



TOWN COUNCIL REGULAR MEETING MINUTES

April 22, 2026 at 5:30 PM

Council Chambers – 340 Ocean Drive and YouTube

PRESENT: DAVE SANTILLI, MAYOR
DIANA DAVIS, VICE MAYOR
DD HALPERN, VICE MAYOR PRO TEM
MAX FRASER, COUNCILMEMBER
SCOTT SHAW, COUNCILMEMBER

ALSO PRESENT: CAITLIN E. COPELAND-RODRIGUEZ, ACTING TOWN MANAGER
TG LAW PLLC, TOWN ATTORNEY
ANDREA DOBBINS, PROJECT/RISK MANAGER
FRANK DAVILA, DIRECTOR OF PLANNING & ZONING
EMILY ALVES, FINANCE/HR DIRECTOR
DUNCAN CLARK, PLANNING TECHNICIAN
IAN COMP, TOWN CLERK DESIGNEE

AUDIENCE: 19

CALL TO ORDER – 5:31PM

PLEDGE ALLEGIANCE TO THE FLAG

ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA - None

PRESENTATIONS

1. Florida Sunshine and Public Records Presentation

COMMENTS FROM THE TOWN MANAGER, THE TOWN ATTORNEY, AND STAFF

COMMENTS FROM THE PUBLIC

All Non-Agenda items are limited to three (3) minutes. Anyone wishing to speak is asked to complete a comment card with their name and address prior to the start of the meeting as well as state their name and address for the record when called upon to speak (prior to addressing the Town Council). Town Council will not discuss these items at this time.

Public Comments Opened at 6:27pm.

Public Comments Closed at 6:35pm.

CONSENT AGENDA

2. Town Council Meeting Minutes - March 25, 2026
3. Special Town Council Meeting Minutes - April 7, 2026
4. Proclamation – Police Week and Peace Officers Memorial Day 2026
5. Proclamation – Professional Municipal Clerks Week
6. Proclamation – Public Service Recognition Week 2026
7. Proclamation – National Public Works Week 2026
8. Proclamation – Kids to Parks Day 2026
9. Proclamation – Water Reuse Week 2026
10. Year to Date (YTD) Financial Statements

***MOTION:** Davis/Halpern made a motion to approve the consent agenda.*

***ACTION:** The motion passed unanimously.*

COUNCIL ACTION/DISCUSSION ITEMS *(A public comment period was provided for each item below.)*

11. Interim Town Manager Contract

***MOTION:** Davis made a motion to approve the revised April 22, 2026 consultant contract with Kathleen Gunn as amended.*

***ACTION:** Motion failed for lack of a second.*

Vice Mayor Pro Tem Halpern, Councilmember Fraser, and Councilmember Shaw gave consensus to have a 3rd party conduct the background check.

***MOTION:** Davis made a motion to approve the revised contract as amended based on the 3rd party background check; include and/or Luminance LLC as consultant; reimburse the required general liability insurance coverage not to exceed \$150 per month which is not to exceed \$2,000 a year; and pending the review of the background check.*

Mayor Santilli passed the gavel and seconded the motion.

***ACTION:** The motion passed 4-1 with Vice Mayor Pro Tem Halpern opposed.*

12. WGI Presentation for the Emergency Operations Center (EOC)

Council gave unanimous consensus to pause the project, evaluate the budget, and come back at a later date to discuss.

13. Special Event Request - 2026 Nippers Surf Lifesaving Program

Council gave unanimous consensus to table this item pending the Palm Beach County letter.

14. Ordinance No. 795

ORDINANCE NO. 795 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING DIVISION 4, "SITE PLAN AND APPEARANCE REVIEW," OF ARTICLE II, "ADMINISTRATION AND ENFORCEMENT," OF CHAPTER 34, "ZONING" OF THE TOWN CODE OF ORDINANCES TO PROVIDE FOR

ADMINISTRATIVE REVIEW AND APPROVAL OF APPEARANCE FOR SINGLE FAMILY DWELLINGS; AND CLARIFYING COMPLIANCE OF APPEARANCE REVIEW WITH FLORIDA LAW; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

MOTION: Davis/Halpern made a motion to deny Ordinance No. 795.

ACTION: The motion passed unanimously.

15. Ordinance No. 796

ORDINANCE NO. 796 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING SECTION 34-115, "INTENT AND PURPOSE," OF ARTICLE II, "ADMINISTRATION AND ENFORCEMENT," OF CHAPTER 34, "ZONING" OF THE TOWN OF JUNO BEACH'S CODE OF ORDINANCES TO CLARIFY THE STATED LEGISLATIVE INTENT OF SITE PLAN AND APPEARANCE, INCLUDING ARCHITECTURAL, REVIEWS WITH RESPECT TO SINGLE-FAMILY AND TWO-FAMILY DWELLINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

MOTION: Davis/Halpern made a motion to deny Ordinance No. 796.

ACTION: The motion passed unanimously.

16. Ordinance No. 797

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING DIVISION 1, "GENERALLY," OF ARTICLE II, "ADMINISTRATION AND ENFORCEMENT," OF CHAPTER 34, "ZONING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 34-28, "PLANNING AND ZONING BOARD DUTIES," TO REMOVE REVIEW OF PLATS AND REMOVE REVIEW OF SINGLE FAMILY SITE PLANS AND APPEARANCE (INCLUDING ARCHITECTURAL) FROM THE PLANNING AND ZONING BOARD TO ADMINISTRATIVE STAFF; PROVIDING FOR ADOPTION OF RECITALS; CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

MOTION: Davis/Halpern made a motion to deny Ordinance No. 797.

ACTION: The motion passed unanimously.

17. Public Hearing & First Reading on Ordinance 799 – Repeal Code Section 12-136. – Gasoline powered leaf blowers.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO 5 BEACH, FLORIDA, AMENDING SECTION 12-136, "GASOLINE 6 POWERED LEAF BLOWERS," OF ARTICLE V, "NOISE," OF 7 CHAPTER 12, "ENVIRONMENT" OF THE TOWN CODE OF 8 ORDINANCES TO CONFORM WITH CHAPTER 2026-3, LAWS OF 9 FLORIDA; PROVIDING FOR CONFLICTS, SEVERABILITY, 10 CODIFICATION, AND AN EFFECTIVE DATE.

MOTION: Davis/Halpern made a motion to table Ordinance No. 799 and notice the public via newsletter.

ACTION: The motion passed unanimously.

18. Public Hearing & First Reading on Ordinance 800 – Amending Floodplain Regulation Definitions

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING SECTION 7-12, “DEFINITIONS,” OF ARTICLE II, “DEFINITIONS,” OF CHAPTER 7, “FLOODPLAIN REGULATIONS” OF THE TOWN CODE OF ORDINANCES TO CONFORM WITH THE PROVISIONS OF CHAPTER 2025-190, LAWS OF FLORIDA RELATED TO SUBSTANTIAL IMPROVEMENT AND SUBSTANTIAL DAMAGE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

MOTION: Davis/Fraser made a motion to approve Ordinance No. 800 on first reading.

ACTION: The motion passed unanimously.

19. FY 2026-2027 Budget Calendar

Council gave unanimous consensus approving the budget workshop dates.

20. Resolution No. 2026-08 - Approving 2025-2026 Budget Amendment

MOTION: Halpern/Davis made a motion to approve Resolution No. 2026-08 – Amending the Fiscal Year 2025-2026 Annual Budget.

ACTION: The motion passed unanimously.

MOTION: Halpern/Fraser made to have Caitlin Copeland-Rodriguez continue to serve as Acting Town Manager until the Interim Town Manager contract is executed and a satisfactory background check is completed.

ACTION: The motion passed unanimously.

21. Approval of Council Cell Phone Purchases with Records Archiving Software

Mayor Santilli, Vice Mayor Pro Tem Halpern, and Councilmember Fraser gave consensus to authorize an opt-in process for Council Members regarding the use of Town-issued cell phones.

Council gave unanimous consensus to move the last two items to the beginning of the May agenda.

~~22. Discussion on Temporary Sign Code and Sign Code Review~~

~~23. Discussion on Reopening the Charter Review~~

COMMENTS FROM THE COUNCIL

(See attached handouts from Vice Mayor Davis and Vice Mayor Pro Tem Halpern.)

Vice Mayor Davis requested Council consensus for Stephanie Davies to facilitate a Strategic Workshop on June 3, to hold a public meeting regarding the FPL project, and provided an update on her meeting with the Treasure Coast Regional Planning Council.

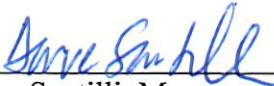
Vice Mayor Pro Tem Halpern reported receiving current signage for posting at each Juno Beach beach access and announced that a donor has offered to provide life safety rings for each access point. She also asked for consensus to have a ribbon cutting ceremony for Kagan Park.

Council gave unanimous consensus to have a ribbon cutting ceremony for Kagan Park.

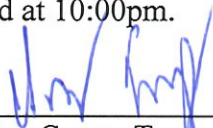
Councilmember Shaw inquired about the Seminole Golf Club temporary access permit.

ADJOURNMENT

Per Ordinance No. 759 meeting was adjourned at 10:00pm.



Dave Santilli, Mayor



Ian Comp, Town Clerk Designee



TOWN OF JUNO BEACH

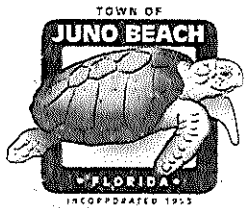
PUBLIC COMMENT CARD

ANY CITIZEN WISHING TO SPEAK SHOULD COMPLETE THIS CARD AND GIVE IT TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING.

TOWN MANAGER
AGENDA ITEM #: *DISMISSAL* DATE: *4-22-26*
NAME: *Paul Huggins* PHONE NO.: *732-241-1107*
REPRESENTING (IF APPLICABLE): *NR*
ADDRESS: *Waterford*

CHECK WHAT MAY APPLY:

☐ SUPPORT ☐ OPPOSE ☒ I WISH TO SPEAK



TOWN OF JUNO BEACH

PUBLIC COMMENT CARD

ANY CITIZEN WISHING TO SPEAK SHOULD COMPLETE THIS CARD AND GIVE IT TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING.

AGENDA ITEM #:

ALL

DATE:

NAME:

Siobhan O'Donnell

PHONE NO.:

REPRESENTING (IF APPLICABLE):

ADDRESS:

N Lyra

CHECK WHAT MAY APPLY:

☐

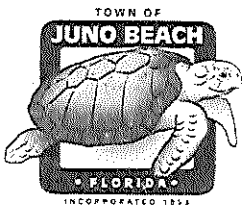
SUPPORT

☐

OPPOSE

☐

I WISH TO SPEAK



TOWN OF JUNO BEACH

PUBLIC COMMENT CARD

ANY CITIZEN WISHING TO SPEAK SHOULD COMPLETE THIS CARD AND GIVE IT TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING.

AGENDA ITEM #: 14, 15, 16

DATE: 4/22/2026

NAME: ALDO ROVERE

PHONE NO.: 631-335-4147

REPRESENTING (IF APPLICABLE):

ADDRESS: 400 UNO LAGO DR

CHECK WHAT MAY APPLY:

☐

SUPPORT

☒

OPPOSE

SEE ATTACHED

JE

☒

I WISH TO SPEAK



Online Form Submittal: Public Comments

1 message

noreply@civicplus.com <noreply@civicplus.com>

Wed, Apr 22, 2026 at 10:38 AM

Reply-To: noreply@civicplus.com

To: ccopeland@juno-beach.fl.us, dhalpern@juno-beach.fl.us, ddavis@juno-beach.fl.us, service@tgjustice.com, dsantilli@juno-beach.fl.us, sshaw@juno-beach.fl.us, mfraser@juno-beach.fl.us

Public Comments

Public Comments for Town Council and Planning & Zoning Board Meetings

Please use the form below to submit comments for Town Council Planning and Zoning Board Meetings. All Public Comments must be submitted by Noon on the day of the scheduled meeting. All information you submit will become a permanent record of the Town, accessible to anyone who wants to see it. If you should have any questions, please contact the Town Clerk's Office at 561-656-0316.

First Name	Don
Last Name	Felicella
Address	1045 Ocean Drive #401
Email Address	juno1045@gmail.com
Agenda Item Number (Ex: 1, 2, 3)	n/a
Public Comment / Question	I want to take this opportunity to correct a statement in a recent newsletter from Diane Davis which stated, "Our residents came out in record numbers to elect a new Mayor and two new Council members". First, I want to acknowledge that the winners in the last Juno Beach election won by an impressive victory. The fact is that the voters did not come out in record numbers. If you compare the number of voters who voted in the 2026 election compared to the 2024 election you will find that 16.3% less voters voted in 2026 than in 2024, and in 2026 we had three contested seats as opposed to two contested seats in 2024. The fact is that the voters did not come out in record numbers in the last election.

5/14/26, 11:33 AM

Town of Juno Beach Mail - Online Form Submittal: Public Comments

Wishing you a successful term,
Don Felicella

Email not displaying correctly? [View it in your browser.](#)



Caitlin Copeland <ccopeland@juno-beach.fl.us>

Online Form Submittal: Public Comments

1 message

noreply@civicplus.com <noreply@civicplus.com>

Tue, Apr 21, 2026 at 4:32 PM

Reply-To: noreply@civicplus.com

To: ccopeland@juno-beach.fl.us, dhalpern@juno-beach.fl.us, ddavis@juno-beach.fl.us, service@tgjustice.com, dsantilli@juno-beach.fl.us, sshaw@juno-beach.fl.us, mfraser@juno-beach.fl.us

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First Name	Debra
Last Name	Levulis
Address	401 Sunset Way Juno Beach,FL
Email Address	johndeb642@gmail.com
Agenda Item Number (Ex: 1, 2, 3)	16
Public Comment / Question	Please properly codify Ordinance 797 and please do not repeal Ordinance 797. Single family home architectural harmony reviews stifle creativity resulting in a neighborhood that is not unique, diverse and vibrant as Juno Beach. Single family homeowners should have the freedom to decide the appearance of their own homes especially if the proposed home adheres to objective base zoning code including standard setbacks and height restrictions. Keep government and the Planning and Zoning Board out of our single family home property design.

Email not displaying correctly? [View it in your browser.](#)



Caitlin Copeland <ccopeland@juno-beach.fl.us>

Online Form Submittal: Public Comments

1 message

noreply@civicplus.com <noreply@civicplus.com>

Tue, Apr 21, 2026 at 4:21 PM

Reply-To: noreply@civicplus.com

To: ccopeland@juno-beach.fl.us, dhalpern@juno-beach.fl.us, ddavis@juno-beach.fl.us, service@tgjustice.com, dsantilli@juno-beach.fl.us, sshaw@juno-beach.fl.us, mfraser@juno-beach.fl.us

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First Name	Debra
Last Name	Levulis
Address	401 Sunset Way Juno Beach, FL
Email Address	johndeb642@gmail.com
Agenda Item Number (Ex: 1, 2, 3)	15
Public Comment / Question	Please properly codify ordinance 796 and please do not repeal ordinance 796. Single family home architectural harmony appearance reviews are based on personal tastes of a few planning and zoning board members leading to inconsistent application. The planning and zoning board process creates bottlenecks and higher construction costs, potential legal fees discouraging necessary improvements. Restrictive architectural appearance reviews for single family homes can shrink the pool of buyers who want to avoid HOA style controls which provide no shared amenities whatsoever.

Email not displaying correctly? [View it in your browser.](#)



Caitlin Copeland <ccopeland@juno-beach.fl.us>

Online Form Submittal: Public Comments

1 message

noreply@civicplus.com <noreply@civicplus.com>

Tue, Apr 21, 2026 at 4:09 PM

Reply-To: noreply@civicplus.com

To: ccopeland@juno-beach.fl.us, dhalpern@juno-beach.fl.us, ddavis@juno-beach.fl.us, service@tgjustice.com, dsantilli@juno-beach.fl.us, sshaw@juno-beach.fl.us, mfraser@juno-beach.fl.us

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First Name	Debra
Last Name	Levulis
Address	401 Sunset Way Juno Beach FL
Email Address	johndeb642@gmail.com
Agenda Item Number (Ex: 1, 2, 3)	14
Public Comment / Question	I am a single family homeowner. I reside in a house built in 1954 on Sunset Way since 1987. I and my husband worked our entire careers in public service here in Palm Beach County. As Juno Beach Town Councilors you all are fiduciaries for us taxpayers per our town charter. Please properly codify and please do not repeal ordinance 795. Ordinance 795 protects our single family homeowner property rights which you as our fiduciaries are required to protect. Your home is your largest investment and we must protect our ability to modernize and renovate to our towns long standing base zoning requiring standard setbacks and height restrictions.

Email not displaying correctly? [View it in your browser.](#)

04/22/2026

Good evening, Mayor, Council Members, Staff, and Residents,

I have appeared before you on multiple occasions regarding the fast-tracked passage of Ordinances 795 through 797 ahead of the March 10 election, an election that rightly gave voters the opportunity to weigh in through their choice of representation.

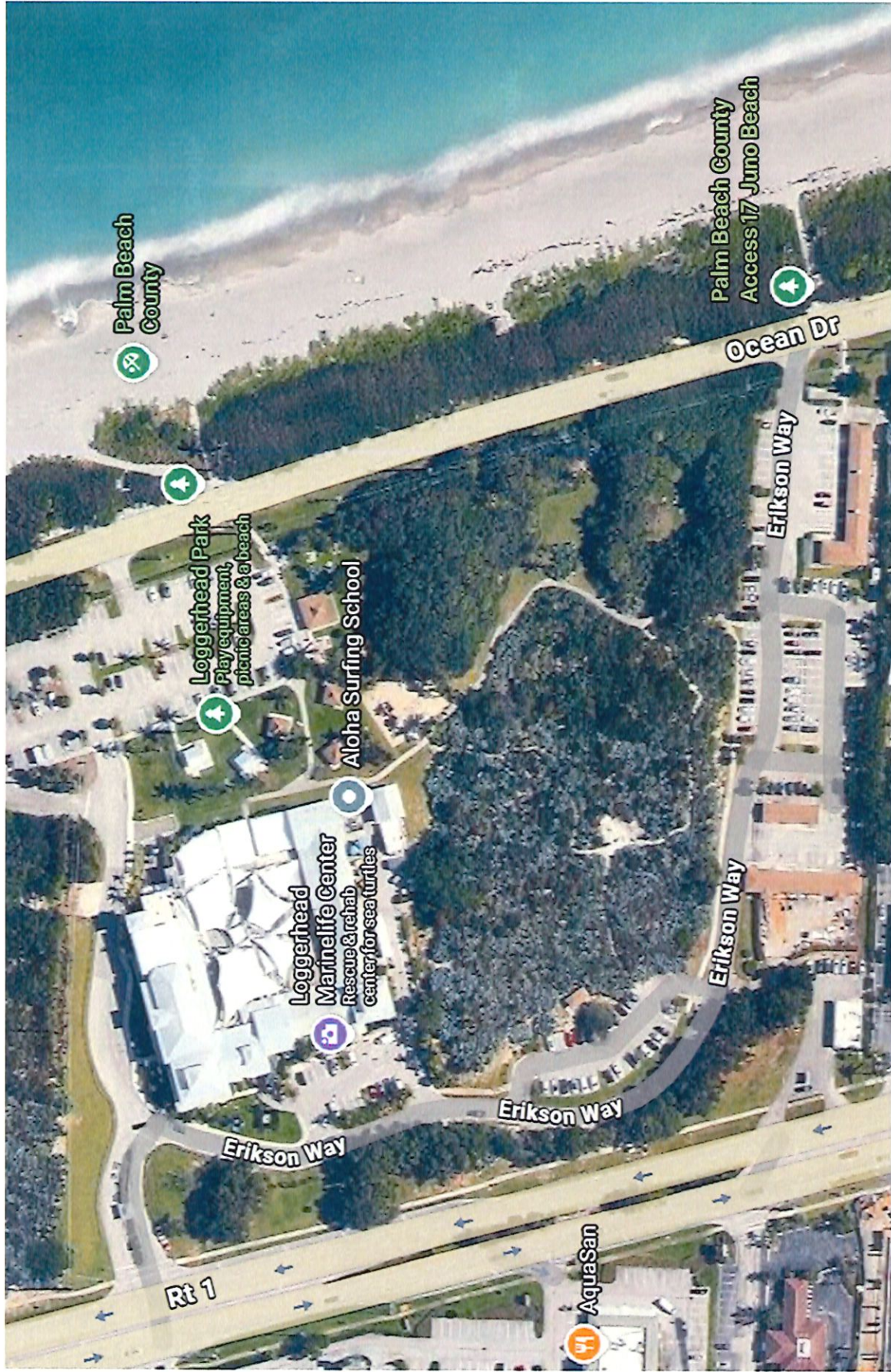
The outcome was clear. Juno Beach citizens, representing 42% of the eligible voting electorate, overwhelmingly supported candidates who were not in favor of these ordinances. Since then, it has also come to light that proper public notice was not provided. Additionally, the newly appointed Planning and Zoning Board, selected based on their qualifications, has unanimously declined to recommend that these ordinances move forward.

Taken together, these developments provide both procedural and democratic clarity. The will of the people is evident, and the first decisive action by this Planning and Zoning advisory body, charged with thoughtful review, has affirmed that direction.

I respectfully urge the Council to follow the recommendation of the Planning and Zoning Board and allow this matter to conclude here, rather than reopening debate on an issue that has already been decided through both due process and the voice of the voters.

Thank you for serving the community.

Aldo Rovere – 400 Uno Lago Drive



Town Council Majority Five Times - Upheld Retaining Harmony Reviews

1. May 2, 2025 – Workshop vote to retain harmony review.
2. May 28, 2025 – Motion to repeal Ordinance 780 failed. (harmony ordinance)
Staff proposal passed but Town Council was not informed that it was not a viable solution because SB 180 passed both Florida houses and it would prevent these proposals from being passed as ordinances. See email to Town Manager and Town Attorney regarding this omission.
3. July 23, 2025 – Council reaffirmed continuation of harmony reviews.
4. Sept 16, 2025 – Council reversed a Sept 8th vote and affirmed harmony review.
5. In his Sept 8 & 10, 2025 "Town Official Newsletter – The Facts," our Town Manager asserted his opinion that appearance and harmony reviews are "not compliant with existing state law and/or risk litigation", further asserting that rules in place as "illegal." The Town Manager promotes base zoning §34-268 (site-area rules: 35% lot coverage, setbacks, etc.) as the only codes applied to review SFHs and not the long-standing appearance reviews of §34-116(3)(b)1&2. Our existing Town Attorney written opinions, did not state that our codes or their implementation were "illegal."
6. Sept. 24, 2025 – Town Council did not act on staff base zoning only proposals and therefore kept harmony reviews again. Under Robert's Rules of Order for Assemblies (12th ed.), when a motion fails, the status quo remains—meaning our existing codes and interpretations for harmony review stayed in place.
7. Sept. 26, 2025 – The Town Manager issued a policy instructing staff: (1) to only use base zoning for their recommendations of approval in their SFH reviews, and (2) not to represent to applicants that compliance with the current analysis of the harmony codes would increase the likelihood of project approval. This staff action removed the harmony review for bulk, mass, and scale; effectively nullifying the harmony reviews, without a majority vote of Town Council.
8. November 12, 2025 – John Callaghan's proposal six paragraphs of amendments to the appearance review and harmony codes passed 3-2. The Town Council gave consensus to obtain an attorney's opinion from our new Town Attorneys.
9. January 28, 2026 –Legal review provided with attorney opinion that architectural review is legal and review of the harmony criteria of bulk, mass, scale and proportion within 300 feet in the same zoning code is legal. Draft ordinances 795-797 passed on first reading 3-2. Second reading is scheduled for special set meeting in February to avoid having single family home reviews as an election issue for our voters. Motion made to remove our Town Attorneys failed.
10. February 18, 2026, Second reading of ordinances 795-797, passed 3 to 2.
11. March 25, 2026, Determination that the public notice was not adequate, so the ordinances 795-797 are not effective, and need to be re-public noticed. Motion to re-notice the ordinances 795-797 passed unanimously.

 Outlook

Clarification regarding "appearance review" (single family RS1 - RS5) and applicability of SB 180

From Diana Davis <ddavis@juno-beach.fl.us>

Date Sun 6/8/2025 8:58 AM

To Robert Cole <rcole@juno-beach.fl.us>; Len Rubin <len@torcivialaw.com>; Frank Davila <fdavila@juno-beach.fl.us>; Stephen Mayer <smayer@juno-beach.fl.us> <smayer@juno-beach.fl.us>

Dear Rob Cole, Len Rubin, and Team,

I had hoped we would have a definitive timeline for SB 180's disposition, but as Matt Singer's note below clarified, the 7-day clock for the Governor's signature does not begin until the bill is formally presented during session or 14-days after session.

In light of this, I believe it is our duty—as prudent stewards of the public trust—to prepare for the likelihood that SB 180 will be signed. Our planning and recommendations to Council should, in my view, proceed with that assumption in mind.

Specifically, I am concerned that if appearance review criteria in Juno Beach Municipal Code Section 34-116(3)(b)2, (referred to as "the harmony review") are not maintained for single-family homes in RS-1 through RS-5 districts, to compare mass, bulk, scale and proportion, then **Town will lose the ability to evaluate and mitigate the size and impact of new construction using the proposed mitigation tools of step-backs for second stories, and smaller second stories that were in the staff memo presented at the May 28th meeting.** SB 180 will prohibit any more stringent or burdensome regulations than were in effect August 2024, similar to the previous SB 250. **The "harmony review" of 34-116(3)(b) 2, was in effect as of August 2024.** It provides a complying ordinance that could be "further clarified" to include the suggested mitigation tools of stepping back the second story and a 75% second story size. SB 180 would not prohibit clarifying or further defining ordinances that existed at the time of August 2024, however a new requirement that is considered more stringent or burdensome would be prohibited, such as a new ordinance to only use 34-268 plus step backs for a 2nd floor plus 2nd floor at 75% which is what I understand the May 28th memo to propose.

Without section 34-116(3)(b)2 in effect, the effect of the staff memo that was approved by Council in a split vote will be only the base zoning provisions of Section 34-268 (i.e., setbacks and 35% lot coverage). That would significantly narrow our ability to achieve compatibility and protect neighborhood character. If that will be the effect, then it should be clearly communicated to Town Council so that they know that the mitigation measures suggested by the staff memo at the May 28th meeting (step backs and smaller 2nd stories) are not possible under SB 180, unless it is to further clarify the existing harmony review of section 34-116(3)(b)2, to compare mass, bulk, scale and proportion in context (for RS1 – RS5). Also the relevant time frame to go back to these mitigation factors, should be explained that we could not have any of the additional mitigation if 34-116(3)(b)2, is removed for single family RS1 – RS 5, until possibly October 2027, if Council were to bring it back at that time.

Because at least some on Council who voted to approve the staff memo concepts at the May 28th Town Council meeting, believe that the harmony review of 34-116(3)(b)2, was part of the solution presented for the single family home reviews for RS1 through RS 5; then bringing this concept back would be both consistent with the majority Appearance Review Workshop vote, and consistent with the testimony at

#2

the May 28th meeting that referred to "harmony" remaining, which was interpreted by some on Council who voted yes, to mean that the 34-116(3)(b)2, concept remained for single family homes RS1 through RS2. (Eyes on Juno Blog)

[In my opinion, the conversions regarding "harmony remaining" in our code and "architectural Old florida style" remaining in our code, was not clearly communicated that it is no longer applicable to the single family home reviews of RS1-RS5, if the Council vote on May 28th is implemented through resolution language for the zoning in progress or implemented through ordinance and two readings]

As to architectural review, it is also important to communicate that this is a forever decision, that there will be no going back, even if the three members of Town Council are not re-elected, this would have been decided forever, unless Florida Statute Section 163.3202 is amended. I am still working to obtain information as to the costs of a Writ of Cert action, which is the only downside of continuing with architectural review and then being challenged if we turn down a project based on architectural review. I would like to further define the litigation risk that Bert Harris Act may present to the evaluation of Mass, Bulk, Scale and proportion; in contrast to factors such as height.

There should also be communication to Town Council that removal of 34-116(3)(b)1 and 2, for review of single family homes in zoning codes RS1-RS5, will limit the Town's opportunities with our consultants TCRPC contracted and budgeted for our Master Plan and for our code Improvements with Chen Moore and Associates approved by Town Council to look at "sound and slow growth" (highest priority of Town Council) and FAR, due to SB 180.

I'm aware that our Town staff and Town attorney understands these implications. However, they were not clearly articulated in the memorandum or during the discussion at the last Council meeting. I felt it was important to formally note that omission. If we are to function effectively as a team and offer the best guidance to our community, we must over-communicate—especially on matters of such lasting consequence. Clear and complete information builds trust and strengthens collaboration.

As communicated to Frank Davila and Steven Mayer, I am working on finding examples in our community of the resulting FAR represented by the proposal in the May 28th Town Council meeting to understand the mass, bulk, scale and proportion it represents. I am also working on understanding potential litigation risks with the Bert Harris Act for mass, bulk, scale and proportion types of land development regulations, including damages awarded, and mitigation such as insurance. I am gathering information on Writ of Cert cases that are brought if someone opposes a land development decision and what costs it represents.

I look forward to speaking with each of you regarding these issues in the coming weeks prior to our next Town Council meeting. Thank you for taking the time to consider these concepts.

Best regards,

Diana Davis

Vice Mayor Pro Tem

561-267-7772

Handwritten signature

Appearance Review

Robert Cole <rcole@juno-beach.fl.us>
To: Robert Cole <rcole@juno-beach.fl.us>
Bcc: town_council@juno-beach.fl.us

Fri, Sep 26, 2025 at 12:44 PM

Hi, everyone.

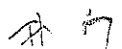
Please note that you are blind copied for Sunshine Law purposes; do not "reply all."

This email is to make sure that all members of Town Council are aware of the procedural status for staff implementation of Appearance Review (34-116(3)(b)), as was related during this past Wednesday's meeting, pending future Council direction on the preferred path forward; I want to make sure that everyone understands where we ended up procedurally. Importantly, **no Town Council consensus direction was achieved on next steps**. Against that backdrop, staff reported to Council at Wednesday's meeting the following:

- Staff will continue to validate applicant compliance with base zoning regulations before advancing an application for P&Z Board final approval or denial.
- Staff will discontinue the use of pass/fail metrics that do not appear in the Town Code and will not represent to applicants that compliance with such metrics may increase the likelihood of approval.
- Staff will not use architectural review or building design elements for Appearance Review; associated text in the code indicating such review criteria will not be enforced or considered by staff in making any application recommendation, nor will they suggest to applicants that any related changes may increase the likelihood of approval.
- Staff will provide P&Z Board with the data sheet, inclusive of associated factual summary, as well as analysis of Appearance Review criteria not otherwise precluded by (1) or (2) above – no staff recommendations for approval or denial will be offered. If asked for a recommendation, staff will use base zoning compliance as the determining factor, i.e., a property in compliance with base zoning will receive a recommendation for approval. As the Town Code specifies, final approval or denial authority rests with the P&Z Board.

If not already completed, it is prudent for Len to provide guidance to the P&Z Board reference limitations on using metrics that do not appear in the code as the pass/fail basis for an approval or denial, as well as to make sure they understand limitations on using architectural review/building design elements in their consideration of Appearance Review applications, though I believe this topic has been previously covered with them.

Additionally, while there has been much discussion around whether subjective review is permissible under the law, there's an apparent **disconnect** in that conversation. The issue **is not** whether subjective review is permissible under the law, as it **clearly** is. Of note, I served a community for about 19 years with 162 pages of associated preservation and restoration guidelines, supported by another 241 pages, or so, of Department of the Interior guidelines and acknowledge that there is absolutely no dispute about whether subjective criteria are permissible under the law. The real issue is whether **our version** of subjective review – a version that, as staff have repeatedly advised, lacks clear guidelines/standards, can't consider architectural review or building design elements, and is precluded from using quantitative thresholds for decision



support – complies with the legal standards for **defensible subjective reviews**. A couple significant hallmarks of sound subjective review processes include:

- **Clear standards and guidelines.** Specific standards and guidance for their proper consideration, e.g., design manuals or architectural criteria; our framework **lacks** clear standards and guidelines. These are necessary for the regulated public to know the rules/law, as well as for our professional staff and P&Z Board to properly apply them; these standards are rooted in law. Here are a couple examples of clear standards and guidelines from a quick Google search:
 - https://www.coralgables.com/sites/default/files/2023-10/Design-Best-Practices_SFR_2021sm-EK.pdf (68 pages)
 - <https://www.naplesgov.com/media/96081> (48 pages)
- **Administrative consistency.** The clear standards and guidance must be applied fairly and consistently. The Town Council has been advised that staff are unable to achieve this requirement due to the absence of clear standards and guidelines. It seems that the P&Z Board may have experienced this challenge, as well.

When staff indicate that they are not “comfortable” applying the existing language, or that it can’t be administered “consistently,” they are trying to advise you that we don’t have the necessary standards or guidance to apply the words in the code, which are only supported by common definitions and lack clear criteria and guidance. Importantly, Len sought to mitigate – *but not solve* – this issue through his Option 2, which relies upon an empaneled group of experts to make subjective determinations. However, question of our ability to find and retain such professionals on a sustained basis set aside, not even an expert can use architectural review, building design elements, or uncoded pass/fail metrics in considering whether to approve or deny an application. So, one must ask, what sort of experts can decipher how a few words featuring only common definitions – with no standards or guidelines to apply them – translate into a sound basis for approval or denial? I can’t identify what type of expert could do that. To illustrate, Design Review Boards often incorporate architects. If an architect is prohibited from using architectural review or building design elements in their review, what expertise would we have that professional apply to consideration of an application? Instead, staff continue to support Len’s Option 1, augmented by strategies from the staff memorandum that the Town Council supported.

Your professional staff have advised you that Appearance Review (34-116(3)(b)) can’t possibly achieve the necessary legal standards applicable to valid subjective review criteria and processes. Merely expressing confidence in their abilities to do so (when they continue to report the opposite), or suggesting anyone involved in the process should resign or be fired because of an assertion that they are either unwilling or unable to do so, **are not** appropriate responses. Rather, they should be **listened to and worked with to find a better path forward**, one that is informed by an understanding of what is needed for subjective review standards and guidelines to survive legal challenge. To the extent that we are on shaky legal ground, the solution isn’t to ignore the alarm bells in hopes that we will not suffer the consequences. Rather, we have a legal and fiduciary responsibility to help our professional staff and P&Z Board members to succeed, fully recognizing and adhering to the legal boundaries that presently shape the menu of available options.

I’ve always been taught that *if you don’t like the laws, change them. Apart from an action necessary to literally save a life, ignoring them is not an option.* In this case, we are prohibited from changing them to be more restrictive or burdensome. So, if we desire today to be shielded from undesirable development (however that may be *clearly* defined in the future), such regulatory influence is going to need to be cultivated on a voluntary basis. For now, we should be advancing the best available options that respect the law, honor our Oaths of Office, and provide maximum opportunity for positively shaping the contextual fit of single-family homes through voluntary compliance measures, at least until the Town Council may legally consider alternatives that further modify the current development rights of property owners, if that sort of action is desired and supported.

Best,

Rob

Rob Cole

Town Manager
Town of Juno Beach



Desk: 561-656-0322

Cell: 561-777-5945

Email: rcole@juno-beach.fl.us

340 Ocean Drive

Juno Beach, FL 33408

www.juno-beach.fl.us

Please note: *Florida has a very broad public records law. Most written communications to or from local officials regarding town business are public records available to the public and media upon request. Your e-mail communications may, therefore, be subject to public disclosure.*

Harmony – Tests for Bulk and Mass

Metrics

Is the sq. ft. & FAR within the study area range? (Y or N – go to 2)

Metrics

Are calculations less than double the average? (Yes Approved, No go to test 3)

Metrics

Are calculations within 10-20% of the largest structure? (Y-likely approve, go to 4; No –probable denial go to 4)

Subjective Review

Are Mitigating factors present to compensate such as setbacks, orientation, landscaping, architectural features; more subjective features? (Y - Approval N- Denial)

Harmony – Tests for Scale (height)

Metrics test

Are more than half the structures in the 300' study area the same stories or higher?
(Yes approve or No go to 2)

Metrics test

Are the immediately adjacent structures the same stories or higher? (Yes Approved, No go to test 3)

Metrics test

Is the scale within the allowable limits of 34-268* [everyone gets a second story]? (Y-likely approve, go to 4; No –probable denial)

Subjective Review

Are Mitigating factors present to compensate such as orientation, landscaping, architectural features; step-backs, limits on 2nd floor area?
(Y- Approval, N- Denial)

Single Family Homes Harmony Review 34-116(3)(b)(2)

Bulk & Mass Tests using Comparative analysis

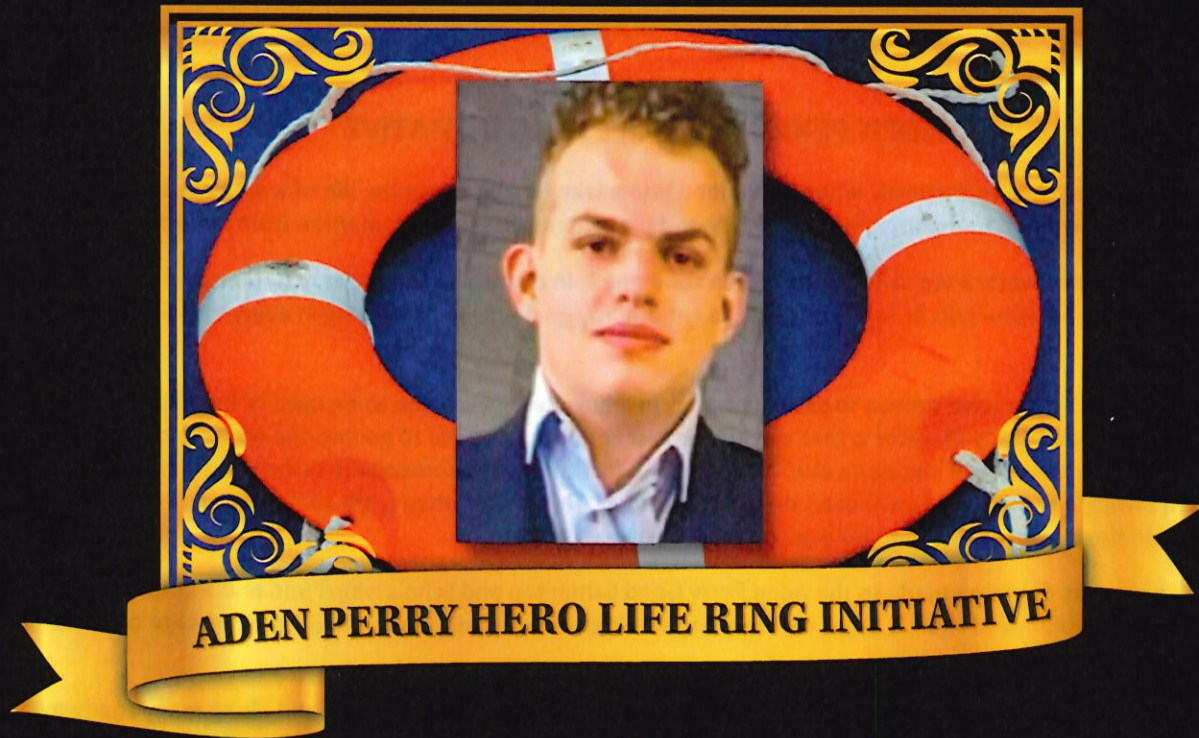
1. Is Sq Ft & FAR within Study Area Range (Y or No - go to 2)
2. Are calculations less than double the average? (Y approved, No go to 3)
3. Are calculations within 10%-20% of the largest structure? (Y – go to 4, No probable denial - go to 4)
4. Are other mitigating factors present to compensate (setbacks, orientation, site planning, architectural features, landscaping) (Y-approval N-denial) [purple boxes more subjective criteria. see, workshop guidance 5-2-25]

Scale Tests for Height/Stories

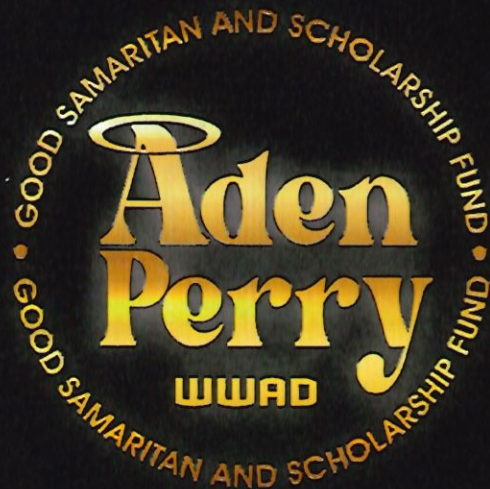
1. Are more than half the structures in the 300' study area the same stories or higher? Y approval, No – go to 2)
2. Are the immediately adjacent structures the same stories or higher (Y approval, No go to 3)
3. Is the scale within allowable limits of 34-268 (Y – go to 4, No denial)*second story allowed in every zoning code
4. Are other mitigating factors present to compensate (setbacks, orientation, site planning, architectural features such as step-backs or 2nd floor limits on area, landscaping,) (Y-approval N-denial) [purple boxes more subjective criteria. see, workshop guidance 5-2-25]

Appearance Review Single Family Homes

- **Problem:** Juno Beach Planning and Zoning Staff is not comfortable making appearance review decisions for Single Family homes which relies on subjective professional judgement
 - **Solution:** Hire professional consultants – architects, landscape planners, other degreed professionals to provide their qualified professional opinions regarding appearance review for Single Family Homes in Juno Beach. Professionals provide written qualified professional opinions to staff who then present to our Planning and Zoning Board of volunteer residents. Pass through the costs to the applicant. Not more stringent or burdensome only a different party making decisions. (no problem with SB 180)
- Appeals:** We can decide that appeals go before Town Council and then to Circuit Court. Currently appeals go directly to Circuit Court.
- **Other suggestions:** (1) Adopt Palm Beach County calculations of square footage, (2) Adopt GIS Scene View for 3-D physical representations, (3) Adopt the Field Guide to American Houses by Virginia Savage McAlester (architectural guidebook)



On a mission to save lives
by installing Aden's Hero Life Rings
in every city and by every body of water.



Helping students on their academic journeys
in honor of Aden.....our Hero and now Angel

ADEN PERRY HERO LIFE RING INITIATIVE

After recently losing my son tragically when he jumped into a lake to try to save the life of a driver who's car went into the lake, I am determined to do anything I can to try and prevent another good samaritan from suffering the same fate.

On a mission to make waterways safer so that when someone is in distress in the water, whether by a car going into a bed of water or if someone falls in and is not able to get out, my goal is to get a life ring in every city and by ever bed of water possible.

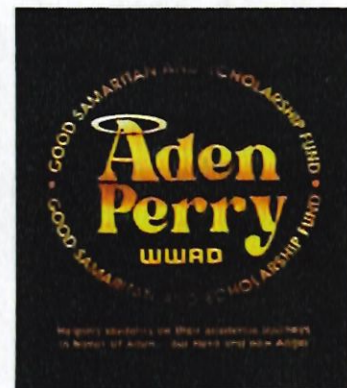
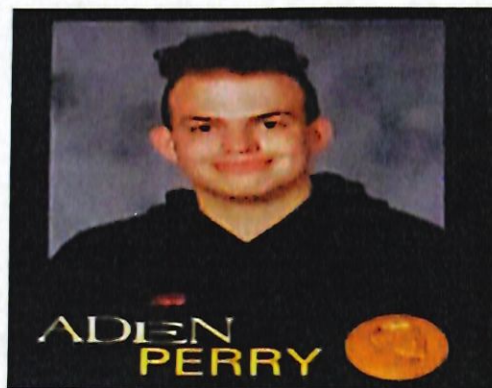
For many years, life rings have proven to save lives, they just have to be availalbe to be used to be effective! The benefit of having a life ring by beds of water is that a would be rescuer does not have to go into the water and put their own life at risk trying to save the life of someone else. It is a known fact that when someone is in the water and panicking, they can in their struggle to survive, drown even the best swimmer. This is why when a life guard does a rescue, they present their flotation device to the victim to hold onto first while rescuing them.

Through a generous donation made to the Aden Perry Good Samaritan and Scholarship Fund and a commitment with Datrex, the Manufacturer of the life rings, we are using life rings with my son's image and hero message on them as a way to help prevent future drownings.

Living in South Florida, we are surrounded with water; in our parks, communities, HOA's and along many roadways. Accidents WILL continue to happen...it's just a matter of when and where the next one will be. There HAS to be something available and ready to be used so that lives can saved.

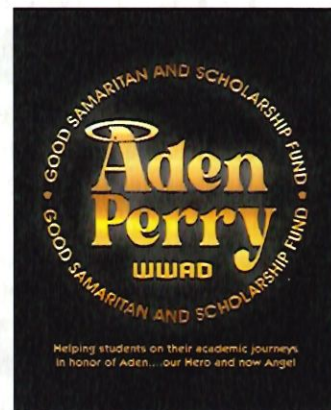
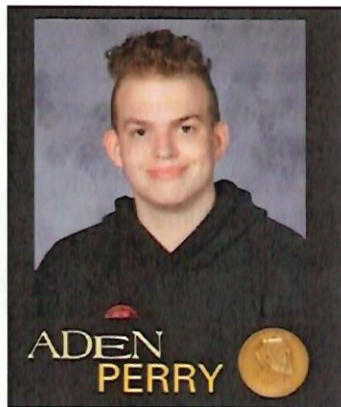
LIFE RINGS are the answer!!! They are easy to install, easy to implement, easy to use and inexpensive!!!

My son died a hero and recently received medal of valors for his actions and most recently Aden was named as a recipient of the Carnegie Hero Award. This is the greatest award a civilian in Northern America can receive. My son was my hero everyday but now is a Hero for everyone to follow his example of selflessness. By other municipalities joining my on my mission, and have our life rings installed by their waterways, together we can save lives in his name and also be Heros!



Aden Perry Good Samaritan and Scholarship Fund

Life Ring Hero Project



Water is everywhere in South Florida!

What can we do to help those who may unintentionally or intentionally end up in a lake or canal? What if they can't swim?

The Life Ring is a proven tool that can turn anyone into a hero!

It's easy to use, easy to access, easy to install for use and inexpensive to implement!

Suggested items needed to install a life ring:

- Life Ring
- Polypropylene rope, minimum of 50' each
- 4 X 6 pressure treated fence post (Placed 2' into the ground)
- 50lb bag of "fast setting" concrete
- Three (3) eye screws
- Two (2) "cooler hooks"
- Three (3) Velcro straps

Our Foundation has an agreement with DATREX, the manufacturing company of the Life Ring to supply the high-quality Coast Guard approved hard plastic life ring with Aden's Hero message on them. They come with a lifetime warranty, and DATREX will extend their drastically reduced price of \$60 to every municipality that joins us in this life saving mission. My goal is to have Life Rings available everywhere and anywhere there is a body of water.... accidents can't be predicted so we must be prepared!

BY INSTALLING LIFE RINGS... WE WILL SAVE LIVES in Honor of Aden Perry, Carnegie Award Recipient

To set up a meeting contact

Sarah Perry, Aden's Mum and President

Aden Perry Good Samaritan and Scholarship Fund

(954) 348-2064

adensmum@comcast.net

In memory of a hero - Aden Spencer Perry

DX024RD 24" RING BUOY IN ORANGE

TYPE

Type IV U.S.C.G. / Canada 24" Ring Buoy

USES

24" Orange lifering buoy with SOLAS retro-reflective tape for installation on commercial fishing vessels, yachts and other boats that are not required to carry the 30" buoys*. USCG and Canadian Coast Guard approvals. * From the CFR 46, Small Passenger Vessels (under 100 gross tons) " A vessel of more than 7.9 meters (26 feet) in length, but not more than 19.8 meters (65 feet), must carry a minimum of one life buoy of not less than 610 millimeters (24 inches) in diameter". " A vessel of more than 19.8 meters (65 feet) in length must carry a minimum of three life buoys of not less than 610 millimeters diameter (24 inches) in diameter.

FEATURES

All Datrex rings are molded from high impact linear low-density polyethylene for superior life expectancy in the most severe environments. The encircling black, floating rope is replaceable.

SPECIFICATIONS

ITEM NO.	DX024RD
USE	Marine safety
SIZE	24" (61 cm)
WEIGHT	6 lbs (2.72 kg)
CLOSED CELL FOAM	Yes
MOLD RESISTANT	Yes
RETRO-REFLECTIVE	Yes
COLOR	Orange
QUANTITY PER CASE	3 per case

Minimum quantity, 3 rings, price \$60 per ring plus shipping.
Please place orders with Brigitte Goll at (305) 638-8220
or brigitte@datrex.com at Datrex Miami



Made in the USA



Aden Spencer Perry
12/11/2001 - 4/19/2022



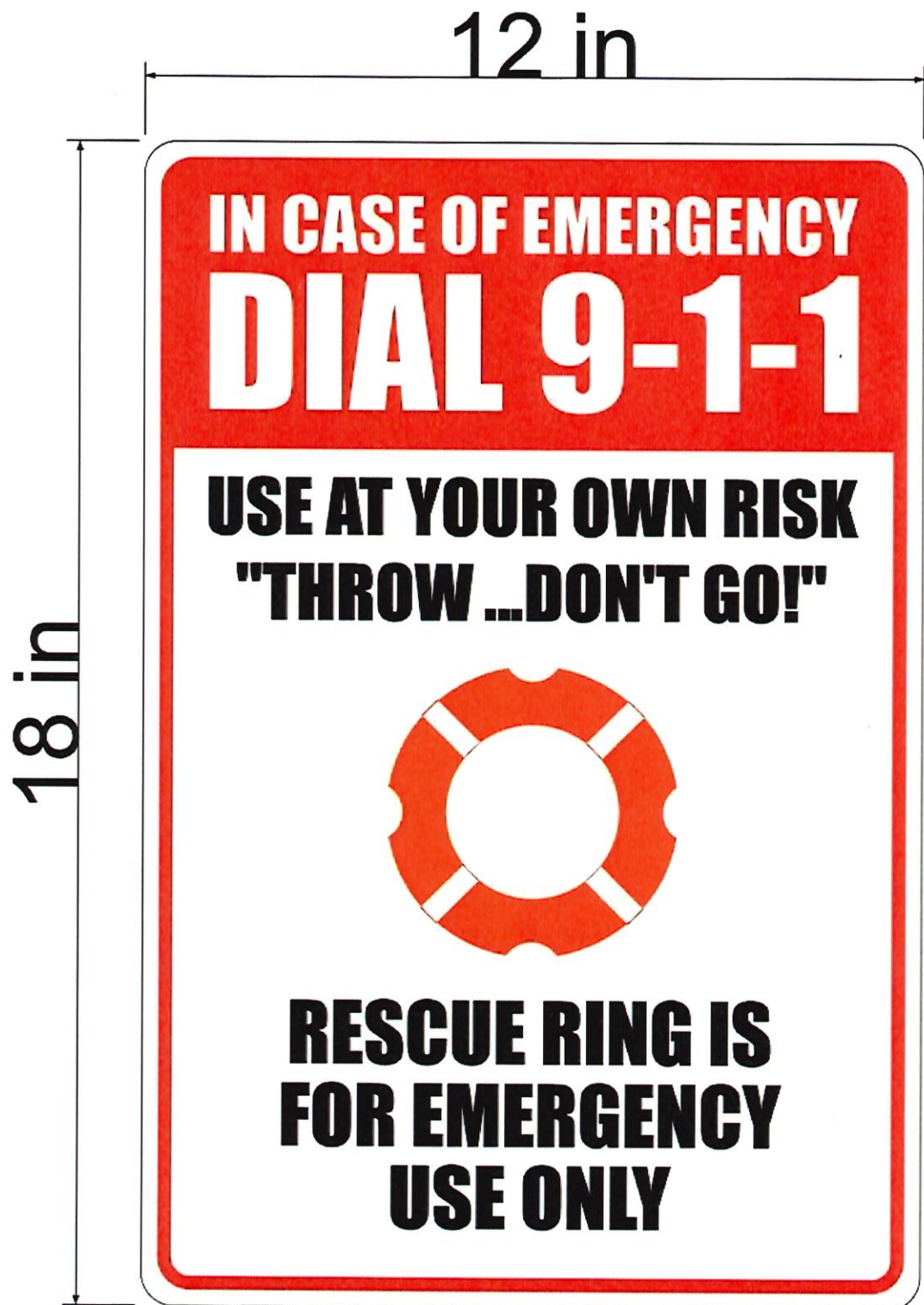
Aden Perry Good Samaritan and Scholarship Fund

A Hero
is a person of distinguished courage and ability;
ADMIRER *for their brave deeds*
and Noble qualities
in spite of overwhelming obstacles.



DX024RD

---DATREX---



954.320.9903

\$34.50 each