

**AGENDA
TOWN OF JUPITER ISLAND
TOWN COMMISSION MEETING
WEDNESDAY, APRIL 16, 2025, 9:00 AM
ISLAND ROOM – TOWN HALL – 2 BRIDGE ROAD**

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND COMMENTS*

Mayor/Commissioner Comments

- a. Town Coffee Update
- b. Commissioner Comments
- c. Agenda Approval
- d. Other Comments

Public Comment (Non-Agenda Related)

Public Comment is an opportunity for the Mayor and Town Commissioners to listen to any issue(s) of importance to you. Public Comment is offered at the beginning of our meetings, in the event attendees cannot stay in chamber for the agenda item or meeting duration. If you elect to address an item on today's agenda during opening Public Comment, we ask that you please refrain from re-addressing the item during Public Comment at the agenda item. Residents also may submit comments, at any time, to the Mayor and Commissioners into the public record: THMail@tji.martin.fl.us. (Please email Public Comment at least one business day prior to the meeting to ensure timely distribution to the Mayor and Commissioners.)

CONSENT ITEMS

1. Consent Agenda

Category A- To be reviewed and approved (as is or as edited) by the Town Commission

- a. Minutes of the March 21, 2025, Town Commission Meeting

Category B- Other Informational Materials (No Action Required)

- a. Minutes of the Impact Review Committee Meeting March 6, 2025
- b. Minutes of the Scholarship Committee Meeting April 24, 2024
- c. Fixed Asset Disposals

PRIORITY MATTERS & PRESENTATIONS

2. Public Safety Employee of the Year*
3. Jupiter Island Club Employee Housing

COMMISSION ACTION ITEMS

4. Resolution No. 931 - Settlement Agreement
5. Ordinance No. 406 - Adjusting Waterfront Setback Line - 1st Reading
6. Ordinance No. 407 - Adoption of Procedural Terms of Settlement Agreement - 1st Reading
7. Ordinance No. 403 - Leaf Blowers - 2nd Reading
8. Ordinance No. 404 - Board of Adjustment Authority - 2nd Reading
9. Ordinance No. 405 - Amending Appendix A of the Town's Code of Ordinances Pertaining to Floor Area and Living Space - 2nd Reading
10. Zoning in Progress (ZIP) Waiver Requests
 - a. 59 North Beach
 - b. 43 North Beach
11. Density Study Proposal

ADDITIONAL COMMISSION MATTERS

12. Traffic Calming Update
13. Septic-to-Sewer Workshop Summary*
14. Commission Future Goals/Tasks*
15. Discussion regarding Glyphosate (Roundup) Prohibition*

STANDING REPORTS

16. Town Manager's Report*
17. Town Attorney Report*
18. Financial Report
19. Building Department Report
20. Public Safety
 - a. Resident Donation
 - b. Public Safety Activity Report

OTHER ITEMS

21. Meeting Dates

- April 8, 2025 – Septic to Sewer Public Workshop – 9AM
- April 15, 2025 – Town Coffee w/ Commissioner Warner – 9AM
- April 15, 2025 – Special Town Commission Meeting w Attorney Client Session – 10AM
- April 15, 2025 - SMRU Board and Beach Protection District Meetings – 10:45AM
- April 16, 2025 – Town Commission Meeting – 9AM
- April 30, 2025 – Special Town Commission Meeting – 9AM
- May 19, 2025 – Town Coffee with Commissioner Taddeo – 9AM
- May 19, 2025 – SMRU and Beach District Meetings – 10AM
- May 20, 2025 – Town Commission Meeting – 9AM
- June 10, 2025 – Town Coffee with Commissioner Field – 9AM
- June 10, 2025 – Beach District Meeting – 10AM
- June 11, 2025 – Town Commission Meeting – 9AM

22. Other Items*

** No advanced materials provided*

TOWN COMMISSION

Penny Townsend, Mayor
Anne Scott, Vice Mayor
Marshall Field VI, Commissioner
Patricia Warner, Commissioner
Joseph Taddeo, Commissioner

ADMINISTRATIVE STAFF

Town Manager, Robert Garlo
Town Attorney, Thomas J. Baird
Town Clerk, Kimberly Kogos

TOWN VISION

The Town of Jupiter Island is a barrier island community, between the Indian River Lagoon and the Atlantic Ocean, where the beauty of nature will always dominate the presence of man. Our vision for the future is illustrated by the traditions of the past, formed by a community of caring individuals who, with imagination and heart, have combined the island's beautiful gifts of nature with those of tradition and family. Inherent in the character of the Town are tranquility, seclusion and safety. The residents of Jupiter Island will faithfully endeavor to preserve and nurture their unique community for all future generations

STATE MANDATED STATEMENT

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Town prior to the meeting. Please contact the Town Hall, 2 Bridge Road, Hobe Sound, FL 33455, telephone (772) 545-0103.

**MINUTES
TOWN OF JUPITER ISLAND
TOWN COMMISSION MEETING
FRIDAY, MARCH 21, 2025**

TIME: Friday, March 21, 2025 – 9:00 AM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Mayor Penny Townsend, Vice Mayor Marshall Field VI, and Commissioners Anne Scott, Patricia Warner and Joseph Taddeo. Also present were Town Manager Robert Garlo, Town Clerk Kimberly Kogos, Town Attorney Thomas Baird and IT Director Bill Sutton.

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMENTS*

Mayor/Commissioner Comments

Mayor Townsend called the meeting to order at 9:01 a.m. and read the Town Vision Statement.

a. Town Coffee Update

Mayor Townsend provided a report of the Town Coffee gathering and highlighted topics of conversation including Board of Adjustment authority, traffic, public beach facility and hours, traffic-calming methods, additional beach access in Martin County, beach renourishment, and turtle nesting season.

b. Commissioner Comments

There were no other comments at this time.

c. Agenda Approval

Mayor Townsend requested to move item 13a to 3a (following item 3); move item 10 to be part of item 3a; and move item 18 to directly before lunch break.

MOTION: *Warner/Field moved to approve amended agenda as discussed.*

ACTION: *Motion passed 5-0.*

d. Other Comments

Public Comment (Non-Agenda Related)

A resident read a statement by her husband, Stanley, regarding re-electing Penny Townsend as Mayor.

CONSENT ITEMS

1. Consent Agenda

MOTION: *Field/Taddeo moved to approve Consent Agenda as presented.*

ACTION: *Motion passed 5-0.*

Category A- To be reviewed and approved (as is or as edited) by the Town Commission

- a. Minutes of the February 19, 2025, Town Commission meeting
- b. Minutes of the February 18, 2025, Vulnerability Assessment Workshop
- c. Minutes of the February 14, 2025, Special Town Commission Meeting

Category B- Other Informational Materials (No Action Required)

- a. Minutes of the January 30, 2025, Board of Adjustment Minutes
- b. Minutes of the February 6, 2025, Impact Review Committee Meeting
- c. Minutes of the March 18, 2024, Finance Advisory Meeting
- d. Beautification Committee Update
- e. Scholarship Committee Update

PRIORITY MATTERS & PRESENTATIONS

2. Municipal Election 2025

- a. Resolution No. 927 - Announcing General Election Results

MOTION: *Scott/Field moved to approve Resolution No. 927 announcing General Election results.*

ACTION: *Motion passed 5-0.*

- b. Oath of Office/Swearing in of Newly Elected Commissioners - Honorable Judge Steven Levin*

Judge Steven Levin swore Commissioners Penny Townsend, Patricia Warner, and Joseph Taddeo into their respective terms of office.

- c. Appointment of Mayor*

Town Attorney Baird opened the nominations for Mayor.

Town Attorney Baird opened the floor for nominations for Mayor. Commissioner Taddeo nominated Commissioner Marshall Field. Commissioner Warner nominated Commissioner Penny Townsend. Commissioner Anne Scott nominated herself and provided comments highlighting her past experience. Town Clerk Kogos collected and tallied the ballots. The results were as follows: two votes for Commissioner Field, two votes for Commissioner Townsend, and one vote for Commissioner Scott.

Town Attorney Baird noted that in the case of a tie, a coin flip could be used to decide the outcome; however, the Town Commission agreed to conduct a second ballot vote. It was decided that the second vote would be between Commissioner Field and Commissioner Townsend. Town Clerk Kogos collected and tallied the ballots. The results were two votes for Commissioner Field and three votes for Commissioner Townsend. Commissioner Penny Townsend was confirmed as Mayor.

- d. Appointment of Vice Mayor*

Town Attorney Baird opened the floor for nominations for Vice Mayor. Commissioner Taddeo nominated Commissioner Marshall Field. Commissioner Warner nominated Commissioner Anne Scott.

Ballots were distributed and collected by Town Clerk Kogos. The results were tallied as follows: two votes for Commissioner Field and three votes for Commissioner Scott. Commissioner Anne Scott was confirmed as Vice Mayor.

3. Mid-Session Report - 2025 Florida Legislature - Kelly Layman*

Legislative and External Affairs Consultant Kelly Layman provided an update on legislative activity relevant to the Town. She reviewed three key legislative pursuits from the 2024 Session as approved by the Town Manager and Commission that had been successful.

For the 2025 session, Ms. Layman highlighted potential impacts to the Town's discretionary review process and emphasized the significance of public safety funding, noting that 40–50% of the Town's ad valorem taxes support public safety according to the Finance Director's early review of the bills. If ad valorem taxes were eliminated, the Town would lose 90% of its revenue. She added that lawsuits and tort actions against local governments are expected to increase, and the Town supports the Florida League of Cities' efforts to negotiate statutory cap increases.

She emphasized the importance of local governments staying responsive to existing state mandates and confirmed that she would continue monitoring the accessory dwelling unit (ADU) bill, responding to consensus from Commissioners.

Town Manager Garlo stated that the Town has a completed septic-to-sewer study and noted that during the discussion of upcoming meeting dates, a workshop will be scheduled for some time in April to review the study findings.

MOTION: *Scott/Taddeo moved to approve Resolution No. 930 Opposing Lawsuits Against Local Governments aka Sovereign Immunity Bills.*

ACTION: *Motion passed 5-0.*

COMMISSION ACTION ITEMS

4. Ordinance No. 405 - Amending Appendix A of the Town's Code of Ordinances - 1st Reading
Mayor Townsend explained the purpose of the Ordinance.

Town Attorney Baird read Ordinance 405 by title.

Vice Mayor Scott inquired whether the current proposal was a rewrite of Ordinance 393. Mayor Townsend explained that it was a limited revision, primarily to clarify the definition of "living space," which had been added to address concerns about basements not being counted. She noted that the revised language would ensure the definition applies only to basements and that floor area calculations accurately include all living space.

Vice Mayor Scott expressed concern that residents and attorneys were exploiting loopholes in Ordinance 393 to influence Island policy on bulk regulations. She emphasized that while Ordinance 393 and later Ordinance 401 addressed important policy corrections, including granting the Board of Adjustment greater discretion, the current piecemeal revisions felt reactive and insufficient. She questioned the purpose of some definitions, noting that they lacked direct application to code enforcement or regulation.

Mayor Townsend stated that while the Town cannot prevent individuals from attempting to circumvent the intent of the code, it can address areas where the language may unintentionally make such arguments easier. She emphasized that the proposed revision is not about rushing policy through, but about clarifying definitions to protect the Town's intent.

Vice Mayor Scott stated she was supportive of the proposed revision but emphasized the need for a broader policy discussion regarding who holds the authority to shape the future direction of the Island.

MOTION: *Scott/Warner moved to approve Ordinance No. 405 on 1st reading.*

ACTION: *Motion passed 5-0.*

5. Ordinance No. 404 - Board of Adjustment Authority - 1st Reading

Town Manager Garlo explained the proposed ordinance to change the Board of Adjustment (BOA) to an advisory body, with discussion also addressing the potential consolidation of the BOA and the Impact Review Committee (IRC) into a single board.

Vice Mayor Scott expressed support for the ordinance and made a motion to move it forward.

Commissioner Taddeo raised concerns about the purpose and implications of the proposed change, including the additional workload it could place on the Town Commission. Mayor Townsend acknowledged the increased responsibility and noted that site visits might become a requirement, adding to commissioners' duties.

Commissioner Taddeo stated the issue was not yet ready for a decision and reminded the Town Commission that during prior discussion, BOA and IRC members expressed opposition.

Mayor Townsend responded that at least one BOA member had voiced interest in consolidating the boards, while another highlighted the need for improved board training—a point with which she agreed.

Commissioner Taddeo asked about the consequences of shifting the BOA to an advisory role. Town Attorney Baird explained that under the current quasi-judicial framework, the BOA issues decisions that can be appealed, with standing required. The proposed change would make the BOA advisory, with the Town Commission rendering final decisions, subject to circuit court appeal.

Vice Mayor Scott noted that many residents already assume the Town Commission has authority over the BOA and emphasized that if the advisory board conducts thorough reviews, the Town Commission's added workload would be minimal.

Commissioner Taddeo maintained that the criteria guiding decisions should be revisited.

Commissioner Field commented that some board members lacked understanding of the criteria and did not seek clarification from the Building Department, raising questions about their qualifications to make binding decisions.

Public Comment:

Resident Jay Wilson asked if the Town has the right of appeal to the BOA decision. Town Attorney Baird explained the 1320 feet criteria of standing.

MOTION: *Field/Taddeo moved to Approve on Ordinance No. 404 regarding Board of Adjustment authority on 1st reading.*

ACTION: *Motion passed 5-0.*

Town Attorney Baird read the ordinance by title.

6. Ordinance No. 403 - Leaf Blowers - 1st Reading

Mayor Townsend announced that a provision was added to the ordinance allowing the Town to continue using towable gas-powered leaf blowers for municipal purposes such as clearing streets and parking lots.

Director Duchock presented an amended version of the draft ordinance initially reviewed during the previous month's meeting. Key changes included reducing the compliance period from 18–24 months to 12 months, setting an effective date of April 1, 2026. The revised draft prohibits the use of gas-powered leaf blowers on all residential properties and public lands, with limited exceptions for Town operations, as announced by the Mayor.

Discussion followed regarding the grace period and overall timing.

There was consensus among the Town Commission to accelerate the effective date, directing staff to amend the draft ordinance to reflect a new effective date of November 1, 2025, on page 4.

MOTION: *Field/Scott moved to approve Ordinance No. 403 on 1st reading as amended with effective date November 1, 2025.*

ACTION: *Motion passed 5-0.*

Town Attorney Baird read the Ordinance by title only.

7. Resolution No. 928 - Creation of Building Code Restricted Reserve Account

Director Pazanski explained that currently, the Town has a reserve fund dedicated to the Town's Building Code enforcement function, however, it was not approved by formal resolution. He added that the creation of a formal reserve account will ensure compliance with Florida law, and both provide for the future capital needs of the Building Department and assist with rate stabilization throughout the years. Once the restricted reserve account is created, the undedicated balance of revenue collections during the fiscal year will be placed in reserve as of September 30. At year-end for each subsequent year, excess revenue will be added to the Reserve Account or taken from the Reserve Account to fund Town Council-approved expenses if there is a shortfall in revenue.

MOTION: *Field/Taddeo moved to approve Resolution No. 928 as presented.*

ACTION: *Motion passed 5-0.*

8. Resolution No. 929 - Amending Building Department Fee Schedule

Director Harding explained the request to amend the building department fee schedule.

Commissioner Field inquired about the proposed reduction in the surcharge from 2% to 1.5%. Director Harding explained she had been advised the Building Department was accumulating surplus funds and that a reduction was appropriate. Director Pazanski added that the department currently has approximately \$3.5 million in reserves, which are restricted in use but available if needed.

Commissioner Field expressed concern that the fee reduction could potentially limit the department's operational flexibility. Director Pazanski clarified that the reserves provide adequate support and that the proposed reduction would not compromise essential functions.

Public Comment:

Resident Dena Testa asked why private inspectors are inspecting development instead of town resources.

Mayor Townsend explained that a private inspector is more convenient and timelier.

Director Harding confirmed that construction is often too large to inspect in a timely fashion, and a private inspector makes it easier and more timely for the resident. She noted that Town inspectors still review the work at critical phases of construction.

Director Harding explained that under state law, licensed private providers—typically engineers or architects—may conduct inspections on behalf of property owners. She noted that the Town cannot prohibit this practice but is authorized to perform spot inspections to ensure compliance.

Commissioner Field asked whether the Town was adequately staffed to oversee these inspections. Director Harding responded that the Town's inspection agency is competent and regularly performs oversight inspections without issue.

MOTION: *Taddeo/Scott moved to approve Resolution No. 929 amending the building department fee schedule as presented.*

ACTION: *Motion passed 5-0.*

9. Request for Waiver of Zoning in Progress

Mayor Townsend introduced the waiver request, noting that granting it would allow the applicant to begin the process ahead of the Zoning in Progress expiration in June.

Director Duchock stated it does not seem that the Waterfront Setback Line will affect this property.

MOTION: *Warner/Taddeo moved to approve the request for waiver of Zoning in Progress as presented*

ACTION: *Motion passed 5-0.*

10. Resolution No. 930 - Opposing the "Lawsuits Against Local Governments" aka Sovereign Immunity Bills - Kelly Layman

Item 10 was heard earlier in the meeting, along with Item 3.

OTHER ACTION ITEMS

11. Waterfront Setback Line Discussion*

Mayor Townsend asked staff to bring forth a settlement agreement and related documents.

MOTION: *Scott/Field moved to approve staff bringing forth a settlement agreement for the April 16, 2025, Town Commission meeting along with all related documents including Ordinances and Resolutions.*

ACTION: *Motion passed 5-0.*

MOTION: *Scott/Taddeo moved to approve staff bringing forth an Ordinance for the April 16, 2025, Town Commission meeting to adopt the Cummins Cederberg proposed Waterfront Setback Line as well as any related documents to accomplish that.*

ACTION: *Motion passed 5-0.*

12. Fiscal Year 2024 Annual Financial Audit Review

Daniel Anderson of Mauldin & Jenkins presented an overview of the 2024 Annual Financial Audit

Review which was previously dissected by the Town's Finance Advisory Board. He noted that the audit did not find any deficiencies.

STANDING REPORTS

13. Town Manager's Report

a. Correspondence Regarding Bamboo Cottage Approval

Item 13a was heard directly following Item 3.

Town Manager Garlo introduced the agenda item.

Dr. Ken Bottsford, President of the Jupiter Island Club, addressed the Town Commission and expressed the Club's interest in working collaboratively with the Town.

Attorney Jared Gaylord, representing the Club, was available to respond to provide additional information or address questions.

Vice Mayor Scott announced that she had filed a notice of appeal, which she stated was not acknowledged in the proposed Memorandum of Understanding (MOU). She emphasized that the MOU only referenced the Club's appellate rights and expressed disagreement with the current language. She stated the appeal should be heard within 60 days.

Town Manager Garlo noted that the entire agreement would be contingent on Vice Mayor Scott's willingness to grant an extension for hearing her appeal. He stated that he would work with the Town Attorney on preparing the appropriate document to formalize that arrangement.

Commissioner Field agreed with Vice Mayor Scott and stated there was no need to move forward with the MOU at this time. He recommended hearing the appeal first, followed by collaboration with the Club.

Vice Mayor Scott stated her appeal was filed to preserve legal standing in case the Town and the Club could not reach an agreement. She clarified the filing was not adversarial and expressed willingness to hold the appeal in abeyance during ongoing discussions. She emphasized the importance of preserving both her individual and the Town's appellate rights.

Commissioner Field reiterated his opposition to the MOU as written.

Commissioner Taddeo emphasized the value of the Town's long-standing relationship with the Club and noted that many priorities will require refurbishment over time. He expressed support for developing a long-range plan to streamline future approvals and make the process easier for both the Town and the Club. Attorney Gaylord confirmed the Club's openness to working with the Town.

Commissioner Warner disclosed her role on the Jupiter Island Club's architectural committee and noted that while many of the Club's plans are well thought out and appear feasible, this particular proposal raised concerns for her due to the potential density at the proposed location. She expressed uncertainty about supporting the current proposal but emphasized that future plans should be considered independently. She added that a cooperative approach, possibly including withdrawal and renewed collaboration, could offer a positive path forward.

Vice Mayor Scott requested that any revised MOU include her right to appeal without contesting the merits of the appeal.

Mayor Townsend stated that this was an opportunity to pause and reconsider the proposal, as suggested by Attorney Gaylord. She acknowledged Vice Mayor Scott's interest in preserving her right of appeal and agreed that it should be included in any revised memorandum. She emphasized the importance of maintaining the Town's longstanding collaborative relationship with the Club and noted that, while the Club is zoned A-80, it borders areas with much smaller setbacks. She supported moving the dialogue forward given the Club's 10-year development vision and expressed willingness to bring back a revised MOU next month that includes the Vice Mayor's appellate rights.

Commissioner Field stated there was no urgency to finalize the MOU at this time.

There was consensus to bring back a revised MOU as a formal document at the next meeting. Commissioner Field opposed.

Staff was directed to assemble a working group to coordinate with the Club on development-related matters.

MOTION: *Scott/Warner moved to create a staff communications group to work with the Club.*

ACTION: *Motion passed 5-0.*

Public Comment:

A resident asked about parking for the dormitory. Vice Mayor Scott noted the topic will be part of the cooperative planning.

b. Traffic Calming - Adam Kerr, Kimley-Horn

Town Manager Garlo introduced Adam Kerr of Kimley-Horn, highlighting his extensive experience with mitigation strategies. Mr. Kerr presented various traffic calming options aimed at reducing vehicle speed, lowering volume, and improving safety for both motorists and pedestrians—particularly in neighborhoods with documented speeding concerns.

Options presented included:

- Neighborhood Traffic Circles – Suitable for low-volume roads and must be placed at intersections.
- Bulbouts – Narrow lanes at intersections, limited to areas with cross-streets.
- Chicanes/Chokers – Alternating curb extensions that create a yield condition and slow traffic.
- Speed Humps – Best placed 300–600 feet apart between driveways and intersections; more effective than speed bumps but may impact noise levels and emergency response.
- Lane Width Reduction – Narrows lanes to encourage slower speeds on higher-volume roads.

Next steps include identifying specific locations where speeding occurs, determining preferred calming methods, and evaluating associated costs. Commissioners engaged in discussion regarding the applicability, benefits, and potential limitations of each option.

Public Comment:

Resident Kate Nelson expressed that pedestrians, trucks, bicyclists, etc. create a one-lane situation. Resident Ken McBrayer agreed about the one-lane situation thus increasing safety matters.

Mayor Townsend asked public safety and public works to review these options as well and bring back a recommendation.

Vice Mayor Scott would like to see financial comparisons as well. She also expressed need for increased enforcement.

c. Other Items*

14. Town Attorney Report*

Town Attorney Baird noted the need for in-person training sessions for the Board of Adjustment and the Impact Review Committee, stating that prior written memos were insufficient. He indicated the boards have upcoming meeting dates and requested to work with staff to prepare materials focused on code responsibilities, beyond the procedural content previously shared.

Attorney Baird also requested a private attorney-client session be scheduled for April 15, 2025, which will require a special meeting notice.

15. Financial Report

Director Pazanski reported current revenues at approximately \$10 million and expenditures at \$5.2 million, noting that both are trending as expected. The balance sheet and reserve levels also remain consistent with projections.

16. Building Department Report

Director Harding reviewed the February–March building report, including data on permits issued, fees collected, and code enforcement complaints. She noted that short-term rental applications are now available, and that staff is working with Kimley-Horn on the Comprehensive Plan update. She also provided a brief overview of upcoming applications.

17. Public Safety

a. Bicycle Safety*

Chief Ewing noted the electric bicycle (e-bike) safety issues in other municipalities but stated that e-bikes have not been a big problem on the Island. However, bicycle incidents have been a potential safety matter and public safety continues to address incidents and monitors roadways and intersections. Statute says that the first rider must stop and the following nine may follow through without stopping. Public Safety will continue to work with the bicycle groups going forward. There was also a reminder to use helmets and abide by traffic rules.

b. Public Safety Activity Report

Chief Ewing reviewed the activity report, briefly highlighting incidents. Better timely communication with affected residents was requested and confirmed.

Chief Ewing also reported that the average response time for cardiac and stroke-related emergency calls is approximately 18 minutes.

Vice Mayor Scott thanked Chief Ewing for the increased Marine Unit activity and offered continued support for additional resources if needed. Chief Ewing noted that two new part-time marine officers have been added and are completing field training. He stated that the addition of the new patrol boat has also enhanced on-water enforcement efforts.

c. Other Items*

Chief Ewing informed the Commission that the Town has signed and submitted a Memorandum of Agreement under the federal 287(g) Program, part of the Immigration and Nationality Act. The agreement, mandated by Florida Statute 908, requires local law enforcement agencies to cooperate with federal immigration authorities and prohibits sanctuary policies. The Town is operating under the Task Force Model.

The agreement enables trained officers to enforce civil immigration warrants issued by ICE. Chief Ewing noted that all 67 Florida sheriffs and nearly 50 municipalities have already signed similar agreements. The program requires 40 hours of federal training, and the department plans to train select officers. He emphasized that participation is mandatory under state law and failure to comply could result in sanctions, including removal from office.

Chief Ewing provided an update on beach-related parking and enforcement. He noted that the message board placed on Bridge Road has helped reduce parking issues, particularly over the most recent weekend. With Palm Beach County's spring break approaching, additional coverage has been scheduled, including ATV patrols on the beach and continued enforcement in the Town Hall and beach parking areas. He confirmed that citations were issued recently to beachgoers using the Town Hall lot during the week.

OTHER ITEMS

18. Meeting Dates

- REMINDER - April 7, 2025 Ethics Training for Elected Officials - Town Hall Island Room, 9- 1*
- March 20, 2025 – Town Coffee with Mayor Townsend – 9AM*
- March 20, 2025 – Beach Protection District Meetings – 10AM*
- March 21, 2025 – Town Commission Meeting and swearing in of newly elected officials – 9AM*
- April 15, 2025 – Town Coffee w/ Commissioner Warner – 9AM*
- April 15, 2025 – SMRU Board and Beach Protection District Meetings – 10AM*
- April 16, 2025 – Town Commission Meeting – 9AM*

The Town Commission scheduled the following meeting dates:

- April 8, 2025 – Septic to sewer workshop – 9AM*
- April 30, 2025 – Special Town Commission Meeting – 9AM (Commissioner Field not available)*
- April 15, 2025 – Town Coffee with Commissioner Warner*
- May 19, 2025 – Town Coffee with Commissioner Taddeo and Beach Protection*
- May 20, 2025 – Special Town Commission Meeting with shade meeting and SMRU*
- June 10, 2025 – Town Coffee with Commissioner Field and SMRU and Beach Protection*
- June 11, 2025 – Town Commission Meeting*

Ethics training was announced for April 7, 2025 from 9AM – 1PM.

a. Other Items*

Mayor Townsend reported on the recent Treasure Coast Regional League of Cities (TCRLC) meeting. She requested a change in TCRLC representation, appointing herself as the primary representative and Vice Mayor Scott as the alternate.

Mayor Townsend requested several follow-up items for future consideration, including a proposal from Kimley-Horn in April related to the Comprehensive Plan's density analysis, and the addition of South

Beach Road and MPO/Main Map coordination to a future agenda, noting the need for increased engagement with the MPO. She also requested the development of a resident survey to gather feedback on key issues, to be distributed via both email and traditional mail.

Mayor Townsend adjourned the meeting at 12:42 p.m.

Respectfully submitted,

Kimberly Kogos, Town Clerk

**MINUTES
TOWN OF JUPITER ISLAND
IMPACT REVIEW COMMITTEE MEETING
THURSDAY, MARCH 6, 2025**

TIME: Thursday, March 6, 2025 – 9:00 AM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Chair Bonnie Schiralli, Vice Chair Judy Holden, Members Valerie McNeely, Jennifer Madden and Eleanor Seaman, and Alternate Members Marshall Field V, Maria Bayazid, and Christina Whitney. Also present were Town Manager Robert Garlo, Town Clerk Kimberly Kogos, Town Attorney Thomas Baird and IT Director Bill Sutton.

CALL TO ORDER AND COMMENTS*

Chair Schiralli called to order at 9:00 AM and read the purpose of the Impact Review Committee from the Town Code. She announced a quorum and the committee members introduced themselves. Voting members were announced. Alternate Members Christina Whitney and Maria Bayazid also introduced themselves.

Town Clerk Kogos swore in those who wish to speak during the hearing including: Paul Catania of Parker Yanette Design Group; Attorney Jared Gaylord of Marc R. Gaylord P.A; Chuck Yanette of Parker Yanette Design Group; Richard Rutledge, Innocenti & Webel; and Building Director Catherine Harding.

ACTION ITEMS

1. Minutes of the February 6, 2025 Impact Review Committee Meeting

MOTION: *Holden/McNeely moved to approve minutes as presented.*

ACTION: *Motion passed 5-0.*

2. 508 South Beach Road

The property is vacant land. The request is to construct a new one-story residence with a pool, patio, a main driveway entrance with a gate, a service entry driveway with a gate, parking area, mechanical enclosures, a three-bay garage, detached one story guest house, detached home office and gym with associated hardscaping and landscaping.

Ex-Parte Communication

- *Chair Schiralli stated that she visited the property with Director Harding, read all materials, and had no ex-parte communication.*
- *Vice Chair Holden stated that she visited the property, read all materials, and had no ex-parte communication.*
- *Member Madden stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*
- *Member McNeely stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*

- *Member Seaman stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*

Director Harding introduced the application and provided background information. She explained that the standards had been met, the application had been reviewed by the Building Department, and supplemental requirements would be addressed prior to the building permit.

Attorney Jared Gaylord introduced the project team. He provided an aerial photograph of the property and provided a history of the property as he displayed historical aerial photographs. He displayed the property survey and explained the reason for the BOA application and the relief for fill over three feet. He displayed the floor plan of the proposed structure, landscaping, and access points including gates. He reviewed the drainage system and exfiltration trenches. He displayed streetscape photographs of the property and neighboring properties, followed by photographs of the existing buffering.

Chair Schiralli asked about building further west of neighboring structures. Attorney Gaylord explained the "line of site" rule and explained the shoreline variances.

Vice Chair Holden asked about retaining walls and swales. She questioned the water flow from the swales and questioned if most of the water would flow toward the waterway. Attorney Gaylord stated that the water would flow to the lowest point due to the natural grading of the properties. He noted that most of the area slopes toward the waterway, with elevations decreasing as one moves west. He clarified that the water is not being intentionally directed but follows the natural topography.

Vice Chair Holden referred to retaining walls and noted many of the existing walls are in disrepair. She asked if the walls could be built to last for a longer period of time. Mr. Catania explained the construction of the proposed seawall would include metal rods and concrete.

Member Seaman asked if the project is a spec house or if the owner intends to occupy the property. Attorney Gaylord stated that the family will reside in the home.

Mr. Catania of Parker Yanette reviewed the landscape plans noting the vegetation plans and plant material, both existing and proposed. He reviewed the swimming pool area and displayed buffer elevations. He explained the retaining walls and noted receipt of a letter of approval from the neighbor. Mr. Catania also displayed the gate elevations.

Member McNeely referred to the south buffer. Mr. Catania explained that two buffers will be combined, making a dense vegetation buffer.

Chair Schiralli referred to the entry gate and asked about the pillars and lighting. Mr. Catania confirmed there would be no planned lighting. Chair Schiralli also inquired about the construction material storage. Mr. Catania noted that the construction materials will be stored out of sight.

Chair Schiralli inquired about the service driveway, and Mr. Catania confirmed it would be installed near the end of the project.

Chair Schiralli asked about the retaining wall. Attorney Gaylord explained that a retainer wall agreement between the neighbors had already been recorded. She referred to the boulders that are on the current property and asked if they would be removed or used. Mr. Catania stated that they will be strategically used in the landscape as decorative accents. She asked about tree removal occurring currently on the property. Attorney Gaylord stated that he had advised the owners not to remove any vegetation at this

time. However, Director Harding stated they were cited for a violation for removal and working after hours.

Vice Chair Holden noted that she did not see a west view of the buffering in relation to the neighboring properties. Attorney Gaylord displayed various views for the Committee.

Public Comment: None

MOTION: *Holden/Seaman moved to approve the application with recommended conditions, based on the testimony presented, the plans submitted, and the fact that the application meets the standards of Article X, Division 2, Section 2.02 for impact review.*

ACTION: *Motion passed 5-0.*

3. 302 South Beach Road

The property is vacant land. The request is to construct a new one-story residence, a two-car garage, guesthouse, cabana, pool, sauna and pergola with new landscape and hardscape.

Ex-Parte Communication

- *Chair Schiralli stated that she visited the property with Director Harding, read all materials, and had no ex-parte communication.*
- *Vice Chair Holden stated that she visited the property, read all materials, and had no ex-parte communication.*
- *Member Madden stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*
- *Member McNeely stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*
- *Member Seaman stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*

Director Harding introduced the application and provided background information. She stated that the applicant met the requirements of Article X, Division 2, Section 2.02, Standards for Impact Review, as outlined in the application. She noted that a full staff review was conducted and that supplemental requirements would be addressed before a building permit is issued. She also mentioned a letter of support from a neighbor.

Attorney Jared Gaylord greeted the committee and introduced the project team. He displayed current and historic aerial views of the property. He showed the property survey and explained using the easement for access, instead of South Beach Road. He displayed the architectural plans along with the site data. He reviewed the floor plans and elevations, explained the proposed regrading of the lot and the necessary retaining walls. He also displayed existing streetscape photographs, as well as views of the property buffers.

Alternate Member Field asked if the property has ocean access. Attorney Gaylord stated that there is a private easement right included in the property.

Member Madden asked about the construction access off South Beach Road, and how it will be buffered.

Attorney Gaylord briefly reviewed the matter, noting that the landscape architect will provide additional details.

Vice Chair Holden opined that a 12' retaining wall seems inappropriate. Mr. Yanette clarified it is 5' to top of the retaining wall. Mr. Yanette stated that the highest point is 5.5' from the neighboring side. Vice Chair Holden questioned if it is 12' from the neighbors. Mr. Yanette explained the height per the grading and noted a significant buffer.

Chair Schiralli inquired about the existing lease on a private easement. Attorney Gaylord explained that acknowledged trucks were on the property and confirmed they were from the construction across the street. He clarified that while the trucks belong to a different contractor, they have a lease for the property. However, once construction begins, presumably on May 1, they will be notified to vacate.

Member Seaman asked for assurance of the owner intent of use of the property.

Mr. Yanette reviewed the landscape plans explaining the existing vegetation that will be removed or relocated and proposed planting materials. He provided elevations of the vegetation surrounding the proposed structures. He reviewed the current buffers compared to the proposed buffers. He also reviewed the construction staging plan, explaining the construction fence and preliminary vegetative buffering for screening.

Member Madden asked about maintaining the invasive Australian Pine species. Mr. Yanette confirmed the owner wants to keep the trees.

Chair Schiralli confirmed the easement is jointly owned and noted the ramble needs to be repaired after construction. Discussion ensued regarding a secondary entry along the easement drive, noting the only gate will be a construction gate.

Vice Chair Holden questioned potential buffering along the easement. Mr. Yanette stated there is an 8' hedge, but not heavily screened, which is in character with the neighboring properties.

Public Comment:

Ann Geddes was sworn in. She explained that she is the neighboring property and noted that she has been subjected to construction for the last four years. She asked about the height of the buffer on the south. She stated that she would prefer not to have access in front of their entry door. She also asked that the owners be required to maintain their portion of the easement. Attorney Gaylord displayed the location of Mrs. Geddes current driveways in contrast to the proposed driveways. Mrs. Geddes also requested minimizing any potential construction damage to her property. Chair Schiralli required placement of an 8' silt fence versus 6' along the south side. Mrs. Geddes agreed. Mrs. Geddes asked about the easement agreement and owner maintenance of the easement, as well as the construction timeline. Attorney Gaylord noted the site prep would occur this summer and construction is proposed to begin in May 2026.

Discussion ensued about the motion.

The Board recommended the following conditions:

- Ramble shall be repaired after construction cut is completed.
- Install 8' silt construction fence on south side and property maintained, irrigated and seeded.
- Easement shall be maintained during construction.

MOTION: *Holden/Madden moved to approve with recommended conditions, based on the testimony presented, the plans submitted, and the fact that the application meets the standards of Article X, Division 2, Section 2.02 for impact review.*

ACTION: *Motion passed 5-0.*

The Board recessed at 10:33 AM.

The Board reconvened at 10:42 AM.

4. 169 South Beach Road

The request is to add a new three bay garage that will be attached to the main residence. The garage will have space to park three cars and room for storage. The new garage will not result in additional floor area due to the use of the non-habitable nature of the space and Ordinance No. 393.

Ex-Parte Communication

- *Chair Schiralli stated that she tried to visit the property, read all materials, and had no ex-parte communication.*
- *Vice Chair Holden stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*
- *Member Madden stated that she drove into the driveway, spoke with Director Harding, read all materials, and had no ex-parte communication.*
- *Member McNeely stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*
- *Member Seaman stated that she looked at the plans, spoke with Director Harding, read all materials, and had no ex-parte communication.*

Director Harding introduced the application and provided background information and noted the revised plan was submitted to attach the proposed garage to an existing accessory structure. The applicant has agreed to wait until the end of June 2025 so the current ZIP will not apply to this application. She stated that existing landscape buffers around the garage walls would be maintained, enhanced, and allowed to grow higher to improve screening from the beach. She noted that original requirements from South Martin Regional Utility, public safety agencies, and King Tree Service remain in effect, with Code Compliance monitoring construction site maintenance. She read a letter of support from one of the neighbors.

Vice Chair Holden expressed concern about the handling of the project, stating that receiving information late hindered proper review. She requested to defer the project.

Town Clerk Kogos swore in Tucker Johnson.

Mr. Johnson stated he did not request or authorize the withdrawal of his application. He explained that while in Antigua, he learned of actions taken to derail it, which he opposed. He worked with Richard Rutledge and Scott Hughes to develop a compromise at the Town's request but noted the original plan remained an option if more time was needed. He explained this is an effort on his part to accommodate the Town. He asked the committee to hear the application.

Vice Chair Holden stated that she did not review the original plans as she was informed it was withdrawn.

Chair Schiralli questioned why the town opposed the plan and who specifically objected. He noted the ambiguities and unidentified individuals influencing the decision, stating that, given the property size, he understood the desire for an attached garage.

Vice Chair Holden stated that she is not ready to vote on either plan as she did not review any plans.

Mr. Tucker stated that the Town withdrew the application without his knowledge. He explained that Commissioner Scott pressed the building department to withdraw.

Chair Schiralli asked why the committee did not receive a copy of the commission disagreement/approval of the application.

Town Attorney Baird stated that the Town Manager explained to him that the genesis of the new plan is that there was an interpretation of the new code, regarding the original plan submitted. He explained with the garage attached to the residence; the interpretation is it would be greater than the allowable square footage. The revised plan compromises by moving the garage to an accessory building.

Town Clerk Kogos swore in Scott Hughes.

Chair Schiralli expressed concern that the plans had been significantly altered and apologized for any misinterpretation. She questioned whether the matter could be postponed until next month, echoing a concern previously raised by Vice Chair Holden.

Mr. Hughes explained that they need to apply to DEP for the Town to give a permit. Chair Schiralli stated that she thought this is a replacement of an existing garage. Mr. Hughes stated that DEP approval is required due to the project's location east of the CCL line. He noted the application was initially approved for impact review before being reconsidered. He emphasized that his client should not be negatively affected by code interpretation issues and that the revised plan aligns with the timeline and town priorities. He stated this is an adjustment, not a full overhaul.

Member Seaman stated they should hear the presentation.

Vice Chair Holden stated she is conflicted. Mr. Johnson stated this would set him back a year if the application is not heard today. He further added that other people created the inconvenience (not him). Vice Chair Holden agreed to hear the application.

Chair Schiralli, Member McNeely, and Member Madden also agreed to hear the application.

Attorney Jared Gaylord greeted the committee and introduced the project team. He displayed aerial views of the property showing the existing structure and motor court area utilizing a shade covering, not an actual garage enclosure. He displayed the existing survey of the property followed by site photographs, explaining the current parking area and the proposed garage structure. He displayed the architectural plans including the floor plans, roof line comparison (proposed vs. current covered area) and elevations, followed by renderings. He confirmed the roof will be flat and planted. The building will be painted off white with sage green trim that will match the house but will not be visible anywhere off the property.

Mr. Rutledge briefly reviewed the landscape and construction staging plan.

Vice Chair Holden asked about access for lawn equipment in the garage area. Mr. Rutledge explained that the 12-foot-wide, 10-foot-tall bays would accommodate maintenance needs. He noted that a pathway allows for lawn mowers and equipment access, and an existing lawn ramp provides entry to the backyard, with soil on three sides and rock boulders along one side.

Member Field expressed that this is only an addition to the current cloth covered space.

Public Comment: None

MOTION: Holden moved defer without prejudice. (The motion failed due to lack of second.)

Member McNeely stated no objections to the application itself but expressed concern over the process.

MOTION: McNeely/Madden moved to approve the application as revised with recommended conditions, based on the testimony presented, the plans submitted, and the fact that the application meets the standards of Article X, Division 2, Section 2.02 for impact review.

Chair Schiralli noted the project was approved by the Town Commission on September 7, with a DEP permit and zoning waiver secured on September 9. She viewed the situation as a hardship, questioned the last-minute disruption, and stated she felt comfortable approving the project.

ACTION: Motion passed 4-1. Vice Chair Holden dissented.

5. Other Items*

a. Next Meeting - April 3, 2025

Director Harding stated the next meeting will be April 3, 2025, if all applications are ready to be heard.

b. Other Matters*

Chair Schiralli asked whether there was any official update regarding rumors about the BOA being advisory or potentially becoming part of the IRC. Director Harding did not have further information about this matter at this time.

Town Attorney Baird stated he previously provided a memo regarding quasi-judicial procedures, noting that speaking with staff, or anyone outside the hearing room, is actually an ex-parte disclosure, and the subject matter should be disclosed as well. Discussion ensued regarding procedure and sunshine law.

Chair Schiralli adjourned the meeting at 11:44 AM.

Respectfully Submitted,

Kimberly Kogos, Town Clerk

**MINUTES
TOWN OF JUPITER ISLAND
SCHOLARSHIP COMMITTEE MEETING
APRIL 24, 2024 – 1:30 P.M.
TOWN HALL CONFERENCE ROOM**

PRESENT: Charlotte Johnson, Chair STAFF: Carol Hazel, Recording Secretary
Barbara Carr
Laurie Gaylord
Penny Townsend

1. WELCOME

Chair Johnson called the meeting to order at 1:36 p.m. New Member Laurie Gaylord, who replaced Member Angelo Schiralli, was warmly welcomed to the committee.

2. MINUTES OF THE MEETING HELD ON APRIL 17, 2023

The minutes of the April 17, 2023 Scholarship Committee meeting were approved as written by unanimous consent. Motion Member Gaylord, second Member Townsend.

NOTE: Member Gaylord requested the review of the applications be moved ahead on the agenda as she had a tight schedule. The members agreed to defer discussion on Agenda Item 3, Financial Report, to later in the meeting.

4. REVIEW AND DISCUSSION OF THE FIVE SCHOLARSHIP APPLICATIONS FOR THE UPCOMING 2024-2025 ACADEMIC YEAR

Member Sarah Colley had a conflict and was unable to attend the meeting. However, she did provide written comments regarding the applications.

Chair Johnson reported there were five applications this year, three repeat applicants – Kaili and Elizabeth Duchock and Jack Ungerland – and two first-time applicants – Fernanda Checa and Aubrey Williams. The members reviewed each candidate's application documents individually starting with the two new applicants.

Fernanda Checa

First-time applicant Fernanda Checa is the daughter of Aldo Leon, an SMRU Customer Service Representative. She is currently a high school senior at a public charter school in St. Lucie County. Fernanda has applied to Indian River State College, but at this time does not know if she will be accepted. She hopes to become a Plastic Surgeon, and initially hopes to be admitted to the school's Nursing Program.

Member Gaylord noted that Fernanda is pursuing a difficult program in medicine but plans to start in the IRSC nursing program. Based on her SAT scores, Mrs. Gaylord felt Fernanda would not qualify for the nursing program but could possibly start in the medical assistant program. In general, the

Committee members felt that Fernanda's application lacked depth, that she did not clearly respond to the financial aid section, and that her SAT scores should have been higher for acceptance into the program she seeks. However, the committee has high hopes for Fernanda's future. They also recommended that she might qualify for the IRSC Promise Program which provides tuition-free student assistance, the Florida Bright Futures Program, or other program that targets aid to underserved students. Member Mayor Townsend noted that Fernanda's high school GPA does meet the Town's scholarship qualifying grade, but noted that Town scholarships do not cover off-campus housing, which might be a requisite for the Promise program.

Member Gaylord moved not to award Fernanda a scholarship at this time, that she re-apply next year, and in the interim work with her guidance counselor on how to better qualify for the Town's program. Member Mayor Townsend seconded the motion, and the motion was approved 4-0.

Jack Ungerland

Jack is a returning multiple-year applicant and previous Scholarship awardee. He is the son of Bonnie Ungerland of the Town's Finance Department staff. Jack received his Bachelor's Degree in January 2023 and is on a steady Physical Therapy career track. Although awarded a scholarship last year, Jack was not able to partake of the award as he had not yet been accepted to a graduate program. This year, at this point in time, he is still unsure which school he will attend for his graduate program.

Member Mayor Townsend stated that she was very impressed with Jack when she interviewed him when he first applied for the Scholarship program. She noted that he is a doer and a go-getter. She also has spoken with his mother Bonnie about his future education endeavors and that Bonnie reported he most likely will attend grad school in St. Augustine or tech school in Miami.

Following discussion, Members Gaylord/Townsend moved to award Jack a \$2500 scholarship, conditional on his acceptance and enrollment in a minimum 12-credit hour graduate program. The motion was approved 4-0

The members discussed Jack's minimal comments on his application related to tuition range for the school he plans to attend. While school tuition does not have an impact on the amount of the Town scholarship award, the members were in agreement to add tuition range to the Town's scholarship application. Member Gaylord also suggested extending the application deadline from February to sometime in March when the applicant will have a better indication of the school they plan to attend and the expenses they would incur. After further consideration, the members suggested changing the application deadline to March 15, submitting the applications received to the Committee as soon as possible thereafter, and holding the review meeting April 10 or so.

Elizabeth Duchock

Elizabeth, the daughter of Beach Protection District Director John Duchock, is a returning applicant and previous scholarship awardee in the Town's Scholarship Program.

The members discussed that Elizabeth submitted only one of the two required reference letters in her application packet, which rendered her application incomplete. Recording Secretary Hazel

apologized for not noticing the omission and not requesting Elizabeth to submit the second reference. The members noted, however, that the applicants are responsible for submitting a complete application in order to qualify for the Town's Scholarship program. Member Mayor Townsend moved, seconded by Member Gaylord, that Elizabeth did not submit complete application requirements, and therefore did not qualify for the Town Scholarship program this year. In addition, she is the recipient of a Bright Futures Scholarship which covers the majority of her college expenses. The motion was approved 4-0.

Following the vote, the members stressed the importance of the students ensuring they submit all requirements necessary in order to qualify for the Town program.

Member Gaylord suggested the Committee meet again to "hash out" the program details and tighten up the Town's application and review process.

Kaili Duchock

Kaili Duchock is the daughter of John Duchock, Beach Protection District Director. She is pursuing a degree in Environmental Science and plans to work in environmental resources management. She hopes to go abroad to observe and study other countries' attempts to enhance and preserve their environments.

Kaili is also a Bright Futures Scholarship recipient and the members began discussions on what Kaili could accept from the Town Scholarship Program. As Member Gaylord had to leave for another meeting, the members tabled further conversation regarding Kaili's application until later in the meeting and took up consideration of Aubrey Williams' application while Member Gaylord was still present.

Aubrey Williams

Aubrey is the daughter of Jill Hart from the Town's Building Department. She is a senior attending The Pine School in Hobe Sound and plans to major in biomedical engineering and doing things in the STEM field.

The Committee members complimented Aubrey on her application, her academic and community achievements, and her future academic and professional goals. Member Mayor Townsend reported that she spoke with Aubrey's mother who reported that Aubrey has been accepted to a specialized program in her field at Syracuse University. Following the members' discussion and review of Aubrey's application and qualifications, Member Gaylord moved and Member Mayor Townsend seconded to award Aubrey a full scholarship of \$2500. The motion was approved 4-0. The members also requested to invite Aubrey for an in-person or Zoom interview with them. Member Mayor Townsend clarified that Aubrey's scholarship award is not contingent on her interview.

NOTE: On May 20, Committee Chair Mayor Penny Townsend met briefly with Aubrey. She congratulated Aubrey on her high school achievements and her desire to pursue a degree in the STEM field with major focus in robotics and prostheses. Aubrey will attend Syracuse University, which she selected for its exceptional STEM program and specialized training in the field of biomedical engineering. She has been funded a \$65,000 four-year scholarship at Syracuse, or five

years if she is accepted to their Master's program. During her interview on why she selected the STEM program, Aubrey commented on her energy and her joy to work with people and assist in solving their problems. She mentioned that she will be required to live on campus for her first year.

Kaili Duchock - continued

Prior to further consideration regarding a scholarship for Kaili, the members invited her father to come in and explain how the Bright Futures Scholarship Program operates and what Kaili can accept in other scholarship awards. John reported that the Town scholarship awards are given to the university for the student's college-related expenses during the academic year. Unused amounts are given back to the student at the end of the school year and are taxable. When asked what would be an appropriate scholarship amount, John reported that \$2000 would help and be useful. Member Mayor Townsend read aloud the Town's Scholarship Program guidelines. She also expressed discomfort that the program was set up to have any amount leftover become income. John was excused and left the room.

The Committee members then continued their discussions on what amount of scholarship would be appropriate to award Kaili. Since Bright Futures scholarships cover the majority of a student's college-related expenses, the members expressed concern that unused amounts of non-Bright Futures scholarships are remanded to the student and are considered taxable income per the IRS. The members also concurred about the need to review the scholarship award process and criteria and to have a more objective conversation about the program.

Chair Johnson queried the Committee members if they did award Kaili a scholarship, should they also give her sister Elizabeth something. Member Mayor Townsend responded "no" in that Elizabeth's application was incomplete.

The three members remaining then discussed what Scholarship amount would be appropriate to award Kaili. Member Carr felt it was unfair that a student who has gone through the effort to apply for and receive multiple scholarships should be shorted financially by the Town program as they do have expenses not covered by the other programs. Member Mayor Townsend expressed the dilemma that if the funds were given to the student, they might use the funds for items other than school-related expenses.

The members agreed on the need to discuss the scholarship award program in greater detail when the full committee was in the room, to take a fresh look at the scholarship process and criteria, and have a more objective conversation regarding the program.

The members agreed to send Kaili a message that the Committee continues to be impressed with her academic performance and would like to be able to award her a scholarship but the rules of the organization require the funds awarded to go to the university; and further, that the committee intends to have a meeting in the Fall to examine the program considerations as circumstances have changed. Motion Member Mayor Townsend, seconded by Member Carr, Approved 3-0.

3. FINANCIAL REPORT

Recording Secretary Hazel reviewed the current balance in the Town's Scholarship Fund (endowment) - \$22,257.50. Scholarships awarded to SMRU candidates are awarded from a separate SMRU fund.

5. OTHER ITEMS

Fundraising

The committee members discussed future Scholarship fundraising, noting that the previous effort last Fall brought no action. Chair Johnson reported that the Committee has received a \$10,000 grant from her in-laws and there currently was \$22,000 in the kitty with their contribution. Following discussion, the members agreed that late October-early November would be an appropriate time to send residents the previously proposed draft fundraising letter without a donor card by U.S. Mail explaining the program.

Next Meeting

The members also discussed meeting again in May of this year to review the scholarship application documents and recommend ways to improve the Town Scholarship Program. No date was immediately set. Secretary Hazel will contact the members with suggested dates for the meeting.

Suggestions for New Committee Members

Member Mayor Townsend announced her resignation from the Committee and recommended Sally Zunino for potential nomination to the Committee.

No other items were discussed.

6. ADJOURNMENT

Chair Johnson adjourned the meeting at 2:45 p.m.

Respectfully submitted,

Carol Hazel, Recording Secretary

TOWN OF JUPITER ISLAND

TO : Mayor and Commissioners
FROM : Danielle Losquadro, Senior Accountant 
RE : Fixed Asset Disposals
DATE : 4/4/25

The Town of Jupiter Island's Accounting Policy and Procedure Manual and Florida Statute 274.07 require Town Commission authorization for the disposal of surplus property. Attached is a listing of surplus property that has been identified as obsolete, replaced, lost/stolen, or inefficient. After the Commission's authorization, surplus property will be disposed of in accordance with Town policy and recorded in the Fixed Assets Module. Disposal methods include sale by auction, donation, or scrapping.

April 16, 2025

ASSET INFORMATION

[illegible]

J O N E S
F O S T E R

April 3, 2025

Via Email and Regular US Mail

Jared Gaylord, Esquire
Law Offices of Marc R. Gaylord, P.A.
12000 S.E. Old Dixie Highway
Hobe Sound, FL 33455

Re: Bamboo Dormitory Applications

Dear Mr. Gaylord:

I write to memorialize your client's consent in accordance to a stay of an administrative proceedings or appeals regarding the approvals rendered by the Jupiter Island Board of Adjustment (BOA) and Impact Review Committee (IRC). This letter agreement is in accordance with the direction Mr. Garlo and I have received from the Town Commission's (Commission) and Ms. Anne Scott in her individual capacity at the Town Commission (Commission) meeting of March 21, 2025. As you know, Ms. Scott has timely filed an appeal of the approvals of the BOA and IRC received for Jupiter Island Holdings, Inc. and the Jupiter Island Club, Inc. (collectively "the Club") pertaining to the Bamboo Dormitory applications. Although the Town Manager was prepared to file an appeal (based on the proximity of the Town-owned Public Safety property), at the Club's request, and with its agreement to the waiver of the appeal period, the Town Manager agreed to forbear the filing of an appeal to provide the Club with the opportunity to address the Commission at its March 21 meeting.

The Club agrees that the time as set forth in the below reference sections of the Town Code for Ms. Scott's appeal and the Town's right to appeal will be tolled to permit the Town and the Club to work toward a solution that is acceptable to the parties. The operative Town Code sections regarding taking of appeals are set forth in Division 8, Section 8.092. The time for conducting appeal hearings is contained in Division 8, Section 8.03 of the Town Code. To confirm that the Club agrees with the tolling of appeals by Ms. Scott and the Town Manager, please affix your signature on behalf of the Club on the line provided for you below.

E S T .
1 9 2 4

Thomas J. Baird
D 561 650 8233 O 561 659 3000
tbaird@jonesfoster.com

4741 Military Trail, Suite 200, Jupiter, FL 33458
jonesfoster.com

Jared Gaylord, Esquire
April 3, 2025
Page 2

Very truly yours,

JONES FOSTER P.A.



Thomas J. Baird

Florida Bar Board Certified City, County and Local Government Attorney

TOWN OF JUPITER ISLAND

JUPITER ISLAND HOLDINGS, INC.
JUPITER ISLAND CLUB, INC.

By _____
Robert Garlo, Town Manager

By _____
Kenneth B. Botsford, President

Anne Scott, individually

Jared Gaylord, Esquire
April 3, 2025
Page 3

#6098484 v1 18270-00002

ORDINANCE NO. 403

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING ARTICLE III OF CHAPTER 9 OF THE JUPITER ISLAND CODE OF ORDINANCES ENTITLED "NOISE"; PROVIDING FOR REGULATIONS PERTAINING TO LEAF BLOWERS OPERATING WITHIN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission desires to reduce noise pollution resulting from gas-powered leaf blowers; and,

WHEREAS, excessive sound is among the nuisances identified in Article III of the Town's Code of Ordinances (Code); and,

WHEREAS, the sound emitted from the operation of lawn maintenance equipment can constitute a nuisance; and,

WHEREAS, the sound created by gas-powered leaf blowers exceeds the permitted sound level limitations of the Code; and,

WHEREAS, the sound created by the operation of electric leaf blowers is substantially less than the sound created by the operation of gas-powered leaf blowers; and,

WHEREAS, the Town Commission finds that banning the use of gas-powered leaf blowers and the adoption of a requirement to use electric leaf blowers will minimize sound and the nuisance created by sound which exceed the sound standards of the Code; and,

WHEREAS, the Town commission finds that it is appropriate to establish a grace period wherein the Town will not enforce the provisions of the Code which bans the use of gas-powered leaf blowers and requires the use of electric leaf blowers on all residential properties and public lands of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, THAT:

Section 1: Chapter 9. Nuisances, Article III. Noise, Section 9-62 of the Code of Ordinances of the Town of Jupiter Island is hereby amended to read as follows:

ARTICLE III. - NOISE

Sec. 9-62. - Construction related activities; lawn maintenance activities.

(a) Definitions.

(1)"*Winter season*" means the period between November 1 and April 30.

(2)"*Summer season*" means the period between May 1 and October 31.

(3)"*Legal holidays*" means the following holidays: New Year's Day (January 1), Memorial Day (Last Monday in May), Independence Day (July 4), Labor Day (1st Monday in September), Thanksgiving Day (4th Thursday in November) and the Friday immediately following Thanksgiving Day, Christmas Day (December 25) and the day immediately following Christmas Day and when Christmas Day falls on a Saturday or Sunday, the Friday immediately preceding Christmas weekend and the Monday following Christmas weekend.

(4)"*Lawn maintenance equipment*" means motorized or powered equipment which is used to maintain lawns, trees, and landscaping, including but not limited to lawn mowers/yard tractors, chainsaws, lawn aerators, sod cutters, edgers, stump grinders, hedge trimmers, leaf blowers, lawn vacuum machines and monofilament line grass trimmers.

(5) "*Leaf blowers*" means any air blowing machine powered by gas or electricity to create a concentrated stream of air to push, or blow dirt, dust, leaves, grass clippings, trimmings, or debris.

(b) Use of restricted equipment.

(1) Applicability. Use of the following "restricted equipment" or engagement in the following activities during construction is restricted as provided in this section:

- a. Compressors, gas- or diesel-engine driven for operating jack hammers, riveting or drilling devices.
- b. Cranes of all weights and types and other related construction equipment such as, but not limited to, concrete pumps, pile driving, excavation and demolition.
- c. Dredges, of all types.
- d. Dry sandblasting machines and jackhammers.

e. Gasoline, diesel and/or steam engines that are operated in such a manner as to: 1. Emit offensive odors which are materially perceptible from any property line; or, 2. Produce noise in excess of 60 decibels (dbs), measured at any property line.

f. Hammer-driven piledrivers, of all types.

g. Hammers, of all types, when used for metal-to-metal work that is not hammer-to-nail.

h. Power saws, band, cut-off and table, unless housed in a "dried-in" structure.

i. Radio, audio equipment or loudspeakers used in a manner that produces noise which is unreasonably loud.

j. Tractors, over two tons, which are rigged for earth moving or land clearing operations.

k. Any construction equipment, device or activity, which though otherwise permitted, produces noise in excess of 72 decibels (dbs), measured:

1. Fifty feet from the construction activity, or,

2. From the property line nearest to where the construction activity is taking place, whichever is greater.

(2) Restrictions. The use of "restricted equipment" is restricted as follows:

a. Use of restricted equipment is prohibited during the winter season.

b. Use of restricted equipment during the summer season is permitted only during the hours of 7:30 a.m. to 6:00 p.m., Monday through Friday.

c. Use of restricted equipment is prohibited on legal holidays.

(3) Exceptions. The following are exempt from the restrictions of this section:

a. Operation of restricted equipment relating to essential services of the Town;

b. Operation of restricted equipment to protect the public health, safety, and welfare during emergency conditions; and

c. Operation of restricted equipment for repairs, improvements or landscape work on permitted projects for a period of less than one week upon prior

written approval of the Town 's building official. A written request defining the specific nature of the work, its duration and the equipment involved shall be submitted to the Town's building official at least five working days prior to commencement of the work.

The building official may approve such work only upon being assured that the proposed use of equipment will not exceed established noise level restrictions nor excessively impact the inhabitants of adjoining properties and public roadways. The building official may establish terms and conditions relating to the work, if approved.

(c) Working hours for construction.

(1) During the winter season, construction work is restricted to the following hours: a.8:30 a.m. to 5:30 p.m., Monday through Friday; and, b.8:30 a.m. to 1:00 p.m. on Saturday.

(2) During the summer season, construction work is restricted to the following hours:

a. 7:30 a.m. to 6:00 p.m., Monday through Friday; and,
b. 8:30 a.m. to 5:00 p.m. on Saturday, upon prior written approval of the administrative official, which shall be granted if the applicant demonstrates that the construction work will not excessively impact inhabitants of adjoining properties.

(3) Construction work is prohibited on legal holidays.

(d) Working hours for lawn maintenance.

(1) During the winter season. operation of lawn maintenance equipment is restricted to the hours of 8:30 a.m. to 5:30 p.m., Monday through Friday, and from 8:30 a.m. to 1:00 p.m. on Saturday.

(2) During the summer season, operation of lawn maintenance equipment is restricted to the hours of 7:30 a.m. to 6:00 p.m., Monday through Friday, and from 8:30 a.m. to 5:00 p.m. on Saturday.

(3) Operation of lawn maintenance equipment is prohibited on legal holidays.

(e) Use of leaf blowers on residential properties and Town-owned public lands.

(1) Effective November 1, 2025, the use of gas-powered leaf blowers is prohibited on properties zoned for residential and public lands uses according to the Town's Zoning Map.

(2) Continued use of gas-powered leaf blowers may be permitted on properties zoned for recreation and conservation uses according to the Town's current Zoning Map and only in accordance with the noise and sound requirements of this section.

(3) Continued use of gas-powered leaf blowers is also permitted for use by the Town to clear roads, parking lots, and other paved surfaces within the Town.

(f)-(e) [Decibel levels.] The sound produced by lawn maintenance equipment shall not exceed 69 decibels (dbs), measured:

(1) Fifty feet from the point of operation of the equipment, or

(2) From the nearest property line to where the equipment is operated, whichever is greater.

(3) Leaf blowers, backpack sprayers and hand-held blowers shall be limited to a maximum decibel level that shall not exceed 65 (dbs) at a distance of 30 feet from the point of operation of the equipment or from the nearest property line to where the equipment is operated, whichever is greater. ~~This section relating to leaf blowers shall become effective October 1, 2007.~~

(g)(f) Maintenance of construction sites. It is the responsibility of the person, firm or corporation indicated on the development permit to maintain the site in a neat and orderly manner, including broom-cleaning the site each day, and preventing unsightly piles of trash and debris from gathering during the course of construction.

(h)(g) Avoidance of nuisance. When land has been cleared pursuant to a land clearing permit, the permittee shall either resod or replant the cleared area or periodically sprinkle the area ground to prevent windblown dust or dirt from creating a nuisance to other properties.

(i)(h) [Violations.] Each separate violation and each day of a continuing violation shall be considered a separate offense.

(j)(i) [Shutdown order.] In case of three or more violations of section 9-62(b) or (c) (Use of restricted equipment, Working hours for construction) the administrative official shall order the project to be shut down for the remainder of the winter season. If a shutdown order is issued, the site must be rendered safe and secure to the satisfaction of the administrative official within five working days.

Section 2. Repeal of Ordinances in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability. If any court of competent jurisdiction holds any word, part, section, paragraph or provision hereof to be unlawful or unconstitutional, such ruling

or finding shall not affect the remaining portions of this ordinance, which shall remain in full force and effect.

Section 4. Codification. This ordinance may be codified and made a part of the official Code of Ordinances of the Town of Jupiter Island.

Section 5. Effective Date. This ordinance shall become effective immediately upon execution.

ORDINANCE NO. 403 PASSED UPON FIRST READING THE 21st DAY OF MARCH, 2025.

PASSED AND ADOPTED UPON THE SECOND READING FOLLOWING PUBLIC HEARING THE 16th DAY OF APRIL, 2025.

(SEAL)

TOWN OF JUPITER ISLAND, FLORIDA

Mayor, Penny Townsend

Vice Mayor, Anne Scott

Commissioner, Marshall Field, VI

Commissioner, Patricia Warner

Commissioner, Joe Taddeo

ATTEST:

Town Clerk, Kimberly Kogos

#6080720 v1 18270-00002

Interoffice Memo

To: Robert Garlo, Town of Jupiter Island, Manager
From: Catherine Harding, Building, Planning and Zoning Director
Date: March 11, 2025

Reference:

Establishing one comprehensive Planning and Zoning Board.

If established, this Board will issue variances and consider applications for development in a one-step process.

Establishing one Board would eliminate applicants need to appear before the Board of Adjustment for a variance, if required, and subsequently before the Impact Review Committee for approval of the development plan. The Planning and Zoning Board would hear all the applications now heard by the Board of Adjustment and the Impact Review Committee in one hearing. It would be an efficient use of staff time and place the decision-making process for development with one Board. It offers the opportunity of a single Board to make a comprehensive review and address all issues that may arrive in a cohesive fashion.

Currently, an applicant pays a fee of \$1,000. for each application or \$2,000. if there is a need to go before the BOA and the IRC. This change would reduce the fee to \$1,000. to appear before one Board.

The Planning and Zoning Board could be made up of 5 members with 3 alternates, chosen from the existing BOA and the IRC members.

Appeals from a decision of the Planning and Zoning Board will be made to the Town Commission. The Town Commission could itself, upon a majority vote, file an appeal. The Commission will then send the appealed decision back to the Planning and Zoning Board for further consideration.

ORDINANCE NO. 404

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS CONTAINED IN APPENDIX "A" OF THE TOWN CODE AT ARTICLE I, SECTION 3.01, PERTAINING TO THE AUTHORITY OF THE BOARD OF ADJUSTMENT REGARDING APPLICATIONS FOR VARIANCES; PROVIDING FOR THE AMENDMENT OF ARTICLE I, DIVISION 3, SECTION 3.03, PERTAINING TO THE AUTHORITY OF THE TOWN COMMISSION REGARDING APPLICATIONS FOR VARIANCES; PROVIDING FOR THE AMENDMENT OF ARTICLE X, DIVISION 8, SECTION 8.00, TO PROVIDE THAT THE TOWN COMMISSION IS AUTHORIZED TO CONSIDER RECOMMENDATIONS MADE BY THE BOARD OF ADJUSTMENT AND TO RENDER THE FINAL DECISION ON THE SAME; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Jupiter Island, Martin County, Florida (Town Commission) recognizes its responsibility to the elected and appointed officials serving the Town; and

WHEREAS, the Town Commission has previously created Article 1, Section 3.01, which vested a Board of Adjustment with the responsibility of making decisions on applications for variances pertaining to the development of properties within the Town; and

WHEREAS, as part of its review of the Town's Land Development Regulations, the Commission has concluded that the final authority for the determination of applications for variances should rest with the Commission and that the Board of Adjustment should only act in an advisory capacity; and

WHEREAS, the Town Commission has directed the Town Manager to make such changes to the Town's Land Development Regulations as are necessary to accomplish its directive.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE
TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AS FOLLOWS:**

Section 1: The whereas clauses are incorporated herein as the legislative findings of the Town Commission.

Section 2. The Town Commission hereby amends Article 1, Section 3.01 of Appendix A of the Town of Jupiter Island's Code, which contains the Town's Land Development Regulations, entitled "Board of Adjustment" as follows:

ARTICLE 1. GENERAL PROVISIONS

Sec. 3.01. – Board of Adjustment

- A. *Establishment.* A board of adjustment for the town is created and established.
- B. *Authority; functions; powers and duties in general.*
 - 1. The board of adjustment shall have the authority, function and duty to review applications and render recommendations to the Town Commission regarding ~~the has the following powers and duties:~~
 - a. *Increases in floor area, and variances.* ~~The board of adjustment shall hear and decide applications for approval using alternative development standards, increases in floor area, pursuant to article X, division 4, and variances.~~
 - b. *Other powers and duties.* The board of adjustment has the authority to carry out any other advisory powers and duties ~~provided in these land development regulations, or which have been~~ delegated to it by the town commission.
 - c. Appeals from any requirement, decision or determination made by the administrative official, including interpretations, approval or denial of applications, conditions of development approval, and decisions made with regard to the enforcement of these regulations.
 - 2. The chair, or in his or her absence the acting chair, may administer oaths and compel the attendance of witnesses.
 - 3. No member shall abstain from voting unless he or she has a conflict of interest pursuant to the provisions of F.S. ch. 112.

- C. *Composition.* The board of adjustment shall consist of five members appointed by the mayor, subject to ~~with~~ the consent of the town commission. Each member of the board of adjustment must have a place of residence within the incorporated limits of the town. Members of the board of adjustment shall not hold any elected public office.
- D. *Alternate members.* The board of adjustment shall also have three alternate members to be appointed by the mayor subject to the approval and ~~with the~~ consent of the town commission. Alternate members may act in the temporary absence or disability of any regular member or when a regular member has a conflict of interest pursuant to F.S. ch. 112 ~~is disqualified~~ in a particular case. Alternate members of the board of adjustment may participate in the discussion of the items that are presented to it, but may only vote on an item if the member is participating in lieu of a regular member of the board of adjustment.
- E. *Terms of office.*
1. The ~~basic~~ term of office for members of the board of adjustment shall be three years; provided that each member serving at the time of adoption of these land development regulations section ~~shall~~ may complete his or her term as originally established.
 2. The members of the board of adjustment shall hold office as indicated above until the town commission's April meeting date of the year each member's term expires. As the initial term of each member expires, the new term of each member shall be three years.
 3. Each member shall hold office until his or her successor is duly appointed and qualified.
 4. Any member appointed to serve in lieu of any member on account of death, resignation, removal or disability of such member, shall serve only for the unexpired term of such member, but shall be eligible for reappointment thereafter.
- F. *Removal from office.* Should any member of the board of adjustment no longer maintain a residence within the incorporated limits of the town, the member shall become disqualified and a new member, who maintains a residence within the incorporated limits of the town, shall be appointed.
- G. *Reappointment.* Any member is eligible for reappointment.
- H. *Vacancies.* Any vacancy occurring shall be filled by the town commission within 60 days after the vacancy occurs.
- I. *Officers.* The mayor shall appoint, ~~with~~ subject to the approval and consent of the town commission, a chair and vice-chair from among the members of the board of adjustment. The town clerk or his or her designee shall take all minutes and perform clerical duties necessary to the functioning of the board.

J. *Meetings and rules of procedure.*

1. The board of adjustment shall meet at regular intervals to be determined by it and at such other times as the chair or commission may determine.
2. The board of adjustment ~~shall~~ may adopt rules for the transaction of its business, ~~and The Town's Building, Planning and Zoning Department shall maintain keep a properly indexed written records of its resolutions, transactions, findings and recommendations pertaining to applications determinations, which record shall be maintained as a public record.~~
3. The administrative official or his or her designee shall attend all meetings and ~~evaluate applications make such be permitted to answer questions, give evidence and make written recommendations to the board of adjustment and town commission on the applications.~~
4. The town clerk or his or her designee may administer oaths, ~~and the chair or acting chair may compel the attendance of witnesses in the same manner as prescribed in the circuit court.~~
5. No action shall be taken on any application unless a quorum of three members is present, and only upon a majority vote of all members present and voting
6. The board of adjustment or any of its members may inspect the premises, site or area under consideration.
7. All decisions of the board of adjustment shall be by motion, second and an affirmative vote of a majority of the members present and voting.
8. All meetings of the board of adjustment shall be open to the public, as provided by law.

~~K. *Employees and salaries.*~~

1. ~~The board of adjustment may, subject to the approval of the town commission and within the financial limitations set by appropriations made or other funds available, employ such experts, technicians and staff as may be deemed proper and pay their salaries, contractual charges and fees, and such other expenses as are necessary to conduct the work of the commission.~~
2. ~~The administrative official shall furnish from the town such staff as may be necessary to assist and advise the board in fulfillment of its duties and is authorized to retain a qualified reporter or clerk to record and transcribe the public proceedings of the board of adjustment.~~

~~K. *Minutes*~~ public record. The clerk of the board of adjustment shall keep minutes of its proceedings, showing the vote of each member on each question or if absent or abstaining, indicating such fact. The records of the board of adjustment shall be filed maintained in the office of the town clerk and shall be public record.

Section 3. The Town Commission hereby amends Article X, Division 5, Section 5.00 of Appendix A, of the Code of Ordinances as follows:

Sec. 5.00. Standards for approval of variances.

~~Except as provided in Article V, section 5.09 (variances related to subdivision standards),~~ Following a recommendation of the board of adjustment, the town commission ~~board of adjustment shall~~ may grant a variance from the terms of these land development regulations if it finds the applicant has demonstrated ~~demonstrates~~ that:

- A. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district; and
- B. The special conditions and circumstances do not result from the actions of the applicant; and
- C. The variance requested will not confer on the applicant any special privilege that is denied by those land development regulations to other lands, buildings or structures in the same zoning district; and
- D. Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant; and
- E. The variance is the minimum variance that will make possible the reasonable use of the land, building or structure; and
- F. The variance will be in harmony with the general intent and purpose of these land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and
- G. The variance does not authorize a use of land that is prohibited in the underlying zoning district.

Section 5. The Town Commission hereby amends Article X, Division 8, Section 8.00 of

Appendix A of the Code of Ordinances, as follows:

Sec. 8.00. Authority and purpose.

- A. The board of adjustment is authorized to make recommendations to the town commission regarding ~~hear~~ appeals from any requirement, decision or determination made by the administrative official, regarding any requirement, decision, or determination made by the administrative official, including interpretations, approval or denial of applications, conditions of development approval, and decisions made with regard to the enforcement of these regulations.
- B. The town commission is authorized to:
 - 1. ~~Hear appeals from decisions~~ Consider the recommendations of the board of adjustment regarding any requirement, decision, or determination of; and
 - 2. Hear appeals from decisions of the impact review committee.
 - 3. Make final determinations on the use and approval of variances, and appeals of any requirement, decision or determination made by the administrative official.

Section 6. Severability.

If any provision of this ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this ordinance are hereby declared severable.

Section 7. Repeal of ordinances in conflict.

All other ordinances of the Town of Jupiter Island, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 8. Codification.

This ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Jupiter Island, Florida.

Section 9. Effective Date.

This ordinance shall take effect immediately upon its passage and approval, as provided by law.

ORDINANCE 404 PASSED UPON FIRST READING ON THE 21st DAY OF MARCH 2025. PASSED AND ADOPTED UPON SECOND READING ON THE 16th DAY OF APRIL 2025.

(SEAL)

TOWN OF JUPITER ISLAND, FLORIDA

Mayor, Penelope Townsend

Vice Mayor, Anne Scott

Commissioner, Marshall Field VI

Commissioner, Patricia Warner

Commissioner, Joseph Taddeo

ATTEST:

Town Clerk, Kimberly Kogos

#3452921 v 18270-00002

ORDINANCE 405

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING APPENDIX A OF THE TOWN'S CODE OF ORDINANCES WHICH CONTAINS THE TOWN'S LAND DEVELOPMENT REGULATIONS REGARDING FLOOR AREA AND LIVING SPACE; PROVIDING FOR THE AMENDMENT OF ARTICLE II, SECTION 1.00 TO AMEND DEFINITION OF LIVING SPACE; PROVIDING FOR AMENDMENTS TO ARTICLE III REGARDING THE MAXIMUM FLOOR AREA OF A PRINCIPLE DWELLING IN THE TOWN'S RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR THE AMENDMENT OF DIVISION 2 SECTION 2.02G; PROVIDING FOR THE AMENDMENT OF DIVISION 3, SECTION 3.02G; PROVIDING FOR THE AMENDMENT OF DIVISION 4 SECTION 4.02G; PROVIDING FOR THE AMENDMENT OF DIVISION 5 SECTION 5.02G; PROVIDING FOR THE AMENDMENT OF DIVISION 6 SECTION 6.02G; PROVIDING FOR THE AMENDMENT OF DIVISION 7 SECTION 7.02G; PROVIDING FOR THE AMENDMENT OF DIVISION 8 SECTION 8.02G; PROVIDING FOR THE AMENDMENT OF ARTICLE IV DIVISION 2 SECTION 2.01D REGARDING FLOOR AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Jupiter Island, Martin County, Florida (Town) has such powers and authority as conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and,

WHEREAS, the Town Commission has previously created Land Development Regulations (LDR) codified in Appendix A of the Town's Code of Ordinances (Code); and,

WHEREAS, as part of the review of the Town's LDR, the Town's Administrative Official has concluded that amendments to certain Articles of the LDR are necessary and appropriate; and,

WHEREAS, the Town Commission has reviewed the proposed revisions to the Town's LDR and has determined that it is appropriate to incorporate them into the LDR

contained in Appendix A of the Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE
TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AS FOLLOWS:**

Section 1: The whereas clauses are incorporated herein as the legislative finding of the Town Commission.

Section 2. Article II, Section 1.00 “Definitions” is hereby amended to add the following definitions.

Sec. 1.00 Definitions.

Throughout these regulations, the following terms or words shall have the meanings indicated:

Accessway: The means of ingress and egress to property from a publicly dedicated right-of-way.

Accessory building (also, accessory structure): A detached, obviously subordinate building or structure that contains an accessory use, and which is located on the same lot as that of the principal building.

Accessory use: A use that is customarily and typically incidental to and subordinate to the principal use.

Administrative official: The Town manager or the member of the Town professional staff authorized by the Town Commission to enforce, interpret or administer these regulations.

Apparent mass: The perceived mass of an object when it is viewed from a particular vantage point and is placed in a particular context. The apparent mass of a building or structure is affected by such factors as size, configuration, design, orientation, topography, landscaping, distance, articulation, fenestration, color, the horizon, and other nearby buildings or structures.

Basement: A part of a building which:

1. Has a ceiling which is no higher than three feet above the adjacent ground level if located within the footprint of the first floor, or
2. Has a ceiling which is completely below ground level if located outside the footprint of the first floor.

(See Illustration 1: Basement, Exhibit A)

Bedroom: A bedroom is a room that can be used for sleeping and that:

1. Has a minimum of 70 square feet of conditioned space.

2. Is located along an exterior wall.
3. Has a closet and a door.
4. Has an emergency means of escape and rescue opening to the outside.

A room may not be considered a bedroom if it is used to access another room.

A bedroom does not include a hallway, bathroom, kitchen, living room, family room, dining room, den, breakfast nook, pantry, laundry room, sunroom, recreation room, media/video room, or exercise room.

Brush bin: A bin that is intended for the orderly collection of cut limbs, vegetation, and the like on a temporary basis until such debris can be removed from the property.

Building envelope: The three-dimensional area within a lot which is enclosed its sides by vertical planes extending from applicable setback lines and on the top by the applicable height limitation. (See Illustration 2: Building Envelope, Exhibit A)

Building: A permanent structure that has a roof and walls. Such term shall be construed as if followed by the phrase "or part thereof."

Building height: The height of a building, measured as provided in article IV, section 2.00.

Building, one-story: A building or portion of a building is one-story if it appears to contain one story, in that the outside walls of the building are no taller than 14 feet in height and:

1. If the roof is flat, the building is no taller than 16 feet in height. (See Illustration 3: Building Stories, Flat Roof, Exhibit A)
2. If the roof is sloped at an angle of less than or equal to three feet of height for every 12 feet in roof length or is sloped at an angle of greater than or equal to two feet of height for every 12 feet in roof length but does not terminate at a peak or ridge, the building is no taller than 27 feet in height. (See Illustration 4: Building Stories, Pitched Roof 3:12 or Less, Exhibit A)
3. If the roof terminates at a peak or ridge and is sloped roof at an angle of greater than three feet of height for every 12 feet of roof length, the building is no taller than 30 feet in height. (See Illustration 5: Building Stores, Pitched Roof Greater than 3:12, Exhibit A)

Center line: The line midway between the side lines of a road right-of-way or the surveyed and prescribed center line established by Martin County, the State of Florida, or the Town Commission for a road right-of-way, which may or may not be the line midway between the existing or proposed side lines.

Certificate of appropriateness: A document evidencing the approval of the Town Commission for alterations to a designated historic building or landmark.

Certificate of occupancy: A statement signed by the administrative official setting forth that a building legally complies with the provisions of these regulations and that the same may be used for the purposes stated therein.

Coastal high hazard area: Is the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from the Hurricanes (SLOSH) computerized storm surge model.

Common property line: A property boundary shared by more than one lot.

Completely enclosed: A building space bounded on all sides by a roof, the ground or floor, and exterior walls.

Comprehensive plan: The official public documents adopted by the Town Commission pursuant to Chapter 163, Part II, Florida Statutes, and Florida Administrative Code § 9J-5.

Contiguous: Contiguous means sharing a common property line.

Crown level, street: Center line elevation of the contiguous street.

Development, or to develop: The construction, alteration, demolition, or relocation of any building or structure on a lot, or a change in the use of a lot, or the modification of the physical characteristics of a lot. To develop is the act of creating development.

Development permit: Any order or permit granting, or granting with conditions, the right to develop.

Dwelling: A building used for human habitation.

Entrance feature: Any combination of decorative structures, hardscape elements, landscape elements, or combination thereof, located at the entrance to a property or along the right-of-way boundaries, created with the express purpose of identifying or drawing attention to the property and/or exercising control of ingress and egress to the property. An entrance feature may include, although not necessarily be limited to, statues, decorative structures, earthworks, water bodies, fountains, ornamental light structures, flagpoles and landscape elements, either singly or in any combination thereof.

Executive/employee/group vacation retreat: Simultaneous use or occupancy of a dwelling unit by a group of individuals other than a family.

Family: One or more persons occupying a single dwelling; however, no more than five unrelated persons who are not gainfully employed on the premises shall constitute a family.

Floor area: The sum of all of the areas of building floors and areas under certain other structures, measured as provided in article IV, section 2.01.

Floor area ratio (FAR): A measure of intensity of development, determined by dividing the total floor area on a lot by the lot area. (See Illustration 8: Floor Area Ratio, Exhibit A)

Front building line: The line of the exterior wall of the building nearest to the front line of the lot. (See Illustration 9: Front Building Line, Exhibit A)

Frontage, street: The portion of a lot that abuts a street. (See Illustration 10: Lot Width, Lot Depth, and Frontage, Exhibit A)

Garage: A building or portion of a building used for the parking or storage of motor vehicles.

Guest house or cottage: A building used as a temporary residence by non-paying guests.

Habitable Space: a space in a building for living, sleeping, eating or cooking.

Bathrooms, toilet rooms, closets, halls, screen enclosures or utility spaces and similar areas are not considered habitable spaces.

Land clearing: The felling or removal of any tree or removal of 15 percent or more of underbrush on unimproved land, or the placement or excavation of more than 50 cubic yards of soil.

Landscaped area: Land which is planted with and supports native or landscape plants.

Living Space: A space within a dwelling unit utilized for living, sleeping, eating, cooking bathing, washing and sanitation purposes. ~~For this definition, living space and floor area are the same.~~

Living Space within a basement that was developed prior to the adoption of this ordinance, shall not be included in non-conforming uses providing the property is not redeveloped over 50%.

Lot: A parcel of land platted as a lot pursuant to the laws of the State of Florida, or described by metes and bounds.

Lot of record: A platted lot which complied with each and every requirement of the Code of Ordinances and Land Development Regulations of the Town of Jupiter Island when the lot was recorded in the Office of the Clerk of the Circuit Court of Palm Beach or Martin County.

Lot area: The total land area of a lot. Lot area does not include submerged land for purposes of calculating floor area.

Lot, corner: A lot which is contiguous to two or more intersecting streets. (See Illustration 10: Lot Width, Lot Depth, and Frontage, Exhibit A)

Lot coverage: The percentage of the lot area that occupied by the footprint of floor area.

Lot depth: The shortest distance from the front lot line to the rear lot line measured in the general direction of the side lot lines. (See Illustration 10: Lot Width, Lot Depth, and Frontage, Exhibit A)

Lot line: The boundary of a lot.

Lot line, front: The lot line nearest to the principal street from which a lot takes access.

Lot line, rear: The lot line opposite the front lot line.

Lot line, side: Any lot line other than the front lot line or the rear lot line.

Lot width: The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lines of the lot's building envelope. (See Illustration 10: Lot Width, Lot Depth, and Frontage, Exhibit A)

Manufactured housing: Housing that is manufactured in accordance with Florida Statutes defining manufactured housing.

NAVD. North American Vertical Datum 1988. The North American Vertical Datum of 1988 is a survey leveling measurement for elevation that is tied to a single point of origin designated for survey use in the United States and Canada. This vertical reference datum supersedes and should replace the use of the National Geodetic Vertical Datum of 1929.

One-story porch or portico: An attached part of the main residence which is characterized by at least two open sides and a roof which is not taller than 14 feet in height. Open sides include those which are screened. (See Illustration 11: One-Story Porch or Portico, Exhibit A)

Owner of record: The owner of a lot as listed on the current Martin County tax roll.

Parking area: An area which is used for the parking of motor vehicles, including paved open areas, garages, and carports.

Plat: A map depicting the division or subdivision of land into lots, blocks, parcels, tracts, or portions thereof, however the same may be designated, prepared in accordance with the provisions of these land development regulations and F.S. § 177.

Plat of record: A plat recorded in the official records of Palm Beach or Martin County, Florida.

Public park: Any publicly owned park, playground, beach, parkway or other recreation area or open space, as well as areas designed as such in the public or recreational districts.

Reverse osmosis plant: An onsite facility to extract ground water or saline surface water and process the water for use through membranes as potable or irrigation quality water in excess of 250 gallons per day and dispose of residue wastewater or concentrate discharge. A reverse osmosis (RO) plant is prohibited in all zoning districts except as an accessory use approved by the board of adjustment using alternative development standards set forth in article X, section 3.13.

Roof, flat: A roof sloped at an angle of less than two feet of height for every 12 feet in roof length. If 50 percent or more of the area under roof is covered by a flat roof, the entire roof is a flat roof for the purposes of these land development regulations.

Sign: Any display of characters, letters, illustrations, or the complete structure on which any characters, letters, illustrations are stated, printed or applied (except buildings to which same may be attached).

Sign area: The background area upon which the message of a sign is placed, not including supporting structures of two inches in width or less that are without lettering or identification markings. If a sign does not have an obvious background area, the sign

area is the area of the smallest rectangle which can enclose all of the letters and symbols of the sign. (See Illustration 12: Sign Area, Exhibit A)

Significant tree: A tree that has a significant impact on the visual character of a lot when viewed from adjoining properties or public rights-of-way; or a tree of 20 inches or greater in diameter at breast height located anywhere on a lot.

Single building: A single building is one which is separated by a linear distance of at least 25 feet from other buildings, measured from the closest points of the buildings, and which is landscaped in a manner that makes it appear to be a distinct and separate building from all vantage points. (See Illustration 13: Single Buildings, Exhibit A)

Single-family dwelling: As used in these regulations, shall mean a building or buildings on a property zoned for the single-family use and used for habitation of a single "family" as defined herein.

Street: A strip of land, owned privately or publicly, which affords the principal means of access to abutting property.

Staff quarters: A living area occupied by persons who are employed to provide maintenance or domestic services on the premises.

Streetscape plan: Text and drawings showing the planting of vegetation on private property between the front lot line and the front line of the building or on the public rights-of-way, with approval of the Town and, in appropriate instances, Martin County and plantings which minimize the visual effect of structures from adjoining properties.

Subdivision: Subdivision means:

1. The division of any lot, lot of record, or parcel of land into two or more lots, parcels, tracts, tiers, blocks or units; or
2. The establishment or dedication of a new street or alley through a lot, lot of record, or parcel of land; or
3. Any combination or joinder of a lot, lot of record, or parcel of land (or portions thereof) with one or more other lots, lots of record, or parcels of land (or portions thereof); or
4. A subdivision shall not include joinder by unity of title of contiguous or abutting lots in the event said unity of title is approved by the Town's administrative official, is recorded, and contains restrictions which shall run with the land providing that the unity of title shall not be used for purposes of increasing or intensifying building size, setbacks or other related standards otherwise applicable on the lot or lots standing alone prior to joinder by unity of title; providing further that said unity of title shall not be severed or released without approval of the Town Commission; neither shall a subdivision include a joinder of lots with the Martin County Property Appraiser's office for purposes of obtaining homestead status on the joined lots; providing that said joinder shall not be used for purposes of increasing or intensifying building size, setbacks or other related standards otherwise applicable on the lot or lots standing alone prior to said joinder.

Subdivision, minor: A minor subdivision is any subdivision that:

1. Contains less than three lots before or after the subdivision; and
2. Contains a total of less than five acres of land; and
3. Does not create any additional developable lots than previously existed; and
4. Does not include new public infrastructure demands or modifications to public infrastructure.

Submerged land: Land which is submerged beneath the waters of the Intracoastal Waterway, the Indian River, or the Atlantic Ocean at mean high tide.

Substantially improved or reconstructed/substantial improvements or reconstruction: Construction or installation which either increases the floor area of a building by more than 50 percent or costs more than 50 percent more than the fair market value of the improvements on the lot, or both.

Terrace: An unoccupied open space, which is bounded on at least one, but not more than three sides, by the walls of a building. It may be bounded on one or more of the other sides by a wall or similar enclosure having a height of three feet or less.

Tree: Any plant having a trunk diameter of more than six inches or a height of more than ten feet.

Underbrush: Any plant other than a tree.

Undesirable plant: Any uncultivated vine or any plant or tree of the following species:

1. *Melaleuca Quinquenervia*, commonly known as punk tree, cajeput, or paper bark; and
2. *Schinus Terebinthifolius*, commonly known as Brazilian pepper or Florida holly.

Unity of title: An agreement for the benefit of the Town evidenced by a document recorded in the Office of the Clerk of the Circuit Court of Martin County stipulating that specified parcels of land shall be held under single ownership and not divided or transferred, except in their entirety, unless first approved by the Town Commission after review of, and recommendation from, the board of adjustment.

Use: Any purpose for which a building or a tract of land may be designed, arranged, intended, maintained or occupied; or any activity, occupation, business or operation carried on, or intended to be carried on, in a building or on a tract of land.

Use, principal: The primary purpose for which land or a building is used as permitted in the applicable zoning district.

Wireless communications antenna: Any exterior device used in communications that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communications signals. This term does not include over-the-air reception devices which deliver or receive broadcast signals, direct broadcast signals, direct broadcast satellite services or multichannel multipoint distribution services, as defined and regulated by 47 C.F.R. § 1.4000, as amended.

Yard: A required open space clear from the ground upward, unoccupied and unobstructed by any building. (See Illustration 6: Yards, Exhibit A)

Yard, front: A yard extending across the front of a lot, being at least the required minimum distance between the front lot line and the front of any building. (See Illustration 6: Yards, Exhibit A)

Yard, rear: A yard extending across the rear of a lot, being at least the required minimum distance between the rear property line and the rear of any building. (See Illustration 6: Yards, Exhibit A)

Yard, side: A yard between any building and the side lot line, extending from the required front yard to the required rear yard and being at least the minimum horizontal distance between a side lot line and the side of any building. (See Illustration 6: Yards, Exhibit A)

Section 3. Article III, Divisions 1 through 8 are hereby amended as follows:

DIVISION 1. ZONING DISTRICTS: BOUNDARIES; APPLICABILITY

Sec. 1.00. Zoning districts established.

A. The Town is divided into the following districts:

1. 2-Acre Estate Residential District "A-80".
2. 1-Acre Estate Residential District "B-40".
3. Central Riverfront Residential District "C-35".
4. Island Residential District "D-25".
5. Island Core Residential District "E-12".
6. Island Core Residential District "F-15".
7. South Island Core Residential District "G-35".
8. Recreation Club District "RCD".
9. Public Lands District "PLD".
10. Conservation/Preservation District "CPD".

B. These districts shall apply to all land in the Town in the manner shown on a map entitled the Official Zoning Map of the Town of Jupiter Island ("official zoning map"), which is provided in Exhibit "B" to these land development regulations.

Sec. 1.01. Interpretation of district boundaries

Where uncertainty exists with respect to the location of any district boundaries as shown on the official zoning map, the following rules shall govern:

- A. Where district boundaries follow the outside lines of plats which have been recorded in the public records of Martin or Palm Beach County, Florida, such outside lines of plats shall be the boundaries of the district.
- B. Where district boundaries follow recorded lot lines, such lot lines shall be the boundaries of the district.
- C. Where district boundaries follow the ocean, a stream, a lake or any other body of water, the boundary line shall be the limit of the jurisdiction of the Town unless otherwise indicated on the official zoning map.
- D. If, for any reason, it is determined that any land is not located within a zoning district on the official zoning map, the property shall be deemed to be located within the B-40 District determined to be otherwise by the Town Commission.

Sec. 1.02. Applicability.

Except as hereinafter provided, no building, structure, or land shall be used or occupied, and no building, structure, or part thereof shall be erected, moved, or altered, except in conformity with the regulations of this article for the zoning district in which the building or land is located.

DIVISION 2. "A-80 DISTRICT": 2-ACRE ESTATE RESIDENTIAL DISTRICT

Sec. 2.00. Permitted uses.

The following uses are permitted in the A-80 District:

- A. Single-family dwelling.
- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an alternative accessory use by the board of adjustment.

Sec. 2.01. Prohibited uses.

The following uses are prohibited in the A-80 District:

- A. The rental of any portion of a lot or building which does not include the use and occupancy of the single-family dwelling which is the principal building on the lot.

- B. Storage of manure or odor – or dust-producing substances or uses within 50 feet of any lot line.
- C. Reverse osmosis plants, except if the reverse osmosis plant is approved by the board of adjustment as an accessory use pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.
- D. Executive/employee/group vacation/retreats are prohibited in this zoning district.
- E. Any other use not specifically permitted in these regulations.

Sec. 2.02. Development standards.

Development within the A-80 District shall comply with the following standards:

- A. *Density*. Density shall not exceed one dwelling unit per two acres of lot area.
- B. *Building limit*. No lot shall be developed with more than one single-family dwelling unit.
- C. *Building height*. The height of any building shall not exceed two stories.
- D. *Minimum lot area*. The minimum lot area is two acres.
- E. *Minimum lot width*. The minimum lot width is 200 feet.
- F. *Permitted floor area*. The maximum floor area permitted on any lot within this district shall not exceed a floor area of:
 - 1. Seventeen and one-quarter percent of the lot area that is less than or equal to one acre; plus
 - 2. Seven percent of the lot area that is greater than one acre, but less than or equal to four acres; plus
 - 3. Three and one-half percent of the lot area that is greater than four acres.
- G. *Maximum floor area of single building*. The maximum floor area of a principal dwelling shall not exceed 10,000 square feet.
 - 1. The maximum floor area of an accessory building or an accessory building used for Living Quarters shall not exceed one third of the square footage of the principal dwelling.
 - ~~2. For this section, floor area and living space are the same.~~
- H. *Required yards*. Each lot shall have front, side and rear yards that are equal to or greater than the following:
 - 1. *Front yard*: 50 feet.
 - 2. *Side yard*:

- a. Twenty-five feet for one-store buildings.
- b. Thirty feet for two-story building. (See Illustration 7: One- and Two-Story Setback Lines, Exhibit A)
- 3. *Rear yard*: 50 feet except for waterfront lots, which shall comply with article IV, section 3.02
- I. *Permitted encroachments*. Eaves and overhangs of 30 inches in depth may encroach into any required yard.
- J. *Required landscaping*. Minimum landscaped area shall be 50 percent of the lot area.

DIVISION 3. "B-40 DISTRICT": 1-ACREA ESTATE RESIDENTIAL DISTRICT

Sec. 3.00. Permitted uses.

The following uses are permitted in the B-40 District:

- A. Single-family dwelling.
- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an alternative accessory use by the board of adjustment.

Sec. 3.02. Development standards.

Development within the B-40 District shall comply with the following standards:

- A. *Density*. Density shall not exceed one dwelling unit per acre of lot area.
- B. *Building limit*. No lot shall be developed with more than one single-family dwelling unit.
- C. *Building height*. The height of any building shall not exceed two stories.
- D. *Minimum lot area*. The minimum lot area is one acre.
- E. *Minimum lot width*. The minimum lot width is 140 feet.
- F. *Permitted floor area*.
 - 1. The maximum floor area permitted on any lot within this district shall not exceed a floor area of:

- a. Seventeen and one-quarter percent of the lot area that is less than or equal to one acre; plus
 - b. Seven percent of the lot area that is greater than one acre, but less than or equal to four acres; plus
 - c. Three and one-half percent of the lot area that is greater than four acres.
- 2. For the purpose of calculating maximum floor area, the lot area of two lots which are separated by a roadway may be combined, if:
 - a. The lot from which the floor area is transferred lies between the Intracoastal Waterway and a public road, and due to the location of the waterfront setback line and the setback requirements of the B-40 district, cannot reasonably be developed with a building; and
 - b. The lots which are the subject of the transfer of floor area:
 - (1) Are legally described as a single lot; or
 - (2) Are subject to a unity of title; or
 - (3) Are held under common ownership and a unity of title in recordable form is provided by the applicant and approved by the Town in conjunction with the transfer of floor area; and
 - c. A "no build" easement over the property from which the floor area has been transferred is provided by the applicant in recordable form and approved by the Town in conjunction with the transfer of floor area.
- G. *Maximum floor area of single building.* The maximum floor area of a principal dwelling shall not exceed 10,000 square feet.
 - 1. The maximum floor area of an accessory building or an accessory building used for Living Quarters shall not exceed one third of the square footage of the principal dwelling.
 - ~~2. For this section, floor area and living space are the same.~~
- H. *Required yards.* Each lot shall have front, side and rear yards that are equal to or greater than the following:
 - 1. *Front yard:* 50 feet.
 - 2. *Side yard:*
 - a. Twenty feet for one-story buildings.

- b. Twenty-five feet for two-story buildings. (See Illustration 7: One- and Two-Story Setback Lines, Exhibit A)
- 3. *Rear yard*: 50 feet except for waterfront lots, which shall comply with article IV, section 3.02.

DIVISION 4. "C-35 DISTRICT": CENTRAL RIVERFRONT RESIDENTIAL DISTRICT

Sec. 4.00. Permitted uses.

The following uses are permitted in the C-35 District:

- A. Single-family dwelling.
- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an alternative accessory use by the board of adjustment.

Sec. 4.01. Prohibited uses.

The following uses are prohibited in the C-35 District:

- A. The rental of any portion of a lot or building which does not include the use and occupancy of the single-family dwelling which is the principal building on the lot.
- B. Storage of manure or odor- or dust- producing substances or uses within 50 feet of any lot line.
- C. Reverse osmosis plants, except if the reverse osmosis plant is approved by the board of adjustment as an accessory use pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.
- D. Executive/employee/group vacation/retreats are prohibited in this zoning district.
- E. Any other use not specifically permitted in these regulations.

Sec. 4.02. Development standards.

Development within the C-35 District shall comply with the following standards:

- A. *Density*. Density shall not exceed one dwelling unit per 35,000 square feet of lot area.
- B. *Building limit*. No lot shall be developed with more than one single family dwelling unit.

- C. *Building height.* The height of any building shall not exceed two stories.
- D. *Minimum lot area.* The minimum lot area is 35,000 square feet.
- E. *Minimum width of lot.* The minimum width of a lot shall be 125 feet, measured at the front yard setback line and along the shore of the riverfront.
- F. *Percentage of lot coverage.*
1. The maximum floor area permitted on any lot within this district shall not exceed a floor area of:
 - a. Twenty percent of the lot area that is less than or equal to one acre; plus
 - b. Ten percent of the lot area that is greater than one acre, but less than or equal to four acres;
 - c. Three and one-half percent of the lot area that is greater than four acres.
 2. Second story portions of a single building shall not exceed 50 percent of the first-floor footprint.
 3. The maximum floor area of a single building including second story shall not exceed 10,000 square feet.
 4. The following are excluded from the calculation of lot coverage in the C-35 District
 - a. Eaves and overhangs not wider than 30 inches.
 - b. One-story porches and/or porticos and or pergolas which do not exceed ten percent of the total lot cover.
- G. *Maximum floor area of single building.* The maximum floor area of a principal dwelling shall not exceed 10,000 square feet.
1. The maximum floor area of an accessory building or an accessory building used for Living Quarters shall not exceed one third of the square footage of the principal dwelling.
- ~~2. For this section, floor area and living space are the same.~~
- H. *Required yards.* Each lot shall have front, side and rear yards that are equal to or greater than the following:
1. *Front yard:* 30 feet.
 2. *Side yard:*
 - a. Twenty feet for one-story buildings.

- b. Twenty-five feet for two-story buildings.
- 3. *Rear yard*: 35 feet, except for waterfront lots, which shall comply with article IV, section 3.02.
- H. *Permitted encroachments*. Eaves and overhangs of 30 inches in depth may encroach into any required yard.
- I. *Required landscaping*. Minimum landscaped area shall be 30 percent of the lot area.

DIVISION 5. "D-25 DISTRICT": ISAND CORE RESIDENTIAL DISTRICT

Sec. 5.00. Permitted uses.

The following uses are permitted in the D-25 District:

- A. Single-family dwelling.
- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an alternative accessory use by the board of adjustment.

Sec. 5.01. Prohibited uses.

The following uses are prohibited in the D-25 District:

- A. The rental of any portion of a lot or building which does not include the use and occupancy of the single-family dwelling which is the principal building on the lot.
- B. Storage of manure or odor- or dust- producing substances or uses within 50 feet of any lot line.
- C. Reverse osmosis plants, except if the reverse osmosis plant is approved by the board of adjustment as an accessory use pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.
- D. Executive/employee/group vacation/retreats are prohibited in this zoning district.
- E. Any other use not specifically permitted in these regulations.

Sec. 5.02. Development standards.

Development within the D-25 District shall comply with the following standards:

- A. *Density*. Density shall not exceed one dwelling unit per 25,000 square feet of lot area.
- B. *Building limit*. No lot shall be developed with more than one single-family dwelling unit.
- C. *Building height*. The height of any building shall not exceed two stories.
- D. *Minimum lot area*. The minimum lot area is 25,000 square feet.
- E. *Minimum lot width*. The minimum lot width is 100 feet.
- F. *Permitted floor area*. The maximum floor area permitted on any lot within this district shall not exceed:
 - 1. If the lot area is less than 37,500 square feet: 3,750 square feet or 20 percent of lot area, whichever is greater.
 - 2. If the lot area is greater than 37,500 square feet but less than or equal to one acre: 7,500 square feet.
 - 3. If the lot area is greater than one acre but less than or equal to four acres: 7,500 square feet plus seven percent of the lot area that is greater than one acre.
 - 4. If the lot area is greater than four acres: 16,650 square feet plus three and one-half percent of the lot area that is greater than four acres.
- G. *Maximum floor area of single building*. The maximum floor area of a principal dwelling shall not exceed 10,000 square feet.
 - 1. The maximum floor area of an accessory building or an accessory building used for Living Quarters shall not exceed one third of the square footage of the principal dwelling.
 - ~~2. For this section, floor area and living space are the same.~~
- H. *Required yards*. Each lot shall have front, side and rear yards that are equal to or greater than the following:
 - 1. *Front yard*: 30 feet.
 - 2. *Side yard*:
 - a. If the lot width is 125 feet or less:
 - (1) Twenty feet for one-story buildings.
 - (2) Twenty-five feet for two-story buildings. (See Illustration 7: One- and Two-Story Setback Lines, Exhibit A)
 - b. If the lot width is greater than 125 feet:

- (1) Twenty-five feet for one-story buildings.
- (2) Thirty feet for two-story buildings. (See Illustration 7: One- and Two-Story Setback Lines, Exhibit A)
3. *Rear yard*: 35 feet except for waterfront lots, which shall comply with article IV, section 3.02.
 - I. *Permitted encroachments*. Eaves and overhangs of thirty (30) inches in depth may encroach into any required yard.
 - J. *Required landscaping*. Minimum landscaped open space shall be equal to 30 percent of the lot area that is less than or equal to 25,000 square feet and 50 percent of the lot area that is greater than 25,000 square feet.

DIVISION 6. "E-12 DISTRICT": ISLAND CORE RESIDENTIAL DISTRICT

Sec. 6.00. Permitted uses.

The following uses are permitted in the E-12 District:

- A. Single-family dwelling.
- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an alternative accessory use by the board of adjustment.

Sec. 6.01. Prohibited uses.

The following uses are prohibited in the E-12 District:

- A. The rental of any portion of a lot or building which does not include the use and occupancy of the single-family dwelling which is the principal building on the lot.
- B. Storage of manure or odor- or dust- producing substances or uses within 50 feet of any lot line.
- C. Reverse osmosis plants, except if the reverse osmosis plant is approved by the board of adjustment as an accessory use pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.
- D. Executive/employee/group vacation/retreats are prohibited in this zoning district.
- E. Any other use not specifically permitted in these regulations.

Sec. 6.02. Development standards.

Development within the E-12 District shall comply with the following standards:

- A. *Density*. Density shall not exceed one dwelling unit per 12,500 square feet of lot area.

- B. *Building limit.* No lot shall be developed with more than one single-family dwelling unit.
- C. *Building height.* The height of any building shall not exceed two stories.
- D. *Minimum lot area.* The minimum lot area is 12,500 square feet.
- E. *Minimum lot width.* The minimum lot width is 100 feet.
- F. *Permitted floor area.* The maximum floor area permitted on any lot within this district shall not exceed:
1. If the lot area is less than 37,500 square feet: 3,750 square feet or 20 percent of lot area, whichever is greater.
 2. If the lot area is greater than 37,500 square feet but less than or equal to one acre: 7,500 square feet.
 3. If the lot area is greater than one acre but less than or equal to four acres: 7,500 square feet plus seven percent of the lot area that is greater than one acre.
 4. If the lot area is greater than four acres: 16,650 square feet plus three and one-half percent of the lot area that is greater than four acres.
- G. *Maximum floor area of single building.* The maximum floor area of a ~~single building~~ principal dwelling shall not exceed 10,000 square feet.
- ~~1.~~ 1. The maximum floor area of an accessory building or an accessory building used for Living Quarters shall not exceed one third of the square footage of the principal dwelling.
- ~~2. For this section, floor area and living space are the same.~~
- H. *Required yards.* Each lot shall have front, side and rear yards that are equal to or greater than the following:
1. *Front yard:* 30 feet.
 2. *Side yard:*
 - a. If the lot width is 125 feet or less:
 - (1) Twenty feet for one-story buildings.
 - (2) Twenty-five feet for two-story buildings. (See Illustration 7: One- and Two-Story Setback Lines, Exhibit A)
 - b. If the lot width is greater than 125 feet:

- (1) Twenty-five feet for one-story buildings.
- (2) Thirty feet for two-story buildings. (See Illustration 7: One- and Two-Story Setback Lines, Exhibit A)
- 3. *Rear yard*: 35 feet except for waterfront lots, which shall comply with article IV, section 3.02.
 - I. *Permitted encroachments*. Eaves and overhangs of 30 inches in depth may encroach into any required yard.
 - J. *Required landscaping*. Minimum landscaped open space shall be equal to 30 percent of the lot area that is less than or equal to 25,000 square feet and 50 percent of the lot area that is greater than 25,000 square feet.

DIVISION 7. "F-15 DISTRICT": ISLAND CORE RESIDENTIAL DISTRICT

Sec. 7.00 Permitted uses.

The following uses are permitted in the F-15 District:

- A. Single family dwelling.
- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an alternative accessory use by the board of adjustment.

Sec. 7.01. Prohibited uses.

The following uses are prohibited in the F-15 District:

- A. The rental of any portion of a lot or building which does not include the use and occupancy of the single-family dwelling which is the principal building on the lot.
- B. Storage of manure or odor- or dust- producing substances or uses within 50 feet of any lot line.
- C. Reverse osmosis plants, except if the reverse osmosis plant is approved by the board of adjustment as an accessory use pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.
- D. Executive/employee/group vacation/retreats are prohibited in this zoning district.
- E. Any other use not specifically permitted in these regulations.

Sec. 7.02. Development standards.

Development within the F-15 District shall comply with the following standards:

- A. *Density*. Density shall not exceed one dwelling unit per 15,000 square feet of lot area.
- B. *Building limit*. No lot shall be developed with more than one single family dwelling unit.
- C. *Building height*. The height of any building shall not exceed two stories.
- D. *Minimum lot area*. The minimum lot area is 15,000 square feet.
- E. *Minimum lot width*. The minimum lot width is 100 feet.
- F. *Permitted floor area*. The maximum floor area permitted on any lot within this district shall not exceed:
 - 1. If the lot area is less than 37,500 square feet: 3,750 square feet or 20% of lot area, whichever is greater.
 - 2. If the lot area is greater than 37,500 square feet but less than or equal to one acre: 7,500 square feet.
 - 3. If the lot area is greater than one acre but less than or equal to four acres: 7,500 square feet plus seven percent of the lot area that is greater than one acre.
 - 4. If the lot area is greater than four acres: 16,650 square feet plus three and one-half percent of the lot area that is greater than four acres.
- G. *Maximum floor area of single building*. The maximum floor area of a principal dwelling shall not exceed 10,000 square feet.
 - ~~1. The maximum floor area of an accessory building or an accessory building used for Living Quarters shall not exceed one third of the square footage of the principal dwelling.~~
 - ~~2. For this section, floor area and living space are the same.~~
- H. *Required yards*. Each lot shall have front, side and rear yards that are equal to or greater than the following:
 - 1. *Front yard*: 30 feet.
 - 2. *Side yard*:
 - a. If the lot width is 125 feet or less:
 - (1) Twenty feet for one-story buildings.

(2) Twenty-five feet for two-story buildings. (See Illustration 7: One- and Two-Story Setback Lines)

b. If the lot width is greater than 125 feet:

(1) Twenty-five feet for one-story buildings.

(2) Thirty feet for two-story buildings. (See Illustration 7: One- and Two-Story Setback Lines)

3. *Rear yard*: 35 feet except for waterfront lots, which shall comply with Article IV, Section 3.02.

I. *Permitted encroachments*. Eaves and overhangs of 30 inches in depth may encroach into any required yard.

J. *Required landscaping*. Minimum landscaped open space shall be equal to 30 percent of the lot area that is less than or equal to 25,000 square feet and 50 percent of the lot area that is greater than 25,000 square feet.

DIVISION 8. "G-35 DISTRICT": SOUTH ISLAND RESIDENTIAL DISTRICT

Sec. 8.00. Permitted uses.

The following uses are permitted in the G-35 District:

A. Single family dwelling.

B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an alternative accessory use by the board of adjustment.

Sec. 8.01. Prohibited uses.

The following uses are prohibited in the G-35 District:

A. The rental of any portion of a lot or building which does not include the use and occupancy of the single-family dwelling which is the principal building on the lot.

B. Storage of manure or odor- or dust-producing substances or uses within 50 feet of any lot line.

C. Reverse Osmosis plants, except if the Reverse Osmosis plant is approved by the board of adjustment as an accessory use pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.

D. Executive/employee/group vacation/retreats are prohibited in this zoning district.

E. Any other use not specifically permitted in these regulations

Sec. 8.02. Development standards.

Development within the G-35 District shall comply with the following standards:

- A. *Density*. Density shall not exceed one dwelling unit per acre of lot area.
- B. *Building limit*. No lot shall be developed with more than one single family dwelling unit.
- C. *Building height*. The height of any building shall not exceed two stories.
- D. *Minimum lot area*. The minimum lot area is one acre.
- E. *Minimum lot width*. The minimum lot width is 100 feet.
- F. *Permitted floor area*.
 - 1. The maximum floor area permitted on any lot within this district shall not exceed a floor area of:
 - a. Nineteen percent of the lot area that is less than or equal to one acre; plus
 - b. Seven percent of the lot area that is greater than one acre, but less than or equal to four acres; plus
 - c. Three and one-half percent of the lot area that is greater than four acres.
 - 2. For the purpose of calculating maximum floor area, the lot area of two lots which are separated by a roadway may be combined, if:
 - a. The lot from which the floor area is transferred lies between the Intracoastal Waterway and a public road, and due to the location of the waterfront setback line and the setback requirements of the G-35 district, cannot reasonably be developed with a building; and
 - b. The lots which are the subject of the transfer of floor area:
 - (1) Are legally described as a single lot; or
 - (2) Are subject to a unity of title; or
 - (3) Are held under common ownership and a unity of title in recordable form is provided by the applicant and approved by the Town in conjunction with the transfer of floor area; and
 - c. A "no build" easement over the property from which the floor area has been transferred is provided by the applicant in recordable form and approved by the Town in conjunction with the transfer of floor area.
- G. *Maximum floor area of single building*. The maximum floor area of a ~~single~~

~~building~~ principle dwelling shall not exceed 10,000 square feet.

~~1. The maximum floor area of an accessory building or an accessory building used for Living Quarters shall not exceed one third of the square footage of the principal dwelling.~~

~~2. For this section, floor area and living space are the same.~~

H. *Required yards.* Each lot shall have front, side and rear yards that are equal to or greater than the following:

1. *Front yard:* 50 feet.

2. *Side yard:*

a. If the lot width is 125 feet or less:

(1) Fifteen feet for one-story buildings.

(2) Twenty feet for two-story buildings.

b. If the lot width is greater than 125 feet:

(1) Twenty feet for one-story buildings.

(2) Twenty-five feet for two-story buildings.

3. *Rear yard:* Waterfront lots shall comply with article IV, section 3.02.

I. *Permitted encroachments.* Eaves and overhangs of 30 inches in depth may encroach into any required yard.

J. *Required landscaping.* Minimum landscaped area shall be 50 percent of the lot area.

Section 4. Article IV, Division 2, Section 2.01 Floor Area is hereby amended as follows:

Sec. 2.01. Floor area.

Floor area is measured as follows:

A. All areas on all floors of all buildings which are included within the outside faces of their exterior walls, including floor penetration areas for circulation and shaft areas that connect one floor to another, except basements and other floors below the first floor, which are counted as provided in paragraphs D and E of this section (See Illustration 14: Floor Area Measurement, Buildings, Exhibit A), plus

- B. If any portion of a building is taller than one-story, a second floor will be assumed for that portion of the building, regardless of whether the floor is in place (See Illustration 14: Floor Area Measurement, Buildings, Exhibit A), plus
- C. Fifty percent of all areas described in paragraphs 1, 2, 3, 4 and 5, below, with no specific area counted more than once:
 - 1. Areas which are covered, but not completely enclosed by walls (including but not limited to gazebos, trellises, porticos, pergolas, patios, balconies, carports, and porches) (See Illustration 15: Floor Area Measurement, Balconies, Exhibit A), except that with regard to these structures or buildings any area which is enclosed by walls which are less than three feet in height and are directly underneath a building or structure which is constructed on pilings pursuant to the requirements of state or federal law.
 - 2. Areas which are covered by a roof overhang or balcony that extends more than 30 inches in horizontal distance from a building wall (See Illustration 15: Floor Area Measurement, Balconies and Illustration 16: Floor Area Measurement, Overhangs, Exhibit A).
 - 3. Areas which are open to the air, but completely surrounded by walls that are seven feet in height or taller, unless the walls have substantial penetrations that mitigate the appearance of mass (See Illustration 17: Floor Area Measurement, Walled-in Areas, Exhibit A).
 - 4. Areas of freestanding, uncovered decks, and uncovered porches which are attached to the first floor of a building, that are greater than seven feet in height to the top of the railing as measured from adjacent ground level (See Illustration 18: Floor Area Measurement, Decks, Exhibit A).
 - 5. Areas which are within screened enclosures.
- D. Basement areas designated as living space are included in floor area calculations. Basement areas not designated as living space do not count as floor area, and no floor or part of a floor which would otherwise qualify as a basement shall be disqualified as a basement due to access to ground level which is provided by light wells that:
 - 1. Extend no more than four feet from the outside wall of the building and cumulatively occupy no more than 25 percent of the length of the first-floor wall to which they are adjacent; and
 - 2. Are configured such that they are not visible from:
 - a. The building envelopes of neighboring properties; and
 - b. Public rights-of-way.

Section 9. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 10. Repeal of laws in conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 11. Effective Date. This ordinance shall take effect upon its execution.

(Continued on next page)

**PASSED UPON FIRST READING ON THE 21st DAY OF MARCH 2025. PASSED AND
ADOPTED UPON SECOND READING ON THE 16th DAY OF APRIL 2025.**

(SEAL)

TOWN OF JUPITER ISLAND, FLORIDA

Mayor, Penelope Townsend

Vice Mayor, Marshall Field VI

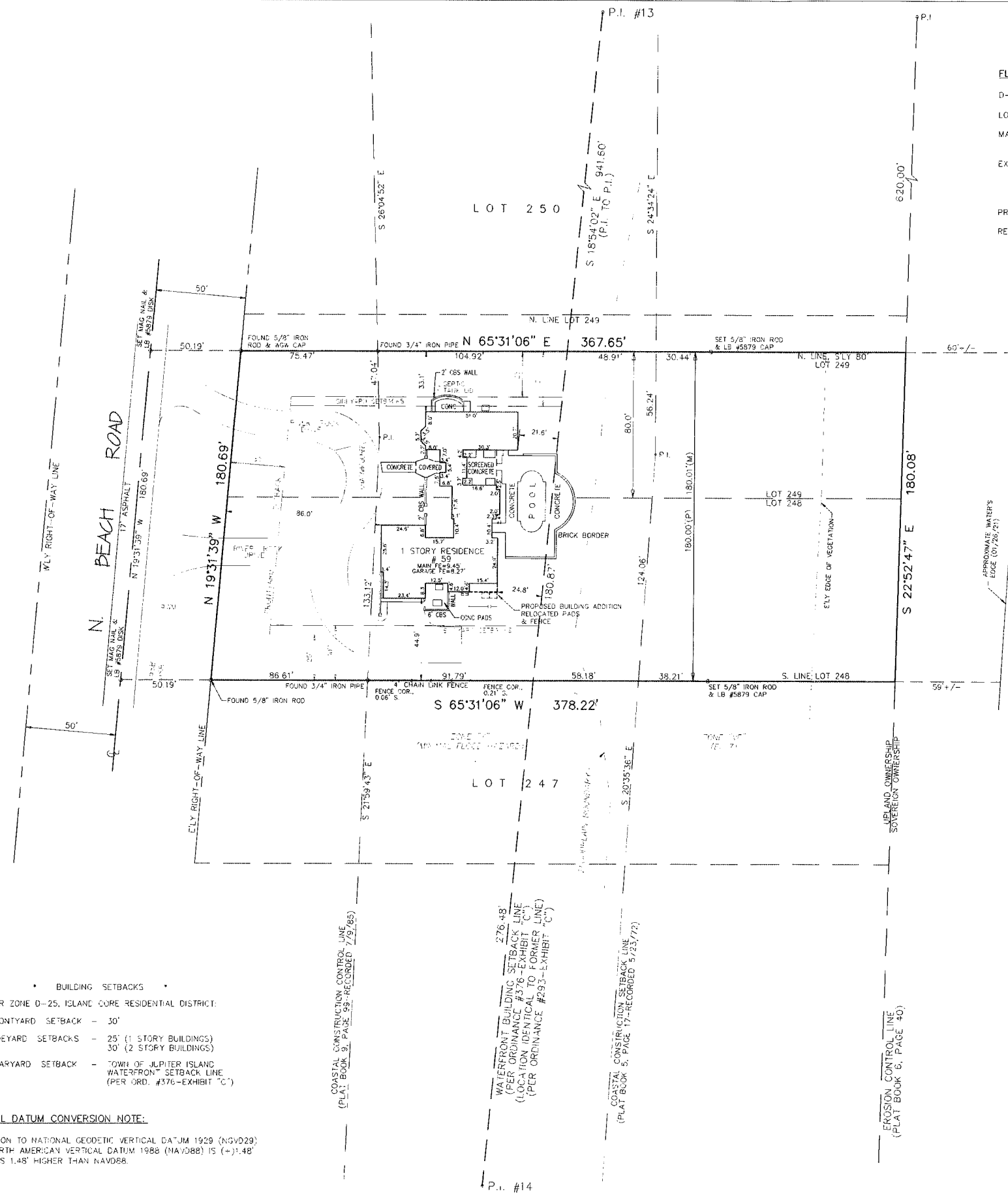
Commissioner, Anne Scott

Commissioner, Patricia Warner

Commissioner, Joseph Taddeo

ATTEST:

Town Clerk, Kimberly Kogos



FLOOR AREA CALCULATIONS

D-25 DISTRICT: ISLAND CORE RESIDENTIAL DISTRICT

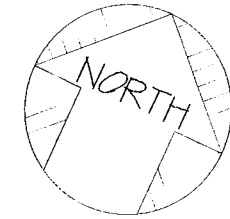
LOT AREA = 1.54114 AC +/- = 67,132 SF

MAXIMUM PERMITTED FLOOR AREA = 9,150 SF
BASED ON ARTICLE III, SECTION 5.02(F)

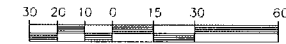
EXISTING FLOOR AREA = 4,275 SF
MAIN RESIDENCE = 4,045 SF
COVERED AREA = 230 SF
(460 DIVIDED BY 2)

PROPOSED ADDITION = 71 SF

REMAINING PERMITTED FLOOR AREA = 4,804 SF



SCALE : 1" = 30'



GRAPHIC SCALE

* L E G E N D *

CC	CABLE CLOSURE
CONC	CONCRETE
EL	ELEVATION
FE	FLOOR ELEVATION
ORB	OFFICIAL RECORDS BOOK
PG	PAGE
P.I.	POINT OF INTERSECTION
R/W	RIGHT-OF-WAY
SB	SOUTHER BELL CLOSURE
WM	WATER METER

SURVEYOR'S NOTES:

1. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. BEARINGS SHOWN HEREON ARE TRUE BASED ON THE PLAT OF COASTAL CONSTRUCTION CONTROL LINE, RECORDED JULY 9, 1985, IN PLAT BOOK 9, PAGE 99; LYING BETWEEN DNR RANGE MONUMENTS "R-82" AND "R-84".
3. ELEVATIONS SHOWN HEREON REFER TO NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88) AND ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF.
4. BEARINGS, ANGLES, AND DIMENSIONS SHOWN HEREON ARE FIELD MEASURED AND OBTAINED BY THE SURVEYOR BY THE FOLLOWING METHODS: (P) PLAT MEASUREMENT; (C) CALCULATED MEASUREMENT; (M) FIELD MEASUREMENT.
5. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF TITLE AND IS SUBJECT TO EASEMENTS, RIGHTS-OF-WAY AND OTHER ENCUMBRANCES WHICH MAY BE REVEALED IN A SEARCH OF TITLE TO THE SUBJECT LAND.
6. THE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS OR ENTITY NAMED IN CERTIFICATION HEREON. SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PERSON, WITHOUT THE EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.
7. THERE HAS BEEN NO ATTEMPT TO LOCATE ANY SUBSURFACE IMPROVEMENTS, FOOTERS, FOOTINGS AND/OR UTILITIES ON THIS PROPERTY OR ADJACENT RIGHTS-OF-WAY.
8. SURVEY PROPERTY LIES IN FLOOD ZONES "X" (MINIMAL FLOOD HAZARD) AND "VE" (BFE 7) FLOODPLAIN BOUNDARIES SHOWN HEREON WERE SCALED FROM DIGITAL FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD ZONE MAP #12085C0328H, DATED FEBRUARY 19, 2020. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE.
9. LOT AREA = 67,132 SQUARE FEET (1.5414 ACRES) MORE OR LESS.

LEGAL DESCRIPTION: (PER OFFICIAL RECORDS BOOK 765, PAGE 2275)

LOT 248 AND THE SOUTH 80 FEET OF LOT 249, BOH AIR BEACH ACCORDING TO THE PLAT THEREOF FILED AUGUST 28, 1922 AND RECORDED IN PLAT BOOK 9, PAGE 2, PALM BEACH (NOW MARTIN) COUNTY, FLORIDA PUBLIC RECORDS.

CERTIFICATION VALID TO:

1. ROBERT DOW

CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

R. L. VAUGHT & ASSOCIATES, INC.
LICENSED BUSINESS NO. 5879

By: P. Michael Zarrella
P. Michael Zarrella
Professional Surveyor and Mapper No. 6736
State of Florida

DATE OF LAST
FIELD WORK:
Mar. 21, 2022

NAVD88

REVISIONS	BY
02/25/05 * ADD BUILDING SE BRACKS WO # 826333	RLV.SR
01/28/21 * UPDATE SURVEY * FB: DC/SKETCH WO # 816601	PM2
03/22/22 * FINAL SURVEY (GENERATOR) * FB: 22FS-28 WO # 817756	PM2
01/23/25 * ADD PROPOSED ADDITION WO # 820454	PM2
03/06/25 * ADD ORD 203 NOTE & FLOOR AREA CALCS	PM2

BOUNDARY SURVEY

59 N. BEACH ROAD
HOBE SOUND, FLORIDA 33455
TOWN OF JUPITER ISLAND

R.L. VAUGHT & ASSOCIATES, INC.
SURVEYORS, MAPPERS & PLANNERS
LICENSED SURVEY BUSINESS NUMBER 5879
9075 SE BRIDGE ROAD; HOBE SOUND 33455
MAIL: P.O. BOX 160 HOBE SOUND, FL 33475
PHONE: 772-546-8086 FAX: 772-546-8087
EMAIL: vaught@bellsouth.net

DRAWN RLV
CHECKED RLV, SR.
AS SCALE
DATE DEC. 3, 2004
FIELD BOOK 51/17
ORDER NO 808228
SHEET OF SHEETS 1 1
FILE NUMBER PB8228-21J

Inter Office Transmittal

To: Robert Garlo, Town Manager

From: Catherine Harding, Building, Planning, and Zoning Director

Date: March 12, 2025

Reference: Zoning in Progress Waiver

59 North Beach Road

Attached please find a ZIP application for 59 North Beach Road for the consideration of the Town Commission. The application does not seem to be in contravention of the proposed amendments to the Town Zoning Code.

LAW OFFICES OF
MARC R. GAYLORD, P.A.

12000 S.E. OLD DIXIE HIGHWAY
HOBE SOUND, FL 33455
TEL: (772) 545-7740
FAX: (772) 545-7782

MARC R. GAYLORD, ESQ.
JARED E. GAYLORD, ESQ.

FORD T. DWYER, ESQ.
COLBY HEDDEN, ESQ.

March 7, 2025

Mayor Penelope D. Townsend
Vice Mayor Marshall Field, VI
Commissioner Anne Scott
Commissioner Patsy Warner
Commissioner Joe Taddeo
Jupiter Island Town Commission
P.O. Box 7
Hobe Sound, FL 33455

VIA HAND DELIVERY

**TOWN OF JUPITER ISLAND
BUILDING DEPARTMENT**
Date Received: 03-07-25

RE: 59 North Beach Road, Hobe Sound, FL 33455
Halsey Schroeder
Waterfront Setback Line Zoning-in-Progress Waiver

Mayor, Vice Mayor, and Commissioners:

This office represents Halsey Schroeder and the Schroeder family (the "Owner"), the owner of 59 North Beach Road, Hobe Sound, FL 33455 (the "Property"), as it pertains to the Owner's application for a small addition to the existing residence on the Property.

The Owner purchased this 1.54114-acre¹ Property in November 2024. The Property is located in the D-25 Island Core Residential District, south of the Nathaniel P. Reed Hobe Sound National Wildlife Refuge and north of the Hobe Sound Public Beach. The Property currently contains a one-story main residence, pool, and associated hardscape and landscaping constructed in 1986.² Recently, my client began investigating renovating the existing residence. For the past few months, my client has worked with architects, landscape professionals, and contractors to determine the feasibility of renovating the residence. My client wishes to enclose a small, 79.84 square feet area on the southeast corner of the existing residence. However, my client recently learned of the existence of the Town's zoning-in-progress ("ZIP") to investigate the waterfront setback line ("WFSBL") from my client's contractor and Town staff. Any renovation will first require a ZIP waiver from the Town Commission.

Previously, during the Town's prior ZIP for the WFSBL, the Town permitted exceptions to the moratorium on development approvals, provided that a property owner could prove good cause

¹ 67,132square feet.

² This is according to records with the Martin County Property Appraiser's office.

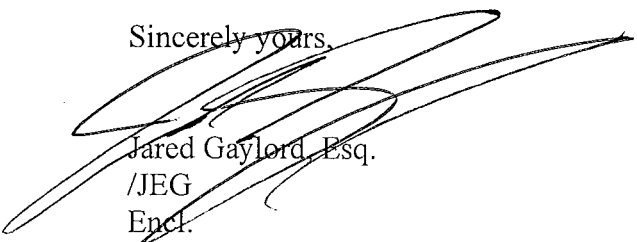
existed to support such a waiver. At least six WFSBL waivers were granted by the Town Commission.³ Recently, the Town Commission granted ZIP waivers for 89 South Beach Road, 185 South Beach Road, and 15 South Beach Road.⁴

One factor to support a case whether “good cause” exists is if the WFSBL for a particular property changed between Ordinance 293 and 376. This Property was investigated by RL Vaught & Associates, Inc. surveyors and it was determined that the WFSBL for this property *did not change between Ordinance 293 and 376*. This means that even if the Town decides to utilize the prior setback line, this will not render the existing residence, or the proposed addition, nonconforming. The small, less than 80 square foot addition, will not be any more waterward than the existing structure. At its furthest east, the residence is approximately 21.6’ west of the WFSBL. The proposed addition will be 24.8’ west of the existing WFSBL. This means that if the WFSBL is moved further west on this Property, the addition is unlikely to render the house nonconforming, *but rather the existing structure*.

Finally, the Property is protected by substantial setbacks from the water’s edge and a large dune. The residence is setback approximately 180’ from the eastern property boundary. The mean high water line is a further 60’ east, resulting in 240’ of protection from potential storm surge. Additionally, the dune on the eastern side of the Property crests approximately between 13’ NAVD and 14’ NAVD. This distance and high dune will help shield the residence from the potential surge impacts from hurricanes, Nor’easters, and other catastrophic storm events. The Town Commission has indicated that in addition to zoning impacts, the Commission will investigate how the WFSBL should be utilized to minimize the impacts of erosion and storm damage. Areas of the Island with protective features, like 59 North Beach, are better protected from adverse storm surge than those areas not protected by distance and high dunes.

Without the requested ZIP waiver for my client’s Property, my clients will not be able to begin development approval until at the earliest, June 2025.⁵ Delaying the development approval until June will delay Florida Department of Environmental Protection Coastal Construction Control Line permitting and building permitting – all costing my clients valuable time and resources. Failure to issue a ZIP waiver would unnecessarily prolong this minor renovation project, prevent my client’s full enjoyment of the Property, and be inconsistent with prior waivers granted by the Town Commission. If you have any questions or concerns regarding this matter, please do not hesitate to contact the undersigned.

Sincerely yours,



Jared Gaylord, Esq.

/JEG

Encl.

³ These include 75 North Beach, 51 North Beach, 35 North Beach, 272 South Beach, 483 South Beach, and 607 South Beach.

⁴ Other applications, such as those filed prior to the adoption of Resolutions 901 and 902, were not required to secure ZIP waivers.

⁵ The deadline to finalize the WFSBL study, per the Town’s recent resolution on the matter.



Basic Info

PIN 35-38-42-004-000-02480-9	AIN 57390	Situs Address 59 NORTH BEACH RD JUPITER ISLAND FL	Website Updated 3/7/25
--	---------------------	---	----------------------------------

General Information

CHANGE MAILING ADDRESS

SIGN UP FOR PROPERTY FRAUD ALERT

Property Owners SCHROEDER HALSEY	Parcel ID 35-38-42-004-000-02480-9	Use Code/Property Class 0100 - 0100 Single Family
Mailing Address 1040 5TH AVE NEW YORK NY 10028	Account Number 57390	Neighborhood 135705 Jupiter Island - North Beach
Tax District JUPITER ISLAND	Property Address 59 NORTH BEACH RD JUPITER ISLAND FL	Legal Acres 1.46
	Legal Description BON AIR BEACH LOTS 248 & S 80' OF LOT 24...	Ag Use Size (Acre\Sq Ft) N/A

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2024	\$ 6,885,000	\$ 1,416,740	\$ 8,301,740	\$ 0	\$ 8,301,740	\$ 0	\$ 8,301,740

Market values shown on the website reflect market conditions as of January 1st, the statutory assessment date. We are prohibited by law from relying on sales that occur after the January 1 assessment date. Therefore, market values shown on the website do not reflect today's market conditions, but rather the market conditions last year. In addition, the statutes require the county Property Appraiser to deduct for typical costs of sale (which include expenses such as commissions, title insurance, appraisals, inspection fees, etc.) when arriving at market value for tax purposes. That is why the market value for tax purposes is different from what a property would sell for today.

Current Sale

Sale Date 11/4/24	Grantor (Seller) MOONEY ROBERT TTEE	Doc Num 3099117
Sale Price \$ 9,500,000	Deed Type Warranty Deed	Book & Page <u>3467 492</u>

Legal Description

BON AIR BEACH LOTS 248 & S 80' OF LOT 249

The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.



Prepared by and return to:

Robert S. Kramer, Esq.

Kramer & Copeland, P.A.

411 SE Osceola Street Suite 200

Stuart, FL 34994

772-288-0048

File Number: 100088.03

Will Call No.:

Parcel Identification No. 35-38-42-004-000-02480-9

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 4th day of November, 2024 between Robert Mooney individually and as Trustee of the RSD 2022 Trust u/a/d December 16, 2022 and Robert S. Mooney individually and as Trustee of the Robert S. Dow Grantor Trust u/a/d November 21, 2011 whose post office address is 400 Nassau Street, Princeton, NJ 08540 of the County of Mercer, State of New Jersey, grantor*, and Halsey Schroeder, a married woman whose post office address is 1040 5th Avenue, #13A, New York, NY 10028 of the County of New York, State of New York, grantee*,

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Martin County, Florida, to-wit:

Lot 248 and the South 80 feet of Lot 249, BON AIR BEACH, according to the plat thereof, recorded in Plat Book 9, Page 2, of the Public Records of Palm Beach (now Martin) County, Florida.

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the Constitution of the State of Florida, nor is it contiguous to or a part of homestead property.

Together with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To have and to hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2024, covenants, restrictions, easements, reservations and limitations of record, if any.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Nancy L. Broussard R.O. Mooney
Witness Name: Nancy L. Broussard Robert Mooney, individually and as Trustee

Witness Address: 100 PARADISE VING
LAF, LA 70508

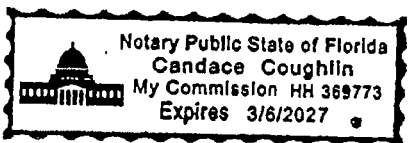
James H. Prince
Witness Name: JAMES H. PRINCE

Witness Address: 100 PARADISE VING
LAF, LA 70508

State of FL
County of OKALOOSA

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1 day of November, 2024 by Robert Mooney individually and as Trustee of the RSD 2022 Trust u/a/d December 16, 2022 and Robert Mooney individually and as Trustee of the Robert S. Dow Grantor Trust u/a/d November 21, 2011, who ☒ is personally known or ☐ has produced a driver's license as identification.

[Notary Seal]



Candace Coughlin
Notary Public

Printed Name: Candace Coughlin

My Commission Expires: 03/06/2027



**HONORABLE
RUTH PIETRUSZEWSKI, CFC**

MARTIN COUNTY TAX COLLECTOR
3485 SE WILLOUGHBY BLVD
STUART, FL 34994

Property Address 59 NORTH BEACH RD
Legal Description BON AIR BEACH LOTS 248 & S 80' OF LOT 249

REAL ESTATE

2024 **MARTIN COUNTY**
Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments

SCHROEDER HALSEY
1040 5TH AVE
NEW YORK, NY 10028

PARCEL ID: 35-38-42-004-000-02480.90000
ALTERNATE ID: 57390
ESCROW CODE:



SCAN TO VIEW YOUR
BILL ONLINE!

If Paid By	Nov 30, 2024				
Please Pay	\$135,034.12		Paid	\$135,034.12	11/07/2024

Ad Valorem Assessments						
Taxing Authority	Telephone	Millage	Assessed Value	Exemption	Taxable Value	Tax Amount
JUPITER ISLAND-AD VAL-OP	772-545-0100	2.8086	8,301,740	0	8,301,740	23,316.27
JUPITER ISLAND-EROSION	772-545-0100	0.9593	8,301,740	0	8,301,740	7,963.86
JUPITER ISL-DEBT SERVICE	772-545-0100	0.2273	8,301,740	0	8,301,740	1,886.99
SCHOOL-GENERAL FUND	772-219-1200 ext 30273	3.0770	8,301,740	0	8,301,740	25,544.45
SCHOOL CAPITAL OUTLAY	772-219-1200 ext 30273	1.5000	8,301,740	0	8,301,740	12,452.61
SCHOOL - DISCRETIONARY	772-219-1200 ext 30273	0.7480	8,301,740	0	8,301,740	6,209.70
SCHOOL ADDTNL VOTER MIL	772-219-1200 ext 30273	0.4250	8,301,740	0	8,301,740	3,528.24
CHILDRENS SERVICES ORDNCS	772-288-5758	0.3618	8,301,740	0	8,301,740	3,003.57
FL-INLAND NAVIGATION DIST	561-627-3386	0.0288	8,301,740	0	8,301,740	239.09
S. FLA WTR MGMT	561-686-8800	0.2301	8,301,740	0	8,301,740	1,910.23
COUNTY-GENERAL FUND-OP	772-463-2868	6.5776	8,301,740	0	8,301,740	54,605.53
MILLAGE CODE 4300		TOTAL MILLAGE	16.9435	TOTAL AD VALOREM TAXES		\$140,660.54

Exemptions

Non Ad Valorem Assessments

Levying Authority	Telephone	Rate (\$ per unit)	Tax Amount
TOTAL NON AD VALOREM TAXES			\$0.00

TOTAL \$140,660.54

*SEE REVERSE SIDE FOR INSTRUCTIONS PLEASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT
OR PAY CURRENT TAXES ONLINE AT [HTTP://MARTINTAXCOLLECTOR.COM](http://MARTINTAXCOLLECTOR.COM)

2024

Make checks payable to: Ruth Pietruszewski, Tax Collector

Mail payments to: 3485 SE Willoughby Blvd Stuart, FL 34994 (772) 288-5600

CANADIAN CHECKS MUST BE PAYABLE IN U.S. FUNDS & DRAWN ON A U.S. BANK **DO NOT SEND CASH**

PARCEL ID: 35-38-42-004-000-02480.90000

ALTERNATE ID: 57390

ESCROW CODE:

SCHROEDER HALSEY
1040 5TH AVE
NEW YORK, NY 10028

Please check one box. Current taxes are processed by the month they are postmarked. Delinquent taxes are processed by the date they are received.	
☐ Nov 30, 2024	\$135,034.12
☐ Paid By	On File
☐ Paid	\$135,034.12 11/07/2024
TAXES BECOME DELINQUENT APRIL 1 - ADD 3% PLUS FEES	

Notice: If taxes on your property are not paid in full, a tax certificate will be sold for the delinquent taxes.



* 1 + 5 7 3 9 0 + 2 0 2 4 *

R. L. VAUGHT & ASSOCIATES, INC.

9075 S.E. BRIDGE ROAD, HOBE SOUND, FL 33455 (772)546-8086 FAX: (772)546-8087

March 6, 2025

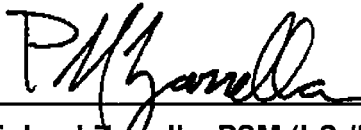
Catherine Harding, Director of Building, Planning and Zoning
c/o Town of Jupiter Island Building Department
2 Bridge Road; Hobe Sound, Florida 33455

RE: Ordinance # 293 – 59 N. Beach Road

Ms. Harding,

The physical location of the previous waterfront setback line as recorded in Ordinance No. 293, Exhibit "C", as adopted October 6, 2004, Town of Jupiter Island, Land Development Regulations, is a maximum of 21.46 feet east of the current waterfront setback line as recorded in Ordinance No. 376, Exhibit "C", adopted May 7, 2019, and as shown on our survey of the above referenced property.

Best Regards,

A handwritten signature in black ink, appearing to read "P. Michael Zarrella", written over a horizontal line.

P. Michael Zarrella, PSM (LS #6736)

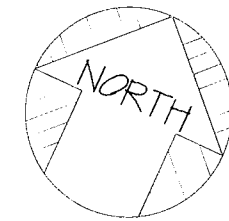
R.L. Vaught & Associates, Inc. (LB #5879)

SURVEYOR'S NOTES:

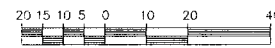
1. NOT VALID WITHOUT ALL SHEETS AND THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. BEARINGS SHOWN HEREON ARE GRID BASED ON PLAT OF COASTAL CONSTRUCTION CONTROL LINE, RECORDED JULY 9, 1985, IN PLAT BOOK 9, PAGE 99; LYING BETWEEN DNR RANGE MONUMENTS "R-83" AND "R-84".
3. THIS SURVEY IS BASED ON A CLOSED GEOMETRIC FIGURE EXCEEDING A HORIZONTAL CLOSURE OF 0.000 U.S. SURVEY FEET. WELL-IDENTIFIED FEATURES SHOWN HEREON HAVE BEEN MEASURED TO AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 0.1 FEET.
4. ELEVATIONS SHOWN HEREON REFER TO NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88) AND ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF. BENCHMARK USED: '89 84 A02' (FLDNR), ELEVATION = 10.74'(NAVD88) BASED ON MARTIN COUNTY RESURVEY 1984.
5. THE EXPECTED ACCURACY OF SPOT ELEVATIONS SHOWN HEREON IS 0.03 FEET FOR THE HARD SURFACE ELEVATIONS AND 0.1 FEET FOR NATURAL GRADE ELEVATIONS.
6. BEARINGS, ANGLES, AND DIMENSIONS SHOWN HEREON ARE FIELD MEASURED QUANTITIES UNLESS NOTED OTHERWISE AS: (P)=PLAT MEASUREMENT; (M)=FIELD MEASUREMENT; (C)=CALCULATED MEASUREMENT.
7. THIS SURVEY PREPARED WITHOUT BENEFIT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RIGHT-OF-WAYS, AND OTHER ENCUMBRANCES WHICH MIGHT BE REVEALED IN A SEARCH OF TITLE TO THE SUBJECT LAND.
8. THE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS OR ENTITY NAMED IN CERTIFICATION HEREON. SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PERSON, WITHOUT THE EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.
9. THERE HAS BEEN NO ATTEMPT TO LOCATE ANY SUBSURFACE IMPROVEMENTS, FOOTERS, FOOTINGS AND/OR UTILITIES ON THIS PROPERTY.
10. SUBJECT PROPERTY LIES IN FLOOD ZONE "X" (MINIMAL FLOOD HAZARD) AND "VE" (EL 7). FLOODPLAIN BOUNDARIES SHOWN HEREON WERE SCALED FROM DIGITAL FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD ZONE MAP #12085C0328H, DATED FEBRUARY 19, 2020. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE.
11. LOT AREA = 42,231 SQUARE FEET (0.96951 ACRES) MORE OR LESS.

LEGEND

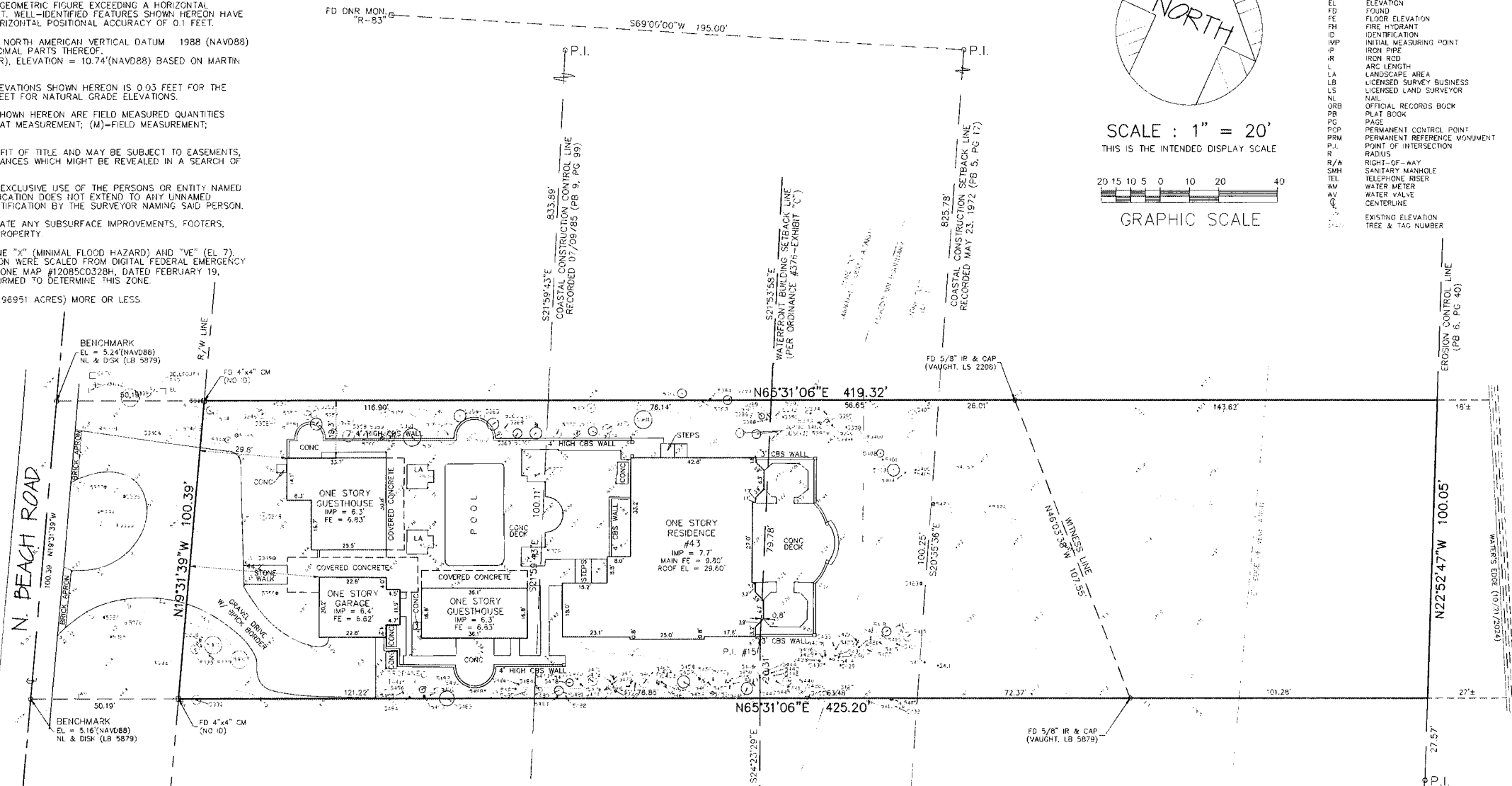
BFP	BACKFLOW PREVENTER
CATV	CABLE TELEVISION RISER
CBS	CONCRETE BLOCK STRUCTURE
CM	CONCRETE MONUMENT
CONC	CONCRETE
COV	COVERED
A	DELTA/CENTRAL ANGLE
EB	ELECTRIC BOX
EL	ELEVATION
FD	FOUND
FE	FLOOR ELEVATION
FH	FIRE HYDRANT
ID	IDENTIFICATION
IMP	INITIAL MEASURING POINT
IP	IRON PIPE
IR	IRON ROD
L	ARC LENGTH
LA	LANDSCAPE AREA
LB	LICENSED SURVEY BUSINESS
LS	LICENSED LAND SURVEYOR
N	NAIL
ORB	OFFICIAL RECORDS BOOK
PB	PLAT BOOK
PG	PAGE
POP	PERMANENT CONTROL POINT
PRM	PERMANENT REFERENCE MONUMENT
P.I.	POINT OF INTERSECTION
R	RADIUS
R/W	RIGHT-OF-WAY
SUN	SANITARY MANHOLE
TEL	TELEPHONE RISER
WM	WATER METER
WV	WATER VALVE
C	CENTERLINE
EXIST	EXISTING ELEVATION
T	TREE & TAG NUMBER



SCALE : 1" = 20'
THIS IS THE INTENDED DISPLAY SCALE



GRAPHIC SCALE



TREE LIST

NO.	DIAMETER	SPECIES	NO.	DIAMETER	SPECIES	NO.	DIAMETER	SPECIES	NO.	DIAMETER	SPECIES
5324	8"	COCONUT PALM	5367	18"	ARECA PALM	5410	12"	COCONUT PALM	5453	6"	SEAGRAPE
5325	8"	COCONUT PALM	5368	10"	CABBAGE PALM	5411	8"	SEAGRAPE	5454	14"	COCONUT PALM
5326	12"	COCONUT PALM	5369	36"	ARECA PALM	5412	8"	SEAGRAPE	5455	14"	SEAGRAPE CLUSTER
5327	12"	CABBAGE PALM	5370	48"	ARECA PALM	5413	36"	SEAGRAPE CLUSTER	5456	6"	SEAGRAPE
5328	36"	MAHOE CLUSTER	5371	12"	CABBAGE PALM	5414	6"	SEAGRAPE	5457	6"	SEAGRAPE
5329	6"	MAHOE	5372	36"	ARECA PALM	5415	6"	SEAGRAPE	5458	24"	SEAGRAPE CLUSTER
5330	6"	MAHOE	5373	24"	ARECA PALM	5416	30"	SEAGRAPE CLUSTER	5459	8"	SEAGRAPE
5331	72"	MAHOE CLUSTER	5374	36"	ARECA PALM	5417	36"	SEAGRAPE CLUSTER	5460	48"	SEAGRAPE CLUSTER
5332	72"	MAHOE CLUSTER	5375	36"	ARECA PALM	5418	6"	SEAGRAPE	5461	12"	SEAGRAPE CLUSTER
5333	36"	MAHOE CLUSTER	5376	36"	SEAGRAPE CLUSTER	5419	8"	SEAGRAPE	5462	8"	SEAGRAPE
5334	12"	CABBAGE PALM	5377	10"	COCONUT PALM	5420	24"	SEAGRAPE CLUSTER	5463	6"	SEAGRAPE
5335	10"	COCONUT PALM	5378	10"	COCONUT PALM	5421	6"	SEAGRAPE	5464	6"	SEAGRAPE
5336	10"	COCONUT PALM	5379	12"	COCONUT PALM	5422	36"	SEAGRAPE CLUSTER	5465	36"	SEAGRAPE CLUSTER
5337	10"	COCONUT PALM	5380	14"	COCONUT PALM	5423	10"	COCONUT PALM	5466	6"	SEAGRAPE
5338	12"	CABBAGE PALM	5381	72"	SEAGRAPE CLUSTER	5424	14"	COCONUT PALM	5467	6"	SEAGRAPE
5339	72"	SEAGRAPE CLUSTER	5382	36"	SEAGRAPE CLUSTER	5425	12"	COCONUT PALM	5468	6"	SEAGRAPE
5340	12"	CABBAGE PALM	5383	6"	SEAGRAPE	5426	12"	COCONUT PALM	5469	10"	SEAGRAPE
5341	12"	CABBAGE PALM	5384	12"	SEAGRAPE	5427	6"	SEAGRAPE	5470	8"	SEAGRAPE
5342	20"	ARECA PALM	5385	36"	SEAGRAPE CLUSTER	5428	8"	SEAGRAPE	5471	8"	SEAGRAPE
5343	30"	AUSTRALIAN PINE	5386	19"	SEAGRAPE CLUSTER	5429	8"	SEAGRAPE	5472	8"	SEAGRAPE
5344	24"	ARECA PALM	5387	24"	SEAGRAPE CLUSTER	5430	6"	SEAGRAPE	5473	8"	SEAGRAPE
5345	14"	CABBAGE PALM	5388	6"	SEAGRAPE	5431	6"	SEAGRAPE	5474	12"	SEAGRAPE CLUSTER
5346	36"	ARECA PALM	5389	24"	SEAGRAPE CLUSTER	5432	6"	SEAGRAPE	5475	36"	SEAGRAPE CLUSTER
5347	10"	CABBAGE PALM	5390	24"	SEAGRAPE CLUSTER	5433	6"	SEAGRAPE	5476	8"	SEAGRAPE
5348	30"	SEAGRAPE	5391	6"	SEAGRAPE	5434	6"	SEAGRAPE	5477	6"	SEAGRAPE
5349	12"	COCONUT PALM	5392	6"	SEAGRAPE	5435	8"	SEAGRAPE	5478	30"	SEAGRAPE CLUSTER
5350	12"	COCONUT PALM	5393	12"	SEAGRAPE	5436	10"	SEAGRAPE CLUSTER	5479	14"	SEAGRAPE CLUSTER
5351	12"	CABBAGE PALM	5394	36"	SEAGRAPE CLUSTER	5437	6"	SEAGRAPE	5480	36"	SEAGRAPE CLUSTER
5352	24"	ARECA PALM	5395	24"	SEAGRAPE CLUSTER	5438	10"	SEAGRAPE	5481	6"	SEAGRAPE
5353	36"	ARECA PALM	5396	8"	SEAGRAPE	5439	8"	SEAGRAPE	5482	8"	SEAGRAPE
5354	48"	ARECA PALM	5397	12"	COCONUT PALM	5440	36"	SEAGRAPE CLUSTER	5483	6"	SEAGRAPE
5355	48"	SEAGRAPE	5398	6"	SEAGRAPE	5441	6"	SEAGRAPE	5484	24"	SEAGRAPE CLUSTER
5356	36"	SEAGRAPE	5399	6"	SEAGRAPE	5442	6"	SEAGRAPE	5485	24"	SEAGRAPE CLUSTER
5357	36"	ARECA PALM	5400	12"	COCONUT PALM	5443	6"	SEAGRAPE	5486	6"	SEAGRAPE
5358	48"	ARECA PALM	5401	6"	SEAGRAPE	5444	24"	SEAGRAPE CLUSTER	5487	8"	SEAGRAPE
5359	36"	ARECA PALM	5402	30"	SEAGRAPE CLUSTER	5445	6"	SEAGRAPE	5488	6"	SEAGRAPE
5360	24"	ARECA PALM	5403	48"	SEAGRAPE CLUSTER	5446	6"	SEAGRAPE	5489	60"	SEAGRAPE CLUSTER
5361	36"	ARECA PALM	5404	6"	SEAGRAPE	5447	6"	SEAGRAPE	5490	6"	SEAGRAPE
5362	72"	ARECA PALM	5405	6"	SEAGRAPE	5448	48"	SEAGRAPE CLUSTER	5491	6"	SEAGRAPE
5363	84"	ARECA PALM	5406	6"	SEAGRAPE	5449	6"	SEAGRAPE	5492	24"	SEAGRAPE CLUSTER
5364	48"	ARECA PALM	5407	36"	SEAGRAPE CLUSTER	5450	6"	SEAGRAPE	5493	10"	SEAGRAPE
5365	36"	ARECA PALM	5408	12"	COCONUT PALM	5451	6"	SEAGRAPE	5494	10"	SEAGRAPE
5366	48"	ARECA PALM	5409	12"	COCONUT PALM	5452	14"	SEAGRAPE CLUSTER	5495	14"	CABBAGE PALM

PER ZONE D-25, ISLAND CORE RESIDENTIAL DISTRICT:

FRONTYARD SETBACK - 30'

SIDEYARD SETBACKS - 20' (1 STORY BUILDINGS)

25' (2 STORY BUILDINGS)

REARYARD SETBACK - TOWN OF JUPITER ISLAND

WATERFRONT SETBACK LINE (PER ORD. #376-EXHIBIT "C")

LEGAL DESCRIPTION: (PER OFFICIAL RECORDS BOOK 1323, PAGE 1609)

LOT 240, BON AIR BEACH, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9, PAGE 2, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

CERTIFICATION VALID TO:

1. CHASE DURRETT

CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

R. L. VAUGHT & ASSOCIATES, INC.
LICENSED BUSINESS NO. 5879

By: *[Signature]*
P. V. Vaziralla
Professional Surveyor and Mapper No. 6736
State of Florida

DATE OF LAST

FIELD WORK:

Jan. 21, 2025

REVISIONS	BY
05/14/88 • UPDATE SURVEY • PB 117/51	RLV
NO. 835460	
05/08/01 • FINAL AS-BUILT • PB 144/28	RLV
NO. 806775	
10/30/24 • UPDATE & IMPROVEMENTS	RLV III
NO. 820254	
01/22/25 • TREE SURVEY	RLV III
PB 40	
NO. 820469	
02/17/25 • ADD MAP	RLV III

BOUNDARY & TOPOGRAPHIC SURVEY
43 NORTH BEACH ROAD
HOBE SOUND, FLORIDA 33455
TOWN OF JUPITER ISLAND

RL VAUGHT & ASSOCIATES, INC.
SURVEYORS, MAPPERS & PLANNERS
LICENSED SURVEY BUSINESS NUMBER 5879
9075 SE BRIDGE ROAD, HOBE SOUND 33455
MAIL: P.O. BOX 160 HOBE SOUND, FL 33475
PHONE: 772-546-8086 FAX: 772-546-8087
EMAIL: survey@rlvaught.com

DRAWN	RLV
CHECKED	RLV, SR.
SCALE	AS SHOWN
DATE	OCT. 3, 1997
FIELD BOOK	117/51
ORDER NO.	805157
SHEET OF SHEETS	1
FILE NUMBER	PB1056-24J

PCN: 35-38-42-004-000-02400-8

FILE: .../NORTH BEACH ROAD/43 NBR/43NBR_2024-10-28.DWG

Town of Jupiter Island

Memorandum

To: Bob Garlo
From: Catherine Harding
Ref: Zoning in Progress Waiver
Date: 4/2/25
Subject: 43 North Beach Road

Attached please find a ZIP Wavier request for 43 North Beach Road for consideration of the Town Commission. The application is not in contravention to the Town Zoning Code.

LAW OFFICES OF
MARC R. GAYLORD, P.A.

12000 S.E. OLD DIXIE HIGHWAY
HOBE SOUND, FL 33455
TEL: (772) 545-7740
FAX: (772) 545-7782

MARC R. GAYLORD, ESQ.
JARED E. GAYLORD, ESQ.

FORD T. DWYER, ESQ.
COLBY HEDDEN, ESQ.

March 13, 2025

VIA HAND DELIVERY

Mayor Penelope D. Townsend
Vice Mayor Marshall Field, VI
Commissioner Anne Scott
Commissioner Patsy Warner
Commissioner Joe Taddeo
Jupiter Island Town Commission
P.O. Box 7
Hobe Sound, FL 33455

**TOWN OF JUPITER ISLAND
BUILDING DEPARTMENT**

Date Received: 03.13.25

RE: 43 North Beach Road, Hobe Sound, FL 33455
Chase Durrett
Waterfront Setback Line Zoning-in-Progress Waiver

Mayor, Vice Mayor, and Commissioners:

This office represents Chase Durrett and the Durrett family (the "Owner"), the owner of 43 North Beach Road, Hobe Sound, FL 33455 (the "Property"), as it pertains to the Owner's application for a small addition to the existing residence on the Property.

The Owner recently purchased this .96951-acre¹ Property in the D-25 Island Core Residential District. This Property is located south of the Nathaniel P. Reed Hobe Sound National Wildlife Refuge and north of the Hobe Sound Public Beach. The Property currently contains a one-story main residence, pool, two one-story guesthouses, a detached one-story garage, and associated hardscape and landscaping constructed in 1960.² Recently, my client began investigating renovating the existing residence and associated structures. For the past few months, my client has worked with architects, landscape professionals, and contractors to determine the feasibility of renovating the residence. My client wishes to attach the existing detached garage to the existing one-story guest house – just east of the garage. However, my client recently learned of the existence of the Town's zoning-in-progress ("ZIP") to investigate the waterfront setback line ("WFSBL") from my client's contractor and Town staff. Any renovation will first require a ZIP waiver from the Town Commission.

Previously, during the Town's prior ZIP for the WFSBL, the Town permitted exceptions to the moratorium on development approvals, provided that a property owner could prove good cause

¹ 42,231 square feet.

² This is according to records with the Martin County Property Appraiser's office.

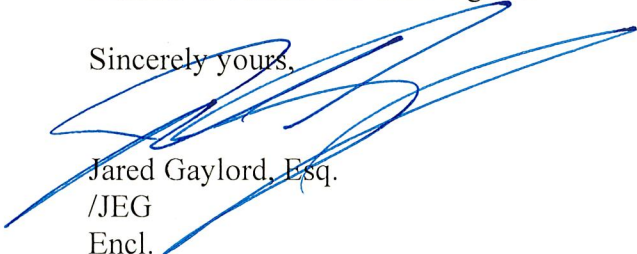
existed to support such a waiver. At least six WFSBL waivers were granted by the Town Commission.³ Recently, the Town Commission granted ZIP waivers for 89 South Beach Road, 185 South Beach Road, and 15 South Beach Road.⁴

One factor to support a case whether “good cause” exists is if the WFSBL for a particular property changed between Ordinance 293 and 376. This Property was investigated by RL Vaught & Associates, Inc. surveyors and it was determined that the WFSBL for this property *did not change between Ordinance 293 and 376*. This means that even if the Town decides to utilize the prior setback line, this will not render the existing residence, or the proposed addition, nonconforming. The small addition that attaches the two structures will not be any more waterward than the existing structure. At its furthest east, the main residence is approximately .8’ east of the WFSBL. The proposed addition will be over 110’ west of the existing WFSBL. This means that if the WFSBL is moved further west on this Property, the addition is unlikely to render the house nonconforming, *but rather the existing structure.*

Finally, the Property is protected by substantial setbacks from the water’s edge and a large dune. The residence is setback approximately 210’ from the eastern property boundary. The mean high water line is a further 18’ to 27’ east, resulting in approximately 230’ of protection from potential storm surge. Additionally, the dune on the eastern side of the Property crests approximately between 14’ NAVD and 15’ NAVD. This distance and high dune will help shield the residence from the potential surge impacts from hurricanes, Nor’easters, and other catastrophic storm events. The Town Commission has indicated that in addition to zoning impacts, the Commission will investigate how the WFSBL should be utilized to minimize the impacts of erosion and storm damage. Areas of the Island with protective features, like 43 North Beach, are better protected from adverse storm surge than those areas not protected by distance and high dunes.

Without the requested ZIP waiver for my client’s Property, my clients will not be able to begin development approval until at the earliest, June 2025.⁵ Delaying the development approval until June will delay Florida Department of Environmental Protection Coastal Construction Control Line permitting and building permitting – all costing my clients valuable time and resources. Failure to issue a ZIP waiver would unnecessarily prolong this minor renovation project, prevent my client’s full enjoyment of the Property, and be inconsistent with prior waivers granted by the Town Commission. If you have any questions or concerns regarding this matter, please do not hesitate to contact the undersigned.

Sincerely yours,



Jared Gaylord, Esq.

/JEG

Encl.

³ These include 75 North Beach, 51 North Beach, 35 North Beach, 272 South Beach, 483 South Beach, and 607 South Beach.

⁴ Other applications, such as those filed prior to the adoption of Resolutions 901 and 902, were not required to secure ZIP waivers.

⁵ The deadline to finalize the WFSBL study, per the Town’s recent resolution on the matter.

Basic Info

PIN	AIN	Situs Address	Website Updated
35-38-42-004-000-02400-6	57383	43 NORTH BEACH RD JUPITER ISLAND FL	3/13/25

General Information

CHANGE MAILING ADDRESS

SIGN UP FOR PROPERTY FRAUD ALERT

Property Owners HILL ANNE C ESTATE	Parcel ID 35-38-42-004-000-02400-6	Use Code/Property Class 0100 - 0100 Single Family
Mailing Address 43 NORTH BEACH RD HOBE SOUND FL 33455	Account Number 57383	Neighborhood 135705 Jupiter Island - North Beach
Tax District JUPITER ISLAND	Property Address 43 NORTH BEACH RD JUPITER ISLAND FL	Legal Acres 0.94
	Legal Description BON AIR BEACH LOT 240	Ag Use Size (Acre\Sq Ft) N/A

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2024	\$ 4,500,000	\$ 1,939,940	\$ 6,439,940	\$ 3,880,685	\$ 2,559,255	\$ 50,000	\$ 2,509,255

Market values shown on the website reflect market conditions as of January 1st, the statutory assessment date. We are prohibited by law from relying on sales that occur after the January 1 assessment date. Therefore, market values shown on the website do not reflect today's market conditions, but rather the market conditions last year. In addition, the statutes require the county Property Appraiser to deduct for typical costs of sale (which include expenses such as commissions, title insurance, appraisals, inspection fees, etc.) when arriving at market value for tax purposes. That is why the market value for tax purposes is different from what a property would sell for today.

Current Sale

Sale Date 7/20/98	Grantor (Seller) RYAN, KEVIN T	Doc Num N/A
Sale Price \$ 1,700,000	Deed Type Special Warranty Deed	Book & Page <u>1323 1609</u>

Legal Description

BON AIR BEACH LOT 240

The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.



**HONORABLE
RUTH PIETRUSZEWSKI, CFC**

MARTIN COUNTY TAX COLLECTOR
3485 SE WILLOUGHBY BLVD
STUART, FL 34994

Property Address 43 NORTH BEACH RD
Legal Description BON AIR BEACH LOT 240

REAL ESTATE

2024 MARTIN COUNTY
Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments

HILL ANNE C ESTATE
43 NORTH BEACH RD
HOBE SOUND, FL 33455

PARCEL ID: 35-38-42-004-000-02400.60000
ALTERNATE ID: 57383
ESCROW CODE:



**SCAN TO VIEW YOUR
BILL ONLINE!**

If Paid By	Nov 30, 2024	Paid	\$40,952.94	11/20/2024
Please Pay	\$40,952.94			

Ad Valorem Assessments

Taxing Authority	Telephone	Millage	Assessed Value	Exemption	Taxable Value	Tax Amount
JUPITER ISLAND-AD VAL-OP	772-545-0100	2.8086	2,559,255	50,000	2,509,255	7,047.49
JUPITER ISLAND-EROSION	772-545-0100	0.9593	2,559,255	50,000	2,509,255	2,407.13
JUPITER ISL-DEBT SERVICE	772-545-0100	0.2273	2,559,255	50,000	2,509,255	570.35
SCHOOL-GENERAL FUND	772-219-1200 ext 30273	3.0770	2,559,255	25,000	2,534,255	7,797.90
SCHOOL CAPITAL OUTLAY	772-219-1200 ext 30273	1.5000	2,559,255	25,000	2,534,255	3,801.38
SCHOOL - DISCRETIONARY	772-219-1200 ext 30273	0.7480	2,559,255	25,000	2,534,255	1,895.62
SCHOOL ADDTNL VOTER MIL	772-219-1200 ext 30273	0.4250	2,559,255	25,000	2,534,255	1,077.06
CHILDRENS SERVICES ORDNCs	772-288-5758	0.3618	2,559,255	50,000	2,509,255	907.85
FL-INLAND NAVIGATION DIST	561-627-3386	0.0288	2,559,255	50,000	2,509,255	72.27
S. FLA WTR MGMT	561-686-8800	0.2301	2,559,255	50,000	2,509,255	577.38
COUNTY-GENERAL FUND-OP	772-463-2868	6.5776	2,559,255	50,000	2,509,255	16,504.88

MILLAGE CODE 4300	TOTAL MILLAGE	16.9435	TOTAL AD VALOREM TAXES	\$42,659.31
--------------------------	----------------------	----------------	-------------------------------	--------------------

Exemptions

ADDL HOMESTEAD
HOMESTEAD

Non Ad Valorem Assessments

Levying Authority	Telephone	Rate (\$ per unit)	Tax Amount
TOTAL NON AD VALOREM TAXES			\$0.00
TOTAL			\$42,659.31

*SEE REVERSE SIDE FOR INSTRUCTIONS PLEASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT
OR PAY CURRENT TAXES ONLINE AT [HTTP://MARTINTAXCOLLECTOR.COM](http://MARTINTAXCOLLECTOR.COM)

2024

Make checks payable to: Ruth Pietruszewski, Tax Collector

Mail payments to: 3485 SE Willoughby Blvd Stuart, FL 34994 (772) 288-5600

CANADIAN CHECKS MUST BE PAYABLE IN U.S. FUNDS & DRAWN ON A U.S. BANK **DO NOT SEND CASH**

PARCEL ID: 35-38-42-004-000-02400.60000

ALTERNATE ID: 57383

ESCROW CODE:

HILL ANNE C ESTATE
43 NORTH BEACH RD
HOBE SOUND, FL 33455

Please check one box. Current taxes are processed by the month they are postmarked. Delinquent taxes are processed by the date they are received.

☐	Nov 30, 2024	\$40,952.94
☐		
☐		
☐		
☐	Paid By	ANNE HILL ESTATE
☐	Paid	\$40,952.94 11/20/2024
TAXES BECOME DELINQUENT APRIL 1 - ADD 3% PLUS FEES		

Notice: If taxes on your property are not paid in full, a tax certificate will be sold for the delinquent taxes.




Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: FL1035

Issuing Office: Nagle, Gary J., Esquire

Loan ID Number:

Issuing Office File Number: RC-15831

Plant File Number: 24-089024

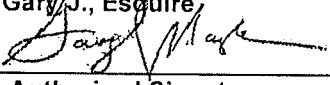
Property Address: 43 N Beach Road, Hobe Sound, FL 33455

SCHEDULE A

1. Commitment Date: **10/15/2024 @ 8:00 am**
2. Policy to be issued:
 - a. 2021 ALTA® Owner's Policy
 Proposed Insured: **Chase T. Durrett**
 Proposed Amount of Insurance: **\$9,375,000.00**
 The estate or interest to be insured: **Fee Simple**
 - b. 2021 ALTA® Loan Policy
 Proposed Insured:
 Proposed Amount of Insurance:
 The estate or interest to be insured: **Fee Simple**
 - c. 2021 ALTA® Second Loan Policy
 Proposed Insured:
 Proposed Amount of Insurance:
 The estate or interest to be insured: **Fee Simple**
3. The estate or interest in the Land at the Commitment Date is: **Fee Simple**
4. The Title is, at the Commitment Date, vested in: _____ as **Current Trustees of the Richard A Hill Trust dated April 23, 1997 AND the Heirs and Beneficiaries of the Estate of Anne C Hill, deceased, as disclosed in the Public Records since July 20, 1998**
5. The Land is described as follows: **See Schedule A – Continuation Page for Legal Description**

Nagle, Gary J., Esquire

By: _____


 Authorized Signatory

This page is only a part of a 2021 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



CM-43S FL ALTA Commitment for Title Insurance (FLORIDA) (ALTA 07-01-2021)-SCHEDULES-w FL Mod (WLTIC Edition 8/12/2022)

Schedule A, Continuation Page

Lot 240, Bon Air Beach, according to the Plat thereof, recorded in Plat Book 9, Page(s) 2, of the Public Records of Palm Beach County, Florida, said property now lying and situated in Martin County, Florida.

This page is only a part of a 2021 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



CM-43S FL ALTA Commitment for Title Insurance (FLORIDA) (ALTA 07-01-2021)-SCHEDULES-w FL Mod (WLTIC Edition 8/12/2022)

SCHEDULE B, PART I - Requirements

All of the following Requirements must be met:

1. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
 - a. Warranty Deed from _____, as Current Trustee(s) of the Richard A Hill Trust dated April 23, 1997, to Chase T. Durrett, conveying the property described in Schedule A herein.
 - b. Warranty Deed from _____, as Current Trustee(s) of the Anne Chickering Hill Trust dated December 18, 1987, to Chase T. Durrett, conveying the property described in Schedule A herein.
 - c. Personal Representative's Deed from Peter Jameson Hill as Personal Representative of the Estate of Anne C. Hill to Chase T. Durrett conveying the land.
2. Pay the agreed amount for the estate or interest to be insured.
3. Payment of all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, subcontractors, labor and materialmen are all paid.
5. Exceptions 3 and 4 of Schedule B - Section 2 of this commitment may be amended in or deleted from the policy to be issued if a survey, satisfactory to the Company, is furnished to Company.
6. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
7. Pay the premiums, fees, and charges for the Policy to the Company.
8. A search of the public records of Martin County, Florida did not disclose a recorded mortgage encumbering the subject property. The Agent must confirm with the owner(s) that the property is free and clear and no unrecorded mortgages exist.
9. Proof of payment or non-existence of Federal and/or Florida Estate Taxes against the Estate of Anne C Hill, deceased, to be filed of record.
10. Affidavit in recordable form must be furnished reciting that Anne C Hill, deceased, was not survived by a spouse or any minor children.
11. Creditors' claims in the Estate of Anne C Hill, deceased, must be properly cleared.

This page is only a part of a 2021 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



CM-43S FL ALTA Commitment for Title Insurance (FLORIDA) (ALTA 07-01-2021)-SCHEDULES-w FL Mod (WLTIC Edition 8/12/2022)

12. Obtain and review a certified copy of the Richard A Hill Trust dated April 23, 1997 and record an Affidavit stating the trust has not been amended or modified, except as heretofore disclosed, and that the Trust is still in full force and effect. Said affidavit should also recite the names(s) of the Trustee(s) currently empowered, if different from the original Trustee(s). NOTE: The Company reserves the right to make additional requirements upon review of said Affidavit.
13. Execution and recordation by the current Trustee of the Richard A Hill Trust dated April 23, 1997, a Certification of Trust in compliance with Florida Statutes Section 736.1017. In the event a Successor Trustee is attempting to convey/mortgage the property and said Successor Trustee is not set out on the vesting deed, the portions of the trust and amendments setting out the successor trustee(s) should be attached to said trust certification.
14. Obtain and review a certified copy of the Anne Chickering Hill Trust dated December 18, 1987 and record an Affidavit stating the trust has not been amended or modified, except as heretofore disclosed, and that the Trust is still in full force and effect. Said affidavit should also recite the names(s) of the Trustee(s) currently empowered, if different from the original Trustee(s). NOTE: The Company reserves the right to make additional requirements upon review of said Affidavit.
15. Execution and recordation by the current Trustee of the Anne Chickering Hill Trust dated December 18, 1987, a Certification of Trust in compliance with Florida Statutes Section 736.1017. In the event a Successor Trustee is attempting to convey/mortgage the property and said Successor Trustee is not set out on the vesting deed, the portions of the trust and amendments setting out the successor trustee(s) should be attached to said trust certification.

NOTE: If this closing takes place on or after November 1, 2024 the Real Estate Taxes for the year 2024 will become due and payable.

NOTE: Real Estate Taxes for the year 2023 were paid in the amount of \$40252.55; Assessed Value \$2484714.00; Gross Amount \$41929.74; Exemptions: yes; Folio No.: 35-38-42-004-000-02400-6.

NOTE: FOR INFORMATIONAL PURPOSES ONLY: The following instrument(s) affecting said land is the last conveying instrument(s) filed for record within 24 months of the effective date of this Commitment:

1. Warranty Deed recorded 7/20/1998 in Official Records Book 1323, Page 1609, of the Public Records of Martin County, Florida.

This page is only a part of a 2021 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



CM-43S FL ALTA Commitment for Title Insurance (FLORIDA) (ALTA 07-01-2021)-SCHEDULES-w FL Mod (WLTIC Edition 8/12/2022)

SCHEDULE B, PART II - Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or claims of parties in possession not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments on the Land of existing improvements located on the adjoining land.
4. Easements or claims of easements not shown by the Public Records
5. Taxes or special assessments which are not shown as existing liens by the public records.
6. Taxes and assessments for the year 2024 and subsequent years, which are not yet due and payable.
7. Any lien provided by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.
8. Restrictions, dedications, reservations, setbacks and easements, if any, as indicated and/or shown on that certain Plat recorded in Plat Book 9, at Page(s) 2, of the Public Records of Palm Beach County, Florida, said property is now lying and situate in Martin County, Florida.
9. Riparian rights and littoral rights, if any, incident to the land.

This page is only a part of a 2021 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



CM-43S FL ALTA Commitment for Title Insurance (FLORIDA) (ALTA 07-01-2021)-SCHEDULES-w FL Mod (WLTIC Edition 8/12/2022)



10. Title to any portion of the land lying below the mean high water mark of Atlantic Ocean, unaffected by fills, man-made jetties and bulkheads.
11. Any and all rights of the United States of America in and to navigable waters or filled-in land formerly within navigable waters and any conditions contained in any permits authorizing the filling in of such land.
12. The inalienable rights of the public to use the navigable waters covering lands described herein.
13. The rights, if any, of the public to use the public beach, recreation area, or any part of the land lying between the body of water abutting the subject property and the natural line of vegetation, the bulkhead line, the most extreme high water line or any other legally established boundary line separating the publicly used area from the upland private area.
14. Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled, and artificially exposed lands and lands accreted to such lands.
15. Coastal Construction Control Line as established by Sections 161.052 and Section 161.053, Florida Statutes.
16. Existing unrecorded leases and all right thereunder of the lessees and of any person claiming by, through or under lessees.

This page is only a part of a 2021 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



CM-43S FL ALTA Commitment for Title Insurance (FLORIDA) (ALTA 07-01-2021)-SCHEDULES-w FL Mod (WLTIC Edition 8/12/2022)

R. L. VAUGHT & ASSOCIATES, INC.

9971 SE BRIDGE ROAD HOBE SOUND, FL 33455 TEL: (772) 546-8086 FAX: (772) 546-8087

March 11, 2025

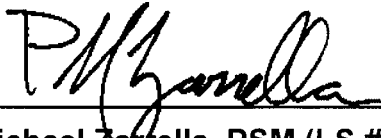
Catherine Harding, Director of Planning, Zoning, and Building
c/o Town of Jupiter Island Building Department
2 Bridge Road; Hobe Sound, Florida 33455

RE: Ordinance # 293 – 43 N. Beach Rd

Ms. Harding,

The physical location of the previous waterfront setback line as recorded in Ordinance No. 293, Exhibit "C", as adopted October 6, 2004, Town of Jupiter Island, Land Development Regulations, is identical to the physical location of the current waterfront setback line as recorded in Ordinance No. 376, Exhibit "C", adopted May 7, 2019, and as shown on our survey of the above referenced property.

Best Regards,



P. Michael Zarella, PSM (LS #6736)

R.L. Vaught & Associates, Inc. (LB #5879)

Town of Jupiter Island

Memorandum

To: Bob Garlo 
From: Catherine Harding
Ref: Kimley Horn services
Date: 3-31-25
Subject: Density Analysis

The Town Commission requested Kimly Horn give us a proposal for a Density Analysis at their February 19th meeting, in conjunction with their Comprehensive Plan.

The attached is their Letter of Agreement for the Analysis for your consideration. The total cost is \$36,000.



March 13, 2025

Catherine Harding
Director of Building, Planning and Zoning
Town of Jupiter Island
2 Bridge Road
Hobe Sound, Florida 33455

Re: Letter Agreement for Professional Services for
Density Study and Map Series Services for the Town of Jupiter Island
Jupiter Island, Florida

Dear Catherine:

Kimley-Horn and Associates, Inc. ("Kimley-Horn" or "Consultant") submits this Letter Agreement ("Agreement") to the Town of Jupiter Island ("Client" or "Town") for planning services via density study and map series ("Project").

Project Understanding

The purpose of this task is to initially identify an estimated quantity of additional residential units that may be constructed in the Town during a planning horizon between 2025 and 2045. This effort will be informed by Kimley-Horn's current work underway on the Town's Comprehensive Plan.

Scope of Services

Kimley-Horn will provide the services specifically set forth below.

Task 1: Density Study

This analysis will initially identify the maximum density for each known residential parcel in the Town. Known future land use designations will be used as reference in this identification task. Each parcel will be evaluated based on its maximum potential density. Each parcel will be assessed to determine their current density based on the most recent property tax record from Martin County. This comparative analysis will identify whether a parcel is "built out" and cannot increase their maximum density or whether a parcel can increase density.

Parcels found to have unused density or that have redevelopment opportunities, will be reviewed to determine the type of development permitted by the land development code (i.e. use, lot coverage, approximate building area). The analysis will generally address discrete constraints such as natural features for these parcels (i.e. conservation easements, wetlands, flood plain). An initial level of service necessary to serve potential new dwellings on these parcels, including utility (water and sewer), roadway and safety (police and fire) capacity for these parcels will be generally identified.

Kimley-Horn will provide a memorandum of findings for Client review. The document will contain a summary of Task 1 information. The memorandum will be provided in US Standard 8.5x11 inch vertical format and is anticipated to be up to twenty (20) single-sided pages in total length. Kimley-Horn will respond to up to one (1) round of minor (at discretion of Kimley-Horn) consolidated and deconflicted Client comments and incorporate this information into a final document. The draft and final document will be prepared electronically and provided to the Client in electronic PDF format.

Task 2: Map Series

Base mapping in support of this study will be prepared using publicly available GIS data previously provided by the Town. This information will be the basis of work for the effort herein. Kimley-Horn will summarize the following:

- Existing/Known Future Land Use and Zoning density.
- Existing population estimates and population projections for 20-year planning horizon commencing in 2025.
- Water and Wastewater Master that provide a basis of review using publicly available utility infrastructure information.
- Kimley-Horn will provide an initial summary of summarize the existing and permitted capacities of the public facilities serving the Town.
- Initially identified constraints due to environmental features, conservation lands, lakes, rivers, and floodplains.

Kimley-Horn will prepare a map series that contains up to six (6) total maps. The maps will contain information that illustrates candidate parcels for increased dwelling units. Maps will be formatted for 24x36 inch US Standard paper sheet size. Kimley-Horn will respond to up to one (1) round of minor (at discretion of Kimley-Horn) consolidated and deconflicted Client comments and incorporate this information in to a final document. The draft and final document will be prepared electronically and provided to the Client in electronic PDF format.

Task 3: Meetings

Kimley-Horn will participate in meetings related to the Density study. Kimley-Horn will attend the following meetings.

Task 3.1 – Client Meetings

Up to two (2) Kimley-Horn employees will participate in two (2), one-hour phone conferences with Client representatives to review consolidated and conformed comments from the Client on the Density Study.

Task 3.2 – Town Commission

Up to two (2) Kimley-Horn employees will attend up to two (2) in-person Town Commission meetings to present the findings of the Density Study. Kimley-Horn will prepare one (1) PowerPoint presentation and provide the presentation to the Client for review at least one week prior to the date of the first meeting. One (1) round of consolidated and conformed comments will be addressed, and the updated presentation will be sent to the Client at least one (1) day prior to the workshop.

Schedule

We will provide our services as expeditiously as practicable for delivery of the scope of work referenced herein and under the assumption of reasonable requests and timely responses by the Client. We are ready to commence work upon notice to proceed and return of this agreement herein.

Items Provided by the Client

Kimley-Horn shall be entitled to rely on the completeness and accuracy of information provided by the Owner. The Owner shall in a timely manner provide all information requested by Kimley-Horn, including but not limited to the following for each project site:

- a. Single point of contact authorized to provide Kimley-Horn with decisions.
- b. Timely confirmation of acceptance of documents as approved for each Task submission.
- c. Provision of coordinated and deconflicted submission review comments.
- d. Scheduling of comment coordination and review meetings as necessary.
- e. Scheduling, coordination, and leading meetings with other Town staff.
- f. Critical grading and access concerns and required clearances.

Fees and Expenses

Kimley-Horn will perform the services in Tasks 1 - 3 for the total lump sum fee below. Individual task amounts are informational only. Kimley-Horn reserves the right to reallocate amounts among tasks as necessary.

Task Number & Name		Fee	Type
1	Density Study	\$24,000.00	Lump Sum
2	Map Series	\$7,000.00	Lump Sum
3	Meetings	\$5,000.00	Lump Sum
Total		\$36,000.00	

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Kimley-Horn is not a Contingent Partner in this project(s). As such, the Kimley-Horn will be paid in full for all Professional Services rendered. Payment will be due within twenty-five (25) days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.

Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the attached Standard Provisions, which are incorporated by reference. As used in the Standard Provisions, "Kimley-Horn" shall refer to Kimley-Horn and Associates, Inc., and "Client" shall refer to Town of Jupiter Island.

Kimley-Horn, in an effort to expedite invoices and reduce paper waste, submits invoices via email in a PDF. We can also provide a paper copy via regular mail if requested. Please include the invoice number and Kimley-Horn project number with all payments. Please provide the following information:

____ Please email all invoices to _____

____ Please copy _____

To ensure proper set up of your projects so that we can get started, please complete and return with the signed copy of this Agreement the attached Request for Information. Failure to supply this information could result in delay in starting work on this project.

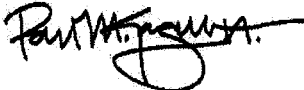
We appreciate the opportunity to provide these services. Please contact me if you have any questions.

Sincerely,

Alessandria "Ali" Palmer

Project Manager

KIMLEY-HORN AND ASSOCIATES, INC.

Signed: 

Printed Name: Ron Kagawa, ASLA LEED AP

Title: Contract Manager

TOWN OF JUPITER ISLAND

SIGNED: _____

PRINTED NAME: _____

TITLE: _____

DATE: _____

Client's Federal Tax ID: _____
Client's Business License No.: _____
Client's Street Address: _____

Attachment – Request for Information
Attachment – Standard Provisions

KIMLEY-HORN AND ASSOCIATES, INC.
STANDARD PROVISIONS

- 1) **Kimley-Horn's Scope of Services and Additional Services.** Kimley-Horn will perform only the services specifically described in this Agreement ("Services"). Any services that are not set forth in the scope of Services described herein will constitute additional services ("Additional Services"). If requested by the Client and agreed to by Kimley-Horn, Kimley-Horn will perform Additional Services, which shall be governed by these provisions. Unless otherwise agreed to in writing, the Client shall pay Kimley-Horn for any Additional Services an amount based upon Kimley-Horn's then-current hourly rates plus an amount to cover certain direct expenses including telecommunications, in-house reproduction, postage, supplies, project related computer time, and local mileage. Other direct expenses will be billed at 1.15 times cost.
- 2) **Client's Responsibilities.** In addition to other responsibilities herein or imposed by law, the Client shall:
 - a. Designate in writing a person to act as its representative, such person having complete authority to transmit instructions, receive information, and make or interpret the Client's decisions.
 - b. Provide all information and criteria as to the Client's requirements, objectives, and expectations for the project and all standards of development, design, or construction.
 - c. Provide Kimley-Horn all available studies, plans, or other documents pertaining to the project, such as surveys, engineering data, environmental information, etc., all of which Kimley-Horn may rely upon.
 - d. Arrange for access to the site and other property as required for Kimley-Horn to provide its services.
 - e. Review all documents or reports presented by Kimley-Horn and communicate decisions pertaining thereto within a reasonable time so as not to delay Kimley-Horn.
 - f. Furnish approvals and permits from governmental authorities having jurisdiction over the project and approvals and consents from other parties as may be necessary.
 - g. Obtain any independent accounting, legal, insurance, cost estimating, and feasibility services required by Client.
 - h. Give prompt written notice to Kimley-Horn whenever the Client becomes aware of any development that affects Kimley-Horn's services or any defect or noncompliance in any aspect of the project.
- 3) **Period of Services.** Unless otherwise stated herein, Kimley-Horn will begin work after receipt of a properly executed copy of this Agreement. This Agreement assumes conditions permitting continuous and orderly progress through completion of the services. Times for performance shall be extended as necessary for delays or suspensions due to circumstances that Kimley-Horn does not control. If such delay or suspension extends for more than six months, Kimley-Horn's compensation shall be renegotiated.
- 4) **Method of Payment.** Client shall pay Kimley-Horn as follows:
 - a. Invoices will be submitted periodically for services performed and expenses incurred. Payment of each invoice will be due within 25 days of receipt. The Client shall also pay any applicable sales tax. All retainers will be held by Kimley-Horn and applied against the final invoice. Interest will be added to accounts not paid within 25 days at the maximum rate allowed by law. If the Client fails to make any payment due under this or any other agreement within 30 days after Kimley-Horn's transmittal of its invoice, Kimley-Horn may, after giving notice to the Client, suspend services and withhold deliverables until all amounts due are paid.
 - b. The Client will remit all payments electronically to:
Account Name: KIMLEY-HORN AND ASSOCIATES, INC.
Bank Name and Address: WELLS FARGO BANK, N.A., SAN FRANCISCO, CA 94104
Account Number: 2073089159554
ABA#: 121000248
 - c. The Client will send the project number, invoice number and other remittance information by e-mail to payments@kimley-horn.com at the time of payment.
 - d. If the Client relies on payment or proceeds from a third party to pay Kimley-Horn and Client does not pay Kimley-Horn's invoice within 60 days of receipt, Kimley-Horn may communicate directly with such third party to secure payment.
 - e. If the Client objects to an invoice, it must advise Kimley-Horn in writing giving its reasons within 14 days of receipt of the invoice or the Client's objections will be waived, and the invoice shall conclusively be deemed due and owing. If the Client objects to only a portion of the invoice, payment for all other portions remains due.
 - f. If Kimley-Horn initiates legal proceedings to collect payment, it shall recover, in addition to all amounts due, its reasonable attorneys' fees, reasonable experts' fees, and other expenses related to the proceedings. Such expenses shall include the cost, at Kimley-Horn's normal hourly billing rates, of the time devoted to such proceedings by its employees.

- g. The Client agrees that the payment to Kimley-Horn is not subject to any contingency or condition. Kimley-Horn may negotiate payment of any check tendered by the Client, even if the words "in full satisfaction" or words intended to have similar effect appear on the check without such negotiation being an accord and satisfaction of any disputed debt and without prejudicing any right of Kimley-Horn to collect additional amounts from the Client.
- 5) **Use of Deliverables.** All documents, data, and other deliverables prepared by Kimley-Horn are related exclusively to the services described in this Agreement and may be used only if the Client has satisfied all of its obligations under this Agreement. They are not intended or represented to be suitable for use or reuse by the Client or others on extensions of this project or on any other project. Any modifications by the Client to any of Kimley-Horn's deliverables, or any reuse of the deliverables without written authorization by Kimley-Horn will be at the Client's sole risk and without liability to Kimley-Horn, and the Client shall indemnify, defend and hold Kimley-Horn harmless from all claims, damages, losses and expenses, including but not limited to attorneys' fees, resulting therefrom. Kimley-Horn's electronic files and source code remain the property of Kimley-Horn and shall be provided to the Client only if expressly provided for in this Agreement. Any electronic files not containing an electronic seal are provided only for the convenience of the Client and use of them is at the Client's sole risk. In the case of any defects in the electronic files or any discrepancies between them and the hardcopy of the deliverables prepared by Kimley-Horn, the hardcopy shall govern.
- 6) **Intellectual Property.** Kimley-Horn may use or develop its proprietary software, patents, copyrights, trademarks, trade secrets, and other intellectual property owned by Kimley-Horn or its affiliates ("Intellectual Property") in the performance of this Agreement. Intellectual Property, for purposes of this section, does not include deliverables specifically created for Client pursuant to the Agreement and use of such deliverables is governed by section 5 of this Agreement. Unless explicitly agreed to in writing by both parties to the contrary, Kimley-Horn maintains all interest in and ownership of its Intellectual Property and conveys no interest, ownership, license to use, or any other rights in the Intellectual Property to Client. Any enhancements of Intellectual Property made during the performance of this Agreement are solely owned by Kimley-Horn and its affiliates. If Kimley-Horn's services include providing Client with access to or a license for Kimley-Horn's (or its affiliates') proprietary software or technology, Client agrees to the terms of the Software License Agreement set forth at <https://www.kimley-horn.com/khts-software-license-agreement> ("the License Agreement") which terms are incorporated herein by reference.
- 7) **Opinions of Cost.** Because Kimley-Horn does not control the cost of labor, materials, equipment or services furnished by others, methods of determining prices, or competitive bidding or market conditions, any opinions rendered as to costs, including but not limited to the costs of construction and materials, are made solely based on its judgment as a professional familiar with the industry. Kimley-Horn cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the Client wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator. Kimley-Horn's services required to bring costs within any limitation established by the Client will be paid for as Additional Services.
- 8) **Termination.** The obligation to provide further services under this Agreement may be terminated by either party upon seven days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof, or upon thirty days' written notice for the convenience of the terminating party. Kimley-Horn shall be paid for all services rendered and expenses incurred to the effective date of termination, and other reasonable expenses incurred by Kimley-Horn as a result of such termination.
- 9) **Standard of Care.** The standard of care applicable to Kimley-Horn's services will be the degree of care and skill ordinarily exercised by consultants performing the same or similar services in the same locality at the time the services are provided. No warranty, express or implied, is made or intended by Kimley-Horn's performance of services, and it is agreed that Kimley-Horn is not a fiduciary with respect to the Client.
- 10) **LIMITATION OF LIABILITY.** In recognition of the relative risks and benefits of the Project to the Client and Kimley-Horn, the risks are allocated such that, to the fullest extent allowed by law, and notwithstanding any other provisions of this Agreement or the existence of applicable insurance coverage, that the total liability, in the aggregate, of Kimley-Horn and Kimley-Horn's officers, directors, employees, agents, and subconsultants to the Client or to anyone claiming by, through or under the Client, for any and all claims, losses, costs, attorneys' fees, or damages whatsoever arising out of or in any way related to the services under this Agreement from any causes, including but not limited to, the negligence, professional errors or omissions, strict liability or breach of contract or any warranty, express or implied, of Kimley-Horn or Kimley-

Horn's officers, directors, employees, agents, and subconsultants, shall not exceed twice the total compensation received by Kimley-Horn under this Agreement or \$50,000, whichever is greater. Higher limits of liability may be negotiated for additional fee. This Section is intended solely to limit the remedies available to the Client or those claiming by or through the Client, and nothing in this Section shall require the Client to indemnify Kimley-Horn.

- 11) **Mutual Waiver of Consequential Damages.** In no event shall either party be liable to the other for any consequential, incidental, punitive, or indirect damages including but not limited to loss of income or loss of profits.
- 12) **Construction Costs.** Under no circumstances shall Kimley-Horn be liable for extra costs or other consequences due to changed or unknown conditions or related to the failure of contractors to perform work in accordance with the plans and specifications. Kimley-Horn shall have no liability whatsoever for any costs arising out of the Client's decision to obtain bids or proceed with construction before Kimley-Horn has issued final, fully approved plans and specifications. The Client acknowledges that all preliminary plans are subject to substantial revision until plans are fully approved and all permits obtained.
- 13) **Certifications.** All requests for Kimley-Horn to execute certificates, lender consents, or other third-party reliance letters must be submitted to Kimley-Horn at least 14 days prior to the requested date of execution. Kimley-Horn shall not be required to execute certificates, consents, or third-party reliance letters that are inaccurate, that relate to facts of which Kimley-Horn does not have actual knowledge, or that would cause Kimley-Horn to violate applicable rules of professional responsibility.
- 14) **Dispute Resolution.** All claims arising out of this Agreement or its breach shall be submitted first to mediation in accordance with the American Arbitration Association as a condition precedent to litigation.
- 15) **Hazardous Substances and Conditions.** Kimley-Horn shall not be a custodian, transporter, handler, arranger, contractor, or remediator with respect to hazardous substances and conditions. Kimley-Horn's services will be limited to analysis, recommendations, and reporting, including, when agreed to, plans and specifications for isolation, removal, or remediation. Kimley-Horn will notify the Client of unanticipated hazardous substances or conditions of which Kimley-Horn actually becomes aware. Kimley-Horn may stop affected portions of its services until the hazardous substance or condition is eliminated.
- 16) **Construction Phase Services.**
 - a. If Kimley-Horn prepares construction documents and Kimley-Horn is not retained to make periodic site visits, the Client assumes all responsibility for interpretation of the documents and for construction observation, and the Client waives any claims against Kimley-Horn in any way connected thereto.
 - b. Kimley-Horn shall have no responsibility for any contractor's means, methods, techniques, equipment choice and usage, equipment maintenance and inspection, sequence, schedule, safety programs, or safety practices, nor shall Kimley-Horn have any authority or responsibility to stop or direct the work of any contractor. Kimley-Horn's visits will be for the purpose of observing construction and reporting to the Client whether the contractors' work generally conforms to the construction documents prepared by Kimley-Horn. Kimley-Horn neither guarantees the performance of contractors, nor assumes responsibility for any contractor's failure to perform its work in accordance with the contract documents.
 - c. Kimley-Horn is not responsible for any duties assigned to it in the construction contract that are not expressly provided for in this Agreement. The Client agrees that each contract with any contractor shall state that the contractor shall be solely responsible for job site safety and its means and methods; that the contractor shall indemnify the Client and Kimley-Horn for all claims and liability arising out of job site accidents; and that the Client and Kimley-Horn shall be made additional insureds under the contractor's general liability insurance policy.
- 17) **No Third-Party Beneficiaries; Assignment and Subcontracting.** This Agreement gives no rights or benefits to anyone other than the Client and Kimley-Horn, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole benefit of the Client and Kimley-Horn. The Client shall not assign or transfer any rights under or interest in this Agreement, or any claim arising out of the performance of services by Kimley-Horn, without the written consent of Kimley-Horn. Kimley-Horn reserves the right to augment its staff with subconsultants as it deems appropriate due to project logistics, schedules, or market conditions. If Kimley-Horn exercises this right, Kimley-Horn will maintain the agreed-upon billing rates for services identified in the contract, regardless of whether the services are provided by in-house employees, contract employees, or independent subconsultants.

- 18) **Confidentiality.** The Client consents to the use and dissemination by Kimley-Horn of photographs of the project and to the use by Kimley-Horn of facts, data and information obtained by Kimley-Horn in the performance of its services. If, however, any facts, data or information are specifically identified in writing by the Client as confidential, Kimley-Horn shall use reasonable care to maintain the confidentiality of that material.
- 19) **Miscellaneous Provisions.** This Agreement is to be governed by the law of the State of Florida. This Agreement contains the entire and fully integrated agreement between the parties and supersedes all prior and contemporaneous negotiations, representations, agreements, or understandings, whether written or oral. Except as provided in Section 1, this Agreement can be supplemented or amended only by a written document executed by both parties. Any conflicting or additional terms on any purchase order issued by the Client shall be void and are hereby expressly rejected by Kimley-Horn. If Client requires Kimley-Horn to register with or use an online vendor portal for payment or any other purpose, any terms included in the registration or use of the online vendor portal that are inconsistent or in addition to these terms shall be void and shall have no effect on Kimley-Horn or this Agreement. Any provision in this Agreement that is unenforceable shall be ineffective to the extent of such unenforceability without invalidating the remaining provisions. The non-enforcement of any provision by either party shall not constitute a waiver of that provision nor shall it affect the enforceability of that provision or of the remainder of this Agreement.
- (20) PURSUANT TO FS 558.0035, EMPLOYEES OF KIMLEY-HORN
MAY NOT BE HELD INDIVIDUALLY LIABLE FOR DAMAGES
RESULTING FROM NEGLIGENCE UNDER THIS AGREEMENT.

**MINUTES
TOWN OF JUPITER ISLAND
TOWN COMMISSION MEETING
WEDNESDAY, FEBRUARY 19, 2025**

TIME: Wednesday, February 19, 2025 – 9:00 AM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Mayor Penny Townsend, Vice Mayor Marshall Field VI, and Commissioners Anne Scott, Patricia Warner and Joseph Taddeo. Also present were Town Manager Robert Garlo, Town Clerk Kimberly Kogos, Town Attorney Thomas Baird and IT Director Bill Sutton.

PLEDGE OF ALLEGIANCE

ROLL CALL AND COMMENTS*

Mayor Townsend called the meeting to order at 9:01a.m. She read the Town Vision Statement.

Mayor/Commissioner Comments

a. Town Coffee Update

Commissioner Taddeo reviewed the Town Coffee hour and announced 8 people in person and 10 online. He noted topics discussed included septic systems, SMRU challenges, beach renourishment, comprehensive plan review, and public beach closing at night.

b. Commissioner Comments and Agenda Approval

Mayor Townsend suggested moving agenda item 6 Waterfront Setback Line (WFSBL) Maps to immediately follow the shade meeting.

MOTION: *Field/Taddeo moved to approve the amended agenda.*

ACTION: *Motion passed 5-0.*

c. Other Comments

Public Comment (Non-Agenda Related)

There was none.

CONSENT ITEMS

1. Consent Agenda

Commissioner Scott commented on the Public Comment regarding the Waterfront Setback Line (WFSBL). A resident had asked whether a current WFSBL exists, but this question was not answered. She also noted that she had previously suggested using the toe of the dune as a measuring point. She requested clarification, as her question regarding the use of the toe of the dune as a measuring point had not been addressed. These changes will be reflected in the January 9, 2025 Town Commission minutes.

MOTION: *Field/Warner moved to approve as amended.*

ACTION: Motion passed 5-0.

Category A- To be reviewed and approved (as is or as edited) by the Town Commission

- a. Minutes of the January 9, 2025, Town Commission Meeting
- b. Minutes of the January 23, 2025, Comprehensive Plan Public Workshop
- c. Minutes of the January 29, 2025, Waterfront Setback Line Study Workshop

Category B- Other Informational Materials (No Action Required)

- a. Board of Adjustment Minutes, June 25, 2024
- b. Impact Review Committee Minutes, November 7, 2024
- c. Pension Board Minutes, November 14, 2024
- d. Joint Town/SMRU 401a DCP Committee Minutes, November 14, 2024

COMMISSION ACTION ITEMS

2. Comprehensive Plan Study - Ron Kagawa, Kimley Horn

Discussion began regarding a density analysis of the Town. This discussion was tabled until after the presentation.

Director Harding introduced Ron Kagawa and Adam Kerr of Kimley Horn. Mr. Kagawa provided a review of the Comprehensive Plan workshop and the timeline of the project, explaining the current phase of community connection and data analysis. He explained the workshop included 5 stations: Crafting the Vision; Coastal Management; Conservation and Recreation and Open Space; Future Land Use and Housing; and Transportation and Infrastructure and Capital Improvements.

Mr. Kerr reviewed each station in detail. He stated that most residents supported maintaining the Town's vision, emphasizing the natural environment and community character. There was strong support for preserving green spaces and addressing traffic and bike use concerns. The majority favored maintaining current beach access and preferred natural coastal management methods, such as beach nourishment and vegetative barriers, over man-made solutions. Residents also prioritized invasive plant removal and limiting fertilizer use during the wet season.

Mr. Kagawa reviewed next steps which include continuing to draft the Comprehensive Plan, presentation and workshop on the Comprehensive Plan and transmitting the Comprehensive Plan to the State of Florida by May.

Commissioner Scott asked if the traffic element is the right area to include the Town purchasing South Beach Road. Mr. Kerr confirmed that if that is a goal of the Commission, the traffic element would be the correct area to include that goal. Commissioner Scott stated that the road as well as the right of way are in question and have a great impact on the Town. This item will be added to a future Town Commission agenda for discussion.

Commissioner Scott acknowledged that there was consternation at the workshop regarding the format of the workshop and the recent change in technology that eliminates remote participation. She expressed concern that residents were not aware that their physical presence is needed at these workshops. She also expressed appreciation of the interactive format of the meeting.

Commissioner Taddeo stated that it was noted in the Town Coffee meeting that an Executive Summary of the Comprehensive Plan would be beneficial for the residents. Mayor Townsend stated there is a summary under each element, but additional education is always a good idea.

Commissioner Taddeo brought up the density of the Island and suggested an analysis in coordination with the Comprehensive Plan review. Town Manager Garlo noted there was resident input to confirm the wish to conduct a density analysis, so staff will move forward with that.

Commissioner Warner asked about a public safety element in the comprehensive plan. Currently it is included but is not a separate element.

Public Comment:

Resident Jay Wilson stated that the description at the workshop did not include a generous crowd. He noted that only seven (7) residents remained during the charette portion of the workshop, thus resident engagement was low. He suggested another method or better mechanism to engage the residents.

Mayor Townsend noted that JIRA and the Commission made every attempt to impress upon the residents to participate in the workshop.

Commissioner Scott stated that she is becoming more enthusiastic regarding surveys.

Resident Dede Brooks expressed concerns about low participation in the Comprehensive Plan workshop. She recommended using clear, bullet-pointed messaging in an email blast to engage residents, emphasizing the importance of preserving the Island's vision and encouraging survey responses to gauge community support. She highlighted safety issues on Beach Road, noting dangerous traffic conditions, speeding by non-residents, and oversized trucks creating hazards for pedestrians and cyclists. She urged the Town to explore making South Beach Road private as part of the Comprehensive Plan, even if the feasibility is uncertain. Ms. Brooks also questioned the approval of a large building without adequate parking, citing existing parking challenges on the Island. She emphasized that parking and traffic are critical issues and expressed hope these concerns would be addressed under Agenda Item 8.

Vice Mayor Field stated that the Club needs to be a better neighbor. The procedure of appeal and Board/Commission authority was briefly discussed.

Commissioner Warner stated that parking was discussed during the committee meeting.

Resident Karen Testa asked how a density study is done and what is involved. Commissioner Taddeo stated that we will find out more when staff engages with the consultant. Mr. Kerr explained that the team needed direction from the Commission on the desired Town density, suggesting they evaluate the current infrastructure's carrying capacity.

Vice Mayor Field asked how many coastal waterfront communities in Florida Mr. Kerr had worked with on compliance, and he estimated around two dozen. In response to questions about fertilizer, water quality, and leaf blower ordinances, Mr. Kerr noted that such regulations are typically addressed in local ordinances or land development codes rather than in comprehensive plans.

Commissioner Taddeo suggested getting a sampling of other municipalities and how they utilize their density analysis.

Mayor Townsend spoke about examining the Town's infrastructure by analyzing the current and maximum allowable density under the code, assessing road capacity and level of service, and considering

resident feedback. She noted that public roads cannot restrict access unless part of a gated community and highlighted ongoing challenges in engaging residents to participate in the Comprehensive Plan process. She emphasized the need to evaluate what the Town currently has, what is possible, and what the infrastructure can support.

Town Manager Garlo stated a way of simplifying the approach is by determining how many rooftops are desired on the Island.

Vice Mayor Field referred to what he calls "sleeper properties" that could be subdivided.

Resident Christina Boothe questioned the consultants' assumption that the Island's population would decline from 788 to 732, asking for clarification on the underlying assumptions for this projection. She suggested creating more opportunities for informal feedback from residents outside of formal Commission meetings, noting that the current method of using sticky notes to capture comments oversimplified complex issues. She recommended surveys or informal discussions where consultants could engage directly with residents to gain deeper insights, expressing concern that valuable resident input was not fully conveyed to the Commission.

Commissioner Scott stated that the Comprehensive Plan review is required by law. Residents want a Commission that looks at the long range and engages residents in the reality of the Comprehensive Plan on a regular basis.

Commissioner Warner agreed with Ms. Booth and Commissioner Scott and also supported the suggestion of a survey.

Vice Mayor Field suggested Ms. Boothe, Dede Brooks and Jay Wilson be a part of the process going forward. He also commented that adding Beach Road to Town property may not be the answer we are looking for.

3. Leaf Blowers Presentation (Erin Banas) and Draft Ordinance

Town Manager Garlo referred to the draft ordinance that reflects the wishes of the Commission as previously discussed. He introduced Director Duchock who informed the Commission of a few alternative views to provide more information including zoning or a blanket ban of gas-powered leaf blowers. Discussion ensued regarding a blanket ban and making the law as simple as possible, treating everyone the same.

Director Trent stated that landscape providers could adapt to upgraded equipment despite increased costs. He requested an exemption in the proposed ordinance for towable leaf blowers used by the Town and golf course, noting that no electric alternatives exist for large-scale tasks like hurricane cleanup or regular maintenance.

MOTION: *Field/Taddeo moved to revise the leaf blower ordinance to reflect a complete ban of gas-powered leaf blowers and allow electric leaf blowers to include a 65-decibel limit with a grace period of 12 months and an exemption for Town and Club Golf Course equipment.*

ACTION: *Motion passed 5-0.*

Public Comment:

Resident Ken McBrayer asked why the ban on gas-powered when it is really a noise ordinance matter. Vice Mayor Field noted that noise is more difficult to enforce so this ban is easier to enforce.

4. Resolution No. 926 Extending Waterfront Setback Line Zoning in Progress

Mayor Townsend reviewed resolution No. 926 to extend the Waterfront Setback Line.

MOTION: *Field/Warner moved to approve Resolution No. 926 to extend the Waterfront Setback Line Zoning in Progress through June 30, 2025.*

ACTION: *Motion passed 5-0.*

5. Acceptance of Group Retirement Plan Actuarial Valuation Report

Director Pazanski explained the Group Retirement Plan Actuarial Valuation Report and the process. He noted that in 2024, the market value increased by approximately 13%, while the annual funding requirement for the plan decreased by about 15%. He explained that GASB reports provide decision-useful information, enhance accounting and financial reporting, and increase transparency with around 10 years of historical data to assess plan viability. He noted no red flags in the reports, confirming that the plan is being administered correctly. The plan's funded status improved from 75% last year to approximately 86.5% this year, reflecting a strong market performance.

MOTION: *Taddeo/Field moved to accept the Group Retirement Plan Actuarial Valuation Report dated October 1, 2024, as presented.*

ACTION: *Motion passed 5-0.*

ADDITIONAL COMMISSION MATTERS

6. Waterfront Setback Line Maps

Mayor Townsend suggested deferring Item 6, Waterfront Setback Line Maps, until the next meeting, based on on-going litigation matters.

MOTION: *Scott/Field moved to defer Agenda Item 6, Waterfront Setback Line Maps, until the next meeting.*

ACTION: *Motion passed 5-0.*

7. Vulnerability Study Workshop Review*

Director Duchock stated participation was similar to that of the Comprehensive Plan Workshop. He stated that the team would share takeaways from the recent vulnerability assessment workshop and encourage public feedback via the email address VAstudy@tji.martin.fl.us. He noted that another public workshop is planned, with Cummins Cederberg presenting future phases, including a density analysis to identify and prioritize exposed Town assets. He emphasized helping residents understand how the findings apply to their properties

Vice Mayor Field stated most workshops have been woefully attended. He asked Director Duchock to reach out to the consultants to find out if they have better ways to increase participant input. He suggested

offering some sort of online availability to obtain participant input.

Public Comment:

Resident Dena Testa suggested using multimedia to advertise meetings and information.

8. Commission and Board/Committee Vacancies

Mayor Townsend announced Cynthia Keegan and Laurie Gaylord submitted resignations regarding the Local Planning Agency (LPA) and appointed Erin Charlton as Alternate to LPA.

MOTION: *Field/Warner moved to approve appointment of Erin Charlton as Alternate Member of the Local Planning Agency.*

ACTION: *Motion passed 5-0.*

Commissioner Warner explained what occurred at the January 30, 2025 Board of Adjustment (BOA) and February 6, 2025 Impact Review Committee (IRC) meetings pertaining to granting a variance for the demolition of a non-conforming 1,500 square foot building and for the construction of a new non-conforming building of 9,000 square foot. Commissioner Scott expressed much concern regarding delegating authority to an unelected board. She stated that there was much confusion during the BOA meeting

Vice Mayor Field agreed, although reluctantly, that the BOA made a huge error and suggested an ordinance to give the Town Commission the right of review of any application brought before the BOA and IRC and make it retroactive.

Commissioner Scott stated there are time limits of review. She maintained that the BOA and IRC cannot have full authority.

Vice Mayor Field noted he prefers a review process first but would agree to making the BOA and IRC advisory only.

Commissioner Scott asked about the review period. Town Attorney Baird stated the 30-day period begins once the written orders are delivered to the applicant.

Commissioner Taddeo asked if Director Harding provided staff recommendations to the Board/Committee. Director Harding stated that the building was non-conforming, replacing with something three times the size and are not permitted to approve unless the Board finds a reason to approve.

Town Attorney Baird explained that there is only the appeal process in place per Town Code. He stated the applicant could ask for a rehearing. Vice Mayor Field suggested sending the Club a letter to inform them that the Commission is disappointed that they would apply for something so out of line. He also stated that he would be in favor of voting to take away authority of the BOA and IRC. Commissioner Taddeo expressed strong disagreement. Vice Mayor Field stated that when the Chair retired, the BOA was left without leadership. Commissioner Scott noted that this is not one mistake, rather multiple mistakes, and the Commission should not delegate authority to a lesser board.

Mayor Townsend agreed that the Boards and Committees need to understand the seriousness of their responsibilities and authority.

Public Comment:

Resident Roger Griffin stated his disagreement with the BOA as they "go along with the applicant." He expressed historically it was very difficult to obtain a variance. He expressed that staff has let the Town down in recent years. He stated the Building Director should provide recommendation and Town Manager should sit on the dais to observe the process. He stated that now the alternates don't need to go to the meeting. He stated that Attorney Skip Randolph provided meetings annually to explain the importance of the Board/Committee but that does not occur anymore. He stated that previously, issues were corrected before they ever came before the board since the staff was more involved. The BOA must be educated without expecting them to know everything without guidance and assistance.

Discussion continued.

MOTION: *Scott/Field moved to authorize staff to draft an Ordinance to make the Board of Adjustment advisory only.*

ACTION: *Motion passed 4-1; Commissioner Taddeo dissenting.*

Commissioner Scott asked Town Attorney Baird whether the 1,320-foot appeal radius is measured from the proposed structure or from the Club property line. Town Attorney Baird responded that, while he would need to review the ordinance to confirm, it is likely measured from the parcel property line. He noted that measuring from the property line makes the most logical sense, as otherwise, an additional measurement from the property line to the structure would be required. He agreed to provide clarification once he reviewed the ordinance.

MOTION: *Field/Scott moved to send a letter to the Jupiter Island Club regarding resubmitting their application due to the non-conformity.*

ACTION: *Motion passed 5-0.*

Mayor Townsend stated that staff must provide a recommendation to BOA and IRC and not just findings and facts but their opinion as well which is why the Building Department was upgraded to provide this type of guidance.

STANDING REPORTS

9. Town Manager's Report

- a. Legislative Request to Re-issue the Town's 2024 Resolution Expressing Opposition to Sovereign Immunity Bill(s) for the 2025 Session (Kelly Layman)

External Affairs Consultant Kelly Layman recommended amending the leaf blower ordinance quickly, requiring two readings to secure the Town's position before potential state-level changes.

Ms. Layman also discussed proposed legislation to increase sovereign immunity caps from \$200,000 per person and \$300,000 per incident to \$1 million per person and \$3 million per incident, with future increases tied to the Consumer Price Index. The bill affects municipalities, sheriff's departments, public hospitals, and local taxing districts.

Ms. Layman noted support and opposition from major lobbying groups, including the Florida League of Cities and the Florida Justice Association. She recommended updating last year's resolution opposing the bill and forwarding it to Tallahassee. The Commission agreed to draft a new resolution for Town Attorney

Baird's review.

MOTION: *Field/Taddeo moved to approve amending Resolution 911 to current standards, as discussed.*

ACTION: *Motion passed 5-0.*

b. Other Items*

Coffee Hour vs. office hours

Commissioner Scott recommended to table the item until the new Commission is elected. She also suggested considering joint meetings with the County Commission in the future in the Island Room to explore matters of mutual interest. Town Manager Garlo agreed to pursue with the County Commission.

10. Town Attorney Report

a. Litigation Update*

b. Other Items

The Town Commission discussed how Alternate Board members participate at meetings.

Town Attorney Baird explained that while Alternates previously helped meet quorums when Boards had vacancies, most Boards are now fully staffed except for the LPA. He noted that in other municipalities, Alternates typically participate only if a Regular Member is absent, or they may participate in discussions without voting. He highlighted confusion at a recent BOA meeting where Alternates participated from the audience and recommended the Commission decide if Alternates should participate fully (without voting) and ensure a designated space for them to avoid confusion.

Commissioner Scott emphasized the need for clarity regarding the role of Alternate Members. She asked where it is specified that the BOA and IRC are limited to considering only the information presented and noted that the ex-parte rules and overall process need clearer guidance.

Town Attorney Baird explained that the ex-parte communication statute allows Board Members to disclose relevant information obtained outside of meetings, ensuring all facts are considered during deliberations. He emphasized that disclosures should be specific, not just general statements. He suggested holding a workshop to educate Board Members on ethics, public records, Sunshine Law, and quasi-judicial processes to improve clarity and compliance.

Discussion continued regarding the number of Board Members and appropriate seating arrangements at the dais.

Town Attorney Baird clarified that, as a matter of practice, the Board Chair selects Alternates based on seniority, with the longest-serving Alternate moving into a decision-making role when needed. He noted that vacancies are typically filled by promoting Alternates to permanent members based on longevity.

The Town Commission recessed at 11:52 a.m.

The Town Commission reconvened at 1:50 p.m.

11. Financial Report

Director Pazanski provided an overview of the budget to date noting Year to Date (YTD) revenue. Page 11 of 137

\$9.4M and expenditures at \$4.2M. He addressed a question from Commissioner Taddeo about a line item on the balance sheet regarding utilities.

12. Building Department

Director Harding reviewed the Building Department and Code Enforcement reports. Director Harding also stated that the Town is preparing to notify rental property owners of the requirement to register and obtain a permit from the Town of Jupiter Island. She noted that no owners have requested a permit yet and that the Town is reviewing vacation rental advertisements to identify affected properties. Copies of the ordinance and applications are available in the Building Department.

13. Public Safety

a. Administrative Vehicle Purchase

Chief Ewing reviewed the purchase of an administrative vehicle purchase, noting no action is required at this time. The purpose of the vehicle is for travel to and from training for administrative matters. He provided brief details.

Mayor Townsend asked logistical questions. Chief Ewing confirmed the vehicle would remain at Public Safety and confirmed that personal vehicle usage is reimbursed.

b. Public Safety Department Activity Report

Chief Ewing briefly reviewed the Activity Report. He provided an explanation of a lengthy medical call, noting that current protocol includes remaining on scene to stabilize the patient before transport. He also noted a bicycle/vehicle crash occurred, and the cyclist was cited. He added that weekends at the public beach have been extremely busy although calls have decreased. Discussion ensued regarding portable message boards to notice full parking lots.

Mayor Townsend asked Chief Ewing to bring forth traffic-calming mitigation methods on North Beach Road for next month.

Commissioner Taddeo asked for the response times for heart and stroke patients.

Commissioner Warner referred to flashing signs regarding current speed of vehicles. Chief Ewing stated there are two in use on the Island at this time.

OTHER ITEMS

14. Meeting Dates

- February 14 – 28, 2025 – *Qualification for Municipal Election – 8AM – 4PM*
- February 18, 2025 – *Town Coffee with Commissioner Taddeo – 9AM*
- February 18, 2025 – *Vulnerability Assessment Workshop – 10AM*
- February 18, 2025 – *SMRU / Beach Protection District Meetings – Directly following Workshop at 10AM*
- February 19, 2025 – *Town Commission Meeting – 9AM*
- March 18, 2025 – *Municipal Election (3 seats)*
- March 20, 2025 – *Town Coffee with Mayor Townsend – 9AM*
- March 20, 2025 – *Beach Protection District Meeting – 10AM*
- March 21, 2025 – *Town Commission Meeting and Swearing in of Newly Elected Officials – 9AM*
- April 7, 2025 – *Ethics Training for Elected Officials – 9AM*
- April 15, 2025 – *Town Coffee w/ ??? – 9AM*

- April 15, 2025 – SMRU Board / Beach Protection District Meetings – 10AM
- April 16, 2025 – Town Commission Meeting – 9AM

Election dates were reviewed.

15. Other Items*

Town Attorney Baird requested a private attorney-client session at the next meeting or earlier if needed to discuss *Testa vs. Town of Jupiter Island et al* and potentially other pending cases.

MOTION: *Scott/Warner moved to allow an attorney client session.*

ACTION: *Motion passed 5-0.*

Meeting adjourned at 2:10 p.m.

Respectfully submitted,

Kimberly Kogos, Town Clerk



MEMORANDUM

TO: Mayor and Town Commission

FROM: Stuart Trent, PE Town Engineer

THROUGH: Robert Garlo, Town Manager

DATE: April 4, 2025

SUBJECT: Traffic Calming Recommendation – North Beach Road

Background:

The Town requested that its engineering consultant, Kimley Horn, evaluate traffic calming options for implementation on North Beach Road to address speeding. Alternatives were provided to the Town Commission at the March 21st meeting and considered lane narrowing, neighborhood traffic circles, speed tables/bumps, and bulb outs/chicanes.

Given the type of roadway (neighborhood street) and the expected effects upstream and downstream, it is Staff's recommendation to consider two or more traffic circles for implementation along North Beach Road. Other options such as speed tables/bumps, chicanes, and lane narrowing present concerns related to vehicle damage and noise potential. Traffic circles with mountable curbs will allow large vehicles such as fire apparatus, tractor trailers, and long straight-axle box trucks to drive over the circles, if needed.

North Beach Road has a one-hundred-foot-wide right of way and siting the circles in locations that will minimize visual and audible effects should be possible with careful site selection.

Staff Recommendation:

Staff recommends authorizing Kimley Horn to provide further detail, cost analysis, and siting recommendation that may be used to implement the improvements.



March 2025 General Fund Financial Report

**Town Commission Meeting
April 16, 2025**

Topics To Be Covered

General Fund

- 2024-2025 Revenues
- 2024-2025 Expenses
- Balance Sheet

**Town of Jupiter Island
FY 2024/2025 Budget**

Account Description	Adopted Budget 2024-2025	YTD Actual 3/31/2025	Target 50%
Total General Fund Revenues	\$12,530,781	\$10,673,377	85%
Transfers from Reserves	\$510,000	\$0	0%
Total Revenues	\$13,040,781	\$10,673,377	82%
Total Administration	\$3,480,425	\$1,632,538	47%
Total Public Safety	\$6,055,175	\$3,016,959	50%
Total Building Department	\$1,352,285	\$1,198,488	89%
Total Public Works	\$2,152,896	\$783,960	36%
Total General Fund Expenditures	\$13,040,781	\$6,631,946	51%
Year to Date Net Income		\$4,041,431	

2024-2025 Revenue

Town of Jupiter Island

Account Description	Adopted Budget 2024-2025	PYTD Actual 3/31/2024 2023-2024	YTD Actual 3/31/2025 2024-2025	Actual % of Budget (Target 50%) 2024-2025
Ad Valorem	\$9,927,402	\$8,457,327	\$9,378,595	94%
Total Other Taxes and Fees	\$333,000	\$119,686	\$144,879	44%
Total Licenses and Permits	\$850,500	\$219,599	\$385,760	45%
Total Intergovernmental Revenue	\$325,100	\$68,212	\$77,540	24%
Total Charges for Services	\$131,000	\$73,290	\$59,278	45%
Total Fines and Forfeits	\$2,000	\$1,217	\$2,064	103%
Total Miscellaneous Revenues	\$257,700	\$482,825	\$283,121	110%
Transfers from Interfunds	\$704,079	\$340,758	\$342,139	49%
Subtotal Revenues	\$12,530,781	\$9,762,914	\$10,673,377	85%
Transfer from Reserves	\$510,000	\$0	\$0	
Total General Fund Revenues	\$13,040,781	\$9,762,914	\$10,673,377	82%

2024-2025 Expenses by Department

Account Description	Adopted Budget 2024-2025	PYTD Actual 3/31/2024	YTD Actual 3/31/2025	Actual % of Budget (Target 50%)
Total Administration - Payroll	\$1,395,679	\$523,607	\$626,491	45%
Total Administration - Benefits	\$892,571	\$238,072	\$377,627	42%
Total Administration - Operating	\$1,160,175	\$606,769	\$628,420	54%
Subtotal	\$3,448,425	\$1,368,449	\$1,632,538	47%
Total Administration - Capital	\$32,000	\$7,431	\$0	0%
Total Administration	\$3,480,425	\$1,375,879	\$1,632,538	47%
Total Public Safety - Payroll	\$3,033,324	\$1,282,960	\$1,453,282	48%
Total Public Safety - Benefits	\$1,031,813	\$350,141	\$396,323	38%
Total Public Safety - Operating	\$1,433,908	\$718,999	\$748,529	52%
Subtotal	\$5,499,045	\$2,352,101	\$2,598,134	47%
Total Public Safety - Capital	\$556,130	\$391,036	\$418,825	75%
Total Public Safety	\$6,055,175	\$2,743,137	\$3,016,959	50%
Total Building - Payroll	\$524,794	\$199,079	\$272,699	52%
Total Building - Benefits	\$171,337	\$55,797	\$71,318	42%
Total Building - Operating	\$646,154	\$129,051	\$854,471	132%
Subtotal	\$1,342,285	\$383,927	\$1,198,488	89%
Total Building - Capital	\$10,000	\$26,679	\$0	0%
Total Building Department	\$1,352,285	\$410,606	\$1,198,488	89%
Total Public Works - Payroll	\$729,866	\$297,086	\$296,146	41%
Total Public Works-Benefits	\$457,028	\$166,527	\$165,737	36%
Total Public Works - Operating	\$780,002	\$279,041	\$310,214	40%
Subtotal	\$1,966,896	\$742,654	\$772,097	39%
Total Public Works - Capital	\$186,000	\$0	\$11,863	6%
Total Public Works	\$2,152,896	\$742,654	\$783,960	36%
Total General Fund Expenditures	\$13,040,781	\$5,272,277	\$6,631,946	51%

Balance Sheet as of 3/31/2025

Assets

CASH GENERAL ACCOUNT - SEACOAST	\$	772,824
MONEY MARKET-SEACOAST	\$	1,274,193
CASH PAYROLL - SEACOAST	\$	50,000
CASH FLEX SPENDING - SEACOAST	\$	41,719
INVESTMENT POOL	\$	10,953,614
INVESTMENT - SBA	\$	3,547,705
PETTY CASH	\$	550
ACCOUNTS RECEIVABLE	\$	9,757
ACCOUNTS REC. - RETIREE BENEFITS	\$	1,151
<u>PREPAID ITEMS</u>	\$	<u>3,058</u>
Total Assets	\$	16,654,570

Liabilities

ACCOUNTS PAYABLE	\$	49
DUE TO SPECIAL LAW ENFORCEMENT	\$	2,396
DUE TO O&M	\$	28,050
DUE TO OTHER GOV. UNITS	\$	5,207
ACCRUED PAYROLL/BENEFITS	\$	(14,366)
<u>OVERPAYMENTS-RETIREES</u>	\$	<u>880</u>
Total Liabilities	\$	22,216

Reserves/Fund Balances

NONSPENDABLE PREPAID	\$	32,933
RESTRICT- ENFORCE FL BLDG CODE	\$	3,672,568
ASSIGNED FOR EMERGENCIES	\$	1,000,000
ASSIGNED FOR COMPENSATED AB	\$	115,000
ASSIGNED FOR UNINSURED LOSS	\$	80,000
FUND BALANCE	\$	7,690,422
CHANGE IN FUND BALANCE - Current	\$	4,041,431
Total Reserves/Fund Balances	\$	16,632,354

Total Liabilities and Fund Balance	\$	16,654,570
---	-----------	-------------------

General Fund Reserves

Account Description	Audited YE 2021	Audited YE 2022	Audited YE 2023	Audited YE 2024	Adopted Budget FY 2025*
Beginning Fund Balance (Reserves)	8,095,873	9,033,098	6,237,564	9,585,872	9,492,381
Transfer from / to General Fund Reserves	1,610,431	2,247,916	3,060,930	-	-
Amount Budgeted / Spent From Reserves	(548,206)	(793,404)	-	(126,424)	(510,000)
Budget Amendment From Reserves	(125,000)	(385,000)	-	-	-
Total Available Fund Balance	9,033,098	10,102,610	9,298,494	9,459,448	8,982,381
NonSpendable-PrePaid Expenses		71,269	127,833	32,933	32,933
Assigned to Uninsured Losses	80,000	80,000	80,000	80,000	80,000
Assigned to Compensated Absences	115,000	115,000	115,000	115,000	115,000
Assigned to Beautification, Scholarship, Public Safety		163,791	176,170	171,145	183,868
Assigned to Conservation Projects		431,990	431,989	431,981	403,192
Assigned to Emergencies	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Assigned to ARPA		312,393			
Restricted-Enforcement of FL Building Code			3,865,046	3,672,568	3,672,568
Unassigned Fund Balance (Reserves)	7,838,098	8,836,382	7,495,335	7,661,322	7,200,321
Total Fund Balance (Reserves)	9,033,098	11,010,825	13,291,373	13,164,949	12,687,882

*Estimated/Unaudited at time of this Report

Memorandum



To: Mayor and Commission

From: Catherine Harding, Building, Planning and Zoning Director

Date: April 2, 2025

Re: Building Department Report March 2025

This report covers March 12, 2025, to April 2, 2025. There were 9 Building Permits Issued totaling a value of \$4,632,708. with \$93,860. in permit fees collected. Our Building Inspectors made 93 inspections, there were no C.O.'s issued.

Year to date there were 39 permits issued with a total value of \$10,199,291. and \$207,992. total fees collected.

Code Compliance responded to 11 complaints. They consisted of 1 construction site maintenance; 1 illegal equipment; 4 landscape maintenance; 1 noise complaint; 1 property maintenance; 1 Short Term Vacation Rental; 1 starting work early and 1 vehicle in the right of way.

Ordinance No. 402 regulating Short-Term Rentals, is in effect. Copies of the Ordinance and applications are available in the Building Department. We have had no inquires from the residents. Code Compliance sent letters to 2 locations that were advertising Short Term Rentals requesting them to respond to our letter and secure a permit.

Resolution No. 929 passed at the March Commission Meeting allowing for the Building Permit Fees to be reduced to 1.50% from 2.0% of the value of construction.

The Town Commission asked Kimley Horn to do a Density Study of Jupiter Island. Their proposal will be discussed at the April 16th, Town Commission Meeting. Kimley Horn will be available for questions at that Meeting.

There were no Board of Adjustment Meetings. There was one Impact Review Committee Meeting on March 6, with 3 applicants. All were approved. Currently, we are processing one BOA application and one IRC application for May. Year to date there were 2 applications for the BOA and 8 applications for the IRC. Totaling \$ 10,000. in application fees.

Our office has met with several owners and representatives to discuss their plans for construction. The trend seems to be to renovate and upgrade their properties to meet current codes as opposed to tear down and rebuild. The cost of new construction may have influenced this decision. Our builders are cooperative and respectful of the Town and our Ordinances.

Cah/4/3/25

Enforcement Totals By Category

04/02/25

Agenda Item 19

CONSTRUCTION SITE MAINTENANCE	Total Entries:	1
ILLEGAL EQUIP	Total Entries:	1
LANDSCAPE MAINTENANCE	Total Entries:	4
NOISE COMPLAINT	Total Entries:	1
PROPERTY MAINTENANCE	Total Entries:	1
SHORT TERM VACATION RENTALS	Total Entries:	1
STARTING WORK TO EARLY	Total Entries:	1
VEHICLE IN RIGHT OF WAY	Total Entries:	1

Total Records: 11

Population: All Records

Enforcement.DateFiled Between 3/12/2025 12:00:00 AM AND 4/2/2025 11:59:59 PM

Enforcement List - Inspection Summary

04/02/25

Enforcement Number	Address	Filed	Status	Closed
E2025-0049	157 GOMEZ RD	03/12/25	CLOSED - COMPLIED	03/21/25
ROCKS IN RIGHT OF WAY				
Inspection Type	Status	Result	Scheduled	Completed Inspector
Follow-Up	Completed	02	03/24/25	03/21/25 FRANK LOGALBO
Enforcement Number	Address	Filed	Status	Closed
E2025-0050	119 S BEACH RD	03/26/25		
RECIEVED INFO FROM THE CHIEF REGARDING PYRAMID CEMENT CONES (NOT ALLOWED)				
Inspection Type	Status	Result	Scheduled	Completed Inspector
Enforcement Number	Address	Filed	Status	Closed
E2025-0051	480 S BEACH RD	03/26/25		
SOMEONE COMPLAINED ABOUT THE WRONG COLOR LIGHTS ON DOCK				
Inspection Type	Status	Result	Scheduled	Completed Inspector
Enforcement Number	Address	Filed	Status	Closed
E2025-0052	486 S BEACH RD	03/26/25		
NANCY AUTH MADE A COMPLAINT ABOUT THE WRONG COLOR LIGHT ON THE DOCK. THEY HAVE YELLOW AND IT HAS TO BE WHITE				
Inspection Type	Status	Result	Scheduled	Completed Inspector
Enforcement Number	Address	Filed	Status	Closed
E2025-0053	103 N BEACH RD	03/27/25	CLOSED - COMPLIED	03/27/25
TRIMMING TREES BEFORE 8AM				
Inspection Type	Status	Result	Scheduled	Completed Inspector

Enforcement List - Inspection Summary

04/02/25

Initial	Completed	02	03/28/25	03/27/25	FRANK LOGALBO
Enforcement Number	Address		Filed	Status	Closed
E2025-0054	41 N BEACH RD		03/27/25	CLOSED - COMPLIED	03/27/25
CALLED ABOUT ACROSS FROM 41 THE CONSTUTION TRUCKS DAMAGE THE GRASS NO NEW DAMAGE BUT CONSTRUCTION SAID THEY WILL FIX IT					
Inspection Type	Status	Result	Scheduled	Completed	Inspector
Initial	Completed	02	03/27/25	03/27/25	FRANK LOGALBO
Enforcement Number	Address		Filed	Status	Closed
E2025-0055	36 N BEACH RD		03/31/25	CLOSED - COMPLIED	03/31/25
CALL STATED VEHICLES WERE BLOCKING THE ROAD					
Inspection Type	Status	Result	Scheduled	Completed	Inspector
Enforcement Number	Address		Filed	Status	Closed
E2025-0056	161 N BEACH RD		03/31/25	CLOSED - NO VIOLATION	03/31/25
CALLER STATED THAT THERE WAS A ANTENNA ON THE BEACH BEHIND HIS HOUSE					
WRONG ADDRESS					
Inspection Type	Status	Result	Scheduled	Completed	Inspector
Enforcement Number	Address		Filed	Status	Closed
E2025-0057	147 N BEACH RD		04/01/25		
VRBO RENTAL AD FOR NIGHTLY RENTAL NEW CODE ORDINANCE 402					
Inspection Type	Status	Result	Scheduled	Completed	Inspector
Enforcement Number	Address		Filed	Status	Closed

Enforcement List - Inspection Summary

04/02/25

E2025-0058 161 S BEACH RD 04/01/25 CLOSED - NO VIOLATION 04/01/25
CALLED REGARDING A ANTENNA ON THE BEACH

Inspection Type	Status	Result	Scheduled	Completed	Inspector
Initial	Completed	06	04/02/25	04/01/25	FRANK LOGALBO

Enforcement Number	Address	Filed	Status
E2025-0059	2 ISLE RIDGE W RD	04/01/25	CLOSED - VERBAL WARNING ISSI
USING A TILE SAW OUTSIDE			

Inspection Type	Status	Result	Scheduled	Completed	Inspector
Initial	Completed	01	04/03/25	04/02/25	FRANK LOGALBO

Population: All Records
Enforcement.DateFiled Between 3/11/2025 12:00:00 AM AND 4/2/2025 11:59:59 PM



MEMORANDUM

TO: THE MAYOR AND TOWN COMMISSION

THRU: ROBERT GARLO, TOWN MANAGER *RG*

FROM: MICHAEL S. EWING, DIRECTOR OF PUBLIC SAFETY *mse*

DATE: APRIL 7, 2025

SUBJECT: RESIDENT DONATION

The Public Safety Department has received an unsolicited donation in the amount of five thousand dollars (\$5,000). The check, made payable to the "Public Safety Department," was provided by a Jupiter Island resident and designated for "Jupiter Island Fire Department Use Only." This generous contribution was made in recognition and appreciation of the department's response to a recent fire alarm at the resident's home.

The donated funds are specifically intended to support the purchase of additional fire equipment to be installed on the department's fire truck, thereby enhancing the department's emergency response capabilities.

These types of contributions are offered with the express purpose of supporting the designated use described above.

Staff Recommendation:

Staff respectfully recommends that the Town Commission approve the acceptance of this \$5,000 donation, to be used exclusively for the acquisition of fire equipment as specified by the donor.

ATTACHMENT

/mse

cc: file

February 19, 2025

Dear Members of the Jupiter Island Fire Department,

Donna and I apologize for the false alarm last night. So sorry to disrupt your lives.

Please accept this token of appreciation from us to help further your worthy cause.

With much appreciation,

Marvin and Donna Schwartz

215 S Beach Rd

Hobe Sound, FL 33455

1-2/210 4081

DONNA AND MARVIN SCHWARTZ FOUNDATION

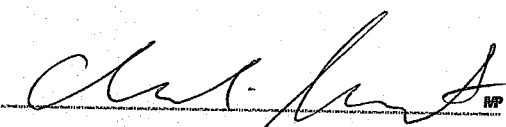
DATE 2/19/25

PAY TO THE ORDER OF Jupiter Island Public Safety \$ 5,000 —

Five thousand and $\frac{xx}{100}$ DOLLARS Heat
Reactive
ink

J.P.Morgan

J.P. MORGAN CHASE BANK, N.A.

MEMO Jupiter Island Fire Department Use only 

⑆021000021⑆ 040008555⑆4081

LOOK FOR FRAUD-DETECTING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK. DETAILS ON BACK.

Town of Jupiter Island Donation Receipt Form

Date: 04/07/2025

Donor's Name: Schwartz

Donor's Address: 215 S Beach Rd, Hobe Sound, FL 33455

Donor's Phone: _____

Donation Amount: \$5,000

If land, goods, or services, describe land, goods or services donated:

Please check where appropriate:

☐ This donation is unrestricted in its use.

☒ This donation is restricted for the following purpose

Fire operations use

☒ Please respect my privacy, I do not wish to be recognized for my contribution.

Person completing this form:

Signature of Donor: _____

Signature of Town Employee receiving donation: 

Note: Donation is tax deductible to the extent allowable by law. It is the responsibility of the donor to determine fair market value of this donation.

No goods or services were provided in exchange, in whole or in part, for the donation.

Approved By: 
Town Manager

(One copy to Finance Department, one copy for Clerk, and one copy for donor)



Jupiter Island Public Safety Department
March 2025
Activity Report



Monthly Activity

	March 2024	March 2025	YTD - 2024	YTD - 2025
<i>Calls for Service</i>	130	195	450	460
<i>Arrests</i>	0	3	2	5

Traffic & Marine Activity

	March 2024	March 2025	YTD - 2024	YTD - 2025
<i>Traffic Stops</i>	84	128	205	287
<i>Vehicle Citations</i>	10	24	22	43
<i>Parking Citations</i>	25	29	46	41
<i>Vehicle Crashes</i>	1	4	4	16
<i>Marine Unit Activity</i>	-	60	-	117

Major Crimes

<i>Crime Type</i>	March 2024	March 2025	YTD - 2024	YTD - 2025
<i>Robbery</i>	0	0	0	0
<i>Burglary</i>	0	0	0	0
<i>Theft</i>	0	1	1	1
<i>Auto Theft</i>	0	0	0	0
<i>Assault</i>	0	0	0	0
Total	0	1	1	1

Other Crimes

<i>Type</i>	March 2024	March 2025	YTD - 2024	YTD - 2025
<i>Fraud</i>	0	1	0	1
<i>Drug Violations</i>	0	1	0	
<i>Trespassing</i>	0	0	0	1
<i>Vandalism</i>	0	0	0	0
<i>Disorderly Conduct</i>	0	0	0	0
<i>Lewd & Lascivious</i>	0	0	0	0
Total	0	2	0	3



Jupiter Island Public Safety Department
March 2025
Activity Report



Code Compliance

Violation Type	March 2024	March 2025	YTD - 2024	YTD - 2025
<i>Parking in Right of Way</i>	16	18	34	53
<i>No Flag Persons Present</i>	6	0	9	5
<i>Working Outside Hours</i>	0	2	2	3
<i>Work with No Permit</i>	0	0	0	0
<i>All Other Violations</i>	4	2	10	3
Total Violations	26	22	55	64

ALS Fire Rescue Responses

Medical calls this month	10	Avg. response time	2.0 minutes
Fire calls this month	17	Avg. response time	2.1 minutes

Criminal Activity

Drug Arrest / March 4, 2025; Case number 2025-00002761, While responding to reports of a reckless driver, officers discovered a subject sitting in his vehicle in the area of the north refuge on N. Beach Rd. While questioning the subject about the reckless vehicle call, officers observed several containers of nitrous oxide located in the vehicle the subject was sitting in. The officers recognized the items and are familiar with nitrous oxide being a controlled substance and routinely abused as an intoxicant. The subject was in possession of more than 16 grams of Nitrous Oxide in violation of state statute, a felony and subsequently arrested and transported to the Martin County Jail.

Traffic Arrest / March 6, 2025; while conducting a lawful traffic stop, the operator of the vehicle was issued a criminal traffic citation with a mandatory court appearance for Driving While License Suspended or Revoked. The vehicle was released to a licensed driver.

Traffic Arrest / March 6, 2025; while conducting a lawful traffic stop, the operator of the vehicle was issued a criminal traffic citation with a mandatory court appearance for operating a vehicle with No Valid Driver's License/Never Issued. The vehicle was released to a licensed driver.

Traffic Arrest / March 7, 2025; Case Number 2025-00002854, while conducting a lawful traffic stop, the operator of the vehicle was issued a criminal traffic citation with a mandatory court appearance for operating a vehicle with No Valid Driver's License. The vehicle was secured at the subject's place of employment.



***Jupiter Island Public Safety Department
March 2025
Activity Report***



Assist Other Agency, (US Fish & Wildlife) Auto Burglary/Theft / March 9, 2025; Officers responded to the north refuge in reference to a possible auto burglary and theft. Upon arrival officers met with a female reporting that while she was at the beach, she believed someone entered her unlocked vehicle and removed her purse containing her wallet and personal belongings from the passenger side floorboard where she left it. Officers collected all the available information and submitted their report to US Fish and Wildlife for follow-up investigation.

Traffic Arrest / March 10, 2025; Case Number 2025-00003014, while conducting a lawful traffic stop, the operator of the vehicle was placed under arrest and transported to the Martin County Jail for operating a vehicle with No Valid Driver's License. The vehicle was secured at the subject's place of employment.

Fraud / March 12, 2025; Case Number 2025-00003916, Officers responded to the 400 block of S. Beach Rd. to a report of fraud. The victim stated that he had received and made payment on an email invoice that contained fraudulent wire instructions, for payment of service that he had contracted. The payment was never received by the original contractor. The information was turned over to the victim's financial institution's fraud division for follow-up and our investigation is ongoing.

Traffic Arrest / March 27, 2025; Case Number 2025-00003942, at approximately 12:30 pm, while on patrol, officers observed a vehicle traveling north on S. Beach Rd. at a high rate of speed in the area of Blowing Rocks Preserve. When officers attempted to stop the vehicle, it continued north driving recklessly, refusing to stop. Additional Officers attempted to stop the vehicle in the area of Estrada and Gomez where it continued to flee north until it crashed into the trees on the north side of Bridge Rd. while trying to navigate the turn. The driver exited the vehicle and fled on foot into the woods to the north of Bridge Rd. A perimeter was set up with the assistance of MC Sheriff's Office and the subject was quickly apprehended in the wooded area behind 12 N. Beach Rd. The driver was subsequently arrested and transported to the Martin County jail charged with, Reckless Driving, Fleeing and Attempting to Elude, Leaving the Scene of a Crash with Property Damage, and Driving While License Suspended. It was determined the subject had recently been released from the county jail pending charges for driving on a suspended license several days before this incident.

Hobe Sound Beach Statistics

	Current Month	YTD - 2025
<i>Calls for Service- Day</i>	11	19
<i>Calls for Service- Night</i>	3	6
<i>Patrols</i>	81	283
<i>Traffic Stops</i>	5	18



***Jupiter Island Public Safety Department
March 2025
Activity Report***



Hobe Sound Beach Activity

Medical Calls

March 0 Year to Date 0

DAYTIME 7am-7pm

Parking Problems / March, Spring Break; Officers responded to eight (8) calls for service related to parking problems associated with spring break at the HS Public Beach along with numerous extra patrols to manage the overflow issues.

Assist Animal Control / March 6, 2025, 4:17 pm; Public Safety responded to a report of an injured bird south of the lifeguard stand at the public beach. MC Animal Control responded, captured the bird and transported it to the wildlife center.

Traffic Crash / March 31, 2025, 12:53 pm; Public Safety responded to a minor parking lot crash involving a MC Fire Rescue truck vs a parked car in the parking lot at the public beach resulting in minor damage. A crash report was completed.

NIGHTTIME 7pm-7am

Police Service Call / March 9, 2025, 8:08 pm; Officers responded to the public beach to a request for assistance with the keys locked in a vehicle. Access was gained and the keys recovered.

Police Service Call / March 14, 2025, 9:08 pm; Officers responded to the public beach for a distress report from the BMW Response Center indicating the vehicle was located at the public beach. The area was checked, and the vehicle was not located.

Police Service Call / March 31, 2025, 7:32 pm; Public Safety responded to a report of a suspicious person lying against a tree in the public beach parking lot. Officers located two subjects waiting for an Uber to pick them up after completing a 60-mile hike from lake Okeechobee.

Upcoming Town Meetings and Events 2025

Date	Day	Time	Event/Meeting	Location
April 3	Thursday	9am	Impact Review Committee	Island Room
April 7	Monday	9am	Ethics Training for Elected Officials/Boards/Committees	Island Room
April 8	Tuesday	9am	Septic to Sewer Public Workshop	Island Room
April 15	Tuesday	9am	Town Coffee (TBD)	Conference Room
April 15	Tuesday	10am	SMRU Board/Beach Protection Meetings	Island Room
April 16	Wednesday	9am	Town Commission Meeting	Island Room
April 18	Friday	All Day	Holiday - Good Friday - Town Hall Closed	
April 24	Thursday	9am	Board of Adjustment	Island Room (If Required)
April 30	Wednesday	9am	Special Town Commission Meeting	Island Room
May 1	Thursday	9am	Impact Review Committee	Island Room (If Required)
May 8	Thursday	9am	Pension Board Meeting	Conference Room
May 8	Thursday	10:15am	Committee Meeting	Conference Room
May 19	Monday	9am	Town Coffee with Commissioner Taddeo	Conference Room
May 19	Monday	10am	SMRU Board/Beach Protection District Meetings	Island Room
May 20	Tuesday	9am	Town Commission Meeting	Island Room
May 26	Monday	All Day	Holiday - Memorial Day - Town Hall Offices Closed	
May 29	Thursday	9am	Board of Adjustment Meeting	Island Room (If Required)
June 5	Thursday	9am	Impact Review Committee	Island Room (If Required)
June 10	Tuesday	9am	Town Coffee with Commissioner Field	Conference Room
June 10	Tuesday	10am	Beach District Meeting	Island Room
June 11	Wednesday	9am	Town Commission Meeting	Island Room
June 26	Thursday	9am	Board of Adjustment Meeting	Conference Room (If Required)

April 1, 2025

Key
Changes from Previous Schedule
Board of Adjustment
Impact Review Committee
Town Hall Closed
Municipal Election

Agendas posted on Town Website: www.townofjupiterisland.com prior to the meeting