



# PLANNING & ZONING BOARD MEETING AGENDA

January 17, 2024 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](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). The Town Clerk or designee will read public comments into the record at the appropriate time for no more than three (3) minutes; or make their comment in-person; or participate from a remote location using Zoom – please contact the Town Clerk at [ccopeland@juno-beach.fl.us](mailto: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. Comments needing a reply will be referred to Staff for research; a report will be forwarded to The Board; and citizens will be contacted.*

**CONSENT AGENDA**

1. Planning & Zoning Board Minutes for December 4, 2023

**BOARD ACTION/DISCUSSION ITEMS**

2. Caretta Plat
3. Appearance Review – 479 Ocean Ridge Way
4. Ordinance No. 782 – Implementation of Live Local Act
5. Discussion on Tower Features

**COMMENTS FROM THE BOARD**

**ADJOURNMENT**





# PLANNING AND ZONING BOARD MINUTES

December 04, 2023 at 4:00 PM

Council Chambers – 340 Ocean Drive and YouTube

PRESENT: DIANA DAVIS, CHAIR  
 JIM FERGUSON, VICE CHAIR  
 LAURE SHEARER, BOARDMEMBER  
 NANCY WOLF, BOARDMEMBER  
 JANE LE CLAINCHE, BOARDMEMBER

ALSO PRESENT: FRANK DAVILA, DIRECTOR OF PLANNING & ZONING  
 CURT THOMPSON, PRINCIPAL PLANNER  
 CAITLIN E. COPELAND-RODRIGUEZ, TOWN CLERK  
 LEONARD RUBIN, TOWN ATTORNEY

ABSENT: MICHAEL STERN, BOARDMEMBER

Audience: 13

**CALL TO ORDER – 4:00PM**

**PLEDGE ALLEGIANCE TO THE FLAG**

**ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA - None**

**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. Comments needing a reply will be referred to Staff for research; a report will be forwarded to The Board; and citizens will be contacted.*

*Public Comments Opened at 4:02pm.*

*Public Comments Closed at 4:02pm.*

## CONSENT AGENDA

1. Planning & Zoning Board Meeting Minutes - November 6, 2023

**MOTION:** Ferguson/Shearer made a motion to approve the consent agenda.

**ACTION:** The motion passed unanimously.

## BOARD ACTION/DISCUSSION ITEMS (Public Comment period was provided for each item below.)

2. Seminole Golf Club Variance Request (See attached presentation by the applicant.)

*The Board gave unanimous consensus to add a condition to the recommendation to approve the variance requiring Seminole Golf Club to maintaining the architectural style features in line with Mr. Wyeth's original design and per the letter dated November 14, 2023 included with the application.*

**MOTION:** Wolf/Ferguson made a motion to approve the request for variance for the Seminole Golf Club Property, subject to the conditions set forth in staff's memorandum, and with the additional condition of Seminole Golf Club maintaining the architectural style features in line with Mr. Wyeth's original design and per the letter dated November 14, 2023 included with the application.

**ACTION:** The motion passed unanimously.

3. Ordinance 780 – Harmony Criteria

*The Board gave unanimous consensus to have the ordinance state the following: "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 within the same zoning district."*

**MOTION:** Wolf/Ferguson made a motion to recommend that the Town Council approve Ordinance No. 780 as amended.

**ACTION:** The motion passed unanimously.

## COMMENTS FROM THE BOARD (See attached handouts from Chair Davis.)

*Boardmember Wolf, Chair Davis, and Boardmember LeClainche gave consensus to recommend to the Town Council that the Planning & Zoning Board be a 2-year term.*

*The Board gave unanimous consensus to recommend that the Town Council reconsider holding off on prioritizing areas in the land development code.*

## ADJOURNMENT

Chair Davis adjourned the meeting at 5:54pm.

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Diana Davis, Chair

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Caitlin E. Copeland-Rodriguez, Town Clerk



# SEMINOLE GOLF CLUB | Asset Preservation

Juno Beach, Florida

December 2023

# VCINITY MAP

Item #1.



6



# SITE LOCATION PLAN



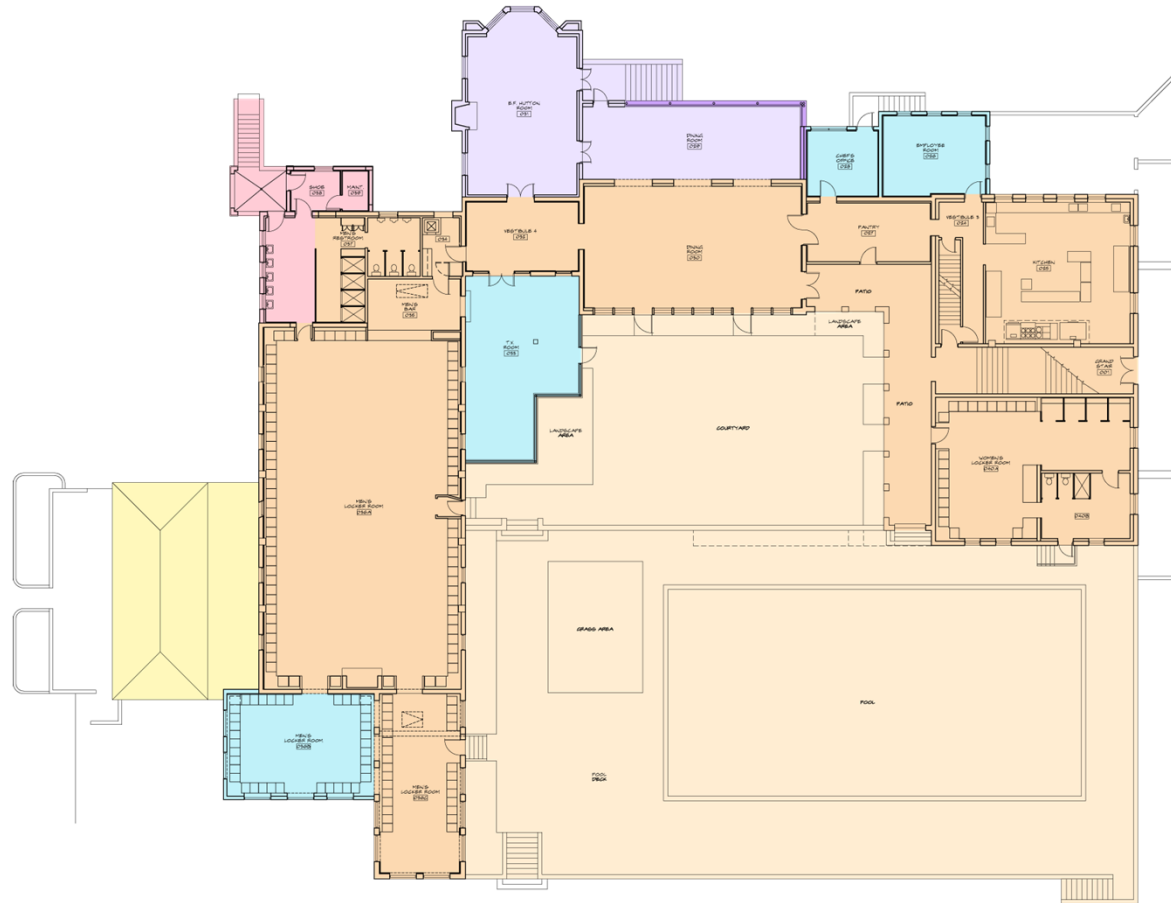
Item #1.

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# CLUBHOUSE HISTORY

**Seminole Golf Club** was developed in 1929 by New York City investor Edward Francis Hutton. The Club overlooks the Atlantic Ocean on 140 acres of land, previously owned by Boston entrepreneur Harry Seymour Kelsey. In 1929 the golf course, designed by the famed golf course designer Donald Ross and the club house designed by Palm Beach Architect, Marion Sims Wyeth were built. Additions have been completed since 1929 that give the club house its' current footprint.

Item #1.



## LEGEND

- 1929 - Original Building by Wyeth
- 1929 - Courtyard & Pool by Wyeth
- 1930's - Addition by Wyeth
- 1959 - Porch Enclosure by Wyeth, King & Johnson
- Unknown Dates
- 1997 - Addition by Glen P. Harris
- 2014 - Remodel /Addition by Peacock & Lewis

# ORIGINAL BUILDING ARCHITECT

Item #1.

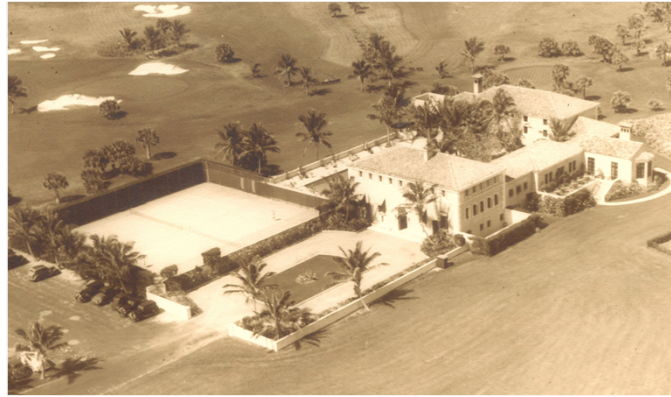
Marion Sims Wyeth was an American architect known for his range in architectural styles such as Art Deco, Mediterranean Revival and classical Georgian, French and Colonial. Some of his many renowned work were Mar-a-Largo Palm Beach, La Claridad Palm Beach, Norton Museum of Art, West Palm Beach, High Point monument, New Jersey, Florida Governor's Mansion, Tallahassee, amongst others.





# HISTORIC PHOTOGRAPHS

Item #1.



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# HISTORIC PHOTOGRAPHS



## MAIN OBJECTIVES

Item #1.

To evaluate the current state of the existing building without altering the characteristics of the building exterior façade, at the same time preserve the asset of Seminole Golf Club for the next 50 years. The proposed areas of work are:

1. Building Hardening
2. Required restoration or repair of building components due to deterioration.
3. Required site drainage and grading work.
4. Provide ramp to the building for accessibility.
5. Functionality issues.

# SCOPE OF WORK - SUMMARY

Item #1.

## 1. Hardening Cost: \$1,918,677

1. Door/Window/Shutter Replacement
2. Water Intrusion

## 2. Site Improvements Cost: \$845,292

## 3. Life Safety & other Improvements Cost: \$4,079,276

1. New Fire Sprinkler System
2. New Electrical System
3. New Plumbing System
4. New Mechanical System
5. Kitchen

Total Cost: \$6,843,245



FRONT BUILDING FAÇADE

Item #1.



14

# BUILDING FAÇADE

Item #1.



15



# BUILDING FAÇADE



Item #1.



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# EXTERIOR BUILDING ELEVATIONS

Item #1.



Existing North Elevation



Proposed North Elevation

# EXTERIOR BUILDING ELEVATIONS

Item #1.



Existing East Elevation



Proposed East Elevation



# EXTERIOR ELEVATIONS

Item #1.



Existing West Elevation



Proposed West Elevation

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# EXTERIOR ELEVATIONS

Item #1.



Existing South Elevation

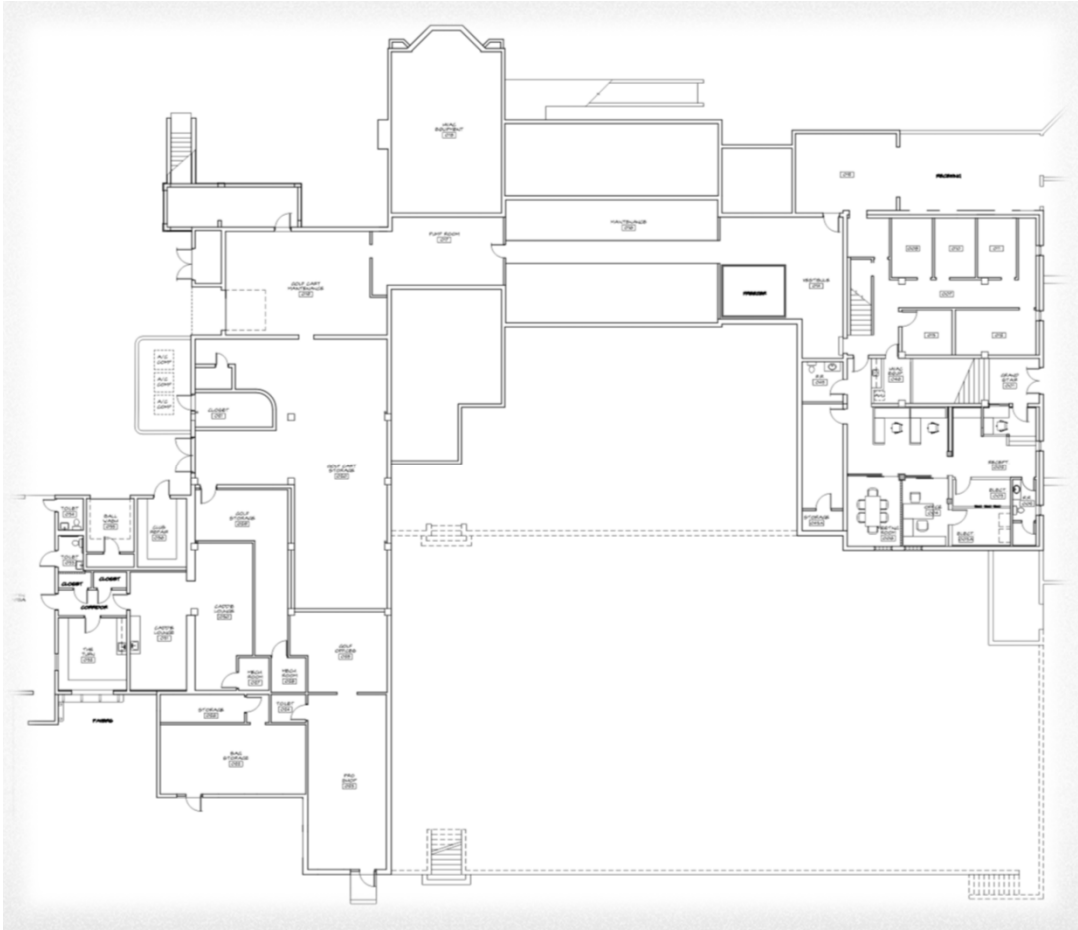


Proposed South Elevation

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# LOWER-LEVEL FLOOR PLAN

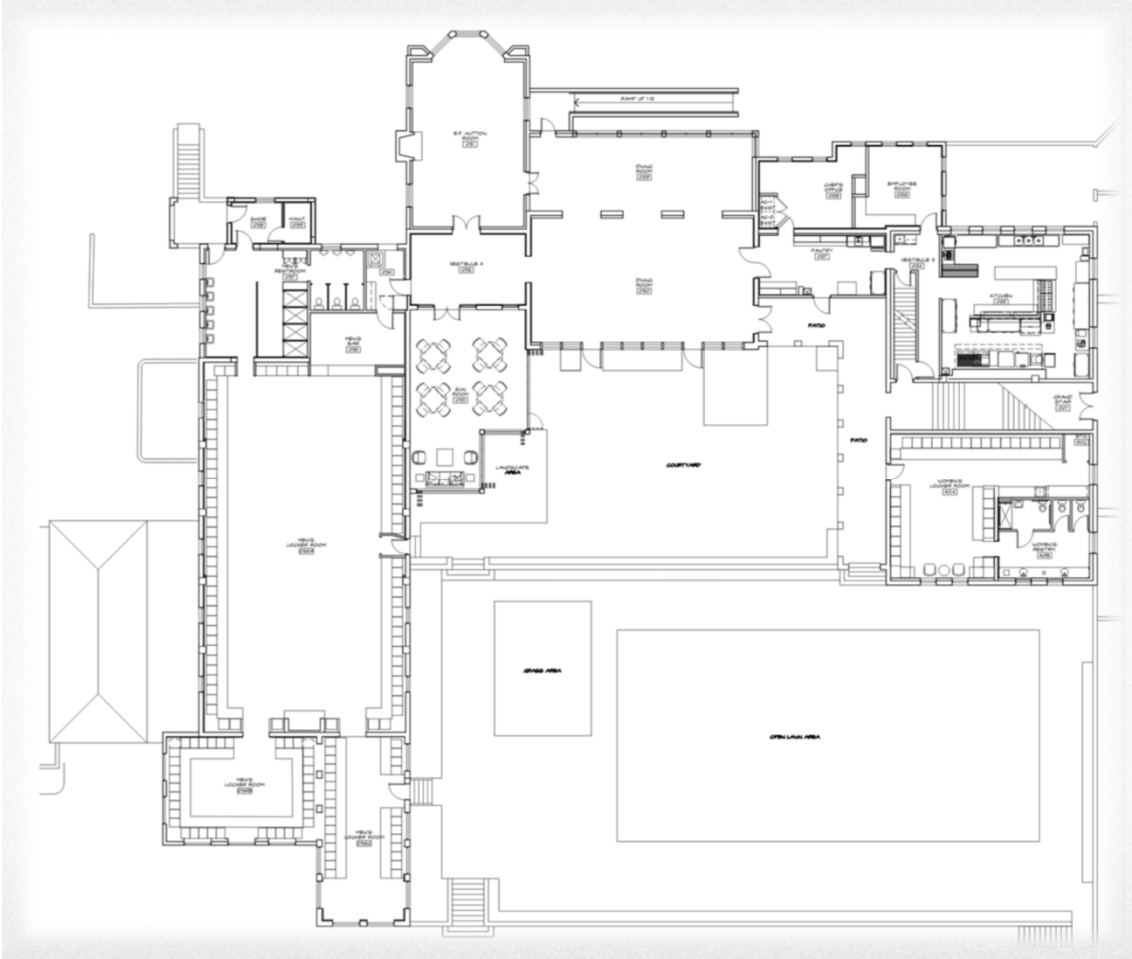
Item #1.



21

# MAIN-LEVEL FLOOR PLAN

Item #1.



22



**APPROVAL OF A VARIANCE FROM SECTION 7-21(C)(2) TO ALLOW THE APPLICANT TO CONDUCT A SUBSTANTIAL IMPROVEMENT TO THE CLUBHOUSE, IN WHICH THE CUMULATIVE COST OF THE REPAIR/ REHABILITATION EXCEEDS 50 PERCENT OF THE MARKET VALUE OF THE BUILDING, WITHOUT HAVING TO ELEVATE THE BUILDING'S FINISHED FLOOR TO THE BASE FLOOR ELEVATION (BFE) PLUS EIGHTEEN INCHES (18")**

THANK YOU

**msdianadavis@gmail.com**

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**From:** Frank Davila <fdavila@juno-beach.fl.us>  
**Sent:** Wednesday, November 22, 2023 12:06 PM  
**To:** msdianadavis@gmail.com  
**Cc:** David Dyess; Len Rubin; Alexander Cooke  
**Subject:** Re: Items put on hold due to SB 250 - request to bring back to Town Council

Hello Diana,

Staff is working on bringing an ordinance for harmony to the December P&Z meeting, an ordinance for demolition notification to the December Town council meeting, and an ordinance for construction site standards either to the December or January Town Council meeting. We are holding off on the items below as the direction staff received was to wait until we hired a professional for their review and recommendation on proposed code text language. This is expected to happen once we go out for an RFP for the Zoning Code Review, which cannot happen until the Town Council addresses the Master Development Plan as this will impact the Town's Comprehensive Plan and Code of Ordinances.

- exterior lighting discussion (Engineer review)
- temporary sign regulations (Zoning professional)
- wall and fence code (Zoning professional)
- topographical features (Engineer review)
- floor area ratio (Zoning professional)

- vegetation

Please note that Ord. 761 will not be brought up as it was denied by Town Council on first reading on a 3-2 vote at the May 2023 Town Council meeting.

Respectfully,

Frank Davila, CFM

Director of Planning and Zoning  
Town of Juno Beach  
340 Ocean Drive  
Juno Beach, FL 33408  
PH: (561)656-0306  
FX: (561)775-0812

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

On Wed, Nov 22, 2023 at 11:29 AM <[msdianadavis@gmail.com](mailto:msdianadavis@gmail.com)> wrote:

As reported in our last Town Council meeting, at the special session of our Florida Legislature, the restrictions on Land Development Regulations that could be interpreted to be more restrictive or burdensome has been lifted for all of Palm Beach County. The items that were under consideration by our Town Council and or approved by the Planning and Zoning Board that were shut-down following the effective date of SB 250 are as follows (not in order of priority):

- Ordinance No. 766 – Exterior Lighting and preventing light spill over
- Ordinance No. 761 - Returning Site Plan Review to Planning and Zoning for single and two family residents.
- Ordinance No. 763 - Harmony – passed Town Council, however some of the implementation measures such as application requirements to document other buildings within certain distance of the project site and neighborhood character need to be added.
- Ordinance No. 764 – Demotion Notification – return burden to the applicant for the demolition permit to complete the notice requirement, also there were proposed requirements for the demolition/construction work site that need to be added back.

This is a quick review of items paused due to the hurricane on the West Coast of Florida. With the reminder that our hurricane season starts in June, it seems that there is a sense of urgency to complete the adoption of these land development regulations prior to our legislature freezing our ability to make changes if we are hit by a major storm.

Thank you for your consideration. Happy Thanksgiving to you and your families.

All the Best, Diana

Diana L. Davis, Chair

Town of Juno Beach

Planning and Zoning Board

440 Sunset Way

Juno Beach, FL 33408

[DianaDavisJunoBeach@gmail.com](mailto:DianaDavisJunoBeach@gmail.com)

561-310-6138



**PLANNING & ZONING BOARD'S PRIORITIZED AGENDA ITEMS LIST**

ITEM(S)	TOPIC	RANKING
<p>(1) <i>(Completed)</i> Review other municipalities to determine how they define and interpret "HARMONY" in their zoning code, for review and adoption into the Juno Beach Municipal Code. The Town of Palm Beach's code definition and interpretation of Harmony within their zoning code is of particular interest;</p> <p>(2) <i>(Completed)</i> Returning oversight on site plan review on single family construction to P&amp;Z; and</p> <p>(3) <i>(To be discussed on June 5, 2023.)</i> Would like to discuss exterior lighting on residential housing and consider whether we could put something in place to address respect spillover to the neighboring properties. Sec. 34-1132 refers to exterior lighting in commercial districts would think similar standards could be applied in residential districts.</p>		
<b>A</b>	Discussion on Floor Area Ratio	Ranked #1
<b>B</b>	<p>Sec. 34-116(3)b.1. Appearance review criteria – remove the language that would allow a combination of styles Victorian and Mediterranean. Keep language that would allow modernization of Victorian or Mediterranean.</p> <p>Code clarification on mixing/architectural styles.</p>	Ranked #2
<b>C</b>	Setbacks – discussion of what is appropriate within different zoning codes and uses for new permits so that we maintain what is unique about Juno Beach. (Note: this was an issue with the Caretta project where the final design was required to have the upper stores set back to prevent the structure from being too imposing.)	Ranked #3
<b>D</b>	Towers. Would like to discuss possibility of giving more guidelines to the construction of allowable 225 sq. ft. towers in districts where they are currently permitted, especially those going in on flat roofs.	Ranked #4
<b>E</b>	I am seeing increasing installations of Artificial Turf in my area and would like to discuss the topic with regard to lot coverage, drainage, and landscape requirements; and include pervious surfaces.	Ranked #5
<b>F</b>	Discussion on LEED/Green Building Designs	Ranked #6



**Meeting Name:** Planning and Zoning Board  
**Meeting Date:** January 17, 2024  
**Prepared By:** Curt Thompson, Principal Planner  
**Item Title:** Caretta Plat

## **BACKGROUND**

On August 1, 2022, the subject property received a recommendation of approval from the Juno Beach Planning and Zoning Board for a Special Exception to The Caretta Mixed-Use Development (project) and this project was approved by Town Council via Resolution No. 2022-09 on August 24, 2022. On August 7, 2023, the Planning and Zoning Board recommended approval of a major amendment to the Site Plan to: divide one residential unit into two units; reduce and reconfigure the size of the garage; utilize shared parking on the site; utilize valet parking; and reduce the outdoor dining, and August 23, 2023, the Town Council approved the major modification, with revisions, through the adoption of Resolution No. 2023-12. On December 13, 2023, the Town Council approved Resolution 2023-22, amending the legal description to reflect a more precise and accurate legal description for the project as set forth in a Corrective Special Warranty Deed.

The subject project is currently located within the Commercial General (CG) zoning district. To the north is the Plaza La Mer Commercial Center (Commercial General - CG); to the south is the Donald Ross Road Right of Way (ROW); to the west lies the Plaza La Mer Commercial Center (CG); and to the east lies U.S. Highway 1 (ROW).

## **DISCUSSION**

At this time, the applicant (Juno Pointe Property Owner, LLC) has submitted an application for plat approval for the Caretta project (see attachment I), consisting of a re-plat of a Portion of Chevron Juno Tract, recorded in plat book 58, page 107, public records of Palm Beach County, Florida, and an unplatted portion of Government Lot 5, Section 21, Township 41 South, Range 43 East, Town of Juno Beach, Palm Beach County, Florida. The application was reviewed under the guidelines and specifications of Chapter 177, Florida Statutes, and the Town's adopted Subdivision Regulations. The Planning and Zoning Staff reviewed the application submitted by the applicant and determined that the re-subdivision/plat is ready to be reviewed by the Planning Board and Town Council. If the Planning Board and Town Council approves the re-subdivision/plat, it will be subject to any final technical reviews prior to officially recording the plat with Clerk of Court in the official records of Palm Beach County.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Board consider the proposed re-subdivision/plat for the Caretta project, subject to any final technical comments prior to the recording of the proposed re-subdivision/plat, and provide a recommendation to the Town Council.

## Attachments(s):

1. Plat Checklist & Comments Application
2. Town Surveyor Letter
3. Caretta Plat
4. Resolution 2024-01

**RESOLUTION NO. 2024-01**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, APPROVING A PLAT FOR THE CARETTA PROJECT AND AUTHORIZING ITS EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, through the adoption of Resolution No. 2022-07, the Town Council approved a request for Site Plan and Appearance Review and for Special Exception approval to utilize the Site Area Development Modification and to establish a restaurant use for the mixed-use Caretta project, consisting of 94 residential units as well as office space, retail space, restaurant space, and an outdoor dining area; and

**WHEREAS**, through the adoption of Resolution No. 2023-12, the Town Council approved a major amendment to the Site Plan and Appearance Approval for the Caretta project to: divide one residential unit into two units; reduce and reconfigure the size of the garage; utilize shared parking on the site; utilize valet parking on the site; and reduce the outdoor dining area; and

**WHEREAS**, through the adoption of Resolution No. 2023-22, the Town Council amended the original approval to incorporate a more precise and accurate legal description for the project; and

**WHEREAS**, Juno Pointe Property Owner, LLC has submitted an application for re-subdivision/plat approval in accordance with the approved development plan; and

**WHEREAS**, the Village Engineer has reviewed the plat and determined that it is consistent with the requirements of Chapter 177, Florida Statutes, and the Town Code of Ordinances; and

**WHEREAS**, the Planning and Zoning Board reviewed the plat at a public hearing held on January 17, 2024 and recommended approval of the plat; and

**WHEREAS**, the Town Council determines that the approval of this Resolution is in the best interests of the residents and citizens of the Town of Juno Beach.

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

**Section 1.** The foregoing recitals are hereby ratified as true and correct and are incorporated herein.

**Section 2.** The Town Council hereby approves the plat for the Caretta project, a copy of which is attached hereto and incorporated herein by reference, and authorizes the Mayor and the appropriate Town officials/consultants to execute the plat on behalf of the Town.

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**Section 3.** This Resolution shall become effective immediately upon adoption.

RESOLVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Alexander Cooke, Mayor

ATTEST:

\_\_\_\_\_  
Caitlin Copeland-Rodriguez, MMC  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
Leonard G. Rubin, Town Attorney



TOWN OF JUNO BEACH RECEIVED

2023 OCT 17 PM 02:06

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

Plat Checklist & Comments – Florida Statutes

PROJECT NAME: CARETTA  
DATE: 09-14-2023

Please Complete the Following:

▪ Applicant/Agent Information:

Name of Applicant: James D. Letchinger Contact Phone: (312) 218 - 0111  
Address of Applicant: 14 W. Superior St, STE 200, Chicago, IL 60654  
Name & Address of Organization Represented: Juno Point Property Owner, LLC  
14 W. Superior St, STE 200, Chicago, IL 60654

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

\*Name of Agent: Contact Phone:

09-14-2023

Applicant's Signature  
James D. Letchinger

Date

Print Name

CHAPTER 177

PLATTING (ss.177.011-177.151) CHECKLIST

177.041 Boundary survey and title certification required. Every plat or replat of a subdivision submitted to the approving agency of the local governing body must be accompanied by:

1) A boundary survey of the platted lands. However, a new boundary survey for a replat is required only when the replat affects any boundary of the previously platted property or when



improvements which may affect the boundary of the previously platted property have been made on the lands to be replatted. The boundary survey must be performed and prepared under the responsible direction and supervision of a professional surveyor and mapper preceding the initial from employing one professional surveyor and mapper to perform and prepare the boundary survey and another professional surveyor and mapper to prepare the plat.

**Comments:**

2) A title opinion of an attorney at law licensed in Florida or a certification by an abstractor or a title company showing that record title to the land as described and shown on the plat is in the name of the person, persons, corporation, or entity executing the dedication. The title opinion or certification shall also show all mortgages not satisfied or released of record nor otherwise terminated by law.

**Comments:**

**177.051 Name and replat of subdivision**

1) Every subdivision shall be given a name by which it shall be legally known. For the purpose of this section, that name is the "primary name." The primary name shall not be the same or in any way so similar to any name appearing on any recorded plat in the same county as to confuse the records or to mislead the public as to the identity of the subdivision, except when the subdivision is further divided as an additional unit or section by the same developer or the developer's successors in title. In that case, the additional unit, section, or phase number. Every subdivision's name shall have legible lettering of the same size and type, including the words "section," "unit," or "phase." If the word "replat" is not part of the primary name, then it may be of a different size and type. The primary name of the subdivision shall be shown in the dedication and shall coincide exactly with the subdivision name.

**Comments:**

2) Any change in a plat, except as provided in s. 177.141, shall be labeled a "replat," and a replat must conform with this part. After the effective date of this act, the terms "amended plat," "revised plat," corrected plat," and "resubdivision" may not be used to describe the process by which a plat is changed.

**Comments:**

**177.061 Qualification and statement required.** Every plat offered for recording pursuant to the provisions of this part must be prepared by professional surveyor and mapper. The plat must be signed and sealed by that professional surveyor and mapper, who must state on the plat that the plat was prepared under his or her direction and supervision and that the plat complies with all of the survey requirements of this part. Every plat must also contain the printed name and registration number of the professional surveyor and mapper directly below the statement required by this section, along with the printed name, address, and certificate of authorization number of the legal entity, if any. A professional surveyor and mapper practicing independently of a legal entity must include his or her address.

**Comments:** **177.071 Approval of plat by governing bodies**

1) Before a plat is offered for recording, it must be approved by the appropriate governing body, and evidence of such approval must be placed on the plat. If not approved, the governing body must return the plat to the professional surveyor and mapper or the legal entity offering the plat for recordation. For the purpose of this part:

**Comments:**

a) When the plat to be submitted for approval is located wholly within the boundaries of a municipality, the governing body of the municipality has exclusive jurisdiction to approve the plat.

b) When a plat lies wholly within the unincorporated areas of a county, the governing body of the county has exclusive jurisdiction to approve the plat.

c) When a plat lies within the boundaries of more than one governing body, two plates must be prepared and each governing body has exclusive jurisdiction to approve the plat within its boundaries, unless the governing bodies having said jurisdiction agree that one plat is mutually acceptable.

**Comments:**

2) Any provision in a county charter, or in an ordinance of any charter county or consolidated government chartered under s. 6(e), Art. VIII of the State Constitution, which provision is inconsistent with anything contained in this section shall prevail in such charter county or consolidated government to the extent of any such inconsistency.

**Comments:** **177.081 Dedication and approval**

1) Prior to approval by the appropriate governing body, that plat shall be reviewed for conformity to this chapter by a professional surveyor and mapper either employed by or under contract to the local governing body, the costs of which shall be borne by the legal entity offering the plat for recordation, and evidence of such review must be placed on such plat.

**Comments:**

2) Every plat of a subdivision filed for record must contain a dedication by the owner or owners of record. The dedication must be executed by all persons, corporations, or entities whose signature would be required to convey record fee simple title to the lands being dedicated in the same manner in which deeds are required to be executed. All mortgagees having a record interest in the lands subdivided shall execute, in the same manner in which deeds are required to be executed, either the dedication contained on the plat or a separate instrument joining in and



ratifying the plat and all dedications and reservations thereon.

**Comments:**

3) When a tract or parcel of land has been subdivided and a plat thereof bearing the dedication executed by the owners of record and mortgagees having a record interest in the lands subdivided, and when the approval of the governing body has been secured and recorded in compliance with this part, all streets, alleys, easements, rights-of-way, and public for the uses and purposes thereon stated. However, nothing herein shall be construction or maintenance within such dedicated areas except when the obligation is voluntarily assumed by the governing body.

**Comments:**

**177.085 Platted streets; reversionary clauses**

1) When any owner of land subdivided the land and dedicates streets, other roadways, alleys or similar strips on the map or plat, and the dedication contains a provision that the reversionary interest in the street, roadway, alley or other similar strip is reserved unto the dedicator or his or her heirs, successors, assigns, or legal representative, or similar language, and thereafter conveys abutting lots or tracts, the conveyance shall carry the reversionary interest in the abutting street to the centerline or other appropriate boundary, unless the owner clearly provided otherwise in the conveyance.

**Comments:**

2) as to all plats of subdivided lots heretofore recorded in the public records of each county, the holder of any interest in any reversionary rights in streets in such plats, other than the owners of abutting lots, shall have 1 year from July 1, 1972, to institute suit in a court of competent jurisdiction in this state to establish or enforce the right, and failure to institute the action within the time shall bar any right, title or interest, and all right of forfeiture or reversion shall thereupon cease and determine, and become unenforceable.

**Comments:**

**177.086 Installation of cul-de-sacs.** In the event a municipality or county installs a cul-de-sac on a street or road under its jurisdiction and thereby discontinues use of any existing street or road right-of-way, such discontinuance shall not operate to abandon or vacate the unused right-of-way unless the governing body of the municipality or county adopts a resolution or ordinance, as appropriate, vacating the unused right-of-way.

**Comments:**

**117.091 Plats made for recording.** Every plat of a subdivision offered for recording shall conform to the following:

1) It must be:

a) An original drawing made with black permanent drawing ink; or

**Comments:**

- b) A nonadhered scaled print on a stable base film made by photographic processes from a film scribing tested for residual hypo testing solution to assure permanency.

Marginal lines, standard certificates and approval forms shall be printed on the plat with a permanent black drawing ink. A print or photographic copy of the original drawing must be submitted with the original drawing.

**Comments:**

- 2) the size of each sheet shall be determined by the local governing body and shall be drawn with a marginal line, or printed when permitted by local ordinance, completely around each sheet and placed so as to leave at least a ½-inch margin on each sides and a 3-inch margin on the left side of the plat for binding purposes.

**Comments:**

- 3) When more than one sheet must be used to accurately portray the lands subdivided, and index or key map must be included and each sheet must show the particular number of that sheet and the total number of sheets included, as well as clearly labeled matchlines to show where other sheets match or adjoin.

**Comments:**

- 4) In all cases, the letter size and scale used shall be of sufficient size to show all detail. The scale shall be both stated and graphically illustrated by a graphic scale drawn on every sheet showing any portion of the lands subdivided.

**Comments:**

- 5) The name of the plat shall be shown in bold legible letters, as stated in s.177.051. The name of the subdivision shall be shown on each sheet included. The name of the professional surveyor and mapper or legal entity, along with the street and mailing address, must be shown on each sheet included.

**Comments:**

- 6) A prominent “north arrow” shall be drawn on every sheet included showing any portion of the lands subdivided. The bearing or azimuth reference shall be clearly stated on the face of the plat in the notes or legend, and, in all cases, the bearings used shall be referenced to some well established and monumented line.

**Comments:**

- 7) Permanent reference monuments must be placed at each corner or change in direction on the boundary of the lands being platted and may not be more than 1,400 feet apart. Where such corners are in an inaccessible place, “P.R.M.s” shall be set on a nearby offset within the boundary of the plat and such offset shall be so noted on the plat. Where corners are found to



coincide with a previously set "P.R.M.," the Florida registration number of the professional surveyor and mapper in responsible charge or the certificate of authorization number of the professional surveyor and mapper in responsible charge or the certificate of authorization number of the legal entity on the previously set "P.R.M." shall be shown on the new plat or, if unnumbered, shall so state, Permanent reference monuments shall be set before the recording of the plat. The "P.R.M.s" shall be shown on the plat by an appropriate symbol or designation.

**Comments:**

8) Permanent control points shall be set on the centerline of the right-of-way at the intersection and terminus of all streets, at each change of direction, and no more than 1,000 feet apart. Such "P.C.P.s" shall be shown on the plat by an appropriate symbol or designation. In those counties or municipalities that do not require subdivision improvements and do not accept bonds or escrow accounts to construct improvements, "P.C.P.s" may be set prior to the recording of the plat and must be set within 1 year of the date the plat was recorded. In the counties or municipalities that require subdivision improvements and have the means of insuring the construction of said improvements, such as bonding requirements, "P.C.P.s" must be set prior to the expiration of the bond or other surety. If the professional surveyor and mapper or legal entity of record is no longer in practice or is not available due to relocation, or when the contractual relationship between the subdivider and professional surveyor and mapper or legal entity has been terminated, the subdivided shall contract with a professional surveyor and mapper or legal entity in good standing to place the "P.C.P.s" within the time allotted.

**Comments:**

9) Monuments shall be set at all lot corners, points of intersection, and changes of direction of lines within the subdivision which do not require a "P.R.M."; however, a monument need not be set if a monument already exists at such corner, point, or change of direction or when a monument cannot be set due to a physical obstruction. In those counties or municipalities that do not require subdivision improvements and do not accept bonds or escrow accounts to construct improvements, monuments may be set prior to the recording of the plat and must be set at the lot corners before the transfer of the lot. In those counties or municipalities that require subdivision improvements and have the means of ensuring the construction of those improvements, such as bonding requirements, monuments shall be set prior to the expiration of the bond or other surety. If the professional surveyor and mapper or legal entity of record is no longer in practice or is not available due to relocation, or when the contractual relationship between the subdivider shall contract with a professional surveyor and mapper or legal entity in good standing who shall be allowed to place the monuments within the time allotted.

**Comments:**

10) The section, township, and range shall appear immediately under the name of the plat on each sheet included, along with the name of the city, town, village, county, and state in which the land being platted is situated.

**Comments:**

11) Each plat shall show a description of the lands subdivided, and the description shall be the same in the title certification. The description must be so complete that from it, without reference to the plat, the starting point and boundary can be determined.

**Comments:**

12) The dedications and approvals required by ss.177.071 and 177.081 must be shown.

**Comments:**

13) The circuit court clerk's certificate and the professional surveyor and mapper's seal and statement required by s. 177.061 shall be shown.

**Comments:**

14) All section lines and quarter section lines occurring within the subdivision shall be indicated by lines drawn upon the map or plat, with appropriate words and figures. If the description is by metes and bounds, all information called for, such as the point of commencement, course bearings and distances, and the point of beginning, shall be indicated. If the platted lands are in a land grant or are not included in the subdivision of government surveys, then the boundaries are to be defined by metes and bounds and courses.

**Comments:**

15) Location, width, and the names of all streets, waterways, or other rights-of-way shall be shown, as applicable.

**Comments:**

16) Location and width of proposed easements and existing easements identified in the title opinion or certification required by s. 177.041(2) shall be shown on the plat or in the notes or legend, and their intended use shall be clearly stated. Where easements are not coincident with property lines, they must be labeled with bearings and distances and tied to the principal lot, tract, or right-of-way.

**Comments:**

17) All contiguous properties shall be identified by subdivision title, plat book, and page, or, if unplatted, land shall be so designated. If the subdivision platted is a part or the whole of a previously recorded subdivision, sufficient ties shall be shown to controlling lines appearing on the earlier plat to permit an overlay to be made; the fact of its being a replat shall be stated as a subtitle under the name of the plat on each sheet included. The subtitle must state the name of the subdivision being replatted and the appropriate recording reference.

**Comments:**

18) All lots shall be numbered either by progressive numbers or if in blocks, progressively numbered in each block, and the blocks progressively numbered or lettered, except that blocks in numbered additions bearing the same name may be numbered consecutively throughout the several additions.



**Comments:**

19) Sufficient survey data shall be shown to positively describe the bounds of every lot, block, street easement, and all other areas shown on the plat. When any lot or portion of the subdivision is bounded by an irregular line, the major portion of that lot or subdivision shall be enclosed by a witness line showing complete data, with distances along all lines extended beyond the enclosure to the irregular boundary shown with as much certainty as can be determined or as “more or less,” if variable. Lot, block, street, and other dimensions except to irregular boundaries, shall be shown to a minimum of hundredths of feet. All measurements shall refer to horizontal plane and in accordance with the definition of the U.S. Survey foot or meter adopted by the National Institute of Standards and Technology. All measurements shall use the  $39.37/12 = 3.28083333333$  equation for conversion from a U.S. foot to meters.

**Comments:**

20) Curvilinear lot lines shall show the radii, arc distances, and central angles. Radial lines will be so designated. Direction of nonradial lines shall be indicated.

**Comments:**

21) Sufficient angles, bearings, or azimuth to show direction of all lines shall be shown, and all bearings, angles, or azimuth shall be shown to the nearest second of arc.

**Comments:**

22) The centerlines of all streets shall be shown as follows: noncurved lines: distances together with either angles, bearings, or azimuths; curved lines: arc distances, central angles, and radii, together with chord and chord bearing or azimuths.

**Comments:**

23) Park and recreation parcels as applicable shall be so designated.

**Comments:**

24) All interior excepted parcels as described in the description of the lands being subdivided shall be clearly indicated and labeled “Not a part of this plat.”

**Comments:**

25) The purpose of all areas dedicated must be clearly indicated or stated on the plat

**Comments:**

26) When it is not possible to show line or curve data information on the map, a tabular form may be used. The tabular data must appear on the sheet to which it applies.

**Comments:**

27) The plat shall include in a prominent place the following statement: “NOTICE: This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein

and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.”

**Comments:**

28) All platted utility easements shall provide that such easements shall also be easements for the construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas, or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission.

**Comments:**

29) A legend of all symbols and abbreviations shall be shown.

**Comments:**



675 West Indiantown Road  
Suite 200  
Jupiter, Florida 33458  
(561) 746-8454

January 02, 2024

Mr. Paul A. Buri, PE  
Simmons & White, Inc.  
2581 Metrocentre Blvd. Suite 3  
West Palm Beach, Florida 33407

**SUBJECT: CARETTA – PLAT REVIEW**

Dear Mr. Buri:

This is the third review of this proposed plat. This review is done to comply with the City of Juno Beach regulations and to check the legal description for closure and sufficiency. This review includes a review for compliance with Chapter 177.

We have reviewed the submitted plat for CARETTA and have the following comments:

**BOUNDARY SURVEY, TITLE CERTIFICATION, AND SITE PLAN:**

- 1.) Please provide a signed and sealed copy of the ALTA/NSPS Land Title Survey That was provided for this review.
- 2.) The site plan shows the deed dimensions along the property but is acceptable for this review.

**SHEET 1**

- 1.) In the Acknowledgement for the Mortgage’s Joiner and Consent the Name of Clifton Hill the president of Bank OZK has not been filled in but space has been provided for that to be filled in by hand. Therefore it is acceptable.

**SHEET 2**

- 1.) The necessary changes have been made

If you have any questions, please feel free to call me at any time.

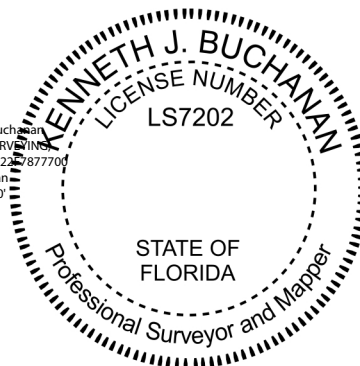
Sincerely,

LIDBERG LAND SURVEYING, INC.

Kenneth J  
Buchanan

By: Kenneth J Buchanan, P.S.M.  
Director of Land Surveying

Digitally signed by Kenneth J Buchanan  
DN: c=US, o=LIDBERG LAND SURVEYING, INC.,  
dnQualifier=A01410C00000180227877709  
03F8DB, cn=Kenneth J Buchanan  
Date: 2024.01.02 13:09:23 -05'00'





# CARETTA

## REPLAT OF A PORTION OF CHEVRON JUNO TRACT, RECORDED IN PLAT BOOK 58, PAGE 107, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AN UNPLATTED PORTION OF GOVERNMENT LOT 5, SECTION 21, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUNO BEACH, PALM BEACH COUNTY, FLORIDA.

### DEDICATION AND RESERVATION

KNOW ALL MEN BY THESE PRESENTS THAT JUNO POINT PROPERTY OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA, OWNER OF THE LAND SHOWN HEREON AS "CARETTA," BEING A REPLAT OF A PORTION OF CHEVRON JUNO TRACT, AS RECORDED IN PLAT BOOK 58, PAGE 107, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND AN UNPLATTED PORTION OF GOVERNMENT LOT 5, SECTION 21, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUNO BEACH, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

### LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOT 5, SECTION 21, TOWNSHIP 41 SOUTH, RANGE 43 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 21, THENCE SOUTH 01°14'37" WEST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 21, FOR A DISTANCE OF 2675.60 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 21; THENCE SOUTH 01°15'11" WEST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 21, FOR A DISTANCE OF 2676.40 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE SOUTH 87°54'10" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 21 AND THE CENTERLINE OF DONALD ROSS ROAD, FOR A DISTANCE OF 1346.43 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 5; THENCE NORTH 01°14'36" EAST, ALONG THE WEST LINE OF SAID GOVERNMENT LOT 5, FOR A DISTANCE OF 60.01 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE OF GOVERNMENT LOT 5 AND A LINE LYING 60.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES, THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF SECTION 21, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 01°14'36" EAST, ALONG SAID WEST LINE OF GOVERNMENT LOT 5, FOR A DISTANCE OF 429.89 FEET TO A POINT BEING THE INTERSECTION OF SAID WEST LINE OF GOVERNMENT LOT 5 AND A LINE BEING 850.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES, THE NORTH LINE OF SAID GOVERNMENT LOT 5; THENCE SOUTH 87°59'00" EAST, ALONG SAID LINE, FOR A DISTANCE OF 490.74 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF STATE ROAD NO. 5 ALSO KNOWN AS U.S. HIGHWAY NO. 1; THENCE SOUTH 15°20'06" EAST, ALONG SAID WEST RIGHT OF WAY LINE, FOR A DISTANCE OF 410.39 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE TO THE NORTHWEST, HAVING AS ITS ELEMENTS A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 107°25'55"; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, FOR A DISTANCE OF 56.25 FEET TO A POINT ON A LINE LYING 60.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES, THE SOUTH LINE OF SAID GOVERNMENT LOT 5, ALSO BEING SAID SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 21; THENCE NORTH 87°54'10" WEST, ALONG SAID LINE, A DISTANCE OF 578.66 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 5.475 ACRES, MORE OR LESS.

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

1. PARCEL A AS SHOWN HEREON IS HEREBY RESERVED FOR JUNO POINT PROPERTY OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY AUTHORIZED TO DO BUSINESS IN FLORIDA, ITS SUCCESSORS AND ASSIGNS, FOR PURPOSES CONSISTENT WITH THE ZONING REGULATIONS OF THE TOWN OF JUNO BEACH, FLORIDA AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID JUNO POINT PROPERTY OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY AUTHORIZED TO DO BUSINESS IN FLORIDA, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUNO BEACH, FLORIDA.

PARCEL A CONTAINS 5.410 ACRES, MORE OR LESS.

2. ADDITIONAL RIGHT-OF-WAY: TRACT R/W-1 AND TRACT R/W-2, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, FOR THE PERPETUAL USE OF THE PUBLIC FOR PUBLIC STREET PURPOSES.

ADDITIONAL RIGHT-OF-WAY: TRACT R/W-1 CONTAINS 0.041 ACRES, MORE OR LESS.  
ADDITIONAL RIGHT-OF-WAY: TRACT R/W-2 CONTAINS 0.024 ACRES, MORE OR LESS.

JUNO POINT PROPERTY OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AUTHORIZED TO DO BUSINESS IN FLORIDA.

BY: \_\_\_\_\_  
JAMES D. LETCHINGER,  
MANAGER

IN WITNESS WHEREOF, THE ABOVE NAMED DELAWARE LIMITED LIABILITY COMPANY, AUTHORIZED TO DO BUSINESS IN FLORIDA, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER, JAMES D. LETCHINGER, AND ITS COMPANY SEAL TO BE AFFIXED HEREON BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

WITNESS: \_\_\_\_\_ PRINTED NAME: \_\_\_\_\_

WITNESS: \_\_\_\_\_ PRINTED NAME: \_\_\_\_\_

### ACKNOWLEDGMENT

STATE OF: FLORIDA  
COUNTY OF: PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF \_\_\_\_\_ PHYSICAL PRESENCE OR \_\_\_\_\_ ONLINE NOTARIZATION, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY JAMES D. LETCHINGER, AS MANAGER FOR JUNO POINT PROPERTY OWNER, LLC, ON BEHALF OF THE COMPANY, WHO IS \_\_\_\_\_ PERSONALLY KNOWN TO ME OR HAS PRODUCED \_\_\_\_\_ (TYPE OF IDENTIFICATION) AS IDENTIFICATION.

MY COMMISSION EXPIRES: \_\_\_\_\_  
SIGNATURE \_\_\_\_\_  
\_\_\_\_\_  
(PRINTED NAME) - NOTARY PUBLIC SEAL

### TITLE CERTIFICATION

STATE OF: FLORIDA  
COUNTY OF: PALM BEACH

I, ANTHONY P. VERNACE, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED A TITLE SEARCH OF THE REAL PROPERTY DESCRIBED IN THIS PLAT OF CARETTA, AND THAT BASED ON SAID TITLE SEARCH: (1) RECORD TITLE TO SUCH PROPERTY IS IN THE NAME OF THE ENTITY EXECUTING THE DEDICATION ABOVE, NAMELY JUNO POINT PROPERTY OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY; (2) ALL TAXES HAVE BEEN PAID ON THE PROPERTY AS REQUIRED BY FLORIDA STATUTES; AND (3) ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE LISTED ON THE MORTGAGEE'S JOINDER AND CONSENT ON THIS PLAT; NAMELY THE MORTGAGE TO BANK OZK, RECORDED IN OFFICIAL RECORDS BOOK 33196, PAGE 544, AS MODIFIED BY SECOND MODIFICATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 34509, PAGE 1409, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

\_\_\_\_\_  
ANTHONY P. VERNACE  
FLORIDA BAR NUMBER 30626

### MORTGAGEE'S JOINDER AND CONSENT

STATE OF: \_\_\_\_\_  
COUNTY OF: \_\_\_\_\_

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE, UPON THE PROPERTY DESCRIBED HEREON AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY THE OWNER THEREOF AND AGREES THAT ITS MORTGAGE WHICH IS RECORDED IN OFFICIAL RECORD BOOK 33196 AT PAGE 544 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS AMENDED AND/OR OTHERWISE MODIFIED, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

BANK OZK  
AN ARKANSAS CORPORATION  
CLIFTON HILL  
PRESIDENT  
BY: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

WITNESS: \_\_\_\_\_ PRINTED NAME: \_\_\_\_\_

WITNESS: \_\_\_\_\_ PRINTED NAME: \_\_\_\_\_

### ACKNOWLEDGMENT

STATE OF: \_\_\_\_\_  
COUNTY OF: \_\_\_\_\_

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF \_\_\_\_\_ PHYSICAL PRESENCE OR \_\_\_\_\_ ONLINE NOTARIZATION, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY \_\_\_\_\_ AS \_\_\_\_\_ FOR \_\_\_\_\_ ON BEHALF OF THE COMPANY, WHO IS \_\_\_\_\_ PERSONALLY KNOWN TO ME OR HAS PRODUCED \_\_\_\_\_ (TYPE OF IDENTIFICATION) AS IDENTIFICATION.

MY COMMISSION EXPIRES: \_\_\_\_\_  
SIGNATURE \_\_\_\_\_  
\_\_\_\_\_  
(PRINTED NAME) - NOTARY PUBLIC SEAL

### TOWN OF JUNO BEACH APPROVAL

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO THE ORDINANCES OF THE TOWN OF JUNO BEACH, AND IN ACCORDANCE WITH SECTION 177.071 (2), FLORIDA STATUTES. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR AND MAPPER UNDER CONTRACT WITH THE TOWN OF JUNO BEACH, IN ACCORDANCE WITH SECTION 177.081 (1), FLORIDA STATUTES.

BY: \_\_\_\_\_  
DD HALPERN  
MAYOR

BY: \_\_\_\_\_ BY: \_\_\_\_\_ BY: \_\_\_\_\_  
CAITLIN E. COPELAND-RODRIGUEZ, CMC LEONARD G. RUBIN, ESQUIRE PAUL A. BURI, P.E.  
TOWN CLERK TORQVIA, DONLON, GODDEAU & RUBIN, P.A. SIMMONS & WHITE, INC.  
FL BAR NO. 861995 TOWN ATTORNEY TOWN CONSULTING ENGINEER

BY: \_\_\_\_\_  
KENNETH J. BUCHANAN, P.S.M.  
LINDBERG LAND SURVEYING, INC.  
TOWN CONSULTING SURVEYOR AND MAPPER

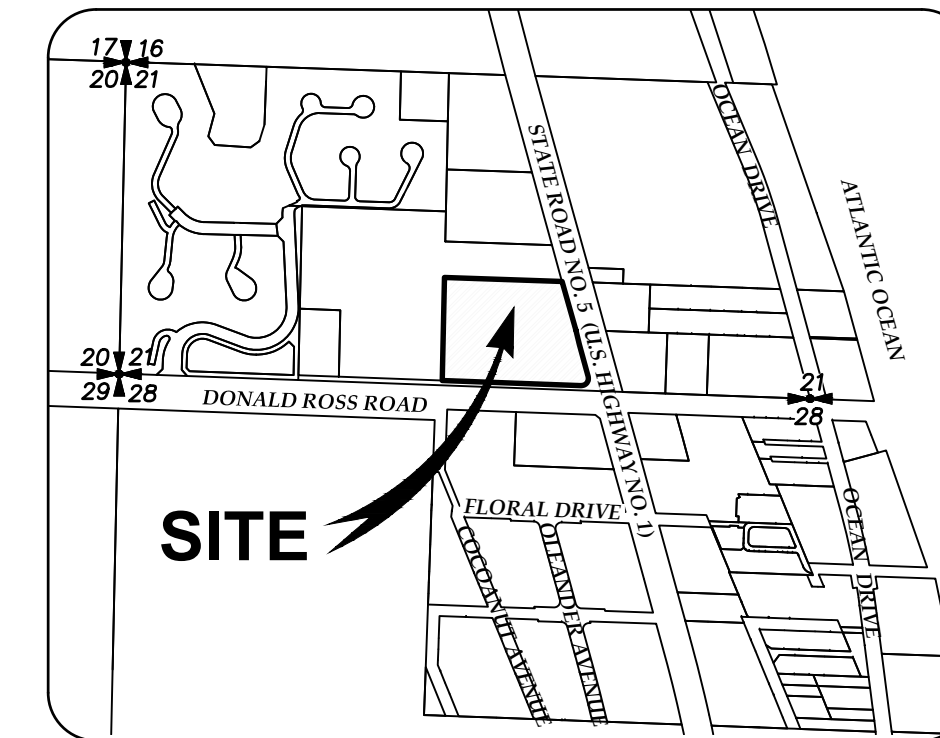
### SURVEYOR & MAPPER'S CERTIFICATE

THIS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER THE RESPONSIBLE DIRECTION AND SUPERVISION OF A PROFESSIONAL SURVEYOR & MAPPER; THAT SAID SURVEYOR & MAPPER IS EMPLOYED BY THE BELOW NAMED LEGAL ENTITY; THAT SAID PLAT IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.S"), AND MONUMENTS ACCORDING TO SECTION 177.091(9), FLORIDA STATUTES, HAVE BEEN PLACED AS REQUIRED BY LAW; AND FURTHER, THAT THE PLAT COMPLIES WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE TOWN OF JUNO BEACH, PALM BEACH COUNTY, FLORIDA.

Digitally signed by  
Alberto J Rabionet  
Date: 2024.01.04  
17:20:01 -05'00'

ALBERTO J. RABIONET, PSM, FOR THE FIRM  
PROFESSIONAL SURVEYOR AND MAPPER NO. 7218  
STATE OF FLORIDA DATE

MORTGAGE SEAL JUNO POINT PROPERTY OWNER, LLC SEAL SURVEYOR'S SEAL TOWN CONSULTING ENGINEER'S SEAL TOWN CONSULTING SURVEYOR & MAPPER'S SEAL



LOCATION MAP  
SCALE 1"= 800'

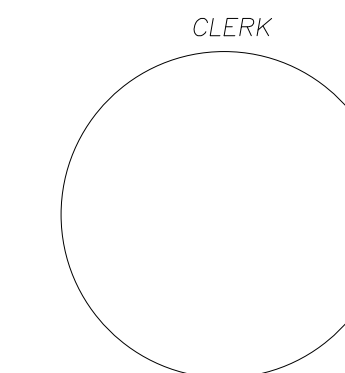


STATE OF FLORIDA  
COUNTY OF PALM BEACH S.S.

THIS INSTRUMENT WAS FILED FOR  
RECORD AT \_\_\_\_\_ M.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
2023 \_\_\_\_\_ AND DULY RECORDED  
IN PLAT BOOK No. \_\_\_\_\_  
\_\_\_\_\_ ON PAGE \_\_\_\_\_

JOSEPH ABRUZZO,  
CLERK AND COMPROLLER  
BY: \_\_\_\_\_, D.C.

SHEET 1 OF 2



### SURVEYORS NOTES

- 1. PERMANENT REFERENCE MONUMENTS SHOWN ARE STAMPED "PRM LB 0129".
- 2. THE BASIS OF BEARINGS IS THE SOUTH LINE OF THE S.W. 1/4 OF SECTION 21, HAVING A BEARING OF S87°54'10"E. ALL OTHER BEARINGS ARE RELATIVE THERETO.
- 3. NO BUILDING OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND THE TOWN CONSULTING ENGINEER.
- 4. NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY.
- 5. IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.
- 6. COORDINATES SHOWN HEREON ARE FLORIDA STATE PLANE GRID.  
DATUM = NORTH AMERICAN DATUM OF 1983 WITH THE 2011 ADJUSTMENT (NAD 83-11)  
ZONE = FLORIDA EAST ZONE  
LINEAR UNITS = U.S. SURVEY FEET  
COORDINATE SYSTEM = 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION  
ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED  
SCALE FACTOR: 1.00004932  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
- 7. RECORDING REFERENCES SHOWN HEREON REFERENCE THE PALM BEACH COUNTY PUBLIC RECORDS.
- 8. BUILDING SETBACK LINES SHALL BE AS REQUIRED BY CURRENT TOWN OF JUNO BEACH REGULATIONS.

### LEGEND:

- C = CENTERLINE
- D = DELTA (WHEN USED IN A CURVE)
- E = EASTING
- F.L. = FLORIDA
- LB = LICENSED BUSINESS
- L = ARC LENGTH
- N = NORTHING
- NO. = NUMBER
- N.W. = NORTHWEST
- ORB = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- PC. = PAGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- PRM = PERMANENT REFERENCE MONUMENT
- R = RADIUS
- R/W = RIGHT-OF-WAY
- SF = SQUARE FEET
- S.W. = SOUTHWEST
- U.S. = UNITED STATES
- ± = MORE OR LESS
- = PERMANENT REFERENCE MONUMENT (5/8 INCH REBAR AND CAP STAMPED "PRM LB 0129")
- = PERMANENT REFERENCE MONUMENT (NAIL AND WASHER STAMPED "PRM LB 0129")

THIS INSTRUMENT WAS PREPARED BY ALBERTO J. RABIONET, P.S.M. LS #7218 STATE OF FLORIDA.  
BISCAYNE ENGINEERING COMPANY, INC.  
529 WEST FLAGLER STREET, MIAMI, FL., 33130  
CERTIFICATE OF AUTHORIZATION NO. LB 0129

### JUNO POINTE

#### PREPARED BY:



BISCAYNE ENGINEERING COMPANY, INC. (LB 0129)  
529 WEST FLAGLER STREET, MIAMI, FL., 33130  
TEL. (305) 324-7671, FAX (305) 324-0809  
ORDER NO. 03-87618, DRAWING NO. DC-6636



# CARETTA

REPLAT OF A PORTION OF CHEVRON JUNO TRACT, RECORDED IN PLAT BOOK 58, PAGE 107, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AN UNPLATTED PORTION OF GOVERNMENT LOT 5, SECTION 21, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUNO BEACH, PALM BEACH COUNTY, FLORIDA.

P.O.C.  
N.W. CORNER OF SECTION 21,  
TOWNSHIP 41 SOUTH,  
RANGE 43 EAST  
N: 932699.80  
E: 961809.02

N.W. CORNER OF  
THE S.W. 1/4 OF  
SECTION 21,  
TOWNSHIP 41 SOUTH,  
RANGE 43 EAST  
N: 930024.84  
E: 961750.95

WEST LINE OF THE N.W. 1/4 OF SECTION 21,  
TOWNSHIP 41 SOUTH, RANGE 43 EAST

WEST LINE OF  
GOVERNMENT LOT 5

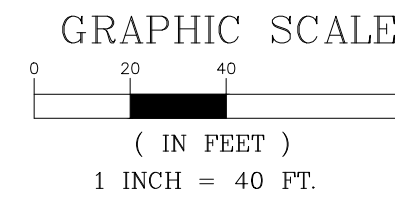
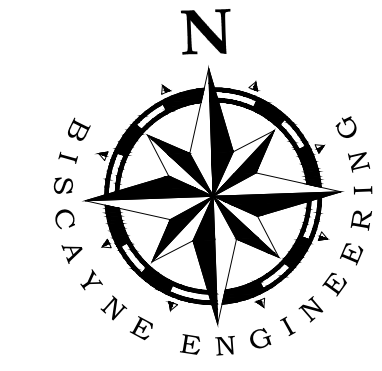
GOVERNMENT LOT 5  
PLAT OF PLAZA LA MER  
P.B. 59, PG. 168

SET PRM  
LB 0129  
N: 927789.59  
E: 963048.58

LIMITS OF PLAT

LIMITS OF PLAT

SET PRM  
LB 0129  
N: 927772.32  
E: 963539.02



STATE OF FLORIDA  
COUNTY OF PALM BEACH S.S.

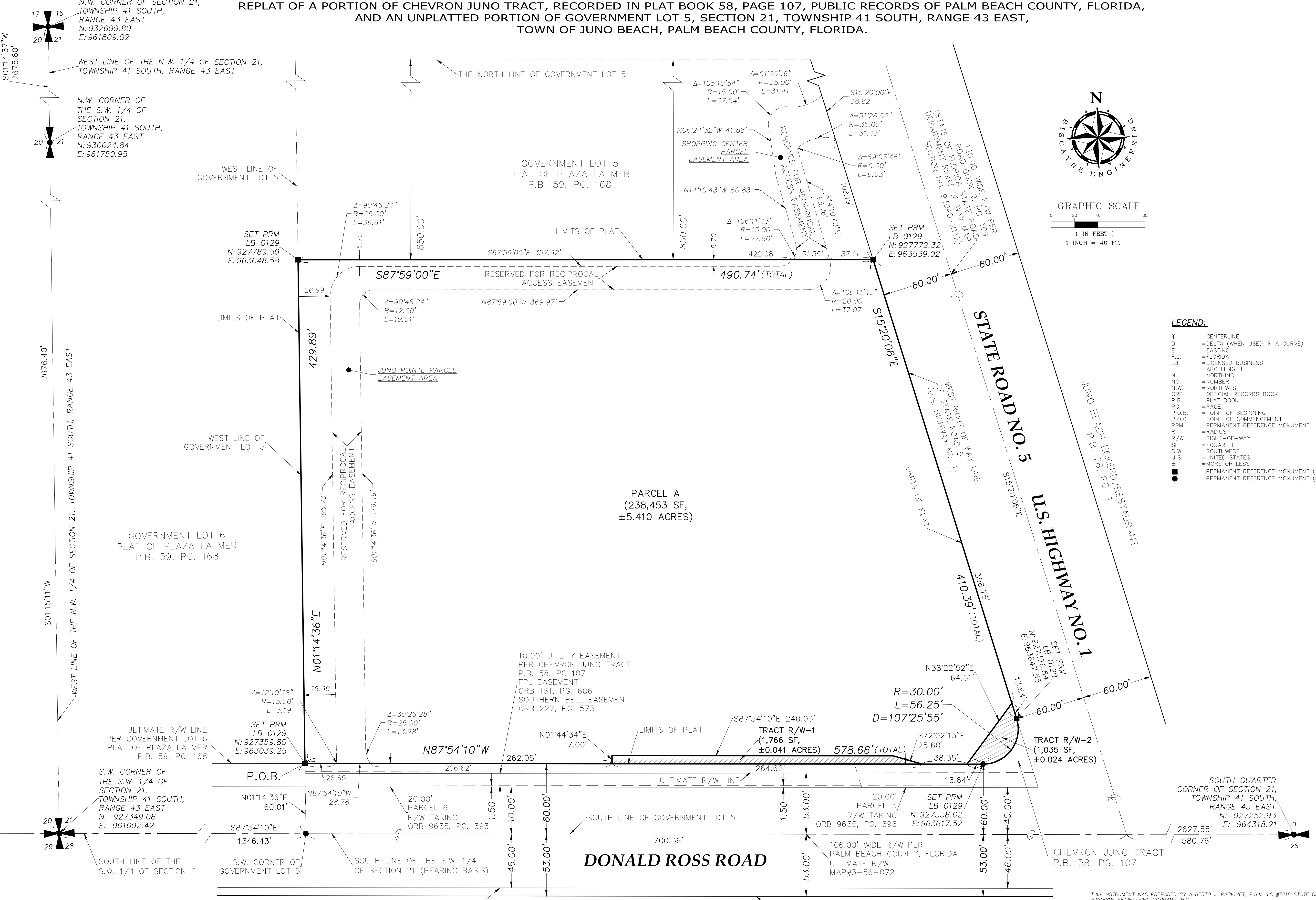
THIS INSTRUMENT WAS FILED FOR  
RECORD AT \_\_\_\_\_ M.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
2023 \_\_\_\_\_ AND DULY RECORDED  
IN PLAT BOOK No. \_\_\_\_\_  
\_\_\_\_\_ ON PAGE \_\_\_\_\_

JOSEPH ABRUZZO,  
CLERK AND COMPTROLLER  
BY: \_\_\_\_\_, D.C.

SHEET 2 OF 2

### LEGEND:

- ⊕ = CENTERLINE
- Δ = DELTA (WHEN USED IN A CURVE)
- E = EASTING
- FL = FLORIDA
- LB = LICENSED BUSINESS
- L = ARC LENGTH
- N = NORTHING
- NO. = NUMBER
- N.W. = NORTHWEST
- ORB = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- PG. = PAGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- PRM = PERMANENT REFERENCE MONUMENT
- R = RADIUS
- R/W = RIGHT-OF-WAY
- SF = SQUARE FEET
- S.W. = SOUTHWEST
- U.S. = UNITED STATES
- ± = MORE OR LESS
- = PERMANENT REFERENCE MONUMENT (5/8 INCH REBAR AND CAP STAMPED "PRM LB 0129")
- = PERMANENT REFERENCE MONUMENT (NAIL AND WASHER STAMPED "PRM LB 0129")



GOVERNMENT LOT 6  
PLAT OF PLAZA LA MER  
P.B. 59, PG. 168

PARCEL A  
(238,453 SF,  
±5.410 ACRES)

10.00' UTILITY EASEMENT  
PER CHEVRON JUNO TRACT  
P.B. 58, PG. 107  
FPL EASEMENT  
ORB 161, PG. 606  
SOUTHERN BELL EASEMENT  
ORB 227, PG. 573

**DONALD ROSS ROAD**

STATE ROAD NO. 5  
U.S. HIGHWAY NO. 1

JUNO BEACH EXTERIOR RESTAURANT

S.W. CORNER OF  
THE S.W. 1/4 OF  
SECTION 21,  
TOWNSHIP 41 SOUTH,  
RANGE 43 EAST  
N: 927349.08  
E: 961692.42

P.O.B.  
N: 927359.80  
E: 963039.25

SET PRM  
LB 0129  
N: 927338.62  
E: 963617.52

SOUTH QUARTER  
CORNER OF SECTION 21,  
TOWNSHIP 41 SOUTH,  
RANGE 43 EAST  
N: 927252.93  
E: 964318.21

THIS INSTRUMENT WAS PREPARED BY ALBERTO J. RABONET, P.S.M. LS #7218 STATE OF FLORIDA.  
BISCAYNE ENGINEERING COMPANY, INC.  
529 WEST FLAGLER STREET, MIAMI, FL., 33130  
CERTIFICATE OF AUTHORIZATION NO. LB 0129

**JUNO POINTE**

PREPARED BY:

**BISCAYNE ENGINEERING COMPANY, INC. (LB 0129)**  
529 WEST FLAGLER STREET, MIAMI, FL., 33130  
TEL. (305) 324-7671, FAX (305) 324-0809  
ORDER NO. 03-87618, DRAWING NO. DC-6636



**Meeting Name:** Planning and Zoning Board (Architectural Review Board)

**Meeting Date:** January 17, 2024

**Prepared By:** Curt Thompson, Principal Planner

**Item Title:** Appearance Review – 479 Ocean Ridge Way

### **BACKGROUND:**

The Town has received an application for appearance review from Mr. and Mrs. Kassir (property owner) regarding vacant property located at 479 Ocean Ridge Way (“Property”). The Property is zoned Residential Transient and Multiple-Family-Moderate Density (RMT) with a Future Land Use classification of Moderate Density Residential (MODR) (up to 15 DU/AC). The property is located within the Ocean Winds of Juno Beach Replat (according to the Palm Beach County Property Appraiser’s Records).



**479 Ocean Ridge Way (Applicant’s/Subject Property in Red)**



**DISCUSSION:**

The Applicant is seeking to construct a 4,706 square foot three-story single-family residence, consisting of three (3) bedrooms and four ½ bathrooms. Section 34-116(3) (b) (items 2 through 7) of the Town's Zoning Code requires the Planning and Zoning Board (acting as the Architectural Review Board) to determine whether the proposed residence meets the criteria below. For the Board's review and consideration, staff has provided its professional opinion to the Appearance Review Criteria (staff response is in **bold**). In addition, the applicant's response(s) to the below criteria are listed in the back-up material(s).

Appearance Review Criteria

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.

**The area of the lot is +/-8,177 square feet, the proposed lot coverage shall be +/- 1,866.91 sq. ft. or 23% which complies with the Town's Zoning Code requirement for lot coverage per Section 34-337 (14). The home is designed to be a three-story structure and is planned to be +/- 47 feet, 1 3/8" inches in height.**

**Staff conducted a review of residential structures along Ocean Ridge Way from 483 to 479 Ocean Ridge Way where the applicant's property is located, and observed the following:**



**483 Ocean Ridge Way - Front**



**483 Ocean Rise Way – Front & Side**



**481 Ocean Ridge Way – Front**





**481 Ocean Ridge Way - Side**

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>Exterior Wall</i>	<i>Roof Structure</i>	<i>Roof Cover</i>	<i>Total Square Feet</i>	<i>Square Feet Under Air</i>	<i>Story</i>
483 Ocean Ridge Way	2019	CBS	Wood Truss	Concrete Tile	5787	3730	3
481 Ocean Ridge Way	2021	CBS	Wood Truss	Concrete Tile	7552	5543	3
*479 Ocean Ridge Way	2024	CBS	Wood Truss	Concrete Tile	4706	3044	3

\* Applicant

Staff would like the Board to note the following similarities: each residence shall be 3 story in height; each structure is oriented toward Ocean Ridge Way; each structure is located within the center of each lot; each property has landscaping design to provide privacy and minimize potential adverse impacts to their neighbors.

According to the table above, the overall square footage of the proposed residence will be within the range of the total square footage of the structures along Ocean Ridge Way (Proportion). Thus, the visual effect of the new residence appears to be compatible with the two existing structures along Ocean Ridge Way. Additionally, the proposed garage is designed to be proportionate to the two existing residences east of the site. Third, the proposed residence (+/- 4,706 square feet) would result in the applicant’s proposed residence being designed to be compatible in total square footage with the other single-family homes along (as indicated in the table above) Ocean Ridge Way (Scale).

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;

According to the applicant, the elevator shaft of the home shall be designed within the interior of the house and shall not be visible on the exterior. The stair well shaft is planned to be a major design component of the house and incorporates both glass and wood siding and culminates in a pitched roof with overhangs. All other mechanical and pool equipment shall be located on the side of the house and shall be screened from view with a site wall as well as landscaping.

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;

**The applicant's architect indicated that accessory features such as light fixtures will be selected to be compatible in design material, and color to the design of the residence.**

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;

**The height of this building shall be +/- 47 feet, 1 3/8 inches and appears to be designed as horizontal rather than vertical.**

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

**According to the applicant, all mechanical equipment is planned to be located on the west side of the residence along the garage wall, away from all neighboring residences and shall be screened from view by both a small site wall and landscaping. In addition, there is an existing 8 foot high concrete site wall that surrounds the property on the North and West side of the property which separates the site from the existing hotel parking lot on the other side of the wall.**

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

**The applicant has indicated that all design elements of this project shall comply with Article IV, Division 14, Chapter 34 of the Juno Beach Zoning Code.**

**RECOMMENDATION:**

Staff recommends that the Planning and Zoning Board (acting as the Architectural Review Board) review the information that has been provided, and consider approval or denial, or approval with modifications, for the construction of a new three-story single-family residence in the RMT Zoning District, to be located at 479 Ocean Ridge Way.

Attachment(s):

1. Architectural Review Board Application and backup material

Zoning Code Reference(s):

1. Division 4. Site Plan and Appearance Review - Section 34-116 (b) (2 through 7)

Link:

[https://library.municode.com/fl/juno\\_beach/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH34ZO\\_ARTIADEN\\_DIV4SIPLAPRE\\_S34-116RECR](https://library.municode.com/fl/juno_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH34ZO_ARTIADEN_DIV4SIPLAPRE_S34-116RECR)

2. Division 5. Residential, Transient and Multiple-Family-Moderate Density (RMT) Zoning District – Section 34-337

Link:

[https://library.municode.com/fl/juno\\_beach/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH34ZO\\_ARTIIDIRE\\_DIV5RETRMUMIODDERMZODI\\_S34-337BUSIARRE](https://library.municode.com/fl/juno_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH34ZO_ARTIIDIRE_DIV5RETRMUMIODDERMZODI_S34-337BUSIARRE)







**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.

### Architectural Review Board Application

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, with the submittal deadline being on the Monday twenty-eight (28) days prior to the meeting, all comments shall be addressed fourteen (14) days prior to the meeting. A pre-application meeting with staff is required prior to the submittal of the application.

Date: 11/02/2023 Building Permit #: \_\_\_\_\_

Project Address: 479 Ocean Ridge Way, Juno Beach, FL 33408  
Property Control Number: 28-43-41-28-64-000-0010 Zoning District: RMT

Description of Request: (please provide a brief, comprehensive and summarized description of the proposed project below). Proposed single family residence on an existing empty lot.  
The proposed new build is 3,044 s.f. under air (4,706 total, including exterior balconies).  
The style of the proposed residence is a combination of Key West Cracker and Modern.

Design Professional Name: Kelly Yates License #: AR13706  
Phone Number: 561-653-8280 E-mail: kelly@yatesarchitecture.com

Construction Company Name: Villa Franca Design and Development  
Phone Number: 561-575-2288 E-mail: villafrancahomes@gmail.com

Property Owner's Name: Ocean Horizon Properties of Florida LLC  
Owner's Address (if different from project address): 507 N Birdneck Rd  
Phone Number: 757-491-0044 E-mail: dkassir@ohpva.com

Applicant/Owner signature: Kelly Yates Digitally signed by Kelly Yates  
Date: 2023.11.02 11:38:08 -04'00' Date: 11/2/2023  
Printed Name: Kelly Yates - Yates Associates Architecture Title: President

#### Application Check List:

- Pre-application meeting.
- Written description that clearly conveys what is existing, what is being proposed, and how the project meets code section 34-116 Appearance Review criteria. (See page #2).
- Color photos of existing property.
- 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.



Town of Juno Beach  
Planning and Zoning Board (Architectural Review Board)  
340 Ocean Drive  
Juno Beach, FL 33408

## **479 Ocean Ridge Way -new build**

### **Background**

There are currently 3 single family parcels in the entire neighborhood. These lots were previously platted for 6 townhomes. In 2009, when the property went into foreclosure, Debrah and Bill Kassir bought the property through their real estate investment company, Ocean Horizon Properties of Florida, LLC.

Being longtime residents of Juno Beach, the Kassirs decided the best use of the property was to decrease the Density, and create 3 single family residences instead of the already approved 6 units. They built a 3 story residence at 483 Ocean Ridge in 2019 for themselves. In 2021 they sold the middle parcel, and a 3 story home was built at 481 Ocean Ridge Way. Now in 2023, they feel the time is right to finish out the development and build the final home at 479 Ocean Ridge Way.

### **Appearance review Criteria**

#### **1. Architectural style**

The proposed Architectural style is a combination (modern / key west cracker)

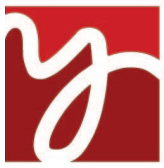
The proposed residence combines the relaxed, beachy vibe of key west cracker architecture with the clean, sleek lines of midcentury modern design which results in a unique and appealing architectural style.

Some of the inspiration taken from the old Florida style include simple pitched roofs with overhangs for shade, open air balconies, stucco siding with wood siding accents.

Midcentury modern homes often feature open floor plans with a seamless flow between indoor and outdoor spaces. Incorporating this concept into a key west cracker inspired home by adding large windows and French style doors that connect the interior living spaces to outdoor porches and decks. This allows for plenty of natural light and ventilation while embracing the tropical climate.

We are embracing the midcentury modern minimalist aesthetic by using simple, clean lines, while giving a nod to the rustic elements of key west cracker home by using light pastel colors with the use of rustic wood and stone accents.

The hardscape selection evokes a more modern aesthetic by using a mix of light gray pavers at the driveway and a mix of gray and light grey paving at the pool patio. The choice of a gray paver creates a sleek and stylish aesthetic that complements the roof and fascia material and creates a contrast with the Greek villa white scheme of the main body of the residence.



## 2. Harmony

The new home is of a design and proportion which enhances and is in harmony with the existing neighborhood

1. **Architectural Style:** The new home complements the prevailing style of the neighborhood. Not by looking exactly like the existing two houses, but by the use of similar elements such as roof shapes and roofing materials, window styles, open balconies and similar heights, scale, site orientation and overall form.
2. **Proportions:** The proportions of the new home are in line with the neighboring structures which helps maintain a cohesive and aesthetically pleasing streetscape. The new house maintains the same or similar setbacks, scale, mass and bulk as the existing houses. We enhance the proportion and bulk of the house by stepping each level back as the house goes vertical, as opposed to creating a 3 story mass right at the front setback.
3. **Mass:** Mass involves considerations of the size, shape, and distribution of materials. The size and shape of the house is relatively small compared to the other houses in the neighborhood. As the house gains height, the volume or shape of the spaces get smaller, culminating in in a relatively small flat roof area. The distribution of varying materials of glass, stone and wood siding is sprinkled proportionally throughout the design.
4. **Bulk:** Bulk describes the overall volume and considers the physical space the building occupies. The bulk of the ground floor of the house is punctuated by the 3 glass doors of the garage and the open air covered parking making it seem less bulky than it actually is. The second floor begins to step back along the garage and then it steps back again at the third floor making the the bulk of the house increasingly smaller as it increases in height. In addition, the glass and wood adorned stairwell and a stone clad vertical plane supporting a small glass railed balcony bisecting the main volume of the house create interest and intrigue.
5. **Materials:** Using materials that are consistent with or complementary to those used in the neighborhood, integrates the new home visually with its surroundings.
6. **Color Palette:** The new home has a color scheme that is harmonized with the existing neighborhood.
7. **Landscaping:** using native landscaping as well as other landscape elements that are common in the neighborhood enhances the overall harmony.
8. **Scale:** The scale of the new home is consistent with the other two houses in the neighborhood. They are all three story structures. The house at 481 Ocean Ridge has a Tower element as does the house we are proposing.

## 3. Elevator and Stairwell shafts

The elevator shaft of the home is designed within the interior of the house and is not visible on the exterior. The stair well shaft is a major design component of the house and incorporates both glass and wood siding and culminates in a pitched roof with overhangs which is reminiscent of both modern and key west cracker styles. All other mechanical and pool equipment is located on the side of the house and is shielded from view with a site wall as well as landscaping.





**4. On site structures and accessory features.**

Accessory features such as light fixtures will be selected that will be compatible in design, material and color to design of the residence. Other items identified in this section are not applicable to this project.

**5. Buildings over 40 feet**

The height of the proposed design from finish grade is 39'-6" and does not pertain to this section.

**6. Mechanical Equipment**

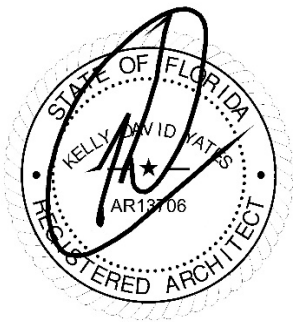
All mechanical equipment is located on the West side of the house along the garage wall, away from all neighboring residences and is shielded from view by both a small site wall and landscaping. In addition, there is an existing 8'-0" concrete site wall that surrounds the property on the North and West side which separate the site from the existing hotel parking lot on the other side of the wall.

**7. Community appearance standards.**

All design elements of this project shall comply with Article IV, division 14, Chapter 34 of the Juno Beach Zoning Code.

Thank You for your time and consideration.

Respectfully submitted,

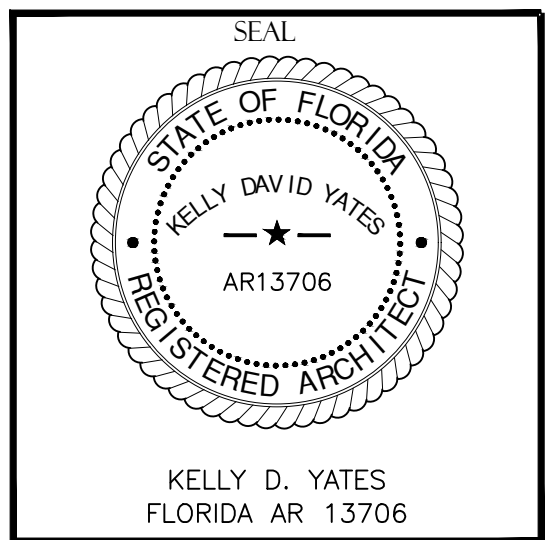


Kelly D. Yates, R.A.  
Yates + Associates Architecture, Inc.  
State of Florida Registered Architect #AR-13706

DATE: AUGUST 1, 2020  
 JOB NO: 20-0741  
 DESIGN BY: K.D.Y.  
 DRAWN BY: D.C.M.  
 APPROVED: K.D.Y.  
 REVISIONS:

A PROPOSED PROJECT FOR:  
**OCEAN HORIZON PROPERTIES**  
 OCEAN RIDGE WAY  
 JUNO BEACH  
 FLORIDA

REVIEW BOARD  
 11-14-2023

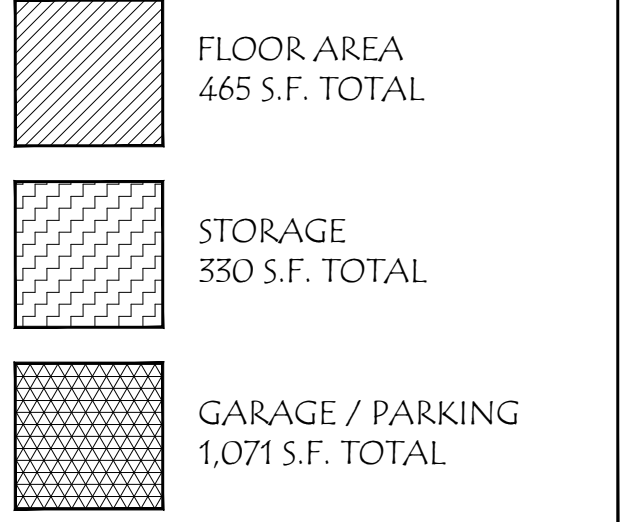


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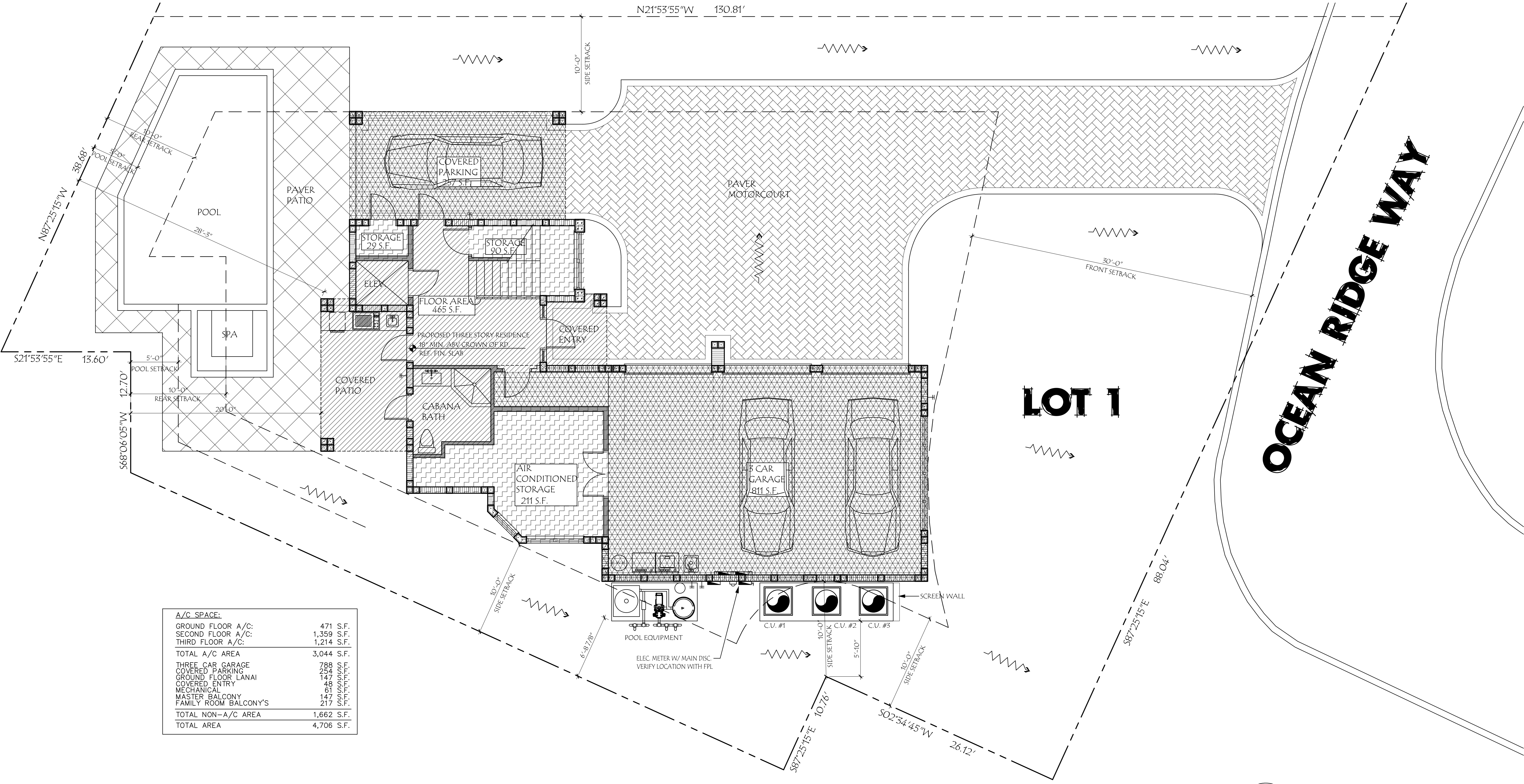
SHEET NO.  
**A-1**  
 OF 1 SHTS  
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SITE DATA	
ZONING:	RMT - RESIDENTIAL TRANSIENT # MULTIPLE FAMILY MODERATE DENSITY
FRONT SETBACK:	30 FT. FROM STREET LINE
SIDE YARD SETBACK:	10 FT. PER SIDE
REAR YARD SETBACK:	10 FT.
BUILDING HEIGHT:	3 STORIES - 40 FT (UPON REQUEST)
MAXIMUM LOT COVERAGE:	35%
MINIMUM LANDSCAPED OPEN SPACE:	20%
TOTAL GROUND FLOOR BUILDING AREA:	1,863 S.F. (100 %)
FLOOR AREA:	465 S.F. (25 %)
STORAGE:	330 S.F. (18 %)
GARAGE AND COVERED PARKING:	1,068 S.F. (57 %)
(330 S.F. + 1,068 S.F. + 1,863 S.F. =	75.04 %)
GARAGE / OPEN AREA TO TOTAL BUILDING FOOTPRINT:	75.0%
TOTAL LOT AREA:	8,117 S.F.
LOT COVERAGE:	23.0%
OPEN SPACE / LANDSCAPE AREA:	3,628 S.F.
OPEN SPACE PERCENTAGE:	45.0%

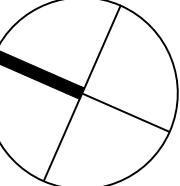


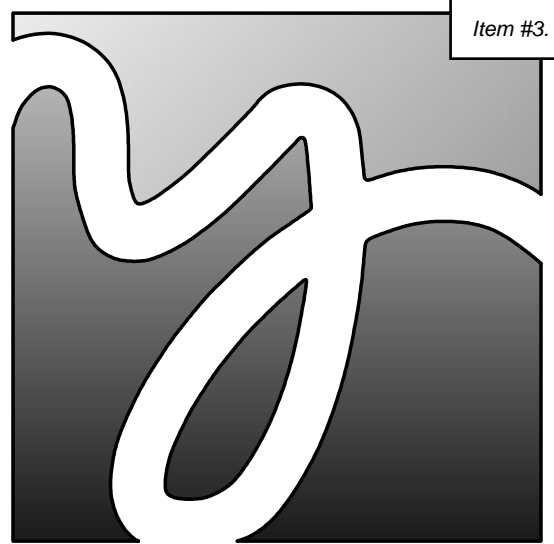
	RMT - REQUIRED / ALLOWED (479 OCEAN RIDGE WAY)	RMT - PROPOSED (479 OCEAN RIDGE WAY)
	MINIMUM LOT AREA	10,000 S.F.
MINIMUM LOT WIDTH	75 FT.	88 FT.
MINIMUM LOT DEPTH	100 FT.	120 FT.
MAXIMUM DENSITY	4 UNITS / ACRE	N/A
MINIMUM FRONT SETBACK	30 FT. FROM STREET LINE	30 FT. FROM STREET LINE
MINIMUM SIDE SETBACK	10 FT. PER SIDE	10 FT. PER SIDE
MINIMUM REAR SETBACK	10 FT.	20 FT.
MINIMUM FLOOR SPACE PER UNIT	3 BEDROOM - 1,400 S.F.	3,044 S.F.
MAXIMUM BUILDING HEIGHT	2 STORIES / 30 FT. **3 STORIES / 40 FT. UPON REQUEST WHERE COMBINATION OF PARKING AND STORAGE IS AT LEAST 75% OF FLOOR AREA	**39'-6"
MAXIMUM TOWER HEIGHT	NONE, BUT MUST BE IN PROPORTION WITH REST OF BUILDING	47'-1"
MAXIMUM TOWER AREA	225 S.F.	139 S.F.
MAXIMUM LOT COVERAGE	35%	23%
MINIMUM LANDSCAPED OPEN AREA	20% OF LOT AREA	45%
MAXIMUM BUILDING DIMENSION	150 FT.	63'-8"
MINIMUM PARKING REQUIREMENTS	2 SPACES PER UNIT	4 SPACES



A/C SPACE:	
GROUND FLOOR A/C:	471 S.F.
SECOND FLOOR A/C:	1,359 S.F.
THIRD FLOOR A/C:	1,214 S.F.
TOTAL A/C AREA:	3,044 S.F.
THREE CAR GARAGE:	788 S.F.
COVERED PARKING:	254 S.F.
GROUND FLOOR LANAI:	147 S.F.
COVERED ENTRY:	48 S.F.
MECHANICAL:	61 S.F.
MASTER BALCONY:	147 S.F.
FAMILY ROOM BALCONY'S:	217 S.F.
TOTAL NON-A/C AREA:	1,662 S.F.
TOTAL AREA:	4,706 S.F.

**SITE PLAN**  
 SCALE : 3/16" = 1'-0"





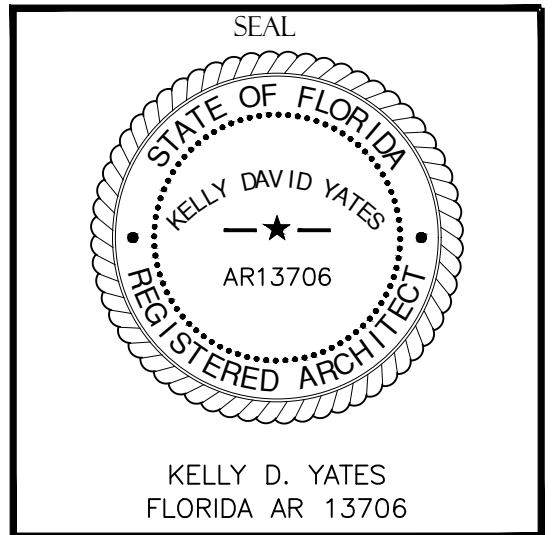
YATES ASSOCIATES ARCHITECTURE INC.

AA-26001673  
330 CLEMATIS ST, SUITE 210  
WEST PALM BEACH, FL 33401  
TEL: 561-653-8280 FAX: 561-653-8279  
WWW.YATESARCHITECTURE.COM

DATE: AUGUST 1, 2020  
JOB NO: 20-0741  
DESIGN BY: K.D.Y.  
DRAWN BY: D.C.M.  
APPROVED: K.D.Y.  
REVISIONS:

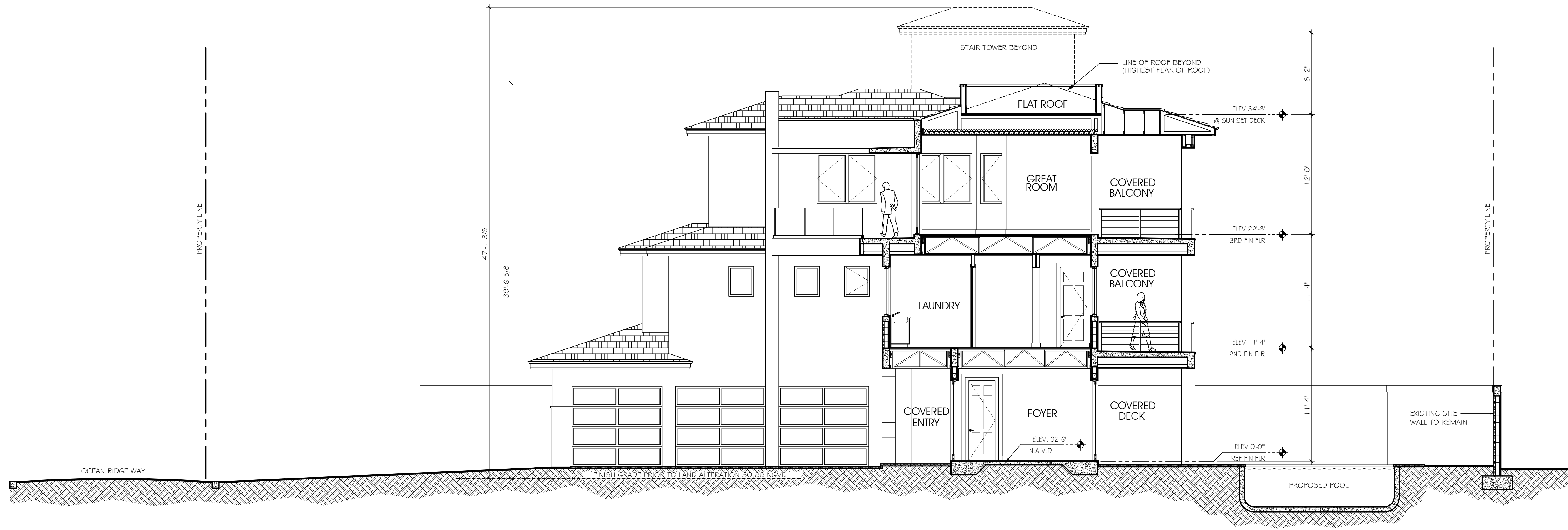
A PROPOSED PROJECT FOR:  
**OCEAN HORIZON PROPERTIES**  
OCEAN RIDGE WAY  
JUNO BEACH  
FLORIDA

REVIEW BOARD  
11-14-2023



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OF 1 SHTS  
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SITE SECTION THROUGH CENTER OF HOUSE

SCALE : 1/4" = 1'-0"

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772-286-2924  
 Fx 772-286-1417  
 4016 SW Moore St  
 Palm City, FL 34990  
 floridaexotics@hughes.net

Villa Franca Design & Development  
 Kassir Lot 1  
 Ocean Ridge Way

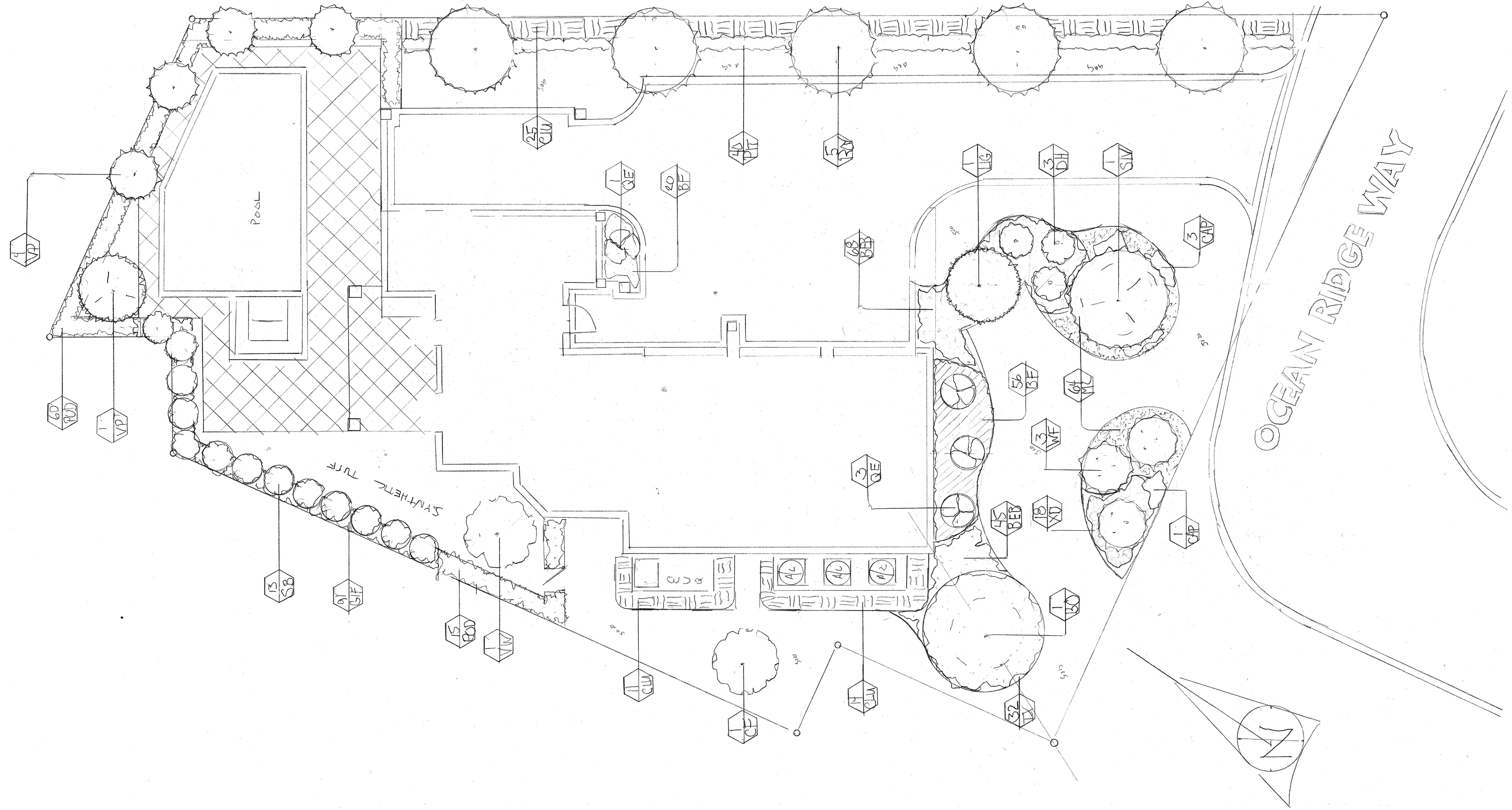
Landscape Plan

Revisions \_\_\_\_\_  
 Approved: \_\_\_\_\_  
 Date: \_\_\_\_\_

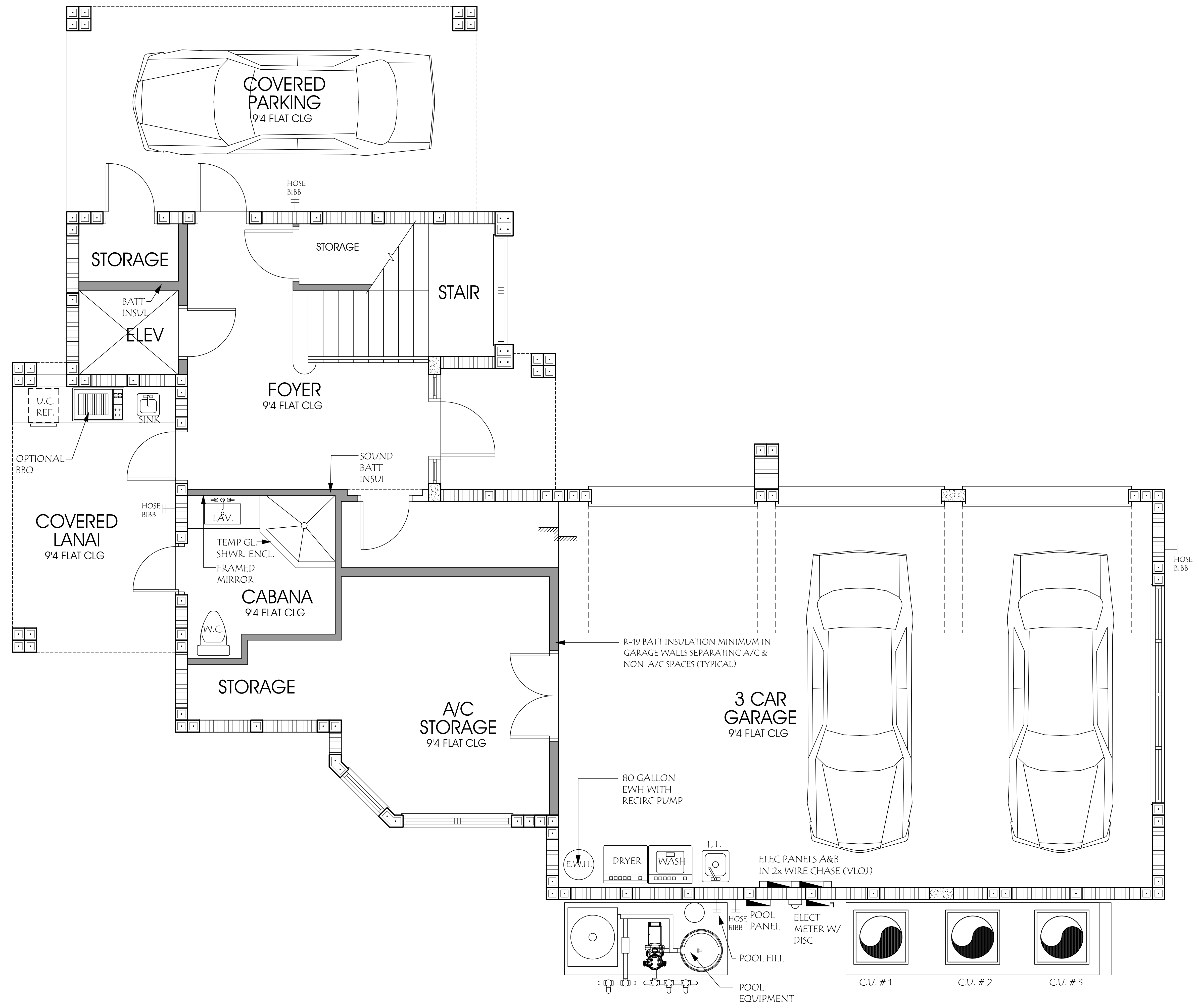
A-2



QTY	RV	Botanical Name	Common Name	Size
4	VP	Ravenswing	Iron Palm	14' OA
1	VP	Varecia moutongensis	Montgomery Palm	14' OA
13	SB	Conocarpus erectus sericeus	Silver Buttonwood	10' OA
1	CF	Bulnesia arborea	Verawood	12' OA
1	BD	Calophyllum brasiliense	Shiny Lady black olive	14' OA
1	RV	Bucca buerera	Shiny Lady palm	15' OA
1	RV	Procytis bracteata	Shiny Lady palm	15' OA
1	LV	Ligustrum japonicum	Ligustrum	11.5' G.W.
4	OE	Crinum agatum	Queen Emma / Crinum Lily	8'x8'
3	OE	Landscapa boulders	Landscapa Cap Rock Boulders	4'x4'
3	DH	Dioon spinulosum	Dioon	7'G
32	IX	Ilex	Ilex	3'G
13	BE	Boussingoua	Bowwood Emerald Blinnet	3'G
15	BE	Boussingoua	Bowwood Emerald Blinnet	3'G
64	MN	Manisotia	Manisotia	3'G
4	MN	Manisotia	Manisotia	3'G
40	PIT	Pittosporum tobira 'Variegata'	Variegated Pittosporum	3'G
18	XP	Philodendron	Manadu	3'G
50	CLU	Clusia gottifera	Small Leaf Clusia	15'G
75	POD	Podocarpus macrophyllus	Podocarpus Makii	15'G
93	GF	Green Island	Green Island	3'G
100	MOUL	Dark Brown Mulch	Dark Brown Mulch	3'G







**GROUND FLOOR PLAN**

SCALE : 3/8" = 1'-0"

Item #3

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 WWW.YATESARCHITECTURE.COM

DATE: AUGUST 1, 2020  
 JOB NO: 20-0741  
 DESIGN BY: K.D.Y.  
 DRAWN BY: D.C.M.  
 APPROVED: K.D.Y.  
 REVISIONS:

A PROPOSED PROJECT FOR:  
**OCEAN HORIZON PROPERTIES**  
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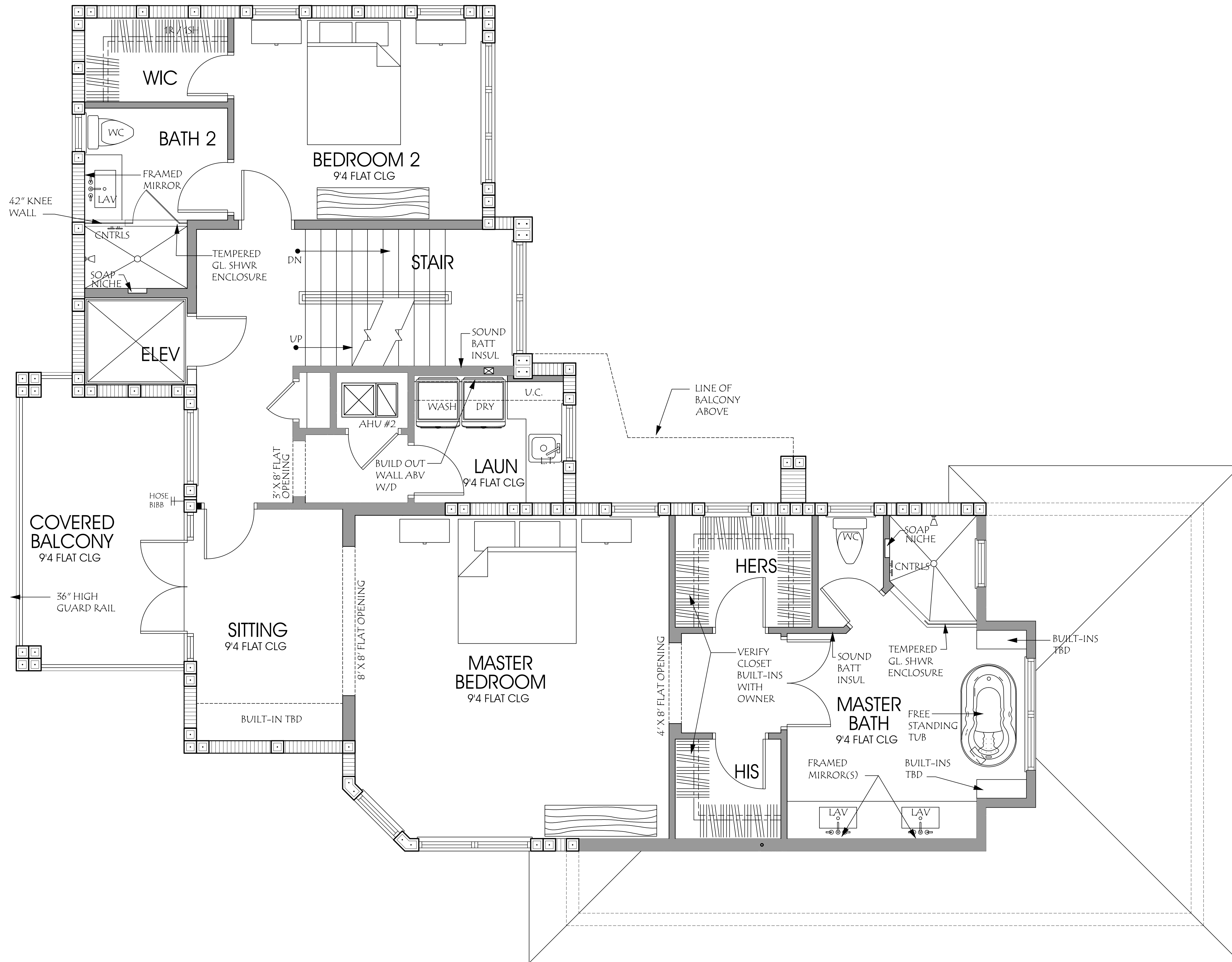
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 FLORIDA AR 13706

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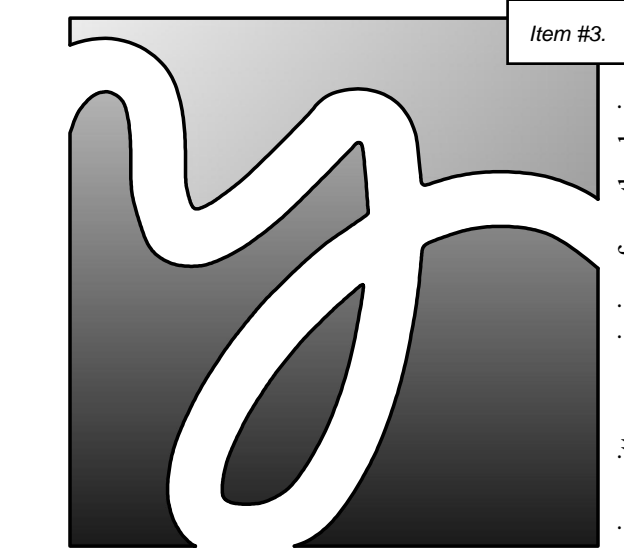
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**SECOND FLOOR PLAN**

SCALE : 3/8" = 1'-0"



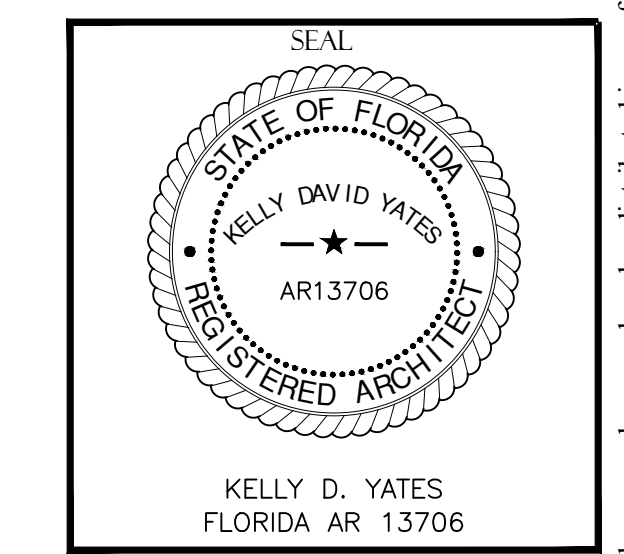
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APPROVED: K.D.Y.  
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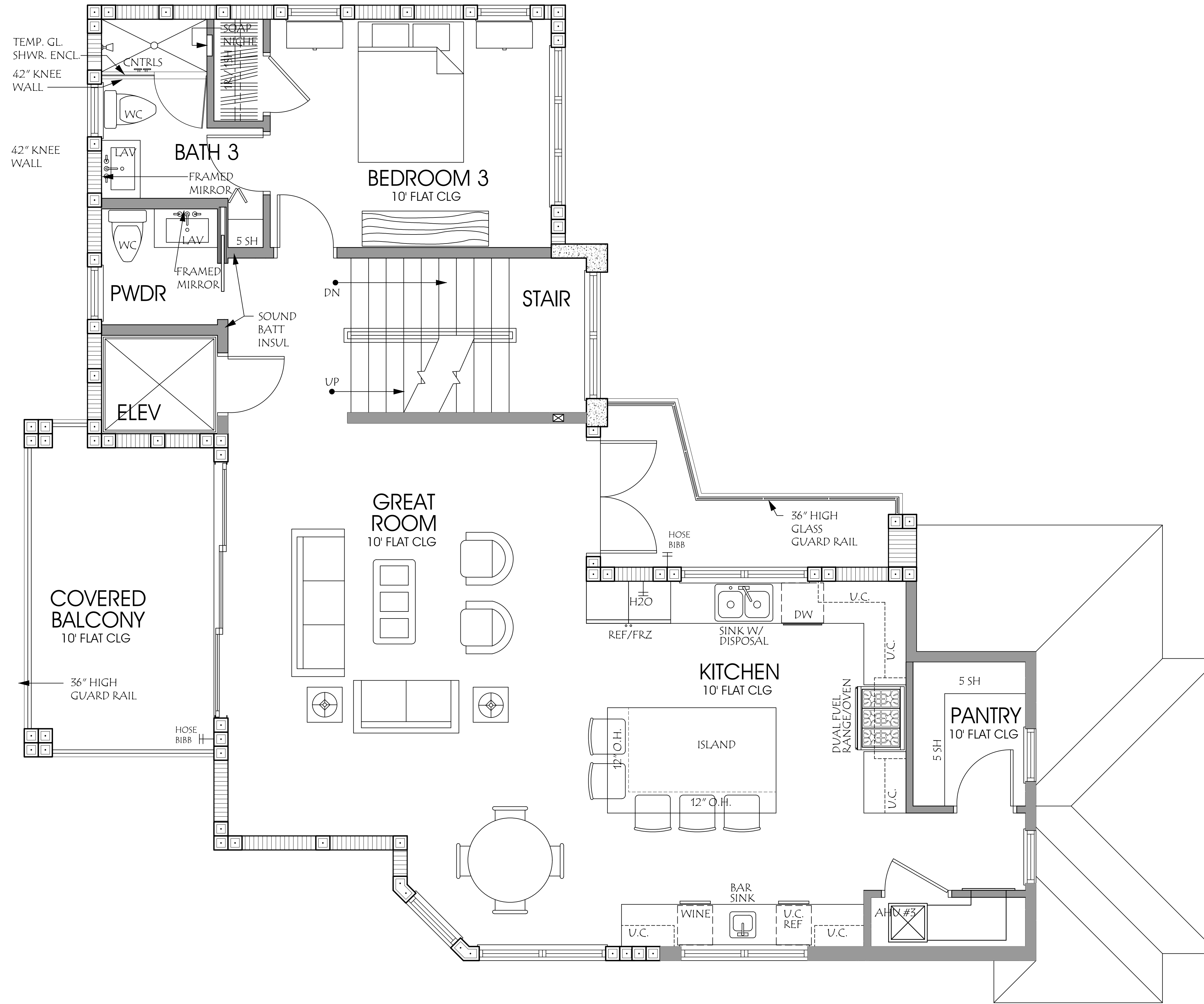


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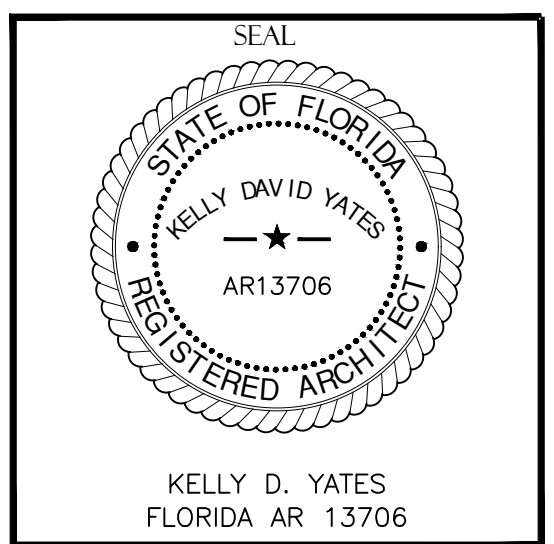
**THIRD FLOOR PLAN**

SCALE : 3/8" = 1'-0"

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 DRAWN BY: D.C.M.  
 APPROVED: K.D.Y.  
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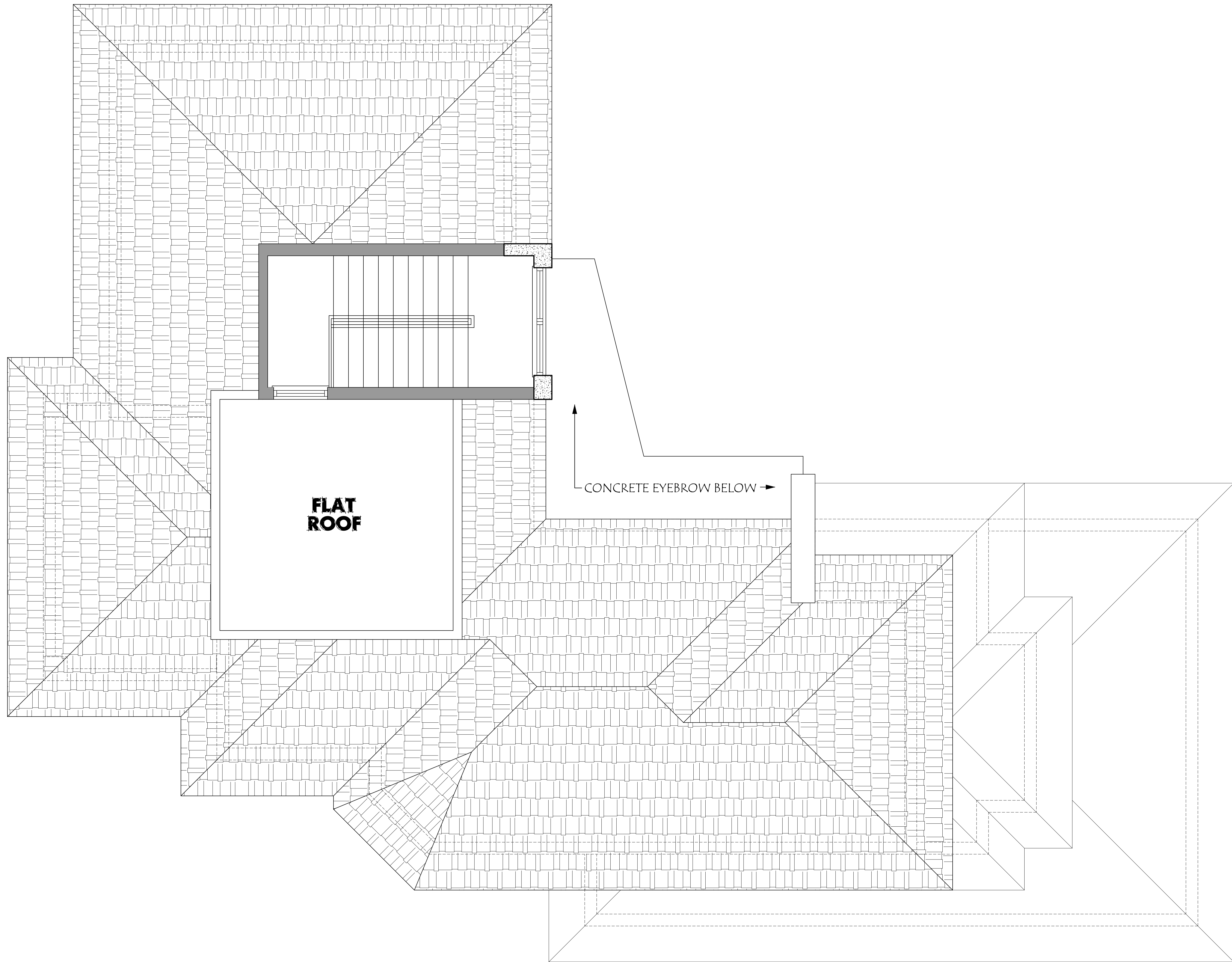
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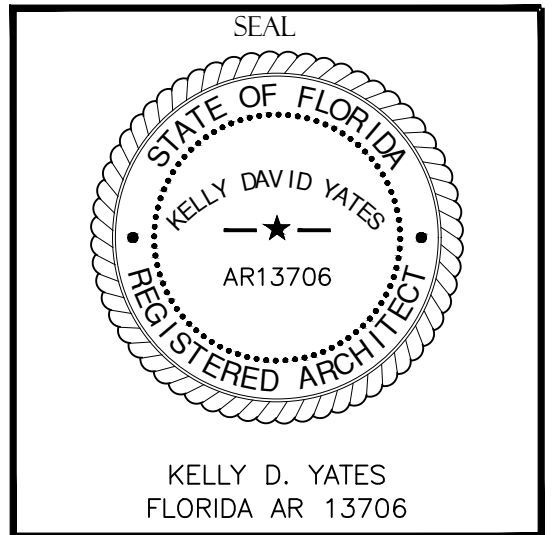
**ROOF PLAN**

SCALE : 3/8" = 1'-0"

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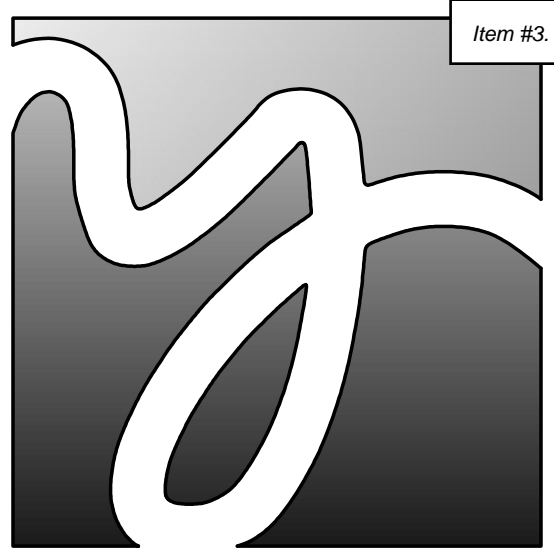
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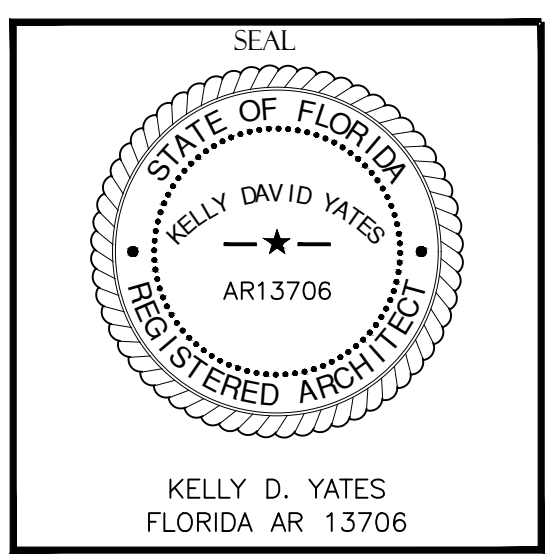
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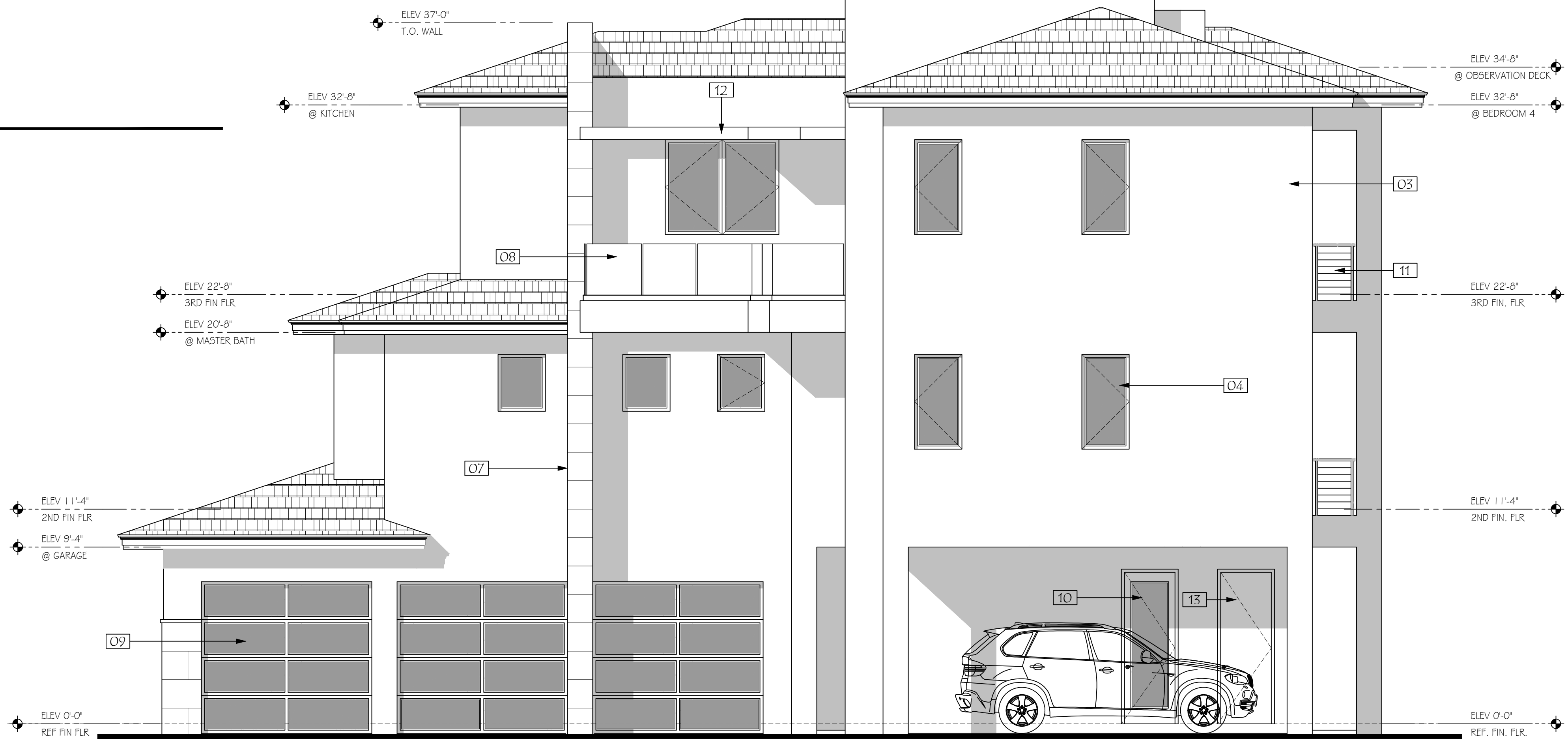
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**SOUTH ELEVATION**

SCALE : 1/4" = 1'-0"



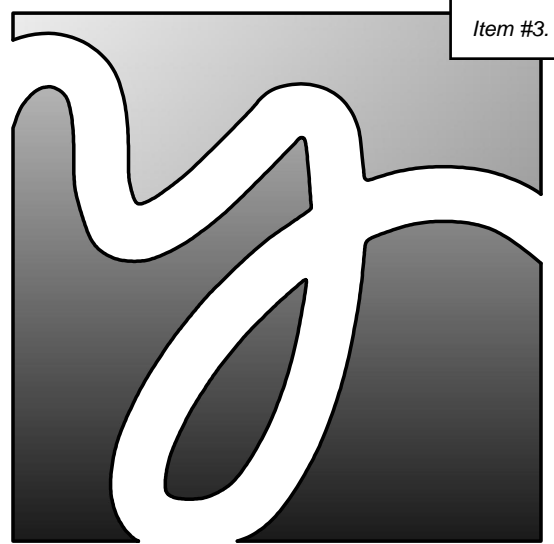
**EAST ELEVATION**

SCALE : 1/4" = 1'-0"

- 01 CONCRETE TILE ROOF
- 02 WOOD FASCIA
- 03 SMOOTH STUCCO
- 04 WINDOW
- 05 WOOD SIDING
- 06 FRONT ENTRY DOOR
- 07 STONE VENEER
- 08 FRAMELESS GLASS RAILING
- 09 GARAGE DOOR
- 10 FRENCH DOOR
- 11 EXTERIOR CABLE RAILING
- 12 CANTILEVERED CONC. EYEBROW
- 13 FLUSH PANEL EXTERIOR STEEL DOOR
- 14 SLIDING GLASS DOORS
- 15 FRENCH DOORS WITH SIDE LITES
- 16 BBQ GRILL
- 16 OUTDOOR VENT HOOD

- A SAXONY 900 SLATE - DARK CHARCOAL BLEND - LAKE WALES
- B SHERWIN WILLIAM - SW 7048 URBANE BRONZE
- C SHERWIN WILLIAM - SW 7551 GREEK VILLA
- D PGT - WINGUARD - ALUMINUM - WHITE FRAME - GRAY TINT
- E NEWTECHWOOD - COMPOSITE SIDING - PERUVIAN TEAK
- F PGT - WINGUARD - ALUMINUM - WHITE FRAME - GRAY TINT
- G ELDORADO STONE - DOVE TAIL - MARQUEE24
- H VIEW RAIL - ALUMINUM BASE RAIL - WHITE - TEMPERED ULTRA CLEAR GLASS
- I CHI OVERHEAD DOORS - FULL-VIEW ALUMINUM - FROSTED GLASS PANEL
- J PGT - WINGUARD - ALUMINUM - WHITE FRAME - GRAY TINT
- K VIEW RAIL - ENDURANCE ROD
- L SMOOTH STUCCO FINISH
- M MASONITE - SMOOTH WHITE FINISH
- N PGT - WINGUARD - ALUMINUM - WHITE FRAME - GRAY TINT
- O PGT - WINGUARD - ALUMINUM - WHITE FRAME - GRAY TINT
- P DCS - BUILT IN
- Q FIRE MAGIC





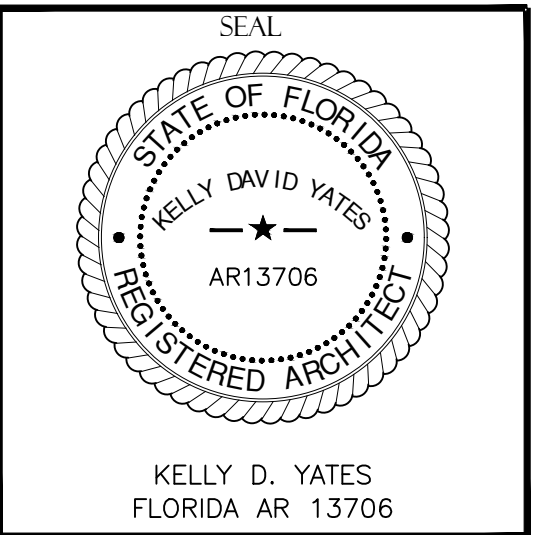
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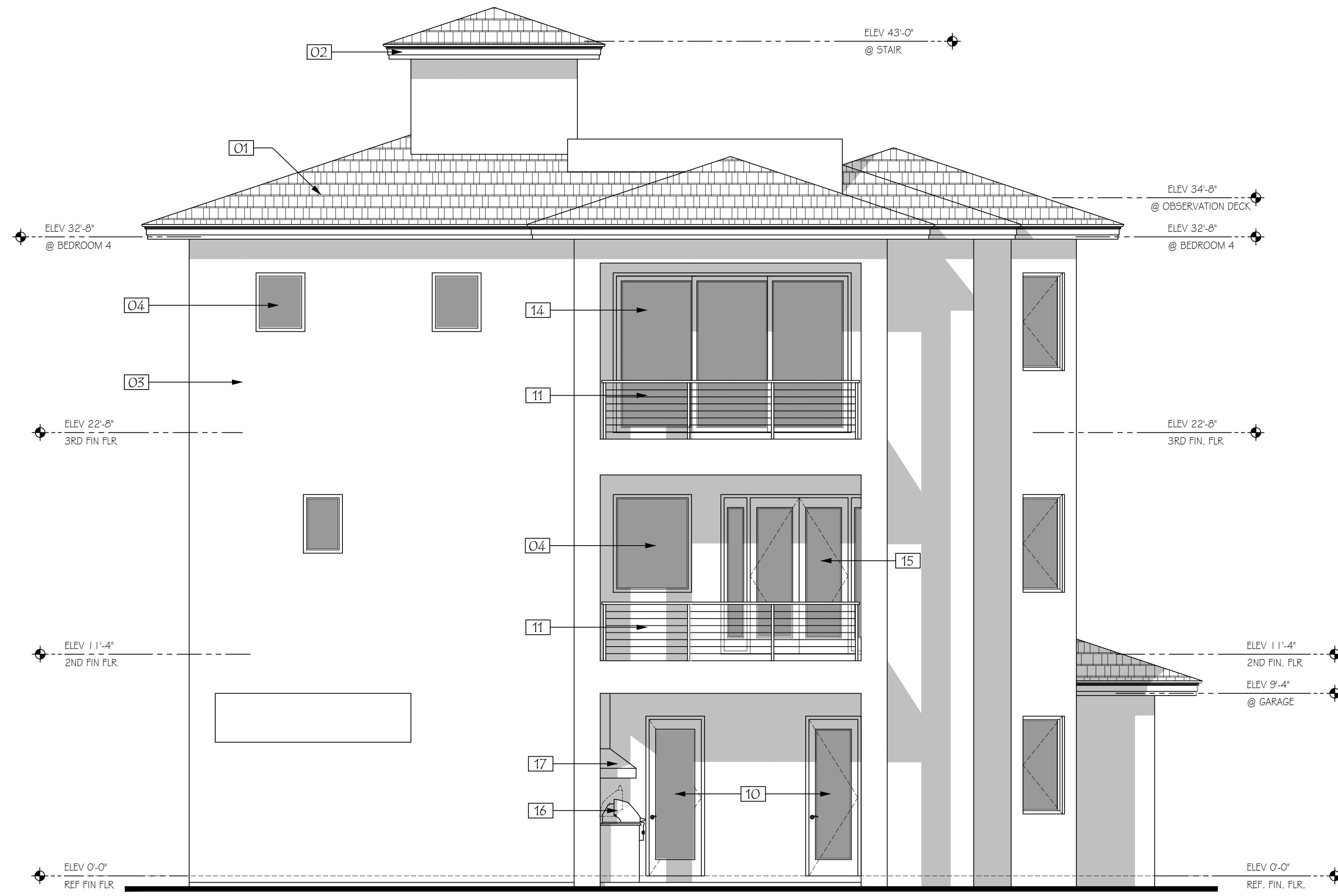
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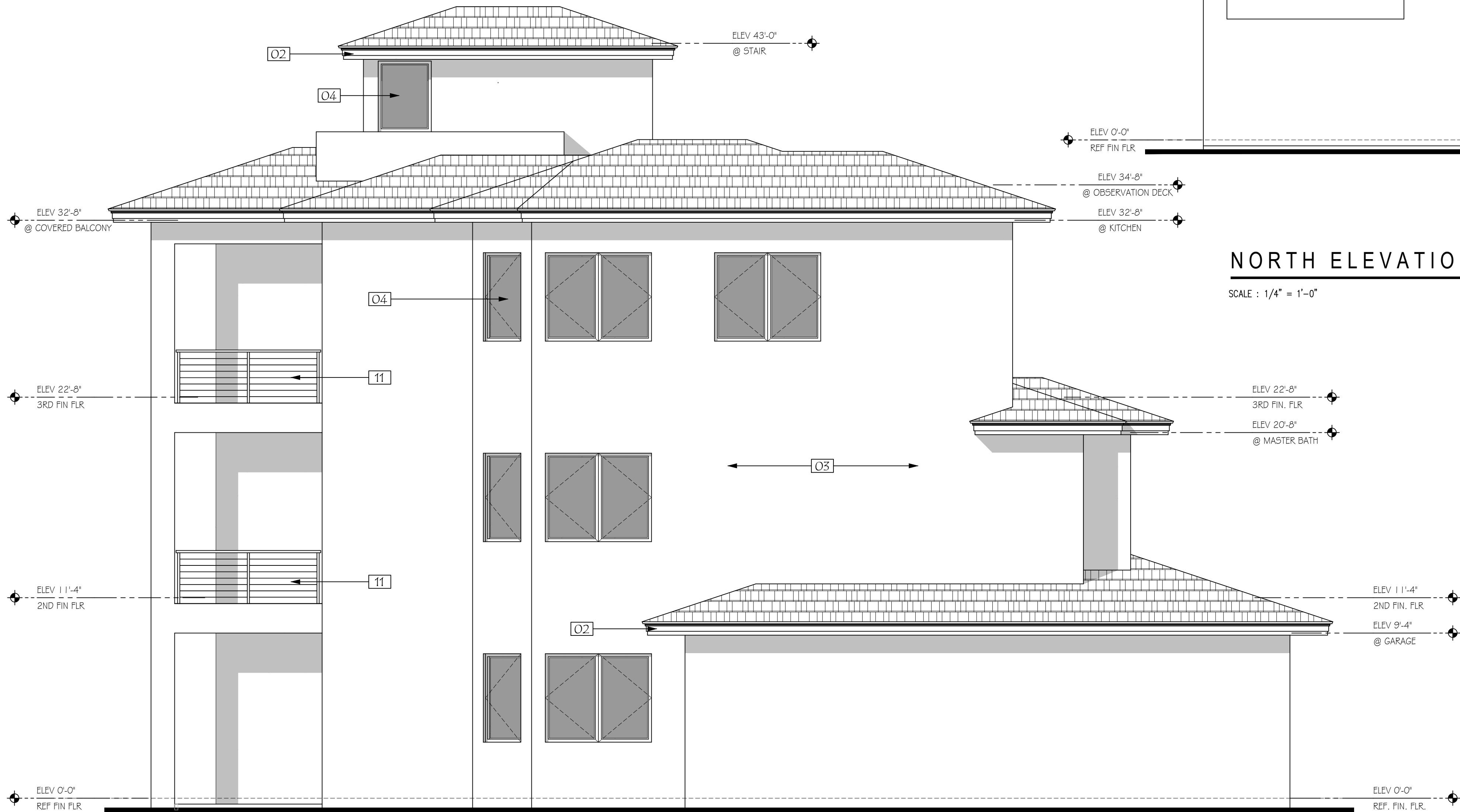
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- |                                    |   |
|------------------------------------|---|
| 01 CONCRETE TILE ROOF              | A SAXONY 900 SLATE -DARK CHARCOAL BLEND - LAKE WALES                  |
| 02 WOOD FASCIA                     | B SHERWIN WILLIAM - SW 7048 URBANE BRONZE                             |
| 03 SMOOTH STUCCO                   | C SHERWIN WILLIAM - SW 7551 GREEK VILLA                               |
| 04 WINDOW                          | D PGT - WINGUARD - ALUMINUM - WHITE FRAME - GRAY TINT                 |
| 05 WOOD SIDING                     | E NEWTECHWOOD -COMPOSITE SIDING - PERUVIAN TEAK                       |
| 06 FRONT ENTRY DOOR                | F PGT - WINGUARD - ALUMINUM - WHITE FRAME - GRAY TINT                 |
| 07 STONE VENEER                    | G ELDORADO STONE - DOVE TAIL - MARQUEE24                              |
| 08 FRAMELESS GLASS RAILING         | H VIEW RAIL - ALUMINUM BASE RAIL - WHITE - TEMPERED ULTRA CLEAR GLASS |
| 09 GARAGE DOOR                     | I CHI OVERHEAD DOORS - FULL-VIEW ALUMINUM - FROSTED GLASS PANEL       |
| 10 FRENCH DOOR                     | J PGT - WINGUARD - ALUMINUM - WHITE FRAME - GRAY TINT                 |
| 11 EXTERIOR CABLE RAILING          | K VIEW RAIL - ENDURANCE ROD   |
| 12 CANTILEVERED CONC. EYEBROW      | L SMOOTH STUCCO FINISH  |
| 13 FLUSH PANEL EXTERIOR STEEL DOOR | M MASONITE - SMOOTH WHITE FINISH                                      |
| 14 SLIDING GLASS DOORS             | N PGT - WINGUARD - ALUMINUM - WHITE FRAME - GRAY TINT                 |
| 15 FRENCH DOORS WITH SIDE LITES    | O PGT - WINGUARD - ALUMINUM - WHITE FRAME - GRAY TINT                 |
| 16 BBQ GRILL                       | P DCS - BUILT IN  |
| 16 OUTDOOR VENT HOOD               | Q FIRE MAGIC  |



**NORTH ELEVATION**  
SCALE : 1/4" = 1'-0"

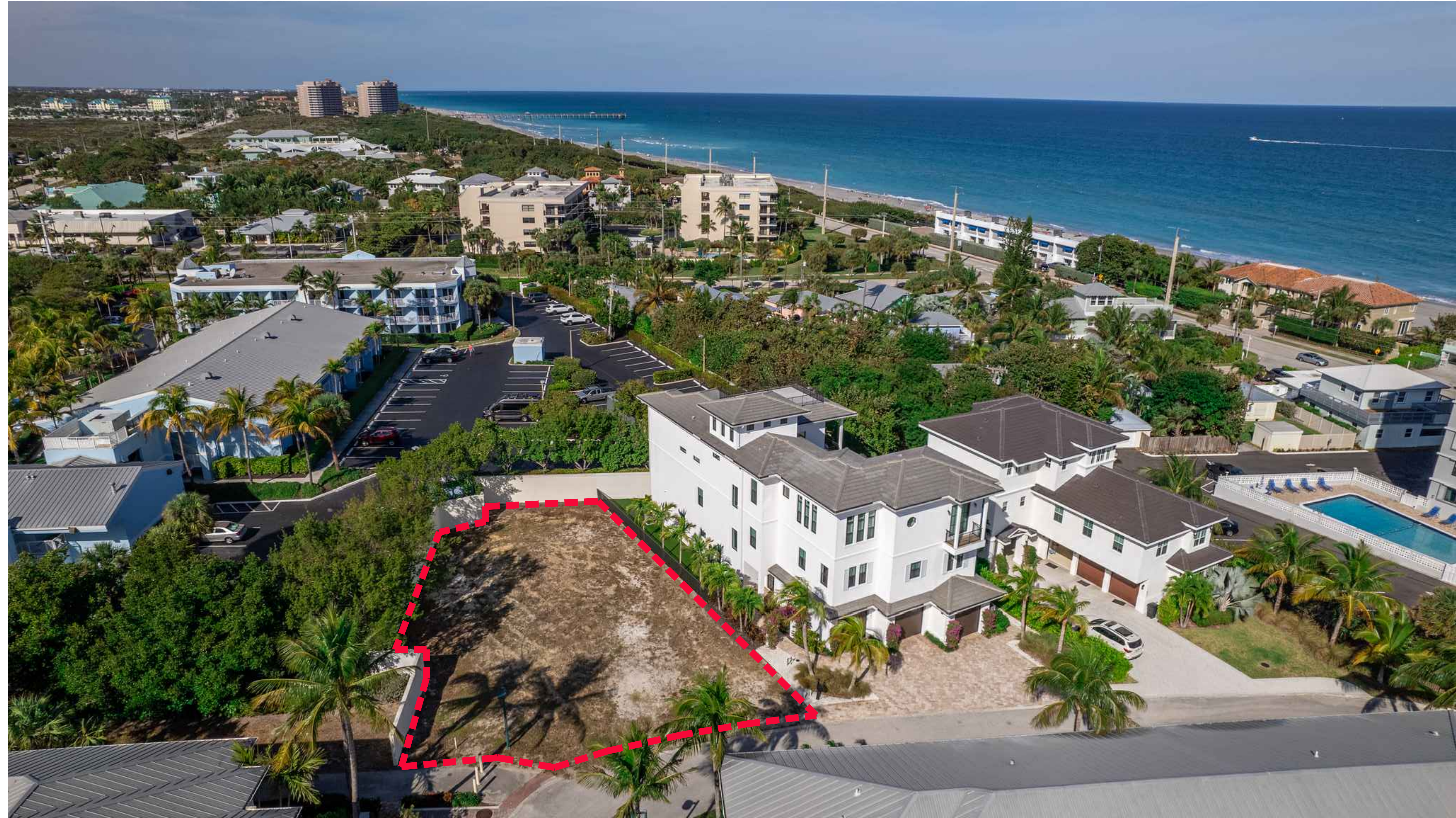


**WEST ELEVATION**

SCALE : 1/4" = 1'-0"

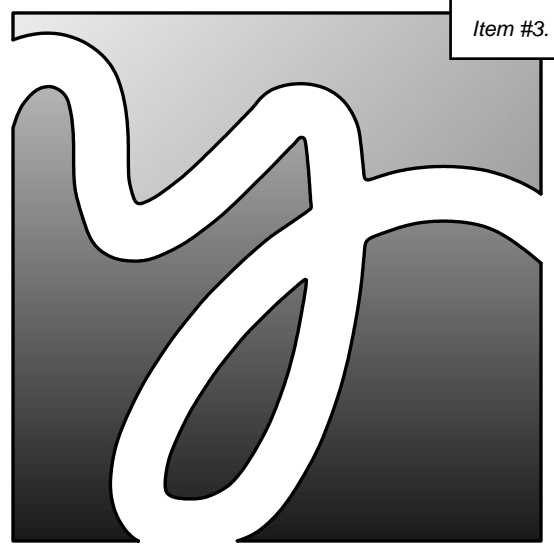
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AERIAL VIEW OF NEIGHBORHOOD

SCALE : N.T.S.



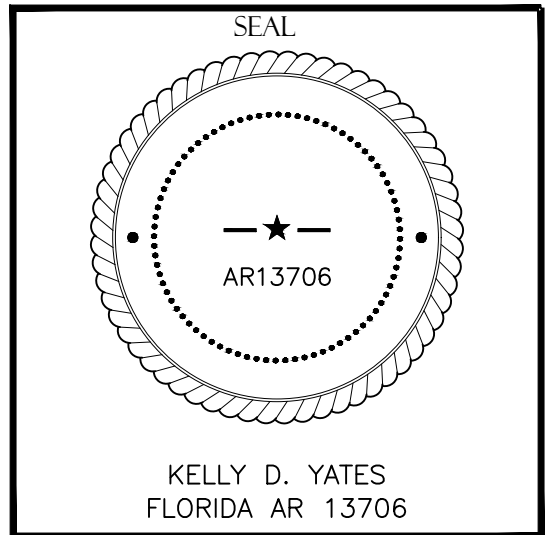
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DRAWN BY: D.C.M.  
APPROVED: K.D.Y.  
REVISIONS:

A PROPOSED PROJECT FOR:  
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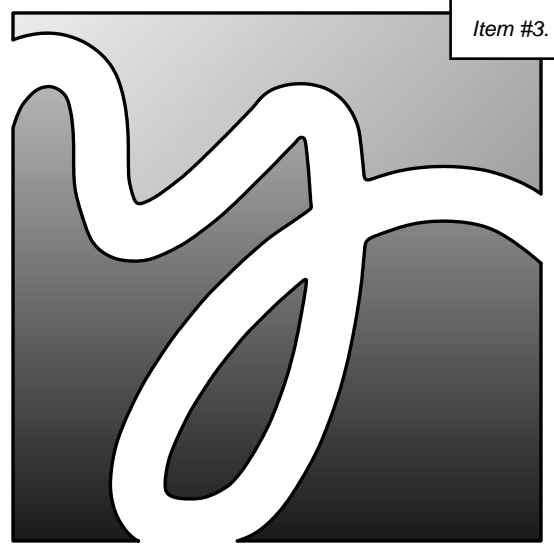
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479 OCEAN RIDGE WAY (EMPTY LOT)

ADDRESS	YEAR BUILT	EXTERIOR WALL	ROOF STRUCTURE	ROOF COVER	LOT SIZE	TOTAL AREA	A/C AREA	STORIES	STYLE
479 OCEAN RIDGE WAY	EMPTY LOT	N/A	N/A	N/A	8,117 S.F.	N/A	N/A	N/A	N/A



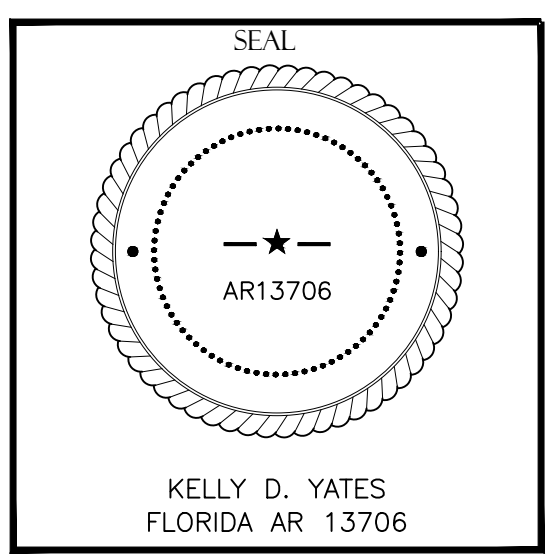
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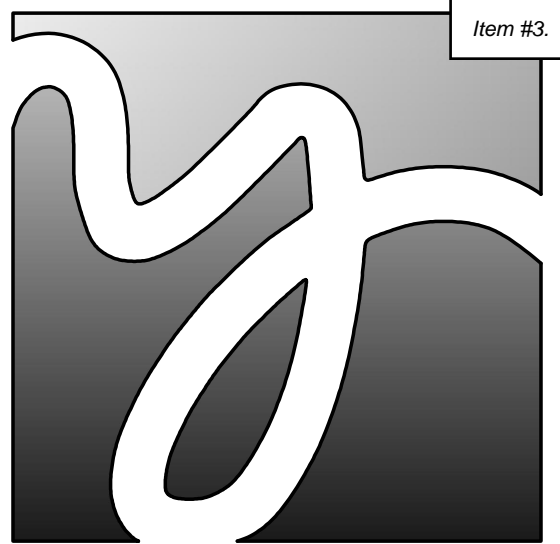
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**479 OCEAN RIDGE WAY (PROPOSED)**

ADDRESS	YEAR BUILT	EXTERIOR WALL	ROOF STRUCTURE	ROOF COVER	LOT SIZE	TOTAL AREA	A/C AREA	STORIES	STYLE
479 OCEAN RIDGE WAY	PROPOSED	CBS	HIP	CONCRETE TILE	8,117 S.F.	4,706	3,044	3	KEY WEST AND MODERN MIX



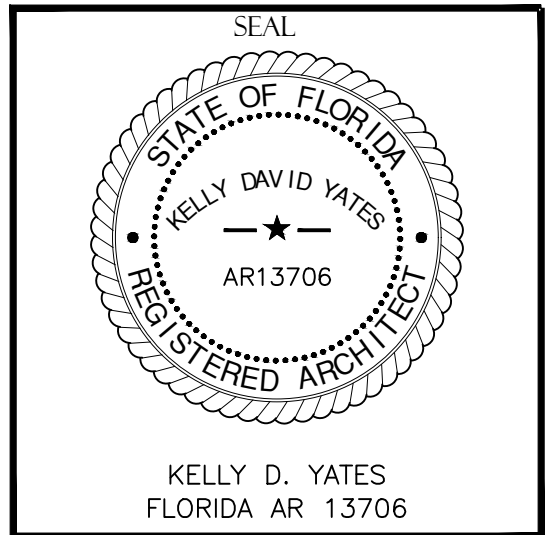
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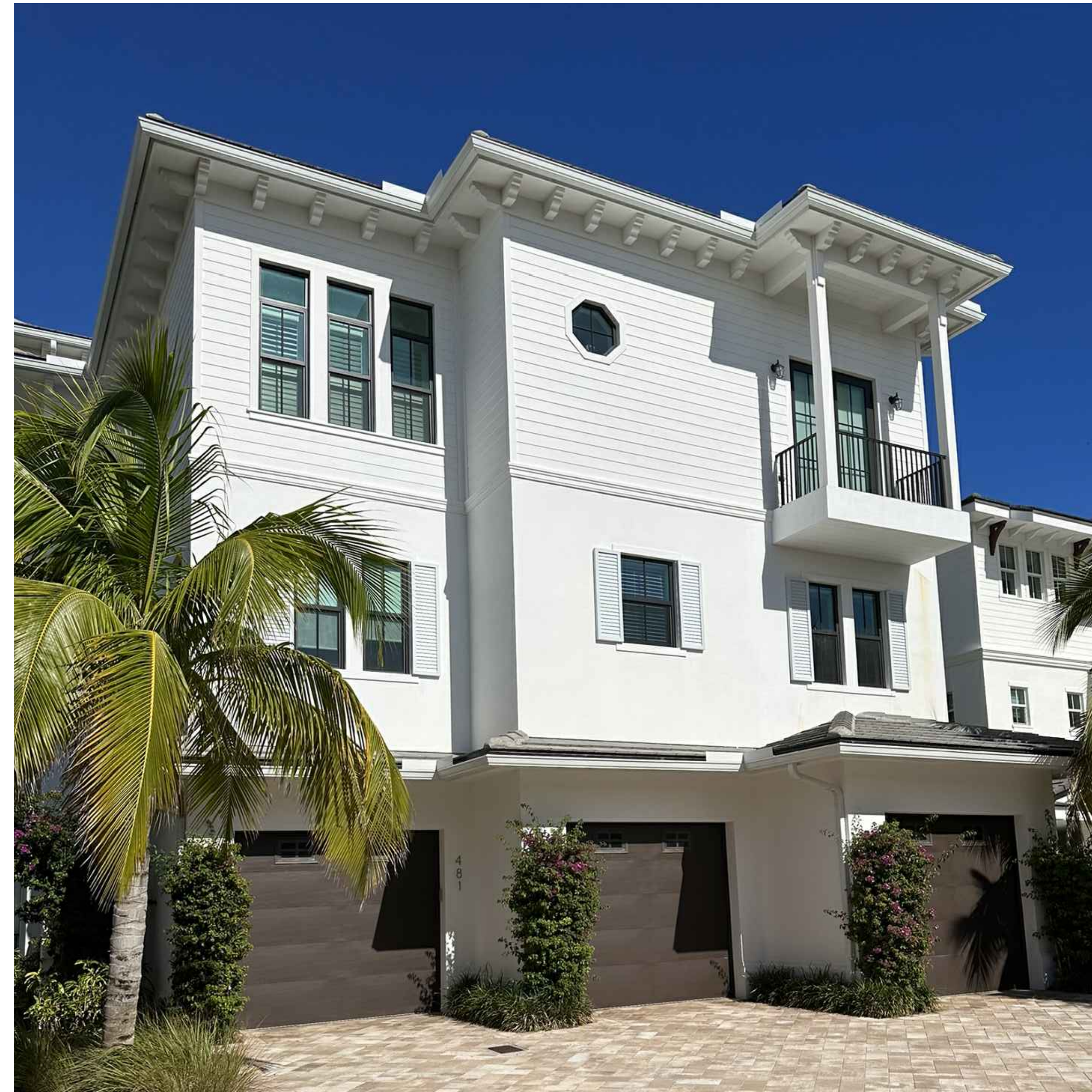
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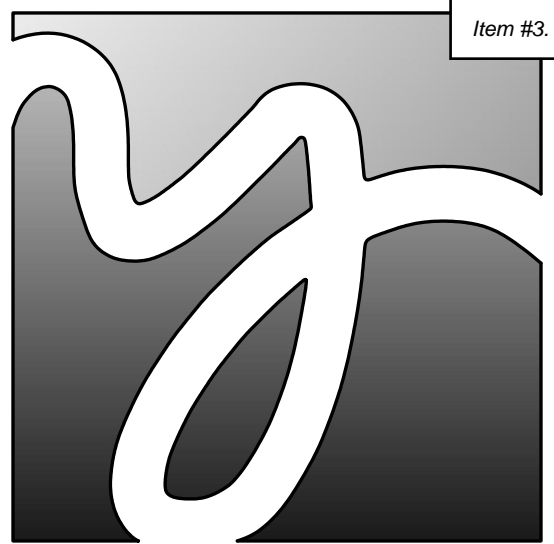
WEST SIDE VIEW



FRONT VIEW

481 OCEAN RIDGE WAY

ADDRESS	YEAR BUILT	EXTERIOR WALL	ROOF STRUCTURE	ROOF COVER	LOT SIZE	TOTAL AREA	A/C AREA	STORIES	STYLE
481 OCEAN RIDGE WAY	2021	CBS	HIP	CONCRETE TILE	7,976 S.F.	7,552 S.F.	5,543 S.F.	3	KEY WEST



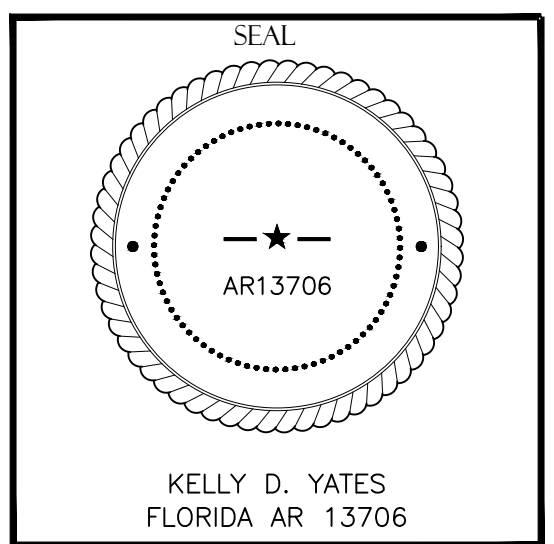
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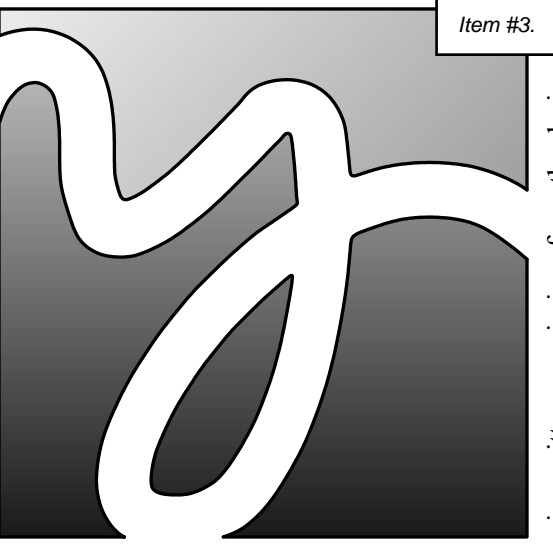
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483 OCEAN RIDGE WAY

ADDRESS	YEAR BUILT	EXTERIOR WALL	ROOF STRUCTURE	ROOF COVER	LOT SIZE	TOTAL AREA	A/C AREA	STORIES	STYLE
483 OCEAN RIDGE WAY	2019	CBS	HIP	CONCRETE TILE	7,976 S.F.	5,787	3,730	3	KEY WEST



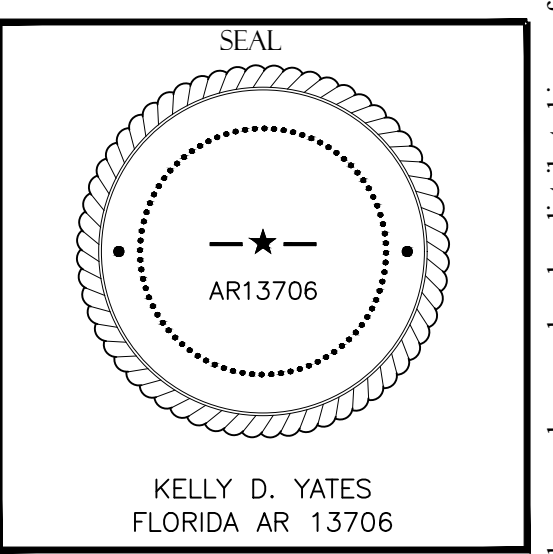
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**A-9.4**  
OF 1 SHTS  
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2021 Color of The Year

SW 7048

# Urbane Bronze

FULL DETAILS ▾

Rooted in nature, this brownish gray evokes a down-to-earth tranquility and a subtle sophistication that is hard to beat.

SW 7551

# Greek Villa

FULL DETAILS ▾

This sunny white comes to life in natural light. Use it to brighten any space or try it on trim to make other colors pop.



479 OCEAN RIDGE WAY -NEW BUILD

ARCHITECTURAL STYLE: COMBINATION (MODERN / KEY WEST CRACKER)

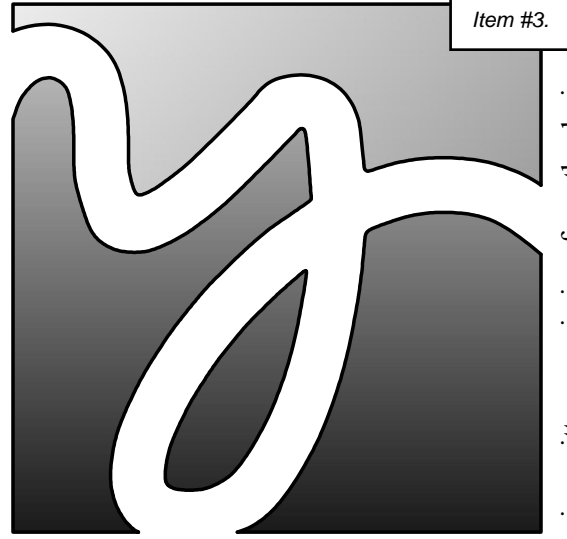
THE PROPOSED RESIDENCE COMBINES THE RELAXED, BEACHY VIBE OF KEY WEST CRACKER ARCHITECTURE WITH THE CLEAN, SLEEK LINES OF MIDCENTURY MODERN DESIGN WHICH RESULTS IN A UNIQUE AND APPEALING ARCHITECTURAL STYLE.

SOME OF THE INSPIRATION TAKEN FROM THE OLD FLORIDA STYLE INCLUDE SIMPLE PITCHED ROOFS WITH OVERHANGS FOR SHADE, OPEN AIR BALCONIES, STUCCO SIDING WITH WOOD SIDING ACCENTS. THE ROOF ALSO HAS A SMALL SUNSET TERRACE REMINISCENT OF AN OLD KEY WEST WIDOWS WALK.

MIDCENTURY MODERN HOMES OFTEN FEATURE OPEN FLOOR PLANS WITH A SEAMLESS FLOW BETWEEN INDOOR AND OUTDOOR SPACES. INCORPORATING THIS CONCEPT INTO A KEYWEST CRACKER INSPIRED HOME BY ADDING LARGE WINDOWS AND FRENCH STYLE DOORS THAT CONNECT THE INTERIOR LIVING SPACES TO OUTDOOR PORCHES AND DECKS. THIS ALLOWS FOR PLENTY OF NATURAL LIGHT AND VENTILATION WHILE EMBRACING THE TROPICAL CLIMATE.

WE ARE EMBRACING THE MIDCENTURY MODERN MINIMALIST AESTHETIC BY USING SIMPLE, CLEAN LINES, WHILE GIVING A NOD TO THE RUSTIC ELEMENTS OF KEY WEST CRACKER HOME BY USING LIGHT PASTEL COLORS WITH THE USE OF RUSTIC WOOD AND STONE ACCENTS.

THE HARDSCAPE SELECTION ENVOKES A MORE MODERN AESTHETIC BY USING A MIX OF LIGHT GRAY PAVERS AT THE DRIVEWAY AND A MIX OF GRAY AND LIGHT GREY PAVING AT THE POOL PATIO. THE CHOICE OF A GRAY PAVER CREATES A SLEEK AND STYLISH AESTHETIC THAT COMPLEMENTS THE ROOF AND FASCIA MATERIAL AND CREATES A CONTRAST WITH THE GREEK VILLA WHITE SCHEME OF THE MAIN BODY OF THE RESIDENCE.



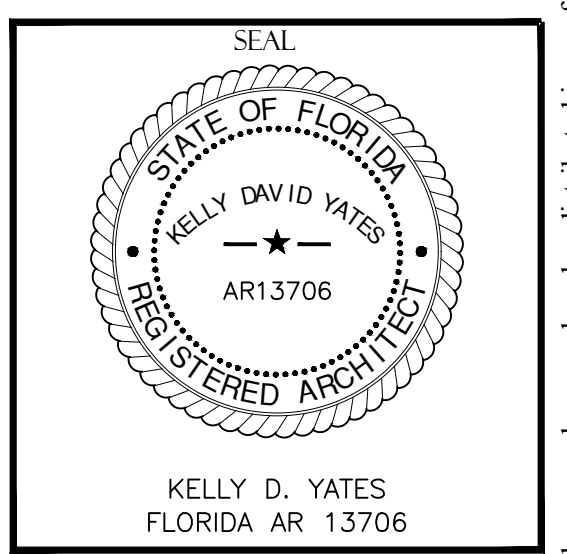
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DATE:	AUGUST 1, 2020
JOB NO.:	20-0741
DESIGN BY:	K.D.Y.
DRAWN BY:	D.C.M.
APPROVED:	K.D.Y.
REVISIONS:	

A PROPOSED PROJECT FOR:  
**OCEAN HORIZON PROPERTIES**  
OCEAN RIDGE WAY  
JUNO BEACH  
FLORIDA

REVIEW BOARD  
11-14-2023



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**Meeting Name:** Planning and Zoning Board  
**Meeting Date:** January 17, 2024  
**Prepared By:** L. Rubin, Town Attorney  
**Item Title:** Ordinance No. 782 – Implementation of Live Local Act

---

#### **DISCUSSION:**

As discussed previously with the Board, this office has prepared an Ordinance implementing the provisions of Chapter 2023-17, Laws of Florida, as codified in Section 166.04151(7), Florida Statutes, known as the Live Local Act. The Act was intended to streamline and incentivize affordable housing developments within the State of Florida and preempts certain use, density, and height regulations for qualifying developments that provide for the establishment of affordable multi-family rental housing. Because less than twenty percent of the Town’s land area is designated for commercial or industrial use, all qualifying projects within the Town must be mixed-use residential, containing both residential and non-residential components. The Act requires **administrative approval** for mixed-use residential developments where at least forty percent (40%) of the residential units are, for a period of at least thirty years, affordable as defined in Section 420.004, Florida Statutes.

The purpose of the proposed Ordinance is to supplement and clarify the provisions of the Act and provides as follows:

1. Live local projects are permitted in each of the Town’s commercial zoning districts: Commercial General (CG), Commercial Office (CO), and Medical Commercial (MC).
2. All projects shall be reviewed by the Town’s Development Review Committee and shall be subject to the Site Plan and Appearance Review procedures and shall meet all criteria set forth in Article II, Division 4 of Chapter 34 (Zoning).
3. Upon receipt of an application, 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 are available upon request.
4. The application shall be subject to administrative review and approval by the Planning and Zoning Director as required by the Act and shall only be approved if it meets all applicable land development regulations, including the Town’s community appearance standards. Additionally, the Director shall determine whether the project is consistent with the Town’s Comprehensive Development Plan, except

those provisions expressly preempted by statute (relating to location within specified zoning districts, height, and density). The application shall also be subject to engineering review during the building permitting process.

5. The maximum height shall be limited to height permitted as of right (without any bonuses available via special exception or otherwise) for a residential or commercial project within the Town within one mile of the proposed project. The maximum height of any structure within the Town is twelve (12) stories and one hundred and thirty (30) feet (as permitted in the Residential High (RH) zoning district).

6. The maximum density is limited to maximum residential density permitted as of right for a residential or commercial project within the Town or eighteen (18) units per acre as permitted in the Residential High (RH) zoning district.

7. All projects shall have maximum of seventy-five percent of residential use based on total gross floor area consistent with the existing regulations governing mixed-use projects in commercial zoning districts.

8. If the project is utilizing the height and density permitted in the Residential High (RH) zoning district, the Town shall apply the building site area regulations for that district, including the expanded high-rise setbacks. For purely non-residential components or for mixed-use structures that do not exceed four stories or sixty feet in height, the project shall comply with the building site area regulations of the underlying zoning district.

9. The project shall provide two parking spaces per residential unit and one guest space for every seven units as required for residential projects within commercial zoning districts. Parking for the commercial uses shall meet the Code requirements. Because there are no major transit stops within the Town, the Town will not consider reduction in these requirements; however, the project may propose shared parking in accordance with the Code requirements. Approval of shared parking is not mandatory.

10. Affordable units and market units shall be located within the same structure. All common areas and amenities shall be accessible and available to all residents. Access to the required affordable dwelling units shall be provided through the same principal entrances utilized by all other dwelling units in the development. The sizes and number of bedrooms in the affordable dwelling units shall be proportional to the square footage and number of bedrooms in market rate dwelling units.

11. All residential and non-residential components shall be located on the same or unified lot.

12. The Town shall impose a condition of approval requiring that 40% of the units remain affordable for a period of 30 years and no permits shall be issued until the property owner executes and delivers to the Town, a covenant, declaration, or other deed restriction ensuring compliance. Additionally, the property owner shall provide to the Town, each year on January 15<sup>th</sup>, copies of all leases then in effect for the affordable units, together with such other documentation necessary to demonstrate that such leases meet the affordability criteria set forth in Section 420.0004, Florida Statutes.

13. Any aggrieved or adversely affected party may appeal any order, decision, or interpretation of the enforcement of these regulations to the Town Council, sitting as the Zoning Board of Adjustment and Appeals.

**Note:** There is a bill (SB 328) pending in the Florida Legislature that would modify the provisions of Section 166.04151(7), Florida Statutes. The bill clarifies that density is the maximum density (or floor area ratio) permitted under the municipality's land development regulations without consideration of any bonuses, variances, or other special exceptions. Additionally, the maximum height is limited to the



maximum height for a commercial or residential building within one-quarter mile of the proposed project (without consideration of bonuses, variances, or other special exceptions). Furthermore, if the height of each building on property adjacent to the proposed development is three stories or less, a municipality may restrict the height to 125% of the tallest building on property adjacent to the proposed development or three stories, whichever is higher.

**RECOMMENDATION:**

Staff recommends that the Planning and Zoning Board review Ordinance No. 782 and provide a recommendation to the Town Council.

TOWN OF JUNO BEACH, FLORIDA

ORDINANCE NO. 782

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA AMENDING CHAPTER 34, "ZONING," OF THE TOWN CODE OF ORDINANCES TO BY AMENDING ARTICLE IV, "SUPPLEMENTAL REGULATIONS," TO ADOPT A NEW DIVISION 18, "LIVE LOCAL ACT," TO IMPLEMENT CHAPTER 2023-17, LAWS OF FLORIDA; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, on March 29, 2023, the Governor signed into law Senate Bill 102, "Live Local Act," codified by Chapter 2023-17, Laws of Florida ("Act"), which is intended to streamline and incentivize affordable housing developments with the State of Florida; and

WHEREAS, the Act preempts certain use, density, and height regulations for qualifying developments that provide for the establishment of affordable multi-family rental housing in commercial, industrial, and mixed-use areas; and

WHEREAS, notwithstanding such preemption, the Town retains its home rule authority to establish land development regulations to implement the Act and adopt regulations that are not expressly preempted by the Act; and

WHEREAS, the Act provides that if a municipality has designated less than twenty percent of its land area within its jurisdictional boundaries for commercial or industrial use, the municipality is only required to allow multi-family affordable housing as part of a mixed-use development; and

WHEREAS, because less than twenty percent of the land area within the Town is designated for commercial or industrial uses, any development submitted pursuant to the Act must consist of a mixed-use residential project as defined in the Act; and

WHEREAS, the Town's Planning and Zoning Board has conducted a public hearing on this Ordinance and has 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 residents and property owners 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 confirmed and are incorporated herein.

**Section 2.** The Town Council hereby amends Article IV, "Supplemental Regulations," of Chapter 34, "Zoning," of the Town Code of Ordinance by adopting a new Division 18, "Live Local Act," to read as follows (additional language underlined):



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**DIVISION 18. LIVE LOCAL ACT**

**Sec. 34-1325. Applicability.**

(a) The provisions of this division shall apply to all applications for the development of land for mixed-use projects with affordable multi-family residential units pursuant to Live Local Act, as set forth in Section 166.04151(7), Florida Statutes (“Act”).

(b) Such projects shall only be permitted in the Commercial General (CG), Commercial Office (CO), and Medical Commercial (MC) zoning districts.

**Sec. 34-1326. Procedure.**

(a) All projects shall be reviewed by the town’s development review committee and shall be subject to the site plan and appearance review procedures and shall meet all criteria set forth in article II, division 4 of this chapter.

(b) Upon 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 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 (1) mile of the

1 proposed development without consideration of any bonuses or modifications  
2 permitted through the special exception process or otherwise. In no event  
3 shall the height of any structure exceed twelve (12) stories and one hundred  
4 and thirty (130) feet.

5  
6 (b) *Density.* Pursuant to Section 166.04151(7), Florida Statutes, the  
7 maximum density permitted shall be limited to density permitted as of right for  
8 a residential project within the town without consideration of any bonuses or  
9 modifications permitted through the special exception process or otherwise.  
10 In no event shall the residential density of any proposed development exceed  
11 eighteen (18) units per acre.

12  
13 **Sec. 34-1328. Development standards and criteria.**

14  
15 (a) *Required mix of uses.* Consistent with the existing regulations  
16 governing mixed-use projects within the town’s commercial zoning districts, all  
17 projects submitted pursuant to this division shall have a maximum of seventy-  
18 five (75) percent of residential use based on total gross floor area.

19  
20 (b) *Building site area regulations.*

21  
22 1. If the project is utilizing the height and density permitted  
23 in the town’s Residential High (RH) zoning district, the  
24 following site area regulations shall apply:

- 25
- 26 a. Minimum total area: 40,000 square feet;
- 27 b. Minimum lot width: 150 feet;
- 28 c. Minimum lot depth: 200 feet;
- 29 d. Front set yard setback: 30 feet from street line;
- 30 e. Side yard setback: 35 feet with one side having a  
31 minimum of 15 feet;
- 32 f. Rear yard setback: 30 feet;
- 33 g. Minimum floor space per dwelling unit: 1,000  
34 square feet of habitable space for a one bedroom;  
35 1,200 square feet of habitable space for a two  
36 bedroom; and 1,400 square feet of habitable space  
37 for three or more bedrooms;
- 38 h. Maximum building dimension: 150 feet, provided,  
39 however that along the building face having the  
40 maximum dimension, said dimension may be  
41 increased to no more than 175 feet;
- 42 i. Maximum lot coverage: 50%; and
- 43 j. Minimum landscaped open space: 15% of lot area.
- 44
- 45



1 In addition to the foregoing, all structures exceeding two  
2 (2) stories shall comply with the high-rise setback, which  
3 requires thirty (30) feet from all property lines and an  
4 additional five (5) feet of setback at ground level for each  
5 additional story beyond the first two stories up to a  
6 maximum of sixty (60) feet. For those lots having a width  
7 of two hundred (200) feet or less as recorded in the office  
8 of the county property appraiser, the maximum setbacks  
9 shall not exceed fifty (50) feet; however, the maximum  
10 building dimension on such lots shall not exceed one  
11 hundred and fifty (150) feet.

12  
13 2. For purely non-residential components of the project or  
14 mixed-use structures where the height does not exceed  
15 four (4) stories and sixty (60) feet, the project shall comply  
16 with the building site area regulations of the applicable  
17 commercial zoning district.

18  
19 (c) *Parking.* The project shall provide for two (2) spaces per  
20 residential unit and one (1) guest space for every seven (7) units as required  
21 for residential uses in commercial zoning districts. The parking for commercial  
22 uses shall be governed by division 4 of article IV of this chapter. Due to the  
23 lack of any major transit stops in the town, no parking reductions shall be  
24 considered. However, the project may propose, for consideration and  
25 approval by the town, shared parking in accordance with the criteria governing  
26 the minimum parking requirements for mixed-use projects in the town's  
27 commercial zoning districts.

28  
29 (d) *Equivalent treatment of all dwelling units.* All affordable dwelling  
30 units and market rate dwelling units shall be located within the same structure.  
31 All common areas and amenities shall be accessible and available to all  
32 residents of the development. Access to the required affordable dwelling units  
33 shall be provided through the same principal entrances utilized by all other  
34 dwelling units in the development. Additionally, the sizes and number of  
35 bedrooms in the affordable dwelling units shall be proportional to the square  
36 footage and number of bedrooms in the market rate dwelling units. By way of  
37 example, for the number of bedrooms, if twenty-five (25) percent of the market  
38 rate dwelling units consist of two bedrooms, then twenty-five (25) percent of  
39 the affordable dwelling units shall have two bedrooms.

40  
41 (e) *Unified lot.* All residential and non-residential components of the  
42 site plan shall be located on the same or unified lot.

1           **Sec. 34-1329. Affordability.**

2  
3           (a) Pursuant to Section 166.04151(7), Florida Statutes, at least forty  
4 (40) percent of the multi-family residential units shall remain affordable, as  
5 defined in Section 420.0004, Florida Statutes, for a period of at least thirty (30)  
6 years. This requirement shall be incorporated as a condition into any  
7 administrative approval. Furthermore, as prerequisite to the issuance of a  
8 building permit, the applicant shall execute and deliver to the town for  
9 recordation in the public records, on a form approved by the town attorney, a  
10 covenant, declaration, or other deed restriction in favor of the town ensuring  
11 compliance with this affordability requirement.

12  
13           (b) The applicant shall provide to the town, on January 15<sup>th</sup> of each  
14 year subsequent to the town’s issuance of a certificate of occupancy for the  
15 project, copies of all leases then in effect for the affordable units, together with  
16 such documentation necessary to demonstrate that such leases meet the  
17 affordability criteria set forth in Section 420.0004, Florida Statutes.

18  
19           **Sec. 34-1330. Appeals.**

20  
21           Any aggrieved or adversely affected party may appeal an administrative  
22 order, decision, approval, or interpretation in the enforcement of the  
23 regulations of this division to the zoning board of adjustment and appeals in  
24 accordance with section 34-66 of the town code.

25  
26           **Section 3.** The provisions of this Ordinance shall become and be made a part of the  
27 Code of Ordinances of the Town of Juno Beach. The sections of this Ordinance may be  
28 renumbered or relettered to accomplish such, and the word “ordinance” may be changed to  
29 “section,” “article” or any other appropriate word.

30  
31           **Section 4.** If any section or provision of this Ordinance or any portion thereof, any  
32 paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid,  
33 such decision shall not affect the validity of the remainder of this Ordinance.

34  
35           **Section 5.** All ordinances or parts of ordinances of the Town of Juno Beach, Florida,  
36 which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

37  
38           **Section 6.** This Ordinance shall be effective immediately upon adoption.

39  
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41  
42                                   *[The remainder of this page intentionally blank]*



Ordinance No. 782  
Page 6

1 FIRST READING this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

2  
3 SECOND, FINAL READING AND ADOPTION this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

4  
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6  
7 AYE NAY \_\_\_\_\_  
ALEXANDER COOKE, MAYOR

8  
9  
10 AYE NAY \_\_\_\_\_  
PEGGY WHEELER, VICE MAYOR

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12  
13 AYE NAY \_\_\_\_\_  
MARIANNE HOSTA, VICE MAYOR PRO TEM

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16 AYE NAY \_\_\_\_\_  
DD HALPERN, COUNCILMEMBER

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19 \_\_\_\_\_

20 AYE NAY \_\_\_\_\_

21  
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23  
24 ATTEST: APPROVED AS TO FORM AND LEGAL  
25 SUFFICIENCY:

26  
27

28 CAITLIN COPELAND-RODRIGUEZ LEONARD G. RUBIN  
29 TOWN CLERK TOWN ATTORNEY

30

By Senator Calatayud

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A bill to be entitled  
 An act relating to development; amending ss. 125.01055  
 and 166.04151, F.S.; deleting a provision related to  
 the authorization of multifamily and mixed-use  
 residential development uses in any area zoned for  
 industrial use; prohibiting counties and  
 municipalities, respectively, from restricting the  
 floor area ratio of certain proposed developments  
 under certain circumstances; providing that the  
 density or floor area ratio of certain developments,  
 bonuses, variances, or other special exceptions are  
 not included in the calculation of the currently  
 allowed density or floor area ratio by counties and  
 municipalities, respectively; revising prohibitions  
 relating to counties' and municipalities' restrictions  
 of the height of certain proposed developments,  
 respectively; authorizing counties and municipalities,  
 respectively, to restrict the height of proposed  
 developments under certain circumstances; providing  
 that certain factors may not be taken into account in  
 the calculation of the currently allowed height;  
 prohibiting the administrative approval by counties  
 and municipalities, respectively, of a proposed  
 development within a specified proximity to a military  
 installation; making technical changes; revising  
 applicability; authorizing specified developments to  
 be treated as a conforming use; amending s. 196.1978,  
 F.S.; revising the definition of the term "newly  
 constructed"; defining the term "substantial



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30 rehabilitation"; revising conditions for when  
 31 multifamily projects are considered property used for  
 32 a charitable purpose and are eligible to receive an ad  
 33 valorem property tax exemption; making technical  
 34 changes; requiring property appraisers to make certain  
 35 exemptions from ad valorem property taxes; providing  
 36 the method for determining the value of a unit for  
 37 certain purposes; requiring property appraisers to  
 38 review certain applications and make certain  
 39 determinations; authorizing property appraisers to  
 40 request and review additional information; authorizing  
 41 property appraisers to grant exemptions only under  
 42 certain conditions; revising requirements for property  
 43 owners seeking a certification notice from the Florida  
 44 Housing Finance Corporation; providing that a certain  
 45 determination by the corporation does not constitute  
 46 an exemption; specifying requirements for a market  
 47 value analysis; conforming provisions to changes made  
 48 by the act; providing for retroactive application;  
 49 amending s. 333.03, F.S.; excluding certain proposed  
 50 developments from specified airport zoning provisions;  
 51 amending s. 420.5096, F.S.; making technical changes;  
 52 providing an appropriation; providing an effective  
 53 date.

54  
55 Be It Enacted by the Legislature of the State of Florida:

56  
57 Section 1. Paragraphs (a) through (d), (f), and (h) of  
58 subsection (7) of section 125.01055, Florida Statutes, are

38-01638C-24

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59 amended, and subsection (8) is added to that section, to read:

60 125.01055 Affordable housing.—

61 (7) (a) A county must authorize multifamily and mixed-use  
 62 residential as allowable uses in any area zoned for commercial,  
 63 ~~industrial,~~ or mixed use if at least 40 percent of the  
 64 residential units in a proposed multifamily rental development  
 65 are, for a period of at least 30 years, affordable as defined in  
 66 s. 420.0004. Notwithstanding any other law, local ordinance, or  
 67 regulation to the contrary, a county may not require a proposed  
 68 multifamily development to obtain a zoning or land use change,  
 69 special exception, conditional use approval, variance, or  
 70 comprehensive plan amendment for the building height, zoning,  
 71 and densities authorized under this subsection. For mixed-use  
 72 residential projects, at least 65 percent of the total square  
 73 footage must be used for residential purposes.

74 (b) A county may not restrict the density or floor area  
 75 ratio of a proposed development authorized under this subsection  
 76 below the highest currently allowed density or floor area ratio  
 77 on any unincorporated land in the county where residential  
 78 development is allowed under the county's land development  
 79 regulations. The currently allowed density or floor area ratio  
 80 does not include the density or floor area ratio of any  
 81 development that meets the requirements of this subsection or  
 82 any bonuses, variances, or other special exceptions for density  
 83 or floor area ratio provided in the county's land development  
 84 regulations as incentives for development.

85 (c) A county may not restrict the height of a proposed  
 86 development authorized under this subsection below the highest  
 87 currently allowed height for a commercial or residential



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88 building development located in its jurisdiction within one-  
 89 quarter ~~±~~ mile of the proposed development or 3 stories,  
 90 whichever is higher. If the height of each building on property  
 91 adjacent to the proposed development is 3 stories or less, the  
 92 county may restrict the height of the proposed development to  
 93 125 percent of the tallest building on property adjacent to the  
 94 proposed development or 3 stories, whichever is higher. The  
 95 currently allowed height does not include the height of any  
 96 development that meets the requirements of this subsection or  
 97 any bonuses, variances, or other special exceptions for height  
 98 provided in the county's land development regulations as  
 99 incentives for development.

100 (d) A proposed development authorized under this subsection  
 101 must be administratively approved and no further action by the  
 102 board of county commissioners is required if the development  
 103 satisfies the county's land development regulations for  
 104 multifamily developments in areas zoned for such use and is  
 105 otherwise consistent with the comprehensive plan, with the  
 106 exception of provisions establishing allowable densities,  
 107 height, and land use. Such land development regulations include,  
 108 but are not limited to, regulations relating to setbacks and  
 109 parking requirements. A proposed development located within one-  
 110 quarter mile of a military installation identified in s.  
 111 163.3175(2) may not be administratively approved.

112 (f) For proposed multifamily developments in an  
 113 unincorporated area zoned for commercial ~~or industrial~~ use which  
 114 is within the boundaries of a multicounty independent special  
 115 district that was created to provide municipal services and is  
 116 not authorized to levy ad valorem taxes, and less than 20

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117 percent of the land area within such district is designated for  
118 commercial ~~or industrial~~ use, a county must authorize, as  
119 provided in this subsection, such development only if the  
120 development is mixed-use residential.

121 (h) This subsection does not apply to airport-impacted  
122 areas as provided in s. 333.03 ~~property defined as recreational~~  
123 ~~and commercial working waterfront in s. 342.201(2)(b) in any~~  
124 ~~area zoned as industrial.~~

125 (8) Any development authorized under paragraph (7)(a) must  
126 be treated as a conforming use even after the expiration of  
127 subsection (7) and the development's affordability period as  
128 provided in paragraph (7)(a), notwithstanding the county's  
129 comprehensive plan, future land use designation, or zoning. If  
130 at any point during the development's affordability period the  
131 development violates the affordability period requirement  
132 provided in paragraph (7)(a), the development must be allowed a  
133 reasonable time to cure such violation. If the violation is not  
134 cured within a reasonable time, the development must be treated  
135 as a nonconforming use.

136 Section 2. Paragraphs (a) through (d), (f), and (h) of  
137 subsection (7) of section 166.04151, Florida Statutes, are  
138 amended, and subsection (8) is added to that section, to read:

139 166.04151 Affordable housing.—

140 (7)(a) A municipality must authorize multifamily and mixed-  
141 use residential as allowable uses in any area zoned for  
142 commercial, ~~industrial~~, or mixed use if at least 40 percent of  
143 the residential units in a proposed multifamily rental  
144 development are, for a period of at least 30 years, affordable  
145 as defined in s. 420.0004. Notwithstanding any other law, local



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146 ordinance, or regulation to the contrary, a municipality may not  
147 require a proposed multifamily development to obtain a zoning or  
148 land use change, special exception, conditional use approval,  
149 variance, or comprehensive plan amendment for the building  
150 height, zoning, and densities authorized under this subsection.  
151 For mixed-use residential projects, at least 65 percent of the  
152 total square footage must be used for residential purposes.

153 (b) A municipality may not restrict the density or floor  
154 area ratio of a proposed development authorized under this  
155 subsection below the highest currently allowed density or floor  
156 area ratio on any land in the municipality where residential  
157 development is allowed under the municipality's land development  
158 regulations. The currently allowed density or floor area ratio  
159 does not include the density or floor area ratio of any  
160 development that meets the requirements of this subsection or  
161 any bonuses, variances, or other special exceptions for density  
162 or floor area ratio provided in the municipality's land  
163 development regulations as incentives for development.

164 (c) A municipality may not restrict the height of a  
165 proposed development authorized under this subsection below the  
166 highest currently allowed height for a commercial or residential  
167 building development located in its jurisdiction within one-  
168 quarter mile ~~1-mile~~ of the proposed development or 3 stories,  
169 whichever is higher. If the height of each building on property  
170 adjacent to the proposed development is 3 stories or less, the  
171 municipality may restrict the height to 125 percent of the  
172 tallest building on property adjacent to the proposed  
173 development or 3 stories, whichever is higher. The currently  
174 allowed height does not include the height of any development

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175 that meets the requirements of this subsection or any bonuses,  
176 variances, or other special exceptions for height provided in  
177 the municipality's land development regulations as incentives  
178 for development.

179 (d) A proposed development authorized under this subsection  
180 must be administratively approved and no further action by the  
181 governing body of the municipality is required if the  
182 development satisfies the municipality's land development  
183 regulations for multifamily developments in areas zoned for such  
184 use and is otherwise consistent with the comprehensive plan,  
185 with the exception of provisions establishing allowable  
186 densities, height, and land use. Such land development  
187 regulations include, but are not limited to, regulations  
188 relating to setbacks and parking requirements. A proposed  
189 development located within one-quarter mile of a military  
190 installation identified in s. 163.3175(2) may not be  
191 administratively approved.

192 (f) A municipality that designates less than 20 percent of  
193 the land area within its jurisdiction for commercial ~~or~~  
194 ~~industrial~~ use must authorize a proposed multifamily development  
195 as provided in this subsection in areas zoned for commercial ~~or~~  
196 ~~industrial~~ use only if the proposed multifamily development is  
197 mixed-use residential.

198 (h) This subsection does not apply to airport-impacted  
199 areas as provided in s. 333.03 ~~property defined as recreational~~  
200 ~~and commercial working waterfront in s. 342.201(2)(b) in any~~  
201 ~~area zoned as industrial.~~

202 (8) Any development authorized under paragraph (7)(a) must  
203 be treated as a conforming use even after the expiration of



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204 subsection (7) and the development's affordability period as  
 205 provided in paragraph (7) (a), notwithstanding the municipality's  
 206 comprehensive plan, future land use designation, or zoning. If  
 207 at any point during the development's affordability period the  
 208 development violates the affordability period requirement  
 209 provided in paragraph (7) (a), the development must be allowed a  
 210 reasonable time to cure such violation. If the violation is not  
 211 cured within a reasonable time, the development must be treated  
 212 as a nonconforming use.

213 Section 3. Subsection (3) of section 196.1978, Florida  
 214 Statutes, is amended to read:

215 196.1978 Affordable housing property exemption.—

216 (3) (a) As used in this subsection, the term:

217 1. "Corporation" means the Florida Housing Finance  
 218 Corporation.

219 2. "Newly constructed" means an improvement or the  
 220 substantial rehabilitation of an existing improvement to real  
 221 property which was substantially completed within 5 years before  
 222 the date of an applicant's first submission of a request for a  
 223 certification notice ~~or an application for an exemption~~ pursuant  
 224 to this subsection ~~section, whichever is earlier.~~

225 3. "Substantially completed" has the same meaning as in s.  
 226 192.042(1).

227 4. "Substantial rehabilitation" means the repair or  
 228 restoration of a unit which increases the market value of such  
 229 unit by at least 40 percent.

230 (b) Notwithstanding ss. 196.195 and 196.196, portions of  
 231 property in a multifamily project are considered property used  
 232 for a charitable purpose and are eligible to receive an ad

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233 valorem property tax exemption if such portions meet all of the  
234 following conditions:

235 1. Provide affordable housing to natural persons or  
236 families meeting the income limitations provided in paragraph  
237 (d).~~†~~

238 2.a. Are within a newly constructed multifamily project  
239 that contains more than 70 units dedicated to housing natural  
240 persons or families meeting the income limitations provided in  
241 paragraph (d); or

242 b. Are within a newly constructed multifamily project in an  
243 area of critical state concern, as designated by s. 380.0552 or  
244 chapter 28-36, Florida Administrative Code, which contains more  
245 than 10 units dedicated to housing natural persons or families  
246 meeting the income limitations provided in paragraph (d). and

247 3. Are rented for an amount that does not exceed the amount  
248 as specified by the most recent multifamily rental programs  
249 income and rent limit chart posted by the corporation and  
250 derived from the Multifamily Tax Subsidy Projects Income Limits  
251 published by the United States Department of Housing and Urban  
252 Development or 90 percent of the fair market value rent as  
253 determined by a rental market study meeting the requirements of  
254 paragraph (1) ~~(m)~~, whichever is less.

255 (c) If a unit that in the previous year received ~~qualified~~  
256 ~~for~~ the exemption under this subsection and was occupied by a  
257 tenant is vacant on January 1, the vacant unit is eligible for  
258 the exemption if the use of the unit is restricted to providing  
259 affordable housing that would otherwise meet the requirements of  
260 this subsection and a reasonable effort is made to lease the  
261 unit to eligible persons or families.



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262 (d)1. The property appraiser shall exempt:  
 263 a. Seventy-five percent of the assessed value of the units  
 264 in multifamily projects that meet the requirements of this  
 265 subsection and are ~~Qualified property~~ used to house natural  
 266 persons or families whose annual household income is greater  
 267 than 80 percent but not more than 120 percent of the median  
 268 annual adjusted gross income for households within the  
 269 metropolitan statistical area or, if not within a metropolitan  
 270 statistical area, within the county in which the person or  
 271 family resides; and, ~~must receive an ad valorem property tax~~  
 272 ~~exemption of 75 percent of the assessed value.~~  
 273 b.2. From ad valorem property taxes the units in  
 274 multifamily projects that meet the requirements of this  
 275 subsection and are ~~Qualified property~~ used to house natural  
 276 persons or families whose annual household income does not  
 277 exceed 80 percent of the median annual adjusted gross income for  
 278 households within the metropolitan statistical area or, if not  
 279 within a metropolitan statistical area, within the county in  
 280 which the person or family resides, ~~is exempt from ad valorem~~  
 281 ~~property taxes.~~  
 282 2. When determining the value of a unit for purposes of  
 283 applying an exemption pursuant to this paragraph, the property  
 284 appraiser must include in such valuation the proportionate share  
 285 of the residential common areas, including the land, fairly  
 286 attributable to such unit.  
 287 (e) To be eligible to receive an exemption under this  
 288 subsection, a property owner must submit an application on a  
 289 form prescribed by the department by March 1 for the exemption,  
 290 accompanied by a certification notice from the corporation to

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291 the property appraiser. The property appraiser shall review the  
292 application and determine whether the applicant meets all of the  
293 requirements of this subsection and is entitled to an exemption.  
294 A property appraiser may request and review additional  
295 information necessary to make such determination. A property  
296 appraiser may grant an exemption only for a property for which  
297 the corporation has issued a certification notice and which the  
298 property appraiser determines is entitled to an exemption.

299 (f) To receive a certification notice, a property owner  
300 must submit a request to the corporation ~~for certification~~ on a  
301 form provided by the corporation which includes all of the  
302 following:

303 1. The most recently completed rental market study meeting  
304 the requirements of paragraph (l) ~~(m)~~.

305 2. A list of the units for which the property owner seeks  
306 an exemption.

307 3. The rent amount received by the property owner for each  
308 unit for which the property owner seeks an exemption. If a unit  
309 is vacant and qualifies for an exemption under paragraph (c),  
310 the property owner must provide evidence of the published rent  
311 amount for each vacant unit.

312 4. If the units for which the property owner seeks an  
313 exemption have been substantially rehabilitated but have not  
314 been certified previously by the corporation pursuant to  
315 paragraph (g), a market value analysis meeting the requirements  
316 of paragraph (m) demonstrating that the units meet the  
317 definition of substantial rehabilitation in subparagraph (a)4.  
318 After receiving an initial certification notice for  
319 substantially rehabilitated units, a property owner is not



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320 required to submit a new market value analysis when requesting  
 321 certification notices for subsequent years.

322 5. A sworn statement, under penalty of perjury, from the  
 323 applicant restricting the property for a period of not less than  
 324 3 years to housing persons or families who meet the income  
 325 limitations under this subsection.

326 (g) The corporation shall review the request for a  
 327 certification notice and certify whether a property that meets  
 328 the eligibility criteria of paragraphs (b) and (c) this  
 329 subsection. A determination by the corporation regarding a  
 330 request for a certification notice does not constitute a grant  
 331 of an exemption pursuant to this subsection or final agency  
 332 action pursuant to chapter 120.

333 1. If the corporation determines that the property meets  
 334 the eligibility criteria ~~for an exemption under this subsection,~~  
 335 the corporation must send a certification notice to the property  
 336 owner and the property appraiser.

337 2. If the corporation determines that the property does not  
 338 meet the eligibility criteria, the corporation must notify the  
 339 property owner and include the reasons for such determination.

340 (h) The corporation shall post on its website the deadline  
 341 to submit a request for a certification notice. The deadline  
 342 must allow adequate time for a property owner to submit a timely  
 343 application for exemption to the property appraiser.

344 ~~(i) The property appraiser shall review the application and~~  
 345 ~~determine if the applicant is entitled to an exemption. A~~  
 346 ~~property appraiser may grant an exemption only for a property~~  
 347 ~~for which the corporation has issued a certification notice.~~

348 ~~(j)~~ If the property appraiser determines that for any year

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349 during the immediately previous 10 years a person who was not  
350 entitled to an exemption under this subsection was granted such  
351 an exemption, the property appraiser must serve upon the owner a  
352 notice of intent to record in the public records of the county a  
353 notice of tax lien against any property owned by that person in  
354 the county, and that property must be identified in the notice  
355 of tax lien. Any property owned by the taxpayer and situated in  
356 this state is subject to the taxes exempted by the improper  
357 exemption, plus a penalty of 50 percent of the unpaid taxes for  
358 each year and interest at a rate of 15 percent per annum. If an  
359 exemption is improperly granted as a result of a clerical  
360 mistake or an omission by the property appraiser, the property  
361 owner improperly receiving the exemption may not be assessed a  
362 penalty or interest.

363 (j)~~(k)~~ Units subject to an agreement with the corporation  
364 pursuant to chapter 420 recorded in the official records of the  
365 county in which the property is located to provide housing to  
366 natural persons or families meeting the extremely-low-income,  
367 very-low-income, or low-income limits specified in s. 420.0004  
368 are not eligible for this exemption.

369 (k)~~(l)~~ Property receiving an exemption pursuant to s.  
370 196.1979 is not eligible for this exemption.

371 (l)~~(m)~~ A rental market study submitted as required by  
372 subparagraph (f)1. ~~paragraph (f)~~ must identify the fair market  
373 value rent of each unit for which a property owner seeks an  
374 exemption. Only a certified general appraiser as defined in  
375 s. 475.611 may issue a rental market study. The certified  
376 general appraiser must be independent of the property owner who  
377 requests the rental market study. In preparing the rental market



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378 study, a certified general appraiser shall comply with the  
379 standards of professional practice pursuant to part II of  
380 chapter 475 and use comparable property within the same  
381 geographic area and of the same type as the property for which  
382 the exemption is sought. A rental market study must have been  
383 completed within 3 years before submission of the application.

384 (m) A market value analysis submitted as required by  
385 subparagraph (f)4. must identify the change in the market value  
386 of the unit attributable to the rehabilitation of the unit,  
387 expressed as a percentage of the market value before the  
388 rehabilitation, for each unit that has undergone rehabilitation.  
389 Only a certified general appraiser as defined in s. 475.611 may  
390 issue a market value analysis. The certified general appraiser  
391 must be independent of the property owner who requests the  
392 market value analysis. In preparing the market value analysis, a  
393 certified general appraiser shall comply with the standards of  
394 professional practice pursuant to part II of chapter 475 and use  
395 comparable property within the same geographic area and of the  
396 same type as the property for which the exemption is sought.

397 (n) The corporation may adopt rules to implement this  
398 section.

399 (o) This subsection first applies to the 2024 tax roll and  
400 is repealed December 31, 2059.

401 Section 4. The amendments made by this act to s. 196.1978,  
402 Florida Statutes, are intended to be remedial and clarifying in  
403 nature and apply retroactively to January 1, 2024.

404 Section 5. Present subsection (5) of section 333.03,  
405 Florida Statutes, is redesignated as subsection (6), and a new  
406 subsection (5) is added to that section, to read:

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407 333.03 Requirement to adopt airport zoning regulations.—

408 (5) Sections 125.01055(7) and 166.04151(7) do not apply to  
 409 any of the following:

410 (a) A proposed development within 10,000 feet of the  
 411 nearest point of any existing airport runway or planned airport  
 412 runway identified in the local government's airport master plan.

413 (b) A proposed development within any airport noise zone  
 414 identified in the federal land use compatibility table.

415 (c) A proposed development that exceeds maximum height  
 416 restrictions identified in the political subdivision's airport  
 417 zoning regulation adopted pursuant to this section.

418 Section 6. Subsection (3) of section 420.5096, Florida  
 419 Statutes, is amended to read:

420 420.5096 Florida Hometown Hero Program.—

421 (3) For loans made available pursuant to s.

422 420.507(23)(a)1. or 2., the corporation may underwrite and make  
 423 those mortgage loans through the program to persons or families  
 424 who have household incomes that do not exceed 150 percent of the  
 425 state median income or local median income, whichever is  
 426 greater. A borrower must be seeking to purchase a home as a  
 427 primary residence; must be a first-time homebuyer and a Florida  
 428 resident; and must be employed full-time by a Florida-based  
 429 employer. The borrower must provide documentation of full-time  
 430 employment, or full-time status for self-employed individuals,  
 431 ~~of 35 hours or more per week.~~ The requirement to be a first-time  
 432 homebuyer does not apply to a borrower who is an active duty  
 433 servicemember of a branch of the armed forces or the Florida  
 434 National Guard, as defined in s. 250.01, or a veteran.

435 Section 7. For the 2024-2025 fiscal year, from the funds



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436 received and deposited into the General Revenue Fund from the  
437 state's allocation from the federal Coronavirus State Fiscal  
438 Recovery Fund created under the American Rescue Plan Act of  
439 2021, Pub. L. No. 117-2, the sum of \$100 million in nonrecurring  
440 funds is appropriated to the State Housing Trust Fund for use by  
441 the Florida Housing Finance Corporation to implement the Florida  
442 Hometown Hero Program established in s. 420.5096, Florida  
443 Statutes.

444 Section 8. This act shall take effect upon becoming a law.




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**Meeting Name:** Planning and Zoning Board  
**Meeting Date:** January 17, 2024  
**Prepared By:** Davila, F, CFM.  
**Item Title:** Discussion on Tower Features

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## DISCUSSION:

As part of the Board's prioritized agenda item list, item F, discussion on Tower Structures, Town staff is bringing this item for board discussion.

The topic specifically stated, "would like to discuss the possibility of giving more guidelines to the construction of allowable 225 sq. ft. towers in districts where they are currently permitted, especially those going in on flat roofs."

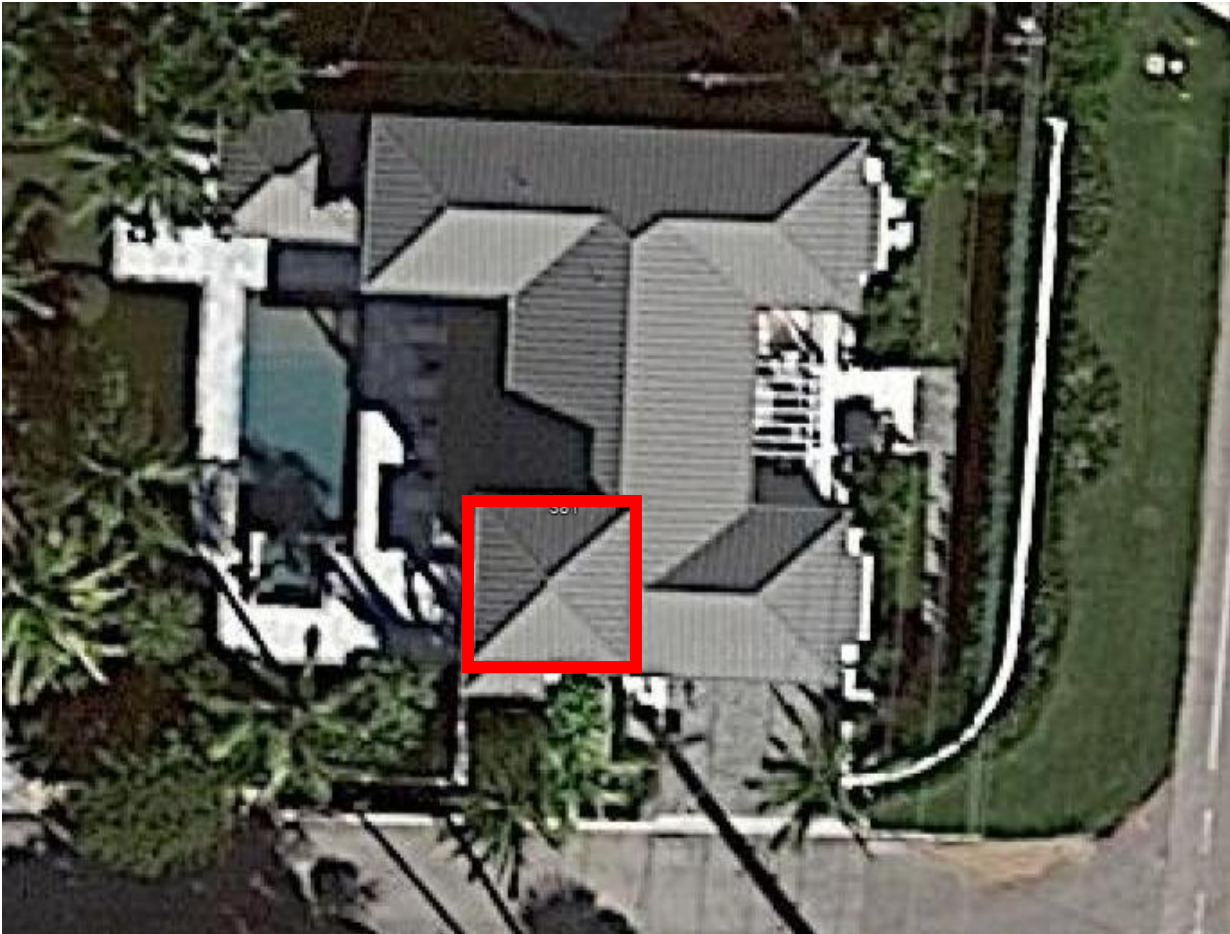
Code Section 34-4, Definitions, states that ***Tower** means an open air or enclosed structural feature which is an integral part of the principal structure, and whose floor area, from outside wall to outside wall, is limited in size. Such structural feature is intended to provide additional scenic view opportunities.*

***Tower, proportional,** means the height of the eave of the tower structure, or roof deck, if applicable, shall be no higher than 1.5 times the height of the eave of the principal structure. The roof of the tower may extend above this limit. As an example, if the height of an eave for a two-story principal building is at 18 feet, then the height of the tower eave or roof deck shall be no higher than 27 feet ( $18 \times 1.5 = 27$ ) above the average existing grade or crown of the road, whichever is applicable. The roof of the tower may extend above this limit.*

Certain zoning districts, that allow towers, limit the tower area to a maximum of 225 sq. ft., no matter the roof type or pitch that the main structure may have. In addition, tower features are usually located above the maximum allowable building height (adjacent to the roof).

Please see below some examples of tower features around the Town.



















**RECOMMENDATION:**

Staff is prepared to answer any questions that the Board may have on this item

Reference(s):

34-4 Definitions.

[https://library.municode.com/fl/juno\\_beach/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH34ZO\\_ARTIINGE\\_S34-2PU](https://library.municode.com/fl/juno_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH34ZO_ARTIINGE_S34-2PU)

34-268 Building Site Area Regulations (RS-1 to RS-5)

[https://library.municode.com/fl/juno\\_beach/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH34ZO\\_ARTIIDIRE\\_DIV2RESIMI--ZODI\\_S34-268SIPLRERE](https://library.municode.com/fl/juno_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH34ZO_ARTIIDIRE_DIV2RESIMI--ZODI_S34-268SIPLRERE)