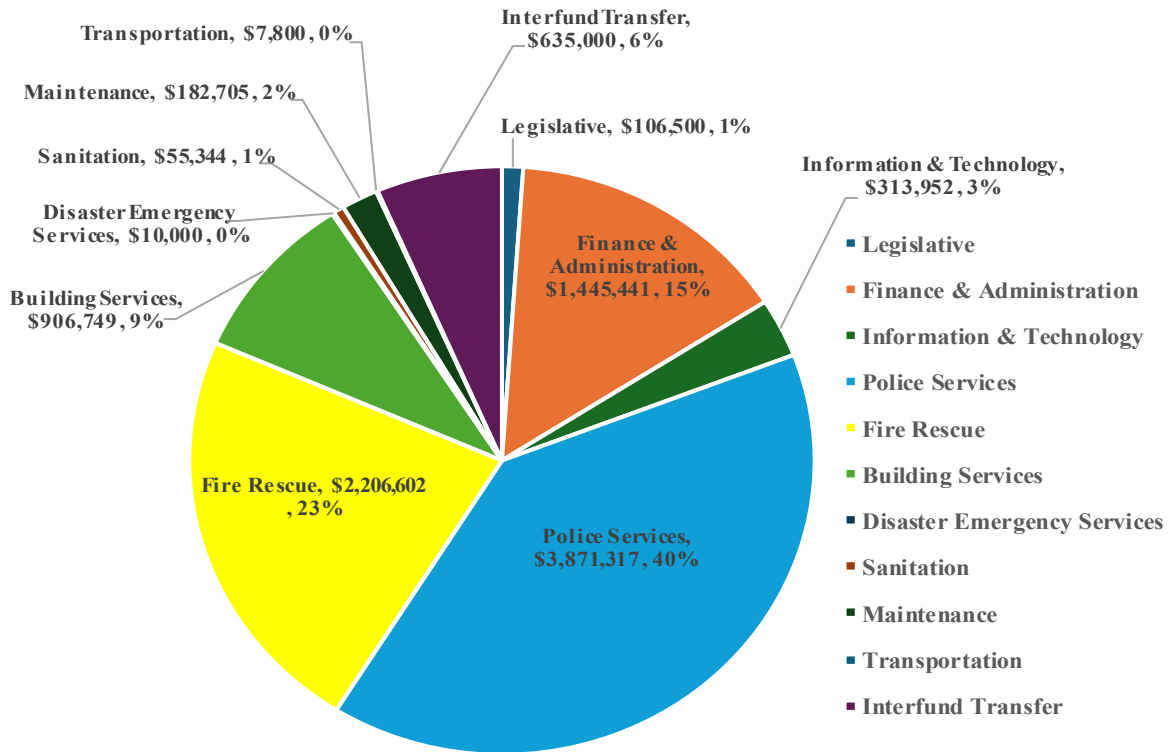
GENERAL FUND DEPARTMENTS BUDGETS



General Fund Revenue Source	FY 2025-26 Adopted Budget	FY 2026-27 Proposed Budget	Variance (Proposed vs Adopted)
REAL ESTATE TAX	\$7,022,302	\$7,493,236	\$470,934
LOCAL OPTION GAS & DISCRETIONARY TAX	\$64,000	\$60,000	(\$4,000)
INTERGOVERNMENTAL	\$52,850	\$63,500	\$10,650
BUILDING PERMIT FEES & BUSINESS TAX	\$2,264,657	\$1,206,000	(\$1,058,657)
FLORIDA POWER & LIGHT TAX	\$280,000	\$290,000	\$10,000
INVESTMENT INTEREST	\$45,000	\$265,000	\$220,000
FRANCHISE FEES	\$282,000	\$130,000	(\$152,000)
WATER & WASTEWATER MANAGEMENT FEE	\$78,000	\$78,000	\$0
MISCELLANEOUS REVENUE	\$65,000	\$59,000	(\$6,000)
OTHER REVENUES (< \$50,000 Combined)	\$71,803	\$96,674	\$24,871
FUND BALANCE DECREASE (INCREASE)	\$2,900,000	\$0	(\$2,900,000)
TOTAL REVENUES	\$13,125,612	\$9,741,410	(\$3,384,202)

Brief discussion: Building permit revenues decreased due to postponement of various construction/improvement projects. The General Fund Balance net change is mainly related to the prior year purchase of the bank building.

General Fund FY 2026-27 Proposed Appropriations by Department



General Fund - Department Appropriations Summary

Department	FY 2025-26 Adopted Budget	FY 2026-27 Dept Request	FY 2026-27 Proposed Budget	Variance (Proposed vs Adopted)	% Change
Legislative	\$24,500	\$26,500	\$106,500	\$82,000	334.7%
Finance & Administration	\$1,450,753	\$1,460,913	\$1,445,441	(\$5,312)	-0.4%
Information & Technology	\$236,254	\$215,615	\$313,952	\$77,698	32.9%
Police Services	\$3,938,487	\$3,799,949	\$3,871,317	(\$67,170)	-1.7%
Fire Rescue	\$2,222,066	\$2,222,066	\$2,206,602	(\$15,464)	-0.7%
Building Services	\$972,406	\$925,736	\$906,749	(\$65,657)	-6.8%
Disaster Emergency Services	\$10,000	\$10,000	\$10,000	\$0	0.0%
Sanitation	\$250,000	\$55,344	\$55,344	(\$194,656)	-77.9%
Maintenance	\$192,804	\$208,748	\$182,705	(\$10,099)	-5.2%
Transportation	\$64,800	\$64,800	\$7,800	(\$57,000)	-88.0%
Capital Projects	\$796,542	\$0	\$0	(\$796,542)	-100.0%
Interfund Transfer	\$2,967,000	\$817,000	\$635,000	(\$2,332,000)	-78.6%
TOTAL APPROPRIATIONS	\$13,125,612	\$9,806,670	\$9,741,410	(\$3,384,202)	-25.8%

The Interfund Transfer variance above is related to the funds required for the acquisition of the bank building in FY 2025-26.

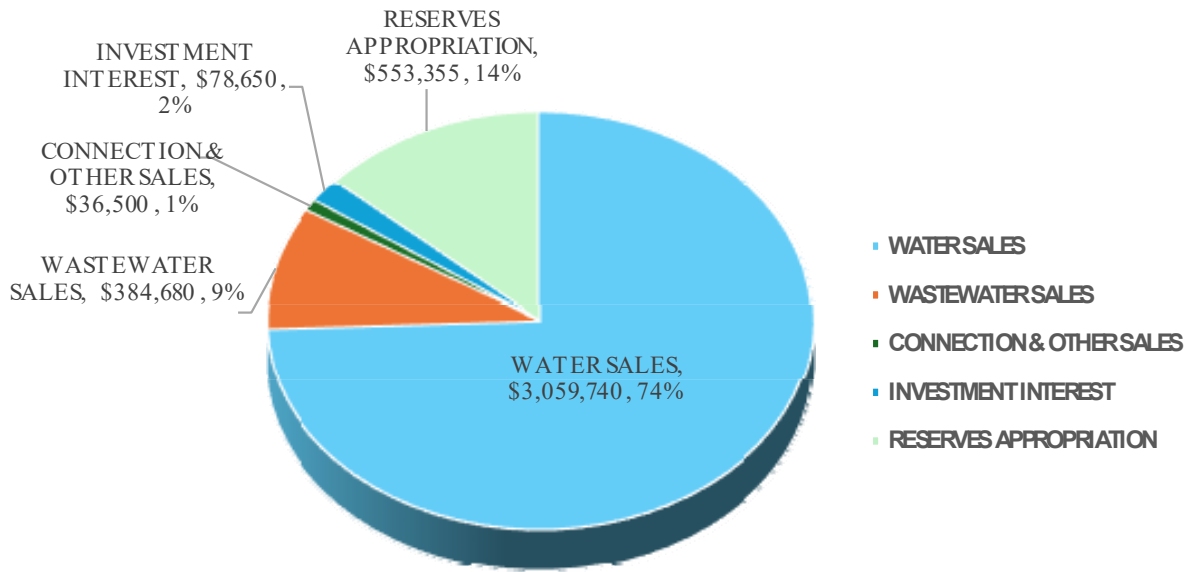
LIBRARY FUND

FY 2026-27 PROPOSED BUDGET

LIBRARY FUND - GL Account Number/Description		FY 2025-26 Adopted Budget	FY 2026-27 Finance Proposed Budget	Variance (Proposed vs Adopted)
Revenues				
101-347-434711	DUES	6,500	7,000	500
101-347-434712	DONATIONS	10,000	5,000	(5,000)
101-347-436905	COMMUNITY/RECREATION EVENTS	14,180	0	(14,180)
101-347-438100	INTERFUND TRANSFER	67,000	30,000	(37,000)
101-389-389900	APPROPRIATED FUND BALANCE	0	43,992	43,992
Total Library Fund Revenues		97,680	85,992	(11,688)
Department Appropriations				
101-571-511200	PERSONNEL SERVICES	25,545	31,253	5,708
101-571-533103	OPERATING EXPENSES	60,635	40,739	(19,896)
101-571-535410	CAPITAL OUTLAY	5,000.00	4,000	(1,000)
101-571-566405	NON-OPERATING	6,500.00	10,000	3,500
Total Appropriations:		97,680	85,992	(11,688)

UTILITY FUND

FY 2026-27 Proposed Utility Fund Revenue Sources

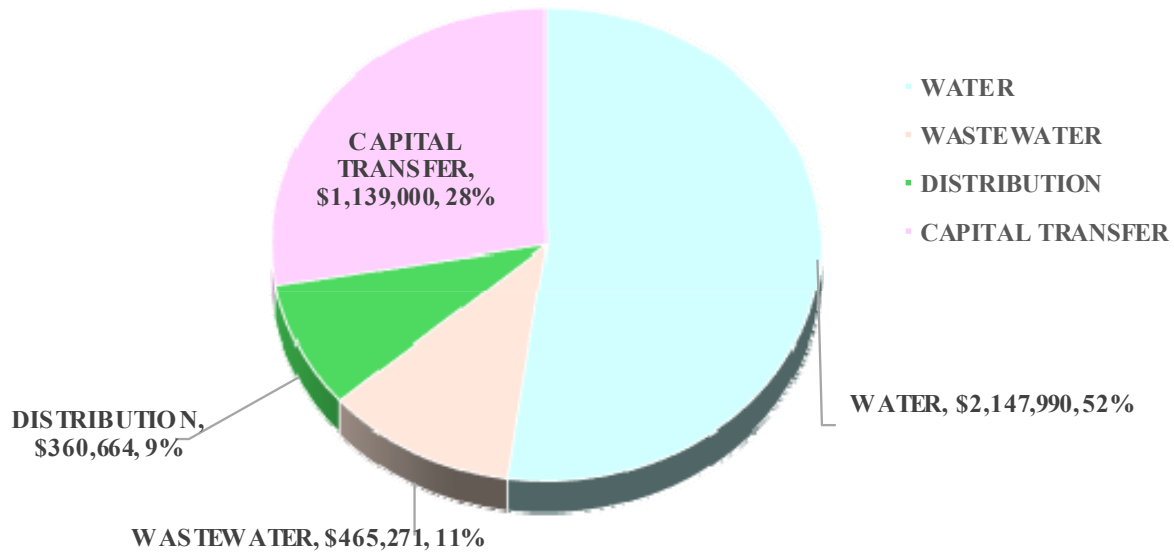


Utility Fund - Revenue Source Summary

Revenue	FY 2025-26 Adopted Budget	FY 2026-27 Proposed Budget	Variance (Proposed vs Adopted)	% Change
WATER SALES	\$2,593,000	\$3,059,740	\$466,740	18.0%
WASTEWATER SALES	\$326,000	\$384,680	\$58,680	18.0%
CONNECTION & OTHER SALES	\$36,750	\$36,500	-\$250	-0.7%
INVESTMENT INTEREST	\$17,360	\$78,650	\$61,290	353.1%
NON-OPERATING SOURCES	\$1,002,065	\$0	-\$1,002,065	-100.0%
RESERVES APPROPRIATION	\$4,761,411	\$553,355	-\$4,208,056	-88.4%
TOTAL REVENUES	\$8,736,586	\$4,112,925	-\$4,623,661	-52.9%

For FY 2026-27, the reserve appropriation is a lower funding amount required to support the Utility Capital Improvement Fund transfer.

FY 2026-27 Proposed Utility Fund Budget by Department



Utility Fund - Department Appropriations Summary

Department	FY 2025-26 Adopted Budget	FY 2026-27 Proposed Budget	Variance (Proposed vs Adopted)	% Change
WATER	\$3,092,810	\$2,147,990	-\$944,820	-30.5%
WASTEWATER	\$507,423	\$465,271	-\$42,152	-8.3%
DISTRIBUTION	\$169,445	\$360,664	\$191,219	112.9%
CAPITAL TRANSFER	\$4,966,908	\$1,139,000	-\$3,827,908	-77.1%
TOTAL APPROPRIATIONS	\$8,736,586	\$4,112,925	-\$4,623,661	-52.9%

DEBT SERVICE ANALYSIS

SUMMARY OF OUTSTANDING DEBT & DEBT SERVICE

<u>Description</u>	<u>Debt Outstanding at September 30, 2026</u>	<u>Security</u>	<u>Fiscal Year of Retirement</u>	<u>FY 2026-2027</u>			
				<u>Principal (Mar. 1)</u>	<u>Interest (Mar. 1)</u>	<u>Interest (Sept. 1)</u>	<u>Debt Service</u>
Business-Type Activities							
Revenue Debt:							\$ -
\$3,718,889 Utility System Revenue BB&T Revenue Note, Series 2008	\$ 660,084	Utility Net Revenues	2028	\$ 253,982	\$ 15,248	\$ 12,348	\$ 281,578
Total Town Bond Debt	\$ 660,084			\$ 253,982	\$ 15,248	\$ 12,348	\$ 281,578

GENERAL CAPITAL IMPROVEMENT PROJECTS BUDGET

PROJECT NAME	FY2026/27 Proposed Budget	FY2027/28 Plan	FY2028/29 Plan	FY2029/30 Plan	FY2030/31 Plan	5 YR CIP Plan Totals
Audit Fee Allocation	\$ 4,378	\$ 4,531	\$ 4,690	\$ 4,854	\$ 5,048	\$ 23,501
Various Capital Improvement Projects	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
New City Hall (Design & Construction)	\$ 175,000	\$ 12,000,000	\$ 10,000,000	\$ -	\$ -	\$ 22,175,000
Bank Building Acquisition & Demolition	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL GENERAL GOVERNMENT PROJECTS	\$ 179,378	\$ 12,004,531	\$ 10,004,690	\$ 4,854	\$ 5,048	\$ 22,198,501
New Police Vehicle	\$ 80,000	\$ 80,000	\$ 160,000	\$ 160,000	\$ -	\$ 480,000
City Vehicles Replacement (2)	\$ 120,000	\$ 60,000	\$ -	\$ -	\$ -	\$ 180,000
Vehicles Replacement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL GOVERNMENT FLEET PROJECTS	\$ 200,000	\$ 140,000	\$ 160,000	\$ 160,000	\$ -	\$ 660,000
Capital Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Admin - HVAC Repair/Replacement	\$ -	\$ -	\$ 15,000	\$ -	\$ -	\$ 15,000
Library - HVAC Repair/Replacement	\$ -	\$ -	\$ -	\$ 10,000	\$ -	\$ 10,000
TOTAL GOVERNMENT EQUIPMENT & HVAC PROJECTS	\$ -	\$ -	\$ 15,000	\$ 10,000	\$ -	\$ 25,000
Tranquility Park - Landscape Replacement	\$ 20,000	\$ -	\$ -	\$ 10,000	\$ -	\$ 30,000
Library - Interior & Exterior Renovations/Maintenance	\$ 10,000	\$ -	\$ -	\$ 10,000	\$ -	\$ 20,000
Library - Parking Lot Resurfacing	\$ -	\$ -	\$ 18,000	\$ -	\$ -	\$ 18,000
TOTAL RECREATION AND PARKS PROJECTS	\$ 30,000	\$ -	\$ 18,000	\$ 20,000	\$ -	\$ 68,000
Generator Replacement	\$ -	\$ -	\$ -	\$ 5,000	\$ 5,000	\$ 10,000
Police Radios	\$ 51,654	\$ -	\$ -	\$ -	\$ -	\$ 51,654
Police Radio & Antenna Replacement	\$ -	\$ -	\$ 310,098	\$ -	\$ -	\$ 310,098
Police PC Laptop Replacement	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ 30,000
TOTAL PUBLIC SAFETY PROJECTS	\$ 61,654	\$ -	\$ 320,098	\$ 5,000	\$ 15,000	\$ 401,752
Admin Computer Software Upgrades	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 25,000
Admin Computer Hardware Upgrades	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ -	\$ 20,000
TOTAL INFORMATION TECHNOLOGY (IT) PROJECTS	\$ 35,000	\$ -	\$ 10,000	\$ -	\$ -	\$ 45,000
Street - Maintenance/Improvements Annual	\$ -	\$ 20,000	\$ -	\$ 20,000	\$ -	\$ 40,000
Street - Lighting	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
Street - A1A Repairs Due to Flooding	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ 50,000
Bridge Maintenance	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ 15,000
TOTAL TRANSPORTATION/ROADWAY PROJECTS	\$ 10,000	\$ 80,000	\$ 10,000	\$ 30,000	\$ 25,000	\$ 155,000

FUND 302 CIP GRAND TOTAL	\$ 516,032	\$ 12,224,531	\$ 10,537,787	\$ 229,854	\$ 45,048	\$ 23,553,253
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	FY2026/27 Proposed	FY2027/28 Plan	FY2028/29 Plan	FY2029/30 Plan	FY2030/31 Plan	FUNDING TOTAL
FUNDING SOURCES - 300						
FUND RESERVES (Increase) Decrease	\$ (151,997)	\$ (961,648)	\$ (1,095,381)	\$ (275,746)	\$ (457,577)	\$ (2,942,349)
FUTURE DEBT - BONDS / SRF LOAN	\$ -	\$ 12,000,000	\$ 2,000,000	\$ -	\$ -	\$ 14,000,000
OTHER FUNDING/DONATION	\$ -	\$ -	\$ 8,000,000			\$ 8,000,000
GRANT/TPA	\$ 51,654	\$ -				\$ 51,654
GENERAL FUND TRANSFER 001 (>20% of Budget)	\$ 605,000	\$ 1,133,680	\$ 1,580,668	\$ 500,000	\$ 500,000	\$ 4,319,348
UTILITY FUND TRANSFER 40x	\$ -	\$ -				\$ -
INTEREST @3.5%	\$ 11,375	\$ 52,500	\$ 52,500	\$ 5,600	\$ 2,625	\$ 124,600
Total Funding Sources - 300	\$ 516,032	\$ 12,224,532	\$ 10,537,787	\$ 229,854	\$ 45,048	\$ 23,553,253

UTILITY CAPITAL IMPROVEMENT PROJECTS BUDGET

PROJECT NAME	FY2026/27 Proposed	FY2027/28 Plan	FY2028/29 Plan	FY2029/30 Plan	FY2030/31 Plan	5 YR CIP Plan Totals
Audit Fee Allocation	\$ 5,000	\$ 5,175	\$ 5,356	\$ 5,544	\$ 5,765	\$ 26,840
Clear Well / Storage Tank Structural Repairs	\$ 250,000					\$ 250,000
Exterior Painting		\$ 150,000				\$ 150,000
Backwash Storage Structural Repair		\$ 30,000				\$ 30,000
Concrete Tank Repairs		\$ 10,000	\$ 200,000			\$ 210,000
New Admin Office and Control Room	\$ 250,000		\$ 1,950,000			\$ 2,200,000
TOTAL WATER STRUCTURAL IMPROVEMENT PROJECTS	\$ 505,000	\$ 195,175	\$ 2,155,356	\$ 5,544	\$ 5,765	\$ 2,866,840
Conventional Filter Repairs (Media, Valves, Piping)	\$ -	\$ 400,000				\$ 400,000
High Service Pump Improvements/Replacements		\$ 30,000	\$ 30,000			\$ 60,000
Reverse Osmosis Membrane Replacement					\$ 150,000	\$ 150,000
PFAS Improvements (Design only)	\$ 100,000		\$ 10,000,000		\$ -	\$ 10,100,000
TOTAL WATER MECHANICAL PROJECTS	\$ 100,000	\$ 430,000	\$ 10,030,000	\$ -	\$ 150,000	\$ 10,710,000
Abandon Hydropneumatics Tanks plus piping	\$ 100,000					\$ 100,000
Perimeter Fence Upgrades & Security Cameras	\$ 85,000					\$ 85,000
Redundant Concentrate Disposal Well	\$ 200,000					\$ 200,000
TOTAL WATER SITE IMPROVEMENT PROJECTS	\$ 385,000	\$ -	\$ -	\$ -	\$ -	\$ 385,000
Meter Replacement	\$ 10,000			\$ 15,000		\$ 25,000
TOTAL WATER DISTRIBUTION PROJECTS	\$ 10,000	\$ -	\$ -	\$ 15,000	\$ -	\$ 25,000
A1A Pumpstation Improvements				\$ 100,000		\$ 100,000
Stormwater Maintenance	\$ 5,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 65,000
Low Pressure Collection & Transmission Sewer System		\$ 10,000,000	\$ 6,000,000		\$ -	\$ 16,000,000
TOTAL WASTEWATER IMPROVEMENT PROJECTS	\$ 5,000	\$ 10,015,000	\$ 6,015,000	\$ 115,000	\$ 15,000	\$ 16,165,000
Replace Pumping Generator , Manalapan Island				\$ 500,000		\$ 500,000
Vehicle Acquisition	\$ 60,000		\$ 75,000			\$ 135,000
TOTAL UTILITY EQUIPMENT & FLEET PROJECTS	\$ 60,000	\$ -	\$ 75,000	\$ 500,000	\$ -	\$ 635,000
FUND 402 CIP GRAND TOTAL	\$ 1,065,000	\$ 10,640,175	\$ 18,275,356	\$ 635,544	\$ 170,765	\$ 30,786,840

FUNDING SOURCES - 402

FUND RESERVES (Increase) Decrease

FUTURE DEBT - BONDS / SRF LOAN

OTHER FUNDING/DONATION

GRANT/TPA

UTILITY FUND TRANSFER 400

INTEREST @3.5%

Total Funding Sources - 402

FY2026/27 Proposed	FY2027/28 Plan	FY2028/29 Plan	FY2029/30 Plan	FY2030/31 Plan	FUNDING TOTAL
\$ (100,933)	\$ (578,200)	\$ (725,394)	\$ (419,206)	\$ (858,985)	\$ (2,682,718)
\$ -	\$ 5,000,000	\$ 17,000,000	\$ -	\$ -	\$ 22,000,000
\$ -	\$ -	\$ 500,000			\$ 500,000
\$ -	\$ 5,000,000	\$ -		\$ -	\$ 5,000,000
\$ 1,139,000	\$ 1,200,000	\$ 1,450,000	\$ 1,025,000	\$ 1,000,000	\$ 5,814,000
\$ 26,933	\$ 18,375	\$ 50,750	\$ 29,750	\$ 29,750	\$ 155,558
\$ 1,065,000	\$ 10,640,175	\$ 18,275,356	\$ 635,544	\$ 170,765	\$ 30,786,840



TOWN OF MANALAPAN

Florida 33462



Administrative Offices, Police Department, and Fire Rescue

7/10/2026

Calculations As Of 07/31/2026

BUDGET REPORT FOR TOWN OF MANALAPAN

Fund: 100 GENERAL		FY 23-24	FY 24-25	FY 25-26 Commission Approved	FY 25-26 Amended Budget	FY 25-26 YTD Actuals	FY 25-26 YTD Encumbrance	FY 26-27 Proposed Budget
GL Number	Description	Actuals	Actuals					
Fund: 100 GENERAL								
Account Category: Estimated Revenues								
Department: 310 REAL ESTATE TAXES								
100-310-431100	REAL ESTATE TAX	6,190,795	6,517,834	7,022,302	7,022,302	6,937,077	0	7,493,236
Total Department 310:		6,190,795	6,517,834	7,022,302	7,022,302	6,937,077	0	7,493,236
Department: 312 LOCAL OPTION, USE, & FUEL TAXES								
100-312-431240	LOCAL OPTION GAS TAX	18,776	18,803	22,000	22,000	13,840	0	20,000
100-312-431260	DISCRETIONARY 1% SALES TAX	0	38,710	42,000	42,000	14,018	0	40,000
Total Department 312:		18,776	57,513	64,000	64,000	27,858	0	60,000
Department: 314 UTILITY SERVICES TAXES								
100-314-431410	FLORIDA POWER & LIGHT TAX	276,839	285,385	280,000	280,000	184,429	0	290,000
100-314-431440	GAS UTILITY TAX	12,432	12,643	14,562	14,562	12,959	0	15,000
Total Department 314:		289,271	298,028	294,562	294,562	197,388	0	305,000
Department: 315 COMMUNICATION SERVICES TAXES								
100-315-431510	LOCAL COMMUNICATIONS SERVICE	10,789	11,265	15,000	15,000	9,200	0	14,000
Total Department 315:		10,789	11,265	15,000	15,000	9,200	0	14,000
Department: 320 LICENSES & PERMITS								
100-320-432100	BUSINESS TAX RECEIPTS - TOWN	30,803	29,943	30,000	30,000	30,052	0	30,000
100-320-432101	BUSINESS TAX RECEIPTS - PBC	4,944	0	3,000	3,000	1,462	0	3,000
100-320-432200	BUILDING PERMIT FEES	1,458,494	1,465,234	2,214,157	2,214,157	742,928	0	1,103,000
100-320-432310	FRANCHISE FEES - ELECTRICITY	36,350	0	0	0	0	0	0
100-320-432900	RE-INSPECTION FEES	4,500	7,975	10,000	10,000	3,300	0	5,000
100-320-432901	BUILDING PLAN REVIEW FEES	3,545	6,490	7,500	7,500	8,032	0	0
100-320-432902	ZONING REVIEW FEES	0	0	0	0	35,525	0	60,000
100-320-432903	CONTRACTOR REGISTRATION FEES	0	0	0	0	111	0	5,000
Total Department 320:		1,538,636	1,509,642	2,264,657	2,264,657	821,410	0	1,206,000
Department: 323 FRANCHISE FEES								
100-323-323700	FRANCHISE FEES - SOLID WASTE	0	0	0	0	606	0	3,000
100-323-431340	FRANCHISE FEE - GAS	58,172	48,334	230,000	230,000	38,234	0	75,000
100-323-432310	FRANCHISE FEES - ELECTRICITY	0	36,251	52,000	52,000	20,137	0	52,000
Total Department 323:		58,172	84,585	282,000	282,000	58,977	0	130,000
Department: 335 STATE SHARED REVENUES								
100-335-433512	STATE REVENUE SHARING	13,724	13,738	12,850	12,850	9,259	0	14,000
100-335-433515	ALCOHOLIC BEVERAGE	2,594	3,031	5,500	5,500	5,740	0	7,000
100-335-433518	HALF CENT SALES TAX	41,986	38,022	30,000	30,000	27,658	0	39,000
100-335-433519	MOTOR FUEL TAX REBATE	685	897	4,500	4,500	2,775	0	3,500
100-335-433520	DISCRETIONARY 1% SALES TAX	42,175	0	0	0	0	0	0
Total Department 335:		101,164	55,688	52,850	52,850	45,432	0	63,500
Department: 337 GRANTS/REIM OTHER LOCAL								
100-337-433724	INTERGOVERNMENTAL MISC GRANT	0	7	500	500	0	0	9,436
Total Department 337:		0	7	500	500	0	0	9,436

7/10/2026

Calculations As Of 07/31/2026

BUDGET REPORT FOR TOWN OF MANALAPAN

Fund: 100 GENERAL		FY 23-24	FY 24-25	FY 25-26 Commission Approved	FY 25-26 Amended Budget	FY 25-26 YTD Actuals	FY 25-26 YTD Encumbrance	FY 26-27 Proposed Budget
GL Number	Description	Actuals	Actuals					
Department: 350 FINES & FORFEITURES								
100-350-435000	FINES & FORFEITS-TOWN	1,020	692	1,000	1,000	2,877	0	1,000
100-350-435001	FINES & FORFEITS-PBC	10,879	6,546	6,235	6,235	3,472	0	6,238
Total Department 350:		11,899	7,238	7,235	7,235	6,349	0	7,238
Department: 360 MISCELLANEOUS REVENUES								
100-360-369300	SETTLEMENTS	0	51,054	0	0	3,937	0	2,500
100-360-436100	INVESTMENT INTEREST	293,353	297,627	45,000	45,000	225,051	0	265,000
100-360-436200	NET INCREASE(DECREASE) IN FV	18,014	0	0	0	0	0	0
100-360-436602	CONTRIBUTIONS	0	0	0	0	5,500	0	0
100-360-436603	911 REIMBURSABLE OPERATING COSTS	1,226	3,362	5,500	5,500	0	0	5,500
100-360-436605	CHIEF'S DISCRETIONARY FUND CONTRIBUTIONS	18,098	16,028	0	6,006	38,350	0	20,000
100-360-436900	MISCELLANEOUS REVENUE	39,058	56,080	65,000	65,000	37,312	0	55,000
100-360-436904	MISCELLANEOUS REVENUES - AD SALES	0	0	0	0	9,000	0	4,000
100-360-436909	SALE OF SURPLUS EQUIPMENT	9,200	0	6,000	6,000	0	0	6,000
Total Department 360:		378,949	424,151	121,500	127,506	319,150	0	358,000
Department: 380 OTHER SOURCES								
100-380-434300	REIMBURSEMENT OF EXTRA DUTY	13,588	13,323	15,000	15,000	9,405	0	15,000
100-380-438200	DISPATCH FEE	4,000	4,000	2,000	2,000	2,000	0	2,000
100-380-438201	WATER MANAGEMENT FEE	60,000	78,000	60,000	60,000	60,000	0	60,000
100-380-438202	WASTEWATER ADMIN FEE	16,000	0	18,000	18,000	18,000	0	18,000
Total Department 380:		93,588	95,323	95,000	95,000	89,405	0	95,000
Department: 384 DEBT PROCEEDS								
100-384-439100	DEBT PROCEEDS	211,731	0	0	0	0	0	0
Total Department 384:		211,731	0	0	0	0	0	0
Department: 389 PROPRIETARY NON-OPERATING SOURCES								
100-389-389900	APPROPRIATION FROM RESERVES	0	0	0	2,900,000	0	0	0
Total Department 389:		0	0	0	2,900,000	0	0	0
Estimated Revenues		8,903,770	9,061,274	10,219,606	13,125,612	8,512,246	0	9,741,410
Account Category: Appropriations								
Department: 000								
100-000-583000	GRANTS EXP-VARIOUS	0	(739)	0	0	0	0	0
Total Department 000:		0	(739)	0	0	0	0	0
Department: 511 LEGISLATIVE								
100-511-533100	PROFESSIONAL SERVICES	0	0	0	0	0	0	80,000
100-511-533101	LEGAL SERVICES	4,319	6,063	10,000	10,000	10,275	0	10,000
100-511-533107	LITIGATION COSTS	1,688	0	4,500	4,500	81,455	0	4,500
100-511-534900	MISCELLANEOUS EXPENSE	1,145	0	0	0	0	0	2,000
100-511-534999	COMMISSION CONTINGENCY	0	19,867	10,000	10,000	4	0	10,000
Total Department 511:		7,152	25,930	24,500	24,500	91,734	0	106,500

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BUDGET REPORT FOR TOWN OF MANALAPAN

Fund: 100 GENERAL		FY 23-24	FY 24-25	FY 25-26 Commission Approved	FY 25-26 Amended Budget	FY 25-26 YTD Actuals	FY 25-26 YTD Encumbrance	FY 26-27 Proposed Budget
GL Number	Description	Actuals	Actuals					
Department: 513 FINANCIAL & ADMINISTRATIVE								
100-513-511100	EXECUTIVE SALARIES	294,341	211,592	195,000	195,000	156,538	0	235,000
100-513-511200	REGULAR SALARIES	98,298	123,064	347,490	347,490	228,681	0	373,738
100-513-511204	POV OFFSET	0	0	4,800	4,800	4,000	0	5,040
100-513-511400	OVERTIME	0	0	2,000	2,000	180	0	2,000
100-513-511900	EMPLOYEE SERVICE PROGRAM	0	47,284	3,000	3,000	3,000	0	3,000
100-513-512100	FICA/MEDICARE TAXES	28,501	30,899	42,250	42,250	29,571	0	43,953
100-513-512200	RETIREMENT CONTRIBUTION	27,501	30,060	75,000	75,000	0	0	108,355
100-513-512300	LIFE, HEALTH & DENTAL INSURANCE	84,640	94,033	152,421	152,421	84,836	0	148,199
100-513-512400	WORKERS' COMPENSATION	330	389	658	658	658	0	658
Department: 513 FINANCIAL & ADMINISTRATIVE								
100-513-512600	457/401A MATCH PROGRAM	11,108	6,239	17,500	17,500	6,515	0	18,170
100-513-533100	PROFESSIONAL SERVICES	34,629	93,116	205,000	205,000	141,266	17,936	130,050
100-513-533101	LEGAL SERVICES	68,244	61,972	50,000	50,000	150,302	0	60,000
100-513-533103	CONSULTING FEES/SOFTWARE SUPPORT	1,784	0	0	0	0	0	0
100-513-533110	CODIFICATION	759	0	4,000	4,000	1,753	0	4,250
100-513-533200	ACCOUNTING/AUDIT	24,253	27,750	26,700	26,700	25,663	0	26,700
100-513-534101	POSTAGE	3,825	4,200	7,500	7,500	2,928	0	7,500
100-513-534200	CELL PHONES/PAGERS	1,616	1,374	1,920	1,920	1,760	0	2,880
100-513-534300	ELECTRIC/GAS SERVICE	13,409	15,534	14,520	14,520	10,156	0	14,520
100-513-534400	RENTAL/LEASE	964	836	1,600	1,600	1,387	0	3,650
100-513-534500	INSURANCE	127,498	133,556	200,335	180,835	141,078	0	153,710
100-513-534600	REPAIRS & MAINTENANCE	817	0	1,425	1,425	0	0	1,425
100-513-534601	REPAIRS & MAINT - VEHICLES	8,273	1,133	2,544	2,544	2,106	0	1,000
100-513-534700	PRINTING	1,698	1,750	2,600	2,600	1,558	0	1,060
100-513-534701	NEWSLETTER REPRODUCTION	0	949	1,500	4,000	2,871	0	4,000
100-513-534702	TOWN DIRECTORY	0	434	1,600	1,600	0	0	900
100-513-534800	PROMOTIONAL ACTIVITIES	41	0	200	200	170	0	200
100-513-534900	MISCELLANEOUS EXPENSE	5,664	2,407	7,115	7,115	2,615	0	615
100-513-534901	SMALL EQUIPMENT	2,281	5,394	6,500	6,500	2,181	0	5,950
100-513-534902	LEGAL ADS & OTHERS	2,621	4,500	4,500	4,500	1,355	0	4,500
100-513-534912	DONATION EXPENDITURES	0	0	0	0	613	0	3,000
100-513-534913	ELECTION COSTS	516	461	25,000	22,500	670	0	25,000
100-513-534917	RECORDS RETENTION & DESTRUCTION	750	1,000	2,250	2,250	1,024	0	1,950
100-513-535100	OFFICE SUPPLIES	5,619	3,722	5,000	5,000	2,514	0	4,800
100-513-535202	UNIFORMS	0	0	3,725	3,725	1,868	0	2,000
100-513-535204	GAS & OIL	0	0	4,200	4,200	1,733	1,767	2,800
100-513-535401	DUES & SUBSCRIPTIONS	6,188	7,705	7,425	7,425	6,919	0	8,000
100-513-535402	MEETINGS/SCHOOL/CONFERENCES	1,545	8,441	6,500	6,500	1,758	0	11,000
100-513-535403	TRAVEL-MEETINGS/SCHOOLS/CONFERENCE	1,948	1,570	17,975	17,975	4,431	0	15,868
100-513-535404	EDUCATIONAL ASSISTANCE	0	0	16,000	16,000	6,000	0	10,000
100-513-566400	CAPITAL EQUIPMENT	2,314	0	2,500	2,500	2,430	0	0
Total Department 513:		861,975	921,364	1,470,253	1,450,753	1,033,088	19,703	1,445,441

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BUDGET REPORT FOR TOWN OF MANALAPAN

Fund: 100 GENERAL		FY 23-24	FY 24-25	FY 25-26 Commission Approved	FY 25-26 Amended Budget	FY 25-26 YTD Actuals	FY 25-26 YTD Encumbrance	FY 26-27 Proposed Budget
GL Number	Description	Actuals	Actuals					
Department: 519 INFRASTRUCTURE & TECHNOLOGY								
100-519-533100	PROFESSIONAL SERVICES	1,000	5,000	10,000	10,000	0	0	10,000
100-519-533103	CONSULTING FEES/SOFTWARE SUPPORT	81,223	114,627	160,404	160,404	88,347	52,300	233,602
100-519-534100	TELEPHONE/DATA LINES	60,212	60,632	60,000	60,000	27,716	0	64,500
100-519-534600	REPAIRS & MAINTENANCE	0	0	1,450	1,450	0	0	1,450
100-519-534700	PRINTING	16	0	0	0	0	0	0
100-519-534900	MISCELLANEOUS EXPENSE	0	159	600	600	0	0	600
100-519-534901	SMALL EQUIPMENT	4,437	2,773	3,300	3,300	1,847	0	3,300
100-519-535200	OPERATING SUPPLIES	0	53	500	500	0	0	500
Total Department 519:		146,888	183,244	236,254	236,254	117,910	52,300	313,952
Department: 521 LAW ENFORCEMENT SERVICES								
100-521-511200	REGULAR SALARIES	1,023,799	1,212,895	1,575,566	1,575,566	1,393,128	0	1,676,002
100-521-511201	FUEL STIPEND	20,600	18,833	12,800	12,800	7,000	0	9,600
100-521-511300	DISPATCH SALARIES	323,356	325,732	367,425	367,425	269,289	0	394,062
100-521-511350	P/T POLICE OFFICER SALARIES	295,888	217,532	137,820	137,820	67,278	0	79,250
Department: 521 LAW ENFORCEMENT SERVICES								
100-521-511351	CSO SALARIES	0	0	0	0	0	0	169,728
100-521-511400	OVERTIME	42,497	54,790	72,000	72,000	74,141	0	37,000
100-521-511401	OVERTIME - HOLIDAY	0	0	0	0	0	0	40,642
100-521-511402	OVERTIME - DISPATCH	0	0	0	0	0	0	35,000
100-521-511500	INCENTIVE PAY	5,515	7,140	10,000	10,000	10,693	0	13,680
100-521-511501	IN SERVICE TRAINING	11,108	8,460	15,000	15,000	17,366	0	14,995
100-521-511600	EXTRA DUTY PAY	13,370	10,575	6,500	6,500	6,788	0	6,500
100-521-511900	EMPLOYEE SERVICE PROGRAM	4,000	98,750	0	0	0	0	0
100-521-512100	FICA/MEDICARE TAXES	129,860	149,863	167,100	167,100	141,373	0	179,004
100-521-512200	RETIREMENT CONTRIBUTION	216,707	231,052	325,000	325,000	0	0	378,396
100-521-512300	LIFE, HEALTH & DENTAL INSURANCE	251,876	263,589	688,490	688,490	254,894	0	439,052
100-521-512400	WORKERS' COMPENSATION	63,902	41,038	50,005	51,415	51,415	0	56,160
100-521-512500	UNEMPLOYMENT COMP	0	0	0	0	3,300	0	0
100-521-512600	457/401A MATCH PROGRAM	48,049	45,891	67,500	67,500	34,746	0	62,830
100-521-521302	POLICE - PBA DUES	0	0	0	0	0	0	3,600
100-521-533101	LEGAL SERVICES	11,129	9,930	15,000	15,000	6,225	0	15,000
100-521-533104	HIRING/PROCESSING FEES	4,278	9,394	4,910	4,910	4,693	0	5,000
100-521-534200	CELL PHONES/PAGERS	2,900	1,655	8,100	8,100	1,430	0	7,320
100-521-534302	GATEHOUSE ELECTRIC	1,352	1,424	2,160	2,160	936	0	2,160
100-521-534550	LAW ENFORCEMENT LIABILITY	1,319	27,358	41,050	39,640	31,264	0	41,050
100-521-534600	REPAIRS & MAINTENANCE	2,986	2,031	4,810	4,310	1,521	0	7,820
100-521-534601	REPAIRS & MAINT - VEHICLES	36,753	25,144	38,990	38,990	18,891	0	38,990
100-521-534602	REPAIRS & MAINT - RADIOS	475	0	600	1,100	715	0	2,000
100-521-534603	MARINE UNIT OPERATIONS	6,282	7,516	5,235	5,235	4,306	0	5,235
100-521-534604	SECURITY CONTRACT	262,459	187,240	186,600	184,600	51,340	0	0
100-521-534605	REPAIRS & MAINT - GATEHOUSE	1,451	1,102	10,625	10,625	1,195	0	2,125

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Fund: 100 GENERAL		FY 23-24	FY 24-25	FY 25-26 Commission Approved	FY 25-26 Amended Budget	FY 25-26 YTD Actuals	FY 25-26 YTD Encumbrance	FY 26-27 Proposed Budget
GL Number	Description	Actuals	Actuals					
100-521-534700	PRINTING	0	808	3,300	3,300	1,792	0	3,300
100-521-534800	PROMOTIONAL ACTIVITIES	706	1,020	1,300	1,300	1,239	0	1,300
100-521-534900	MISCELLANEOUS EXPENSE	1,349	6,413	1,200	1,200	788	0	1,200
100-521-534901	SMALL EQUIPMENT	6,871	4,095	14,000	14,000	13,845	0	12,080
100-521-534903	DISCRETIONARY FUND EXPENDITURES	20,865	14,767	0	2,181	22,372	0	20,000
100-521-534914	FIRE ARM SUPPLIES	3,646	2,780	4,000	4,000	1,939	0	3,580
100-521-535100	OFFICE SUPPLIES	4,846	3,202	6,000	6,000	955	0	3,000
100-521-535202	UNIFORMS	12,194	13,492	13,000	15,000	14,734	0	15,800
100-521-535203	UNIFORM MAINTENANCE	7,113	5,918	7,500	7,500	2,444	0	5,500
100-521-535204	GAS & OIL	25,019	28,932	42,000	42,000	36,796	338	50,000
100-521-535206	INVESTIGATIVE SUPPLIES	551	116	1,100	1,100	288	0	1,100
100-521-535401	DUES & SUBSCRIPTIONS	999	1,588	2,220	2,220	1,700	0	2,220
100-521-535402	MEETINGS/SCHOOL/CONFERENCES	937	4,437	4,500	4,500	3,462	0	4,000
100-521-535403	TRAVEL-MEETINGS/SCHOOLS/CONFERENCE	493	2,723	5,300	5,300	1,401	0	5,000
100-521-535404	EDUCATIONAL ASSISTANCE	0	0	8,000	8,000	0	0	5,000
100-521-535405	\$2.00 EDUCATION	500	500	500	500	0	0	0
100-521-535406	ANNUAL FITNESS PROGRAM	2,051	1,594	4,900	4,900	999	0	4,900
100-521-566400	CAPITAL EQUIPMENT	47,741	0	2,000	2,000	153	0	0
100-521-566401	CAPITAL EQUIPMENT - VEHICLES	682	0	0	0	0	0	0
100-521-583000	GRANTS EXP-VARIOUS	(552)	(554)	0	0	(1,179)	0	8,936
100-521-583001	VEST GRANT	617	8,415	2,200	2,200	1,251	0	2,200
Total Department 521:		2,918,539	3,059,180	3,936,306	3,938,487	2,558,906	338	3,871,317
Department: 522 FIRE RESCUE SERVICES								
100-522-533406	FIRE RESCUE SERVICES	2,032,264	2,222,066	2,222,066	2,222,066	1,658,613	0	2,206,602
Total Department 522:		2,032,264	2,222,066	2,222,066	2,222,066	1,658,613	0	2,206,602
Department: 524 BUILDING SERVICES								
100-524-511200	REGULAR SALARIES	179,710	297,723	412,275	412,275	324,183	0	500,395
100-524-511204	POV OFFSET	0	0	0	0	0	0	1,440
100-524-511450	CONTRACT BUILDING OFFICIAL	13,353	12,155	0	0	0	0	0
100-524-511900	EMPLOYEE SERVICE PROGRAM	0	6,192	2,000	2,000	3,000	0	0
100-524-512100	FICA/MEDICARE TAXES	13,318	22,556	31,692	31,692	24,160	0	38,490
100-524-512200	RETIREMENT CONTRIBUTION	8,196	8,000	25,000	25,000	0	0	65,230
100-524-512300	LIFE, HEALTH & DENTAL INSURANCE	17,064	13,403	135,181	135,181	33,753	0	68,843
100-524-512400	WORKERS' COMPENSATION	138	149	658	658	658	0	658
100-524-512500	UNEMPLOYMENT COMP	0	3,300	0	0	0	0	0
100-524-512600	457/401A MATCH PROGRAM	0	0	10,000	10,000	2,692	0	7,590
100-524-533100	PROFESSIONAL SERVICES	27,251	41,010	50,140	69,640	18,375	4,875	43,000
100-524-533101	LEGAL SERVICES	24,596	54,313	45,000	45,000	(3,200)	0	30,000
100-524-533102	INSPECTION SERVICES	36,920	37,055	55,000	55,000	32,555	0	50,000
100-524-533103	CONSULTING FEES/SOFTWARE SUPPORT	4,650	4,804	0	0	0	0	0
100-524-533130	PLAN REVIEW SERVICES	0	7,335	60,000	60,000	7,335	0	15,000

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BUDGET REPORT FOR TOWN OF MANALAPAN

Fund: 100 GENERAL

GL Number	Description	FY 23-24	FY 24-25	FY 25-26	FY 25-26	FY 25-26	FY 25-26	FY 26-27
		Actuals	Actuals	Commission Approved	Amended Budget	YTD Actuals	YTD Encumbrance	Proposed Budget
100-524-534101	POSTAGE	0	3,000	2,500	2,500	896	0	1,200
100-524-534200	CELL PHONES/PAGERS	744	1,155	1,500	1,500	1,080	0	1,296
100-524-534600	REPAIRS & MAINTENANCE	37,943	12,943	40,000	40,000	3,859	0	10,000
100-524-534601	REPAIRS & MAINT - VEHICLES	0	945	3,465	3,465	1,641	0	912
100-524-534603	MARINE UNIT OPERATIONS	0	0	0	0	0	0	6,535
100-524-534700	PRINTING	2,162	3,815	3,300	3,300	344	0	1,500
100-524-534900	MISCELLANEOUS EXPENSE	146	128,946	26,500	26,500	10,460	0	30,250
100-524-534901	SMALL EQUIPMENT	0	1,101	3,200	3,200	1,280	0	2,500
100-524-534902	LEGAL ADS & OTHERS	0	0	750	750	0	0	500
100-524-534917	RECORDS RETENTION & DESTRUCTION	2,169	0	1,000	1,000	1,000	0	1,000
100-524-535100	OFFICE SUPPLIES	1,797	2,101	2,500	2,500	1,159	0	2,500
100-524-535202	UNIFORMS	0	1,039	1,800	1,800	1,506	0	1,800
100-524-535204	GAS & OIL	0	110	4,200	4,200	1,752	1,800	5,464
100-524-535401	DUES & SUBSCRIPTIONS	0	863	1,520	1,520	365	0	970
100-524-535402	MEETINGS/SCHOOL/CONFERENCES	25	1,115	7,650	7,650	1,461	0	4,700
100-524-535403	TRAVEL-MEETINGS/SCHOOLS/CONFERENCE	0	1,109	20,250	20,250	336	0	14,976
100-524-566400	CAPITAL EQUIPMENT	5,400	17,808	2,000	5,825	4,765	0	0
Total Department 524:		375,582	684,045	949,081	972,406	475,415	6,675	906,749
Department: 525 EMERGENCY/DISASTER RELIEF SERVICES								
100-525-511200	REGULAR SALARIES	0	10,799	0	0	0	0	0
100-525-511400	OVERTIME	0	9,621	0	0	0	0	0
100-525-512100	FICA/MEDICARE TAXES	0	1,505	0	0	0	0	0
100-525-534900	MISCELLANEOUS EXPENSE	0	0	10,000	10,000	0	0	10,000
Total Department 525:		0	21,925	10,000	10,000	0	0	10,000
Department: 534 SANITATION								
100-534-511200	REGULAR SALARIES	105,770	126,128	103,218	66,094	50,664	0	0
100-534-511400	OVERTIME	0	0	51,025	62,649	62,649	0	0
100-534-511900	EMPLOYEE SERVICE PROGRAM	0	5,200	0	0	0	0	0
Department: 534 SANITATION								
100-534-512100	FICA/MEDICARE TAXES	8,075	10,484	11,800	11,800	8,639	0	0
100-534-512300	LIFE, HEALTH & DENTAL INSURANCE	1,357	100	500	500	0	0	0
100-534-512400	WORKERS' COMPENSATION	7,223	7,809	9,755	9,755	9,755	0	0
100-534-534304	SOLID WASTE/DEBRIS	1,187	1,187	2,000	56,000	21,454	0	0
100-534-534400	RENTAL/LEASE	1,350	0	450	450	0	0	0
100-534-534601	REPAIRS & MAINT - VEHICLES	10,560	15,323	10,000	10,000	2,446	0	0
100-534-534606	SANITATION SERVICES CONTRACT	0	0	0	0	0	0	55,344
100-534-534900	MISCELLANEOUS EXPENSE	250	0	0	0	0	0	0
100-534-535202	UNIFORMS	0	0	600	600	584	0	0
100-534-535204	GAS & OIL	1,891	1,897	4,500	4,500	1,010	0	0
100-534-536205	BEACH SUPPLIES & TRASH BAGS	2,181	1,708	54,152	25,652	2,294	0	0
100-534-566400	CAPITAL EQUIPMENT	0	0	2,000	2,000	0	0	0
Total Department 534:		139,844	169,836	250,000	250,000	159,495	0	55,344

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Fund: 100 GENERAL		FY 23-24	FY 24-25	FY 25-26 Commission Approved	FY 25-26 Amended Budget	FY 25-26 YTD Actuals	FY 25-26 YTD Encumbrance	FY 26-27 Proposed Budget
GL Number	Description	Actuals	Actuals					
Department: 539 MAINTENANCE								
100-539-511200	REGULAR SALARIES	35,245	41,424	49,853	49,853	36,523	0	88,597
100-539-511900	EMPLOYEE SERVICE PROGRAM	0	2,002	0	0	0	0	0
100-539-512100	FICA/MEDICARE TAXES	3,318	3,616	4,667	4,667	3,412	0	6,778
100-539-512300	LIFE, HEALTH & DENTAL INSURANCE	8,153	10,522	11,150	11,150	8,652	0	11,050
100-539-512400	WORKERS' COMPENSATION	716	772	1,084	1,084	1,084	0	5,000
100-539-533402	OTHER BUILDING MAINTENANCE	11,386	8,433	12,000	12,000	6,112	0	12,000
100-539-533403	GROUPS MAINTENANCE	42,135	38,184	38,000	38,000	24,033	0	30,780
100-539-534304	SOLID WASTE/DEBRIS	0	0	0	0	0	0	1,500
100-539-534400	RENTAL/LEASE	0	0	0	0	0	0	450
100-539-534600	REPAIRS & MAINTENANCE	4,394	0	0	0	0	0	15,000
100-539-534601	REPAIRS & MAINT - VEHICLES	0	147	600	600	168	0	4,100
100-539-534900	MISCELLANEOUS EXPENSE	1,028	1,548	3,000	3,000	438	0	2,000
100-539-535202	UNIFORMS	0	380	450	450	358	0	1,050
100-539-535204	GAS & OIL	0	0	500	500	252	148	1,400
100-539-536205	BEACH SUPPLIES & TRASH BAGS	0	0	0	0	0	0	3,000
100-539-566400	CAPITAL EQUIPMENT	0	0	71,500	71,500	59,448	0	0
Total Department 539:		106,375	107,028	192,804	192,804	140,480	148	182,705
Department: 541 TRANSPORTATION								
100-541-534301	STREET LIGHTS	6,416	12,402	7,800	7,800	6,902	0	7,800
100-541-535300	REPAIR/MAINTENANCE-ROADS/SIDEWALKS	355	315	57,000	57,000	0	0	0
Total Department 541:		6,771	12,717	64,800	64,800	6,902	0	7,800
Department: 580 CAPITAL - GENERAL								
100-580-566400	CAPITAL EQUIPMENT	215,033	80,122	89,500	89,500	9,509	52,324	0
100-580-566401	CAPITAL EQUIPMENT - VEHICLES	114,970	127,044	389,542	389,542	250,584	0	0
100-580-566402	CAPITAL IMPROVEMENTS	199,232	75,068	317,500	317,500	4,800	29,755	0
Total Department 580:		529,235	282,234	796,542	796,542	264,893	82,079	0
Department: 581 INTER-FUND GROUP TRANSFERS OUT								
100-581-591000	TRANSFER TO LIBRARY FUND	464,000	54,000	67,000	67,000	67,000	0	30,000
100-581-592000	TRANSFER TO UTILITY FUND	0	848,919	0	0	0	0	0
100-581-594000	TRANSFER TO GG CIP	0	0	0	2,900,000	2,900,000	0	605,000
Total Department 581:		464,000	902,919	67,000	2,967,000	2,967,000	0	635,000
Department: 590 CAPITAL - UTILITY								
100-590-571100	DEBT SERVICE - PRINCIPAL	46,136	0	0	0	0	0	0
Total Department 590:		46,136	0	0	0	0	0	0
Appropriations		7,634,761	8,591,749	10,219,606	13,125,612	9,474,436	161,243	9,741,410

BUDGET REPORT FOR TOWN OF MANALAPAN

Fund: 100 GENERAL		FY 23-24	FY 24-25	FY 25-26 Commission Approved	FY 25-26 Amended Budget	FY 25-26 YTD Actuals	FY 25-26 YTD Encumbrance	FY 26-27 Proposed Budget
GL Number	Description	Actuals	Actuals					
Fund 100 - GENERAL:								
TOTAL ESTIMATED REVENUES		8,903,770	9,061,274	10,219,606	13,125,612	8,512,246	0	9,741,410
TOTAL APPROPRIATIONS		7,634,761	8,591,749	10,219,606	13,125,612	9,474,436	161,243	9,741,410
NET OF REVENUES & APPROPRIATIONS:		1,269,009	469,525	0	0	(962,190)	(161,243)	0
		14.25%	5.18%	0.00%	0.00%	-11.30%	0.00%	0.00%

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BUDGET REPORT FOR TOWN OF MANALAPAN

Fund: 302 GENERAL CAPITAL IMPROVEMENT

GL Number	Description	FY 23-24 Actuals	FY 24-25 Actuals	FY 25-26 Commission Approved	FY 25-26 Amended Budget	FY 25-26 YTD Actuals	FY 25-26 YTD Encumbrance	FY 26-27 Proposed Budget
Fund: 302 GENERAL CAPITAL IMPROVEMENT								
Account Category: Estimated Revenues								
Department: 337 GRANTS/REIM OTHER LOCAL								
302-337-433722	GRANTS	0	0	0	0	0	0	51,654
Total Department 337:		0	0	0	0	0	0	51,654
Department: 360 MISCELLANEOUS REVENUES								
302-360-436100	INVESTMENT INTEREST	0	0	0	0	0	0	11,375
Total Department 360:		0	0	0	0	0	0	11,375
Department: 380 OTHER SOURCES								
302-380-438100	INTERFUND TRANSFER	0	0	0	2,900,000	2,900,000	0	605,000
Total Department 380:		0	0	0	2,900,000	2,900,000	0	605,000
Department: 389 PROPRIETARY NON-OPERATING SOURCES								
302-389-389900	APPROPRIATION FROM RESERVES	0	0	0	0	0	0	(151,997)
Total Department 389:		0	0	0	0	0	0	(151,997)
Estimated Revenues		0	0	0	2,900,000	2,900,000	0	516,032
Account Category: Appropriations								
Department: 580 CAPITAL - GENERAL								
302-580-533200	ACCOUNTING/AUDIT	0	0	0	0	0	0	4,378
302-580-566401	CAPITAL EQUIPMENT - VEHICLES	0	0	0	0	0	0	200,000
302-580-566402	CAPITAL IMPROVEMENTS	0	0	0	0	0	0	311,654
302-580-566407	CAPITAL IMPROVEMENTS - LAND	0	0	0	2,900,000	0	0	0
Total Department 580:		0	0	0	2,900,000	0	0	516,032
Appropriations		0	0	0	2,900,000	0	0	516,032
Fund 302 - GENERAL CAPITAL IMPROVEMENT:								
TOTAL ESTIMATED REVENUES		0	0	0	2,900,000	2,900,000	0	516,032
TOTAL APPROPRIATIONS		0	0	0	2,900,000	0	0	516,032
NET OF REVENUES & APPROPRIATIONS:		0	0	0	0	2,900,000	0	0
		0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%

BUDGET REPORT FOR TOWN OF MANALAPAN

Fund: 101 LIBRARY

		FY 23-24	FY 24-25	FY 25-26	FY 25-26	FY 25-26	FY 25-26	FY 26-27
		Actuals	Actuals	Commission Approved	Amended Budget	YTD Actuals	YTD Encumbrance	Proposed Budget
GL Number	Description							
Fund: 101 LIBRARY								
Account Category: Estimated Revenues								
Department: 347 CULTURE/RECREATION								
101-347-434711	DUES	5,450	5,800	6,500	6,500	7,100	0	7,000
101-347-434712	DONATIONS	104,913	1,845	10,000	10,000	3,575	0	5,000
101-347-436905	COMMUNITY/RECREATION EVENTS	6,705	5,300	14,180	14,180	10,232	0	0
101-347-438100	INTERFUND TRANSFER	54,000	54,000	67,000	67,000	67,000	0	30,000
Total Department 347:		171,068	66,945	97,680	97,680	87,907	0	42,000
Department: 389 PROPRIETARY NON-OPERATING SOURCES								
101-389-389900	APPROPRIATED FUND BALANCE	0	0	0	0	0	0	43,992
Total Department 389:		0	0	0	0	0	0	43,992
Department: 571 LIBRARY								
101-571-436905	COMMUNITY/RECREATION EVENTS	0	(2,520)	0	0	0	0	0
Total Department 571:		0	(2,520)	0	0	0	0	0
Estimated Revenues		171,068	64,425	97,680	97,680	87,907	0	85,992
Account Category: Appropriations								
Department: 571 LIBRARY								
101-571-511200	REGULAR SALARIES	15,340	17,458	23,664	23,664	15,517	0	19,950
101-571-511204	POV OFFSET	0	0	0	0	0	0	360
101-571-512100	FICA/MEDICARE TAXES	1,045	1,170	1,810	1,810	981	0	1,565
101-571-512200	RETIREMENT CONTRIBUTION	0	0	0	0	0	0	3,551
101-571-512300	LIFE, HEALTH & DENTAL INSURANCE	0	0	0	0	0	0	5,561
101-571-512400	WORKERS' COMPENSATION	54	58	71	71	71	0	71
101-571-512600	457/401A MATCH PROGRAM	0	0	0	0	0	0	195
101-571-533103	CONSULTING FEES/SOFTWARE SUPPORT	2,189	2,223	3,180	3,180	3,222	0	3,180
101-571-534100	TELEPHONE/DATA LINES	2,589	2,802	4,380	4,380	1,490	0	3,000
101-571-534101	POSTAGE	0	0	250	250	0	0	250
101-571-534200	CELL PHONES/PAGERS	0	0	0	0	0	0	144
101-571-534300	ELECTRIC/GAS SERVICE	1,600	1,600	2,000	2,000	2,000	0	2,000
101-571-534304	SOLID WASTE/DEBRIS	434	434	650	650	457	0	650
101-571-534600	REPAIRS & MAINTENANCE	11,916	6,218	5,250	5,600	5,324	0	5,250
101-571-534700	PRINTING	0	0	775	425	63	0	325
101-571-534800	PROMOTIONAL ACTIVITIES	0	0	0	0	0	0	1,020
101-571-534900	MISCELLANEOUS EXPENSE	164	170	250	250	218	0	250
101-571-534901	SMALL EQUIPMENT	1,190	666	250	250	250	0	250
101-571-534911	LECTURE/COMMUNITY EVENTS	29,903	25,136	43,500	43,500	36,149	0	24,000
101-571-535100	OFFICE SUPPLIES	290	48	150	150	142	0	150
101-571-535401	DUES & SUBSCRIPTIONS	10	0	0	0	0	0	270
101-571-535410	BOOKS/DVD'S/TAPES	3,844	3,726	5,000	5,000	3,134	0	4,000
101-571-566405	STRAUSS DONATION EXPENDITURES	9,206	4,200	6,500	6,500	6,692	0	10,000
Total Department 571:		79,774	65,909	97,680	97,680	75,710	0	85,992
Appropriations		79,774	65,909	97,680	97,680	75,710	0	85,992
Fund 101 - LIBRARY:								
TOTAL ESTIMATED REVENUES		171,068	64,425	97,680	97,680	87,907	0	85,992
TOTAL APPROPRIATIONS		79,774	65,909	97,680	97,680	75,710	0	85,992
NET OF REVENUES & APPROPRIATIONS:		91,294	(1,484)	0	0	12,197	0	0
		53.37%	-2.30%	0.00%	0.00%	13.87%	0.00%	0.00%

BUDGET REPORT FOR TOWN OF MANALAPAN

Fund: 400 UTILITY

		FY 23-24	FY 24-25	FY 25-26	FY 25-26	FY 25-26	FY 25-26	FY 26-27
		Actuals	Actuals	Commission Approved	Amended Budget	YTD Actuals	YTD Encumbrance	Proposed Budget
GL Number	Description							
Fund: 400 UTILITY								
Account Category: Estimated Revenues								
Department: 337 GRANTS/REIM OTHER LOCAL								
400-337-433722	GRANTS	0	217,650	0	0	0	0	0
Total Department 337:		0	217,650	0	0	0	0	0
Department: 340 CHARGES FOR SERVICES								
400-340-434303	WATER SALES	1,426,072	1,609,800	2,593,000	2,593,000	2,151,829	0	3,059,740
400-340-434305	WASTEWATER SALES	152,750	180,469	326,000	326,000	321,213	0	384,680
400-340-434306	CONNECTION CHARGES	525	8,447	10,000	10,000	6,762	0	7,500
400-340-434307	OTHER INCOME - WATER	24,850	59,676	22,000	22,000	24,850	0	23,500
400-340-434308	FIRE MAIN INCOME	0	480	500	500	480	0	500
400-340-434310	OTHER INCOME - WW	0	21,091	0	0	16,220	0	0
400-340-434311	LATE FEES/PENALTIES	156	6,594	4,250	4,250	4,821	0	5,000
Total Department 340:		1,604,353	1,886,557	2,955,750	2,955,750	2,526,175	0	3,480,920
Department: 360 MISCELLANEOUS REVENUES								
400-360-436100	INVESTMENT INTEREST	176,726	107,920	15,795	15,795	85,550	0	75,000
400-360-436101	INTEREST INCOME #2	53	46	50	50	31	0	50
400-360-436102	INTEREST INCOME #3	2,109	1,835	15	15	1,226	0	1,500
400-360-436103	INTEREST INCOME #4	3,301	2,872	1,500	1,500	1,919	0	2,100
400-360-436400	GAIN/(LOSS) ON DISPOSAL OF FIXED ASSETS	(61,717)	0	0	0	0	0	0
Total Department 360:		120,472	112,673	17,360	17,360	88,726	0	78,650
Department: 380 OTHER SOURCES								
400-380-438100	INTERFUND TRANSFER	410,000	0	0	0	0	0	0
400-380-438990	OTHER NON OPERATING SOURC	0	1,824	1,002,065	1,002,065	150	0	0
Total Department 380:		410,000	1,824	1,002,065	1,002,065	150	0	0
Department: 389 PROPRIETARY NON-OPERATING SOURCES								
400-389-389900	APPROPRIATION FROM RESERVES	0	0	4,411,068	4,411,068	0	0	553,355
400-389-389901	PRIOR YEAR CARRY OVER	0	0	0	350,343	0	0	0
Total Department 389:		0	0	4,411,068	4,761,411	0	0	553,355
Department: 581 INTER-FUND GROUP TRANSFERS OUT								
400-581-438100	INTERFUND TRANSFER	0	848,919	0	0	0	0	0
Total Department 581:		0	848,919	0	0	0	0	0
Estimated Revenues		2,134,825	3,067,623	8,386,243	8,736,586	2,615,051	0	4,112,925
Account Category: Appropriations								
Department: 525 EMERGENCY/DISASTER RELIEF SERVICES								
400-525-511200	REGULAR SALARIES	0	3,207	0	0	0	0	0
400-525-511400	OVERTIME	0	2,856	0	0	0	0	0
400-525-512100	FICA/MEDICARE TAXES	0	459	0	0	0	0	0
Total Department 525:		0	6,522	0	0	0	0	0

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Calculations As Of 07/31/2026

BUDGET REPORT FOR TOWN OF MANALAPAN

Fund: 400 UTILITY

Fund: 400 UTILITY		FY 23-24	FY 24-25	FY 25-26	FY 25-26	FY 25-26	FY 25-26	FY 26-27
				Commission	Amended			
GL Number	Description	Actuals	Actuals	Approved	Budget	YTD Actuals	Encumbrance	Proposed Budget
Department: 533 WATER UTILITY SERVICES								
400-533-511200	REGULAR SALARIES	465,663	505,728	534,612	534,612	424,598	0	416,382
400-533-511204	POV OFFSET	0	0	0	0	0	0	360
400-533-511400	OVERTIME	18,808	13,038	3,000	3,000	16,631	0	10,000
400-533-511401	OVERTIME - HOLIDAY	0	0	0	0	0	0	4,620
400-533-511900	EMPLOYEE SERVICE PROGRAM	6,000	22,866	5,000	5,000	0	0	8,000
400-533-512100	FICA/MEDICARE TAXES	38,374	41,555	41,510	41,510	33,587	0	32,152
Department: 533 WATER UTILITY SERVICES								
400-533-512200	RETIREMENT CONTRIBUTION	62,524	66,663	92,061	92,061	0	0	65,409
400-533-512210	PENSION EXPENSE-GASB68	(36,478)	0	0	0	0	0	0
400-533-512300	LIFE, HEALTH & DENTAL INSURANCE	86,636	85,360	135,065	135,065	70,349	0	86,476
400-533-512310	OPEB EXPENSE - GASB75	(3,049)	0	0	0	0	0	0
400-533-512400	WORKERS' COMPENSATION	13,808	13,373	12,380	12,380	12,380	0	12,380
400-533-512600	457/401A MATCH PROGRAM	13,358	19,713	25,000	25,000	16,527	0	13,645
400-533-533100	PROFESSIONAL SERVICES	71,149	107,782	562,640	562,640	20,682	7,439	160,000
400-533-533101	LEGAL SERVICES	5,290	10,690	7,500	7,500	1,781	0	4,000
400-533-533103	CONSULTING FEES/SOFTWARE SUPPORT	29,565	28,823	32,460	32,460	24,315	0	25,000
400-533-533200	ACCOUNTING/AUDIT	21,818	12,000	12,700	12,700	10,988	0	12,700
400-533-533401	LAB TESTING FEES	30,262	32,519	47,265	47,265	20,440	0	42,511
400-533-533402	OTHER BUILDING MAINTENANCE	700	0	0	0	0	0	0
400-533-534100	TELEPHONE/DATA LINES	15,913	16,315	28,000	28,000	12,739	0	26,640
400-533-534101	POSTAGE	3,401	2,750	3,780	3,780	953	0	2,500
400-533-534200	CELL PHONES/PAGERS	2,754	3,294	3,612	3,612	2,331	0	3,552
400-533-534300	ELECTRIC/GAS SERVICE	155,490	162,552	169,800	169,800	106,712	0	185,040
400-533-534304	SOLID WASTE/DEBRIS	4,660	6,566	11,275	11,275	4,830	0	8,175
400-533-534400	RENTAL/LEASE	1,218	1,044	2,315	2,315	1,251	0	2,315
400-533-534500	INSURANCE	147,543	149,625	219,240	219,240	153,888	0	252,126
400-533-534600	REPAIRS & MAINTENANCE	54,544	41,661	48,600	48,600	30,817	0	46,735
400-533-534601	REPAIRS & MAINT - VEHICLES	7,502	6,278	8,920	8,920	8,185	0	10,920
400-533-534700	PRINTING	3,530	2,411	4,500	4,500	871	0	3,500
400-533-534800	PROMOTIONAL ACTIVITIES	0	0	250	250	139	0	250
400-533-534900	MISCELLANEOUS EXPENSE	1,230	1,051	2,000	2,000	525	0	2,000
400-533-534901	SMALL EQUIPMENT	2,208	3,764	26,630	26,630	15,125	0	15,200
400-533-534902	LEGAL ADS & OTHERS	0	1,388	3,000	3,000	160	0	3,000
400-533-534904	DISPATCH FEE	4,000	0	0	0	0	0	0
400-533-534905	WATER MANAGEMENT FEE	60,000	60,000	60,000	60,000	60,000	0	60,000
400-533-535100	OFFICE SUPPLIES	1,966	1,384	3,200	3,200	399	0	2,000
400-533-535200	OPERATING SUPPLIES	28,408	16,642	54,125	54,125	13,931	0	21,000
400-533-535201	CHEMICALS	176,777	202,109	170,000	170,000	118,574	51,426	180,072
400-533-535202	UNIFORMS	3,370	3,013	5,050	5,050	2,179	0	3,800
400-533-535204	GAS & OIL	30,054	22,089	37,950	37,950	9,096	27,340	25,950
400-533-535401	DUES & SUBSCRIPTIONS	9,070	8,313	14,000	14,000	7,329	0	14,000
400-533-535402	MEETINGS/SCHOOL/CONFERENCES	674	1,528	3,650	3,650	0	0	3,650
400-533-535403	TRAVEL-MEETINGS/SCHOOLS/CONFERENCE	139	1,298	2,640	2,640	0	0	2,640
400-533-535900	DEPRECIATION	495,385	0	0	0	0	0	0
400-533-563000	RENEWAL & REPLACEMENT	31,214	150,376	377,000	417,500	122,330	80,492	97,710
400-533-566400	CAPITAL EQUIPMENT	16,216	0	0	0	0	0	0
400-533-573000	STATE LOAN REPAYMENT	65,002	369,002	281,580	281,580	140,789	0	281,580
Total Department 533:		2,146,696	2,194,563	3,052,310	3,092,810	1,465,431	166,697	2,147,990

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Calculations As Of 07/31/2026

BUDGET REPORT FOR TOWN OF MANALAPAN

Fund: 400 UTILITY

		FY 23-24	FY 24-25	FY 25-26	FY 25-26	FY 25-26	FY 25-26	FY 26-27
				Commission	Amended		YTD	
		Actuals	Actuals	Approved	Budget	YTD Actuals	Encumbrance	Proposed Budget
GL Number	Description							
Department: 535 SEWER/WASTEWATER SERVICES								
400-535-511200	REGULAR SALARIES	16,838	16,420	23,008	23,008	15,902	0	46,201
400-535-511400	OVERTIME	1,022	130	10,000	10,000	0	0	5,000
400-535-511401	OVERTIME - HOLIDAY	0	0	0	0	0	0	770
400-535-512100	FICA/MEDICARE TAXES	1,335	1,243	1,760	1,760	1,197	0	3,564
400-535-512200	RETIREMENT CONTRIBUTION	3,260	3,475	4,500	4,500	0	0	8,243
400-535-512300	LIFE, HEALTH & DENTAL INSURANCE	0	0	0	0	0	0	12,004
Department: 535 SEWER/WASTEWATER SERVICES								
400-535-512600	457/401A MATCH PROGRAM	0	0	0	0	0	0	2,250
400-535-533100	PROFESSIONAL SERVICES	87,316	261,021	135,000	135,000	14,387	0	85,000
400-535-533101	LEGAL SERVICES	0	1,850	80,000	80,000	0	0	25,000
400-535-533200	ACCOUNTING/AUDIT	2,495	3,500	3,400	3,400	1,000	0	3,400
400-535-534200	CELL PHONES/PAGERS	0	0	0	0	0	0	384
400-535-534300	ELECTRIC/GAS SERVICE	1,259	1,604	3,000	3,000	846	0	3,000
400-535-534309	LAKE WORTH UTILITIES	147,053	130,018	172,255	172,255	84,973	0	172,255
400-535-534600	REPAIRS & MAINTENANCE	82,577	12,989	14,000	14,000	2,450	0	50,200
400-535-534906	WASTEWATER MANAGEMENT FEE	16,000	18,000	18,000	18,000	18,000	0	18,000
400-535-563000	RENEWAL & REPLACEMENT	0	5,503	42,500	42,500	17,650	0	30,000
Total Department 535:		359,155	455,753	507,423	507,423	156,405	0	465,271
Department: 536 DISTRIBUTION								
400-536-511200	REGULAR SALARIES	0	26,650	40,566	40,566	33,299	0	149,380
400-536-511400	OVERTIME	0	0	7,000	7,000	0	0	2,000
400-536-511401	OVERTIME - HOLIDAY	0	0	0	0	0	0	2,310
400-536-512100	FICA/MEDICARE TAXES	0	1,958	3,639	3,639	2,417	0	11,530
400-536-512200	RETIREMENT CONTRIBUTION	0	0	0	0	0	0	26,590
400-536-512300	LIFE, HEALTH & DENTAL INSURANCE	0	0	0	0	0	0	36,520
400-536-512400	WORKERS' COMPENSATION	0	1,462	1,376	1,376	1,376	0	1,376
400-536-512600	457/401A MATCH PROGRAM	0	0	0	0	0	0	8,250
400-536-533100	PROFESSIONAL SERVICES	0	0	30,000	30,000	0	0	30,000
400-536-534200	CELL PHONES/PAGERS	0	0	0	0	0	0	1,344
400-536-534400	RENTAL/LEASE	0	274	2,900	2,900	207	0	2,900
400-536-534600	REPAIRS & MAINTENANCE	0	5,132	32,000	32,000	13,340	0	32,000
400-536-534601	REPAIRS & MAINT - VEHICLES	0	0	7,864	7,864	0	0	7,864
400-536-534900	MISCELLANEOUS EXPENSE	0	140	500	500	0	0	500
400-536-534901	SMALL EQUIPMENT	0	275	1,250	1,250	873	0	9,850
400-536-534904	DISPATCH FEE	0	4,000	2,000	2,000	2,000	0	2,000
400-536-535200	OPERATING SUPPLIES	0	5,412	5,800	5,800	5,309	0	7,500
400-536-535202	UNIFORMS	0	112	750	750	0	0	750
400-536-535204	GAS & OIL	0	0	1,800	1,800	1,979	0	3,000
400-536-563000	RENEWAL & REPLACEMENT	0	19,326	32,000	32,000	4,288	0	25,000
400-536-566402	CAPITAL IMPROVEMENTS	41,702	0	0	0	0	0	0
Total Department 536:		41,702	64,741	169,445	169,445	65,088	0	360,664

BUDGET REPORT FOR TOWN OF MANALAPAN

Fund: 400 UTILITY

Fund: 400 UTILITY		FY 23-24	FY 24-25	FY 25-26 Commission Approved	FY 25-26 Amended Budget	FY 25-26 YTD Actuals	FY 25-26 YTD Encumbrance	FY 26-27 Proposed Budget
GL Number	Description	Actuals	Actuals					
Department: 581 INTER-FUND GROUP TRANSFERS OUT								
400-581-593000	TRANSFER TO UTILITY CIP FUND	0	0	0	0	0	0	1,139,000
Total Department 581:		0	0	0	0	0	0	1,139,000
Department: 590 CAPITAL - UTILITY								
400-590-566400	CAPITAL EQUIPMENT	0	0	20,000	65,800	58,196	0	0
400-590-566401	CAPITAL EQUIPMENT - VEHICLES	0	67,383	70,000	70,000	64,562	0	0
400-590-566402	CAPITAL IMPROVEMENTS	11,544	157,292	985,000	1,005,881	11,545	20,881	0
400-590-566403	CAPITAL IMPROVEMENTS - WELL FIELD DEV	0	0	80,000	80,000	0	0	0
400-590-566404	CAPITAL IMPROVEMENTS - SEWER	7,210	942,058	3,502,065	3,745,227	1,990,652	573,304	0
Total Department 590:		18,754	1,166,733	4,657,065	4,966,908	2,124,955	594,185	0
Appropriations		2,566,307	3,888,312	8,386,243	8,736,586	3,811,879	760,882	4,112,925
Fund 400 - UTILITY:								
TOTAL ESTIMATED REVENUES		2,134,825	3,067,623	8,386,243	8,736,586	2,615,051	0	4,112,925
TOTAL APPROPRIATIONS		2,566,307	3,888,312	8,386,243	8,736,586	3,811,879	760,882	4,112,925
NET OF REVENUES & APPROPRIATIONS:		(431,482)	(820,689)	0	0	(1,196,828)	(760,882)	0
		-20.21%	-26.75%	0.00%	0.00%	-45.77%	0.00%	0.00%

TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: PH. 1

Agenda Item Name: **Ordinance #401**

BACKGROUND:

Ordinance #401 - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTER 151. ZONING. TO PROVIDE FOR A REVISED AND AMENDED OFFICIAL ZONING MAP THAT COMBINES ZONING DISTRICT R1-F AND PORTIONS OF ZONING DISTRICT R3-A INTO ZONING DISTRICT R1-D, AND WHICH ELIMINATES METES AND BOUNDS DESCRIPTIONS FOR ALL ZONING DISTRICTS FROM THE CODE; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 151. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. **(Second Reading)**

This ordinance updates the Town's zoning map by consolidating the R1-F zoning district and certain R3-A properties west of Lands End Road into the R1-D zoning district. The purpose is to streamline the Town's zoning structure, eliminate an unnecessary zoning district, and provide affected property owners with equal or greater development opportunities while avoiding the creation of any nonconforming lots or uses. The ordinance also modernizes the zoning code by removing detailed metes-and-bounds descriptions of zoning district boundaries and instead relying on the Town's Official Zoning Map as the authoritative source for zoning designations. The Town approved this ordinance on first reading at its June 23rd Town Commission meeting.

MOTION:

- Move to approve/disapprove Ordinance #401 on Second Reading.

ATTACHMENTS:

- Ordinance #401

ORDINANCE NO. 401

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTER 151. ZONING. TO PROVIDE FOR A REVISED AND AMENDED OFFICIAL ZONING MAP THAT COMBINES ZONING DISTRICT R1-F AND PORTIONS OF ZONING DISTRICT R3-A INTO ZONING DISTRICT R1-D, AND WHICH ELIMINATES METES AND BOUNDS DESCRIPTIONS FOR ALL ZONING DISTRICTS FROM THE CODE; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 151. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Town Staff has undertaken a comprehensive review of the Town's Zoning Code, including each zoning district; and

WHEREAS, the result of this comprehensive review is a recommendation to the Town Commission to combine Zoning District R1-F and the properties in Zoning District R3-A located west of Lands End Road into Zoning District R1-D in order to provide certain lots with greater development potential without creating any legal non-conformities, and at the same time simplifying the Town's zoning scheme by eliminating one zoning district (R1-F) and compressing another (R3-A); and

WHEREAS, the rezoning of all R1-F properties, and properties in Zoning District R3-A located west of Lands End Road to R1-D will not take away any vested rights held by those lot owners and to the contrary, will either leave those vested rights unchanged or will expand them; and

WHEREAS, for clarity and specificity, Lot 1300 located east of Land's End Road currently zoned R-C1 is not included in this rezoning exercise and will retain its R-C1 zoning designation. Only the portion of the lot identified with the address of 1300 which is physically located west of Lands End Road and which is currently zoned R3-A will be rezoned to R1-D; and

WHEREAS, Town staff further recommends removing metes and bounds descriptions of all zoning districts from this part of the Town Code, and replacing such descriptions with a reference to the Official Zoning Map for an accurate depiction of all

zoning districts; and

WHEREAS, upon the recommendation of Town zoning and administration staff, the Town Commission has determined that the rezoning and other amendments to the Town's zoning code contained in this ordinance are in the best interests of the citizens of the Town of Manalapan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, THAT:

Section 1. The foregoing recitals are hereby adopted as the legislative findings of the Town Commission and are hereby made a part of this ordinance as if they were fully stated in this section.

Section 2. The Code of Ordinances of the Town of Manalapan, Florida, is hereby amended at Chapter 151. Zoning, Sections 151.020 – 151.022, to provide for a revised and amended official zoning map which incorporates Zoning District R1-F as well as properties in Zoning District R3-A located west of Lands End Road into Zoning District R1-D; and to remove reference to Zoning District R1-F from the revised and amended map; and to delete metes and bounds descriptions of the boundaries of all zoning districts from the code; providing that Sections 151.020 – 151.022 shall hereafter read as follows:

ESTABLISHMENT AND DEFINITION OF ZONING DISTRICTS

§ - 151.020 ESTABLISHMENT OF ZONING DISTRICTS.

For the purpose of protecting, promoting and improving the public health, safety, morals and general welfare of the Town and its inhabitants, the Town is hereby divided into the following Zoning Districts:

- (A) *R1-A*. Residential, low density (single-family).
- (B) *R1-B*. Residential, low density (single-family).
- (C) *R1-C*. Residential, low density (single-family).
- (D) *R1-D*. Residential, low density (single-family).
- (E) *R1-E*. Residential, low density (single-family, recreational).

(F) Reserved

(G) *R2-A*. Residential, medium density (single-family, Townhouses, and municipal buildings and facilities).

(H) *R3-A*. Residential, medium density (single-family, two-family or Townhouses).

(I) *R3-B*. Residential, medium density (single-family, two-family, Townhouses, multi-family).

(J) *R-C1*. Residential-commercial (limited) (medium density; low intensity of use).

(K) *R-C2*. Residential (limited)-commercial (medium density; low intensity of use).

(L) *C3*. Commercial (limited) (medium density of use).

(M) *WS*. Water area/open space.

§ - 151.021 DISTRICT BOUNDARIES.

The boundaries of the Zoning Districts established in Sec. 151.020 above are as depicted on the "Official Zoning Map of the Town of Manalapan, Florida" formally adopted as the official zoning map for the Town pursuant to Sec. 151.022 below

§ - 151.022 ZONING MAP.

(A) The zoning map entitled Zoning Map of Manalapan, dated April 1988, prepared in the office of Executive Management and Engineering Consultants, Inc., depicting Zoning Districts R1-A, R1-B, R1-C, R1-D, R1-E, R1-F, R2-A, R3-A, R3-B, R-C1, R-C2, C3 and WS, is adopted in pursuance of Ordinance 97, as amended, and is and shall be the original official Zoning Map of the Town. An amended zoning map, dated April 2026, prepared by the Town depicting Zoning Districts R1-A, R1-B, R1-C, R1-D, R1-E, R2-A, R3-A, R3-B, R-C1, R-C2, C3 and WS is adopted pursuant to Ordinance 403 and upon such adoption shall supersede the 1988 zoning map and shall thereafter be the amended and revised official Zoning Map of the Town.

(B) The boundaries of the Zoning Districts may be shown upon a zoning map which depicts the Zoning Districts described herein and which the Town Commission may approve by ordinance adopted at any time. Any such approved zoning map or future successor amended approved zoning map is hereby adopted by reference

and is made a part hereof, and is entitled "Official Zoning Map of the Town of Manalapan, Florida."

- (C) The approved zoning map and all the notations, references and other information shown thereon are hereby made a part of this chapter as if such information set forth on the map were all fully described and set out herein. This zoning map, properly approved and adopted, shall remain at all times on file in the office of the Town Clerk. The boundaries of such Zoning Districts as are shown upon the zoning map adopted by this section, or any subsequent amendment thereto which in the future may be adopted by this section, are hereby adopted and approved, and the regulations of this chapter governing the use of land and buildings, the height of buildings, building site areas, the size of yards about buildings and other matters as hereinafter set forth, are hereby established and declared to be in effect upon all land included within the boundaries of each and every Zoning District shown upon such zoning map. Such an approved zoning map shall control the interpretation of Zoning District boundaries when in conflict with, inconsistent with or at variance with legal descriptions set forth in this chapter or elsewhere.

Section 3. The Code of Ordinances of the Town of Manalapan, Florida, is hereby amended at Chapter 151. Zoning, by repealing in their entirety Sections 151.250 through 151.268 that formerly provided land development regulations for the R1-F Zoning District which is now being combined into the R1-D Zoning District; further reserving these sections for future use:

§§ 151.250 151.289 - RESERVED.

Section 4. For clarity and specificity, Lot 1300 located east of Land's End Road currently zoned R-C1 is not included in this rezoning exercise and will retain its R-C1 zoning designation. Only the portion of the lot identified with the address of 1300 which is physically located west of Lands End Road and which is currently zoned R3-A will be rezoned to R1-D.

Section 5. Each and every other section and subsection of Chapter 151. Zoning, shall remain in full force and effect as previously adopted.

Section 6. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 7. If any section or provision of this ordinance, any paragraph, sentence or word is declared invalid by a court of competent jurisdiction, the decision shall not affect the validity of the remainder of this ordinance.

Section 8. Specific authority is hereby given to codify this ordinance into the Code of Ordinances of the Town of Manalapan.

Section 9. This ordinance will take effect immediately upon adoption.

FIRST READING this 23rd day of June 2026.

SECOND & FINAL READING this ____ day of July 2026.

TOWN OF MANALAPAN

John Deese, Mayor

ATTEST:

(SEAL)

Erika Petersen, Town Clerk

TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: PH. 2

Agenda Item Name: Ordinance #402

BACKGROUND:

Ordinance #402 - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTER 151. ZONING. CREATING AN ENTIRELY NEW DIVISION "BOATS, BOATHOUSES, DOCKS, BULKHEADS" UTILIZING RESERVED CODE SECTIONS 151.585 THROUGH 151.600; RELOCATING ALL EXISTING BOAT, DOCK, BOATHOUSE AND BULKHEAD ZONING REGULATIONS INTO THIS ONE NEW DIVISION; DIVIDING THE TOWN INTO 16 WATERWAY ZONES BASED ON CURRENT CODE REQUIREMENTS FOR DOCKS; REPEALING THE RELOCATED CODE PROVISIONS FROM EACH ZONING DISTRICT'S SET OF CODES; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 151. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (Second Reading)

This ordinance, as a companion piece to Ordinance #401, reorganizes and consolidates all of the Town's regulations governing boats, boathouses, docks, and bulkheads into a single, dedicated section of the zoning code. Its purpose is to make these regulations easier to locate, understand, administer, and enforce by removing them from the individual zoning district regulations and placing them in one centralized division. The ordinance also establishes a system of waterway zones that reflects the Town's existing dock regulations, creating a more logical framework for managing waterfront development while maintaining consistency with current requirements. The Town approved this ordinance on first reading at its June 23rd Town Commission meeting.

MOTION:

- Move to approve/disapprove Ordinance #402 on Second Reading.

ATTACHMENTS:

- Ordinance #402

ORDINANCE NO. 402

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTER 151. ZONING. CREATING AN ENTIRELY NEW DIVISION “BOATS, BOATHOUSES, DOCKS, BULKHEADS” UTILIZING RESERVED CODE SECTIONS 151.585 THROUGH 151.600; RELOCATING ALL EXISTING BOAT, DOCK, BOATHOUSE AND BULKHEAD ZONING REGULATIONS INTO THIS ONE NEW DIVISION; DIVIDING THE TOWN INTO 16 WATERWAY ZONES BASED ON CURRENT CODE REQUIREMENTS FOR DOCKS; REPEALING THE RELOCATED CODE PROVISIONS FROM EACH ZONING DISTRICT’S SET OF CODES; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 151. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Town Staff has undertaken a comprehensive review of the Town’s Zoning Code, including each zoning district; and

WHEREAS, the result of this comprehensive review is a recommendation to the Town Commission to consolidate all Town boat, dock, and bulkhead codes into one single division which divides the Town into “Waterway Zones” based on current dock regulations throughout the Town; and

WHEREAS, it is further recommended to thereafter repeal the relocated boat, dock, and bulkhead code provisions out of each individual zoning district’s set of codes; and

WHEREAS, upon the recommendation of Town zoning and administration staff, the Town Commission has determined that the amendments to the Town’s zoning code contained in this ordinance are in the best interests of the citizens of the Town of Manalapan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, THAT:

Section 1. The foregoing recitals are hereby adopted as the legislative findings of the Town Commission and are hereby made a part of this ordinance as if they were fully

stated in this section.

Section 2. The Code of Ordinances of the Town of Manalapan, Florida, is hereby amended at Chapter 151. Zoning, by creating an entirely new Division entitled “Boats, Boathouses, Docks, Bulkheads;” utilizing reserved code sections 151.585 et seq.; Dividing the Town into separate and distinct waterway zones; providing regulations; providing that Boats, Boathouses, Docks, Bulkheads shall hereafter read as follows:

BOATS, BOATHOUSES, DOCKS, BULKHEADS

Sec. 151.585 WATERWAY ZONE W-1 (Lands End Road, West Side Only, 1225 through 1735 - Zoning District R1-D, Portions Formerly R1-F, Portions Formerly R3-A).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

(A) Boathouses. Boathouses are not permitted.

(B) Docks. No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

- (1)** All docks projecting from any lot or lot of record located on the west side of Lands End Road shall project waterward from the associated lot or lot of record or seawall, a minimum length necessary (evidenced by bathymetric surveys)

to reach a terminus and mooring area located in a water depth of three (3) feet of water at MLW. The maximum length of any such dock projecting from any lot or lot of record on the west side of Lands End Road is eighty (80) feet.

(a) The required bathymetric surveys shall be taken from the seawall of the subject lot out across the water for a distance sufficient to demonstrate the width of the navigable waterway or channel (as defined in Section 151.003) in order to demonstrate that the dock in question will not prevent passage through the waterway or channel.

(b) Three (3) bathymetric surveys, one (1) each, shall be taken parallel to and originating from each lot line and the point from which the dock is to project in order to meet the above requirements.

(2) Notwithstanding the minimum and maximum dock lengths provided for this zoning district, no dock shall project waterward to the extent where its terminus and mooring area with associated boatlift(s), dolphin and other piling project into any U.S. Coast Guard defined and marked navigational channel or charted navigational channel.

(3) Conventional docks including the stem shall be centered on the lot or lot of record or within ten (10) feet of such center point and shall run parallel with the side lot lines of the lot or lot of record on which it is located. On a lot or lot of record having a width of three hundred (300) feet or greater, the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.

(4) No dock finger or projection shall extend from the stem of a dock unless it is in a "T" or "L" configuration located at the furthest waterward projection of the dock, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection specified herein above with the maximum terminus width limited to fifty (50) feet. However, if the subject dock projects from a lot or lot of record having a width greater than or equal to three hundred (300) feet, a maximum dock terminus width of seventy-five (75) feet

shall be permitted so long as the dock or any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, is setback at least fifty (50) feet from the extended side lot lines.

- (5) Davits are not permitted; other dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted. Those dock accessory structures consisting of a flat surface or platform shall be included in all calculations related to a dock's size, location, maximum allowable width, and compliance with side setbacks. Those dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable width, and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.
- (6) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.
- (7) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.
- (8) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (9) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (10) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (11) Floating docks are permissible, provided the following regulations are met:

- (a) The width of the surface of each floating dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length.
 - (b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.
 - (c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.
 - (d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.
 - (e) A floating dock attached to, adjacent to, or associated with a conventional dock shall be considered one (1) dock. As such, the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section, and the limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to the floating dock as part of the conventional dock.
- (12) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by

bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.

- (13) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.
- (14) No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin piling, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines; except a shorter setback of up to not less than fifteen (15) feet may be permitted only to the extent necessary in order for the dock to be permitted by any other governmental body or agency having jurisdiction due to the location of sea grasses or due to the depth of the water or due to any other Town recognized environmental concern or matter.
- (15) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent

or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(C) Docking boats.

- (1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.
- (2) No portion of any docked boat, ship or water vessel shall project closer than twenty five (25) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty five (25) feet to any lot or lot of record to which such dock is not accessory.
- (3) The total of the length of any and all boats, ships or water vessels docked at any dock at any given time shall not exceed in length fifty (50) percent of the bulkhead length of the lot to which such dock is accessory and in no event shall any more than three (3) boats, ships or water vessels be docked at, tied to or rafted to any dock at any one time.
- (4) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.
- (5) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.
- (6) Houseboats are strictly prohibited.

(D) Fishing piers. A fishing pier is permitted as an accessory use and structure only where a dock is not established and cannot be established in conformance with all applicable statutes, ordinances, rules and regulations. No pier shall be located, erected, construction, added on to, expanded, extended, replaced, reconstructed or altered upon or projection from any lot or lot of record unless in

strict conformance with the following and all other applicable statutes, ordinances, rules and regulations.

(1) No piers other than fishing piers are permitted.

(2) No fishing pier shall project waterward from any lot, lot of record or seawall, whichever is less, more than twenty (20) feet, provided, however, if the terminus of such fishing pier is unable to project six (6) feet beyond the mean high water line or the boles (trunks) of any proximate (within ten (10) feet) mangroves, then the length of such fishing pier may be extended waterward so its terminus does reach six (6) feet of length beyond such mean high water line or boles of such proximate mangroves, whichever is further, but in no event shall any fishing pier project waterward more than thirty-five (35) feet.

(3) The width of the surface of each fishing pier shall be four (4) feet, no less and no more; and no portion of any fishing pier, except its integrated structural piling, shall horizontally project beyond the surface or perpendicular plane of the edge of the surface.

(4) The stem of each fishing pier shall be straight from beginning to end (terminus).

(5) The stem of each fishing pier shall be centered on the lot line of the lot or lot of record from which it projects waterward, or within ten (10) feet of such center point.

(6) The stem of each fishing pier shall be perpendicular to the seawall or, if no seawall, perpendicular to the average projection of the lot or lot of record running parallel to the water.

(7) No fishing pier finger or other projection shall extend from the stem of a fishing pier unless it is in a "T" or "L" configuration located at the furthest waterward projection of the fishing pier, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection allowed, and the total dimensions of such terminus not to exceed twelve (12) feet in length at the required four (4) feet in width for a maximum total area of forty-eight (48) square feet.

- (8) The surface of any fishing pier shall not project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (9) Only hand rail facilities with stanchions and hand rails not exceeding in diameter one and one-half (1½) inches and with attached required lighting shall project in height above the surface of the fishing pier. Fishing pier pilings shall not project above the surface of the fishing pier. The hand rail facility may include intermediate rail(s) or cable(s) parallel to and between the hand rail and surface of the fishing pier.
- (10) Hand rail facilities shall enclose the fishing pier in its entirety. Hand rail facilities shall be as inconspicuous as practicable. Hand rails shall be forty-two (42) inches, no more and no less, above the surface of the fishing pier and shall be designed, constructed and maintained for only the following purposes: safety, precluding use of the fishing pier as a dock, and providing as little visual and aesthetic impact as possible. Hand rails shall be and be maintained without break or interruption.
- (11) No ladders, either fixed or removable, shall be permitted except one (1) safety ladder may be attached to or built into the fishing pier piling immediately landward of either the mean high water line or seaward of the boles of any proximate mangroves, whichever is more seaward.
- (12) No boat or watercraft shall be permitted to be tied to, elevated at or from, or moored on, at or under any fishing pier at any time.
- (13) No gear, trash receptacle, equipment, boat or watercraft or other personal property shall be permitted in or on any fishing pier, provided, however, fishing tackle and gear are permitted only so long as the fishing pier is in fact actually in use for fishing by a fisherperson.
- (14) Only one (1) bench placed at the terminus of a fishing pier is permitted, provided such bench is no more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (15) No fish cleaning tables are permitted in or on any fishing pier.

- (16) Fishing pier color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (17) Fishing piers are permitted to be accessory uses and accessory structures only and no more than one (1) fishing pier as an accessory use and structure may be on or project from any lot or lot of record.
- (18) No fishing pier or portion of a fishing pier shall be located closer than twenty-five (25) feet to any other fishing pier or portion thereof or any dock or portion thereof or any dolphin pilings for any dock or to any other lot or lot of record to which such fishing pier is not accessory or to the closest portion of the side lot line of the lot or lot of record from which the dock projects or the waterward projection or extension of such lot line.
- (19) Each fishing pier shall have solely and only one (1) light, which light shall be located at its terminus, shall be maintained in good working order, shall cast a clear white or yellow light, not to exceed sixty (60) watts, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project over the fishing pier surface higher than forty-eight (48) inches, shall be connected to a post of the hand railing and shall deflect not less than forty-five (45) degrees down.
- (20) No utilities other than electric service solely and only for the required one (1) light shall be allowed in, on or attached to any fishing pier.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.586 WATERWAY ZONE W-2 (Lands End Road, South End East Side Only, 1700 through 1730 - Zoning District R1-D, Formerly R1-F).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and

not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

A. *Boathouses.* Boathouses are not permitted.

B. *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) Docks shall project a minimum length necessary to reach a terminus and mooring area located in a water depth of three (3) feet at mean low water (MLW) evidenced by bathymetric surveys, and may project no more than seventy-five (75) feet, inclusive of dolphin pilings for lots 1700—1730 as depicted on the Official Town Zoning Map.

(a) The required bathymetric surveys shall be taken from the seawall of the subject lot out across the water for a distance sufficient to demonstrate the width of the navigable waterway or channel (as defined in Section 151.003) in order to demonstrate that the dock in question will not prevent passage through the waterway or channel.

(b) Three (3) bathymetric surveys, one (1) each, shall be taken parallel to and originating from each lot line and the point from which the dock is to project in order to meet the above requirements.

(2) Notwithstanding the minimum and maximum dock lengths provided for this zoning district, no dock shall project waterward to the extent where its terminus and mooring area with associated boatlift(s), dolphin and other piling project into any U.S. Coast Guard defined and marked navigational channel or charted navigational channel.

(3) Conventional docks including the stem shall be centered on the lot or lot of record or within ten (10) feet of such center point and shall run parallel with the

side lot lines of the lot or lot of record on which it is located. On a lot or lot of record having a width of three hundred (300) feet or greater, the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.

(4) No dock finger or projection shall extend from the stem of a dock unless it is in a "T" or "L" configuration located at the furthest waterward projection of the dock, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection specified herein above with the maximum terminus width limited to fifty (50) feet. However, if the subject dock projects from a lot or lot of record having a width greater than or equal to three hundred (300) feet, a maximum dock terminus width of seventy-five (75) feet shall be permitted so long as the dock or any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, is setback at least fifty (50) feet from the extended side lot lines.

(5) Davits are not permitted; other dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted. Those dock accessory structures consisting of a flat surface or platform shall be included in all calculations related to a dock's size, location, maximum allowable width, and compliance with side setbacks. Those dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable width, and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.

(6) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.

- (7) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.
- (8) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (9) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (10) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (11) Floating docks are permissible, provided the following regulations are met:
- (a) The width of the surface of each floating dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length.
 - (b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.
 - (c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.
 - (d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and

connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.

(e) A floating dock attached to, adjacent to, or associated with a conventional dock shall be considered one (1) dock. As such, the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section, and the limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to the floating dock as part of the conventional dock.

(12) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.

(13) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.

(14) No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin piling, shall be located closer than twenty-five (25) feet

to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines; except a shorter setback of up to not less than fifteen (15) feet may be permitted only to the extent necessary in order for the dock to be permitted by any other governmental body or agency having jurisdiction due to the location of sea grasses or due to the depth of the water or due to any other Town recognized environmental concern or matter.

(15) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(C) Docking boats.

- (1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.
- (2) No portion of any docked boat, ship or water vessel shall project closer than twenty (20) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty (20) feet to any lot or lot of record to which such dock is not accessory.
- (3) The total of the length of any and all boats, ships or water vessels docked at any dock at any given time shall not exceed in length fifty (50) percent of the bulkhead length of the lot to which such dock is accessory and in no event shall any more than three (3) boats, ships or water vessels be docked at, tied to or rafted to any dock at any one time.

- (4) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.
- (5) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.
- (6) Houseboats are strictly prohibited.

(D) *Fishing piers.* A fishing pier is permitted as an accessory use and structure only where a dock is not established and cannot be established in conformance with all applicable statutes, ordinances, rules and regulations. No pier shall be located, erected, construction, added on to, expanded, extended, replaced, reconstructed or altered upon or projection from any lot or lot of record unless in strict conformance with the following and all other applicable statutes, ordinances, rules and regulations.

- (1) No piers other than fishing piers are permitted.
- (2) No fishing pier shall project waterward from any lot, lot of record or seawall, whichever is less, more than twenty (20) feet, provided, however, if the terminus of such fishing pier is unable to project six (6) feet beyond the mean high water line or the boles (trunks) of any proximate (within ten (10) feet) mangroves, then the length of such fishing pier may be extended waterward so its terminus does reach six (6) feet of length beyond such mean high water line or boles of such proximate mangroves, whichever is further, but in no event shall any fishing pier project waterward more than thirty-five (35) feet.
- (3) The width of the surface of each fishing pier shall be four (4) feet, no less and no more; and no portion of any fishing pier, except its integrated structural piling, shall horizontally project beyond the surface or perpendicular plane of the edge of the surface.
- (4) The stem of each fishing pier shall be straight from beginning to end (terminus).
- (5) The stem of each fishing pier shall be centered on the lot line of the lot or lot of record from which it projects waterward, or within ten (10) feet of such center point.

- (6) The stem of each fishing pier shall be perpendicular to the seawall or, if no seawall, perpendicular to the average projection of the lot or lot of record running parallel to the water.
- (7) No fishing pier finger or other projection shall extend from the stem of a fishing pier unless it is in a "T" or "L" configuration located at the furthest waterward projection of the fishing pier, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection allowed, and the total dimensions of such terminus not to exceed twelve (12) feet in length at the required four (4) feet in width for a maximum total area of forty-eight (48) square feet.
- (8) The surface of any fishing pier shall not project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (9) Only hand rail facilities with stanchions and hand rails not exceeding in diameter one and one-half (1½) inches and with attached required lighting shall project in height above the surface of the fishing pier. Fishing pier pilings shall not project above the surface of the fishing pier. The hand rail facility may include intermediate rail(s) or cable(s) parallel to and between the hand rail and surface of the fishing pier.
- (10) Hand rail facilities shall enclose the fishing pier in its entirety. Hand rail facilities shall be as inconspicuous as practicable. Hand rails shall be forty-two (42) inches, no more and no less, above the surface of the fishing pier and shall be designed, constructed and maintained for only the following purposes: safety, precluding use of the fishing pier as a dock, and providing as little visual and aesthetic impact as possible. Hand rails shall be and be maintained without break or interruption.
- (11) No ladders, either fixed or removable, shall be permitted except one (1) safety ladder may be attached to or built into the fishing pier piling immediately landward of either the mean high water line or seaward of the boles of any proximate mangroves, whichever is more seaward.

- (12) No boat or watercraft shall be permitted to be tied to, elevated at or from, or moored on, at or under any fishing pier at any time.
- (13) No gear, trash receptacle, equipment, boat or watercraft or other personal property shall be permitted in or on any fishing pier, provided, however, fishing tackle and gear are permitted only so long as the fishing pier is in fact actually in use for fishing by a fisherperson.
- (14) Only one (1) bench placed at the terminus of a fishing pier is permitted, provided such bench is no more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (15) No fish cleaning tables are permitted in or on any fishing pier.
- (16) Fishing pier color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (17) Fishing piers are permitted to be accessory uses and accessory structures only and no more than one (1) fishing pier as an accessory use and structure may be on or project from any lot or lot of record.
- (18) No fishing pier or portion of a fishing pier shall be located closer than twenty-five (25) feet to any other fishing pier or portion thereof or any dock or portion thereof or any dolphin pilings for any dock or to any other lot or lot of record to which such fishing pier is not accessory or to the closest portion of the side lot line of the lot or lot of record from which the dock projects or the waterward projection or extension of such lot line.
- (19) Each fishing pier shall have solely and only one (1) light, which light shall be located at its terminus, shall be maintained in good working order, shall cast a clear white or yellow light, not to exceed sixty (60) watts, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project over the fishing pier surface higher than forty-eight (48) inches, shall be connected to a post of the hand railing and shall deflect not less than forty-five (45) degrees down.
- (20) No utilities other than electric service solely and only for the required one (1) light shall be allowed in, on or attached to any fishing pier.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.587 WATERWAY ZONE W-3 (Lands End Road, South End East Side Only, 1650 through 1690 - Zoning District R1-D, Formerly R1-F).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

A. *Boathouses.* Boathouses are not permitted.

B. *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) Docks shall project a minimum length necessary to reach a terminus and mooring area located in a water depth of three (3) feet at mean low water (MLW) evidenced by bathymetric surveys, and may project no more than fifty-five (55) feet inclusive of dolphin pilings for lots 1650—1690 as depicted on the Official Town Zoning Map.

(a) The required bathymetric surveys shall be taken from the seawall of the subject lot out across the water for a distance sufficient to demonstrate the width of the navigable waterway or channel (as defined in Section 151.003) in order to demonstrate that the dock in question will not prevent passage through the waterway or channel.

- (b) Three (3) bathymetric surveys, one (1) each, shall be taken parallel to and originating from each lot line and the point from which the dock is to project in order to meet the above requirements.
- (2) Notwithstanding the minimum and maximum dock lengths provided for this zoning district, no dock shall project waterward to the extent where its terminus and mooring area with associated boatlift(s), dolphin and other piling project into any U.S. Coast Guard defined and marked navigational channel or charted navigational channel.
- (3) Conventional docks including the stem shall be centered on the lot or lot of record or within ten (10) feet of such center point and shall run parallel with the side lot lines of the lot or lot of record on which it is located. On a lot or lot of record having a width of three hundred (300) feet or greater, the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.
- (4) No dock finger or projection shall extend from the stem of a dock unless it is in a "T" or "L" configuration located at the furthest waterward projection of the dock, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection specified herein above with the maximum terminus width limited to fifty (50) feet. However, if the subject dock projects from a lot or lot of record having a width greater than or equal to three hundred (300) feet, a maximum dock terminus width of seventy-five (75) feet shall be permitted so long as the dock or any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, is setback at least fifty (50) feet from the extended side lot lines.
- (5) Davits are not permitted; other dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted. Those dock accessory structures consisting of a flat surface or platform shall be included in all calculations related to a dock's size, location, maximum allowable width, and compliance with side setbacks. Those dock

accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable width, and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.

(6) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.

(7) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.

(8) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.

(9) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.

(10) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.

(11) Floating docks are permissible, provided the following regulations are met:

(a) The width of the surface of each floating dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length.

(b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall

operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

- (c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.
 - (d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.
 - (e) A floating dock attached to, adjacent to, or associated with a conventional dock shall be considered one (1) dock. As such, the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section, and the limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to the floating dock as part of the conventional dock.
- (12) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.
- (13) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of

occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.

(14) No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin piling, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines; except a shorter setback of up to not less than fifteen (15) feet may be permitted only to the extent necessary in order for the dock to be permitted by any other governmental body or agency having jurisdiction due to the location of sea grasses or due to the depth of the water or due to any other Town recognized environmental concern or matter.

(15) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(C) Docking boats.

(1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.

(2) No portion of any docked boat, ship or water vessel shall project closer than twenty (20) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty (20) feet to any lot or lot of record to which such dock is not accessory.

(3) The total of the length of any and all boats, ships or water vessels docked at any dock at any given time shall not exceed in length fifty (50) percent of the bulkhead length of the lot to which such dock is accessory and in no event shall any more than three (3) boats, ships or water vessels be docked at, tied to or rafted to any dock at any one time.

(4) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.

(5) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.

(6) Houseboats are strictly prohibited.

(D) *Fishing piers.* A fishing pier is permitted as an accessory use and structure only where a dock is not established and cannot be established in conformance with all applicable statutes, ordinances, rules and regulations. No pier shall be located, erected, construction, added on to, expanded, extended, replaced, reconstructed or altered upon or projection from any lot or lot of record unless in strict conformance with the following and all other applicable statutes, ordinances, rules and regulations.

(1) No piers other than fishing piers are permitted.

(2) No fishing pier shall project waterward from any lot, lot of record or seawall, whichever is less, more than twenty (20) feet, provided, however, if the terminus of such fishing pier is unable to project six (6) feet beyond the mean high water line or the boles (trunks) of any proximate (within ten (10) feet) mangroves, then the length of such fishing pier may be extended waterward so its terminus does reach six (6) feet of length beyond such mean high water

- line or boles of such proximate mangroves, whichever is further, but in no event shall any fishing pier project waterward more than thirty-five (35) feet.
- (3) The width of the surface of each fishing pier shall be four (4) feet, no less and no more; and no portion of any fishing pier, except its integrated structural piling, shall horizontally project beyond the surface or perpendicular plane of the edge of the surface.
- (4) The stem of each fishing pier shall be straight from beginning to end (terminus).
- (5) The stem of each fishing pier shall be centered on the lot line of the lot or lot of record from which it projects waterward, or within ten (10) feet of such center point.
- (6) The stem of each fishing pier shall be perpendicular to the seawall or, if no seawall, perpendicular to the average projection of the lot or lot of record running parallel to the water.
- (7) No fishing pier finger or other projection shall extend from the stem of a fishing pier unless it is in a "T" or "L" configuration located at the furthest waterward projection of the fishing pier, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection allowed, and the total dimensions of such terminus not to exceed twelve (12) feet in length at the required four (4) feet in width for a maximum total area of forty-eight (48) square feet.
- (8) The surface of any fishing pier shall not project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (9) Only hand rail facilities with stanchions and hand rails not exceeding in diameter one and one-half (1½) inches and with attached required lighting shall project in height above the surface of the fishing pier. Fishing pier pilings shall not project above the surface of the fishing pier. The hand rail facility may include intermediate rail(s) or cable(s) parallel to and between the hand rail and surface of the fishing pier.

- (10) Hand rail facilities shall enclose the fishing pier in its entirety. Hand rail facilities shall be as inconspicuous as practicable. Hand rails shall be forty-two (42) inches, no more and no less, above the surface of the fishing pier and shall be designed, constructed and maintained for only the following purposes: safety, precluding use of the fishing pier as a dock, and providing as little visual and aesthetic impact as possible. Hand rails shall be and be maintained without break or interruption.
- (11) No ladders, either fixed or removable, shall be permitted except one (1) safety ladder may be attached to or built into the fishing pier piling immediately landward of either the mean high water line or seaward of the boles of any proximate mangroves, whichever is more seaward.
- (12) No boat or watercraft shall be permitted to be tied to, elevated at or from, or moored on, at or under any fishing pier at any time.
- (13) No gear, trash receptacle, equipment, boat or watercraft or other personal property shall be permitted in or on any fishing pier, provided, however, fishing tackle and gear are permitted only so long as the fishing pier is in fact actually in use for fishing by a fisherperson.
- (14) Only one (1) bench placed at the terminus of a fishing pier is permitted, provided such bench is no more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (15) No fish cleaning tables are permitted in or on any fishing pier.
- (16) Fishing pier color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (17) Fishing piers are permitted to be accessory uses and accessory structures only and no more than one (1) fishing pier as an accessory use and structure may be on or project from any lot or lot of record.
- (18) No fishing pier or portion of a fishing pier shall be located closer than twenty-five (25) feet to any other fishing pier or portion thereof or any dock or portion thereof or any dolphin pilings for any dock or to any other lot or lot of record to which such fishing pier is not accessory or to the closest portion of the side

lot line of the lot or lot of record from which the dock projects or the waterward projection or extension of such lot line.

(19) Each fishing pier shall have solely and only one (1) light, which light shall be located at its terminus, shall be maintained in good working order, shall cast a clear white or yellow light, not to exceed sixty (60) watts, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project over the fishing pier surface higher than forty-eight (48) inches, shall be connected to a post of the hand railing and shall deflect not less than forty-five (45) degrees down.

(20) No utilities other than electric service solely and only for the required one (1) light shall be allowed in, on or attached to any fishing pier.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.588 WATERWAY ZONE W-4 (Lands End Road, South End East Side Only, 1620 through 1640 - Zoning District R1-D, Formerly R1-F).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

A. *Boathouses.* Boathouses are not permitted.

B. *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town.

Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) Docks shall project a minimum length necessary to reach a terminus and mooring area located in a water depth of three (3) feet at mean low water (MLW) evidenced by bathymetric surveys, and may project no more than thirty-five (35) feet inclusive of dolphin pilings for lots 1620—1640 as depicted on the Official Town Zoning Map.

(a) The required bathymetric surveys shall be taken from the seawall of the subject lot out across the water for a distance sufficient to demonstrate the width of the navigable waterway or channel (as defined in Section 151.003) in order to demonstrate that the dock in question will not prevent passage through the waterway or channel.

(b) Three (3) bathymetric surveys, one (1) each, shall be taken parallel to and originating from each lot line and the point from which the dock is to project in order to meet the above requirements.

(2) Notwithstanding the minimum and maximum dock lengths provided for this zoning district, no dock shall project waterward to the extent where its terminus and mooring area with associated boatlift(s), dolphin and other piling project into any U.S. Coast Guard defined and marked navigational channel or charted navigational channel.

(3) Conventional docks including the stem shall be centered on the lot or lot of record or within ten (10) feet of such center point and shall run parallel with the side lot lines of the lot or lot of record on which it is located. On a lot or lot of record having a width of three hundred (300) feet or greater, the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.

(4) No dock finger or projection shall extend from the stem of a dock unless it is in a "T" or "L" configuration located at the furthest waterward projection of the dock, the total waterward projection of the stem and "T" or "L" addition not to

exceed the maximum waterward projection specified herein above with the maximum terminus width limited to fifty (50) feet. However, if the subject dock projects from a lot or lot of record having a width greater than or equal to three hundred (300) feet, a maximum dock terminus width of seventy-five (75) feet shall be permitted so long as the dock or any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, is setback at least fifty (50) feet from the extended side lot lines.

- (5) Davits are not permitted; other dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted. Those dock accessory structures consisting of a flat surface or platform shall be included in all calculations related to a dock's size, location, maximum allowable width, and compliance with side setbacks. Those dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable width, and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.
- (6) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.
- (7) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.
- (8) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (9) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.

- (10) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (11) Floating docks are permissible, provided the following regulations are met:
- (a) The width of the surface of each floating dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length.
 - (b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.
 - (c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.
 - (d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.
 - (e) A floating dock attached to, adjacent to, or associated with a conventional dock shall be considered one (1) dock. As such, the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section, and the limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock

location shall be applied to the floating dock as part of the conventional dock.

- (12) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.
- (13) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.
- (14) No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin piling, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines; except a shorter setback of up to not less than fifteen (15) feet may be permitted only to the extent necessary in order for the dock to be permitted by any other governmental body or agency having

jurisdiction due to the location of sea grasses or due to the depth of the water or due to any other Town recognized environmental concern or matter.

(15) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(C) Docking boats.

(1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.

(2) No portion of any docked boat, ship or water vessel shall project closer than twenty (20) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty (20) feet to any lot or lot of record to which such dock is not accessory.

(3) The total of the length of any and all boats, ships or water vessels docked at any dock at any given time shall not exceed in length fifty (50) percent of the bulkhead length of the lot to which such dock is accessory and in no event shall any more than three (3) boats, ships or water vessels be docked at, tied to or rafted to any dock at any one time.

(4) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.

(5) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.

(6) Houseboats are strictly prohibited.

(D) *Fishing piers.* A fishing pier is permitted as an accessory use and structure only where a dock is not established and cannot be established in conformance with all applicable statutes, ordinances, rules and regulations. No pier shall be located, erected, construction, added on to, expanded, extended, replaced, reconstructed or altered upon or projection from any lot or lot of record unless in strict conformance with the following and all other applicable statutes, ordinances, rules and regulations.

(1) No piers other than fishing piers are permitted.

(2) No fishing pier shall project waterward from any lot, lot of record or seawall, whichever is less, more than twenty (20) feet, provided, however, if the terminus of such fishing pier is unable to project six (6) feet beyond the mean high water line or the boles (trunks) of any proximate (within ten (10) feet) mangroves, then the length of such fishing pier may be extended waterward so its terminus does reach six (6) feet of length beyond such mean high water line or boles of such proximate mangroves, whichever is further, but in no event shall any fishing pier project waterward more than thirty-five (35) feet.

(3) The width of the surface of each fishing pier shall be four (4) feet, no less and no more; and no portion of any fishing pier, except its integrated structural piling, shall horizontally project beyond the surface or perpendicular plane of the edge of the surface.

(4) The stem of each fishing pier shall be straight from beginning to end (terminus).

(5) The stem of each fishing pier shall be centered on the lot line of the lot or lot of record from which it projects waterward, or within ten (10) feet of such center point.

(6) The stem of each fishing pier shall be perpendicular to the seawall or, if no seawall, perpendicular to the average projection of the lot or lot of record running parallel to the water.

(7) No fishing pier finger or other projection shall extend from the stem of a fishing pier unless it is in a "T" or "L" configuration located at the furthest waterward projection of the fishing pier, the total waterward projection of the stem and

- "T" or "L" addition not to exceed the maximum waterward projection allowed, and the total dimensions of such terminus not to exceed twelve (12) feet in length at the required four (4) feet in width for a maximum total area of forty-eight (48) square feet.
- (8) The surface of any fishing pier shall not project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (9) Only hand rail facilities with stanchions and hand rails not exceeding in diameter one and one-half (1½) inches and with attached required lighting shall project in height above the surface of the fishing pier. Fishing pier pilings shall not project above the surface of the fishing pier. The hand rail facility may include intermediate rail(s) or cable(s) parallel to and between the hand rail and surface of the fishing pier.
- (10) Hand rail facilities shall enclose the fishing pier in its entirety. Hand rail facilities shall be as inconspicuous as practicable. Hand rails shall be forty-two (42) inches, no more and no less, above the surface of the fishing pier and shall be designed, constructed and maintained for only the following purposes: safety, precluding use of the fishing pier as a dock, and providing as little visual and aesthetic impact as possible. Hand rails shall be and be maintained without break or interruption.
- (11) No ladders, either fixed or removable, shall be permitted except one (1) safety ladder may be attached to or built into the fishing pier piling immediately landward of either the mean high water line or seaward of the boles of any proximate mangroves, whichever is more seaward.
- (12) No boat or watercraft shall be permitted to be tied to, elevated at or from, or moored on, at or under any fishing pier at any time.
- (13) No gear, trash receptacle, equipment, boat or watercraft or other personal property shall be permitted in or on any fishing pier, provided, however, fishing tackle and gear are permitted only so long as the fishing pier is in fact actually in use for fishing by a fisherperson.

- (14) Only one (1) bench placed at the terminus of a fishing pier is permitted, provided such bench is no more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (15) No fish cleaning tables are permitted in or on any fishing pier.
- (16) Fishing pier color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (17) Fishing piers are permitted to be accessory uses and accessory structures only and no more than one (1) fishing pier as an accessory use and structure may be on or project from any lot or lot of record.
- (18) No fishing pier or portion of a fishing pier shall be located closer than twenty-five (25) feet to any other fishing pier or portion thereof or any dock or portion thereof or any dolphin pilings for any dock or to any other lot or lot of record to which such fishing pier is not accessory or to the closest portion of the side lot line of the lot or lot of record from which the dock projects or the waterward projection or extension of such lot line.
- (19) Each fishing pier shall have solely and only one (1) light, which light shall be located at its terminus, shall be maintained in good working order, shall cast a clear white or yellow light, not to exceed sixty (60) watts, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project over the fishing pier surface higher than forty-eight (48) inches, shall be connected to a post of the hand railing and shall deflect not less than forty-five (45) degrees down.
- (20) No utilities other than electric service solely and only for the required one (1) light shall be allowed in, on or attached to any fishing pier.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.589 WATERWAY ZONE W-5 (Lands End Road, South End East Side Only, Lot 1520 - Zoning District R1-D, Formerly R1-F).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

A. *Boathouses.* Boathouses are not permitted.

B. *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) Docks shall project a minimum length necessary to reach a terminus and mooring area located in a water depth of three (3) feet at mean low water (MLW) evidenced by bathymetric surveys, and may project no more than twenty (20) feet not inclusive of dolphin pilings for lot 1520 as depicted on the Official Town Zoning Map.

(a) The required bathymetric surveys shall be taken from the seawall of the subject lot out across the water for a distance sufficient to demonstrate the width of the navigable waterway or channel (as defined in Section 151.003) in order to demonstrate that the dock in question will not prevent passage through the waterway or channel.

(b) Three (3) bathymetric surveys, one (1) each, shall be taken parallel to and originating from each lot line and the point from which the dock is to project in order to meet the above requirements.

(2) Notwithstanding the minimum and maximum dock lengths provided for this zoning district, no dock shall project waterward to the extent where its terminus and mooring area with associated boatlift(s), dolphin and other piling project

into any U.S. Coast Guard defined and marked navigational channel or charted navigational channel.

- (3) Conventional docks including the stem shall be centered on the lot or lot of record or within ten (10) feet of such center point and shall run parallel with the side lot lines of the lot or lot of record on which it is located. On a lot or lot of record having a width of three hundred (300) feet or greater, the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.
- (4) No dock finger or projection shall extend from the stem of a dock unless it is in a "T" or "L" configuration located at the furthest waterward projection of the dock, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection specified herein above with the maximum terminus width limited to fifty (50) feet. However, if the subject dock projects from a lot or lot of record having a width greater than or equal to three hundred (300) feet, a maximum dock terminus width of seventy-five (75) feet shall be permitted so long as the dock or any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, is setback at least fifty (50) feet from the extended side lot lines.
- (5) Davits are not permitted; other dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted. Those dock accessory structures consisting of a flat surface or platform shall be included in all calculations related to a dock's size, location, maximum allowable width, and compliance with side setbacks. Those dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable width, and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment,

boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.

(6) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.

(7) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.

(8) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.

(9) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.

(10) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.

(11) Floating docks are permissible, provided the following regulations are met:

(a) The width of the surface of each floating dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length.

(b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

- (c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.
- (d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.
- (e) A floating dock attached to, adjacent to, or associated with a conventional dock shall be considered one (1) dock. As such, the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section, and the limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to the floating dock as part of the conventional dock.
- (12) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.
- (13) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official

issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.

(14) No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin piling, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines; except a shorter setback of up to not less than fifteen (15) feet may be permitted only to the extent necessary in order for the dock to be permitted by any other governmental body or agency having jurisdiction due to the location of sea grasses or due to the depth of the water or due to any other Town recognized environmental concern or matter.

(15) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(C) Docking boats.

(1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.

(2) No portion of any docked boat, ship or water vessel shall project closer than twenty (20) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or

extension of such side lot lines or closer than twenty (20) feet to any lot or lot of record to which such dock is not accessory.

(3) The total of the length of any and all boats, ships or water vessels docked at any dock at any given time shall not exceed in length fifty (50) percent of the bulkhead length of the lot to which such dock is accessory and in no event shall any more than three (3) boats, ships or water vessels be docked at, tied to or rafted to any dock at any one time.

(4) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.

(5) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.

(6) Houseboats are strictly prohibited.

(D) Fishing piers. A fishing pier is permitted as an accessory use and structure only where a dock is not established and cannot be established in conformance with all applicable statutes, ordinances, rules and regulations. No pier shall be located, erected, construction, added on to, expanded, extended, replaced, reconstructed or altered upon or projection from any lot or lot of record unless in strict conformance with the following and all other applicable statutes, ordinances, rules and regulations.

(1) No piers other than fishing piers are permitted.

(2) No fishing pier shall project waterward from any lot, lot of record or seawall, whichever is less, more than twenty (20) feet, provided, however, if the terminus of such fishing pier is unable to project six (6) feet beyond the mean high water line or the boles (trunks) of any proximate (within ten (10) feet) mangroves, then the length of such fishing pier may be extended waterward so its terminus does reach six (6) feet of length beyond such mean high water line or boles of such proximate mangroves, whichever is further, but in no event shall any fishing pier project waterward more than thirty-five (35) feet.

(3) The width of the surface of each fishing pier shall be four (4) feet, no less and no more; and no portion of any fishing pier, except its integrated structural

piling, shall horizontally project beyond the surface or perpendicular plane of the edge of the surface.

- (4) The stem of each fishing pier shall be straight from beginning to end (terminus).
- (5) The stem of each fishing pier shall be centered on the lot line of the lot or lot of record from which it projects waterward, or within ten (10) feet of such center point.
- (6) The stem of each fishing pier shall be perpendicular to the seawall or, if no seawall, perpendicular to the average projection of the lot or lot of record running parallel to the water.
- (7) No fishing pier finger or other projection shall extend from the stem of a fishing pier unless it is in a "T" or "L" configuration located at the furthest waterward projection of the fishing pier, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection allowed, and the total dimensions of such terminus not to exceed twelve (12) feet in length at the required four (4) feet in width for a maximum total area of forty-eight (48) square feet.
- (8) The surface of any fishing pier shall not project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (9) Only hand rail facilities with stanchions and hand rails not exceeding in diameter one and one-half (1½) inches and with attached required lighting shall project in height above the surface of the fishing pier. Fishing pier pilings shall not project above the surface of the fishing pier. The hand rail facility may include intermediate rail(s) or cable(s) parallel to and between the hand rail and surface of the fishing pier.
- (10) Hand rail facilities shall enclose the fishing pier in its entirety. Hand rail facilities shall be as inconspicuous as practicable. Hand rails shall be forty-two (42) inches, no more and no less, above the surface of the fishing pier and shall be designed, constructed and maintained for only the following purposes: safety, precluding use of the fishing pier as a dock, and providing

as little visual and aesthetic impact as possible. Hand rails shall be and be maintained without break or interruption.

- (11) No ladders, either fixed or removable, shall be permitted except one (1) safety ladder may be attached to or built into the fishing pier piling immediately landward of either the mean high water line or seaward of the boles of any proximate mangroves, whichever is more seaward.
- (12) No boat or watercraft shall be permitted to be tied to, elevated at or from, or moored on, at or under any fishing pier at any time.
- (13) No gear, trash receptacle, equipment, boat or watercraft or other personal property shall be permitted in or on any fishing pier, provided, however, fishing tackle and gear are permitted only so long as the fishing pier is in fact actually in use for fishing by a fisherperson.
- (14) Only one (1) bench placed at the terminus of a fishing pier is permitted, provided such bench is no more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (15) No fish cleaning tables are permitted in or on any fishing pier.
- (16) Fishing pier color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (17) Fishing piers are permitted to be accessory uses and accessory structures only and no more than one (1) fishing pier as an accessory use and structure may be on or project from any lot or lot of record.
- (18) No fishing pier or portion of a fishing pier shall be located closer than twenty-five (25) feet to any other fishing pier or portion thereof or any dock or portion thereof or any dolphin pilings for any dock or to any other lot or lot of record to which such fishing pier is not accessory or to the closest portion of the side lot line of the lot or lot of record from which the dock projects or the waterward projection or extension of such lot line.
- (19) Each fishing pier shall have solely and only one (1) light, which light shall be located at its terminus, shall be maintained in good working order, shall cast a clear white or yellow light, not to exceed sixty (60) watts, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project

over the fishing pier surface higher than forty-eight (48) inches, shall be connected to a post of the hand railing and shall deflect not less than forty-five (45) degrees down.

(20) No utilities other than electric service solely and only for the required one (1) light shall be allowed in, on or attached to any fishing pier.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.590 WATERWAY ZONE W-6 (Lands End Road Between Audubon Causeway and Churchill Way, East Side Only, 1400 through 1500 - Zoning District R1-D).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

A. *Boathouses.* Boathouses are not permitted.

B. *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) Lots 1400-1500 located East of Lands End Road in Manatee Cove as depicted on the Town Zoning map may have only marginal docks that project waterward a maximum width of five (5) feet from the lot or lot of record or seawall,

whichever is less. Marginal docks shall be centered on, and shall run parallel to the seawall of the lot or lot of record on which it is located. However, on a lot or lot of record having a width of three hundred (300) feet or greater, the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.

(2) Davits are not permitted; other dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted. However, for those lots surrounding Manatee Cove (lots 1400—1500 located north of Audubon Causeway as depicted on the Town Zoning map) any boat elevators and lifts shall be limited to the two (2) post variety which are attached or mounted to the side of the five (5) foot marginal dock or seawall itself and do not require water-ward pilings for support. Four (4) post boat elevators and lifts are strictly prohibited within Manatee Cove. Those dock accessory structures consisting of a flat surface or platform shall be included in all calculations related to a dock's size, location, maximum allowable width, and compliance with side setbacks. Those dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable width, and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.

(3) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.

(4) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.

- (5) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (6) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (7) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (8) Floating docks are prohibited.
- (9) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.
- (10) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.
- (11) No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin piling, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure,

vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines; except a shorter setback of up to not less than fifteen (15) feet may be permitted only to the extent necessary in order for the dock to be permitted by any other governmental body or agency having jurisdiction due to the location of sea grasses or due to the depth of the water or due to any other Town recognized environmental concern or matter.

- (12) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(C) Docking boats.

- (1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.
- (2) No portion of any docked boat, ship or water vessel shall project closer than twenty (20) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty (20) feet to any lot or lot of record to which such dock is not accessory.
- (3) The total of the length of any and all boats, ships or water vessels docked at any dock at any given time shall not exceed in length fifty (50) percent of the bulkhead length of the lot to which such dock is accessory and in no event shall any more than three (3) boats, ships or water vessels be docked at, tied to or rafted to any dock at any one time.

(4) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.

(5) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.

(6) Houseboats are strictly prohibited.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.591 WATERWAY ZONE W-7 (Spoonbill Road and the North side of Audubon Causeway Excluding Lot 1500 - Zoning District R1-D).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

A. *Boathouses.* Boathouses are not permitted.

B. *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) Lots located on Spoonbill Road and on the north side of Audubon Causeway (excluding lot 1500) as depicted on the Town Zoning map may have only marginal docks that project waterward a maximum width of five (5) feet from

the lot or lot of record or seawall, whichever is less. Marginal docks shall be centered on, and shall run parallel to the seawall of the lot or lot of record on which it is located. However, on a lot or lot of record having a width of three hundred (300) feet or greater, the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.

- (2) Davits are not permitted; other dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted. However, for those lots surrounding Manatee Cove (lots 20—120 all located north of Audubon Causeway and west of Spoonbill Road as depicted on the Town Zoning map) any boat elevators and lifts shall be limited to the two (2) post variety which are attached or mounted to the side of the five (5) foot marginal dock or seawall itself and do not require water-ward pilings for support. Four (4) post boat elevators and lifts are strictly prohibited within Manatee Cove. Those dock accessory structures consisting of a flat surface or platform shall be included in all calculations related to a dock's size, location, maximum allowable width, and compliance with side setbacks. Those dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable width, and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.
- (3) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.

- (4) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.
- (5) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (6) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (7) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (8) Floating docks are prohibited.
- (9) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.
- (10) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.

- (11) No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin piling, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines; except a shorter setback of up to not less than fifteen (15) feet may be permitted only to the extent necessary in order for the dock to be permitted by any other governmental body or agency having jurisdiction due to the location of sea grasses or due to the depth of the water or due to any other Town recognized environmental concern or matter.
- (12) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(C) Docking boats.

- (1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.
- (2) No portion of any docked boat, ship or water vessel shall project closer than twenty (20) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty (20) feet to any lot or lot of record to which such dock is not accessory.
- (3) The total of the length of any and all boats, ships or water vessels docked at any dock at any given time shall not exceed in length fifty (50) percent of the bulkhead length of the lot to which such dock is accessory and in no event shall

any more than three (3) boats, ships or water vessels be docked at, tied to or rafted to any dock at any one time.

(4) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.

(5) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.

(6) Houseboats are strictly prohibited.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.592 WATERWAY ZONE W-8 (Curlew Road South of Audubon Causeway, & 120 Spoonbill Road - Zoning District R1-D).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

A. *Boathouses.* Boathouses are not permitted.

B. *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

- (1) Lots 25—105 located on the water on Curlew Road and south of Audubon Causeway as depicted on the Town Zoning map; and lot 120 on the north side only, as depicted on the Town Zoning map may have a conventional dock including a mooring area of sufficient length to reach a water depth of three (3) feet at mean low water (MLW) (evidenced by bathymetric surveys) or a maximum length of ten (10) feet, whichever is less.
- (2) The required bathymetric surveys shall be taken from the seawall of the subject lot out across the water for a distance sufficient to demonstrate the width of the navigable waterway or channel (as defined in Section 151.003) in order to demonstrate that the dock in question will not prevent passage through the waterway or channel.
- (3) Three (3) bathymetric surveys, one (1) each, shall be taken parallel to and originating from each lot line and the point from which the dock is to project in order to meet the above requirements.
- (4) Conventional docks including the stem shall be centered on the lot or lot of record or within ten (10) feet of such center point and shall run parallel with the side lot lines of the lot or lot of record on which it is located. However, on a lot or lot of record having a width of three hundred (300) feet or greater, the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.
- (5) No dock finger or projection shall extend from the stem of a dock unless it is in a "T" or "L" configuration located at the furthest waterward projection of the dock, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection specified herein above with the maximum terminus width limited to fifty (50) feet. However, if the subject dock projects from a lot or lot of record having a width greater than or equal to three hundred (300) feet, a maximum dock terminus width of seventy-five (75) feet shall be permitted so long as the dock or any portion of the dock, including any

associated dock accessory structures, vessel-lifting devices, or dolphin pilings, is setback at least fifty (50) feet from the extended side lot lines.

(6) Davits are not permitted; other dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted. However, for lot 120, any boat elevators and lifts shall be limited to the two (2) post variety which are attached or mounted to the side of the five (5) foot marginal dock or seawall itself and do not require water-ward pilings for support. Four (4) post boat elevators and lifts are strictly prohibited within Manatee Cove. Those dock accessory structures consisting of a flat surface or platform shall be included in all calculations related to a dock's size, location, maximum allowable width, and compliance with side setbacks. Those dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable width, and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.

(7) Docks located on lots 25—105 on Curlew Road and south of Audubon Causeway as depicted on the Town Zoning map may have no more than one (1) light for each ten (10) feet of total linear dock length, measured from the lot, lot of record or seawall to end of the dock stem plus that length measured from end to end of the dock terminus. Any and all dock lights installed shall conform to the requirements set forth in this section.

(8) For lots 25—105 located on the water on Curlew Road and south of Audubon Causeway as depicted on the Town Zoning map, the width of the surface of each dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet. For any dock located on the west side of lot 120 (as depicted on the Town Zoning map), the width of the surface of such dock and each portion thereof shall not be more than five (5) feet.

- (9) For lots 25—105 located on the water on Curlew Road and south of Audubon Causeway as depicted on the Town Zoning map only two (2) dolphin pilings are permitted.
- (10) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.
- (11) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.
- (12) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (13) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (14) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (15) Floating docks are permissible for those lots or lots of record that are located south of Audubon Causeway on the water and on Curlew Road, provided the following regulations are met:
- (a) The width of the surface of each floating dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length.
- (b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may

be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

- (c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.
- (d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.
- (e) A floating dock attached to, adjacent to, or associated with a conventional dock shall be considered one (1) dock. As such, the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section, and the limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to the floating dock as part of the conventional dock.
- (16) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.
- (17) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been

demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.

(18) No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin piling, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines; except a shorter setback of up to not less than fifteen (15) feet may be permitted only to the extent necessary in order for the dock to be permitted by any other governmental body or agency having jurisdiction due to the location of sea grasses or due to the depth of the water or due to any other Town recognized environmental concern or matter.

(19) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(C) *Docking boats.*

(1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.

(2) No portion of any docked boat, ship or water vessel shall project closer than twenty (20) feet to the closest portions of the side lot line of any lot or lot of

record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty (20) feet to any lot or lot of record to which such dock is not accessory.

(3) The total of the length of any and all boats, ships or water vessels docked at any dock at any given time shall not exceed in length fifty (50) percent of the bulkhead length of the lot to which such dock is accessory and in no event shall any more than three (3) boats, ships or water vessels be docked at, tied to or rafted to any dock at any one time.

(4) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.

(5) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.

(6) Houseboats are strictly prohibited.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.593 WATERWAY ZONE W-9 (110 & 120 Churchill Way - Zoning District R1-E).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

(A) *Boathouses.* Boathouses are not permitted.

(B) *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) For lots 110 and 120, as depicted on the Town Zoning map, only marginal docks that project waterward a maximum width of five (5) feet from the associated lot or lot of record or seawall, whichever is less, shall be allowed.

(2) All docks shall be centered on the lot or lot of record or within ten (10) feet of such a center point and shall run parallel with the seawall of the lot or lot of record on which it is located. However, on a lot or lot of record having a width of three hundred (300) feet or greater the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structure, vessel-lifting device, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.

(3) Davits are not permitted; other dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted. However, for those lots bordering Manatee Cove (lots 110 and 120 as depicted on the Town Zoning map) any boat elevators and lifts shall be limited to the two (2) post variety which are attached or mounted to the side of the five (5) foot marginal dock or seawall itself and do not require water-ward pilings for support. Four (4) post boat elevators and lifts are strictly prohibited within Manatee Cove. Those dock accessory structures containing a flat surface or platform shall be included in all calculations related to a dock's size, location, maximum allowable width, and compliance with side setbacks. Those dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable width, and compliance with

side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.

- (4) No more than three (3) lights are permitted on docks that are located on lots 110 and 120, as depicted on the Town Zoning map. All allowed and/or prescribed dock lights shall conform to the requirements as set forth hereinbelow.
- (5) Dolphin pilings and free standing pilings of any kind are strictly prohibited.
- (6) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.
- (7) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.
- (8) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (9) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (10) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (11) Floating docks are permissible provided the following regulations are met:

 - (a) The width of the surface of each dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length.
 - (b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or

equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.

(d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.

(e) A floating dock attached to a conventional dock shall be considered one (1) dock and the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section.

(12) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.

(13) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been

demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.

(14) No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin piling, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines.

(15) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order. All dock lights shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(C) *Docking boats.*

(1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.

(2) No portion of any docked boat, ship or water vessel shall project closer than twenty-five (25) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty-five (25) feet to any lot or lot of record to which such dock is not accessory.

(3) The total of the length of any and all boats, ships or water vessels docked at any dock at any given time shall not exceed in length fifty (50) percent of the bulkhead length of the lot to which such dock is accessory and in no event shall any more than three (3) boats, ships or water vessels be docked at, tied to or rafted to any dock at any one time.

(4) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.

(5) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.

(6) Houseboats are strictly prohibited.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.594 WATERWAY ZONE W-10 (125 & 130 Churchill Way - Zoning District R1-E).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

(A) *Boathouses.* Boathouses are not permitted.

(B) *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally,

the construction, alteration and the like of all docks must meet the following Town regulations:

(1) Reserved.

(2) For lots 125 and 130, as depicted on the Town Zoning map, all docks shall project waterward from the associated lot or lot of record or from any seawall on any lot or lot of record, a minimum length necessary (evidenced by bathymetric surveys) to reach a terminus and mooring area located in a water depth of three (3) feet of water at mean low water (MLW). The maximum length of any such dock regulated under this paragraph is forty-five (45) feet.

(3) The required bathymetric surveys shall be taken from the seawall of the subject lot out across the water for a distance sufficient to demonstrate the width of the navigable waterway or channel (as defined in Section 151.003) in order to demonstrate that the dock in question will not prevent passage through the waterway or channel.

(4) All docks shall be centered on the lot or lot of record or within ten (10) feet of such a center point and shall run parallel with the seawall of the lot or lot of record on which it is located. However, on a lot or lot of record having a width of three hundred (300) feet or greater the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structure, vessel-lifting device, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.

(5) Davits are not permitted; other dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted. Those dock accessory structures containing a flat surface or platform shall be included in all calculations related to a dock's size, location, maximum allowable width, and compliance with side setbacks. Those dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable width, and compliance with

side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.

- (6) Docks that are located on lots 125 and 130, as depicted on the Town Zoning map, may have no more than one (1) light for each ten (10) feet of total linear dock length, measured from the lot, lot of record or seawall to the end of the dock stem plus that length measured from end to end of the dock terminus. All allowed and/or prescribed dock lights shall conform to the requirements as set forth hereinbelow.
- (7) Dolphin pilings and free standing pilings of any kind are strictly prohibited.
- (8) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.
- (9) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.
- (10) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (11) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (12) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (13) Floating docks are permissible provided the following regulations are met:

 - (a) The width of the surface of each dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length.
 - (b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained

in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.

(d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.

(e) A floating dock attached to a conventional dock shall be considered one (1) dock and the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section.

(14) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.

(15) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of

occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.

(16) No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin piling, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines.

(17) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order. All dock lights shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(C) *Docking boats.*

(1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.

(2) No portion of any docked boat, ship or water vessel shall project closer than twenty-five (25) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or

extension of such side lot lines or closer than twenty-five (25) feet to any lot or lot of record to which such dock is not accessory.

(3) The total of the length of any and all boats, ships or water vessels docked at any dock at any given time shall not exceed in length fifty (50) percent of the bulkhead length of the lot to which such dock is accessory and in no event shall any more than three (3) boats, ships or water vessels be docked at, tied to or rafted to any dock at any one time.

(4) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.

(5) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.

(6) Houseboats are strictly prohibited.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.595 WATERWAY ZONE W-11 (1300 Lands End Road - Zoning District RC-1).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

(A) *Boathouses.* Boathouses are not permitted.

(B) *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot

of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) All docks shall project waterward from the associated lot or lot of record or seawall, a minimum length necessary (evidenced by bathymetric surveys) to reach a terminus and mooring area located in a water depth of three (3) feet of water at mean low water (MLW). The maximum length of any such dock in this zoning district is forty-five (45) feet from any lot or lot of record, and no dock shall be closer than one hundred (100) feet to any other dock and no dock shall be closer than fifty (50) feet to any other district.

(a) Bathymetric surveys shall be taken from the seawall of the subject lot out across the water for a distance sufficient to demonstrate the width of the navigable waterway or channel (as defined in Section 151.003) in order to demonstrate that the dock in question will not prevent passage through the waterway or channel.

(b) Three (3) bathymetric surveys, one (1) each, shall be taken parallel to and originating from each lot line and the point from which the dock is to project in order to meet the above requirements.

(2) The dock and its stem shall be centered on the lot or lot of record or within ten (10) feet of such a center point and shall run parallel to the side lot lines of the lot or lot of record on which it is located. However, on a lot or lot of record having a width of three hundred (300) feet or greater the proposed dock need not be centered.

(3) No dock fingers or projections shall extend from the stem of a dock unless it is in a "T" or "L" configuration located at the furthest waterward projection of the stem of the dock, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection specified herein above with the maximum terminus width limited to fifty (50) feet. However, if the subject dock projects from a lot or lot of record having a width equal to or greater than three hundred (300) feet, a maximum dock terminus width of

seventy-five (75) feet shall be permitted so long as the dock or any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, is setback at least fifty (50) feet from the extended side lot lines.

- (4) Davits are not permitted; other dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted. Those dock accessory structures containing a flat surface or platform shall be included in all calculations related to a dock's size, location, maximum allowable width, and compliance with side setbacks. Those dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable width, and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional dock.
- (5) Each dock may have one (1) light for each ten (10) feet of total linear dock length, measured from the lot, lot of record or seawall to end of the dock stem plus that length measured from end to end of the dock terminus. Any and all allowed and/or prescribed dock lights shall conform with the requirements as set forth hereinbelow.
- (6) The width of the surface of each dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet.
- (7) Dolphin pilings are permitted only if accessory to any dock; no more than four (4) dolphin pilings are permitted accessory to any dock and no dolphin pilings shall be located more than thirty-five (35) feet from any portion of the dock to which such dolphin piling is accessory.
- (8) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.

- (9) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.
- (10) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (11) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (12) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (13) Floating docks are permissible provided the following regulations are met:
- (a) The width of the surface of each dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length. A floating dock attached to, adjacent to, or associated with a conventional dock shall be considered one (1) dock. As such, the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section, and the limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to the floating dock as part of the conventional dock.
- (b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may

be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.

(d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.

(14) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.

(15) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.

(16) No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin piling, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines.

(17) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(C) *Docking boats.*

(1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.

(2) No portion of any docked boat, ship or water vessel shall project closer than twenty-five (25) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty-five (25) feet to any lot or lot of record to which such dock is not accessory.

(3) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.

(4) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.

(5) Houseboats are strictly prohibited.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.596 WATERWAY ZONE W-12 (1444 through 1540 Paslay Place - Zoning District R3-A).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

(A) *Boathouses.* Boathouses are not permitted.

(B) *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) All docks shall project waterward from the associated lot or lot of record or seawall, a minimum length necessary (evidenced by bathymetric surveys) to reach a terminus and mooring area located in a water depth of three (3) feet of water at mean low water (MLW). The maximum length of any such dock in this zoning district is eighty (80) feet from the lot or lot of record when such lot or lot of record is west of Lands End Road and fifty-five (55) feet when such lot or lot of record is east of Lands End Road.

(a) The required bathymetric surveys shall be taken from the seawall of the subject lot out across the water for a distance sufficient to demonstrate the width of the navigable waterway or channel (as defined in Section 151.003)

in order to demonstrate that the dock in question will not prevent passage through the waterway or channel.

- (b) Three (3) bathymetric surveys, one (1) each, shall be taken parallel to and originating from each lot line and the point from which the dock is to project in order to meet the above requirements.
- (2) The dock and its stem shall be centered on the lot or lot of record or within ten (10) feet of such a center point and shall run parallel to the side lot lines of the lot or lot of record on which it is located. If it should not be practicable for the dock stem to run parallel to both side lot lines then such dock stem shall be oriented to the lot or lot of record or seawall in such a manner so as to maximize compatibility with neighboring docks located on adjacent properties. However, on a lot or lot of record having a width of three hundred (300) feet or greater the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.
- (3) No dock finger(s) or projection(s) shall extend from the stem of a dock unless it is in a "T" or "L" configuration located at the furthest waterward projection of the stem of the dock, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection specified herein above with the maximum terminus width limited to fifty (50) feet. However, if the subject dock projects from a lot or lot of record having a width greater than or equal to three hundred (300) feet, a maximum dock terminus width of seventy-five (75) feet shall be permitted so long as the dock or any portion of the dock or any associated dock accessory structures, vessel-lifting devices, or dolphin pilings are setback at least fifty (50) feet from the extended side lot lines.
- (4) Davits are not permitted; other dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted. Those dock accessory structures containing a flat surface or platform shall be included in all calculations related to a dock's size, location, maximum allowable width, and compliance with side setbacks. Those dock

accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable width, and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.

- (5) Each dock may have no more than one (1) light for each ten (10) feet of total linear dock length, measured from the lot, lot of record or seawall to end of the dock stem plus that length measured from end to end of the dock terminus. All allowed and/or prescribed dock lights shall conform to the requirements as set forth herein below.
- (6) The width of the surface of each dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet.
- (7) Dolphin pilings are permitted only if accessory to any dock; no more than four (4) dolphin pilings are permitted accessory to any dock and no dolphin pilings shall be located more than thirty-five (35) feet from any portion of the dock to which such dolphin piling is accessory.
- (8) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.
- (9) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.
- (10) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (11) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.

- (12) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (13) Floating docks are permissible provided the following regulations are met:
- (a) The width of the surface of each dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length.
 - (b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.
 - (c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.
 - (d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.
 - (e) A floating dock attached to, adjacent to, or associated with a conventional dock shall be considered one (1) dock. As such, the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section, and the limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock

location shall be applied to the floating dock as part of the conventional dock.

- (14) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.
- (15) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.
- (16) No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin piling, shall be located closer twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines.
- (17) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent

or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(C) *Docking boats.*

- (1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.
- (2) No portion of any docked boat, ship or water vessel shall project closer than twenty-five (25) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty-five (25) feet to any lot or lot of record to which such dock is not accessory.
- (3) The total of the length of any and all boats, ships or water vessels docked at any dock at any given time shall not exceed in length fifty (50) percent of the bulkhead length of the lot to which such dock is accessory and in no event shall any more than three (3) boats, ships or water vessels be docked at, tied to or rafted to any dock at any one (1) time.
- (4) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.
- (5) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.
- (6) Houseboats are strictly prohibited.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.597 WATERWAY ZONE W-13 (Evans Lane - Zoning District R3-B).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

(A) *Boathouses.* Boathouses are not permitted.

(B) *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) Only marginal docks that project waterward a maximum width of five (5) feet from any lot or lot of record or seawall, whichever is less, shall be allowed.

(2) All docks shall be centered on the lot or lot of record or within ten (10) feet of such a center point and shall run parallel with the seawall of the lot or lot of record on which it is located. However, on a lot or lot of record having a width of three hundred (300) feet or greater the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structure, vessel-lifting device, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.

(3) Dolphin pilings are permitted only if accessory to any dock; no more than four (4) dolphin pilings are permitted accessory to any dock and no dolphin pilings shall be located more than thirty-five (35) feet from any portion of the dock to which such dolphin piling is accessory.

- (4) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines and bumper cushions.
- (5) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.
- (6) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (7) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (8) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (9) Floating docks are permissible provided the following regulations are met:
- (a) The width of the surface of each dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length. A floating dock attached to, adjacent to, or associated with a conventional dock shall be considered one (1) dock. As such, the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section, and the limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to the floating dock as part of the conventional dock.
- (b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall

operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.

(d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.

(10) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.

(11) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all

applicable Town codes and building codes for construction and maintenance of docks.

(12) No dock or portion of a dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines.

(13) Dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted on docks. Dock accessory structures containing a flat surface or platform shall be included in all calculations related to a dock's size, location, terminus configuration, maximum allowable length, and compliance with side setbacks. Dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable length and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.

(C) *Docking boats.*

(1) No boat, ship or water vessel exceeding in length fifty (50) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.

(2) No portion of any docked boat, ship or water vessel shall project closer than twenty-five (25) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty-five (25) feet to any lot or lot of record to which such dock is not accessory.

(3) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.

(4) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.

(5) Houseboats are strictly prohibited.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.598 WATERWAY ZONE W-14 (620 through 1550 S. Ocean Blvd. - Zoning District R1-C).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

(A) *Boathouses.* Boathouses are not permitted.

(B) *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) All docks shall project waterward from the associated lot or lot of record or seawall, a minimum length necessary (evidenced by bathymetric surveys) to reach a terminus and mooring area located in a water depth of three (3) feet of

water at mean low water (MLW). The maximum length of any such dock in this zoning district is thirty-five (35) feet from any lot or lot of record or seawall.

(a) The required bathymetric surveys shall be taken from the seawall of the subject lot out across the water for a distance sufficient to demonstrate the width of the navigable waterway or channel (as defined in Section 151.003) in order to demonstrate that the dock in question will not prevent passage through the waterway or channel.

(b) Three (3) bathymetric surveys, one (1) each, shall be taken parallel to and originating from each side lot line and the point from which the dock is to project in order to satisfy the above requirements.

(2) No dock finger or projection shall extend from the stem of a dock unless it is in a "T" or "L" configuration located at the furthest waterward projection of the dock; the total waterward projection of the stem and "T" or "L" addition shall not exceed the maximum waterward projection allowed and the maximum terminus width shall be limited to fifty (50) feet. However, if the subject dock projects from a lot or lot of record having a width greater than or equal to three hundred (300) feet, a maximum dock terminus width of seventy-five (75) feet shall be permitted so long as the dock or any portion of the dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, is setback at least fifty (50) feet from the extended side lot lines.

(3) Dolphin pilings are permitted only if accessory to any dock; no more than six (6) dolphin pilings are permitted accessory to any dock and no dolphin pilings shall be located more than thirty-five (35) feet from any portion of the dock to which such dolphin piling is accessory. However, if the dock's terminus is less than the maximum width allowed for that lot, permitted dolphin pilings may be placed no more than thirty-five (35) feet from the point to which such maximum width dock terminus would have extended so long as there is no encroachment into the waterward extension of the applicable side setback lines.

(4) Dock surface width shall conform with the following:

(a) the width of the surface of a dock terminus shall not be more than eight (8) feet and not less than four (4) feet; and

- (b) the width of the surface of a dock stem shall not be more than six (6) feet and not less than four (4) feet.
- (5) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.
- (6) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.
- (7) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (8) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (9) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (10) Floating docks are permissible provided the following regulations are met:
- (a) The width of the surface of each floating dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length.
- (b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

- (c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.
- (d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.
- (e) A floating dock attached to, adjacent to, or associated with a conventional dock shall be considered one (1) dock. As such, the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section, and the limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to the floating dock as part of the conventional dock.
- (11) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.
- (12) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official

issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.

- (13) No dock or portion of a dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines.
- (14) Dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted on docks. Dock accessory structures containing a flat surface or platform be included in all calculations related to a dock's size, location, terminus configuration, maximum allowable length, and compliance with side setbacks. Dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable length and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.
- (15) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

(16) Each dock may have no more than one (1) light for each ten (10) feet of total linear dock length, measured from the lot, lot of record or seawall to end of the dock stem plus that length measured from end to end of the dock terminus. Any and all allowed dock lights shall conform with the requirements as set forth herein above.

(17) All docks shall be centered on the lot or lot of record or within ten (10) feet of such a center point and shall run parallel with the side lot lines of the lot or lot of record on which it is located. However, on a lot or lot of record having a width of three hundred (300) feet or greater the proposed dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structure, vessel-lifting device, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of any lot or lot of record from which such dock projects.

(C) *Docking boats.*

(1) No portion of any docked boat, ship or water vessel shall project closer than twelve(12)feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twelve (12) feet to any lot or lot of record to which such dock is not accessory.

(2) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.

(3) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.

(4) Houseboats are strictly prohibited.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.599 WATERWAY ZONE W-15 (1555 through 2000 S. Ocean Blvd. - Zoning District R1-B).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

(A) *Boathouses.* Boathouses are not permitted.

(B) *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) All docks shall project waterward from the associated lot or lot of record or seawall, a minimum length necessary (evidenced by bathymetric surveys) to reach a terminus and mooring area located in a water depth of three (3) feet of water at mean low water (MLW). The maximum length of any such dock in this zoning district is one hundred fifty (150) feet from any lot or lot of record or seawall.

(a) The required bathymetric surveys shall be taken from the seawall of the subject lot out across the water for a distance sufficient to demonstrate the width of the navigable waterway or channel (as defined in Section 151.003) in order to demonstrate that the dock in question will not prevent passage through the waterway or channel.

(b) Three (3) bathymetric surveys, one (1) each, shall be taken parallel to and originating from each side lot line and the point from which the dock is to project in order to satisfy the above requirements.

- (2) No dock finger or projection shall extend from the stem of a dock unless it is in a "T" or "L" configuration located at the furthest waterward projection of the dock, the total waterward projection of the stem and "T" or "L" addition not to exceed the maximum waterward projection allowed and the total dimension of such terminus not to exceed fifty (50) feet by eight (8) feet. However, if the subject dock projects from a lot or lot of record having a width greater than or equal to three hundred (300) feet, a dock terminus dimension of seventy-five (75) feet by eight (8) feet shall be permitted so long as the dock or any portion of the dock, including any associated dock accessory structure, vessel-lifting device, or dolphin pilings, is setback at least fifty (50) feet from the extended side lot property lines.
- (3) *Side setback.* No dock or portion of a dock, including any dock accessory structure, vessel-lifting device, or dolphin pilings, shall be located closer than the below set forth footage distance to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines:
- (a) Where the dock projects waterward less than one hundred (100) feet as calculated in subsection (B)(1) above, the setback is twenty-five (25) feet; and
- (b) Where the dock projects waterward more than one hundred (100) feet as calculated in subsection (B)(1) above, the setback is fifty (50) feet.
- (4) Except for the terminus of a dock, the width of the surface of each dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet.
- (5) Dolphin pilings are permitted only if accessory to any dock; no more than six (6) dolphin pilings are permitted accessory to any dock and no dolphin pilings shall be located more than thirty-five (35) feet from any portion of the dock to which such dolphin piling is accessory. However, if the dock's terminus is less than the maximum width allowed for that lot, permitted dolphin pilings may be

placed no more than thirty-five (35) feet from the point to which such maximum width dock terminus would have extended so long as there is no encroachment into the waterward extension of the applicable side setback lines.

(6) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.

(7) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.

(8) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.

(9) Dock color shall be maintained in a condition that eliminated an appearance of disrepair or neglect.

(10) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.

(11) Floating docks are permissible provided the following regulations are met:

(a) The width of the surface of each dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length.

(b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

- (c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional, stationary docks as related to the dock's ability to withstand the effects of a storm event.
- (d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.
- (e) A floating dock attached to, adjacent to, or associated with a conventional dock shall be considered one (1) dock, As such, the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section, and the limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to the floating dock as part of the conventional dock.
- (12) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.
- (13) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official

issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all applicable Town codes and building codes for construction and maintenance of docks.

- (14) All docks shall be centered or within ten (10) feet of center on the lot or lot of record and shall run parallel with the side lot lines of the lot or lot of record on which it is located. However, on a lot or lot of record having a width of three hundred (300) feet or greater the dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structure, vessel-lifting device, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of the lot or lot of record from which such dock projects.
- (15) Dock accessory structures and vessel-lifting devices (boat elevators, boat-lifts, platforms, and personal watercraft lifts) are permitted on docks. Dock accessory structures containing a flat surface or platform shall be included in all calculations related to a dock's size, location, terminus configuration, maximum allowable length, and compliance with side setbacks. Dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable length and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.
- (16) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may

be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.

- (17) Each dock may have no more than one (1) light for each ten (10) feet of total linear dock length, measured from the lot, lot of record or seawall to end of the dock stem plus that length measured from end to end of the dock terminus. Any and all allowed and/or prescribed dock lights shall conform to the requirements as set forth herein above.

(C) *Docking boats.*

- (1) No portion of any docked boat, ship or water vessel shall project closer than twenty (20) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty (20) feet to any lot or lot of record to which such dock is not an accessory.
- (2) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.
- (3) No boat, ship or water vessel or any part thereof shall be placed, stored, or maintained upon the surface of any dock.
- (4) Houseboats are strictly prohibited.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.600 WATERWAY ZONE W-16 (3040 through 4020 S. Ocean Blvd. - Zoning District R1-A).

1. BOATS AND TRAILERS.

No boats or trailers of any kind shall be kept, maintained or stored on any lot or lot of record except within an enclosed garage or except when docked or moored. These restrictions shall not apply to the storage of non-motorized boats (by way of example and not limitation, kayaks and paddle-boards) which are either screened from the view of

abutting neighbors or residences located on the opposite waterbody bank, or which are kept on or adjacent to a dock or seawall.

2. BOATHOUSES; DOCKS.

(A) *Boathouses.* Boathouses are not permitted.

(B) *Docks.* No dock shall be located, erected, constructed, added on to, expanded, extended, replaced, reconstructed or altered upon or projecting from any lot or lot of record unless it is located on the west side of Highway A1A and unless in strict conformance with DEP and ACOE permit regulations. A permit from these agencies is required prior to issuance of a permit by the Town. Additionally, the construction, alteration and the like of all docks must meet the following Town regulations:

(1) All docks shall project waterward from the associated lot or lot of record or seawall, a minimum length necessary (evidenced by bathymetric surveys) to reach a terminus and mooring area located in a water depth of three (3) feet of water at mean low water (MLW). The maximum length of any such dock in this zoning district is eighty (80) feet from any lot or lot of record or seawall

(a) The required bathymetric surveys shall be taken from the seawall of the subject lot out across the water for a distance sufficient to demonstrate the width of the navigable waterway or channel (as defined in Section 151.003) in order to demonstrate that the dock in question will not prevent passage through the waterway or channel.

(b) Three (3) bathymetric surveys, one (1) each, shall be taken parallel to and originating from each side lot line and the point from which the dock is to project in order to satisfy the above requirements.

(2) The width of the surface of each dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet.

(3) Dolphin pilings are permitted only if accessory to any dock; no more than four (4) dolphin pilings are permitted accessory to any dock and no dolphin pilings shall be located more than thirty-five (35) feet from any portion of the dock to which such dolphin piling is accessory.

- (4) No gear, trash receptacle or equipment shall be permitted on any dock. Equipment specifically excludes power stations, fueling stations, ladders, water hoses, mooring lines, whips and bumper cushions.
- (5) Dock boxes may be used but only attached abutting the seawall or located at the landward dock extremity; no dock box may be higher than thirty (30) inches and greater than twenty-four (24) cubic feet.
- (6) Only one (1) bench placed on a dock is permitted provided such bench is not more than five (5) feet in length, no more than thirty-six (36) inches in height and no more than eighteen (18) inches in width.
- (7) Dock color shall be maintained in a condition that eliminates an appearance of disrepair or neglect.
- (8) No surface of any dock shall be constructed or project in height higher than the level of any abutting seawall or five and one-half (5½) feet above mean sea level, whichever is higher.
- (9) Floating docks are permissible provided the following regulations are met:
- (a) The width of the surface of each dock and each portion thereof shall not be more than six (6) feet and not less than four (4) feet with a total length not to exceed fourteen (14) feet except for concrete floating docks which shall not exceed eight (8) feet in width and fourteen (14) feet in length.
- (b) Each floating dock shall have a light positioned on a post located at each corner that projects into the water. Each light installed shall be maintained in good working order, shall cast a clear white or yellow light, shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens, shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.
- (c) A licensed engineer shall certify that each floating dock shall be designed and constructed to meet the same standards applicable to conventional,

stationary docks as related to the dock's ability to withstand the effects of a storm event.

- (d) Each floating dock shall be designed so as to incorporate neoprene rollers, rubber washers or similar noise reduction components in all hinges and connections and between all parts of the dock to prevent any noise; and all pilings supporting the floating dock shall be positioned on the inside of the dock.
- (e) A floating dock attached to, adjacent to, or associated with a conventional dock shall be considered one (1) dock. As such, the aggregate length of the conventional dock and floating dock shall not exceed the allowable maximum length set forth elsewhere in this section, and the limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to the floating dock as part of the conventional dock.
- (10) No dock, dolphin pilings and/or boat or water vessel attached to it shall prevent passage through any navigable water channel or way as evidenced by bathymetric surveys which shall indicate the location and width of any navigable channel or way with respect to such dock.
- (11) Docks are permitted to be accessory uses only and no more than one (1) dock, as an accessory use, may be on or project from any lot or lot of record. See also the definition of "ACCESSORY USE or BUILDINGS or STRUCTURES", and "DOCK". Any dock that is constructed prior to the principal single family residence or that remains on an otherwise vacant lot or lot of record may be used only by the owner of said lot or lot of record, and may only remain and be so used for a maximum of two years prior to the issuance of a certificate of occupancy for the principal single family residence. The Town Commission may extend the two-year limit when a public need for such extension has been demonstrated to the satisfaction of the Town Commission, on a case-by-case basis. The two-year period shall commence on the date that the Building Official issues a certificate of completion for the dock on the otherwise vacant lot. Regardless of the timing, all such docks shall be maintained pursuant to all

applicable Town codes and building codes for construction and maintenance of docks.

- (12) No dock or portion of a dock, including any associated dock accessory structures, vessel-lifting devices, or dolphin pilings, shall be located closer than twenty-five (25) feet to any other dock or portion thereof or any other dock's accessory structure, vessel-lifting device, or dolphin pilings or to any other lot or lot of record to which such dock is not accessory or to the closest portion of the side lot lines of the lot or lot of record from which the dock projects or the waterward projection or extension of such side lot lines.
- (13) Dock accessory structures and vessel-lifting devices (boat elevators, boatlifts, platforms, and personal watercraft lifts) are permitted on docks. Dock accessory structures containing a flat surface or platform shall be included in all calculations related to a dock's size, location, terminus configuration, maximum allowable length, and compliance with side setbacks. Dock accessory structures or vessel-lifting devices of a conventional design that generally consist of separate beams or rails supported by pilings (including boatlifts, boat elevators, and personal watercraft lifts) shall only be included in calculations related to a dock's maximum allowable length and compliance with side setbacks. The limits on dolphin pilings, gear, trash receptacles, equipment, boxes, benches, color and dock location shall be applied to any dock accessory structure or vessel-lifting device as part of the conventional or floating dock.
- (14) Each dock shall have a light at its terminus and all light(s) installed shall be maintained in good working order, shall cast a clear white or yellow light, and shall not exceed the intensity of a forty (40) watt tungsten filament incandescent or equivalent (less than or equal to four hundred eighty (480) lumens. All dock lights shall operate on automatic light sensor turning on at dusk and off at dawn, shall not project above the dock surface higher than sixty (60) inches and may be solar powered. These same illumination intensity regulations shall apply to lighting for steps attached to a dock, if any.
- (15) Each dock may have no more than one (1) light for each ten (10) feet of total linear dock length, measured from the lot, lot of record or seawall to end of the

dock stem plus that length measured from end to end of the dock terminus. Any and all allowed and/or prescribed dock lights shall conform to the requirements as set forth herein above.

(16) All docks shall be centered or within ten (10) feet of center on the lot or lot of record and shall run parallel with the side lot lines of the lot or lot of record on which it is located. However, on a lot or lot of record having a width of three hundred (300) feet or greater the dock need not be centered but the dock and any portion of the dock, including any associated dock accessory structure, vessel-lifting device, or dolphin pilings, must be setback no less than fifty (50) feet from the extended side lot line of the lot or lot of record from which such dock projects.

(17) A "T" or "L" shaped dock terminus configuration shall not be allowed due to the space constraints in this zoning District.

(C) *Docking boats.*

(1) No boat, ship or water vessel exceeding in length seventy-five (75) percent of the bulkhead length of any lot shall be docked at any dock on or projecting from such lot.

(2) No portion of any docked boat, ship or water vessel shall project closer than twenty-five (25) feet to the closest portions of the side lot line of any lot or lot of record to which such dock is accessory or the waterward projection or extension of such side lot lines or closer than twenty-five (25) feet to any lot or lot of record to which such dock is not accessory.

(3) No boat, ship or water vessel keel or hull may be supported, elevated, suspended or otherwise placed or maintained more than twelve (12) inches above the surface of and out of the water at high tide.

(4) No boat, ship or water vessel or any part thereof shall be placed, stored or maintained upon the surface of any dock.

(5) Houseboats are strictly prohibited.

3. BULKHEAD LINE.

No structures shall be located, erected or constructed seaward of any established bulkhead or bulkhead line, except erosion control devices such as bulkheads, groins or jetties.

Sec. 151.601 through Sec. 151.614 Reserved.

Section 3. The following sections of the Code of Ordinances of the Town of Manalapan, Florida, are repealed in their entirety, and are reserved for future use:

In the R1-A Zoning District, Section 151.062 Boats and Trailers; Section 151.063 Boathouses; Docks, and Section 151.067 Bulkhead line.

In the R1-B Zoning District, Section 151.102 Boats and Trailers; Section 151.103 Boathouses; Docks, and Section 151.107 Bulkhead line.

In the R1-C Zoning District, Section 151.142 Boats and Trailers; Section 151.143 Boathouses; Docks, and Section 151.147 Bulkhead line.

In the R1-D Zoning District, Section 151.182 Boats and Trailers; Section 151.183 Boathouses; Docks, and Section 151.187 Bulkhead line.

In the R1-E Zoning District, Section 151.222 Boats and Trailers; Section 151.223 Boathouses; Docks, and Section 151.227 Bulkhead line.

In the R2-A Zoning District, Section 151.302 Boats and Trailers; Section 151.303 Boathouses; Docks, and Section 151.307 Bulkhead line.

In the R3-A Zoning District, Section 151.343 Boats and Trailers; Section 151.344 Boathouses; Docks, and Section 151.347 Bulkhead line.

In the R3-B Zoning District, Section 151.382 Boats and Trailers; Section 151.383 Boathouses; Docks, and Section 151.387 Bulkhead line.

In the R-C1 Zoning District, Section 151.422 Boats and Trailers; Section 151.423 Boathouses; Docks, and Section 151.427 Bulkhead line.

Section 4. Each and every other section and subsection of Chapter 151. Zoning, shall remain in full force and effect as previously adopted.

Section 5. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 6. If any section or provision of this ordinance, any paragraph, sentence or word is declared invalid by a court of competent jurisdiction, the decision shall not affect the validity of the remainder of this ordinance.

Section 7. Specific authority is hereby given to codify this ordinance into the Code of Ordinances of the Town of Manalapan.

Section 8. This ordinance will take effect immediately upon adoption.

FIRST READING this 23rd day of June 2026.

SECOND & FINAL READING this ____ day of July 2026.

TOWN OF MANALAPAN

John Deese, Mayor

ATTEST:

(SEAL)

Erika Petersen, Town Clerk

TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: PH. 3

Agenda Item Name: Ordinance #403

BACKGROUND:

Ordinance #403 - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, ADOPTING A NEWLY REVISED AND AMENDED OFFICIAL ZONING MAP FOR THE TOWN OF MANALAPAN, FLORIDA, WHICH, IN CONJUNCTION WITH ORDINANCE 401 RE-ZONES ALL PROPERTY CURRENTLY DESIGNATED AS R1-F, AS WELL AS R3-A PROPERTIES LOCATED WEST OF LANDS END ROAD INTO THE DESIGNATION OF R1-D PROPERTY; IN ADDITION, ADOPTING AN ENTIRELY NEW MAP FOR THE NEWLY ADOPTED WATERWAY ZONES CODE WHICH, IN CONJUNCTION WITH ORDINANCE 402 WILL RELOCATE AND CONSOLIDATE ALL EXISTING TOWN DOCK, SEAWALL, AND RELATED REGULATIONS INTO A NEW, SINGLE, CONSOLIDATED ZONING CODE DIVISION IN ORDER TO BETTER ORGANIZE THESE EXISTING CODE PROVISIONS INTO ONE USER FRIENDLY PART OF THE ZONING CODE; PROVIDING THAT THE ZONING MAP OF THE TOWN OF MANALAPAN, FLORIDA, BE AMENDED TO REFLECT THE RE-ZONING OF ALL R1-F, AS WELL AS R3-A PROPERTIES LOCATED WEST OF LANDS END ROAD INTO R1-D PROPERTY AND TO REFLECT THE NEW WATERWAY ZONES; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (Second Reading)

This ordinance formally updates the Town's Official Zoning Map to implement the zoning and code changes adopted through Ordinances 401 & 402. Specifically, reclassifying all properties formerly zoned R1-F, along with certain R3-A properties west of Lands End Road, into the R1-D zoning district, and adopts a new Waterway Zone map to support the Town's reorganized waterfront regulations. The purpose of the ordinance is to ensure that the Town's official maps accurately reflect the zoning and regulatory framework established by the related ordinances, providing clarity and consistency. The Town approved this ordinance on Second reading at its June 23rd Town Commission meeting.

MOTION:

- Move to approve/disapprove Ordinance #403 on Second Reading.

ATTACHMENTS:

- Ordinance #403

ORDINANCE NO. 403

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, ADOPTING A NEWLY REVISED AND AMENDED OFFICIAL ZONING MAP FOR THE TOWN OF MANALAPAN, FLORIDA, WHICH, IN CONJUNCTION WITH ORDINANCE 401 RE-ZONES ALL PROPERTY CURRENTLY DESIGNATED AS R1-F, AS WELL AS R3-A PROPERTIES LOCATED WEST OF LANDS END ROAD INTO THE DESIGNATION OF R1-D PROPERTY; IN ADDITION, ADOPTING AN ENTIRELY NEW MAP FOR THE NEWLY ADOPTED WATERWAY ZONES CODE WHICH, IN CONJUNCTION WITH ORDINANCE 402 WILL RELOCATE AND CONSOLIDATE ALL EXISTING TOWN DOCK, SEAWALL, AND RELATED REGULATIONS INTO A NEW, SINGLE, CONSOLIDATED ZONING CODE DIVISION IN ORDER TO BETTER ORGANIZE THESE EXISTING CODE PROVISIONS INTO ONE USER FRIENDLY PART OF THE ZONING CODE; PROVIDING THAT THE ZONING MAP OF THE TOWN OF MANALAPAN, FLORIDA, BE AMENDED TO REFLECT THE RE-ZONING OF ALL R1-F, AS WELL AS R3-A PROPERTIES LOCATED WEST OF LANDS END ROAD INTO R1-D PROPERTY AND TO REFLECT THE NEW WATERWAY ZONES; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, after duly noticed public hearings, held pursuant to *Florida Statutes*, the Town Commission of the Town of Manalapan, Florida does hereby find, determine, and declare that the public health, safety, and general welfare of the citizens of the Town of Manalapan, Florida, are best served by re-zoning all R1-F property as well as R3-A properties located west of Lands End Road into R1-D property; and

WHEREAS, after duly noticed public hearings, held pursuant to *Florida Statutes*, the Town Commission of the Town of Manalapan, Florida does hereby find, determine, and declare that the public health, safety, and general welfare of the citizens of the Town of Manalapan, Florida, are best served by adopting a new map to depict newly adopted “waterway zones” which coincide with the reorganized text regarding these existing regulations within the Town’s land development regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, THAT:

Section 1. That certain real property currently designated as R1-F on the Town of Manalapan Official Zoning Map is hereby rezoned and re-designated as R1-D. The legal description for these properties is contained on Exhibit A to this ordinance. The parcel control numbers for all former R1-F properties which will now be R1-D properties are listed on Exhibit B.

Section 2. That certain real property currently designated as R3-A on the Town of Manalapan Official Zoning Map, located west of Lands End Road, is hereby rezoned and re-designated as R1-D. The legal description for these properties is contained on Exhibit C to this ordinance. The parcel control numbers for all former R3-A properties which will now be R1-D properties are listed on Exhibit D.

Section 3. The “Waterway Zone” map depicting all recently adopted waterway zones as further provided for in Ordinance No. 402 is hereby adopted and made a part of the Official Zoning Map of the Town of Manalapan, Florida.

Section 4. The Official Town of Manalapan, Florida Zoning Map is hereby amended to conform to this Ordinance, and the appropriate officials of the Town are instructed to make the necessary changes to the Official Town of Manalapan, Florida Zoning Map.

Section 5. All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

Section 6: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 7. This Ordinance shall take effect on the same date that Ordinances 401 and 402, which adopt associated text amendments repealing zoning district R1-F and adopting new waterway zone code provisions, become effective.

FIRST READING this 23rd day of June 2026.

SECOND & FINAL READING this ____ day of July 2026.

TOWN OF MANALAPAN

John Deese, Mayor

ATTEST:

(SEAL)

Erika Petersen, Town Clerk

EXHIBIT A

Former District R1-F:

A parcel of land in Sections 10 and 15, Township 45 South, Range 43, the county, being more particularly described as follows:

Beginning at the Southeasterly corner of Lot 63 Replat of Plat No. 2, Point Manalapan as same is recorded in Plat Book 76, at Page 130, Public Records of the county, run thence North 75°04'00" West along the Southerly line of the Lot 63 a distance of 130.94 feet to a point and from the point run thence by the following numbered courses: South 09°57'40" East, 80.65 feet; thence South 02°46'44" West, 54.12 feet; thence South 05°09'54" East, 40.93 feet; thence South 01°29'53" East, 44.59 feet; thence South 01°13'26" East, 49.22 feet; thence South 04°17'33" West, 33.91 feet; thence South 02°18'09" West, 53.26 feet; thence South 00°05'42" East, 48.67 feet; thence South 04°12'30" East, 60.95 feet; thence South 01°59'19" East, 64.91 feet; thence South 00°20'16" West, 80.78 feet; thence South 07°27'35" East, 42.33 feet; thence South 01°38'35" West, 69.41 feet; thence South 07°37'13" West, 56.11 feet; thence South 03°54'49" West, 45.57 feet; thence South 01°38'13" East, 42.58 feet; thence South 11°57'12" East, 69.33 feet; thence South 01°35'32" East, 106.69 feet; thence South 00°32'57" West, 137.99 feet; thence South 09°48'21" West, 27.68 feet; thence South 15°43'39" West, 56.16 feet; thence South 05°54'00" West, 33.99 feet; thence South 04°30'10" West, 28.91 feet; thence South 09°16'10" East 66.17 feet; thence South 04°53'46" East, 107.85 feet; thence South 04°53'49" East, 104.60 feet; thence South 05°19'32" West, 89.22 feet; thence South 08°18'56" West, 202.61 feet; thence South 03°22'52" West, 110.04 feet; thence South 00°46'01" West, 99.24 feet; thence South 01°04'51" East, 275.21 feet; thence South 07°54'58" East, 141.75 feet; thence South 13°34'32" East, 80.68 feet; thence South 20°27'04" East, 67.21 feet; thence South 23°41'55" East, 75.20 feet; thence South 34°11'17" East, 42.63 feet; thence South 51°44'12" East, 27.60 feet; thence North 86°22'05" East, 27.94 feet; thence North 81°19'58" East, 93.78 feet; thence North 78°07'15" East, 38.31

feet; thence North 65°44'54" East, 27.77 feet; thence North 44°05'33" East, 45.92 feet; thence North 01°33'05" East, 74.23 feet; thence North 00°09'08" East, 131.65 feet; thence North 01°45'47" West, 83.04 feet;

Thence continue Northerly meandering the shores of Lake Worth a distance of 2,332 feet, more or less, to a point in the Southerly Right-of-Way Line of Audubon Causeway as same is shown on aforesaid Replat of Plat No. 2, Point Manalapan; thence North 75°04'00" West along the Right-of-Way Line 195.53 feet; thence North 14°56'00" East 40.00 feet to the point of beginning.

EXHIBIT B

Parcel Control Numbers from former zoning district R1-F:

42-43-45-10-14-000-0021
42-43-45-10-14-000-0010
42-43-45-10-14-000-0020
42-43-45-10-14-000-0031
42-43-45-10-14-000-0040
42-43-45-10-14-000-0050
42-43-45-10-14-000-0060
42-43-45-10-14-000-0070
42-43-45-10-14-000-0071
42-43-45-10-14-000-0080
42-43-45-10-14-000-0090
42-43-45-10-14-000-0100
42-43-45-10-14-000-0101
42-43-45-10-14-000-0110
42-43-45-10-14-000-0120
42-43-45-10-14-000-0330
42-43-45-10-14-000-0130
42-43-45-10-14-000-0320
42-43-45-10-14-000-0140
42-43-45-10-14-000-0310
42-43-45-10-14-000-0300
42-43-45-10-14-000-0150
42-43-45-10-14-000-0290
42-43-45-10-14-000-0160
42-43-45-10-14-000-0280
42-43-45-10-14-000-0170
42-43-45-10-14-000-0270
42-43-45-10-14-000-0180
42-43-45-10-14-000-0260
42-43-45-10-14-000-0191
42-43-45-10-14-000-0250
42-43-45-10-14-000-0201
42-43-45-10-14-000-0240
42-43-45-10-14-000-0230
42-43-45-10-14-000-0220

EXHIBIT C

Legal descriptions from former zoning district R3-A:

Lot 78 of Plat No. 5 Point Manalapan, according to the Plat thereof, as recorded in Plat Book 28, page 206.

Lot 77 of Plat No. 5 Point Manalapan, according to the Plat thereof, as recorded in Plat Book 28, page 206.

Lots 1 & 2 of Plat No. 10 Point Manalapan, according to the Plat thereof, as recorded in Plat Book 69, page 8.

Lot 3 of Plat No. 10 Point Manalapan, according to the Plat thereof, as recorded in Plat Book 69, page 8.

Lot 4 of Plat No. 10 Point Manalapan, according to the Plat thereof, as recorded in Plat Book 69, page 8.

EXHIBIT D

Parcel Control Numbers from former zoning district R3-A:

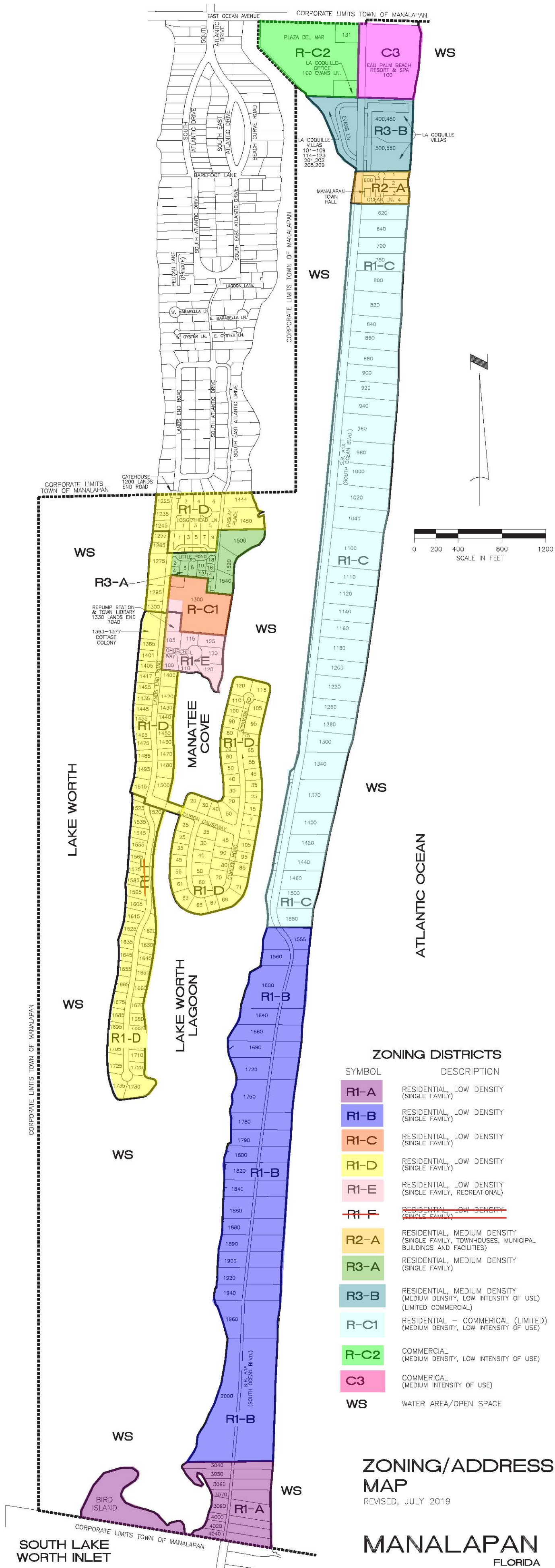
42-43-45-10-11-000-0780

42-43-45-10-11-000-0770

42-43-45-10-19-000-0010

42-43-45-10-19-000-0030

42-43-45-10-19-000-0040 (west side of Lands End Road only)



TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: PH. 4

Agenda Item Name: **Ordinance #406**

BACKGROUND:

Ordinance #406 - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT TITLE III ADMINISTRATION, CHAPTER 31 STAFF, SECTION 31.17 TOWN GENERAL EMPLOYEES' AND POLICE OFFICERS' RETIREMENT FUND, SUBSECTION (E) BOARD OF TRUSTEES TO PROVIDE THAT THE EMPLOYEE TRUSTEES CANNOT BE EMPLOYEES IN THE DROP; AMENDING SUBSECTION (H). BENEFIT AMOUNTS AND ELIGIBILITY, SUBSECTION (I), PRE-RETIREMENT DEATH, SUBSECTION (J), DISABILITY, AND SUBSECTION (K), VESTING TO PROVIDE FOR A CHANGE IN VESTING IN THE PLAN OF BENEFITS FROM TEN YEARS TO EIGHT YEARS; ADDING SUBSECTION (BB), DEFERRED RETIREMENT OPTION PLAN (DROP), TO PROVIDE AN OPTION FOR MEMBERS TO HAVE A FIVE-YEAR DROP PERIOD; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF SECTION 31.17 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. **(Second Reading)**

This ordinance updates the Town's retirement plan for general employees and police officers by enhancing retirement benefits and expanding retirement planning options. Specifically, it reduces the vesting period from ten years to eight years, allowing employees to qualify for retirement benefits sooner, and establishes a Deferred Retirement Option Plan (DROP) that permits eligible employees to continue working while accumulating retirement benefits for up to five years. The ordinance also clarifies governance of the retirement system by requiring that employee trustees serving on the retirement board not be participants in DROP. The overall purpose is to improve the attractiveness, flexibility, and administration of the Town's retirement program for current and future employees. The Town approved this ordinance on first reading at its June 23rd Town Commission meeting.

MOTION:

- Move to approve/disapprove Ordinance #406 on Second Reading.

ATTACHMENTS:

- Ordinance #406
- Actuarial Impact Statement from GRS Consulting

ORDINANCE NO. 406

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT TITLE III ADMINISTRATION, CHAPTER 31 STAFF, SECTION 31.17 TOWN GENERAL EMPLOYEES' AND POLICE OFFICERS' RETIREMENT FUND, SUBSECTION (E) BOARD OF TRUSTEES TO PROVIDE THAT THE EMPLOYEE TRUSTEES CANNOT BE EMPLOYEES IN THE DROP; AMENDING SUBSECTION (H). BENEFIT AMOUNTS AND ELIGIBILITY, SUBSECTION (I), PRE-RETIREMENT DEATH, SUBSECTION (J), DISABILITY, AND SUBSECTION (K), VESTING TO PROVIDE FOR A CHANGE IN VESTING IN THE PLAN OF BENEFITS FROM TEN YEARS TO EIGHT YEARS; ADDING SUBSECTION (BB), DEFERRED RETIREMENT OPTION PLAN (DROP), TO PROVIDE AN OPTION FOR MEMBERS TO HAVE A FIVE-YEAR DROP PERIOD; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF SECTION 31.17 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, the Town of Manalapan ("Town") currently provides benefits to the General Employees and Police Officers in its Town of Manalapan General Employees' and Police Officers' Retirement Fund (the "Fund"); and

WHEREAS, the Town desires to reduce the required vesting period in the plan from ten years to eight years; and

WHEREAS, the Town desires to add a Deferred Retirement Option Plan (DROP) to the existing plan document; and

WHEREAS, the Town Commission has determined that revising these benefits is in the best interest of the Town as well as the beneficiaries of the Fund.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, THAT:

Section 1. Title III Administration, Chapter 31 Staff, Section 31.17 Town General Employees' and Police Officers' Retirement Fund, subsection (E) Benefit Amounts and Eligibility, of the Code of Ordinances of the Town of Manalapan is hereby amended at sub-subsections (a), Normal Retirement Date, (c), Deferred Vested Retirement, and (e), Early Retirement Date, to read as follows:

[Subsections (A)-(D) shall remain in full force and effect as previously adopted].

(E) *Board of trustees.*

- (a) The sole and exclusive administration of and responsibility for the proper operation of the System and for making effective the provisions of this ordinance are hereby vested in a Board of Trustees. The Board of Trustees is hereby designated as the plan administrator.
- (b) The Board of Trustees shall consist of five (5) Trustees, as follows:
 - 1. Two Trustees shall be legal residents of the Town (unless otherwise prohibited by law) who shall be appointed by the Town Commission;
 - a. Each resident Trustee shall serve as Trustee for a period of four years, unless he sooner vacates the office or is sooner replaced by the Town Commission at whose pleasure he shall serve.
 - b. Each Resident Trustee may succeed himself in office.
 - 2. One Trustee shall be a full-time Police Officer Member of the System who shall be elected by a majority of the Police Officers who are Members of the System;
 - a. Each Police Officer Trustee shall serve as Trustee for a period of four years, unless he sooner leaves the employment of the Town as a Police Officer or otherwise vacates his office as Trustee, whereupon a successor shall be chosen in the same manner as the departing Trustee.
 - b. Each Police Officer Trustee may succeed himself in office.
 - c. A Police Officer in the DROP is ineligible to be on the Board since they are considered retired for purposes of the System.
 - 3. One Trustee shall be a full-time General Employee Member of the System who shall be elected by a majority of the General Employees who are Members of the System.
 - a. Each General Employee Trustee shall serve as Trustee for a period of four years, unless he sooner leaves the employment of the Town as a General Employee or otherwise vacates his office as Trustee, whereupon a successor shall be chosen in the same manner as the

departing Trustee.

- b. Each General Employee Trustee may succeed himself in office.
 - c. A General Employee in the DROP is ineligible to be on the Board since they are considered retired for purposes of the System.
4. The fifth Trustee shall be chosen by a majority of the previous four Trustees as provided for herein, and such person's name shall be submitted to the Town Commission. Upon receipt of the fifth person's name, the Town Commission shall, as a ministerial duty, appoint such person to the Board of Trustees as its fifth Trustee. The fifth Trustee shall have the same rights as each of the other four (4) Trustees appointed or elected as herein provided.

[Sub-subsections (c)–(i) shall remain in full force and effect as previously adopted].

Section 2. Title III Administration, Chapter 31 Staff, Section 31.17 Town General Employees' and Police Officers' Retirement Fund, subsection (H) Benefit Amounts and Eligibility, of the Code of Ordinances of the Town of Manalapan is hereby amended at sub-subsections (a), Normal Retirement Date, (c), Deferred Vested Retirement, and (e), Early Retirement Date, to read as follows:

Sec. 31.17 - Town General Employees' and Police Officers' Retirement Fund.

[Subsections (F)-(G) shall remain in full force and effect as previously adopted].

(H) *Benefit Amounts and Eligibility.*

- (a) Normal Retirement Date. A Member's normal retirement date shall be the first day of the month coincident with or the next following the earlier of attainment of age fifty-five (55) and the completion of eight (8) years of Credited Service or the attainment of age fifty-two (52) and the completion of twenty-five (25) years of Credited Service. A Member may retire on his normal retirement date or on the first day of any month thereafter, and each Member shall become one hundred percent (100%) vested in his accrued benefit on the Member's normal retirement date. Normal retirement under the System is separation from employment with the General Employees or the Police Department on or after both reaching the normal retirement date and filing an application for benefits.

[Sub-subsection (b) shall remain in full force and effect as previously adopted].

- (c) **Deferred Vested Retirement.** A Member who terminates employment after attaining at least eight (8) years of service is entitled to a benefit beginning at the early or normal retirement date whichever is applicable. Deferred Vested retirement under the System is separation from employment with the General Employees or the Police Department on or after both reaching the early or normal retirement date and filing an application for benefits.

[Sub-subsection (d) shall remain in full force and effect as previously adopted].

- (e) **Early Retirement Date.** A Member may retire on his early retirement date which shall be the first day of any month coincident with or next following the later of the attainment of age fifty (50) and the completion of at least eight (8) years of Credited Service. Early retirement under the System is separation from employment with the General Employees or the Police Department both on or after the early retirement date and prior to the normal retirement and filing an application for benefits.

[Sub-subsection (f) shall remain in full force and effect as previously adopted].

Section 3. Title III Administration, Chapter 31 Staff, Section 31.17 Town General Employees' and Police Officers' Retirement Fund, subsection (I) Preretirement Death, of the Code of Ordinances of the Town of Manalapan is hereby amended at sub-subsection (a), Benefit Payable in Event of Death Prior to Ten (10) Years of Service, and sub-subsection (b), Benefit Payable in Event of Death While in Service With At Least Ten (10) Years of Service, sub-sub-subsection (1), to read as follows:

(I) *Preretirement death.*

- (a) **Benefit Payable in the Event of Death Prior to Eight (8) Years of Service.** If the service of a Member is terminated by reason of his death prior to his eighth year of service in the Plan, there shall be payable to the Member's designated Beneficiary the Member's Accumulated Contributions.
- (b) **Benefit Payable in Event of Death While in Service With At Least Eight (8) Years of Service.**
 - (1) In the case of an active Member's death on or after attaining 8 years of credited service, the Member's Beneficiary is, after application, entitled to a monthly benefit equal to three percent (3%) of the Member's Average Final Compensation multiplied by the Member's Credited Service. This benefit may be reduced for early retirement depending upon the benefit commencement date.

[Sub-subsection (l)(b)(2) and (l)(b)(3) shall remain in full force and effect as previously adopted].

Section 4. Title III Administration, Chapter 31 Staff, Section 31.17 Town General Employees' and Police Officers' Retirement Fund, subsection (J), Disability, of the Code of Ordinances of the Town of Manalapan is hereby amended, to read as follows:

(J) *Disability.*

[Sub-subsection (a) shall remain in full force and effect as previously adopted].

(b) *Disability Benefits Off-Duty.* Each Member with eight (8) years or more Credited Service who shall become totally and permanently disabled to the extent that he is unable, by reason of a medically determinable physical or mental impairment, to render useful and efficient service as a general employee or police officer, which disability is not directly caused by the performance of his duties as a general employee or police officer, shall, upon establishing the same to the satisfaction of the Board, be entitled to the accrued pension benefit as of the date of disability. However, in no event shall the benefit be less than twenty-five percent (25%) of his or her average monthly compensation as of the general employee or police officer disability retirement date.

[Sub-subsections (c) – (e) shall remain in full force and effect as previously adopted].

Any person receiving disability benefits under provisions of this ordinance may be periodically re-examined by a qualified physician or physicians and/or surgeon or surgeons who shall be selected by the Board, to determine if such disability has ceased to exist. If the Board finds that the retiree is no longer permanently and totally disabled to the extent that he is unable to render useful and efficient service as a General Employee or Police Officer, the Board shall recommend to the Town that the retiree be returned to performance of duty as a General Employee or Police Officer and the retiree so returned shall enjoy the same rights that he had at the time he was placed upon pension. In the event the retiree so ordered to return shall refuse to comply with the order within thirty (30) days from the issuance thereof, he shall forfeit the right to his pension. However, any such Member who recovers from disability and whose retirement income is discontinued by the Board and who, as of the date of termination of his service due to disability, had both attained the age of fifty (50) years and completed at least eight (8) of Credited Service, shall, if he does not re-enter the service of general Town employment or police department, be entitled to the early retirement income or the benefit on termination of service as provided in Sections 31.17(H) and (K) hereof, respectively, based on his Average Final Compensation and Credited Service as of the date of termination of his service due to disability and upon his attained age as of the date of his recovery from disability, and the amount of the retirement income upon early

retirement will be reduced to take into account the Member's younger age and earlier commencement of retirement income payments as provided in Section 31.17(H) hereof.

The cost of the physical examination and/or re-examination of the retiree claiming and/or receiving disability benefits shall be borne by the Fund. All other reasonable costs as determined by the Board incident to the physical examination, such as, but not limited to, transportation, meals and hotel accommodations, shall be borne by the Fund.

If the retiree recovers from disability and reenters the service of the Town as a general employee or police officer, his service will be deemed to have been continuous, but the period beginning with the first month for which he received a disability retirement income payment and ending with the date he reentered the service of the Town will not be considered as Credited Service for the purposes of the System.

The Board shall have the power and authority to make the final decisions regarding all disability claims.

[Sub-subsections (f) – (g) shall remain in full force and effect as previously adopted].

Section 5. Title III Administration, Chapter 31 Staff, Section 31.17 Town General Employees' and Police Officers' Retirement Fund, subsection (K), Vesting, of the Code of Ordinances of the Town of Manalapan is hereby amended, to read as follows:

- (K) *Vesting.* A member earns a one hundred percent (100%) vested interest upon completing eight (8) years of service. If a member terminates his employment with the General Employees or Police Department, either voluntarily or by discharge, and is not eligible for any other benefits under this System, he shall be entitled to the following:
- (a) Any member who has less than eight (8) years of service upon termination of employment shall be entitled to a refund of his Accumulated Contributions.
 - (b) Any vested Member of the System whose position is terminated, for whatever reason, shall have all retirement benefits accrued up to the date of such termination under this System preserved, provided he does not elect to withdraw his Accumulated Contributions from this System. Such accrued retirement benefits shall be payable at his otherwise early (reduced as for early retirement) or normal retirement date hereunder, or later, in accordance with Section 31.17(H)(c) and (d); provided further, however, that benefits shall not be payable under this System during any period of continued employment by the Town, except as provided for in *Section 31.17(AA)*.

[Sub-sections (L) through (AA) shall remain in full force and effect as previously adopted].

Section 6, Title III Administration, Chapter 31 Staff, Section 31.17 Town General Employees' and Police Officers' Retirement Fund, of the Code of Ordinances of the Town of Manalapan is hereby amended by adding a new subsection (BB), Deferred Retirement Option Plan, to read as follows:

(BB) *Deferred Retirement Option Plan.*

(a) *Definitions.*

As used in this subsection (BB), the following definitions apply:

- (1) *DROP* The Town of Manalapan General Employees' and Police Officers' Retirement Fund, Deferred Retirement Option Plan.
- (2) *DROP Account* The notional account established for each DROP participant under subsection (b)(3).
- (3) *Total Return of the Assets* For purposes of calculating earnings on a Member's DROP Account pursuant to subsection (c)(2)b., for each fiscal year quarter, the percentage increase (or decrease) in the interest and dividends earned on investments, including realized and unrealized gains (or losses), of the total Plan assets. The actual rate credited will be the Total Return of the Asset, net of investment expenses.
- (4) *Net investment return* is the total return of the assets in which the Member's DROP Account is invested by the Board net of brokerage commissions, transaction costs, and management fees.

(b) *Participation.*

- (1) *Eligibility to Participate.* In lieu of terminating their employment as a General Employee or Police Officer, any Member who is eligible for normal retirement under the System may elect to defer receipt of such service retirement pension and to participate in the DROP.
- (2) *Election to Participate.* A Member's election to participate in the DROP must be made in writing in a time and manner determined by the Board and shall be effective on the first day of the first calendar month which is at least 45 business days after it is received by the Board.
- (3) *Period of Participation.* A Member who elects to participate in the DROP under subsection (b)(2), shall participate in the DROP for a period not to

exceed 60 months beginning at the time the Member's election to participate in the DROP first becomes effective. An election to participate in the DROP shall constitute an irrevocable election to resign from the service of the Town not later than the date provided for in the previous sentence. A Member may participate only once.

(4) *Termination of Participation.*

- a. A Member's participation in the DROP shall cease at the earlier of:
 - 1. the end of the Member's permissible period of participation in the DROP as determined under subsection (b)(3); or
 - 2. termination of the Member's employment as a General Employee or Police Officer.
- b. Upon the Member's termination of participation in the DROP, pursuant to subsection (b)(4)a. above, all amounts provided for in subsection (c)(2), including monthly benefits and investment earnings or losses, shall cease to be transferred from the System to the Member's DROP Account. Any amounts remaining in the Member's DROP Account shall be paid to the Member in accordance with the provisions of subsection (d) when the Member terminates employment as a General Employee or Police Officer.
- c. A Member who terminates their participation in the DROP under this subsection (b)(4) shall not be permitted to again become a participant in the DROP.

(5) *Effect of DROP Participation on the System.*

- a. A Member's Credited Service and their accrued benefit under the System shall be determined on the date their election to participate in the DROP first becomes effective. The Member shall not accrue any additional Credited Service or any additional benefits under the System (unless specifically provided for in this Plan) while they are a participant in the DROP and Member Contributions will cease. After a Member commences participation, they shall not be permitted to again contribute to the System, nor shall they be eligible for disability or pre-retirement death benefits.
- b. No amounts shall be paid to a Member from the System while the Member is a participant in the DROP. Unless otherwise specified in the System, if a Member's participation in the DROP is terminated other than by terminating their employment as a General Employee or Police Officer, no amounts shall be paid to the Member from the

System until they terminate their employment as a General Employee or Police Officer. Unless otherwise specified in the System, amounts transferred from the System to the Member's DROP Account shall be paid directly to the Member only on the termination of their employment as a General Employee or Police Officer.

(c) *Funding.*

(1) *Establishment of DROP Account.* A notional DROP Account shall be established for each Member participating in the DROP. A Member's DROP Account shall consist of amounts transferred to the DROP under subsection (c)(2), and earnings on those amounts. Member's will receive quarterly statements which will be distributed within 60 days of the date of the quarterly Board meeting at which the returns were presented.

(2) *Transfers From Retirement System.*

- a. As of the first day of each month of a Member's period of participation in the DROP, the monthly retirement benefit they would have received under the System had they terminated their employment as a General Employee or Police Officer and elected to receive monthly benefit payments thereunder shall be transferred to their DROP Account, except as otherwise provided for in subsection (b)(4)b. A Member's period of participation in the DROP shall be determined in accordance with the provisions of subsections (b)(3) and (b)(4), but in no event shall it continue past the date they terminate their employment as a General Employee or Police Officer.
- b. Except as otherwise provided in subsection (b)(4)b., a Member's DROP Account under this subsection (c)(2) shall be credited with earnings determined as of the last business day of each fiscal year quarter and credited as of such date, determined as follows:

The average daily balance in a Member's DROP Account shall be credited at a rate equal to the net investment return realized by the System for that quarter, but not less than 0% and not more than 5%.

For purposes of calculating earnings on a Member's DROP Account pursuant to this subsection (c)(2)b., brokerage commissions, transaction costs, and management fees shall be determined for each quarter by the investment consultant pursuant to contracts with fund managers as reported in the custodial statement. The investment consultant will report the net investment

return for each manager and the net investment return for the total Plan assets.

- (3) A Member's DROP Account shall only be credited with earnings and monthly benefits while the Member is a participant in the DROP. A Member's final DROP account value for distribution to the Member upon termination of participation in the DROP shall be the value of the account at the end of the quarter immediately preceding termination of participation plus any monthly periodic additions made to the DROP account subsequent to the end of the previous quarter and prior to distribution. The Board has the right to holdback 20% of the distribution balance to account for losses in the portfolio and pay those assets the following quarter.
- (4) If a Member fails to terminate employment after participating in the DROP for the permissible period of DROP participation, then beginning with the Member's first month of employment following the last month of the permissible period of DROP participation, the Member's DROP Account will no longer be credited with earnings, nor will monthly benefits be transferred to the DROP account. All such non-transferred amounts shall be forfeited and continue to be forfeited while the Member is employed. A Member employed after the permissible period of DROP participation will still not be eligible for pre-retirement death and disability benefits.

(d) Distribution of DROP Accounts on Termination of Employment.

- (1) *Eligibility for Benefits.* A Member must take distribution of the balance in their DROP Account in accordance with the provisions of this subsection (d) upon their termination of employment as a General Employee or Police Officer. No amounts shall be paid to a Member from the DROP prior to their termination of employment as a General Employee or Police Officer.
- (2) *Form of Distribution.*
 - a. Distribution of a Member's DROP Account shall be made in a lump sum, subject to the direct rollover provisions set forth in subsection (d)(6). Elections under this paragraph shall be in writing and shall be made in such time or manner as the Board shall determine.
 - b. Notwithstanding the preceding, if a Member dies before their benefit is paid, the Member's DROP Account shall be paid to their Beneficiary. If no Beneficiary designation is made, the DROP Account shall be distributed to the Member's estate.
- (3) *Date of Payment of Distribution.* Except as otherwise provided in this subsection (d), distribution of a Member's DROP Account shall be made

as soon as administratively practicable following the Member's termination of employment. Distribution of the amount in a Member's DROP account will not be made unless the Member completes a written request for distribution and a written election, on forms designated by the Board, to either receive a cash lump sum or a rollover of the lump sum amount.

- (4) *Proof of Death and Right of Beneficiary or Other Person.* The Board may require and rely upon such proof of death and such evidence of the right of any Beneficiary or other person to receive the value of a deceased Member's DROP Account as the Board may deem proper and its determination of the right of that Beneficiary or other person to receive payment shall be conclusive.
- (5) *Distribution Limitation.* Notwithstanding any other provision of subsection (d), all distributions from the DROP shall conform to the "Minimum Distribution of Benefits" provisions as provided for herein.
- (6) *Direct Rollover of Certain Distributions.* This subsection applies to distributions made on or after January 1, 2002. Notwithstanding any provision of the DROP to the contrary, a distributee may elect to have any portion of an eligible rollover distribution paid in a direct rollover as otherwise provided under the System in Section 31.17(z).

(e) *Administration of DROP.*

- (1) *Board Administers the DROP.* The general administration of the DROP, the responsibility for carrying out the provisions of the DROP and the responsibility of overseeing the investment of the DROP's assets shall be placed in the Board. The members of the Board may appoint from their number such subcommittees with such powers as they shall determine; may adopt such administrative procedures and regulations as they deem desirable for the conduct of their affairs; may authorize one or more of their number or any agent to execute or deliver any instrument or make any payment on their behalf; may retain counsel, employ agents and provide for such clerical, accounting, actuarial and consulting services as they may require in carrying out the provisions of the DROP; and may allocate among themselves or delegate to other persons all or such portion of their duties under the DROP, other than those granted to them as Trustee under any trust agreement adopted for use in implementing the DROP, as they, in their sole discretion, shall decide. A Trustee shall not vote on any question relating exclusively to themselves.
- (2) *Individual Accounts, Records and Reports.* The Board shall maintain records showing the operation and condition of the DROP, including records showing the individual balances in each Member's DROP Account, and the Board shall keep in convenient form such data as may

be necessary for the valuation of the assets and liabilities of the DROP. The Board shall prepare and distribute to Members participating in the DROP and other individuals or file with the appropriate governmental agencies, as the case may be, all necessary descriptions, reports, information returns, and data required to be distributed or filed for the DROP pursuant to the Code and any other applicable laws.

- (3) *Establishment of Rules.* Subject to the limitations of the DROP, the Board from time to time shall establish rules for the administration of the DROP and the transaction of its business. The Board shall have discretionary authority to construe and interpret the DROP (including but not limited to determination of an individual's eligibility for DROP participation, the right and amount of any benefit payable under the DROP and the date on which any individual ceases to be a participant in the DROP). The determination of the Board as to the interpretation of the DROP or its determination of any disputed questions shall be conclusive and final to the extent permitted by applicable law.

- (4) *Limitation of Liability.*

- a. The Trustees shall not incur any liability individually or on behalf of any other individuals for any act or failure to act, made in good faith in relation to the DROP or the funds of the DROP.
- b. Neither the Board nor any Trustee of the Board shall be responsible for any reports furnished by any expert retained or employed by the Board, but they shall be entitled to rely thereon as well as on certificates furnished by an accountant or an actuary, and on all opinions of counsel. The Board shall be fully protected with respect to any action taken or suffered by it in good faith in reliance upon such expert, accountant, actuary or counsel, and all actions taken or suffered in such reliance shall be conclusive upon any person with any interest in the DROP.

(f) *General Provisions.*

- (1) *The DROP Is Not a Separate Retirement Plan.* Instead, it is a program under which a Member who is eligible for normal retirement under the System may elect to accrue future retirement benefits in the manner provided in this Section (BB) for the remainder of their employment, rather than in the normal manner provided under the plan. Upon termination of employment, a Member is entitled to a lump sum distribution of their DROP Account balance or may elect a rollover. The DROP Account distribution is in addition to the Member's monthly benefit.

- (2) *Notional Account.* The DROP Account established for such a Member is a notional account, used only for the purpose of calculation of the DROP distribution amount. It is not a separate account in the System. There is no change in the System's assets, and there is no distribution available to the Member until the Member's termination from the DROP. The Member has no control over the investment of the DROP Account.
- (3) *No Employer Discretion.* The DROP benefit is determined pursuant to a specific formula which does not involve employer discretion.
- (4) *IRC Limit.* The DROP Account distribution, along with other benefits payable from the System, is subject to limitation under Internal Revenue Code Section 415(b).
- (5) *Amendment of DROP.* The DROP may be amended by an ordinance of the Town at any time and from time to time, and retroactively if deemed necessary or appropriate, to amend in whole or in part any or all of the provisions of the DROP. However, except as otherwise provided by law, no amendment shall make it possible for any part of the DROP's funds to be used for, or diverted to, purposes other than for the exclusive benefit of persons entitled to benefits under the DROP. No amendment shall be made which has the effect of decreasing the balance of the DROP account of any Member.
- (6) *Facility of Payment.* If a Member or other person entitled to a benefit under the DROP is unable to care for their affairs because of illness or accident or is a minor, the Board shall direct that any benefit due the Member shall be made only to a duly appointed legal representative. Any payment so made shall be a complete discharge of the liabilities of the DROP for that benefit.
- (7) *Information.* Each Member, Beneficiary or other person entitled to a benefit, before any benefit shall be payable to them or on their account under the DROP, shall file with the Board the information that it shall require to establish their rights and benefits under the DROP.
- (8) *Written Elections, Notification.*
 - a. Any elections, notifications or designations made by a Member pursuant to the provisions of the DROP shall be made in writing and filed with the Board in a time and manner determined by the Board under rules uniformly applicable to all employees similarly situated. The Board reserves the right to change from time to time the manner for making notifications, elections or designations by Members under the DROP if it determines after due deliberation that such action is justified in that it improves the administration of

the DROP. In the event of a conflict between the provisions for making an election, notification or designation set forth in the DROP and such new administrative procedures, those new administrative procedures shall prevail.

- b. Each Member or Retiree who has a DROP Account shall be responsible for furnishing the Board with their current address and any subsequent changes in their address. Any notice required to be given to a Member or Retiree hereunder shall be deemed given if directed to the Member at the last such address given to the Board and mailed by registered or certified United States mail. If any check mailed by registered or certified United States mail to such address is returned, mailing of checks will be suspended until such time as the Member or Retiree notifies the Board of their address.
- (9) *Benefits Not Guaranteed.* All benefits payable to a Member from the DROP shall be paid only from the assets of the Member's DROP Account and neither the Town, nor the Board shall have any duty or liability to furnish the DROP with any funds, securities or other assets except to the extent required by any applicable law.
- (10) *Construction.*
- a. The DROP shall be construed, regulated and administered under the laws of Florida, except where other applicable law controls.
 - b. The titles and headings of the subsections in this Section (BB) are for convenience only. In the case of ambiguity or inconsistency, the text rather than the titles or headings shall control.
- (11) *Forfeiture of Retirement Benefits.* Nothing in this Section shall be construed to remove DROP participants from the application of any forfeiture provisions applicable to the System. DROP participants shall be subject to forfeiture of all retirement benefits, including DROP benefits.
- (12) *Effect of DROP Participation on Employment.* Participation in the DROP is not a guarantee of employment and DROP participants shall be subject to the same employment standards and policies that are applicable to employees who are not DROP participants.

Section 7. Each and every other section and subsection of Title III Administration, Chapter 31 Staff, shall remain in full force and effect as previously adopted.

Section 8. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 9. If any section or provision of this ordinance, any paragraph, sentence or word is declared invalid by a court of competent jurisdiction, the decision shall not affect the validity of the remainder of this ordinance.

Section 10. Specific authority is hereby given to codify this ordinance into the Code of Ordinances of the Town of Manalapan.

Section 11. This ordinance will take effect immediately upon adoption.

FIRST READING this 23rd day of June 2026.

SECOND & FINAL READING this ____ day of July 2026.

TOWN OF MANALAPAN

John Deese, Mayor

ATTEST:

(SEAL)

Erika Petersen, Town Clerk

TOWN OF MANALAPAN AGENDA ITEM SUMMARY

Meeting Date: July 14th, 2026

Agenda Item No.: PH. 5

Agenda Item Name: Ordinance #407

BACKGROUND:

Ordinance #407 - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA; AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 155. BEACHES AND WATERWAYS. SECTION 155.03. PROHIBITED FISHING ACTIVITIES. BY RE-NAMING THIS SECTION TO READ "PROHIBITED FISHING RELATED NUISANCE ACTIVITIES, AND OTHER NUISANCE ACTIVITIES"; DEFINING AND PROVIDING EXAMPLES OF PROHIBITED NUISANCE ACTIVITY ON BEACHES, RIGHTS-OF-WAY, AND OTHER PLACES IN THE TOWN TO INCLUDE LITTERING, TRESPASSING, NOISE VIOLATIONS AND LIGHT VIOLATIONS; IDENTIFYING TOWN POLICE AS HAVING ENFORCEMENT JURISDICTION OVER ALL NUISANCE ACTIVITY THAT OCCURS ANYWHERE IN THE TOWN; ALSO IDENTIFYING FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION (FWC) JURISDICTION OVER SALTWATER FISHING ACTIVITIES IN FLORIDA STATE WATERS IN AND ADJACENT TO THE TOWN, ACKNOWLEDGING FWC JURISDICTION OVER SHORE BASED SHARK FISHING; AND STATING FWC RULES AND REGULATIONS THAT APPLY TO SHORE BASED SHARK FISHING; DIRECTING THE TOWN MANAGER AND POLICE CHIEF TO WORK WITH FWC AND OBTAIN EDUCATIONAL MATERIALS TO BE PROVIDED TO TOWN RESIDENTS AND GUESTS REGARDING FWC RULES AND REGULATIONS THAT APPLY TO SHORE BASED SHARK FISHING; ENCOURAGING TOWN RESIDENTS AND GUESTS TO PROMPTLY REPORT ANY AND ALL NUISANCE ACTIVITY THEY MAY OBSERVE ON BEACHES, RIGHTS-OF-WAY, AND OTHER PLACES IN THE TOWN, FURTHER ENCOURAGING TOWN RESIDENTS AND GUESTS TO PROMPTLY REPORT ANY AND ALL SHORE BASED SHARK FISHING ACTIVITY THAT APPEARS TO VIOLATE ANY FWC RULE; PROVIDING DEFINITIONS, AND PROVIDING FOR ENFORCEMENT; PROVIDING THAT ALL OTHER SECTIONS AND SUBSECTIONS OF CHAPTER 155. BEACHES AND WATERWAYS. WILL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

This ordinance amends the language adopted in Ordinance No. 405, which originally established regulations addressing nuisance fishing activities. This revised language is a direct result of discussions the Town had with FWC base on FWC recommendations.

MOTION:

- Move to approve/disapprove Ordinance #407 on First Reading.

ATTACHMENTS:

- Ordinance #407

ORDINANCE NO. 407

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA; AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 155. BEACHES AND WATERWAYS. SECTION 155.03. PROHIBITED FISHING ACTIVITIES. BY RE-NAMING THIS SECTION TO READ “PROHIBITED FISHING RELATED NUISANCE ACTIVITIES, AND OTHER NUISANCE ACTIVITIES”; DEFINING AND PROVIDING EXAMPLES OF PROHIBITED NUISANCE ACTIVITY ON BEACHES, RIGHTS-OF-WAY, AND OTHER PLACES IN THE TOWN TO INCLUDE LITTERING, TRESPASSING, NOISE VIOLATIONS AND LIGHT VIOLATIONS; IDENTIFYING TOWN POLICE AS HAVING ENFORCEMENT JURISDICTION OVER ALL NUISANCE ACTIVITY THAT OCCURS ANYWHERE IN THE TOWN; ALSO IDENTIFYING FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION (FWC) JURISDICTION OVER SALTWATER FISHING ACTIVITIES IN FLORIDA STATE WATERS IN AND ADJACENT TO THE TOWN, ACKNOWLEDGING FWC JURISDICTION OVER SHORE BASED SHARK FISHING; AND STATING FWC RULES AND REGULATIONS THAT APPLY TO SHORE BASED SHARK FISHING; DIRECTING THE TOWN MANAGER AND POLICE CHIEF TO WORK WITH FWC AND OBTAIN EDUCATIONAL MATERIALS TO BE PROVIDED TO TOWN RESIDENTS AND GUESTS REGARDING FWC RULES AND REGULATIONS THAT APPLY TO SHORE BASED SHARK FISHING; ENCOURAGING TOWN RESIDENTS AND GUESTS TO PROMPTLY REPORT ANY AND ALL NUISANCE ACTIVITY THEY MAY OBSERVE ON BEACHES, RIGHTS-OF-WAY, AND OTHER PLACES IN THE TOWN, FURTHER ENCOURAGING TOWN RESIDENTS AND GUESTS TO PROMPTLY REPORT ANY AND ALL SHORE BASED SHARK FISHING ACTIVITY THAT APPEARS TO VIOLATE ANY FWC RULE; PROVIDING DEFINITIONS, AND PROVIDING FOR ENFORCEMENT; PROVIDING THAT ALL OTHER SECTIONS AND SUBSECTIONS OF CHAPTER 155. BEACHES AND WATERWAYS. WILL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 155. Beaches and Waterways. of the Town of Manalapan Code of Ordinances has historically regulated many activities associated with the beach and water elements of Town geography, including operating motor vehicles on beaches, fishing, surfing, skimming, and beach cleaning; and

WHEREAS, Section 155.03 currently prohibits all fishing from bridges located within the Town’s jurisdiction; and

WHEREAS, recent amendments to Sec. 155.03 that were adopted by the Town Commission by Ordinance No. 405 also addressed the activity of shore based shark fishing in an effort to protect the public health, safety and welfare from shore based shark fishermen that may violate state rules by endangering near shore boaters and swimmers with shark fishing hooks and lines, by trespassing on private property, by littering beaches with carcass, bait, and trash debris, and generally by disregarding the rights of adjacent property owners and their guests to the quiet enjoyment of their private property; and

WHEREAS, immediately upon the adoption of Ordinance 405, the local shore based shark fishing community undertook a social media and e-mail campaign against the Town in opposition to the ordinance that provided for said amendments, demanding the immediate repeal of Ordinance 405; and

WHEREAS, in response to the local shore based shark fishing community's social media and e-mail campaign against the Town demanding the repeal of Ordinance 405, the Town Attorney engaged in a dialogue with the FWC General Counsel regarding Town Ordinance 405, and shore based shark fishing in general, which dialogue included positive, professional and sympathetic acknowledgement by FWC of the Town's concerns and its intent in adopting Ordinance 405, balanced against the current preemptions contained in state law for saltwater fishing regulation in general and shore based shark fishing in particular; and

WHEREAS, thereafter, the Town Attorney augmented and supplemented Ordinance 405 as contained herein-below, to expand general nuisance prohibitions throughout the Town, to acknowledge state authority through FWC to regulate saltwater fishing and shore based shark fishing in particular, to adopt and codify an education campaign to make Town residents and guests aware of prohibited nuisance activity and aware of the state rules that apply to shore based shark fishing activity, and to encourage all residents and guests of the Town to report observed nuisance violations and observed violations of shore based shark fishing rules, or evidence that those rules have been violated, to either Town Police or to FWC as appropriate; and

WHEREAS, the Town Commission of the Town of Manalapan, Florida, desires to amend Section 155.03 as explained above and as set forth herein-below for the betterment of the Town and to protect the public health, safety and welfare against nuisance activity and violations of state fishing laws.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA:

Section 1. The facts and recitations contained in the preamble of this ordinance are adopted and incorporated by reference as if set forth in this section.

Section 2. Section 155.03 of the Code of Ordinances of the Town of Manalapan, Florida, is hereby amended by renaming this section to read “Prohibited Fishing Related Nuisance Activities, and Other Nuisance Activities” defining and identifying behavior that constitutes a nuisance on beaches and other places throughout the Town; also stating FWC rules for shore based shark fishing and acknowledging FWC jurisdiction to enforce violations of those rules, directing Town administration to work with FWC to educate residents and guests about shore based shark fishing and encouraging residents and guests to report all observed nuisance activity and all observed violations of FWC shore based shark fishing rules, or evidence that such a violation has occurred; providing definitions and providing for enforcement; providing that Sec. 155.03 shall hereafter read as follows

§ - 155.03 PROHIBITED FISHING RELATED NUISANCE ACTIVITIES, AND OTHER NUISANCE ACTIVITIES.

(A) *Bridge fishing prohibited.* No person shall fish, try to catch fish or use fishing paraphernalia on or from any bridges, including their abutments, on any public right-of-way street within the Town. Fishing from any bridge, including their abutments, on any public right-of-way within the Town is presumed to constitute a nuisance and is prohibited.

(B) *Nuisance activity prohibited.* ~~*Beach fishing restricted.*~~

(1) For reasons of public health, safety, and welfare, any activity that creates or causes a nuisance fishing is prohibited at any beach or on any Town owned property or on any public right-of-way or other publicly accessible place within the Town’s jurisdiction at any time in instances that may endanger the health and safety of, swimmers or other beachgoers. See Sec. 94.01 and Sec. 94.02 of the Town Code of Ordinances for the definition of “nuisance” and for additional examples of nuisance activity.

(2) The use of hooks, line, and bait or lures for fishing within 100 yards of any swimmer, beachgoer, or near shore boater such as a paddleboarder, kayaker, or jet ski / wave-runner operator is presumed to constitute a nuisance and a danger to such swimmer, beachgoer or near shore boater, and is prohibited.

(3) Trespassing onto privately owned beach property is presumed to cause a nuisance to the private beach property owner and is prohibited.

(4) Any nighttime activity on the beach during sea turtle nesting season (March 1 through October 31) with the use of any lighting other than red or amber colored light is presumed to constitute a nuisance and is prohibited.

(5) Littering on any beach or on any Town owned property or on any public right-of-way or other publicly accessible place is presumed to constitute a nuisance and is prohibited. This prohibition includes, but is not limited to, the use of fishing paraphernalia or any other device or instrumentality such that the safety of boaters and jet skiers / wave runner operators and passengers, as well as swimmers and other beachgoers, may be placed into danger.

(6) Any violation of the Town's noise regulations as set forth in Chapter 95 of the Town Code of Ordinances on any beach or on any Town owned property or on any public right-of-way or other publicly accessible place is presumed to constitute a nuisance and is prohibited.

(C) *Shore based shark fishing regulations. Shark baiting prohibited. Shore based shark fishing is regulated by the State of Florida through the Florida Fish and Wildlife Conservation Commission (FWC). Shore based shark fishing rules are found in the Florida Administrative Code Chapter 68B-44, Sections 002 through 009. Those rules include the following prohibitions:*

(1) Landing by recreational fishing from Florida waters, or possessing by taking from Florida waters any short fin mako shark less than 83 inches fork length.

(2) Landing from Florida waters or possessing by taking from Florida waters any shark less than 54 inches fork length, except for the following species, for which there is no minimum size requirement:

a. Atlantic sharpnose shark.

b. Blacknose shark.

c. Blacktip shark.

d. Bonnethead.

e. Finetooth shark.

f. Smoothhound sharks.

(3) Landing by recreational fishing from Florida waters, or possessing by taking from Florida waters any shark in other than whole condition with fins attached.

- (4) Landing by recreational fishing from Florida waters, or possessing by taking from Florida waters any shark fin that has been separated from the shark body.
- (5) Landing by recreational fishing from Florida waters, or possessing by taking from Florida waters more than one permissible species of shark per day. The list of prohibited shark species can be found at Florida Administrative Code Chapter 68B-44 Sec. 004.
- (6) Removing from Florida waters, or unnecessarily harming or destroying any prohibited shark species taken from Florida waters.
- (7) Use of any fishing method from Florida waters other than single hook and line gear. When using live or dead natural bait, only non-stainless-steel circle hooks may be used. Anyone engaged in the activity of shore based shark fishing must have in their possession at all times a set of cable or bolt cutters. The use of multiple hooks in conjunction with dead or live bait, the practice of snagging, and the practice of chumming or bloodbaiting is prohibited by FWC rule. Drones may not be used to harass or track any fish in Florida waters, or to assist in taking any fish, including sharks, from Florida waters. The use of drones in general must also be in conformance with FWC rule and Federal Aviation Administration (FAA) rule, and state law.
- (8) A person may not participate in shore-based shark fishing unless such person has been issued and is in possession of a valid Commission-issued shore-based shark fishing permit. A person who is under 16 years of age is exempt from the shore-based shark fishing permit requirement; however, they must have completed the FWC shore based shark fishing education course.

~~No person may perform acts or utilize fishing paraphernalia or any other device or instrumentality that attract sharks, e.g., chumming and “bloodbaiting”, and endanger the health and safety of swimmers or other beachgoers at any beach within the Town’s jurisdiction at any time. This prohibition includes, but is not limited to, the use of fishing paraphernalia or any other device or instrumentality such that the safety of boaters and jet-skiers / wave runner operators and passengers, as well as swimmers and other beachgoers, may be placed into danger.~~

(D) Enforcement and education.

(1) Residents and guests of the Town of Manalapan are strongly encouraged to report observed behavior that violates any provision of this section, or observed evidence that indicates there has been a violation of any rule set forth in this section. Violations of Town nuisance regulations including beach lighting and littering, as well as trespass on private property, should be reported to the Town of Manalapan Police Department. Violations of FWC rules regulating shore based shark fishing should be reported directly to FWC, or to the Town of Manalapan Police Department who will engage FWC as appropriate.

(2) The Town Manager is hereby authorized to procure, post, establish and maintain appropriate signs, near or upon bridges and beach access points indicating the prohibitions and regulations set forth in subsections (A), (B), and (C), as well as contact information for Town Police enforcement and state FWC enforcement, but the failure to procure, post, establish or maintain any such sign shall have no effect whatsoever upon the prohibitions set forth in subsections (A) , (B), and (C).

(3) The Town Manager is further authorized to coordinate with the Police Chief and appropriate FWC personnel to provide education materials and enforcement instructions to Town residents and guests regarding the prohibitions and restrictions contained in applicable FWC rules and this code.

(E) Definitions. For purposes of this section, the following terms have the meanings set forth herein, as contained in Florida Administrative Code 68B-2.011, 68B-44.002 and 68B-44.006:

(1) "Beach" means a saltwater shoreline covered in enough sand above the mean high water line to support sunbathing.

(2) "Chumming" means the use of animal product – real or synthetic – placed into the water from the beach to attract, but not harvest, any marine organism. The use of bait on a hook is not considered to be chumming.

(3) "Circle hook" means a fishing hook designed and manufactured so that the point is not offset and is turned perpendicularly back to the shank to form a general circular or oval shape.

(4) "Nuisance" means any act that tends to annoy the community, injure the health

- of the citizens in general, or corrupt the public morals as defined at Sec. 823.01, Fla. Stat. (2025). Nuisance also means the creation of foul odors or noise which causes material discomfort upon adjacent private property, or the leaving or accumulation of litter that can attract pests onto adjacent private property.
- (5) “Shark” means any species of the orders Carcharhiniformes, Lamniformes, Hexanchiformes, Orectolobiformes, Pristiophoriformes, Squaliformes, Squatiniformes. For a list of specific examples of different species contained in these orders, see Florida Administrative Code 68B-44.002 (2).
- (6) “Shore-based shark fishing” means targeting or harvesting any species of shark when fishing from shore, wade fishing, or fishing from any structure attached to shore, including but not limited to piers, docks, and jetties. Fishing from shore or any structure attached to shore by or with any of the following gear or methods shall constitute shore-based shark fishing regardless of the species targeted or harvested.
- (a) Fishing with a metal leader greater than 4 feet in length.
- (b) Using a fighting belt, fighting harness, or similar device in conjunction with a fishing rod.
- (c) Deploying bait by any means other than casting from shore or casting while wade fishing, including but not limited to transporting or dropping the bait by or from a vessel, surf board, drone, or by swimming.
- (d) Deploying bait by means other than casting shall not constitute shore-based shark fishing if and only if the bait is attached to a hook for which the maximum distance measured between two points inside the curve created by the hook does not exceed 1.5 inches when measured at the widest dimension, and the fishing activity is not an activity defined above as being meant for the targeting or harvesting of sharks.

Section 3: Each and every other section and subsection of Chapter 155. Beaches and Waterways. shall remain in full force and effect as previously adopted.

Section 4: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5: Should any section or provision of this ordinance, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this ordinance.

Section 6: Specific authority is granted to codify and incorporate this ordinance into the existing Code of Ordinances of the Town of Manalapan, Florida.

Section 7: This ordinance shall take effect immediately upon adoption.

FIRST READING this ____ day of July 2026.

SECOND & FINAL READING this ____ day of September 2026.

TOWN OF MANALAPAN

John Deese, Mayor

ATTEST:

(SEAL)

Erika Petersen, Town Clerk