



PLANNING AND ZONING BOARD AGENDA

January 05, 2026 at 4:00 PM

Council Chambers – 340 Ocean Drive and YouTube

NOTICE: If any person decides to appeal any decision of the Planning & Zoning Board at this meeting, he or she will need a record of the proceedings and for that purpose, he or she may need to ensure that a verbatim record of the proceedings is made, such record includes the testimony and evidence upon which the appeal is to be based. The Town does not prepare or provide such record. ***Persons with disabilities requiring accommodations in order to participate in the meeting should contact Caitlin E. Copeland-Rodriguez, Town Clerk, at least 48 hours in advance to request such accommodations.***

The meeting will be broadcast live on The Town of Juno Beach YouTube page and can be viewed any time at: <https://www.youtube.com/@townofjuno-beach477/streams>

HOW CITIZENS MAY BE HEARD: Members of the public wishing to comment publicly on any matter, including items on the agenda may do so by: Submitting their comments through the Public Comments Webform at: https://www.juno-beach.fl.us/towncouncil/webform/public-comments#_blank (all comments must be submitted by Noon on day of Meeting). Please be advised that all email addresses and submitted comments are public record pursuant to Chapter 119, Florida Statutes (Florida Public Records Law). Make their comment in-person; or participate from a remote location using Zoom – please contact the Town Clerk at ccopeland@juno-beach.fl.us by Noon on the day of the meeting to receive the Meeting ID and Access Code. (Please note that all members participating via Zoom must login at least 15 minutes prior to the meeting and will be muted upon entry until Public Comments is called).

****Please note that the Zoom meeting will lock for public comments at 4pm and no other entries will be permitted.***

All matters listed under Consent Agenda, are considered to be routine by the Planning & Zoning Board and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

CALL TO ORDER

PLEDGE ALLEGIANCE TO THE FLAG

ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA

COMMENTS FROM 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 Board). The Board will not discuss these items at this time.

CONSENT AGENDA

1. Planning & Zoning Meeting Minutes for December 1, 2025

BOARD ACTION/DISCUSSION ITEMS

2. Variance Request – (Bates) Unaddressed Cocoanut Avenue
3. Appearance Review - 451 Neptune Road
4. Ordinance No. 793 – Live Local Act amendment (Continuation)
5. 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.

6. ORDINANCE NO. 796

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING SECTION 34-115, “INTENT AND PURPOSE,” OF DIVISION 4, “SITE PLAN AND APPEARANCE REVIEW,” 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.

7. 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, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

COMMENTS FROM THE BOARD

ADJOURNMENT



PLANNING & ZONING BOARD MEETING MINUTES

December 1, 2025 at 4:00 PM

Council Chambers – 340 Ocean Drive and YouTube

PRESENT: MICHAEL STERN, CHAIR
JIM FERGUSON, VICE CHAIR
JAMES EHRET, BOARDMEMBER
JONATHAN BUTLER, BOARDMEMBER
BRIAN COLE, BOARDMEMBER
CAROL RUDOLPH, ALTERNATE BOARDMEMBER

ALSO PRESENT: FRANK M. DAVILA, DIRECTOR OF PLANNING & ZONING
ZACKERY GOOD, TOWN ATTORNEY
DUNCAN CLARK, PLANNING TECHNICIAN
CAITLIN COPELAND-RODRIGUEZ, TOWN CLERK
NICOLE LONG, ADMINISTRATIVE ASSISTANT TO TOWN CLERK

AUDIENCE: 6

CALL TO ORDER - 4:00 PM

PLEDGE ALLEGIANCE TO THE FLAG

ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA - None

COMMENTS FROM THE TOWN ATTORNEY AND STAFF - None

COMMENTS FROM THE PUBLIC

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Public Comments Opened at 4:12pm.

Public Comments Closed at 4:13pm.

CONSENT AGENDA

1. Planning & Zoning Meeting Minute for October 6, 2025

MOTION: Ferguson/Butler made a motion to approve the Planning and Zoning Board Meeting Minutes for October 6, 2025.

ACTION: *The motion passed unanimously.*

BOARD ACTION/DISCUSSION ITEMS

2. Ordinance No. 793 – Live Local Act amendment

MOTION: *Ferguson/Butler made a motion to recommend approval of Ordinance No. 793 to the Town Council.*

ACTION: *Motion withdrawn.*

MOTION: *Ferguson/Butler made a motion to table the item and have staff clarify the language referencing the procedural process and criteria.*

ACTION: *The motion passed unanimously.*

COMMENTS FROM THE BOARD

ADJOURNMENT

Chair Stern adjourned the meeting at 4:31pm.

Michael Stern, Chair

Nicole Long, Assistant to the Town Clerk



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 #:

DATE:

NAME:

Dave Santilli

PHONE NO.:

561.758.0808

REPRESENTING (IF APPLICABLE):

ADDRESS:

454 Ocean Ridge Way Juno Beach

CHECK WHAT MAY APPLY:

☐

SUPPORT

☐

OPPOSE

☒

I WISH TO SPEAK



Meeting Name: Planning and Zoning Board

Meeting Date: January 5, 2026

Prepared By: Stephen Mayer

Item Title: Variance Request – (Bates) Unaddressed Coconut Avenue

BACKGROUND:

The subject property is not addressed at this time and located at PCN #28-43-41-28-10-015-0030, within the Residential Single-Family (RS-5) Zoning District. The surrounding properties are all within the same zoning district.

Location Map



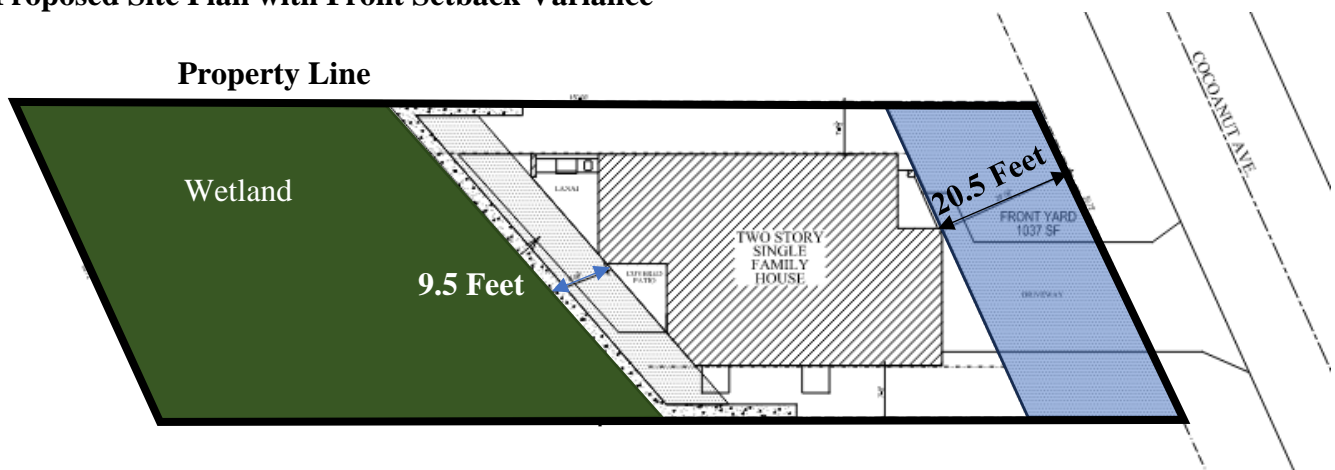
Adjacent Properties

| | Use | Zoning |
|-------|---------------------|--------|
| North | Single-Family House | RS-5 |
| South | Vacant | RS-5 |
| East | Single-Family House | RS-5 |
| West | Wetland area | RS-5 |

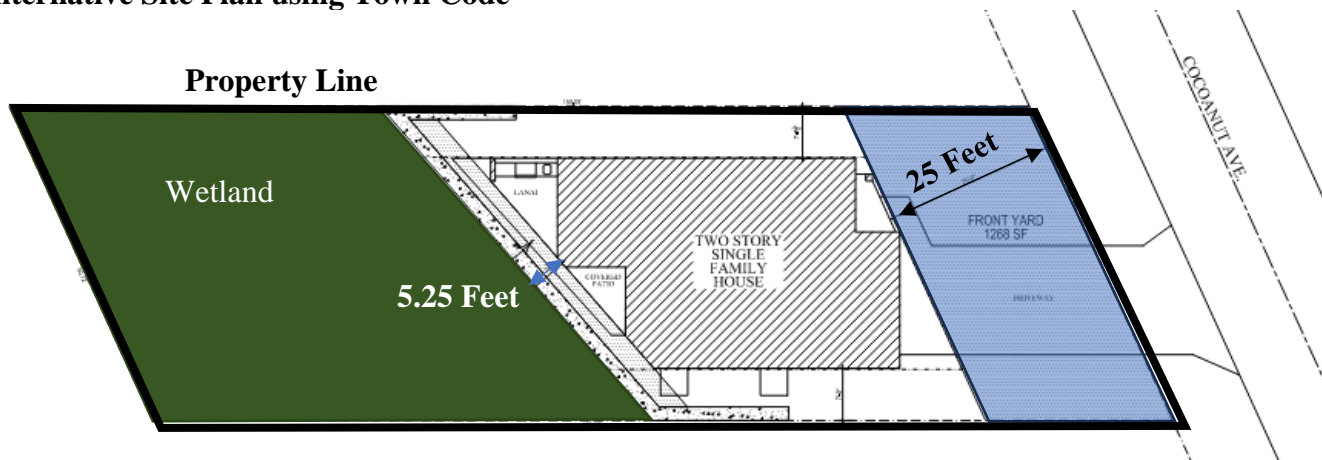
The applicant is seeking a variance from the Town's Zoning Code Section 34-268 - Building site area regulations – front yard setbacks to allow the construction of a new structure using a reduced setback criteria as the main structure. According to the zoning code, the front setback for single-family homes is 25 feet.

Per the Variance request, the applicant is requesting a 5-foot reduction to the front setback, to allow a 20-foot front setback along Coconut Avenue. The goal for the applicant is to provide a larger back yard distance to the retaining wall mandated by Florida Department of Environmental Protection (FDEP). The variance request would add approximately 5 feet to the backyard area, from 5.25 feet to 9.5 feet, and increase the backyard area from 173 square feet to 384 square feet. Please see the proposed site plan below:

Proposed Site Plan with Front Setback Variance



Alternative Site Plan using Town Code

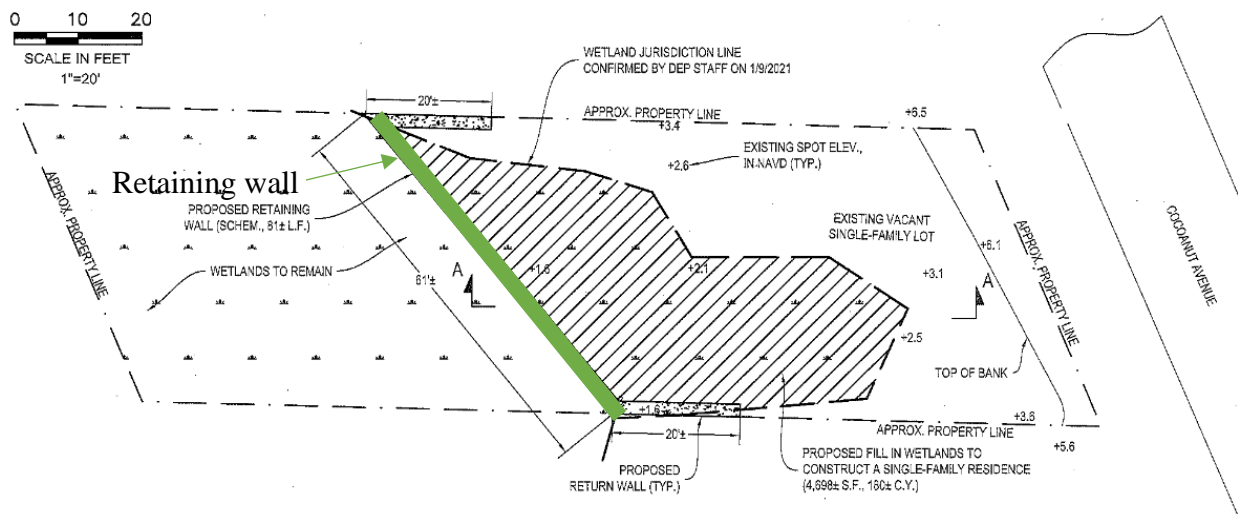


DISCUSSION:

The Town Code definition of a *variance* is a relaxation of the terms of the [code] where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of said ordinance would result in unnecessary and undue hardship on the land. To that end, the Board of Adjustment may grant a variance only if it determines that each of the five criteria are met. Please see below the five variance criteria, the applicant's response to the criteria is part of the application and are attached, staff's response in **bold**:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district;

As shown in the proposed site plan, the proposed lot is 150' feet in depth, however, the subject property contains a protected wetland that encompasses approximately 42% of the property, located at the rear of the property. Properties on the west side of Cocanut Avenue face the same limitation. The Florida Department of Environmental Protection (FDEP) established this through an Environmental Resource Permit, granted on April 14, 2022, and transferred to the applicant on April 7, 2025. (Please see the attached documents). The FDEP permit authorizes the installation of an approximate 81 foot long retaining wall at a designated location depicted on a survey (see attached and below), and the filling of approximately 4,698 square feet of wetlands for the construction of a single-family residence. The permit states that the 4,698 square feet of wetland impact offsets unavoidable adverse impacts with the purchase of .02 mitigation credits from the Loxahatchee Mitigation Bank.



As you can see from the survey above, the area shaded in gray are jurisdictional wetlands that have been offset due to off-site mitigation. But the wetlands to remain are protected by a proposed retaining wall. Without this permit, the site would be practically unbuildable.

Although these special circumstances do exist for this particular land, they are not unique. All houses to the west of Cocanut face similar challenges. Five (5) other existing single-family houses have already been built without the need for variance, located at 13797 Cocanut Ave, 13757 Cocanut Ave, 13825 Cocanut Ave, 13839 Cocanut Ave, and 13867 Cocanut Ave. Because there exists five (5) other properties that have been built upon these special circumstances without the need for a variance, staff finds that the applicant does not

have existing circumstances which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.

- (2) The special conditions or circumstances do not result from the actions of the applicant;

The property is currently vacant and was purchased with the knowledge that an FDEP permit permits the filling of wetlands to retain enough buildable area for a single-family house. This permit was granted in 2022, and the applicant purchased the property on March 3, 2025. Therefore, the applicant was aware of the restrictions and was aware that they will be required to build within the parameters of the permit and the Town Code, specific to the front setback.

- (3) A granting of the variance requested will not confer upon the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same district;

The granting of the variance will confer upon the applicant a special privilege as the Town Code requires all properties to meet the Building Site Area Regulations (setbacks). As previously mentioned, there are at least five (5) other properties that built a new single-family home in a lot restricted by wetland preservation and did not require a variance to the front setback. Four (4) other vacant parcels would require the same variance to the front setback to enjoy the same special privilege that the applicant would receive if the proposed variance is granted.

- (4) A literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter and would work unnecessary and undue hardship on the applicant; and

The literal interpretation of the code provisions does not deprive the applicant of any rights enjoyed by other properties within the RS-5 zoning district, especially those on the west side of Cocoanut, which are all impacted by jurisdictional wetlands.

- (5) A prior application for the granting of the variance had not been submitted within the preceding 12 months.

The applicant has not filed for a variance within the past 12 months.

RECOMMENDATION:

Staff recommends that the Planning and Zoning Board recommend to the Town Council, sitting as the Board of Adjustments and Appeals, the requested variance from Code Section 34-268 of the Town's Code of Ordinances to reduce the minimum front setback from 25 ft. to 20 ft **be denied.**

Attachment(s):

1. Variance Application w/ applicant's backup material.



TOWN OF JUNO BEACH
PLANNING AND ZONING DEPARTMENT
340 OCEAN DRIVE
JUNO BEACH, FL 33048
 PHONE 561.626.1122 • FAX 561.775.0812

For Official Use Only
 Date Stamp

Application for Variance Petitions

A **Variance** is a relaxation of the terms of the Town of Juno Beach Comprehensive Zoning Ordinance (Chapter 34, and subsequent amendments) where such variance will not be contrary to the public interest and where, owning conditions peculiar to the property and not the result of the actions of the applicant a literal enforcement of said ordinance would result in unnecessary and undue hardship on the land. As used in said ordinance, a variance is authorized only for height, area, and size of structure or size of yards, parking requirements and open spaces. Establishment or expansion of use or density otherwise prohibited or not permitted shall not be allowed a variance.

Section I

Instructions for Completion:

1. Complete Section II of this application, and respond (in written form) to the criteria listed in Section III. You may wish to attach a separate sheet of paper for this item.
2. Sign and date this application at the end of Section III. If appropriate, complete the power of attorney form on page 4 of this application.
3. Attach any information (maps, drawings, survey, letters, legal descriptions, etc.) that identify the peculiarity of your specific situation, and that clarify your petition/application.
4. A filing fee of **\$500.00 must accompany each application upon submittal. The applicant will also be responsible** for providing all property identification information and property owners within a 300' radius surrounding the subject property; and will be responsible for postage cost associated with mail-out materials related to the petition.
5. All materials required shall accompany this application **at time of submission** to the Planning & Zoning Department; and the deadline for all required material is **three weeks prior to the date of the Board of Adjustment hearing** for which this petition is being requested.

Section III

Please address (in written form) the criteria listed below:

While considering a variance petition, the Board of Adjustment shall have the power to authorize upon appeal such variance from the terms of the zoning code as will not be contrary to the public interest, where, owing to specific conditions, a literal enforcement of the provisions of the Code will result in an unnecessary and undue hardship. A variance from the terms zoning code shall not be granted unless the Board of Adjustment finds that:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district;

Applicant Response: See attachment

2. The special conditions or circumstances do not result from the actions of the applicant;

Applicant Response: See attachment

3. A granting of the variance requested will not confer upon the applicant any special privilege that is denied by said Ordinance to other lands, buildings or structures in the same district;

Applicant Response: See attachment

4. A literal interpretation of the provisions of said ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Ordinance and would work unnecessary an undue hardship on the applicant.

Applicant Response: See attachment

5. A prior application for the granting of the variance had not been submitted within the preceding twelve (12) months.

Applicant Response: See attachment

Section II

Please Complete the Following:

Applicant/Agent Information:

Name of Applicant: Michael Bates Contact Phone#: (561) 317-5796
Address of Applicant: 8232 Garden Catalina Circle Apt 1626 Lake Worth, FL 33467

*If the applicant has an agent, or will be represented by anyone other than the applicant.

* Name of Agent: N / A Contact Phone #: N / A
* Address of Agent: N / A

Regarding the Subject Location (where the variance is being requested):

Street Location: Cocoanut Ave

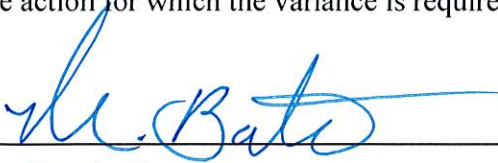
Name of Subdivision: New Palm Beach Heights

Block: 15 Lot: 3

Regarding the Variance Petition:

Please describe the variance being requested: [See attachment](#)

According to Chapter 34, Town of Juno Beach, Florida, in granting any variance, the Board of Adjustment shall prescribe appropriate conditions and safeguards in conforming to the Zoning Ordinance. The Board of Adjustment may also prescribe a reasonable time limit within which the action for which the variance is required shall commence, be completed, or both.



Applicant's Signature

Michael Bates

11/19/25

Date

Print Name



Witness' Signature

Laura Hooch

11/19/25

Date

Print Name

Power of Attorney

Name of Applicant: _____ Contact Phone _____
 Mailing Address: _____
 Property Address (description): _____
 Name of Agent: _____
 Contact Phone of Agent: _____

The Undersigned, being the true Applicant for the real property described above, does hereby grant unto the Agent, stated above, the full right and power of attorney to make application to the Town of Juno Beach for an easement abandonment petition/request and act as the representing agent for any subsequent processes for said property. It is understood that limitations, conditions and restrictions may be placed upon the use or operation of the property. Misstatements upon application or in any hearing may result in the termination of any application/petition proceeding to limit the Applicant to only allow themselves the opportunity to apply for an abandonment petition/request. This power of attorney may be terminated only by a written and notarized statement of such termination effective upon receipt by the Planning & Zoning Department.

IN WITNESS WHEREOF THE UNDERSIGNED HAVE SET THEIR HANDS AND SEALS
 THIS _____ DAY OF _____ 20____.

 Applicant

 Witness

 Applicant

 Witness

Before me the undersigned authority personally appeared the owner(s) named above who upon being duly sworn acknowledged before me that they are the true owners of the real property described above and that they executed the power of attorney for the purposes stated therein.

Sworn and subscribed this _____ day of _____ 20____.

 Notary Public

SEAL

*(For Office Use Only)***Variance Mailing/Billing Information**

Date given to Town Clerk's Office: _____

Deadline for Mailing: _____

Name of Applicant: _____

Mailing Address for Billing: _____

Postage: \$ _____ Legal Ad: \$ _____ = Total: \$ _____

Date payment Received: _____

Application for Variance Petitions**Applicant:**

Michael Bates
8232 Garden Catalina Circle Apt 1626
Lake Worth, FL 33467
(561) 317-5796
mbates827@gmail.com

Subject Location:

Parcel ID: 28-43-41-28-10-015-0030
Subdivision: NEW PALM BEACH HGTS
Official Records Book/Page: 35597 / 886
Legal Description: NEW PALM BEACH HEIGHTS LT 3 BLK 15

Section II**Please describe the variance being requested:**

The subject property contains a protected wetland area that encompasses approximately the 42% of the rear parcel. This environmental restriction significantly limits the buildable area of the lot and reduces the available rear yard space.

To help balance the layout, I am requesting a variance to reduce the front yard setback from 25 feet to 20 feet. This 5-foot adjustment will allow the home's footprint to shift slightly forward, creating additional usable rear yard area while maintaining full compliance with all other zoning requirements.

Under the current 25-foot setback, the proposed home design results in a rear yard area of approximately 173 square feet. By reducing the setback to 20 feet, the rear yard area would increase to approximately 384 square feet, providing an additional 211 square feet of functional outdoor space. While modest in size, this increase would make a meaningful improvement to the livability and usability of the rear yard, which is currently limited.

I worked with my architect to explore setback relief under Code Section 34-902 – Yard Restrictions, which allows certain structures to extend into the front setback. However, this provision is not applicable to my proposed plans, as the garage is located directly along the front setback line which is not an allowable structure per the code.

A site plan illustrating both the existing and proposed conditions is included with this application to show the before-and-after impacts of shifting the front setback line by five

feet.

Additionally, the vertical loads from the house translate into lateral pressure, or surcharge, against the retaining wall. Moving the building footprint five feet further from the wall will noticeably reduce that surcharge, easing lateral forces on the wall itself.

This variance will have no adverse impact on surrounding properties. The proposed adjustment maintains the established character of the neighborhood and does not affect sight lines, traffic flow, or adjacent property use.

As shown in the table below, the property satisfies the minimum landscaping requirement for the RS-5 district set forth in Section 34-268.

Sec 34-268: Site Plan Requirements

| | |
|--------------------------------------|-------------------|
| Lot Dimensions: | |
| Parcel 28-43-41-28-10-015-0030 | 0.1590 Acres |
| Square Feet | 6,924 SqFt |
| RS-5 Minimum Landscaping Requirement | 25% |
| Minimum Landscape SqFt | 1,731 SqFt |
| <hr/> | |
| Landscaped Area SqFt | 4,458 SqFt |
| <hr/> | |
| Landscaped Area % | 64% |

Section III

- 1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district; *Applicant Response:***

The subject property contains a protected wetland that encompasses approximately 42% of the rear parcel. This environmental constraint significantly reduces the overall lot size, which in turn greatly limits the amount of buildable square footage and usable rear yard area. Some of the parcels on the west side of Cocoanut Avenue face similar limitations. The property immediately to the north (13797 Cocoanut Avenue) was able to address this restriction by utilizing Code Sec. 34-902 – Yard Restrictions, which allowed them to extend their first-floor entrance platform six feet into the front yard setback. This same option was evaluated with my

architect; however, due to the narrowness of the lot and the garage being located along the front setback line, this provision is not applicable to my property. As such, I am requesting this variance to achieve a similar accommodation and allow for reasonable use of the property given its unique constraints.

2. The special conditions or circumstances do not result from the actions of the applicant; Applicant Response:

The special conditions affecting this property are beyond my control and do not result from any action on my part. The protected wetland area at the rear of the parcel is regulated by the Florida Department of Environmental Protection.

3. A granting of the variance requested will not confer upon the applicant any special privilege that is denied by said Ordinance to other lands, buildings or structures in the same district; Applicant Response:

Granting this variance will not confer any special privilege that is unavailable to other properties within the same zoning district. The request is a reasonable response to the unique constraints imposed by the protected wetland, which significantly limits the usable area of the parcel.

4. A literal interpretation of the provisions of said ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Ordinance and would work unnecessary an undue hardship on the applicant; Applicant Response:

A literal enforcement of the current front setback requirement would restrict me from enjoying the same reasonable use of the property that other homeowners in the district are afforded. Due to the protected wetland encompassing the rear 42% of the parcel, the buildable area is substantially reduced, leaving very limited rear yard space. Adhering strictly to the 25-foot front setback results in only approximately 173 square feet of rear yard area, which is considerably smaller than what is typical for neighboring homes. Reducing the front setback to 20 feet would increase the rear yard to approximately 384 square feet, creating a more functional and livable outdoor area while maintaining compliance with all other zoning requirements. Without this adjustment, the property's environmental constraints would impose an unnecessary and undue hardship by preventing the owner from

achieving a use and layout comparable to other residential lots in the neighborhood.

5. **A prior application for the granting of the variance had not been submitted within the preceding twelve (12) months; Applicant Response:**

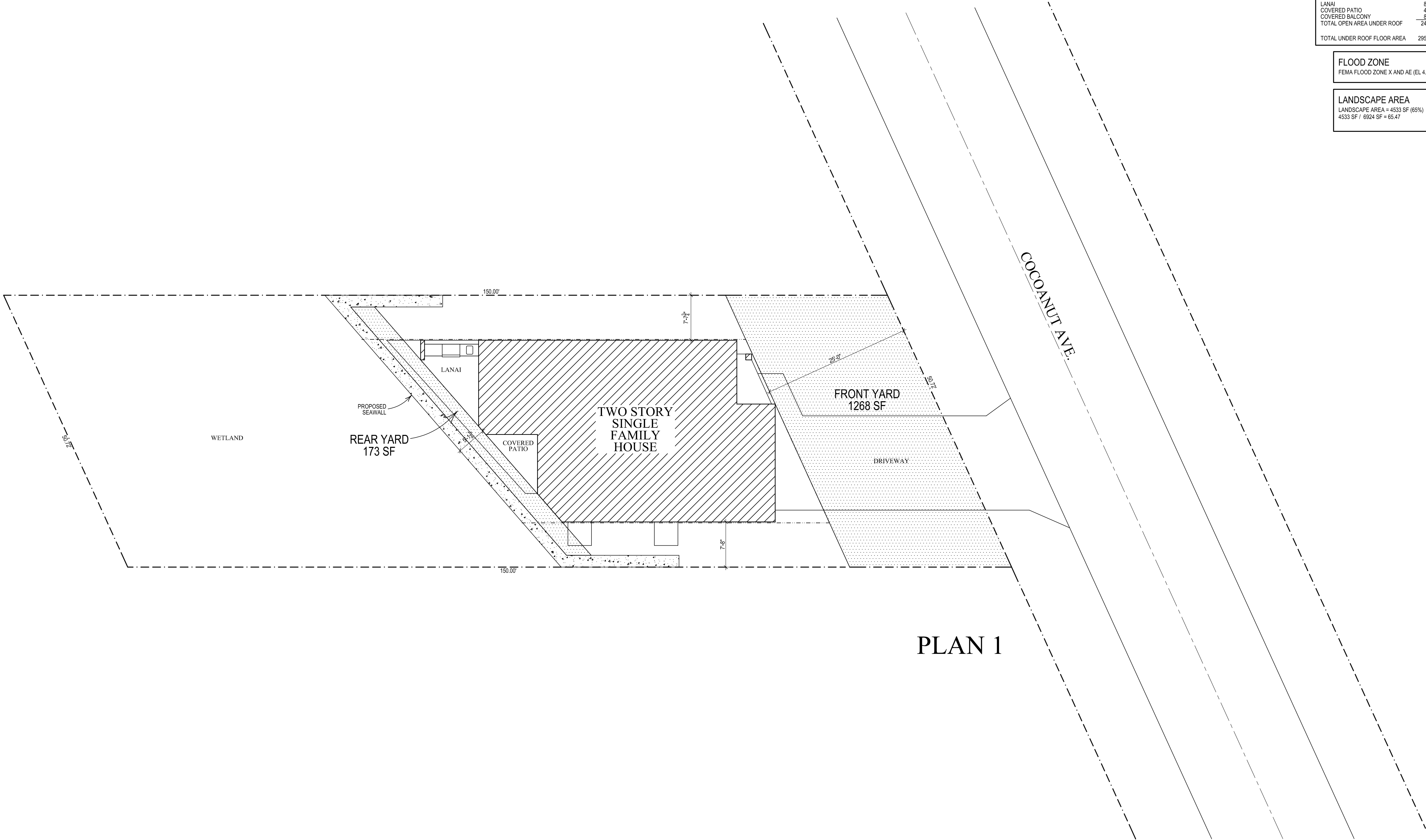
No prior application for the granting of this variance has been submitted for this property within the preceding twelve (12) months.

| SITE DATA | |
|----------------------------------|--|
| SITE AREA - 0.16 ACRES (6924 SF) | |
| ZONING DISTRICT - RS-5 | |
| FRONT SETBACK - 25' | |
| REAR SETBACK - 12' | |
| SIDE SETBACK - 7.5' | |

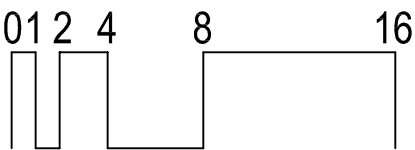
| FLOOR AREA | |
|-----------------------------|---------|
| FIRST FLOOR AC | 874 SF |
| SECOND AC | 1388 SF |
| TOTAL AC AREA | 2262 SF |
| GARAGE | 448 SF |
| TOTAL ENCLOSED AREA | 2710 SF |
| ENTRY | 21 SF |
| LANAI | 88 SF |
| COVERED PATIO | 44 SF |
| COVERED BALCONY | 88 SF |
| TOTAL OPEN AREA UNDER ROOF | 241 SF |
| TOTAL UNDER ROOF FLOOR AREA | 2951 SF |

| FLOOD ZONE | |
|------------------------------------|--|
| FEMA FLOOD ZONE X AND AE (EL 4.00) | |

| LANDSCAPE AREA | |
|--------------------------------|--|
| LANDSCAPE AREA = 4533 SF (65%) | |
| 4533 SF / 6924 SF = 65.47 | |



PLAN 1



SITE PLAN
SCALE 1/8" = 1'-0"

NOT FOR CONSTRUCTION

REVISIONS

| | |
|----------|-----|
| DRAWN | CC |
| CHECKED | CSC |
| DATED | |
| 10/27/25 | |
| PROJECT | |
| 25009 | |
| SHEET | |

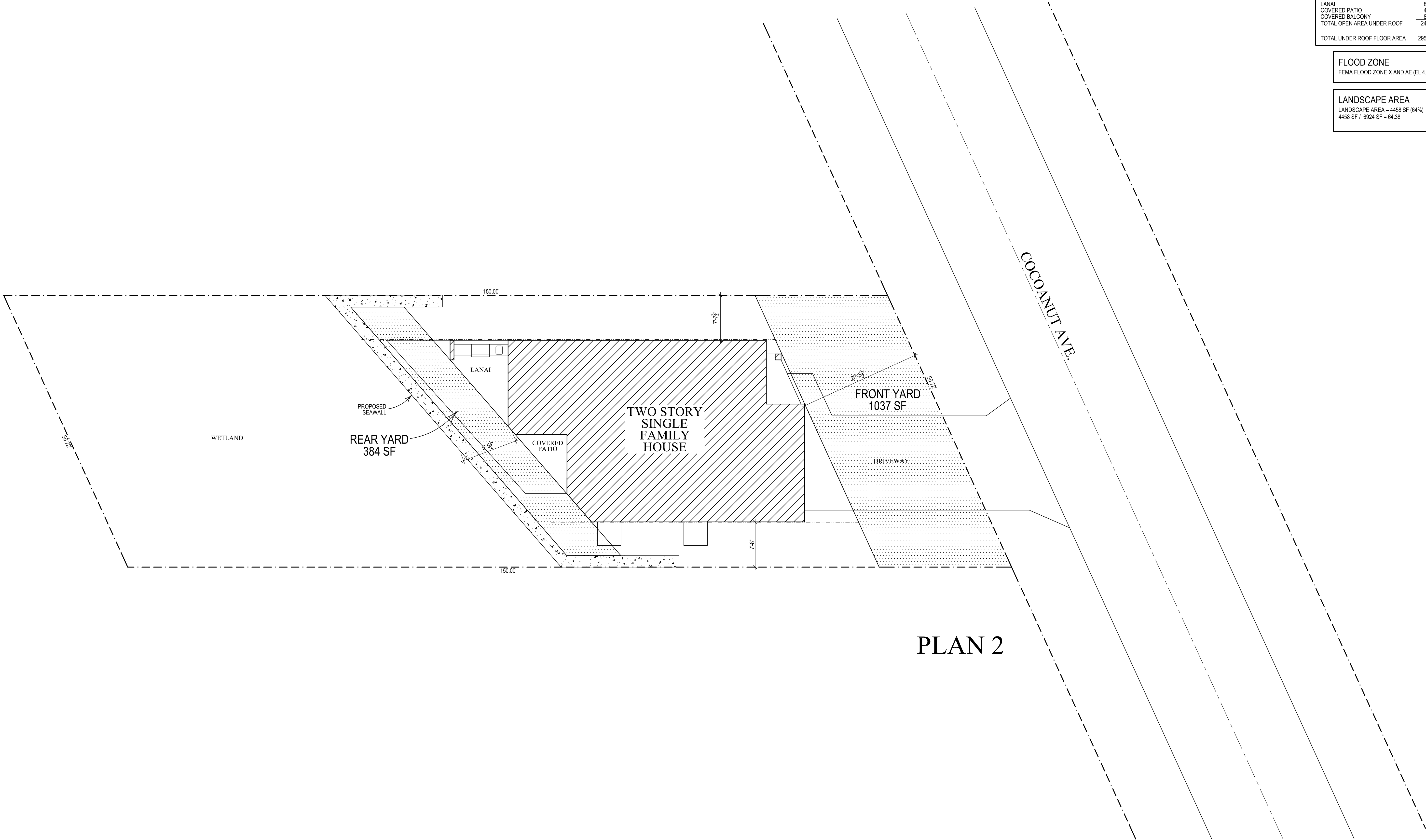
A1

| SITE DATA | |
|----------------------------------|--|
| SITE AREA - 0.16 ACRES (6924 SF) | |
| ZONING DISTRICT - RS-5 | |
| FRONT SETBACK - 25' | |
| REAR SETBACK - 12' | |
| SIDE SETBACK - 7.5' | |

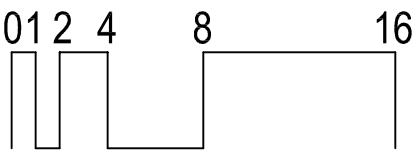
| FLOOR AREA | |
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| TOTAL OPEN AREA UNDER ROOF | 241 SF |
| TOTAL UNDER ROOF FLOOR AREA | 2951 SF |

FLOOD ZONE
FEMA FLOOD ZONE X AND AE (EL 4.00)

LANDSCAPE AREA
LANDSCAPE AREA = 4458 SF (64%)
4458 SF / 6924 SF = 64.38



PLAN 2



SITE PLAN
SCALE 1/8" = 1'-0"

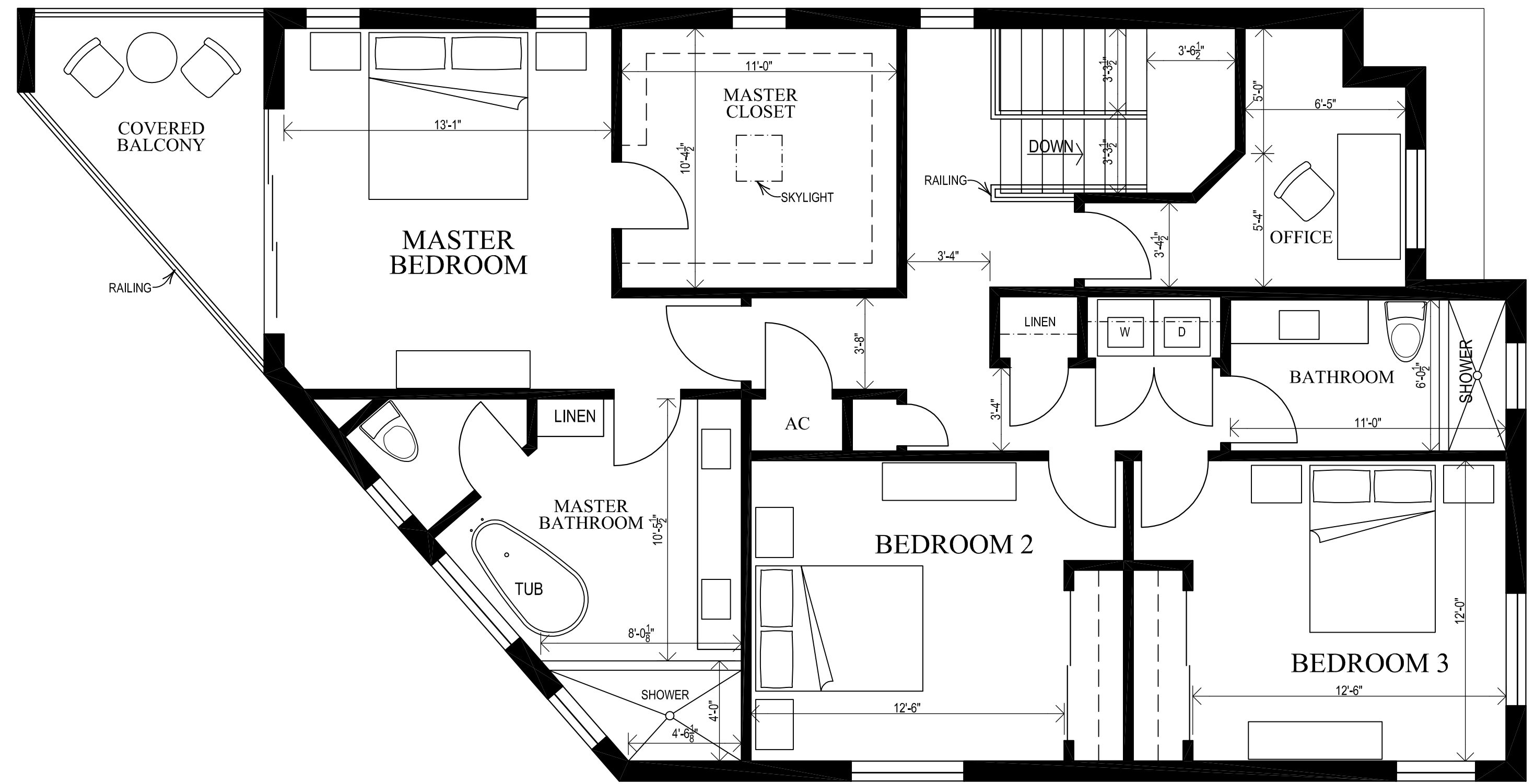
NOT FOR CONSTRUCTION

REVISIONS

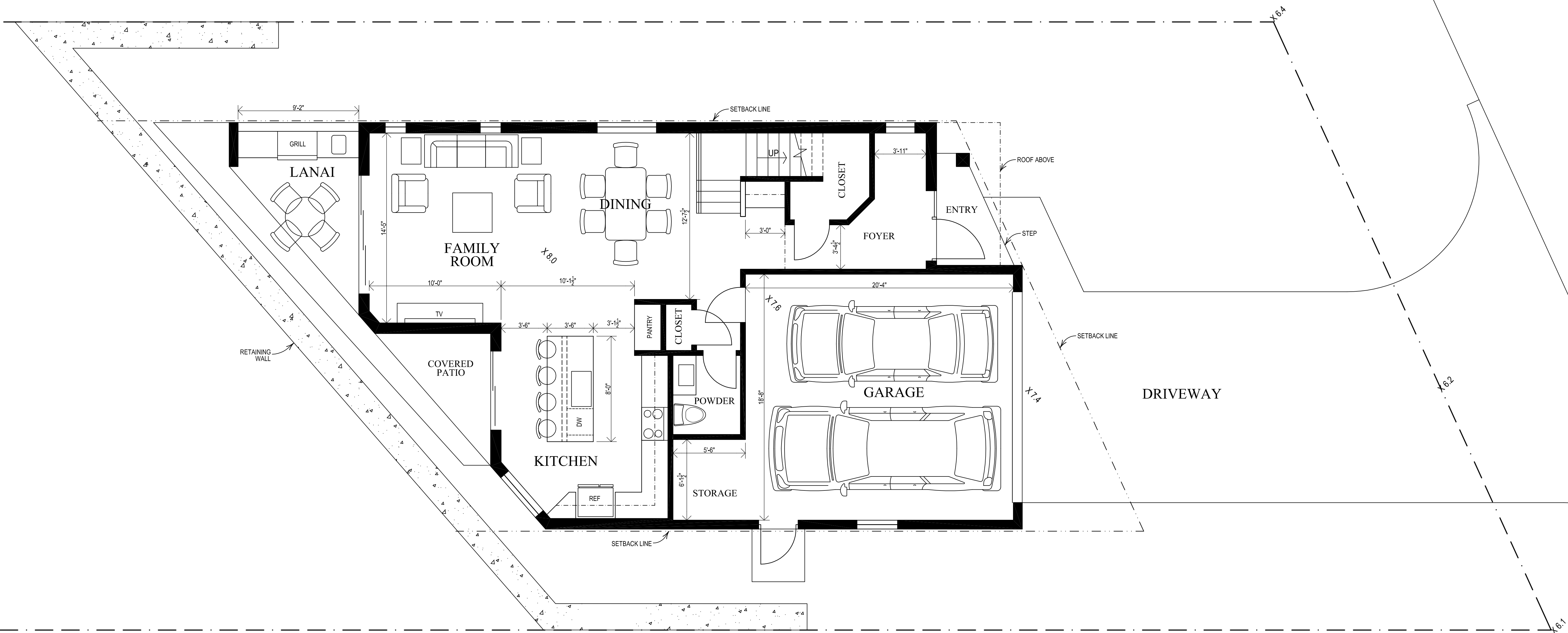
DRAWN CC
CHECKED CSC
DATED 10/27/25
PROJECT 25009
SHEET

CORY S. CROSS
ARCHITECT
AR 1324
2560 Pepperwood Circle North Palm Beach, FL 33410
561-281-0960

PROPOSED HOUSE FOR
MR. MICHAEL BATES
COCOANUT AVE.
JUNO BEACH, FL 33408



SECOND FLOOR



BATES RESIDENCE

AC AREA = 2262 SF

H

| WALL TYPES | | | | |
|---|----------------------|-----------------|---------------------------------|---------------|
| USE CEMENT BOARD ON WET SIDE OF SHOWER AND TUB WALLS. | | | | |
| SYMBOL | STRUCTURE | EXTERIOR FINISH | INTERIOR FINISH | INSULATION |
| | 8" CONCRETE BLOCK | 3/4" STUCCO | 3/4" STUCCO SKIM COAT IN GARAGE | NONE |
| | 8" CONCRETE BLOCK | 3/4" STUCCO | 1/2" DRYWALL ON 1X2 PPT FURRING | R-4.1 |
| | 8" CONCRETE BLOCK | 3/4" STUCCO | 1/2" DRYWALL ON 1X2 PPT FURRING | NONE |
| | 2X4 STUDS AT 16" OC. | 1/2" DRYWALL | 1/2" DRYWALL | NONE |
| | 2X6 STUDS AT 16" OC. | 1/2" DRYWALL | 1/2" DRYWALL | NONE |
| | 2X4 STUDS AT 16" OC. | 1/2" DRYWALL | 1/2" DRYWALL | R-11 |
| | 2X6 STUDS AT 16" OC. | 1/2" DRYWALL | 1/2" DRYWALL | 2" SOUND BATT |

| WIND PRESSURES MINIMUM REQUIRED | | |
|---------------------------------|---------|---------|
| WINDOWS | +45 PSF | -60 PSF |
| SINGLE DOORS | +45 PSF | -60 PSF |
| FRENCH DOORS | +45 PSF | -60 PSF |
| SLIDING GLASS DOORS | +45 PSF | -60 PSF |
| OVERHEAD DOORS | +38 PSF | -42 PSF |

| INSULATION | | SEE SECTIONS FOR PLACEMENT |
|---------------------------|-------|----------------------------|
| EXTERIOR BLOCK WALLS: | R-4.1 | |
| ROOF OVER AC SPACES: | R-20 | |
| FLOOR OVER NON AC SPACES: | R-11 | |

| PLUMBING | |
|---|----|
| HOSE BIB | HB |
| APPLIANCE WATER LINE | WL |
| SHOWER HEAD WITH VALVE BELOW | A |
| SHOWER HEAD W/ HAND WAND WITH VALVE BELOW | A |

| WINDOW SCHEDULE | | VERIFY ROUGH-IN DIMENSIONS WITH MANUFACTURER | | |
|-----------------|-------------|--|----------|--------------|
| TAG | TYPE | SIZE WIDTH HEIGHT | MATERIAL | EGRESS NOTES |
| 1 | SINGLE HUNG | 53'-18" 76" | ALUM. | YES |
| 2 | SINGLE HUNG | 48" 76" | ALUM. | NOT REQ. |
| 3 | SINGLE HUNG | 40" 59'-12" | ALUM. | NOT REQ. |
| 4 | SINGLE HUNG | 37" 76" | ALUM. | NOT REQ. |
| 5 | SINGLE HUNG | 32" 59'-12" | ALUM. | NOT REQ. |
| 6 | SINGLE HUNG | 32" 50'-58" | ALUM. | NOT REQ. |
| 7 | SINGLE HUNG | 26" 59'-12" | ALUM. | NOT REQ. |
| 8 | FIXED | 19" 76" | ALUM. | NOT REQ. |

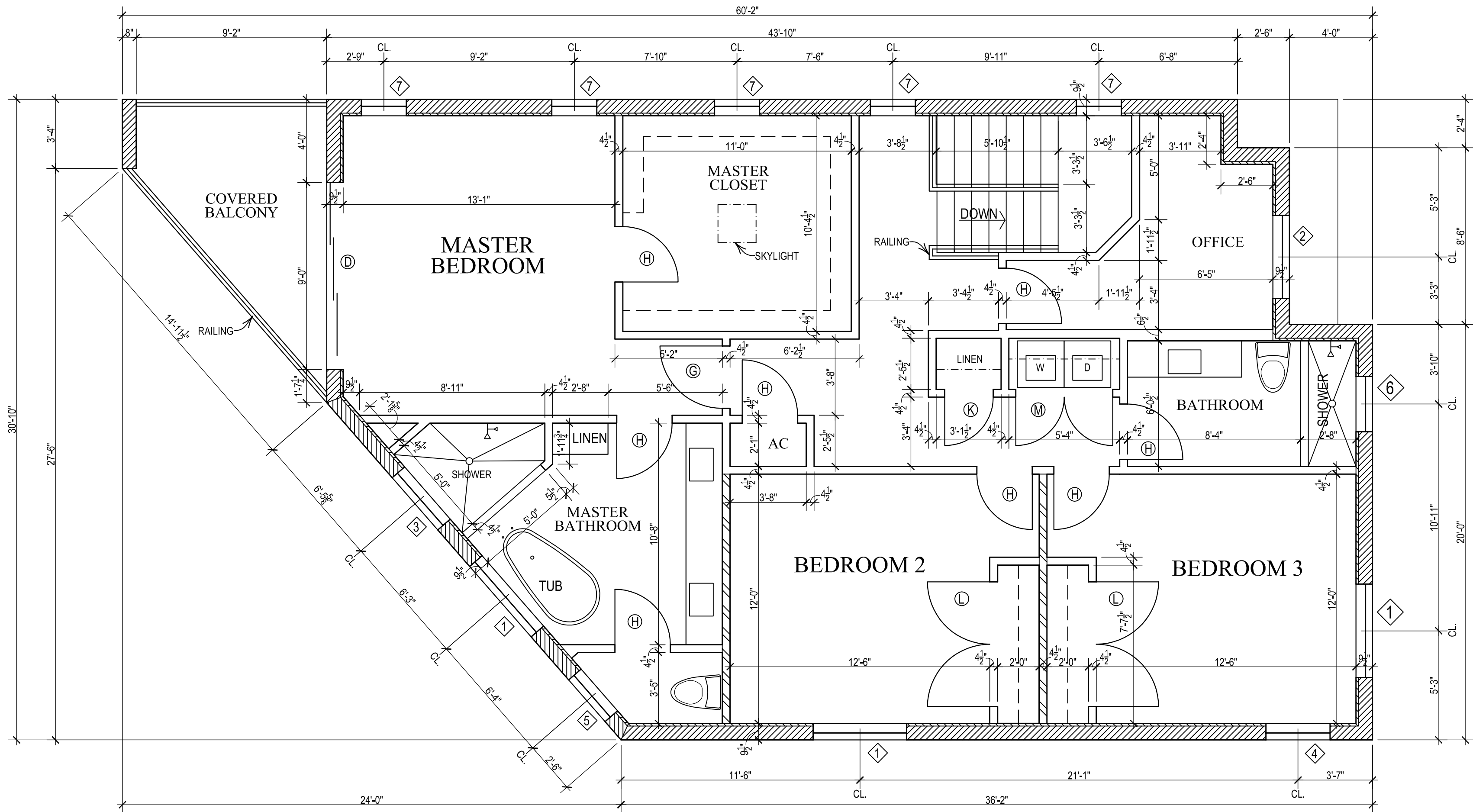
SEE GLAZING SPECS BELOW

| GLAZING | |
|---------------------------------------|--|
| 1. ALL GLAZING SHALL BE IMPACT RATED. | |
| 2. GLAZING IS SINGLE PANE TINTED | |
| 3. U FACTOR OF 1.07 OR LESS | |
| 4. SHGC OF 0.27 OR LESS | |

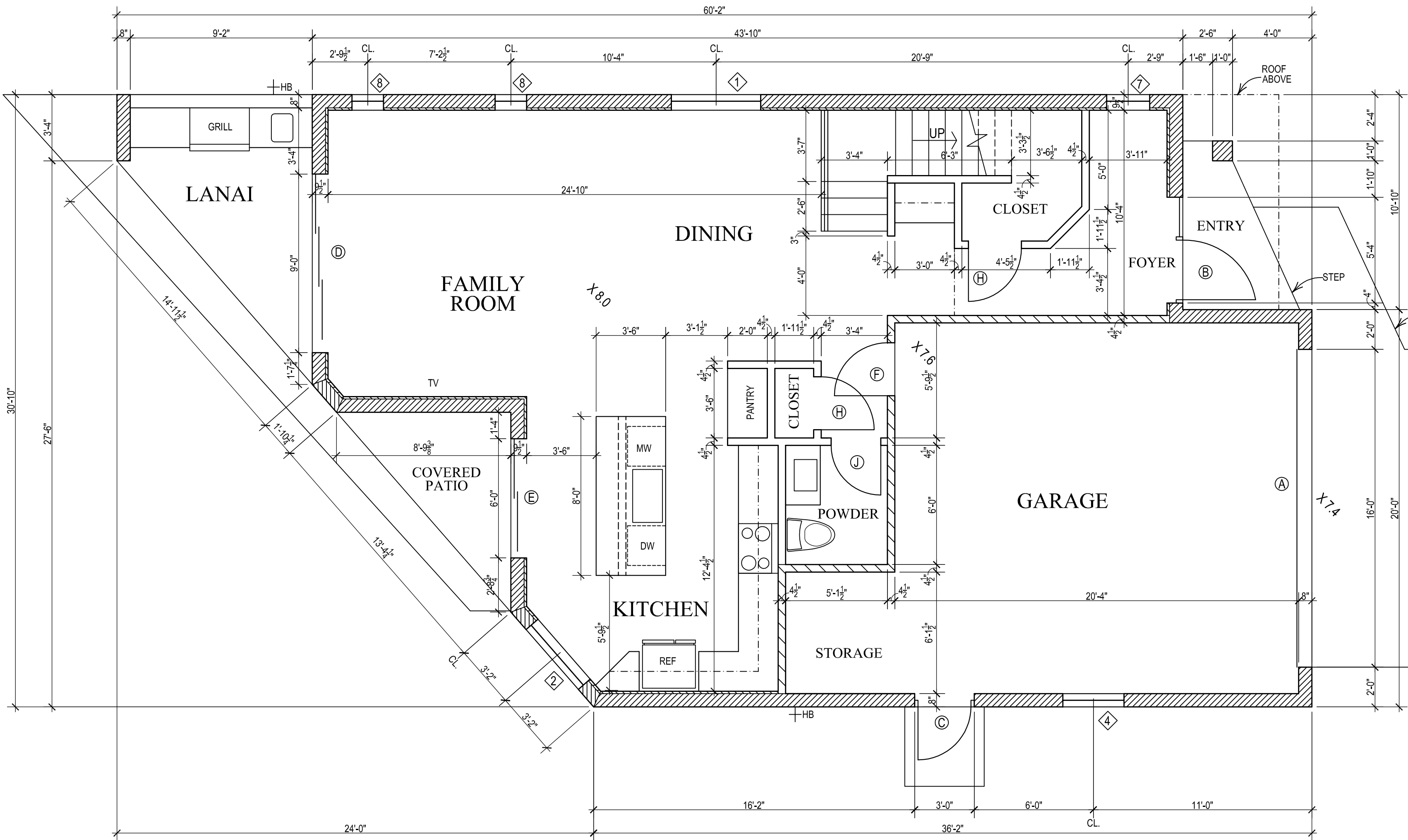
| DOOR SCHEDULE | | | | |
|---------------|-----------|--------|------------|---|
| TAG | WIDTH | HEIGHT | MATERIAL | DESCRIPTION |
| A | 16'-0" | 8'-0" | METAL | OVERHEAD DOOR |
| B | 3'-0" | 8'-0" | FIBERGLASS | IMPACT RATED ENTRY DOOR AND 24" SIDELITE |
| C | 2'-8" | 8'-0" | FIBERGLASS | |
| D | (3) 3'-0" | 8'-0" | ALUM. | IMPACT RATED SLIDING GLASS DOORS - 3 PANELS |
| E | (2) 3'-0" | 8'-0" | ALUM. | IMPACT RATED SLIDING GLASS DOORS - 2 PANELS |
| F | 2'-8" | 8'-0" | | SOLID WOOD 1-3/8" MIN. THICK OR HONEYCOMB CORE STEEL 1-3/8" MIN. THICK OR 20 MIN. RATED |
| G | 3'-0" | 8'-0" | WOOD | |
| H | 2'-8" | 8'-0" | WOOD | |
| J | 2'-6" | 6'-8" | WOOD | |
| K | 2'-4" | 8'-0" | WOOD | |
| L | (2) 3'-0" | 8'-0" | WOOD | |
| M | (2) 2'-4" | 8'-0" | WOOD | |

SEE GLAZING SPECS ABOVE

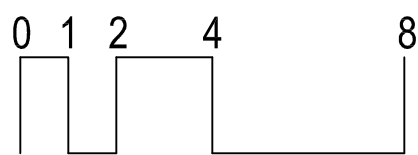
COPYRIGHT 2025, CORY S. CROSS ARCHITECT
THE CONTENT OF THESE DRAWINGS IS OWNED BY THE ARCHITECT AND SHALL NOT BE USED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT EXCEPT FOR THE CONSTRUCTION OF THIS PARTICULAR PROJECT.



SECOND FLOOR

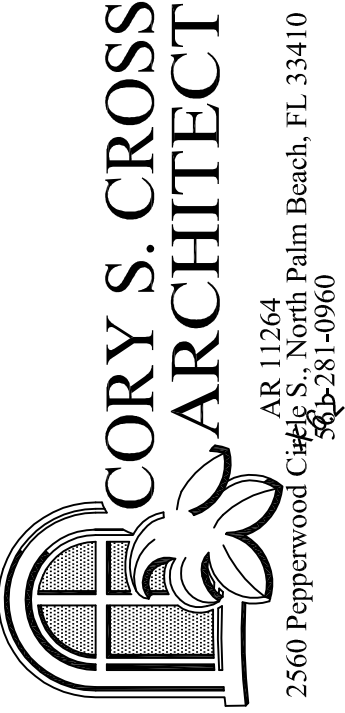


FIRST FLOOR



FLOOR PLANS
SCALE 1/4" = 1'-0"

NOT FOR CONSTRUCTION



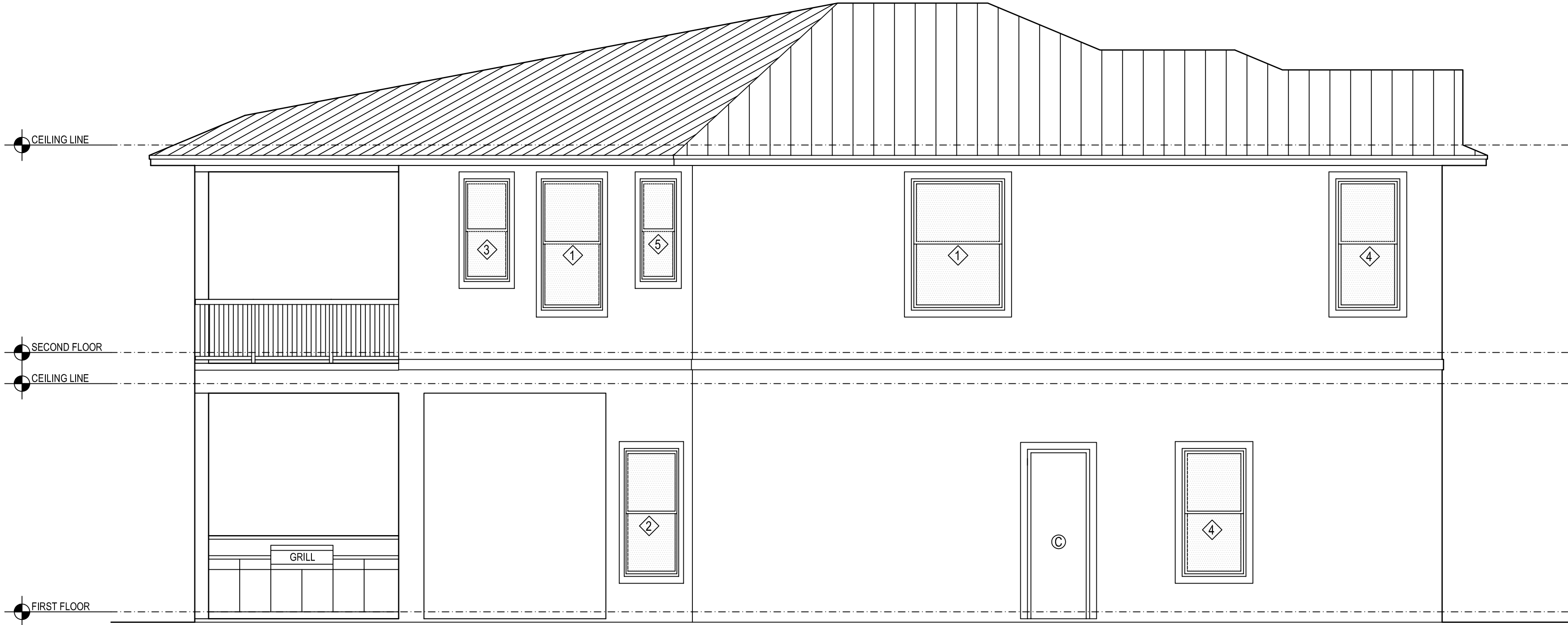
| | |
|-----------|---------|
| REVISIONS | |
| DRAWN | CC |
| CHECKED | CSC |
| DATED | 10/1/25 |
| PROJECT | 25009 |
| SHEET | |

A2

PROPOSED HOUSE FOR
MR. MICHAEL BATES
COCOANUT AVE.
JUNO BEACH, FL 33408



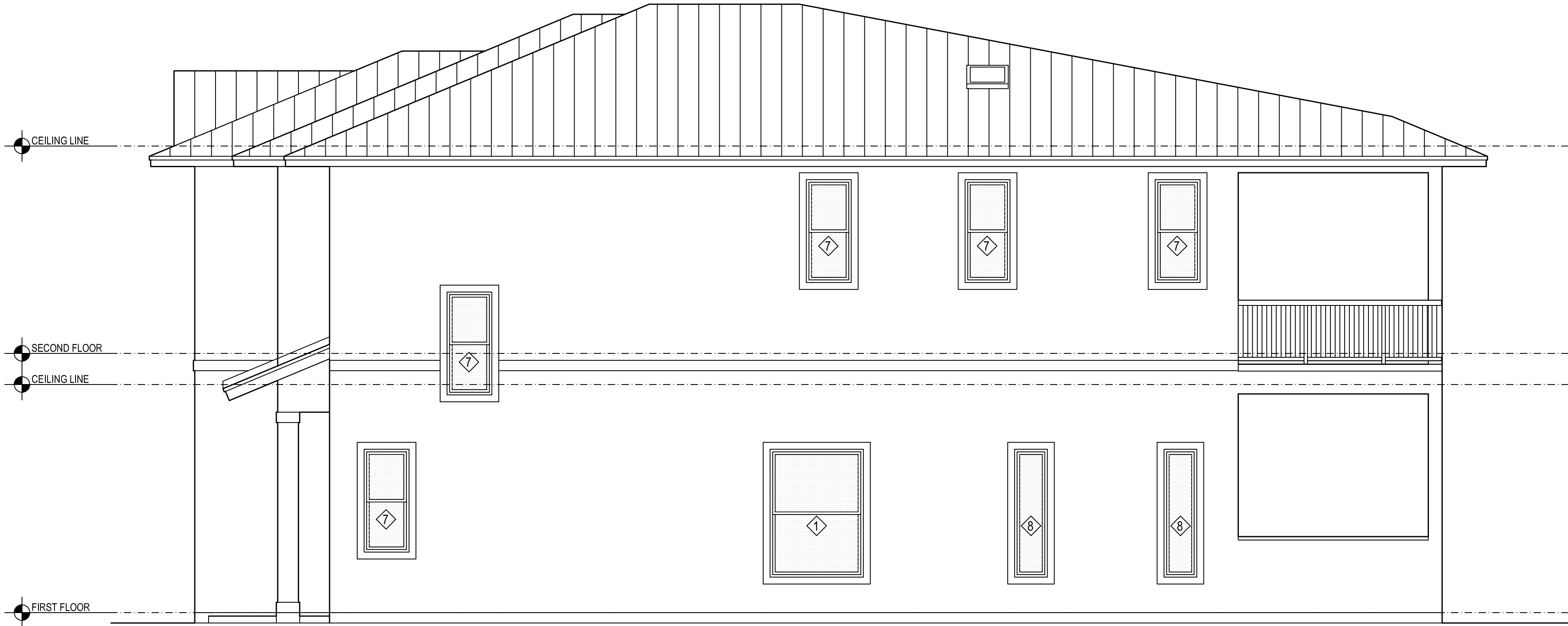
EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION

PROPOSED HOUSE FOR
MR. MICHAEL BATES
COCOANUT AVE.
JUNO BEACH, FL 33408

CORY S. CROSS
ARCHITECT
AR 13264
2560 Peppertwood Circle - North Palm Beach, FL 33410
561-281-0960

NOT FOR CONSTRUCTION

REVISIONS
DRAWN CC
CHECKED CSC
DATED 10/1/25
PROJECT 25009
SHEET



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Item #2.

Ron DeSantis
Governor

Jeanette Nufiez
Lt. Governor

Shawn Hamilton
Secretary

Project Name: New Jupiter Heights

Permittee/Authorized Entity:

Robert Sunstone
201 North First Street
Hampton, VA 23664
Email: rsunstone@gmail.com

Authorized Agent:

Isiminger & Stubbs Engineering, Inc.
c/o Charlie Isiminger
Email: cisiminger@coastal-engineers.com

Environmental Resource Permit - Granted

State-owned Submerged Lands Authorization – Not Applicable

**U.S. Army Corps of Engineers / Section 404 Authorization – Separate Authorization
Required**

Permit No.: 50-402499-002-EI

Permit Issuance Date: April 14, 2022

Permit Construction Phase Expiration Date: April 14, 2027

Environmental Resource Permit

Permit No.: 50-0402499-002-EI

PROJECT LOCATION

The activities authorized by this Permit are located within unnamed wetlands, Class III Waters, within Parcel ID: 28-43-41-28-10-015-0030 on Cocoanut Avenue, Juno Beach, in Section 28, Township 41 South, Range 43 East, in Palm Beach County (Latitude N 26°52'43", Longitude W -80°03'29").

PROJECT DESCRIPTION

This permit authorizes the installation of an approximate 81 ln. ft. retaining wall and the filling of approximately 4,698 sq. ft. (0.11-acres) of wetlands for the construction of a single-family residence.

This permit authorizes 4,698 ft² of impacts to wetland or other surface waters. To offset unavoidable adverse impacts to 0.11 acres of wetlands or other surface waters, the permittee has elected to purchase 0.02 mitigation credits from the Loxahatchee Mitigation Bank. The permittee has submitted proof of purchase of the required mitigation credits prior to impacting the wetlands.

AUTHORIZATIONS

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

The activity does not require further authorization under chapter 253 of the Florida Statutes, or chapters 18-20 or 18-21 of the Florida Administrative Code.

Federal Authorization/State 404 Authorization

Your proposed activity as outlined on your application and attached drawings does not qualify for Federal authorization. As of Dec. 22, 2020, Florida has assumed authority to administer the dredge and fill permitting program under Section 404 of the federal Clean Water Act within certain waters in the state "assumed waters."

Your application was not reviewed under the State 404 Permitting Program because the application was submitted prior to the implementation of this program. If you do not already have a permit or other letter from the U.S. Army Corps of Engineers (USACE) under Section 404 of the clean Water Act, or if you do not have a pending application with the USACE for a 404 permit, you may need to apply to DEP for a separate 404 Permit or Permit Determination.

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

Project Name: New Jupiter Heights

Permit No.: 50-0402499-002-EI

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Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit authorization, as described.

SPECIFIC CONDITIONS- PROJECT FORMS & ATTACHMENTS

(1) The attached project drawings (sheets 1 through 3); and DEP forms 62-330.310(3), 62-330.310(1); 62-330.310(2); 62-330.340(1); and 62-330.350(1), which may be downloaded at <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm> become part of this permit. If the permittee does not have access to the Internet, please contact the Department at (561) 681-6600 to request the aforementioned forms and/or document(s).

(2) If the attached permit drawings conflict with the specific conditions, then the specific conditions shall prevail.

SPECIFIC CONDITIONS - PRIOR TO CONSTRUCTION

(3) After selection of the contractor to perform the authorized activities and prior to the initiation of any work authorized by this permit, the permittee (or authorized agent) and the contractor shall

Project Name: New Jupiter Heights

Permit No.: 50-0402499-002-EI

Page 3 of 11

attend a pre-construction conference with a representative of the Department. It shall be the responsibility of the permittee to contact the Department's Compliance Assistance Program, by email SED_Compliance@FloridaDEP.gov, or by phone (561) 681-6600, to schedule the pre-construction conference.

(4) The permittee shall ensure that the permit conditions are explained to all construction personnel working on the project and for providing each contractor and subcontractor with a copy of this permit before the authorized work begins.

(5) Prior to the initiation of any work authorized by this permit, floating turbidity curtains with weighted skirts that extend to within one foot of the bottom shall be placed around the project site, and shall be maintained and remain in place for the duration of the project construction to ensure that turbid discharges do not occur outside the boundaries of the floating turbidity screens. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent turbid discharges.

SPECIFIC CONDITIONS – MITIGATION

(6) To offset unavoidable adverse impacts to 0.11 acres of wetlands, prior to any construction activities, the permittee has purchased 0.02 mitigation credits from Loxahatchee Mitigation Bank.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

(7) All storage or stockpiling of tools or material (i.e. lumber, pilings, debris, etc.) shall be limited to uplands or within the impact areas authorized by this permit.

(8) This permit authorizes permanent impacts to the wetland fill area shown on the permit drawings only (0.11 acres). No other wetland areas are authorized to be impacted, which includes but is not limited to clearing with the use of heavy equipment, filling, stockpiling of construction materials or excavation. The limits of impact shall be clearly marked during construction in a way which is visible and obvious to anyone performing work on-site, including someone operating heavy equipment.

(9) Any fill material used shall be clean fill and free of vegetative matter, trash, rebar, garbage, toxic or hazardous waste, or any other unsuitable materials. There shall be no storage or stockpiling of tools and materials (i.e., lumber, pilings, debris), within wetlands.

(10) Silt fences or equivalent sediment controls are required for all side slope and downslope boundaries of the construction area.

SPECIFIC CONDITIONS – MONITORING/REPORTING REQUIREMENTS

(11) Turbidity levels outside the construction area shall not exceed 0 NTU's above background levels. The following measures shall be taken immediately by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed 0 NTUs above background:

- a. Notify the Department at (561) 681-6600 at the time the violation is first detected.

- b. Immediately cease all work contributing to the water quality violation.
- c. Stabilize all exposed soils contributing to the violation. Modify the work procedures that were responsible for the violation, install more turbidity containment devices, and repair any non-functional turbidity containment devices.
- d. As required, perform turbidity monitoring per Specific Conditions.
- e. Resume construction activities once turbidity levels outside turbidity curtains fall below 0 NTUs.

(12) Turbidity Monitoring: Water turbidity levels shall be monitored if a turbidity plume is observed outside the limits of the required turbidity control devices. Samples shall be taken every four hours until turbidity subsides at one foot above the bottom, mid-depth, and one-foot below the surface at monitoring stations located as follows:

- a. Approximately 100 feet up-current of the work sites and clearly outside the influence of construction activities. (This shall serve as the natural background sample against which other turbidity readings shall be compared.)
- b. Directly outside the turbidity curtains surrounding the work sites and within the densest portion of any visible turbidity plume. (This sample shall serve as the compliance sample.)

(13) Turbidity Monitoring Reports: During dock construction activities, the permittee or permittee's contractor shall collect the following turbidity monitoring data at the frequency and water depths directed by the Specific Condition above:

- a. Date and time of sampling event
- b. Turbidity sampling results (background NTUs, compliance NTUs, and the difference between them)
- c. Description of data collection methods
- d. An aerial map indicating the sampling locations
- e. Depth of sample(s)
- f. Weather conditions at times of sampling
- g. Tidal stage and direction of flow

Data shall be collected in a turbidity log and shall include a statement by the individual responsible for implementation of the sampling program attesting to the authenticity, precision, limits of detection, and accuracy of the data. The turbidity log shall be scanned and sent on a weekly basis to the Department's ERP Compliance Assurance Program via email at SED_Compliance@FloridaDEP.gov. The subject line of the email shall include the project name, permit number, and the title "Turbidity Monitoring Reports."

SPECIFIC CONDITIONS – LISTED SPECIES

(14) This permit does not authorize the permittee to cause any adverse impact to or "take" of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of "take" and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the

appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a “take” permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

(1) All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

(2) A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

(3) Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector’s Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

(4) At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), “Construction Commencement Notice,” [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

(5) Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

(6) Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

- a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – “Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit” [Form 62-330.310(3)]; or
- b. For all other activities – “As-Built Certification and Request for Conversion to Operational Phase” [Form 62-330.310(1)].
- c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

(7) If the final operation and maintenance entity is a third party:

- a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
- b. Within 30 days of submittal of the as- built certification, the permittee shall submit “Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

(8) The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

(9) This permit does not:

- a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
- b. Convey to the permittee or create in the permittee any interest in real property;
- c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
- d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

(10) Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

(11) The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

(12) The permittee shall notify the Agency in writing:

- a. Immediately if any previously submitted information is discovered to be inaccurate; and

- b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

(13) Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

(14) If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

(15) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

(16) The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

(17) This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

(18) A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing

process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do

not publish notice of this action, this waiver may not apply to persons who have not received a clear point of entry.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Norva Blandin, MSEM
Permitting Program Administrator
Southeast District

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

FDEP – Norva Blandin MSEM, Danielle Sattelberger, Kaitlyn Mallett, David Carey-Kearny, Matt Mitchell, Palm Beach County, Environmental Resources, mmitchell@pbcgov.org

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

| | |
|-------|------------|
| | 04/14/2022 |
| Clerk | Date |

Attachments:

Project Drawings and Design Specs., 3 pages

Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit Form 62-330.310(3)*

As-built Certification and Request for Conversion to Operational Phase Form 62-330.310(1)*

Request for Transfer to the Perpetual Operation Entity Form 62-330.310(2)*

Request to Transfer Permit Form 62-330.340(1)*

Commencement Notice Form 62-330.350(1)*

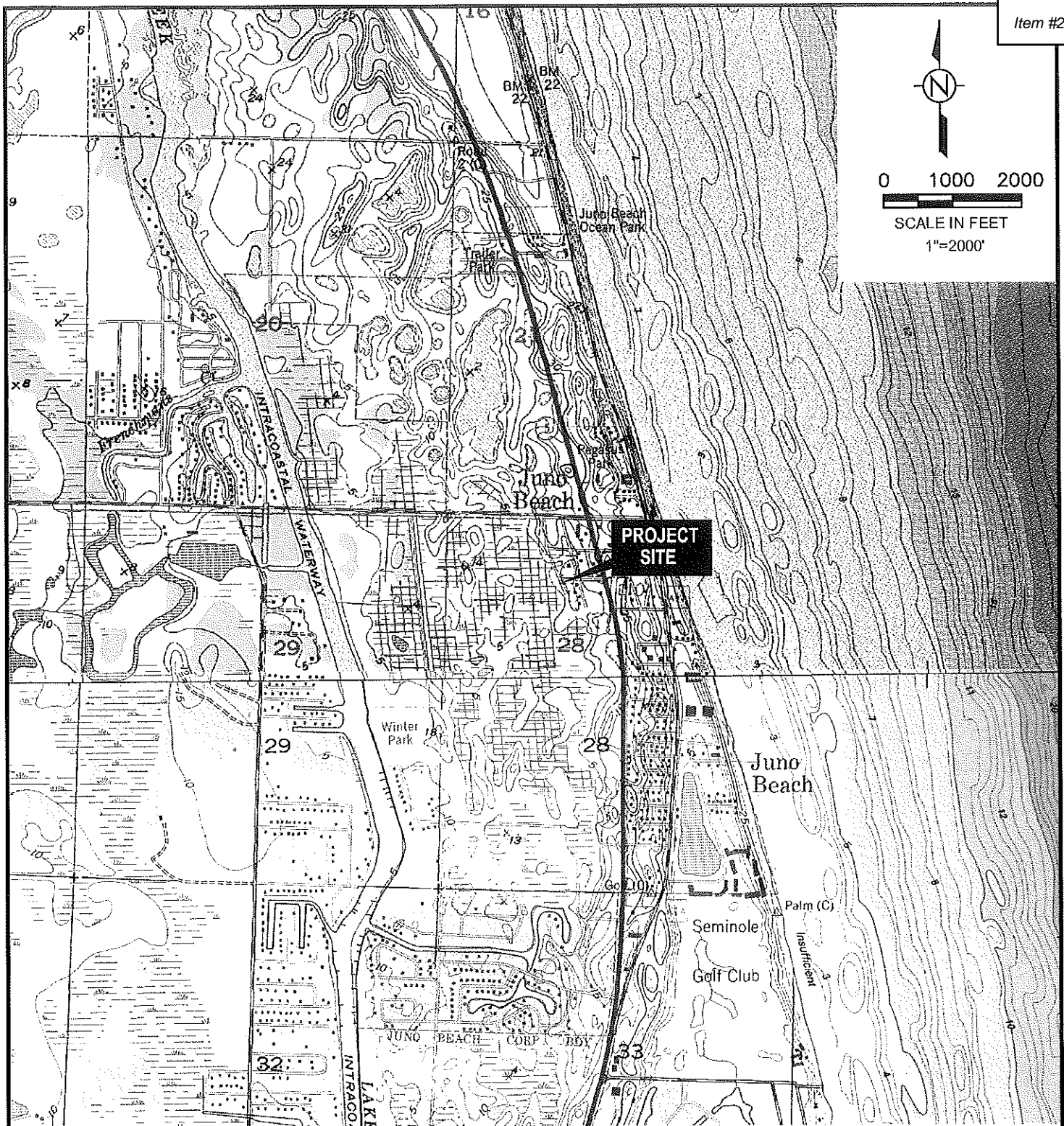
*Can be downloaded at: <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/forms-environmental-resource>



0 1000 2000

SCALE IN FEET

1"=2000'

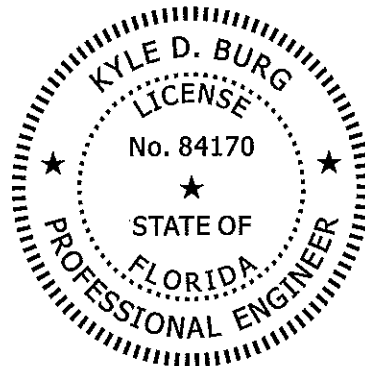


TAKEN FROM U.S.G.S. RIVIERA BEACH & JUPITER, FLORIDA QUADRANGLE

SEC: 28 TWP: 41S RGE: 43E

LAT: 26° 52' 43" N

LONG: 080° 03' 29" W



VICINITY MAP

**ISIMINGER & STUBBS
ENGINEERING, INC.**

COASTAL • ENVIRONMENTAL • MARINE

REGISTRATION NUMBER 6114

P.O. BOX 14702 - NORTH PALM BEACH, FL. 33408 - 561-881-0003

**PROPOSED RETAINING WALL & WETLAND FILL
NEW JUPITER HEIGHTS**

PCN: 28-43-41-28-10-015-0030

TOWN OF JUNO BEACH, PALM BEACH COUNTY, FL
APPLICANT: JAMES, LAURA & ROBERT SUNSTONE

| | | | | | | | |
|------|------|-------|-----|------|-----|--------|-----|
| DATE | 4/21 | DRAWN | TCR | CHKD | MDB | APPRVD | KDB |
|------|------|-------|-----|------|-----|--------|-----|

DWG NO. 20240A1

SHEET

COMPUTER FILE NO.

20240A

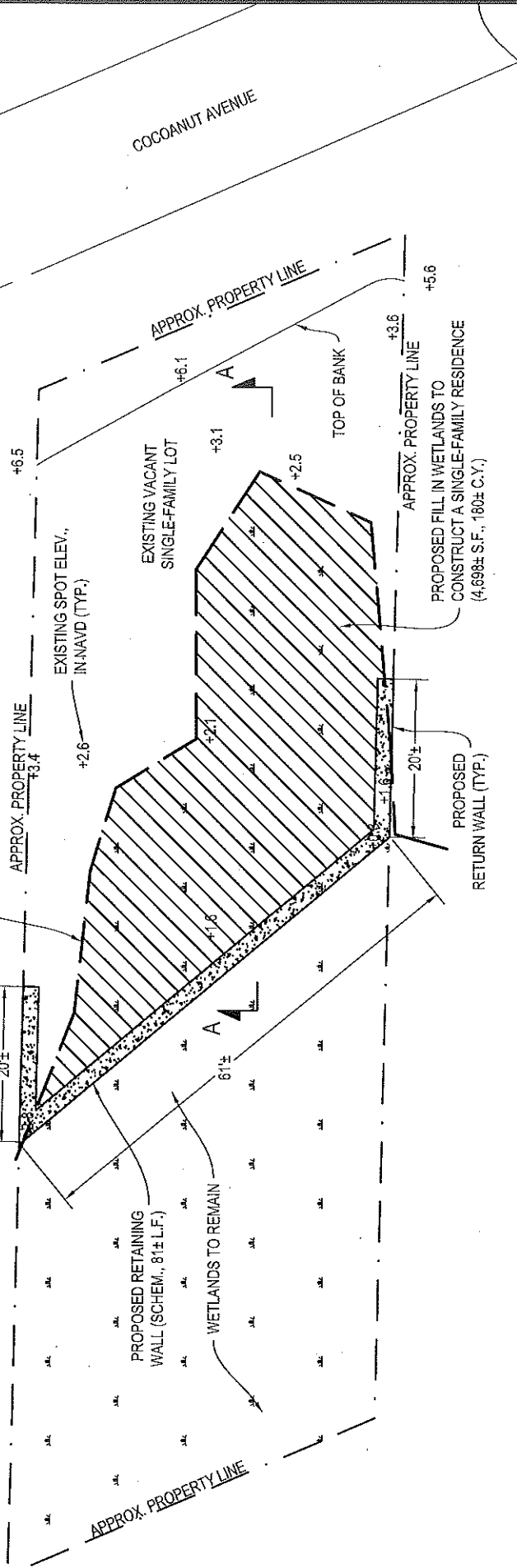
OF 3

36



0 10 20
SCALE IN FEET
1"=20'

WETLAND JURISDICTION LINE
CONFIRMED BY DEP STAFF ON 1/9/2021



PLAN VIEW

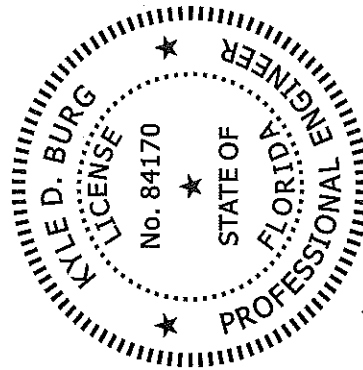
ISMINGER & STUBBS
ENGINEERING, INC.

COASTAL • ENVIRONMENTAL • MARINE
REGISTRATION NUMBER 8114
P.O. BOX 14702 • NORTH PALM BEACH, FL 33408 • 561-581-0003

PROPOSED RETAINING WALL AND WETLAND FILL
NEW JUPITER HEIGHTS
PCN: 28-43-41-28-10-015-0030
TOWN OF JUNO BEACH, PALM BEACH COUNTY, FL
APPLICANT: JAMES, LAURA & ROBERT SUNSTONE

| DATE | 4/21 | DRAWN | TCR | CHKD | MDB | APPRVD | KD |
|-------------------|---------|-------|-----|------|-----|--------|----|
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| COMPUTER FILE NO. | 20240A | | | | | | |
| SHEET | OF | 3 | | | | | |

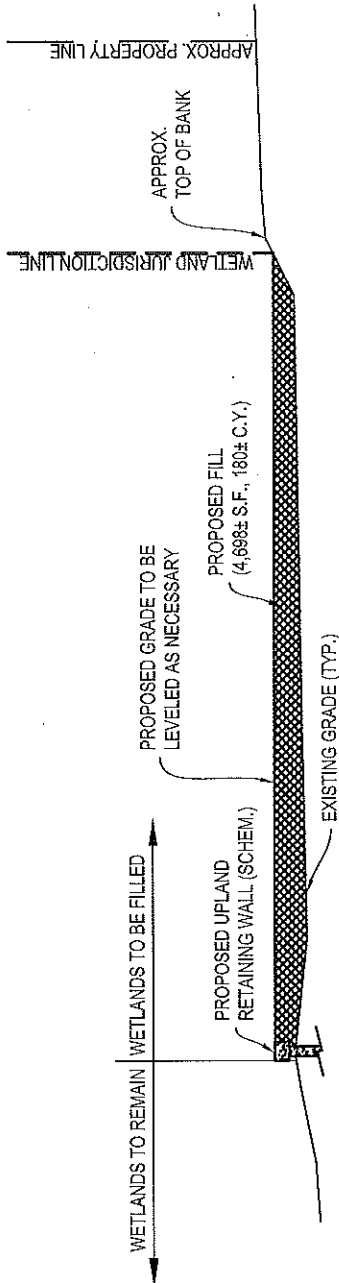
Item #2.



NOTES:

1. DATUM IS NAVD.
2. EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY LEGACY SURVEYING AND MAPPING, INC., DATED 3/9/21, AND ON-SITE OBSERVATIONS.
3. APPROXIMATE WETLAND JURISDICTION LINE BY ISMINGER & STUBBS ENGINEERING, INC., FIELD WORK PERFORMED 12/16/20. JURISDICTION LINE CONFIRMED BY DEP STAFF ON 1/9/21.

SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.



SECTION A-A



SECTION VIEW



ISIMINGER & STUBBS
ENGINEERING, INC.

COASTAL - ENVIRONMENTAL - MARINE
REGISTRATION NUMBER 8114
P.O. BOX 14702 - NORTH PALM BEACH, FL 33408 - 561-381-0003

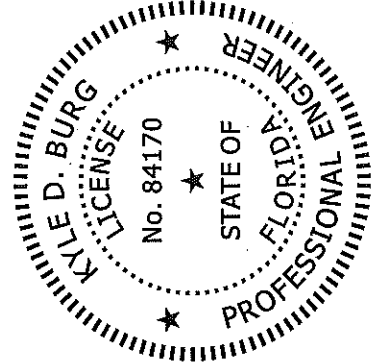
PROPOSED RETAINING WALL AND WETLAND FILL
NEW JUPITER HEIGHTS

PCN: 28-43-41-28-10-015-0030

TOWN OF JUNO BEACH, PALM BEACH COUNTY, FL
APPLICANT: JAMES, LAURA, & ROBERT SUNSTONE

| DATE | 4/21 | DRAWN | TCR | CHKD | MDB | APPRVD | KDB |
|-------------------|---------|-------|-----|------|-----|--------|-----|
| DWG NO. | 20240A3 | | | | | | |
| COMPUTER FILE NO. | 20240A | | | | | | |
| SHEET | 3 | | | | | | |
| OF | 3 | | | | | | |

Item #2.



NOTES:

1. DATUM IS NAVD.
2. EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY LEGACY SURVEYING AND MAPPING, INC., DATED 3/9/21, AND ON-SITE OBSERVATIONS.
3. APPROXIMATE WETLAND JURISDICTION LINE LOCATED BY ISIMINGER & STUBBS ENGINEERING, INC. FIELD WORK PERFORMED 12/16/20.

SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

April 7, 2025

Michael Bates
8232 Garden Catalina Circle, Apt. 1626
Lake Worth, FL 33467
Email: Mbates827@gmail.com

RE: File Name: New Jupiter Heights Transfer
Transfer of Permit No.: 50-0402499-002-EI
File No.: 50-0402499-003-EM

Dear Michael Bates:

The transfer of this permit to Michael Bates is hereby approved and effective as of the date of this letter. Please attach a copy of this letter and the enclosed transfer of permit to your permit and make them available on site during construction. When referring to this project, please use the file numbers indicated.

From Permittee:

Robert Sunstone
201 North First Street
Hampton, VA 23664

To Permittee:

Michael Bates
8232 Garden Catalina Circle, Apt. 1626
Lake Worth, FL 33467

This notice of transfer does not alter the original expiration date of April 14, 2027, the Specific or General Conditions, or the monitoring requirements of the permit. This letter must be attached to the original permit.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Permittee: Michael Bates
Transfer of Permit No.: 50-0402499-002-EI
File No.: 50-0402499-003-EM
Page 4 of 4

Item #2.

Executed in Palm Beach County, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Norva Blandin, MSEM
Permitting Program Administrator
Southeast District

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

FDEP – Norva Blandin MSEM, Danielle Sattelberger, Juliana Hall, Hannah Blum,
Miranda Lopez
Matt Mitchell, Palm Beach County, Environmental Resources, mmitchell@pbcgov.org
Robert Sunstone, Rsunstone@gmail.com

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

| | |
|----------------------|-------------|
| <i>Chloe Sigwart</i> | 04/07/2025 |
| Clerk | Date |



Meeting Name: Planning & Zoning Board
Meeting Date: January 5, 2026
Prepared By: Stephen Mayer
Item Title: Appearance Review – 451 Neptune Road

DISCUSSION:

The Town has received an application for Appearance Review from Mr. Theodore Obermeyer of Grandview Builders (“Applicant”) for the property located at 451 Neptune Road (“Property”). The Property is zoned Residential Single Family (RS-4) with a Future Land Use classification of Low Density Residential (LDR) (up to 5 DU/AC). The previous home was built in 1973, and has since been demolished, as the existing condition of the property is currently vacant. The lot area is +/- 5,625 square feet. The location of the property is shown in the aerial photo below:





Rendering of Proposed new home at 451 Neptune Road

APPLICANT'S REQUEST:

The Applicant is seeking to construct a new two-story 3,736 square-foot single-family home. Section 34-116(3) (b) (items 2 through 7) of the Town's Zoning Code requires the Planning and Zoning Board (acting as the Appearance Review Board) to determine whether the proposed addition meets the criteria below. For the Board's review and consideration, staff has provided the following analysis of the Appearance Review Criteria (staff response is in **bold**).

STAFF ANALYSIS:

Due to the pre-emptions of Section 163.3202 F.S, staff does not review and will not make any comments regarding Section 34-116.(3)(b) item 1, which is entirely related to architectural style.

Appearance Review Criteria

1. Is of an architectural style representative of or reflecting the vernacular of Old Florida style which is indigenous to the town and which is commonly known and identified by its late Victorian (Key West Cracker), Spanish revival (Mediterranean), Modern (early to mid-20th century), or combination thereof style of architecture. Summarized briefly, common features of the vernacular of Old Florida style that identify the Victorian (Key West Cracker), and Spanish revival (Mediterranean) architectural style include wood or concrete block with stucco siding; simple pitched roofs; tile, metal, or asphalt roofs; ornate details such as but not limited to exposed soffits, individualized vent and louver shapes, reliefs, and detailed

window and door treatments; lush landscaping with private yards; and use of porches, balconies and patios. Common features of the vernacular of Old Florida Style that identify the Modern (early to mid-20th century) architectural style include clean geometric lines, often at right angles; an emphasis on function; materials such as glass, steel, iron, and concrete; and the use of natural light through large and expansive windows;

As it is pre-empted by Section 163.3202, F.S. staff offers no comment or analysis on the Building Design Element components of the proposed home as defined by the statute.

2. Is of a design and proportion which enhances and is in harmony with the area. The concept of harmony shall not imply that buildings must look alike or be of the same style. Harmony can be achieved through the proper consideration of setback, scale, mass, bulk, proportion, overall height, orientation, site planning, landscaping, materials, and architectural components including but not limited to porches, roof types, fenestration, entrances, and stylistic expression. For the purpose of this section, the comparison of harmony between buildings shall consider the preponderance of buildings or structures within 300 feet from the proposed site of the same zoning district;

The area of the lot is +/-5,625 sq. ft., the lot coverage is proposed as +/- 1,967 sq. ft. or 34.97%, which complies with the Town's Zoning Code requirement for lot coverage per Section 34-268. The proposed home is a two-story structure and is +/- 27 feet in height (from average grade to the top of the roof).

The backup materials provided, specifically in the narrative by the J.Scott Baruch & Associates – Architect(s) for the property, indicate how the applicant has provided a review of the residential structures in the context of the property (please see back-up documentation). Using data from the Property Appraiser's Office, staff has created the following table summary for the Board's review:

| <i>Address</i> | <i>Year Built</i> | <i>Lot Total Square Feet</i> | <i>Tower Feature</i> | <i>Lot Size to Total Square Feet Ratio</i> | <i>Total Square Feet</i> | <i>Square Feet Under Air</i> | <i>Story</i> |
|-------------------------|-------------------|------------------------------|----------------------|--|--------------------------|------------------------------|--------------|
| 491 Neptune Road | 1987 | 6969.6 | No | 0.31 | 2,177 | 1,671 | 2 |
| 490 Neptune Road | 1999 | 5662.8 | Yes | 0.32 | 1,820 | 1,573 | 1 |
| 481 Neptune Road | 1974 | 5662.8 | No | 0.33 | 1,879 | 1,392 | 1 |
| 480 Neptune Road | 1972 | 5662.8 | No | 0.33 | 1,920 | 1,424 | 1 |
| 471 Neptune Road | 1997 | 5662.8 | No | 0.34 | 1,945 | 1,553 | 1 |
| 460 Neptune Road | 2013 | 5662.8 | No | 0.56 | 3,185 | 2,364 | 2 |
| 451 Neptune Road | - | 5662.8 | No | 0.65 | 3,736 | 3,234 | 2 |
| 450 Neptune Road | 1960 | 5662.8 | No | 0.28 | 1,606 | 1,254 | 1 |
| 441 Neptune Road | 1969 | 5662.8 | No | 0.29 | 1,660 | 1,316 | 1 |
| 430 Neptune Road | 1960 | 5662.8 | No | 0.38 | 2,174 | 1,265 | 1 |
| 421 Neptune Road | 1973 | 5662.8 | No | 0.30 | 1,704 | 1,210 | 1 |
| 420 Neptune Road | 1959 | 5662.8 | No | 0.35 | 1,970 | 1,646 | 1 |
| 411 Neptune Road | 1972 | 5662.8 | No | 0.46 | 2,589 | 1,956 | 2 |
| 400 Neptune Road | 1958 | 5662.8 | No | 0.34 | 1,919 | 1,176 | 1 |
| Average | | 5,763 | 92% | 0.35 | 2,042 | 1,523 | 77% |

Figures in **Red** are the highest in the range, figures in **Green** are the lowest in the range.

The **bold** figures are the subject property.

Study Area Summary Statistics: FAR Range is 0.28 to 0.56. FAR Average = 0.35

TOTAL Sq. Ft. Range = 1,606 to 3,185 square feet. TOTAL Square Foot Average = 2,042 square feet

Staff's response: According to the table above, the proposed two-story home would result in a new home outside the range of the total square footage for the study area. The proposed square footage (3,736 Square Feet) would be 551 square feet larger than the largest existing home in the study area, which is at 3,185 square feet located at 460 Neptune Road. The proposed home is 1,694 square feet larger than the average square footage of the homes in the study area.

3. Elevator and stairwell shafts and other modern operations and features of a building shall be either completely concealed or shall incorporate the elements of the architectural style of the structure; rooftop equipment and elevator and mechanical penthouse protrusions shall be concealed; and parking garages and other accessory structures shall be designed with architectural features and treatments so that they are well proportioned and balanced and in keeping with the architectural style of the principal structure;

Staff's response: All modern operations and features of the building are completely concealed. There are no roof top equipment, elevator or mechanical penthouse protrusions being proposed. Due to the pre-emption of Section 163.3202, F.S, staff have not reviewed the architectural features of the accessory structures.

4. Shall have all on-site structures and accessory features (such as, but not limited to, light fixtures, benches, litter containers, including recycling bins, traffic and other signs, letter boxes, and bike racks) compatible in design, materials, and color;

Staff's response: The review of design, materials and color are pre-empted by Section 163.3202, F.S and will not be reviewed by staff. There are no additional accessory structures on this site.

5. Shall have a design in which buildings over 40 feet in height shall appear more horizontal or nondirectional in proportion rather than vertical, accomplished by the use of architectural treatments as described in these criteria;

Staff's response: The review of design for buildings over 40 feet is not applicable as the height of the building is under 40 ft. (proposed height is 27'-2"). In addition, the review of design is pre-empted by Section 163.3202, F.S.

6. Shall locate and design mechanical equipment with architectural treatments so that any noise or other negative impact is minimized;

Staff's response: All mechanical equipment shall be screened from view, as required by code. Staff will not review architectural treatments as their review is pre-empted by Section 163.3202, F.S.

Harmony

Harmony means a quality which produces an aesthetically pleasing whole as in an arrangement of varied architectural and landscape elements. Harmony can be achieved through the proper consideration of scale, mass, bulk, proportion, height, orientation, site planning landscaping, materials and architectural components including but not limited to porches, roof types, fenestration, entrances, and stylistic expression.

Scale means the proportions of a building in relation to its surroundings, particularly other buildings in the surrounding context.

Staff's response: Please note that 77% of the current homes in the study area are one-story structures. The homes in the study area adjacent to the property to the east and west are one-story homes. The nearest two-story home is located at 460 Neptune Road and is across the street and because of the angle of the property lines, could be considered facing the subject property (please refer to the pictures of surrounding properties in the applicant's narrative).

Mass means the relationship and sizes between different volumes of a building or structure.

Staff's response: As mentioned, the total gross square footage for the other structures in the study area ranges between 1,606 to 3,185 square feet (not including the subject house) with the average size being 2,042 square feet. The proposed structure is 3,736 total gross square feet. Therefore, the mass of the proposed single-family home is outside the existing structure range.

Bulk means the overall size and volume of a building or structure.

Staff's response: The proposed structure is on a 5,662.8 square foot lot and is a total building area of 3,736 gross square feet. The Floor Area Ratio of the total gross area of the building to the lot size is 0.65, which is above the maximum FAR in the study area (0.56) and the average FAR in the study area is 0.35.

Proportion means the visual effect of relationship of one portion to another or of a portion to the whole. or of one thing to another.

Staff's response: Based upon the submitted plans, staff summarizes the front (street facing) façade with the following windows, doors and garages:

- The front façade (22'6" tall by 46'11" wide)
 - Two garage doors (8' tall by 8'1" wide)
 - One door (10'3" tall by 10'4" wide, including twin casement windows)
 - Two vertical windows (6'6" tall by 2' wide each)
 - Two second-story windows (3' tall by 3' each)
 - One second-story balcony French door (8'6" tall by 8' wide), and
 - Second-story triple window (8'tall by 10' wide total)

Height. The height limitations for RS-2 is two-stories and 30 feet.

Staff's response: The proposed two-story building is 27'2" in height. This is below the maximum code allows. 77% of the study area are one-story buildings, including all the adjacent neighbors to the east and west of the subject property. The nearest two-story home is located at 460 Neptune Road and is across the street and because of the angle of the property lines, could be considered facing the subject property.

Orientation. Where the building is located on the site and the presence of privacy features.

Staff's response: The applicant has designed a residence with a minimum 20-foot front setback, but with multiple returns in the facade out of necessity, as it is situated on an angled lot. The side setbacks are 7.5 feet on each side for a total minimum of 15 feet. The rear setback is 5'. Therefore, the single-family residence is utilizing the minimum setbacks on all sides and have nearly maximized the available footprint allowed by code.

Site Planning. The provision of open space.

Staff's response: The applicant is providing 3,524 square feet of open space, or 50.5%. As mentioned above, the applicant has an angled lot that requires a house with multiple returns in the façade to maximize the potential square footage of the building.

Landscaping. The provision of landscaping.

Staff's response: Single-Family homes are exempt from the Town's Landscape Requirements as indicated in Section 34-1080. The applicant has indicated to staff that they intend to provide landscaping in the front and rear yards.

Materials and Architectural components.

Staff's response: The review of materials and architectural styles are not permitted due to Section 163.3202, F.S.

Staff concludes that in consideration of the Residential Single-Family (RS-4 Juno Heights Neptune Road) zoning district all Building Site Area Regulations have been satisfied.

RECOMMENDATION:

Staff recommends that the Planning and Zoning Board (acting as the Appearance Review Board) review the information that has been provided, and consider approval or denial, or approval with modifications, considering the proposed new two-story single-family home at 3,736 square feet in size, to be located at 451 Neptune Road.

ATTACHMENTS:

451 Neptune Road Appearance Review Application and Backup Material



Town of Juno Beach
340 Ocean Drive; Juno Beach, FL 33408
Phone: (561) 626-1122; Fax: (561) 775-0812

For Official Use Only
Date Stamp

Item #3.

TOWN OF JUNO BEACH
RECEIVED

Appearance Review Application

2025 DEC 19 A 8:16

The following information and items shall be provided to the Planning and Zoning Department for processing and dissemination in association with scheduling of submittals before the Town's Planning and Zoning Board. The Board meets on the First Monday of each month, unless otherwise changed. The submittal of a completed packet, to include the application, plans, photos, etc. shall be submitted on the Monday, forty-five (45) days prior to the meeting. All of staff's comments shall be addressed twenty-one (21) days prior to the meeting. An application is deemed complete once staff has determined that all comments have been addressed via notification to the applicant by email or mail. A pre-application meeting with staff is required prior to the submittal of the application.

Date: 12-18-25

Project Address: 451 Neptune Rd Juno Beach FL 33408

Property Control Number: 28-43-41-28-08-000-0060 Zoning District: _____

Description of Request: (please provide a brief, comprehensive and summarized description of the proposed project below). _____

New Construction single family home

Design Professional Name: S. Scott Baruch License #: AR0014964

Phone Number: 561-768-6224 E-mail: jscottbaruch@comcast.net

Construction Company Name: Grandview Builders

Phone Number: 561-884-0743 E-mail: Theo.Grandviewbuilders@gmail.com

Property Owner's Name: LARRY WILLIAMS

Owner's Address (if different from project address): 8461 SE Bristol Way Jun. 33458

Phone Number: 732-620-5662 E-mail: _____

Applicant/Owner signature: [Signature] Date: 12-18-25

Please note: The Appearance Review solely addresses the Appearance Criteria of the proposed project, it does not encompass a zoning, engineering, or building review. Further reviews by Town staff will commence once a building permit has been submitted.



Town of Juno Beach
340 Ocean Drive; Juno Beach, FL 33408
Phone: (561) 626-1122; Fax: (561) 775-0812

For Official Use Only
Date Stamp

Item #3.

TOWN OF JUNO BEACH
RECEIVED

2025 DEC 19 A 8:17

Application Check List:

The following items are requested of the applicant as Planning & Zoning Staff will review the following:

- ☒ Pre-application meeting.
- ☒ Existing/previously approved site plan with file number (if applicable).
- ☒ Signed and sealed survey.
- ☒ Architectural Plans (shall include site plan, elevation drawings).
- ☒ Copy of plans previously reviewed and approved by staff or the Planning and Zoning Board, if applicable, with reference to the previous project.
- ☒ Color photos of existing property.
- ☒ Renderings, elevations or color photographs for all structures/homes within a 300 ft. radius.
- ☒ Proposed site plan with dimensions and clouding of the changes occurring.
- ☐ Building Site Area Regulations for Applicable Zoning District (including: required, Proposed calculations for Lot Coverage, Setbacks, Height, and Landscape Open Space, Gross Square Footage, Cubic Feet, etc.).
- ☒ Provide existing and proposed elevations with dimensions.
- ☒ Provide a roof plan, if only proposing a partial reroof cloud which areas will be worked on Call out the material, color, and type (barrel, shingle, concrete, S-tile).
- ☒ Indicate location of all mechanical equipment (A/C Units, Pool Equipment, Cooling Towers, and Generators).
- ☒ Indicate fences, walls, and gates proposed in site plan with dimensions and clouding the changes occurring, indicate material, color, finishes, and style. See Section 34-905. - Walls and Fences.
- ☐ Once all staff comments have been addressed ten (10) Copies of 24" x 36" plans shall be submitted at least fourteen (14) days prior to the Planning & Zoning Board Meeting.



Town of Juno Beach
340 Ocean Drive; Juno Beach, FL 33408
Phone: (561) 626-1122; Fax: (561) 775-0812

For Official Use Only
Date Stamp

Item #3.

TOWN OF JUNO BEACH
RECEIVED

2025 DEC 19 A 8:17

The applicant shall address in detail how the proposed project plans to meet the Appearance Review Criteria. The response shall be submitted as an attachment to the ARB Application.

1. Is of a design and proportion which enhances and is in harmony with the area; The concept of harmony shall not imply that buildings must look alike or be of the same style. Harmony can be achieved through the proper consideration of setback, scale, mass, bulk, proportion, overall height, orientation, site planning, landscaping, materials, and architectural components including but not limited to porches, roof types, fenestration, entrances, and stylistic expression. For the purpose of this section, the comparison of harmony between buildings shall consider the preponderance of buildings within 300 feet from the proposed site of the zoning district.
2. Elevator and stairwell shafts and other modern operations and features of a building shall be either completely concealed or shall incorporate the elements of the architectural style of the structure; rooftop equipment and elevator and mechanical penthouse protrusions shall be concealed; and parking garages and other accessory structures shall be designed with architectural features and treatments so that they are well proportioned and balanced and in keeping with the architectural style of the principal structure;
3. Shall have all on-site structures and accessory features (such as, but not limited to, light fixtures, benches, litter containers, including recycling bins, traffic and other signs, letter boxes, and bike racks) compatible in design, materials, and color;
4. Shall have a design in which buildings over 40 feet in height shall appear more horizontal or nondirectional in proportion rather than vertical, accomplished by the use of architectural treatments as described in these criteria;
5. Shall locate and design mechanical equipment with architectural treatments so that any noise or other negative impact is minimized;
6. Complies with the town's community appearance standards (see article IV, division 14 of this chapter).

To: Town of Juno Beach, Florida

Attention: Frank Davilla, CFM

From: Scott Baruch and Associates, Michael Plunkett responding on Behalf of Scott Baruch, Architect.

Re: 451 Neptune, Plans for Submittal Revised

Dear Frank,

The plans were adjusted to eliminate the 3rd level, (roof observation) level. The tower for the elevator and stair as well as the railing and 225sf observation has been eliminated from the building plans.

The plans were revised to include a sloped hip roof over the entire structure, no flat roof any longer.

The interior, the stairs were modified to eliminate the run up to the observation deck. The ceiling over the stair is same height as second floor ceilings.

The square footage calculations have been revised to remove the 225 sf of roof observation area.

Square footage calculations are now also shown on the 1st page and have been updated to show the new total building area to now be 3,978 sf, down 225 sf, from 4,203 sf previously.

The survey did not change from what was submitted.

Thank you,

Michael Plunkett

561 248 3611



J. Scott Baruch & Associates Architects

18360 SE Lakeside Drive Tequesta FL 33469

To: Town of Juno Beach Planning and Zoning

Re: Response to Appearance Review Criteria
451 Neptune Road

Style:

The proposed new residence at 451 Neptune Road is a 4-bedroom 3234 SF residence in keeping with the Mid-Century Modern or Modern style. Neptune Road currently consists of a mix of styles including older smaller Ranch or Bungalow styled homes with few newer projects. The neighbor to the west appears to be recently renovated but much of the rest of the street remains as it has been for decades. The pictures below are of a few of the neighboring properties.

The neighborhood as a whole has a great deal of recent construction including renovations and new construction where small older homes are being demolished and multi-story residences in various current regional styles constructed.



Neighbor to the west 471 Neptune



Neighbor across the street 430 Neptune



Neighbor to the east 441 Neptune



450 Neptune

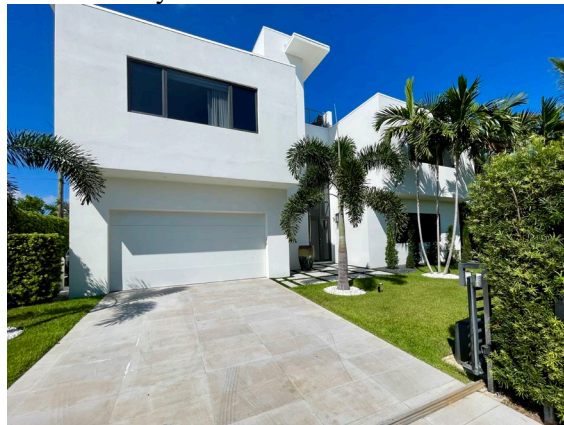
The proposed project will be concrete masonry block and smooth stucco with bronze colored framed glass windows and an elevator tower serving a roof terrace. The inspiration of this residence in the photo below is a new residence constructed several years ago at 421 Mars Way which is directly behind and across the street from the proposed residence. Many of the elements are similar including the massing of the residence and development of architectural elements including the glass entry, elevator, stair, railings and garage, carefully considered to enhance the residences street presence. Please see the photo below.



Inspiration Home 421 Mars Way



Subject Property 451 Neptune



421 Mars Way

The front façade of the proposed plan is stepped increasing the architectural development, scale, light and dark shadow play and depth which also reduces the presence of the garage allowing the entry to become a more dominant element. The elevator and stair have vertical expression creating interaction and definition between horizontal and vertical elements. Please see the attached rendering from the street below.



Harmony:

The consideration of massing, proportion and scale of the proposed design, in my opinion produces an aesthetically pleasing whole with an arrangement of varied architectural and landscape elements. Also, the response to context of this design to new and existing residences in the neighborhood and on Neptune Street is harmonious and appropriate and is balanced with the direction and evolution of the architectural development in this neighborhood and in all of Juno Beach.

Bulk:

The overall size and volume of the structure is not excessive and the design which is stepped in plan to the diagonal front setback creates a stepping of one- and two-story masses from the street which in addition to creating depth and shadow play also serve to integrate the size and volume, or bulk, in an architecturally attractive way.

Pictured below are other examples of modern or mid-century modern residences and other relevant projects within a 300' radius of the subject property below.









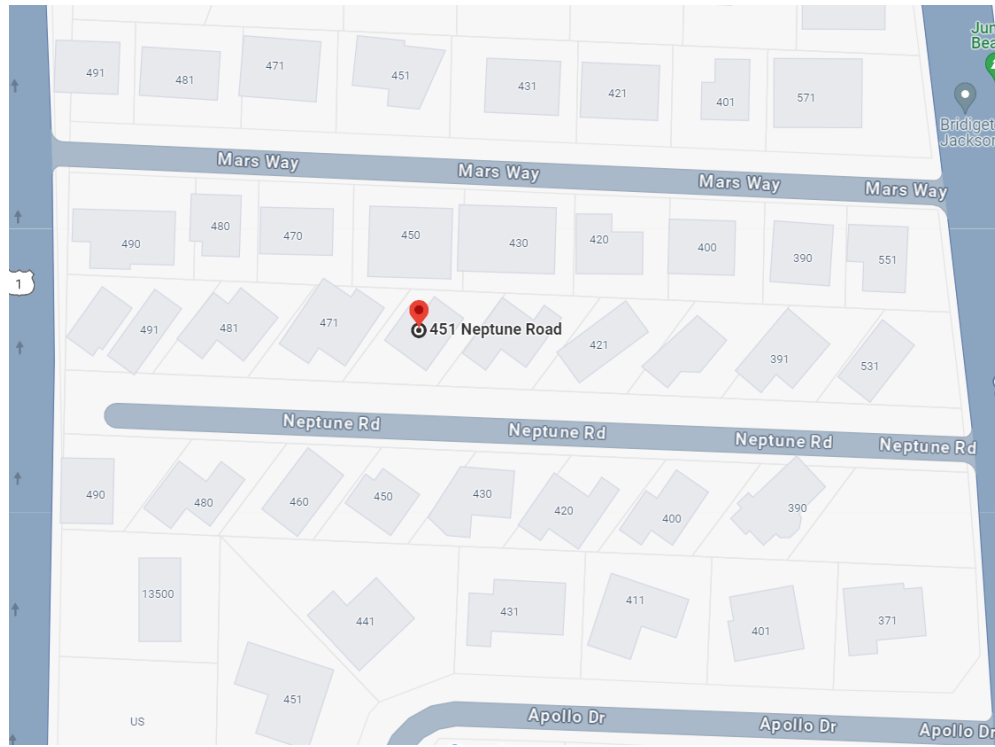
Thank you.

Please don't hesitate to contact me at jscottbaruch@comcast.net or 561-768-6224 if I can assist further.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Scott Baruch'.

J. Scott Baruch



MAP VIEW



AERIAL VIEW

PROJECT LOCATION

SQUARE FOOTAGE TABLE

PROPOSED RESIDENCE:

| | |
|---------------|------------|
| 1ST LIVING UA | 1465 SQ FT |
| 2ND LIVING UA | 1769 SQ FT |
| GARAGE UR | 502 SQ FT |
| REAR BALCONY | 162 SQ FT |
| FRONT BALCONY | 80 SQ FT |

| | |
|-----------------------|-------------|
| TOTAL UNDER AIR: | 3,234 SQ FT |
| TOTAL UNDER ROOF: | 3,763 SQ FT |
| TOTAL SQUARE FOOTAGE: | 3,918 SQ FT |

DRAWING INDEX

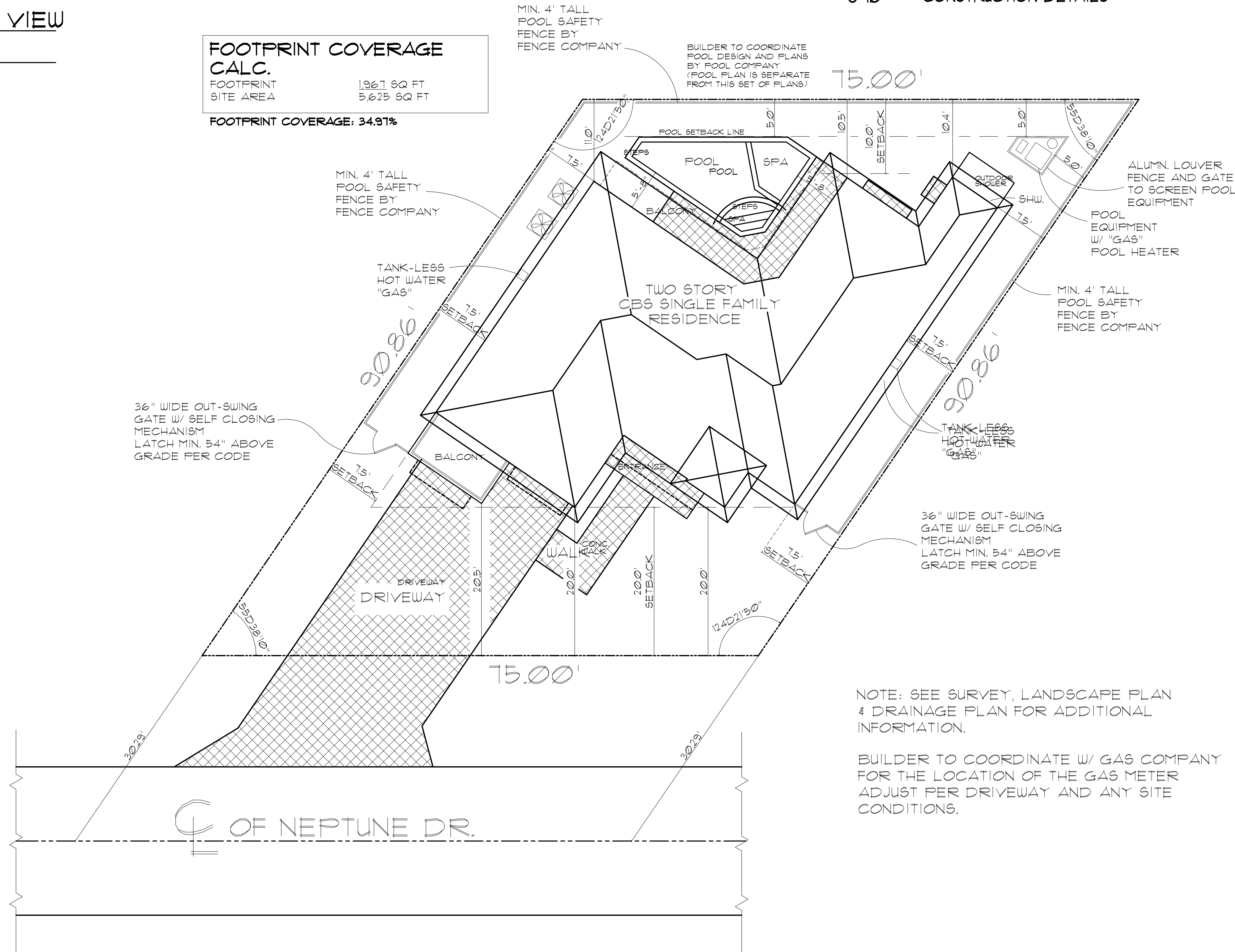
| | |
|------|-----------------------------|
| A-1 | SITE PLAN |
| A-2 | FIRST FLOOR PLAN |
| A-3 | SECOND FLOOR PLAN |
| A-4 | EXTERIOR ELEVATIONS |
| A-5 | EXTERIOR ELEVATIONS |
| E-1 | FIRST FLOOR ELECTRIC PLAN |
| E-2 | SECOND FLOOR ELECTRIC PLAN |
| S-1 | FOUNDATION PLAN |
| S-2 | 2nd FLOOR FRAMING PLAN |
| S-3 | 2nd FLOOR ROOF FRAMING PLAN |
| S-4 | TYPICAL WALL SECTION |
| S-5 | CROSS SECTION DETAILS |
| S-6 | CROSS SECTION DETAILS |
| S-7 | CONSTRUCTION DETAILS |
| S-8 | CONSTRUCTION DETAILS |
| S-9 | CONSTRUCTION DETAILS |
| S-10 | CONSTRUCTION DETAILS |

NOTE: PROVIDE A POOL SAFETY BARRIER MIN. 4' TALL AROUND THE POOL AREA W/ TALLER GATES W/ OPENING LATCH MIN. 54" ABOVE GRADE. GATES MUST OPEN OUTWARD WHEN EXITING THE POOL AREA AND SHALL HAVE SELF CLOSING DEVICE. POOL SAFETY FENCE BARRIER AND PLAN BY FENCE COMPANY. SEE THEIR SEPARATE SHOP DRAWINGS.

FOOTPRINT COVERAGE CALC.

| | |
|-----------|-------------|
| FOOTPRINT | 1,961 SQ FT |
| SITE AREA | 5,625 SQ FT |

FOOTPRINT COVERAGE: 34.91%



NOTE: SEE SURVEY, LANDSCAPE PLAN & DRAINAGE PLAN FOR ADDITIONAL INFORMATION.

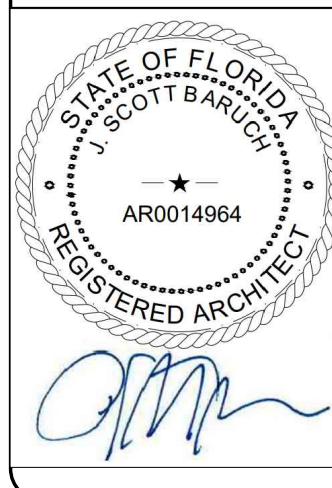
BUILDER TO COORDINATE W/ GAS COMPANY FOR THE LOCATION OF THE GAS METER ADJUST PER DRIVEWAY AND ANY SITE CONDITIONS.

REVISIONS

| | |
|----------|-----------------------------|
| 04-16-24 | FRONT WINDOW 4' 12" 360 |
| 05-14-24 | POOL ADDED |
| 06-26-24 | REVISIONS |
| 07-17-24 | REVISIONS |
| 08-11-24 | REVISIONS |
| 12-09-24 | REVISED PER REVIEW COMMENTS |

A NEW RESIDENCE @
451 NEPTUNE RD,
JUNO BEACH, FLORIDA 33408

SEAL



J. SCOTT BARUCH
& ASSOCIATES
18360 SE LAKESIDE DR.
JUPITER, FLORIDA
AR-0014964

| | |
|---------|----------|
| DRAWN | G.R.G. |
| CHECKED | J.S.B. |
| DATE | 04-03-24 |
| SCALE | AS SHOWN |
| JOB NO. | |

SHEET

A = 1

GENERAL NOTES:

- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTOR SHALL NOTIFY DESIGNER OF ANY CONFLICTS OR CONDITIONS PRIOR TO PROCEEDING WITH WORK.
- CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS IN THE FIELD.
- ALL STRUCTURAL LUMBER SHALL HAVE THE FOLLOWING MIN. VALUES UNLESS NOTED: SOUTHERN PINE, Fb=1200, E=1.9
- ALL FOOTINGS, FOUNDATIONS, SLABS SHALL BEAR ON NATURAL OR COMPACTED SOIL HAVING A MIN. BEARING OF 2500 P.S.F. AS DETERMINED AND VERIFIED BY A RECOGNIZED TESTING LABORATORY.
- ALL CONSTRUCTION SHALL BE PERFORMED IN A GOOD WORKMAN-LIKE MANNER IN ACCORDANCE WITH ALL CODES, REGULATIONS, ORDINANCES AND RESTRICTIONS HAVING JURISDICTION.
- CONTRACTOR SHALL COORDINATE WITH OWNER AND VARIOUS TRADES SO THAT PROPER OPENINGS AND CHASES SHALL BE PROVIDED.
- ALL VEGETATION AND ORGANIC MATTER SHALL BE REMOVED PRIOR TO PLACING FILL. FOUNDATION SHALL BEAR ON CLEAN FILL COMPACTED IN LAYERS OF NOT MORE THAN 12" IN DEPTH AND TO 95% DENSITY AS PER A.S.T.M. PROCTOR TEST OR MODIFIED PROCTOR TEST.
- REINFORCING STEEL SHALL CONFORM TO THE REQUIREMENTS OF A.S.T.M. A615 SPECIFICATIONS FOR NEW DEFORMED BILLET STEEL AND GRADE 60 SPEC. WITH A MIN. YIELD STRENGTH OF 60000 P.S.I. IT SHALL BE DETAILED, FABRICATED AND PLACED AS RECOMMENDED BY A.C.I.
- CONCRETE SHALL HAVE A SLUMP OF 5" MAX. AND A MIN. COMPRESSIVE STRENGTH IN 28 DAYS AS FOLLOWS:
CONCRETE SLAB W/ HAMBER SYSTEM 3000 P.S.I.
CANTILEVERED BALCONY DECK 4000 P.S.I.
FOUNDATIONS AND SLABS ON GRADE 2500 P.S.I.
COLUMNS AND BEAMS 3000 P.S.I.
CONCRETE COVER FOR ALL POURED IN PLACE CONCRETE SHALL BE AS FOLLOWS:
FOUNDATIONS 3"
COLUMNS 2"
SLABS ON FILL 6X6/10X10 W.W.M. IN CENTER OF SLAB
NOTE: "FIBERMESH" MAY BE USED IN LIEU OF 6X6/10X10 W.W.M.
- WELDED WIRE MESH (W.W.M.) SHALL CONFORM TO A.S.T.M. A-105 W.W.M. 36" ON EACH SIDE OF BEARING WALLS AND 30" PLUS WIDTH OF FOOTING AROUND PERIMETER OF MONOLITHIC FOOTING.
- CONCRETE MASONRY UNITS SHALL BE LOAD BEARING TYPE CONFORMING TO A.S.T.M. C-90 MORTAR SHALL CONFORM TO A.S.T.M. C-210 TYPE M.
- ALL WOOD IN CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED.
- ALL STUCCO SCRATCH COATS SHALL BE ALLOWED 24 HOURS DRYING PERIOD.

ENGINEERING CRITERIA

FLORIDA BUILDING CODE 2023, EIGHTH EDITION
CHAPTER 1603, USING ASCE 7-22
WIND SPEED = 170 mph V (ULT), 132 mph V (ASD)
WIND IMPORTANCE FACTOR = 1.0
R3 (ENCLOSED)
EXPOSURE: C
ENCLOSED BUILDING INTERNAL PRESSURE COEFFICIENT - Gcp = 0.18
HURRICANE PROTECTION SHUTTERS IMPACT GLASS ✓
MEAN ROOF HEIGHT = 31' FEET
MAXIMUM WINDOW PRESSURE = -54.6 P.S.F., 46.6 P.S.F.
MAXIMUM DOOR PRESSURE = -48.6 P.S.F., +44 P.S.F.
MAXIMUM SIDE LITE = -51.1 P.S.F., +41.3 P.S.F.
MAXIMUM GARAGE DOOR PRESSURE = -49.9 P.S.F., +40.1 P.S.F.

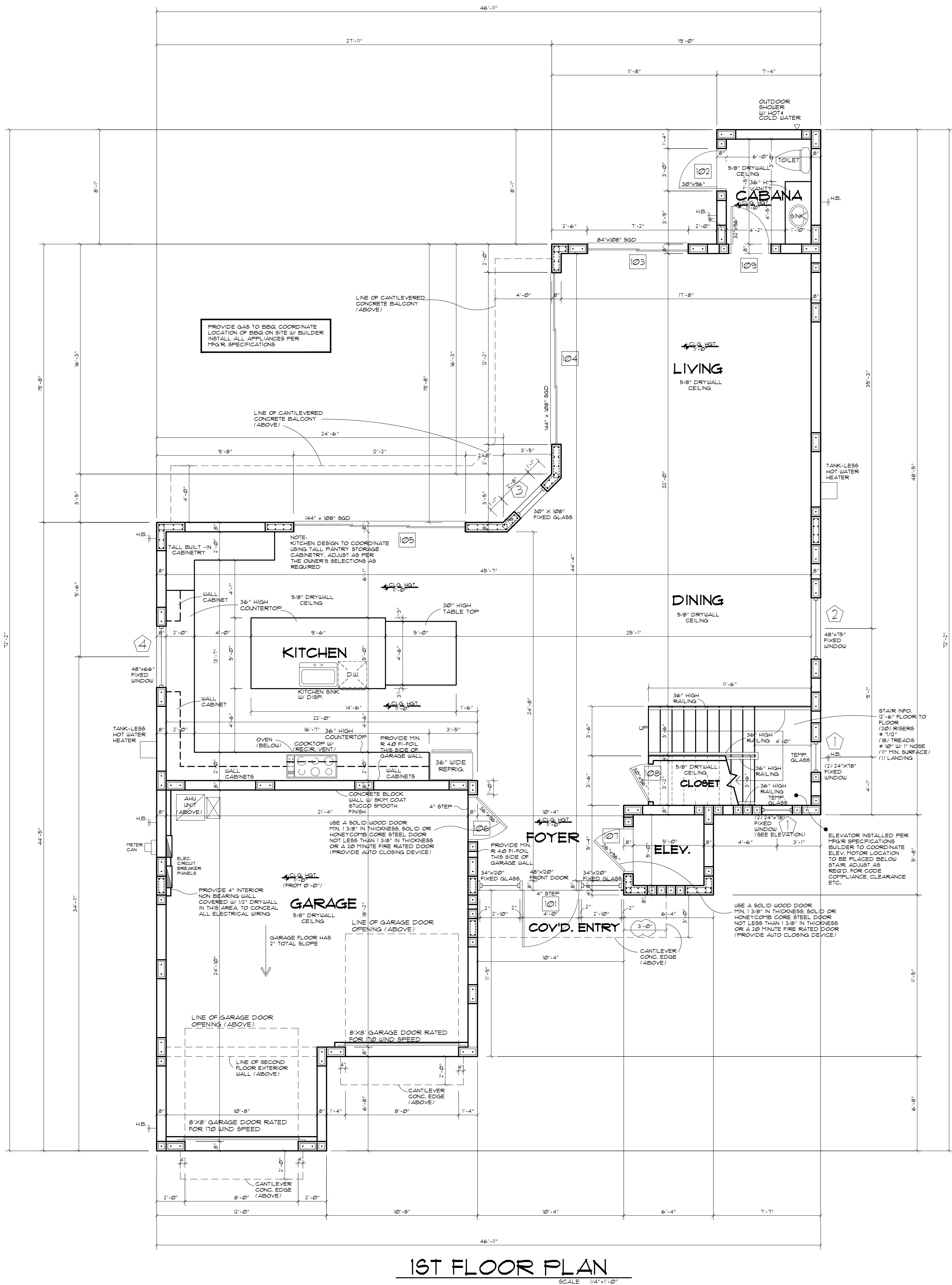
SQUARE FOOTAGE TABLE

PROPOSED RESIDENCE:

| | |
|---------------|------------|
| 1ST LIVING UA | 1465 SQ FT |
| 2ND LIVING UA | 1769 SQ FT |
| GARAGE UR | 502 SQ FT |
| REAR BALCONY | 162 SQ FT |
| FRONT BALCONY | 80 SQ FT |

| | |
|-----------------------|-------------|
| TOTAL UNDER AIR: | 3234 SQ FT |
| TOTAL UNDER ROOF: | 3,763 SQ FT |
| TOTAL SQUARE FOOTAGE: | 3,918 SQ FT |

PROVIDE PROPANE GAS TO THIS RESIDENCE. SEE DRAWING AND PERMIT BY GAS COMPANY.
PROPANE FOR:
COOKTOP, WATER HEATER,
POOL HEATER, BBQ, & DRYER



1ST FLOOR PLAN

SCALE 1/4"=1'-0"

REVISIONS

| Item #3. | |
|----------|-----------------------------|
| 04-16-24 | FRONT WINDOW 12' SQD |
| 05-14-24 | POOL ADDED |
| 06-26-24 | REVISIONS |
| 07-17-24 | REVISIONS |
| 08-11-24 | REVISIONS |
| 09-30-24 | FRONT CANTILEVER |
| 12-09-24 | REVISED PER REVIEW COMMENTS |

A NEW RESIDENCE @
451 NEPTUNE RD,
JUNO BEACH, FLORIDA 33408

SEAL



J. SCOTT BARUCH
& ASSOCIATES
18360 SE LAKESIDE DR.
JUPITER, FLORIDA
AR-0014964

| | |
|---------|----------|
| DRAWN | G.R.G. |
| CHECKED | J.S.B. |
| DATE | 04-03-24 |
| SCALE | AS SHOWN |
| JOB NO. | |

SHEET
A-2

WINDOW SCHEDULE:

11

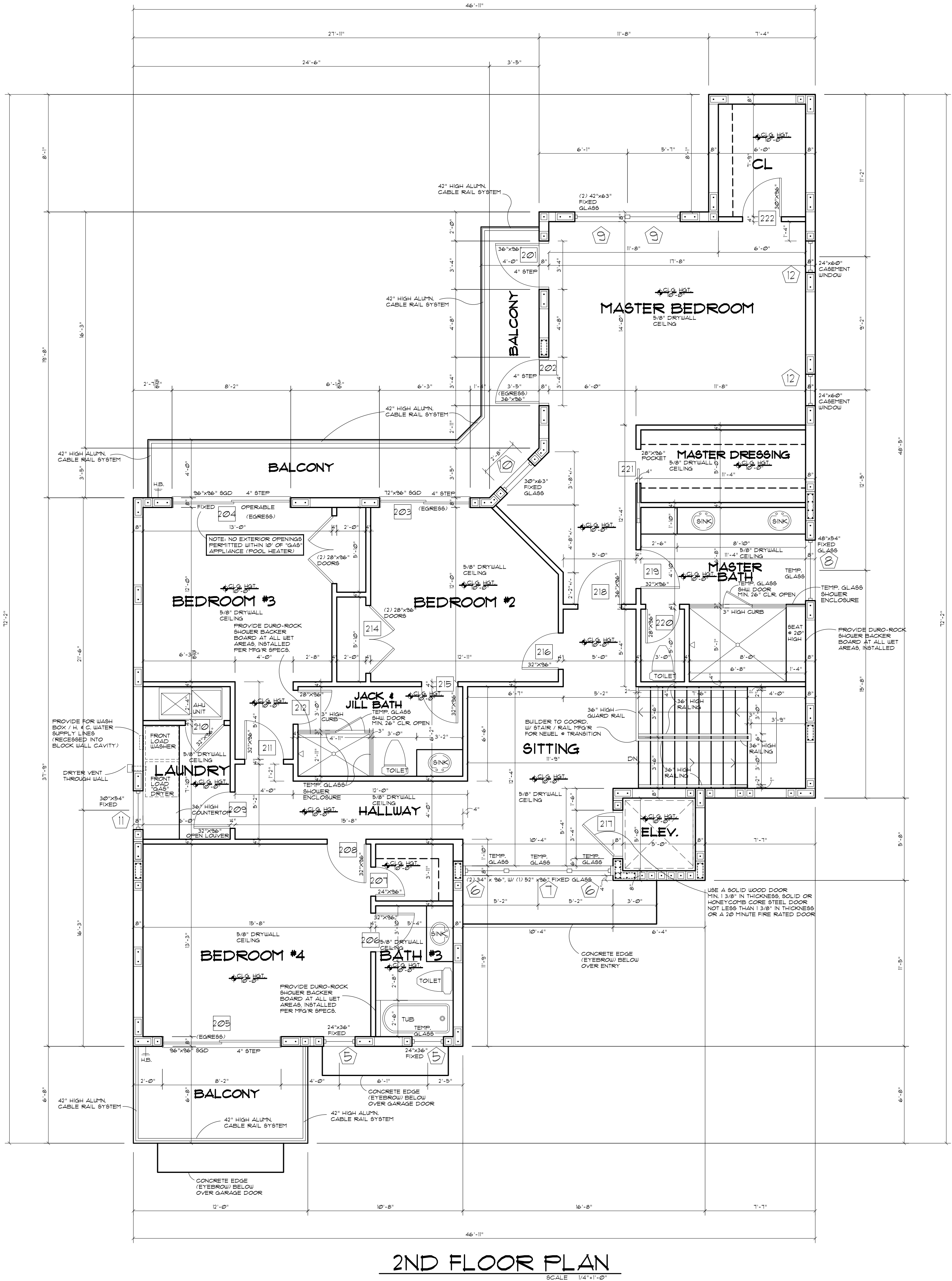
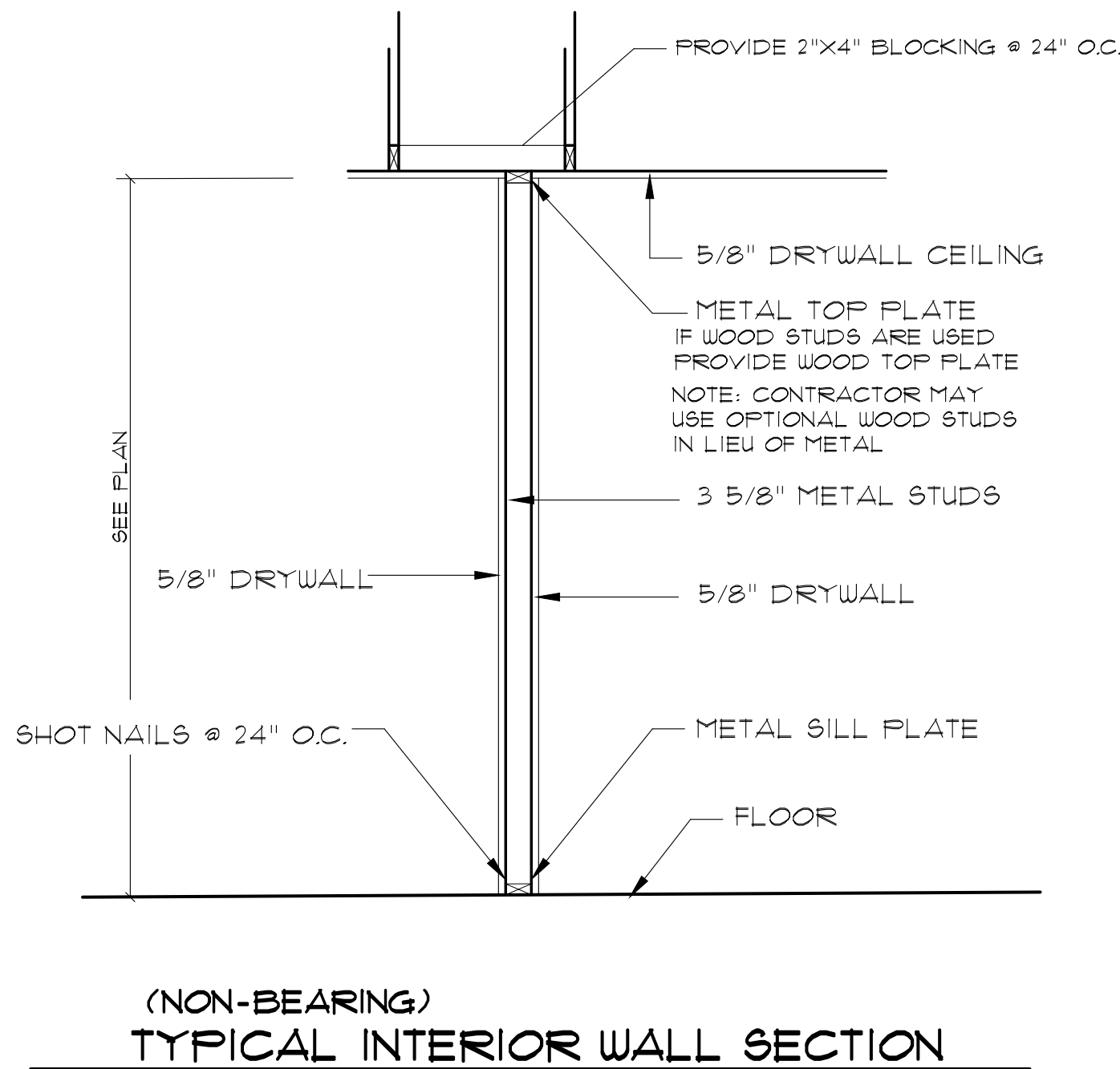
| NO. | WIDTH/ HEIGHT | * UNITS | DESCRIPTION |
|-----|---------------|---------|--|
| 1 | (2) 24" X 78" | 2 | FIXED TEMP. GLASS (FACTORY MULL BY WINDOW MFG'R) |
| 2 | 48" X 75" | 1 | FIXED, 2 LITE |
| 3 | 30" X 108" | 1 | FIXED |
| 4 | 48" X 66" | 1 | FIXED, 3 LITE |
| 5 | 24" X 36" | 2 | FIXED TEMP. GLASS |
| 6 | 34" X 36" | 2 | FIXED TEMP. GLASS |
| 7 | 52" X 36" | 1 | FIXED TEMP. GLASS |
| 8 | 48" X 54" | 1 | FIXED TEMP. GLASS |
| 9 | 42" X 63" | 2 | FIXED |
| 10 | 30" X 63" | 1 | FIXED |
| 11 | 30" X 54" | 1 | FIXED |
| 12 | 24" X 60" | 2 | CASEMENT |

TOTAL UNITS: 19

ALL WINDOWS TO BE PGF WINGUARD OR EQUAL CASEMENT OR FIXED IMPACT RESISTANT WINDOWS
 WHITE FINISH @ INTERIOR AND EXTERIOR - VERIFY
 INSTALLATION TO BE PER MANUFACTURER'S SPECIFICATIONS
 CONTRACTOR TO VERIFY MASONRY OPENINGS FOR NEW STOCK SIZE WINDOWS AND PROVIDE CUSTOM SIZES IF NECESSARY. PROVIDE NEW P.T. BUCKS PER DETAILS
 SEE WINDOW JAMB HEAD AND SILL DETAILS FOR BOTH MASONRY AND WOOD FRAME CONDITIONS.
 EGRESS WINDOWS NOTED ON PLAN - MIN. 20" CLEAR WIDTH, 24" CLEAR HEIGHT, NET CLEAR OPENING 5.0 SF @ GROUND FLOOR, 5.1 SF @ 2ND FLOOR AND MAXIMUM WINDOW SILL 44" AFF. PER CODE. CONTRACTOR TO VERIFY EGRESS PROVIDED BY WINDOW SUPPLIER.
 CONTRACTOR TO VERIFY WINDOW OPENINGS AND DIMENSIONS PRIOR TO ORDER. MASONRY AND WOOD FRAME ROUGH OPENINGS DIFFER.

| DOOR SCHEDULE: | | | | |
|---|----------------|---------|-----------|---|
| DOOR | WIDTH/HEIGHT | TYPE | MATERIAL | NOTES |
| FIRST FLOOR: | | | | |
| 101 | 3'-0" X 10'-0" | SWING | CUSTOM | LOCKSET, IMPACT RATED W/ 34"X120" SIDE LIGHTS |
| 102 | 2'-6" X 8'-0" | SLIDING | AL/GLASS | LOCKSET, IMPACT RATED |
| 103 | 1'-0" X 9'-0" | SLIDING | AL/GLASS | LOCKSET, IMPACT RATED |
| 104 | 12'-0" X 9'-0" | SLIDING | AL/GLASS | LOCKSET, IMPACT RATED |
| 105 | 12'-0" X 9'-0" | SLIDING | AL/GLASS | LOCKSET, IMPACT RATED (EGRESS) |
| 106 | 3'-0" X 8'-0" | SWING | H.M. | 20 MIN FIRE RATED - SEE PLAN |
| 107 | 3'-0" X 8'-0" | SWING | S.C. WOOD | ELEVATOR 20 MIN FIRE RATED - SEE PLAN |
| 108 | 3'-0" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 109 | 2'-8" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| SECOND FLOOR: | | | | |
| 201 | 3'-0" X 8'-0" | SWING | AL/GLASS | LOCKSET, IMPACT RATED |
| 202 | 3'-0" X 8'-0" | SWING | AL/GLASS | LOCKSET, IMPACT RATED (EGRESS) |
| 203 | 6'-0" X 8'-0" | SLIDING | AL/GLASS | LOCKSET, IMPACT RATED (EGRESS) |
| 204 | 8'-0" X 8'-0" | SLIDING | AL/GLASS | LOCKSET, IMPACT RATED (EGRESS) |
| 205 | 8'-0" X 8'-0" | SLIDING | AL/GLASS | LOCKSET, IMPACT RATED (EGRESS) |
| 206 | 2'-8" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 207 | 2'-0" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 208 | 2'-8" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 209 | 2'-8" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 210 | 2'-8" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 211 | 2'-8" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 212 | 2'-4" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 213 | 4'-8" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 214 | 4'-8" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 215 | 2'-8" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 216 | 2'-8" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 217 | 3'-0" X 8'-0" | SWING | S.C. WOOD | ELEVATOR 20 MIN FIRE RATED - SEE PLAN |
| 218 | 3'-0" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 219 | 2'-8" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 220 | 2'-4" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| 221 | 2'-4" X 8'-0" | PRKT | S.C. WOOD | POCKET DOOR HARDWARE |
| 222 | 2'-6" X 8'-0" | SWING | S.C. WOOD | PRIVACY |
| NOTES: HARDWARE TO BE SELECTED BY THE OWNER, INSTALLED BY THE CONTRACTOR. FRENCH DOORS TO BE CGI, WHITE ALUMINUM MASONRY OPENINGS ASSUME IX BUCK. PROVIDE DADE COUNTY TESTED AND APPROVED IMPACT GLAZING AT ALL EXTERIOR DOORS. CONTRACTOR TO PROVIDE NDA PRODUCT APPROVAL FOR PERMITTING AS REQUIRED. NO DOOR TRIM (TYPICAL) - VERIFY PROVIDE ENGINEERED 2 PANEL PAINTGRADE 1 3/8" SOLID CORE DOORS AT NEW INTERIOR LOCATIONS UNLESS NOTED OTHERWISE. PROVIDE SOLID CORE, SLIDING DOOR SUBMITTALS FOR OWNER, ARCHITECT APPROVAL. CONTRACTOR TO VERIFY ALL ROUGH OPENINGS PRIOR TO CONSTRUCTION, AND DOOR ORDERING. | | | | |

NOTE: BUILDER TO VERIFY WINDOW AND DOOR SCHEDULE INFORMATION WITH FLOOR PLAN AND EXTERIOR ELEVATION INFORMATION. BUILDER TO VERIFY ALL SIZES PRIOR TO ORDERING WINDOWS AND DOORS



REVISIONS

Item #3.

04-16-24 FRONT WINDOW 12' SGP

05-14-24 POOL ADDED

06-26-24 REVISIONS

07-17-24 REVISIONS

09-11-24 REVISIONS

09-30-24 FRONT CANTILEVER

12-09-24 REVISED PER REVIEW COMMENTS

A NEW RESIDENCE @

451 NEPTUNE RD,

JUNO BEACH, FLORIDA 33408

SEAL

STATE OF FLORIDA

J. SCOTT BARUCH

AR0014964

REGISTERED ARCHITECT

OFF

J. SCOTT BARUCH & ASSOCIATES

18360 SE LAKESIDE DR.

JUPITER, FLORIDA

AR-0014964

DRAWN

GRG

CHECKED

J.S.B.

DATE

04-03-24

SCALE

AS SHOWN

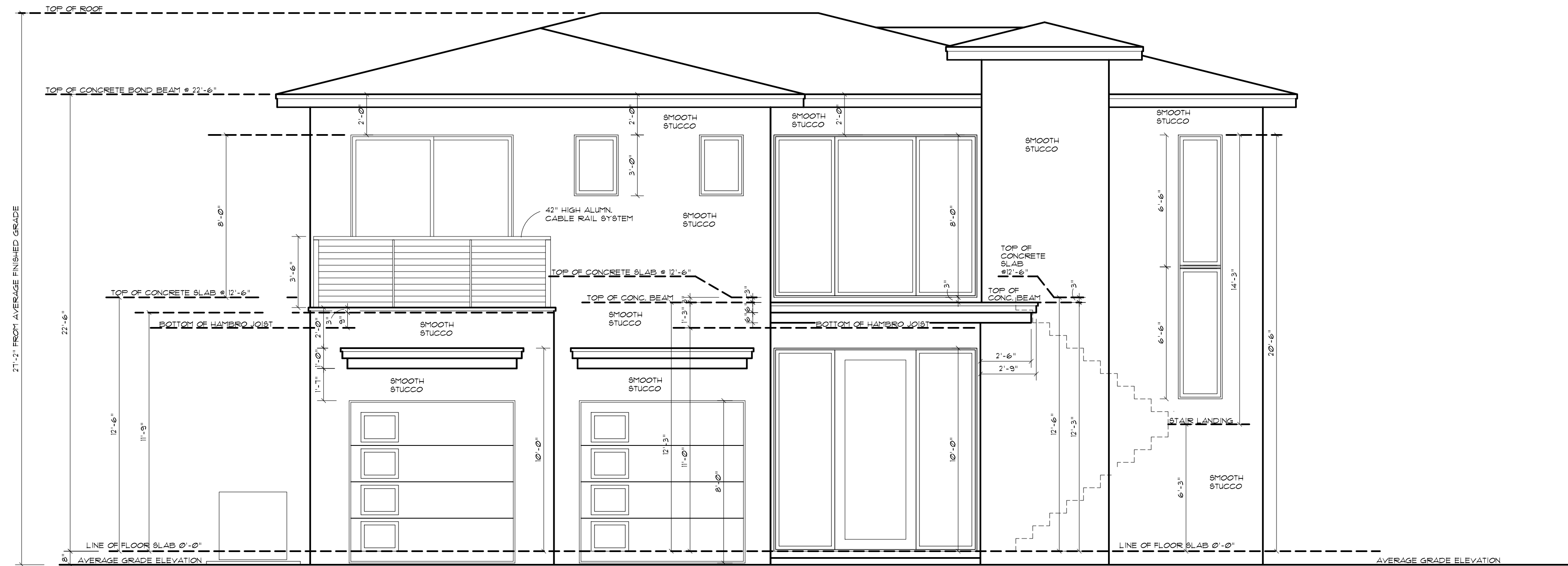
JOB NO.

SHEET

A-3

| REVISIONS | Item #3. |
|--------------------------------------|----------|
| 04-16-24 FRONT WINDOW 4'12" WGD | |
| 05-14-24 POOL ADDED | |
| 06-26-24 REVISIONS | |
| 07-17-24 REVISIONS | |
| 08-11-24 REVISIONS | |
| 12-09-24 REVISED PER REVIEW COMMENTS | |

NOTE: PROVIDE ALUMN. GUTTERS ON BOTH SIDES OF THE ROOF WITH DOWN SPOUTS. BUILDER TO COORDINATE ON SITE FOR LOCATIONS OF DOWN SPOUTS.



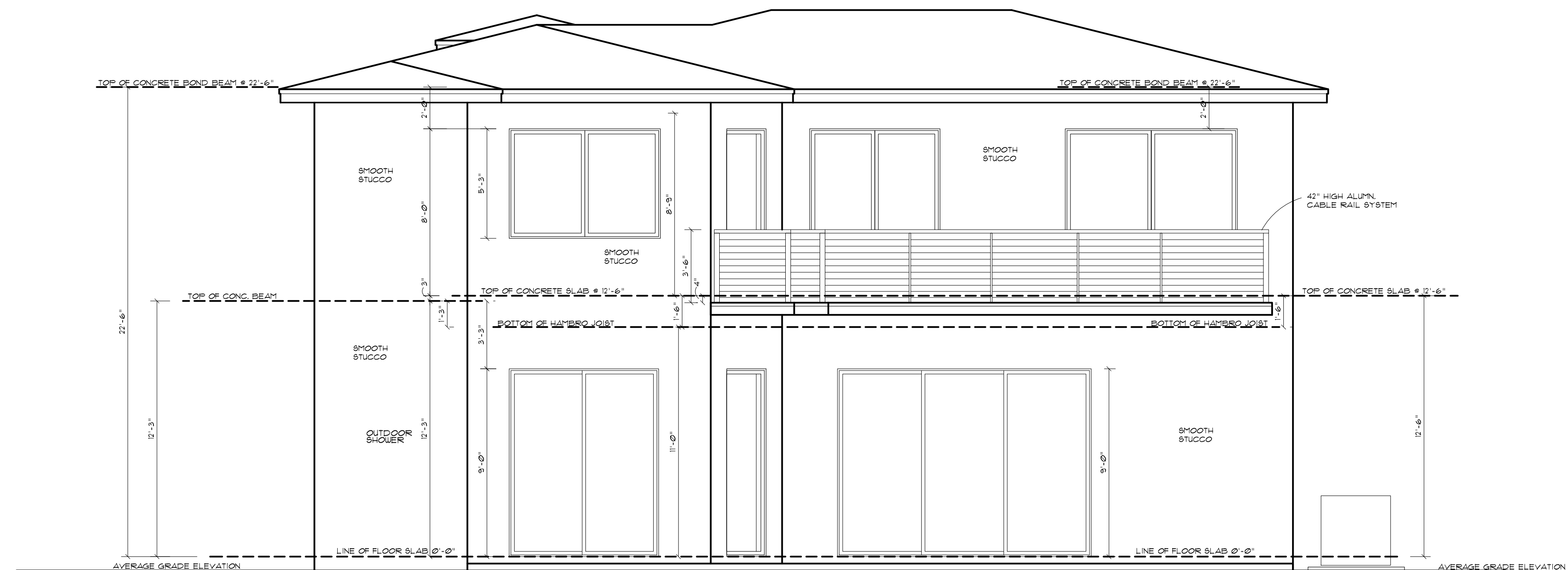
FRONT ELEVATION

SCALE 1/4"=1'-0"

FINISH FLOOR 30.5'
AVERAGE GRADE 29.5'

NOTE: USE HURRICANE RATED WINDOWS FOR THIS RESIDENCE RATED FOR MIN. #10 MPH WIND SPEED INSTALLED PER THEIR APPROVED N.O.A.

ALL MATERIALS INSTALLED PER THEIR MANUFACTURER INSTALLATION SPECIFICATIONS FOR MIN #10 MPH WIND SPEED.



REAR ELEVATION

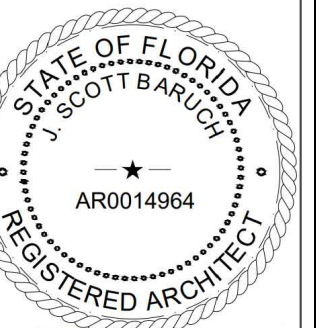
SCALE 1/4"=1'-0"

FINISH FLOOR 30.5'
AVERAGE GRADE 29.5'

NOTE: PROVIDE ALUMN. GUTTERS ON BOTH SIDES OF THE ROOF WITH DOWN SPOUTS. BUILDER TO COORDINATE ON SITE FOR LOCATIONS OF DOWN SPOUTS.

A NEW RESIDENCE @
451 NEPTUNE RD,
JUNO BEACH, FLORIDA 33408

SEAL



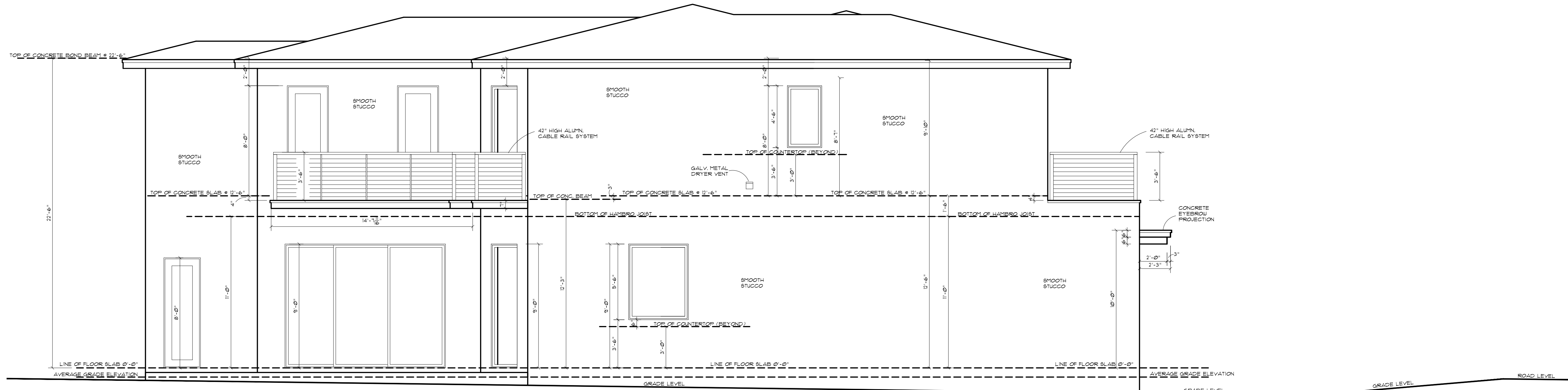
J. Scott Baruch

J. SCOTT BARUCH
& ASSOCIATES
18360 SE LAKESIDE DR.
JUPITER, FLORIDA
AR-0014964

DRAWN
G.R.G.
CHECKED
J.S.B.
DATE
04-03-24
SCALE
AS SHOWN
JOB NO.

SHEET

A = 4



FINISH FLOOR 30.5'
AVERAGE GRADE 29.5'

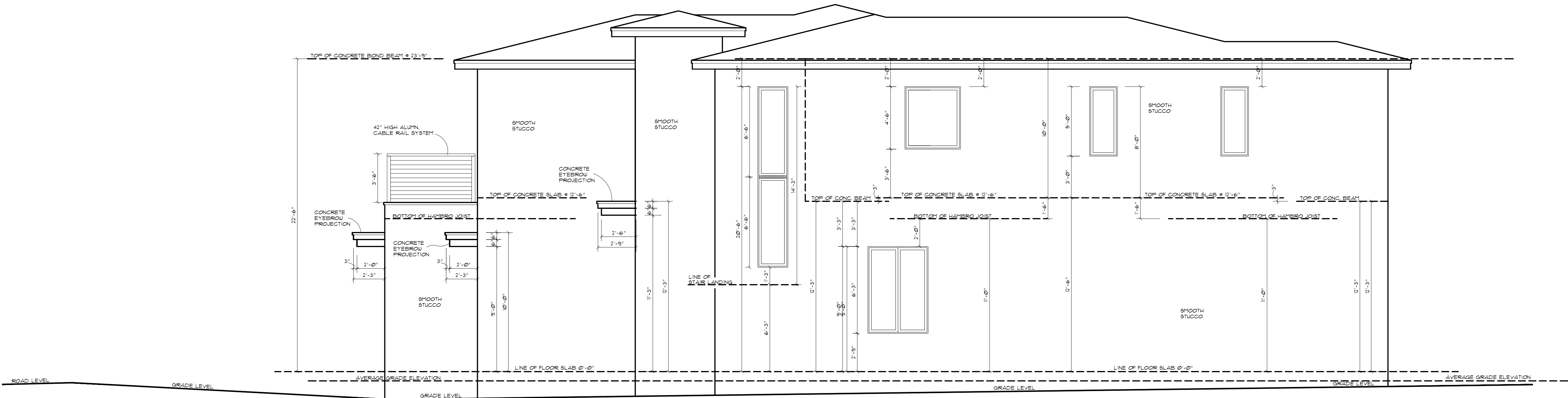
LEFT ELEVATION

SCALE 1/4"=1'-0"

NOTE: PROVIDE ALUMN. GUTTERS ON BOTH
SIDES OF THE ROOF WITH DOWN SPOUTS.
BUILDER TO COORDINATE ON SITE FOR
LOCATIONS OF DOWN SPOUTS.

NOTE: USE HURRICANE RATED WINDOWS FOR THIS
RESIDENCE RATED FOR MIN. #170 MPH WIND SPEED
INSTALLED PER THEIR APPROVED N.O.A.

ALL MATERIALS INSTALLED PER THEIR
MANUFACTURER INSTALLATION SPECIFICATIONS
FOR MIN #170 MPH WIND SPEED.



FINISH FLOOR 30.5'
AVERAGE GRADE 29.5'

RIGHT ELEVATION

SCALE 1/4"=1'-0"

NOTE: PROVIDE ALUMN. GUTTERS ON BOTH
SIDES OF THE ROOF WITH DOWN SPOUTS.
BUILDER TO COORDINATE ON SITE FOR
LOCATIONS OF DOWN SPOUTS.

REVISIONS

| Item #3. |
|---|
| 04-16-24 FRONT WINDOW 1'12" WID |
| 05-14-24 POOL ADDED |
| 06-26-24 REVISIONS |
| 07-17-24 REVISIONS |
| 08-11-24 REVISIONS |
| 12-09-24 REVISED PER REVIEW COMMENTS |

A NEW RESIDENCE @
451 NEPTUNE RD,
JUNO BEACH, FLORIDA 33408



J. SCOTT BARUCH
& ASSOCIATES
18360 SE LAKESIDE DR.
JUPITER, FLORIDA
AR-0014964

| |
|-------------------|
| DRAWN G.R.G. |
| CHECKED J.S.B. |
| DATE 04-03-24 |
| SCALE AS SHOWN |
| JOB NO. |

SHEET

A-5



To: Planning and Zoning Board
Date: January 5, 2026
Prepared By: Frank M. Davila, CFM, Director of Planning and Zoning
Item Title: Ordinance No. 793 – Live Local Act amendment (Continuation)

BACKGROUND:

On March 29, 2023, the Governor signed into law Senate Bill 102, “Live Local Act”, codified by Chapter 2023-17, Laws of Florida, which is intended to streamline and incentivize affordable housing development with the state of Florida.

The Juno Beach Town Council adopted Ordinance No. 782 on April 24, 2024, to establish land development regulations to implement the Live Local Act and adopt regulations that are not expressly preempted by the Live Local Act. The adopted language was codified in Chapter 34 of the Town’s Code of Ordinance, Article IV, Division 18.

At the December 1, 2025, Planning and Zoning Board meeting, the Board reviewed and discussed the proposed ordinance and recommended continuing the item to the following month. This continuance will allow staff to make changes to the ordinance based on the comments received by the Board on the proposed language in the procedure section.

DISCUSSION:

During this year’s legislative session, the Governor signed into law Senate Bill 1730, codified by Chapter 2025-172, Laws of Florida, amending certain requirements of local governments related to the review and approval of affordable housing development.

To conform with SB 170, the Planning and Zoning Department is proposing to modify Article IV, Division 18, Live Local Act to (additional language is underlined and deleted language is ~~stricken through~~):

- Provide a definition for *allowable density*
- Provide a definition for *demolition*
- Further clarify the process for *Administrative Approval*, removing the review of the Development Review Committee.
- Add new language regarding buildings located within a historic district which were listed in the National Register of Historic Places prior to January 1, 2000.

RECOMMENDATION:

Staff recommends that the Planning and Zoning Board review proposed Ordinance No. 793 and provide a recommendation to Town Council.

Attachment(s):

- Proposed Ordinance No. 793.

TOWN OF JUNO BEACH, FLORIDA

ORDINANCE NO. ____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING DIVISION 18, "LIVE LOCAL ACT," OF ARTICLE IV, "SUPPLEMENTAL REGULATIONS," OF CHAPTER 34, "ZONING" OF THE TOWN CODE OF ORDINANCES TO CONFORM WITH CHAPTER 2025-172, LAWS OF FLORIDA; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the Town Council of the Town of Juno Beach, Florida as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

WHEREAS, SB 1730 (2025), codified as Chapter 2025-172, Laws of Florida, amends the "Live Local Act" to modify certain requirements of local governments related to the review and approval of affordable housing developments; and

WHEREAS, the Town Council wishes to amend Division 18, "Live Local Act," of Article IV, "Supplemental Regulations," or Chapter 34, "Zoning," of the Town Code of Ordinances to conform with revisions to the Live Local Act codified as Chapter 2025-17, Laws of Florida; and

WHEREAS, the Town's Planning and Zoning Board, as the Local Planning Agency, has conducted a public hearing on this Ordinance and provided its recommendation to the Town Council; and

WHEREAS, the Town Council has determined that adoption of this Ordinance is in the best interests of the general welfare of the Town of Juno Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA as follows:

Section 1. The foregoing "Whereas" clauses are hereby ratified as true and correct and are incorporated herein.

Section 2. The Town Council hereby amends Division 18, "Live Local Act," of Article IV, "Supplemental Regulations," or Chapter 34, "Zoning," of the Town Code of Ordinances as set forth in Exhibit "A" attached hereto and incorporated herein. For purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~striethrough~~ shall constitute deletions to the original text.

Section 3. All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are conflict with this Ordinance, are hereby repealed to extent of such conflict.

Section 4. The provisions of this Ordinance shall become and be made a part of the Zoning Code of the Town of Juno Beach, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 5. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of the Ordinance.

Section 6. This Ordinance shall be effective immediately upon final adoption.

[Remainder of page intentionally blank]

FIRST READING this ____ day of _____, 202_.

SECOND, FINAL READING AND ADOPTION this ____ day of _____, 202_.

AYE

NAY

PEGGY WHEELER, MAYOR

AYE

NAY

JOHN CALLAGHMAN, VICE MAYOR

AYE

NAY

DIANA DAVIS, VICE MAYOR PRO TEM

AYE

NAY

DD HALPERN, COUNCILMEMBER

AYE

NAY

MARIANNE HOSTA, COUNCILMEMBER

ATTEST:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

CAITLIN E. COPELAND-RODRIGUEZ, MMC
TOWN CLERK

TG LAW PLLC
TOWN ATTORNEY

EXHIBIT "A"

DIVISION 18. LIVE LOCAL ACT

Sec. 34-1325. Applicability and intent.

- (a) The provisions of this division shall apply to all applications for the development of land for multi-family and mixed-use projects with affordable multi-family residential units pursuant to Live Local Act, as set forth in Section 166.04151(7), Florida Statutes, as may be amended from time to time ("Act").
- (b) Affordable Housing Projects with at least 40 percent of the units included in the project designated as affordable housing, as defined in Section 420.0004, Florida Statutes, as amended from time to time, shall ~~shall only~~ be permitted in the Commercial General (CG), Commercial Office (CQ), and Medical Commercial (MC) zoning districts, and in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed use pursuant to the provisions of 166.04151(7), Florida Statutes, as amended from time to time.
- (c) The intent of these regulations is to establish a regulatory framework for consideration of projects submitted pursuant to the Act. In adopting these regulations, the town council recognizes that there may be some ambiguity or need for additional interpretation. To the extent not expressly preempted by state law, town staff is directed to interpret these regulations in a manner that would best preserve the town's small-town, coastal character and its commitment to environmental preservation.

Sec. 34-1326. Procedure.

- (a) ~~All projects shall be reviewed by the town's development review committee only by the planning and zoning director as the designated administrative official of the Town of Juno Beach. Said projects shall be granted without further action by the governing body of the municipality, any quasi-judicial judicial board, any administrative board or reviewing body, pursuant to Section 125.01055, of the Florida Statutes.~~
- (b) Notwithstanding the foregoing, all Projects will still undergo screening by, but shall not be subject to a vote of, the Town's development review committee and shall be subject to the for compliance with site plan and appearance review procedures and shall meet all to ensure compliance with the criteria set forth in article II, division 4 of this chapter.
- (b) Within 48 hours of receipt of an application for development approval, the town shall notify the public by posting notice of the application on the town website and providing notice to the public through the town's e-mail database. The notice shall indicate that copies of all application materials shall be provided upon request.
- (c) The application shall be subject to administrative review as ~~required~~ required by the Act, and the project shall be approved by the planning and zoning director only if it

meets all applicable land development regulations, including the community appearance standards set forth in division 14 of article II of this chapter, and the requirements of this division. The director shall further determine that the project is consistent with the provisions of the comprehensive development plan, except those provisions expressly preempted by section 166.04151(7), Florida Statutes, relating to location with specified zoning districts, height, and density.

- (d) The application shall be subject to engineering review and approval during the building permitting process in the same manner as any other development application.

Sec. 34-1327. Limitations on height and density.

- (a) *Height.* Pursuant to section 166.04151(7), Florida Statutes, the maximum height permitted shall be limited to the height permitted as of right for a commercial or residential project within the town within one mile of the proposed development without consideration of any bonuses or modifications permitted through the special exception process or otherwise. In no event shall the height of any structure exceed 12 stories and 130 feet.

- (b) *Density.* Pursuant to section 166.04151 (7), Florida Statutes, the maximum density permitted shall be limited to density permitted as of right for a residential project within the town without consideration of any bonuses or modifications permitted through the special exception process or otherwise. In no event shall the residential density of any proposed development exceed 18 units per acre. Allowable density shall mean the density prescribed for the property in accordance with section 166.04151 (7), Florida Statutes, without additional requirements to procure and transfer density units or development units from other properties.

- (c) *Demolitions.* Administrative approval of the demolition of an existing structure associated with a proposed development under this subsection, shall be granted without further action by the governing body of the municipality or any quasi-judicial or administrative board or reviewing body, if the proposed demolition otherwise complies with all state and local regulations.

Sec. 34-1327.1. Development standards and criteria.

- (a) *Required mix of uses.* Consistent with the existing regulations governing mixed-use projects within the town's commercial zoning districts, all projects submitted pursuant to this division shall have a maximum of 75 percent of residential use based on total gross floor area.

- (b) *Building site area regulations.*

1. If the project is utilizing the height and density permitted in the town's Residential High (RH) zoning district, the following site area regulations shall apply:
 - a. Minimum total area: 40,000 square feet;
 - b. Minimum lot width: 150 feet;

- c. Minimum lot depth: 200 feet;
- d. Front set yard setback: 30 feet from street line;
- e. Side yard setback: 35 feet with one side having a minimum of 15 feet;
- f. Rear yard setback: 30 feet;
- g. Minimum floor space per dwelling unit: 1,000 square feet of habitable space for a one bedroom; 1,200 square feet of habitable space for a two bedroom; and 1,400 square feet of habitable space for three or more bedrooms;
- h. Maximum building dimension: 150 feet, provided, however that along the building face having the maximum dimension, said dimension may be increased to no more than 175 feet;
- i. Maximum lot coverage: 50 percent; and
- j. Minimum landscaped open space: 15 percent of lot area.

In addition to the foregoing, all structures exceeding two stories shall comply with the high-rise setback, which requires 30 feet from all property lines and an additional five feet of setback at ground level for each additional story beyond the first two stories up to a maximum of 60 feet. For those lots having a width of 200 feet or less as recorded in the office of the county property appraiser, the maximum setbacks shall not exceed 50 feet; however, the maximum building dimension on such lots shall not exceed 150 feet.

- 2. For purely non-residential components of the project or mixed-use structures where the height does not exceed four stories and 60 feet, the project shall comply with the building site area regulations of the applicable commercial zoning district.

(c) *Parking.* The project shall provide for two spaces per residential unit and one quest space for every seven units as required for residential uses in commercial zoning districts. The parking for commercial uses shall be governed by division 4 of article IV of this chapter. Due to the lack of any major transit stops in the town, no parking reductions shall be considered. However, the project may propose, for consideration and approval by the town, shared parking in accordance with the criteria governing the minimum parking requirements for mixed-use projects in the town's commercial zoning districts.

(d) *Equivalent treatment of all dwelling units.* All affordable dwelling units and market rate dwelling units shall be located within the same structure. All common areas and amenities shall be accessible and available to all residents of the development. Access to the required affordable dwelling units shall be provided through the same principal entrances utilized by all other dwelling units in the development. Additionally, the overall square footage and number of bedrooms in the affordable dwelling units shall be proportional to the overall ~~square~~ square footage and number of bedrooms in the market rate dwelling units. By way of example, if 25 percent of the market rate dwelling units consist of two bedrooms, then 25 percent

of the affordable dwelling units shall have two bedrooms, and the affordable dwelling units shall be similar in size to the market rate dwelling units.

- (e) *Unified lot.* All residential and non-residential components of the site plan shall be located on the same or unified lot.

- (f) If the proposed development is on a parcel with a contributing structure or building within a historic district which was listed in the National Register of Historic Places before January 1, 2000, or is on a parcel with a structure or building individually listed in the National Register of Historic Places, the county may restrict the height of the proposed development to the highest currently allowed, or allowed on July 1, 2023, height for a commercial or residential building located in its jurisdiction within three-fourths of a mile of the proposed development or 3 stories, whichever is higher. The term "highest currently allowed" in this paragraph includes the maximum height allowed for any building in a zoning district irrespective of any condition



Meeting Name: Planning and Zoning Board Meeting

Meeting Date: January 5, 2026

Prepared By: Zackery Good, Town Attorney

Item Title: 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.

REQUESTED ACTION:

Hold a public hearing and consider a recommendation that the Town Council approve or deny Ordinance No. 795, amending Section 34-116, Town Code of Ordinances to:

1. Provide for administrative review and approval of single-family and two-family site plans and appearance.
2. Clarify compliance with Florida Statutes related to consideration of building design elements by administrative staff.
3. Remove size, mass, bulk, scale, and proportion from consideration as part of appearance review for single-family and two-family dwellings.

BACKGROUND AND LEGAL ANALYSIS:

At its May 28, 2025 meeting, the Town Council directed Staff to revise the Zoning Code to continue enforcement of harmony review for single-family dwellings while complying with state-law preemptions related to the regulation of building design elements. That direction included:

- Removing architectural review of single-family and two-family dwellings from the appearance review criteria;
- Creating a Zoning in Progress to allow time for comprehensive Code revisions;

- Removing appearance review for single-family dwellings;
- Returning review authority for single-family dwellings from the Planning and Zoning Board (acting as the Appearance Review Board) to administrative staff;
- Revising harmony comparison language; and
- Exploring additional base-zoning tools to promote harmony.

Subsequently and shortly thereafter, on June 26, 2025, the Governor of Florida signed Senate Bill 180 into law. Because Palm Beach County is included in a federal disaster declaration, the Town of Juno Beach is restricted until October 1, 2027, from adopting land development regulations or review procedures that are more restrictive or burdensome.

As a result, certain Council-directed zoning changes—such as increased setbacks, second-story floor area limitations, and expanded open-space requirements—are now legally constrained by Florida Statutes that preempt local government and could expose the Town to litigation risk as a result of the actions of Senate Bill 180.

However, Senate Bill 180 does not prohibit actions that are considered less restrictive, including:

- Removal of architectural and appearance review for single-family dwellings; and
- Assignment of such review to administrative staff.

The Town of Juno Beach has prior existing appearance review regulations in its Code of Ordinances.

The Town's existing appearance review regulations for single-family dwellings were adopted prior to August 1, 2024, dating as far back as 1984 according to historical Town records, and therefore are not invalidated by Senate Bill 180. Under current Code provisions, single-family dwellings are subject to Planning and Zoning Board review pursuant to Section 34-116, which includes harmony-based criteria.

To ensure consistency and transparency in applying these criteria, Staff developed internal analytical tools to evaluate bulk, mass, scale, and proportion. These tools are not codified but were implemented to reduce subjectivity and mitigate legal risk.

Prior legal counsel for the Town of Juno Beach provided the Town Council with a legal memorandum addressing potential challenges associated with the Town's harmony and appearance criteria. Key considerations included:

1. Whether Harmony and Appearance Review are Void for Vagueness

No. An ordinance is unconstitutionally vague only if it fails to provide a person of ordinary intelligence fair notice of what is prohibited or lacks definite standards applicable to similarly situated persons. *See Jones v. Williams Pawn & Gun, Inc.*, 800 So. 2d 267, 270 (Fla. 4th DCA 2001), *rev. denied*, 821 So. 2d 305 (Fla. 2002).

2. Whether Harmony and Appearance Review Violates Constitutional Equal Protection

No. Equal protection challenges in the zoning context are difficult to sustain and require proof that a facially neutral ordinance was applied unequally for a discriminatory purpose. *See Burns v. Town of Palm Beach*, 343 F.Supp.3d 1258, 1272 (S.D. Fla. 2018)

3. Whether Harmony and Appearance Review Provide Unbridled Discretion

No. Courts have held that zoning regulations are not impermissibly vague merely because they involve judgment or discretion, provided the ordinance includes sufficient criteria to guide decision-making and prevent arbitrary enforcement. Relevant case law has upheld similar appearance and architectural review standards where parameters constrain discretion and provide meaningful guidance.

In summary, while the Town's current harmony criteria are inherently subjective, courts have consistently recognized that subjectivity alone does not render a zoning ordinance unconstitutional where sufficient guiding standards exist.

The Town's existing appearance review regulations stand on relatively firm legal ground under the Town's home-rule police powers to regulate the health, safety, and welfare of the community in conjunction with existing Florida case law. However, adoption of more stringent or restrictive standards at this time may conflict with Senate Bill 180.

If the Town Council elects to continue enforcing appearance review criteria, options previously discussed include:

- Establishing a formal Design or Appearance Review Board with members experienced in architecture, planning, or real estate;
- Codifying review authority in a designated board or the Town Council, consistent with historical practice dating back to the Appearance Review Board created in 1984; and
- Continuing Staff analysis guided by the plain language of the Zoning Code.

Furthermore, if the Town were to continue enforcing its appearance review criteria, it could codify a provision specifically designating the Town Council or other constituted Town Board, such as the prior Appearance Review Board from 1984 which, as a practical matter, was absorbed into the Planning and Zoning Board upon its creation through recodification, but which has not been specifically repealed and is technically an active board legally, to review these decisions.

Absent the adoption of updated regulations by the Town Council, Town Staff could continue to analyze the square footage and floor area ratio of structures within the comparison area when formulating its recommendations as to bulk, mass, and scale, but should avoid the adoption of strict formulas in applying the harmony criteria. In accordance with the case law cited above, Staff recommendations should be guided by the application of the actual words used in the Town's Zoning Code.

TOWN COUNCIL DIRECTION:

At the November 12, 2025, Town Council Meeting, the Town Council approved a six-part motion to:

1. Create an ordinance that amends the Zoning Code to return appearance review for single family detached homes to the Town Planning & Zoning Department and removes it from the responsibilities of the Planning & Zoning Board;
2. Create an ordinance that adds clarifying language to our Zoning Code stating the original intent is to be followed when judging Harmony for single family homes, which is that the Harmony requirements adopted in 1992 restricted the Appearance of a proposed home (no castles or domes), but not the size, mass, bulk, scale, or proportion of the home;
3. Publicize the existing zoning code restrictions on house sizes by the height and lot coverage limits, and minimum setbacks listed for the various zoning districts;
4. Publicize that the existing harmony definition and statements in our code regarding aesthetically pleasing buildings, etc. are informational regarding the intent of town codes, but not enforceable requirements;
5. Create an ordinance that revises the architecture requirements in our zoning code to clarify that "building design elements" are not to be used in staff decision making as to whether a proposed single family detached home is acceptable; and
6. Continue with current plans to encourage voluntary compliance with the town's preferred architectural styles such as with the Pattern Book now being produced.

The Town Attorney's Office has subsequently worked with Town Staff to draft the attached Ordinance No. 795 amending Section 34-116, Town Code of Ordinances to:

1. Provide for administrative review and approval of single-family and two-family site plans and appearance.
2. Clarify compliance with Florida Statutes related to consideration of building design elements by administrative staff.
3. Remove size, mass, bulk, scale, and proportion from consideration as part of appearance review for single-family and two-family dwellings.

The foregoing amendments are pursuant to parts one, two, and five of the Town Council's November 12, 2025, motion.

RECOMMENDATION:

At this time, Staff recommends the Planning and Zoning Board hold a public hearing and consider a recommendation to the Town Council of approval or denial of Ordinance No. 795.

TOWN OF JUNO BEACH, FLORIDA

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.

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the Town Council of the Town of Juno Beach, Florida as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

WHEREAS, Section 163.3202(5)(a), Florida Statutes, prohibits a municipality from applying land development regulations relating to building design elements, as defined therein, to a single-family or two-family dwelling, subject to certain exceptions set forth therein; and

WHEREAS, the Town Council wishes to amend Division 4, "Site Plan and Appearance Review," of Article II, "Administration and Enforcement," of Chapter 34, "Zoning," of the Town Code of Ordinances by recognizing the existence of Section 163,3202(5)(a), Florida Statutes, and the preemption contained therein without exempting single-family and two-family dwellings from appearance, including architectural, review; and

WHEREAS, the Town Council wishes to further amend Division 4, "Site Plan and Appearance Review," of Article II, "Administration and Enforcement," or Chapter 34, "Zoning," of the Town Code of Ordinances by modifying appearance review of single-family dwellings to be subject to administrative review and approval by the Planning and Zoning Director or designee rather than requiring a public hearing before the Planning and Zoning Board; and

1 WHEREAS, the Town's Planning and Zoning Board, as the Local Planning
2 Agency, has conducted a public hearing on this Ordinance and provided its
3 recommendation to the Town Council; and
4

5 WHEREAS, the Town Council has determined that adoption of this Ordinance is
6 in the best interests of the general welfare of the Town of Juno Beach.
7

8 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
9 TOWN OF JUNO BEACH, FLORIDA as follows:
10

11 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and
12 correct and are incorporated herein.
13

14 **Section 2.** The Town Council hereby amends Division 4, "Site Plan and
15 Appearance Review," of Article II, "Administration and Enforcement," or Chapter 34,
16 "Zoning," of the Town Code of Ordinances is hereby amended as set forth below. For
17 purposes of this Ordinance, underlined type shall constitute additions to the original text,
18 *** shall constitute ellipses to the original text and ~~striketrough~~ shall constitute
19 deletions to the original text.
20

21 **Sec. 34-116. Required; criteria.**
22

23 No construction or clearing of land may begin in any district prior to review and approval
24 of the site plan and appearance. The review shall consist of:
25

- 26 (1) Consideration of the application by the development review committee (DRC),
27 which may recommend approval, denial, or approval with modifications and/or
28 conditions;
29
- 30 (2) Consideration of the application by the town planning and zoning board, which
31 may recommend approval, denial, or approval with modifications and/or
32 conditions; and
33
- 34 (3) Final review and approval or denial, or approval with modifications by the town
35 council. Single-family detached dwellings not located within an approved
36 planned unit development shall be subject to appearance review and
37 approval or denial, or approval with modifications by the town planning and
38 zoning ~~board~~ department director or designee, with site plan review by the
39 town planning and zoning department director or designee. Single-family
40 dwellings within an approved planned unit development shall be subject to
41 site plan and appearance review and approval only by the town planning and
42 zoning department director or designee in accordance with the established
43 design criteria. The criteria to be used in this review shall be to ascertain that
44 the proposed site plan for new development meets the following criteria:
45

46 ***

b. Appearance review criteria.

1. Is of an architectural style representative of or reflecting the vernacular of Old Florida style which is indigenous to the town and which is commonly known and identified by its late Victorian (Key West Cracker), Spanish revival (Mediterranean), Modern (early to mid-20th century), or combination thereof style of architecture. Summarized briefly, common features of the vernacular of Old Florida style that identify the Victorian (Key West Cracker), and Spanish revival (Mediterranean) architectural style include wood or concrete block with stucco siding; simple pitched roofs; tile, metal, or asphalt roofs; ornate details such as but not limited to exposed soffits, individualized vent and louver shapes, reliefs, and detailed window and door treatments; lush landscaping with private yards; and use of porches, balconies and patios. Common features of the vernacular of Old Florida Style that identify the Modern (early to mid-20th century) architectural style include clean geometric lines, often at right angles; an emphasis on function; materials such as glass, steel, iron, and concrete; and the use of natural light through large and expansive windows. The aforementioned architectural styles and building design elements shall be considered preferred, but not required when conducting review for approvals of single-family or two-family dwellings.

2. Is of a design and proportion which enhances and is in harmony with the area. The concept of harmony shall not imply that buildings must look alike or be of the same style. Harmony can be achieved through the proper consideration of setback, scale, mass, bulk, proportion, overall height, orientation, site planning, landscaping, materials, and architectural components including but not limited to porches, roof types, fenestration, entrances, and stylistic expression. For the purpose of this section, the comparison of harmony between buildings shall consider the preponderance of buildings or structures within 300 feet from the proposed site of the same zoning district. With respect to the review of single-family dwellings and two-family dwellings, size, mass, bulk, scale, and proportion of the structure is not to be considered in making a determination of whether the proposed dwelling is in harmony with the surrounding properties. The aforementioned architectural standards shall be considered preferred, but not required, when conducting review for approvals of single-family and two-family dwellings.

3. Elevator and stairwell shafts and other modern operations and features of a building shall be either completely concealed or

1 shall incorporate the elements of the architectural style of the
2 structure; rooftop equipment and elevator and mechanical
3 penthouse protrusions shall be concealed; and parking garages
4 and other accessory structures shall be designed with architectural
5 features and treatments so that they are well proportioned and
6 balanced and in keeping with the architectural style of the principal
7 structure. The aforementioned architectural styles shall be
8 considered preferred, but not required when conducting review for
9 approvals of single-family or two-family dwellings.

10
11 4. Shall have all on-site structures and accessory features
12 (such as but not limited to light fixtures, benches, litter containers,
13 including recycling bins, traffic and other signs, letter boxes, and
14 bike racks) compatible in design, materials, and color. The
15 aforementioned standards shall be considered preferred, but not
16 required when conducting review for approvals of single-family or
17 two-family dwellings.

18
19 5. Shall have a design in which buildings over 40 feet in height
20 shall appear more horizontal or nondirectional in proportion rather
21 than vertical, accomplished by the use of architectural treatments
22 as described in these criteria. The aforementioned standards shall
23 be considered preferred, but not required when conducting review
24 for approvals of single-family or two-family dwellings.

25
26 6. Shall locate and design mechanical equipment with
27 architectural treatments so that any noise or other negative impact
28 is minimized.

29
30 7. Complies with the town's community appearance standards
31 (see article IV, division 14 of this chapter).

32
33 **Section 3.** All ordinances or parts of ordinances of the Town of Juno Beach,
34 Florida, which are conflict with this Ordinance, are hereby repealed to extent of such
35 conflict.

36
37 **Section 4.** The provisions of this Ordinance shall become and be made a part
38 of the Zoning Code of the Town of Juno Beach, Florida. The sections of this Ordinance
39 may be renumbered or relettered to accomplish such, and the word "ordinance" may be
40 changed to "section," "article" or any other appropriate word.

41
42 **Section 5.** If any section, paragraph, sentence, clause, phrase, or word of this
43 Ordinance is for any reason held by a court of competent jurisdiction to be
44 unconstitutional, inoperative or void, such holding shall not affect the remainder of the
45 Ordinance.

1 **Section 6.** This Ordinance shall be effective immediately upon final adoption.
2
3

4 [Remainder of page intentionally blank]
5

FIRST READING this _____ day of _____, 2026.

SECOND, FINAL READING AND ADOPTION this _____ day of _____, 2026.

AYE

NAY

PEGGY WHEELER, MAYOR

AYE

NAY

JOHN CALLAGHMAN, VICE MAYOR

AYE

NAY

DIANA DAVIS, VICE MAYOR PRO TEM

AYE

NAY

DD HALPERN, COUNCILMEMBER

AYE

NAY

MARIANNE HOSTA, COUNCILMEMBER

ATTEST:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

CAITLIN E. COPELAND-RODRIGUEZ, MMC
TOWN CLERK

TG LAW PLLC
TOWN ATTORNEY



Meeting Name: Planning and Zoning Board Meeting

Meeting Date: January 5, 2026

Prepared By: Zackery Good, Town Attorney

Item Title: ORDINANCE NO. 796

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING SECTION 34-115, "INTENT AND PURPOSE," OF DIVISION 4, "SITE PLAN AND APPEARANCE REVIEW," OF ARTICLE II, "ADMINISTRATION AND ENFORCEMENT," OF CHAPTER 34, "ZONING" OF THE TOWN OF JUNO'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.

REQUESTED ACTION:

Hold a public hearing and consider a recommendation that the Town Council approve or deny Ordinance No. 796, amending Section 34-115, Town Code of Ordinances to:

1. Clarify the stated legislative intent of site plan and appearance reviews with respect to single-family and two-family dwellings.

BACKGROUND AND LEGAL ANALYSIS:

At its May 28, 2025 meeting, the Town Council directed Staff to revise the Zoning Code to continue enforcement of harmony review for single-family dwellings while complying with state-law preemptions related to the regulation of building design elements. That direction included:

- Removing architectural review of single-family and two-family dwellings from the appearance review criteria;
- Creating a Zoning in Progress to allow time for comprehensive Code revisions;
- Removing appearance review for single-family dwellings;
- Returning review authority for single-family dwellings from the Planning and Zoning Board (acting as the Appearance Review Board) to administrative staff;
- Revising harmony comparison language; and

- Exploring additional base-zoning tools to promote harmony.

Subsequently and shortly thereafter, on June 26, 2025, the Governor of Florida signed Senate Bill 180 into law. Because Palm Beach County is included in a federal disaster declaration, the Town of Juno Beach is restricted until October 1, 2027, from adopting land development regulations or review procedures that are more restrictive or burdensome.

As a result, certain Council-directed zoning changes—such as increased setbacks, second-story floor area limitations, and expanded open-space requirements—are now legally constrained by Florida Statutes that preempt local government and could expose the Town to litigation risk as a result of the actions of Senate Bill 180.

However, Senate Bill 180 does not prohibit actions that are considered less restrictive, including:

- Removal of architectural and appearance review for single-family dwellings; and
- Assignment of such review to administrative staff.

The Town of Juno Beach has prior existing appearance review regulations in its Code of Ordinances.

The Town's existing appearance review regulations for single-family dwellings were adopted prior to August 1, 2024, dating as far back as 1984 according to historical Town records, and therefore are not invalidated by Senate Bill 180. Under current Code provisions, single-family dwellings are subject to Planning and Zoning Board review pursuant to Section 34-116, which includes harmony-based criteria.

To ensure consistency and transparency in applying these criteria, Staff developed internal analytical tools to evaluate bulk, mass, scale, and proportion. These tools are not codified but were implemented to reduce subjectivity and mitigate legal risk.

Prior legal counsel for the Town of Juno Beach provided the Town Council with a legal memorandum addressing potential challenges associated with the Town's harmony and appearance criteria. Key considerations included:

1. Whether Harmony and Appearance Review are Void for Vagueness

No. An ordinance is unconstitutionally vague only if it fails to provide a person of ordinary intelligence fair notice of what is prohibited or lacks definite standards applicable to similarly situated persons. *See Jones v. Williams Pawn & Gun, Inc.*, 800 So. 2d 267, 270 (Fla. 4th DCA 2001), *rev. denied*, 821 So. 2d 305 (Fla. 2002).

2. Whether Harmony and Appearance Review Violates Constitutional Equal Protection

No. Equal protection challenges in the zoning context are difficult to sustain and require proof that a facially neutral ordinance was applied unequally for a discriminatory purpose. *See Burns v. Town of Palm Beach*, 343 F.Supp.3d 1258, 1272 (S.D. Fla. 2018)

3. Whether Harmony and Appearance Review Provide Unbridled Discretion

No. Courts have held that zoning regulations are not impermissibly vague merely because they involve judgment or discretion, provided the ordinance includes sufficient criteria to guide decision-making and prevent arbitrary enforcement. Relevant case law has upheld similar appearance and architectural review standards where parameters constrain discretion and provide meaningful guidance.

In summary, while the Town's current harmony criteria are inherently subjective, courts have consistently recognized that subjectivity alone does not render a zoning ordinance unconstitutional where sufficient guiding standards exist.

The Town's existing appearance review regulations stand on relatively firm legal ground under the Town's home-rule police powers to regulate the health, safety, and welfare of the community in conjunction with existing Florida case law. However, adoption of more stringent or restrictive standards at this time may conflict with Senate Bill 180.

If the Town Council elects to continue enforcing appearance review criteria, options previously discussed include:

- Establishing a formal Design or Appearance Review Board with members experienced in architecture, planning, or real estate;
- Codifying review authority in a designated board or the Town Council, consistent with historical practice dating back to the Appearance Review Board created in 1984; and
- Continuing Staff analysis guided by the plain language of the Zoning Code.

Furthermore, if the Town were to continue enforcing its appearance review criteria, it could codify a provision specifically designating the Town Council or other constituted Town Board, such as the prior Appearance Review Board from 1984 which, as a practical matter, was absorbed into the Planning and Zoning Board upon its creation through recodification, but which has not been specifically repealed and is technically an active board legally, to review these decisions.

Absent the adoption of updated regulations by the Town Council, Town Staff could continue to analyze the square footage and floor area ratio of structures within the comparison area when formulating its recommendations as to bulk, mass, and scale, but should avoid the adoption of strict formulas in applying the harmony criteria. In accordance with the case law cited above, Staff recommendations should be guided by the application of the actual words used in the Town's Zoning Code.

TOWN COUNCIL DIRECTION:

At the November 12, 2025, Town Council Meeting, the Town Council approved a six-part motion to:

1. Create an ordinance that amends the Zoning Code to return appearance review for single family detached homes to the Town Planning & Zoning Department and removes it from the responsibilities of the Planning & Zoning Board;
2. Create an ordinance that adds clarifying language to our Zoning Code stating the original intent is to be followed when judging Harmony for single family homes, which is that the Harmony requirements adopted in 1992 restricted the Appearance of a proposed home (no castles or domes), but not the size, mass, bulk, scale, or proportion of the home;
3. Publicize the existing zoning code restrictions on house sizes by the height and lot coverage limits, and minimum setbacks listed for the various zoning districts;
4. Publicize that the existing harmony definition and statements in our code regarding aesthetically pleasing buildings, etc. are informational regarding the intent of town codes, but not enforceable requirements;
5. Create an ordinance that revises the architecture requirements in our zoning code to clarify that "building design elements" are not to be used in staff decision making as to whether a proposed single family detached home is acceptable; and
6. Continue with current plans to encourage voluntary compliance with the town's preferred architectural styles such as with the Pattern Book now being produced.

The Town Attorney's Office has subsequently worked with Town Staff to draft the attached Ordinance No. 796 amending Section 34-115, Town Code of Ordinances to:

1. Clarify the stated legislative intent of site plan and appearance reviews with respect to single-family and two-family dwellings.

The foregoing amendment is pursuant to part two of the Town Council's November 12, 2025, motion.

RECOMMENDATION:

At this time, Staff recommends the Planning and Zoning Board hold a public hearing and consider a recommendation to the Town Council of approval or denial of Ordinance No. 796.

TOWN OF JUNO BEACH, FLORIDA

ORDINANCE NO. 796

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING SECTION 34-115, "INTENT AND PURPOSE," OF DIVISION 4, "SITE PLAN AND APPEARANCE REVIEW," 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.

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the Town Council of the Town of Juno Beach, Florida, pursuant to its as authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

WHEREAS, the Town Council of the Town of Juno Beach, Florida adopted Ordinance 421 upon a second and final reading on February 19, 1992, establishing appearance and site plan review criteria for new developments and establishing criteria for said review within the Town of Juno Beach Code of Ordinances, Section 34-116(3)(b)(2) "Appearance Review Criteria" which reads as follows: "is of a design and proportion which enhances and is in harmony with the area;" and

WHEREAS, the Town Council of the Town of Juno Beach, Florida adopted Ordinance 763 upon a second and final reading on July 26, 2023, establishing a definition of the term harmony, under Section 34-4. "Definitions" of the Town of Juno Beach Code of Ordinances which reads as follows: "Harmony means a quality which produces an aesthetically pleasing whole as in an arrangement of varied architectural and landscape elements. Harmony can be achieved through the proper consideration of scale, mass, bulk, proportion, height, orientation, site planning, landscaping, materials and architectural components, including, but not limited to, porches, roof types, fenestration, entrances and stylistic expression;" and

WHEREAS, the Town Council of the Town of Juno Beach, Florida adopted Ordinance 780 upon a second and final reading on January 24, 2024, providing further clarification on the assessment of harmony during appearance reviews by amending Section 34-116(3)(b)(2) "Appearance Review Criteria" of the Town of Juno Beach Code

1 of Ordinances to add the following clarification: "the comparison of harmony between
2 buildings shall consider the preponderance of buildings or structures within 300 feet
3 from the proposed site of the same zoning district;" and
4

5 WHEREAS, the Town Council of the Town of Juno Beach, Florida now desires to
6 clarify its legislative intent for appearance reviews with respect to the determination of
7 whether harmony has been achieved does not require neighboring properties to be of
8 the same or similar overall square footage; and
9

10 WHEREAS, the Town Council of the Town of Juno Beach, Florida desires to
11 further clarify its legislative intent for appearance reviews and the determination of
12 whether harmony has been achieved must address adverse physical or visual impacts
13 as permitted by law under Florida Statutes, the Town Comprehensive Plan, and the
14 Town Code of Ordinances; and
15

16 WHEREAS, the Town Council of the Town of Juno Beach, Florida recognizes
17 that the Town's planning and zoning department may properly consider the plain
18 language of the Town of Juno Beach's Code of Ordinances to administer appearance
19 reviews and utilize any expert consultants as may be necessary in the review of
20 individual applications to determine whether harmony has been achieved as defined in
21 the Town Code of Ordinances and applicable law; and
22

23 WHEREAS, the Town Juno Beach, Florida's Planning and Zoning Board, as the
24 Local Planning Agency, has conducted a public hearing on this Ordinance and provided
25 its recommendation to the Town Council; and
26

27 WHEREAS, the Town Council has determined that adoption of this Ordinance is
28 in the best interests of the health, safety and general welfare of the Town of Juno
29 Beach, Florida, and its citizens.
30

31 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
32 TOWN OF JUNO BEACH, FLORIDA as follows:
33

34 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and
35 correct legislative findings of the Town Council of the Town of Juno Beach and are
36 incorporated herein.
37

38 **Section 2.** The Town Council hereby amends Section 34-115, "Intent and
39 Purpose," of Division 4, "Site Plan and Appearance Review," of Article II, "Administration
40 and Enforcement," or Chapter 34, "Zoning," of the Town Code of Ordinances is hereby
41 amended as set forth below. For purposes of this Ordinance, underlined type shall
42 constitute additions to the original text, *** shall constitute ellipses to the original text
43 and ~~struck through~~ shall constitute deletions to the original text.
44

45 **Sec. 34-115. - Intent and purpose.**
46

The intent of site plan and appearance review is:

- (1) To ensure the best use and the most appropriate development and improvement of each lot in the town;
- (2) To protect the owners of lots to ensure that the use of surrounding lots will maintain or improve property values;
- (3) To ensure the erection thereon of well-designed and proportioned structures built of appropriate materials;
- (4) To preserve, as far as practicable the natural features and beauty of said property;
- (5) To obtain harmonious architectural themes; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof on lots;
- (6) To secure and maintain proper setbacks from streets and adequate open spaces between structures; and
- (7) In general, to provide adequately for a high type and quality of improvement in said property, and thereby enhance the property values and the quality of life in the town.
- (8) With respect to the review of single-family dwellings and two-family dwellings, the intent of site plan and appearance, is to establish that size, mass, bulk, scale, and proportion of the structure is not to be considered in a determination of whether the proposed dwelling is in harmony with the surrounding properties.

Section 3. All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are conflict with this Ordinance, are hereby repealed to extent of such conflict.

Section 4. The provisions of this Ordinance shall become and be made a part of the Zoning Code of the Town of Juno Beach, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 5. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of the Ordinance.

Section 6. This Ordinance shall be effective immediately upon final adoption.

[Remainder of page intentionally blank]

FIRST READING this _____ day of _____, 2026

SECOND, FINAL READING AND ADOPTION this _____ day of _____, 2026.

AYE

NAY

PEGGY WHEELER, MAYOR

AYE

NAY

JOHN CALLAGHAN, VICE MAYOR

AYE

NAY

DIANA DAVIS, VICE MAYOR PRO TEM

AYE

NAY

DD HALPERN, COUNCILMEMBER

AYE

NAY

MARIANNE HOSTA, COUNCILMEMBER

ATTEST:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

CAITLIN E. COPELAND-RODRIGUEZ, MMC
TOWN CLERK

TG LAW PLLC
TOWN ATTORNEY



Meeting Name: Planning and Zoning Board Meeting

Meeting Date: January 5, 2026

Prepared By: Zackery Good, Town Attorney

Item Title: 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, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

REQUESTED ACTION:

Hold a public hearing and consider a recommendation to the Town Council of approval or denial of Ordinance No. 797, amending Section 34-28, Town Code of Ordinances to:

1. Remove plat and replat review from the duties of the Planning and Zoning Board; and
2. Remove review of single-family and two-family site plans and appearance, including architectural review, from the Planning and Zoning Board and assign such review to administrative Staff.

BACKGROUND AND LEGAL ANALYSIS:

At its May 28, 2025 meeting, the Town Council directed Staff to revise the Zoning Code to continue enforcement of harmony review for single-family dwellings while complying with state-law preemptions related to the regulation of building design elements. That direction included:

- Removing architectural review of single-family and two-family dwellings from the appearance review criteria;
- Creating a Zoning in Progress to allow time for comprehensive Code revisions;
- Removing appearance review for single-family dwellings;

- Returning review authority for single-family dwellings from the Planning and Zoning Board (acting as the Appearance Review Board) to administrative staff;
- Revising harmony comparison language; and
- Exploring additional base-zoning tools to promote harmony.

Subsequently and shortly thereafter, on June 26, 2025, the Governor of Florida signed Senate Bill 180 into law. Because Palm Beach County is included in a federal disaster declaration, the Town of Juno Beach is restricted until October 1, 2027, from adopting land development regulations or review procedures that are more restrictive or burdensome.

As a result, certain Council-directed zoning changes—such as increased setbacks, second-story floor area limitations, and expanded open-space requirements—are now legally constrained by Florida Statutes that preempt local government and could expose the Town to litigation risk as a result of the actions of Senate Bill 180.

However, Senate Bill 180 does not prohibit actions that are considered less restrictive, including:

- Removal of architectural and appearance review for single-family dwellings; and
- Assignment of such review to administrative staff.

The Town of Juno Beach has prior existing appearance review regulations in its Code of Ordinances.

The Town's existing appearance review regulations for single-family dwellings were adopted prior to August 1, 2024, dating as far back as 1984 according to historical Town records, and therefore are not invalidated by Senate Bill 180. Under current Code provisions, single-family dwellings are subject to Planning and Zoning Board review pursuant to Section 34-116, which includes harmony-based criteria.

To ensure consistency and transparency in applying these criteria, Staff developed internal analytical tools to evaluate bulk, mass, scale, and proportion. These tools are not codified but were implemented to reduce subjectivity and mitigate legal risk.

Prior legal counsel for the Town of Juno Beach provided the Town Council with a legal memorandum addressing potential challenges associated with the Town's harmony and appearance criteria. Key considerations included:

1. Whether Harmony and Appearance Review are Void for Vagueness

No. An ordinance is unconstitutionally vague only if it fails to provide a person of ordinary intelligence fair notice of what is prohibited or lacks definite standards applicable to similarly situated persons. *See Jones v. Williams Pawn & Gun, Inc.*, 800 So. 2d 267, 270 (Fla. 4th DCA 2001), *rev. denied*, 821 So. 2d 305 (Fla. 2002).

2. Whether Harmony and Appearance Review Violates Constitutional Equal Protection

No. Equal protection challenges in the zoning context are difficult to sustain and require proof that a facially neutral ordinance was applied unequally for a discriminatory purpose. *See Burns v. Town of Palm Beach*, 343 F.Supp.3d 1258, 1272 (S.D. Fla. 2018)

3. Whether Harmony and Appearance Review Provide Unbridled Discretion

No. Courts have held that zoning regulations are not impermissibly vague merely because they involve judgment or discretion, provided the ordinance includes sufficient criteria to guide decision-making and prevent arbitrary enforcement. Relevant case law has upheld similar appearance and architectural review standards where parameters constrain discretion and provide meaningful guidance.

In summary, while the Town's current harmony criteria are inherently subjective, courts have consistently recognized that subjectivity alone does not render a zoning ordinance unconstitutional where sufficient guiding standards exist.

The Town's existing appearance review regulations stand on relatively firm legal ground under the Town's home-rule police powers to regulate the health, safety, and welfare of the community in conjunction with existing Florida case law. However, adoption of more stringent or restrictive standards at this time may conflict with Senate Bill 180.

If the Town Council elects to continue enforcing appearance review criteria, options previously discussed include:

- Establishing a formal Design or Appearance Review Board with members experienced in architecture, planning, or real estate;
- Codifying review authority in a designated board or the Town Council, consistent with historical practice dating back to the Appearance Review Board created in 1984; and
- Continuing Staff analysis guided by the plain language of the Zoning Code.

Furthermore, if the Town were to continue enforcing its appearance review criteria, it could codify a provision specifically designating the Town Council or other constituted Town Board, such as the prior Appearance Review Board from 1984 which, as a practical matter, was absorbed into the Planning and Zoning Board upon its creation through recodification, but which has not been specifically repealed and is technically an active board legally, to review these decisions.

Absent the adoption of updated regulations by the Town Council, Town Staff could continue to analyze the square footage and floor area ratio of structures within the comparison area when formulating its recommendations as to bulk, mass, and scale, but should avoid the adoption of strict formulas in applying the harmony criteria. In accordance with the case law cited above, Staff recommendations should be guided by the application of the actual words used in the Town's Zoning Code.

TOWN COUNCIL DIRECTION:

At the November 12, 2025, Town Council Meeting, the Town Council approved a six-part motion to:

1. Create an ordinance that amends the Zoning Code to return appearance review for single family detached homes to the Town Planning & Zoning Department and removes it from the responsibilities of the Planning & Zoning Board;
2. Create an ordinance that adds clarifying language to our Zoning Code stating the original intent is to be followed when judging Harmony for single family homes, which is that the Harmony requirements adopted in 1992 restricted the Appearance of a proposed home (no castles or domes), but not the size, mass, bulk, scale, or proportion of the home;
3. Publicize the existing zoning code restrictions on house sizes by the height and lot coverage limits, and minimum setbacks listed for the various zoning districts;
4. Publicize that the existing harmony definition and statements in our code regarding aesthetically pleasing buildings, etc. are informational regarding the intent of town codes, but not enforceable requirements;
5. Create an ordinance that revises the architecture requirements in our zoning code to clarify that "building design elements" are not to be used in staff decision making as to whether a proposed single family detached home is acceptable; and
6. Continue with current plans to encourage voluntary compliance with the town's preferred architectural styles such as with the Pattern Book now being produced.

The Town Attorney's Office has subsequently worked with Town Staff to draft the attached Ordinance No. 797 amending Section 34-28, Town Code of Ordinances to:

1. Remove plat and replat review from the duties of the Planning and Zoning Board; and
2. Remove review of single-family and two-family site plans and appearance, including architectural review, from the Planning and Zoning Board and assign such review to administrative Staff.

The amendments to Section 34-28, Town Code of Ordinances related to plat and replat duties are changes recommended by the Town Attorney's Office for clarity and compliance with Section 177.071, Florida Statutes, that may be undertaken via this Ordinance already updating the duties of the Planning and Zoning Board.

The amendments to Section 34-28, Town Code of Ordinances related to the reassignment of site plan and appearance review for single-family and two-family dwellings are pursuant to part one of the Town Council's November 12, 2025, motion.

RECOMMENDATION:

At this time, Staff recommends the Planning and Zoning Board hold a public hearing and consider a recommendation to the Town Council of approval or denial of Ordinance No. 797.

TOWN OF JUNO BEACH, FLORIDA

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, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the Florida Constitution and Chapter 166, Florida Statutes, provide municipalities with governmental, corporate, and proprietary powers to conduct municipal government, perform municipal functions, and render municipal services, and to exercise any power for municipal purposes except as expressly prohibited by law; and

WHEREAS, the Town Council of the Town of Juno Beach, Florida, as the governing body of the Town, is authorized pursuant to Chapters 163 and 166, Florida Statutes, to adopt and amend land development regulations; and

WHEREAS, Section 177.071, Florida Statutes, provides that a local government may not require plat approval by the governing body and authorizes the delegation of plat review and approval to administrative officials in accordance with adopted regulations; and

WHEREAS, the Town Council of the Town of Juno Beach has expressly recognized and implemented the requirements of section 177.071, Florida Statutes, by adopting Resolution No. 2025-12 on August 26, 2025, which delegates authority for the administrative review and approval of plats and replats to Town staff, including designation of the Town Manager as the administrative official authorized to approve plats and replats; and

WHEREAS, the Town Council has expressed its intention to amend Division 4, "Site Plan and Appearance Review," of Article II, "Administration and Enforcement," of Chapter 34, "Zoning," of the Town Code of Ordinances to modify appearance, including architectural, review procedures for detached single-family dwellings so that such review is subject to administrative review and approval by the Planning and Zoning

1 Director or designee, rather than requiring a public hearing before the Planning and
2 Zoning Board; and
3

4 **WHEREAS**, the Town's Planning and Zoning Board, acting as the Local Planning
5 Agency, has conducted a duly noticed public hearing on this Ordinance and transmitted
6 its recommendation to the Town Council; and
7

8 **WHEREAS**, notwithstanding prior concerns regarding administrative review, the
9 Town Council has determined that site plan and appearance (including architectural)
10 review of detached single-family dwellings not located within an approved Planned Unit
11 Development should be returned to the Planning and Zoning Board for final action and
12 shall be authorized for review by administrative staff; and
13

14 **WHEREAS**, the Town Council finds that adoption of this Ordinance is in the best
15 interests of the public health, safety, and general welfare of the Town of Juno Beach.
16

17 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**
18 **TOWN OF JUNO BEACH, FLORIDA, as follows:**
19

20 **Section 1. Adoption of Recitals.** The foregoing "Whereas" clauses are
21 hereby ratified as true and confirmed and are incorporated herein.
22

23 **Section 2. Amendments.** The Town Council hereby amends Division 1,
24 "Generally," of Article II, "Administration and Enforcement," of Chapter 34,
25 "Zoning," of the Town Code of Ordinances by amending Section 34-28, "Planning
26 and zoning board duties," to read as follows (additional language is underlined):
27

28 **Sec. 34-28. - Planning and zoning board duties.**
29

30 The planning and zoning board shall issue recommendations to the town
31 council and zoning board of adjustment and appeals, as applicable, on all
32 matters involving community planning, including, but not limited to, the
33 comprehensive plan, site plan and appearance reviews, ~~preliminary plat~~
34 ~~reviews~~, variances, administrative appeals, and special exception uses.
35 ~~The planning and zoning board shall have final decision-making authority~~
36 ~~on site plan and appearance review, specifically including architectural~~
37 ~~review, of detached single-family dwellings not located within an approved~~
38 ~~planned unit development.~~ It shall exercise its power as defined in this
39 chapter and as further established by F.S. ch. 163, part II. The planning
40 and zoning board shall be the local planning agency required to be
41 designated as such by F.S. § 163.3174.
42

43 **Section 3. Conflicts.** All ordinances or parts of ordinances of the Town of
44 Juno Beach, Florida, which are conflict with this Ordinance, are hereby repealed to
45 extent of such conflict.
46

[Remainder of page intentionally blank]

FIRST READING this _____ day of _____, 2026.

SECOND, FINAL READING AND ADOPTION this _____ day of _____, 2026.

AYE

NAY

PEGGY WHEELER, MAYOR

AYE

NAY

JOHN CALLAGHMAN, VICE MAYOR

AYE

NAY

DIANA DAVIS, VICE MAYOR PRO TEM

AYE

NAY

DD HALPERN, COUNCILMEMBER

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MARIANNE HOSTA, COUNCILMEMBER

ATTEST:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

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