

APPLICATION FOR ENGINEERING DEPARTMENT APPROVAL OF
CONSTRUCTION WITHIN LAKE MAINTENANCE EASEMENT

The following items must be submitted to the Land Development Division for review and approval pursuant to Art. 11.B.8.A, Unified Land Development Code, prior to obtaining a building permit for the subject construction.

1. One (1) signed and sealed copy of the lot survey showing the location of all affected easements and drainage facilities (such as storm sewers, inlets, swales, and endwalls) in the vicinity of proposed construction;
2. Two (2) copies of a sketch depicting the proposed construction, including type of material, method of ground support, dimensions and location with respect to easement boundaries;
3. Written consent to the specific proposed construction in the lake maintenance easement from the appropriate Property Owners' Association and all other easement beneficiaries;
4. One (1) copy of the **recorded** warranty deed, or other instrument of record, establishing ownership of the property **on which the easement(s) and proposed construction are located**;
5. The attached Removal Agreement, completed and executed by all property owners of record per the current deed; and
6. The required application fee of \$265.00 (checks made payable to the Board of County Commissioners).

Please note that all construction within the easement must be designed for easy removal and must not damage, impair the function of, nor hinder routine maintenance access to the easement, shoreline, or any exiting drainage facilities. Fences may extend across the full easement width (i.e. perpendicular to easement) with removable sections and a minimum 10 ft. clear opening width gate at each crossing. Fencing may not run parallel to easement lines within the limits of the easement. Since maximum allowable slopes are established by code for lake maintenance easements and adjacent lake banks, approval will not be granted for construction requiring filling or regrading within the easement which would result in nonconforming slopes.

In order to facilitate recording, the required document and exhibit formats should not exceed 8 1/2" x 14". Faxed documents will not be accepted for processing or recording approval.

If construction approval is granted, the removal agreement will be returned to the applicant for recording in the Public Records at the Palm Beach County Courthouse, Clerk & Comptroller, 205 N. Dixie Highway, Room 4.25, West Palm Beach, FL, M-F 8:00 a.m. to 5:00 p.m. (561-355-2991) at the applicant's expense. Upon submittal of a copy of the recorded document showing the County Clerk's O.R. Book and Page numbers, two (2) sets of approved plans will be returned to the applicant for use in obtaining the necessary building permit.

Please send submittals and refer inquiries to **Land Development Division, Palm Beach County Engineering Department, 2300 North Jog Road (3rd Floor), West Palm Beach, Florida 33411-2745, (561) 684-4090.**

Ref: lake maintenance easement instructions
Rev: 03/31/2014 | 3/19/2019 | 12/02/2022 | 10/23/2023 | 10/21/2024

(ON HOME OWNERS ASSOCIATION'S OR OTHER EASEMENT BENEFICIARY'S LETTER HEAD)

(Date)

(Homeowner's Name)

(Homeowner's Address)

Re: Proposed construction of (Type of construction) in Drainage Easement.

Dear (Homeowner's Name),

This letter acknowledges that (Name of HomeOwners Association and/or other easement beneficiaries) has received your request to construct a (type of construction) within the drainage easement shown on the attached survey. (Name of HomeOwners Association and/or other easement beneficiaries) further acknowledges awareness of their legal beneficiary's interest in the drainage easement and consents to the proposed encroachment in the easement.

Sincerely yours,

Signature

Print Name/ **Title** (if corporate officer)

or (if not corporate officer)

on behalf of the board of (Name of homeowners association and/or other easement beneficiaries)